

# Oneida Nation

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Oneida, WI 54155

## BC Resolution # 09-30-16-A

### Continuing Budget Resolution - Fiscal Year 2017

- 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 recommended a budget to the Oneida Business Committee; and

**WHEREAS,** the Oneida Business Committee, in accordance with the responsibilities set forth in the 1982 resolution and the 1990 motion of the General Tribal Council, has reviewed the budget and at the August 10, 2016 regular meeting, recommended the budget to the General Tribal Council for approval as being a balanced budget and meeting the needs and directives of the General Tribal Council and the membership; and

**WHEREAS,** the General Tribal Council acted on September 19, 2016, to table the agenda regarding the FY2017 budget and directed that a General Tribal Council meeting be scheduled to obtain clarification regarding a per capita action that had taken place at the June 13, 2016, General Tribal Council meeting; 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 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; 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

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee adopts this Continuing Budget Resolution for Fiscal Year 2017 and directs that the Oneida Nation shall operate at the Fiscal Year 2016 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.

**BE IT FURTHER RESOLVED**, that the operations of the Nation are directed to develop contingency budget plans that take into account the following potential budget impacts:

1. General Tribal Council action regarding the June 13, 2016 approved per capita; and
2. The federal government shut down or sequestration in the event of failure to adopt a federal budget.

That these contingency budget plans shall take into effect and address changes in employment, programming, services, revenues, and all other expenditures. Provided further, that the Finance Committee shall prepare the appropriate contingency budget plans for the budgets for Operational Equipment, Technology Projects, CIP, and remaining debt payments. All contingency plans are due to the Treasurer by Thursday, November 10, 2016.

#### **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; 6 members were present at a meeting duly called, noticed and held on the 30<sup>th</sup> day of September, 2016; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

  
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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."