



SOUTHERN UTE INDIAN TRIBE

PUBLIC HEALTH SAFER AT HOME ORDER OF THE SOUTHERN UTE INDIAN TRIBE

WHEREAS, authority is vested in the Southern Ute Indian Tribal Council by the Constitution adopted by the Southern Ute Indian Tribe, and approved November 4, 1936, and amended October 1, 1975, and August 27, 1991, to act for the Southern Ute Indian Tribe; and

WHEREAS, under Article VII, Section 1(n) of the Constitution, Tribal Council has the authority, "To protect and preserve the property, wildlife and natural resources of the Tribe, and to regulate the conduct of trade and the use and disposition of tribal property upon the reservation."; and

WHEREAS, in January 2020, the World Health Organization designated the novel coronavirus (COVID-19) outbreak as a pandemic; and

WHEREAS, on February 18, 2020, in Res. No. 2020-025, Tribal Council declared a state of emergency to respond to the spread of COVID-19; and

WHEREAS, based on the increasing incidence of COVID-19 in the region and the danger COVID-19 posed to the tribal membership, on March 25, 2020, Tribal Council issued a Stay at Home Order requiring tribal members to stay at home unless performing essential activities; and

WHEREAS, since March 2020, the Tribe's Incident Management Team ("IMT") and Tribal Council have been monitoring the spread of COVID-19 and actively managing the Tribe's response in accordance with the Southern Ute Community Emergency Operations Plan and Southern Ute Health Center Communicable Disease Response Plan; and

WHEREAS, the Southern Ute Community Emergency Operations Plan identifies operational phases for the Tribe's emergency management activities, which phases include a Response Phase and a Recovery Phase; and

WHEREAS, as the Tribe moved into the Recovery Phase, Tribal Council adopted a Tribe-Wide Recovery Plan, which includes a system of phases and levels of pandemic management; and

WHEREAS, the phases include Phase 1 “Stay-at-Home;” Phase 2 “Safer at Home” (including Levels 1, 2, and 3 of Phase 2); Phase 3 “Protect Our Neighbor;” and Phase 4 “Fully Open;” and

WHEREAS, on July 30, 2021, after the IMT recommended to Tribal Council that current data supported moving to a less restrictive phase than Phase 1 Stay-at-Home or Phase 2 Safer-at-Home, Tribal Council issued a Protect Our Neighbor Order, which superseded the Safer-at-Home Order and eased previously established restrictions; and

WHEREAS, the IMT has recommended to Tribal Council that current data supports moving into a more restrictive phase than Phase 3 Protect Our Neighbor, which the Tribe has been following since July 30, 2021; and

WHEREAS, Tribal Council has considered the IMT’s recommendation and the information supporting that recommendation; and

WHEREAS, based on the increasing percent of positivity rate and the prevalence of the Delta variant, Tribal Council finds it appropriate to move to a more restrictive phase; and

WHEREAS, Tribal Council may issue additional Public Health Orders throughout the pandemic to implement or modify restrictions as circumstances warrant and new information becomes known.

NOW THEREFORE, BE IT RESOLVED THAT:

1. Tribal Council hereby Orders that Phase 2 – Safer at Home in the Tribe-Wide Recovery Plan, Appendix A, is in effect as of the date and time specified below.
2. There are three different levels of the Safer at Home Phase, and the level in effect at any given time shall be established by the IMT based on criteria identified in the Tribe-Wide Recovery Plan, Appendix A.
3. All persons who come within the exterior boundaries of the Reservation and are within the jurisdiction of the Tribe shall comply with this Order and any other Public Health Orders then in effect.
4. Contractors working on the Reservation shall continue to complete a health screening before entering an indoor workspace.
5. Outdoor and certain indoor activities continue to be permissible, provided those activities comply with the Event Caps in effect at the time of the activity.
6. Tribal entities and departments shall continue to follow their reopening plans.
7. This Order supersedes the Protect Our Neighbor Order issued July 30, 2021.

BE IT FURTHER RESOLVED, that this Order shall become effective at 12:01AM on August 27th, 2021 and will be in effect until further notice.

SOUTHERN UTE INDIAN TRIBE

Date: 8/27/21

By: Michael J. Baker