

January 30, 2023-Special Town Board Meeting

The Special meeting of the Town Board was called to order by Chairman Gaulke at 1:00 p.m. Supervisor Cobb VIA: Zoom, Supervisor Hanson, Clerk Nancy Edwards were present.

Others Present: (see attached listing)

This meeting was properly posted and the media notified as required by law.

Pledge of Allegiance:

Motion by Supervisor Cobb seconded by Supervisor Hanson to approve the agenda. Motion carried.

Public Comment on Agenda Items: None

Discussion Road Issue: Trespass Letter: Annie Sunn Lane, Center Sugarbush Lane, East Ross Allen Lake Lane, Elsie Lake Lane.

Introductions of board members were made.

Chairman Gaulke stated he called this meeting today using a special ruling allowing a meeting with a 2 hour notice. 19.84 (3) Wisconsin Statutes.

Chairman Gaulke stated he received a call from a resident on Elsie Lake Lane stating they received a letter dated 1/19/2023 signed by John Johnson Tribal President, Lac du Flambeau Band of Lake Superior Chippewa Indians. Chairman Gaulke called the Town Attorney Greg Harrold who was going to do some checking with the title companies. Chairman Gaulke stated it was his understanding that the title companies were working with the tribal entities and were trying to resolve the issues.

On Thursday 1/26/23 chairman Gaulke called Tribal President Johnson. Chairman Gaulke received a call back from Tribal President Johnson and he stated that a meeting was scheduled with the council on Friday 1/27/23 and he would call Chairman Gaulke back. Chairman Gaulke did not get a call back on Friday but it was late in the day. Chairman Gaulke also reached out to Congressman Tom Tiffany and let him know the situation and what was going on.

Attorney Greg Harrold gave the background of the easements in question which goes back at least 10 years. Attorney Harrold read the letter that was sent to the resident on Elsie Lake Lane dated 1/19/2023. (copy of letter attached).

Attorney Harrold has contacted Bridget Hubing who represents the title companies to see what progress has been made. Attorney Harrold also contacted Tribal Attorney Adams who said he would report to the tribal council.

Supervisor Hanson stated that he thinks we should concede the roads with that process being reviewed by Attorney Harrold, and then go after the title companies. Chairman Gaulke's main concern is to keep the roads open for the people who live there, safety fire/ambulance service and daily activities.

Many residents were present today expressing their concerns.

Bridget Hubing via: zoom stated the title companies have been working with the BIA/tribe, providing surveys and then appraisals and continuing working with Attorney Adams. A demand was received from the BIA/tribe/attorney for 10 million dollars. That was later raised to 20 million dollars.

Chairman Gaulke stated the town will continue working with the tribe to keep the roads open until all involved negotiate a fair settlement for everyone.

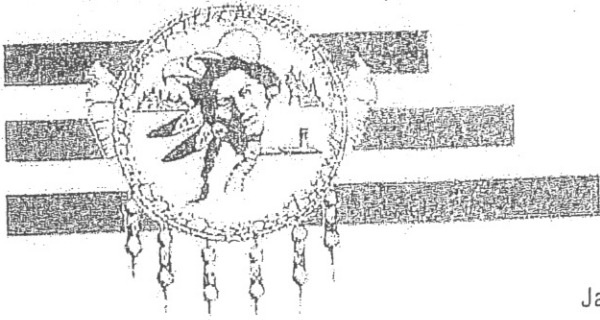
The town will put any updates on the website regarding the road closures.

Motion by Supervisor Hanson seconded by Supervisor Cobb to adjourn at 2:00 p.m.
Motion carried.

Respectfully submitted,

Nancy Edwards
Town Clerk

DRAFT



January 19, 2023

Re: *Expired Rights-of-Way Over Annie Sunn Lane, Center Sugarbush Lane, East Ross Allen Lake Lane, and Elsie Lake Lane*

The Lac du Flambeau Band of Lake Superior Chippewa Indians (the "Tribe") is sending this letter to you as a landowner on the Lac du Flambeau Indian Reservation who has applied for a right-of-way over Annie Sunn Lane, Center Sugarbush Lane, East Ross Allen Lake Lane, or Elsie Lake Lane. As you know, the Tribe has been working with the Bureau of Indian Affairs (the "BIA"), Bridget Hubing (legal counsel to some of the landowners), and Nancy Appleby (legal counsel to First American Title Insurance Company) to address the issue of your nearly ten-year old expired right-of-way and continued trespass over Indian lands on the Lac du Flambeau Indian Reservation.

Unfortunately, significant progress has not been made to bring this issue to a resolution that is mutually beneficial for all parties. Due to this, the Tribe considers your right-of-way to have expired nearly ten years ago and your use of said right-of-way since expiration is and will be considered trespassing under 25 C.F.R. §169.410. Additionally, commencing on January 31, 2023, the Tribe reserves the right to limit access to Annie Sunn Lane, Center Sugarbush Lane, East Ross Allen Lake Lane, and Elsie Lake Lane as the rightful owner of lands those roads traverse. This right to limit access may include, but is not limited to, posting of signs, road checkpoints, and/or physical barriers.

The Tribe will do its best to continue working with the BIA and the respective legal counsel for the individual applicants and the respective title companies to resolve this issue. In the meantime, the Tribe must take steps to protect its own interests in this current situation.

Sincerely,

John Johnson, Sr.
President, Lac du Flambeau Band of Lake Superior Chippewa
Indians

CC: Diane Baker, BIA (via email)
Jeremy Larson, BIA (via email)
Nancy Appleby (via email)
Bridget Hubing (via email)

**Lac du Flambeau Band
of Lake Superior Chippewa Indians**

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