

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION

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ONEIDA SEVEN GENERATIONS  
CORPORATION and GREEN BAY  
RENEWABLE ENERGY, LLC,

Plaintiffs,

v.

Case No. 1:16-cv-01700

CITY OF GREEN BAY,

Defendant.

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**DECLARATION OF LEAH SUE DODGE IN SUPPORT OF DEFENDANT'S MOTION  
TO DISMISS THE COMPLAINT FOR LACK OF CAPACITY TO SUE**

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Pursuant to 28 U.S.C. § 1746, I, Leah Sue Dodge, declare as follows:

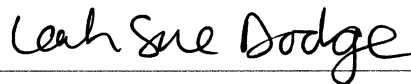
1. I am an enrolled member of the Oneida Nation<sup>1</sup> in Wisconsin, I am over the age of 18, and the following statements are based on my personal knowledge.
2. As an enrolled member of the Oneida Nation in Wisconsin, I have a "Members Only" login at the Tribe's governmental site, <https://oneida-nsn.gov/member-login/>, which hosts documents relative to the Oneida General Tribal Council meetings and actions.
3. To the best of my knowledge, the attached Exhibits are not confidential, privileged, or of a sensitive nature.

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<sup>1</sup> Formerly known as the Oneida Tribe of Indians of Wisconsin.

4. Attached as Exhibit 6 is a true and correct copy of the document entitled “Memorandum” to the Oneida Business Committee, from Patricia ‘Patty’ Hoeft, former Tribal Secretary, dated December 15, 2013, regarding “Action report for General Tribal Council special meeting Dec. 15, 2013.” I accessed this document from the Oneida Nation in Wisconsin’s website. Although the document footer indicates “Page 1 of 2,” there was only one actual page available.
5. Attached as Exhibit 8 is a true and correct copy of the draft “Special General Tribal Council Meeting Action Report” for meetings held Wednesday, August 10, 2016, Sunday, October 2, 2016, and Monday, November 14, 2016 at the Radisson Hotel & Conference Center Green Bay, 2040 Airport Dr., Green Bay, WI 54313. I accessed this document from the Oneida Nation in Wisconsin’s website.
6. Attached as Exhibit 9 is a true and correct copy of a video recording of the August 10, 2016 Special General Tribal Council Meeting. I obtained a copy of the video recording from the Oneida Records Management Department.
7. Attached as Exhibit 10 is an excerpted portion of Exhibit 9 which appears at or around 2:14:45 of Exhibit 9.
8. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of February, 2017 in the State of Wisconsin, Brown County.



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Leah Sue Dodge  
P. O. Box 95  
Oneida, WI 54155

## MEMORANDUM

TO: Oneida Business Committee  
FROM: Patty Hoeft, Tribal Secretary  
DATE: December 15, 2013  
RE: Action report for General Tribal Council special meeting Dec. 15, 2013

The Oneida General Tribal Council met Sunday, December 15, 2013 in a duly called meeting with 1,875 registered Tribal members in attendance at 1:15 p.m. The meeting was at the Radisson Hotel and Conference Center, 2040 Airport Dr., Ashwaubenon, WI, located on the Oneida Indian Reservation. Listed below are the actions taken at the meeting:

**1. Oneida Veterans Color Guards posting of the colors** by Wes Martin

**2. Opening and announcements**

Chairman Ed Delgado called meeting to order at 1:03 p.m. with 1,690 members in attendance. Council member Paul Ninham gave the opening.

**3. Adoption of the agenda**

- a. Approve attendance in meeting of representatives from McGladrey and Pullen who will give the financial analysis in regard to the petition

Main motion by Frank Cornelius to adopt the agenda and to be allowed 15 minutes to give his presentation uninterrupted, seconded by Kathy Mauritz. Motion approved by a show of hands.

Amendment to the main motion by Tina Danforth to allow McGladrey & Pullen to give their financial analysis of petition, seconded by Loretta V. Metoxon. **Motion approved by a hand count: 659 yes, 580 no, 56 abstained, total-1,295**

Motion by John Orie to fix the time to adjourn no later than 2:45 p.m. with 2 minutes speaker time limits and 15 minutes for presentations, seconded by Matt Johnson. **Motion approved by a hand count: 813 yes, 534 no, 45 abstained, total-1,392**

Call by Mike Debraska to appeal the decision of the Chairman. **Appeal failed by a show of hands**

**4. New Business**

- a. **Petitioner Frank Cornelius:** General Tribal Council directs the Business Committee to dissolve the Oneida Seven Generations Corporation based on the Law Office's March 2013 finding that the OSGC's corporate charter identifies that the shareholder (i.e. the Tribe), as represented by the Oneida Business Committee, can dissolve the corporation (petition submitted 7/9/13)

Motion by Cathy L. Metoxen to dissolve Seven Generations Corporation and for Frank Cornelius to assist and work with the Business Committee on the dissolution, seconded by Scharlene Kasee. **Motion approved by a hand count: 814 yes, 689 no, 69 abstained, total-1,572**

**5. Adjournment**

Motion by Allan King to adjourn at 2:52 p.m., seconded by Kathleen Mauritz. **Motion approved by a voice vote**

**CORPORATE CHARTER  
OF  
ONEIDA SEVEN GENERATIONS CORPORATION**

**ARTICLE I. NAME**

The name of the tribal chartered corporation is the Oneida Seven Generations Corporation ("Corporation"). The Oneida Tribe of Indians of Wisconsin ("Oneida Nation") confers on the Corporation all rights, privileges and immunities existing under federal and Oneida tribal laws.

**ARTICLE II. AUTHORITY**

The Oneida Business Committee ("Business Committee") grants this Charter based upon authority vested in it by the Oneida General Tribal Council ("General Tribal Council"), pursuant to Article IV, Section 1(h) of the Constitution and By-laws of the Oneida Nation ("Oneida Constitution"), and pursuant to the exercise of the sovereign rights, future and reserved, of the Oneida Nation in Article IV, Section 2 and 3 of the Constitution and Bylaws of the Oneida Nation, duly approved by the Secretary of the Interior of the United States of America on December 21, 1936.

**ARTICLE III. DURATION**

The period of existence of the Corporation will be perpetual until it is dissolved, pursuant to Article XV of this Charter.

**ARTICLE IV. REGISTERED OFFICE/AGENT, PLACE OF BUSINESS**

The principal place of business and the registered office of the Corporation must be on the Oneida Indian Reservation, Wisconsin. The registered agent is Chief Executive Officer. The registered office and place of business is 1239 Flight Way, DePere, Wisconsin 54115. The mailing address will be P.O. Box 257, Oneida, WI 54155. The Corporation may have other places of business, on or off the Oneida Indian Reservation consistent with the terms of this Charter.

**ARTICLE V. JURISDICTION**

The Corporation is created under, and is subject to the laws, ordinances and jurisdiction of the Oneida Nation. The General Tribal Council expressly reserves to the Oneida Nation all its inherent sovereign rights as an Indian nation with regard to the activities of the Corporation.

**ARTICLE VI. PURPOSES AND POWERS**

The purpose of this Corporation is to engage in activities related solely to the purposes of commercial leasing. The Corporation is prohibited from engaging in any action not specifically for the purposes of commercial leasing and nothing in the powers granted under this Article shall be interpreted to authorize any other purpose or power. In the event of any cause for

interpretation of the purposes and powers granted in this Article, such interpretation shall be narrowly construed to limit the purposes and powers to commercial leasing activities. The powers of the Corporation are:

- (A) To purchase, take, receive, lease, solicit, take by gift, devise or bequest or to otherwise acquire, hold, improve, use and otherwise deal in and with money, real and personal property, rights and services of any kind and description, or any interest therein related to the purposes of managing commercial leases.
- (B) To buy, sell, mortgage, pledge, lease, hold, transfer and assign all or any part of the Corporation's property and assets for the purposes of managing commercial leases; PROVIDED, that title to all trust or restricted real or personal property of the Oneida Nation must be and remain in its trust or restricted status for the Oneida Nation which includes the necessary approval of the Oneida Land Commission or its successor.
- (C) To enter into, make, perform and carry out contracts, and to receive financial assistance from any governmental or private source and to expend its funds in furtherance of its purpose of managing commercial leases.
- (D) To waive only the sovereign immunity the Corporation possesses for the purposes of dispute resolution or contract enforcement in contracts, agreements or other similar documents for the furtherance of the Corporation's business and/or purpose of managing commercial leases.
- (E) To hire, discharge, train and supervise all labor and employees required for the purpose of the Corporation.
- (F) To elect or appoint officers and agents of the Corporation and define their duties and fix their compensation, PROVIDED that such elections or appointments comply with the laws of the Oneida Nation and the policies of the Corporation.
- (G) To amend and alter by-laws, consistent with the charter or the executing of the affairs of the Corporation.
- (H) To sue and be sued in its Corporate name as herein specifically provided to the extent allowed by Oneida tribal, state or federal law upon any contract, claim or obligation of the Corporation arising out of the accomplishment of its purposes. Recovery against the Corporation is limited to the assets of the Corporation. The Oneida Nation will not be liable and its property or assets will not be expended for the debts or obligations of the Corporation.
- (I) To purchase insurance for any property, real or personal, or person against any risks or hazards.
- (J) To establish and maintain bank accounts as may be necessary or convenient.

- (K) To borrow money and to issue temporary or long term evidence of indebtedness of the Corporation and repay the same.
- (L) To pledge and otherwise encumber the assets of the Corporation as security for debts for the purposes of commercial leasing; and to acquire, sell, lease, exchange, transfer or assign personal property and interests therein for the purposes of commercial leasing.
- (M) To set up separate corporate business systems and processes only upon approval of the Oneida Nation evidence through the adoption of a resolution authorizing the creation of the separate corporate business system and processes and only for the purpose of commercial leasing; i.e. LLCs and LLPs, etc.
- (O) To take further actions as are commonly engaged in by corporate bodies, as the Agent may deem reasonably necessary to effectuate the purposes of the Corporation for the purposes of commercial leasing.

#### **ARTICLE VII. AGENT**

The business and affairs of the Corporation will be managed by an Agent who shall be appointed by the Oneida Business Committee and will exercise the authority and management of the Corporation. The Agent may be an individual or a firm.

#### **ARTICLE VIII. INDEMNIFICATION**

Each present, former and future board member, officer, agent or employee of the Corporation is entitled, without prejudice to any other rights the person may have, to be reimbursed and indemnified from assets of the Corporation for all legal and other expenses, including attorney's fees, fines, judgments, and amounts paid in settlement, actually and reasonably incurred by the director, officer, agent or employee in connection with any claim, action, suit or proceeding, civil, criminal, administrative or investigative in nature in which the director, officer, agent or employee may be involved as a party or other by reason of having served as a director, officer, agent or employee of the Corporation to the extent that such person is not otherwise indemnified.

#### **ARTICLE IX. DISTRIBUTION OF PROFITS**

This Charter is granted upon the condition that profits of the Corporation are allocated in the manner set forth as follows:

- (A) The Corporation shall, as soon as practical, make a determination of the net profits income of the Corporation for each fiscal year. Net income will be based upon Generally Accepted Accounting Principles.
- (B) The Corporation shall establish a cash reserve for debt service which will be set as an amount equal to six (6) months debt payments and one (1) year working

capital. Debt payments are defined as payments on principal and interest for all current debts of the Corporation. Working capital is defined as current assets minus current liabilities.

- (C) Distribution of earnings or profits may be made at the discretion of the Shareholders, which will be mutually agreed upon at the Annual Shareholders Meeting.

#### **ARTICLE X. USE OF PROFITS**

Profits must be used to carry out the purposes and powers of the Corporation as enumerated in Article VI and and distribution of profits as enumerated in Article IX of this Charter. Profits not utilized in the furtherance and continuance of the Corporation will revert to and be designated for use by the Oneida Nation.

#### **ARTICLE XI. ANNUAL MEETING**

The Annual Meeting is subject to the following:

- (A) The annual business meeting of the Corporation with the Business Committee will be held on the second Tuesday of December for the purpose of receiving reports on the operations of the Corporation, election of board members, and transaction of any other business of the Corporation. In the event of failure, through oversight or otherwise, to hold the annual business meeting on the second Tuesday in December, a subsequent meeting, upon due notice, may be held in place of the regularly scheduled annual meeting. Any action taken at such subsequent meeting will be as valid as if the action was taken at the regular annual meeting.
- (B) Written notice stating the place, day and hour of the meeting, the purpose or purposes of the meeting will be delivered to the Secretary of the Business Committee. Such notice will be mailed, e-mailed or delivered in person not less than five (5) nor more than thirty (30) days before the date of the meeting.
- (C) The Agent will designate the place of the meeting and hour.

#### **ARTICLE XII. SPECIAL MEETINGS**

Special Business Meetings are those meetings other than the annual or regular meeting of the Corporation which are subject to the following:

- (A) May be called by the written notice of the Agent or by written request of a quorum of the Business Committee.
- (B) Once a request of any one or more of the above is made for a special business meeting with the Business Committee, the Agent must give written notice stating

the place, day, and hour of the meeting, the purpose or purposes of the meeting, to the Secretary of the Business Committee.

### **ARTICLE XIII. REPORTS**

The Agent shall approve and direct to be filed reports with the Oneida Business Committee and General Tribal Council in accordance with this Article. Reports shall be prepared at least annually to coincide with the annual meeting of General Tribal Council, with other reports quarterly to the Oneida Business Committee or as required by the Business Committee as the shareholder/member of the corporation.

#### **Section 1: Narrative Report**

- (A) Definition: Narrative report is defined generally as contextual and non-financial information reported with financial information in order to provide understanding of the corporation's business done, market position, strategies, performance and future expectations. The Narrative report should include topics and information covering four broad categories of information, including 1) Market overview; 2) Strategy and Structure of the Corporation; 3) Management of value of the Corporation; and 4) Performance of the Corporation over the reporting period.
- (B) Components of Report: Narrative reports should include, but are not limited to, at a minimum, the following components in a comprehensive means for easy distribution and understanding:
  - a. Explanation of the core of the Corporation's business practices and market overview.
  - b. Explanation of the Corporation's current place within the market.
  - c. Explanation of the outlines of strategies by the Corporation for improved value in the market.
  - d. Explanation of the Corporation's relative performance vs. competitors and identification of key competitors within the market.
  - e. Explanation of any material changes or developments in the market or nature of business the Corporation is primarily engaged in since the last reporting period.
  - f. Identification of the primary goals and targets of the Corporation and progress made towards accomplishment of the same.
  - g. Identification of key elements for success in strategies given, including risks, resources and relations available and needed in order to successfully fulfill outlined strategies.
  - h. Identification of medium (two to five year) and long (greater than five year) prospects and sustainability of the Corporation given present status, strategies and risks.
  - i. Explanation of market growth (if any) experienced by the Corporation, identifying sources of growth (i.e. organic growth through market share increase, volume of business increase, acquisition of competition or other assets, etc.).



- j. Summary of the assets of the Corporation, including but not limited to its financial, physical, employee, customer, brand or intellectual property, and supply assets.
  - k. Summary and status update of any pending legal action to which the Corporation is a party and any relevant government regulation to which the Corporation may be subject.
- (C) Report Due Date: Narrative reports are due in time for the annual meeting of General Tribal Council generally held in July of each year, meaning it should be submitted no later than May 31<sup>st</sup> of each year unless GTC changes its meeting date or some other date is issued by the Business Committee.
- (D) Narrative Report Access: The Narrative report is one submitted to the Business Committee and General Tribal Council of the Oneida Tribe. It is considered a public report and shall be made available to the public through the office of the Secretary and/or the Oneida website or other available means.

## Section 2: Financial Report

- (A) Financial Report Defined: The Financial report is the formal record of the financial activities of the Corporation. Such statements shall be presented in a structured and understandable manner consistent with Generally Accepted Accounting Principles (GAAP).
- (B) Financial Report Content: the Financial report shall include information in the following broad categories including but not limited to: 1) an executive summary or broad overview; 2) a balance sheet of the Corporation's financial position listing assets and liabilities; 3) income statement reporting the income, expenses and general profit over the reporting period; 4) statement of retained earnings; and 5) statement of cash flow.
- (C) Financial Report Due: Financial Reports are due quarterly to the Oneida Business Committee with copies to the Oneida Treasurer and Chair of the Oneida Audit Committee and as otherwise demanded by the Oneida Business Committee as the representative owner of the Corporation.
- (D) Financial Reports are subject to an annual audit by auditors from the Oneida Tribe or by third party auditors as hired by the Oneida Tribe at the Corporation's expense detailing the fairness and accuracy of the financial reports. The audit reports shall be submitted as attachments to the financial reports as they are done and completed with each applicable reporting period.
- (E) Financial Report Access: Financial reports are proprietary and considered confidential information owned by the Oneida Tribe of Indians of Wisconsin, to be retained by the Secretary's office. Financial reports are accessible only to those authorized officers, officials and personnel of the Oneida Tribe of Indians of

Wisconsin with a legal or legitimate need to know such report information. They may be disclosed with permission of the Agent and/or the Owner for economic solicitation purposes or as demanded by the Owner.

### Section 3: Disclosure Report

- (A) Disclosure Report Defined: Disclosure reports financial and familial relationships and connections between the Corporation and other entities, as well as the Agent and key management personnel. Any financial or legal relationship, ownership interest, or any blood kinship within the Corporation and its financial practices or partnerships shall be detailed in a structured and easy to understand format.
- (B) Disclosure Report Content: The Disclosure report shall include, but not be limited to, the following detailed information:
  - a. Names and title of the Agent, time in the position, and date when position shall be up for renewal or replacement (if applicable).
  - b. Names and title of all of the Corporation's key management personnel, with length of service in that position, and if under contract, when that position is up for renewal or expiration of the contract term.
  - c. Summary of any financial or familial relationship between any of the people in part a. or part b. in this Section, as well as any relationship, financial or familial with any current member of the Oneida Business Committee or any member of any regulatory body within Oneida such as a board committee or commission charged with regulating the Corporation's industry or activities.
  - d. Names of any other person, whether it be a business in any legal form or an individual, doing business with the Corporation for purposes of mutual enterprise (i.e. including but not limited to: joint ventures; membership in an LLC together; acquisition as a subsidiary; partnership).
  - e. Summary of the financial transactions or relationship between those listed in d. above in this Section and the Corporation, including the purpose of the mutual enterprise, legal relationship, or other connection between the Corporation, the Agent or its key management personnel and this other named entity or person.
- (C) Disclosure Report Due: An annual report to the Oneida Business Committee is due concurrently with the narrative report, as well as whenever there is a change to the Agent, turnover to key management personnel, or a business venture creating a new partnership, LLC, subsidiary, or any other legal entity connected to the Corporation for any purpose.
- (D) Disclosure Report Access: Disclosure reports are proprietary and considered confidential information owned by the Oneida Tribe of Indians of Wisconsin, to be retained by the Secretary's office. Disclosure reports are submitted to the Oneida Business Committee and accessible only to those authorized officers, officials and personnel of the Oneida Tribe of Indians of Wisconsin with a legal or legitimate need to know such report information.

#### **ARTICLE XIV. AUDITS**

An annual audit must be submitted to the Business Committee by the Secretary of the Corporation for the annual business meeting. Said audit is to be performed by an Independent Certified Accounting Firm pursuant to generally accepted auditing procedures. Audits of the Corporation may be conducted by the Oneida Nation with reasonable notice to the Treasurer of the Corporation.

#### **ARTICLE XV. DISSOLUTION**

The Corporation may be dissolved by:

- (A) Adoption of a Business Committee resolution dissolving the Corporation. Upon dissolution of the Corporation, the assets of the Corporation remaining are for the payment of debts and liabilities of the Corporation to be distributed to creditors in the following order: (1) third parties perfected security interest; (2) security interests of the Oneida Nation; (3) third parties unperfected security interest.
- (B) The Corporation agrees that when all loans, liens and other monies guaranteed by the Oneida Nation are paid in full, the corporation will execute and deliver to the Oneida Nation all interest it may have in any property, real or personal, on demand, free of all encumbrances.

#### **ARTICLE XVI. AMENDMENTS**

This Charter may be amended by Business Committee resolution pursuant to Oneida tribal laws and ordinances.

#### **ARTICLE XVII. LIMITATION OF POWERS**

Unless expressly authorized under this Charter, the Corporation may not:

- (A) Expressly or impliedly enter into agreements on behalf of the Oneida Nation.
- (B) Pledge the credit of the Oneida Nation.
- (C) Dispose, pledge, or otherwise encumber real or personal property of the Oneida Nation.
- (D) Secure loans or incur indebtedness requiring obligation, contribution or guarantee on the part of the Oneida Nation.
- (E) Waive any right of, or release any obligation owed to the Oneida Nation.

- (F) Waive any other rights, privileges or immunities of the Oneida Nation.
- (G) Exercise governmental functions, such as taxing, zoning, licensing or police powers, with respect to Oneida tribal lands. Such powers are exclusively reserved and may be exercised by the Business Committee through the enactment of codes, ordinances and regulations; however, the Corporation shall comply with and abide by such tribal enactments.

## **ARTICLE XVIII. BANKING COMMITMENT**

The Business Committee grants this charter subject to the Commitment to the Board of Governors of the Federal Reserve System ("Board") and the Corporation is created subject to the Commitments by the Oneida Tribe of Indians of Wisconsin to the Board. The Corporation shall, within ten days of the granting of this charter, pass a resolution committing itself to abide by and comply with the Commitment Letters to the Board. Failure to execute and submit the Commitment Letters shall result in the immediate dissolution of the Corporation.

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BC Resolution 10-25-1995-B approved a grant application to the Education Foundation of America for the development of ventures which have long-range "Seventh Generation" potential.

BC Resolution 10-16-1996 granted a Corporate Charter to Oneida Seven Generations Corporation which was dissolved by BC Resolution 12-04-1996-A

Adopted by BC Resolution 12-04-1996-B

Amended by BC Resolution 01-29-1997-H

Amended by BC Resolution 07-09-1997-B

Amended by BC Resolution 07-13-2005-P

Amended by BC Resolution 09-27-2006-H

Amended by BC Resolution 01-26-2011-A

Amended by BC Resolution 02-08-2012-A

Amended by BC Resolution 02-22-2012-A

Amended by BC Resolution 12-24-2013-A



**Special General Tribal Council Meeting Action Report DRAFT**  
**6:00 p.m., Wednesday, August 10, 2016**  
**1:00 p.m. Sunday, October 2, 2016 (1<sup>st</sup> Reconvened)**  
**6:00 p.m. Monday, November 14, 2016 (2<sup>nd</sup> Reconvened)**  
**Radisson Hotel & Conference Center, 2040 Airport Dr., Green Bay, WI**

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The Oneida General Tribal Council met Wednesday, August 10, 2016, at a duly called meeting with 1,767 registered tribal members in attendance at 6:15 p.m. The Oneida General Tribal Council met Sunday, October 2, 2016, at a duly called meeting with 1,412 registered tribal members in attendance at 6:15 p.m. The Oneida General Tribal Council met on Monday, November 14, 2016, at a duly called meeting with 1,670 registered tribal members in attendance at 6:15 p.m.

**Oneida Business Committee Attendance on August 10, 2016:**

Present: Chairwoman Tina Danforth, Treasurer Trish King, Secretary Lisa Summers, Councilmembers: Fawn Billie, Tehassi Hill, Brandon Stevens, Jennifer Webster

Not Present: Vice-Chairwoman Melinda J. Danforth (vacation), Councilman David Jordan (personal)

**Oneida Business Committee Attendance on October 2, 2016:**

Present: Chairwoman Tina Danforth, Vice-Chairwoman Melinda J. Danforth, Secretary Lisa Summers, Councilmembers: Fawn Billie, Tehassi Hill, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Treasurer Trish King (personal)

**Oneida Business Committee Attendance on November 14, 2016:**

Present: Chairwoman Tina Danforth, Vice-Chairwoman Melinda J. Danforth, Treasurer Trish King, Secretary Lisa Summers, Councilmembers: Fawn Billie, David Jordan, Brandon Stevens, Jennifer Webster

Not Present: Councilman Tehassi Hill (personal)

**1. WELCOME AND OPENING PRAYER**

On August 10, 2016, Chairwoman Tina Danforth introduced Lloyd Powless to bring in the colors. The colors were retired. Chairwoman Tina Danforth introduced Miss Oneida, Katy Bermke; Jr. Miss Oneida, Kaylee Schuyler; and Lil Miss Oneida, Avery Nooyen to provide the opening.

October 2, 2016, Chairwoman Tina Danforth introduced Lloyd Powless to bring in the colors. The colors were retired. Chairwoman Tina Danforth introduced Loretta Metoxen to provide the opening prayer.

**2. CALL MEETING TO ORDER**

On August 10, 2016, Chairwoman Tina Danforth called the meeting to order at 6:00 p.m.

On October 2, 2016, Chairwoman Tina Danforth called the reconvened meeting to order at 1:00 p.m.

On November 14, 2016, Chairwoman Tina Danforth called the reconvened meeting to order at 6:00 p.m.

**3. ADOPT THE AGENDA**

**EXCERPT FROM AUGUST 10, 2016:** Motion by Madelyn Genskow that the agenda proceed with (Items 4.A.1-5) Frank Cornelius' petition to be first; when it comes to Madelyn Genskow's petition that Item 5.B.3 Repeal the Judiciary Law resolution be first of the 3 resolutions; that the meeting will last no longer than 4 hours; that each continuation meeting will continue in 4 hour segments; and that the meeting will reconvene in 60 days or less. Seconded by Lou Ann Green.

**Motion carried by show of hands**

**Dodge Declaration Exhibit 8**

Amendment to the main motion by Linda Dallas to allow Attorney Joe Nicks, of Godfrey & Khan, and CPA Mark Diederich, of Schenck, to attend during the Oneida Seven Generations Corporation presentation. Seconded by Scharlene Kasee. **Motion carried by show of hands**  
Amendment to the main motion by Cathy Metoxen to move Item 6.A. Petitioner Nancy Barton: To Open an Emergency Food Pantry to be second on the agenda. Seconded by Loretta Metoxen. **Motion carried by show of hands**

#### **4. NEW BUSINESS**

##### **A. Petitioner Frank Cornelius: Report and consider four (4) resolutions**

###### **1) Report to General Tribal Council**

**EXCERPT FROM AUGUST 10, 2016:** Motion by Sherrole Benton to rescind the December 15, 2013 action dissolving the Oneida Seven Generations Corporation and restrict the corporation to commercial leasing activities. Seconded by Loretta Metoxen. *Motion not voted on; item tabled.*

Amendment to the main motion by Allen R. King to approve all of the BC recommendations for Items 4.A.1-4. **Chairwoman Tina Danforth ruled this motion out of order.**

Amendment to the main motion by Nancy Skenandore that we as GTC want to know who are the leaders; who are the investors; who are the attorneys; who are the stockholders; who are the owners; who are the board members; how are they paid; what do they use for collateral; for this information be provided for the last 10 years; and to be reported at the next meeting. Seconded by Cathy Metoxen. **Motion carried by show of hands**

Amendment to the main motion by Dan Hawk to allow Oneida Seven Generations Corporation to continue litigation with the City of Green Bay. Seconded by Sherrole Benton. **Motion carried by show of hands**

**EXCERPT FROM AUGUST 10, 2016:** Motion by Frank Cornelius to table this item. Seconded by Linda Dallas. **Motion carried by hand count: 845 support; 395 opposed; 16 abstentions**

**EXCERPT FROM OCTOBER 2, 2016:** Motion by Melinda J. Danforth to take the motion related to item 4.A.1. from the table. Seconded by Allen King. **Motion failed by show of hands**

###### **2) Investigation into Oneida Seven Generations Corporation**

**EXCERPT FROM AUGUST 10, 2016:** Motion by Sherrole Benton to reject item 4.A.2. Resolution entitled "Investigation in Oneida Seven Generations Corporation". Seconded by Donna Metoxen. **Motion carried by hand count: 655 support; 347 opposed; 69 abstentions**

Motion to vote on the call for the question by Linda Dallas. **Motion failed by show of hands**

**EXCERPT FROM AUGUST 10, 2016:** Motion by Nancy Barton to recess at 9:58 p.m.; to reconvene within 60 days, with the Tribal Secretary mailing out the meeting materials with the agenda. Seconded by Cathy Metoxen. **Motion carried by voice vote**

###### **3) Enforcing salaries for Oneida Seven Generations Corporation**

**EXCERPT FROM OCTOBER 2, 2016:** Motion by Tehassi Hill to reject item 4.A.3. Resolution entitled "Enforcing salaries for Oneida Seven Generations Corporation". Seconded by Howard Cooley. **Motion carried by show of hands**

###### **4) Freedom of speech, press, and assembly**

**EXCERPT FROM OCTOBER 2, 2016:** Motion by Madelyn Genskow to adopt item 4.A.4. Resolution entitled "Freedom of speech, press, and assembly". Seconded by Nancy Skenandore. **Motion failed by show of hands**

**EXCERPT FROM OCTOBER 2, 2016:** Motion by Carole Liggins to direct the OBC to review the word count limitation regarding opinion letters published in the Kalihwisaks. Seconded by LouAnn Green. **Motion failed by show of hands**



## 5) Imposing a tax on the OBC

**EXCERPT FROM OCTOBER 2, 2016:** Motion by Becky Webster to reject item 4.A.5. Resolution entitled "Imposing a tax on the OBC". Seconded by Sherrole Benton. **Motion carried by show of hands**

**EXCERPT FROM OCTOBER 2, 2016:** Motion by Frank Cornelius that the Tribal Treasurer reimburse the GTC representative, Frank L. Cornelius, for any and all costs incurred or will incur for the work related to the dissolution of the Oneida Seven Generations Corporation. Seconded by Cathy Metoxen. **Motion failed by show of hands**

## 5. OLD BUSINESS

### A. Petitioner Madelyn Genskow: Review and consider one (1) resolution regarding Fee-to-Trust Process

*Item not addressed.*

### B. Petitioner Madelyn Genskow: Review and consider (3) resolutions

#### 1) Business Committee Accountability

**EXCERPT FROM NOVEMBER 14, 2016:** Motion by Madelyn Genskow to adopt resolution 5.B.1. Business Committee Accountability. Seconded by Joey Christjohn. **Motion failed by show of hands**

Amendment to the Main Motion by Nancy Barton that all resolutions adopted by the BC be reported at the Annual and Semi-annual GTC meetings. Seconded by Gina Powless. **Motion failed by show of hands**

Amendment to the Main Motion by Nancy Barton that Secretary Lisa Summers and Treasurer Trish King be immediately suspended for 90 days without pay. Seconded by Madelyn Genskow. **Motion ruled out of order by Chairwoman Tina Danforth**

Motion to appeal the decision of the Chairwoman by Nancy Barton. **Appeal carried by hand count overturning Chairwoman's decision to rule amendment out of order: 517 support; 611 oppose; 62 abstentions**

Amendment to the Main Motion by Nancy Barton that Secretary Lisa Summers and Treasurer Trish King be immediately suspended for 90 days without pay. Seconded by Madelyn Genskow. **Motion failed by hand count: 444 support/ 762 opposed; 75 abstentions**

#### 2) Open Records and Open Meetings Law

**EXCERPT FROM NOVEMBER 14, 2016:** Motion by Gina Powless to deny the resolution 5.B.2. Open Records and Open Meetings Law. Seconded by Sandy Schuyler. **Motion carried by show of hands**

#### 3) Repeal Judiciary Law

**EXCERPT FROM NOVEMBER 14, 2016:** Motion by Madelyn Genskow to adopt resolution 5.B.3. Repeal the Judiciary Law and associated motions found on pages 73-75; with two amendments (in resolve on p. 74 add "family court will continue and other cases will go to original hearing bodies until the BC comes back to GTC with a better plan"). Seconded by Joey Christjohn. **Motion failed to meet 2/3 majority by hand count: (total 1264 yes/no votes, 842 required for 2/3 majority vote) 32 support; 1187 opposed; 51 abstentions**

### C. Petitioner Gina D. Powless: To Create a support system for Tribal members engaged with the Oneida Judiciary

**EXCERPT FROM NOVEMBER 14, 2016:** Motion by Gina Powless to direct the OBC to establish a legal office consisting of advocates and an advising attorney for GTC, and be elected at the 2017 General Election, to represent employees employed by Oneida Nation, and Tribal enrolled members that have any type of litigation at the Oneida Judiciary, and to retain legal counsel specifically for GTC to advise during duly called GTC meetings, this office will not report to the OBC, but to GTC on an Annual and Semi-Annual schedule. Seconded by Robert Steffes. **Motion carried by hand count: 827 support; 201 opposed; 80 abstentions**

*On November 14, 2016, Chairwoman Tina Danforth departs at 9:00 p.m. Vice-Chairwoman Melinda J. Danforth assumes responsibility of the Chair.*

Amendment to the main motion by Lloyd Zeise that rule changes and scheduling issues for gaming employees be reviewed. **Motion ruled out of order by Vice-Chairwoman Melinda J. Danforth**

*On November 14, 2016, Chairwoman Tina Danforth returns at 9:08 p.m. and assumes responsibility of the Chair.*

Amendment to the main motion by Linn Cornelius to revise the timeframe to the 2017 General Election. Seconded by Don Miller. **Motion carried by show of hands**

Amendment to the main motion by Linda Dallas to have training on a bi-annual basis that includes but is not limited to training in Judiciary laws, processes, procedures, and tribal laws that apply to it (representation of matters in front of the judiciary), to be opened to all Tribal Members; and to begin FY2018. Seconded by Brad Graham. **Motion carried by show of hands**

## **6. NEW BUSINESS**

### **A. Petitioner Nancy Barton: To Open an Emergency Food Pantry**

**EXCERPT FROM OCTOBER 2, 2016:** Motion by Nancy Barton to open an emergency food pantry at the former Tower Foods building; that it be opened in 45 days; that the following be donations – buffalo, grass fed beef, apples, corn; that all food line items budgeted for programs, Boards, Committees, and Commissions be directed to the food pantry; to hire a manager and 2 warehouse workers for the pantry who are enrolled Oneida members; that the manager report quarterly to the OBC and directly to GTC at the Semi-Annual and Annual meeting; to reinstate the 2008 budget for this food pantry when the program was terminated; their supplies listed in the petition (a van for delivery and pick up, a fork lift, 2 dollies, computer software, office supplies, freezers, and refrigerators; and that one of the requirements to be eligible for food pantry would be that at least one member of the household is an enrolled Oneida member. Seconded by Mike Debraska. **Motion carried by hand count: 651 support; 387 opposed; 41 abstentions**

Amendment to the main motion by Dylan Benton that instead of pulling the food budgets from where they are now, that we pull them from the GTC stipends. **Motion ruled out of order by Chairwoman Tina Danforth**

Amendment to the main motion by Katie Hladilek to create a position who would oversee a program that helps Oneida members in financial planning and budgeting of shopping for everyday needs; and would also provide classes held at the food pantry. Seconded by Judy Jourdan. **Motion failed by show of hands**

Amendment to the main motion by Madelyn Genskow that Oneida Tribal Members or anyone to have a place to take good, used condition clothing for our people at the same facility. Seconded by Nancy Barton. **Motion failed by show of hands**

**EXCERPT FROM OCTOBER 2, 2016:** Motion by Nancy Barton to recess at 4:58 p.m. with a continuation meeting in 60 days or less; and that the mailing contain all of the documents regarding the rest of the petitions to be mailed to GTC. Seconded by Mike Debraska. **Motion carried by voice vote**

## **7. ADJOURN**

**EXCERPT FROM NOVEMBER 14, 2016:** Motion by Linda Dallas to adjourn at 9:58 p.m. Seconded by Dylan Benton. **Motion carried by voice vote**