

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## **BC Resolution # 12-12-18-D Adopt Restated Governmental 401(k) Plan**

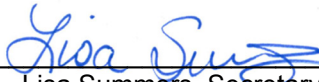
- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Nation sponsors two tax-qualified retirement plans for the benefit of its employees, known as the Oneida Nation Governmental 401(k) Plan (the "Governmental Plan") and the Oneida Nation Enterprise 401(k) Plan (the "Enterprise Plan"); and
- WHEREAS,** the Nation engages Transamerica Retirement Services ("Transamerica") to provide investment, asset custody, recordkeeping and administration services with regard to the Governmental Plan and the Enterprise Plan (the "Plans"); and
- WHEREAS,** Transamerica has determined that it is no longer able to provide documentation services with regard to the Governmental Plan, effective January 1, 2019; and
- WHEREAS,** the Nation wishes to make certain changes to the Governmental Plan effective February 1, 2019, including the automatic re-enrollment of current employees, the lowering of the number of hours of service required to earn vesting service credit and the elimination of contribution suspension periods following hardship withdrawals, all in an effort to help employees save for retirement; and
- WHEREAS,** outside legal counsel to the Nation has prepared a restated document for the Governmental Plan to replace the current Transamerica document which will no longer be supported and to make the Nation's desired design changes.

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby authorizes, approves and adopts the Oneida Nation Governmental 401(k) Plan, effective January 1, 2019.

**BE IT FURTHER RESOLVED**, that the Chief Financial Analyst shall be, and hereby is, authorized and directed to execute on behalf of the Nation the restated Governmental Plan document and any required legal or technical amendments to the Governmental Plan, in the form presented to the Business Committee today and together with any legal or technical changes recommended by the Nation's Chief Financial Officer and approved by the Nation's Deputy Chief Counsel; provided, however, that neither any material changes to Plan benefits nor any material increases in the Nation's costs for operating the Plans shall be authorized without the specific consent of the 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; 8 members were present at a meeting duly called, noticed and held on the 12<sup>th</sup> day of December, 2018; that the forgoing resolution was duly adopted at such meeting by a vote of 7 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."