

Oneida Nation

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Oneida, WI 54155

BC Resolution # 03-17-20-A

Adoption of Tier IV Budget Contingency Plan for the Remainder of Fiscal Year 2020 As A Result of Potential COVID-19 Pandemic Financial Impacts

- 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 United States has identified multiple cases of COVID-19 after learning of the epidemic outbreak in Wuhan, China; and
- WHEREAS,** the President has created the White House Coronavirus Task Force to track the spread of the virus, identify solutions for reducing the spread of the virus, managing scarce resources, and identifying opportunities to improve testing, develop treatment and immunizations, and identify how to inform about and contain epidemics in the future; and
- WHEREAS,** the U.S. Congress has adopted legislation which devotes \$8.3 billion to fund the fight regarding COVID-19; and
- WHEREAS,** the World Health Organization has identified that the spread of COVID-19 is now a pandemic with many countries experience the effects of illness and health issues related to the virus and economic impacts; and
- WHEREAS,** the N.Y. Stock Exchange has experienced such turbulence in the markets that on March 9th and March 12th a 'circuit breaker' halt on trading was implemented closing trading for a 15-minute period; and
- WHEREAS,** Governor Evers has announced that he has signed Executive Order # 72 which declares a "Public Health Emergency in Response to the COVID-19 Coronavirus"; and
- WHEREAS,** on March 12, 2020, Chairman Tehassi Hill signed a "Declaration of Public Health State of Emergency" which sets into place the necessary authority should action need to be taken and allowing the Oneida Nation to seek reimbursement of emergency management actions that may result in unexpected expenses; and
- WHEREAS,** on March 13, 2020, there were 1,629 cases reported through the United States, and 18 cases of positive tests in Wisconsin, on March 16, 2020 there were 47 cases of positive tests in Wisconsin, and finally 1 case in Outagamie County; and

WHEREAS, the Treasurer, requested the Chief Financial Officer to review the current financial state of the Oneida Nation, within the State of Wisconsin and the United States, to determine if there were, or there was a potential of, negative financial impacts to the Oneida Nation that would require action under the Budget Contingency Plan adopted by resolution # BC-09-13-17-A; and

WHEREAS, the Budget Contingency Plan has defined the following Tiers:
Tier I 1% - Delaying expenses, deferment
Tier II 2% - Cost containments
Tier III 3% - Tribal Operations & OBC identify and preserve specific core services
Tier IV 4% - Tribal Operations & OBC identify and preserve specific core services
Tier V 5% - The OBC identify mandatory cuts across the Nation

WHEREAS, the Chief Financial Officer has provided the initial recommendation March 12, 2020, and the Treasurer has supported, adoption of a Tier II budget reduction of 2% cost containments identified as "immediate hiring freeze apart from health, regulatory, safety and essential revenue generating positions, and non-essential travel that has not already been prior booked" to "preserve resources for need-based service delivery programs and services to our elderly and disabled populations"; and

WHEREAS, the Oneida Business Committee has met with the Treasurer and Chief Financial Officer, the Gaming General Manager, Retail Manager, and Self-Governance Coordinator to identify the status of the current financial resources, revenues and federal funding and potential impacts to these funds which provide necessary services to our members; and

WHEREAS, there have been emergency closure notices throughout the United States of schools, businesses, large gatherings, and the CDC has reduced the number of people in gatherings from 250 to 50 people; and

WHEREAS, the Potawatomi Hotel & Casino in Milwaukee, WI, has announced that it will close to the public at 5:00 p.m. Tuesday, March 17th, in response to the pandemic, where seven positive cases have been identified; and

WHEREAS, the Chief Financial Officer has updated the recommendation regarding budget contingency on March 16th, recommending Tier IV budget reductions considering increased financial risks and spread of the pandemic; and

WHEREAS, the Oneida Business Committee, in consultation with tribal leaders through Great Lakes Intertribal Council, has determined that closing the gaming operations to the public at 11:59 p.m. on March 21, 2020, for a 14-day period is in the best interests of the community to avoid the spread of the virus in our community and the Oneida Business Committee has determined that the Oneida Nation shall participate in these public closures; and

WHEREAS, the recovery from these financial impacts will take several months and longer-term for certain financial consequences, such that Tier IV reductions will move forward until the Nation has identified sufficient financial recovery; 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 Tier IV budget reductions for the remainder of Fiscal Year 2020 to preserve funding for

necessary governmental services and activities, unless specifically superseded by resolution of the Oneida Business Committee;

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee adopts Tier IV budget reductions from the Budget Contingency Plan (*Tier IV 4% - Tribal Operations & OBC identify and preserve specific core services*) beginning immediately in accordance with section 121.4-3 of the *Budget Management and Control Law* and as supported by the March 12, 2020, *Declaration of Public Health State of Emergency*.

NOW THEREFORE BE IT RESOLVED, the following budgeted actions shall be delayed until such time as the budget emergency resulting from the pandemic impacts are no longer impacting the Nation's finances:

- Government Executive Contingency: \$2.9 million
- Per Capita Endowment: \$1 million
- Higher Education Endowment: \$250,000
- Acheson Fund Endowment: \$100,000
- Food Security Endowment: \$250,000
- Health Care Endowment: \$250,000
- Economic Development Structure: \$1 million
- Enterprise Contingency: \$2.3 million

NOW THEREFORE BE IT FINALLY RESOLVED, the Oneida Business Committee has determined that employees shall be compensated in the event of closures and other financial constraints as a result pandemic during the 30-day time period in the March 12, 2020, *Declaration of Public Health Emergency*, and policies or procedures will be adopted to address this effective with the pay period beginning March 22, 2020.

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 17th day of March, 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."