

**RESOLUTION NO. 93(20)**

**DECLARATION OF EMERGENCY**

- WHEREAS,** the Lac du Flambeau Band of Lake Superior Chippewa Indians ("Tribe"), is a federally recognized Indian Tribe organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934, 25 U.S.C. §461 et. seq.; and
- WHEREAS,** pursuant to Article III, Section 1 of the Lac du Flambeau Constitution ("Constitution"), the governing body of the Tribe is the Tribal Council; and
- WHEREAS,** Article VI of the Constitution sets forth the Powers and Duties of the Tribal Council, and Section 1(a) of Article VI authorizes the Tribal Council to ". . . protect the health, security, and general welfare of the Tribe"; and
- WHEREAS,** the national and global pandemic caused by Coronavirus Disease 2019 (COVID-19), identified by the Centers for Disease Control and Prevention (CDC) and the Wisconsin Department of Health Services (WI DHS) as a deadly, highly contagious disease, poses a direct threat to the health, security and general welfare of the Tribe; and
- WHEREAS,** commencing in February, 2020, a number of cases of the deadly COVID-19 have been confirmed in the State of Wisconsin, including cases in Dane County, prompting Governor Evers to declare a Public Health Emergency on March 12, 2020; and
- WHEREAS,** because the Reservation of the Lac du Flambeau Tribe is located within the State of Wisconsin, and band members and other Lac du Flambeau residents travel throughout the State of Wisconsin and have regular contact with family members who reside and work within Dane County, and the Reservation is regularly visited by non-resident friends and family of band members and other community members, as well as tourists and travelers, all of whom are potential carriers of the deadly Coronavirus, all individuals residing within the exterior boundaries of the Reservation are at great risk of contracting COVID-19, given the highly contagious nature of the disease; and
- WHEREAS,** although the Tribe's comprehensive health care facility, i.e. the Peter Christensen Health Center, which is the sole provider of outpatient medical care within the exterior boundaries of the Reservation, is working diligently to develop protective measures for our tribal members, staff and visitors, the fact remains that the COVID-19 has not been contained nationally or within the State of Wisconsin; and
- WHEREAS,** due to the severity and magnitude of the COVID-19 pandemic, an emergency exists within the Lac du Flambeau community, given that the community at large, and especially those who are most vulnerable to the deadly disease, including Elders, children and the disabled, require imposition of protective measures to prevent the influx of COVID-19 and readily available resources to combat COVID-

19 and manage confirmed cases as they occur; and it is therefore incumbent upon the Tribe to maximize and effectively coordinate efforts and call upon Tribal, County, State and National resources to assist the Tribe in addressing the COVID-19 threat to protect the health, safety and welfare of our community, now therefore be it

**RESOLVED,** by thi Council, by Poll Vote does hereby declare a State of Emergency as authorized under Chapter 65.201(1)(3 of the Tribal Code of Ordinances, due to the COVID-19 outbreak in the State of Wisconsin and the corresponding threat to the Tribal community, and directs the Tribe's Public Health Officer or designee to oversee the Tribe's preparedness, response and recovery with respect to the COVID-19 pandemic, and coordinate efforts with Tribal, Local, County, State, and Federal partners; and be it further

**RESOLVED,** that the Tribe authorizes the use of Tribal Funds as necessary and directs Departments and Programs to utilize available resources to do all that is prudent and necessary for a period of 30 days, as authorized in Chapter 65.201(3) of the Tribal Code of Ordinances, to protect our Tribal Community, employees and visitors from the effects of COVID-19; and be it further

**RESOLVED,** that the Tribe shall apply for and request aid from the State of Wisconsin and all applicable agencies of the United States Federal Government, to support the Tribe's efforts and supplant exhausted Tribal resources.

#### CERTIFICATION

I, the undersigned, as Secretary of the Lac du Flambeau Band of Lake Superior Chippewa Indians, a tribal government operating under a Constitution adopted pursuant to Section 16 of the Indian Reorganization Act, 25 U.S.C., s. 476, do hereby certify that the Tribal Council of the Band is composed of twelve members, of whom eleven were polled on the 14<sup>th</sup> day of March 2020, and that the foregoing resolution was duly adopted by Poll Vote by an affirmative vote of eight members (W. Stone Sr., J. Allen, J. BigJohn, E. Chapman Sr., M. Doud, J. Johnson Sr., C. Theobald, D. Allen) none against, none abstaining, and that the said resolution has not been rescinded or amended in any way.



Jamie Allen, Secretary  
Lac du Flambeau Band of  
Lake Superior Chippewa Indians