

MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 23-44 FISCAL YEAR 2024 APPROPRIATIONS

FINAL CONSIDERATION

BE IT ORDAINED BY THE LEGISLATURE OF THE MENOMINEE INDIAN TRIBE OF WISCONSIN:

The attached Ordinance No. 23-44, entitled "Fiscal Year 2024 Appropriations", is hereby enacted into Tribal law pursuant to the provisions of the document attached hereto and incorporated herein as if fully reproduced here. The anticipated fund revenues and expenditures for Fiscal Year 2024 shall not exceed \$22,087,234. This ordinance shall go into effect on October 1, 2023.

CERTIFICATION

The undersigned officers of the Menominee Tribal Legislature do hereby certify that the foregoing Ordinance was duly **adopted** at a regular meeting of the Menominee Tribal Legislature held on September 21, 2023, by a vote of **8** for, **0** opposed, **0** abstentions, and **1** absent.

The undersigned also certify that the above Ordinance has been posted in accordance with the Constitution and Bylaws of the Menominee Indian Tribe of Wisconsin.

GENA KAKKAK, CHAIRMAN

MENOMINEE INDIAN TRIBE OF WISCONSIN

Date: SEPTEMBER 21, 2023

SPENCER GAUTHIER, SECRETARY
MENOMINEE INDIAN TRIBE OF WISCONSIN

Tribal Administration

Memorandum

TO:

Menominee Tribal Legislature

FROM:

Josh Pyatskowit, Assistant Tribal Administrator

SUBJECT:

FY2024 Appropriations

DATE:

September 19, 2023

At the September 7th meeting of Menominee Tribal Legislature, it was reported during discussion of the FY24 Appropriations there were some errors in preparing the FY24 Appropriations Ordinance regarding restricted use funds. The following changes were made to the ordinance and Exhibit A:

- 1. There was a revenue increase in Financial Service Application Fees of \$54,100 as a result of Lending and Tax assessing where fees could be raised.
- 2. There was a decrease in revenue for Housing-Non Program Related & Restricted to match the FY24 funding request.
- 3. There was a decrease in revenue for Lending and Tribal Tax to match the FY24 funding request.
- 4. The IGA personnel costs were put back into the expenses for the IGA request.
- 5. The two Immersion Trainees were put back in the expenses for Language and Cultures request.

The above changes resulted in revenue coming in at \$21,875,002. The non restricted and non program tribal expenses were then adjusted to match the revenue.

MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 23-44 FISCAL YEAR 2024 APPROPRIATIONS

- 1. TITLE. This ordinance shall be entitled "Fiscal Year 2024 Appropriations".
- 2. **DESIGNATION OF FISCAL YEAR.** In accordance with Article XVI, Section 3 of the Constitution and Bylaws of the Menominee Indian Tribe of Wisconsin, the Menominee Tribal Legislature hereby designates the period beginning October 1, 2023, and ending September 30, 2024, as its fiscal year for 2024.
- 3. ANNUAL BUDGET. In accordance with Article XVI, Section 1 of the Constitution and Bylaws of the Menominee Indian Tribe of Wisconsin, the anticipated fund revenues and expenditures for Fiscal Year 2024 is hereby appropriated and approved for the operation of the Menominee Tribal Government and its activities for the fiscal year and shall not exceed \$22,087,234.
- 4. **EXHIBIT "A".** The listing of functions and amounts appearing as Exhibit "A" are hereby incorporated by reference into this budget ordinance. The Budget & Finance Committee will monitor and review the functions and amounts listed and may adjust the appropriated amounts between functions, as it may deem appropriate and necessary to carry out the operations and activities of the Menominee Tribal Government. In no event will the adjustments exceed the \$22,087,234 currently appropriated by this ordinance.
- 5. COPIES OF APPROPRIATIONS ORDINANCE. Copies of this appropriations ordinance shall be furnished to the Finance Manager and Tribal Administrator, to be kept on file by them for their direction in the collection of revenues and expenditures of amounts appropriated. The Tribal Administrator shall distribute copies of this appropriations ordinance as appropriate.

6. RESPONSIBILITIES OF BUDGET MANAGERS

- 6.01 <u>"Budget manager" defined.</u> For the purpose of this ordinance, the term "budget manager" means any person authorized to submit a budget application and who is responsible for planning, directing and controlling funds appropriated under this ordinance, regardless of their actual title or organizational affiliation.
- 6.02 Overspending Prohibited. No budget manager shall make a greater expenditure in the fiscal year than has been appropriated under this ordinance. If a budget manager projects that he or she might expend more funds than are appropriated under this ordinance, the budget manager shall promptly notify the Financial Manager to obtain guidance. The Financial Manager shall provide a report of the projected over-expenditure to the Menominee Tribal Legislature if the projected over-expenditure cannot be administratively remedied within ten (10) working days.

- 6.03 <u>Budget Monitoring</u>. All budget managers shall monitor their budgets and ensure that financial authorizations and approvals issued are within annual appropriated amounts.
- 6.04 Spending Priority. All budget managers shall expend available non-Tribal funds prior to the expenditure of funds appropriated under this ordinance, unless otherwise required to satisfy cost sharing (match) requirements, when used to meet the needs of children, students or elders, or to cover certain necessary expenditures, or when other funding sources are not available to cover expenditures. The Tribal Administrator shall provide clarification and guidance on spending priorities as needed.
- 6.05 To the maximum extent practicable, new funding opportunities shall be used to cover expenditures authorized to be funded by Tribal funds; provided that, such expenditure is permissible and does not constitute supplanting of funds.
- 6.06 Departments the generate revenues will review their current fees and look for opportunities to increase their fees to levels on par with similar fees elsewhere.

7. CERTAIN WAGE OR BENEFIT LIMITATIONS AND RESTRICTIONS

- 7.01 The following recommendations of the Budget and Finance Committee shall be implemented effective as of October 1, 2023 and expire at the end of the fiscal year:
 - A. There will be no backfilling of any open position through hire or transfer unless approved by Tribal Administration those positions that are deemed public safety or mission critical;
 - B. No overnight or out of state travel unless funded via scholarships or grants and/or are required as part of a grant objective;
 - C. A 1.5% Cost of Living Adjustment (COLA) for all tribal employees shall be provided effective as of January 1, 2024, with the exception of Law Enforcement, Conservation, and Head Start. These departments have laws and/or contract terms and conditions that spell out the amount and requirements regarding payment of a COLA;
 - D. Merit pay increases will remain at 2.5% for all tribal employees;
 - E. The Tribe will provide an 8% enhanced 401k contribution for Tribal Police Officers and the Tribe's 401k matching contribution for all other tribal employees will be 4%;
 - F. All employees who are classified as part-time shall not work in excess of 29 hours per week;
 - G. All other comments and recommendations of the Budget and Finance Committee appearing in Exhibit "A" are incorporated herein and made a part of this ordinance.
- 7.02 If any part, term, or provision of this section or the recommendations contained in Exhibit "A" are inconsistent or in conflict with the terms or conditions of any

Tribal law, regulation, or policy, the terms and conditions described in this ordinance shall prevail.

8. **DONATIONS AND FUNDRAISING ACTIVITIES.** Departments that conduct fundraising activities and/or receive donations for specific activities and functions during the course of the fiscal year shall be authorized to expend those funds in accordance with the purposes outlined in the donation/fundraising plan.

9. TRANSFERS FROM RESERVE

- 9.01 The Finance Manager is authorized to transfer from the unrestricted reserve fund to the general checking account an amount not to exceed \$1,000,000 in the aggregate for this fiscal year only in the event limited cash flows prevent the Tribe from meeting its current debts and current obligations.
- 9.02 In the event the Finance Manager determines it is necessary to transfer funds from the unrestricted reserve fund, the Finance Manager shall only transfer such sums as are sufficient and necessary to meet the Tribe's current debts and current obligations.
- 9.03 Within one business day of executing such transfer, the Finance Manager shall inform the Chairman of the Legislature and the Chairman of the Budget and Finance Committee—
 - A. How much was transferred;
 - B. The reason(s) why the transfer was necessary;
 - C. Whether and to what extent funds so transferred will be reimbursed and can be re-deposited into the reserve fund;
 - D. The source(s) of any reimbursement, if applicable;
 - E. The balance of the unrestricted reserve fund remaining; and
 - F. Such other information as the Finance Manager deems necessary and appropriate. The Finance Manager shall also send the Legislature a report describing the same for it to review at the next regularly scheduled meeting of the Legislature.

EXHIBIT "A"

Menominee Indian Tribe of Wisconsin FY2024 Appropriations (Rev. September 13, 2023)

	REV	REVENUE		
	FY2023	FY2024		
# Department	Revised	Initial	Difference	Notes
	Budget	Aug. 23, 2022		
1 Aaina - CBRF	\$ 359,219	\$ 359,219	ı 4	
2 Aging - Program Services	125,000	125,000	1	
	6,730	5,950	(780)	11
	1,500,000	1,500,000	1	Amount based on revenue replacement funding
1	106,044	102,500	(3,544)	
	9,200	9700	500	
1	156,003	156324	321	
T	20,850	20850	1	
1	23,500	19900	(3,600)	
1	3,000		(3,000)	
	24,804	24804		
12 Interest Income (CD)	56,000	26000	1	
13 I and Management	36,912	24700	(12,212)	
	1,200	1200		
15 I edal Division	81,600	81600		
16 Lending & Tribal Tax				
	735,776	718,000	(17,776)	
\perp	15,000	15,000	1	
1	1	54,100	54,100	TCFSRA
-	24,500	20,600	(3,900)	
-	50,300	70,000	19,700	
-	106,869	111,000	4,131	
-	200	100	4)	
-	375	400	25	
C	33,563	38,126	4,563	
+	50,600	24,804	(25,796)	
	415,000	1,512,000	1,097,000	
Sub-Total	1 \$ 3,942,545	\$ 5,051,877	\$ 1,109,332	

10 July		Supplement	Supplemental Revenues		
-	Transfers from Reserves	254,786		(254,786)	
1	Carryforward Funds	3,407		(3,407)	
l c	IHS Fligible Health Insurance Reimbursement from 3rd Party	960,000	000'096	3	
4	4 Transfers from Clinic	2,869,063	2,869,063	1	Funding for Aging-CBRF, Aging-Program Services, Food Distribution, Family Services, and
-					Maehnowesekiyah
ſτ	5 American Resolute Act Funds - Revenue Replacement	7,207,641	5,100,000	(2,107,641)	(2,107,641) Year 4 of 4 revenue replacement funds
)					

EXHIBIT "A"

Menominee Indian Tribe of Wisconsin

FY2024 Appropriations

(Rev. September 13, 2023)

		RE	REVENUE		
1000		FY2023	FY2024		
#	Department	Revised	Initial	Difference	Notes
:		Budget	Aug. 23, 2022		
œ	A American Rescue Act Funds	000'006			Property Purchase
7	7 Local Assistance & Tribal Consistency Funds	2,984,786	•		Property Purchase
-		Sub-Total \$ 15,179,683 \$ 8,929,063 \$ (2,365,834)	\$ 8,929,063	\$ (2,365,834)	

	Restr	Restricted Use (Judg	gement) Funds		
7 B		96,363	90,843	(5,520)	
O Inducation		411,519	368,569	(42,950)	
3 Health Care		223,251	231,070	7,819	
	Sub-Total \$	731,133 \$	690,482 \$	(40,651)	

	Department & Other Restricted Funds	r Restricted Fur	spu	
1 Aging - Long-Term Care	1,135,737	1,136,500	763	
2 Casino Found Monies	10,000	14,000	4,000	
1	10,000	12,000	2,000	
T	1			
1	100,000	100,000		
-	200,000	200,000	1	
ļĽ	702,388	867,980	165,592	
8 Family Services	290,000	182,000	(108,000)	
9 Historic Preservation	ľ			
	523,345	565,857	42,512	
11 Lending & Tribal Tax				
12 *I oan Fund	75,989	138,688	65,699	
╽.	12,000	14,000	2,000	
\perp	20,000	17,000	(3,000)	
\perp	1,900	1,200	(002)	
1	7,000	18,000	11,000	
≥	156,520	448,060	291,540	
18 Postage	000'09	60,000	1	
19 Pow-wow - Menominee Nation Annual	62,600	62,600	1	Includes sponsorship, vendor and princess funds
20 State Compact Gaming Funds	610,400			
21 Transportation	2,152,602	1,768,674	(383,928)	
22 Tribal Facilities - Space Rent	834,853	840,696	5,843	
23 Uffiffies	756,325	756,325	1	
			10000	

Sub-Total \$ 7,721,659 \$ 7,203,580 \$ 92,321 Grand Total \$ 27,575,020 \$ 21,875,002 \$ (1,204,832)

EXHIBIT "A" Menominee Indian Tribe of Wisconsin

DE LA LO D	riations	3, 2023)
IIII EE III AIRI I II DE OI WISC	FY2024 Appropriations	(Rev. September 13, 2023)
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		EXPENSE	NSE		
	FY2023	FY2024			Justification/Comments/
No. Branch/Department/Program/Activity	Revised	Initial	\$ Diff.	% Diff.	Recommendations
	Budget	Sept. 13, 2023		The Rent Land Children	
1 Advocacy Support Services	\$ 47,881	\$ 42,253	\$ (5,628)	-11.75%	
2 Aging - CBRF	1,155,942	950,485	(205,457)	-17.77%	\$223,251 in health care judgment runds \$932,691 in Clinic 3rd Party funds
3 Aging - Program Services (non-CBRF)	498,691	405,507	(93,184)	-18.69%	Fully funded with Clinic 3rd Party funds
	121,008	92,685	(28,323)	-23.41%	
	218,137	191,868	(26,269)	-12.04%	Additional \$96,363 in burial judgment funds
٠.	187,929	160,033	(27,896)	-14.84%	
T	198,667		(23,351)	-11.75%	
8 Community Development	552,623	480,722	(71,901)	-13.01%	
	16,000	14,120	(1,880)	-11.75%	
	44,058	21,320	(22,738)	-51.61%	
	306,356	270,347	(36,009)	-11.75%	
	12,160	10,730	(1,430)	-11.76%	
	40,000	35,298	(4,702)	-11.75%	
\top	250,000	221,250	(28,750)	-11.50%	
-	800,000	705,968	(94,032)	-11.75%	
	919,659	628,474	(291,185)	-31.66%	
\top	201,000	177,375	(23,625)	-11.75%	
18 Election Commission	95,902	63,979	(31,923)	-33.29%	
+	199,270	175,848	(23,422)	-11.75%	
+	257,474	227,210	(30,264)	_	
_	251,590	199,593	(51,997)	-20.67%	
	1,670,869	1,828,040	157,171	9.41%	Partially funded with 1,554,469 from 3rd Party funds
	1		1	N/A	
24 Fire Protection - Tribe	38,192		(4,489)	-11.75%	
	115,153		(13,583)	-11.80%	Fully funded with Clinic 3rd Party funds
26 Gaming Commission	714,077		(116,184)	-16.27%	
27 Historic Preservation	285,200	233,365	(51,835)	-18.17%	
1.	1	•		N/A	
+	165,949	-	(19,506)	-	
	60,020		(7,055)		
-	723,744		(90,379)	\rightarrow	
1	1,150,000	1,008,774	(141,226)	-12.28%	Spanit 1400 by c! O 710 1716
	1,023,473	849,945	(173,528)	-16.95%	Additional \$455,946 in Clinic 3rd Party lunds Additional \$154,060 in department revenue

Menominee Indian Tribe of Wisconsin FY2024 Appropriations (Rev. September 13, 2023) EXHIBIT "A"

		EXPENSE	INSE		
	FY2023	FY2024			Justification/Comments/
No. Branch/Department/Program/Activity	Revised	Initial	\$ Diff.	% Diff.	Recommendations
	Budget	Sept. 13, 2023			
34 Lending & Tribal Taxes	20,000	-	(50,000)	-100.00%	
+	1,415,946	1,173,663	(242,283)	-17.11%	\$455,946 Clinic 3rd Party funds
MCCC Chicago		8,379	8,379	N/A	
36 Menominee Indian Boxing Club	29,729	22,865	(6,864)	-23.09%	
	408,739	245,936	(162,803)	-39.83%	
38 Menominee Police Commission	34,123	30,112	(4,011)	-11.75%	
	7,585	6,693	(892)	-11.75%	
	654,886	577,910	(76,976)	-11.75%	
41 OTG - No Back Forty Mine Legal Efforts	25,000	22,061	(2,939)	-11.75%	
	2,000	4,411	(589)	-11.77%	
43 Pow-wow - Menominee Nation Annual	34,983	27,081	(7,902)	-22.59%	
44 Probation - Supplement	178,359	157,189	(21,170)	-11.87%	
45 Public Defender		106,252		,	
	31,000	27,356	(3,644)	-11.75%	
_	7,585	6,693	(892)	-11.75%	
48 Tribal Consumer Financial Services		54,536	54,536	N/A	
-	78,974	69,691	(9,283)	-11.75%	
-	22,000	19,414	(2,586)	-11.75%	
51 Tribal School	1	17,479	17,479	N/A	
	690,912	551,805	(139,107)	-20.13%	
53 Veterans of Menominee Pow-wow	5,542	4,890	(652)	-11.76%	
	15,000	13,237	(1,763)	-11.75%	
	183,900	162,285	(21,615)	-11.75%	
	7,045	6,178	(867)	-12.31%	
57 Youth Services Department	168,553	148,741	(19,812)	-11.75%	
58 Zoar Ceremonial	966'9	6,174	(822)	-11.75%	
59 Zoar Community Center (Fire Station)	5,140	4,536	(604)	-11.75%	
	\$ 16,38	\$ 14,212,010	\$ (2,282,262)	-13.93%	

Menominee Indian Tribe of Wisconsin FY2024 Appropriations (Rev. September 13, 2023) EXHIBIT "A"

	Justification/Comments/ Recommendations				Department revenue	Burial judgment funds	Department revenue	\$411,519 Education Judgment funds \$702,388 department revenue		Casino Found Monies			\$299,125 in department fund balance		Gaming Compact funds for telecome services	Department revenue	Department revenue		Sponsorship, vendor & princess tundraising	Department revenue	\$180,906 in department fund balance	\$756,325 in department revenue \$200.000 in Gaming Compact funds	Casino Found Monies	
では、中国の中では	% Diff.		Funds	N/A	0.07%	-5.73%	20.00%	11.01%	N/A	%00.09	-37.24%	N/A	8.12%	N/A	%00.0	61.60%	190.83%	%00.0	%00.0	-17.84%	0.70%	%00.0	20.00%	0.61%
NSE	\$ Diff.		Program Restricted and Restricted-Use Funds	-	763	(5,520)	2,000	122,642	1	3,000	(108,000)	1	42,512	1	1	71,999	294,000	1	1	(383,928)	5,844	1	1,000	\$ 46,312
EXPENSE	FY2024 Initial Sent 13 2023	ept. 13, 2023	Restricted and		1,136,500	90,843	12,000	1,236,549		8,000	182,000		565,857		100,000	188,888	448,060	000'09	62,600	1,768,674	840,696	.956,325	6,000	\$ 7,662,992
		Buager	Program	1	1,135,737	96,363	10,000	1,113,907	1	5,000	290,000	1	523,345	1	100,000	116,889	154,060	60,000	62,600	2,152,602	834,853	956,325	5,000	11 1
	No. Branch/Department/Program/Activity			1 Aging - Elder Activities & Assistance	2 Aging - Long-Term Care			5 Early Childhood Services	Reducation Supplement - Grants	\top	8 Family Services	T			12 Law Enforcement			15 Postage	16 Pow-wow - Menominee Nation Annual				20 Youth Activities	Sub-Total

Grand Total \$ 24,004,701 \$ 21,875,002 \$ (2,235,950)

EXHIBIT "A" Menominee Indian Tribe of Wisconsin

FY2024 Appropriations (Rev. Septmber 13, 2023)

No. Bra 2 Agiin 3 Agiin 6 Bur 6 Bur 7 Chil	Branch/Denartment/Program/Activity		Restricted Clinic 3r	C. C. C. C.	Compact /		LCUUNI
No. Bra		Tribal	Use	Cilnic sra Party	Other	Department	F 1 2024 Consolidated
		Funds	(Judgment	Revenue	Restricted	Restricted	Budget
	Advocacy Support Services	42,253	i co				42,253
	Aging - CBRF		223,251	727,234			950,485
	Aging - Ong-Term Care					1,136,500	1,136,500
	Aging - Program Services (non-CBRF)			405,507			405,507
	Agriculture & Food Systems	92,685					92,685
	Burial Assistance	191,868	90,843				282,711
	Child Support	160,033				12,000	172,033
T	College of Menominee	175,316					175,316
	Communications	245,936					245,936
	Community Development	480,722					480,722
	Community Funding Requests	14,120					14,120
12 Cor	Community Resource Center	21,320					21,320
	Conservation - Supplement	270,347					270,347
	Contingency	10,730					10,730
	Courts - Professional Fees	35,298					35,298
-	Courts - Supplement	221,250					221,250
_	Defention Program	705,968					705,968
18 Ear	Early Childhood Services	628,474	368,569			867,980	1,865,023
19 Edu	Education Supplement - Grants	177,375					177,375
20 Eld	Elderly Activities				8,000		8,000
_	Election Commission	63,979					63,979
_	Emergency Management	175,848					175,848
23 En	Environmental Services - Supplement	199,593					199,593
24 Far	Family Services	273,571		1,554,469		182,000	2,010,040
25 Fire	Fire Protection - Tribe	33,703					33,703
26 Foc	Food Distribution			101,570			101,570
_	Gamina Commission	597,893					597,893
+	Historic Preservation	233,365			7		233,365
-	Housing - Non-Program & Restricted					565,857	565,857
_	Intergovernmental Affairs	146,443					146,443
	Land Management	52,965					52,965
32 Lar	Language & Culture Commission	633,365					633,365
33 Lav	Law Enforcement	1,008,774			100,000		1,108,774
34 Leg	Legal Division	849,945					849,945

35 Lending & Tribal Taxes 36 Maehnoweseikyah Wellness Center	1				
				188,888	188,888
\neg	1,093,380	80,283		448,060	1,621,723
_	227,210				227,210
	8,379				8,379
	22.865				22,865
	30,112				30,112
	6,693				6,693
\top	577,910				577,910
	4,411				4,411
-	22,061				22,061
ď				000'09	60,000
	27,081			62,600	89,681
Probation - Supplement	157,189				157,189
	106,252				106,252
_	27,356				27,356
_	6,693				6,693
				1,768,674	1,768,674
	54,536				54,536
\top	69,691				69,691
Tribal Facilities - Repairs & Mainte	19,414				19,414
				840,696	840,696
	17,479				17,479
	551,805		200,000	756,325	1,508,130
	4,890				4,890
	13,237				13,237
	162,285				162,285
	6,178				6,178
$\overline{}$			6,000		6,000
	148,741				148,741
	6,174				6,1/4
65 Zoar Community Center (Fire Station)	4,536				4,530