

Oneida Nation

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Oneida, WI 54155

BC Resolution # 09-11-24-E

Authorization to Open an Operating Bank Account for the Oneida Hotel

- 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 Constitution and Bylaws of the Oneida Nation, in Bylaws Section 4, mandate 1) the Treasurer of the Oneida Business Committee "shall accept, receive, receipt for, preserve and safeguard all funds in the custody of the Council, whether they be tribal funds or special funds for which the Council is acting as trustee or custodian," 2) "shall deposit all funds in such depository as the Council shall direct and shall make and preserve a faithful record of such funds and shall report on all receipts and expenditures and the amount and nature of all funds in his possession and custody," and 3) "shall not pay out or otherwise disburse any funds in his possession or custody, except in accordance with a resolution duly passed by the Council"; and
- WHEREAS,** the Oneida Business Committee supported the dissolution of the Oneida Airport Hotel Corporation, through BC Resolution # 12-21-23-A, and directed consolidation of the Hotel and Conference Center (Hotel) with Oneida Casino, through BC Resolution # 12-21-23-B; and
- WHEREAS,** the consolidation of the Hotel and Oneida Casino will be complete and effective on October 1, 2024, will be called Oneida Casino•Hotel, and will be an internal entity within the Oneida Nation; and
- WHEREAS,** The Oneida Nation may engage a hotel management company for the first years of the transition to ensure a successful integration of services and opportunities, customer interaction remains a priority, employee engagement is paramount to the success of the Hotel operations, and the Hotel operations contribute to an increased return to the Oneida Nation; and,
- WHEREAS,** There is a need for a dedicated bank account for the Hotel as an operating account for hotel operations to support its daily and recurring operational expenses, including the payment of salaries, benefits, and operating expenditures, and be a depository for funds received; and
- WHEREAS,** a contracted third-party Hotel manager requires access to the Hotel account to facilitate those payments.

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NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee authorizes the opening of a bank account (Operating Account) to support the day-to-day operations of the Hotel.

BE IT FURTHER RESOLVED, the Operating Account will be under the tax identification of the Oneida Nation and all funds deposited into the Operating Account, or the interest thereon, will be solely owned by the Oneida Nation.

BE IT FURTHER RESOLVED, The Operating Account will accept only funds associated with the operations of the Hotel including:

1. Oneida Nations funds that constitute the ongoing working capital for the Hotel;
2. revenues and income (cash or credit, transactions) from Hotel operations including, but not limited to, rental of rooms, lobby space, exhibit space convention and meeting space and associated services;
3. rebates, refunds, and reimbursements earned or accrued, reservation charges, deposits and cancellation fees not refunded to guests;
4. food and beverage revenues and income, and vending machine income;
5. lease and concession fees; and

BE IT FURTHER RESOLVED, the management company may disburse funds from the Operating Account for the purpose of paying operating expenses which may include:

1. costs of salaries, wages, bonuses, payroll taxes, personnel insurance and benefits incurred by the Oneida Nation or a third-party manager (Manager) pursuant to a hotel management agreement (HMA);
2. departmental expenses; administrative and general expenses costs of third-party vendors; Hotel marketing and accounting expenses; reservation fees; cost of utilities, service contracts, repairs and maintenance;
3. replacement of supplies, and inventories as necessary for the operation of the Hotel;
4. services and costs defined within an HMA; all costs and expenses incurred in connection with the operation of the Hotel and approved as part of an annual operating budget or plan, including reimbursable expenses.

BE IT FURTHER RESOLVED, Oneida Nation may withdraw funds in excess of the working capital after thirty (30) days of months' end.

BE IT FURTHER RESOLVED, if the Oneida Nation engages a Manager to manage the daily operations of the Hotel, through terms and conditions agreed to in an HMA, the Manager and HMA shall comply with the terms of this resolution or amendments thereof.

BE IT FURTHER RESOLVED, the Oneida Business Committee directs the opening of the Operating Account and development of the procedures by which the Operating Account will be managed to preserve and safeguard the funds of the Nation, support the daily and periodic requirements of the Hotel as a commercial entity of the Nation, and in adherence to the Nation's accounting standards and its laws.

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BE IT FINALLY RESOLVED, The Oneida Business Committee directs the Oneida Treasurer, or delegate thereof, to determine the appropriate signatories for the Operating Account to ensure preservation of the Nation's funds, support commercial efficiency, adhere to HMA and the duties of the Manager as defined therein, and compliance with the Nation's laws. The Oneida Business Committee authorizes this action with the expectation the Manager may be a signatory for the Operating Account.

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; 7 members were present at a meeting duly called, noticed and held on the 11th day of September, 2024; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Liggins, Secretary
Oneida Business Committee

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