

# Oneida Nation

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Oneida, WI 54155

## **BC Resolution # 04-08-20-C**

### **Tier V Budget Contingency Declared for Remainder of Fiscal Year 2020**

- WHEREAS,** the Oneida Nation 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 Nation; 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 federal government has proclaimed a public health emergency related to the spread of the COVID-19 virus and has identified that the spread of the virus has resulted in large numbers of individuals becoming ill and high mortality rates, impacts to the stock markets, and businesses; and
- WHEREAS,** state governors, including the State of Wisconsin, have declared public health emergencies and state public health officers have issued orders, for example, closing public schools, limiting public gatherings, and closing restaurants and bars except for take-out orders; and
- WHEREAS,** on March 12, 2020 the Chairman declared a public health state of emergency, the Oneida Business Committee took actions to take steps to protect the health and welfare of the members, employees and the community, including instituting expenditure restrictions to preserve resources for the provision of governmental services to members most at risk, closure of the Nation's gaming operations, and insuring that employees will continued to be paid during the public health emergency as long as the Nation's resources will allow; and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-03-17-20-A which declared that Tier IV budget contingency measures are implemented which required a 4% reduction in overall expenditures and budgets; and
- WHEREAS,** the Treasurer has implemented a COVID-19 Finance Team (*Finance Team*) to monitor the financial status of the Nation and make recommendations regarding expenditure restrictions for the remainder of FY2020, budgeting for FY2021, development of directions for a continuing resolution for FY2021, and other actions necessary to ensure governmental services can continue to be provided to those most in need and at risk regarding COVID-19 and the health impacts of the virus; and

- WHEREAS,** the Finance Team has determined the following rules shall apply to all decisions being made regarding the finances of the Nation and how those limited resources shall be allocated:
1. All decisions are employee/member/community empathetic/compassionate balanced against cash flow; and
  2. All decisions shall protect investments; and utilize only available cash; and
- WHEREAS,** the Finance Team has identified that the Nation can, if funding is carefully managed, meet the needs of the operations in providing services for a 30-day period beginning from the closure date of the gaming operations; and
- WHEREAS,** the Finance Team, working closely with Intergovernmental Affairs and Communications, is kept up-to-date regarding federal emergency funding opportunities which will assist the Nation in managing the public health crises and has identified that the Nation has a potential gap of 30 to 60 days where federal financial assistance will be authorized and delivered; and
- WHEREAS,** the Finance Team, working closely with the Grants Office, has identified that granting agencies will be providing approvals to delay or amend existing grants considering the current public health crises which will assist the Nation in managing expenses during the financial constraints; and
- WHEREAS,** the Chief Financial Officer, Treasurer, and Finance Team, are recommending the Oneida Business Committee adopt a resolution declaring a Tier V budget contingency be implemented; and
- WHEREAS,** the Oneida Business Committee, after being informed regarding the current financial status and near-term future financial resources, has determined that implementation of Tier V budget reductions for the remainder of FY2020 is needed to preserve funding for necessary governmental services and activities;

*Tier V Budget Contingency Declaration*

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee adopts Tier V budget reductions from the Budget Contingency Plan (*Tier V – 5%, Oneida Business Committee identifies mandatory cuts across the Nation*) beginning immediately in accordance with section 121.4-3 of the *Budget Management and Control Law*.

*Essential Services*

**NOW THEREFORE BE IT FURTHER RESOLVED,** that the Operations shall reduce all funding to essential services, only, to the greatest extent possible until the end of FY2020, or until formerly announced otherwise, to maintain viability of the Nation and its' organization so long as the Nation is financially able to allocate funding. Essential services for the purposes of this Resolve should be understood as including employee payroll as defined in resolve #3, direct costs to provide the service, and indirect costs.

*Essential Employee Levels*

**NOW THEREFORE BE IT FURTHER RESOLVED,** that employee levels are to be managed at essential employee levels only. Essential employee shall be defined as the minimum level necessary to provide essential programs / services as defined in resolve #2.

*Travel*

**NOW THEREFORE BE IT FURTHER RESOLVED,** that all travel is prohibited.

*Capital Expenditures, Capital Improvement Projects and Technology Set Asides*

**NOW THEREFORE BE IT FURTHER RESOLVED**, that Capital Expenditures, Capital Improvement Projects, and Technology Set Asides are on hold for the Fiscal Year 2020; however, all projects that have been activated shall take the following steps.

1. All projects for which a contract has been signed and physical work on-site has begun shall be shut down as follows:
  - a. Stopping work and closing project activities to leave the project in a safe state until it can be restarted.
  - b. Stopping work and closing project activities to leave the project in a safe state in the event it will not be restarted.
  - c. Concluding any remaining work, such as punch-lists, in a manner which limits the financial impact to the Nation but closes the project in accordance with the contract.
2. All projects for which a contract has been signed and physical work on-site has not begun shall be shut down immediately and closure of the contract as follows:
  - a. Stopping work and closing project activities so the project can be re-started at some future date.
  - b. Stopping work and closing project activities recognizing the project will not be restarted at some future date.
3. All contracts not signed and posted requests for bids or proposals shall be withdrawn.

*Building Maintenance and Repairs Expenses*

**NOW THEREFORE BE IT FINALLY RESOLVED**, all expenses arising out of the Building Maintenance Repairs line shall be restricted to emergency health, safety, or regulatory actions.

**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; 9 members were present at a meeting duly called, noticed and held on the 8<sup>th</sup> day of April, 2020; that the forgoing resolution was duly adopted at such meeting by a vote of 8 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way.

  
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Lisa Summers, Secretary  
Oneida Business Committee

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