



THE MILLE LACS BAND OF
OJIBWE INDIANS
Legislative Branch of Tribal Government

RESOLUTION 21-02-02-25

A RESOLUTION SUPPORTING THE BAND'S PARTICIPATION IN A MEMORANDUM OF AGREEMENT BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION AND THE MINNESOTA STATE HISTORIC PRESERVATION OFFICE

- WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly elected legislative body for the Non-Removable Mille Lacs Band of Ojibwe (“Band”), a federally recognized Indian Tribe; and
- WHEREAS, pursuant to 3 MLBS § 3(d), the Band Assembly has the authority to adopt resolutions; and
- WHEREAS, pursuant to 3 MLBS § 1(m), a “resolution” is defined as “a formal expression of the opinion, will, or intention” of the Band Assembly; and
- WHEREAS, pursuant to 3 MLBS § (f), the Band Assembly has the authority to ratify agreements, contracts, cooperative and reciprocity agreements, and memoranda of understanding; and
- WHEREAS, the Federal Highway Administration (“FHWA”) plans to improve Trunk Highway (“TH”) 169 from City State Aid Highway 26 (“CSAH 26”) through Garrison (“SP-1804-90”) in Crow Wing County; and
- WHEREAS, the Minnesota State Historic Preservation Office is involved in the project, which has the potential to affect historic properties; and
- WHEREAS, the FHWA recognizes the unique legal relationship it has with federally recognized Indian tribes; and
- WHEREAS, the Band has been invited to become a “concurring party” and “consulting party” to a Memorandum of Agreement between FHWA and the Minnesota State Historic Preservation Office regarding the highway project; and
- WHEREAS, serving as a concurring and consulting party will permit the Band to provide comments on findings, determinations, documents, and deliverables submitted to it by the partners, and to receive copies of the Construction Monitoring Plan, which implicates tribal cultural monitoring areas; and

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WHEREAS, concurring and consulting parties have no responsibility for implementing the MOA; and

WHEREAS, the Band's Department of Natural Resources wishes to accept the invitation to participate in the MOA as a concurring and consulting party; and

WHEREAS, the Band Assembly has reviewed the MOA between the parties and found it satisfactory and in the best interests of the Band.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly hereby ratifies and expresses its support for the Band to serve as a concurring party to the MOA.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 8th day of January, 2025, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.

OFFICIAL SEAL OF THE BAND




Sheldon Boyd, Speaker of the Assembly

Sponsor: District I Representative