



POARCH BAND of CREEK INDIANS

Announcement

07.02.2020

FACE COVERINGS MUST BE WORN

Please be advised that the Tribe is committed to keeping our community safe. Due to the increase in positive cases, face coverings must be worn in all public areas on the Reservation and in all Tribal buildings and businesses within the State of Alabama. For more specific information, please refer to Tribal Council Resolution 2020-073.

Thank you.



*Poarch Creek Indian
Tribal Council Resolution
TCR*

2020-073

**RESOLUTION TO APPROVE MANDATORY FACE COVERINGS IN ALL PUBLIC
AREAS ON THE RESERVATION AND IN ALL TRIBAL BUILDINGS AND
BUSINESSES LOCATED WITHIN THE STATE OF ALABAMA
IN RESPONSE TO THE COVID-19 PANDEMIC**

- WHEREAS,** the Poarch Band of Creek Indians (the “Tribe”) is a federally recognized Indian tribe organized pursuant to 25 C.F.R. Part 83;
- WHEREAS,** the Tribal Council is authorized to transact business on behalf of the Tribe and to appropriate and distribute resources needed to conduct the necessary activities and functions of a Tribal government;
- WHEREAS,** on March 13, 2020 by TCR 2020-030, the Tribal Council declared a State of Emergency in response to the COVID-19 pandemic;
- WHEREAS,** the President of the United States and the Governor of the State of Alabama also declared a State of Emergency;
- WHEREAS,** the COVID-19 pandemic has affected communities in numerous countries and has arrived in the United States, for which the Tribe must take necessary precautions to prevent the spread of the virus to Tribal Members, employees and the communities in which we operate;
- WHEREAS,** the appearance of COVID-19 in Alabama indicates the potential of widespread exposure to an infectious agent that poses significant risk of substantial harm to a large number of people;
- WHEREAS,** Tribal officials, including the Tribal Public Health Official, have continually consulted with health experts to seek guidance in regards to COVID-19, and it is recommended that face coverings (i.e. masks) be mandatory in all public areas on the Reservation and in all Tribal buildings and businesses located within the state of Alabama in an effort to prevent the spread of the virus;
- WHEREAS,** the number of individuals infected with COVID-19 in both the State of Alabama and the local community continues to rise; and

WHEREAS, the Tribal Council wishes to take these preventive measures to stop the spread of COVID-19 to Tribal Members, employees, and the community.

NOW THEREFORE BE IT RESOLVED that the Tribal Council hereby approves mandatory face coverings be worn in all public areas on the Reservation and in all Tribal buildings and businesses within the state of Alabama to prevent the spread of COVID-19, effective the date of this Resolution. Specifically, the Tribal Council approves the following:

1. **Face covering.** Face covering, also known as a mask, is a device to cover the area from the nose to the chin, including the mouth of a person to impede the spread of saliva or other fluids during speaking, coughing, sneezing, or other intentional or involuntary action. Medical-grade masks (i.e., N95 masks) are not required and are, in fact, discouraged for use as they are in short supply and should generally be reserved for high-risk first responders and healthcare workers or those coming into direct contact with suspected COVID-19 patients. Coverings may be fashioned from scarves, bandanas, or other suitable fabric. The face covering must cover the mouth and nose of the wearer.

2. **Face Coverings Required in Public Places.** All persons shall be required to wear face coverings in public places on the Reservation and in all Tribal buildings and businesses located within the state of Alabama, including:
 - a. Indoor spaces of businesses or venues open to the general public, including, but not limited to government buildings, public meeting spaces, etc.

 - b. Outdoor areas open to the general public where ten or more persons are gathered and unable to maintain a distance of six or more feet between persons not from the same household.

3. **Exceptions.**
 - a. **Children two years of age and under.** Face coverings or masks may pose a risk of choking, strangulation, or suffocation to infants and young toddlers. Carriers and strollers with covers that allow the child to breathe comfortably are recommended as safe alternatives.

 - b. **Children two years of age to eight years of age.** Parents, guardians, and caregivers of children eight years old or younger shall exercise their own discretion regarding the ability of those children to consistently and effectively wear face coverings.

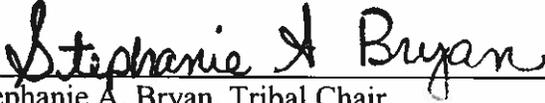
 - c. **Children attending programs at the Boys and Girls Club.** These children shall follow the rules and directives of the program regarding face coverings.

 - d. **Children attending Fred L. McGhee Learning Center.** These children shall follow the rules and directives of the Fred L. McGhee Learning Center regarding face coverings.

- e. **Residents of the Lavan Martin Assisted Living Facility.** These residents shall follow the rules and directives of the facility regarding face coverings.
 - f. **Medical Examinations or Procedures.** Patients in examination rooms at the Health Department may be directed by medical or dental professionals in charge to remove their face coverings in order to examine or treat the mouth or nasal area.
 - g. **Eating and Drinking.** Persons may remove face coverings while eating or drinking, provided that they re-cover their faces immediately when finished.
 - h. **Personal Safety.** A face covering shall not be required when wearing such a face covering poses a greater mental or physical health, safety, or security risk, such as when a person has trouble breathing, is unconscious, is incapacitated, or is unable to remove the face covering without assistance. "Safety risk" includes external factors, such as:
 - i. Persons are working on ladders or at height.
 - ii. Persons are wearing other respirator protection.
 - iii. Persons are engaging in heavy physical exertion;
 - iv. Persons are operating heavy equipment.
 - v. Persons are working in an environment where face coverings hinder communications necessary for safety.
 - i. **Effective Communication.** The requirement to wear a face covering shall not apply when a person who is hearing-impaired needs to see the mouth of someone wearing a face covering to communicate. It shall also not apply to a person speaking to a large group of people, where the face covering may make it difficult for others to understand the speaker, provided that speaker can stay at least 6 feet away from other persons.
4. **Notices.** All buildings open to the general public shall post a notice at all public entrances stating that face coverings are required.
5. **Duration.** This mandatory face covering requirement shall remain in effect until the Tribal Council determines that the public health conditions on the Reservation and in the state of Alabama warrant discontinuation or one year from the date of the adoption of this Resolution, whichever comes first.

APPROVAL

I, the Chair of the Poarch Band of Creek Indians, hereby affix my signature to the resolution authorizing it to become official this day 1st of July, 2020.



Stephanie A. Bryan, Tribal Chair
Poarch Band of Creek Indians

CERTIFICATION

I, the Secretary of the Poarch Band of Creek Indians, certify that the foregoing is a true and accurate reflection of the polling of the Tribal Council of the Poarch Band of Creek Indians, conducted in accordance with Article 4, Section 4 of the Tribal Council Bylaws, by a vote of 7 in favor, and 0 against, 1 abstentions, consenting to the polling, and a vote of 6 in favor, and 1 against, 1 abstentions, consenting to the action, on the 1st day of July, 2020.



Charlotte M. Meckel, Tribal Secretary
Poarch Band of Creek Indians