

RESOLUTION 17 -12

Resolution To Consent to and to Authorize Issuance of Acknowledgement of Public Responsibility with
St. Croix Chippewa Indians of Wisconsin and the Bureau of Indian Affairs

TO THE HONORABLE SUPERVISORS OF THE COUNTY BOARD OF THE COUNTY OF POLK:

Ladies and Gentlemen:

WHEREAS, the St. Croix Tribal Council is currently moving forward with a long range transportation plan that includes adding to its inventory local roads used by Tribal People, including, State, County, and Township roads; and

WHEREAS, the goals of said initiative are to ensure that these roads are maintained to a satisfactory standard and to assist in funding and repairs through co-operative agreements with the governing entity.

WHEREAS, the process for adding a road to inventory involves requires, among things, the consent of with Polk County to give the St. Croix Chippewa Indians of Wisconsin the authority to utilize an acknowledgement of public authority responsibility, or (APAR) agreement, for the purposes of generating funding through the Bureau of Indian Affairs for roads, and

WHEREAS, the necessary consent and APAR does not transfer jurisdiction or responsibility to maintain of any road from Polk County to the St. Croix Chippewa Indians of Wisconsin; and

WHEREAS, pursuant to Wisconsin Statute Section 66.0301(2), Polk County is authorizes to extend such consent; and

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to Wisconsin Statute Section 66.0301(2), the Polk County Board of Supervisors does consent to and authorize the issuance of an acknowledgment of public authority (APAR) between the St. Croix Chippewa Indians of Wisconsin, Polk County, and the Bureau of Indian Affairs (BIA), as attached hereto an incorporated herein.

BE IT FURTHER RESOLVED that, in accordance with Wisconsin Statute Section 66.0301(5)(b), any road or highway work that will be funded through Bureau of Indian Affairs moneys shall commence only after approval has been obtained from the Bureau of Indian Affairs, the Wisconsin Department of Transportation, the Polk County Board of Supervisors and the respective town board of the town in which such road or highway is located.

Funding Amount and Source: Not applicable.
Date Finance Committee Advised: Not Applicable
Effective Date: Upon Passage
Date Submitted to County Board: April 17, 2012

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49 St. Croix Chippewa Indians of Wisconsin and the Bureau of Indian Affairs
50 Page 2

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52 Submitted and Sponsored By:

53 _____ Will J. Gato _____
54 _____
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58 Review By County Administrator:

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60 Recommended
61 Not Recommended
62 Reviewed Only

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64 Dana Frey, County Administrator
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66 Review By Corporation Counsel:

- 67 Approved as to Form
68 Recommended
69 Not Recommended
70 Reviewed Only

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72 Jeffrey B. Fuge, Corporation Counsel
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74 At its regular business meeting on April 17, 2012, the Polk County Board of Supervisors adopted the
75 above-entitled resolution by a simple majority vote of 23 in favor and 0 against.

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78 Name: _____, County Board Chair

Dated: 04.17.2012

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80 Attest: Carole T. Wondra
81 Carole T. Wondra, County Clerk

Dated: 4-17-2012

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Acknowledgement of Public Authority Responsibility

This Acknowledgement of Public Authority Responsibility is between the St. Croix Chippewa Indians of Wisconsin, Polk County, and the Bureau of Indian Affairs (BIA),

WHEREAS, the routes listed in attachment A. in Polk County are important to the TRIBE in that they serve the tribal community, tribal business and tribal members homes; and

WHEREAS, the routes listed in attachment A. will continue under the jurisdiction of Polk County and open to the public for travel; and

WHEREAS, the Tribe has an interest in ensuring these routes are maintained and in adequate repair.

NOW THEREFORE, the parties agree that:

- A. When and if adequate funding for needed improvements become available and the route numbers listed attachment A become approved projects for the Tribe and the ~~Town~~^{County}, the Bureau of Indian Affairs may fund needed improvements to the County routes listed in the attachment under a separate cooperative funding agreement: and
- B. If needed improvements to the town's routes are completed under a cooperative agreement between the Tribe, the County and the BIA, and Indian Reservation Roads funds participate in the project cost, the County will continue to own these routes and be responsible for the maintenance of these routes.
- C. This agreement is binding upon the signatories hereto not as individuals, but solely in their capacities as officials of their respective organizations and acknowledges proper action of County, Tribe and BIA to enter into the same.
- D. This agreement will become effective as of the last date of signature below.

POLK COUNTY

BY:



Name:

Title: County Board Chairperson

Date: 04.17.2012

ST. CROIX CHIPPEWA INDIANS OF WISCONSIN

BY:

Date: _____

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Acknowledgement of Public Authority Responsibility
(Polk County, St. Croix Chippewa Indians of Wisconsin, Bureau of Indian Affairs)

BUREAU OF INDIAN AFFAIRS

BY:

Date: _____

