



Oneida Tribe of Indians of Wisconsin

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Oneida, WI 54155



UGWA DEMOLUM YATEHE
Because of the help of
this Oneida Chief in
cementing a friendship
between the six nations
and the colony of
Pennsylvania, a new
nation, the United States
was made possible.

Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

RESOLUTION # 09-16-98-A *Resolution Rescinding BC Resolution # 03-18-98-A*

WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States, and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section I of the Oneida Tribal Constitution by the Oneida General Tribal Council, and

WHEREAS, the Oneida Room Tax Law was adopted by BC Resolution 09-17-97E and has been in effect continuously since that time, and

WHEREAS, the Oneida Business Committee passed several resolutions concerning the room tax, including BC Resolutions 03-07-97-A, 04-02-97B, and 09-17-97E, which collected a three (3) percent room tax over and above the five (5) percent collected and paid to the Visitors and Convention Bureau under a 1986 agreement, and

WHEREAS, BC Resolution 03-18-98-A released the room tax to MECCA to pay for the Oneida Tribe of Indians portion of expenses incurred by MECCA during the planning and development of the proposed Brown County arena and convention center, and

WHEREAS, the above noted resolutions and Oneida Room Tax Law were passed in conjunction with the Oneida Tribe of Wisconsin's involvement in MECCA (Metropolitan Executives for a Convention Center and Arena), a group of local leaders whose purpose is to develop plans to build a new arena and convention center for Brown County, and

WHEREAS, the Oneida General Tribal Council voted not to use room tax to fund the MECCA project on August 1, 1998, and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee hereby rescinds BC Resolution 03-18-98-A releasing the additional three (3) percent room tax collected to MECCA, and


NOW THEREFORE BE IT FURTHER RESOLVED, that this three (3) percent which would have been paid to MECCA for the planning and development of the Brown County arena and convention center shall remain in an identified account within the General Treasury of the Oneida Tribe of Indians of Wisconsin, and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee notify MECCA stating that the Oneida Tribe of Indians of Wisconsin will no longer be contributing to the planning and development of the Brown County arena and convention center and request a final, pro rata billing for all planning and development costs incurred by MECCA prior to the date indicated within the notification.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Oneida Business Committee hereby rescinds that portion of resolution # BC-9-17-97-A which identifies 'special purposes' as the 'Convention Center Project.'

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. 7 Members were present at a meeting duly called, noticed, and held on the 16th day of September, 1998; that the foregoing resolution was duly adopted at such meeting by a vote of 6 members for; 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Deborah Doxtator, Tribal Chairperson
Oneida Business Committee

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STATEMENT OF EFFECT Resolution Regarding Rescinding Resolution # BC-3-18-98-A

Summary

This resolution proposes rescinding a previous Oneida Business Committee resolution, maintaining the separate account identified for the additional three percent room tax, and officially notifying the Metropolitan Executives for a Convention Center and Arena (*MECCA*) organization that the Oneida Tribe will not be participating in this project.

Analysis

The Oneida Tribe entered into an agreement with the Green Bay Area Visitor and Convention Bureau (*Bureau*) to pay for services offered by the Bureau with the revenues from a 5% room tax imposed on transients, or persons, renting hotel rooms. The Oneida Business Committee then began consideration of participating in the MECCA project, which was to build an arena and convention center. Part of the ability to pay for this project, including development, would derive from imposition of an additional 3% room tax. The Oneida Business Committee adopted resolution # BC-3-7-97-A directing that the laws to impose this additional tax be developed and agreement to enter into the MECCA project.

The Oneida Business Committee then adopted the additional 3% room tax by emergency resolution, resolution # BC-4-2-97-B. This resolution identified that the tax is imposed as of April 14, 1997 and shall be paid into a special account for release upon approval of the Oneida Business Committee. This emergency action was then ratified by the adoption of the Oneida Room Tax Law by resolution # BC-9-1-97-E. This resolution also identified that the additional 3% would be set aside in a identified fund and used for "special purposes." This special purpose was defined as the "Convention Center Project."

In March of 1998, the Oneida Business Committee began releasing the accumulated funds to pay for the accumulated obligations of the Oneida Tribe in the MECCA project. However, the General Tribal Council, by vote at a duly called special meeting, voted to reject the agreement presented to participate in the MECCA project.. As a result, the Oneida Business Committee is presenting a resolution that has three purposes –

1. To rescind resolution # BC-3-18-98-A authorizing release of funds;
2. Maintain the additional 3% tax imposed by the Room Tax Law; and
3. Officially notify MECCA that the Oneida Tribe will not be participating in the project and to identify any remaining obligations owed up to the date of adoption of this resolution and notification.

This action conforms to the decision made by the General Tribal Council and the agreements in place prior to that decision. It is within the power of the Oneida Business Committee to close out activities that have been disapproved by the General Tribal Council and make final payments on obligations resulting from those agreements. The resolution clearly identifies the actions being taken and does not affect other actions which have taken place regarding the room tax issue.

It is recommended that an additional resolve be include as follows –

“Now Therefore Be it Resolved. that the Oneida Business Committee hereby rescinds that portion of resolution # BC-9-17-97-A which identifies ‘special purposes’ as the ‘Convention Center Project,”

This additional resolve will remove all remaining limitations or directives regarding the use of the additional 3% room tax revenue.

Conclusion

There are no legal issues which would prohibit adoption of this resolution