

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.

SPECIAL BUSINESS COMMITTEE MEETING

MARCH 7, 1997

NORBERT HILL CENTER

9:40 A.M.

RE: ROOM TAX INCREASE

Present: Deborah Doxtator - Chair, Gary Jordan - Vice Chair, Kathy Hughes - Treasurer, Julie Barton - Secretary, Shirley Hill, Tina Danforth, Leland Danforth, Sandra Ninham, Ernie Stevens, Jr. - Council Members

Others: Pat Lassila, Kirby Metoxen, Ed Williams, Bobbie Webster, Pat Cornelius, Jo Swamp

Discussion:

Pat Lassila: From the Annual Board Meeting that occurred in January, 1997, in which the Business Committee were present, she was under the impression that some type of possible agreement would be made in considering doing 7%. Previous to that, she had been directed by the Hotel Board to do an analysis to see what effects it would have on the hotel. She had given Kathy Hughes a copy of that analysis, the Hotel Board didn't take any action on it. Her recommendation to the Hotel Board after looking through our market segments would be to support the arena but not the New Regency downtown. More convention centers are going to be built in the State of the Wisconsin.

Kathy Hughes: Convention Centers will continue to be developed. The Convention space available right now doesn't allow large conferences to come here because of their current size. By our consideration of supporting the expansion of the Convention Center downtown will be to keep ourselves in the market for bringing these larger conventions to our area. For the Radisson, they will have to be extra competitive. The offset may be that we pick up more of the larger conventions.

Pat Lassila: The Regency Hotel downtown is having a hard time since they took the flag off their hotel, they have rate fluctuation, they're cutting rates. Radisson is still maintaining corporate groups. With the convention center, if approved, they're going to have to add another hotel downtown, possibility of a Hilton by the river. There wouldn't be enough room space.

Pat Cornelius: Opposed the room increase tax, from the standpoint of a GTC member. We're having problems here, we need to take care of ourselves first. Other departments are being put on budget constraints asked for by our government. Don't be so hasty in giving our money to Green Bay. Didn't think Green Bay would be so quick to do likewise for us. Wait a year.

- Julie Barton: Concerned about convention centers private stock holders, if we support that, we'd support private stock holders. It's important to look at the market and make sure our Gaming keeps an increased customer base. The budget constraints are because the marketing hasn't accomplished some goals of increasing the customer base. This convention center is expected to do that, from that standpoint, she was in support of that. The market is leveling off, and unless something new occurs, it will continue along that trend. We're looking at an increase of 3% from the current 5% to bring it up to 8%. We need to weigh that pretty strongly what that means for increasing our customer base.
- Kathy Hughes: Our priority concern is the budget, we've been having discussion for creating greater efficiencies. Revenue projections need to be balanced with expenditures, that's what we're focusing on. Paying an additional amount in room tax for this fiscal year will roughly estimate around \$150,000.00. That will not have a direct cash impact effect on the budget, the room tax is paid by the customer. We have to look at creativity and maximizing the potential revenue sources. We could wait a year, but an opportunity not taken right now, is a lost opportunity because someone else will do it. It's difficult to compete after the fact. Booking the large conventions two-three years out needs to be looked at immediately. That's the revenue we're trying to tap into. We need to do something to create a new market. It's a key leveraging tool in talking about the Compact Renewal Negotiation. If were part of this agreement, all the municipalities have to go in with us and support a renewed Compact situation because their financial package is tied to our ability to pay our agreement.
- Leland Danforth: Supported the project. We have to maintain our service to our membership. We need to increase our funding by some means and sees this as something that will help us. It's an opportunity that would enhance our own hotel and gaming by entering into this Agreement, as was mentioned last night, it would enhance our own sovereignty as the outlying communities understand it. A few years back people challenged our very existence, now we're recognized as a nation as we continue these government to government relations. We should take advantage of it at this time.
- Tina Danforth: Not in agreement of increasing our tax base to 8% to give it away. We need to maintain what we've come to at this point. Increase it to 10% and we'll keep 2% so we can maintain what we have.
- Gary Jordan: Stated he originally wanted an additional 2% and retain 1% until it created controversy with the other local governments. Annually, this would come to an additional \$195,000.00. This would be generated from new money. If we were to do what the VCB and TMI are doing right now to enhance the tourism market for Oneida and the people coming to Oneida, if we hired 20 people from Oneida to do what there doing at an average salary of \$23, 500.00 a year, that would come close to half a million dollars without benefits. So to create a VCB and a Tourism department to do what they're doing for the dollars we're giving them now, then we could set up the same program for that kind of money. On the federal level, there will be a bill that will demand that tribes participate in local Service Agreements instead of acting on a voluntary basis, that concerned him.
- Shirley Hill: She understood that the additional monies would be \$195,000.00 , what is the total percentage up to 8% that will forwarded for this convention center? That would be in excess of the \$250,000.00. That item is not and has not been budgeted in our budget, therefore it has to go to GTC. It's transient money, yes but there are other uses for our own community. The convention center would only make us in competition. As far as the government coming down with regulations, is one tribe going to stop every tribe from being taxed? She didn't think so, and was not in support of it.

- Sandra Ninham: In agreement with it. We are looking out for our people. This would be a destination point for vacations, meetings, events, etc. This would help in the Compact, we need those people to support us, we need to be community members. We'll continue to have budget concerns, there will be ups and downs. We need to keep the relationships we've developed over the years.
- Deborah Doxtator: In regards to supporting the project, because she is in support of the project, very simply, in the fact that we had a 2.6 million budget that we adopted this last year, 97% of those revenues came through Gaming. \$480,000.00 is going to go into this project per year vs. a 2 million budget we received from having the compact. In those monetary terms, it made it simple for her to support the project, almost a 1/2 million vs. a 2 million dollar budget can sway our community in terms of what the compact means to our community and having the support of the local governments in renewing the compact and continuing to have a similar budget to what we've had in the past five years. That dollar amount will continue to help the community by providing employment and other forms of business through the attractions that tourist come into the area to spend on will be beneficial.
- Gary Jordan: Representatives from the Visitors and Conventions Bureau assured us that if a Convention Center would go downtown, they would pursue busing and sending out promotional PR at that facility to make sure people get bused to the casino. This will be a complementary thing. Oneida is expanding and he expects it to expand 2 1/2 it's original size.
- Pat Lassila: The recommendation she gave was her own, the Hotel Board did not act on that recommendation at this time. She'd support the Business Committee's decision.
- Shirley Hill: Green Bay does not put any money into their own people, tourism yes, outside people, yes. You can't buy respect.
- Sandra Ninham: We are seen in a different light now compared to 14 years ago. We have international visitors coming to this area, one of the reasons is the Oneida Nation. This is going to be a destination point, it's up to us to make sure we're going to be part of that and not lose out on it. We need to support this.
- Bobbie Webster: The Business Committee has a tough decision to make. We're recognized, we could take the leadership role and show an example toward the seven generation concept. It's beyond our hotel and gaming. She hoped that they looked at the broad perspective here. Business partnerships need to be developed, and hoped the Business Committee supported it.
- Julie Barton: Customer base is leveling off, it has something to do with the amount of people coming to Green Bay. We need to get them in our casino. A decision that will effect us at less than \$200,000.00 for a project like that will enhance us over all and bring us in \$5 million. So the decision we make today is minor compared to the big picture.
- Gary Jordan: **MOTION BY GARY JORDAN TO ADOPT THE COMFORT RESOLUTION 3-07-97-A IN REGARDS TO VOLUNTARY ROOM TAX CONTRIBUTIONS FOR PURPOSES OF A GREEN BAY ARENA\CONVENTION CENTER AND FORWARD THE RESOLUTION FOR GTC REVIEW AT THE SEMI-ANNUAL GTC MEETING IN JULY, SECONDED BY JULIE BARTON.**

Kathy Hughes: **MOTION BY KATHY HUGHES TO AMEND THE RESOLUTION'S WORDING BE CHANGED FROM "MUNICIPALITIES" TO "LOCAL GOVERNMENTS"; ITEM NUMBER 4 UNDER NOW THEREFORE BE IT RESOLVED, CHANGE THE WORD "STAFF" TO "GENERAL MANAGER AND CHIEF COUNSEL", SECONDED BY GARY JORDAN. SHIRLEY HILL, TINA DANFORTH OPPOSED. MOTION CARRIED.**

Vote on the Main Motion: **MOTION BY GARY JORDAN TO ADOPT THE COMFORT RESOLUTION 3-07-97-A IN REGARDS TO VOLUNTARY ROOM TAX CONTRIBUTIONS FOR PURPOSES OF A GREEN BAY ARENA/CONVENTION CENTER AND FORWARD THE RESOLUTION FOR GTC REVIEW AT THE SEMI-ANNUAL GTC MEETING IN JULY, SECONDED BY JULIE BARTON. SHIRLEY HILL, TINA DANFORTH OPPOSED. MOTION CARRIED.**

Resolution 3-07-97-A

- 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 governmental body of the Oneida Tribe of Indians of Wisconsin, and
- Whereas,** the Oneida Business Committee has been delegated the authority of Article IV, Section I of the Oneida Tribal Constitution by the Oneida General Tribal Council, and
- Whereas,** the Metropolitan Executives for a Convention Center and Arena ("MECCA") consisting of the elected representatives of the City of Green Bay, City of DePere, Village of Ashwaubenon, Village of Howard of Village of Allouez (the "local governments") and a representative of Brown County and a representative of the Oneida Nation have been conducting a series of meetings to discuss the feasibility of undertaking the construction and management of a new arena and a convention center within the Village of Ashwaubenon and the City of Green Bay, respectively; and
- Whereas,** as a result of those meetings, MECCA is recommending the undertaking of the construction of a new arena and convention center pursuant to a Plan of Financing under which the projects will be financed through revenue bonds issued by the Community Development Authority of the Village of Ashwaubenon and Redevelopment Authority of the city of Green Bay, respectively, and that said bonds will be repaid through room taxes levied by the local governments and pledged to the room tax commission created under Section 66.75, Wis. Stats.; and
- Whereas,** in order to provide sufficient revenues for the projects, the Plan of Financing recommends the increase of the local governments' room tax to a rate of 8%; and
- Whereas,** each of the local governments is currently considering the Plan of Financing for the undertaking of the project an in order to facilitate such consideration, it is important that each of the local governments' express its intent to increase its room tax to a rate of 8%;

Now therefore be it resolved:

The recommendations of MECCA regarding the construction of a new arena and convention center and the

Plan of Financing therefore is hereby received and will be the subject of further study, review and consideration of staff and this body.

2. That the General Manager and Chief Counsel is hereby directed to prepare the necessary ordinance increasing the room tax to a rate of 8% and to present such ordinance to this body for further consideration; and
3. That the ordinance shall be drafted such that the amendment to the room tax to 8% shall be subject to i) other local governments increasing its room tax to a rate of 8% and, ii) the increases in room taxes of all local governments shall be effective on like dates; and
4. The General Manager and Chief Counsel is directed to take such other action as may be necessary to give effect to the recommendations of MECCA and the Plan of Financing and to present such actions for further consideration of this body.

For the Record, Shirley Hill opposed because it was not a budgeted item, in order to modify the budget according to the GTC resolution, if it's a decrease or increase, it had to come before the Business Committee to be modified if it's under \$250,000.00, if it's over \$250,000.00, it has to go to the GTC. It hasn't been modified on any level, furthermore, I am not in favor of the project at all.

Kathy Hughes: Based on legal opinion and on the monetary facts about new revenues, effects on the budget as far as cuts, she didn't agree that it impacted the budget or resolution as presented at GTC. It is not a decision that would change the budget in excess of \$250,000.00. It has an increase impact of less than \$200,000.00. It's not any revenue that would come from existing revenues in the budget.

Jo Swamp: The approved resolution only allowed for a drafting of an ordinance to put a room tax in effect. In reality at this particular point in time, there is actually no impact on the budget. That Ordinance would have to be approved and adopted before there's even budget considerations.

Kathy Hughes: There are several documents and agreements that still have to be drafted and brought back to the committee for approval. This is just a comfort resolution stating that were supportive of the concept going forward and that were willing to come to the table and negotiate and work out those agreements to actually implement this plan.

Shirley Hill: Whether this room tax is voluntary or has to be paid, I see it as revenues.

Tina Danforth: Stated that the number three under the Now therefore be it resolved stated that it would be effective back to the same dates of the other local governments. She wasn't in agreement with that.

Pat Lassila: When would the increase take effect. She was under the understanding that the other local governments were collecting that increase already.

Deborah Doxtator: There was tentative discussion of doing that April 1, 1997. They had to have discussion with the local governments, then those funds would begin to be escrowed for the project itself.

Pat Lassila: In approving this comfort resolution, we're in agreement with the 8% increase, does the hotel have to start collecting for this 8% increase or do more signing of documents need to take place prior to doing this.

Deborah Doxtator: We'd have to enter into more agreements before it's actually going to be implemented.

Bobbie Webster: Today's decision means we agree to move forward on the project, up from 5% to 8% room tax.

Deborah Doxtator: Yes.

Julie Barton Gary's motion stated we take this to GTC for July, she recommended that this action be part of our marketing plan that would increase our revenue, it should come from our general manager and the gaming general manager, the economic impact in specific terms for our GTC. ie., the numbers brought into our community, who would be staying at our hotel, what kind of plan does the hotel have that states they'd have it full 365 days, what's the impact. GTC needs to see those numbers that the decision we're making today will have a overall financial impact for the tribe.

Julie Barton **MOTION BY JULIE BARTON TO DIRECT THE GENERAL MANAGER AND THE GAMING GENERAL MANAGER AND THE HOTEL BOARD TO BRING BACK AN ANALYSIS OF THE FINANCIAL IMPACT AND BENEFITS THIS DECISION WOULD MAKE, AND THAT IT BE PREPARED AND SUBMITTED IN TIME FOR THE GENERAL TRIBAL COUNCIL MEETING FOR JULY WITH THE DEADLINE DATE OF MID MAY, SECONDED BY GARY JORDAN. TINA DANFORTH ABSTAINED. MOTION CARRIED.**

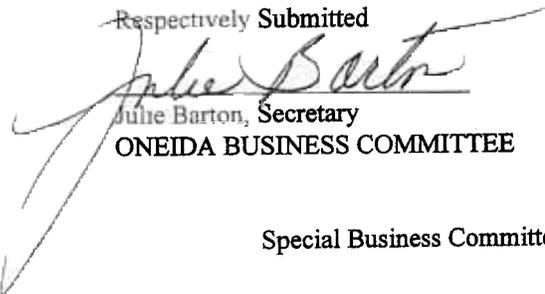
Jo Swamp: The effective date of any type of ordinance, we would have to comply with the Administrative Procedures Act in passing any type of law for the tribe. April 1, 1997 was mentioned as a date, she didn't know how realistic that was to meet with something, she didn't see retro active tax, where we go back and say you owe us a few more dollars. She didn't know what type of interim plan there was for that.

Kathy Hughes: There's an emergency rule provision if that where necessary, but she didn't see a need to step away from the defined processes. The MECCA leaders discussed an April 1, 1997 implementation, whether or not we agree with that is still subject to our discussion. She believed there were ways to abide with whatever there considerations are, one option the Business Committee could consider is that we do direct the Hotel Board to being withholding at the 8% level and we establish an account to escrow that 3% difference until such time we do implement our own ordinance and can make accommodations from that point forward. It takes a long time within our organization, local governments are just going to have to deal with our bureaucratic process.

Gary Jordan: **MOTION BY GARY JORDAN TO RECESS, SECONDED BY KATHY HUGHES. MOTION CARRIED UNANIMOUSLY.**

Recessed\Adjourned: 10:40 a.m.

Respectively Submitted


Julie Barton, Secretary
ONEIDA BUSINESS COMMITTEE