

# Oneida Tribe of Indians of Wisconsin

Post Office Box 365



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Phone: (920) 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.

## BC RESOLUTION # 08-26-09-C

### *Resolution to Declare Official Intent Under Reimbursement Bond Regulations*

- 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 of the Oneida Tribal Constitution by the General Tribal Council; and
- WHEREAS,** the Tribe has determined to undertake the renovation and related infrastructure improvements at the Radisson Hotel adjacent to the Oneida Casino site on the Tribe's reservation (collectively referred to as the "Project"); and
- WHEREAS,** the Tribe intends to obtain financing for the Project at least in part through the issuance of tax-exempt indebtedness, consisting potentially of tribal economic development bonds, within the meaning of section 7871(f) of the Internal revenue Code of 1986, as amended, or other obligations the interest on which is not includible in gross income for federal income tax purposes (the "Bonds"); and
- WHEREAS,** the Tribe desires that all permitted costs of the Project paid prior to the issuance of Bonds qualifies for reimbursement from the proceeds of the Bonds under applicable Treasury regulations.
- WHEREAS,** the Internal Revenue Service has promulgated Internal Revenue Code Regulation §1.150-2 (the "Regulations") with respect to proceeds of tax-exempt borrowings used to reimburse prior capital expenditures; and
- WHEREAS,** one of the requirements of the Regulations is that an issuer must timely declare an intention to reimburse itself for the expenditure from proceeds of a tax-exempt borrowing ("Official Intent"); and
- WHEREAS,** certain expenditures may be made in connection with the Project prior to the issuance of the Obligations for which the Tribe will seek reimbursement from proceeds of the Obligations once the Obligations are issued.

**NOW THEREFORE BE IT RESOLVED**, that pursuant to the Regulations, it is the reasonable intention of the Tribe to use proceeds of the Obligations to reimburse expenditures made on the Project as defined above, in an aggregate amount not exceeding \$1,200,000.

**BE IT FURTHER RESOLVED**, that in connection with the Project, authority is hereby specifically conferred on the Chairman and in the event of the Chairman's absence or in ability to act, the Vice Chairman of the Issuer, to make such further declarations of official reimbursement intent on behalf of the Issuer as may be necessary or desirable and as may be consistent with then-existing budgetary and financial circumstances of the Issuer.

**BE IT FINALLY RESOLVED**, that pursuant to the Regulations, this statement of Official Intent is made pursuant to Internal Revenue Code Regulation §1.150-2.

#### **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. 8 members were present at a meeting duly called, noticed and held on the 26<sup>th</sup> day of August 2009; that the foregoing resolution was duly adopted at such meeting by a vote of 7 members for; 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

  
\_\_\_\_\_  
Patricia Hoeft, Tribal Secretary  
Oneida Business Committee

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