

RESOLUTION  
Spokane Tribal Resolution 2021-79

**AMENDING RESOLUTION 2021-034, ROLLING BACK PHASE 3 GUIDELINES, AND ENACTING MODIFIED PHASE 1 RESTRICTIONS**

**WHEREAS**, the Spokane Tribal Business Council (“Council”) is the duly constituted governing body of the Spokane Tribe of Indians (“Tribe”) by authority of the Constitution of the Spokane Tribe (“Constitution”); and

**WHEREAS**, the Constitution grants the Council such other powers and authority necessary fulfill its obligations, responsibilities, objectives, and purposes as the governing body of the Tribe; and

**WHEREAS**, under the Constitution, the Council is charged with the duty of protecting the general welfare of the Tribe and all Reservation residents; and

**WHEREAS**, on March 16, 2020, via Resolution 2020-154, Council declared a State of Emergency due to the 2019 novel coronavirus (“COVID-19”) pandemic and said State of Emergency continues to remain in effect; and

**WHEREAS**, on July 2, 2020, the Council approved Resolution 2020-277, which authorized the Tribe to enter Phase 3 of the Tribe’s Reopening Plan (“Phase 3 Plan”); and

**WHEREAS**, on June 27, 2020, Governor Inslee prohibited all Washington State counties from moving into Phase 4 due to increasing COVID-19 activity across the state and significant rebounds in COVID-19 activity in several other states; and

**WHEREAS**, on July 16, 2020, Governor Inslee announced new steps “necessary to slow down the spread of COVID-19” including updated limits on social gatherings across the State which reduce the number of individuals allowed at social gatherings during Phase 3 from fifty people to ten people and Phase 2 social gatherings are limited to five people; and

**WHEREAS**, on August 4, 2020, via Resolution 2020-331, the Tribe amended its Phase 3 Plan (the “Modified Phase 3 Plan”) with increased protective measures due to risk of potential COVID-19 outbreak on the Reservation and in the region; and

**WHEREAS**, on September 14, 2020, the Council approved Resolution 2020-405, which amended the Tribe’s Modified Phase 3 to allow the Council to grant exceptions to the existing limitations on Day Use, Camping, and/or Fishing; and

**WHEREAS**, on October 14, 2020, the Council approved Resolution 2021-034, which amended the Tribe’s Modified Phase 3 to relax restrictions on funerals, weddings, and social gatherings and to incorporate other COVID-19 recommendations; and

**WHEREAS**, the United States, including Washington State, is currently experiencing a third wave of increased COVID-19 transmission and infections (the “Third COVID-19 Wave”); and

**WHEREAS**, due to the Third COVID-19 Wave, Washington State has already seen the average daily cases of COVID-19 double in the last two weeks and hospitalization rates have risen about 40%; and

**WHEREAS**, on November 15, 2020, Governor Inslee announced new restrictions on residents and businesses to address the threat of the Third COVID-19 Wave (collectively, the “Washington Restrictions”); and

**WHEREAS**, the Executive Leadership Team (“ELT”) recommends that the Tribe enact restrictions which meet or exceed the Washington Restrictions to properly address the Third COVID-19 Wave and current COVID-19 information and infection rates; and

**WHEREAS**, the Tribe is carefully monitoring the COVID-19 situation on the Reservation and in surrounding counties, as well as updated safety information from the State and the Centers for Disease Control; and

**WHEREAS**, COVID-19 continues to spread across the Reservation, region, State, United States, and globe, and remains a threat to our community, especially our elders and community members who have underlying health conditions; and

**WHEREAS**, until there is an effective vaccine, effective treatment, or herd immunity, it is crucial to maintain community interventions to suppress the spread of COVID-19 throughout all phases of recovery and for the foreseeable future; and

**WHEREAS**, Council understands that any reopening plan is subject to modification based on changing information and data, especially if COVID-19 begins to spread at an increased rate for any reason, to protect the general welfare of the Tribe and all Reservation residents; and

**WHEREAS**, the Council has determined it is necessary and in the best interest of the Tribe and all Reservation residents to roll back the Modified Phase 3 Plan and implement Phase 1 restrictions.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, Resolution 2021-034 is amended to read in its entirety as follows:

SPOKANE TRIBE OF INDIANS  
Modified Phase 1 Reopening Plan

1. DEFINITIONS

- A. “Member” means an enrolled member of the Spokane Tribe of Indians.
- B. “Descendant” means the first-generation biological child of a Member.
- C. “Spouse” means an individual legally married to a Member.
- D. “Resident” means an individual who resides on the Spokane Indian Reservation and includes moorage customers located at Two Rivers Marina.
- E. “Non-Member” means an individual enrolled in any federally recognized Indian tribe other than the Spokane Tribe of Indians. Spouses and Descendants are excluded from the definition of Non-Member for purposes of this Resolution.
- F. “Non-Indian” means an individual who is not enrolled in a federally recognized Indian tribe. Spouses and Descendants are excluded from the definition of Non-Indian for purposes of this Resolution.

- G. “Recreational Area” means recreational resources, including but not limited to campgrounds and areas around lakes, streams, and rivers. As used in this Resolution, “Recreational Area” does not include the Pow-Wow Grounds.
- H. “Social Distancing” means maintaining a distance of at least six feet from any person who is not a member of their immediate household, avoiding public and private gatherings regardless of size, and other limitations and requirements as set forth in Resolution 2020-166.
- I. “Day Use” means utilization of Recreational Activities for any reason during the day.
- J. “Overnight Camping” means utilization of Recreational Activities which include an overnight component.
- K. “Authorized Activities” includes the following:
- i. Obtaining necessary supplies and services for family or household members and pets, such as groceries, food and supplies for household consumption and use, supplies and equipment needed to work from home, and products necessary to maintain safety, sanitation and essential maintenance of the home or residence.
  - ii. Engaging in activities essential for the health and safety of family, household members and pets, including things such as seeking medical or behavioral health or emergency services and obtaining medical supplies or medication.
  - iii. Caring for a family member, friend, or pet in another household or residence, and to transport a family member, friend or their pet for essential health and safety activities, and to obtain necessary supplies and services.
- L. “Employment” uses the common definition of the word and is not limited to employment in essential services.
- M. “Vulnerable Individuals” means individuals who are at higher risk of severe illness or death from COVID-19 due to being over sixty-five (65) years of age or who have serious underlying medical conditions as identified by the Centers for Disease Control and Prevention.
- N. “Home” or “Residence” includes hotels, motels, shared rental units, shelters, and similar facilities.
- O. “High Risk Location” refers to any location which the CDC or DOH defines as high risk and recommends travelers avoid engaging in non-essential travel to such location. This includes, but is not limited to, countries and regions designated as Level 3 according to the CDC’s Geographic Risk Assessment for COVID-19 Transmission located at <https://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notice.html>
- P. “Social Gathering” means a gathering of any size for social, spiritual and/or recreational purposes. Social Gatherings include, but are not limited to, community, civic, public, leisure, faith-based, or sporting events; parades; concerts; parties; festivals; conventions; fundraisers; weddings; funerals; memorials; meals with individuals who are not part of a single household; and similar activities.
- Q. “Face Mask” means a mask or face covering which covers both the nose and mouth.

- i. Face Masks can be:
    - a. A sewn mask with ties or straps that goes around the head or behind the ears;
    - b. Several layers of fabric tied around a person's head;
    - c. Made from a variety of materials like cotton, fleece, or linen;
    - d. Factory-made or home-made;
  - ii. Face Masks with valves or openings on the front are unsafe as they permit droplet release from the mask, without filtration, and put others at risk. Individuals shall not wear Face Masks with valves or openings in the front.
- R. "Spokane Indian Country" includes all lands within the exterior boundaries of the Spokane Indian Reservation and all off-Reservation trust lands.
- S. The term "Family Members" includes immediate family members and extended family members.
- i. "Immediate family member" shall mean a partner, parents, children, step-children, step-parents, fostered or adopted children, brothers, sisters, mother-in-law, father-in-law, sister and brother in-law, daughter and son in-law, grandchildren and grandparents, whether biological, adoptive, step, foster, de facto, in loco parentis, or by guardianship.
  - ii. "Extended" family is defined as family that extends beyond the immediate family consisting of aunts, uncles, nieces, nephews, and first cousins, whether biological, adoptive, step, foster, de facto, in loco parentis, or by guardianship.
- T. "COVID-19 Emergency Resolution" means any Tribal resolution approved by the Council which enacts policy, procedure, guidance, regulation, or law related to COVID-19, including but not limited to safety measures or otherwise responding to or mitigating the ongoing COVID-19 pandemic and its impacts.
- U. "Home" means an individual's house, mobile home, apartment, condominium, hotel or motel room, or other dwelling unit.
- V. "Family Representative" means the individual who organizes or holds a Social Gathering or Religious or Cultural Ceremony and is therefore responsible for ensuring the Social Gathering Religious or Cultural Ceremony follows the requirements of all applicable COVID-19 Emergency Resolutions.
- W. "Religious or Cultural Ceremony" means any gathering held for a religious or cultural purpose including but not limited to funerals, wakes, weddings, stick game, pow-wows, jump dances, sweats, and similar traditional ceremonies.
- X. "Live Entertainment" means any activity in which an individual or individuals perform for an audience of an individual or individuals, where all are physically present. Live Entertainment encompasses:
- i. All musical performances, including but not limited to, group acts, soloists, and disc jockeys;
  - ii. All stage productions, including but not limited to, theater, dancing, comedy, poetry, acrobatics, performance art, and animal stunts.
  - iii. Any combination of the activities above and all substantially similar activities.

- Y. “Youth Program” means the Pauline Stearns Early Learning Center, the TANF Children’s Center, the Wellpinit Boys and Girls Club, the various 477 Youth Centers, and other substantially similar programs located on the Reservation. For purposes of this Resolution, child care programs operated by individuals rather than approved programs shall not be considered a Youth Program. Where there is doubt as to whether a program is a Youth Program or not, the Executive Director is authorized to make a final determination.
- Z. “Educational Facility” means the Children of the Sun Head Start, Spokane Language House, the Back to the Heart Immersion School, the various facilities which serve the Wellpinit School District, and other substantially similar facilities located on the Reservation. For purposes of this Resolution, personal residences and other locations where homeschooling or distance learning may be operated by individuals rather than approved programs shall not be considered an Educational Facility. Where there is doubt as to whether a program is an Educational Facility or not, the Executive Director is authorized to make a final determination.
- AA. “CDC” means the Centers for Disease Control and Prevention of the United States.
- AB. “DOH” means the Washington State Department of Health.
- AC. “OSPI” means the Washington Office of Superintendent of Public Instruction.
- AD: “Household Member” means all individuals who reside in the same domicile.

2. FACE MASKS REQUIRED

- A. **Every person in Spokane Indian Country, including non-Residents, must wear a Face Mask that covers their nose and mouth any time they are outside their Home.**
  - i. If a person lives in a congregate living setting where they share living facilities with other residents, their dwelling unit is their bedroom. Such persons must wear a face covering when they are outside their bedroom, including inside the building, subject to the exceptions below:
    - a. Congregate living settings include, but are not limited to, dormitory buildings, nursing homes, assisted living facilities, adult family homes, other long-term care facilities, group care facilities, and other similar settings.
    - b. Unless listed above, congregate living settings do not otherwise include houses, mobile homes, apartments, condominiums, hotel or motel rooms, supported living homes, medical centers, or treatment centers.
    - c. A bedroom includes any living space, bathroom, or facility attached to the bedroom that is not generally open to other residents of the congregate living setting.
    - d. Non-Family Members who live in congregate living settings are not household members.
- B. **Individuals may remove their Face Masks when they are outside of their Home under the following circumstances:**
  - i. While engaged in the act of drinking or eating, provided that:
    - a. People eating or drinking in congregate settings maintain a distance of at least six feet from each other to the extent reasonably possible; and

- b. People eating or drinking in other settings outside of a Home maintain a distance of at least six feet from non-household members;
- ii. While engaged in indoor or outdoor exercise activities, such as walking, hiking, bicycling, or running, provided that a distance of at least six feet is maintained from non-household members;
- iii. While in an outdoor area, provided that a distance of at least six feet is maintained from non-household members;
- iv. When any party to a communication is deaf or hard of hearing and not wearing a Face Mask is essential to communication;
- v. While obtaining a service that requires a temporary removal of the Face Mask;
- vi. While sleeping;
- vii. When necessary to confirm the individual's identity; and
- viii. When tribal or federal law, or applicable state law, prohibits wearing a Face Mask or requires the removal of a Face Mask;
- ix. While showering, bathing, or engaging in other personal hygiene or grooming activities that require the removal of the face covering;

**C. The following individuals are exempt from the requirement to wear a Face Mask:**

- i. Children younger than five (5) years old; and
  - a. Children who are younger than two (2) years old should never wear Face Masks due to the risk of suffocation.
  - b. Children who are two, three, or four years old, with the assistance and close supervision of an adult, are strongly recommended to wear a face covering at all times in settings, like grocery stores or pharmacies, where it is likely that a distance of at least six feet cannot be maintained from non-household members and where Vulnerable Individuals are likely to be present.
- ii. Persons with a medical condition, mental health condition, or disability that prevents wearing a Face Mask. This includes, but is not limited to, persons with a medical condition for whom wearing a Face Mask could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a Face Mask without assistance.
- iii. Persons who are incarcerated and the correctional facility has internal guidance on the wearing of face coverings for both incarcerated individuals and staff.

D. Face shields are not an acceptable substitute for Face Masks.

**E. Conflicting Orders**

- i. Other agencies and officials have taken or make take action to require the wearing of Face Masks in certain settings and jurisdictions and for certain purposes. Every person in Spokane Indian Country must wear a Face Mask whenever legally required to do so by this Resolution or by the action of any other agency or official. This Resolution and the actions of other agencies and officials must be followed to the extent they are not in conflict.
- ii. If this order and the action of any other agency or official are in conflict, the more protective requirement must be followed, unless prohibited by tribal or federal law.

F. Children in childcare facilities and K-12 public and private schools may use face shields as an alternative to a cloth face covering only where authorized pursuant to a separate Resolution or, in the case of the Wellpinit School District, an order of Governor Inslee or his designee.

- G. The Face Mask requirement contained in this Section shall not apply to the Chewelah Casino or the Spokane Tribe Casino (collectively, the “Casinos”). Instead, the Casinos shall follow the Health and Sanitation Guidelines (COVID-19) as approved by Spokane Tribal Gaming Commission Resolution No. 2020-007, or as amended.
- H. No employee may work within Spokane Indian Country unless that employee wears a Face Mask when working, except when working alone, when the job involves no in-person interaction, or when the employee is exempted from wearing a Face Mask pursuant to an applicable Resolution.

3. PLAYGROUNDS AND PARKS

- A. All parks, playgrounds, and sports facilities shall be closed to the general public.

4. RECREATIONAL AREAS: CAMPING AND FISHING

- A. The fishing and camping restrictions imposed by Resolution 2020-166, as amended by Resolutions 2020-202, 2020-223, 2020-231, and 2020-034, as well as the hunting regulations as approved by Resolution 2020-271, are hereby amended as follows:
  - i. Day Use:
    - a. Day Use at all Recreational Areas shall be closed to all individuals at this time.
  - ii. Overnight Camping:
    - a. Overnight Camping at all Recreational Areas, including but not limited to the Two Rivers RV Park, shall be closed to all individuals at this time.
  - iii. Fishing:
    - a. All fishing on the Reservation shall be limited to Members only. Where this conflicts with the fishing regulations as approved by Resolution 2020-271, the terms and conditions of this COVID-19 Emergency Resolution shall control. All other applicable provisions of the fishing regulations as approved by Resolution 2020-271 shall remain in effect, including designated seasons and harvest limits.
    - b. All fishing on the Reservation shall be subject to all applicable COVID-19 Emergency Resolutions, including but not limited to Social Distancing requirements, as well as all applicable license or permit requirements.
    - c. All water bodies, including Little Falls and Two Rivers Marina, shall remain off-limits to Non-Members and Non-Indians for all purposes.
  - iv. Hunting:
    - a. All hunting on the Reservation shall be limited to Members only. Where this conflicts with the hunting regulations as approved by Resolution 2020-271, the terms and conditions of this COVID-19 Emergency Resolution shall control. All other applicable provisions of the hunting regulations as approved by Resolution 2020-271 shall remain in effect, including designated seasons and harvest limits.
    - b. All hunting on the Reservation shall be subject to all applicable COVID-19 Emergency Resolutions, including but not limited to Social Distancing requirements, as well as all applicable license or permit requirements.

- c. All Recreational Areas shall remain off-limits to Non-Members and Non-Indians for all purposes.
- B. Pow-Wow Grounds:
  - i. Day Use at the Pow-Wow Grounds shall be closed to all individuals at this time.
  - ii. Overnight Camping at the Pow-Wow Grounds shall be subject to the following regulations and restrictions:
    - a. Overnight Camping at the Pow-Wow Grounds shall be closed to all individuals at this time.
    - b. The prohibition against Overnight Camping shall not apply to individuals who may utilize the Pow-Wow Grounds as a COVID-19 isolation or quarantine facility who have received prior written consent from the Tribe's Executive Director or his designee.
- C. Notwithstanding the above restrictions, the Tribal Council may grant exceptions to the limitations on Day Use, Camping, and/or Fishing imposed by this Section. Any exceptions approved pursuant to this Subsection must be documented in writing from the Tribal Council or the Tribal Council's authorized designee.

5. STAY AT HOME ORDER

- A. Stay Home – Stay Safe. All residents of the Reservation are ordered remain at their home or place of residence except to engage in Authorized Activities or Employment to limit the spread of COVID-19. Social Distancing and Face Mask requirements shall remain in effect at all times.

6. SOCIAL DISTANCING, SOCIAL GATHERINGS, AND NON-ESSENTIAL TRAVEL

- A. Social Distancing:
  - i. When individuals leave their homes or residences for any reason, they must at all times maintain a distance of at least six (6) feet from any person who is not a member of their immediate household. For the sake of clarity, this Face Mask requirement applies to all Social Gatherings and Religious or Cultural Ceremonies, both public and private; it also applies to business settings, government buildings, and tribal businesses and facilities to the extent reasonably possible.
- B. Social Gatherings:
  - i. All individuals shall immediately cease participating in all indoor Social Gatherings of any size with non-Household Members unless the non-Household Members:
    - a. Quarantine for fourteen (14) days prior to the Social Gathering; or
    - b. Quarantine for seven (7) days prior to the Social Gathering and receive a negative COVID-19 test result no more 48-hours prior to the Social Gathering.
  - ii. All outdoor Social Gatherings shall be limited to five (5) non-Household Members.



- ii. All Live Entertainment is prohibited except performances outdoors for members of the same household where social distancing of a minimum of ten (10) feet is always maintained from the entertainer and Face Masks are worn by all individuals.
  - a. This prohibition applies without regard to the nature or location of the event, whether or not the performer receives compensation, and whether the performer is featured or in the background.
  - b. This prohibition does not apply to household members within their own homes or to authorized Religious or Cultural Ceremonies.
- iii. All Social Gatherings shall be subject to the following:
  - a. Social Distancing requirements must be followed at all times.
  - b. Facemasks must be worn at all times.
  - c. Attendance records documenting all individuals present at a Social Gathering, including staff, must be collected and retained for a period of thirty (30) days. Attendance records documenting all individuals present at a Social Gathering must be collected and retained for a period of thirty (30) days. Upon request, a copy of all attendance records must be given to the Tribal Health Officer, or similar Tribal officer, for contact tracing purposes.
- iv. The Social Gathering requirements set forth in this Section shall not apply to the following:
  - a. Social Gatherings which solely include Household Members;
  - b. Authorized Religious or Cultural Ceremonies;
  - c. Other exceptions as expressly authorized by this Resolution or other Emergency COVID-19 Resolution.
- v. Where a Family Representative fails to enforce any applicable COVID-19 Emergency Resolution at their Religious or Cultural Ceremony, the Family Representative shall be subject to penalties as set forth in Resolution 2020-166 or other applicable Resolution.

C. Travel:

- i. Non-essential travel in or out of the area is restricted. Individuals are directed to minimize travel and remain in their home or place of residence as much as possible.
- ii. Tribal Governmental Employees must obtain the Executive Director's written approval prior to engage in non-essential travelling out of the region. The Executive Director shall review all requests on a case-by-case basis. Tribal Employees shall not travel to High-Risk Locations, as defined by the CDC or DOH, under any circumstances.
- iii. Any Tribal Governmental Employees travelling into Idaho or farther than seventy-five miles from the Reservation, shall notify their immediate supervisor and contact their healthcare provider. Such employees may be required to submit to a COVID-19 test and isolate/quarantine while monitoring symptoms of illness for seventy-two (72) hours before returning to work.

7. RELIGIOUS OR CULTURAL CEREMONIES

- A. Tribal Council may authorize Religious or Cultural Ceremonies on a case by case basis, and subject to all applicable COVID-19 Resolutions and any other reasonable conditions which include, but are not limited to, the following:
- B. All Religious or Cultural Ceremonies shall be subject to the following requirements and limitations at all times:
  - i. All Religious or Cultural Ceremonies shall be limited to thirty (30) individuals which shall consist of immediate family members and close relations only.
  - iii. Social Distancing requirements must be followed. This means there must be at least six (6) feet of physical distancing between households at all times during a Religious or Cultural Ceremony.
  - iv. Face Masks must be worn as required by this Resolution.
  - v. Attendance records documenting all individuals present at a Religious or Cultural Ceremony must be collected and retained for a period of thirty (30) days. Upon request, a copy of all attendance records must be given to the Tribal Health Officer, or similar Tribal officer, for contact tracing purposes.
- C. Tribal law enforcement, or a representative designated by the Chief of Police and approved by the Council, may be present at all Religious or Cultural Ceremonies to ensure compliance with all applicable COVID-19 Emergency Resolutions including but not limited to attendance and capacity limits, Social Distancing requirements, and Face Mask use.
- D. Where a Family Representative fails to enforce any applicable COVID-19 Emergency Resolution at their Religious or Cultural Ceremony, the Family Representative shall be subject to penalties as set forth in Resolution 2020-166 or other applicable Resolution.
- E. Any death benefits which the Tribe may offer for food costs shall be deferred for use at a future memorial in lieu of at a funeral.

8. TRIBAL SHUTDOWN AND LEAVE POLICIES

- A. All Tribal Operations shall immediately enter into a partial shutdown and shall remain subject to various approved COVID-19 safety policies and procedures (the “COVID-19 Policies”).
  - i. All individuals must follow all applicable COVID-19 Policies, as they currently exist or as amended/updated, while utilizing Tribal facilities.
  - ii. COVID-19 Policies include, but are not limited to:
    - a. COVID-19 Workplace Policies;
    - b. COVID-19 Return to Work Procedures;
    - c. COVID-19 Facility Use Procedures;
    - d. Heightened Sanitization Requirements;
    - e. Telework Policies;
    - f. COVID-19 Sick Leave Policies;

- g. COVID-19 Communication Plan;
  - h. Screening policies and entry controls; and
  - i. Other policies which may modify working conditions to protect the health and safety of employees and/or the general public.
- iii. Applicable COVID-19 Policies may vary by department, program, facility, or location. Certain departments or programs may have higher safety precautions to address unique risks and challenges.
  - iv. The Council grants the Emergency Leadership Team, as appointed in Resolution 2020-154, all necessary authority to approve and amend any and all COVID-19 Policies to protect the health and welfare of Tribal employees and the general public. Such approval or amendment shall be in writing and approved by the Director of the Emergency Leadership Team or their designee, with written notice to the Council.
  - v. The Tribe recognizes that certain tribal facilities, including but not limited to the Spokane site for Tribal TANF, are located on fee land outside the exterior boundaries of the Reservation and may therefore be subject to State and other local safety requirements.
  - vi. All Tribal governmental facilities shall be closed to the general public and all non-essential personnel. All Tribal Governmental Employees shall Telework to the maximum extent possible. Tribal Governmental Employees who are needed to provide for the continuity of essential governmental services shall be required to report to their standard duty station unless they can perform that essential service from the employee's home via Telework.
  - vii. All in-person governmental services shall be provided by appointment only and will be limited to essential services.
  - viii. Tribal transit systems, including the Moccasin Express, shall suspend all public operations other than paratransit and medical appointment transportation.

## 9. CONSTRUCTION

- A. Resolution 2020-223, which conditionally authorizes Low-Risk and Essential Construction, shall remain in full force and effect until amended or terminated by Resolution of the Council.

## 10. VULNERABLE INDIVIDUALS

- A. All individuals, including Vulnerable Individuals, must follow the Stay at Home Order and remain in their home or place of residence to the maximum extent possible and minimize their exposure in all social settings. Vulnerable Individuals are strongly encouraged to telework/telecommute as much as possible.
- B. All persons with Vulnerable Individuals in their immediate households are encouraged to follow all recommended CDC and DOH guidelines, including Social Distancing and wearing facemasks in public. Returning to work or engaging in Authorized Activities, especially in environments where Social Distancing is not practical, can carry the COVID-19 virus into the home and infect Vulnerable Individuals.

- C. All persons are encouraged to stay up-to-date on current COVID-19 health and safety guidelines. Education on best practices is key to mitigating the risk to Vulnerable Individuals.

11. GYMS AND EXERCISE FACILITIES

- A. All gyms and similar exercise facilities shall close to all individuals at this time.

12. ORGANIZED YOUTH ACTIVITIES

- A. Except for the official activities of an Educational Facility, organized youth activities are not allowed to occur on the Reservation at this time. For example, the Boys and Girls Club shall not allow or facilitate any organized youth activities, including but not limited to basketball pickup games and softball tournaments.

13. SENIOR CENTERS

- A. Senior centers shall be closed to non-Senior visitors at this time.
- B. All individuals are subject to screening for COVID-19 symptoms, must wear Face Masks at all times, and strictly follow Social Distancing requirements.
- C. Senior center staff and guests must adhere to CDC recommended sanitation standards.
- D. Meals for elderly and disabled clients shall continue to be regularly delivered.

14. BUSINESSES

- A. No business may operate, allow a customer to enter a business, or conduct business with a customer inside any building that is open to public or outdoors in a public place unless the customer is wearing a Face Mask , as required by this Resolution.
- B. No individual may enter a place of business, whether the business is operating indoors or outdoors, without first donning a Face Mask, unless the individual does so under circumstances expressly exempted from this requirement under an applicable Resolution.
- C. The owner of any business which fails to follow the requirements of this Section shall be subject to penalties as set forth in Resolution 2020-166 or other applicable Resolution.
- D. Maintain minimum six (6) feet of separation between staff and customers in all interactions at all times. When strict Social Distancing is not feasible for a specific task, other prevention measures are required, such as use of barriers, minimize staff or customers in narrow or enclosed areas, stagger breaks, and work shift starts.

15. CONFLICTS WITH TRIBAL LAWS

- A. In the event this Resolution, or any COVID-19 Emergency Resolution, conflicts with any provision of the Revised Spokane Law and Order Code or other Tribal law, the terms and conditions of the COVID-19 Emergency Resolutions shall control.

- B. In the event this Resolution, or any COVID-19 Emergency Resolution, conflicts with any other COVID-19 Emergency Resolution, the terms and conditions of the most recent COVID-19 Emergency Resolution shall control.

16. YOUTH PROGRAMS AND EDUCATIONAL FACILITIES

A. Youth Programs

- i. Except for the limitations and requirements of this Section 12 and 16(A), this Resolution shall not apply to Youth Programs or their official activities.
- ii. Youth Programs shall follow all applicable federal or state guidelines, such as those issued by the CDC, DOH, or similar entities, according to each Youth Program's internal policies and procedures.
- iii. All Youth Programs shall immediately cease engaging in after school activities and shall close any gyms, if applicable.
- iv. Tribally operated Youth Programs may provide childcare on an emergency basis in support of employees who must be at work to maintain the continuity of essential governmental services, however this will depend on the health of the Youth Program's staff as well as the children under their care.

B. Educational Facilities

- i. Except for the limitations and requirements of this Section 16(B), this Resolution shall not apply to Educational Facilities or their official activities.
- ii. Educational Facilities shall follow all applicable federal or state guidelines, such as those issued by the CDC, DOH, OSPI, or similar entities, according to each Educational Facility's internal policies and procedures.
- ii. All Educational Facilities shall immediately cease engaging in after school activities and shall close any gyms, if applicable.

17. EXCEPTIONS

A. Unless expressly stated otherwise, the limitations and requirements set forth in this Resolution shall not apply to the following:

- i. the Tribe's Casinos, which remain subject to internal policies, regulations imposed by the Spokane Tribal Gaming Commission, and applicable COVID-19 Emergency Resolutions. However, should internal COVID-19 policies, procedures, or regulations conflict with any COVID-19 Emergency Resolution then the terms and conditions of the COVID-19 Emergency Resolution shall control;
- ii. Spokane Tribal Enterprises, which remain subject to internal policies, regulations imposed by the Enterprise Board of Directors, and applicable COVID-19 Emergency Resolutions. However, should internal COVID-19 policies, procedures, or regulations conflict with any COVID-19 Emergency Resolution

then the terms and conditions of the COVID-19 Emergency Resolution shall control;

- iii. tribal governmental facilities and programs, but only with respect to the Social Gathering limits; PROVIDED that tribal governmental facilities remain strongly encouraged to abide by the Social Gathering limits wherever possible. All other COVID-19 Emergency Resolutions remain in full force and effect with respect to tribal governmental facilities and programs. Tribal governmental facilities and programs are also subject to internal COVID-19 policies and procedures, and regulations imposed by the Council or the Executive Director; however, should internal COVID-19 policies, procedures, or regulations conflict with any COVID-19 Emergency Resolution then the terms and conditions of the COVID-19 Emergency Resolution shall control. This subsection shall not apply to tribal Youth Program or tribal Educational Facilities.

**BE IT FURTHER RESOLVED**, the Council warns that additional rollbacks and restrictions could occur, up to and including a full shutdown, if current COVID-19 trends continue.

**BE IT FURTHER RESOLVED**, this Resolution is intended to preserve the peace and welfare of the Tribe and Reservation Residents. Pursuant to RSLOC 14-26.01 individuals found to have violated the terms and conditions of this Resolution shall be subject to the penalties as set forth in Resolution 2020-166 or other applicable Resolutions.

**BE IT FURTHER RESOLVED**, that the State of Emergency Declared in Resolution 2020-166 continues to exist and shall remain in effect until further Resolution of the Council.

**BE IT FINALLY RESOLVED**, that this Resolution is effective as of November 17, 2020 and shall remain in effect until further Resolution of the Council.

### Certification

The foregoing was duly enacted by the Spokane Tribal Business Council on the 17<sup>th</sup> day of November 2020, by the vote of 5 for 0 against and 0 abstain under authority contained in Article VIII of the Constitution of the Spokane Indians ratified by the Spokane Tribe on November 22, 1980.

  
\_\_\_\_\_  
**Carol Evans, Chairwoman**  
**Spokane Tribal Business Council**

	Yes	No	Abstain	Absent
CE	X			
GA	X			
TP	X			
GF	X			
DK	X			