



# Petersburg Borough

12 South Nordic Drive  
Petersburg AK, 99833

## Meeting Agenda Borough Assembly

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Monday, September 21, 2020

6:00 PM

Assembly Chambers

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**1. Call To Order/Roll Call**

**2. Voluntary Pledge of Allegiance**

**3. Approval of Minutes**

*There are no minutes available for approval.*

**4. Amendment and Approval of Meeting Agenda**

**5. Public Hearings**

**6. Bid Awards**

**7. Persons to be Heard Related to Agenda**

*Persons wishing to share their views on any item on today's agenda may do so at this time.*

**8. Persons to be Heard Unrelated to Agenda**

*Persons with views on subjects not on today's agenda may share those views at this time.*

**9. Board, Commission and Committee Reports**

**10. Consent Agenda**

**11. Report of Other Officers**

**A. Incident Commander Hagerman**

*Incident Commander Hagerman will provide an update on EOC operations.*

**B. Fire/EMS Director Dixson**

**Attachments:** [Fire EMS Director Dixson Report](#)

*Fire/EMS Director Dixson is out of town but has provided a written update on Fire/EMS operations, training and programs.*

**12. Mayor's Report**

**A. September 21, 2020 Mayor's Report**

Attachments: [September 21, 2020 Mayor's Report](#)

**13. Manager's Report**

**A. September 21, 2020 Manager's Report**

Attachments: [September 21, 2020 Manager's Report](#)

**14. Unfinished Business**

Ordinances for Third and Final Reading

**A. Ordinance #2020-19: An Ordinance Amending Borough Code Chapter 3.72 to Provide for Civil Emergency Provisions**

**Attachments:** [Ordinance #2020-19 for third and final reading](#)

*On July 20, 2020, the Assembly postponed the third and final reading of Ordinance #2020 to the September 21, 2020 Assembly meeting to allow for a Community Discussion on the proposed civil emergency provisions, which was held on September 10, 2020.*

*If Ordinance #2020-19 is approved in its third and final reading tonight, it will become permanent code and temporary emergency ordinances for civil emergency provisions will no longer be necessary. The emergency ordinance for civil emergency provisions the Borough is currently operating under (Ordinance #2020-22) was amended before approval on July 24th to add the word "borough" in the first paragraph under 3.72.040, the words "with assembly approval" to 3.72.060(A)1-4, the word "known" to 3.72.060(B)1, and provisions during a period of emergency for participation in assembly meetings by teleconference to be counted for purposes of a quorum under 3.72.060(D). These amendments made to Emergency Ordinance #2020-22 were added in red to show on draft Ordinance #2020-19 in case the Assembly would like to add them to the permanent ordinance. If the red wording on draft Ordinance #2020-19 as attached to this agenda is not added by amendment, they will not exist in the permanent code.*

*Emergency Ordinance #2020-22 will expire on September 22, 2020.*

*If permanent Ordinance #2020-19 fails in its third and final reading, there is a draft temporary Emergency Ordinance #2020-23 to continue civil emergency provisions for another 60 days listed next on today's agenda for the Assembly's consideration.*

*If permanent Ordinance #2020-19 fails in its third and final reading, and temporary Emergency Ordinance #2020-23 also fails in its one and only reading, the following should be considered:*

- 1. Public Health Mandate #3 (In-Person Participation by the Public at Assembly Meetings Suspended During COVID-19 Crisis) will need to be revisited.*
- 2. Public Health Mandate #5 (Borough Harbor Facilities - vessel docking and disembarkment) will need to be revisited.*
- 3. Public Health Mandate #6 (Submission of Travel Plans) will need to be revisited.*
- 4. Public Health Emergency Directive for Non-Congregate Sheltering will need to be revisited.*
- 5. A quorum of the Assembly may no longer be established by teleconference until revisited.*

**15. New Business**

**A. Ordinance #2020-23: An Emergency Ordinance Amending Borough Code Chapter 3.72 to Provide for Civil Emergency Provisions**

**Attachments:** [Emergency Ordinance #2020-23](#)

*If permanent Ordinance #2020-19 is approved in its third reading, this ordinance will be voided and does not need to be considered by the Assembly. If permanent Ordinance #2020-19 fails in its third reading, the Assembly will consider Emergency Ordinance #2020-23 in its one and only reading, which will provide for civil emergency provisions for 60 days after adoption.*

**B. October 2020 Municipal Election Report and Approval of Election Officials**

**Attachments:** [October 2020 Election Report](#)

*Clerk Thompson requests approval of 19 Election Officials.*

**16. Communications**

**A. Correspondence Received Since September 3, 2020**

**Attachments:** [Chamber of Commerce 9.3.2020](#)

[J. Wheeland 9.3.2020](#)

[T. Sperl 9.3.2020](#)

[B. Reid 9.3.2020](#)

[P. Chapman 9.4.2020](#)

[B. Tremblay 9.4.2020](#)

[K. Bell 9.4.2020](#)

[B. Sheldon 9.4.2020](#)

[M. Sheldon 9.4.2020](#)

[J. Ness 9.5.2020](#)

[C. Lopez 9.5.2020](#)

[S. Kittams 9.7.2020](#)

[J. Schwartz 9.9.2020](#)

[M. Tuccillo 9.10.2020](#)

[C. Tavoliero 9.16.2020](#)

[D. Thynes & J. Ohmer 9.17.2020](#)

**17. Assembly Discussion Items**

**A. Bears in Town**

*Assembly Member Meucci requested this discussion item.*

**B. Tidelands Lot T-58 (Lot 1 of Harbor View Industrial Subdivision)  
Currently Owned by the Schwartz Family**

**Attachments:** [Maps & Photo of Tidelands Lot T-58](#)

*Manager Giesbrecht was contacted by Mike Schwartz, who asked if the Borough is interested in buying a piece of property near South Harbor that is currently owned by the Schwartz family. Assembly Member Meucci requested this discussion item.*

**C. Assembly Member Comments**

**D. Recognitions**

**18. Adjourn**



# Memo

To: Borough Mayor and Assembly Members  
From: Sandy Dixson, Fire/EMS Director  
Date: September 16, 2020  
Re: PVFD Operations and Training Update

I would like to provide an update for Petersburg Volunteer Fire Department's Operations and Training.

I am currently working on the re-opening plan for the Department. I see this as a phased approach as it relates to COVID-19. We will pay special attention to COVID-19 infection rates locally and within the State. We will follow all State and Local requirements (health mandates, health alerts, policies, etc.) and CDC Guidelines.

As First Responders, we must do our best to keep COVID-19 out of the department and reduce the risk of exposure to the volunteers and staff. If we were to have a positive case and had to shut down and/or the members had to quarantine, who would respond to emergencies? We cannot call a neighboring department to respond to our emergencies while we are out of service.

As of today, the building remains closed to the public. The volunteers may come to the Station, but no more than 5 people may congregate at any one time and they must follow COVID-19 precautions.

The Fire, Emergency Medical Services (EMS), and Search and Rescue (SAR) Volunteers continue to respond to emergencies. Everyone goes through COVID-19 screening (if time permits), wears some type of face covering and follows COVID-19 precautions.

Fire Branch: They train at 7:00 p.m. on the second, third, and fourth Thursdays of every month. They have done a few online and Zoom classes since mid-March due to COVID-19. They were approved to do in-person training, outdoors only, and have been doing that for several months. We currently do not have a new-recruit class planned. This course typically occurs annually and is scheduled sometime in February, March, or April. We will revisit this in January and see what the State Fire Service Training requirements are. We continue to accept new applicants into the Fire Branch.

EMS Branch: They train at 7:00 p.m. on the second and fourth Wednesdays of every month. They have been doing all online and Zoom classes since mid-March due to COVID-19. The State EMS office has restricted in-person classes and training and provided extensions and exemptions in an attempt to exclude as much in-person activity as possible. In-person activity would require the use of valuable Personal Protective Equipment, which is in short supply nationwide. EMS has no new classes planned at this time. We will look at scheduling an Emergency Trauma Technician (ETT) Course in the Spring if we are able to meet the State EMS Office's requirements. The policy on accepting new members in EMS has not changed with COVID-19. We accept new applicants if they hold a current EMS certification. Otherwise, we only accept new members when we offer a new course.

SAR Branch: They train at 6:00 p.m. on the second and fourth Tuesdays of every month. They have been doing online and Zoom classes and occasionally provided some reading assignments since mid-March due to COVID-19. There are no SAR courses scheduled at this time. We continue to accept new applicants into the SAR Branch.

Junior Fire Fighter (JFF) Program: This program is for high school students. The JFF Program usually starts in September and ends in April. We have weighed the risks of COVID-19 against the benefits to the Department and have made the decision to suspend the program for this year. We will revisit the possibility of resuming this program after the first of the year.

Meetings: The Department Officers and the Association Officers meet monthly via Zoom on the Monday prior to the Department and Association Meetings for all volunteer members, which occur on the first Thursday of each month via Zoom. We have suspended providing dinner to Department and Association meeting attendees due to COVID-19.

As you know, COVID-19 is constantly changing. Guidelines, restrictions, and policies are ever changing as well. We must stay fluid while adjusting to the latest information and finding our new normal. Our primary goal is to do what is best for the community while ensuring the volunteers are well trained and safe.

**Mayor's Report  
For**

**September 21, 2020 Assembly Meeting**

- 1. 2020 Petersburg Borough Municipal Election:** Our municipal election will be held in the Community Gym on Tuesday, October 6, 2020 from 8:00 a.m. to 8:00 p.m.

In-person absentee voting is currently being offered in the Municipal Building Training Room Monday through Friday from 11:00 a.m. to 3:00 p.m. through Friday, October 2. Absentee voting will end at noon on Monday, October 5.

Absentee voting is also offered by mail or by electronic submission.

By mail may be requested in person, by phone, by fax, or by written request (including email). The request must include the voter name, Borough residence address, one identifier (Alaska voter number, Alaska driver's license number, date of birth, or last 4 of social security number), and mailing address where the ballot should be sent. The last day to request an absentee ballot by mail is October 1, 2020.

Voters interested in absentee voting by electronic submission should contact Clerk Thompson for an application ([dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov) or 772-5405).

- 2. Crystal Lake Hatchery:** Southern Southeast Regional Aquaculture Association (SSRAA) manages Crystal Lake Hatchery for the State of Alaska, who owns the hatchery. Since 2000 the State of Alaska has provided funding to SSRAA to help with the expense of hatchery management. SSRAA received word from the State that the funding will end June 30, 2021. SSRAA does not have the finances to make up the difference of lost funding. Mayor Jensen will share the latest news on an effort from our legislators to find alternative funding for Crystal Lake Hatchery.



**Borough Manager's Report  
Assembly Meeting 21 September 2020**

- ❖ Borough contract Assessors will be in town again this week.
- ❖ I have received a maintenance list for the Clausen Museum. We may need to see if there are local contractors available to do the work as Sam is busy in other areas. This includes helping with repairs at the ball field, preventive maintenance for five other buildings and working on the speakers in the Assembly Chambers.
- ❖ The Petersburg Borough has made \$500,000 available for economic support grants for local small businesses. Developed Application, FAQs, Grant Agreement, webpage, review process to implement program. Applicant information available at: <https://www.ci.petersburg.ak.us/grants>
- ❖ Liz attended a USDA teleconference announcing \$530 million made available to commercial fishermen impacted by retaliatory tariffs. The application period opened on September 14. Applications are processed and paid as they are received. More information on eligibility, how to apply, and a complete list of species here: <https://www.farmers.gov/Seafood>. A Call Center is available for fishermen who would like additional support with the application process. Call 877-508-8364 to speak directly with a USDA employee.
- ❖ The US CENSUS BUREAU announced it will be ending the census count on September 30, 2020, about four weeks earlier than previously announced. As of 9/14, Petersburg's self-response rate is 53.4%. Alaska's response rate is 53.5%, which ranks #51 among the 50 states, DC, and Puerto Rico, or second to last. The national response rate is 65.9%.
- ❖ Thanks to Staff members Mike Bell and Blake Buotte for their work in investigating and showing no voids exist around the low-level outlet pipes at City Creek Dam. This saved the water utility over \$50,000 in engineering and contracting costs.
- ❖ Staff working on brushing back the road to City Creek Dam and at the dam itself, along with plant maintenance including: valve actuator replacement, chemical pump updates, turbidimeter updates and standby generator controls replacement are on the list.
- ❖ Scow Bay 1 Pump Station project may happen in October. Contractor working on submittals and concrete structure procurement.
- ❖ PMPL staff ran the diesel plant from September 8<sup>th</sup> to a planned end of September 17<sup>th</sup> for the annual SEAPA maintenance shutdown.
- ❖ Proposals were received for the equipment procurement phase of the Blind Slough Hydro project. McMillen Jacobs is reviewing all proposals in detail and will have a discussion with PMPL staff on September 24<sup>th</sup> to discuss their findings and recommendations.

- ❖ Wrangell Light and Power has loaned PMPL the use of their 85' bucket truck again this year. Access to this truck is greatly appreciated as it allows PMPL to address many developing danger situations associated with clearing limbs and trees away from the lines safely. The extra length of the boom allows us to go up 30' higher than reachable with PMPL line trucks. We thank Wrangell Light and Power and the City and Borough of Wrangell for the assistance!
- ❖ With the dryer weather, the Public Works crew has been catching up on grading.
- ❖ The Youth Basketball Program will start today with at Parks & Rec.
- ❖ First meeting of the Parks and Rec Advisory Board was scheduled for last week.
- ❖ We started recruiting for a Parks & Recreation Director last week. We expect the process to take a month or so, depending upon if we can get help from the newly formed Advisory Board.
- ❖ Planning for Library fall programs and activities, all will be virtual
- ❖ Library is now open evenings and Saturdays; the meeting rooms remain closed.
- ❖ Sandy continues to work on other COVID-19 related mitigation, including reviewing COVID plans as they are submitted. We hired 3 temporary employees for airport to be screeners/greeters.
- ❖ Ryan has been coordinating with Motor Pool to install additional lighting on Fire Dept vehicles. The SCBA Compressor and Hurst Tools have received their annual maintenance as well.
- ❖ Josh and a volunteer took the online portion for American Heart Association Basic Life Support Instructor. They will have to complete the monitoring portion to obtain their certification.
- ❖ As previously reported, Search & Rescue had a successful mission to rescue an injured Hiker on Petersburg Mountain. They located the injured hiker, assessed them, and immobilized the injury and then brought the injured patient off the mountain in a stokes basket. The rescue went well into the night. The crew did an amazing job, and everyone made it home safely!
- ❖ Sandy encourages everyone to sign up in the "Alaska Travel Portal" and complete the Travel Declaration Form if you will be travelling out of State and returning to Alaska.
- ❖ Petersburg Police attended training on the use of Axon Body 3 cameras. Police Officers are currently utilizing the body cameras and the feedback has been great. The ease of use along with video/audio quality has been a great benefit.
- ❖ Thanks to PMC Doctors who continue to see residents for routine appointments at Assisted Living.

**PETERSBURG BOROUGH  
ORDINANCE #2020-19**

**AN ORDINANCE AMENDING BOROUGH CODE CHAPTER 3.72 TO PROVIDE FOR  
CIVIL EMERGENCY PROVISIONS**

**WHEREAS**, the recent COVID-19 emergency has demonstrated that it is vital that the Borough be able to respond quickly and efficiently to evolving public emergencies; and

**WHEREAS**, the civil emergency provisions in the municipal code have not been updated in a number of years, and do not specifically address issues like the current pandemic and have not been updated to reflect borough formation.

**THEREFORE, THE PETERSBURG BOROUGH ORDAINS**, Chapter 3.72 of the Petersburg Municipal Code, is hereby amended as follows:

**Section 1. Classification:** This Ordinance is of a permanent nature and shall be codified in the Petersburg Borough Code.

**Section 2. Purpose:** The purpose of this Ordinance is to provide for civil emergency provisions.

**Section 3. Substantive Provisions:** Chapter 3.72 of the Petersburg Borough Municipal Code shall be amended to read as follows (the language proposed for insertion is in bold and underlined; the language proposed for deletion is in brackets and struck through):

**Chapter 3.72 - CIVIL EMERGENCY PREPAREDNESS AND EMERGENCY SERVICES**

**3.72.005 - Definitions.**

**The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:**

**"Alcoholic beverage" has the meaning ascribed to it in PMC 6.04.010.**

**"Borough manager" means the borough manager of the Petersburg Borough, or the manager's designee.**

**"Civil Emergency" means a "Disaster" as defined in Alaska Statute 26.23.900.**

**"Curfew" means a prohibition against vehicular and/or pedestrian traffic upon any public property, street, alley, sidewalk, thoroughfare, vehicle parking area or vacant premises within the borough or a designated geographical area within the borough, as those terms are defined in this Code.**

**"Incident Commander" means the borough manager, or the person designated by the borough manager to serve in that capacity under PMC 3.72.020.**

**3.72.010 - Intent and purpose.**

It is the intent and purpose of this chapter to provide for the efficient utilization of the borough's [city's] personnel, facilities and equipment in the event of a civil emergency, including without limitation natural or man-made disasters[, pandemics] and disasters resulting from enemy actions, and to provide for the coordination of disaster and emergency service functions of the borough [city] with all other public agencies and affected private persons, corporations and organizations.

**3.72.020 - Civil [E]emergency preparedness and emergency services office established.**

The borough [city] manager's office is the civil emergency preparedness and emergency services office and thereby the coordinating agency for all activity in connection with emergency services and other disaster operations. The borough [city] manager or the manager's designee, as incident commander, shall exercise the authority and discharge the responsibilities vested in him/her by applicable local, state and federal law. The assembly may review and disapprove of the borough manager's appointment of a designee as incident commander.

**3.72.030 - Emergency response.**

The borough disaster response [~~city-emergency preparedness~~] plan, and any amendments thereto, is adopted by reference into this Code. The borough [city] manager shall, in the event of civil emergency, respond and provide services as provided in the borough disaster response [~~city-emergency preparedness~~] plan.

**3.72.040 - Authority to issue emergency proclamation.**

Pursuant to the authority granted hereunder and in Alaska Statute 26.23.140, whenever the borough manager determines that a civil emergency exists, he or she may declare by proclamation the existence of the emergency. Any proclamation issued pursuant to this Chapter shall have the force of law and shall supersede any conflicting provision of borough law during an emergency declared pursuant to this Chapter.

A declaration issued hereunder by the manager is effective for a period of seven days, unless ratified, modified or earlier terminated by assembly motion. A declaration may be terminated by either the borough manager or the assembly upon a determination that an emergency no longer exists. If the assembly modifies or terminates the declaration, said modification or termination shall be prospective only, and shall not affect any actions taken prior to the modification or termination of the declaration.

**3.72.050 - Dissemination and posting of emergency proclamation.**

The proclamation of an emergency declaration, or any emergency order issued pursuant thereto, shall be posted on the borough website and at such other places in the borough as may be directed in the proclamation. It shall also be provided to any newspapers of general circulation published in the borough and any radio stations which broadcast within the densely populated areas of the borough.

**3.72.060 - Imposition of orders during period of emergency.**

**A. Upon declaration of a civil emergency under Section .040, the borough manager, the incident commander, and the assembly are each authorized to issue any or all of the following orders within the borough, effective immediately or as specified in the order, as deemed necessary to preserve the public health, safety and order of the borough. Orders issued shall terminate on their expiration date, except that orders issued by the borough manager or incident commander may be terminated by the assembly or subsequent order of the manager or commander:**

**1. With assembly approval, Iimpose a curfew when it is determined necessary to protect and safeguard the people and property of the borough. The order instituting the curfew shall include the dates, hours, and the geographical areas of the borough, or the borough as a whole, that the curfew will be in effect. Physicians, nurses and emergency medical personnel performing essential medical services, utility personnel maintaining essential public services, authorized members of the borough police and fire departments, members of the news media upon showing of authorized press cards, and authorized borough and other governmental personnel may be exempted from such curfew.**

**2. With assembly approval, Oorder the following to close and remain closed until further order for the period of the emergency:**

**a. Any or all bars, breweries, restaurants, private clubs or other establishments serving food or beverages, including without limitation alcoholic beverages.**

**b. Any or all entertainment facilities, including without limitation, theaters, gyms, fitness centers, bowling alleys and bingo halls.**

**c. Any or all other business establishments.**

**3. With assembly approval, Pprohibit gatherings of persons in excess of a specified number.**

**4. With assembly approval, Ccall up regular and auxiliary law enforcement agencies and organizations within or without the borough to assist in preserving and keeping the peace within the borough.**

**5. Order the evacuation of persons from any designated area.**

**6. Suspend purchasing and contracting procedures for the procurement of supplies and services deemed necessary and in the public interest to address the civil emergency, in accordance with PMC 4.04.020C and PMC 4.04.040B.**

**7. Cancel any nonessential meeting of any board or commission of the Borough.**

**8. Issue such other orders reasonably immediately necessary to address the civil emergency and for the protection of life and property.**

**B. An order issued pursuant to this section shall contain the following:**

1. A statement of the **known** facts upon which the order is based;

2. A statement that the borough manager, incident commander, or assembly, as applicable, believes it is in the best interest of public safety and health, and the protection of property, that the exercise of certain rights be temporarily limited; and

3. A statement that the conditions of the order are designed to provide the least necessary restriction on those rights.

C. Any order issued under this section shall supersede any inconsistent or conflicting borough ordinance or regulation.

D. During a period of emergency, special assembly meetings may be scheduled on less than 24 hours notice, provided that all assembly members have been provided at least 8 hours notice of such meeting either orally (in-person or by telephone), or by email, text or other electronic means. (Such meetings to be held only at the request of the mayor or of four or more assembly members). **During a period of emergency, an assembly member or members participating by teleconference shall be counted for purposes of determining a quorum. All other provisions of 3.08.080 shall remain in effect.**

E. The Borough Manager, Incident Commander and the Assembly are also authorized to issue non-mandatory alerts to the public, when an order is deemed unnecessary; and make use of all available resources of the borough government, including borough personnel, as may be reasonably necessary to cope with an emergency. The manager or incident commander may transfer or alter the function of municipal departments or personnel for the purpose of performing or facilitating performance of emergency services.

**3.72.07[4]0 - Compliance with official orders during period of emergency --Violations and penalties.**

[It shall be a misdemeanor, punishable by a fine not to exceed the sum of one thousand dollars or by imprisonment for a term not to exceed ninety days, or both, for any person during a proclaimed disaster *emergency* to wilfully:]

A. No person shall o[O]bstruct, hinder, or delay [any] **authorized borough and emergency personnel, including without limitation** [accredited] members of **any [the] disaster or [and] emergency services organization,** in the enforcement of **their duties during any period of emergency.** [any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed by virtue of this chapter;]

B. No person shall fail or refuse to comply with any order issued under **PMC 3.72.060(A), or the lawful orders of duly authorized law enforcement officers or personnel during any period of emergency.** [Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if such act is of such nature as to give, or be likely to give, assistance to the enemy, or to imperil the lives or property of inhabitants of the city, or to prevent, hinder, or delay the defense or protection thereof;]

C. No person shall [~~Te~~] wear, carry or display, without authority, any means of identification specified by the borough [city] emergency preparedness and emergency services office or the Alaska Division of Homeland Security and Emergency Management [Services].

**D. Violation of this section shall be as follows:**

**1. When committed intentionally, knowingly, or recklessly, a Class B misdemeanor, punishable by a fine not to exceed the sum of two thousand dollars (\$2000) or by imprisonment for a term not to exceed ninety days, or both; or**

**2. When committed without any culpable mental state, a strict liability violation, subject to a fine as provided in the fine schedule set forth in Section 1.16.030 of the Borough Code; if the offense is not listed in the fine schedule, the person must appear in court, and shall be punished by imposition of a fine in accordance with Section 1.16.010.**

**Section 4. Fine Amounts:** The following fine amounts are adopted for violations under Section 3.72.070(D)(2), and shall be administratively incorporated into Section 1.16.030 of the Borough Code:

Section Number	Description of Violation	Fine Amount
3.72.070(A)	Obstruct, hinder, or delay authorized personnel in their duties during any period of emergency	\$500.00
3.72.070(B)	Failure or refusal to comply with emergency orders under sections 3.72.060(A), or the lawful orders of law enforcement personnel	\$500.00
3.72.070(C)	Unauthorized wearing, carrying or display of identification specified by borough emergency preparedness/services office or the Alaska Division of HS&EM	\$500.00

**Section 5. Severability:** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application of other persons or circumstances shall not be affected.

**Section 6. Effective Date:** This Ordinance shall be effective immediately upon adoption.

**Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 21st day of September, 2020.**

\_\_\_\_\_  
Mark Jensen, Mayor

\_\_\_\_\_  
Debra K. Thompson, Borough Clerk

Adopted:  
Published:  
Effective:

**PETERSBURG BOROUGH  
ORDINANCE #2020-23**

**AN EMERGENCY ORDINANCE AMENDING BOROUGH CODE CHAPTER 3.72 TO  
PROVIDE FOR CIVIL EMERGENCY PROVISIONS**

**WHEREAS**, COVID-19 virus is a respiratory disease that can result in serious illness or death and is easily transmittable person to person; and

**WHEREAS**, on March 11, 2020, the World Health Organization (“WHO”) declared the virus a pandemic; on the same day, Alaska Governor Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 in Alaska; and on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

**WHEREAS**, on March 16, 2020, the Borough Assembly ratified a Local Emergency Declaration for the Petersburg Borough in regard to the outbreak, which continues in effect; and

**WHEREAS**, Since March 20, 2020, the Borough Assembly has adopted emergency ordinances relating to PMC Chapter 3.72 to address the COVID-19 public health emergency; and

**WHEREAS**, the Borough has followed State mandates, instituted local mandates and implemented Borough policies in an effort to protect the safety and health of Borough employees and the public; and

**WHEREAS**, the continued number of positive cases of the virus within Alaska remains a serious threat to the public and makes it necessary for the Borough to have the continued ability to effectively impose public health and safety orders in order to protect residents during any outbreak; and

**WHEREAS**, the Borough Assembly believes that it is in the best interests of the Borough that the civil emergency provisions of Chapter 3.72, as set out herein remain in effect for a sixty-day period, by adoption of this Emergency Ordinance; and

**WHEREAS**, Borough Charter Section 3.03 provides for Emergency Ordinances that in the judgement of the Assembly are necessary for the immediate preservation of the public peace, health or safety. An Emergency Ordinance may be adopted, amended and adopted, or rejected at the meeting at which it is introduced, and is repealed by resolution or automatically expires in sixty days; and

**WHEREAS**, it is vital that the Borough continue to be able to respond quickly and efficiently to the evolving public emergency which exists.

**THEREFORE, THE PETERSBURG BOROUGH ORDAINS**, Chapter 3.72 of the Petersburg Municipal Code, is hereby amended as an Emergency Borough Ordinance, to be effective for sixty (60) days unless sooner repealed.

**Section 1. Classification:** This Emergency Ordinance is of a non-permanent nature and shall not be codified in the Petersburg Borough Code.

**Section 2. Purpose:** The purpose of this Emergency Ordinance is to provide certain civil emergency provisions, including granting the authority for emergency orders to be issued by the Borough Manager, Incident Commander or Borough Assembly.

**Section 3. Substantive Provisions:** Chapter 3.72 of the Petersburg Borough Municipal Code shall be amended to read as follows:

## **Chapter 3.72 - CIVIL EMERGENCY PREPAREDNESS AND EMERGENCY SERVICES**

### **3.72.005 - Definitions.**

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Alcoholic beverage" has the meaning ascribed to it in PMC 6.04.010.

"Borough manager" means the borough manager of the Petersburg Borough, or the manager's designee.

"Civil Emergency" means a "Disaster" as defined in Alaska Statute 26.23.900.

"Curfew" means a prohibition against vehicular and/or pedestrian traffic upon any public property, street, alley, sidewalk, thoroughfare, vehicle parking area or vacant premises within the borough or a designated geographical area within the borough, as those terms are defined in this Code.

"Incident Commander" means the borough manager, or the person designated by the borough manager to serve in that capacity under PMC 3.72.020.

### **3.72.010 - Intent and purpose.**

It is the intent and purpose of this chapter to provide for the efficient utilization of the borough's personnel, facilities and equipment in the event of a civil emergency, including without limitation natural or man-made disasters and disasters resulting from enemy actions, and to provide for the coordination of disaster and emergency service functions of the borough with all other public agencies and affected private persons, corporations and organizations.

### **3.72.020 - Civil emergency preparedness and emergency services office established.**

The borough manager's office is the civil emergency preparedness and emergency services office and thereby the coordinating agency for all activity in connection with emergency services and other disaster operations. The borough manager or the manager's designee, as incident commander, shall exercise the authority and discharge the responsibilities vested in him/her by applicable local, state and federal law. The assembly may review and disapprove of the borough manager's appointment of a designee as incident commander.

### **3.72.030 - Emergency response.**

The borough disaster response plan, and any amendments thereto, is adopted by reference into this Code. The borough manager shall, in the event of civil emergency, respond and provide services as provided in the borough disaster response plan.

### **3.72.040 - Authority to issue emergency proclamation.**

Pursuant to the authority granted hereunder and in Alaska Statute 26.23.140, whenever the borough manager determines that a civil emergency exists, he or she may declare by proclamation the existence of the emergency. Any proclamation issued pursuant to this Chapter shall have the force of law and shall supersede any conflicting provision of borough law during an emergency declared pursuant to this Chapter.

A declaration issued hereunder by the manager is effective for a period of seven days, unless ratified, modified or earlier terminated by assembly motion. A declaration may be terminated by either the borough manager or the assembly upon a determination that an emergency no longer exists. If the assembly modifies or terminates the declaration, said modification or termination shall be prospective only, and shall not affect any actions taken prior to the modification or termination of the declaration.

### **3.72.050 - Dissemination and posting of emergency proclamation.**

The proclamation of an emergency declaration, or any emergency order issued pursuant thereto, shall be posted on the borough website and at such other places in the borough as may be directed in the proclamation. It shall also be provided to any newspapers of general circulation published in the borough and any radio stations which broadcast within the densely populated areas of the borough.

### **3.72.060 - Imposition of orders during period of emergency.**

A. Upon declaration of a civil emergency under Section .040, the borough manager, the incident commander, and the assembly are each authorized to issue any or all of the following orders within the borough, effective immediately or as specified in the order, as deemed necessary to preserve the public health, safety and order of the borough. Orders issued shall terminate on their expiration date, except that orders issued by the borough manager or incident commander may be terminated by the assembly or subsequent order of the manager or commander:

1. With assembly approval, impose a curfew when it is determined necessary to protect and safeguard the people and property of the borough. The order instituting the curfew shall include the dates, hours, and the geographical areas of the borough, or the borough as a whole, that the curfew will be in effect. Physicians, nurses and emergency medical personnel performing essential medical services, utility personnel maintaining essential public services, authorized members of the borough police and fire departments, members of the news media upon showing of authorized press cards, and authorized borough and other governmental personnel may be exempted from such curfew.

2. With assembly approval, order the following to close and remain closed until further order for the period of the emergency:

a. Any or all bars, breweries, restaurants, private clubs or other establishments serving food or beverages, including without limitation alcoholic beverages.

b. Any or all entertainment facilities, including without limitation, theaters, gyms, fitness centers, bowling alleys and bingo halls.

c. Any or all other business establishments.

3. With assembly approval, prohibit gatherings of persons in excess of a specified number.

4. With assembly approval, call up regular and auxiliary law enforcement agencies and organizations within or without the borough to assist in preserving and keeping the peace within the borough.

5. Order the evacuation of persons from any designated area.

6. Suspend purchasing and contracting procedures for the procurement of supplies and services deemed necessary and in the public interest to address the civil emergency, in accordance with PMC 4.04.020C and PMC 4.04.040B.

7. Cancel any nonessential meeting of any board or commission of the Borough.

8. Issue such other orders reasonably immediately necessary to address the civil emergency and for the protection of life and property.

B. An order issued pursuant to this section shall contain the following:

1. A statement of the known facts upon which the order is based;

2. A statement that the borough manager, incident commander, or assembly, as applicable, believes it is in the best interest of public safety and health, and the protection of property, that the exercise of certain rights be temporarily limited; and

3. A statement that the conditions of the order are designed to provide the least necessary restriction on those rights.

C. Any order issued under this section shall supersede any inconsistent or conflicting borough ordinance or regulation.

D. During a period of emergency, special assembly meetings may be scheduled on less than 24 hours notice, provided that all assembly members have been provided at least 8 hours notice of such meeting either orally (in-person or by telephone), or by email, text or other electronic means. (Such meetings to be held only at the request of the mayor or of four or more assembly members). During a period of emergency, an assembly member or

members participating by teleconference shall be counted for purposes of determining a quorum. All other provisions of 3.08.080 shall remain in effect.

E. The Borough Manager, Incident Commander and the Assembly are also authorized to issue non-mandatory alerts to the public, when an order is deemed unnecessary; and make use of all available resources of the borough government, including borough personnel, as may be reasonably necessary to cope with an emergency. The manager or incident commander may transfer or alter the function of municipal departments or personnel for the purpose of performing or facilitating performance of emergency services.

**3.72.070 - Compliance with official orders during period of emergency --Violations and penalties.**

A. No person shall obstruct, hinder, or delay authorized borough and emergency personnel, including without limitation members of any disaster or emergency services organization, in the enforcement of their duties during any period of emergency.

B. No person shall fail or refuse to comply with any order issued under PMC 3.72.060(A), or the lawful orders of duly authorized law enforcement officers or personnel during any period of emergency.

C. No person shall wear, carry or display, without authority, any means of identification specified by the borough emergency preparedness and emergency services office or the Alaska Division of Homeland Security and Emergency Management.

D. Violation of this section shall be as follows:

1. When committed intentionally, knowingly, or recklessly, a Class B misdemeanor, punishable by a fine not to exceed the sum of two thousand dollars (\$2000) or by imprisonment for a term not to exceed ninety days, or both; or
2. When committed without any culpable mental state, a strict liability violation, subject to a fine as provided in the fine schedule set forth in Section 1.16.030 of the Borough Code; if the offense is not listed in the fine schedule, the person must appear in court, and shall be punished by imposition of a fine in accordance with Section 1.16.010.

**Section 4. Fine Amounts:** The following fine amounts are adopted for violations under Section 3.72.070(D)(2), and shall be administratively incorporated into Section 1.16.030 of the Borough Code:

Section Number	Description of Violation	Fine Amount
3.72.070(A)	Obstruct, hinder, or delay authorized personnel in their duties during any period of emergency	\$500.00
3.72.070(B)	Failure or refusal to comply with emergency orders under sections 3.72.060(A), or the lawful orders of law enforcement personnel	\$500.00
3.72.070(C)	Unauthorized wearing, carrying or display of identification specified by borough emergency	\$500.00

	preparedness/services office or the Alaska Division of HS&EM	
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**Section 5. Severability:** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application of other persons or circumstances shall not be affected.

**Section 6. Effective Date:** This Ordinance shall be effective immediately upon adoption.

**Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 21<sup>st</sup> day of September, 2020.**

**ATTEST:**

\_\_\_\_\_  
**Mark Jensen, Mayor**

\_\_\_\_\_  
**Debra K. Thompson, Borough Clerk**

Adopted:  
Published:  
Effective:

**2020 Election Report  
September 21, 2020 Assembly Meeting**

The annual Municipal Election will be held Tuesday, October 6, 2020.

1. This year's ballot will provide for the election of: 26 elected positions as follows:

- A. Two Assembly Members: Two - 3 year terms
- B. Two School Board Members: One - 3 year term; One – 2 year term
- C. Two Hospital Board Members: Two - 3 year terms
- D. Five Planning Commissioners: Three - 3 year terms; Two – 2 year terms
- E. Three Harbor Board Members: Three - 3 year terms
- F. Four Library Board Members: Three - 3 year terms; One – 1 year term
- G. Five Parks & Recreation Board Members: Two - 3 year terms; Two – 2 year terms;  
One – 1 year term
- H. Three Public Safety Board Members: Two - 3 year terms; One – 1 year term

2. There are no propositions on the October 6 ballot.

3. Thanks to the generous response received regarding the need for Election Officials, and with a special thank you to Mindy Lopez for her help in securing the majority of those willing to serve, I request you approve the following list of Borough residents to serve as Election Officials for the 2020 Municipal Election:

Tim Chittenden	Victoria Moore
Nancy Curtiss	Cindy Newman
Sara Hadad-Dembs	Joanna Peters
Aaron Hankins	Matthew Peters
Don Koenigs	Kathi Riemer
Janice Lopez	Marty Susort
Mindy Lopez	Christy Ware
Nathan Lopez	Alice Williams
Luan Madole	Erica Worhatch
Michelle Miyaki	

Debra K. Thompson  
Borough Clerk



September 3, 2020

Petersburg Borough Assembly Members,

The Petersburg Chamber of Commerce Board and members support the economic plan as presented by Liz Cabrera for local businesses in the amount of \$500,000. We strongly agree that the CARES Act money should be distributed back into the community where the loss of revenue has been felt during the pandemic.

The Chamber urges you to consider this plan as Petersburg businesses are considered small, brick and mortar storefronts that are viewed as the backbone of our community. Many businesses are uncertain if they will still have their doors open after this pandemic is over. Although, many businesses have taken advantage of the PPP and/or the EIDL, it simply is not enough to ensure that they are going to be able to survive the long fall/winter and spring, especially in light of the low revenue generated this summer.

Your consideration to this matter is greatly appreciated as we advocate on behalf of our businesses in Petersburg. As always, thank you for your time and dedication to our community.

Sincerely,

*Mindy Lopez*

Mindy Lopez  
Chamber Administrator

## Debra Thompson

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**From:** Joleen Wheeland <jobevland@outlook.com>  
**Sent:** Thursday, September 3, 2020 6:19 PM  
**To:** Assembly  
**Cc:** Senator\_murkowski@murkowski.senate.gov  
**Subject:** Landless

I don't understand "why" the Petersburg Borough Assembly is coordinating an "inquiry of interest" for Senator Lisa Murkowski regarding the Landless. The post was located on Facebook, posted 09/02/2020.

Those of us who are classified "Landless" Sealaska shareholders have been waiting what seems like forever (since ANCSA was signed in Dec. 1971) to have this issue moved beyond a Bill in the House of Representatives or the Senate. Every time election time rolls around, us Landless receive promises that it will be addressed. Our elders are passing away, and no promises kept.

One issue I have with this is, if the Petersburg Landless shareholders are expected to reply to this request by September 4th, did Senator Murkowski provide you with a contact list of all Landless Sealaska shareholders so they could respond timely? This comes across as an uncoordinated activity and perhaps it's expected that very few will respond so a negative judgment will be gathered from that.

It has been proven that all Landless communities were occupied by Natives and should have been included in ANCSA, the Forest Service, Bureau of Land Management and Indian Affairs by order of Congress commissioned "A Study of Five Southeast Alaska Communities" with the Institute of Social and Economic Research, University of Alaska. The study was completed February 1994.

What exactly are we supposed to provide to the Petersburg Assembly?? Our interest hasn't waned, this will not go away, my grandmother Amy Skeek is dead, my father Leonard Charles Skeek Sr. is dead, perhaps Congress (the House and the Senate) is waiting for all of us to pass away and no one to have any interest? For your information I have passed my Sealaska Landless Shares to my children and they are well informed, my interest has not faded, and neither will my childrens.

My children are: Nicole Skeek, Joshua Wheeland, and Jason Wheeland.

Joleen Wheeland  
P.O. Box 21964  
Juneau, AK 99802  
907-789-6825

Sent from Windows Mail

## Debra Thompson

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**From:** Don Sperl <highlinerhomes@hotmail.com>  
**Sent:** Thursday, September 3, 2020 6:46 PM  
**To:** Civil Emergency  
**Subject:** Regarding ordinance 2020-19

Many in this community including myself are disheartened. I can't remember a time in Petersburg (I've been a resident for 34 years) that such a large number of citizens have spoken out against an ordinance that is still somehow moving forward. Listen to the people and throw out ordinance 2020-19, it is not an improvement to the previous emergency ordinance. Thank you for your time, Tausha Sperl

Sent from my iPhone

## Debra Thompson

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**From:** Bosjun Reid <br.reidbros@aptalaska.net>  
**Sent:** Thursday, September 3, 2020 8:24 PM  
**To:** Assembly  
**Subject:** Emergency ordinance concerns

## Hello

As a concerned citizen and operator of local business I want to express some thoughts and concerns about Emergency Ordinance 2020-19.

First and foremost I ask you to vote it down. Vote NO.

This ordinance is out of line. I understand that no one intends to miss use the power that would be established by this document and that the push behind it is intended for the common good. However, this document is unbelievably invasive.

Imposing curfews on the citizens but not for those whom the Borough seems "essential", shutting down any business establishment, suspending individuals right to purchase, compulsory compliance with any order under PMC 3.72.060(A)??? What if I disagree? What if the proposed solution has unintended consequences that cause more damage than the supposed cure? What if the order violates my right of conscience or bodily autonomy? These are not American concepts. This is not the way of a free Republic.

Again, I understand that this is not some crazy conspiracy to pull off a hostile take over of Petersburg... That's ridiculous... That's not the point.

The point is that this document is not fit to pass. It is full of problematic language and poses a serious threat to violating ones right of conscience.

The American way is always on the side of the individual, every individual, not the collective. Once one tries to make a one size fits all policy trampling on the individual rights of some, "for the greater good" of others, you have effectively violated the American ethic. It is not the government's role to "keep us all safe", or to "herd all of us sheep". It is the government's role to protect individual liberty and ensure that each individual has the Freedom as set forth in the Bill of Rights as they go about their daily lives.

The emergency actions imposed on us thus far have already caused enough damage. Enough is enough. I caution you, I urge you... Believe in the people, give aid and support to their individual liberties, make every effort to stand in opposition to top down dictatorial rule and fight the urge to succumb to the urges of believing that the people need to be controlled... even in the event of an emergency.

Vote No on Emergency ordinance 2020-19.

Thank you.

Bosjun Reid

Reid Brothers Construction

Phone: (907)772-3755

Fax: (907)772-3748

P.O. Box 1187

Petersburg, AK 99833

## Debra Thompson

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**From:** Phyliss Chapman <tlinghet1@hotmail.com>  
**Sent:** Friday, September 4, 2020 1:32 PM  
**To:** Assembly  
**Subject:** Landless

Landless support....I am asking for support for myself and all others left outs.... most of us are about the same age ,75.....we were left out over 40years ago ...for 40 years we have been promised actions that have never been filled.....for the last year and a half I have been homeless due to the landlords required ,2.5 times the rent in income before they would even consider renting to a person.i only get 1250 a month SS...no way to get a rental. At 75 years old ,!!! To free up our land would give the help to me and many many others I am sure to survive out here.... please return our land..... Phyllis J Chapman.

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## Debra Thompson

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**From:** Bill Tremblay <brtrembla@gmail.com>  
**Sent:** Friday, September 4, 2020 2:34 PM  
**To:** Assembly  
**Cc:** Stephen Giesbrecht; Debra Thompson  
**Subject:** Corps of Engineers analysis of the Kake Road

The recent coverage of the Kake Road mentioned that the Federal Corps of Engineers (COE) is still considering whether or not to provide permits to the State to build the Kake Access Road. The news information says that the COE is preparing an environmental analysis to consider the effects.

I'm not asking the Assembly to weigh in with a letter to the COE regarding the road. However, I would like to see the Assembly send a letter to the COE asking them to include the citizens of the Petersburg Borough in an opportunity to make comments to this project.

As a federal agency, I'm sure their statutes and regulations require public participation as a part of the analysis since allowing public scoping or comments is required by the National Environmental Protection Act. Not only should the public have the right to comment on the project but also be allowed the opportunity to evaluate the findings of the project when/if the COE makes a decision to proceed.

I'm sure the COE found it necessary to initiate their own evaluation of the project since there is no existing documentation by a State or Federal agency to evaluate the effects of this project. If you remember; the State and Federal Highway Administration agreed in 2016 not to further their environmental analysis when they determined that there was no purpose or need for the project. Also, the Forest Service Environmental Impact Statement evaluating the potential Petersburg/Kake Intertie (listed on the State site for the Kake Access Project) wouldn't be sufficient for use by the COE as it proposes no new roads and therefore wouldn't have an analysis for this kind of land use to evaluate.

I've seen several letters submitted to the COE asking that their environmental analysis be more open and inclusive when seeking comments. As this project is of concern to many in the borough, I'd hope you might ask the COE to be more responsive.

Thank you;

Bill Tremblay  
P.O. Box 662  
Petersburg, AK 99833  
(907) 772-4461

## Debra Thompson

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**From:** Kevin Bell <toothemaxx54@yahoo.com>  
**Sent:** Friday, September 4, 2020 4:44 PM  
**To:** Assembly  
**Subject:** Landless Shareholders of Petersburg

I, Kevin L. Bell support Alaska Natives Without Land. Just as Tlingit and Haida has been beneficial to the economy of the community, a new Petersburg native corporation would also benefit the community. I hope the community of Petersburg can find it in themselves to show their support and help us bring a new native corporation to the wonderful town of Petersburg, Alaska.

**Debra Thompson**

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**From:** bob sheldon <bobwins@wavecable.com>  
**Sent:** Friday, September 4, 2020 5:47 PM  
**To:** Assembly  
**Subject:** petersburg landless

I support alaskan natives without land #landback. bob sheldon

## Debra Thompson

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**From:** Michael Sheldon <michaels@gci.net>  
**Sent:** Friday, September 4, 2020 8:41 PM  
**To:** Assembly  
**Subject:** 1971 Alaska Native Claims Settlement Act (ANCSA)

To the Assembly of the council of Petersburg.

I support Alaskan Natives Without Land #LandBack. As a lifelong resident of Petersburg, I believe the Landless issue of receiving its native lands is well overdue. Its been forty-nine years since this injustice. We the Petersburg residents of this community of natives were left out of the 1971 Alaska Native Claims Settlement Act (ANCSA), Now is the time that the whole community of Petersburg come together and support the landless because we are all in this together! I remember as one who worked with Mayor Ted Smith decades ago we had signed a memorandum of agreement to work together as a City and tribal government and the results have been awesome ever since. The Petersburg Indian Association has been a great asset in building trails, sidewalks, etc. in the community of Petersburg. As a Tribal Government who has helped its residents of Petersburg, let's continue to work together in supporting the landless. Thanks for the time and support.

Sincerely, Michael Sheldon

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## Debra Thompson

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**From:** Jeanette Ness <cjness@aptalaska.net>  
**Sent:** Saturday, September 5, 2020 9:13 AM  
**To:** Assembly  
**Cc:** mayorjensen@petersbugak.gov  
**Subject:** LANDLESS

Dear Mayor Jenson and Assembly Members,

I encourage your support of the Landless shareholders of Petersburg.

It has been 49 years of not being recognized and there have been many who have fought this issue and are no longer with us. How many more decades and loss of our Elders must be endured to see this fight continue? It would be a true blessing to see this injustice resolved during my lifetime!

Petersburg Indian Association has proven to be a viable entity in Petersburg. PIA has done many projects, in conjunction with the Borough, that have benefited our community. With your support, and the passing of the Landless Bill, these projects will be able to continue and benefit all of Petersburg and not just the tribe.

Please give your support to the Landless Shareholders!

Jeanette L. Ness

## Debra Thompson

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**From:** Chris Lopez <kotahwoo@gmail.com>  
**Sent:** Saturday, September 5, 2020 3:43 PM  
**To:** Assembly  
**Subject:** Landless natives

I am in total support of righting a wrong that was done to us

September 7, 2020

Borough Assembly Members

As a small business owner, I have greatly appreciated the positive support received by our community this year. Due to the numerous obstacles brought by Covid-19, this has not been the ideal year to have a new business and has presented many more struggles and sacrifices than typically seen when starting a new business.

Many of the economic support programs offered for businesses have been based on operating revenue received over the course of an entire year. This has left new business not qualifying for grant opportunities as seen by other businesses.

Example EIDL Grant: Annual Revenue /12 months of operation (Even if only in operation 6 months the annual revenue was still divided by 12 months)

The Local Municipal Economic Support Grant is based on a loss in gross sales from April, May and June 2019 as compared to 2020. When asked how new businesses not in operation during that time, but before March 11, 2020 would have eligibility determined, I was informed they would average the preceding months. This method again places new businesses at an economic disadvantage. Most all customer based businesses who rely on customers walking in or visiting their establishment see greater revenue during the qualifying 3 months than during the preceding months, as used to calculate for new businesses, hence making new businesses ineligible for the local support.

In addition to the non-essential business closure, Blomster Hus lost other spring/summer revenue sources including cancelations of weddings, celebrations of life and special gatherings florists cater to, as well as lost tourism income and yacht floral arrangement orders. Having a robust spring/summer season helps many of our local small businesses survive during the off season.

Please consider allowing an alternate method of calculating loss revenue for new businesses within our community to become eligible for the Local Municipal Economic Support Grant.

Although I do not plan on speaking toward Resolution #2020-16 during the Borough Assembly Meeting, I do plan on listening in should there be any questions.

Thank you for your consideration,

Stacy Kittams

Blomster Hus

Cc: Liz Cabra, PEDC

## Debra Thompson

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**From:** Jim Schwartz <schwartz.jp@gmail.com>  
**Sent:** Wednesday, September 9, 2020 9:23 AM  
**To:** Assembly  
**Subject:** Emergency Ordinance #2020-19

Dear Assembly members,

I am writing you to request that you support passing the emergency order powers ordinance. With the passing of time, the continued rising infection rate of our country, and the staggering death toll approaching 200,000 from this coronavirus pandemic, it has become clear that certain actions make a profound difference in stopping the spread of this disease and its deadly consequences. I recently read that Alaska Airlines is the safest airline to travel on because of the coronavirus protocols it has implemented, mandated. Travelers are following those protocols or they are not allowed to travel and will be banned from traveling again on Alaska Airlines. I think Petersburg has been largely protected because of Alaska Airlines and their safety policies.

On 9/11/2001 our country was attacked and over 3,000 people died. Emergency regulations went into effect that we still follow today and keep us safer traveling. Those regulations have been a huge impact—hassle if you will—nationwide. But they work and we travel with little danger from terrorism on airplanes. When the coronavirus first began making people sick, some thought it was like the flu. Now, six months later, we know it is far worse and kills on a massive scale; far worse than anything in our lifetime.

If this coronavirus flares up strongly in Petersburg, we will need to mandate safety measures to protect the most vulnerable in our community—our family, our friends, our neighbors. Please make sure that the emergency powers are in place to stop the spread of this deadly disease here in Petersburg. Regulations no different than those on Alaska Airlines now; or going through TSA at the airport; or stopping at a stop sign, or wearing seat belts. Regulations that impact our “freedom” in some way, but that have been proven to help keep us safer in a reasonable way.

Thank you for your time, your effort, and your leadership in trying to make decisions for the public good. Some personal sacrifice is necessary for making our community safer.

Sincerely,

Jim Schwartz

Sent from my iPad

Mark W Tuccillo DO  
Petersburg public health officer  
907 772 4299

To Whom It May Concern:

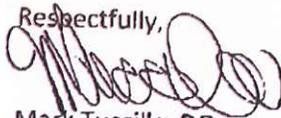
September 10, 2020

This letter is written regarding the Petersburg Borough Ordinance that provides for several emergency provisions. This issue has been moved to the forefront because of the ongoing pandemic. The day to day operational framework for the response is based on the incident command system (ICS). Per statute familiarity with the ICS 100 and ICS 200 is required of governing bodies including the Borough Assembly. If in fact, there was some expectation that a quorum from the assembly could be available to assess and intervene in the event of a new, emergent situation, then this ordinance would be unnecessary. However there is expectation that some sense of urgent response and/or initiation of action to mitigate any effects of a disaster, natural and/or man-made, very easily be necessary. ICS was designed to respond to this type of situation. The underlying premise is that for any given situation the immediately available most qualified individual would assume command, and relinquished command only when a more qualified individual became available. This would also apply to oversight by the Borough Assembly assuming they were available for immediate response, if they so chose to assume control. If that eventuality is not likely than the provisions within this ordinance would allow the incident commander to oversee the event to the best of his or her ability.

This ordinance does not rest control or power from our elected officials. It provides a framework for initial action that may be definitive and/or stopgap until a more effective course of action could be mounted. By its nature this is a time limited interaction only in the most dire situations. I strongly support the intent of and urge passage of this ordinance

If you need any additional information, please contact me at the address or phone number above at your convenience. As always thank you in advance for your rapid attention to this matter and concern for the welfare of our community

Respectfully,



Mark Tuccillo, DO

## Debra Thompson

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**From:** Cecilia Tavoliero <cecitavoliero@gmail.com>  
**Sent:** Wednesday, September 16, 2020 3:08 PM  
**To:** Assembly  
**Subject:** Landless support

Hello. I am a Petersburg Landless shareholder and I support the draft bill that Senator Murkowski and the companion bill that Congressman Young will introduce shortly.

Alaska's congressional delegation has always been in support of inclusion of the communities of Petersburg, Wrangell, Ketchikan, Haines & Tenakee.

SE Alaska could use an economic boost & jobs in the community would benefit shareholder & non shareholders alike.

Please help fix this 49 year old injustice by supporting us.

Thank you kindly.

Cecilia Lopez Tavoliero

Sent from my iPhone

## Debra Thompson

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**From:** Dana Thynes <danathynes@gmail.com>  
**Sent:** Thursday, September 17, 2020 10:07 AM  
**To:** Debra Thompson; Dana Thynes  
**Subject:** Public Opinion "Petition" to the Assembly  
**Attachments:** Petition for Petersburg Assembly PDF final 9-2.pdf

Hi, Debra,

Attached, please find the unofficial "petition" form that has been circulating around town for 2 weeks, and this cover letter:

Mayor Mark Jensen and Borough Assembly Members  
Petersburg Borough Assembly  
PO Box 329  
Petersburg, AK 99833

September 2020

RE: Proposed Ordinance #2020-19

Dear Mayor Jensen and Petersburg Borough Leaders,

There are many voices you have not heard related to the ordinance now in third reading and set for a vote. Not everyone is comfortable calling into a public forum, writing a letter to the editor, or trying to get a private meeting with you. But there are concerns.

What follows is NOT a referendum on those who have led the way on this latest challenge with CoVid-19 responses. People have been quick to say that XXX is a nice guy or XXX has served the town for XXX years. There is much appreciation for the work done and the time devoted. However, as a ruling body in voting for the current Ordinance #2020-19 that codifies tremendous powers in the hands of one or a few, that vote must be considered as if you are handing these powers not to those you know and trust...but as if giving those powers to your worst political adversary, the person or people with whom you most disagree, your grandest enemy, and those you don't trust or respect. That's what law does.

As written Ordinance 2020-19 is an overreach that has what could be frightening consequences. Some of what would be allowed in that wording has now been ruled unconstitutional in a recent case by a Federal judge from the Western District of Pennsylvania. An article about that 66-page judgement is attached. Within it Judge Stickman says: "Even a vigilant public may let down its guard over its constitutional

liberties only to find that liberties, once relinquished, are hard to recoup.” That voices some of the concerns I hear on the streets of Petersburg.

In asking that Ordinance 2020-19 be nullified in its entirety...it is not to leave the town without a plan...but to have a plan that is fitting for Petersburg, Alaska and not something highjacked from a city in California or wherever it came from...in a copy-and-paste that is offensive in a town that has always pulled together in both good times and in challenge.

With more awareness in the public now in what Ordinance 2020-19 can mean, let's go back to the drawing board and create something that is appropriate for our town. And let's keep in mind while developing a better plan than is currently in place that, as Dr. Peter Breggin has said: “The US Constitution and the Bill of Rights are INTENDED FOR emergencies, not EXPENDABLE DURING emergencies.” We can clarify lines of communication without giving up liberties we won't get back.

For now, we present signature pages with the expressed position asking that you please vote down Ordinance 2020-19 in its entirety.

Always,

Judy Ohmer

[https://www.theepochtimes.com/judge-rules-pennsylvania-governors-shutdown-orders-unconstitutional\\_3499183.html?ref=brief News&utm\\_source=morningbrief&utm\\_medium=email&utm\\_campaign=mb](https://www.theepochtimes.com/judge-rules-pennsylvania-governors-shutdown-orders-unconstitutional_3499183.html?ref=brief%20News&utm_source=morningbrief&utm_medium=email&utm_campaign=mb)







