

**Joint Local Governments Resolution No. 2011-01**  
from

***City of Kake***  
P.O. Box 500  
Kake, Alaska 99830  
*State Chartered Municipal Government*

***Organized Village of Kake***  
P.O. Box 316  
Kake, Alaska 99830  
*Federally Recognized Tribal Government*

**Joint Local Governments Resolution No. 2011-01 – Opposition to Proposed Petersburg Borough Boundary**

WHEREAS, the two recognized local governments within Kake Alaska, have met in joint session on the topic of the proposed Petersburg Borough boundary lines and its effect on Kake territory and jurisdictional area; and,

WHEREAS, the City of Kake (hereinafter City) is a duly organized municipal First Class City government chartered under the State of Alaska with the Mayor & City Council as the duly elected governing body; and,

WHEREAS, the Organized Village of Kake (hereinafter OVK) is a duly constituted Indian Tribe organized pursuant to the authority of the Federal Indian Reorganization Acts (hereinafter IRA) of 1934 & 1936 with the IRA Council as the duly elected governing body formed under its *Constitution & By-Laws*; and,

WHEREAS, the Kake City Council has responsibilities to its Municipal Citizens whose population is approximately 550 and a majority of whom are opposed not to the formation of the Petersburg Borough, but the proposed boundary that reaches onto and across Kupreanof Island; and,

WHEREAS, the OVK IRA Council has responsibilities to its Tribal Citizens (population of 400+ residing in the Kake area) that include, among others, powers of authority to “protect the general welfare and security of the Village” and “protect and preserve the timber, fisheries and other property and natural resources” as put forth within the OVK *Constitution & By-Laws*; and,

WHEREAS, the lands and waters of Southeast Alaska in and around the current site of Kake, Alaska have been the traditional territory of the Kake Indians since time immemorial and includes, but is not necessarily limited to, a range that includes Kupreanof, Kuiu, and Keku Islands; plus portions of Baranof, Admiralty, and Prince of Wales Islands; plus portions of the mainland; plus adjacent lands & waters to the aforementioned and other that has been or continues to be used by the Tribe; and,

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WHEREAS, the Kake Indians functioned as a sovereign over this territory through a traditional form of tribal government since time immemorial; and,

WHEREAS, the Kake Indians, now functioning under a contemporary tribal government structure as referenced above under the governing powers of the Organized Village of Kake, continues to be recognized by the United States of America as a sovereign government; and,

WHEREAS, the governing body of OVK, and earlier forms of local tribal government, have never made agreements or treaties with other governments or entities (including Russia, United States and the State of Alaska) to relinquish any of the traditional lands, rights or precepts associated with Indian Country; and,

WHEREAS, information has been published which reports that the Petersburg City Council is proposing a Petersburg Borough; and,

WHEREAS, the aforementioned territory which is identified and documented by traditional knowledge and contemporary written documentation of Tlingit place names, village sites and other use areas, will be infringed upon by the proposed boundary lines of the Petersburg Borough; and,

WHEREAS, the current residents of Kake continue to utilize and strategically plan & develop the areas defined above; and,

WHEREAS, OVK, which is a federally recognized tribal government, previously passed Resolution No. 98-22 on 09/22/1998 entitled *Proposed Petersburg Borough Boundary*, and Resolution No. 2002-21 on 12/19/2002 entitled *Opposition to Proposed Petersburg Borough Boundary* which were each subsequently submitted to the State of Alaska; and,

WHEREAS, the City of Kake which is the State chartered municipal government passed Resolution No. 2002-04 on 09/20/02 entitled *Opposition Resolution for the Petersburg Borough Formation* which was submitted to the Local Boundary Commission in November 2002.

THEREFORE BE IT RESOLVED, that in a joint session of the City of Kake Council and the Organized Village of Kake IRA Council, the two duly organized and recognized local governments for Kake reaffirm their previous declarations to the State of Alaska, and continues to strongly object to Petersburg's proposed borough boundary that crosses over water from its island of jurisdiction, which claims a portion of Kupreanof Island and infringes upon Kake's territory from a historical use perspective established from time immemorial; and,

BE IT ADDITIONALLY RESOLVED, that in respect to the proposed Petersburg Borough boundary, the two local governments of Kake (City and OVK), continues its declaration that all of Kupreanof Island be retained under the use area of Kake and included with other Kake use areas for any future borough consideration, which is based on historical use and also contingent upon interest from the City of Kupreanof to join with any efforts from OVK and the City of Kake to organize a borough; and,

BE IT FINALLY RESOLVED, that both the City of Kake Council and the OVK IRA Council formally requests all governments and entities to maintain direct contact with both the City and OVK on the above Petersburg Borough Proposal, or any matters that may affect the People of Kake and/or the traditional lands & waters that have been the territory of the Kake Indians since time immemorial.

CERTIFICATION

This resolution was duly adopted at a *joint session between and of the City of Kake Council and the Organized Village of Kake IRA Council meeting* held this 11<sup>th</sup> day of OCTOBER, 2011 by a quorum of 4 (represented by 5 City elected mayor/council and 4 OVK elected president/council) with 3 yes votes, 0 no votes, and 0 abstaining.

  
Henrich Kadake  
City of Kake Mayor

  
Casimero A. Aceveda  
OVK IRA Council President

  
Attested by City

  
Attested by OVK