



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
RESCISSION OF RESOLUTION 12-22-09N
REGARDING THE NATION'S CDFI PROGRAM,
FIRST NATIONS COMMUNITY FINANCIAL
AND HO-CHUNK NATION HOUSING AND COMMUNITY
DEVELOPMENT AGENCY**

RESOLUTION 04-17-12F

- WHEREAS,** on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and
- WHEREAS,** Article V, Section 2(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and
- WHEREAS,** Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and
- WHEREAS,** Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; and
- WHEREAS,** Article V, Section 2(q) of the Constitution grants the Legislature the power to issue charters of incorporation, to charter corporations and other organizations for economic or other purposes, and to regulate their activities; and
- WHEREAS,** Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation; and
- WHEREAS,** Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and

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WHEREAS, the Legislature has supported, and funded, the Nation's Small Business and Financial Literacy Program and, in fact, supported the transfer of such programs from the Nation's Treasury Department to the Nation's Community Development Financial Institution ("CDFI"), First Nation's Community Financial ("FNCF"); and

WHEREAS, by Resolution 12-22-09N, the Legislature approved the transfer of FNCF and merger with the Ho-Chunk Nation Housing and Community Development Agency ("HHCDA"), which also approved the execution of a Memorandum of Understanding ("MOU") setting forth the roles and responsibilities of HHCDA and FNCF; and

WHEREAS, FNCF has operated and expanded its competencies since early 2010 and has incorporated as an independent entity through the Nation, with an independent Board of Directors, Bylaws and Articles of Incorporation (approved by the Legislature on December 20, 2011); and

WHEREAS, FNCF has discussed with HHCDA the concept of full separation between themselves and the need for FNCF to operate independently, and both agree that FNCF should operate as an independent CDFI; and

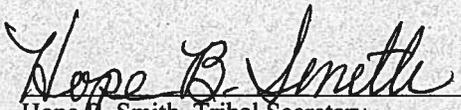
WHEREAS, FNCF staff and Board presented to the Legislature on April 17, 2012 as to their program, goals, and need for separation; and

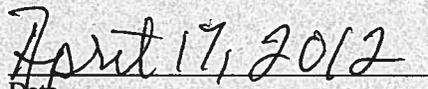
WHEREAS, the Legislature finds it appropriate to separate FNCF from HHCDA and, thus, finds it appropriate to rescind Resolution 12-22-09N;

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, rescinds Resolution 12-22-09N in order to adopt a new Resolution and MOU setting forth the relationship between the Nation and FNCF.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members** of whom **13** constituting a quorum were present at a meeting duly called and convened and held on the **17th day of April, 2012**, adopted the foregoing resolution at said meeting by an affirmative vote of **8 members, 4 opposed, and 1 abstaining**, pursuant to the Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation, approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.


Hope B. Smith, Tribal Secretary


Date