

HO-CHUNK NATION TERO COMMISSION
SPECIAL MEETING

November 25, 2013, DOL - Conference Room, Black River Falls, WI – 1:30 PM

- I. Call to Order at: 1:40 PM by Donald Greengrass Sr.
- II. Roll Call : Carol Rockman ___X___ Bonnie K. Smith ___X___
Donald Greengrass Sr. (C) ___X___ Jeff Hendricks (VC) ___Excused___
Jean Stacy-Snow ___X___

Others Present: Angela K. Ward, Wendi Huling, Erik Shircel, Libby Fairchild, Carol Rollins, Mike Rave, Kevin Gunderson, Bryan VanStippen, Muggs Garvin, Nick Kedrowski, Tina Boisen.

- III. Quorum Met at 1:41 PM
(Quorum requires 3 appointed Commissioners to be present, if quorum not present, reschedule and adjourn)
- IV. Invocation: Moment of Silence
- V. Agenda Approval: *Motion* to approve the Agenda by Carol Rockman, seconded by Jean Stacy-Snow.
vote: 3-0-0 Motion Carried
- VI. Registration and Vendor Fees

Discussion: Personnel- The 4% fees are just billed directly back to us; the rates go up for everyone. The understanding is that TERO is only to apply to construction, now we're just taxing things to death. It was explained that Insurance is exempt from the TERO Fees, since the 4% fee doesn't apply; there are no Registration Fees so there shouldn't be an impact at all due to TERO.

Health – They are still exempt from the fees as was explained at the 11.13.13 meeting.

IT – IGT is a gaming vendor but IT supports all of their equipment and if they have to register it would impact IT's relationship so they should also be exempt. Attorney Huling addressed this stating that IT is essential to the Nation and could be considered a utility because they provide the telecommunications and data lines, phones and computers necessary to operate and therefore could be exempt in that regard if the Legislature decides that is also a utility but the gaming vendors are separate and unique from IT itself and depends upon the contract and that would need to be reviewed to make the correct determination.

Commissioner Rockman- The issue discussed and the reason for the meeting today stems from concerns brought to TERO's attention at a meeting with Business on 11-21-13. Essentially the Fees are the issue and how they will impact the department's budgets so they are looking to have the fees suspended through FY 2015 to allow for proper planning of the budgets and language revisions to exempt or waive the fees for the vendors that Business and the Enterprises use. The fees are used to provide the training to tribal members so they have the skills necessary to obtain work as well as provide for the equipment they need to enter into various positions. They also help to pay for training for tribal member employees, not just the unemployed as well as provide for the staff themselves. This is the essence of sovereignty, being self-sustaining and self-sufficient. If the programs were funded directly from NPD and did not collect fees we are essentially disregarding our own tribal sovereignty and dismissing our authority to self-govern which in turn lessens the Tribe on the whole.

Attorney Huling- The registration process itself can be looked at and lessened with possibly no fee up front until a determination is made as to whether TERO applies but either way, TERO needs to know what is happening to make that determination on what is applicable.

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Attorney Van Stippen- Agrees that TERO is necessary for the help it provides but the issue is the criteria as to how or to whom the law applies needs to more clearly defined. In my discussions with Nick Kedrowski we agree that providing waivers or exemptions is not the way to approach the issue but to more clearly spell out how the law applies and perhaps define when it does not more specifically.

Chairman Greengrass Sr. - Changes in the Ordinance have always been met with from internal departments because vendors won't work with them anymore or their budgets will go up drastically and it will cost the Nation hundreds of thousands of dollars if there are fees and we're just paying ourselves, taking from one pocket and putting it into another but until hard numbers can be demonstrated or shown we can't base decisions on speculation. This has been going on since TERO began and regardless of TERO's fees, budgets are always affected every year. The economy itself has an impact on everyone's cost of doing business and those costs also directly impact budgets. Even if TERO didn't have any fees, the cost of doing business will still increase; this at least brings the money back to us to help tribal members.

Motion by Carol Rockman to go into Executive Session at 2:15 PM, 2nd by Bonnie Smith. 3-0-0 Motion Carried

Motion to return to regular session at 2:52 PM by Carol Rockman, 2nd by Bonnie Smith. 3-0-0 Motion Carried

Motion to *Ratify* action taken in Executive Session by Bonnie Smith, 2nd by Jean Stacy-Snow. 3-0-0 Motion Carried

Motion by Carol Rockman to begin scheduling for review of the current Ordinance language for revision, 2nd by Jean Stacy-Snow. 3-0-0 Motion Carried.

- VII. Meeting Adjourn. *Motion* to adjourn at 2:57 PM by Carol Rockman, 2nd by Bonnie Smith. 3-0-0 Motion Carried.

Certifying Signature: /s/ Donald Greengrass Sr. signed original minutes

11/25/13

TERO COMMISSION CHAIRMAN

DATE