



## **HO-CHUNK NATION LEGISLATURE**

*Governing Body of the Ho-Chunk Nation*

### **HO-CHUNK NATION LEGISLATURE**

#### **Authorization and Creation of Task Force**

#### **For the Ho-Chunk Nation Minor Trust Account and Adult Incompetent Accounts**

#### **RESOLUTION 8-31-10C**

**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, organized pursuant to the Indian Reorganization Act of 1934; and

**WHEREAS**, Article V, Section 2(a) of the Constitution of the Ho-Chunk Nation grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes; 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 to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; and

**WHEREAS**, the Ho-Chunk Nation Legislature is interested in updating and improving the Old Kent Agreement established for Ho-Chunk Minor Trust Accounts and Adult Incompetents due to the fact that Old Kent no longer exists and because the Minor Trust Accounts and Adult Incompetent Accounts are managed by Fifth Third Bank; and

**WHEREAS**, the Legislature finds it necessary to update the older Minors Trust Agreement in order to update the terms and conditions and improve service to the Nation, its members and families; and

**WHEREAS**, a legitimate goal of the Ho-Chunk Nation leadership is to protect the assets owned by the Nation for the benefit of the Minors and Adult Incompetents and an agreement is necessary to protect such assets; and

**WHEREAS,** a Ho-Chunk Nation Task Force is required to address the needs of the Minors and Adult Incompetents and to update the Old Kent Agreement; and

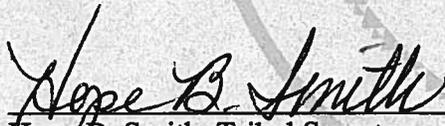
**NOW THEREFORE, BE IT RESOLVED** that the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby authorizes the creation of a Ho-Chunk Nation CTF Task Force, consisting of members from the following Departments and Offices: the Ho-Chunk Nation Office of the President, Treasury, Department of Justice, Education, Heritage Preservation, Ho-Chunk Housing and Community Development Agency, Social Services Department, Tribal Court, Youth General Council, Legislative Counsel, available Legislators and a Legislative staff member, in order to update the Old Kent Agreement to protect the Ho-Chunk Nation Minor Trust and Adult Incompetents;

**BE IT FURTHER RESOLVED,** that the Task Force created herein shall not be considered a Public Body under the HCN Open Meetings Act and shall be not be required to adhere to Quorum requirements;

**BE IT FURTHER RESOLVED,** that the Task Force shall be authorized to publish a request for proposals to competitively bid vendors to assist and provide updated and competitive services for the Minor Trust and Adult Incompetents Accounts.

#### **CERTIFICATION**

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members, of whom 8 constituting a quorum were present at a meeting duly called and convened and held on the 31<sup>st</sup> day of August, 2010, and that the foregoing resolution was adopted at said meeting by an affirmative vote of 8 members, 0 opposed, and 0 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, Tribal Secretary

  
Date



## **HO-CHUNK NATION LEGISLATURE**

*Governing Body of the Ho-Chunk Nation*

### **HO-CHUNK NATION LEGISLATURE**

#### **Authorization and Creation of Task Force**

#### **For the Ho-Chunk Nation Minor Trust Account and Adult Incompetent Accounts**

#### **RESOLUTION 8-31-10C**

**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, organized pursuant to the Indian Reorganization Act of 1934; and

**WHEREAS**, Article V, Section 2(a) of the Constitution of the Ho-Chunk Nation grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes; 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 to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; and

**WHEREAS**, the Ho-Chunk Nation Legislature is interested in updating and improving the Old Kent Agreement established for Ho-Chunk Minor Trust Accounts and Adult Incompetents due to the fact that Old Kent no longer exists and because the Minor Trust Accounts and Adult Incompetent Accounts are managed by Fifth Third Bank; and

**WHEREAS**, the Legislature finds it necessary to update the older Minors Trust Agreement in order to update the terms and conditions and improve service to the Nation, its members and families; and

**WHEREAS**, a legitimate goal of the Ho-Chunk Nation leadership is to protect the assets owned by the Nation for the benefit of the Minors and Adult Incompetents and an agreement is necessary to protect such assets; and

**WHEREAS**, a Ho-Chunk Nation Task Force is required to address the needs of the Minors and Adult Incompetents and to update the Old Kent Agreement; and

**NOW THEREFORE, BE IT RESOLVED** that the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby authorizes the creation of a Ho-Chunk Nation CTF Task Force, consisting of members from the following Departments and Offices: the Ho-Chunk Nation Office of the President, Treasury, Department of Justice, Education, Heritage Preservation, Ho-Chunk Housing and Community Development Agency, Social Services Department, Tribal Court, Youth General Council, Legislative Counsel, available Legislators and a Legislative staff member, in order to update the Old Kent Agreement to protect the Ho-Chunk Nation Minor Trust and Adult Incompetents;

**BE IT FURTHER RESOLVED**, that the Task Force created herein shall not be considered a Public Body under the HCN Open Meetings Act and shall be not be required to adhere to Quorum requirements;

**BE IT FURTHER RESOLVED**, that the Task Force shall be authorized to publish a request for proposals to competitively bid vendors to assist and provide updated and competitive services for the Minor Trust and Adult Incompetents Accounts.

#### CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members, of whom 8 constituting a quorum were present at a meeting duly called and convened and held on the 31<sup>st</sup> day of August, 2010, and that the foregoing resolution was adopted at said meeting by an affirmative vote of 8 members, 0 opposed, and 0 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, Tribal Secretary

  
\_\_\_\_\_  
Date