

SPECIAL TRIBAL COUNCIL MEETING
INTER-OFFICE FOLLOW-UP

MEETING DATE: April 21, 2020

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MOTION #11 IS CONTINUED.

ROLL CALL VOTE: FAITH, JR., MIKE – NOT VOTING

BOBTAIL BEAR, Verdell	YES	AGARD, Susan	EX.
DEMERY, Delray	YES	HAWK, Warren	YES
HARRISON, "Ben" Samuel	YES	LITTLE EAGLE, Avis	YES
LOOKING BACK, Wayne	YES	MCLAUGHLIN, Jesse	YES
MAUAI, Brandon	YES	MCLAUGHLIN, Kory	YES
PRETTY BEAR, John	YES	TAKEN ALIVE, Ira	YES
THOMPSON, Caroline	YES	TAKEN ALIVE, Nola	YES
WHITE MOUNTAIN, Jr., Joseph	YES	WALKER, Charles	YES

VOTE: YES – 15 NO – 0 NOT VOTING – 1

MOTION CARRIED 1 – EXCUSED

#12. MOTION WAS MADE BY CHARLES WALKER, SECONDED BY AVIS LITTLE EAGLE, TO APPROVE TO AUTHORIZE THE ESTABLISHMENT OF A RESERVATION WIDE CURFEW AND SHELTER IN PLACE, **BY RESOLUTION.**

AMENDED: WITH REVISIONS.

ROLL CALL VOTE: FAITH, JR., MIKE – NOT VOTING

BOBTAIL BEAR, Verdell	YES	AGARD, Susan	EX.
DEMERY, Delray	YES	HAWK, Warren	YES
HARRISON, "Ben" Samuel	YES	LITTLE EAGLE, Avis	YES
LOOKING BACK, Wayne	YES	MCLAUGHLIN, Jesse	YES
MAUAI, Brandon	YES	MCLAUGHLIN, Kory	NO
PRETTY BEAR, John	NO	TAKEN ALIVE, Ira	YES
THOMPSON, Caroline	NO	TAKEN ALIVE, Nola	YES
WHITE MOUNTAIN, Jr., Joseph	YES	WALKER, Charles	YES

VOTE: YES – 12 NO – 3 NOT VOTING – 1

MOTION CARRIED 1 – EXCUSED

#13. MOTION WAS MADE BY CHARLES WALKER, SECONDED BY AVIS LITTLE EAGLE, TO APPROVE TO AUTHORIZE THE ADOPTION OF THE EMERGENCY HEALTH ORDER FOR TEMPORARY QUARANTINE, **BY RESOLUTION.**

RESOLUTION NO. 181-20

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A RESERVATION WIDE CURFEW & SHELTER IN PLACE

WHEREAS, the Standing Rock Sioux Tribe is an unincorporated Tribe of Indians, having accepted the Indian Reorganization Act of June 18, 1934, with the exception of Section 16; and the recognized governing body of the Tribe is known as the Standing Rock Sioux Tribal Council; and

WHEREAS, the Constitution of the Standing Rock Sioux Tribes declares the members of the Standing Rock Sioux Tribe, as a Sovereign Nation, have a responsibility to establish a more perfect Tribal Government, promote the general welfare, establish justice, insure tranquility, preserve and exercise our inherent Tribal sovereign rights and powers, pursuant to the Treaty of April 29, 1868, 15 Stat. 635 and unwritten Tribal laws, customs practices; and

WHEREAS, the Standing Rock Sioux Tribal Council, pursuant to the amended Constitution of the Standing Rock Sioux Tribe, Article IV, Section 1[c], 1[h], 1[n], and 1[o], is empowered promote and protect the health, education, and general welfare of the members of the Tribe, and to administer charity and such other services as may contribute to the social and economic advancement of the Tribe and its members; to authorize to direct subordinate boards, committees or tribal officials, to administer the affairs of the Tribe and to carry out the directives of the Tribal Council; to Tax and regulate the activities of all persons on as permitted by law; and to provide for the maintenance of law and order and the administration of justice; and, to safeguard and promote the peace, safety, morals and physical and general welfare of members of the Tribe; and

WHEREAS, On March 13, 2020, the Standing Rock Sioux Tribal Chairman declared a State of Emergency on the Standing Rock Sioux Indian Reservation to address the dangers created by the COVID-19 virus (corona virus); and

WHEREAS, pursuant to Emergency Declaration, the Standing Rock Sioux Tribe administration has closed Tribal Offices to the public; has identified essential Tribal Programs and personnel; advised all Reservation residents to stay home; has restricted travel for SRST employees; advised all residents of the Reservation to avoid large groups; encourage social distancing and self-hygiene; provided educational materials to the public/community about the COVID-19 virus; shared guidelines from federal and world organizations (CDC and WHO) and, encouraged deep cleaning and disinfection of homes and workplaces; and

WHEREAS, the Standing Rock Sioux Tribe hereby declares that the COVID-19 virus and its danger to the residents of the Standing Rock Sioux Indian Reservation requires the Tribe to take emergency measures to protect all residents of the Standing Rock Sioux Indian Reservation in accordance with the Emergency Declaration; and

WHEREAS, an Outbreak of the respiratory disease COVID-19 threatens the health and safety of all residents of the reservation because it is highly contagious and the full scope of its spread is unknown at this time; and

WHEREAS, there is no known treatment or vaccine to treat or prevent COVID-19. As of this time, access of test kits is severely limited. While the majority of the people who become infected will experience only mild symptoms, there have been numerous deaths attributable to the COVID-19 virus; and

WHEREAS, the CDC and WHO recommend that social distancing is the best prevention and protection against this deadly disease. Social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, failure to successfully implement social distancing will likely result in higher numbers of infected persons and has the potential to overwhelm the health care providers that serve the Reservation; and

WHEREAS, hundreds of cases of COVID-19 have been confirmed throughout North and South Dakota as of today. In particular, the Bismarck and Mandan, North Dakota area, which is a major medical, retail, and recreational destination for many of the residents of the Standing Rock Reservation, it is ground zero for a community spread outbreak of this disease; and

WHEREAS, COVID-19 constitutes a critical public health and safety threat to the health and welfare of the residents within the exterior boundaries of the Standing Rock Sioux Tribe and has not yet been contained; and

WHEREAS, The Standing Rock Sioux Tribe hereby desires to take additional measures to protect ALL RESIDENTS of the Standing Rock Sioux Reservation in accordance with the Emergency Declaration; and

WHEREAS, in an effort to limit exposure to the virus and it is the duty of the Standing Rock Sioux Tribe to protect the children and general public.

NOW THEREFORE BE IT RESOLVED, that the Standing Rock Sioux Tribal Council declares the following:

1. In an effort to slow the spread of the COVID-19 virus on the Standing Rock Reservation, and protect our Wakanyeja (children), all children will be required to "Shelter in Place." This means all children under the age of eighteen (18). All children are required to Stay Home, unless medically necessary;
2. That the Standing Rock Sioux Tribe recommends that all residents "Shelter in Place" with the exception of essential staff, medical travel, going to the store or gas station for food and groceries;
3. The Standing Rock Sioux Tribe recommends that children not be allowed in any business within the boundaries of the Standing Rock Reservation, for their protection, their safety, health & welfare and the people they live with;
4. The Standing Rock Sioux Tribe's **CURFEW** for children during this Emergency Declaration will be required to be indoors on a daily basis, without regard to weekends beginning at 8:00 o'clock p.m., C.D.T. until 6:00 a.m., C.D.T., until further Notice.

BE IT FURTHER RESOLVED that the Standing Rock Sioux Tribal Council hereby declares a **DAILY CURFEW FOR ALL RESIDENTS** on the Standing Rock Sioux Indian Reservation, effective immediately until Friday, May 8, 2020, from the hours of **11:00 o'clock p.m., C.D.T. until 6:00 o'clock a.m., C.D.T.**, except for emergency or other essential services, and the practice of customs and traditions of the Standing Rock Sioux Tribe. Violators will be asked to go home, escorted home or placed in Protective Custody, Section 11-110 (Protective Custody) or charged with Disorderly Conduct Section 4-1001(b) (present's a danger to himself or others); and

BE IT FURTHER RESOLVED the sale of alcoholic beverages will cease in accordance with the **DAILY CURFEW FOR ALL RESIDENTS** from the hours of 11:00 p.m. C.D.T. until 6:00 a.m., C.D.T.; and

BE IT FURTHER RESOLVED that the Standing Rock Sioux Tribal Council hereby declares essential services to be work-related services to the SRST, BIA, IHS, or other emergency travel;


BE IT FURTHER RESOLVED, that the Chairman and Secretary of the Tribal Council are hereby authorized and instructed to sign this resolution for and on behalf of the Standing Rock Sioux Tribe.

CERTIFICATION

We, the undersigned, Chairman and Secretary of the Tribal Council of the Standing Rock Sioux Tribe, hereby certify that the Tribal Council is composed of 17 members, of whom 16 constituting a quorum, were present at a meeting thereof duly and regularly, called, noticed, convened and held on the 21st day of **APRIL, 2020**, and the foregoing resolution was duly adopted by the affirmative vote of 12 members, with 3 opposing, and with 1 not voting. **THE CHAIRMAN'S VOTE IS NOT REQUIRED, EXCEPT IN CASE OF A TIE.**

DATED THIS 21st DAY OF APRIL, 2020.

ATTEST:


Susan Agard, Secretary
Standing Rock Sioux Tribe


Mike Faith, Chairman
Standing Rock Sioux Tribe

[OFFICIAL TRIBAL SEAL]