

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## **BC Resolution # 09-27-17-C Continuing Budget Resolution - Fiscal Year 2018**

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the General Tribal Council adopted further direction regarding the duties and responsibilities of the Oneida Business Committee in resolution # GTC-2-25-82 and specifically directed the Oneida Business Committee to become “actively involved in the legislative areas such as...Fiscal Plan[ning]” *Resolve # 2*; and
- WHEREAS,** the General Tribal Council adopted further direction regarding the duties and responsibilities of the Oneida Business Committee, and more specifically the Treasurer, through the adoption of ‘job descriptions’ on July 30, 1990 directing the Treasurer to “review [the] annual budget and make recommendations to the Business Committee, who will submit an annual budget to the General Tribal Council”, *Representative Duties (9)*; and
- WHEREAS,** the Oneida Business Committee approved the Treasurer’s recommendation regarding the fiscal and financial goals of the Oneida Nation for the following three years by resolution # BC-02-11-15-A, “which supports and enhances efficient and sustainable public financial management which is key to promoting economic sustainability, good governance, social progress and a rising standard of living for all enrolled Oneida[.]” *Resolve #1*; and
- WHEREAS,** the Oneida Business Committee, in resolution # BC-02-11-15-A approved the following financial initiative set forth in *Resolve #1*: “The end in mind is Sustainability. Assessment guidelines will be the path for the Tribal organization to develop a Fiscal Year 2016 budget so that we may begin to implement strategies for growth in Fiscal Year 2017 and Fiscal Year 2018 to support the Oneida Tribe overall;” and
- WHEREAS,** the Treasurer has worked with the operations of the Oneida Nation to develop a budget which clearly identifies revenue projections, external funding opportunities, and programming needs in a manner that meets the goals set forth in resolution # BC-02-11-15-A; and
- WHEREAS,** the Treasurer has engaged the operations to present the technical needs of programs, services and enterprises in requests for budget allocations consistent with the 2015 Oneida Business Committee resolution; and
- WHEREAS,** the Treasurer has taken into account the directives of the General Tribal Council, including the most recent directive of June 13, 2016 regarding setting the per capita

payment for the next five years, and has guided the development of a balanced budget consistent with the 2015 goals set by the Oneida Business Committee in resolution # BC-02-11-15-A; and

**WHEREAS,** the Oneida Business Committee has been invited to participate in, and been informed of, the budget development processes; and has taken up opportunities to actively participate as well as monitor budget development progress through reporting and meetings, whether formal or informal; and

**WHEREAS,** the Treasurer, in accordance with the responsibilities set forth in the 1982 resolution and the 1990 motion of the General Tribal Council, has set forth the budget development timelines in order to develop a budget for presentation to the General Tribal Council in September 2017; and

**WHEREAS,** the budget for Fiscal Year 2017 was adopted on March 27, 2017, as a result of the delay in regards to question regarding the June 13, 2016, General Tribal Council action on the per capita payment; and

**WHEREAS,** this delay in adoption of the budget, confirmation of the June 2016 per capita action, and implementation of the wage increase included in the Fiscal Year 2017 budget has resulted in a delay in the ability to begin implementation of the budget development process by at least 30 days because existing programs in Human Resources, Payroll and AS400 Accounting will not be available to input budget information; and

**WHEREAS,** these programs in Human Resources, Payroll, and AS400 Accounting are necessary to analyze personnel costs regarding wages, benefits, taxes, and accruals of personal and vacation time, as well as allocation of requested funds to each of the 500 business units and 1000s of individual lines of expenses, which allows the Treasurer, Chief Financial Officer, Assistant Chief Financial Officer, Division Directors, Area Managers and managers to analyze trends in expenses and savings in order to properly prepare and balance the budget; and

**WHEREAS,** the Treasurer, Chief Financial Officer and Assistant Chief Financial Officer have met and discussed options to maintain the timelines for development of the Fiscal Year 2018 budget and could identify no process by which the budget could be developed, analyzed, corrected, and input into the technical programs in time to meet the deadlines to present the Fiscal Year 2018 budget to the General Tribal Council in September 2017; and

**WHEREAS,** the Oneida Business Committee is also monitoring the development of the federal budget which does impact the operations of the Nation through its grant and self-governance funding sources and has identified the potential for the event of a federal government shut down or partial closure through sequestration measures through a failure to adopt a budget or continuing resolution which is also currently estimated to impact the federal government in September 2017 as a result of the interim continuing resolution adopted by Congress and signed by the President; and

**WHEREAS,** the Oneida Business Committee, acting in accordance with its delegated responsibilities, has identified that shutting down government operations (programming and enterprise) is not in the best interests of the Nation or its members, has determined that a Continuing Resolution is necessary to enable the government to operate to continue to meet the needs of the membership; and

**WHEREAS,** the Oneida Business Committee is committed to ensuring that operations of the Oneida Nation continue to protect the health, safety, welfare, and regulatory compliance of the Oneida Nation; and

**WHEREAS,** the Oneida Nation can only operate under an approved budget, whether by a Continuing Budget Resolution or adoption of a budget by the General Tribal Council, and operations of the Oneida Nation need to continue until a budget can be adopted; and

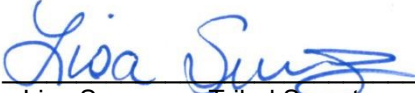
**WHEREAS,** the Treasurer has recommended to the Oneida Business Committee, and the Oneida Business Committee, in accordance with the responsibilities set forth in the 1982 resolution and the 1990 motion of the General Tribal Council, desires to adopt a Continuing Budget Resolution that aligns to the Strategic Direction titled, "Implementing 'Good Governance' Processes" directing operations of the Oneida Nation to continue, and that protects the ability of the General Tribal Council to make budgetary decisions; and

**WHEREAS,** the Treasurer and the Oneida Business encourage all levels of the operations to utilize this resolution, The Oneida Nation Budget Contingency Plan Resolution, # BC-09-13-17-A, and upcoming resolutions regarding Strategic Work Planning/Workforce Level Assessments/FTE Caps and Oneida Business Committee 2017-2020 Strategic Goals in the decision making process; and

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee adopts this Continuing Budget Resolution for Fiscal Year 2018 and directs that the Oneida Nation shall operate at the Fiscal Year 2017 levels. Operations are directed to use their discretion in approving all expenditures until such time as the budget has been formally adopted and information regarding the impact of the federal government budgeting processes has been fully identified.

#### **CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 9 members were present at a meeting duly called, noticed and held on the 27<sup>th</sup> day of September, 2017; that the forgoing resolution was duly adopted at such meeting by a vote of 8 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

  
Lisa Summers, Tribal Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."