



How to get involved

If you are a homeowner, community member, or interested in helping resolve this issue, below are a list of contacts to speak to regarding questions and concerns.



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Chicago Title Insurance Company

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Lac du Flambeau Town Board

Matt Gaulke (Town Chairman)

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-715-588-3358

Bob Hanson (Town Supervisor)

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Dennis Pearson

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FOR IMMEDIATE RELEASE

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Media contact:

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On behalf of the Lac du Flambeau Tribe

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Tribe Calls Out Disingenuous Negotiation Tactics by the Town of Lac du Flambeau

Lac du Flambeau, WI – January 10, 2025 – The Lac du Flambeau Band of Lake Superior Chippewa Indians (the "Tribe") today called attention to what it believes are disingenuous tactics and inconsistent communications by the Town of Lac du Flambeau (the "Town") regarding negotiations and access permits for several roads. Despite the Tribe's repeated requests for good-faith dialogue and transparency, the Town's actions and public statements indicate a pattern of delay, default, and avoidance—further complicated by back-and-forth proposals that fail to address the Tribe's core concerns over past trespass damages and long-term access solutions.

Background

1. December 1, 2023 Letter: Tribal Road Access Permitting Ordinance & Past Trespass Damages

- In a letter dated December 1, 2023, the Tribe informed the Town it had enacted a Road Access Permitting Ordinance ("Permitting Ordinance"). This ordinance requires any party seeking road access across the Tribe's reservation or trust lands to pay an annual fee of 1.5% of the state-assessed fair market value of the homes situated along these roads.
- The Tribe stated that the Town would not be eligible for permits under this forward-looking ordinance until it compensated the Tribe for past trespass damages—calculated at \$9.65 million—for historical, unauthorized use of Annie Sun Lane, Center Sugarbush Lane, East Ross Allen Lake Lane, Elsie Lake Lane (the "Four Roads"), and Big Thunder Lane.

2. February 7, 2024 Letter: Town Seeks External Assistance

- In a letter to the Tribe, the Town Board acknowledged the Tribe's \$9.65 million demand and noted that it had reached out to Senator Tammy Baldwin and Governor Tony Evers for possible resources or assistance.
- The Town referred to the Tribe's fees and past trespass demands as "escalating payments," arguing they were financially unsustainable. The letter suggested that without negotiations or mediation, the Town would have to make unilateral decisions regarding future easement permits.

3. July 3, 2024 Letter: Town's Settlement Proposal

- On July 3, 2024, the Town referenced ongoing discussions and litigation involving the United States government, local homeowners, and title companies, emphasizing that any long-term resolution would require multiple stakeholders at the table.
- The Town cited a 50-year appraisal approved by the Department of the Interior (DOI) that valued permanent easements on the Four Roads at \$79,000. The Town proposed paying the Tribe ten times that amount (\$790,000) for a 50-year easement, plus additional sums for alleged past trespass, attorney fees, and Big Thunder Lane, totaling roughly \$1.82 million.
- While acknowledging it had already paid \$502,000 to the Tribe since early 2023 to avoid barricades, the Town argued it could no longer sustain the Tribe's monthly fees under Resolution No. 143(23).

4. August 23, 2024 Public Meeting & August 27, 2024 Correspondence

- On August 23, 2024, the Town unilaterally called a public meeting in Woodruff, assuming members of the Tribal Council or other Tribal representatives would attend. However, no one from the Tribe was present. Various state and federal officials were in attendance, and the Town requested more clarity on what specifics the Tribe might require in a settlement—such as a defined monetary figure or land-transfer parameters.

- In an August 27, 2024 letter to multiple legislators, government agencies, and the Tribe, the Town asked if officials would support legislation or funding to facilitate a settlement, or if they could intervene to prevent any future barricades. The Town reiterated that without a clearly defined settlement figure or property boundaries, obtaining state or federal assistance remains challenging.

5. Resolution No. 143(23) & Temporary Access Permits

- On May 12, 2023, prior to these letters, the Tribe authorized Temporary Access Permits for the Four Roads via Resolution No. 143(23). The resolution required timely payments from the Town to maintain road access.
- These fees escalated over time, which the Town claims it cannot afford. The Tribe maintains that these payments represent only short-term access and do not resolve the larger issue of past trespass damages.

6. Town Declares It Is ‘Unable’ to Pay, Then Issues Partial Payment

- On August 9, 2024, the Town publicly stated in a board meeting agenda that it was “unable, not unwilling” to pay the permit fees for August 12–September 12, 2024.
- On August 13, 2024, the Tribe notified the Town it considered the Town in default of Resolution No. 143(23) and would restrict road access on August 23, 2024, unless payment was received. The Town submitted a partial payment on August 22, 2024—one day before the deadline.

7. Continued Nonpayment & Default

- As of January 9, 2025, the Town has not paid the subsequent permit fees for September 12–October 12, 2024. The Tribal Council has taken no action to amend or rescind Resolution No. 143(23), leaving the Town in default.
- The Tribe has given the Town until January 16, 2025, to pay all outstanding Temporary Access Permit fees or face renewed restrictions on the Four Roads.

8. Attempts to Meet and Negotiate

- Throughout 2024, including on October 18, December 6, and in January 2025, the Tribe invited the Town to participate in direct, attorney-free discussions aimed at addressing access issues. The Town initially appeared open but then cited legal advice against meeting, halting progress.
- While the Town has held or called meetings on its own, these sessions have not yielded a comprehensive solution to the Tribe's concerns about both past trespass damages and long-term road access.
- The Tribe remains willing to engage with the Town, along with any relevant agencies or stakeholders, to find an equitable resolution.

Tribal Leadership Statement

“It is frustrating that, after multiple attempts to meet in the spirit of collaboration, the Town continues to avoid meaningful conversations,” said John Johnson Sr., Tribal Chairman of the Lac du Flambeau Band of Lake Superior Chippewa Indians. “The Town’s inconsistent statements—publicly declaring inability to pay, then making partial, last-minute payments, while also putting forward settlement proposals that disregard our central concerns—demonstrate a lack of transparency and good-faith intent.”

Key Concerns;

1. Default on Resolution No. 143(23)

The Town has failed to pay required permit fees in a timely manner, causing ongoing uncertainty.

2. Avoidance of Meaningful Dialogue

Despite repeated invitations to meet—both with and without attorneys—the Town has delayed or deferred genuine negotiations, often citing pending litigation.

3. Outstanding Past Trespass Damages

The Town has yet to address the Tribe's \$9.65 million demand for past trespass damages. While the Town made a settlement proposal in July 2024, the Tribe maintains it is not sufficient to cover historical obligations and future needs.

4. Community Impact

Continued defaults and stalled negotiations put Tribal and non-Tribal community members at risk. Restricted road access may affect emergency services, property usage, and local economic development.

Call to Action;

The Tribe remains committed to resolving this matter amicably and transparently:

- **Immediate Payment of Overdue Permit Fees**

The Tribe urges the Town to pay all outstanding access fees as required by Resolution No. 143(23).

- **Settlement of Past Trespass Obligations**

The Tribe reiterates the need to address the previously stated \$9.65 million for past trespass before any long-term permits under the Permitting Ordinance can be issued.

- **Good-Faith Negotiations**

The Tribe welcomes a constructive meeting with the Town Board as soon as possible, attended by legal counsel or not.

- **Responsibility Under Tribal Law**

The Tribal Council is legally and culturally obligated to protect its Reservation, trust lands, and resources for present and future generations. All actions regarding these roads must preserve the Tribe's sovereignty and safeguard its lands.

If you are a homeowner affected by this issue on one of the specified roads, we encourage you to contact the LDF Town Board to discuss your questions and concerns

About the Lac du Flambeau Band of Lake Superior Chippewa Indians

The Lac du Flambeau Band of Lake Superior Chippewa Indians is a federally recognized sovereign Native American Tribe with a rich cultural heritage. The Tribe's reservation, established by the Treaty of 1854, serves as a permanent homeland and is the cornerstone of the Tribe's sovereign rights to self-governance and territorial integrity. The Tribe is committed to preserving its culture, protecting its lands, and advancing the well-being of its members.
