

# Oneida Tribe of Indians of Wisconsin

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



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.

## RESOLUTION # 5-15-91-P

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 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and

WHEREAS, Resolution #4-20-90 adopted an Oneida Tribal Sanitary District Ordinance and an Oneida Utilities Commission, and

WHEREAS, Resolution #8-10-90-F authorized the Oneida Utilities Commission to manage and be financially accountable for both a water and sewer system, and

WHEREAS, the Oneida Utilities Commission authorized the issuance of a \$531,000 Water and Sewer System Revenue Bond and the sale of the bond to the United States of America, Farmers Home Administration for the purpose of financing a portion of the cost of such system, and

WHEREAS, the Oneida Business Committee agrees to guarantee to facilitate the making of the loan and to guarantee the payment of, and interest on the loan and bond as approved and adopted by the Oneida Utilities Commission, and

WHEREAS, an amended Oneida Tribal Sanitary District Ordinance is required to carry out all financial and operational functions of a utility that administers a sewer and water system, and

WHEREAS, said amended ordinance shall include rates and charges that are estimated to be sufficient to pay all costs of operation and maintenance of the system and to produce net revenues equal to the maximum amount of principal and interest on all obligations payable from revenues of the system in any subsequent fiscal year, and

WHEREAS, the attached amended Oneida Tribal Sanitary District Ordinance fulfills all the requirements of a rate ordinance, as well as a sewer and water administrative ordinance.

NOW THEREFORE BE IT RESOLVED: that the Oneida Business Committee does hereby enact the attached ordinance which amends Resolution and Ordinance #4-20-90 in order to authorize the Oneida Utilities Commission the complete authority to manage, operate and maintain financial accountability for the Oneida Tribal Sanitary District Ordinance, including the water and sewer system.

C E R T I F I C A T I O N

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 15th day of May, 1991; 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.



Amelia Cornelius, Tribal Secretary  
Oneida Business Committee

Section 2. Rights of FMHA. The Tribe covenants that if default is made in the payment of any installment of principal or interest on the Loan or the Bond when such principal or interest becomes due, the Tribe will, upon demand, pay to the FMHA the amount then due and payable on the Loan and the Bond for principal and interest, with interest upon the overdue principal and, to the extent that payment of such interest shall be legally enforceable, upon overdue installments of interest at the rate borne by the Loan and the Bond.

IN WITNESS WHEREOF, the Tribe has caused this Guaranty to be executed by its duly authorized Chairman and the Secretary, and to be delivered as of the date first above written.

ONEIDA TRIBE OF INDIANS OF WISCONSIN

By: Richard G. Hill  
Its: Chairman

By: Paul J. Lovello  
Its: Secretary

## GUARANTY

THIS GUARANTY, dated as of \_\_\_\_\_, 1991, executed by the ONEIDA TRIBE OF INDIANS OF WISCONSIN, a federally recognized Indian tribe organized under Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. Section 476 (the Tribe), in favor of the UNITED STATES OF AMERICA, FARMERS HOME ADMINISTRATION, (the FMHA);

### WITNESSETH:

WHEREAS, the Tribe has established the Oneida Utilities Commission (the Commission) as an instrumentality of the Tribe for the purpose of constructing and operating the water and sanitary sewer facilities of the Oneida Sanitary District within the boundaries of the Tribe's Reservation; and

WHEREAS, the FMHA has made a loan to the Commission in the principal amount of \$ \_\_\_\_\_ (the Loan), which Loan is evidenced by a \$ \_\_\_\_\_ Water and Sewer System Revenue Bond Series 1991 (the Bond) issued by the Commission and delivered to FMHA; and

WHEREAS, as a condition of making the Loan, the FMHA has required that the Tribe execute and deliver this Guaranty; and

WHEREAS, the Loan made by the FMHA to the Commission, the issuance of the Bond by the Commission and the acceptance thereof by the FMHA will give rise to substantial economic and other benefits to the Tribe, will further the governmental interest of the Tribe in providing water and sanitary sewer service within the Oneida Sanitary District, and will further the health and welfare of the residents of the reservation, and the Tribe desires to facilitate the making of the Loan to guarantee the payment of principal of and interest on the Loan and the Bond as set forth more fully herein.

NOW THEREFORE, in consideration of the making of the Loan and the acceptance of the Bond by the FMHA, the Tribe hereby agrees as follows:

Section 1. Guaranty. The Tribe hereby unconditionally guarantees to the FMHA the full and prompt payment of the principal of the interest on the Loan and the Bond when and as the same shall become due. All payments by the Tribe shall be paid in lawful money of the United States of America to the FMHA. Each and every default in the payment of the principal of or interest on the Loan and the Bond shall give rise to a separate cause of action hereunder and separate suits may be brought hereunder as each cause of action arises.