

**RESOLUTION  
OF THE  
COUNCIL OF THE SOUTHERN UTE INDIAN TRIBE  
February 18, 2020**

**WHEREAS**, authority is vested in the Southern Ute Indian Tribal Council by the Constitution adopted by the Southern Ute Indian Tribe, and approved November 4, 1936, and amended October 1, 1975, and August 27, 1991, to act for the Southern Ute Indian Tribe; and

**WHEREAS**, under Article VII, Section 1(h) of the Constitution, the Tribal Council shall manage all funds within the control of the Tribe, and may appropriate available tribal money for public, business, governmental or investment purposes with approval of the Secretary of the Interior, or his authorized representative, whenever required by Federal law; and

**WHEREAS**, under Article X, Section 1(c) of the Constitution, the Chairman serves as the Tribe's contracting officer and executes all contracts and agreements to which the Tribe is a party, following approval by the Tribal Council; and

**WHEREAS**, in Resolution No. 2004-225, the Tribal Council approved the Southern Ute Community Emergency Operations Plan (Plan) and directed implementation of the Plan under the Chairman's direction, including developing and maintaining standard operating procedures and checklists for responding to both impending and actual disasters; and

**WHEREAS**, under the Plan, Section IV(2)(i), "An emergency is any event that threatens to or inflicts damage to people and/or property that can be dealt with using internal and mutual aid resources. If this occurs, a state of emergency is declared"; and

**WHEREAS**, under the Plan, Section V(F), the Tribal Council's duties in an emergency or disaster include, among other things, signing a resolution declaring an emergency or disaster to protect life and preserve property and the environment by ensuring prevention, preparation, and response measures are in place; and

**WHEREAS**, in following the World Health Organization's declaration, on January 31, 2020, the United States Health and Human Services (HHS) Secretary Alex M. Azar II declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to 2019-nCoV (coronavirus); and

**WHEREAS**, the Plan's Infectious Disease Annex, Section VI(C) of the Plan indicates that the Southern Ute Health Center create a pandemic influenza plan with actions to take including quarantine and isolation, which may generally apply for responding to the coronavirus; and

**WHEREAS**, the plan provides that when an emergency cannot be effectively managed using agency or department policies and standard operating procedures, or the emergency affects other jurisdictions and a coordinated response under a unified command structure is desired or

**RESOLUTION NO. 2020-025**

**Page 2**

**February 18, 2020**

necessary, the Tribe's Chairman has the legal authority to declare a local disaster through proclamation, which cannot extend beyond seven days, except with the Tribal Council's consent by resolution; and

**WHEREAS**, a Proclamation of Local Emergency contemplated by the Plan was signed on February 6, 2020; and

**WHEREAS**, the Tribal Council must appoint an incident commander to implement the prevention, planning and response protocols in the Plan; and

**WHEREAS**, the Incident Commander may need spending authority to carry out the provisions of the Plan, particularly to buy medical countermeasures, if caseloads radically increase among tribal members and if more staff is needed; and

**WHEREAS**, the Risk and Emergency Manager recommends appointing Margo Yeager, Chief Nursing Officer, as incident commander based on her abilities, training, and experience; and

**WHEREAS**, based on the danger that the coronavirus poses, the Tribal Council finds it in the interests of the public health and safety and to further protect property, the state of local emergency should be for continued until such time as all operations and record keeping is complete.

**NOW, THEREFORE, BE IT RESOLVED**, that the Southern Ute Indian Tribal Council hereby declares a state of emergency to respond to the spread of the coronavirus as follows:

1. The coronavirus constitutes a local emergency for purposes of Resolution No. 2004-225 and the Tribe's Emergency Response Plan.
2. The effect of this declaration of local emergency shall be to activate the response and recovery aspects of any applicable local and interjurisdictional disaster emergency plans and to authorize aid and assistance under such plans.
3. Neighboring jurisdictions are urged to proclaim similar declarations and to cooperate with the Tribe as necessary to cope with this incident.
4. The local state of emergency declared by the Tribal Chairman commences on February 18, 2020 and shall continue until the conclusion of response activities including attendant documentation is complete.

**BE IT FURTHER RESOLVED**, that Margo Yeager is appointed incident commander to carry out the Emergency Operations Plan Infectious Disease Annex, including assembling and activating an incident management team.

**RESOLUTION NO. 2020-025**

**Page 3**

**February 18, 2020**

**BE IT FURTHER RESOLVED**, that priority will be given to preserve life, continue tribal government operations, and mitigate harm to tribal business interests, in that order.

**BE IT FURTHER RESOLVED**, that the incident commander is vested with authority to expend an amount not to exceed \$10,000 to respond to this state of emergency, and that if additional funds are required, to return to Tribal Council to consider that request.

**BE IT FURTHER RESOLVED**, that the Chairman of the Southern Ute Indian Tribal Council or, in her absence, the Vice Chairman, or, in the absence of both the Chairman and the Vice Chairman, a duly appointed Acting Chairman is hereby authorized to sign the necessary documents and take all necessary actions to carry out the intent of this resolution.

This resolution was duly adopted on the 18<sup>th</sup> day of February, 2020.



---

Ms. Christine Sage, Chairman  
Southern Ute Indian Tribal Council

**C E R T I F I C A T I O N**

This is to certify that there were ( 6 ) of the regularly elected Southern Ute Indian Tribal Council members present at the above meeting, at which ( 5 ) voted for, and ( 0 ) against, it being a quorum and the above resolution was passed, the Chairman not being permitted to vote in this instance due to a Constitutional provision.



---

Ms. Josephine Jack, Recording Secretary  
Southern Ute Indian Tribal Council