

Tom Pickner  
Director  
TERO Office  
PO Box 50  
Ft. Thompson, SD 57339

September 27, 2012

Mountain Movers Construction Inc.  
615 Kansas City St. Ste. 2  
Rapid City, SD 57702

**RE: FINAL NOTICE OF NONCOMPLIANCE WITH TRIBAL  
EMPLOYMENT RIGHTS ORDINANCE**

To Mountain Movers, Inc.:

This letter is a formal notice that I have determined that Mountain Movers, Inc. are not in compliance with the Crow Creek Sioux Tribal Employment Rights Ordinance for failure to pay the Tribal Employment Rights Ordinance fee pursuant to TERO § 17-1-1.

Furthermore, I have determined that Mountain Movers, Inc. recently was the prime contractor on a construction project on the Big Bend Dam. I have also determined that you are a covered employer and entity operating a covered contract within the exterior boundaries of the Crow Creek Sioux Tribe Indian Reservation.

Pursuant to TERO § 17-1-19, Mountain Movers, Inc. has five days from the receipt of this notice to become compliant with the TERO code. In order to become compliant, Mountain Movers, Inc. must provide a 3% TERO fee and a 1% training fee on any contract over \$100,000. In the event that the contract is under \$100,000, Mountain Movers, Inc. must only provide a 2% TERO fee and a 1% training fee.

I have also determined that Mountain Movers, Inc. failed to pay the TERO fee on time; therefore, Mountain Movers, Inc. should add interest of 18% per annum on the TERO fees pursuant to TERO § 17-1-12.

In the event that Mountain Movers, Inc. are unable to pay the TERO fee in full within five days of receipt of this letter, but Mountain Movers, Inc. still desires to pay the TERO

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fee, Mountain Movers, Inc. must make a written request to me to set up an installment plan.

However, in the event that Mountain Movers, Inc. does not pay the TERO fee in full within five days of receipt of this letter and does not make a written request to establish a payment plan, I will be filing a formal complaint to the TERO Commission to hold a compliance hearing. At the hearing, the Commission will determine whether Mountain Movers, Inc. is in compliance.

A decision of non-compliance by the TERO Commission is serious and may result in additional penalties of up to 10% of the amount due. If the Commission finds non-compliance, I will immediately ask the Commission to petition the Tribal Court to enforce the Commission's decision and initiate confiscation proceedings as defined under Crow Creek Tribal Code § 17-1-29.

Sincerely,



Tom Pickner  
TERO Director