

Oneida Business Committee

Executive Session 8:30 AM Tuesday, May 21, 2019 Executive Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting 8:30 AM Wednesday, May 22, 2019 BC Conference Room, 2nd floor, Norbert Hill Center

Minutes

EXECUTIVE SESSION

Present: Vice-Chairman Brandon Stevens, Secretary Lisa Summers, Councilmembers: Daniel Guzman King, David Jordan, Kirby Metoxen, Jennifer Webster;

Not Present: Treasurer Trish King;

Arrived at: Chairman Tehassi Hill at 9:55 a.m., Councilman Ernie Stevens III at 8:53 a.m.;

Others present: Jo Anne House, Ralinda Ninham-Lamberies, Lisa Liggins, Jeff Bowman, Nathan King, Jeff House, Jackie Zalim, Laura Laitinen-Warren, Pete King III, Becky Demmith, Steve Ninham, Kathy Hughes, Mary Shaw, Lisa Tillman, Eric McLester, Chad Fuss, Danelle Wilson, Dena Skenandore, Jon Paul Genet, Justin Fox, Brian Doxtator, Tana Aguirre, Jessica Wallenfang, Krystal John (via telephone), Loucinda Conway;

REGULAR MEETING

Present: Chairman Tehassi Hill, Vice-Chairman Brandon Stevens, Secretary Lisa Summers, Council members: David Jordan, Kirby Metoxen, Ernie Stevens III, Jennifer Webster;

Not Present: Treasurer Trish King, Daniel Guzman King;

Arrived at: n/a

Others present: Jo Anne House, Ralinda Ninham-Lamberies, Lisa Liggins, Mercy Metoxen, Brian Doxtator, Chris J. Cornelius, Jen Falck, Chris Johnson, Michael Troge, Cindy Lecker, Dean La Flex,

Cheryl DuBois, Geraldine Danforth, Josh Cottrell;

I. CALL TO ORDER

Meeting called to order by Chairman Tehassi Hill at 8:30 a.m.

For the record: Treasurer Trish King is out on pre-planned vacation. Councilman Daniel Guzman King is out on approve travel.

II. OPENING (00:00:09)

Opening provided by Chairman Tehassi Hill.

III. ADOPT THE AGENDA (00:03:47)

Motion by David P. Jordan to adopt the agenda with one (1) change [delete item XIV.E.4. Review the Chapter 19 Minimum Internal Control Standards and determine next steps], seconded by Jennifer Webster. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

IV. OATH OF OFFICE

Oath of office administered by Secretary Lisa Summers. Mercy Metoxen was present. Burdeena Endhunter was not present.

A. Oneida Nation Arts Board - Burdeena Endhunter and Mercy Metoxen (00:04:40)
Sponsor: Lisa Summers, Secretary

V. MINUTES

A. Approve the February 22, 2019, emergency Business Committee meeting minutes (00:06:55)

Sponsor: Lisa Summers, Secretary

Motion by Jennifer Webster to approve the February 22, 2019, emergency Business Committee meeting minutes, seconded by David P. Jordan. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

B. Approve the May 8, 2019, regular Business Committee meeting minutes(00:07:21)
Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to approve the May 8, 2019, regular Business Committee meeting minutes, seconded by Kirby Metoxen. Motion carried:

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

Lisa Summers, Jennifer Webster Daniel Guzman King, Trish King

Not Present:

VI. RESOLUTIONS

A. Adopt resolution entitled Approval of Use of Economic Development,
Diversification and Community Development Fund for Project ED18-007, Industrial
Hemp Pilot Project on May 22, 2019 (00:07:48)

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

Motion by Lisa Summers to adopt resolution 05-22-19-A Approval of Use of Economic Development, Diversification and Community Development Fund for Project ED18-007, Industrial Hemp Pilot Project on May 22, 2019, seconded by Ernie Stevens III. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

B. Adopt resolution entitled Oneida Nation Support of Sports Betting Core Principles (00:10:59)

Sponsor: Jo Anne House, Chief Counsel

Motion by Brandon Stevens to adopt resolution 05-22-19-B Oneida Nation Support of Sports Betting Core Principles, seconded by Jennifer Webster. Motion carried:

Ayes: David P. Jordan, Kirby Metoxen, Brandon Stevens, Jennifer Webster

Opposed: Lisa Summers Abstained: Ernie Stevens III

Not Present: Daniel Guzman King, Trish King

C. Adopt resolution entitled Interpretation of Resolution # BC-02-27-19-B, Regarding the Education Endowment (00:14:10)

Sponsor: Lisa Liggins, Chair/Oneida Nation School Board

Motion by Lisa Summers to adopt resolution 05-22-19-C Interpretation of Resolution # BC-02-27-19-B, Regarding the Education Endowment, also known as the Ramah Fund Allocation with two (2) changes [1) title change as noted in the motion; and 2) in line 32, correct "Fund" to "Endowment"], seconded by David P. Jordan. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

VII. STANDING COMMITTEES

A. FINANCE COMMITTEE

1. Approve the May 13, 2019, regular Finance Committee meeting minutes (00:20:10)

Sponsor: Trish King, Treasurer

Motion by Lisa Summers to approve the May 13, 2019, regular Finance Committee meeting minutes, seconded by Jennifer Webster. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

B. LEGISLATIVE OPERATING COMMITTEE

1. Accept the May 1, 2019, regular Legislative Operating Committee meeting minutes (00:20:37)

Sponsor: David P. Jordan, Councilman

Motion by Kirby Metoxen to accept the May 1, 2019, regular Legislative Operating Committee meeting minutes, seconded by Jennifer Webster. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

2. Accept the Oneida Personnel Commission May 2019 update (00:21:03)

Sponsor: David P. Jordan, Councilman

Motion by Brandon Stevens to accept the Oneida Personnel Commission May 2019 update, seconded by Lisa Summers. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

C. QUALITY OF LIFE COMMITTEE

1. Accept the March 14, 2019, regular Quality of Life Committee meeting minutes (00:23:40)

Sponsor: Brandon Stevens, Vice-Chairman

Motion by David P. Jordan to accept the March 14, 2019, regular Quality of Life Committee meeting minutes, seconded by Brandon Stevens. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

2. Accept the April 11, 2019, regular Quality of Life Committee meeting minutes (00:25:40)

Sponsor: Brandon Stevens, Vice-Chairman

Motion by David P. Jordan to accept the April 11, 2019, regular Quality of Life Committee meeting minutes, seconded by Jennifer Webster. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

VIII. UNFINISHED BUSINESS

A. Approve the Oneida Head Start/Early Head Start By-Laws - file # 2011-1378 (00:26:07)

Sponsor: Jennifer Webster, Councilwoman

Motion by David P. Jordan to accept the Oneida Head Start/Early Head Start By-Laws - file # 2011-1378, seconded by Lisa Summers. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

Motion by Lisa Summers to send the identifed issues for the Board, Committees, Commissions law to the Legislative Operating Committee to include for potential amendments moving forward for all the Board, Committees, Commissions identied to be in that gap group, seconded by Kirby Metoxen. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

IX. TRAVEL REPORTS

A. Approve the travel report - Councilman Kirby Metoxen - Native American Tourism of Wisconsin (NATOW) 2020-2021 Strategic and 2019 Conference Planning - Danbury, WI - February 19-21, 2019 (00:34:15)

Sponsor: Kirby Metoxen, Councilman

Motion by David P. Jordan to approve the travel report from Councilman Kirby Metoxen for the Native American Tourism of Wisconsin (NATOW) 2020-2021 Strategic and 2019 Conference Planning in Danbury, WI - February 19-21, 2019, noting it was grant funded, seconded by Jennifer Webster. Motion carried:

Ayes: David P. Jordan, Brandon Stevens, Ernie Stevens III, Lisa Summers,

Jennifer Webster

Abstained: Kirby Metoxen

Not Present: Daniel Guzman King, Trish King

X. TRAVEL REQUESTS

A. Approve the travel request - Councilman Kirby Metoxen - 29th National Indian Head Start Directors Association Management Training Conference - Scottsdale, AZ - June 24-27, 2019 (00:35:08)

Sponsor: Kirby Metoxen, Councilman

Motion by David P. Jordan to approve the travel request for Councilman Kirby Metoxen to attend the 29th National Indian Head Start Directors Association Management Training Conference in Scottsdale, AZ - June 24-27, 2019, noting the total estimated cost should be include in the report upon return, seconded by Jennifer Webster. Motion carried:

Ayes: David P. Jordan, Brandon Stevens, Ernie Stevens III, Lisa Summers,

Jennifer Webster

Abstained: Kirby Metoxen

Not Present: Daniel Guzman King, Trish King

B. Approve the travel request - Treasurer Trish King - Tribal Treasury Advisory Committee meeting and public meeting - Washington DC - June 18-21, 2019 (00:37:51)

Sponsor: Trish King, Treasurer

Motion by David P. Jordan to approve the travel request for Treasurer Trish King to attend the Tribal Treasury Advisory Committee meeting and public meeting in Washington DC - June 18-21, 2019, seconded by Lisa Summers. Motion carried:

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

Lisa Summers, Jennifer Webster

Not Present: Daniel Guzman King, Trish King

XI. NEW BUSINESS

A. Determine next steps regarding Emergency Closing Compensation options (00:38:37)

Sponsor: Geraldine Danforth, Area Manager/Human Resources

Motion by Lisa Summers to approve option five [listed in the Human Resources Area Manager memorandum dated May 9, 2019] and direct Human Resources to come back with the supporting documents [i.e. draft resolution, draft SOP(s), fiscal analysis] for approval, seconded by David P. Jordan. Motion carried:

Ayes: David P. Jordan, Brandon Stevens, Ernie Stevens III, Lisa Summers,

Jennifer Webster

Abstained: Kirby Metoxen

Not Present: Daniel Guzman King, Trish King

Secretary Lisa Summers left at 9:30 a.m.

B. Review the Bingo (Chapter 2) Oneida Gaming Minimum Internal Controls and determine appropriate next steps (01:00:50)

Sponsor: Matthew W. Denny, Chair/Oneida Gaming Commission

Motion by Brandon Stevens to accept the notice of the OGMICR Section for Bingo Chapter 2 approved by the Gaming Commission on April 30,

2019, and directs notice to the Gaming Commission there are no requested revisions under section 501.6-14(d), seconded by Kirby Metoxen. Motion carried:

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

Jennifer Webster

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

C. Accept the closeout report and recommendation regarding an Employee Giving Program (01:03:28)

Sponsor: Jennifer Webster, Councilwoman

Motion by Jennifer Webster to accept the closeout report and approve the recommendation to not implement the Employee Giving Program, seconded by Brandon Stevens. Motion carried:

Ayes: David P. Jordan, Brandon Stevens, Ernie Stevens III, Jennifer

Webster

Abstained: Kirby Metoxen

D. Approve exception to resolution # BC-12-27-16-A for June 25-26, 2019 (01:05:40)

Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to approve an exception to resolution # BC-12-27-16-A and cancel both the executive discussion meeting on June

25, 2019, at 8:30 a.m. and the regular meeting on June 26, 2019, at 8:30 a.m., due to no quorum, seconded by Jennifer Webster. Motion carried:

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

Jennifer Webster

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

XII. REPORTS

A. OPERATIONAL

1. Determine next steps regarding the Education and Literacy Service Group FY-2019 2nd quarter report - not submitted (01:07:50)

Sponsor: delete this line

Motion by Jennifer Webster to for the BC Officers to follow-up on the missing report, seconded by Kirby Metoxen. Motion carried:

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

Jennifer Webster

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

Item XIV.A. is addressed next.

XIII. GENERAL TRIBAL COUNCIL

A. Approve the 2019 semi-annual report book contents and audit packet (01:17:10)
Sponsor: Lisa Summers, Secretary

Motion by David P. Jordan to approve the 2019 semi-annual report book contents and Treasurer's report packet, with the five (5) changes [1) the BC Officers will follow-up with the Service Group and the BC liaisons will follow-up with the Boards, Committees, and Commissions listed on page 3 of the book allowing their report submissions no later than Wednesday, May 29, 2019; 2) delete pages 20-23 of the book; 3) the BC Support Office will follow-up with the Oneida Gaming Commission, the Oneida Trust Enrollment Department, and the Oneida Police Commission allowing their department report submssions required under § 105.12-4(b) no later than Wednesday, May 29, 2019; 4) the BC Support Office will follow-up with Internal Services allowing their Food Pantry report submssion no later than Wednesday, May 29, 2019; and 5) on page 8 of the packet, include additional language regarding the unavailable financial statement], seconded by Kirby Metoxen. Motion carried:

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

Jennifer Webster

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

Item XV. is addressed next.

XIV. EXECUTIVE SESSION

A. REPORTS

1. Accept the Bay Bancorporation, Inc. FY-2019 2nd quarter executive report (01:10:35)

Sponsor: Jeff Bowman, President/Bay Bank

Motion by Jennifer Webster to accept the Bay Bancorporation, Inc. FY-2019 2nd quarter executive report, seconded by Brandon Stevens. Motion carried:

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

Jennifer Webster

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

2. Accept the Oneida ESC Group, LLC. FY-2019 2nd quarter executive report (01:11:01)

Sponsor: Jacquelyn Zalim, Chair/OESC Board of Managers

Motion by Jennifer Webster to accept the Oneida ESC Group, LLC. FY-2019 2nd quarter executive report, seconded by Ernie Stevens III. Motion carried:

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

Jennifer Webster

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

3. Accept the Oneida Seven Generations Corporation FY-2019 2nd quarter executive report (01:11:22)

Sponsor: Pete King III, Agent/OSGC

Motion by Kirby Metoxen to accept the Oneida Seven Generations Corporation FY-2019 2nd quarter executive report, seconded by David P. Jordan. Motion carried:

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

Jennifer Webster

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

4. Accept the Oneida Airport Hotel Corporation FY-2019 2nd quarter executive report (01:11:40)

Sponsor: Robert Barton, President/OAHC

Motion by Kirby Metoxen to accept the Oneida Airport Hotel Corporation FY-2019 2nd quarter executive report, seconded by David P. Jordan. Motion carried:

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

Jennifer Webster

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

5. Accept the Oneida Golf Enterprise FY-2019 2nd quarter executive report (01:11:56)

Sponsor: Chad Fuss, Agent/OGE

Motion by Jennifer Webster to accept the Oneida Golf Enterprise FY-2019 2nd quarter executive report, seconded by Ernie Stevens III. Motion carried:

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

Jennifer Webster

6. Accept the Intergovernmental Affairs, Communications, and Self-Governance May 2019 report (01:12:15)

Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs

Motion by Jennifer Webster to accept the Intergovernmental Affairs, Communications, and Self-Governance May 2019 report, seconded by Kirby Metoxen. Motion carried:

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

Jennifer Webster

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

7. Accept the Chief Counsel report (01:12:35)

Sponsor: Jo Anne House, Chief Counsel

Motion by Brandon Stevens to accept the Chief Counsel report, seconded by David P. Jordan. Motion carried:

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

Jennifer Webster

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

B. STANDING ITEMS

1. ONEIDA GOLF ENTERPRISE CORPORATION - LADIES PROFESSIONAL GOLF ASSOCIATION

a. Accept the Thornberry Creek LPGA Classic May 2019 report (01:12:55)

Motion by Kirby Metoxen to accept the Thornberry Creek LPGA Classic May 2019 report, seconded by Ernie Stevens III. Motion carried:

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

Jennifer Webster

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

C. AUDIT COMMITTEE

1. Accept the Audit Committee FY-2019 2nd quarter executive report (01:13:15)
Sponsor: David P. Jordan, Councilman

Motion by Brandon Stevens to accept the Audit Committee FY-2019 2nd quarter executive report, seconded by Kirby Metoxen. Motion carried:

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

Jennifer Webster

D. UNFINISHED BUSINESS

1. Accept the verbal update on the requested recommendation on next steps - contract # 2017-0244 (01:13:35)

Sponsor: Larry Barton, Chief Financial Officer

Motion by David P. Jordan to accept the verbal update on the requested recommendation on next steps - contract # 2017-0244, noting further updates will be provided in the bi-monthly Chief Financial Officer report, seconded by Brandon Stevens. Motion carried:

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

Jennifer Webster

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

E. NEW BUSINESS

1. Approve two (2) relinquishment requests (01:14:08)

Sponsor: Barbara Webster, Chair/Oneida Trust Enrollment Committee

Motion by Kirby Metoxen to approve two (2) relinquishment requests, seconded by Jennifer Webster. Motion carried:

Ayes: Kirby Metoxen, Brandon Stevens, Ernie Stevens III, Jennifer Webster

Abstained: David P. Jordan

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

2. Accept the draft FY-2020 budget roll-up #1 and review Chief Financial Officer recommendations (01:14:35)

Sponsor: Trish King, Treasurer

Motion by David P. Jordan to accept the draft FY-2020 budget roll-up #1 and Chief Financial Officer recommendations, including revised recommendation #2., seconded by Kirby Metoxen. Motion carried:

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

Jennifer Webster

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

Motion by Jennifer Webster to direct the Treasurer to work with Finance and Retail Enterprise to make the identified accounting corrections for FY-2020, seconded by Brandon Stevens. Motion carried:

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

Jennifer Webster

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

3. File # 2019-GMDR03-01 - Review complaint (01:15:05)

Sponsor: OBC Officers

Motion by Jennifer Webster to defer file # 2019-GMDR03-01 to the OBC Officers to complete the identified follow-up, seconded by Kirby Metoxen. Motion carried:

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

Jennifer Webster

4. Review the Chapter 19 Minimum Internal Control Standards and determine next steps

Sponsor: Matthew W. Denny, Chair/Oneida Gaming Commission

Item deleted at the adoption of the agenda.

5. Adopt resolution entitled Finalizing the Dissolution of Oneida Seven Generations Corporation (01:16:05)

Sponsor: Jo Anne House, Chief Counsel

Motion by David P. Jordan to defer the resolution entitled Finalizing the Dissolution of Oneida Seven Generations Corporation to the June 12, 2019, regular Business Committee meeting, seconded by Jennifer Webster. Motion carried:

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

Jennifer Webster

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

6. Review case # NG-019-14 and # NG-019-016 (01:16:32)

Sponsor: David P. Jordan, Councilman

Motion by David P. Jordan to send case # NG-019-014 and NG-019-016 to Chief Counsel for review and response to be brought back to the June 12, 2019, regular Business Committee meeting, seconded by Kirby Metoxen. Motion carried:

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

Jennifer Webster

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

XV. ADJOURN (01:48:45)

Motion by David P. Jordan to adjourn at 10:19 a.m., seconded by Brandon Stevens. Motion carried:

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

Jennifer Webster

Minutes prepared by Lisa Liggins, Information Management Specialist Minutes approved as presented on
Lisa Summers, Secretary ONEIDA BUSINESS COMMITTEE