



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE

APPROVING INTERIM FINANCING FOR THE WAZEE WASTE WATER TREATMENT FACILITY

RESOLUTION 05-20-13Q

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" or the "Governing Body") 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

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W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

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, the Legislature authorized the Nation to apply for funding for the Project to the Wisconsin Department of Natural Resources (“DNR”) through utilization of EIF Funds; and

WHEREAS, the Project has been assigned Clean Water Fund Program Project No. 5479-02 by the State of Wisconsin Department of Natural Resources (the “Department of Natural Resources”), and as defined in Department of Natural Resources approval letter for the plans and specifications, or portions thereof, issued under Wis. Stat. Section 281.41; dated June 28, 2011, and assigned number S-2011-0332; and

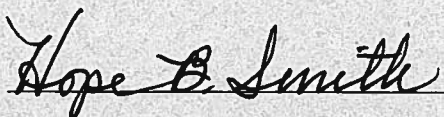
WHEREAS, in order to facilitate continuing operation and development, the Nation needs interim financing until the Clean Water Fund Program Project No. 5479-02 is fully approved and funded; and

WHEREAS, the Nation’s Treasury Department has identified a need for \$794,721.00 for April and May 2013 financing.

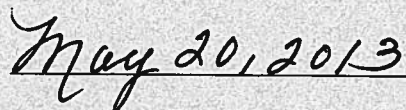
NOW THEREFOR BE IT RESOLVED, the Legislature approves the funding of \$794,721.00 for the interim financing identified above, which shall come from the Nation’s General Fund, but is reimbursable back to the General Fund in the event that the Clean Water Fund Program Project No. 5479-02 is approved.

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 **9** constituting a quorum were present at a meeting duly called and convened and held that on the **20TH day of May, 2013**, adopted the foregoing resolution at said meeting by an affirmative vote of **9 members, 0 opposed, and 0 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