



**Oneida Tribe of Indians of Wisconsin
BUSINESS COMMITTEE**



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.

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**RESOLUTION # 12-19-01-C
Transfer of Duties and Responsibilities of
Oneida Utilities Commission to the Oneida Nation**

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, Article IV, Section 1 (h) authorizes the Oneida Business Committee "to charter subordinate organizations for economic purposes", and

WHEREAS, the Oneida Business Committee granted a Corporate Charter to the Oneida Utilities Commission ("Commission") on May 20, 1990 in Oneida Business Committee Resolution 4-20-90-B and amended said Charter in the following Oneida Business Committee resolutions: 5-18-90-B; 8-10-90-F; 5-15-91-P; 8-30-91-C; 4-15-92-P; 4-20-94-b and 5-15-94-P, approved its by-laws on 11-29-95, passed the Oneida Tribal Sanitary District Ordinance which governs the duties and responsibilities of the Oneida Utilities Commission and the administrative operations of the sanitary district, and

WHEREAS, for the past year the Oneida Business Committee and the Oneida Utilities Commission contemplated transfer of Oneida Utilities Commission duties and responsibilities to the Oneida Tribe to reduce costs, and to streamline services to the sanitary district customers and water customers, and

Resolution #12-19-01-C

Page 2

WHEREAS, the Oneida Utilities Commission has prepared to transfer its duties and responsibilities to the Oneida Tribe by laying off administrative staff, downsizing the membership of the Board of Commissioners, relocating administrative offices to the Oneida Utilities Department, and other such matters and believes that time is of the essence to make the transfer, and

WHEREAS, the Oneida Utilities Commission Board of Commissioners has notified the Oneida Business Committee that it is their intent to resign their positions on December 20, 2001, and

WHEREAS, the Oneida Business Committee passed a motion on September 5, 2001 to facilitate the transfer of the duties and responsibilities of the Oneida Utilities Commission and the administrative operations of the sanitary district to the government of the Oneida Tribe of Indians of Wisconsin through delegation of duties and responsibilities to the Utilities Department, the Accounting Department, and the Facilities Planning Committee.

NOW THEREFORE BE IT RESOLVED, that the duties and responsibilities granted to the Oneida Utilities Commission by Corporate Charter, By-laws, and the Oneida Tribal Sanitary District Ordinance (The Oneida Code of Laws, Chapter 47), are transferred to the government of the Oneida Tribe of Indians of Wisconsin through delegation of duties and responsibilities to the Utilities Department, the Accounting Department, and the Facilities Planning Committee.

BE IT FURTHER RESOLVED, that the duties and responsibilities as granted to the Oneida Utilities Commission by Corporate Charter and the By-laws, which are inconsistent with this transfer are hereby repealed and revoked.

BE IT FURTHER RESOLVED, that the duties and responsibilities as granted by the Oneida Tribal Sanitary District Ordinance (The Oneida Code of Laws, Chapter 47), specifically, Sections 47.2-1.(b)(2) through (b)(5), and (b)(8) as they relate to membership on the Board of Commissioner are repealed and revoked, effective December 20, 2001, and the Facilities Planning Committee is designated as the Oneida Utilities Commission, and is delegated the duties and responsibilities of the Oneida Utilities Commission.

BE IT FURTHER RESOLVED, that the changes made by this resolution to the Oneida Utilities Commission by Corporate Charter, the By-laws, and the Oneida Tribal Sanitary District Ordinance, The Oneida Code of Laws, Chapter 47, will be a *temporary* measure to fulfill an immediate need, and that as soon as possible, the Oneida Law Office will recommend appropriate amendments to Chapter 47, and other affected Oneida laws for consideration of the Legislative Operating Committee and the Oneida Business Committee.

BE IT FURTHER RESOLVED, that the Oneida Business Committee delegates the administrative and operational duties of the Oneida Utilities Commission to the Utilities Department.

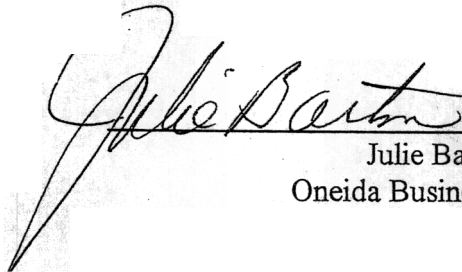
BE IT FURTHER RESOLVED, that the Oneida Business Committee authorizes the Accounting Department and the Oneida Law Office to provide technical assistance to the Utilities Department and the Facilities Planning Committee in assuming their new duties and responsibilities.

BE IT FURTHER RESOLVED, that the Oneida Business Committee delegates the commission duties of the Oneida Utilities Commission to the Facilities Planning Committee.

BE IT FURTHER RESOLVED, that the current Oneida Utilities Commission Board surrender all records, files, accounts, assets, and property to the Secretary of the Oneida Tribe of Indians of Wisconsin as soon as possible.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee comprised of 9 members, of whom 5 members which constitute a quorum 8 members were present at a duly called meeting, held on the 19th day of December, 2001; that the foregoing resolution was duly adopted at such meeting by a vote of 7 members for, 0 members against, and 0 members abstaining; and that said resolution has not been rescinded or amended in any way.



Julie Barton, Secretary
Oneida Business Committee