



# SENECA-CAYUGA NATION

## CONSTITUTION COMMITTEE MEETING

<b>DATE</b>	Monday, November 06, 2023	<b>TIME PLACE</b>	6pm CDT Tribal HQ + Zoom	<b>FACILITATOR</b>	Carrie Kneeland
-------------	---------------------------------	-----------------------	--------------------------------	--------------------	-----------------

MEMBERS			
<b>Roberta Smith</b>	Not Present	<b>Scott B Goode</b>	Present later - Zoom
<b>Carrie Kneeland</b>	Present - Zoom	<b>Angela Anglen Kelley</b>	Present
<b>Natalie Dixon</b>	Present	<b>Earlyne Gentry</b>	Present
<b>Kristi Birdsong Blansett</b>	Present - hybrid	<b>Jo Lynn Gentry</b>	Present later - Zoom
<b>Yvonne Perryman-Matthews</b>	Present	Others Present	<b>Dennis Sisco – Present, Zoom</b> <b>Diana Baker – Present later</b> <b>Tenona Kuhn – Present later</b> <b>Ruth Ann McCloud – Present later</b>

TIME	ITEM	OWNER
6:00pm	<b>Called to Order</b> - Quorum established at the Seneca-Cayuga Nation's regular Constitution Committee meeting.  Scott and Jo Lynn not present during Roll Call, arrive prior to the Approval of Previous Minutes. Kristi begins the meeting on Zoom.	Carrie
	<b>Approval of Previous Minutes</b> – October 30, 2023 minutes spoken to, no corrections or amendments to the record – <b>minutes APPROVED</b>	Natalie

TIME	ITEM	OWNER
	<p style="text-align: center;"><b><u>CERTIFICATION</u></b></p> <p style="text-align: center;">On <u>11/06/2023</u> the minutes of <u>10/30/2023</u> were approved by unanimous committee consent. Copy emailed to BC Secretary on <u>11/10/2023</u>.</p> <p style="text-align: center;">Attest: <u>Natalie Dixon</u></p> <p style="text-align: center;">Natalie Dixon, Secretary</p>	
	<p><b>Housekeeping</b></p> <ul style="list-style-type: none"> <li>i. Roll Call</li> <li>ii. Approval of Previous Meetings Minutes – OCT 30 2023</li> <li>iii. Confirmation of next meeting – NOV 20 2023</li> </ul>	Natalie
	<p><b>Planned Agenda</b></p> <ul style="list-style-type: none"> <li>• Housekeeping</li> <li>• Secretary's Review – Funding and Enrollment</li> <li>• Founding Documents and Attendance</li> <li>• Claims Check-In</li> <li>• Review of recently discussed provisions</li> <li>• Any Other Business</li> <li>• Next Constitution meeting 11/20/2023 @ 6pm</li> </ul>	
<b>Minutes Begin</b>		
	<p><b>Secretary's Review -</b></p> <ul style="list-style-type: none"> <li>• Tribal accountant has been contacted RE: Town Hall Supplies and Materials funding already spent</li> <li>• Secretary-Treasurer Kim Guyett notified Constitution Committee that the 11/08 Enrollment Committee meeting is postponed 1 week until 11/15, whole Constitution Committee is invited to join at 4pm on 11/15, virtual link will be made available via email</li> </ul>	
	<p><b>Review of Constitution Committee Founding Documents</b></p> <ul style="list-style-type: none"> <li>• Section 2 MEETINGS (c) Attendance: “Any member of the Advisory Committee that misses three (3) meetings is subject to immediate removal from the Advisory Committee by the Business Committee</li> </ul>	



TIME	ITEM	OWNER
	<ul style="list-style-type: none"> <li>• There is at least one member with 2 known absences, a whole accounting has not been done, such a provision is not conducive to work as a group on this Committee</li> <li>• Scott agrees to ask the Business Committee at their public November 14<sup>th</sup> meeting to change the wording to “misses three (3) consecutive meetings” so as not to unnecessarily reduce what is a good working Committee</li> </ul>	
	<p style="text-align: center;"><b>Claims Committee confirmed for 7pm</b></p>	
	<p><b>Town Hall discussion</b></p> <ul style="list-style-type: none"> <li>• Low Turnout Issues – there is an attendance issue, numbers may be increased with a full traditional meal provided for our people to spark interest in attending a Town Hall <ul style="list-style-type: none"> <li>○ Mealtimes subject to agenda</li> <li>○ Plan for 50 people</li> <li>○ Foods <ul style="list-style-type: none"> <li>▪ Soups/Stews</li> <li>▪ Frybread</li> <li>▪ Grape Dumplings</li> </ul> </li> <li>○ Possibly held at the AOA depending on if a fire can be struck</li> </ul> </li> <li>• Big Thank You to Davy Blansett for the technology help</li> </ul>	
	<p><b>Review of discussion at hand and strategy moving forward</b></p> <ul style="list-style-type: none"> <li>• Constitution Article IV – Membership of the Council <ul style="list-style-type: none"> <li>○ All members of the Nation aged 18 and older</li> </ul> </li> <li>• Constitution Article V – Officers of the Nation <ul style="list-style-type: none"> <li>○ Chief, 2<sup>nd</sup> Chief, Secretary, Treasurer</li> <li>○ 3-4 Councilpeople</li> <li>○ Transition concerns – change in formation needs staggered terms, must be specifically planned out, stipend concerns with an increase in Committees</li> <li>○ Discussion regarding the pay schedule of our named elected officials, comparisons with other tribes, review of roles of named elected officials</li> <li>○ Possible need established for higher qualifications for Treasurer in Secretary-Treasurer split</li> </ul> </li> <li>• Constitution Article VI – Business Committee <ul style="list-style-type: none"> <li>○ Corporate Charter holds powers outlined therein, is worth a review for outlining BC powers</li> <li>○ Table matter for this meeting</li> </ul> </li> </ul>	

TIME	ITEM	OWNER
	<ul style="list-style-type: none"> <li>• Constitution Article VII – Standing Committees               <ul style="list-style-type: none"> <li>○ Grievance Committee powers outlined</li> <li>○ Remove Credit Committee</li> <li>○ Claims – include the words welfare and education</li> </ul> </li> </ul>	
6:22pm	<b>Kristi arrives at the Tribal Headquarters and goes from Zoom to in-person, discussion at hand regarding Claims wording continues.</b>	
6:30pm	<b>Tenona Kuhn, first member of the Claims Committee arrives as discussion continues.</b>	
	<p><b>Review of discussion at hand and strategy moving forward</b></p> <ul style="list-style-type: none"> <li>• Constitution Article VII – Standing Committees               <ul style="list-style-type: none"> <li>○ Claims Committee – discussion regarding separate non-federal funding for Education, Resolution 311-060510</li> <li>○ Add Election Committee</li> <li>○ Add Enrollment Committee</li> <li>○ Culture &amp; Language Committee – there is a clear want within community as seen via the survey for more culture and more language included somehow, funding is an issue but that can't be the basis to exclude this topic</li> <li>○ No need identified at this time for Economic Development Committee</li> </ul> </li> <li>• Constitution Article IX - Vacancies               <ul style="list-style-type: none"> <li>○ 3 day waiting period to challenge a confirmed election is in Ordinance, swearing in of an elected officer needs to allow for those 3 days and can't necessarily be immediately sworn in</li> <li>○ Oath of Office with Chief, 2<sup>nd</sup> Chief, or seated Faithkeeper</li> <li>○ Historically, Election Committee decides if an election committee complaint is valid</li> <li>○ We have seen that regardless of intention, the lack of process for swearing in officers does impact all Committees functioning</li> <li>○ Possible wording - “on the fourth day”</li> </ul> </li> </ul>	
6:55pm	<b>Diana Baker of the Claims Committee arrives.</b>	
	<b>Constitution Committee agrees to table current review for Claims.</b>	
	<b>Discussion with Claims Committee begins</b>	



TIME	ITEM	OWNER
	<ul style="list-style-type: none"> <li>• Constitution Committee would like to understand how the Claims Committee functions               <ul style="list-style-type: none"> <li>○ Claims Committee signs off on requests submitted to the Benefits/Education department, there are administrative boundaries in place</li> </ul> </li> <li>• No need for Welfare and Education benefits to be separated, current model works well</li> <li>• Guidelines for Adult Education and Higher Education are separated               <ul style="list-style-type: none"> <li>○ Adult Education is for adults going back to school for a skill, or trade, for displaced workers making a career change</li> <li>○ Higher Education is formal college education for a degree</li> <li>○ Claims Committee members have not seen any Adult Education requests lately, it is the tribal administration who categorizes education requests</li> <li>○ Claims approves the check request prepared by either Benefits or Education Department admin</li> <li>○ Different deadlines between Higher Education and Adult Education, necessarily differing deadlines due to funding sources (federal vs non-federal,) tribal administration does have issues with their knowledge of offerings</li> <li>○ Adult Education is incredibly important, funded by tribal money, some funding through BIA grants</li> </ul> </li> </ul>	
7:09pm	<b>Ruth Ann McCloud of the Claims Committee arrives.</b>	
	<p><b>Discussion with the Claims Committee continues</b></p> <ul style="list-style-type: none"> <li>• Claims Committee doesn't know the regular balance of Claims accounts</li> <li>• Claims Committee reviews applications, makes sure documentation is proper, signs off if application is proper</li> <li>• Claims Committee has asked for budgets and funding, the tribal administration will not provide those figures               <ul style="list-style-type: none"> <li>○ Tribal administration provides notes on which applications to hold for funding if there are not enough available funds</li> <li>○ There is no communication between the tribal administration and Claims Committee who do their job in the afterhours due to work commitments</li> </ul> </li> <li>• Claims Committee purview includes signing off on Education, dental, optical, emergency claims, Elder funds, youth fellowship</li> </ul>	

TIME	ITEM	OWNER
	<ul style="list-style-type: none"> <li>• Denisha Gonzalez and Michael Landrum are tribal administration Benefits Clerk, they are the 2 paid tribal employees who replaced 2 appointed Claims Committee members <ul style="list-style-type: none"> <li>○ 5 members total – 3 appointed, 2 employees</li> <li>○ 3 members is enough for this Committee considering the work currently done by employees</li> </ul> </li> <li>• Requisition form for Claims requires 2 appointed Committee members signatures and 1 employee signature</li> <li>• Voting doesn't happen on Claims Committee issues unless there is a controversy, application lacking information, or something has been brought to Claims Committee attention such as duplicated receipts or fraudulent claims <ul style="list-style-type: none"> <li>○ Duplication has happened by tribal members trying to gain more money, through asking to pay for the same receipts over and over again (having already been paid out)</li> </ul> </li> <li>• Committee gathers weekly, not necessarily all at the same time due to the nature of signatures <ul style="list-style-type: none"> <li>○ Is more of an audit and sign-off process for the Benefits/Education Department of tribal administration</li> <li>○ Previous issues with the tribal administration submitting applications that are not complete, has gotten better, is the job of tribal administration to ensure the proper paperwork makes it to Claims Committee per Chapter 3 Section 1 Benefits Policy</li> </ul> </li> <li>• Membership of Claims Committee is through appointment by the Business Committee (BC,) Cynthia Donohue-Bauer is BC liaison</li> <li>• Both Committees present are in favor of electing Claims Committee members, historically that is how it was done <ul style="list-style-type: none"> <li>○ Current barriers include high filing fees for elections, that will not get the people you want</li> <li>○ Not sure when it started being appointment by BC</li> </ul> </li> <li>• Meetings are on a as needed basis, Claims Committee does discuss matters as they arise</li> <li>• Tenona Kuhn does admin work including notifying Claims Committee of applications, BC liaison may be Chairperson on paper, need to check Ordinance</li> <li>• A Constitution Committee member mentions a Benefits/Education check was paid to said Committee member instead of the educational institution, this was due to personnel changeover/procedural knowledge issues, when this is done it costs tribal members 6 dollars to cash at the issuing bank</li> </ul>	



TIME	ITEM	OWNER
	<ul style="list-style-type: none"> <li>• Original Claims Ordinance drafted by Claims Committee then ratified by General Council, further changes have taken place by Business Committee Resolution only</li> <li>• To separate the Claims Committee from the Business Committee would require an elected position, including filing fees <ul style="list-style-type: none"> <li>○ Current Committees do have varying stipends, Claims does differ from other Committees in an established limit for pay equating to 2 meetings/month</li> <li>○ Need for Policies and Procedures done by Claims Committee</li> <li>○ Current Claims Committee was meeting 2-3x a week, had to scale that back because tribal administration does not pay for more than 1 meeting per month regardless of the current Policies &amp; Procedures</li> </ul> </li> <li>• Historical issues with Claims in prior administrations and prior membership <ul style="list-style-type: none"> <li>○ 2 Benefits Clerks supposed to verify tribal membership, provide complete application packets to Claims Committee etc</li> <li>○ Need established to have Committees to work with each other regarding verification of tribal members, as well as outlining that all Committees will work with each other for the good of the Nation</li> <li>○ All Claims and Constitution Committee members present agree that Claims Committee should be separate from Business Committee, though with a non-voting non-Chaired liaison, without the ability to veto or overrule Claims decisions</li> <li>○ No real minutes other than the notifications that Tenona provides other 2 Claims Committee members which does include # of applicants but not specific or related Personal Identifying Information <ul style="list-style-type: none"> <li>▪ 151 elder applications just tonight</li> <li>▪ 174 other claims applications just tonight</li> <li>▪ There used to be a coversheet, the tribal administration before this group did away with said coversheet</li> <li>▪ The requisition paperwork provides a record of whether an application is denied or not, no denials are signed by the Claims Committee</li> <li>▪ A Committee member provides firsthand knowledge of the Benefits/Education</li> </ul> </li> </ul> </li> </ul>	

TIME	ITEM	OWNER
	<p>Department denying a properly-filed application without it ever making it to Claims Committee review; other denials typically due to incomplete paperwork but this was not the case</p> <ul style="list-style-type: none"> <li>• Previous Benefits Clerks were Carol Brown (current Education-Benefits Manager) and Christie Douglas (current Staff Accountant)</li> <li>• Proper functioning of Claims Committee includes ability to deny or approve applications resting with them, not tribal administration, to prevent fringe cases of denials not related to incomplete paperwork <ul style="list-style-type: none"> <li>○ Constitution Committee agrees with language along the lines of “all applications are to be approved or denied only by elected officers of the Claims Committee”</li> <li>○ Benefits/Education Department can document own application verification procedures</li> </ul> </li> <li>• Current issue facing Claims Committee is that per Carol Brown (Education-Benefits Manager) Claims Committee is not able to review Claims files for duplicate application receipts, does not allow for fully informed decisions of the Claims Committee <ul style="list-style-type: none"> <li>○ Tenona met with the Business Committee and was told do what your Committee needs to do, but there is still not full access to information</li> <li>○ A Claims Committee member finds that they are held back in their duties due to this and other situations, there is still no access made for Claims Committee review despite repeated attempts to do so, tribal administration does impede Committee operation in this case</li> <li>○ Claims Committee does agree that they do their best despite the challenges to their roles, including limited access to the tribal offices as well as auditing records that found 9 cases of enrollment fraud around the time this Claims Committee entered office, those names are unknown still <ul style="list-style-type: none"> <li>▪ List access has been requested through both Carol Brown and Cynthia Donohue-Bauer, not yet provided, there is an established need for Claims Committee to have access through procedures put in place regarding membership files when relevant, especially in the result of appellate process</li> </ul> </li> </ul> </li> </ul>	



TIME	ITEM	OWNER
	<ul style="list-style-type: none"> <li>○ No Oath of Office taken by any current Claims Committee members due to appointment by BC</li> <li>○ Claims Committee asked if this work requires a background check – they reply affirmative, and possibly an NDA as well <ul style="list-style-type: none"> <li>▪ Background check is a double-edged sword, you want tribal members to be productive and participate regardless of backgrounds</li> </ul> </li> </ul>	
8:15pm	<b>Claims Committee parts ways, Constitution Committee remains.</b>	
	<p><b>Open Forum</b></p> <ul style="list-style-type: none"> <li>• After investigative report from Innovative Gaming Solutions/Michael Crump is given (Resolution #038-083121), Constitution Committee does need to go over it <ul style="list-style-type: none"> <li>○ Related to forensic investigation regarding previous administration's spending and practices, need established to review the audit and possibly speak with an auditor</li> </ul> </li> <li>• Regarding the Qualification of Officers <ul style="list-style-type: none"> <li>○ Need to pull HR handbook and see their list of felonies for consistency</li> <li>○ Former felons should be able to respond, they must own up to situation, we have seen that happen</li> <li>○ Possibly – any felony convictions for crimes involving moral turpitude or honesty disqualify</li> <li>○ Dennis should have HR handbook, relevant to read and see what standard tribal administration employees are held to</li> <li>○ Need to ask Gaming Commissioner as to how they handle felonies NIGC are not as strict as our policies</li> <li>○ Table Qualification of Officers</li> </ul> </li> <li>• Regular and Special Meeting powers <ul style="list-style-type: none"> <li>○ Grievance Committee having the ability to call a Special Meeting</li> <li>○ Rest of matter tabled</li> </ul> </li> </ul>	
8:33pm	<b>Meeting Adjourned by Group Consensus</b>	