



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

### HO-CHUNK NATION LEGISLATURE SPECIAL ATTORNEY CONTRACT WITH WILLIAM F. GARDNER, ATTORNEY RESOLUTION 08-08-11G

- WHEREAS**, on November 1, 1994, the 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, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS**, Article V, Section 2(a) of the Constitution of the Ho-Chunk Nation ("Constitution") grants the 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 government 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(j) of the Constitution grants the Legislature the power to authorize and appropriate funds to employ legal counsel in accordance with applicable law; and
- WHEREAS**, Special Attorney Contract was entered into between the Nation and Attorney William F. Gardner, dated July 20, 2009, as authorized by Resolution 6-23-09 I; and
- WHEREAS**, this Special Attorney Contract, as amended, shall expire on August 19, 2011.

**NOW THEREFORE BE IT RESOLVED** that the Legislature hereby approves the attached Addendum to Representation Agreement between Atty. William F. Gardner and the Ho-Chunk Nation, which provides for a one year term commencing on August 19, 2011, and provides a different hourly rate for some additional duties and responsibilities for Atty. Gardner; and

#### **Executive Offices**

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**BE IT FURTHER RESOLVED** that the Legislature hereby authorizes either the Ho-Chunk Nation President or Vice President to execute said Addendum on behalf of the Nation.

**CERTIFICATION**

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members, of whom 12 constituting a quorum were present at a meeting duly called and convened and held on the 8<sup>th</sup> day of August, 2011, that the foregoing resolution was adopted at said meeting by an affirmative vote of **5 members, 4 opposed, and 3 abstaining**, pursuant to the authority of 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 said 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*  
Hope B. Smith, Tribal Secretary

*August 8, 2011*  
Date

