

# Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

## BC Resolution # 04-28-21-C

### Safely Scheduling General Tribal Council Meetings - COVID-19 Health Risk Impacts

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the federal government proclaimed a public health emergency<sup>1</sup> related to the spread of the COVID-19 virus; and
- WHEREAS,** the Center for Disease Control and Prevention (CDC) continues to advise against large events and gatherings, when possible<sup>2</sup>; and
- WHEREAS,** the CDC offers guidance to help prevent the spread of COVID-19 which includes consideration of risk factors such as:
- *Number of COVID-19 cases in your community* – High or increasing levels of COVID-19 cases in the event location or the locations the attendees are coming from increase the risk of infection and spread among attendees.
  - *Exposure during travel* – Airports, airplanes, bus stations, buses, train stations, trains, public transport, gas stations, and rest stops are all places where physical distancing may be challenging and ventilation may be poor.
  - *Setting of the event* – Indoor events, especially in places with poor ventilation, pose more risk than outdoor events.
  - *Length of the event* – Events that last longer pose more risk than shorter events. Being within 6 feet of someone who has COVID-19 for a total of 15 minutes or more (over a 24-hour period) greatly increases the risk of becoming infected and requires quarantine.
  - *Number and crowding of people at the event* – Events with more people increase the likelihood of being exposed. The size of the event should be determined based on whether attendees from different households can stay at least 6 feet (2 arm lengths) Physical distancing at events can reduce transmission risk—for example, blocking off seats or modifying room layouts.
  - *Behavior of attendees during an event* – Events where people engage in behaviors such as interacting with others from outside their own household, singing, shouting, not maintaining physical distancing, or not wearing masks consistently and correctly, can increase risk.

<sup>1</sup> <https://www.phe.gov/emergency/news/healthactions/phe/Pages/default.aspx>

<sup>2</sup> <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/considerations-for-events-gatherings.html>

- WHEREAS,** the CDC also advises that event planners should work with state and local health officials to implement this guidance, adjusting to meet the unique needs and circumstances of the local community; and
- WHEREAS,** the Emergency Management law provides that the Community/Public Health Officer shall take action to limit the spread of any communicable disease in order to prevent a public health emergency (302.7-1) and provides that the Community/Public Health Officer shall act as necessary to protect the public (302.7-4); and
- WHEREAS,** General Tribal Council meetings have averaged approximately 1,800 attendees per meeting over the past five (5) years and approximately one-third of those attendees are aged 55 and over; and
- WHEREAS,** CDC has indicated risk of hospitalization and death due to COVID-19 for all ages, particularly those aged 50 and over<sup>3</sup>; and
- WHEREAS,** the Oneida Business Committee recognizes the need to hold a General Tribal Council meeting to keep members informed and to allow members the ability to act in a General Tribal Council meeting to provide direction and guidance to the Oneida Business Committee and the organization; and
- WHEREAS,** the Oneida Business Committee recognizes that one of the critical elements of a General Tribal Council meeting is interaction between members and speakers and that simply being able to view and hear is not sufficient to meet the needs of members at a General Tribal Council meeting; and
- WHEREAS,** the Oneida Business Committee has not been able to identify technology that would allow 1800 members to meet, receive presentations, ask questions, and vote; and
- WHEREAS,** the Nation does not currently have the resources to safely hold a General Tribal Council meeting in an interactive virtual environment or physical environment which would maintain confidentiality of the meeting discussion, limit attendance to members only, maintain the ability to vote and be counted, offer the ability to be recognized to speak or express a point of order and other basic requirements of a General Tribal Council meeting; and
- WHEREAS,** the Oneida Business Committee also recognizes a General Tribal Council meeting cannot be held until it safe to do so for all members wishing to attend; and
- WHEREAS,** the Oneida Business Committee has determined a clear and transparent process is needed in order to schedule a General Tribal Council meeting due to the ongoing COVID-19 pandemic;

**NOW THEREFORE BE IT RESOLVED,** the adopts the following process to safely schedule a General Tribal Council meeting that allows all members the opportunity to attend without posing a health risk.

*Assessment and Recommendation by the Community/Public Health Officer*

**BE IT FURTHER RESOLVED,** beginning in May 2021, the Community/Public Health Officer will assess the Nation's ability to safely hold a General Tribal Council meeting that could be scheduled in the next 90 days.

---

<sup>3</sup> <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/older-adults.html>

**BE IT FURTHER RESOLVED**, at the May 12, 2021, regular Oneida Business Committee meeting, and at the first regular Oneida Business Committee meeting of the month thereafter, the Community/Public Health Officer will provide a recommendation to the Business Committee based on their assessment as well as identifying the basis for that assessment.

*Oneida Business Committee Determination*

**BE IT FURTHER RESOLVED**, based on the Community/Public Health Officer recommendation, the Oneida Business Committee shall determine if a General Tribal Council meeting can be scheduled.

**BE IT FURTHER RESOLVED**, if the Oneida Business Committee determines a General Tribal Council meeting can be scheduled, a motion will be made to direct the Secretary to bring potential dates, a draft General Tribal Council meeting agenda, and draft General Tribal Council meeting materials to the next Business Committee agenda for consideration.

**BE IT FURTHER RESOLVED**, if the Oneida Business Committee determines a General Tribal Council meeting cannot be scheduled, a motion will be made to accept the Community/Public Health Officer recommendation as information.

*Duration of the Identified Process*

**BE IT FURTHER RESOLVED**, this process shall remain in effect until such time as the Oneida Business Committee schedules a General Tribal Council meeting.

*Possibility of Virtual General Tribal Council Meetings*

**BE IT FINALLY RESOLVED**, the Secretary shall continue to work with the General Manager, Chief Counsel, and Strategic Planner to implement a long-term solution which would allow the Nation to hold virtual General Tribal Council meetings due to the unknown nature of the current and potential future pandemics.

**CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 9 members were present at a meeting duly called, noticed and held on the 28<sup>th</sup> day of April, 2021; that the forgoing resolution was duly adopted at such meeting by a vote of 8 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way.

  
\_\_\_\_\_  
Lisa Liggins, Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."