

# Decision on trust issue was the right one for city's future

By Mayor Jack Haugen

I believe in the double-win theory. Essentially it says that in all issues there lies the potential for a positive resolution for both parties. Whenever possible in the last four years as your mayor, I have strived for these types of solutions that leave all parties feeling like they won something. Sometimes it's impossible. But always, it's the goal.

Recognizing that, it should come as no surprise to you that the fight that our city along with Shakopee and Scott County have been waging with the Shakopee Mdewakanton Sioux Community over the status of 106 acres of land in our city – as well as additional land in the county and Shakopee – has been a source of frustration to me.

We value our relationship with the county and with Shakopee, just as we value our relationship with the tribe. There had to be some middle ground, I told myself. But for years, there had been no movement. Entrenched would be a good word to describe the two camps.

So when we took the position we did Dec. 5, and essentially withdrew our opposition to the tribe's most recent trust application to the BIA for 106 acres to be converted from fee to trust status, it was a surprise to some. To me, and to my fellow council members, it was the right thing to do. Our decision was, in fact, a shift in city policy. Not a right angle. And not a U-turn. But a shift, and I will make no apologies for it. As I said, it was the right thing to do.

Let me explain why.

Prior Lake has a long-term vision for its future, the 2030 Vision and Strategic Plan. So does Scott County, and soon, so will Shakopee. But one line exclusive to our strategic plan is that Prior Lake "is proud to be the home of the Shakopee Mdewakanton Sioux Community." It has been there since the early days of planning for our 2020 Vision and Strategic Plan nearly four years ago, and it is the premise upon which our Dec. 5 decision was based.

Ask yourself this question: Is the SMSC outside our community? Or is the SMSC part of our community.

I believe firmly that the latter is true, and I can still remember standing at the white board at one of our first long-range planning committee meetings and drawing a rectangle and asking if the SMSC should be depicted as a circle outside or inside of its boundaries.

The 80 people in that room and several hundred since concurred with me that the SMSC isn't something out there, but rather part of Prior Lake. That mindset became a powerful element in this process. Prior Lake is proud not only of the SMSC, but also its business enterprises, its 4,500-plus employees, the millions of dollars in income taxes they pay, and the \$12 million they have given to the city and county over the past nine years WITHOUT asking for a written document that sets forth what they get in return. Whether it was to address infrastructure or other needs in our respective communities, the SMSC made those investments with trust in mind, trusting that they were doing the right thing for the larger community.

As their neighbor, I bristle at references to "them versus us" and "us versus them."

The SMSC has done a lot of good things for Prior Lake.

And the best indicator of future behavior is past behavior.

As for the question of lost tax revenues, estimated at about \$2,000 annually, a key point must be made: We don't own this land. The tribal community does, and they have the right to choose to develop it, just as you would if you owned it. And if the Bureau of Indian Affairs rules the SMSC can transfer it to trust, they will develop it.

Now, on the question of timing.

City Manager Frank Boyles and I regret the process was perceived as being hasty and abrupt because of the way it was added to the agenda on the night of the meeting. The fact of the matter is that the Bureau of Indian Affairs had given us until Tuesday, Dec. 6 to supply detailed information about the impact of allowing the tribe to convert the land in Prior Lake to trust status and our city's position on the issue.

In fact, the city's position – as well as the county's and Shakopee's – on the trust issue has been somewhat consistent for several years. The last time this issue was raised, in 2002, we were on record as saying that we did not oppose the incremental conversion of land from fee to trust status – providing it was done on an as-needed basis and that a written agreement was in place beforehand.

The impact of the Dec. 5 decision by the council is that the BIA will consider Prior Lake's position together with other relevant factors in making its decision whether to place this land in trust.

We put it on the agenda because we needed to respond to the BIA on whether we supported the trust application. It was time sensitive. If we would have known, would have put it on the agenda weeks earlier. That's how it happened. I apologize for that, and for the uncertainty it has created in our community. We cannot unring that bell.

Here's the bottom line. I've heard some ask, "What's in this for the city?" Well, there *is* something in it for the city, and it's called trust and a strengthening of our relationship with the SMSC. In time, that will pay dividends for our Prior Lake community. Wait and see.

We faced a choice whether to foster a spirit of trust, or to continue to be entrenched.

We faced a choice of whether we wanted to place our trust in the SMSC, or continue to pay tens of thousands in legal fees to keep this fight going.

We faced a choice, and while I was and continue to be troubled by the process, I rest comfortably at night knowing that our decision was the right one for our Prior Lake community of today and tomorrow.