

# Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: (414) 869-2214

Oneida, WI 54155



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.

**SPECIAL BUSINESS COMMITTEE MEETING  
NOVEMBER 15, 1996  
NORBERT HILL CENTER  
RE: FY97 CONTINUING BUDGET RESOLUTION  
4:00 P.M.**

**Present:** Deborah Doxtator -Chair, Kathy Hughes - Treasurer, Julie Barton - Secretary, Shirley Hill, Sandra Ninham, Tina Danforth, Leland Danforth - Council Members

**Excused:** Gary Jordan - Vice Chair, Ernie Stevens, Jr.- Council Meeting

**MOTION BY LELAND DANFORTH TO ADOPT RESOLUTION 11-15-96-A, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.**

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 General Tribal Council, and

WHEREAS, the Oneida Business Committee has the fiscal responsibility of preparing a budgetary plan for spending based on an October 1 start-up date, and

WHEREAS, this plan will not be available for action/approval by General Tribal Council for implementation as of October 1, 1996, and

WHEREAS, the General Tribal Council is scheduled to meet on December 7, 1996.

NOW THEREFORE BE IT RESOLVED: that the Oneida Business Committee is authorizing the continuation of the operations under a minimum operating spending level of the proposed FY' 97 budget, but not to exceed the approved FY 1996 budget level. Expenditures will include the following restraints:

1. A hold on hiring for all NEW positions. A new position is defined as any position proposed in any fiscal year but not yet filled. NOTE: Vacant positions can be rehired with approvals by the General Manager, CFO and Treasurer.
2. No Capital Expenditures. NOTE: Capital expenditures are expenditures for equipment totaling \$1000 or more.
3. A hold on all salary adjustments and/or pay rate increases. This includes items such as, but not limited to, merit increases or step increases. Probationary increases will not be affected.

Designation of funds for educational purposes to carry out the directive of General Tribal Council to the extent financially feasible.

If the need for any items covered under the restraints become detrimental to the Tribal organization, justification must be reviewed and approved by the General Manager, CFO and Treasurer.

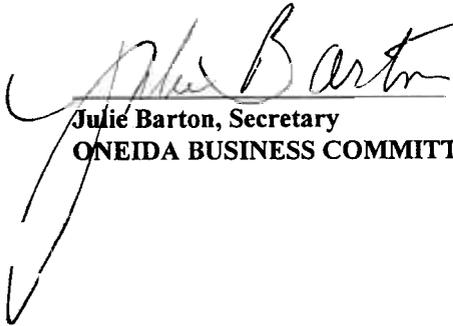
**MOTION BY KATHY HUGHES TO RESCHEDULE THE FY 97 BUDGET AND GAMING EXPANSION GENERAL TRIBAL COUNCIL MEETINGS TO SATURDAY, DECEMBER 7, 1996, SECONDED BY SHIRLEY HILL. MOTION CARRIED UNANIMOUSLY.**

**RECESS\ADJOURN:**

**MOTION BY SHIRLEY HILL TO RECESS, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.**

**MEETING ADJOURNED AT: 4:30 P.M.**

**Respectively Submitted,**

  
**Julie Barton, Secretary**  
**ONEIDA BUSINESS COMMITTEE**

GERALD L. HILL  
CHIEF COUNSEL

JO A. SWAMP  
DEPUTY CHIEF COUNSEL

## ONEIDA LAW OFFICE

P.O. BOX 209  
ONEIDA, WISCONSIN 54155

(414) 869-4327

(414) 869-2345

FAX (414) 869-4065

AURENE M. MARTIN  
MICHAEL J. LOKENSGARD  
JO ANNE HOUSE  
LORETTA F. LIVINGSTON  
KRIS M. GOODWILL  
RORY E. DILLWEG

### STATEMENT OF EFFECT

#### Continuing Resolution to Operate at Current Budget

##### Summary

The Oneida Tribe of Indians of Wisconsin's budget for Fiscal Year 1997 will not be ready for presentation to the Oneida General Tribal Council and implementation before October 1, 1997, the beginning of the Tribe's fiscal year. The Tribe is currently operating under a continuing resolution that was prepared with the expectation that the General Tribal Council would meet to approve the FY 1997 budget in mid-November. The General Tribal Council meeting at which the budget is to be approved has since been rescheduled from November 16 to December 7, 1996.

In the interim, it is constitutionally necessary for the Oneida Tribe to have in place a resolution authorizing the disbursement of tribal funds. A continuing resolution was again prepared to authorize the Tribe to continue to make such disbursements prior to the approval of the Fiscal Year 1997 budget.

##### Analysis

All tribal expenditures must be made pursuant to duly-adopted resolution. The By-Laws of the Oneida Tribe of Indians of Wisconsin state that:

The Treasurer of the Tribal Council shall not...pay out or otherwise disburse any funds in his possession or custody, except in accordance with a resolution duly passed by the Council. (By-Laws, Section 4)

In the By-Laws, "Council" refers to the Oneida General Tribal Council. However, Article III, Section 3 of the Oneida Constitution provides that the General Tribal Council may authorize the Oneida Business Committee to perform certain duties. This authorization includes the passage of the continuing resolution in order to allow the Tribal government to operate prior to approval of the Fiscal Year 1997 budget.

##### Conclusion

There are no legal issues which would bar implementation of this resolution.

RESOLUTION NO. \_\_\_\_\_

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4. Designation of funds for educational purposes to carry out the directive of General Tribal Council to the extent financially feasible.
5. If the need for any items covered under the restraints become detrimental to the Tribal organization, justification must be reviewed and approved by the General Manager,