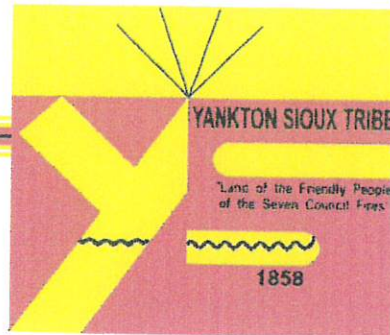


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Business & Claims Committee:

Robert Flying Hawk, CHAIRMAN
Jason Cooke, VICE CHAIRMAN
Kenneth Cook, TREASURER
Glenford "Sam" Sully, SECRETARY



B&CC Members:

Greg Courmoyer Jr.
Robert "Pete" Kazena
Derrick Marks
Chris Traversie
Jody Zephier

YANKTON SIOUX TRIBE

Business and Claims Committee

RESOLUTION NO. 2020-40

- WHEREAS:** The Yankton Sioux Tribe is an unincorporated Tribe of Indians that is not subject to the Indian Reorganization Act of 1934; and
- WHEREAS:** The Yankton Sioux Tribe is an unincorporated Tribe of Indians operating under an amended Constitution and By-Laws approved on April 24, 1963; June 16, 1975; and March 23, 1990; and
- WHEREAS:** The Yankton Sioux Tribe's Business and Claims Committee is the elected body constituted for the purpose of conducting the business of and serving the best interest of the Yankton Sioux Tribe and its membership; and
- WHEREAS:** The United States Centers for Disease Control ("CDC") is responding to an outbreak of respiratory disease, coronavirus disease 2019 ("COVID-19"), that is caused by a virus first detected in China, SARS-CoV-2; and
- WHEREAS:** On March 11, 2020, the World Health Organization (WHO) characterized COVID-19 as a pandemic; and
- WHEREAS:** The United States had its first reported case on January 14, 2020, and there are 307,318 cases and 8,358 deaths in all 50 states, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands as of April 5, 2020, according to the WHO; and
- WHEREAS:** These numbers continue to increase as more presumptive positive cases are confirmed by the CDC and testing capabilities increase; and
- WHEREAS:** On March 9, 2020, the Business and Claims Committee imposed a ban on tribally-funded travel to and from the Reservation; and
- WHEREAS:** On March 10, 2020, the Business and Claims Committee was notified there is one presumptive positive diagnosis at the Indian Health Service (IHS) service unit in Wagner, South Dakota which provides healthcare services to the Yankton Sioux Reservation and that has been sent to the CDC for confirmation; and
- WHEREAS:** On March 13, 2020, the Business and Claims Committee declared a state of emergency for the Yankton Sioux Tribe in order to mitigate against an outbreak on the Reservation and contain any exposure that has already occurred; and

WHEREAS: Also on March 13, 2020, the Business and Claims Committee adopted an interim response plan and temporarily suspended portions of the personnel policies for the Tribe and its entities to authorize emergency leave, work from home, for the safety of employees, tribal citizens, and the larger community; and

WHEREAS: On March 27, 2020, the Business and Claims Committee imposed a ban that prohibits all outside inmates, meaning inmates from outside the Yankton Sioux Reservation, from being housed at the correctional facility located on the Yankton Sioux Reservation, from being housed at the correctional facility located on the Reservation until further notice; and

WHEREAS: On March 27, 2020, the Business and Claims Committee imposed a ban that prohibits the detail of correctional officers to the correctional facility located on the Yankton Sioux Reservation until further notice; and

WHEREAS: On April 3, 2020, the Business and Claims Committee was notified that there is a potential community transmission within the local non-Indian community and the conditions that prompted the above-listed actions have been aggravated by the recent developments that are expected to continue for an indefinite period of time; and

WHEREAS: It is essential that immediate and drastic measures are necessary to mitigate the imminent threat of widespread severe damage, injury, or loss of life, or property resulting from COVID-19; and

WHEREAS: Based on the danger that COVID-19 continues to pose, the Business and Claims Committee finds it in the interests of the health and safety to order tribal citizens and residents of the Reservation to issue a Stay At Home Order; and

WHEREAS: The intent of this Stay at Home Order is to minimize contact between residents and to the greatest extent possible minimize the exposure of the public to contaminated surfaces, maximize the number of people isolating in place, reduce the number of people congregating in workplaces at one time, reduce the proximity of people in the workplace, and enable the services necessary to protect public health and safety.

NOW THEREFORE BE IT RESOLVED: The Business and Claims Committee hereby authorizes and approves the following Stay At Home Order:

- A. All individuals currently living within the Yankton Sioux Reservation are ordered to stay at home whenever possible and may leave their residences only to perform Essential Activities.
- B. When individuals leave their residences, they must wear a protective face mask.
- C. Individuals may leave their residence only to perform the following Essential Activities:
 - a. Care for elders, minors, dependents, people with disabilities or other vulnerable people.

- b. To purchase or obtain food, pet supplies, and essential household products for themselves, a household member, a family member, an elder, person with disabilities, or other persons in need of immediate assistance.
 - c. To obtain medical supplies or medication or to visit a health care professional for yourself, a family member, a household member, an elder, person with disabilities, any other person in need of immediate assistance, or a pet.
 - d. To care for a family member or pet in another household.
 - e. To engage in banking or other financial transactions or services.
 - f. To do to work in an essential or critical business activity or service as determined by their employer or a governmental authority.
 - g. To engage in outdoor activities like walking, running, fishing, hunting, golf, or walking a dog, as long as they maintain a safe social distance from others.
 - h. To provide for the funeral arrangements of a family or household member.
 - i. Travel required by law enforcement or court order or as necessary for participation in a legal proceeding.
 - j. Going to or from educational facilities to support distance learning or to get school-provided meals or related educational services.
 - k. To get supplies to work from home.
 - l. To perform other necessary household functions to maintain cleanliness of the home and to ensure the health and safety of citizens and their families, including for purposes of trash disposal and using laundry services.
 - m. To engage in other essential activities as authorized in writing by the Business and Claims Committee.
- D. All public and private gatherings of any number of people occurring outside a residence are prohibited except for the Essential Activities expressly permitted in this Stay at Home Order. Nothing in this Stay at Home Order prohibits the gathering of members living in the same residence.
- E. All gatherings of more than ten people are prohibited.
- F. All visitors on the Yankton Sioux Reservation are directed to return home. For purposes of this Order, a visitor is a person who is not a tribal citizen, is not a spouse or minor child of a tribal citizen, does not maintain his or her permanent home on the Reservation, or who is not an employee of the Tribe or federal government.
- G. No visitors will be allowed to come onto the Reservation, other than to pass through on a county or state roadway, except for the following Essential Services:
- a. To provide medical or home care.
 - b. To provide emergency services.
 - c. To provide and allow for the continuation of essential and critical government services as determined by the Business and Claims Committee.
 - d. To provide necessary deliveries of water.
 - e. To provide deliveries of groceries, food, medicine, and other essential goods or services.
 - f. To provide deliveries of propane and other fuel for personal and tribal use.
 - g. To provide for essential household and building maintenance, safety and sanitation.

- h. To provide for essential vehicle or equipment maintenance.
 - i. To initiate or participate in legal proceedings in the Yankton Sioux Tribal Court.
 - j. For public and private transportation providers providing transportation services necessary for purposes expressly authorized in this Order.
 - k. For the delivery of mail by the postal service and other shipping services.
 - l. To provide professional services, such as legal or accounting services.
 - m. To attend a wake or funeral of an immediate family member.
 - n. To provide any additional Essential Services to tribal citizens and residences on the Reservation as determined by the Business and Claims Committee.
- H. All wakes and funeral shall adhere to the following guidelines:
- a. Wakes and funerals shall limit the number of people in attendance to ten. This does not include funeral home staff, the clergy/officiants, or cemetery staff.
 - b. Attendees must practice social distancing – be at least 6 feet apart at all times.
 - c. Consider inviting friends and relatives to come separately. In the event of multiple wake nights, ask that friends and relatives rotate nights. Ask friends to attend during one time period and relatives during another time period.
 - d. Appoint relatives to focus on nothing but cleaning and wiping down door handles and frequently-touched surfaces.
 - e. Families must advise people if they have a fever of 100.4 degrees or any other symptoms to not attend.
 - f. Families may encourage people to be part of the caravan to the gravesite.
 - g. Consider livestreaming the wake and funeral as an alternative to in-person attendance.
 - h. Families may have a memorial at a later date.
- I. All tribal contractors and vendors performing Essential Services must be willing to submit to a screening process.
- J. Individuals who exhibit symptoms must isolate themselves so as not to infect others.

BE IT FURTHER RESOLVED: That this Stay at Home Order shall become effective at 5:00 p.m. on Monday, April 6, 2020 and will continue to be in effect until withdrawn in writing.

BE IT FURTHER RESOLVED: That this Stay at Home Order will be enforced by any appropriate legal means.

BE IT FURTHER RESOLVED: That the provisions of this Stay at Home Order are severable should any provision be held invalid to any person or circumstance and the remainder shall not be effected and shall continue in full force and effect.

BE IT FINALLY RESOLVED: That the Business and Claims Committee hereby authorizes and approves its Chairman or, in his absence, the Vice-Chairman, to execute any and all documents as may be necessary and appropriate to carry out the terms, conditions and intent of this Resolution.

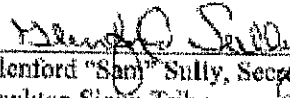
CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM, the above and foregoing resolution was duly authorized and passed by the Yankton Sioux Tribe's Business and Claims Committee on the 6th day of April 2020 at a meeting held at the Tribal Headquarters, Wagner, South Dakota on the Yankton Sioux Reservation, by a vote of 6 in favor, 0 opposed, 1 abstain, 2 absent, **MOTION CARRIED.**

ATTEST



Robert Flying Hawk, Chairman
Yankton Sioux Tribe
Business and Claims Committee



Glenford "Sam" Sully, Secretary
Yankton Sioux Tribe
Business and Claims Committee