

Fort Belknap Indian Community

A RESOLUTION RATIFYING THE FBIC INCIDENT COMMAND TEAM'S SHUTDOWN ORDER, DELEGATING AUTHORITY TO THE FBIC HEALTH OFFICER TO ISSUE ISOLATION AND QUARANTINE ORDERS AS NEEDED AND DECLARING ADDITIONAL EMERGENCY PUBLIC SAFETY MEASURES IN FURTHERANCE OF THE STATE OF EMERGENCY THAT EXISTS ON THE FORT BELKNAP RESERVATION DUE TO THE EXTREMELY SEVERE HEALTH RISKS OF THE COVID-19 CORONAVIRUS PANDEMIC

WHEREAS, the Fort Belknap Indian Community Council is the governing body of the Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community, Fort Belknap Indian Reservation, Montana, by the authority of the Constitution and By-Laws of the Fort Belknap Tribes approved on the 13 day of December 1935, and

WHEREAS, under the Constitution and By-Laws of the Fort Belknap Indian Community, the Fort Belknap Indian Community Council is charged with the duty of protecting the health, security and general welfare of the Fort Belknap Indian Community, and

WHEREAS, Article V, Section 1(f) of the Fort Belknap Indian Community Constitution delineates the authority of the Fort Belknap Indian Community Council...to manage the economic affairs of the Community and to appropriate available funds for public purposes.

WHEREAS, the Fort Belknap Indian Community Council is charged with ensuring the health, safety and welfare of the Gros Ventre and Assiniboine members of the Fort Belknap Indian Community and its residents; and.

WHEREAS, on March 16, 2020, the Fort Belknap Indian Community Council adopted Resolution 55-2020 declaring a State of Emergency on the Fort Belknap Indian Reservation due to the extremely serious impacts of the COVID-19 coronavirus pandemic on the health and wellbeing of the members and residents of the Fort Belknap Indian Community; and,.

WHEREAS, the Fort Belknap Indian Community ("FBIC") Council continues to monitor the spread of the extremely dangerous COVID-19 coronavirus and the impact of the pandemic on the health, safety, and wellbeing of the Gros Ventre and Assiniboine members of the Fort Belknap Indian Community and its residents. As the global pandemic threatens the lives of FBIC residents by confining them in their homes, denying them access to food and medical assistance, endangering the overall public safety and wellbeing of the Fort Belknap community members' lives, loss of income, and current ways of life on the Fort Belknap Indian Reservation; and

WHEREAS, the Fort Belknap Indian Community continues to take steps to address the encroaching pandemic by issuing a travel ban on out-of-state travel, expanding it to include non-essential in-state travel, participating in intergovernmental teleconferences regarding addressing the COVID-19 coronavirus and coordinating services; and identifying needs and developing a plan to respond to related issues; and,

WHEREAS, the Fort Belknap Indian Community Council, staff and the FBIC Incident Command Center have prepared a plan and guidelines to respond to the COVID-19 coronavirus including employee leave policies; contact sources; dissemination of information; senior citizen services, school services; closure of non-essential services and public places; transportation issues; medical issues; and other such services that affect the daily lives of members and residents of the Fort Belknap Indian Community and the lives of service providers and working with the State and Federal representatives in addressing all the potential impacts of the COVID-19 coronavirus on the Fort Belknap Indian Reservation; and,

WHEREAS, the COVID-19 coronavirus pandemic has reached the Fort Belknap Indian Reservation and the FBIC Council has a heightened concern of COVID-19 coronavirus spread and its potential devastation of the preservation of public health and safety throughout the Fort Belknap Indian Reservation, including those most at-risk, and overwhelming our health care delivery system, and recognizes that additional measures consistent with public health guidance are necessary to slow and stop the spread of COVID-19; and,

WHEREAS, to curtail the spread of the COVID-19 coronavirus pandemic on the Fort Belknap Reservation, and to protect the health and economic wellbeing of all Fort Belknap members and residents of the Reservation, the Incident Command Team has designated a Health Officer to address contact tracing, isolation and quarantine issues; and,

NOW THEREFORE BE IT RESOLVED that the Fort Belknap Indian Community Council hereby, in furtherance of the STATE OF EMERGENCY existing on the Fort Belknap Indian Reservation due to the extremely serious impacts of the COVID-19 coronavirus, directs the following measures are enacted until further notice:

RESERVATION-WIDE SHUTDOWN – The Fort Belknap Indian Community Council is hereby Ratifies the FBIC Incident Command Teams declaration of a Reservation-wide SHUTDOWN to be effective from Friday, October 2, 2020 starting at 12:00 a.m. until October 16, 2020 at 12:00 a.m.

BE IT FURTHER RESOLVED that the Shutdown plans and guidelines developed by the Incident Command Team are hereby ratified and will be modified as needed to meet the needs and safety of the Fort Belknap Indian Community. (Attached herein and incorporated by reference).

BE IT FURTHER RESOLVED that the FBIC Health Officer is delegated authority to issue Orders of Isolation and/or Orders of Quarantine as needed to individuals who have been confirmed to have COVID-19 or who have been exposed to the COVID-19 coronavirus.

BE IT FURTHER RESOLVED that the FBIC Council reminds everyone that the following Directives are still in effect:

STAY AT HOME. The previous directive to individuals to STAY AT HOME or at their place of residence remains in effect and restricts all non-essential travel.

SOCIAL DISTANCING is still in effect, maintaining at least six (6) feet apart from the next person and practice sanitary safety measures currently. Social gathering in public areas is

prohibited.

CURFEW. The curfew of 10:00pm through 6:00am is still in effect Reservation-wide, with the exception of those going to or from job site, or medical emergencies.

BE IT FURTHER RESOLVED that Title IV, Part 2, Section 1.26 *Failure to Obey Curfew Imposed in Times of Emergency* is amended to include:

- C. Penalty for a First Offense. For the First Offense a person shall be fined an amount not less than \$50.00 but not more than \$100.00.
- D. Penalty for Second or Subsequent Offense. For the second and subsequent offense a person shall be fined an amount not less than \$75.00 but not more than \$125.00.
- E. Penalty for a Third or Subsequent Offense. an amount not less than \$200.00 but not more than \$500.00 and **will include impounding the vehicle in a secured lot, regardless of ownership of the vehicle. The vehicle may be released upon Order of the FBIC Court after adjudication of the violation(s). A fine of \$10.00 per day may be imposed by the Court. All towing and storage cost will be the responsibility of the violator.**
- F. **The fines shall be assessed to each individual in the vehicle.**

BE IT FURTHER RESOLVED that hunting and fishing within the FBIC is limited to tribal members who currently live within the FBIC and as stated in the Incident Command Team Guidelines.

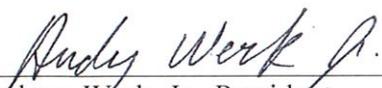
BE IT FURTHER RESOLVED that the FBIC public is reminded that the following laws codified in the FBIC Law and Order Code are still in effect:

Title IV, Part 4, Section II, 2.14 Refusal to Obey Directive of Police Officer,
Title IV, Part 4, Section II, 2.18 Violation of a Tribal Ordinance,
Title IV, Part 4, Section I., 1.11 Exposing Another to a Communicable Disease

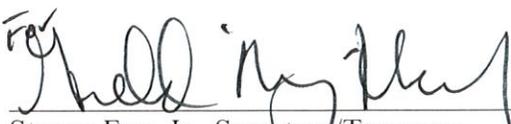
BE IT FURTHER RESOLVED that, although it is not the customary way we as Indian people respond to our people and families, and it is with a heavy heart, in an effort to keep the virus from spreading throughout the Fort Belknap Indian Reservation and protect our people, the Fort Belknap Indian Community Council strongly urges Community members who have family members who live off-reservation, especially in areas with a high concentration of COVID-19 cases, to encourage them to stay at home and not travel to Fort Belknap until this pandemic is under control.

BE IT FINALLY RESOLVED that the FBIC Council Officers are hereby delegated the authority and responsibility to sign all documents necessary to affect this action.

ATTEST:



Andrew Werk, Jr., President
Fort Belknap Community Council



Steven Fox, Jr., Secretary/Treasurer
Fort Belknap Community Council

CERTIFICATION

I, the undersigned, as Secretary of the Fort Belknap Indian Community Council of the Fort Belknap Indian Reservation, Montana, do hereby certify that the Fort Belknap Indian Community Council is composed of 10 (ten) members of whom 7 members constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, convened and held this 30th day of September, 2020; and that the foregoing Resolution of the Fort Belknap Indian Community Council was duly adopted and approved the affirmative vote of 7 for; 0 opposed; 0 not voting; 0 temporary absent; 3 excused absent; and that the said Resolution has not been rescinded in any way.

DATE: _____

Erin Kelly Kelly