

RESOLUTION NO: 126-20
DATE ENACTED: November 18, 2020
SUBJECT MATTER: Health Order 07-20

RESOLUTION NO.126-20 OF THE MAKAH TRIBAL COUNCIL

WHEREAS, the Makah Tribal Council is the governing body of the Makah Indian Tribe of the Makah Indian Reservation in Washington by the authority of the Constitution and By-Laws of the Makah Indian Tribe as approved on May 16, 1936 by the Secretary of the Interior; and

WHEREAS, under the Constitution and By-Laws the Makah Tribal Council is charged with the duty of protecting the health, security and general welfare of the Makah Tribe and all Reservation residents; and

WHEREAS, on March 13, 2020, the Makah Tribal Council proclaimed a state of emergency (Res. No. 2020-01) on the Makah Indian Reservation after the Governor of the State of Washington declared a state of emergency throughout the State of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak and confirmed person-to-person contact spread of COVID-19 in Washington state; and

WHEREAS, there have been 4 new cases of COVID-19 on the Makah Reservation and multiple Neah Bay community members known to have been recently exposed to COVID-19, and

WHEREAS, the Makah Tribal Council recognizes the significant increase in COVID-19 cases locally and nationally, and that there remains an urgent need to prevent the spread of COVID-19 to prevent the loss of life.

NOW, THEREFORE BE IT RESOLVED that the Makah Tribal Council hereby approves Health Order 07-20, moving into Shelter In Place of the Makah COVID-19 Public Health Protocols and implementing new requirements for Visitors of the Reservation, and that this Resolution and Health Order 07-20 shall be effective at 8:00am on Friday, November 20, 2020.


Timothy J. Greene, Chairman

CERTIFICATION

The forgoing resolution was adopted at a special meeting held on November 18, 2020 at which time a quorum was present. The resolution was adopted by a vote of 4 FOR and 0 AGAINST, and 0 ABSTAINING, the Chairman or the Vice-Chairman in his absence being authorized to sign this Resolution.


Tribal Secretary





HEALTH ORDER 07-20 OF THE MAKAH TRIBAL COUNCIL

Enacted November 18, 2020

Effective November 20, 2020

Please read the following Order carefully. Any person or entity violating or failing to comply with this Order may be subject to civil fine of \$500. Persons or entities who commit multiple violations of this order may be subject to criminal prosecution and/or arrest.

Pursuant to the inherent and constitutional authority of the Makah Tribal Council, the Makah Tribal Council hereby **ISSUES THE FOLLOWING ORDER:**

I. Background and Definitions

The virus that causes Coronavirus Disease 2019 ("COVID-19") is easily transmitted between individuals and can be transmitted even by persons who do not appear to have any symptoms of the disease. Group settings provide optimal conditions for transmittal.

The first Health Order in response to COVID-19 (Health Order 01-20) was issued on March 20, 2020 in light of the existence of over 1,376 confirmed cases of COVID-19 in the State of Washington, as well as at least 74 deaths due to the disease. The Makah Tribal Council has issued subsequent Health Orders 02-20 on June 8, 2020, 03-20 on July 8, 2020, 04-20 on September 24, 2020, 05-20 on October 14, 2020 and 06-20 on November 16, 2020. As of November 18, 2020, there now exist over 141,000 confirmed cases in Washington State, including 365 cases in Clallam County and 7 cases on the Makah Reservation, and at least 2,600 deaths in Washington State.

The Makah Tribal Council recognizes the need to preserve life and protect all members of the community on the Makah Reservation, especially our members most vulnerable to experiencing serious illness (i.e. seniors aged 60 and older and persons with underlying conditions). Because of the rapid spread of the virus, it is necessary to proactively enforce modifications in community and social behaviors to prevent

unnecessary death.

II. Makah COVID-19 Public Health Protocols: Shelter In Place

Whereas there are 4 new cases of COVID-19 on the Makah Reservation and multiple Neah Bay community members known to have been recently exposed to COVID-19, and;

Therefore, all individuals anywhere on the Makah Indian Reservation are ordered to follow the Makah COVID-19 Public Health Protocols under Shelter In Place. All individuals must stay home except to access emergency medical care, access food and/or go to work in an Essential Business or Service. This Health Order allows for the additional specific Essential and Safe Activities:

- Cultural or spiritual guidance or counseling (includes any religious or spiritual practice).
- Obtaining food or other necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to other households, such as groceries, firewood, or household cleaning products and other products necessary to maintain the safety, sanitation, and essential operation of residences; this includes food gathering and cultivation, including fishing, hunting, gathering and cultivating gardens and forest areas.
- Engaging, as an individual, or with other members of the same Household Unit, in outdoor activity on the Makah Indian Reservation, such as walking, hiking, biking, running, chopping/gathering wood, gathering traditional medicinal plants or raw materials for cultural activities, or going for a drive.
- Checking mail.
- Checking and maintaining a boat while avoiding Close Contacts outside of the Household Unit.
- Picking up medications.

III. Household Groups

For the duration of this Health Order, Household Groups are prohibited and individuals must only socialize within their Household Units with the exception of the following:

- Those who live completely alone may join one other Household Unit
- Those who are in need of essential care may form a Household Group with their Caregivers

Those who need to form a Household Group for the above reasons must identify their Household Group members through the Household Group Registry located on www.stihc.org.

IV. Visitors to the Makah Indian Reservation

All non-Makah Personal Visitors are not allowed access to the Makah Indian Reservation for the duration of this Health Order.

All Non-Resident Makahs visiting for personal reasons and Infrequent Work Visitors, ages 11 and older, must provide proof of a negative COVID-19 test result within the past 5 days prior to accessing the Reservation. Documented proof of the negative test result (i.e. a printout of the lab result) will be required by the Checkpoint Personnel at the border of the Reservation. This is in addition to the Visiting and Traveling Protocols laid out in the Makah COVID-19 Public Health Protocols and the required approval necessary for specific categories of visitors.

Testing is required prior to arrival. It is recommended that visitors utilize the National Test Site locator to identify testing locations near them. Makah Tribe staff are available to assist Makah Tribal Members in locating a testing site near them. If you are a Makah Tribal Member requesting this assistance, call the COVID-19 Question and Concern Line at 1-360-645-6273 and leave your name and phone number. A staff member will return your call within 1 business day.

Regular Non-Resident Workers (those accessing the Reservation on a daily or weekly basis) who work indoors will be required to provide proof of a negative COVID-19 test at least biweekly. Non-tribal organizations must identify testing resources for their own Non-Resident Workers. It is recommended that Non-Resident Workers utilize the National Test Site locator to identify testing locations near them.

Regular Non-Resident Workers who only work outdoors and have zero close-contact with residents on the Reservation do not have to provide proof of a negative COVID-19 test result but must follow all Health Orders and Workplace Safety Protocols.

COVID-19 test results shown at the Reservation border will be considered confidential and will not be shared with the public.

V. Enforcement

Pursuant to Makah Tribal Council Resolution No. 126-20, the Makah Tribal Council directs the Chief of Police on the Reservation to enforce compliance of this Order. Any person or entity violating or failing to comply with this Order may be subject to civil fine of \$500. Multiple violations of this Order may be subject to criminal prosecution and/or arrest.

Final Statements

The Makah Tribal Council shall publish this Order: (1) by posting it on the Makah Portal, (2) makah.com, (3) at the Village Market, and (4) at be'is. In addition, the Makah Tribal Council must provide a copy of this Order to every business and facility operating within the Makah Reservation. The Makah Tribal Council shall maintain copies to provide to the public free of charge.

This Order shall remain in full force and effect upon the enactment of Resolution 126-20 of the Makah Tribal Council and continues in effect indefinitely unless it is extended, rescinded, superseded, or amended in writing by the Makah Tribal Council. This Health Order supersedes Health Order 06-20 and all previous Makah Health Orders. Makah Tribal Council may revise this Order as the situation evolves, and individuals and facilities must stay updated by checking the Neah Bay Fact Line (360-645-3228) and makah.com.

If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.