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## RESOLUTION NO. 20-11-06A

### **Resolution for Amendments to Shelter at Home Executive Order in Response to Declaration for State of Emergency in Bay Mills Indian Community due to COVID-19 Pandemic**

**WHEREAS:** The Bay Mills Indian Community is a federally recognized Indian Tribe with a Constitution enacted pursuant to the Indian Reorganization Act of 1934, 25 USC §5101, et seq., and

**WHEREAS:** The General Tribal Council is empowered to enact laws to protect the general health, safety, and welfare of person on the Bay Mills Reservation under Article VI, Section 1(f) of the Tribe's Constitution, and

**WHEREAS:** The General Tribal Council is empowered to adopt resolutions regulating the procedure of the General Tribal Council, Executive Council, other community agencies, community official, or community organizations of the Bay Mills Indian Community under Article VI, Section 1(h) of the Tribe's Constitution, and

**WHEREAS:** Exercise of these powers has been delegated to the Executive Council by the General Tribal Council Resolution of April 13, 1970, and

**WHEREAS:** COVID-19 has continued to spread throughout the State of Michigan, necessitating updated guidance from the Executive Council to the Bay Mills Indian Community membership and the community of the Bay Mills Indian Community reservation, and

**WHEREAS:** As of November 6, 2020, there are a significant number of cases of COVID-19 confirmed within Chippewa County, where the Bay Mills Indian Community reservation is located, and

**WHEREAS:** The Executive Council of Bay Mills Indian Community has continued to declare a State of Emergency due to the COVID-19 pandemic, and

**WHEREAS:** The Executive Council adopted Resolution No. 20-03-23E and Resolution No. 20-08-10A, comprising the Shelter at Home Executive Order, to prevent the occurrence of COVID-19 cases within the Bay Mills Indian Community membership and the community of the Bay Mills Indian Community reservation, and

**WHEREAS:** The COVID-19 pandemic has continued to result in significant economic impact, including loss of income and wages, that threaten to undermine the economic stability of Bay Mills Indian Community membership and the community of the Bay Mills Indian Community reservation, and

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**WHEREAS:** As part of the Tribe's management and protection of the health, safety, and welfare of the Tribe, its tribal members, and its tribal community, the Executive Council, has determined it is in the best interest of the Bay Mills Indian Community to amend its Shelter at Home Executive Order by adjusting the levels for the Bay Mills Indian Community reservation for a Public Health Threat due to COVID-19, and

**NOW, THEREFORE BE IT RESOLVED,** the Bay Mills Indian Community, through its Executive Council, hereby declares and adopts the following, effective immediately until December 31, 2020, and

**BE IT FURTHER RESOLVED,** the Executive Council will utilize the best scientific data, health professional advice, public health information from other governmental entities, and surveillance testing data to determine the Shelter at Home Levels necessary to protect the Bay Mills Indian Community membership and the community of the Bay Mills Indian Community reservation, and

**BE IT FURTHER RESOLVED,** the Shelter at Home Levels may be adjusted any given week by a poll vote of the Executive Council, with a majority vote necessary to switch the level restrictions in force and effect, and

**BE IT FURTHER RESOLVED,** once the Executive Council votes to adjust the level restrictions of this Shelter at Home Executive Order it goes into effect immediately until further action by the Executive Council, and

**BE IT FURTHER RESOLVED,** all prior requirements in Resolution No. 20-03-23E, the Shelter at Home Executive Order, not inconsistent with this Executive Order shall remain in full force and effect for the duration of this Executive Order, and

**BE IT FURTHER RESOLVED,** the Amendments to Shelter at Home Executive Order in Resolution No. 20-05-11B shall be superseded by this Resolution and Executive Order, and

**BE IT FURTHER RESOLVED,** Essential Government Functions or Essential Businesses and Operations continue to include, but is not limited to: hospitals, clinics, pharmacies, health care organizations, reproductive health care providers, mental health and substance abuse providers, other healthcare facilities and suppliers and providers of any related or ancillary healthcare services, field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, rehabilitation services, and businesses that provide food, shelter, and social services, or other necessities of life for economically disadvantaged individuals, food production, distribution and sale, businesses/stores that sell food, groceries, and medicines, gas stations and auto-supply stores, solid waste and recycling collection and removal, all first responders, emergency management personnel, emergency dispatchers, correction officers, law enforcement, court personnel, child protection and child welfare personnel, and other governmental employees working to support Essential Businesses and Operations, or any other essential function, business, or operation identified by the Bay Mills Executive Council, and

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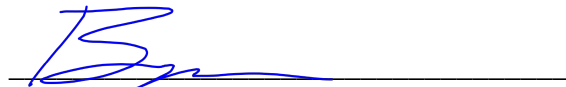
**BE IT FURTHER RESOLVED**, outdoor recreational facility for purposes of this Executive Order includes, but is not limited to, playgrounds, softball/baseball fields, ice rinks, farm playground walking paths, basketball courts, parks, horseshoe pits, and picnic areas, and

**BE IT FURTHER RESOLVED**, the Levels for this amended Shelter at Home Executive Order are approved as identified in the attached Six Level Plan, which is incorporated and enacted by reference as if detailed herein, and

**BE IT FURTHER RESOLVED**, the Bay Mills Executive Council, following Center for Disease Control Guidelines, establishes this additional quarantine guideline to protect Bay Mills Indian Community from the significant health risk of COVID-19; exempli gratia under this quarantine guideline, community members of the Bay Mills Indian Community reservation who (1) have tested positive for COVID-19, and/or (2) have been contacted by investigative health care agencies due to exposure to COVID-19 are to be quarantined and separated from others who have not tested positive and/or been exposed at their normal place of residence. Those individuals contacted shall remain in quarantine for fourteen days, until they are medically released, or do not show symptoms of COVID-19 (for example fever, cough, or shortness of breath) for at least 72 hours. Health care personnel shall monitor the quarantined individuals. Any violation of this quarantine guideline shall be considered a civil infraction and fined through the Bay Mills Tribal Court. The first violation shall be subject to a \$250 fine, the second violation shall be subject to a \$500 fine, any subsequent violations will be subject to a \$1,000 fine.

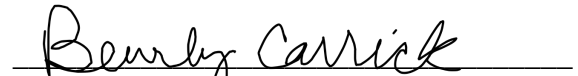
**BE IT FURTHER RESOLVED**, the Bay Mills Executive Council enacts this amended Executive Order to ensure the maximum number of people are safe, while enabling essential services to continue, and to slow the spread of COVID-19 to the greatest extent possible. Our elders, who are invaluable traditional and historical knowledge keepers are beloved members of our community, are particularly susceptible to this virus, and it is up to the Bay Mills Indian Community as a whole to ensure their safety and well-being, and the well-being of our community for the next seven generations to come.

**APPROVED:**



**Bryan T. Newland, President**  
**Executive Council**  
**Bay Mills Indian Community**

**ATTEST:**

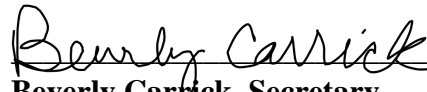


**Beverly Carrick, Secretary**  
**Executive Council**  
**Bay Mills Indian Community**

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**CERTIFICATION**

I, the undersigned, as Secretary of the Bay Mills Indian Community Executive Council, do hereby certify that the above Resolution was adopted and approved at a special meeting of the Bay Mills Indian Community Executive Council held at Bay Mills, Michigan on 6th day of November 2020, with a vote of 4 for 0 opposed 0 absent and 1 abstaining. As per provision of the Bay Mills Constitution, the Tribal Chairman must abstain except in the event of a tie.

  
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**Beverly Carrick, Secretary**  
**Executive Council**