

Oneida Nation

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Oneida, WI 54155

BC Resolution # 04-08-20-A

Emergency Amendments to the General Tribal Council Meeting Stipend Payment Policy

- 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, Chairman Hill declared a public health state of emergency, and 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 continued 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-03-17-20-A which declared that Tier IV budget contingency measures are implemented which required a four percent (4%) reduction in overall expenditures and budgets; and
- WHEREAS,** the Oneida Business Committee adopted resolution BC-04-08-20-C, which declared that Tier V budget contingency measures be implemented and directed expenditure reductions regarding non-essential government functions and instituted lay-offs regarding non-critical personnel; 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 thirty (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 crisis and has identified that the Nation has a potential gap of thirty (30) to sixty (60) days where federal financial assistance will be authorized and delivered; and
- WHEREAS,** the Finance Team, working closely with the Grants Office, has identified that granting agencies will be providing approvals to delay or amend existing grants considering the current public health crisis which will assist the Nation in managing expenses during the financial constraints; and
- WHEREAS,** the Oneida Nation has had in place the General Tribal Council Meeting Stipend Payment Policy that makes payment of stipends mandatory to attendees of a General Tribal Council meeting who meet the eligibility requirements, without exception, even if said payments would be detrimental to the resources and general welfare of the Nation; and
- WHEREAS,** the proposed emergency amendments allow for GTC meeting stipend payments to be discontinued when the Oneida Business Committee determines, through adoption of a resolution, that it is a necessary measure to protect and safeguard the resources and general welfare of the Nation; and
- WHEREAS,** adopting emergency amendments to the General Tribal Council Meeting Stipend Payment Policy is necessary to give the Oneida Business Committee the authority to halt payments of GTC meeting stipends as necessary to maintain essential governmental services and employment during a time when no revenues are generated through gaming operations; and
- WHEREAS,** the Chief Financial Officer, Treasurer, and Finance Team, are recommending the Oneida Business Committee adopt a resolution regarding emergency amendments to the General Tribal Council Meeting Stipend Payment Policy to include an exception to the mandatory payment of GTC meeting stipends when necessary to protect and safeguard the resources and general welfare of the Nation; and
- WHEREAS,** the Oneida Business Committee, after being informed regarding the current financial status and near-term future financial resources, has determined that implementation of the emergency amendments is needed to preserve funding for necessary governmental services and activities; and

WHEREAS, the Legislative Procedures Act authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six (6) months, renewable for an additional six (6) months; and

WHEREAS, emergency adoption of legislation is allowed when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the amendment of the legislation is required sooner than would be possible under the Legislative Procedures Act; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee hereby adopts the emergency amendments to the General Tribal Council Meeting Stipend Payment Policy effective immediately.

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 8th day of April, 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."