



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

JOINT RESOLUTION 18-04-118-19

**A JOINT RESOLUTION APPROVING THE STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION AND THE MILLE LACS BAND
OF OJIBWE COOPERATIVE CONSTRUCTION AGREEMENT WITH A
LIMITED WAIVER OF SOVEREIGN IMMUNITY**

- 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 people of the Band; and
- WHEREAS, pursuant to 4 MLBSA § 2, the Chief Executive of the Band is empowered to exercise the Executive Branch powers of the Band; and
- WHEREAS, the Band Assembly and Chief Executive recognize the need for a safety mechanism for the safety of pedestrians crossing at that location; and
- WHEREAS, the Band applied for and was awarded both Federal and State funding for a new Trunk HAWK Signal System on Highway 169 at Ataage Drive in Onamia; and
- WHEREAS, the Band Assembly and Chief Executive recognize there is no match contribution necessary; and
- WHEREAS, the Band Assembly and Chief Executive desire to enter into an Agreement (“Agreement”) with the State of Minnesota Department of Transportation and the Mille Lacs Band of Ojibwe Cooperative Construction Agreement; and
- WHEREAS, pursuant to 24 MLBSA § 2(b), the Court of Central Jurisdiction shall have exclusive original jurisdiction over all civil matters involving the Band or its entities to the Court of Central Jurisdiction unless by written contract, the Band consents to the jurisdiction of any other court or courts of competent jurisdiction and approves the limited waiver of sovereign immunity only to this extent, and the Band Assembly adopts a resolution ratifying the contract; and
- WHEREAS, the Band Assembly and Chief Executive acknowledge that governing law, venue and jurisdiction provisions are contained in the Agreement, requiring a limited waiver of sovereign immunity.

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DISTRICT II

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URBAN OFFICE

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NOW THEREFORE BE IT RESOLVED, that the Band Assembly and Chief Executive approve the limited waiver of sovereign immunity contained in the State of Minnesota Department of Transportation and the Mille Lacs Band of Ojibwe Cooperative Construction Agreement.

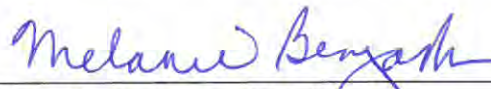
WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 10th day of September, 2019 at Aazhoomog, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

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



Sheldon Boyd, Speaker of the Assembly

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



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND