

Oneida Nation

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Oneida, WI 54155

BC Resolution # 08-12-20-J Continuing Resolution for Fiscal Year 2021

- 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 federal government has proclaimed a public health emergency related to the spread of the COVID-19 virus and has identified that the spread of the virus has resulted in large numbers of individuals becoming ill and high mortality rates, impacts to the stock markets, and businesses; and
- WHEREAS,** state governors, including the State of Wisconsin, have declared public health emergencies and state public health officers have issued orders, for example, closing public schools, limiting public gatherings, and closing restaurants and bars except for take-out orders; and
- WHEREAS,** on March 12, 2020 the Chairman declared a public health state of emergency, the Oneida Business Committee took actions to take steps to protect the health and welfare of the members, employees and the community, including instituting expenditure restrictions to preserve resources for the provision of governmental services to members most at risk, closure of the Nation's gaming operations, and insuring that employees will continue to be paid during the public health emergency as long as the Nation's resources will allow; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-04-08-20-C which declared that Tier V budget contingency measures are implemented which required a 5% reduction in overall expenditures and budgets; and
- WHEREAS,** the Treasurer has implemented a COVID-19 Finance Team (*Finance Team*) to monitor the financial status of the Nation and make recommendations regarding expenditure restrictions for the remainder of FY2020, budgeting for FY2021, development of directions for a continuing resolution for FY2021, and other actions necessary to ensure governmental services can continue to be provided to those most in need and at risk regarding COVID-19 and the health impacts of the virus; and
- WHEREAS,** the Finance Team has determined the following rules shall apply to all decisions being made regarding the finances of the Nation and how those limited resources shall be allocated:
1. All decisions are employee/member/community empathetic/compassionate balanced against cash flow; and

2. All decisions shall protect investments; and utilize only available cash; and

WHEREAS, the Finance Team has identified that the Nation can, if funding is carefully managed, meet the needs of the operations in providing services for a 30-day period beginning from the closure date of the gaming operations; and

WHEREAS, the Finance Team, working closely with Intergovernmental Affairs and Communications, is kept up to date regarding federal emergency funding opportunities which will assist the Nation in managing the public health crises where federal financial assistance was authorized and delivered; and

WHEREAS, the Finance Team, working closely with the Grants Office, has identified that granting agencies provided approvals to delay or amend existing grants considering the current public health crises which has assisted the Nation in managing expenses during the financial constraints; and

WHEREAS, the Finance Team has identified it is impossible to identify revenues at any level of accuracy during this emergency public health period as the economy is impacted and beyond as the economy recovers, which impacts the ability to generate a budget for the FY2021; and

WHEREAS, the Treasurer, upon review of the information from the Finance Team, is recommending the Oneida Business Committee adopt a continuing budget resolution for FY2021;

Continuing Resolution for FY2021

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee adopts this continuing budget resolution for FY2021, directing that FY2021 expenditures shall derive from each fund unit's approved contingency plan (FY2020 budget) as impacted by resolution # BC-04-08-20-C, *Tier V Budget Contingency Declared for Remainder of Fiscal Year 2020*, and all expenditures shall be restricted to the greatest extent possible to allow the Nation to provide critical-essential services.

NOW THEREFORE BE IT FURTHER RESOLVED, that the planned \$0.50 wage increase for FY2021 shall not be implemented.

Critical-Essential Services

NOW THEREFORE BE IT FURTHER RESOLVED, that the Operations shall reduce all funding to critical-essential services, only, to the greatest extent possible for FY2021, or until formerly announced otherwise, to maintain viability of the Nation and its' organization so long as the Nation is financially able to allocate funding. Critical-Essential services for the purposes of this Resolve should be understood as including employee payroll as defined in Resolve #3, direct costs to provide the service, and indirect costs.

Critical-Essential Employee Levels

NOW THEREFORE BE IT FURTHER RESOLVED, that employee levels are to be managed at critical-essential employee levels only. Critical-Essential employee shall be defined as the minimum level necessary to provide critical-essential programs/services as defined in Resolve #2.

Travel

NOW THEREFORE BE IT FURTHER RESOLVED, that all travel is prohibited, with an exception for the Oneida Nation Chairman whose travel is deemed necessary and critical-essential to the Nation.

Capital Expenditures, Capital Improvement Projects and Technology Set Asides

NOW THEREFORE BE IT FURTHER RESOLVED, that Capital Expenditures, Capital Improvement Projects, and Technology Set Asides are on hold for the Fiscal Year 2021; however, all projects approved by the OBC on May 12, 2020, shall continue until completion:

1. CIP #05-013 – Elder Services / Apartment Improvements (\$1M)
2. CIP #15-005 Oneida Fishery Restoration Phase II (\$432K)
3. CIP #16-003 Central Oneida (\$126K)
4. CIP #19-005 - Archiquette (\$167,000)
5. CIP #19-008 - Homeless Shelter
6. CIP #23-005 – Residential Home Sites
7. E-nation Project (\$17,640)
8. Surveillance (\$440,000)
9. EMR (\$81,000)
10. HCM – HR (\$32,045)
11. Gaming Switch Project (\$446,651)
12. Webtech – Web Development (\$2,000)

Building Maintenance and Repairs Expenses

NOW THEREFORE BE IT FURTHER RESOLVED, all expenses arising out of the Building Maintenance Repairs line shall be restricted to emergency health, safety, or regulatory actions.

Reporting Information and Approvals

NOW THEREFORE BE IT FURTHER RESOLVED, that for the remainder of FY2020 and FY2021 the Treasurer shall continue to provide to the Oneida Business Committee

- Weekly Cash Forecast Reports which identifies revenue and expenses for at least a two-year period;
- Weekly Cash Requirements Reports which identifies cash management projections for the following week and an updated weekly cash requirement report for the prior week which includes the primary vendors and amounts paid; and
- Monthly Owner's (Asset Management) Reports which identifies amounts and types of investments of all assets in the report as well as percent of obligation funded.

NOW THEREFORE BE IT FINALLY RESOLVED, that for the remainder of FY2020 and FY2021 any changes, excluding investment decisions, to the Owner's (Asset Management) Report shall be subject to review and approval by the Oneida Business Committee.

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 12th day of August, 2020; 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, Secretary
Oneida Business Committee

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