

Fort Belknap Indian Community

A RESOLUTION 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 CONDITIONS OF THE COVID-19 CORONAVIRUS PANDEMIC AND DECLARING A CURFEW OF 10 P.M. UNTIL FURTHER NOTICE

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 has begun 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 and staff have begun to prepare a plan 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,

WHEREAS, as a measure of preparedness, the Fort Belknap Indian Community has activated its Incident Command System to respond with disaster emergency services; and,

WHEREAS, the Fort Belknap Indian Community Council and staff are working with the State and Federal representatives in addressing all the potential impacts of the COVID-19 coronavirus should it reach the Fort Belknap Indian Reservation; and,

WHEREAS, as of March 26, 2020, there are currently 108 recorded cases of COVID-19 within the State of Montana, with at least seven (7) individuals requiring hospitalization for the illness and one (1) death, and we are told that the coronavirus has not peaked; and,

WHEREAS, on March 26, 2020, Governor Bullock issued "Directive Implementing Executive Orders 2-2020 and 3-2020 providing measures to stay at home and designating certain essential functions." The Directive, effective March 28, 2020 through April 10, 2020, orders several mandatory public health measures that are designed to slow the pandemic and protect the well-being of Montanans. The Directive contains a stay at home (or place of residence) requirement, identifies exceptions for essential activities, prohibits non-essential social and recreational gatherings of individuals, orders all non-essential businesses and operations to cease, and prohibits non-essential travel; and

WHEREAS, the COVID-19 coronavirus pandemic is encroaching upon the Fort Belknap Indian Reservation as evidenced by the March 25, 2020 Hill County Health Department and Northern Montana Hospital confirmation of the first case of COVID-19 in a Hill County resident who has been instructed to remain isolated at home during the 14-day incubation period and the Hill County Health Department who is trying to identify anyone who has been exposed to the coronavirus and will order them to self-quarantine for a 14 day period; and

WHEREAS, the Fort Belknap Indian Community is seriously concerned with the rapidly encroaching COVID-19 coronavirus pandemic 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, it is necessary immediately to implement measures to ensure social distancing to prevent the spread of disease. Such an approach will reduce the risk of infections on the Fort Belknap Indian Reservation and preserve our increasingly scarce health care resources; and,

WHEREAS, on March 14, 2020 the Fort Belknap Indian Community Council adopted and published to the FBIC Community through a public services announcement, a reservation-wide curfew of 10:00pm, enforceable by the Fort Belknap Law Enforcement Department, as a public health and safety measure to be in place until it is lifted by action of the FBIC Council to be effective as of that

date.

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 which serve a genuine public health and safety purpose and are enacted until further notice:

STAY AT HOME. According to public health experts, health care providers, and emergency management professionals, in order to protect public health and human safety, it is essential that during the ongoing state of emergency, to the maximum extent possible, individuals STAY AT HOME or at their place of residence.

If an individual must go to public places, "SOCIAL DISTANCING" by remaining at least six (6) feet apart from the next person and practice sanitary safety measures currently being advocated by health officials, such as washing hands, staying home if ill, etc.

CURFEW. As part of the Emergency Declaration of Public Safety, a curfew of 10:00pm through 6:00am is hereby imposed Reservation-wide, with the exception of those going to or from job site.

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 the Fort Belknap Indian Community Council hereby amends the FBIC Law and Order Code by adopting the following:

Title IV, Part 2, Section 1.26 *Failure to Obey Curfew Imposed in Times of Emergency.*

A. Whenever the Fort Belknap Indian Community Council, or the President as delegated, has declared a State of Emergency and has imposed a curfew for the health and safety of the Fort Belknap Indian Community, a person who, without good cause, stays out past the imposed curfew time during a time of emergency commits the offense of Failure to Obey curfew imposed in times of emergency.

B. The adult(s) in the vehicle shall be responsible for any minors in the vehicle.


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.

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, 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

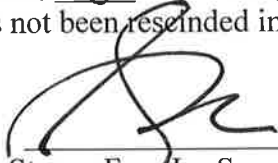


Steven Fox, Jr., Secretary/Treasurer
Fort Belknap Community Council

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 ten (10) members of whom 8 members constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, convened and held this 27th day of March, 2020; and that the foregoing Resolution of the Fort Belknap Indian Community Council was duly adopted and approved the affirmative vote of 8 for; 0 opposed; 0 not voting; 0 temporary absent; 1 excused absent; and that the said Resolution has not been rescinded in any way.

DATE: 3-27-20



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