



BCR # 2019/20-

Band Council Resolution

DATE:

PLACE: Mistawasis Nêhiyawak I.R. #103

DO HEREBY RESOLVE:

ATA DULY CONVENED Band Council ("Council") meeting of the Mistawasis Nêhiyawak (the "First Nation") held on the 31st day of March, 2020, the First Nation passed the following Band Council Resolution:

WHEREAS:

- A. the First Nation possesses the inherent right to govern the use of and access to its reserve lands (the "Reserve") as recognized under section 35 of the *Constitution Act, 1982*, the *United Nations Declaration of the Rights of Indigenous Peoples*, and confirmed by Treaty No. 6, 1876;
- B. effective March 11, 2020, the World Health Organization declared the global outbreak of COVID-19 a pandemic ("COVID-19") and effective March 18, 2020, the Province of Saskatchewan declared a provincial State of Emergency due to COVID-19;
- C. effective March 25, 2020, the Province of Saskatchewan approved Order in Council 128/2020 "*The Summary Offences Procedure (Emergency Planning) Amendment Regulations, 2020*";
- D. effective March 27, 2020 RCMP F Division CROPS Communiqué FCC-2020-023 was issued stating that the Saskatchewan COVID 19 Public Health Orders are enforceable on First Nation Communities. The RCMP would be responding to complaints of violations of the Saskatchewan Public Health Orders on First Nations, the same way that they would respond provincially;
- E. effective March 31, 2020 as per *Mistawasis Land Code 7.5 Urgent Matters: Mistawasis Nêhiyawak enacts this Band Council Resolution as a State of Emergency due to Covid 19*;
- F. Council wishes to protect its citizens from the spread of the COVID-19 on Reserve by placing restrictions on the movement and association of individuals; and
- G. Council deems it to be in the best interest of the First Nation, the citizens of the First Nation (the "Citizens") and the persons ordinarily residing on the Reserve ("Residents") to pass this band council resolution restricting access to the Reserve and permitting Council to take all such measures as it deems necessary to protect the health and safety of its Members and Residents.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The execution and performance by the Chief or any Councillor of the First Nation, for and on behalf of the First Nation, of all steps necessary to protect the health and safety of the Members and Residents from COVID-19, including without limitation any of the following actions listed below, are hereby authorized, approved, ratified and confirmed:
 - (a) passing Land Law pursuant to the *Mistawasis Land Code*, to restrict access to the Reserve and protect the health and safety of the Members and Residents;
 - (b) prohibiting access to the Reserve, except in the case of Members, Residents, essential employees, and individuals delivering emergency services as defined by Council from time to time;
 - (c) limiting private gatherings of more than 2-5 people from different households;
 - (d) encouraging all Residents and Members intending to leave the Reserve to stay home and consume household supplies and food already in their possession;
 - (e) requiring Residents and Members entering from outside the Reserve to self-isolate in their home for 14 consecutive days;
 - (f) erecting signs at entry points to the Reserve forbidding public traffic from entering the Reserve;
 - (g) erecting checkpoints at entry points to the Reserve to prohibit individuals who are not Members, Residents, essential employees, or individuals delivering emergency services, as defined by Council from time to time, from entering the Reserve;
 - (h) requiring all individuals monitoring checkpoints to adhere to the policy of social distancing, namely, by remaining approximately two meters away from the vehicle or other individuals; and
2. Council is hereby authorized, for and on behalf of the First Nation, to take any and all such further acts as it deems necessary to protect the health and safety of the Members and Residents from the spread of COVID-19 and to give effect to the foregoing resolutions.

Quorum of Council
Consist of 4

Chief Daryl Watson

Councillor William Badger

Councillor Robin Daniels

Councillor Steven Johnston

Councillor Norma Johnstone

Councillor Melvin Watson