



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

# Oneida Tribe of Indians of Wisconsin BUSINESS COMMITTEE



**P.O. Box 365 • Oneida, WI 54155  
Telephone: 920-869-4364 • Fax: 920-869-4040**



**UGWA DEMOLUM YATEHE**  
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

## BC RESOLUTION # 2-20-08-C

### *Resolution Regarding Government-to-Government Relations with the Village of Hobart*

- WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty Tribe organized under the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida General Tribal Council has delegated the authorities of Article IV of the Oneida Tribal Constitution to the Oneida Business Committee; and
- WHEREAS,** the Tribe maintains government-to-government relations with the United States of America, the State of Wisconsin, and other state and local governments, and has entered into government-to-government agreements with the United States, the State of Wisconsin, and other state and local governments; and
- WHEREAS,** the Tribe, through its governmental operations and revenue-raising enterprises, provides employment for over 3,000 individuals, and thereby contributes substantially to the state and local economy, which in turn benefits both the state government and local governments; and
- WHEREAS,** the Tribe plays a vital role in delivering governmental services to tribal members and non-Indians, and under its Gaming Compact makes substantial annual payments to the State which fund state programs and services; and
- WHEREAS,** the United States of America holds title to land for the benefit of the Tribe, and such land is exempt from state and local taxation; and

- WHEREAS,** in the spirit of mutual cooperation and of its own free will, the Tribe generally pays for the value of services which are provided by local municipalities and which benefit tax-exempt tribal trust properties by entering into government-to-government service agreements with local municipalities; and
- WHEREAS,** service agreements recognize not only the value of services provided by the local municipalities, but also the value of services provided by the Tribe, and generally provide that local municipalities will not object to fee-to-trust applications submitted by the Tribe to the Bureau of Indian Affairs; and
- WHEREAS,** the Village of Hobart is located entirely within the boundaries of the Oneida Indian Reservation established pursuant to the 1838 Treaty with the Oneida, 7 Stat., 566, and
- WHEREAS,** the Tribe has attempted to maintain government-to-government relations with the Village of Hobart, and entered into a service agreement with the Village of Hobart in 2004; and
- WHEREAS,** in 2007, the Village of Hobart breached the terms of the service agreement by objecting to fee-to-trust applications submitted by the Tribe to the Bureau of Indian Affairs; and
- WHEREAS,** the Village of Hobart has recently asserted that it possesses the authority to condemn tribal property and to impose fees and assessments against the Tribe and tribal property, and the Village and the Tribe are engaged in litigation regarding these issues; and
- WHEREAS,** the Village of Hobart has rebuffed efforts by the Tribe to resolve differences between the two governments through negotiation; and
- WHEREAS,** the Village Board President has made militaristic references in relation to the Tribe, and has claimed that federal agencies working with the Tribe were “Jack booting” over residents of the Village, and that the Village will be “the point man on the rifle squad”; and
- WHEREAS,** the Village Board President has expressed the sentiment that the Tribe may celebrate its culture and traditions, but that the Tribe should not be allowed to exercise self-governance or self-determination, and should instead fall under state jurisdiction and control; and
- WHEREAS,** the Village Board sponsored a forum on the Oneida Reservation at which the disestablishment of tribal governments was advocated; and

**WHEREAS,** the attitudes and opinions expressed by the Village Board harken back to the past assimilationist policies of the federal government which were abhorrently destructive to Indian tribal government, tribal culture and the well-being of tribal members, and have long since been repudiated; and


**WHEREAS,** the Village Board has paradoxically expressed the desire to enter into a new service agreement with the Tribe; and

**WHEREAS,** the Oneida Business Committee finds it unreasonable and counterproductive to engage in service agreement negotiations with any entity which seeks the subjugation and disestablishment of the Tribe's government;

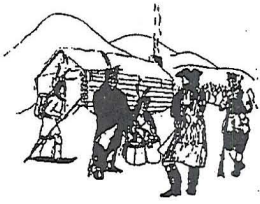
**NOW THEREFORE BE IT RESOLVED,** that the Oneida Tribe of Indians of Wisconsin will not enter into service agreement negotiations with the Village of Hobart until such time as the Village Board formally recognizes the right of the Oneida Tribe to maintain its own government and exercise jurisdiction within its Reservation, and the Village Board abandons assimilationist rhetoric and attempts to change federal Indian policy to the detriment of the Oneida Tribe.

**Certification**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum. 7 members were present at a meeting duly called, noticed and held on the 20<sup>th</sup> day of February, 2008; that the foregoing resolution was duly adopted at such meeting by a vote of 6 members for; 0 members against; and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

  
Patricia Hoeft, Tribal Secretary  
Oneida Business Committee

\*According to the By-laws, Article 1, Section 1, the Chair votes "only in the case of a tie."



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February 20, 2008

Richard Heidel, President  
Village of Hobart  
2990 South Pine Tree Road  
Oneida, Wisconsin 54155

Dear President Heidel:

This letter is to inform you that, after much deliberation, the Oneida Business Committee has taken official action with respect to the Village's request to engage in service agreement negotiations with the Tribe. That action is reflected in the enclosed Oneida Business Committee Resolution.

Over the past several years, relations between our governments have become strained, and we now find ourselves at an impasse. The Village Board has undertaken activities and espoused positions which lead us to conclude that the Village Board does not recognize or respect the right of the Tribe to maintain its own government and exercise jurisdiction within its Reservation. Until this situation changes, we find government-to-government negotiations with the Village for the purpose of concluding a service agreement to be untenable.

We did not reach this conclusion easily. Our goal continues to be inter-governmental cooperation. It is our hope that we may, where possible, work together with the Village for the good of all residents of the Oneida Reservation and the Village of Hobart.

Sincerely,

Gerald L. Danforth, Chairman  
Oneida Tribe of Indians of Wisconsin