



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE EXTENSION OF TIMEFRAME FOR THE NEGOTIATION AND APPROVAL OF FINAL TERM SHEET AND COMMITMENT LETTER WITH PNC BANK FOR THE COMMUNITY REINVESTMENT PROJECT

RESOLUTION 08-05-14C

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 Nation ("Constitution") grants the Legislature of the Nation ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and

WHEREAS, Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; 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(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

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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 forgoing list of powers; and

WHEREAS, the Legislature selected PNC Bank as the Lead Arranger for the Community Reinvestment Project via Resolution 01-08-014A subject of the negotiation and approval of a Final Term Sheet and Commitment Letter between the Nation and said lender; and

WHEREAS, the Final Term Sheet and Commitment Letter have yet to be negotiated and approved. Therefore, the attached PNC documentation, "Engagement Letter" and "Fee Sheet", timeframe will need to be extended to December 1, 2014.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, agrees to extend the timeframe for the negotiation and approval of the Final Term Sheet and Commitment Letter for PNC Bank as the lead arranger for the Community Reinvestment Project; and

BE IT FURTHER RESOLVED that the Legislature hereby authorizes the Vice President to sign any documents necessary to execute the extension."

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 12 constituting a quorum were present at a meeting duly called and convened and held that on the 5th day of August, 2014, adopted the foregoing resolution at said meeting by an affirmative vote of 10 members, 0 opposed, and 2 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.

Kathleen Lone Tree-Whiterabbit
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

8.5.14
Date