

Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee

1720 Big Lake Rd.
Cloquet, MN 55720
Phone (218) 879-4593
Fax (218) 879-4146



Chairman
Kevin R. Dupuis, Sr.

Secretary/Treasurer
Ferdinand Martineau, Jr.

Dist. I Representative
Wally J. Dupuis

Dist. II Representative
Bruce M. Savage

Dist. III Representative
Roger M. Smith, Sr.

Executive Director,
Tribal Programs
Miyah M. Dantelson

Executive Director,
Tribal Enterprises
Terry Savage

RESOLUTION # 1173 / 20

Declaring a Public Health Emergency on the Fond du Lac Reservation and Authorizing the Measures Necessary to Address COVID-19 Pandemic

- WHEREAS,** the Fond du Lac Band of Lake Superior Chippewa are a sovereign people, who occupy the Fond du Lac Reservation and retain their aboriginal rights of self-government and self-determination pursuant to the Treaty of LaPointe of September 30, 1854, 10 Stat. 1109; the Indian Reorganization Act of 1934, 25 U.S.C. § 461 et seq.; the common law of the United States; and as recognized by the United Nations Declaration on the Rights of Indigenous Peoples of September 13, 2007; and
- WHEREAS,** it is the sovereign obligation of the Fond du Lac Reservation Business Committee, as the duly-constituted governing body of the Fond du Lac Band, to exercise the responsibilities of self-government and management over the Band's affairs; and
- WHEREAS,** the Tribal Council has the authority to enact resolutions, regulations, and statutes to safeguard and promote the peace, health, safety, and general welfare of the Tribe and its members in conformance with applicable law; and
- WHEREAS,** the international community is currently experiencing a global pandemic of a novel coronavirus named "SARS-CoV-2" and the respiratory disease that it causes, named "coronavirus disease 2019" ("COVID-19"); and
- WHEREAS,** the World Health Organization has declared COVID-19 a Public Health Emergency of International Concern; and
- WHEREAS,** on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency; and
- WHEREAS,** the U.S. Centers for Disease Control and Prevention ("CDC") has identified the potential public health threat posed by COVID-19 both globally and in the United States as "high," and has advised that person-to-person spread of COVID-19 will continue to occur globally and in the United States; and
- WHEREAS,** COVID-19 is a respiratory disease that can result in serious illness or death and has not yet been adequately contained and it is believed that COVID-19 is most often spread from close person-to-person contact and is thought to occur mainly via respiratory droplets produced when an infected person coughs or sneezes, similar to how influenza and other respiratory pathogens spread; and
- WHEREAS,** the CDC has issued guidelines, which have been revised and amended a number of times, that encourage individuals to limit person-to-person contact, practice social distancing, and directing older individuals, those with severe underlying medical conditions, and those with symptoms of respiratory illness, to practice self-isolation; and

WHEREAS, the Reservation Business Committee (RBC) has been taking proactive measures to protect the health, safety, and welfare of Fond du Lac Band of Lake Superior members, employees, and the general public, and implementing various protective mitigation measures.

NOW, THEREFORE, BE IT RESOLVED, the RBC declares that the COVID-19 pandemic is a public health emergency; and

BE IT FURTHER RESOLVED, the RBC authorizes the Fond du Lac Emergency Operations Center (EOC), to take necessary action to protect the health, safety and welfare of the Tribe's members in light of the COVID-19 pandemic as well as any outbreak of any infectious disease, including but not limited to (1) conducting outreach and education to the community; (2) seeking technical assistance and advice from local, state, and/or federal partners on emergency response issues; (3) coordinating with local, state, federal, and tribal partners on reporting of potential and confirmed COVID-19 cases and cases of other infectious diseases; and (4) proposing to the RBC any necessary preventative measures to mitigate the potential impact to the community, including quarantine and self-isolation policies; and

BE IT FURTHER RESOLVED, the RBC authorizes the EOC to conduct any necessary investigations to identify those who may be exposed to COVID-19 and mitigate any potential spread; and


BE IT FURTHER RESOLVED, that the RBC directs the members of the (EOC), in their official capacities and in the exercise of their official duties on behalf of the Band, to take all reasonable and appropriate steps to minimize the spread of the COVID-19 virus among our members and communities including, without limitation,

- (1) Ordering and enforcing detentions, quarantines, isolation, social distancing, and any other appropriate restrictions and limitations on interpersonal contact among persons in our communities that may limit the spread of the COVID-19 virus, including prohibiting public and family gatherings of more than 5 people in any one location (unless a single household is comprised of more than 5 members);
- (2) Ordering and enforcing restrictions on travel into the Fond du Lac Reservation and among our communities, including prohibiting individuals who are not residents of our communities, or who have been exposed to or who potentially could transmit the COVID-19 virus, from traveling to, traveling through, entering, or remaining on Band lands or in Band properties;

- (3) Detaining, taking into custody, isolating, removing, and banishing individuals who have been exposed to or potentially could transmit the COVID-19 virus, or who refuse to comply with orders issued by said EOC under this Resolution, and if necessary and appropriate, taking any necessary steps to remove or secure the removal of any such individuals from the Reservation;
- (4) Directing the closure of or limitations on hours, access and number of persons present at any given time in tribal offices, health clinics, stores, places of business, churches, schools, or any other location where people may gather in groups; and
- (5) Requiring appropriate and necessary precautions to be taken with regard to any and all foods, supplies, goods, or materials delivered to or transported to any Band-owned property, including: establishing transport, delivery, and inspection protocols; inspecting such items; inspecting and searching arriving vehicles, airplanes and boats; and seizing and safely sequestering or disposing of any such items that may endanger the health, safety, and welfare of the Band, our members, and our communities.
- (6) This Resolution shall remain in effect until further notice.

CERTIFICATION

We do hereby certify that the foregoing Resolution was duly presented and acted upon by vote of 3 for, 0 against, 1 silent, with a quorum of 5 being present at a SPECIAL Meeting of the Fond du Lac Reservation Business Committee held on April 22, 20 20 on the Fond du Lac Reservation.



Kevin R. Dupuis, Sr.
Chairman



Ferdinand Martineau, Jr.
Secretary-Treasurer