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# The Minnesota Chippewa Tribe

March 26, 2020

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## MEMORANDUM

TO: Minnesota Chippewa Tribe Membership

FROM: Catherine J. Chavers, President

*Catherine J. Chavers*

SUBJECT: Primary 2020 Tribal Elections

The Corvid-19 pandemic presents an unprecedented challenge to our National, State, Local and Tribal Governments. This has called for drastic actions to help stop the spread throughout the country.

The Tribal Executive Committee met on Tuesday, March 24<sup>th</sup> and adopted Resolution 65-20 (attached) amending the Minnesota Chippewa Tribe Election Ordinance postponing the 2020 elections due to the coronavirus pandemic to protect the health, safety, and welfare of Tribal members.

The primary election for the 2020 election shall now occur on June 9, 2020 and the general election shall occur on August 18, 2020. Absentee ballots cast prior to the enactment of this amendment or ballots cast between the date of enactment of this amendment and the primary election shall be counted in the primary election on June 9, 2020.

Unfortunately this postponement will add confusion to our election process but for the safety of our tribal members it was necessary.

Thank you for your understanding and please do everything you can to keep you and your families safe.

If you have any question regarding the 2020 election process, please call the Minnesota Chippewa Tribe Executive Director Gary Frazer at 218/766-0713,

## RESOLUTION 65-20

- WHEREAS,** the Minnesota Chippewa Tribal Executive Committee is the duly elected governing body of the Minnesota Chippewa Tribe, comprised of six member reservations (Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, and White Earth), and
- WHEREAS,** the Tribal Executive Committee ("TEC"), comprised of the Chairpersons and Secretary/Treasurers from the six constituent bands of the Minnesota Chippewa Tribe, is the duly elected governing body of the Tribe; and
- WHEREAS,** the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe ("MCT") requires that all elections on the six (6) Reservations shall be held in accordance with a uniform election ordinance that is adopted by the Tribal Executive Committee; and
- WHEREAS,** the TEC enacted an Election Ordinance, which was recently amended on December 9, 2019, that requires Regular Elections to be held on the second Tuesday in June of even numbered years with the associated Primary Elections to be held on the tenth Tuesday prior to the Regular Election; and
- WHEREAS,** the TEC adopted an election calendar pursuant to the Election Ordinance for the 2020 MCT Elections and the Primary Election is set to occur on March 31, 2020, and the General Election is set to occur on June 9, 2020; and
- WHEREAS,** the World Health Organization ("WHO") recently declared the 2019 novel coronavirus ("COVID-19") a pandemic, as the rates of infection continue to rise in many locations around the world and across the United States; and
- WHEREAS,** COVID-19 is a respiratory disease that can result in serious illness or death and has not yet been adequately contained and it is believed that COVID-19 is most often spread from close person-to-person contact and is thought to occur mainly via respiratory droplets produced when an infected person coughs or sneezes, similar to how influenza and other respiratory pathogens spread; and
- WHEREAS,** on March 13, 2020, the U.S. President issued a proclamation declaring a national emergency concerning the COVID-19 outbreak; and
- WHEREAS,** on March 13, 2020, State of Minnesota Governor Tim Walz issued Emergency Executive Order 20-01, which declared a peacetime emergency and provided measures for coordinating the State's strategy to protect Minnesotans from COVID-19; and
- WHEREAS,** the Center for Disease Control ("CDC") has identified the potential public health threat posed by COVID-19 both globally and in the United States as "high", and has advised that person-to-person spread of COVID-19 will continue to occur globally and in the United States; and

**WHEREAS,** the CDC has issued guidelines, which have been amended a number of times, that encourage individuals to limit person-to-person contact, practice social distancing, directing older individuals, those with severe underlying medical conditions, and those with symptoms of respiratory illness, to practice self-isolation; and

**WHEREAS,** a number of states have postponed primary elections during the COVID-19 pandemic including but not limited to Connecticut, Georgia, Indiana, Kentucky, Louisiana, Maryland, Ohio, and Alabama to protect the health, safety, and welfare of the general public; and

**WHEREAS,** the TEC finds that it is necessary and in the best interest of the MCT to postpone the 2020 election due to the COVID-19 pandemic for the period of time set forth in this resolution; and

**WHEREAS,** the TEC finds that it is necessary and in the best interests of the MCT to amend the Election Ordinance of the MCT in the manner set forth in this resolution; and

**WHEREAS,** the TEC recognizes that each individual Band has taken extreme measures to limit the spread of COVID-19 within their communities including closing gaming establishments and businesses, imposing work from home policies, instituting travel bans, reducing staff, prohibiting individuals from areas affected by COVID-19 from entering the reservation, and taking other actions necessary to protect the health, safety, and welfare of their people; and

**WHEREAS,** the TEC finds that calling a special meeting and meeting in person to enact this resolution and amendments to the Election Ordinance would put the health, safety, and welfare of the MCT, its members, and the general public at risk, would run counter to the protective measures already instituted by the Bands, and would pose an unacceptable risk to the members of each reservation; and

**WHEREAS,** the TEC finds that it is necessary and in the best interests of the MCT to waive the notice requirements for a special meeting to address these emergency matters to occur on March 24, 2020 pursuant in the Revised Constitution and Bylaws and to allow the TEC to conduct such Special Meeting by a conference call to conduct necessary business to respond to the COVID-19 pandemic; and

**NOW THEREFORE BE IT RESOLVED**, that the Minnesota Chippewa Tribe Tribal Executive Committee postpones the 2020 election due to the COVID-19 pandemic so that the Primary Election occurs on June 9, 2020, and the General Election occurs on August 18, 2020.

**BE IT FURTHER RESOLVED**, that the Minnesota Chippewa Tribe Tribal Executive Committee amends the Election Ordinance by adding a new section, Section 1.12, which reads as follows: Notwithstanding any other provision of law, the Tribal Executive Committee postpones the 2020 elections due to the coronavirus pandemic to protect the health, safety, and welfare of Tribal members. The primary election for the 2020 election shall now occur on June 9, 2020 and the general election shall occur on August 18, 2020. Absentee ballots cast prior to the enactment of this amendment or ballots cast between the date of enactment of this amendment and the primary election shall be counted in the primary election on June 9, 2020. The Reservation Election Boards shall take reasonable steps to ensure that all elections materials, including but not limited to absentee ballots, are at all times kept in a secure location.

**BE IT FURTHER AND FINALLY RESOLVED**, that the Minnesota Chippewa Tribe Tribal Executive Committee waives the notice requirements for a Special Meeting to address emergency matters pursuant to the Revised Constitution and Bylaws and allows business to be conducted during this Special Meeting by a conference call to respond to the COVID-19 pandemic.

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of 7 For, 4 Against, 0 Silent, at a Special Meeting of the Minnesota Chippewa Tribal Executive Committee, a quorum present, held via conference call on March 24, 2020.

  
Catherine J. Chavers, President  
THE MINNESOTA CHIPPEWA TRIBE

  
April McCormick, Secretary  
THE MINNESOTA CHIPPEWA TRIBE