

Oneida Nation

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Oneida, WI 54155

BC Resolution # 11-28-18-C

Re-Affirmation of the Independence of Oneida ESC Group, LLC


- 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 Oneida Business Committee approved the creation of the Oneida Total Integrated Enterprises (*OTIE*) as an independent corporate entity subject to a corporate charter and by-laws; and
- WHEREAS,** *OTIE* has reorganized under Oneida ESC Group, LLC, also an independent corporate entity subject to governing documents such as charters and by-laws; and
- WHEREAS,** the Oneida Business Committee, in creating corporate entities, charges them with acting in a business-like manner associated with the purposes for which they were created, to maintain independent books and accounts, manage the assets for the benefit of the corporation and the shareholder, the Oneida Nation, and to schedule annual reporting and shareholder meetings as directed in the corporate charter; and
- WHEREAS,** the Oneida Business Committee has identified that corporate entities are independent of the Oneida Nation and cannot access, utilize, or otherwise use the assets, personnel or other goods or services of the Oneida Nation without proper compensation; and
- WHEREAS,** the Oneida Nation operates a multitude of programs, services and internal enterprises and documents the financial activities through Generally Accepted Accounting Principles and the federal Super Circular as a result of allocations of tribal revenues, federal grants and 638 self-governance contracts; and
- WHEREAS,** the Oneida Nation does not authorize or permit the use of tribal resources for corporate use without proper documentation and compensation;

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee re-asserts the independence of the corporate entity Oneida ESC, Group, LLC and all of its subsidiaries and acknowledges and asserts that any use of Oneida Nation assets is through the use of contracts with the appropriate compensation.

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; 5 members

were present at a meeting duly called, noticed and held on the 28th day of November, 2018; that the forgoing resolution was duly adopted at such meeting by a vote of 4 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."