

# ***Oneida Tribe of Indians of Wisconsin***



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.

## **BC Resolution # 01-13-16-E**

### **Resolution to Restate the Public Officer Safety Pension Plan Document and Excess Benefit Trust Agreement, and Submit Plan to the IRS**

- 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 of America; 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,** the Tribe sponsors the Oneida Tribe of Indians of Wisconsin Public Safety Officer Pension Plan (the "Plan"), and
- WHEREAS,** the Plan is a governmental tax-qualified retirement plan, operated in accordance with the exemptions extended to governmental retirement plans pursuant to Section 414(d) of the Internal Revenue Code and Section 2(32) of the Employee Retirement Income Security Act of 1974, and
- WHEREAS,** the Plan has been amended on multiple occasions, and was approved by the Internal Revenue Service ("IRS") on October 23, 2012, and
- WHEREAS,** legal counsel has advised that the Plan documents should be amended and restated in its entirety to incorporate the most recent amendment and make certain other compliance changes, in order to apply for an updated IRS ruling in accordance with the IRS' governmental plan application deadlines, and
- WHEREAS,** legal counsel has prepared an amended and restated Plan document, as well as an amended and restated Excess Benefit Arrangement Trust Agreement, and recommends approval of said Plan documents, and
- WHEREAS,** legal counsel advises that the amended and restated Plan documents contain no benefit or design changes at this time, and
- WHEREAS,** legal counsel recommends that the amended and restated Plan documents be submitted to the IRS for an update of the Plan's 2012 determination letter.
- WHEREAS,** legal counsel recommends that the amended and restated Plan documents be submitted to the Internal Revenue Service ("IRS") for an update of the Plan's 2012 determination letter.

**NOW THEREFORE BE IT RESOLVED**, that the Oneida Business Committee hereby authorizes and approves the amended and restated Plan document and the related Excess Benefit Arrangement Trust Agreement, in the form presented to the Oneida Business Committee this date and together with any technical, legal or compliance related revisions as may be necessary prior to execution.

**BE IT FURTHER RESOLVED**, that Wells Fargo Bank shall continue to serve as Trustee of the Plan and the Excess Benefit Arrangement, in accordance with the terms of the Plan and the related Trust Agreements.

**BE IT FURTHER RESOLVED**, that the Chair or Vice-Chair of the Business Committee shall be, and hereby is, authorized and directed to execute the amended and restated Plan document and Excess Benefit Arrangement Trust Agreement on behalf of the Tribe.

**BE IT FURTHER RESOLVED**, that the Oneida Business Committee hereby authorizes the submission of the amended and restated Plan to the IRS no later than January 31, 2016.

**BE IT FINALLY RESOLVED**, that the actions taken by Tribal officers and personnel in connection with the matters addressed in these resolutions be, and hereby are, ratified, confirmed and adopted as actions of the Oneida Tribe of Indians of Wisconsin.

#### 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; 6 members were present at a meeting duly called, noticed and held on the 13<sup>th</sup> day of January, 2016; that the forgoing resolution was duly adopted at such meeting by a vote of 4 members for, 0 members against, and 1 members not voting; and that said resolution has not been rescinded or amended in any way.

  
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Lisa Summers, Tribal Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."