



THE MILLE LACS BAND OF OJIBWE INDIANS

Legislative Branch of Tribal Government
JOINT RESOLUTION 17-02-123-16

**A JOINT RESOLUTION APPROVING THE STATEMENT OF
PRINCIPLES ON GOVERNMENT-TO-GOVERNMENT RELATIONS
BETWEEN THE MILLE LACS BAND OF OJIBWE AND PINE COUNTY,
MINNESOTA**

- WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly-elected governing body of the Mille Lacs Band of Ojibwe (“Band”), a federally-recognized Indian Tribe; and
- WHEREAS, pursuant to 3 MLBSA § 2(d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the Band; and
- WHEREAS, pursuant to 3 MLBSA § 2(f), the Band Assembly has the power to ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding; and
- WHEREAS, pursuant to 4 MLBSA § 2, the Chief Executive is empowered to exercise the Executive Branch powers of the Band; and
- WHEREAS, the Band Assembly and Chief Executive have established as a priority the improvement of the spiritual, physical, mental, social, and economic wellbeing of the people of the Band; and
- WHEREAS, exercising sovereign authority is essential to serving the needs of the Band; and
- WHEREAS, the Band and Pine County, Minnesota (“County”) have established a good working relationship; and
- WHEREAS, the Band and County further desire to provide a foundation for the future working relationship between the Band and the County and for future agreements which will seek to improve the lives of people served by the two governments; and
- WHEREAS, to accomplish this goal, the Band and County would like to enter into a Statement of Principles on Government-to-Government Relations between the Mille Lacs Band of Ojibwe and Pine County, Minnesota.

NOW THEREFORE BE IT RESOLVED, the Band hereby approves the Statement of Principles on Government-to-Government Relations between the Mille Lacs Band of Ojibwe and Pine County, Minnesota.

DISTRICT I

43408 Oodena Drive • Onamia, MN 56359
(320) 532-4181 • Fax (320) 532-4209

DISTRICT II

36666 State Highway 65 • McGregor, MN 55760
(218) 768-3311 • Fax (218) 768-3903

DISTRICT IIA

2605 Chiminising Drive • Isle, MN 56342
(320) 676-1102 • Fax (320) 676-3432

DISTRICT III

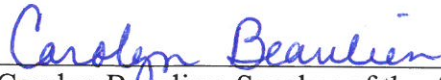
45749 Grace Lake Road • Sandstone, MN 55072
(320) 384-6240 • Fax (320) 384-6190

URBAN OFFICE

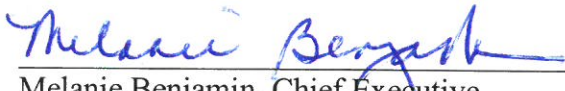
1404 E. Franklin Avenue • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257

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 21st day of July, 2016 at McGregor, 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 to be affixed to this resolution and forwarded to the Chief Executive for Concurrence.


Carolyn Beaulieu, Speaker of the Assembly

IN CONCURRENCE, with the action of the Speaker of the Assembly, I, set my hand to this resolution.


Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

STATEMENT OF PRINCIPLES
ON
GOVERNMENT-TO-GOVERNMENT RELATIONS
BETWEEN THE MILLE LACS BAND OF OJIBWE AND
PINE COUNTY, MINNESOTA

PURPOSE

The purpose of this Statement of Principles on Government-to-Government Relations is to provide a foundation for the future working relationship between the Mille Lacs Band of Ojibwe and Pine County and for future agreements which will seek to improve the lives of the people served by the two governments.

I. GOVERNMENTS.

The parties to this Statement of Principles are:

1. The Non-Removable Mille Lacs Band of Ojibwe, which is a sovereign, self-governing, federally recognized Indian tribe and is a signatory to the Treaties of July 29, 1837 (7 Stat. 536); October 4, 1842 (7 Stat. 842); and February 22, 1855 (10 Stat. 1165), among others.
2. Pine County, which is a County established under the laws of the State of Minnesota.

II. PRINCIPLES.

The Mille Lacs Band of Ojibwe and Pine County acknowledge that Pine County is a political subdivision of the State of Minnesota with specific powers and duties recognized by State law and the Minnesota Constitution. The Mille Lacs Band of Ojibwe and Pine County acknowledge that the Mille Lacs Band of Ojibwe is a federally recognized Indian tribe with distinct sovereign authority established pursuant to the United States Constitution and Federal law.

The Mille Lacs Band of Ojibwe and Pine County acknowledge and respect each other's authorities and seek to exercise their own authorities in a manner that will protect the rights guaranteed by Federal, State and Tribal law, including the rights guaranteed by Federal law to federally recognize Indian tribes and Indian people, to the extent such laws are applicable to them.

The Mille Lacs Band of Ojibwe and Pine County seek to exercise their respective authorities in a manner that is mutually beneficial and that is consistent with and helps promote the following aspirational principles, which they share:

1. All persons deserve to have equal access to justice;
2. All persons deserve public safety;
3. All persons deserve to have access to police protection;
4. All persons deserve to have access to fire protection;
5. All persons deserve to have access to emergency services;
6. All persons deserve to have access to ambulance services;
7. All persons deserve to have access to clean air and water;
8. All persons deserve to live in a clean, sanitary environment;
9. All persons deserve to have natural resources and wildlife respected and protected;
10. All children deserve to have access to a good education;
11. All children deserve to have access to a safe home;
12. All persons deserve to have access to safe, affordable housing;
13. All persons deserve to have access to adequate health care and hospital care;
14. All persons deserve to have access to good roads, bridges and transportation systems;
15. All elderly persons deserve to live in dignity with adequate nutrition, health care and housing;
16. All incarcerated persons deserve to have fair and equitable treatment;
17. All persons suffering from substance abuse deserve access to adequate treatment facilities;
18. All persons deserve to live without fear or discrimination, to pursue employment, to pursue happiness, to exercise their religion, to have the protection of the law, to maintain their traditions and language, to be healthy, to be safe and to live from infancy to old age in peace and tranquility.

III. GOVERNMENT-TO-GOVERNMENT RELATIONS.

1. Pursuant to the Mille Lacs Band Statutes, Title IV, Section 6(a), the Chief Executive of the Band has the authority "to conduct external relations with other governments and their political subdivisions;"
2. Pursuant to the Mille Lacs Band Statutes, Title IV, Section 6(d), the Chief Executive of the Band has the authority "to recommend agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding to the Band Assembly;"
3. Pursuant to the Mille Lacs Band Statutes, Title IV, Section 7(b), executive officers of the Band have the authority "to conduct external relations with other governments and their political subdivisions, pursuant to prior authorization of the Chief Executive;"

4. Pursuant to Mille Lacs Band Statute, Title III, Section 2(f), the Legislative Branch of the Band has the authority "to ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding;"
5. Pursuant to Minnesota Statutes sections 373.01, 373.02 and 375.18, Pine County, through its county board, has the authority to enter into this Statement of Principles related to the mutual concerns of the County and the Mille Lacs Band of Ojibwe.
6. Pursuant to Minnesota Statutes sections 373.01, 373.02 and 375.18, Pine County, through its county board, has the authority to conduct external relations with the Mille Lacs Band of Ojibwe related to the mutual concerns of each party.

IV. GOVERNMENT-TO-GOVERNMENT COMMUNICATION.

1. Pursuant to Title IV, Section 6, the Chief Executive shall designate personnel to conduct external relations with Pine County.
2. Pursuant to Title IV, Section 6, the Chief Executive shall identify Band personnel authorized to communicate with Pine County on behalf of the Band.
3. Pursuant to Title IV, Section 6, the Chief Executive shall set annual goals with Pine County which will be communicated through designated Band personnel.
4. Pursuant to Title III, Section 2(f), should the Chief Executive seek to enter into a legally binding agreement with Pine County, the agreement would require ratification of the Legislative Branch of the Band government.
5. Pursuant to Minnesota Statutes sections 375.18 subdivision 2 and 375A.06, the Pine County Board shall designate one or more county commissioners, the county administrator, or county department heads and their designees to conduct external relations with the Mille Lacs Band of Ojibwe.
6. Pursuant to Minnesota Statutes sections 375.18 subdivision 2 and 375A.06, the designated Pine County Commissioners and/or the Pine County Administrator shall set annual goals with the Mille Lacs Band of Ojibwe and communicate those goals to the Pine County Board for approval.

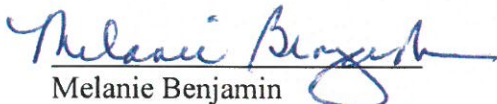
V. STATEMENT OF GOVERNMENT-TO-GOVERNMENT COOPERATION.

1. The Mille Lacs Band of Ojibwe and Pine County hereby state that they acknowledge and recognize their respective governments.
2. The Mille Lacs Band Ojibwe and Pine County hereby state that they acknowledge their respective obligations and responsibilities to their constituencies.
3. The Mille Lacs Band of Ojibwe and Pine County hereby state that seeking better communication and understanding between the Band and the County would improve relations and services.

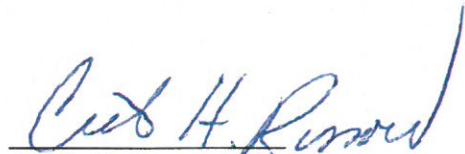
4. The Mille Lacs Band of Ojibwe and Pine County hereby state that seeking better communication and understanding between the Band and the County would reduce tension and conflicts, and save both parties time and money.
5. The Mille Lacs Band of Ojibwe and Pine County hereby state that working together to seek the Principles stated above would improve the lives of Band members and all citizens of the County.
6. The Mille Lacs Band of Ojibwe and Pine County hereby state that it is in the best interests of the Band and the County to seek mutual agreements in the future on matters impacting Band members and citizens of the County.
7. The Mille Lacs Band of Ojibwe and Pine County hereby state that it is in the best interests of the Band and the County to keep channels of communication open on all matters impacting Band members and citizens of the County.
8. The Mille Lacs Band of Ojibwe and Pine County hereby state that their relationship must be based upon mutual respect, respect for the law and a desire to provide better services to the people their governments serve.
9. The Mille Lacs Band of Ojibwe and Pine County hereby state that they share the goal of providing the best possible quality of life to the people they serve.
10. The Mille Lacs Band of Ojibwe and Pine County hereby state that they share the goal of working together in the future in seeking the best possible government-to-government relations to ensure that the goals of this Statement can be achieved.

VI. DISCLAIMERS.

1. Nothing in this Statement shall be construed to establish a legally binding contract.
2. Nothing in this Statement shall be construed to create any legally enforceable obligations for the Mille Lacs Band of Ojibwe or Pine County.
3. Nothing in this Statement shall be construed to waive the sovereign immunity of the Mille Lacs Band of Ojibwe or Pine County.


Melanie Benjamin
Chief Executive

Date: July 26, 2016


Curtis H. Rossow, Chair
Pine County Board of Commissioners

Date: 7-26-16