

ORDER OF BIG HORN COUNTY PUBLIC HEALTH OFFICER

No. 2020-6

WHEREAS, the Montana Department of Public Health and Human Services (DPHHS) recognizes COVID-19 as a threat to the residents of Montana; and

WHEREAS, response plans and protocols have been activated to prepare for cases of COVID-19 in Big Horn County, Montana; and

WHEREAS, the Montana DPHHS, local health departments, health and medical departments and local jurisdictions have activated response plans and protocols to prepare for the arrival of the virus in Montana; and

WHEREAS, proactively implementing mitigation measures to slow the spread of the virus is in the best interests of the State of Montana, Big Horn County and its people as set forth in the Board of Big Horn County Commissioners' Emergency Proclamation Resolution No 2020-7, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BIG HORN COUNTY, MONTANA PROCLAIMING AN EMERGENCY RESULTING FROM THE IMMINENT THREAT OF A DISASTER CAUSING IMMEDIATE PERIL TO LIFE OR PROPERTY THAT TIMELY ACTION CAN AVERT OR MINIMIZE; and

WHEREAS Administrative Rule of Montana 37.114.102 LOCAL BOARD RULES provides:

1. A local board of health may adopt rules for the control of communicable diseases, if such rules are as stringent as and do not conflict with the requirements of this chapter.

Therefore, no rules, regulations or orders of the local board of health are needed for the Local Health Officer to issue Orders

WHEREAS, Montana Code Annotated § 50-2-118 provides:

50-2-118. Powers and duties of local health officers. In order to carry out the purpose of the public health system, in collaboration with federal, state, and local partners, local health officers or their authorized representatives shall:

- (1) make inspections for conditions of public health importance and issue written orders for compliance or for correction, destruction, or removal of the condition;
- (2) take steps to limit contact between people in order to protect the public health from imminent threats, including but not limited to ordering the closure of buildings or facilities where people congregate and canceling events;

(3) report communicable diseases to the department as required by rule;

(4) establish and maintain quarantine and isolation measures as adopted by the local board of health; and

(5) pursue action with the appropriate court if this chapter or rules adopted by the local board or department under this chapter are violated.

WHEREAS, based upon the foregoing the local health officer should institute her authority to close buildings and facilities to prevent the spread of COVID-19 to the County of Big Horn, Montana and take steps to limit contact between people; and

WHEREAS on 20th day of March 2020, at 10:44 a.m. the local health officer issued Order of Big Horn County Public Health Officer 2020-1 [hereinafter Order 1] pursuant to Title 50, Chapter 2, Part 1, specifically but not limited to Montana Code Annotated § 50-2-118, that was effective beginning 5:00 p.m. local time on Friday, March 20, 2020, for a period of time up to and through 12:01 a.m. local time March 28, 2020, unless extended by further order; and

WHEREAS, the situations set forth above did not reach conclusion and in fact have become more exacerbated, by way of example, but not limitation the number of persons in the State of Montana who have been diagnosed with COVID-19 has risen since the implementation of Order 1 on the 20th day of March 2020 at 10:44 a.m.; and

WHEREAS, on March 26, 2020, the Governor of the State of Montana, Steve Bullock issued a Directive Implementing Executive Orders 2-2020 and 3-2020 providing measures to stay at home and designating certain essential functions which provided in part: “This Directive is in effect statewide in Montana. In the interest of uniformity of laws and to prevent the spread of disease, all inconsistent emergency county health ordinances are preempted by this Directive, but only to the extent they are less restrictive. Counties may adopt more restrictive ordinances.”; and

WHEREAS on 27th day of March 2020, at 10:25 a.m. the local health officer issued Order of Big Horn County Public Health Officer 2020-2 [hereinafter Order 2] pursuant to Title 50, Chapter 2, Part 1; and

WHEREAS Order 2 provided in part: “IT IS HEREBY FURTHER ORDERED that this Order may be revised, updated, amended, changed or revoked in whole or in part at any time.”; and

WHEREAS changing circumstances, including, but not limited to the Governor of the State of Montana on March 30, 2020, issuing his Directive Implementing

Executive Orders 2-2020 and 3-2020 and providing mandatory quarantine for certain travelers arriving in Montana from another state or country; another adjacent county reporting a case of COVID-19; and reported cases of COVID-19 continuing to rise in Montana;

WHEREAS by this Order the Public Health Officer is recommending that all persons in authority (by way of example but not limitation, employers, clergy, government officials, elders and camp criers) consider advocating the carrying and use of non-medical grade “face coverings” for everyone when outside of the home and within 6 feet of others. If homemade masks can be created to meet medical standards those are recommended, but commercially available medical grade masks should be saved for the use of medical providers; and

WHEREAS the Local Board of Health has adopted QUARANTINE AND ISOLATION MEASURES;

WHEREAS Order of Big Horn County Public Health Officer 2020-3 [hereinafter Order 3] was adopted on April 10, 2020 at 9:40 a.m. and which provided in part: “IT IS HEREBY FURTHER ORDERED that this Order may be revised, updated, amended, changed or revoked in whole or in part at any time.”

WHEREAS Order of Big Horn County Public Health Officer 2020-4 [hereinafter Order 4] was adopted on April 17, 2020 at 10:30 a.m. and which provided in part: “IT IS HEREBY FURTHER ORDERED that this Order may be revised, updated, amended, changed or revoked in whole or in part at any time.”

WHEREAS the Governor of the State of Montana on April 22, 2020, issued a Directive implementing Executive Orders 2-2020 and 3-2020 and providing guidance for the phased reopening of Montana and establishing conditions for Phase One [hereinafter Phase One Directive];

WHEREAS Order of Big Horn County Public Health Officer 2020-5 [hereinafter Order 5] was adopted on April 24, 2020, and Order of Big Horn County Public Health Officer 2020-5a [hereinafter Order 5a] was adopted on May 1, 2020, and which provided in part: “IT IS HEREBY FURTHER ORDERED that this Order may be revised, updated, changed or revoked in whole or in part at any time.”

NOW THEREFORE IT IS HEREBY ORDERED that Order 5 and Order 5a are revoked immediately upon the signing this Order, which is denominated Order 2020-6.

IT IS FURTHER ORDERED that:

- A. All persons traveling into Big Horn County, Montana from out of state for non-work related purposes, including but not limited to those traveling to stay in a non-primary residence must self-

quarantine in their lodging for a minimum of 14 consecutive calendar days from the date of their arrival in Big Horn County, Montana or until they leave Big Horn County, whichever is sooner. This shall apply to any person who intends to stay in Big Horn County more than 24 hours or who does stay in Big Horn County more than 24 hours.

Any person who has already arrived in Big Horn County, Montana from out of state for a non-work related purpose before the date of this Order must immediately self-quarantine for the remainder of a 14-day period beginning on the date of their arrival in Big Horn County, or until their departure from Big Horn County, whichever is sooner.

These self-quarantine restrictions do not apply to:

1. public health workers;
2. public safety workers; or
3. or healthcare workers who are traveling to Big Horn County to work in the person's licensed healthcare profession.

In addition to these restrictions, all persons shall also comply with the requirements of all other Executive Orders and Directives issued by the Governor of the State of Montana, provided, however if the restrictions in the Directives issued by the Governor of the State of Montana are less restrictive than the restrictions in this Order, then the restrictions in this Order shall apply.

Regardless of when a person arrives in Big Horn County, Montana, if a person has had close contact with a person who has tested positive for COVID-19 or with a person for which there is a strong suspicion that the person has COVID-19 that person is to self-quarantine for 14 consecutive calendar days to see if they become sick. If a person leaves Big Horn County, Montana and then returns the period of self-quarantine shall begin anew.

- B. A person known to be infected with COVID-19 or if there is a strong suspicion that a person has COVID-19 such person, immediately upon arrival in Big Horn County, Montana, shall report, verbally or in writing, to Office of the Local Health Officer. Such person is to be immediately isolated for 14 consecutive calendar days at a location deemed suitable by the Office of the Local Health Officer. The Office of the Local Health Officer may direct such person to be examined by a physician licensed in Montana of the Office of the Local Health Officer's choosing. Such examination may be paid for by the Local Board of Health. The Local Health Officer shall investigate sources of the infection.

Any person who refuses examination or treatment shall be isolated until such time as the Local Health Officer makes a judgment that releasing the person from isolation would not endanger others.

- C. Terms used herein which are defined in Montana Code Annotated shall have the meanings given in the Montana Code Annotated.
- D. A person or an entity convicted under this Order is guilty of a misdemeanor with each day constituting a new offense.
- E. Employees of all establishments, profit or non-profit, that deal with food or drink for public usage and/or consumption, including but not limited to hospitals, senior citizen group residences, group homes, restaurants, senior citizen centers, convenience stores, bars, casinos and grocery stores must wear face coverings, such as face masks, while pursuing their employment. For purposes of this Clause it is not relevant that the food or drink is packaged in a container of any sort, including but not limited to cans, bottles and boxes.
- F. Effective as of April 27, 2020, the following conditions were met:
 - 1. in the sole judgment of the Local Health Officer there have been no significant number of new cases of Covid 19 in Big Horn County for 14 consecutive calendar days;
 - 2. the State Department of Public Health states that there are adequate supplies for testing for active infection and for evidence of recovery via antibody testing; and
 - 3. regional hospitals have adequate staffing and supplies to handle an increased patient load.

Since conditions 1, 2, and 3, in this Clause, F, were met, Big Horn County proceeded to Phase One A:

Phase One A

- High risk individuals should continue to shelter in place.
- Masks or other cloth face coverings continue to be recommended. Frequent handwashing and hand sanitizer use is recommended.
- People with no increased risk may congregate in groups up to 10 people, as long as they can practice social distancing among themselves.
- Businesses, except for those serving food and drink, may be open, but must limit non-essential travel, encourage teleworking, close common areas where people would

congregate, and attempt to make special accommodations for high risk employees.

- Places of worship may reopen, one day early April, 26, 2020, as long as they strictly adhere to social distancing guidelines.
- Employees at all businesses would be required to have their temperature checked before starting work. If it is above 100.0, they may not work for 8 hours at which time their temperature could be rechecked. If their shift is longer than 8 hours, their temperature would have to be rechecked at that time. A temperature log will need to be kept, and be available for the public health department to review if necessary.

Since conditions 1, 2, and 3, in this Clause F, were met, Big Horn County proceeded to Phase One B:

Phase One B

- All bullet points from Phase One A will continue, and the following changes will also apply:
- Dine-in restaurants, barber shops, salons, and massage therapy businesses may reopen but will have to practice social distancing and follow strict sanitation guidelines. Restaurants would be limited to operations at no greater than 50% capacity or no greater than 50% seating capacity whichever is less. Groups of up to 6 people could be seated if they all arrive and leave together. Restaurants would need to abide by separate guidelines for retail food establishments, which includes all patrons being out of said establishment at or before 11:30 p.m. local time.
- Self-service food bars and dining counters remain closed.
- Bars and casinos may reopen, would be limited to operations at no greater than 50% capacity or no greater than 50% seating capacity whichever is less. They would have to demonstrate ability to enforce social distancing, and to follow strict sanitation guidelines. People would not be allowed to sit at the bar, gaming machines have to be restricted to 6 feet apart (may have to keep every other machine inactive). They would need to abide by the separate guidelines for retail food establishments, which includes all patrons being out of said establishment at or before 11:30 p.m. local time.
- Prior to reopening bars, casinos, and dine-in-restaurants must enter into a Reopening Plan, the template of which is attached hereto as Exhibit "A" and by this reference made a part hereof as if set forth in full, be issued an Approval, a template of which is attached hereto as Exhibit "B" and by

this reference made a part hereof as if set forth in full and an Explanatory Letter, a template of which is attached hereto as Exhibit "C" and by this reference made a part hereof as if set forth in full. It is the intent of this Order that bars, casinos, and dine-in-restaurants may not reopen until the later of May 4, 2020, at 12:01 a.m. or a Reopening Plan is approved.

- Lodges, shuttle services, long-term rental units (such as VRBO, Home Away, and Airbnb), private campgrounds and private parks could reopen, but would have to abide by strict sanitation and social distancing requirements.
- Places of assembly other than places where religious services are held, including but not limited to bowling alleys, movie theaters, music halls, bingo halls, gyms, pools, and public hot tubs will remain closed.

Since conditions 1, 2, and 3, in this Clause F, were met, Big Horn County will proceed to Phase One C effective May 8, 2020, at 12:01 p.m. local time:

Phase One C

- All bullet points from Phase One A and Phase One B will continue to apply except as modified as follows.
- Gyms, theatres, and museum may reopen on May 15, 2020, per the Governor Bullock's Directive.
- Graduation ceremonies will be limited to at a maximum of 2 guests per graduate (regardless whether the ceremony is inside or outside), unless ceremonies are held as a drive through option, in which case each graduate may use 2 vehicles and have up to a maximum of 9 extended family members, or less if the 2 vehicles cannot safely and legally transport that many people. Occupants of the vehicles may only exit the vehicles when they are called to the podium, at which time they may have up to 5 minutes per graduate for receiving the diploma and taking pictures. They will then need to exit the podium area, and proceed to the parade staging area if desired. All attendees to graduation ceremonies must wear masks except when in their vehicles, or in their family group for photos.
- Graduation parties indoors are limited to 10 people; private parties are recommended to be held out of doors and in a large enough area to allow social distancing requirements to be met.
- Gatherings, including but not limited to church services, official wedding ceremonies, funeral services, in Big Horn County may have up to 100 people or the maximum allowable to allow for social distancing and as allowed by Governor Bullock's directive of April 22, 2020, whichever

number is less, except as listed above. However, receptions after services or ceremonies remain limited to 10 people.


- G. Nothing in this Order shall be deemed to limit the power of the Local Health Officer under Federal or State Law, including but not limited to those powers found under Title 50 of the Montana Code Annotated or Title 37 of the Administrative Rules of the State of Montana.
- H. This Order is in conformance with the Directive of the Governor which allows counties to adopt stricter standards.
- I. This order shall be effective immediately upon signing until 5:01 p.m. local time Friday, May 22, 2020.

IT IS HEREBY FURTHER ORDERED that this Order may be revised, updated, amended, changed or revoked in whole or in part at any time.

Penalties for violation of this Order may include, but are not limited to the closing of any establishments that had been allowed to re-open under this Order.

To the extent order is more restrictive, this Order supplements any Orders or Directives of the State of Montana or the United States Government regarding the COVID-19 virus.

Done and Dated at Hardin, MT this 8th day of May, 2020 at 9:35 a.m.


Carolyn Greimann, M.D.
Public Health Officer for Big Horn County, Montana
809 N Custer Avenue
Hardin, MT 59034
(406) 665-8720
publichealth@bighorncountymt.gov

SEE MONTANA CODE ANNOTATED TITLE 50 CHAPTER 2 PART 1 and ADMINISTRATIVE RULES OF MONTANA 37.114.102

ACTION OF BIG HORN COUNTY HEALTH BOARD

I hereby certify that this **ORDER OF BIG HORN COUNTY PUBLIC HEALTH OFFICER** was duly approved by the Big Horn County Health Board

to further implement public health laws with a vote of 4 in favor, 0 opposed, and 0 abstaining and that a quorum was present on this 8th day of May, 2020.



Chairman of Health Board

BIG HORN COUNTY
APPLICATION FOR RE-OPENING
REQUIREMENTS FOR MONTANA RETAIL FOOD, LIQUOR, AND GAMING SERVICE ESTABLISHMENTS
TO RE-OPEN DURING COVID-19 PANDEMIC

ESTABLISHMENT NAME: _____

OWNER/OPERATOR: _____

LICENSE NUMBER: _____

PLEASE INITIAL EACH ITEM BELOW INDICATING YOUR UNDERSTANDING OF THE REQUIREMENTS:

A. INCREASE DISTANCE BETWEEN PATRONS, OR GROUPS OF PATRONS:

- Actions to be taken to increase the distance between tables by decreasing available seating (select all that apply):
- Remove half (or more) of the tables from a seating area and spread remaining tables throughout the available seating space.
 - Remove chairs from every other table.
 - Block entrance to every other booth (e.g., by visible tape).
 - Affix a sign on every other table and/or booth stating clearly that the table/booth is closed and not available for patrons' use.

Additional requirements include, but are not limited to, the following:

- No table may accommodate more than six (6) patrons and tables cannot be combined to accommodate more than six (6) patrons.
- No self-service or buffet-type service may be offered at this time.
- For bar areas, remove all chairs or affix a sign to every chair stating clearly that the bar area is closed and not available for patrons' use.
- For gaming areas, disable some machines to allow at least six (6) feet between players.
- Limit waiting areas to no more than ten (10) people as long as waiting area accommodates social distancing (more than six (6) feet between patrons).

B. EMPLOYEE REQUIREMENTS:

Employees will have temperature checked before starting work and the establishment will keep a temperature log that must be made available to Public Health officials upon request. Establishment will not allow employees who have a fever (temperature above 100.0), cough, or shortness of breath to work until symptoms are resolved.

Employees shall be required to wear masks at all times while working.

C. ENHANCED CLEANING AND DISINFECTING:

An enhanced cleaning and disinfecting plan must be available to all staff and must be made available to Public Health officials upon request.

_____ The enhanced cleaning and disinfecting plan must include at least the following components:

- Frequency of cleaning/disinfecting (e.g., before opening, hourly for gaming machines, after each patron/group of patrons, etc.).
- Extent of cleaning (e.g., table tops, chair seats and backs, arm rests, gaming machines, etc.).
- Cleaning products in use, including type of cleaning and disinfecting products and type of cleaning cloth used.

_____ All existing and new staff will be trained on enhanced cleaning and disinfecting protocols prior to re-opening.

_____ Records of training must be retained by the owner/operator and must be made available to Public Health officials upon request.

D. REQUIRED POSTING OF SIGNS/NOTIFICATIONS:

_____ Establishments must post a sign, provided by the Big Horn County Health Department, on every exterior entrance to the establishment that provides general infection prevention messages.

_____ A copy of the re-opening plan approval notification signed by the Public Health Officer must be placed on every exterior entrance to the establishment.

ATTESTATION:

By my signature, on behalf of the establishment identified on this plan, I commit to comply with the plan shown above, as approved by the Big Horn County Health Officer. I acknowledge that failure to comply with the approved plan may result in closure by order of the Health Officer for an indeterminate time.

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

RETURN COMPLETED PLAN TO BIG HORN COUNTY HEALTH DEPARTMENT BY ONE (1) OF THE FOLLOWING OPTIONS:

- **Email:** publichealth@bighorncountymt.gov
- **Fax:** 406-665-1025
- **Mail or hand-deliver to:**
BIG HORN COUNTY HEALTH DEPARTMENT
809 N. Custer Ave.
Hardin, MT 59034

Questions? Call (406) 665-8720 or email publichealth@bighorncountymt.gov

BIG HORN COUNTY

Approval to Open for In-Facility Services at Restaurants, Bars, and Casinos

Establishment Name

Retail Food License Number

This retail establishment has implemented a plan for physical distancing, enhanced cleaning, and staff training and has been approved to open for retail food, liquor, and gaming service when the Health Officer's Order for Closure is rescinded or revised to allow in facility service.

Signature of County Public Health Officer

Date of Approval

Carol S. Greimann MD
Public Health Officer
Big Horn County, Montana
809 N. Custer Ave.
Hardin, MT 59034
406-665-8720



Exhibit "B"

BIG HORN COUNTY
PUBLIC HEALTH DEPARTMENT
809 NORTH CUSTER AVENUE
HARDIN, MT 59034



Phone: 406-665-8720

Fax: 406-665-1025 **Email:** publichealth@bighorncountymt.gov

<<Date>>

<<Name>>

<<Establishment>>

<<Address>>

<<City, MT <<Zip>>

Dear <<Name>>,

Your plan meets the required guidelines for the reopening of your establishment for licensed retail food, liquor, and gaming establishments and has been approved.

When the Health Officer's Closure Order is rescinded or revised to allow for in-facility services, you may provide this service under the conditions outlined in your plan.

Please post the enclosed signage, "Approval to Open for Retail Food, Liquor, and Gaming In-Facility Service", in a visible location at all entrance doors. Please also post the "Stop Germs" sign at every entrance/exit door. Additional copies of the signage are available at our office.

If you have any questions or concerns please call the Big Horn County Health Department at 406-665-8720.

Sincerely,

Carolyn S. Greimann MD
Public Health Officer for Big Horn County Montana

Enclosures (2).

Exhibit "C"

STOP Germs



- **Wash** your hands with soap & water for at least 20 seconds.
- **Cover** your cough or sneeze with your elbow or a tissue.
- **Avoid** touching your face, eyes, nose & mouth.
- **Stay home** if you're sick.
- **Avoid close contact** with people who are sick.

HOW to Wash Your Hands



Wet

Wet hands with hot or cold running water.



Rinse

Rinse under hot or cold running water.



Wash

Apply soap, lather & scrub backs of hands, under nails, between fingers for 20 seconds.



Dry

Dry hands using a paper towel or air dry.

Big Horn County Health Department

(406)665-8720

Big Horn County Public Health Department
Cleaning and Disinfection Recommendations for Businesses and Community Gathering Places to help prevent exposure to respiratory illness, including COVID-19

This guidance is for community facilities (e.g., schools, daycares centers, fitness centers, other businesses) that are visited by the general public.

Cleaning and Disinfecting are both essential to reducing germs.

- **Cleaning** removes dirt and germs from surfaces, but cleaning alone does not kill germs.
- **Disinfecting** uses chemicals to kill germs, but does not necessarily clean dirty surfaces or remove germs. Disinfectants kill germs that remain on a surface after cleaning, which further reduces the risk of spreading infection.

What to Clean and Disinfect:

- All frequently touched surfaces such as workstations, countertops, door handles, knobs, remotes, chair arms, and hand holds. Disposable wipes are handy for this purpose.
- Items often found in common areas that cannot be cleaned, such as magazines or books, should be removed.
- Clean and disinfect pens, clipboards or other items that are touched by customers during a visit.

How to Clean and Disinfect:

Hard Surfaces

- Frequently-touched surfaces such as doorknobs, tables, handrails, and desks should be cleaned and disinfected daily or more frequently.
- Fitness facilities should consider disinfecting mats, handholds, knob,s and other high-touch surfaces on workout equipment between each use.
- If surfaces are dirty, they should be cleaned using a detergent or soap and water prior to disinfection.
- For disinfection, use a **product that is approved by the EPA for emerging viral pathogens** OR a diluted household bleach solution OR alcohol solutions with at least 70% alcohol.

A list of **EPA approved products for emerging viral pathogens** is available at <https://www.americanchemistry.com/Novel-Coronavirus-Fighting-Products-List.pdf>

- Follow the instructions on the label for concentration, application method, contact time, etc.
- **Use diluted household bleach solutions**, if appropriate for the surface. Follow manufacturer's instructions for application and proper ventilation. Check to make sure the product's expiration date has not passed. Never mix household bleach with ammonia or any other cleanser. Properly diluted, unexpired household bleach is effective against coronaviruses. Prepare a bleach solution by mixing:
 - 5 tablespoons (1/3 cup) bleach per gallon of water or 4 teaspoons bleach per quart of water

Soft Surfaces

- For soft, or porous, surfaces such as carpet, rugs, and drapes, remove visible contamination if present and clean with appropriate cleaners indicated for use on these surfaces.
- If the items can be laundered, clean them in accordance with the manufacturer's instructions using the warmest appropriate water setting for the items and then dry items completely.
- For other soft, or porous surfaces, use an **EPA approved product for emerging viral pathogens** suitable for porous surfaces.

Washing Linens, Clothing, and Other Laundry

- Do not shake dirty laundry to minimize the chances of spreading germs through the air.
- Wash items according to the manufacturer's instructions. If possible, launder items using the warmest appropriate water setting for the items and then dry items completely. Dirty laundry that has been in contact with an ill person can be washed with other people's laundry.
- Clean and disinfect hampers or carts for transporting laundry according to the guidance for hard or soft surfaces.

For more information please go to [cdc.gov/coronavirus](https://www.cdc.gov/coronavirus).

4/24/2020