

**SWINOMISH INDIAN TRIBAL COMMUNITY
SWINOMISH INDIAN RESERVATION**

RESOLUTION NO. 2020-06- 120

Resolution Amending and Correcting the Tribe's COVID-19 Precautionary Orders

WHEREAS, the Swinomish Indian Tribal Community (the "Tribe") is a federally recognized Indian Tribe organized pursuant to Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 5123); and

WHEREAS, the Tribe is organized under a constitution and bylaws originally ratified by the Tribe on November 16, 1935, and approved by the Secretary of the Interior on January 27, 1936, and as most recently amended and ratified by the Tribe on May 23, 2017, and approved by the Secretary of the Interior on July 7, 2017; and

WHEREAS, Swinomish Indian Senate (the "Senate") is the duly enacted governing body of the Swinomish Indian Tribal Community and exercises governmental authority over all lands and waters within the Swinomish Indian Reservation; and

WHEREAS, pursuant to Resolution No. 2020-05-119, the Senate approved updated COVID-19 Precautionary Orders and initiated a limited reopening of the Swinomish economy; and

WHEREAS, the construction authorization included in Resolution No. 2020-05-119 inadvertently omitted projects permitted as of March 23, 2020, which were previously authorized by Resolution 2020-05-112; and

WHEREAS, the Senate finds that the table of authorized activities included in Resolution No. 2020-05-119 should be corrected to reflect the previous authorization; and

WHEREAS, a corrected table of authorized activities is attached to this Resolution as Exhibit A and includes construction projects permitted as of March 23, 2020; and

WHEREAS, the Tribe has been requested to determine whether estate sales may be held on the Reservation, and the Senate finds that it is essential for families to be able to conduct estate sales of the property of residents who have passed away, and that such sales should be authorized provided that the sales are carried out in compliance with all applicable COVID-19 pandemic health and safety plans and precautions; and

WHEREAS, the Senate is authorized to take this action pursuant to Article VI, Section 1(a), (f), (g), (i), (k), (l), (m), (o), (p), (q), and (r), Section 3, Section 5(b) and (c) of the Constitution of the Tribe approved January 27, 1936, as amended and pursuant to the inherent authority of the Swinomish Indian Tribal Community, **NOW THEREFORE**,


BE IT RESOLVED BY THE SWINOMISH INDIAN SENATE that Resolution No. 2020-05-119, the Senate's COVID-19 Precautionary Order, and the attached Exhibit A, are amended to identify as an essential activity the following: Estate sale of property owned by a resident who has passed away; and

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that all other directives and terms from the Senate's COVID-19 Precautionary Order Resolutions remain in effect, as corrected by the attached Exhibit A, table of essential business and government activities; and

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that Tribal staff are authorized and directed to take all necessary actions for implementation of this Resolution; and

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that it is essential that this Resolution be followed strictly in order to keep community members, Reservation residents, Tribal staff and others healthy and safe, as together we continue to face a highly contagious disease that can result in serious illness or death; and

BE IT FURTHER RESOLVED BY THE SWINOMISH INDIAN SENATE that the Senate expects and trusts that all community members, Reservation residents, Tribal staff and others will continue to strictly comply with this Resolution.


Steve Edwards, Chairman
Swinomish Indian Senate

CERTIFICATION

As Secretary of the Swinomish Indian Senate, I hereby certify that the foregoing Resolution was approved at a Regular Meeting of the Swinomish Indian Senate held on June 3, 2020, at which time a quorum was present and the resolution was passed by a vote of 9 FOR, 0 AGAINST, and 0 ABSTENTIONS.

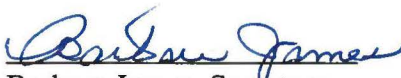

Barbara James, Secretary
Swinomish Indian Senate

EXHIBIT A

Table of Senate Authorized Essential Business and Government Activities
(as corrected June 03, 2020)

Government/Businesses/Employers	
<ul style="list-style-type: none"> • Employees whose duties can be performed remotely should continue to do so. 	
<ul style="list-style-type: none"> • The following essential business and government activities are authorized, provided that they are carried out in compliance with all applicable COVID-19 pandemic health and safety plans and precautions: 	
Health care operations (including health systems management, billing, and health information), including:	<ul style="list-style-type: none"> • Swinomish Medical Clinic • Swinomish Dental Clinic • Didgʷálič Wellness Center (also designated by the State as an essential public facility)
Grocery and convenience stores, including:	<ul style="list-style-type: none"> • Swinomish Village Market • Swinomish Market at the Casino • Swinomish Market at the Links
Food supply chains, including:	<ul style="list-style-type: none"> • Swinomish Shellfish Company • Businesses that deliver food and other supplies to grocery and convenience stores
Pharmacies and stores that supply medicinal cannabis, including:	<ul style="list-style-type: none"> • Salish Coast Cannabis
Swinomish Casino & Lodge, including:	<ul style="list-style-type: none"> • Casino & Lodge amenities (including its RV park) and service and product vendors
Golf course operations and activities, including:	<ul style="list-style-type: none"> • Affiliated driving ranges and putting greens
RV Parks/Campgrounds, including:	<ul style="list-style-type: none"> • Cabins on site
Seasonal fireworks sales	<ul style="list-style-type: none"> • As authorized by the Senate Fireworks Committee and pursuant to a safety plan approved by the Senate
Construction activity, including:	<ul style="list-style-type: none"> • Construction on critical infrastructure projects, such as Swinomish sponsored housing or essential public facilities, and projects permitted as of March 23, 2020, in compliance with all Swinomish COVID-19 Jobsite Requirements as well as a Phase 1 Jobsite Safety Plan that is maintained at the jobsite and available at the request of the Tribe
Retail sales, including	<ul style="list-style-type: none"> • Pacific Blanket Trading Post • 1000 Trails Trading Post/store
Estate sale of property owned by a resident who has passed away	
Any other businesses listed in Washington's Essential Critical Infrastructure Worker publication	
Social services, including:	<ul style="list-style-type: none"> • Provision of food, energy, support, and other assistance • Family services, including child welfare and adult

	<p>protective services</p> <ul style="list-style-type: none"> • Limited youth programs and services, with priorities for participation set by the Tribe • Caring for children and youth ordered into the custody of Department of Children, Youth, and Families by Washington Superior Courts with visitation at the discretion and direction of the home or facility where the child/youth or family member is residing, so long as it is consistent with the terms of any visitation order of the Washington Superior Court and with appropriate COVID- 19 pandemic safety and health precautions in place
Housing, including:	<ul style="list-style-type: none"> • Operation, maintenance, and repair of facilities as directed by the Housing Board
Public Safety, including:	<ul style="list-style-type: none"> • Swinomish Police
Fisheries and Game Management, including:	<ul style="list-style-type: none"> • Resource monitoring, management and administration
Treaty Right Activities, including:	<ul style="list-style-type: none"> • Treaty resource and habitat protection, restoration, monitoring and sampling activities within, and necessary associated travel to, from and within, the Tribe's usual and accustomed fishing grounds and stations or open and unclaimed lands
Environmental Protection and Policy, including:	<ul style="list-style-type: none"> • Monitoring and data collection
Public Works, including:	<ul style="list-style-type: none"> • Services necessary for the sanitation, safety, maintenance, operation and repair of government buildings • Maintenance and operation of Public Works facilities • Maintenance of government grounds, including lawn and landscaping
Communications and Information Technology, including:	<ul style="list-style-type: none"> • Maintenance of communications infrastructure and continued operation of physical and cyber information technology systems
Swinomish Utilities, including:	<ul style="list-style-type: none"> • Maintenance, operation, inspection and repair as directed by the Utility Board
Gaming Regulation, including:	<ul style="list-style-type: none"> • Essential Gaming Regulatory activities necessary to maintain continuity during the Swinomish Casino & Lodge preparation for reopening and operation
Governance and administration, including:	<ul style="list-style-type: none"> • Swinomish Indian Senate, including personnel supporting the Senate • Swinomish Tribal Court, including prosecution, defense and probation services • Accounting, Human Resources, Grants, Planning and Legal services