

Oneida Nation

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Oneida, WI 54155

BC Resolution # 03-11-20-C

Interpretation of General Tribal Council January 20, 2020 Economic Development and Fiscal Strategy Motion and Setting Implementation Procedures

- 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, at the January 20, 2020 meeting, discussed the Thornberry Creek at Oneida LPGA Golf Classic closeout report; and
- WHEREAS,** as part of that discussion, members talked about how due diligence is conducted on economic development opportunities; and
- WHEREAS,** the Oneida Business Committee and General Tribal Council have discussed this issue on many occasions, and have expressed a desire to have a greater review of these opportunities; and
- WHEREAS,** as a part of the discussion regarding Oneida Golf Enterprise, an amendment was presented and adopted for which there was little to no discussion; and
- WHEREAS,** the following amendment to the main motion was adopted – ““That any economic development or financial strategy be reviewed and vetted by an independent 3rd party for appropriate due diligence; That the strategy include any and all pertinent assumptions; That the strategy be presented to GTC for review and approval; and That the independent 3rd party be present at the GTC meeting to answer any questions”; and
- WHEREAS,** the Oneida Business Committee has determined that implementation of this directive of the General Tribal Council requires standard processes which should be set forth by resolution for consistent application; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee directs that economic development and financial strategies shall be guided and processed as set forth in this resolution and as defined below,

- Economic development means any new business development or expansion, merger, and/or acquisition which results in a new profit revenue source for the Nation.
- Financial strategy means a plan for the development of capital for profit generation.

BE IT FURTHER RESOLVED, that the following personnel are defined in this resolution:

- Owner means the direct report to the Oneida Business Committee, for example the General Manager, Gaming General Manager, etc.
- Chief Financial Officer means the individual hired in that position, which responsibilities shall not be delegated.
- Project Manager means the employee assigned to manage a project from the Community and Economic Development Division.

BE IT FURTHER RESOLVED, as directed by the General Tribal Council, any activity fitting within either definition above shall follow the procedures set out in this Resolve:

1. After finalization of the economic development or financial strategy, the owner of the economic development or financial strategy shall notify the Treasurer and Tribal Secretary of the intent to identify a team to conduct the third-party review.
2. The team shall consist of the owner, the project manager, and the Chief Financial Officer.
3. The team shall post a request for bids or proposals to conduct a third-party analysis of the economic development or financial strategy, with a requirement to provide a recommendation and to be available to present at a General Tribal Council meeting.
4. The third-party vendor shall conduct and present the review and recommendation.
5. The owner shall provide the economic development or financial strategy, the request for bids or proposals, a list of submitting vendors, the third-party analysis, and any changes made as a result of the third-party analysis to the Treasurer and Tribal Secretary with a request to be placed on a General Tribal Council agenda.

BE IT FURTHER RESOLVED, the Community and Economic Development Division Director shall develop standard operating procedures which sets forth more detailed timelines and process to guide the procedures set out in the above Resolve.

BE IT FINALLY RESOLVED, the costs associated with the third party analysis shall be considered a part of the project costs, and until such time as this can be properly budgeted, the costs shall be assessed to the Economic Development, Diversification and Community Development Fund, Resolution # 01-23-19-C, *Updating and Clarifying Access to the Economic Development, Diversification and Community Development Fund As Amended*.

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 11th day of March, 2020; that the forgoing resolution was duly adopted at such meeting by a vote of 7 members for, 0 members against, and 1 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."