



SENECA-CAYUGA NATION

CONSTITUTION COMMITTEE MEETING

DATE	Monday, October 16, 2023	TIME PLACE	6pm CDT Tribal HQ + Zoom	FACILITATOR	Carrie Kneeland
-------------	--------------------------------	-----------------------	--------------------------------	--------------------	-----------------

MEMBERS			
Roberta Smith	Present	Scott B Goode	Present - Zoom
Carrie Kneeland	Present – Zoom	Angela Anglen Kelley	Present
Natalie Dixon	Present	Earlyne Gentry	Present
Diana Baker	Not Present	Jo Lynn Gentry	Present – Zoom
Yvonne Perryman	Present later	Others Present	Vincent Blile Dennis Sisco, John Wabaunsee, Curt Lawrence

TIME	ITEM	OWNER
6:04pm	Called to Order - Quorum established at the Seneca-Cayuga Nation's regular Constitution Committee meeting.	Carrie
	<p>Approval of Previous Minutes – October 02, 2023 minutes spoken to, no corrections or amendments to the record – minutes APPROVED</p> <p style="text-align: center;"><u>CERTIFICATION</u></p> <p style="text-align: center;">On <u>10/16/2023</u> the minutes of <u>10/02/2023</u> were approved by unanimous committee consent. Copy emailed to BC Secretary on <u>10/18/2023</u>.</p> <p style="text-align: center;">Attest: <u>Natalie Dixon</u> Natalie Dixon, Secretary</p>	Natalie

TIME	ITEM	OWNER
	<p>Housekeeping</p> <ul style="list-style-type: none"> i. Roll Call ii. Approval of Previous Meetings Minutes – OCT 02 2023 iii. Confirmation of next meeting – OCT 23 2023 	
	<p>Planned Agenda</p> <ul style="list-style-type: none"> • Housekeeping • Diana Baker – Resignation from Committee • Tax Commission • Town Hall definitions discussion • Any Other Business/Open Forum 	
Minutes Begin		
	<p>Discussion on meetings with other Committees (chronologically)</p> <ul style="list-style-type: none"> • <u>23rd October @ 6pm</u> – Claims will not be there; Gaming Commission will arrive @ 7pm • <u>24th October @ 3pm</u> - Constitution Committee members will meet with the Business Committee at their regular Tuesday meeting, video link will be sent the morning of • <u>30th October @ 6pm</u> – Enrollment will be meeting with us 	
6:08pm	<p>Curt Lawrence, John Wabaunsee, Dennis Sisco, Yvonne Perryman enter the room within 2 minutes of each other.</p>	
	<p>Committee member resignation notification & discussion</p> <ul style="list-style-type: none"> • Carrie reads out the resignation email which mentions a prohibition on having membership on two Committees • Dennis Sisco provides clarification that the Benefits Policies and Procedures state that members of the Claims Committee cannot be on two Committees • Discussion on possible historical General Council resolutions prohibiting multi-Committee membership, none currently known or identified by this Committee • No known prohibitions for Enrollment Committee members holding multiple Committee positions • Further discussion regarding this 8 member committee and the place of alternates in Committees • Constitution Committee creation document says that in the event of a vacancy the BC will appoint someone from the remaining pool of candidates 	

TIME	ITEM	OWNER
	<ul style="list-style-type: none"> • Discussion on the remaining pool of candidates that were voted on, was a 5 way tie, first name alphabetically was contacted during meeting and expressed interest and capacity to be appointed to this Committee <ul style="list-style-type: none"> ○ Natalie to email BC regarding their meeting tomorrow and adding vacancy + appt to agenda 	
	<p>Discussion with Tax Commission members</p> <ul style="list-style-type: none"> • Established by the Revenue and Taxation Ordinance that is prescribed by the BC – copy requested of Commission • 5 members currently, per Ordinance the 2nd Chief is the Chairperson, and rest of members include Secretary-Treasurer, Executive Director, and 2 appointed members, currently those appointed are Nick Arledge & John Wabaunsee • They are empowered to collect taxes on all businesses, enterprises, and individuals within our jurisdiction <ul style="list-style-type: none"> ○ Includes revenue generation in the forms of tribal tags, a manufacturing tax on tobacco, sales taxes inside of the casino ○ There is a reserved section for income tax, hypothetical usage would be for a tribal member that is an employee and lives on trust land • All income from Ordinance/Tax Commission is subject to the discretion of the Business Committee and is placed into the general operating account where it is spent • Types of taxes levied – sales tax, gaming tax, liquor tax in casinos, currently only a manufacturing tax on tobacco • Tax Commission responsible for double checking Tobacco's math on the manufacturing tax, paid upon the sale of cigarettes <ul style="list-style-type: none"> ○ On top of normal contributions and manufacturing tax the tobacco enterprise pays an additional 20k to the general operating account • Tribal Housing receives rent from tribal properties, no taxes collected by Tax Commission on individuals other than tag agency and casino tax revenues • Manufacturing tax for cigarettes is based on the manufacture of cigarettes and is collected when the cigarettes are sold to a distributor, this is not a sales tax • There have been issues with tobacco and receiving the reporting and numbers sent to ATF from them, Tax Commission has the power to conduct an audit as well as confiscate property through the Ordinance 	

TIME	ITEM	OWNER
	<ul style="list-style-type: none"> ○ Issue was remedied through the threat of confiscation of the Bronco ○ Reports always run 1 month behind due to sales • Lodge is a part of the casino and subject to sales tax • We are a part of the Oklahoma Indian Tax Association, just joined this year, different Native Tax Commissions in the state come together to discuss current events, problems, politicians, etc <ul style="list-style-type: none"> ○ Our Tag Officer Tiffany White is Secretary of OITA • Tax Commission is billed by the Turnpike Authority regarding tribal tags that run through the automated payment system without a Pikepass, Tax Commission does not pay them, it goes to Law Enforcement who request that the tribe pay in order to follow-up with a report regarding non-paying tribal citizen information which the tribe/Tax Commission will not do, is a state problem • Manufacturing tax is new within the last year and allows us to side-step sales tax issues with the state of Oklahoma • Brian Haynes is our tobacco attorney, we don't have a tobacco compact like other tribes (theirs were extended 1 year) and this leads to vulnerable situations eg. ATF confiscating the NY cigarette operation • Gaming Commission is separate and overviews the casino, has the audit power for them, their presence is based on NIGC federal regulations • Tax Commission audits Tobacco every year and is the governing authority when it comes to tobacco • The 2 members are considered part-time employees and receive a stipend like other committees, the elected officials and full-time employees are doing their job duties <ul style="list-style-type: none"> ○ Possible to include Tax Commission duties in 2nd Chief and Sec-Treasurer's duties in Constitution? ○ Need identified to outline elected official duties as well as positions elected from amongst the Committees eg Chairperson, Secretary, etc. • Discussion over the current practice of alternates for some Standing Committees, current composition <ul style="list-style-type: none"> ○ Need for training of Committee members should in part be fulfilled by staggered terms • Discussion over the inclusion of Tax Commission into our Constitution, its composition and innerworkings with the Business Committee • Recent issues with receiving monies from tobacco and lack of outlined Constitutional power not necessarily an 	

TIME	ITEM	OWNER
	<p>impediment, as audit and confiscation power is outlined within the Ordinance and can be acted upon</p> <ul style="list-style-type: none"> • Current Tax Commission member voices concern of not having an accounting of Tax Commission monies, no way to know how it is spent within Tax Commission records <ul style="list-style-type: none"> ○ Solution may be as simple as language in a Constitution that acknowledges Tax Commission and requires “a regular accounting of Tax Commission monies spent by Business Committee to be provided monthly by Business Committee to Tax Commission” ○ Also states that they don't have access to the resolutions, Constitution Committee Secretary reports issues also with recent attempt to have access to all tribal Resolutions ○ Can also require that “all relevant resolutions to Committees will be provided to them by the Secretary/Business Committee” or similar language 	
7:29pm	Roberta leaves for the evening, Committee continues discussion	
	<p>Tax Commission discussion continues</p> <ul style="list-style-type: none"> • Further discussion on vague language in the Constitution leading possibly to current issue of gaining access to resolutions from the Secretary-Treasurer across Committees • Discussion regarding historical administrations and the precise impact of any future wording for Business or Standing Committees that are made accountable to our General Council <ul style="list-style-type: none"> ○ eg Election Committee instrumental on verification of credentials ○ Having “against the will of General Council/the People” put into grounds for Grievances ○ Possibility of an Attorney general to investigate and monitor ongoing accountability • Last Secretarial Elections we sent out 4k letters, 400 some ballots were sent out, 298 total people voted <ul style="list-style-type: none"> ○ General sense of apathy or distrust noticed among voting populace ○ Elections not currently conducted in house, evidence of the distrust we have in community 	
8:00pm	Tax Commission parts ways	
	Town Hall discussion	

TIME	ITEM	OWNER
	<ul style="list-style-type: none"> • Important to clarify the terms we use for the people during our Town Hall meetings – complicated terms and variable meanings lead to the confusion of community members <ul style="list-style-type: none"> ○ EG General Council as a governing body vs Annual Meeting being called General Council colloquially • Secretary shares drafted version of definitions of terms related to civics and our form of tribal government 	
	<p>Open Forum</p> <ul style="list-style-type: none"> • Quapaw have open a community class for education on Robert's Rules of Order (RRO) <ul style="list-style-type: none"> ○ Creation of the Rules of Procedure possible for our February Town Hall meeting? ○ Earlyne has discussed this class with Chief Diebold, he was receptive and has requested that tribal admin inquire about a class after we find out the name of who is hosting the Quapaw meeting ○ Since we have to use RRO regardless for at least the next Annual Meeting of the General Council, this will help empower the General Council 	
8:16pm	Meeting Adjourned by Group Consensus	