



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
DESIGNATION OF AUTHORIZED REPRESENTATIVE
TO FILE APPLICATIONS FOR
FINANCIAL ASSISTANCE FROM
STATE OF WISCONSIN ENVIRONMENTAL IMPROVEMENT FUND**

RESOLUTION 12-21-10 H

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, the tribal government headquarters of the Nation are located in Black River Falls, Wisconsin; 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(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(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

WHEREAS, the Nation's Legislature created and chartered the Wazee Area Wastewater Commission ("Commission") by resolution in 1995 in order to establish an entity to manage wastewater collection and treatment in Jackson County, Wisconsin and serve Ho-Chunk communities; and

WHEREAS, the Commission receives annual funding from the Ho-Chunk Nation, by Legislative appropriation, and also reports to the Nation regularly concerning the operation and maintenance of the wastewater treatment plant and sewer system; and

WHEREAS, the Wazee Area Wastewater Treatment Facility currently operates within its original design flows and loadings from 1995 which, based on current capacity, is in need of update, improvement and expansion; and

WHEREAS, the Nation, plans to make several improvements to the Wazee Area Wastewater Treatment Plant, Sewage Collection System, and other related facilities ("the Project"); and the Commission updated the Legislature regarding the need for improvements to the facility; and

WHEREAS, since the Legislature authorized the Nation to apply for funding for the Project, the Nation expects to borrow funds and incur debt from one or more possible sources on a long-term basis by utilizing EIF Funds through the Wisconsin Department of Natural Resources ("DNR"), issuing tax-exempt bonds, promissory notes, or other "debt" to finance the Project ("the Loan"); and

WHEREAS, it is the desire of the Ho-Chunk Nation, a federally recognized tribal governing body, to file several applications for state financial assistance for the Wazee Area Wastewater Treatment Facility, Sewage Collection System Upgrades, and all other related upgrades under the Wisconsin Environmental Improvement Fund (ss. 281.58, 281.60, and 281.61, Wis. Stats.); and

WHEREAS, it is necessary to designate a representative for filing said applications.

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the Ho-Chunk Nation that the Vice President is hereby appointed as an authorized representative for the Ho-Chunk Nation for the purpose of filing these applications, and that the representative is further authorized and empowered to do all necessary things and take all necessary steps in connection with said applications, and that in the event the Vice President is unable to take any necessary action under this authorization, the Legislature's approved process for alternative signature authority shall apply.

CERTIFICATION

I, the undersigned, as Tribal Secretary of 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 21st day of **December, 2010**, 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) through (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

December 21, 2010
Date

