



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE TRIBAL TRANSPORTATION PROGRAM TOWN OF KOMENSKY, KIRCH ROAD AND MORRISON ROAD PROJECTS

RESOLUTION 09-09-14D

- 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**, the Legislature of the Ho-Chunk Nation ("Legislature") is the duly constituted governing body of the Ho-Chunk Nation pursuant to the Constitution of the Ho-Chunk Nation ("Constitution"); and
- WHEREAS**, Article V, Section 2(a) of the Constitution grants the 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 authorizes the Legislature to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and

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WHEREAS, Article V, Section 2(s) of the Constitution authorizes the Legislature the power to promote public health, education, charity and such other services as may contribute to the social advancement of the Tribal Members of the Ho-Chunk Nation; and

WHEREAS, the Bureau of Indian Affairs ("BIA") has funds available through the Tribal Transportation Program ("TTP") to perform TTP Transportation Planning, Administration, Engineering, Construction, and Construction Engineering activities; and

WHEREAS, the Kirch Road and Morrison Road projects, in the town of Komensky, received approval by the Federal Highway Administration (FHWA), on its Tribal Transportation Improvement Program (TTIP) list for fiscal year 2014; and

WHEREAS, the BIA has specifically earmarked \$650,000 in TTP funds for the Kirch Road and Morrison Road projects in the town of Komensky.

NOW THEREFORE, BE IT RESOLVED that the Ho-Chunk Nation Legislature hereby exercises its constitutional authority to enter into Cooperative Agreement Number 6-2014 with the town of Komensky for the purpose of addressing the rehabilitation of Kirch and Morrison Roads, roads that serve the residents of both the Nation and town; and

BE IT FURTHER RESOLVED that the Ho-Chunk Nation Legislature hereby grants the Vice-President signature authority for any documents needed to fulfill this action.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 11 constituting a quorum were present at a meeting duly called and convened and held that on the 9th day of September, 2014, that the foregoing resolution was adopted at said meeting by an affirmative vote of 10 members, 0 opposed, and 1 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

9.9.14
Date