



EXECUTIVE COMMITTEE
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Ilf "Scott" Kipp, Vice-Chairman
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BLACKFEET NATION

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BLACKFEET TRIBAL BUSINESS COUNCIL
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Marvin Weatherwax, Jr.

RESOLUTION

Adopting the Blackfeet Tribal Program Infection/Exposure Response Plan

Resolution No. 292-2020

WHEREAS, The Blackfeet Tribal Business Council is the duly constituted governing body within the exterior boundaries of the Blackfeet Indian Nation pursuant to Section 16 of Act of June 18, 1934 and Amendments thereof, and

WHEREAS, The Blackfeet Tribal Business Council has been organized to represent, develop, protect and advance the views, interests, and resources education and resources of the Blackfeet Indian Reservation, and

WHEREAS, The Blackfeet Tribal Business Council is empowered, pursuant to Article VI-Powers of the Council, Section 1(c) to manage all economic affairs and enterprises of the Blackfeet Reservation; and, Section 1(g) to manage tribal affairs in an acceptable and businesslike manner and in accordance with the administrative plan called the Plan of Operations; and, Section 1(k) to promulgate ordinances for the purposes of safeguarding the peace and safety of residents of the Blackfeet Indian Reservation, and

WHEREAS, The Blackfeet Tribal Business Council passed the "*Blackfeet Tribe COVID-19 Ordinance*" No. 121 and *Resolution No. 2020-181 "Reaffirming the Declaration Addressing the COVID-19 Outbreak for the Blackfeet Reservation"* and further orders for the purpose of limiting the risk of infection from the global pandemic outbreak of COVID-19 to members and residents of the Blackfeet Reservation, and

WHEREAS, The Blackfeet Tribal Business Council has been made aware that COVID-19 testing has been rendered ineffective for the purpose of tracing COVID-19 cases for the purpose of containing community transmission of the Coronavirus, and

WHEREAS, The Blackfeet Tribal Business Council acknowledges that Tribal Programs have been affected by COVID-19, in particular the programs that provide services to the public, to which closures of such programs result in direct elimination of services to such persons and that abrupt closures and reopening of tribal programs is costly and detrimental to the public, and

WHEREAS, Based upon the spike in COVID-19 cases in Montana and the health and safety risk to the residents of the Blackfeet Reservation to which members of the Blackfeet Reservation have high numbers of health disparities, the Blackfeet Tribal Business Council hereby desires issue a plan to provide immediate response to COVID-19 cases and exposures, now

THEREFORE, BE IT RESOLVED AS FOLLOWS:

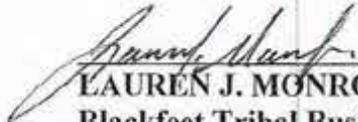
1. Adopting the Blackfeet Tribal Program Infection/Exposure Response Plan. The Blackfeet Tribal Business Council hereby adopts the attached Blackfeet Tribal Program Infection/Exposure Response Plan, to which is hereby incorporated into this Resolution by Reference. This Resolution shall also include attachments with the current screening questionnaire; Employee Acknowledgement Form; and, Quarantine and Isolation Orders.
2. Delegation. The Blackfeet Tribal Business Council hereby delegates the authority of enforcing this plan to the Blackfeet Incident Command Center.
3. Penalty. Any violation of this Resolution shall be subject to all penalties pursuant to Ordinance #121 and all following orders.
4. Public Advertisement. The Public Relations Specialist is hereby directed to make notice effective immediately of this Resolution to the Public.
5. Notification to the Tribal Directors and Employees. The Personnel Department shall issue all notices pertinent to this Resolution, and to make all information necessary to the Blackfeet Incident Command Center, and to ensure all Blackfeet Tribal Employees are issued the appropriate actions regarding leave requirements including sick leave.
6. The Chairman or the Vice-Chairman in the Chairman's absence and the Secretary of the Blackfeet Tribal Business Council are hereby authorized to sign this Resolution and any other documents to effectuate the purposes of this Resolution.

Resolution No. 292-2020

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ATTEST:

**THE BLACKFEET TRIBE OF THE
BLACKFEET INDIAN RESERVATION**



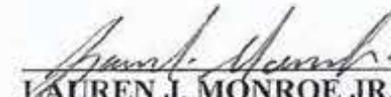
**LAUREN J. MONROE JR., Secretary
Blackfeet Tribal Business Council**



**TIMOTHY F. DAVIS, Chairman
Blackfeet Tribal Business Council**

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Blackfeet Tribal Business Council in a duly called, noticed and convened Special Session, assembled for business the 27th day of July, 2020, with Seven (7) Members present to constitute a quorum, and with a vote of Seven (7) FOR and Zero (0) OPPOSED and Zero (0) ABSTAINING.



**LAUREN J. MONROE JR., Secretary
Blackfeet Tribal Business Council**

Blackfeet Tribal Program COVID-19 Infection/Exposure Plan

Policy Statement

All Blackfeet Tribal Employees currently working under Ordinance #121 shall be required to follow this Plan using best practices as recommended by the Centers for Disease Control (CDC) to protect against COVID-19 infection and exposure for themselves, their co-workers and the public they serve.

Delegation of Authority

The Blackfeet Tribal Business Council hereby delegates compliance and administrative authority to the Blackfeet Tribe Incident Command Center (IC) over all Tribal programs affected by COVID-19 positive case or potential exposure within a Tribal program facility through orders issued by this Resolution including current Quarantine and Isolation Orders.

All decisions of the Blackfeet Tribe Incident Command Center shall be:

1. Authorized by recorded majority vote of the IC;
2. In writing;
3. Based in Fact; and,
4. Communicated to the Blackfeet Tribal Business Council prior to issuance to the receiver.

Section 1. Transmission of the Coronavirus

- A. The Coronavirus (SARS-CoV-2) is an airborne virus affecting primarily the respiratory functions of persons including other symptoms that are currently being identified, due to the nature of the virus being novel.
- B. Transmission of the virus occurs when droplets of the virus remain in the air through either (1) close contact between persons (approximately 6 feet at a minimum) or through aerosolized airspace in poorly-ventilated facilities.
- C. Community transmission is present when there are at least four (4) active cases in the community.
- D. Containment is the process of using best practices to stop the spread of COVID-19 infection/exposure.
- E. Primary contact means a person with COVID-19 coming into contact with another person within six (6) feet for more than fifteen (15) minutes.
- F. Asymptomatic (no symptoms of COVID-19) persons positive with COVID-19, are capable of transmitting the virus to other persons where primary contact is made.

Section 2. Tribal Facilities

- A. ***Tribal Facilities Defined.*** Blackfeet Tribal Facilities includes all tribally-owned buildings, and buildings the Blackfeet Tribe has contracted for tribal services under such agreements.

- B. **Arrival to Tribal Facility.** Upon arrival to the tribal facility, employees will be screened with a screening questionnaire and temperature will be taken. Persons exhibiting symptoms of COVID-19 as defined by the CDC such as: fever, cough, chills, etc., shall not be allowed in the facility and shall be directed return home to be contacted by IC. Tribal directors shall purchase a thermometer for their department employees. Supervisors shall keep a daily log of all persons entering the building to be kept on file for the past thirty (30) days.
- C. **Visual Education.** CDC visual aids shall be posted at all the main entrances of the facilities and commonly used areas with instructions about respiratory hygiene and cough etiquette. Such information shall include information regarding: hand washing, use of masks, social distancing, etc.
- D. **Establishment of Cohort Employees.** In order to limit the risk of transmission of the Coronavirus, it is recommended that cohorts be formed by securing groups of persons necessary to be together in a working environment. All Tribal employees shall not enter other tribal buildings. Communication between tribal departments shall be done via: telephone, email, tribal security, and remote meeting access. Transportation of masks, paperwork or equipment shall be facilitated by Tribal security.
- E. **Backup Tribal Department Plans.** In the event a program is affected by COVID-19 infection or exposure, Tribal directors shall have an established back-up plan to avoid shut down and to ensure services continue to the public. All plans shall be presented to the IC as soon as possible.
- F. **Regular Sanitization of Facilities.** All tribal facilities shall have regular cleaning by the Blackfeet Tribal Facilities Department. All Tribal programs shall have the necessary PPE and cleaning supplies in order to operate the facility.

Section 3. Positive or Symptomatic Employees

- A. **Symptomatic Employees.** Employees exhibiting COVID-19 symptoms shall be required notify their supervisor immediately and the supervisor shall notify the IC for further direction. If the employee is at work he or she shall be required to leave the building immediately and shall be contacted by phone from IC for further direction.
- B. **Infected/Exposed Employees.** The following protocol shall take place to contain transmission of the Coronavirus within tribal facilities:
 - 1. **Containment.** IC shall analyze the exposure level of the reported Tribal department as follows:
 - a. Send all employees home on temporary sick leave status;
 - b. Collect daily logs from the supervisor;
 - c. Begin tracking all persons who have come into contact with the positive case;
 - d. Collect information from the positive case as to: dates of testing, the places the employee has been, etc.; and,
 - e. Offer resources to the employee, including food, supplies, housing, testing, etc.

2. **Tribal Director Responsibilities.** Tribal directors are mandated to:
 - a. Provide all information necessary to the IC necessary for containment to occur;
 - b. Notify all employees of staffing plan with directions from IC;
 - c. Notify staff of issued quarantine or isolation orders from IC;
 - d. Follow orders issued by IC and the Blackfeet Tribal Business Council; and,
 - e. Keep each employee apprised of all current mandates issued by IC and the Blackfeet Tribal Business Council.

3. **Evaluation of Tribal Program Facility.** IC shall determine whether the program may stay open based upon CDC and OSHA guidelines with the following evaluating factors:
 - a. Availability of a workforce;
 - b. Evaluation of primary contacts;
 - c. The extent the facility has been exposed;
 - d. Facility logistics; and,
 - e. Assessment of partial opening possibilities.

Section 4. Employee Mandate. All employees shall be required to:

- A. Wear masks at all times while working;
- B. Wear PPE as required by employee job duties including specialized professions such as: medical or sanitization workers;
- C. Engage in regular handwashing/sanitizer use-hourly at a minimum;
- D. Social distance when possible, limit the use of break rooms and common areas;
- E. Refrain from entering other tribal facilities with the exception of the Tribal Facilities and Tribal Security Departments;
- F. Follow workplace controls issued by IC as recommended by CDC or OSHA agencies;
- G. Test for COVID-19 when scheduled by IC.
- H. Follow all current orders in place by IC and the Blackfeet Tribal Business Council.
- I. Immediately report to his or her supervisor and the IC when he/she is advised of a positive test for COVID-19 or who is determined to be a primary contact.

Section 5. New Employees or Returning Employees. New employees or employees returning from leave shall require a negative COVID-19 test and have no symptoms prior to entering duty; depending employee situation, a quarantine period may also be required.

Section 6. Environmental Cleaning. The IC and the Blackfeet Facilities Department shall implement procedures for environmental cleaning based on current CDC recommendations. Professional cleaning and disinfection procedures (e.g. using cleaners and water to pre-clean surfaces prior to applying disinfectants to commonly used surfaces for indicated contact times) will be used for Coronavirus environmental control in all settings within the Tribal facilities, including those resident-care areas in which aerosol-generating procedures are performed.

Section 7. Administrative Sanction for Violations.

The Blackfeet Tribe essential services are required to be open for the public. Abrupt closure of such services is detrimental to the Blackfeet Tribe and further sets back the Blackfeet Tribe in combating the Coronavirus Pandemic. Therefore, in addition to fines or criminal penalties, the following administrative sanctions shall be implemented for violation of this Plan based upon the severity of this case:

- A. Leave without Pay for one (1) pay period; or
- B. Termination.

IC shall appoint a compliance person to review program compliance on a regular basis. IC shall also issue enforcement of violation of this Resolution with the Personnel Department.

Section 8. Application of the Blackfeet Tribal Personnel Policies and Procedures Manual.

For those areas not governed by the Blackfeet Tribe's COVID-19 laws, the Blackfeet Tribal Policies and Procedures Manual shall apply. All personnel actions are grievable under the Blackfeet Tribe's Personnel Policies and Procedures.

BLACKFEET TRIBE
COVID-19 ISOLATION ORDER

The Blackfeet Tribal Business Council hereby orders:

1. All persons found within the Blackfeet Indian Reservation testing positive for COVID-19 shall isolate in closed quarters until such individual has two (2) negative tests prior to leaving isolation.
2. The Isolation Orders shall be issued by Southern Piegan Health Center, Incident Command, and/or Blackfeet Dept. of Revenue.
3. It shall be unlawful for a person under an Isolation Order who knowingly and recklessly violates the isolation order. Persons guilty of violating an Isolation Order shall be subject to the following, after such person has been duly educated by an authorized public health officer:

1st Offense, \$100.00 Fine

2nd Offense, \$500.00 Fine

Per Ordinance #121-Chapter 10, Section 4

Blackfeet Tribal Program Screening Tool

All Tribal Program Directors with staff at work are required to complete the following screening process of all employees prior to staff entering any tribal building on a daily basis:

1. Identify if employees have:
 - a. Symptoms of COVID-19:
 - i. Shortness of Breath or Cough
 - ii. Headache
 - iii. Fever
2. If Employees have had close contact with persons positive for COVID-19
3. Non-essential travel was outside of the Reservation, for the past 14 days.

Any staff member found to have answered any of the above affirmatively shall be issued the appropriate leave/termination action as directed in the current personnel memo.

*All tribal buildings are to remain closed to the public by order of the Blackfeet Tribal Business Council.

BLACKFEET TRIBE
QUARANTINE ORDER

The Blackfeet Tribal Business Council hereby orders:

1. All persons found within the Blackfeet Indian Reservation having:
 - A. Been exposed to the Coronavirus, SARS-CoV-2 (meaning direct contact, within six (6) feet and minimum of fifteen (15) minutes of contact with a positive case); or,
 - B. returned from a known COVID-19 infected area (as reported on the daily Montana COVID-19 Map or as identified local public health authority); or,
 - C. been issued a quarantine order by a public health authority¹, Blackfeet Revenue Department, Blackfeet Incident Command, or employer

shall be required to self-quarantine in closed quarters for a minimum of fourteen (14) days for the purpose of determining if that individual will test positive and to limit spread of possible infection. Quarantine orders may only be lifted upon the individual testing negative by a local public health authority.

2. Further, non-resident² essential persons³ arriving on the Blackfeet Reservation for any period of time, shall be required to complete a test with Southern Piegan Health Center (406) 338-7912 or local public health authority for purposes of a record.
3. It shall be unlawful for a person under a quarantine order who knowingly and recklessly violates a quarantine order. Persons guilty of violating a quarantine order shall be subject to the following, after such person has been duly educated by an authorized public health officer:

1st Offense, \$100.00 Fine

2nd Offense, \$500.00 Fine

Amending Excerpt 2020-144

Per Ordinance #121-Chapter 10, Section 4

¹ Southern Piegan Health Center, County Public Health Authorities

² Ordinance #121 defines "Non-Residents" mean persons who have not established permanent residency within the exterior boundaries of the Blackfeet Reservation within the last six (6) months prior to (April 1, 2020). Excluded from this term are persons providing essential services to the Blackfeet Tribe for the health, safety, and welfare of the public and those residents who are returning to the Blackfeet Reservation with an already established residence.

³ See Business Regulation Order. Resolution No. 258-2020. This also includes persons under custody orders of a Court and persons who are providing health, subsistence and emergency services to the Blackfeet Tribe.

Acknowledgement

I _____, acknowledge that as a Blackfeet Tribal Employee, I have received a copy of the **“Blackfeet Tribal Program Infection/Exposure Response Plan” Resolution No. 292-2020**. I acknowledge that I have read it thoroughly and understand that if I have any questions, I am to ask such questions from the Blackfeet Incident Command Center or my Supervisor. I further affirm that I understand that this Resolution and other employee memos issued to me are my responsibility to follow and that I understand the consequences if I fail to follow these directives.

Employee

Date _____

*Return Form to Incident Command

*Copy of Form to be on file in employee personnel file