

RESOLUTION NO: 98-21
DATE ENACTED: September 17, 2021
SUBJECT MATTER: Health Order 07-21

RESOLUTION NO.98-21 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, the effects of Health Order 06-21 to Shelter In Place has reduced the rate of new cases of COVID-19 on the Makah Indian Reservation; and,


WHEREAS, the Makah Tribal Council still recognizes the significant increase in COVID-19 cases in surrounding areas, as well as an increased burden on the regional healthcare systems, 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 07-21, moving to Phase 2 of the Makah COVID-19 Public Health Protocols effective on Saturday, September 18, 2021 at 8:00AM.


Timothy J. Greene, Chairman

CERTIFICATION

The forgoing resolution was adopted by a special meeting on 9-17-21 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.


JoDean Haupt-Richards
Tribal Secretary



HEALTH ORDER 07-21 OF THE MAKAH TRIBAL COUNCIL **Effective: September 18, 2021 at 8:00AM**

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, 06-20 on November 16, 2020, 07-20 on November 18, 2020, 08-20 on December 4, 2020, 09-20 on December 15, 2020, 01-21 on January 8, 2021, 02-21 on February 16, 2021, 03-21 on March 22, 2021, 04-21 on July 6, 2021, and 05-21 on August 3, 2021 and 06-21 on September 5, 2021. As of September 15, 2021, there now exist over 616,730 confirmed and probable cases in Washington State, including 3,718 cases in Clallam County and 67 cases on the Makah Reservation, and at least 7,158 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.

For the purpose of this health order, people are considered fully vaccinated for COVID-19 >2 weeks after they have received the second dose of a 2-dose series vaccine (i.e. Moderna or Pfizer) or >2 weeks after they have received a single-dose vaccine (i.e. Johnson and Johnson)

II. Makah COVID-19 Public Health Protocols: Phase 2

All individuals on the Makah Indian Reservation must follow the Makah COVID-19 Public Health Protocols: Phase 2.

- Outdoor gatherings are limited to 10 people, except for the assembly for the purpose of cultural and religious practice with an approved safety plan.
- Indoor gatherings are prohibited except for the assembly for the purpose of cultural and religious practice with an approved safety plan at 25% building capacity.

III. Household Groups

Household Groups are reinstated in accordance with the Makah COVID-19 Public Health Protocols with the exception that Household Units not located on the Makah Indian Reservation may not be considered a part of a Household Group.

IV. Residents of Neah Bay and Traveling Protocols

Residents of Neah Bay must follow the Traveling Protocols under the Makah COVID-19 Public Health Protocols.

All Residents of Neah Bay who have close contact with other individuals outside of Neah Bay must enter Preventive Quarantine, which means avoiding Close Contact with others outside of their Household Group for 14 days. Going to work is allowable during Preventive Quarantine, and safety protocols must be followed to avoid Close Contact with others. COVID testing upon return to Neah Bay is highly recommended and encouraged.

V. Visitors to the Makah Indian Reservation

Enrolled Makahs, and their household members traveling with them, are allowed to visit the Makah Indian Reservation for the duration of this Health Order.

Business Visitors must complete the Business Visitor Attestation form online.

Non-Makah personal visitors are not allowed for the duration of this Health Order.

All individuals eligible for essential services at STIHC and the COVID vaccine are allowed to access the reservation for the purpose of accessing those services only. These individuals may not visit homes on the Reservation and are only allowed to be on the Reservation for the date of those services.

COVID testing is not required prior to arrival.

VI. Enforcement

Pursuant to Makah Tribal Council Resolution No. 98-21 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 makah.org, (2) makah.com, (3) at the Village Market, (4) at be'is, (5) at Washburns General Store, (6) at the Mini Mart, and (7) at the Post Office. 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 98-21 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 06-21 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.