



RESOLUTION NO. 39-2021

WHEREAS, the Bois Forte Band of the Minnesota Chippewa Tribe (“Band”) is a federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934 and operating under the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, the lawful governing body of the Band is the Bois Forte Reservation Tribal Council (“RTC”) and it is authorized to enact ordinances, policies, and regulations for the health, safety, and general welfare of the Band and its members; and

WHEREAS, pursuant to RTC Resolution No. 10-2020, the RTC terminated the Residential Lease for property located on Lots 11-12, Block 1, Indian Point Plat (4577 and 4579 Indian Point Road, Orr, MN 55771), due to abandonment of the structures located thereon; and

WHEREAS, pursuant to RTC Resolution No. 11-2020, the RTC entered into a Residential Lease with the Bois Forte Housing Department for property located on Lots 11-12, Block 1, Indian Point Plat for the purpose of the Tiny Homes Project 2020; and

WHEREAS, to date, there still exists two abandoned mobile home structures located on Lots 11 and 12; and

WHEREAS, upon information, belief, and determination of the Bois Forte Housing Department, the mobile homes located on Lots 11 and 12 have been vacant and unoccupied for a period of at least 6 months; and

WHEREAS, upon information, belief, and determination of the Bois Forte Housing Department and documented photographs, the mobile homes located on Lots 11 and 12 are unfit for occupancy as they fail to meet minimum standards of habitability or use, and such condition has existed for a period of at least 60 days; and

WHEREAS, based on the determination of the of the Bois Forte Housing Department, the condition and state of disrepair of the mobile homes is such that the cost of rehabilitation efforts is not justified when considering the potential after rehabilitation value; and

WHEREAS, based on the determination of the of the Bois Forte Housing Department, demolition and removal of the mobile homes from Lots 11 and 12 is necessary for the Tiny Homes Project 2020 to progress; and

WHEREAS, the structures proposed to be built on Lots 11 and 12 pursuant to the Tiny Homes Project 2020 will provide functional, valuable, and modern residential units for Band members, will make productive use of Lots 11 and 12, and will improve the aesthetic value of the subject lots and surrounding neighborhood; and

WHEREAS, consistent with Ordinance 78-94, the RTC finds it in the best interests of the Band to promote rehabilitation of vacant and unoccupied buildings and structures and to assure a prompt process for demolition, removal, or securing of hazardous buildings and structures through a procedure which provides appropriate due process to property owners and other interested parties.

NOW THEREFORE BE IT RESOLVED that the Bois Forte Reservation Tribal Council makes the following findings regarding the abandoned mobile homes located on Lots 11 and 12:

1. That the mobile homes have remained vacant and unoccupied for an appreciable period of time;
2. That the mobile homes have become an attractive nuisance to children, a harbor for rodents, and a temporary abode for vagrants and criminals;
3. That the mobile homes are dilapidated and economically obsolete;
4. That the mobile homes contribute to the growth of blight within the Reservation and depress both the aesthetic and market value of surrounding properties to the detriment of the entire Reservation and neighborhood; and
5. That the current use and condition of the mobile homes is such that the properties endanger the public safety, the public health, and constitute an unreasonable use and

condition to the annoyance, discomfort, and peace of a considerable number of the general public.

FURTHER, BE IT RESOLVED, based on the foregoing findings, that the Bois Forte Reservation Tribal Council finds the mobile homes located on Lots 11 and 12 to be a nuisance condition and an immediate hazard to public health and safety, as defined by Section 3 of Ordinance 78-94, and thereby waives the 60-day waiting period and other procedures required to move forward abatement of the nuisance condition, as permitted by Ordinance 78-94.

FURTHER, BE IT RESOLVED, the Bois Forte Reservation Tribal Council finds it in the best interests of the Band to demolish, raze, and remove the mobile homes from Lots 11 and 12 in order to abate the nuisance condition and to allow the Tiny Homes Project 2020 to progress forward with construction.

BE IT FURTHER AND FINALLY RESOLVED, the Bois Forte Housing Department shall provide notice of demolition and removal consistent with Section 4(c) of Ord. 78-94 in part through publication of this Resolution. Interested persons may request a hearing before the RTC, or its designated subcommittee, to object to the demolition and removal of the abandoned mobile homes. The notice shall be posted for a period not less than **7** days. If no hearing is requested within this notice period, then the Bois Forte Housing Department is directed to proceed with demolition and removal of the abandoned mobile homes located on Lots 11 and 12.

Certification

We do hereby certify that the foregoing Resolution was duly presented and enacted upon by a vote of 4 for, 0 against, 0 abstaining, by the Bois Forte Reservation Tribal Council, a quorum being present, on this 8th day of September, 2020.

DocuSigned by:

SE08EFA55D914AC...
Cathy Chavers
Chairwoman

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David Morrison, Sr.
Secretary/Treasurer