



# Petersburg Borough

12 South Nordic Drive  
Petersburg, AK 99833

## Meeting Agenda Borough Assembly Regular Meeting

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Tuesday, October 19, 2021

6:00 PM

Assembly Chambers

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You are invited to a Zoom webinar.  
When: Oct 19, 2021 06:00 PM Alaska  
Topic: October 19, 2021 Assembly Meeting

Please click the link below to join the webinar:  
<https://petersburgak.gov.zoom.us/j/81535245061?pwd=akcyT011NFdPR0djMWhTMG5ML1lIZz09>  
Passcode: 449279

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or  
+1 301 715 8592 or +1 312 626 6799  
Webinar ID: 815 3524 5061  
Passcode: 449279

1. **Call To Order/Roll Call**
2. **Oath of Office**
  - A. **Oath of Office for Newly Elected Assembly Member Thomas Fine-Walsh**
3. **Voluntary Pledge of Allegiance**
4. **Approval of Minutes**
  - A. October 4, 2021 Regular Meeting Minutes**
  - B. October 8, 2021 Special Meeting Minutes**
5. **Amendment and Approval of Meeting Agenda**
6. **Public Hearings**
  - A. **Public Hearing for Ordinance #2021-15**

Any public testimony regarding Ordinance #2021-15 should be given during this public hearing. A copy of Ordinance #2021-15 may be found under agenda item 15A.

**B. Public Hearing for Ordinance #2021-17**

Any public testimony regarding Ordinance #2021-17 should be given during this public hearing. A copy of Ordinance #2021-17 may be found under agenda item 15B.

**7. Bid Awards**

**8. 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.*

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

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

**10. Boards, Commission and Committee Reports**

**11. Consent Agenda**

**A. THE 420 Marijuana Establishment License Renewal Application**

THE 420 has applied with the Alaska Alcohol & Marijuana Control Office for a retail marijuana establishment license renewal. The Assembly may support or protest the application. A protest may not be arbitrary, capricious or unreasonable.

**B. SEA\*WEED FARMS Marijuana Cultivation Facility License Renewal Application**

SEA\*WEED FARMS has applied with the Alaska Alcohol & Marijuana Control Office for a marijuana cultivation facility license renewal. The Assembly may support or protest the application. A protest may not be arbitrary, capricious or unreasonable.

**12. Report of Other Officers**

**A. SEAPA Update**

Assembly and SEAPA Board Member Lynn will provide an update on SEAPA activities.

**B. Sea Otter Working Group Update**

Assembly Member Meucci will provide an update on the Sea Otter Working Group.

**13. Mayor's Report**

**A. October 19, 2021 Mayor's Report**

**14. Manager's Report**

**A. October 19, 2021 Manager's Report**

**15. Unfinished Business**

**A. Ordinance #2021-15: An Ordinance Updating Chapter 9.04 of the Municipal Code, Entitled "Disease Control", to Update Language and Reflect Borough Incorporation - Second Reading**

The purpose of Ordinance #2021-15 is to 1) move the chapter into borough code; 2) amend or remove antiquated language; 3) delete duties that have historically not been performed by the local health officer; 4) delete the health officer's power to compel vaccinations, currently provided for in section 9.04.040; 5) add language to ensure that actions of the health officer under 9.04.020 (A) and (B) are taken only under the direction of either the borough manager or the borough assembly; 6) include a new section 9.04.040 that outlines the required substance of health officer directives, to ensure that directives are factually based, designed to be as least restrictive as possible, and are in the best interests of public health; and 7) provide a fine in the event of violation of a directive (new section 9.04.050). Ordinance #2021-15 was unanimously approved in its first reading.

**B. Ordinance #2021-17: An Ordinance Updating Various Provisions of Chapter 14.12 of the Municipal Code, Entitled "Sanitation" - Second Reading**

Ordinance #2021-17, if adopted, will 1) add provisions to address concerns regarding bears accessing refuse containers located in residential neighborhoods, including establishment of a fine for noncompliance; 2) change collection of recyclables from once per week to once every two weeks; 3) add a section to address the disposal of vehicles; and 4) update collection and on-site disposal rates. Ordinance #2021-17 was unanimously approved in its first reading.

## 16. New Business

**A. Resolution #2021-11: A Resolution of the Petersburg Borough Assembly in Support of a Permanent Ban on Tailings Dams and for a Temporary Pause in the Permitting, Exploration, Development, and Expansion of Canadian Mines Along Alaska-British Columbia Transboundary Salmon Rivers Until the United States-Canada Boundary Waters Treaty of 1909 and the United Nations Declaration on the Rights of Indigenous Peoples are Upheld and an International Agreement on Watershed Protections is Implemented**

Assembly Member Meucci worked with interested parties to draft this resolution for the Petersburg Assembly.

**B. Resolution #2021-12: A Resolution Approving the Expenditure of up to \$25,000 from the American Rescue Plan Special Revenue Fund for Petersburg Mountain View Manor Assisted Living Capital Outlay in Response to the Continuing COVID-19 Health Emergency**

This resolution is brought forward by Assembly Member Kensinger and requests up to \$25,000 in ARPA funding to complete construction and electrical work on a covered deck, which will provide the MVM Assisted Living residents with a safe outdoor space.

**C. Resolution #2021-13: A Resolution of the Petersburg Borough Applying & Accepting COVID Grant Funding from the State of Alaska, Department of Health and Social Services, for COVID Testing and Vaccine Administration Costs Incurred by the Petersburg Medical Center with the Petersburg Borough Acting as a Pass Through**

If approved, Resolution #2021-13 will allow the Borough to accept \$17,847.80 from the State of Alaska to pass through to the Petersburg Medical Center to use for COVID testing and vaccine administration.

**D. 2021/22 Assembly Appointments**

Mayor Jensen, with Assembly approval, will appoint Assembly Members as representatives or liaisons to the Southeast Conference, Alaska Municipal League, Harbors and Ports Advisory Board, Hospital Board, Public Safety Advisory Board, and the Local Emergency Planning Committee. The 2020/21 Assembly Appointment list is attached for reference.

**E. Work Session with the City of Kupreanof Council**

Assembly Member Meucci requests a work session be held with the City of Kupreanof Council Members to discuss the Kupreanof dock.

**F. Work Session with the School Board**

Assembly Member Meucci requests a work session be held with the School Board per Borough Charter Section 8.04, which states, "The assembly and school board shall meet at least once yearly in public session to discuss and coordinate financial planning, capital improvement needs, comprehensive plans for education, and other matters of concern." The joint work session has not been held in many years.

**G. Work Session with the Hospital Board**

Assembly Member Meucci requests to schedule the annual work session with the Hospital Board per Borough Charter Section 9.04, which states, "The Assembly and hospital board shall meet at least once yearly in public session to discuss and coordinate financial planning, capital improvement needs, comprehensive plans for health care and other matters of concern." The last work session held for this purpose was on December 5, 2019.

**17. Communications**

**A. Communications Received Since September 30, 2021**

**18. Assembly Discussion Items**

**A. Proposed Redistricting Maps for Petersburg**

Assembly Member Meucci requests a discussion of the proposed redistricting maps and how they would affect Petersburg. He has asked that selecting a preferred map be an action item at the November 1, 2021 Assembly Meeting.

**B. Assembly Member Comments**

**C. Recognitions**

**19. Adjourn**



# Petersburg Borough

12 South Nordic Drive  
Petersburg, AK 99833

## Meeting Minutes Borough Assembly Regular Meeting

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Monday, October 04, 2021

12:00 PM

Assembly Chambers

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### 1. Call To Order/Roll Call

Mayor Jensen called the meeting to order at 12:00 p.m.

#### PRESENT

Assembly Member Bob Lynn  
Assembly Member Chelsea Tremblay  
Assembly Member David Kensinger  
Vice Mayor Jeigh Stanton Gregor  
Assembly Member Jeff Meucci  
Mayor Mark Jensen

#### EXCUSED

Assembly Member Taylor Norheim

### 2. Voluntary Pledge of Allegiance

The Pledge was recited.

### 3. Approval of Minutes

#### A. Regular Assembly Meeting Minutes September 20, 2021

The September 20, 2021 Assembly meeting minutes were unanimously approved.

Motion made by Vice Mayor Stanton Gregor, Seconded by Assembly Member Tremblay.

Voting Yea: Assembly Member Lynn, Assembly Member Tremblay, Assembly Member Kensinger, Vice Mayor Stanton Gregor, Assembly Member Meucci, Mayor Jensen

### 4. Amendment and Approval of Meeting Agenda

The agenda was amended to add New Business Item 15F - Certification of Election Special Meeting. The agenda was unanimously approved as amended.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Tremblay.  
Voting Yea: Assembly Member Lynn, Assembly Member Tremblay, Assembly Member

Kensinger, Vice Mayor Stanton Gregor, Assembly Member Meucci, Mayor Jensen

**5. Public Hearings**

There were no public hearings.

**6. Bid Awards**

There were no 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.*

Cindy Lynn shared her concerns regarding Ordinance #2021-17 which updates certain provisions of Chapter 14.12 entitled "Sanitation".

Dana Thynes shared her belief that Ordinance #2021-15, which updates Code Chapter 9.04 entitled "Disease Control", is still too restrictive.

Frederick Olsen Jr., Executive Director of Southeast Alaska Indigenous Transboundary Commission (SEITC), urged the Assembly to sign on to a Rivers That Feed Us Resolution, drafted by SEITC and Salmon Beyond Borders, which calls for a permanent ban on tailings dams and a temporary halt to the permitting, exploration, development and expansion of Canadian mines along Alaska-British Columbia transboundary salmon rivers.

Breanna Walker, Campaign Coordinator with Salmon Beyond Borders, called on the Assembly to join other municipalities, groups and individuals and sign on to the Rivers That Feed Us Resolution.

Brian Lynch, on behalf of Rivers Without Borders and himself, also encouraged the Assembly to sign on to the Rivers That Feed Us Resolution.

**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.*

No views were shared.

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

No reports were given.

**10. Consent Agenda**

There were no Consent Agenda items.

**11. Report of Other Officers**

**A. SEAPA Update**

Utility Director and Assembly and SEAPA Board Member Lynn provided an update on SEAPA activities.

**B. Petersburg Medical Center Update**

PMC CEO Hofstetter updated the Assembly on Medical Center activities.

**12. Mayor's Report**

**A. October 4, 2021 Mayor's Report**

Mayor Jensen read his report into the record. He also added the following:

Condolences to the family of Ted Smith, who passed away October 3rd. Mayor Jensen recognized the many years of public service Ted gave to the City of Petersburg.

Thank you to Taylor Norheim for his service on the Assembly the last three years.

Mayor Jensen will not be available to attend the November 1, 2021 Assembly meeting.

Thank you to the PMP&L crew for their work during last Friday's storm.

Tomorrow is Election Day. Please vote!

**13. Manager's Report**

**A. October 4, 2021 Manager's Report**

Manager Giesbrecht read his report into the record, a copy of which is attached and made a permanent part of these minutes.

**14. Unfinished Business**

**A. Ordinance #2021-16: An Ordinance Amending Chapters 9.16, 14.04, 14.08, 14.12, and 14.16 of the Municipal Code to Authorize Creation and Recording of a Lien in Favor of the Borough in Order to Secure Payment of Delinquent Fees, Costs and Expenses - Third and Final Reading**

Ordinance #2021-16 was unanimously approved in its third and final reading.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Lynn. Voting Yea: Assembly Member Lynn, Assembly Member Tremblay, Assembly Member Kensinger, Vice Mayor Stanton Gregor, Assembly Member Meucci, Mayor Jensen

**15. New Business**

**A. Ordinance #2021-15: An Ordinance Updating Chapter 9.04 of the Municipal Code, Entitled "Disease Control", to Update Language and Reflect Borough Incorporation - First Reading**

The purpose of Ordinance #2021-15 is to 1) move the chapter into borough code; 2) amend or remove antiquated language; 3) delete duties that have historically not been performed by the local health officer; 4) delete the health officer's power to compel



vaccinations, currently provided for in section 9.04.040; 5) add language to ensure that actions of the health officer under 9.04.020 (A) and (B) are taken only under the direction of either the borough manager or the borough assembly; 6) include a new section 9.04.040 that outlines the required substance of health officer directives, to ensure that directives are factually based, designed to be as least restrictive as possible, and are in the best interests of public health; and 7) provide a fine in the event of violation of a directive (new section 9.04.050).

By unanimous roll call vote, the Assembly approved Ordinance #2021-15 in its first reading.

Motion made by Assembly Member Meucci, Seconded by Vice Mayor Stanton Gregor. Voting Yea: Assembly Member Lynn, Assembly Member Tremblay, Assembly Member Kensinger, Vice Mayor Stanton Gregor, Assembly Member Meucci, Mayor Jensen

**B. Ordinance #2021-17: An Ordinance Updating Various Provisions of Chapter 14.12 of the Municipal Code, Entitled "Sanitation"**

Ordinance #2021-17, if adopted, will 1) add provisions to address concerns regarding bears accessing refuse containers located in residential neighborhoods, including establishment of a fine for noncompliance; 2) change collection of recyclables from once per week to once every two weeks; 3) add a section to address the disposal of vehicles; and 4) update collection and on-site disposal rates.

The Assembly unanimously approved Ordinance #2021-17 in its first reading.

Motion made by Assembly Member Lynn, Seconded by Assembly Member Meucci. Voting Yea: Assembly Member Lynn, Assembly Member Tremblay, Assembly Member Kensinger, Vice Mayor Stanton Gregor, Assembly Member Meucci, Mayor Jensen

**C. Airport COVID Testing Contract Extension**

The State of Alaska is requesting an extension of the Airport COVID Testing contract for an additional \$1,222,750.00 for services performed October 1, 2021 through September 30, 2022.

By unanimous roll call vote, the Assembly approved extension of the Airport COVID testing through September 30, 2022.

Motion made by Vice Mayor Stanton Gregor, Seconded by Assembly Member Meucci. Voting Yea: Assembly Member Lynn, Assembly Member Tremblay, Assembly Member Kensinger, Vice Mayor Stanton Gregor, Assembly Member Meucci, Mayor Jensen

**D. Approval of Letter to the Petersburg Ranger District Regarding Improvements to Raven's Roost Trail & Cabin**

The Assembly unanimously approved signing on to the P&R Advisory Board's letter to the Petersburg Ranger District expressing appreciation for the ongoing improvements to the Raven's Roost Trail and Cabin.

Motion made by Assembly Member Tremblay, Seconded by Assembly Member Meucci.

Voting Yea: Assembly Member Lynn, Assembly Member Tremblay, Assembly Member Kensinger, Vice Mayor Stanton Gregor, Assembly Member Meucci, Mayor Jensen

**E. Approval of Election Officials**

Five additional Borough residents were unanimously approved as Election Officials.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Tremblay.

Voting Yea: Assembly Member Lynn, Assembly Member Tremblay, Assembly Member Kensinger, Vice Mayor Stanton Gregor, Assembly Member Meucci, Mayor Jensen

**16. Communications**

No communications were received.

**17. Assembly Discussion Items**

**A. Transboundary Salmon Rivers**

Assembly Member Meucci shared he has requested the Transboundary Salmon Rivers issue be brought before the Assembly as an action item in the form of a Resolution at the November 1, 2021 meeting.

**B. Assembly Member Comments**

Assembly Member Stanton Gregor reminded Petersburg that tomorrow is Local Democracy Day and urged all registered voters to turn out and vote.

Assembly Member Meucci thanked all staff involved in working on the power outage during last Friday's storm. He was impressed with all the Borough departments that worked together to take care of Petersburg.

Assembly Member Tremblay thanked Utility Director Hagerman for sharing the names and departments of Borough employees who were involved in the work during the power outage, but pointed out that he forgot to name himself as he was out in the storm as well, directing traffic around the workers.

Assembly Member Kensinger thanked everyone for working together and restoring power to Petersburg and Utility Director Hagerman for his email about the outage.

### C. Recognitions

Assembly Member Meucci recognized Member Norheim for his three years serving on the Borough Assembly.

### 18. Adjourn

The meeting was adjourned at 1:41 p.m.

Motion made by Assembly Member Tremblay, Seconded by Assembly Member Meucci.  
Voting Yea: Assembly Member Lynn, Assembly Member Tremblay, Assembly Member Kensinger, Vice Mayor Stanton Gregor, Assembly Member Meucci, Mayor Jensen



# Petersburg Borough

12 South Nordic Drive  
Petersburg, AK 99833

## Meeting Minutes 2021 Municipal Election Certification Meeting

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Friday, October 08, 2021

9:00 AM

Assembly Chambers

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### 1. Call to Order / Roll Call

Vice Mayor Stanton Gregor called the meeting to order at 9:00 a.m.

#### PRESENT

Vice Mayor Jeigh Stanton Gregor  
Assembly Member David Kensinger  
Assembly Member Jeff Meucci  
Assembly Member Taylor Norheim  
Assembly Member Chelsea Tremblay

#### EXCUSED

Mayor Mark Jensen  
Assembly Member Bob Lynn

### 2. Questioned and Pending Absentee Ballots

12 absentee ballots received prior to meeting time and post marked on or before October 5, 2021 were opened and counted. The 5 questioned ballots from the election were not eligible to be counted per the State of Alaska Division of Elections.

### 3. Certification of Election Results

#### A. Draft 2021 Certificate of Election

The votes from the 12 absentee ballots opened were added to the 2021 Election Certificate and all votes were totaled. The Assembly unanimously approved the amended 2021 Election Certificate.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Tremblay.

Voting Yea: Vice Mayor Stanton Gregor, Assembly Member Kensinger, Assembly Member Meucci, Assembly Member Norheim, Assembly Member Tremblay

### 4. Adjourn

The meeting was adjourned at 9:24 a.m.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Tremblay.  
Voting Yea: Vice Mayor Stanton Gregor, Assembly Member Kensinger, Assembly Member Meucci, Assembly Member Norheim, Assembly Member Tremblay



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,  
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

October 1, 2021

Petersburg Borough  
Attn: Borough Clerk  
VIA Email: [dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)  
[daikins@petersburgak.gov](mailto:daikins@petersburgak.gov)

<b>License Number:</b>	10163
<b>License Type:</b>	Retail Marijuana Store
<b>Licensee:</b>	SUSAN J BURRELL
<b>Doing Business As:</b>	THE 420
<b>Physical Address:</b>	307 N. Nordic Dr. Petersburg, AK 99833
<b>Designated Licensee:</b>	SUSAN J BURRELL
<b>Phone Number:</b>	907-518-4425
<b>Email Address:</b>	ssusiesfire@msn.com

License Renewal Application       Endorsement Renewal Application

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to me the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email [amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov).

Sincerely,



Glen Klinkhart, Director  
907-269-0350



THE STATE of ALASKA GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

October 5, 2021

Petersburg Borough Attn: Borough Clerk VIA Email: dthompson@petersburgak.gov daikins@petersburgak.gov

Table with 2 columns: Field Name and Value. Fields include License Number (14511), License Type (Standard Marijuana Cultivation Facility), Licensee (SUSAN J BURRELL), Doing Business As (SEA\*WEED FARMS), Physical Address (307 N. Nordic Drive Room A Petersburg, AK 99833), Designated Licensee (SUSAN J BURRELL), Phone Number (907-518-4425), and Email Address (ssusiesfire@msn.com).

[X] License Renewal Application [ ] Endorsement Renewal Application

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

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At the May 15, 2017, Marijuana Control Board meeting, the board delegated to me the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.



Sincerely,

A handwritten signature in black ink, appearing to read "Glen Klinkhart". The signature is written in a cursive style with a large initial "G" and "K".

Glen Klinkhart, Director

## Southeast Sea Otter Stakeholder Working Group Quarterly Meeting

September 24, 2021 9:00 am – 12:00 pm AK

Virtual Meeting

### Summary/Notes

**Participants:** Kathy Hansen, Maya Becker (Murkowski), Brad Benter, Carly Besh (Murkowski), Carter Johnson, Joseph Eisaguirre, John Moller, Ginny Eckert, Sarah Hanchett, Katharine Nalven, Lynn Lee, Sabrina Farmer, Amy Kirkham, Jenell Larsen Tempel, Lee Kadinger, Patrick Lemons, Bo L Meredith, Mike Miller, Perry Williams, Caroline Cummings, Ben Weitzman, Phil Doherty, Paul Schuette, Mike Jackson, Jamie O’Conner (Murkowski)

Introduction of participants on the meeting platform. Congressional Delegation will be moved towards the end of the meeting when Jamie O’Conner is available to join the meeting.

#### Topic – Harvest Management

##### Historical sea otter management – Mike Miller

- Sitka sound was one of the first places sea otter populations took off with rapid population growth and expansion following reintroduction efforts. Starting in the late 1980s, the Tribe began to view this increase in sea otters in the area as an economic opportunity. In 1988 the first commission was formed to work on sea otter issues. In the 1990s, research was conducted to develop harvest management plans and in 1993 the first formal plan was created. However, this plan was limited by FWS interpretation of what was determined to be “significantly altered” in regards to the MMPA definition for handicrafts, resulting in a court case that challenged the use of a zipper in a sea otter parka as “nontraditional” and thus a violation of the MMPA. The hunter won this case, which changed harvest moving forward. At that time the bulk of harvest came out of Sitka due to the sea otter population boom. Observations of otter expansion coincided with observations of a reduction in shellfish harvest. Local people asked Tribe to increase sea otter harvest as way to protect important subsistence resources. Co-management initiatives were discussed but nothing was actually occurring on the grounds.
- Sea otter populations continued to expand. In 2002 the Tribe deemed it a topic of priority. Moving forward, the Tribe worked practical initiatives such as funding for a tannery operation which was operational in 2005, promoted skin-sewing programs, held management workshops and drafted management plans instead of only documenting damages. However, the path ended up being to work on economic development and not following the management plans.
- Fluctuations in harvest occurred over the years due to lack of clarity on rules and regulations, particularly over language in the MMPA and qualifiers for sea otter parts being “significantly altered.” This caused contention and poor relations with FWS, further fueled by a large FWS law enforcement operation in 2008 in which several people were charged.
- There is still a need to clarify the language in the MMPA about handicrafts and to rebuild comfort with local hunters. The Tribe obtained 3 years funding for sustainable arts from State of Alaska in areas where sea otters hyperabundant. Congressmen Young looking at language in MMPA to be able to export furs out of the state. This was not approved, but the Tribe took opportunity to promote management effort through existing provisions and promotion of sustainable art. In 2011-2012, there was push back from FWS. National director FWS visited Sitka. Developed new language agreed upon by FWS AK and AK Natives. Since 2016, the relationship with FWS has improved. Sitka harvest has increased again.

- Historically, harvest has not been driven by biological research but was instead a reactionary way to deal with sea otter issues observed by the local community. Within Sitka, sea otter harvest and a more stable (not fast expansion) population of sea otters, there has been a resurgence in invertebrate subsistence shellfish (abalone, gumboots, etc.), especially where there are not otters present but not sure at what level. Abalones have been seen in areas where they traditionally never were located.
- Moving forward, expansion of the sustainable arts program, promote harvest and the statewide initiative to work on a regional basis/approach is under discussion are all possible within current regulatory framework. Artists are not as afraid to make and sell handicrafts.

Comments/Response from group- increase in some invertebrates might be from seastar wasting disease, and the reduction in the predator Pycnopodia (sunflower star) allowing those inverts to come back. Virus might be expanding to other echinoderms such as sea cucumbers and urchins. No recovery of sun stars has been observed in SE since their decline. In Sitka sound, otters are not abundant anymore; harvest keeping population there in check. Invertebrate populations are not solely driven by otters, there are other ocean conditions happening. Promote harvest. Research important but don't wait on research. Mike pointed out that in Sitka the strong, directed harvest happened after the sea otter population spike in Sitka. So their example is a little different than an area where the expansion might just be developing and this situation may be more challenging.

### Present Initiatives

Sealaska Heritage Center -Lee Kadinger

- Since 2013, offer State- sponsored by classes. Trained near 500 individuals in skin sewing in over 15 communities in SE AK. Looking to expand into northern communities with the goal to create a sustainable cottage industry and revitalize a lost art form which had occurred with the historical loss of sea otters. With these classes, there has been an increased use of sea otters in regalia and celebrations. Hunters provide about 200 pelts a year to classes, work with ADFG to focus harvest where shellfish fisheries under threat of closure due to sea otter predation pressure. In 2019, saw a significant increase in artists working with sea otter products. One hurdle for individuals and artists was obtaining access to markets. Many were selling products through social media, but this was banned by Facebook and Etsy unless individuals paid to advertise. There is currently no organized marketing for marine mammal products, which is necessary to expand. Worked with tanneries to allow better access, also ways to offer shearing and dying so artists have other avenues to diversify what they are selling. Sea otter marketing brochure with FWS, hopefully out in next year. SHI has retail store, but issues/confusion from customers about legality of purchasing ivory and sea otter products. Need brochure to communicate that they are allowable/legal products to sell to visitors, and to remove trepidation from the buyer.
- The State of Alaska sustainable arts grant was originally for a three year program but only the first two years occurred and the third year that was to focus on marketing is still needed.

Hunter's perspective

- John: kids are hunters, daughter is an artist. In recent experience there has been a lack of quality in tanning of hides. Set-back when it is an expensive service and the hide not as workable or too oily.

- Mike: Inconsistency of harvest makes it hard for tanneries to maintain their consistency in quality, and building of capacity within a tannery. Hard to keep good workers if harvest goes down. Also it is expensive. Likely needs subsidy to maintain a commercial operation.
- Lee offered to chat further with hunters for options for a good product.

#### USFWS Marking Tagging Reporting Program – Sarah Hanchett

- Overview of harvest trends. MTRP- monitor subsistence and handicraft use of animals. Stay locally engaged with communities. Importance of maintaining a two-way dialogue. Data shows - peaks and lulls of harvest throughout the years, likely attributed to enforcement efforts and issues surrounding differences in interpretations of the legality of “significantly altered” language. Shows that it is vital that the public has clear understanding of policy and management interpretation actions. Overall, there has been an increase in harvest and otters harvested in novel locations. Variability in group size over time. Sitka- no trend in harvesting from large groups vs from small groups. Numbers by area not always exact data because hunters travel to and from locations. MTRP does have more fine scale location data, but as Brad mentioned, some hunters don’t want their locations being broadcast. See attached presentation PDF.
- Presentation showed the first peak of harvest occurred in 1992-93 followed by a sharp decline with the 1992 Didrickson vs FSO court case (zipper/significantly altered). Harvest was stable (low) in the middle 1990 to 2010 with change in tannery operations and definitions being worked on. Harvest slowly increased through 2009-2012 with peak harvests 2013-15 with the conclusion of the 2012 “Significantly altered handicraft” definition workshop and the 2012 Sealaska sustainable arts program.

#### Future projections

##### Individual interest and goals for Southeast (SE) sea otters

- Tribal/Subsistence - Look at sea otter as a sustainable resource and economic development for Tribal people and help protect existing subsistence resources in SE AK
- Commercial Fisheries – Trying to look for a balance for the sea otter and shellfish resources that are important
- Federal – Manage and maintain optimal sustainable populations (OSP) of sea otters under the jurisdiction of the MMPA
- Environmental/NGO: Katy Nalven from Defenders. Want a robust, resilient population of sea otters to fulfill their ecological role as a keystone species. Advocate for long-term trends management, research and monitoring, population health, stakeholder engagement, ethical tourism, non-lethal coexistence, respectful recognition of Tribal harvest and indigenous rights

#### Goals of the Group and next steps

Phil- laws in place but it is an uphill battle, need to come up with sea otter management plan that would open up options for hunters. SE survey didn’t get done and nothing has changed in last year. Dive fisheries have been negatively impacted- geoduck areas closed, because population has dropped, right in the middle of sea otter country. Sea cucumbers have also declined and lost almost all of sea urchins. Happens every year: fewer and fewer areas to fish in and less and less pounds to harvest. Currently not many tools for hunters. Anything that will help harvest and control sea otters is needed.

Ginny- disappointed there wasn't a survey. Would like an update from FWS. Is it possible that the survey could reveal that there is decreasing harvest because there is a decreasing otter population?

Patrick- FWS struggled with contracts, carding for aircrafts, and government bureaucracy. By the time things were in place, it was late in the season. But survey is the priority for next year. Currently working on photo processing techniques, developing workflow ahead of time. The survey is scheduled for May-June 2022. Population estimates were published using new modeling approaches by Joe Eisaguirre <https://movementecologyjournal.biomedcentral.com/articles/10.1186/s40462-021-00270-w> Paul mentioned FWS also has a graduate student posting that will build on the population model that Joe published earlier this year, but will hopefully incorporate harvest, as well as invertebrate data. Setbacks with aerial survey were due administrative aspects, Covid, and want to do survey right so it was postponed. Please share opportunity with prospective students. <https://wfscjobs.tamu.edu/jobs/ms-assistantship-sea-otter-habitat-use-reno-tahoe/>. Still planning to finalize survey results in the original time frame with March of 2023 being the goal.

**Congressional Delegation – Jamie O'Connor (Murkowski office)** (interrupted discussion when she joined the meeting platform)

Jamie started by telling a little bit about herself, grew up in BB and served on the NPFMC Advisory Panel prior to starting work. in Senator's office in March. Traveled around SE w/Senator an otters came up in 2/3rds of the meetings attended

Question from Phil to Jamie O'Connor (Murkowski)- any discussions in AK delegation that will change MMPA that will slow down sea otter growth in AK? Jamie said they are hesitant to crack open the MMPA. Administration has goals for MMPA, and she is not confident to share anything definitive, but happy to bring back concerns to DC. Looking forward to FWS survey results. Haven't heard much in talks about ESA in the senate. Mike Miller: Arctic communities don't like us tinkering with the MMPA. However, in the most recent meeting starting to build consensus in communities throughout the State of AK to create regional plans using existing language in the MMPA, and how things can progress. Would like to follow up on what that looks like. Lack of current survey data shouldn't preclude initiatives and increased utilization from moving forward.

Contact emails for Murkowski: [jamie\\_o'connor@murkowski.senate.gov](mailto:jamie_o'connor@murkowski.senate.gov);  
[maya\\_becker@murkowski.senate.gov](mailto:maya_becker@murkowski.senate.gov); [carly\\_besh@murkowski.senate.gov](mailto:carly_besh@murkowski.senate.gov)

## **BACK TO DISCUSSION**

How can we best move forward sustainable arts opportunities and programs?

Expand outreach and increase classes available beyond SHC region. More instructors reduces the cost. Hides and tanning is largest cost driver of project. Expansion of classes into northern communities is of interest. Collaboration between SE and northern communities would allow for exchange of sea otter for other marine mammal fur increasing the usage. Need for development of marketing campaign, similar to success of ivory campaign that alleviates misunderstanding of legality surrounding fur products. Federal support via signage and brochures is helpful to reduce negative associations with use of marine mammal products. Work within the confines of the current law, barring any major legislative changes. Need to remember that generally the hunters and handicrafters are different groups of individuals.

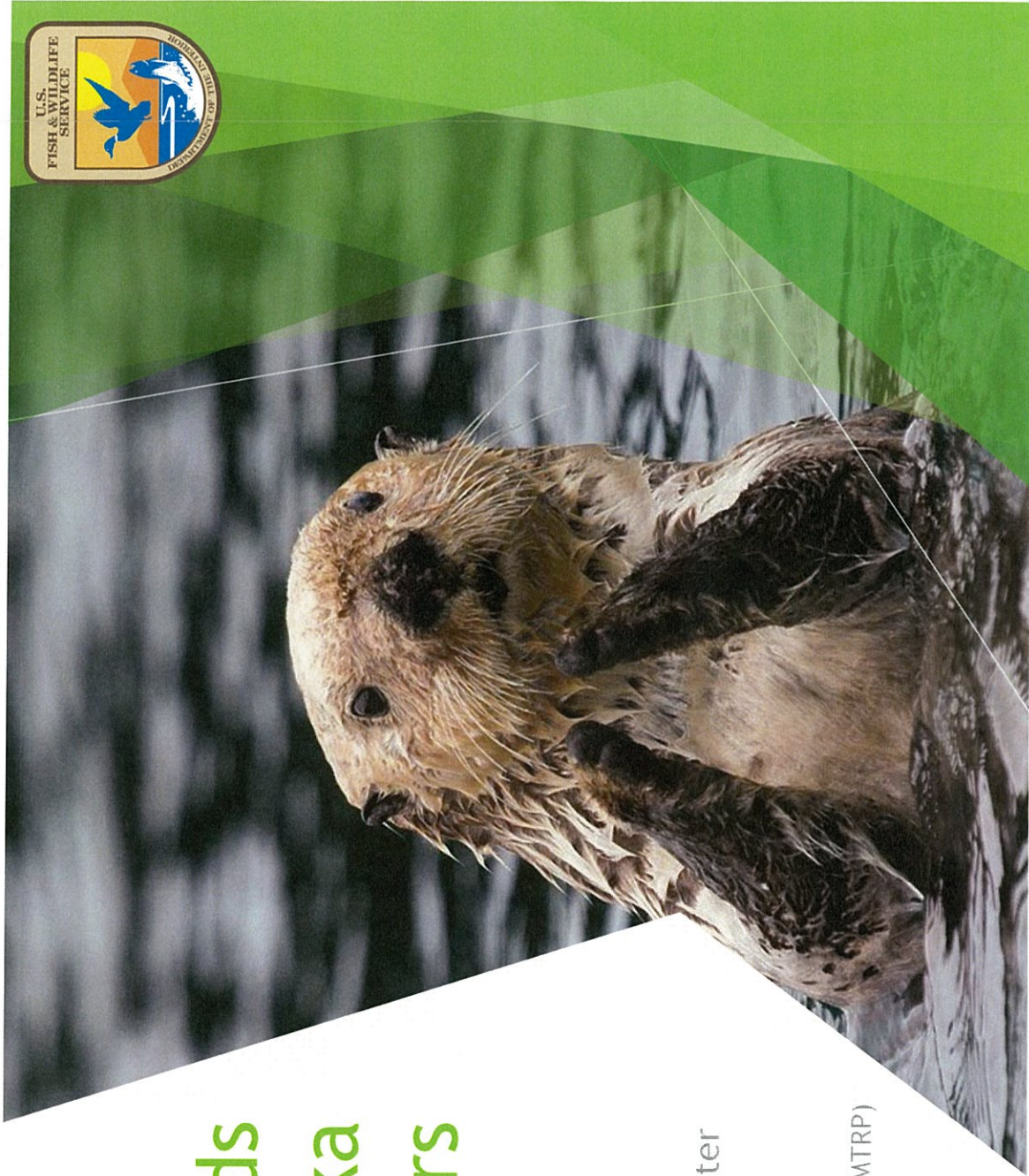
John: There are constraints with the existing law. This is a conversation some don't want to have. In parts of our State we are running out of qualified hunters, which is a growing problem. Tribal organizations themselves should be the ones to determine who are qualified hunters of marine mammals. This conversation was started with the congressional delegation.

Lee: Blood quantum membership by region- SE is decreasing in BQ relative to northern areas. Have study he can share. Shearing: set up with tannery to become fully registered. Surplus excess pieces of fur that don't get used- Remington, Stetson hats, discussion but nothing came of it. How can we use everything? Not wasting is a Native value. Becomes a matter of scale that makes it worthwhile for those companies; can't send fur to these companies to be felted due to regulations, so would have to learn technique ourselves.

Mike Jackson: There are roadblocks in rural areas, but the Tribe trying to figure out how to make harvest sustainable. In general, it is expensive to get out and hunt; gas prices are high (\$7.00 gal). Sea otter population has been growing and there are observations of more males in the area. Trying to keep otters out of Hamilton Bay specifically because that is where there are shellfish resources. Crab wiped out everywhere else by otters. Otters do respond to hunting pressure. Another big issue now is ammo, which is short on supply everywhere. Would really like a shearing and pluck machine to increase marketability. Is there a market for "odds and ends" of leftover fur pieces, maybe something can work out with tanneries? Incorporate into other clothing/fashion items?

#### **Next Steps and goals for next meeting**

- Increase efforts in stakeholder engagement.
- POW sea otter commission- hear from members about interests and concerns. Dennis Nickerson- local survey efforts. Are there any other local groups doing that? Open to discussion, could provide feedback to FWS to inform or cross check what is found in population model.
- Scott Jackson- younger hunter who developed his own tannery, works with lots of young, local hunters, can provide insight into populations around Kake area.
- Sonia Ibarra invite- hired locals for her PhD work, used indigenous knowledge and made a big impact on communities. Many from communities went on to get higher education in biology and ecological sciences.



# Harvest Trends in SE Alaska Sea Otters

September 24, 2021

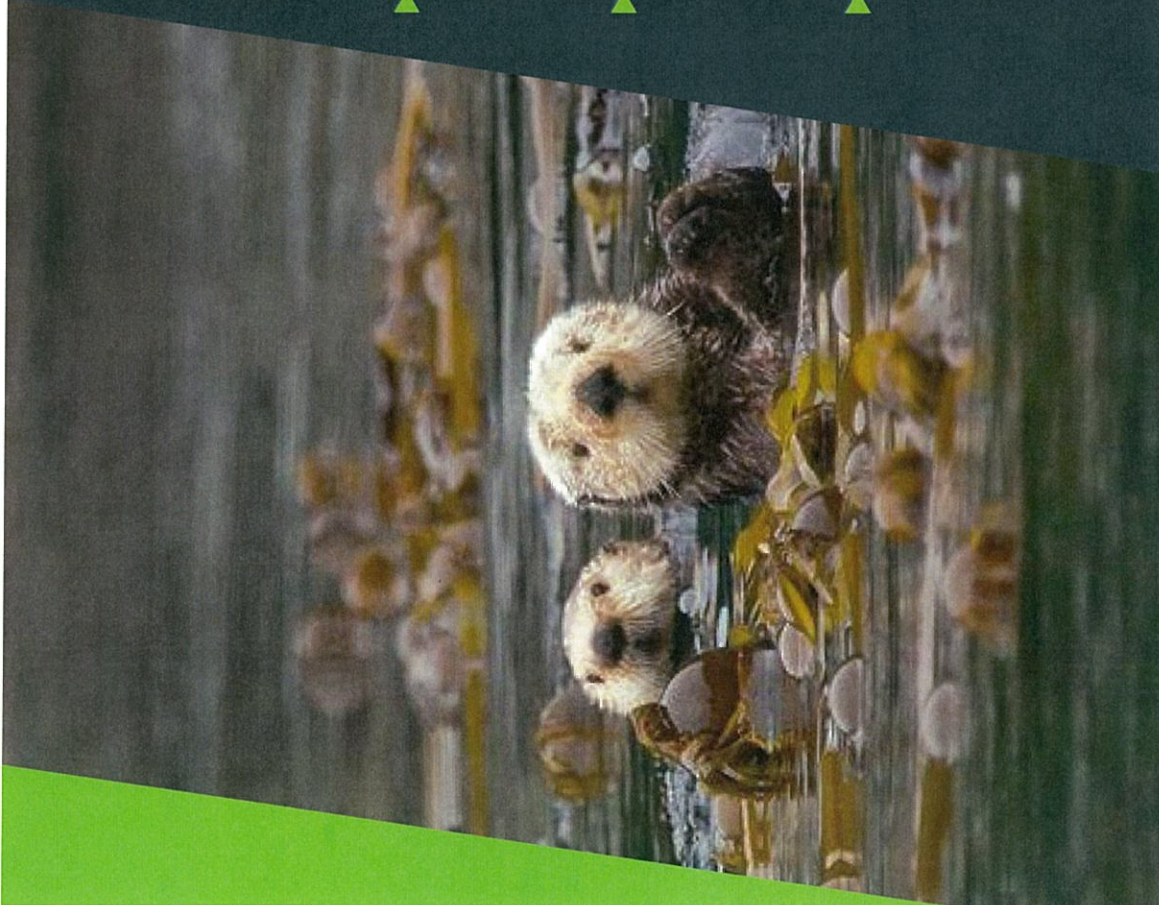
By Sarah Hanchett and Brad Benter

USFWS  
Marine Mammals Management  
Marking, Tagging, and Reporting Program (MTRP)



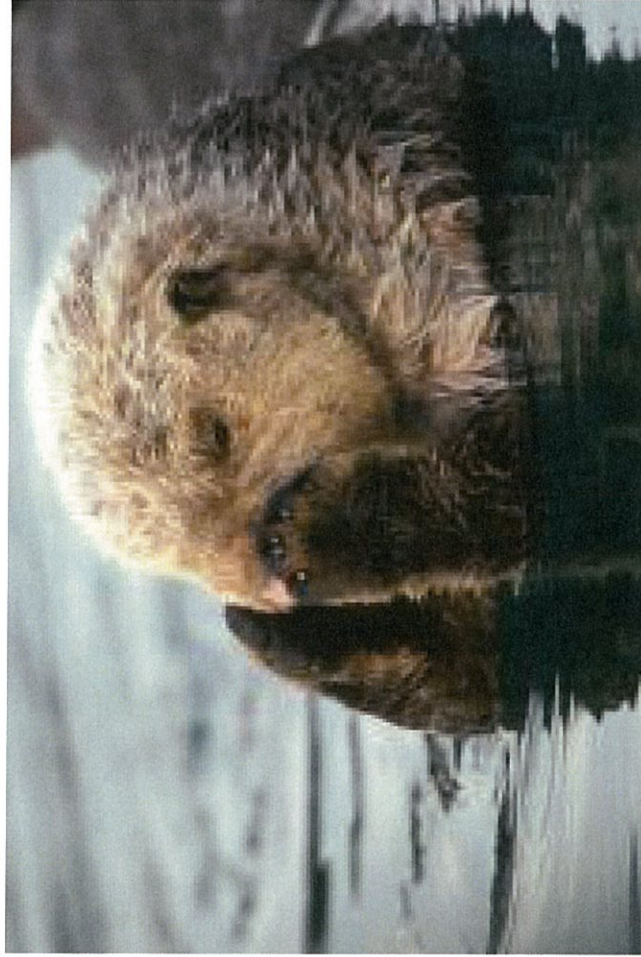
# Program History

- ▶ Marine Mammal Protection Act 1972.
  - ▶ 1981 Amendment -> Marking, Tagging, and Reporting (MTRP)
- ▶ Purpose:
  - ▶ 1. Monitor subsistence and handicraft harvest
  - ▶ 2. Obtain biological data
- ▶ Data collection 1989 - present





# How Tagging Works



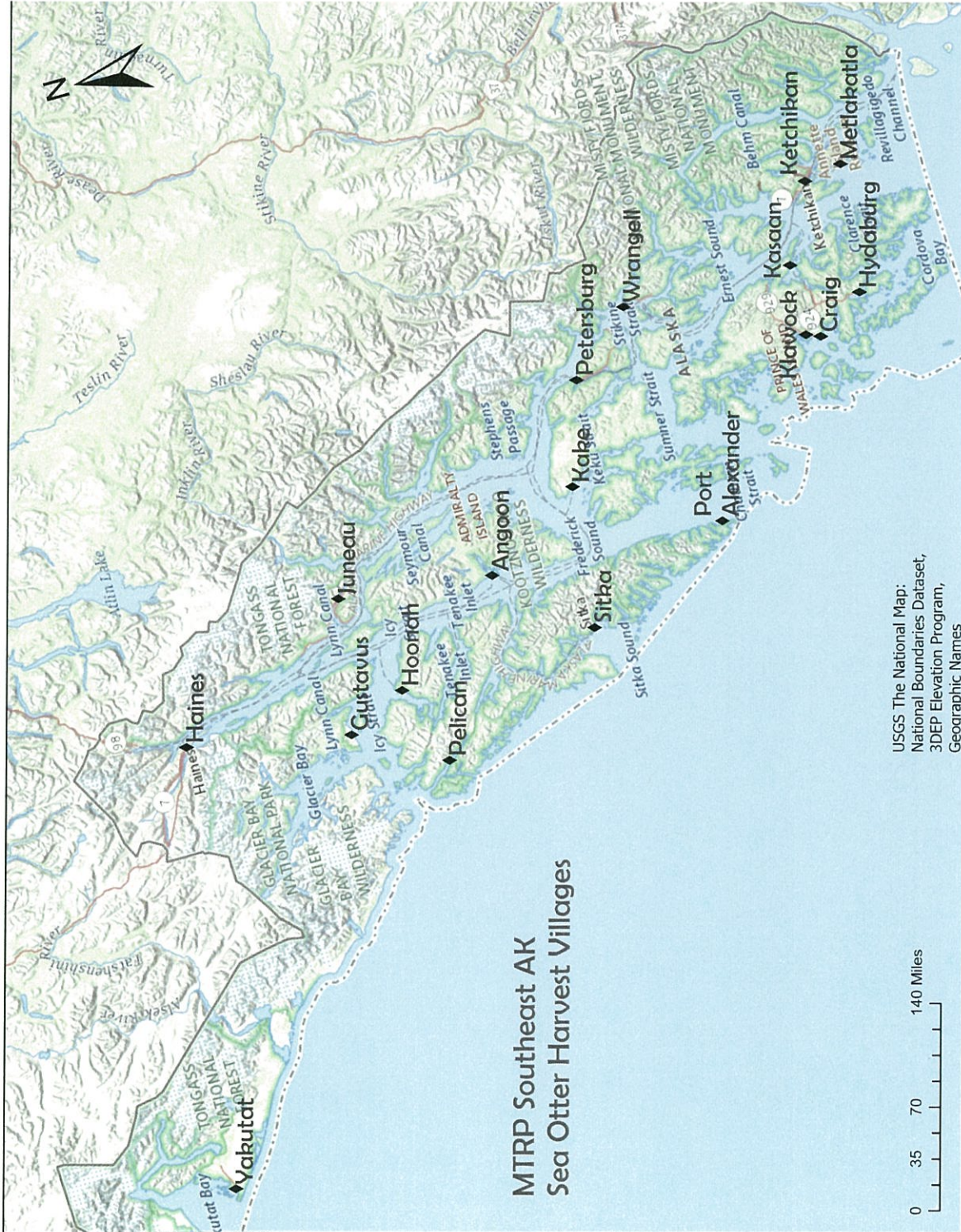
- ▲ Network of taggers in villages
- ▲ 30 days to tag
- ▲ Approved tanneries or home tanning
- ▲ Harvest data
  - ▲ # animals harvested
  - ▲ Sex & sex identifiers
  - ▲ Group/raft size
  - ▲ Harvest location





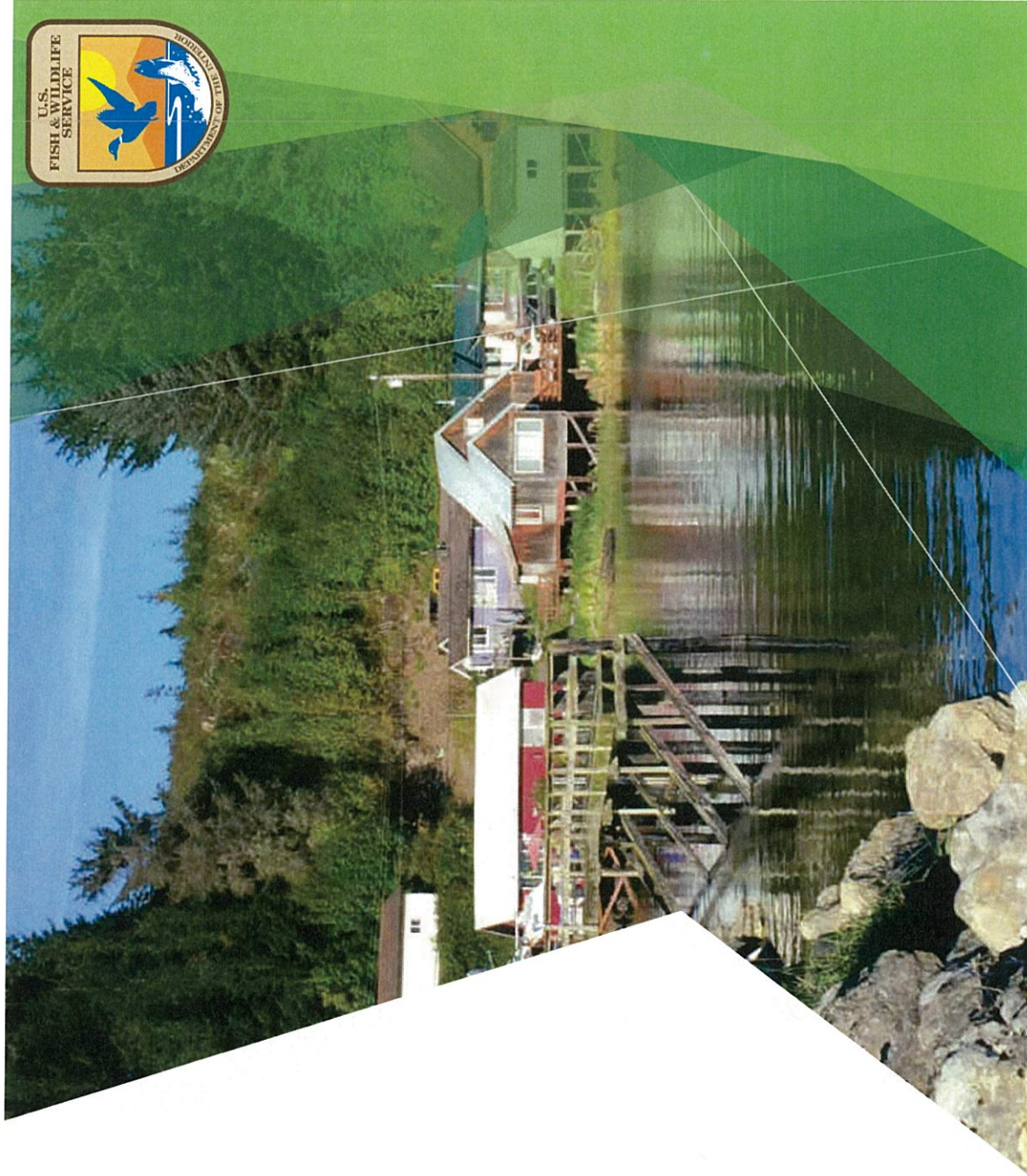
# Tagger Locations

Item 12B.



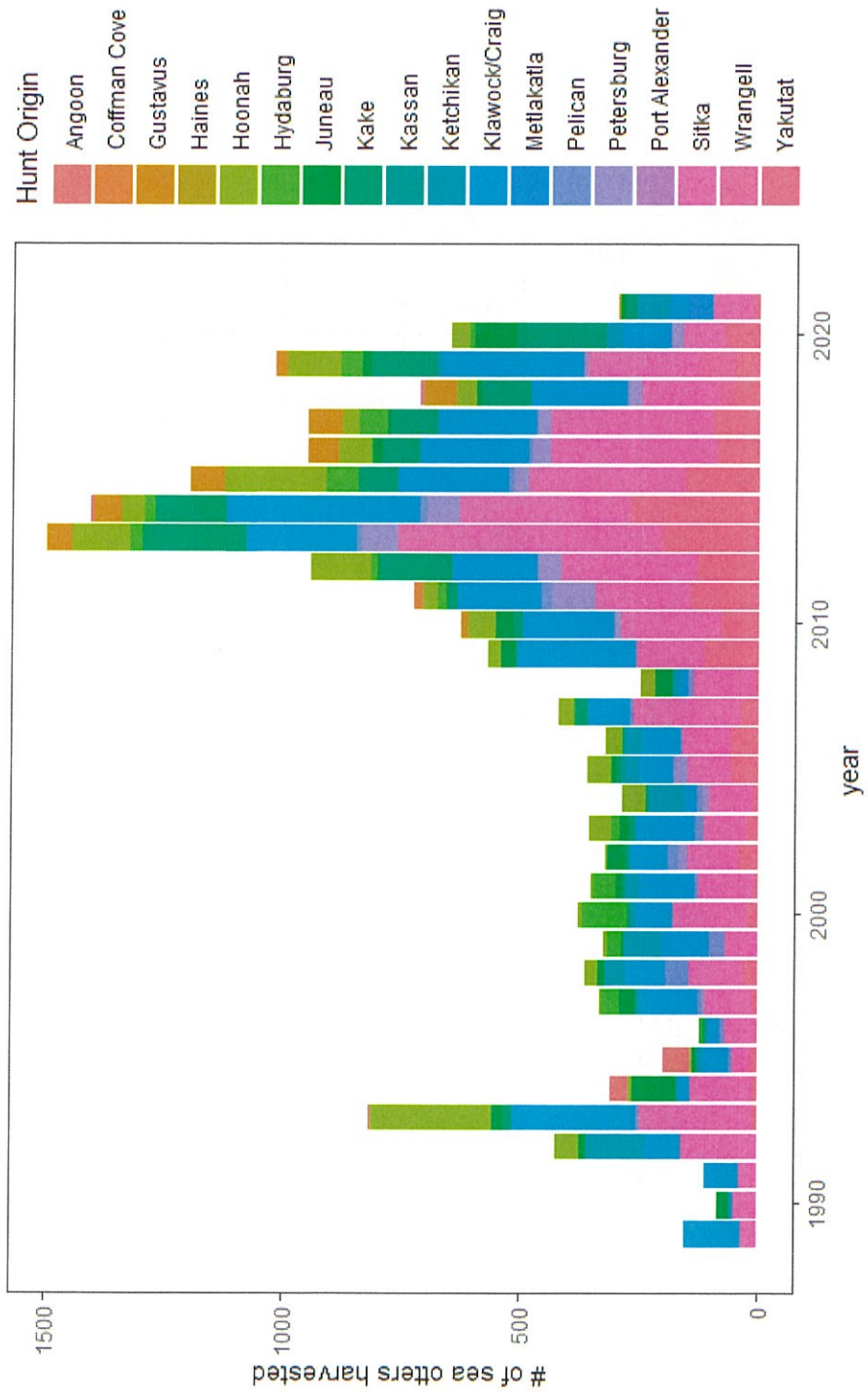
# Community Involvement

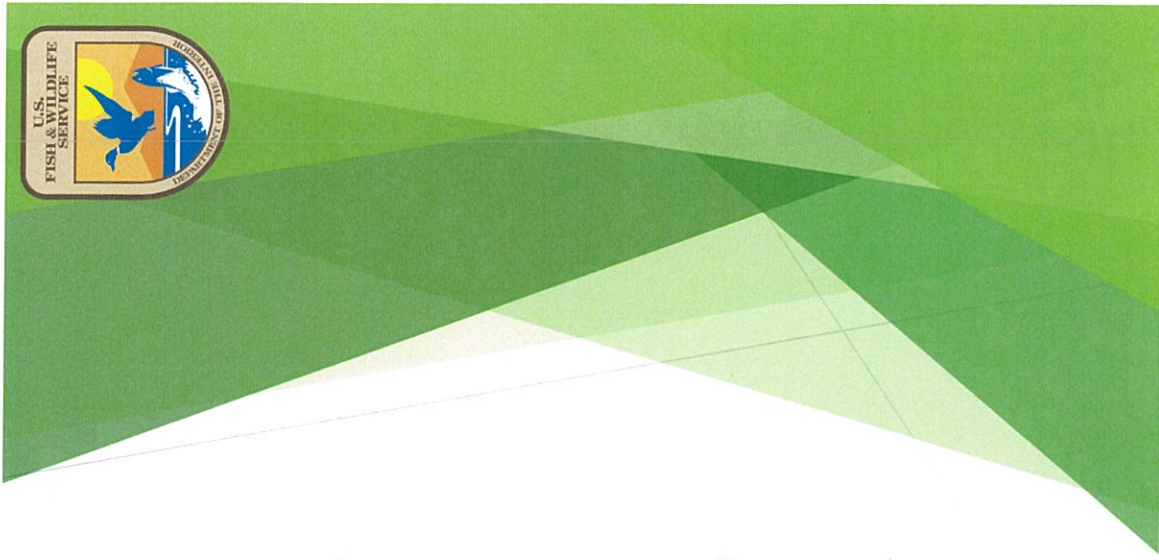
- ▶ Visit villages several times a year
- ▶ Meet with taggers and hunters
- ▶ Coordinate with village events/presentations





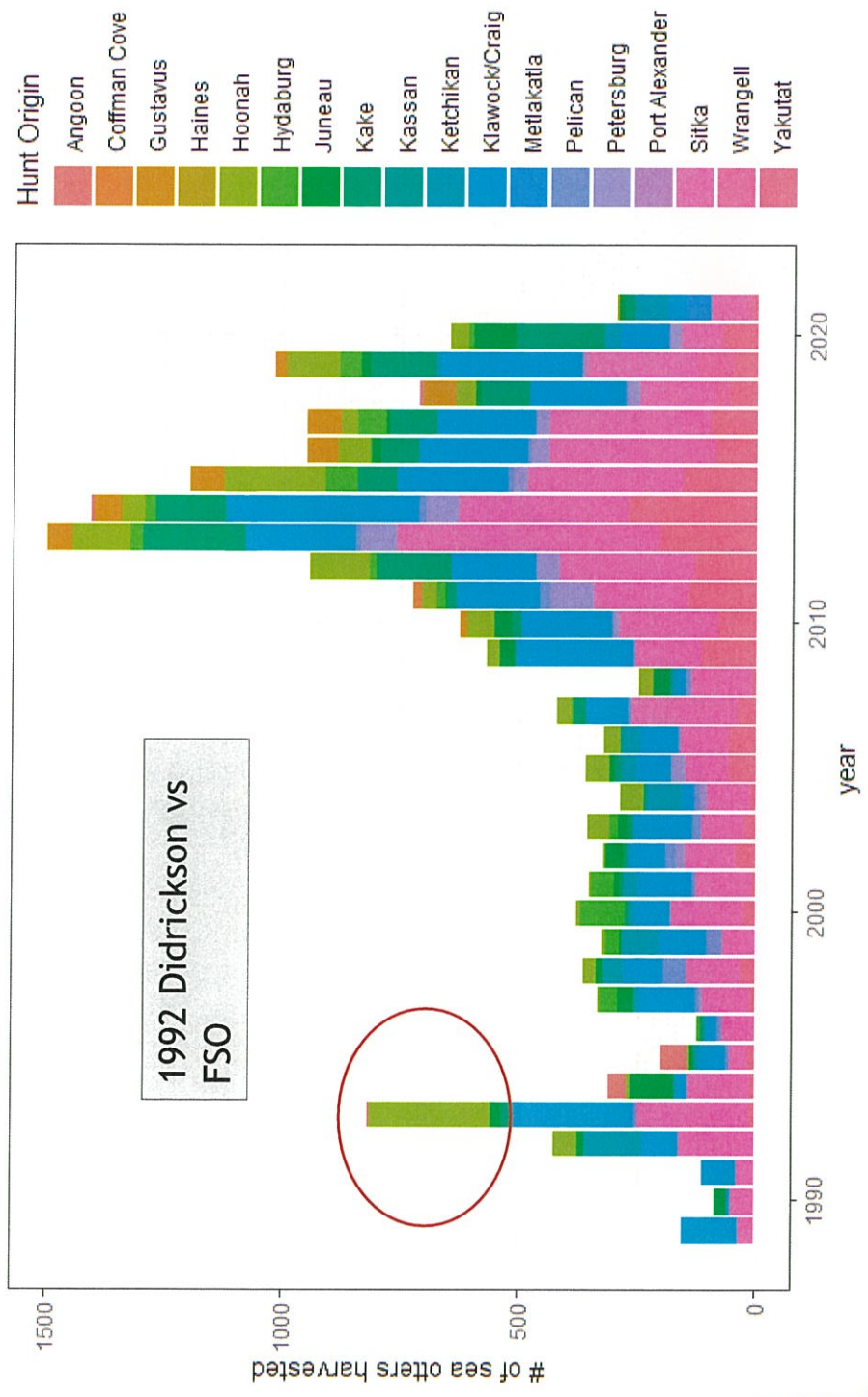
# Harvest Trends





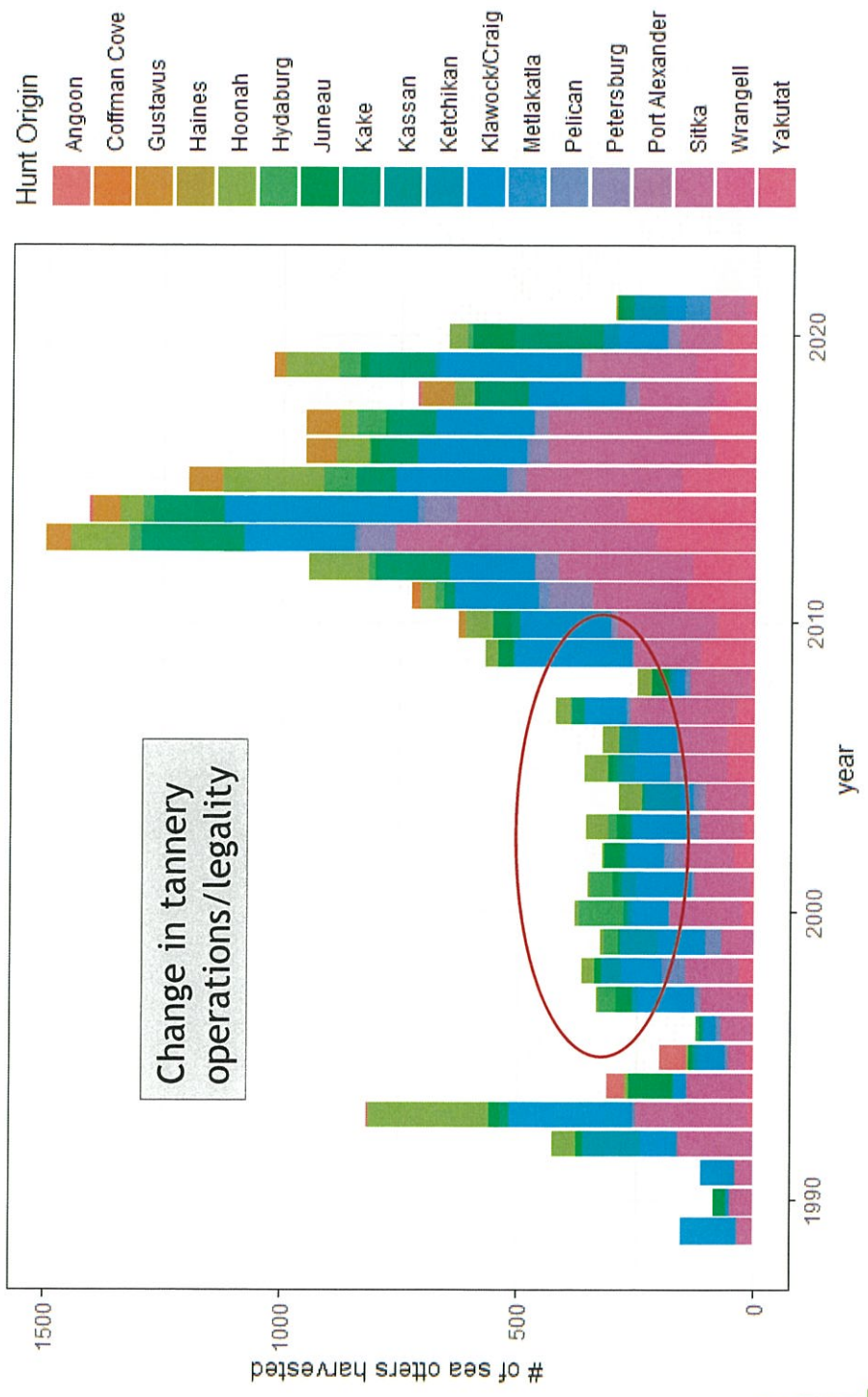
Item 12B.

# Harvest Trends



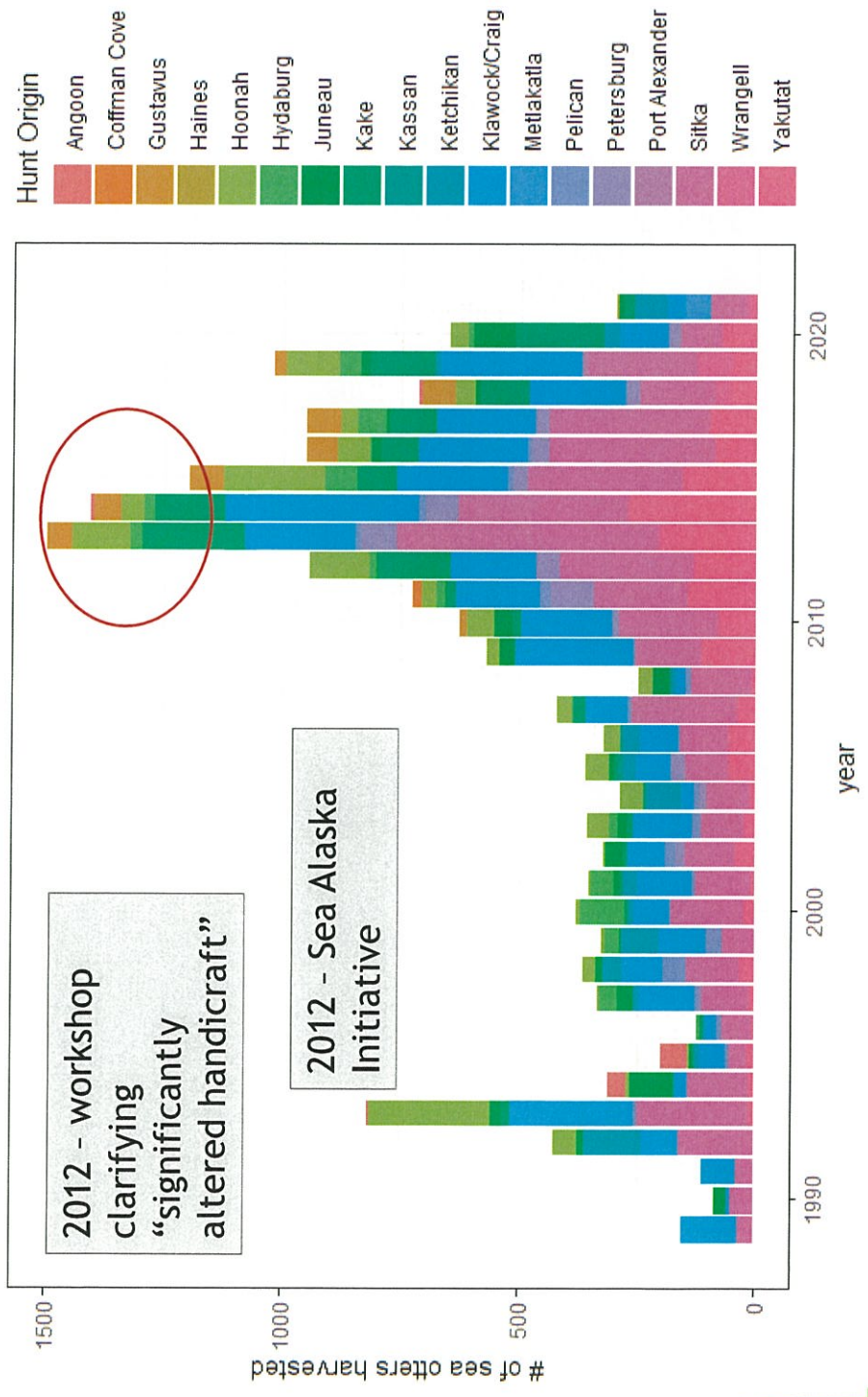


# Harvest Trends



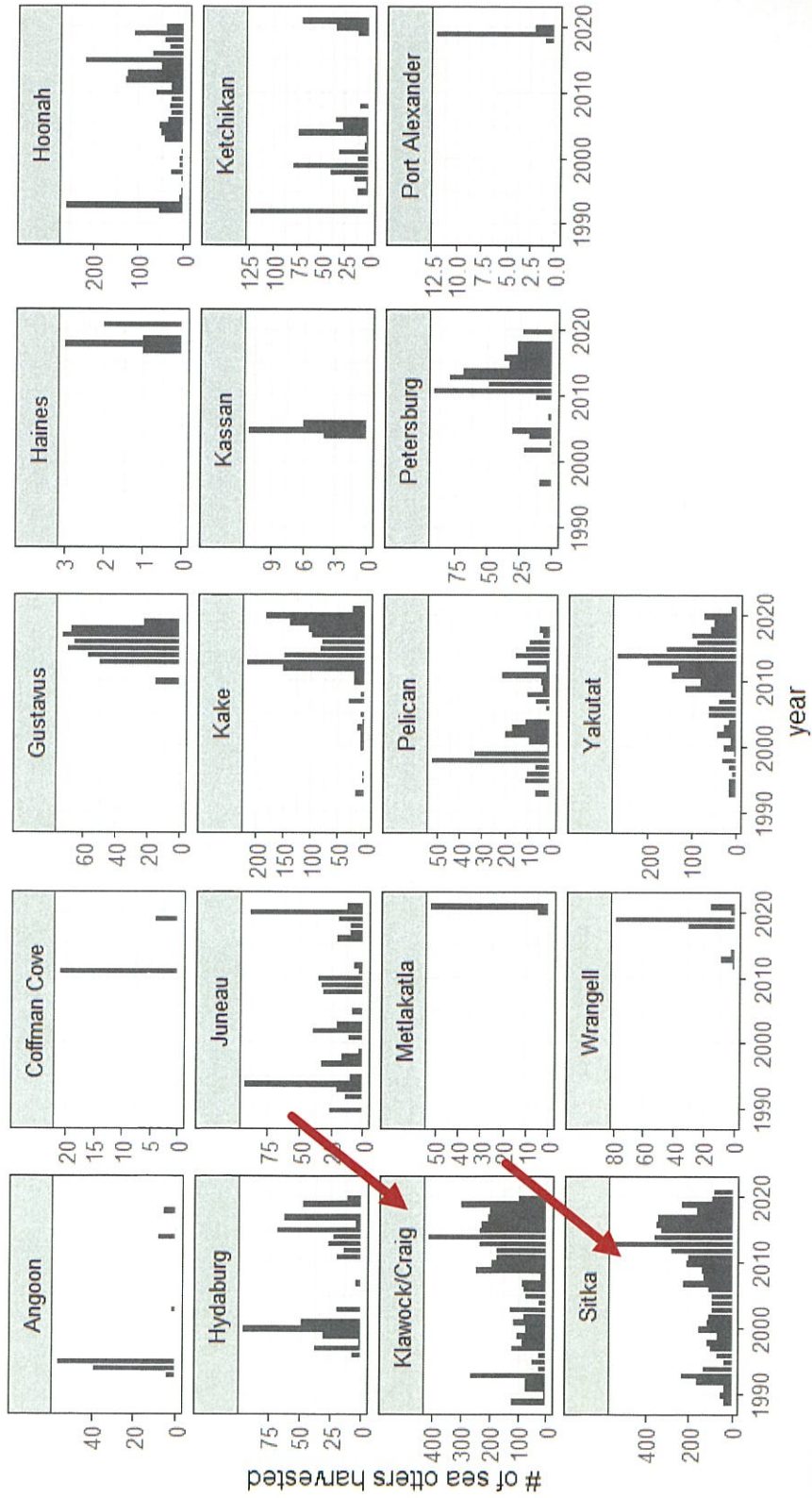


# Harvest Trends





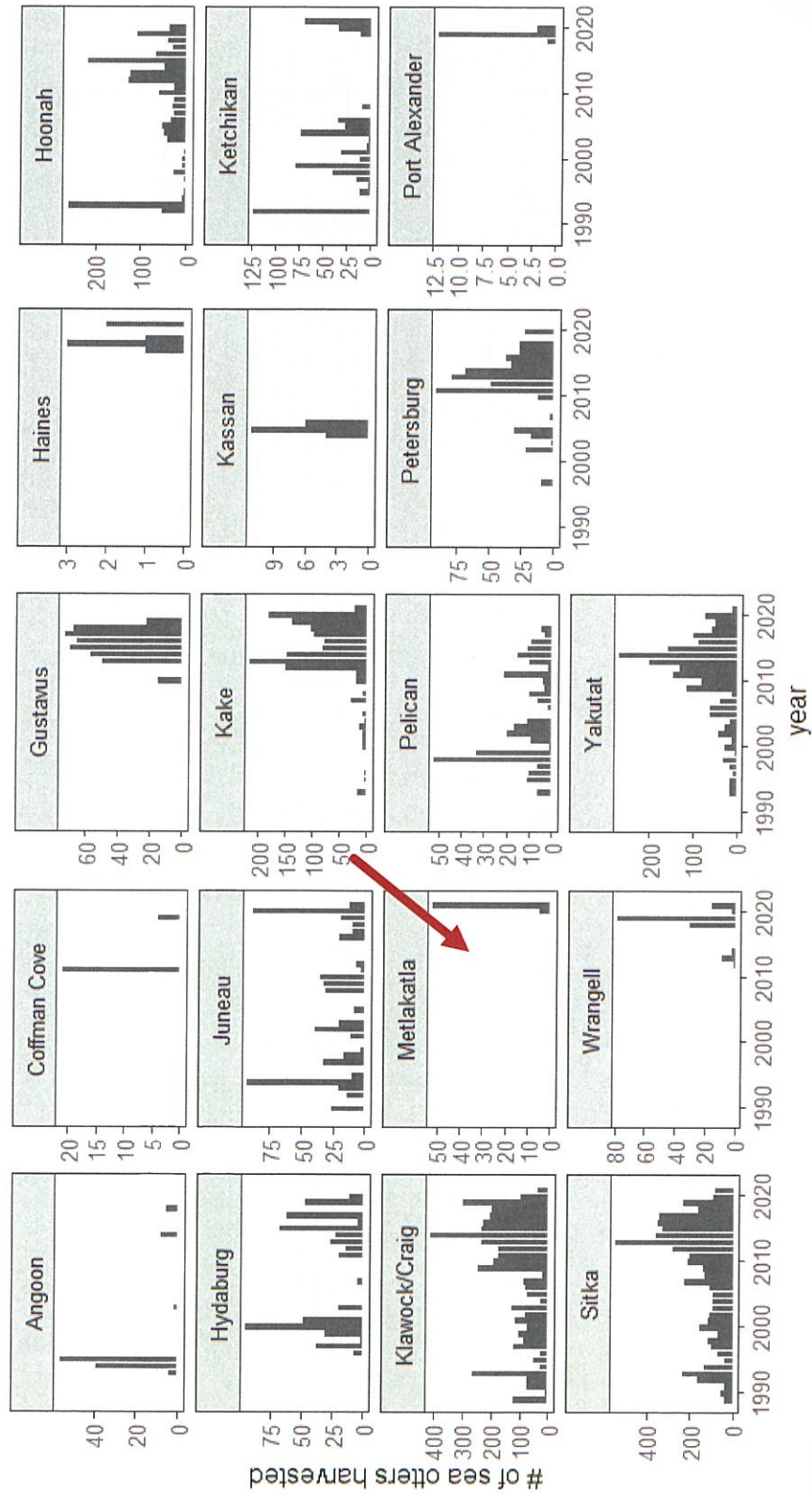
# Harvest Trends





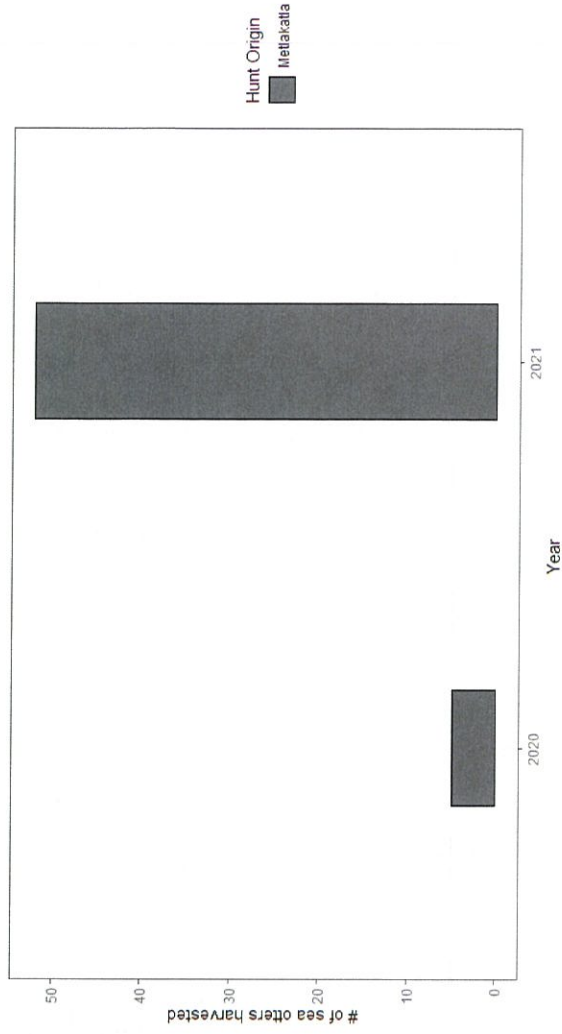


# Harvest Trends

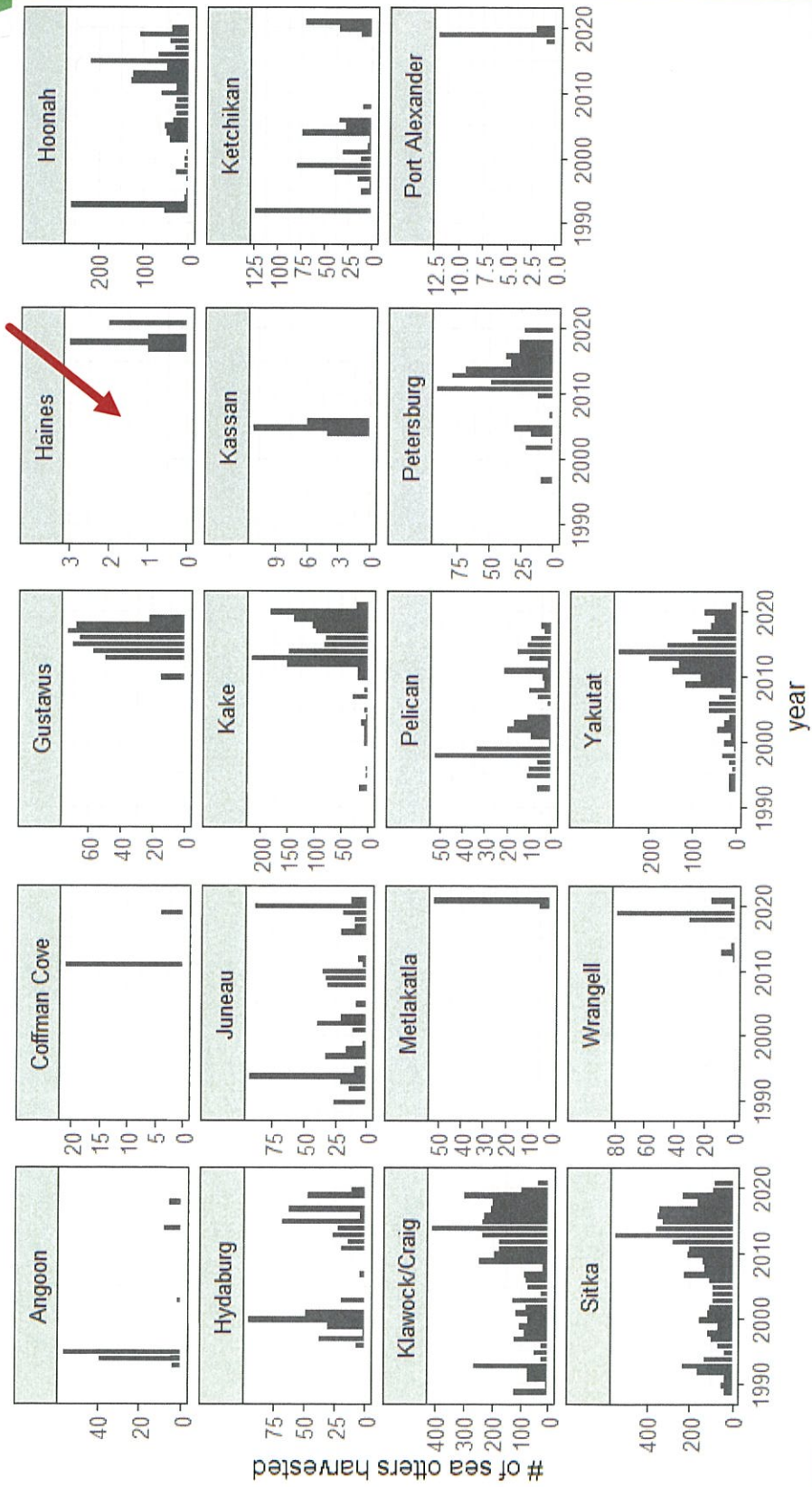


# Harvest Trends

- ▲ Otters harvested in novel locations

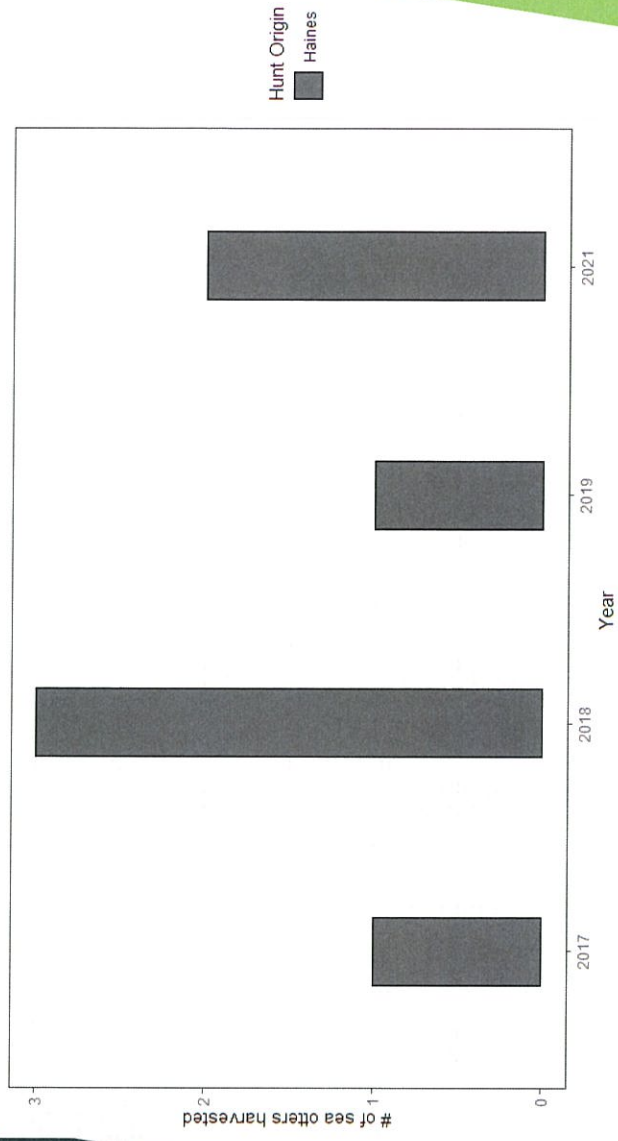


# Harvest Trends



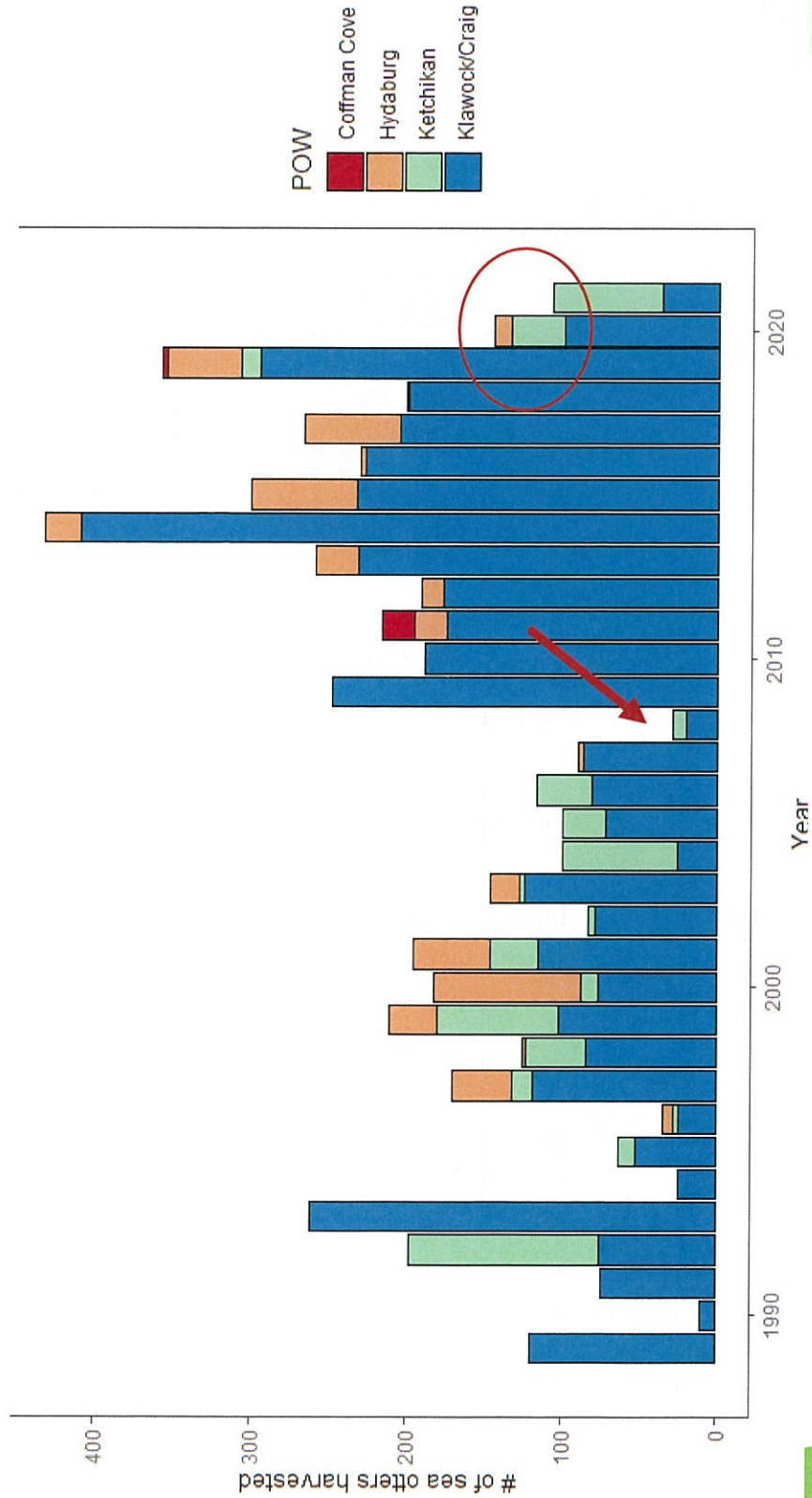
# Harvest Trends

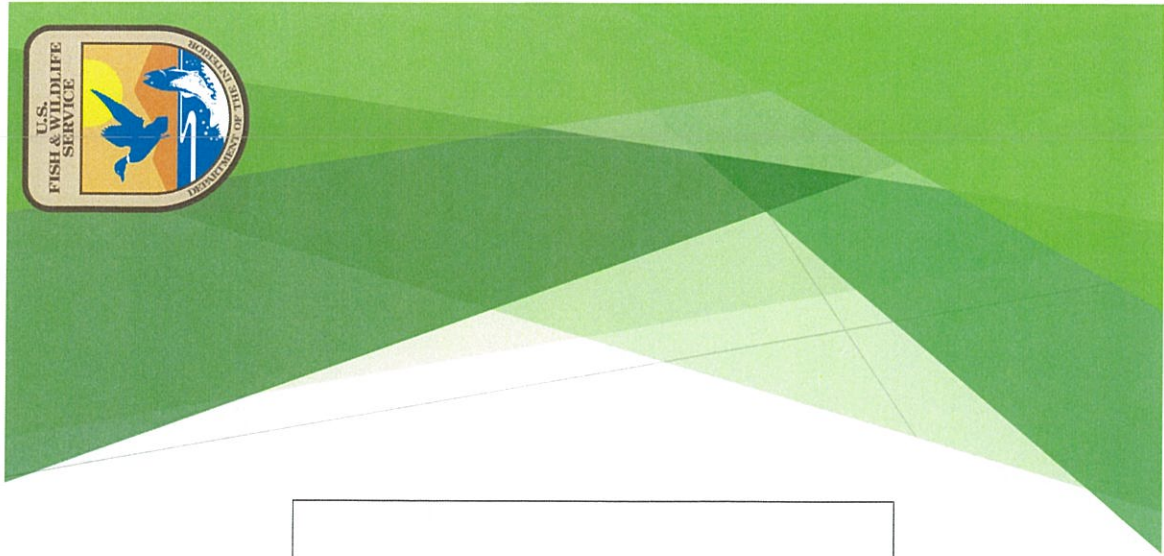
- ▶ Previous to 2017 there was no harvest
- ▶ Possibly some relation to overall change in distribution/abundance



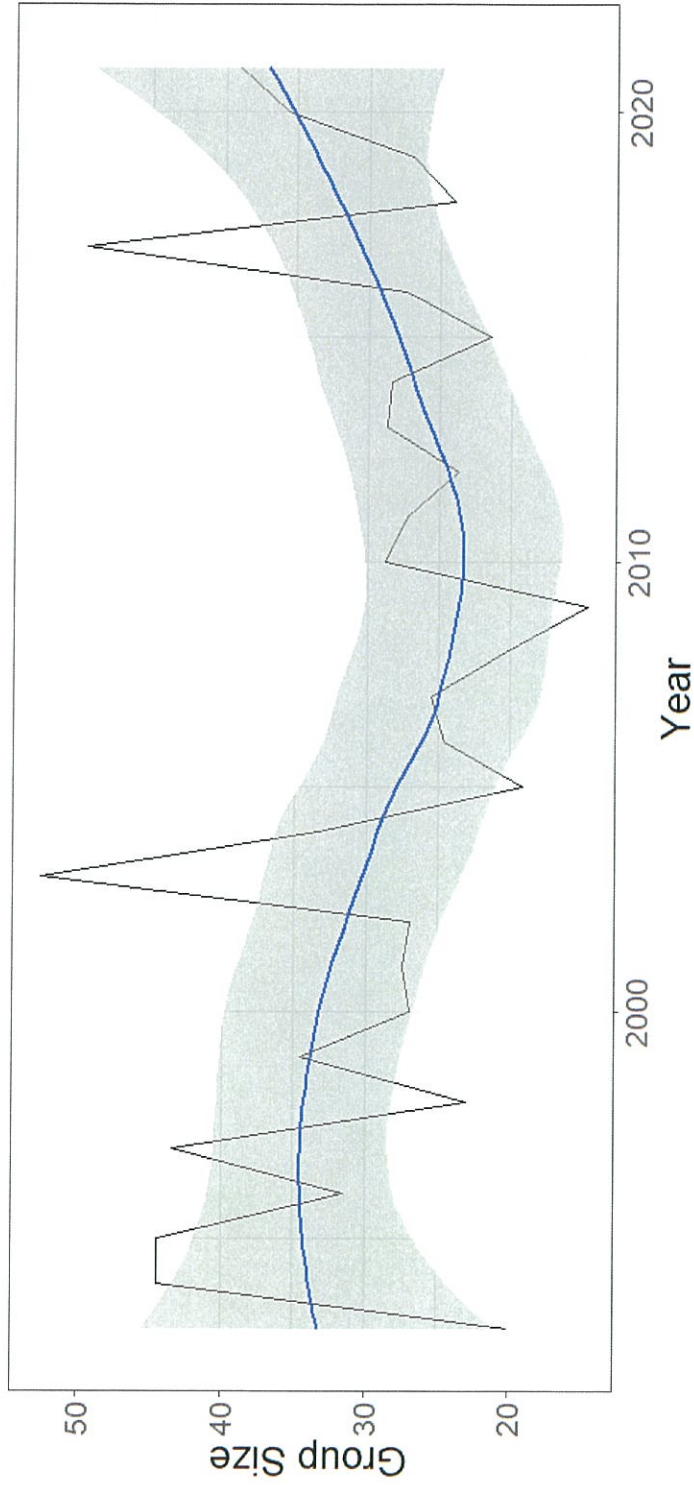


# Harvest Trends

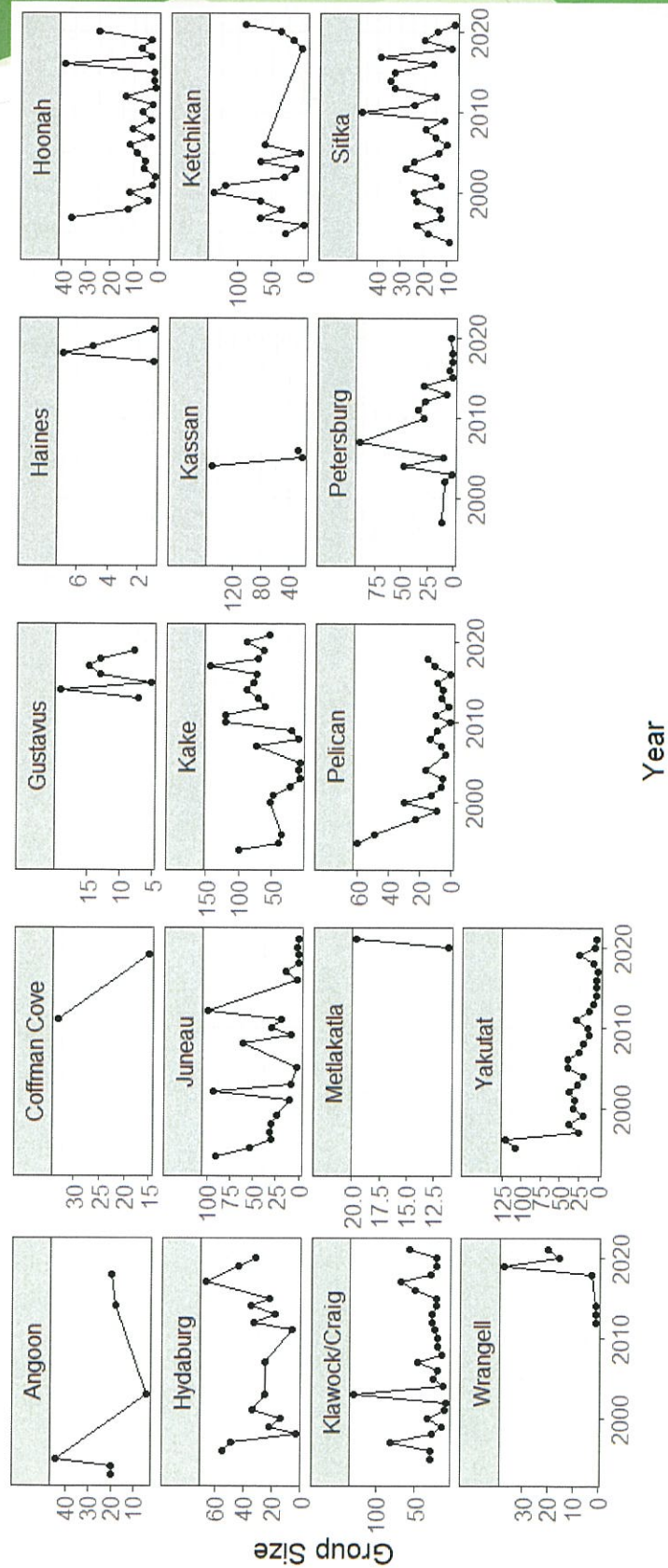




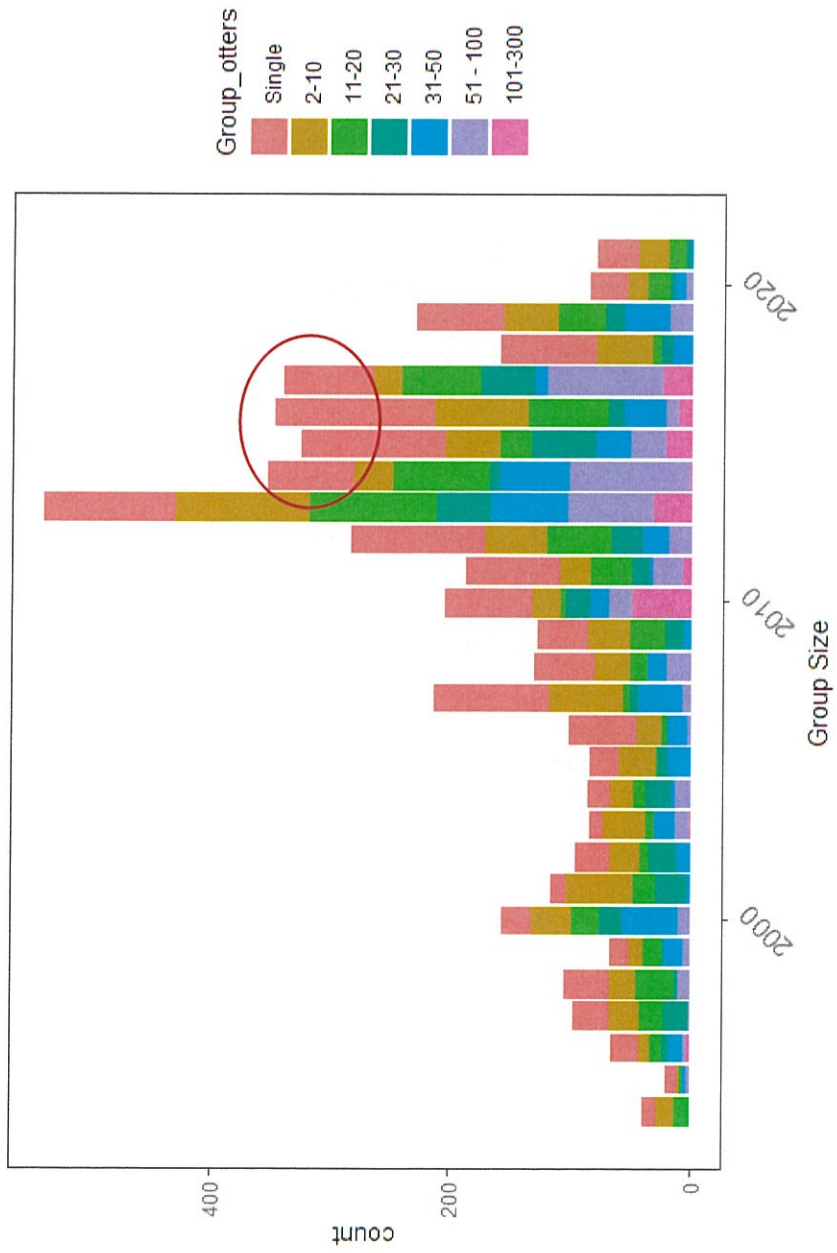
# Changing group size for harvested otters?



# Changing group size for harvested otters?



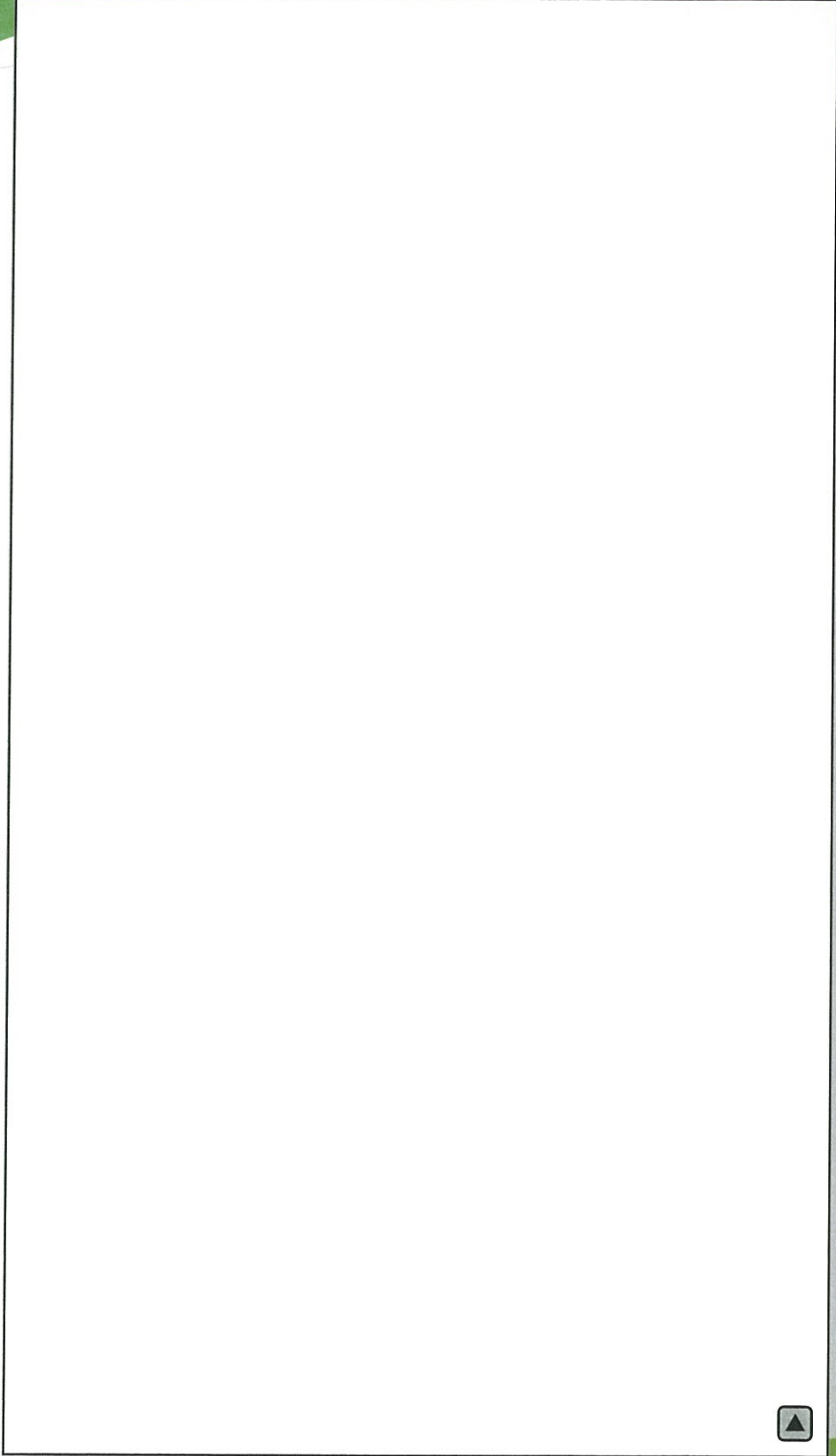
# Otter Group Size in Sitka





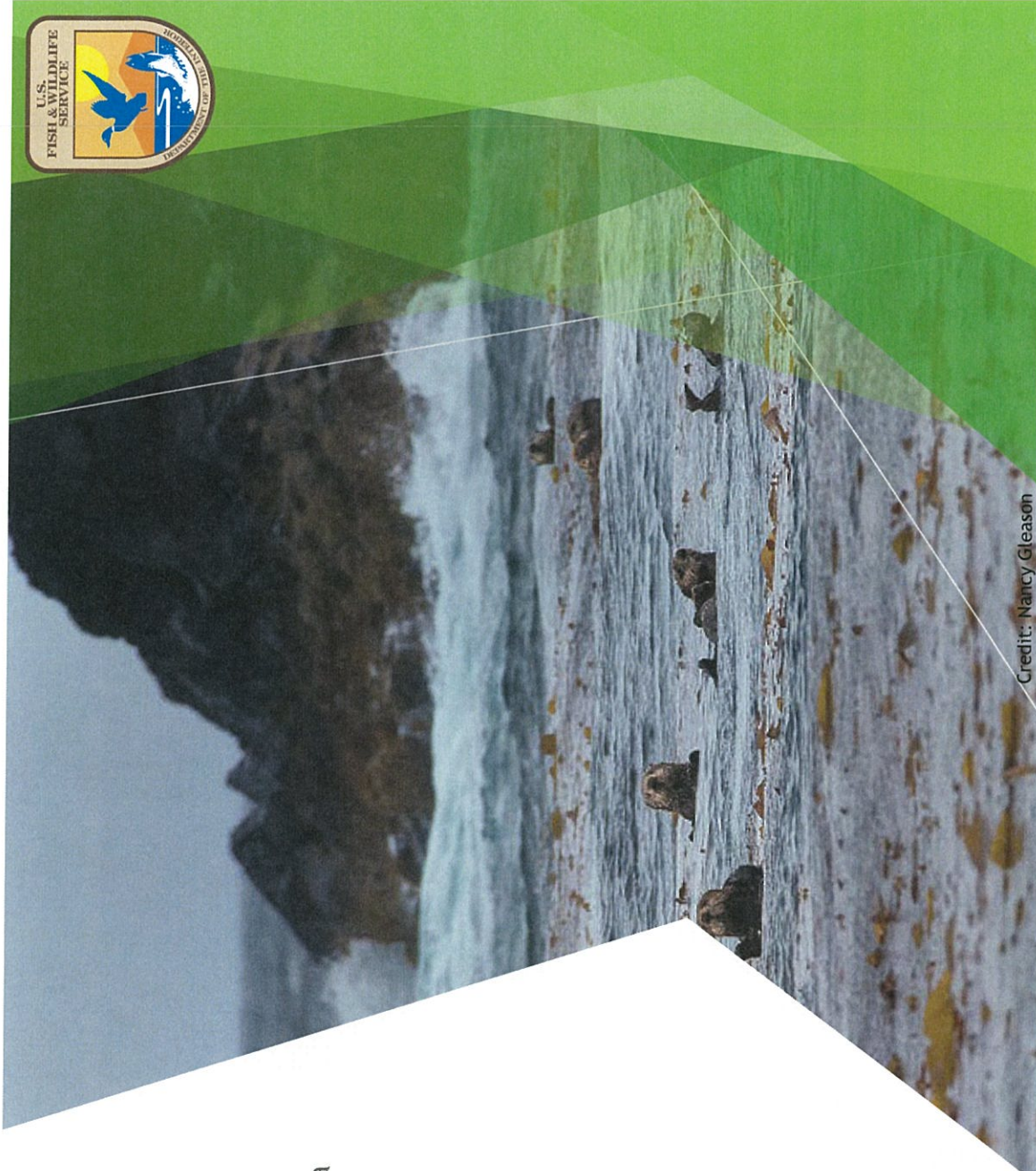


# Harvest Trends



# Looking Forward

- ▶ Obtain more precise location data
  - ▶ Aid in understanding change in distribution/abundance
- ▶ Offer information to ensure clarification of existing regulations (i.e., significantly altered handicraft)
- ▶ Continue to provide information on current tannery operations
- ▶ Maintain dialogue with taggers/hunters in uncertain times - ways to connect without personal visits



Credit: Nancy Gleason

**Mayor's Report  
For  
October 19, 2021 Assembly Meeting**

- 1. Seeking Letters of Interest:** The Assembly is seeking letters of interest from Borough residents who wish to serve the community by filling a vacant seat on the following Boards/Commissions until the October 2022 Municipal Election:

Planning Commission – 2 vacant seats  
Parks & Recreation Advisory Board – 2 vacant seats  
Public Safety Advisory Board – 1 vacant seat

Letters of interest should be submitted to Clerk Thompson at the Borough office located at 12 S. Nordic Drive; by mailing to PO Box 329, Petersburg, AK 99833; or by emailing to [dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov).



**Borough Manager's Report  
Assembly Meeting 19 October 2021**

- ❖ Parks and Recreation is planning their annual Halloween Hustle for Saturday, October 30<sup>th</sup> from 4p-6p. If you would like to volunteer to help with this event, please contact Julie Anderson at Parks and Rec or leave your name at the front desk.
- ❖ Parks and Recreation is working on placing a light at the Ice Skate Pond. Please contact the Parks and Recreation Advisory Board or Stephanie Payne with comments or input. Contact information can be found on the Borough website.
- ❖ Medicaid recertification for the Manor has finally been approved after months of waiting. Certification is good through 10/31/2023.
- ❖ We had Raincountry plumbing & heating replace the heat tape under EH building.
- ❖ Ketchikan Mechanical on Tuesday Oct 12<sup>th</sup> replaced the main water pipe entering the building at Elderly Housing.
- ❖ Third covid shots were given to residents wanting it on Oct.1<sup>st</sup> at the Manor.
- ❖ The new E911 system has been installed and Dispatchers have been trained on the system.
- ❖ A COVID outbreak has shut down Lemon Creek for inmate transfers so were currently holding inmates longer than 14 days.
- ❖ The Oct 1 power outage earlier this month led to the demise of the switch that enables the library's wireless internet. It was down for a few days but is now working again.
- ❖ The library is building a collection of games for adults and children that can be checked out.
- ❖ Passport services will restart on October 19 at the Library.
- ❖ The SCBA annual maintenance completed at the fire hall, and Pump testing of all Fire Apparatus completed.
- ❖ We have an Emergency Trauma Technician course schedule for early November
- ❖ Streets crew assisted the Sanitation Dept with demolition and disposal of several large boats that had accumulated in the landfill.

- ❖ We are still dealing with fallen trees and other aftereffects of the recent storms. Hydrant winterization and other winter prep underway.
- ❖ Working on plans to transition from a fleet of 3 active collection trucks to 2 pending approvals of the new Sanitation ordinance by the Assembly. Because our oldest collection truck is the only rear loading truck, the reduction in fleet size will also result in a phase-out of the smaller sizes of metal dumpsters which will be replaced in most cases with the larger sizes of plastic carts. We have been slowly removing our aging metal dumpsters from circulation in the last few years but there are still quite a few in service. Most of the units that remain are in poor condition and require frequent maintenance to keep them serviceable.
- ❖ Building Maintenance assisted the Parks-N-Rec department with some boiler and HVAC issues that cropped up during the storm that hit on Oct 1<sup>st</sup>.
- ❖ Large crane has been pulled and sent down for major overhaul, thanks to Public Works, Piston & Rudder, Mattingly Elc. & AML for all the coordination & assistance. She should be back and reinstalled by the end of the year.
- ❖ Water staff recently employed the new pig launcher on the Cabin Creek water line. Reports are that it worked well, turning a 2-day ordeal into a 1–2-hour operation. The process went well, and the department documented a gain of about 300 gpm from the cleaning.
- ❖ Ira II Street Sewer project is ongoing. Rock N Road is making good progress although an unanticipated conflict with a water main did slow them down recently. After settling on a plan to deal with the conflict, the contractor is moving ahead. The slowdown will extend the project by a week, with final completion to be met by November 12<sup>th</sup>.
- ❖ Justin Haley and Karl continue to meet with EPA, ADEC and SE utilities regarding the discharge permit renewals and more stringent State of Alaska water quality standards than requirements of our previous permit. The issue is complex, but there remains hope that major plant upgrades will not be needed.
- ❖ The project to upgrade the Blind Slough Hydro substation hit a snag recently and forced PMPL to reschedule the work for the spring. We now plan to perform the work in April of 2022.
- ❖ Historical City of Petersburg budgets going back to 1961 will soon be accessible to the public on the Borough's website.
- ❖ The Borough's Assessors are currently in town and hope to make it out to some of the outlying areas off the island if the weather permits. Building permits are not required for property outside Service Area 1 which creates a challenge in identifying new construction or modifications in a timely manner.

**PETERSBURG BOROUGH  
ORDINANCE #2021-15**

**AN ORDINANCE UPDATING CHAPTER 9.04 OF THE MUNICIPAL CODE, ENTITLED  
“DISEASE CONTROL”, TO UPDATE LANGUAGE AND REFLECT BOROUGH  
INCORPORATION**

**WHEREAS**, on January 3, 2013 the Election Division for the State of Alaska certified the election results of the December 18, 2012 incorporation election for the Petersburg Borough, and

**WHEREAS**, the certified election confirmed the incorporation of the Petersburg Borough and dissolved the City of Petersburg, and

**WHEREAS**, Petersburg Borough Charter, Section 19.06 requires all ordinances, resolutions, regulations, orders and rules in effect for the former City of Petersburg to continue in full force and effect within the Petersburg Borough, Service Area 1, until expressly reaffirmed, revised or repealed by the assembly, and

**WHEREAS**, Chapter 9.04 of the ordinances of the former City of Petersburg was originally adopted in 1973, and requires substantial update in order to move it into the current municipal code.

**THEREFORE, THE PETERSBURG BOROUGH ORDAINS**, Chapter 9.04, as set out below, is hereby adopted as a borough ordinance.

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

**Section 2. Purpose:** The purpose of this ordinance is to update the language of the chapter.

**Section 3. Substantive Provisions:** Chapter 9.04 of the former Petersburg City Code, as amended herein, is hereby adopted as a Borough ordinance and shall read as follows:

Chapter 9.04 - DISEASE CONTROL

9.04.010 - General powers and duties of health officer.

It shall be the duty of the health officer to enforce all ordinances containing provisions for the protection of public health, ~~to make inspections of foodstuffs and of the premises used for storing or selling of provisions as may be provided by ordinance; and shall and to~~ perform such other duties and functions as may be ~~directed~~required by ~~the borough manager or assembly statute or ordinance.~~ The chief of police is designated as a duly authorized agent of the ~~borough~~city health officer ~~for enforcement purposes.~~

9.04.020 - Screening ~~and detention~~ of persons coming into the borough~~immigrants for disease; temporary quarantine of exposed persons.~~

A. The health officer may, whenever the officer deems it necessary and under the direction of the borough manager or assembly, require the examination~~examine or cause to be examined~~ by a~~some~~ competent physician, of all~~of~~ persons entering the borough~~city~~ from any town, city, borough~~district~~, location, state or other place where the~~an~~ officer has reason to believe there are any cases of cholera, yellow fever, smallpox, or other contagious or infectious diseases. For the purpose of making such examination, the health officer shall have authority to enter any ship, vessel~~steamboat~~ or other water craft, or any vehicle; and said health officer may direct and enforce the quarantine~~cleansing and purifying~~ of any such ship, vessel~~steamboat~~ or other water craft, or any vehicle.

B. By and under the direction of the borough manager or assembly, the health officer may:

(i) The health officer may establish and provide, by and with the consent of the city council, a suitable place for the temporary quarantine~~detention~~ of persons who have been exposed to the infection of cholera, yellow fever, smallpox or other infectious or contagious diseases, and the health officer shall have the power to order and compel said person or persons to remain in such place of quarantine~~detention~~ for such time as may be necessary, and determine the conditions and duration of such quarantine; and, and to forbid and prevent any and all communications with such person or persons. The health officer shall have the power to

(ii) forbid or prevent any and all persons from living in or otherwise entering~~being in or about any such~~ house or premises in which~~where~~ any person is or has been sick with smallpox, cholera, yellow fever or any other infectious or contagious disease, and prevent any and all persons already in such house or premises from leaving such house or premises without first having obtained permission to do so from the health officer.

9.04.030 - Reporting by health officer.

The health officer shall make such reports to the borough assembly~~city council~~ as may be required. The officer shall also make recommendations to the assembly for rulings, orders or ordinances respecting the public health whenever he is requested to do so, or whenever the officer deems it necessary or advisable.

9.04.040 - Directives of the health officer.

Any directive of the health officer issued under the authority of this chapter shall state:

1. the facts upon which the directive is based;
2. the specific actions being directed or prohibitions imposed by the health officer;

3. the belief that it is in the best interest of public safety and health, and the protection of property, that the directive be issued, including any temporary limitation of the exercise of certain rights; and

4. that the conditions of the directive are designed to provide the least necessary restrictions.

Any directive issued hereunder shall supersede any inconsistent or conflicting borough ordinance or regulation.

9.04.050 - Compliance with health officer directives; Violations.

A. No person shall fail or refuse to comply with any directive of the health officer issued under the authority of this chapter, or the lawful orders of duly authorized law enforcement officers or personnel acting under such directive.

B. Violation of this section shall be 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.

~~9.04.040 – Power to compel vaccination.~~

~~The health officer may enforce compulsory vaccination on persons or passengers coming from infected places or parts, and when he deems it necessary for the promotion and protection of health of the city, may also enforce compulsory vaccination of the inhabitants.~~

~~9.04.050 – Investigation and removal of afflicted persons.~~

~~The health officer shall make it his duty to investigate all cases where it is alleged that cases of communicable, infectious or contagious diseases are said to exist. Whenever he may deem it necessary, he may remove or order the removal from the premises occupied of any person having such communicable, infectious or contagious disease. The expense of said removal shall be paid by the city.~~

~~9.04.060 – Power to quarantine.~~

~~The health officer shall have charge of the enforcement of quarantine rules. Whenever a case of smallpox, cholera, yellow fever, diphtheria or scarlet fever, or other contagious, infectious or communicable disease, is found to exist, the health officer shall have the power and authority to place any premises within which a contagious or epidemic disease occurs under quarantine. He shall cause suitable notice setting forth the facts to be posted in appropriate places and shall determine the time when the quarantine ends.~~

~~9.04.070 – Conditions of quarantine.~~



~~No person or persons except a physician, clergyman, undertaker or those having written permits from the health officer shall enter or depart from any house where smallpox, yellow fever, cholera, diphtheria, or scarlet fever exists or while the corpse of any person who has died of such disease remains within the house, nor within ten days thereafter, or until the building and its contents shall have been disinfected or otherwise disposed of to the satisfaction of the health officer.~~

~~9.04.080 – Disinfection of premises.~~

~~The health officer shall have power, during the prevalence of an epidemic, to fumigate and disinfect any premises which, in his judgment, require disinfection.~~

**Section 4. Fine Amounts:** The following fine amount is adopted for a violation under Section 9.04.050, and shall be administratively incorporated into Section 1.16.030 of the Borough Code:

Section Number	Description of Violation	Fine Amount
9.04.050A	Failure or refusal to comply with health officer directive, or the lawful order of law enforcement personnel	\$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 to other persons or circumstances shall not be affected.

**Section 6. Effective Date:** This Ordinance shall become effective immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this \_\_\_\_ day of \_\_\_\_\_, 2021.

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

ATTEST:

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

Adopted:  
Noticed:  
Effective:

**PETERSBURG BOROUGH**  
**ORDINANCE #2021-17**  
**AN ORDINANCE UPDATING VARIOUS PROVISIONS OF CHAPTER 14.12 OF THE MUNICIPAL**  
**CODE, ENTITLED “SANITATION”**

**Whereas**, additional provisions are needed in Chapter 14.12 to address concerns regarding bears accessing refuse containers located in residential neighborhoods (including establishment of a fine for noncompliance); and

**Whereas**, the recycling rate definition and goals, as currently found in Chapter 14.12, have not been implemented or utilized to date, and should be deleted now, to be reassessed and re-implemented in the future at the will of the community and the Assembly; and

**Whereas**, in order to retire one collection truck from active service, and avoid the cost of obtaining a new truck, the collection interval for recyclables will need to be changed to once every two weeks (from the current interval of once per week); and

**Whereas**, changes to Irregular (non-scheduled) collection service are required, to account for the Borough’s new roll off containers and to update rates; and

**Whereas**, a section to address the disposal of vehicles is needed, to both encourage disposal at the landfill and to prevent abuse of the current Borough vehicle disposal policy; and

**Whereas**, the collection and on-site disposal rates for the Borough sanitation services have not been updated since 2018, and increases are needed to keep up with increased costs and expenses to the Borough.

**Therefore, the Petersburg Borough Ordains**, Chapter 14.12 of the Petersburg Municipal Code, entitled Sanitation, is hereby amended as follows:

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

**Section 2. Purpose:** The purpose of this ordinance is to update the language of Chapter 14.12.

**Section 3. Substantive Provisions:** The following provisions of Chapter 14.12 of the Petersburg Borough Municipal Code are hereby amended as set out below (the proposed new language is in red (except for additions to the table found in Section 14.12.150, which are in purple), the tables containing the new proposed rates in Sections 14.12.140 and .150 are highlighted in blue, and the language proposed for deletion is struck through:

Section 14.12.010, *Definitions*;

Section 14.12.040, *Regulations governing refuse collectors*;

Section 14.12.080, *Duty to have, use and maintain containers*;

Section 14.12.090, *Notices*;

Section 14.12.140, *Rates for refuse collection*;

Section 14.12.150, *On-site refuse disposal rates*;

Section 14.12.190, *Service discontinued at property owner's request*;

Section 14.12.195, *Community recycling goals*; and

## Section 14.12.210, *Penalties for violations.*

### 14.12.010 Definitions.

The following words, terms and phrases when used in this title and in the administrative procedures associated with this title, shall have the meanings ascribed to them except where the context clearly indicates a different meaning:

"Baler waste" means any materials that are not accepted by the utility as wood waste, metal waste, household hazardous waste or recyclables, and will be baled as municipal solid waste. This is referred to as the refuse stream.

"Commingled" means a mixture of recyclable materials that meets the acceptable standards as defined by the sanitation department and the recycling program. Also referred to as "single stream recycling".

"Container" means a container supplied or approved by the borough.

"Household hazardous waste" means non-industrial, residential grade chemical wastes which require specialized disposal to meet environmental law. These materials shall not be disposed of through the borough's wastewater treatment system or by inclusion in the refuse stream. Examples include, but are not limited to: paint, herbicides, pesticides, poisons, boat and vehicle batteries, acids, wood stain, varnish, lacquer, corrosive cleaners, lubricants, hydraulic fluid, brake fluid, transmission fluid and solvents.

"Landfill salvage program" means a program and permit system that allows residential customers to enter the landfill for the purposes of salvaging usable materials. The program is subject to the written landfill salvage program, that may be amended from time to time by the public works director.

"Metal waste" means any material that is predominantly metallic in nature and has limited non-metallic attachments or trim. Examples include, but are not limited to: metal roofing and siding, metal pipe, small engines and equipment, outboard motors, appliances, scrap metals, bicycles, etc. This applies to ferrous and non-ferrous metals.

"Reasonable effort" means taking one of the following measures to secure refuse: (1) storing a container refuse inside an enclosed building until the morning on the day of refuse collection, or (2) if indoor storage is not readily available and the refuse container is located outdoors, securing a the lid of the container at all times with a line, rubber bungee cord, ratchet strap, heavy rope, or other method capable of holding the lid firmly and fully closed should the elements cause the container to be knocked over on its side by weather or animals, and then removing the rope or strap no earlier than the morning on the day of refuse collection to allow for collection by the refuse collector. A simple weight atop the container is not sufficient. The container shall be secured or stored in such a manner until the day of refuse pick-up. Whenever a refuse container is located outside, the lid of the container must at all times be fully closed, with no refuse exposed.

"Recyclable materials or recyclables" means the materials which are targeted and accepted by the borough for inclusion in the recyclable stream.

~~"Recycling rate" means the percentage (by weight) of recyclable materials that are removed from the community refuse stream in any 12-month period.~~

"Refuse" means garbage, rubbish or any other trash including but not limited to accumulations of animal, fruit or vegetable matter created by the use and preparation of meat, fish, fowl, fruits or vegetables, fish waste and offal, crockery, bottles or other containers, cans, plastic, metal vessels; trimmings from lawns, trees and gardens; pasteboard boxes, berry boxes, rags, paper, straw, sawdust, packing material, shavings, ashes and similar materials. Refuse does not include recyclable materials.

"Used oil" means engine oil which has been used for a purpose prior to containment and delivery to the utility. Residential used oil is accepted at all times by the utility. Commercial deliveries of used oil shall be accepted based upon available space and operational capacity of the utility.

"Vector" refers to animals or insects that can potentially spread disease through contact with solid wastes and thereby pose a danger to public health.

"Voucher" refers to a purchased permit which allows for discounted disposal rates for borough residents as defined by the refuse voucher program.

"Wood waste" means all wooden based waste such as lumber, logs, clean stumps, branches, brush, plywood and other woody waste that can be burned without creation of black smoke.

#### **14.12.040 Regulations governing refuse collectors.**

Any person authorized by the borough, through its borough assembly, to collect and dispose of refuse or to collect and deliver recyclables for the borough, shall be governed by the following regulations:

- A. Provide a conveyance adapted to the purpose that no litter of any kind, or contents of such conveyance, shall be permitted to spill or escape onto the streets or highways over which refuse is being hauled;
- B. Collect and remove all accumulated refuse or recyclables at frequent intervals so as to prevent the premises becoming encumbered and to prevent the development of fire or health hazards, or unsightly and objectionable conditions existing at any time or place in the borough; provided, that collections of refuse be made at least once each week from each residence, store, shop or other establishment and that collections of recyclables be made at least once every two weeks. Collections of refuse for more than once per week shall be arranged where conditions require more frequent service;
- C. Deliver all refuse or recyclables to a disposal or transfer site designated by the borough for such purpose, and to no other place;
- D. Keep the baling facility and work areas in a sanitary and orderly condition as circumstances permit, using every reasonable means to contain refuse and recyclables and to prevent the baling facility/work areas from becoming a refuge or breeding place for vectors, or becoming detrimental to the public health and safety.

#### **14.12.080 Duty to have, use and maintain containers.**

- A. Within Borough Service Area 1, it shall be the duty of every person in possession, charge or control of any residence to keep and utilize approved refuse storage containers for refuse collection and disposal by the borough. Applicability of this provision to future borough service areas shall be determined during the establishment of each service area. Commercial or industrial structures where refuse is created or accumulated shall keep approved refuse storage containers for refuse collection and shall either provide for delivery to the borough solid waste baling facility, or enroll in the Borough's collection service.
- B. The borough will provide approved refuse containers to customers within Service Area 1, for voluntary customers outside of Service Area 1 and for future service areas as determined during service area development, and when provided they shall be used. Refuse storage containers shall be of an approved type as designated by the borough and shall be strong, watertight, not easily corrodible, rodent-proof, and insect-proof. Containers shall have an overlapping cover or a cover permanently attached to the container. ~~A reasonable effort shall be made by each customer to stow or secure refuse containers in such a manner that refuse will not be accessible to animals.~~ Containers which cannot be mechanically emptied shall not be allowed. Customers failing to utilize an approved container ~~adhere to this section~~ shall be subject to a fee of ~~\$10.00~~ \$5.00 per pickup ~~of a non-approved container~~, in addition to their monthly service charge and any applicable extra refuse charge imposed under subsection 14.12.140 G. of this chapter.

A reasonable effort (as defined in Section 14.12.010) shall be made by each customer to stow or secure refuse prior to collection in such a manner that refuse will not be accessible to animals. Customers who fail to make the required reasonable effort to secure refuse shall be guilty of a violation of this Chapter, and subject to a fine as provided for in Section 14.12.210.

- C. The borough will provide recyclable containers for all customers who elect to recycle and when provided they shall be used. Recyclable containers shall be capable of protecting the materials from weather by means of an overlapping lid or ability to be sealed from the elements. The containers shall function so as to minimize odors and vector attraction. Consumer food and beverage containers deposited into recyclable containers shall be rinsed prior to placement in the container to prevent vector attraction and provide a product acceptable to recycling markets.
- D. The customer shall keep each refuse or recyclable storage container clean inside and out so that no odor nuisance shall exist. Covers shall not be removed except when necessary to place refuse in the storage container or take refuse from the container. Containers shall not be overloaded to the extent covers cannot be ~~securely replaced~~ fully closed or the in order to keep deposited materials ~~would be from being~~ exposed to animals and the weather. Garbage shall not be compacted within the container to the extent that inversion of the container will not allow the refuse to fall out by process of gravity. If the refuse container is so tightly packed that garbage will not fall out of the container when inverted by the collection truck, causing some or all of the garbage to be retained inside the container and resulting in a call-back, the customer may be subject to a return call fee as described in Section 14.12.140, Rates for Refuse Collection.
- E. A level pad of crushed rock, concrete or wood plank shall be provided by the customer for siting of wheeled dumpsters. The pad shall be constructed to drain water to keep the dumpster from freezing to the pad and of a sufficiently smooth surface so the dumpster can be easily rolled. The pad shall be located to provide ease of access by the collection equipment and shall be built at a correct height so that trucks can secure and empty containers.
- F. On the customer's designated collection day/s, refuse and recyclable storage containers shall be placed so the collector can have direct access to the containers by no later than the start of that day's sanitation work shift (understood to be 8:00 a.m. unless a different time is specified and publicly noticed by the Sanitation Dept). Access to containers must remain thereafter until collected by collector ~~borough~~ personnel. It shall be required that refuse and recyclable containers be placed within eight feet of the driven road surface on ~~any~~ public property or right of way approved by the collector, that is safely accessible on a year-round basis by the collection vehicle. Containers shall not have obstructions between the container and the collection truck and must be placed with a minimum of three feet clear space around the container.

#### 14.12.090 Notices.

- A. Notices from the borough regarding a customer's account will normally be given in writing and either mailed or delivered to the ~~property owner's~~ customer's last known address. Notices for changes in collection schedules due to public holidays or other operational considerations shall be made borough wide by issuance of public service announcements that are delivered to local media and posted to the borough website. Where conditions warrant and in emergencies, the borough may notify either by telephone or messenger.
- B. Notices from a customer to the borough may be given by the customer or authorized representative, orally or in writing, at the finance or public works offices of the borough, or to an agent of the borough authorized to receive notices.

#### 14.12.140 Rates for refuse collection.

- A. Except as otherwise provided in this chapter, each residential unit within Service Area 1 shall maintain and be charged for at least the minimum level of service. Single-family residential and duplex units requiring more than the minimum level shall be charged accordingly.
- B. Commercial and industrial users including hotels, motels, bed and breakfast units and apartment buildings with three or more units shall be charged for the level of service requested.

C. The monthly rates for refuse collection by the borough or its designated or authorized agent shall be:

7/01/13—2% Increase

Pick-ups Per-Week	32-gal Recycling Incentive Rate	32-gal	64-gal	96-gal	288-gal	384-gal	480-gal	540-gal
1	\$27.63	\$33.16	\$49.08	\$57.58	\$166.84	\$221.47	\$276.10	\$310.25
2			\$75.79	\$112.21	\$330.73	\$440.00	\$549.26	\$617.55
3				\$166.84	\$494.63	\$658.52	\$822.42	\$924.85
4					\$658.52	\$877.05	\$1,095.57	\$1,232.15
5							\$1,368.73	\$1,539.45
6								\$1,880.90
7								\$2,154.05

7/01/14—2% Increase

Pick-ups Per-Week	32-gal Recycling Incentive Rate	32-gal	64-gal	96-gal	288-gal	384-gal	480-gal	540-gal
1	\$28.19	\$33.83	\$50.06	\$58.73	\$170.18	\$225.90	\$281.62	\$316.45
2			\$77.31	\$114.45	\$337.35	\$448.80	\$560.24	\$629.90
4				\$170.18	\$504.52	\$671.69	\$838.86	\$943.35
5							\$1,396.10	\$1,570.24
6								\$1,918.52
7								\$2,197.14

7/01/15—2% Increase

Pick-ups Per-Week	32-gal Recycling Incentive Rate	32-gal	64-gal	96-gal	288-gal	384-gal	480-gal	540-gal
1	\$28.75	\$34.50	\$51.06	\$59.90	\$173.58	\$230.42	\$287.26	\$322.78
2			\$78.86	\$116.74	\$344.09	\$457.77	\$571.45	\$642.50
3				\$173.58	\$514.61	\$685.13	\$855.64	\$962.22
4					\$685.13	\$912.48	\$1,139.83	\$1,281.92

5							\$1,424.03	\$1,601.64
6								\$1,956.89
7								\$2,241.08

## 7/01/16—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$29.32	\$35.18	\$52.08	\$61.10	\$177.05	\$235.03	\$293.00	\$329.24
2			\$80.43	\$119.08	\$350.98	\$466.93	\$582.88	\$655.35
3				\$177.05	\$524.90	\$698.83	\$872.75	\$981.46
4					\$698.83	\$930.73	\$1,162.63	\$1,307.56
5							\$1,452.51	\$1,633.68
6								\$1,996.02
7								\$2,285.90

## 7/01/17—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$29.91	\$35.89	\$53.12	\$62.32	\$180.59	\$239.73	\$298.86	\$335.82
2			\$82.04	\$121.46	\$358.00	\$476.27	\$594.53	\$668.46
3				\$180.59	\$535.40	\$712.80	\$890.21	\$1,001.09
4					\$712.80	\$949.34	\$1,185.88	\$1,333.71
5							\$1,481.56	\$1,666.35
6								\$2,035.94
7								\$2,331.62

## 7/01/18—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal

1	\$30.51	\$36.61	\$54.18	\$63.57	\$184.20	\$244.52	\$304.84	\$342.54
2			\$83.68	\$123.89	\$365.16	\$485.79	\$606.43	\$681.83
3				\$184.20	\$546.11	\$727.06	\$908.01	\$1,021.11
4					\$727.06	\$968.33	\$1,209.60	\$1,360.39
5							\$1,511.19	\$1,699.68
6								\$2,076.66
7								\$2,378.25

07/01/2022—3% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
<u>1</u>	<u>\$31.43</u>	<u>\$37.71</u>	<u>\$55.82</u>	<u>\$65.48</u>	<u>\$189.73</u>	<u>\$251.86</u>	<u>\$313.99</u>	<u>\$352.82</u>
<u>2</u>			<u>\$86.19</u>	<u>\$127.61</u>	<u>\$376.11</u>	<u>\$500.36</u>	<u>\$624.62</u>	<u>\$702.28</u>
<u>3</u>				<u>\$189.73</u>	<u>\$562.49</u>	<u>\$748.87</u>	<u>\$935.25</u>	<u>\$1,051.74</u>
<u>4</u>					<u>\$748.87</u>	<u>\$997.38</u>	<u>\$1,245.89</u>	<u>\$1,401.20</u>
<u>5</u>							<u>\$1,556.53</u>	<u>\$1,750.67</u>
<u>6</u>								<u>\$2,138.96</u>
<u>7</u>								<u>\$2,449.60</u>

07/01/23—3% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
<u>1</u>	<u>\$32.37</u>	<u>\$38.84</u>	<u>\$57.49</u>	<u>\$67.44</u>	<u>\$195.42</u>	<u>\$259.41</u>	<u>\$323.40</u>	<u>\$363.40</u>
<u>2</u>			<u>\$88.78</u>	<u>\$131.43</u>	<u>\$387.40</u>	<u>\$515.37</u>	<u>\$643.36</u>	<u>\$723.35</u>
<u>3</u>				<u>\$195.42</u>	<u>\$579.37</u>	<u>\$771.34</u>	<u>\$963.31</u>	<u>\$1,083.30</u>
<u>4</u>					<u>\$771.34</u>	<u>\$1,027.30</u>	<u>\$1,283.26</u>	<u>\$1,443.24</u>
<u>5</u>							<u>\$1,603.22</u>	<u>\$1,803.19</u>
<u>6</u>								<u>\$2,203.13</u>
<u>7</u>								<u>\$2,523.09</u>

7/01/24—3% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
<u>1</u>	<u>\$33.34</u>	<u>\$40.00</u>	<u>\$59.21</u>	<u>\$69.46</u>	<u>\$201.28</u>	<u>\$267.19</u>	<u>\$333.11</u>	<u>\$374.30</u>
<u>2</u>			<u>\$91.44</u>	<u>\$135.38</u>	<u>\$399.02</u>	<u>\$530.84</u>	<u>\$662.66</u>	<u>\$745.05</u>
<u>3</u>				<u>\$201.28</u>	<u>\$596.75</u>	<u>\$794.48</u>	<u>\$992.21</u>	<u>\$1,115.79</u>



<u>4</u>					<u>\$794.48</u>	<u>\$1,058.12</u>	<u>\$1,321.76</u>	<u>\$1,486.53</u>
<u>5</u>							<u>\$1,651.32</u>	<u>\$1,857.29</u>
<u>6</u>								<u>\$2,269.22</u>
<u>7</u>								<u>\$2,598.78</u>

7/01/25—3% Increase

<u>Pick-ups Per Week</u>	<u>32 gal Recycling Incentive Rate</u>	<u>32 gal</u>	<u>64 gal</u>	<u>96 gal</u>	<u>288 gal</u>	<u>384 gal</u>	<u>480 gal</u>	<u>540 gal</u>
<u>1</u>	<u>\$34.34</u>	<u>\$41.20</u>	<u>\$60.99</u>	<u>\$71.55</u>	<u>\$207.32</u>	<u>\$275.21</u>	<u>\$343.10</u>	<u>\$385.53</u>
<u>2</u>			<u>\$94.18</u>	<u>\$139.44</u>	<u>\$410.99</u>	<u>\$546.76</u>	<u>\$682.54</u>	<u>\$767.41</u>
<u>3</u>				<u>\$207.32</u>	<u>\$614.65</u>	<u>\$818.31</u>	<u>\$1,021.97</u>	<u>\$1,149.27</u>
<u>4</u>					<u>\$818.31</u>	<u>\$1,089.86</u>	<u>\$1,361.42</u>	<u>\$1,531.13</u>
<u>5</u>							<u>\$1,700.86</u>	<u>\$1,913.00</u>
<u>6</u>								<u>\$2,337.30</u>
<u>7</u>								<u>\$2,676.74</u>

7/01/26—3% Increase

<u>Pick-ups Per Week</u>	<u>32 gal Recycling Incentive Rate</u>	<u>32 gal</u>	<u>64 gal</u>	<u>96 gal</u>	<u>288 gal</u>	<u>384 gal</u>	<u>480 gal</u>	<u>540 gal</u>
<u>1</u>	<u>\$35.37</u>	<u>\$42.44</u>	<u>\$62.82</u>	<u>\$73.70</u>	<u>\$213.54</u>	<u>\$283.47</u>	<u>\$353.39</u>	<u>\$397.10</u>
<u>2</u>			<u>\$97.01</u>	<u>\$143.62</u>	<u>\$423.32</u>	<u>\$563.16</u>	<u>\$703.02</u>	<u>\$790.43</u>
<u>3</u>				<u>\$213.54</u>	<u>\$633.09</u>	<u>\$842.86</u>	<u>\$1,052.63</u>	<u>\$1,183.75</u>
<u>4</u>					<u>\$842.86</u>	<u>\$1,122.56</u>	<u>\$1,402.26</u>	<u>\$1,577.06</u>
<u>5</u>							<u>\$1,751.88</u>	<u>\$1,970.39</u>
<u>6</u>								<u>\$2,407.42</u>
<u>7</u>								<u>\$2,757.04</u>

- D. Pack-out service. Pack-out service shall be provided for an additional monthly charge of \$10.00 for each 32-gallon equivalent within the customer's service level. No pack-out service shall be provided for containers located more than 50 feet from the street. No pack-out service shall be provided for service levels greater than 96 gallons.
- E. Return call pick-ups. Customer containers and dumpsters must be readily available for pick-up as determined by the borough. Return call pick-ups deemed not to be an oversight or responsibility of the refuse collection personnel will be charged \$15.00 per return call in addition to the regular monthly bill.
- F. Minimum charge. The minimum refuse collection charge shall be the rate for 32 gallons for once per week pick-up.
- G. Extra refuse. If a customer places an extra carton, box, bag, bale or container out for pick-up by the refuse collection personnel beyond the level of service billed to the customer, that customer shall be charged an extra refuse fee equal to an additional one quarter of the minimum monthly refuse collection charge for each 32-gallon equivalent, or portion thereof, that is over and above the customer's service level.

- H. Multi-unit commercial and/or residential premises. The landlord/owner may be billed for the service provided to multi-unit commercial and/or residential premises with three or more units where the refuse containers communally serve the units.
- I. Vacation rate. In the event the residence will be vacant for a time period of one month or more, the customer may request a vacation rate of five dollars per month which will discontinue collection pickups during the vacancy of the residence. The customer will provide the utility with a specific date of return at which time regular service and billing will resume. The vacation rate is available for full billing periods only. It shall not be prorated for partial billing periods.
- J. If customers set out refuse beyond their billed level of service more than twice per month, the utility will notify the customer and upgrade the service to the appropriate level.
- K. Irregular service charges. When requests are made by customers for irregular collection service ~~for less than a month's time or for special events~~, the fee for such service shall consist of a refuse charge plus a pick-up fee, as follows:
- (i) For plastic or metal containers (other than roll off containers), the refuse charge shall be as set out in Section 14.12.140 will be prorated from the collection schedule for the size of container requested. In no case shall the ~~prorated~~ charge be less than one week's billing. An additional \$55.00 fee will be applied for each pick-up of the requested container if it is between 288 and 540 gallons, inclusive, or above in size.
- (ii) For roll off containers, the pick-up fee will be \$85.00, and the refuse charge will be billed at the published per lb. rate for baler waste as listed in Section 14.12.150.
- Metal dumpsters and roll off containers may be picked up by the collector and returned to the Sanitation Dept at the Borough's discretion if a customer does not have refuse collected from the container for a period of 30 consecutive days or more. A pickup fee and refuse charge (if refuse is present in the container at the time of pickup), in the amounts set out in paragraph (i) or (ii) above, will apply and be charged to the customer's account.
- A container deposit may be required for ~~this~~ irregular services as described in this section.
- L. Recycling incentive rate. Beginning with the implementation of a residential commingled curbside recycling program, the service fee for 32-gallon refuse collection shall be increased by 20 percent over codified rates and programmed increases contained in section 14.12.140 C. This increase shall be waived for all customers who enroll in the borough's commingled curbside recycling program. By enrollment in the curbside recycling program, the customer agrees to actively recycle and follow the rules of the program as established by the sanitation utility.
- M. Disposal of vehicles. Vehicles will be accepted for disposal at the landfill under the provisions of this section, and subject to the schedule of fees listed in Section 14.12.150, On-site refuse disposal rates.
- It is the intent of this section to provide an affordable means for residents of the Borough to dispose of used vehicles while also keeping costs reasonable for the Sanitation Dept. It is not the intent of this section to provide processing of used vehicles prior to final disposal. Accordingly, vehicles brought to the landfill for disposal must be processed by the customer prior to disposal, by removal of all fluids, tires/wheels, and any trash contained within the vehicle, unless otherwise permitted by the Department. The Sanitation Department reserves the right to refuse drop off of any vehicle that has not been processed by the customer. If a vehicle is dropped off that has not been fully processed, charges may be either applied to the customer's account, or billed directly to the customer if the customer does not have an account, for labor and equipment time incurred by the Sanitation Dept to process the vehicle for disposal. Abuse of the vehicle disposal policy may lead to suspension of the customer's landfill privileges at the discretion of the Public Works Director.

The Sanitation Dept shall maintain a comprehensive policy for vehicle disposal and shall update this policy periodically as needed. All persons wishing to dispose of a vehicle will be provided a copy of the vehicle disposal policy and will be required to acknowledge receipt of the policy.

#### 14.12.150 On-site refuse disposal rates.

##### A. Standard fees.

Description	7/1/13	7/1/14	7/1/15	7/1/16	7/1/17
Baler waste (per lb)	\$.160	\$.165	\$1.65	\$.165	\$.165
Metal waste (per lb)	.065	.065	.065	.065	.065
Wood waste (per lb)	.065	.065	.065	.065	.065
Refrigeration unit w/Freon (per each)	40.00	40.00	40.00	40.00	40.00
Passenger or light truck tires (per each)	4.25	4.50	4.50	4.50	4.50
Heavy equipment tires (per each)	50.00	50.00	50.00	50.00	50.00
White Goods (per lb)	.065	.065	.065	.065	.065
Household hazardous waste (per lb)	.160	.165	.165	.165	.165
Antifreeze (per gallon)	3.50	3.50	3.50	3.50	3.50
Auto/Marine Battery (per each)	5.50	5.50	5.50	5.50	5.50
Used Oil (per gallon)	0.00	0.00	0.00	0.00	0.00
Paint (per gallon)	1.00	1.00	1.00	1.00	1.00
Commercial Noncompacted (yard)	16.00	16.00	16.00	16.00	16.00
Junk Vehicles (per each)	75.00	75.00	75.00	75.00	75.00
Voucher Vehicles (per each)	37.50	37.50	37.50	37.50	37.50
Vouchers (per each)	40.00	45.00	45.00	45.00	45.00
Salvage permits (per day)	10.00	10.00	10.00	10.00	10.00
Wood waste charity (per lb)	0.00	0.00	0.00	0.00	0.00
Baler waste charity (per lb)	0.00	0.00	0.00	0.00	0.00
Metal waste charity (per	0.00	0.00	0.00	0.00	0.00

lb)						
Wood waste — borough (per lb)		0.00	0.00	0.00	0.00	0.00
Metal waste — borough (per lb)		0.00	0.00	0.00	0.00	0.00
<u>Description</u>	<u>7/1/18</u>	<u>7/1/22</u>	<u>7/1/23</u>	<u>7/1/24</u>	<u>7/1/25</u>	<u>7/1/26</u>
<u>Baler waste (per lb)</u>	<u>\$.165</u>	<u>\$.190</u>	<u>\$.190</u>	<u>\$.190</u>	<u>\$.190</u>	<u>\$.190</u>
<u>Metal waste (per lb)</u>	<u>.065</u>	<u>.075</u>	<u>.075</u>	<u>.075</u>	<u>.075</u>	<u>.075</u>
<u>Wood waste (per lb)</u>	<u>.065</u>	<u>.075</u>	<u>.075</u>	<u>.075</u>	<u>.075</u>	<u>.075</u>
<u>Refrigeration unit w/Freon (per each)</u>	<u>40.00</u>	<u>40.00</u>	<u>40.00</u>	<u>40.00</u>	<u>40.00</u>	<u>40.00</u>
<u>Passenger or light truck tires (per each)</u>	<u>4.50</u>	<u>4.50</u>	<u>4.50</u>	<u>4.50</u>	<u>4.50</u>	<u>4.50</u>
<u>Heavy equipment tires (per each)</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>
<u>White Goods (per lb)</u>	<u>.065</u>	<u>.075</u>	<u>.075</u>	<u>.075</u>	<u>.075</u>	<u>.075</u>
<u>Household hazardous waste (misc - per lb)</u>	<u>.165</u>	<u>.190</u>	<u>.190</u>	<u>.190</u>	<u>.190</u>	<u>.190</u>
<u>Antifreeze (per gallon)</u>	<u>3.50</u>	<u>3.50</u>	<u>3.50</u>	<u>3.50</u>	<u>3.50</u>	<u>3.50</u>
<u>Gasoline*(see note below table)</u>	<u>N/A</u>	<u>3.50</u>	<u>3.50</u>	<u>3.50</u>	<u>3.50</u>	<u>3.50</u>
<u>Auto/Marine Battery (per each)</u>	<u>5.50</u>	<u>5.50</u>	<u>5.50</u>	<u>5.50</u>	<u>5.50</u>	<u>5.50</u>
<u>Used Oil (per gallon)</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<u>Paint (per gallon)</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>
<u>Aerosols (per each)</u>		<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>
<u>Commercial Noncompacted (yard)</u>	<u>16.00</u>	<u>19.00</u>	<u>19.00</u>	<u>19.00</u>	<u>19.00</u>	<u>19.00</u>
<u>Junk Boats and Vehicles - metal (per each)</u>	<u>75.00</u>	<u>75.00</u>	<u>75.00</u>	<u>75.00</u>	<u>75.00</u>	<u>75.00</u>
<u>Junk Boats and Vehicles – fiberglass/wood (per ton)</u>	<u>N/A</u>	<u>135.00</u>	<u>135.00</u>	<u>135.00</u>	<u>135.00</u>	<u>135.00</u>
<u>Travel Trailers and Mobile Homes (per ton)</u>	<u>N/A</u>	<u>135.00</u>	<u>135.00</u>	<u>135.00</u>	<u>135.00</u>	<u>135.00</u>
<u>Voucher Vehicles (metal only, per each)</u>	<u>37.50</u>	<u>37.50</u>	<u>37.50</u>	<u>37.50</u>	<u>37.50</u>	<u>37.50</u>
<u>Vouchers (per each)</u>	<u>45.00</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>
<u>Salvage permits (per day)</u>	<u>10.00</u>	<u>10.00</u>	<u>10.00</u>	<u>10.00</u>	<u>10.00</u>	<u>10.00</u>
<u>Wood waste - charity non-profit (per lb)</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<u>Baler waste - charity non-profit (per lb)</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<u>Metal waste - charity non-profit (per lb)</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<u>Baler waste – borough (per lb)</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<u>Wood waste - borough (per lb)</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

<u>Metal waste - borough (per lb)</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
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\*Residential customers may dispose of up to 5 gallons of gasoline at no charge. Any amount of gasoline over 5 gallons will be charged at \$3.50 per gallon. Commercial customers will be charged \$3.50 per gallon for all disposal of gasoline.

- B. *Adjustment or waiver of standard fees.* The public works director may adjust or waive standard refuse fees in the event a customer experiencing financial hardship is disposing of a structure and/or its contents that were ruined due to an accidental fire or natural disaster. This provision shall not apply to the intentional burning and disposal of any structure. This provision shall not apply if insurance payments have been received by the customer for the purpose of reimbursing the customer for their loss and disposal of the debris.
- C. Refuse rates and fees shall be reviewed annually by the sanitation utility and finance department and a recommendation made to the borough manager for the increase or decrease of rates needed for the sound financial management of the refuse utility. The borough manager shall review the findings and present the recommendation to the borough assembly.

**14.12.190 Service discontinued at ~~property owner's~~ customer's request.**

- A. *Notice.* Each customer about to vacate any premises supplied with municipal refuse collection service shall give the borough at least one-day written notice specifying the day service is to be discontinued. If one-day written notice is not given, the customer will be responsible for all scheduled pick-up charges accrued by the premises until the borough receives notice.
- B. *Final billing.* At the time service is disconnected due to unit vacancy and after notice is given by the customer, a bill will be issued for the proportionate share of the monthly rate. The final bill is payable immediately.

**14.12.195 Community recycling goals.**

~~It shall be the goal of the borough sanitation department to implement recycling programs and systems that will achieve the following community wide, recycling rates by the respective deadlines:~~

- ~~A.—By January 1, 2017 the community will achieve a recycling rate of 30%.~~
- ~~B.—By January 1, 2019 the community will achieve a recycling rate of 40%.~~
- ~~C.—By January 1, 2021 the community will achieve a recycling rate of 50%.~~
- ~~D.—The sanitation department shall promote recycling through public education, programmatic revisions as necessary, capital equipment planning and funding, and operational enhancements as required to achieve the published goals.~~

**14.12.210 Penalties for violations.**

- A. A person who violates a provision of this chapter, other than nonpayment of an past due and delinquent accounts, or who fails to comply with any mandatory requirement of this chapter, shall be guilty of a violation, and shall be punished by imposition of the subject to a fine established in the fine schedule set forth as provided in chapter 1.16.030 of the borough code if the offense is listed in that fine schedule; 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 of the borough code.

- B. A person who violates a provision of this chapter by making any unlawful disposal is also liable for all costs and expenses incurred by the borough in the clean up and remedy of that disposal, in addition to administrative costs and attorney fees incurred by the borough as a result of the violation. If the unlawful disposal occurs on private property, the provisions of section 9.12.130 shall apply.

**Section 4. Fine Amounts:** The following fine amounts are adopted for violation of Section 14.12.080B, and shall be administratively incorporated into Section 1.16.030 of the Borough Code:

<u>Section Number</u>	<u>Description of Violation</u>	<u>Fine Amount</u>
14.12.080B	Failure to utilize reasonable efforts to secure refuse (1st offense)	\$ 50.00
14.12.080B	Failure to utilize reasonable efforts to secure refuse (2nd offense)	\$150.00
14.12.080B	Failure to utilize reasonable efforts to secure refuse (3rd and subsequent offenses)	\$300.00

**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 to other persons or circumstances shall not be affected.

**Section 6. Effective Date:** This Ordinance shall become effective immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this \_\_\_\_ day of \_\_\_\_\_, 2021.

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

ATTEST:

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

Adopted:  
Noticed:  
Effective:

**PETERSBURG BOROUGH  
RESOLUTION #2021-11**

**A RESOLUTION OF THE PETERSBURG BOROUGH ASSEMBLY IN SUPPORT OF  
A PERMANENT BAN ON TAILINGS DAMS AND FOR A TEMPORARY PAUSE IN  
THE PERMITTING, EXPLORATION, DEVELOPMENT, AND EXPANSION OF  
CANADIAN MINES ALONG ALASKA-BRITISH COLUMBIA TRANSBOUNDARY  
SALMON RIVERS UNTIL THE UNITED STATES-CANADA BOUNDARY WATERS  
TREATY OF 1909 AND THE UNITED NATIONS DECLARATION ON THE RIGHTS  
OF INDIGENOUS PEOPLES ARE UPHELD AND AN INTERNATIONAL  
AGREEMENT ON WATERSHED PROTECTIONS IS IMPLEMENTED**

**WHEREAS**, the transboundary Taku, Stikine, and Unuk Rivers are of tremendous and unique cultural, ecological, subsistence, economic, and recreational value as Indigenous peoples from several Nations have stewarded the Alaska-B.C. transboundary region since time immemorial and this region is now home to nearly 80,000 people in dozens of communities; and

**WHEREAS**, the clean water and intact habitat of the Alaska-British Columbia (B.C.) transboundary watersheds are historically some of the most productive wild salmon rivers on the entire west coast of North America, with the Taku, Stikine, and Unuk Rivers alone contributing nearly \$50 million in economic activity, \$34 million in direct spending, over 400 jobs, and almost \$20 million in labor income towards Southeast Alaska's annual multi-billion fishing and visitor industries; and

**WHEREAS**, Petersburg's economy is heavily tied to several commercial fisheries and virtually every local business benefits from commercial fishing dollars, and Petersburg is normally ranked in the top 25 fishing ports in the U.S. by both weight and value and the estimated ex-vessel income by Petersburg-based fishermen was \$50.5 million in 2018 --with landings of 35.3 million pounds of seafood, and salmon is the most abundant and valuable species to the fishermen of the Petersburg Census Area (that includes Petersburg, Kake, Kupreanof, and Port Alexander) with total landings of over 24.6 million pounds worth more than \$23.3 million in 2018; and

**WHEREAS**, more than two-dozen inadequately regulated Canadian hard rock mining projects are in various stages of abandonment, permitting, development, or operation in the watersheds of Taku, Stikine, and Unuk Rivers in Northwest B.C., most of which are large-scale and open pit, occur in known acid-generating ore bodies, include massive tailings dams that have to store toxic waste forever, expansive waste rock storage facilities, and the need for perpetual water treatment, roads, and other infrastructure, threatening (both in the short term and on geological timescales) the productivity and ecological health of these watersheds through cumulative impacts, contamination, habitat destruction, and/or possible catastrophic failures; and



**WHEREAS**, B.C.'s environmental assessment process does not set legal requirements or standards for assessing cumulative effects of existing and proposed development, and B.C.'s open-pit Red Chris mine has been operating at the headwaters of the Stikine River since 2015, the entire riparian corridor of the Iskut River, the largest tributary of the Stikine River, is staked with B.C. mineral claims, B.C.'s Kerr-Sulphurets-Mitchell project (KSM), if built as proposed in both the Unuk and Nass River watersheds, would be the largest open-pit mine in Canada and one of the largest in the world, and more than half of the B.C. portion of the Unuk watershed is staked with mineral claims; and

**WHEREAS**, the Taku, Stikine, and Unuk Rivers are experiencing a decline in wild salmon populations, resulting in the Alaska Department of Fish and Game listing Chinook salmon in the Unuk River as a Stock of Concern in 2017 and currently a plan to soon list Chinook salmon in the Taku and Stikine Rivers as Stocks of Concern; and

**WHEREAS**, the leaching of heavy metals to groundwater and sediment from mining can contaminate freshwater systems for decades, preventing recovery of fish populations many years after the cessation of mining activity and posing a risk to human health, and B.C.'s Tulsequah Chief mine in the Taku River watershed has been abandoned and leaching acid mine drainage since 1957; and

**WHEREAS**, mine contamination of the Taku, Stikine, and/or Unuk Rivers would likely affect Petersburg commercial fishermen in a number of ways: (1) fishing would be limited near the affected system for a period of time, which would reduce total allowable catch in Southeast Alaska, forcing fishermen to move into districts in which they would not normally fish, thereby increasing effort and reducing fishing opening lengths, (2) shellfish fisheries would also be impacted, particularly on the Stikine flats, but could also affect geoduck and cucumber fisheries near other impacted systems, (3) pollution in the Stikine River would also likely impact halibut fisheries, particularly in Frederick Sound, and (4) long-term pollution could affect fisheries in the Gulf of Alaska and even the Bering Sea, and Petersburg fishermen participating in those fisheries; and

**WHEREAS**, following B.C.'s Mount Polley mine disaster in 2014 an expert panel appointed by the B.C. government found that if mining companies continue their business-as-usual operations the province could face an average of two dam failures every ten years; and

**WHEREAS**, the Alaska-British Columbia Memorandum of Understanding and associated Statement of Cooperation on Protection of Transboundary Waters signed by the State of Alaska and the Province of B.C. in 2015 are important, but cannot provide binding, enforceable protections for the residents, rivers, and watersheds of the Alaska-B.C. transboundary region; and

**WHEREAS**, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) emphasizes the Indigenous peoples' rights to live in dignity, to maintain and strengthen Indigenous institutions, cultures and traditions and to pursue self-determined

development, in keeping with Indigenous needs and aspirations, and British Columbia's provincial government passed the Declaration on the Rights of Indigenous Peoples Act into law in November 2019, establishing the UN Declaration as the Province's framework for reconciliation with indigenous peoples; and

**WHEREAS**, the Boundary Waters Treaty of 1909 was signed to prevent and resolve disputes over the use of shared waters between the United States (U.S.) and Canada, declaring in Article IV that, "it is further agreed that the waters herein defined as boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other;" and

**WHEREAS**, consistent with our earlier Resolutions #2014-17, #2017-18, #2019-13 and #2019-20, the Petersburg Borough Assembly strongly urges the United States and Canadian governments to utilize any and all powers under the Boundary Waters Treaty to develop binding and enforceable protections, including long term water quality monitoring, to ensure that Alaska and British Columbia interests and ways of life are not harmed by upstream Canadian development in the shared transboundary watersheds of Southeast Alaska and Northwest British Columbia.

**THEREFORE, BE IT RESOLVED** that the Petersburg Borough Assembly calls on President Biden and the United States government and Prime Minister Trudeau and the Canadian government to expeditiously:

1. Utilize their authority under the United States-Canada Boundary Waters Treaty of 1909 to prevent and resolve disputes over the use of shared waters; and
2. Support an immediate temporary pause in permitting, exploration, development, and expansion of Canadian mines along shared Alaska-B.C. salmon rivers until a binding international agreement on watershed protections, developed by *all* jurisdictions in these shared transboundary watersheds and consistent with the Boundary Waters Treaty of 1909 and the United Nations Declaration on the Rights of Indigenous Peoples, is implemented; and
3. Convene with local communities, stakeholders, and Indigenous leaders of the Taku, Stikine, and Unuk watersheds to develop the aforementioned binding international agreement on watershed protections. This agreement will identify and honor no-go zones and decisions by local residents and Indigenous people on both sides of the international border, ensure mining companies and shareholders are liable for cleaning up their waste and compensating impacted communities for all damages, and enforce requirements for mining best practices, including a permanent ban on the perpetual storage of contaminated water and wet tailings behind earthen dams along these irreplaceable Alaska-B.C. transboundary salmon rivers.

**Passed and approved by the Petersburg Borough Assembly on October 19, 2021.**

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**Mark Jensen, Mayor**

**ATTEST:**

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**Rebecca Regula, Deputy Borough Clerk**

**PETERSBURG BOROUGH  
RESOLUTION #2021-12**

**A RESOLUTION APPROVING THE EXPENDITURE OF UP TO \$25,000 FROM THE  
AMERICAN RESCUE PLAN SPECIAL REVENUE FUND FOR PETERSBURG  
MOUNTAIN VIEW MANOR ASSISTED LIVING CAPITAL OUTLAY IN RESPONSE TO  
THE CONTINUING COVID-19 HEALTH EMERGENCY**

**WHEREAS**, on May 11, 2021, the U.S. Department of Treasury awarded the Petersburg Borough \$633,420 from the American Rescue Plan Act funding to be used in compliance with section 603 (c) of the Social Security Act; and

**WHEREAS**, the Petersburg Mountain View Manor Assisted Living is nearing the end stages of constructing a covered outdoor deck to assist its senior citizen residents in creating a safe outdoor space; and

**WHEREAS**, the covered outdoor deck will provide the MVM Assisted Living residents an area to enjoy the beautiful scenery around their home, breathe the fresh air, visit with each other and those who have stopped by to see them – all outdoors which is optimal and recommended by the CDC during the continuing COVID-19 health emergency; and

**WHEREAS**, the expenditures to date have been paid for completely by local donations currently totaling \$45,452.71 and the majority of the materials used were paid for by the Petersburg Indian Association in the amount of \$31,939.87; and

**WHEREAS**, the completed cost to finish the outdoor facility upgrade amounts to an additional \$20,000 that has yet to be acquired; and

**WHEREAS**, the MVM Assisted Living Facility is requesting up to \$25,000 in ARPA funding to provide assistance to complete construction and electrical work of the outdoor space for the betterment of its senior citizen residents; and

**WHEREAS**, further details on the funding of this project to date is attached hereto as Attachment A.

**THEREFORE BE IT RESOLVED**, the Petersburg Borough Assembly hereby approves the expenditure of up to \$25,000 from the ARPA Special Revenue Fund to provide capital support to the Mountain View Manor Assisted Living for the costs associated with responding to the COVID-19 health emergency.

**PASSED AND APPROVED BY THE PETERSBURG BOROUGH ASSEMBLY**, Petersburg, Alaska this 19<sup>th</sup> day of October, 2021.

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

**ATTEST:**

\_\_\_\_\_  
Rebecca Regula, Deputy Borough Clerk

**Attachment A:****Mountain View Manor Assisted Living Deck Project Funding Breakdown:**

<b>Revenues</b>	
Local Donations:	\$45,452.71
PIA Donation of Materials:	\$31,939.87
<b>Total</b>	<b>\$77,392.58</b>
<b>Expenditures To Date</b>	
Expenses to Date:	\$91,251.73
Future Expenses (Electrical):	\$10,000.00
<b>Total</b>	<b>\$101,251.73</b>
<b>Total Needed to Complete Project</b>	<b>\$23,859.15</b>

**PETERSBURG BOROUGH  
RESOLUTION #2021-13**

**A RESOLUTION OF THE PETERSBURG BOROUGH APPLYING & ACCEPTING  
COVID GRANT FUNDING FROM THE STATE OF ALASKA, DEPARTMENT OF  
HEALTH AND SOCIAL SERVICES, FOR COVID TESTING AND VACCINE  
ADMINISTRATION COSTS INCURRED BY THE PETERSBURG MEDICAL CENTER  
WITH THE PETERSBURG BOROUGH ACTING AS A PASS THROUGH**

**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, and the Borough has since undertaken significant measures to address the COVID-19 outbreak and incurred considerable expense in relation to those measures; and

**WHEREAS**, federal funds are available to local governments through the State of Alaska, Department of Health and Social Services, to assist cities and boroughs in addressing the substantial and on-going costs for COVID testing and Vaccine Administration; and

**WHEREAS**, the amount of \$17,847.80 is currently available to the Petersburg Borough to improve efforts and access to testing and vaccinations;

**THEREFORE, BE IT RESOLVED** by the Assembly of the Petersburg Borough, as follows:

1. The Petersburg Borough accepts \$17,847.80 in funds to pass through to the Petersburg Medical Center to use for testing and vaccine administration.
2. The Borough Manager is hereby authorized to sign the State of Alaska Grant Agreement, and an MOA between the Petersburg Medical Center and the Borough for the pass through agreement.

**PASSED AND APPROVED BY** the Petersburg Borough Assembly on this 19<sup>th</sup> day of October, 2021.

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

**ATTEST:**

\_\_\_\_\_  
**Rebecca Regula, Deputy Borough Clerk**



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of  
Health and Social Services

DIVISION OF PUBLIC HEALTH  
Director's Office

Anchorage  
3601 C Street, Suite 756  
Anchorage, Alaska 99503-5924  
Main: 907.269.8126  
Fax: 907.269.2048

## Healthy & Equitable Communities Memorandum of Agreement Information

### PURPOSE:

The State of Alaska, Department of Health and Social Services, Division of Public Health will provide funding to Alaskan local governments in support of creating and sustaining healthy and equitable communities around the state.

Funding will be available through June 30, 2024 to support the following activities and strategies to promote and build healthy and equitable communities around the state. All funded activities must have an emphasis on high risk, underserved population groups.

- Ensure a fair and adequate baseline of care is established for populations at higher risk that are underserved and who are disproportionately impacted by COVID-19 by expanding existing or developing new mitigation and prevention resources and services;
- Increase/improve data collection and reporting for populations disproportionately affected by COVID-19 to guide current and future pandemic response;
- Build, leverage or expand infrastructure support for COVID-19 or future pandemic prevention and control among populations that are at higher risk or underserved;
- Mobilize partners to build and promote healthy and equitable communities, improving everyone's opportunities for living a healthy life, particularly those who are disproportionately impacted by COVID-19;
- Improve access to COVID-19 vaccine, as well as other necessary vaccines, for individuals who are higher risk or underserved.

### SCOPE OF FUNDING:

Strategies that are implemented should aim to build infrastructures that both improve health outcomes for higher risk underserved Alaskans in the current COVID-19 pandemic and set the foundation for future responses. This application mentions several eligible activities, but communities are not limited in scope to these examples. There are several resources available for communities to assist them in determining what types of activities may be proposed. The [Alaska Health Equity Index](#) utilizes data from the US Census Bureau and the US Centers for Disease Control and Prevention's Social Vulnerability Index and is an excellent reference to assist communities in identifying target populations\* and areas of need. The Healthy Alaskans team has identified priority health topics for the [Healthy Alaskans 2030 plan](#) including strategies and actionable objectives within each strategy. Both resources highlight the needs of Alaskans, and communities are encouraged to develop plans that incorporate factors from either of these resources.

\*Target populations can include but are not limited to:

- Low income or homeless individuals
- Individuals/families/communities with limited access to technology/internet
- Individuals/families/communities who face food insecurity
- Communities with limited to no transportation access

- Individuals without access to health care
- Populations that do not speak English as their first language
- Rural communities/areas where physical services are not accessible
- Refugee/immigrant communities that face economic, cultural, or linguistic barriers to accessing health care services
- Individuals with disabilities
- Older adults
- Children
- Individuals with mental health or substance-related disorders

Funding is calculated using two factors: population size, and the Alaska Health Equity Index.

#### **ELIGIBILITY:**

Local governments are eligible to apply and may propose plans to engage one or more communities and geographic areas. The definition of communities may also include a group of people who have particular characteristic in common (e.g. share similar cultural beliefs or interests). Please work with your local tribes, borough, or municipality to ensure efforts are coordinated. DHSS allows recipients to act as pass-through entities to provide funding to other recipients, including community-based organizations serving populations who may experience health inequities. **Technical assistance will be provided throughout the funding period to assist with reporting, advancing approved projects, pre-approval of activities and invoice processing.**

If you live in an unincorporated census area or census designated place, are aware of an entity or organization that is interested in implementing this work and unsure about how to access this funding opportunity, please contact or [HEcommunities@alaska.gov](mailto:HEcommunities@alaska.gov) or [maria.caruso@alaska.gov](mailto:maria.caruso@alaska.gov) to discuss potential alternative opportunities. Designated entities must have the capacity to manage funds and implement projects within the scope of the funding. If communities chose to pursue this route for funding, alternative entities must be identified by **October 22, 2021**. The state intends to open up an alternate method of procurement for these entities, and the timeline for funding will be dependent upon the number of non-governmental entities identified across the state for this option. We will make every attempt to accommodate alternative requests. **For entities that chose to pursue this option, please be aware that the funding can take significantly longer to award through alternate procurement methods.**

#### **REPORTING:**

Reporting requirements will be due at the same time as invoices. Payment will not be issued unless necessary reporting is attached. Reporting requirements will be determined during the MOA preparation and will be dependent upon the type of activities selected. Entities are encouraged to collaborate with hospitals, schools and community organizations to improve the outcomes for their population. **See attachment of Healthy and Equitable Communities Memorandum of Agreement fund amounts.**



## **2020/21 Assembly Appointments**

10/20/2020

**Southeast Conference Representatives - Mayor Mark Jensen (voting member) & Assembly Member David Kensinger**

**Alaska Municipal League Representative - Mayor Mark Jensen & Assembly Member Bob Lynn**

**Liaison to Harbor and Ports Advisory Board – Assembly Member Jeff Meucci**

**Liaison to Hospital Board – Assembly Member Bob Lynn**

**Liaison to Public Safety Advisory Board – Assembly Member Taylor Norheim**

**Elected Official to Local Emergency Planning Committee – Assembly Member Jeff Meucci**

**Debra Thompson**

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**From:** jethompson@email.com  
**Sent:** Sunday, October 3, 2021 8:34 AM  
**To:** Debra Thompson; Stephen Giesbrecht; Assembly  
**Subject:** COVID-19

Petersburg Borough Assembly and Borough Manager, With respect to the 10/1/2021 Emergency Proclamation, thank you for acting in the best interest of our community's health.

In light of the continued spread of the COVID-19 virus amidst the discouraging barrage of misinformation about the virus and vaccines, I really appreciate the efforts of the Assembly, Borough staff, School staff, and Petersburg Medical Center staff. Thank you for listening, thank you for hearing, and thank you for supporting and protecting public health.

Sincerely,  
Julianne Thompson  
PO Box 1584  
Petersburg AK

**Debra Thompson**

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**From:** Donna Marsh <dwmarsh430@msn.com>  
**Sent:** Sunday, October 3, 2021 9:14 PM  
**To:** Assembly  
**Subject:** Consider the ramifications

October 3, 2021

Dear Mayor and Assembly Members:

I am writing in opposition to the proposed Chapter 9.04, Disease Control, as set forth in the agenda. It seems the desire for more control over the people of this town has increased, rather than diminished, since covid reared its ugly head over 18 months ago.

This proposal presumes the ignorance and stupidity of the general public in Petersburg. It is outrageous to me that this borough government thinks we need a health official (or any official) to curtail "certain rights" during periods of contagious disease rather than letting the citizens themselves determine how and where they will take care of themselves and their families. This proposal puts FAR too much power into the hands of a) the health official whomever he/she may be; b) the assembly made up of representatives of just *some* of the population, but not all.

Enforced compliance on this issue is tyranny and goes against all constitutional principles. Even in times of emergency (which this is plainly not), principles of moral self-governance are not to be shelved. Where there are rights, there is responsibility and it is up to the individual to determine how to carry that out.

Covid is here to stay in whatever form it takes. This proposed amended chapter could be interpreted to mean that as long as anyone has any symptom of covid, or the common cold (also a corona virus), the health official can demand that this person, his or her family and close associates, be put under house arrest until such time as the said health official gives the okay for release. This is simply wrong.

I hope the assembly will consider the long-term ramifications and potential for abuse under this proposed chapter; it is overreach in the extreme. Power and control are hard to relinquish once acquired.

I also strongly oppose the airport testing as again, it presupposes the ignorance of the population and would be an utter waste of state funds.

Respectfully,

Donna Marsh

**Debra Thompson**

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**From:** Cindi Lagoudakis <trembladakis@gmail.com>  
**Sent:** Monday, October 4, 2021 12:54 AM  
**To:** Assembly  
**Subject:** Transboundary Rivers Resolution

Dear Assembly Members,

As a former Assembly member during the Walker administration, I participated in transboundary river conversations with other representatives from Southeast communities, in hopes of developing a strategy for dealing with mining issues potentially affecting those river systems. Today, I am writing in support of the proposed transboundary rivers resolution being brought before the Assembly October 4 that has been proposed by Salmon Beyond Borders. British Columbia's record of insuring management and cleanup of mining operations and tailings has been a notably poor one. The number of historic and active mines on tributaries of and along transboundary rivers flowing into Southeast Alaska is hundreds more than most people realize. Many of these mines leach heavy metals and sediments into the productive rivers that are so important to our livelihood here in Petersburg.

The resolution calls for a permanent ban on tailings dams and a temporary halt to permitting and associated activities of new and expanded mining operations until international agreements and treaties are both in place and enforced. This is not a new issue, but it is a significant one. Other communities in Southeast Alaska have recognized the importance of this action and have already signed on to the resolution. In support of healthy ecosystems and productive fisheries, I urge you to do the same.

Thank you for your consideration in this matter,

Cynthia Lagoudakis

## Debra Thompson

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**From:** Michael Truex <mtruex@gmail.com>  
**Sent:** Monday, October 4, 2021 8:26 AM  
**To:** Assembly  
**Subject:** Quarantine camps

Hello council members,

Recently, two of my family members, young ones, were diagnosed with Covid. That's interesting, since both individuals were fully vaccinated, young, healthy people. One, my sister in law, is a nurse, and has been dealing with Covid patients since the beginning.

That's pretty interesting, because it brings to light the possibility, the fact even, that vaccination isn't making covid 19 go away. Harvard, with a 95% vaccination rate, recently went to online learning due to an "outbreak." Massachusetts public health documented 4378 cases in vaccinated individuals in a single week during September. Should this be a big deal? No big deal, it is said, because "breakthrough cases" are to be expected, after all, from the beginning, this vaccine was never said to stop transmission, only to reduce symptoms. If that is true, then wouldn't that make the vaccinated much more likely to become "asymptomatic spreaders?" There is little real evidence that asymptomatic spread occurs anyway, but that's definitely food for thought.

Lets carry this logic back around, in a full circle as it were- if the vaccine is only serving to reduce symptoms, whose symptoms will it reduce? Let's work with a hypothetical guy here- If Joe is vaccinated, it will reduce Joe's symptoms, not yours or mine, right? Suppose another hypothetical person, let's say, Billy, doesn't feel the need to have his symptoms reduced? Should Billy's vaccination status matter to Joe?

Logical enough, one might say, but that idea only works under the "false" assumption that the vaccine doesn't stop transmission. That is a pretty good point, so in order to disprove the above logic, let's assume that the vaccine actually does stop transmission.

Imagine Joe had the jab, and the vaccine works- it stops transmission- and Joe then unwittingly encounters the virus. Luckily, the jab does its thing, and Joe doesn't get sick. Terrific. For Joe, unvaccinated individuals aren't a threat

1: Because they are the most likely to get sick and stay home anyway,

2: Their illness can't spread to Joe, because the Jab works.

My point here is that it is illogical to blame the unvaccinated for endangering the vaccinated, unless of course, the shot doesn't work at all. However, if it doesn't work at all, then taking it does no one any good, and pushing it on those yet to be jabbed is even sillier.

Currently, the vaccine adverse events reporting system, the system used by the CDC, shows 16,000 deaths and 750,000 severe reactions to the covid vaccines. Chew on that- 16,000 real deaths. That, by my math makes the slogan "safe and effective" more than a little deceptive.

In summary, I want to thank the council for removing the language supporting forced vaccination from the code up for approval tonight. I ask you to go one step further, and remove the language empowering city management to create quarantine camps and keep community members detained there against their will. The history of such camps is dark indeed, and it is the responsibility of good government to build in checks and balances for such power, not to enable it.

Sincerely,  
Michael Truex

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Virus-free. [www.avast.com](http://www.avast.com)

**Debra Thompson**

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**From:** John Lichtenberger <john.lichtenberger121@gmail.com>  
**Sent:** Sunday, October 10, 2021 8:21 PM  
**To:** Assembly  
**Subject:** Mask Mandates

An Open Letter to the Mayor and Assembly

10 OCT 2021

My father served in the Army Air Corp as did his brother who was killed over France in WWII. My brother served 20 years in the US Air Force. My father in law flew over 25 missions to France during WWII and two of my brothers in law served in the US Navy. I served in the Juneau Police Department for 21 years. My family and I did this to preserve and protect our freedoms and privilege to make decisions and take risks or not. At age 23 I came to Alaska with \$800.00 and no promise of a job. I celebrate the freedoms my family and anyone who served or is serving have afforded me.

In the past going on two years we have experienced an unprecedented suspension of our civil rights by elected officials. This has been done in response to a virus we initially knew little about. We now know the virus is 99.7% survivable. We have been urged to take a vaccine that is 97% effective. We have been forced to wear masks that may mitigate the spread. I say "may" because in places with restrictive mask mandates they experienced the same degree of ebb and flow of the virus where more personal freedom was allowed.

Some in our republic are mandating vaccines and showing proof of the same with the threat of losing their jobs if they refuse. I have two sons who are nurses in a busy metropolitan area. They work in ER and surgical wards. They and their peers worked through the early days of the virus without the vaccine. They are now in danger of being terminated if they choose not to vaccinate. Front line workers and first responders around the country are now being coerced by the President with Draconian mandates and the threat of being terminated.

Do you realize when I go to the doctor I must sign a HEPPA release for my wife of 30 years to have access to my medical records? Where are we going when elected officials dictate medical treatments not even our doctors can force on us? You have the right to accept or reject any treatment a medical provider may recommend and are required to sign consent prior to treatment.

Our founding fathers understood freedom to take risks and drafted a Constitution to protect that freedom. Many Alaskans choose to work in industries such as fishing, logging and mining where risk is inherent.

Please, as elected officials allow us as a community the freedom to choose if we wear a mask or not. Do not shame or pressure us in whatever we choose. Allow us make our own decisions concerning our health.

Respectfully: John Lichtenberger



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**Department of Natural Resources**

DIVISION OF MINING, LAND & WATER  
Land Conveyance Section

550 West 7th Avenue, Suite 640  
Anchorage, Alaska 99501-3576  
Main: 907.269.8594  
TTY: 711 or 800-770-8973  
Fax: 907.269.8916  
<http://landsales.alaska.gov>  
<http://facebook.com/alaskaland/>

October 8, 2021

Petersburg Borough,

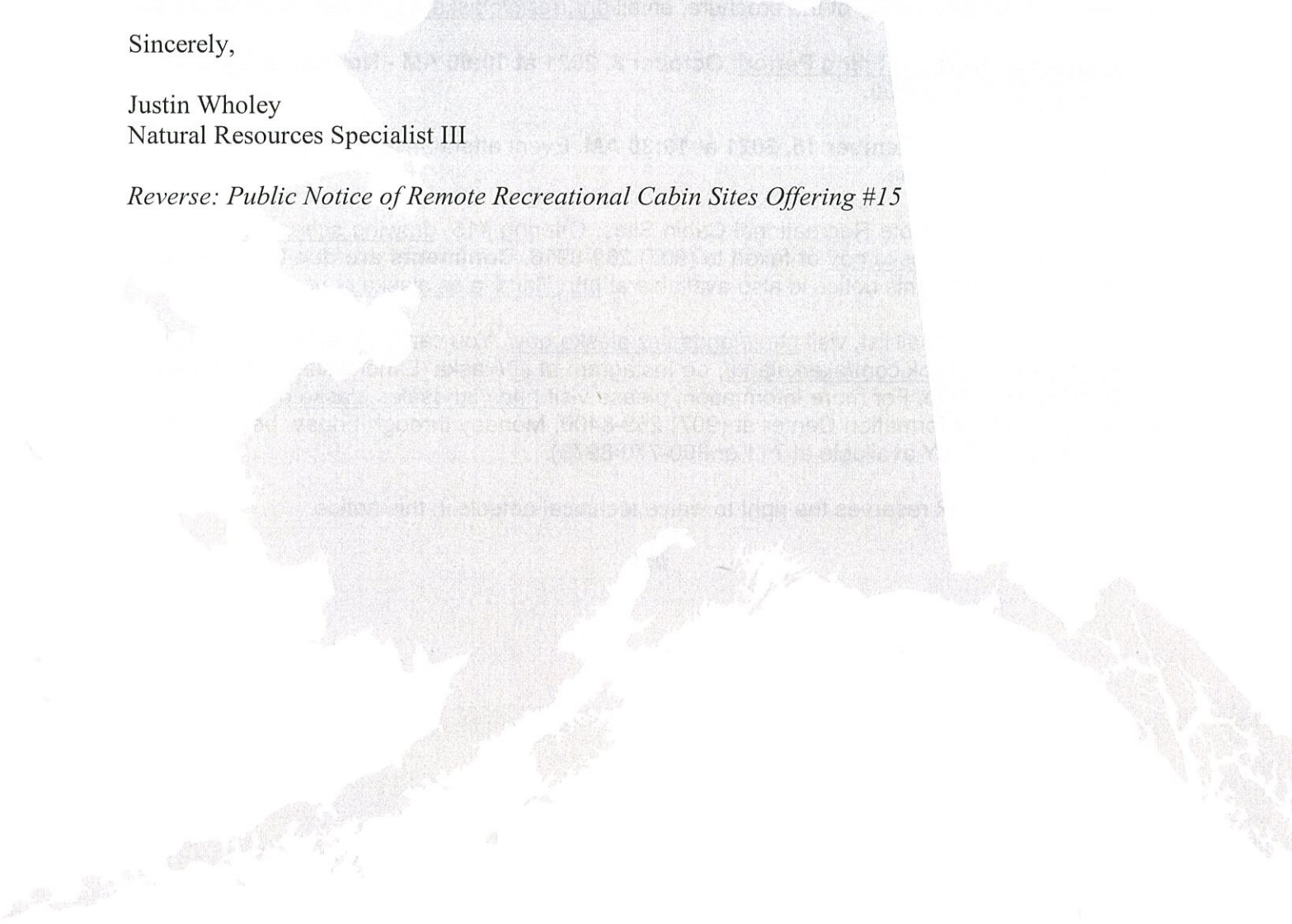
DNR is pleased to announce the 2021 Remote Recreational Cabin Sites, Offering #15. This land offering gives Alaska residents an opportunity to stake a parcel in one of three designated staking areas. For more information, please see the Public Notice document on the opposite side of this page. We are notifying you as a courtesy in accordance with *Alaska Statute 38.05.945 Notice*.

If you have any questions, please call our office in Anchorage at (907) 269-8594 or email [dnr.rrcs@alaska.gov](mailto:dnr.rrcs@alaska.gov). General questions may also be directed to one of our Public Information Centers in Anchorage or Fairbanks as described within the brochure.

Sincerely,

Justin Wholey  
Natural Resources Specialist III

*Reverse: Public Notice of Remote Recreational Cabin Sites Offering #15*





STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER  
LAND CONVEYANCE SECTION

**PUBLIC NOTICE**

**2021 Remote Recreational Cabin Sites, Offering #15**

In the 2021 Remote Recreational Cabin Sites, Offering #15, DNR is giving Alaskans the opportunity to stake a parcel of land in one of three staking areas; two areas are in Alaska's Interior and one is in the State's Southcentral Region. The Silverbow Creek Staking Area is located approximately 120 road miles northwest of Fairbanks along the Elliott Highway. The Alma Lakes Staking Area is located approximately 50 air miles west of Healy and approximately 45 miles east of Lake Minchumina. The Mount Rich Addition II Staking Area is located approximately 125 air miles northwest of Anchorage and approximately 100 air miles southeast of McGrath, on the South Fork of the Kuskokwim River. The brochure describing the offering will be available online by October 4, 2021 at <http://landsales.alaska.gov/>, in print from DNR's Public Information Centers in Anchorage and Fairbanks by October 8, 2021, as well as at other distribution points, statewide. To request a copy of the brochure, email [dnr.rrcs@alaska.gov](mailto:dnr.rrcs@alaska.gov) or call (907) 269-8594.

**Drawing Application Filing Period: October 8, 2021 at 10:00 AM - November 30, 2021 at 4:30 PM; Fee \$75.00.**

**Drawing Event: December 15, 2021 at 10:30 AM.** Event attendance is not required and will not affect outcome.

Comments on the Remote Recreational Cabin Sites, Offering #15, drawing schedule only, may be sent to [dnr.rrcs@alaska.gov](mailto:dnr.rrcs@alaska.gov) or faxed to (907) 269-8916. **Comments are due by November 10, 2021 at 4:30 PM.** This notice is also available at <http://landsales.alaska.gov/>.

To subscribe to our email list, visit <http://landsales.alaska.gov/>. You can also find us on Facebook at <https://www.facebook.com/alaskaland/>, on Instagram at @Alaska\_Land4Sale, and on Twitter at @AlaskaLand4Sale. For more information, please visit <http://landsales.alaska.gov/> or call the Anchorage Public Information Center at (907) 269-8400, Monday through Friday, between 8:00 AM and 4:30 PM (TTY available at 711 or 800-770-8973).

DNR reserves the right to waive technical defects in this notice.

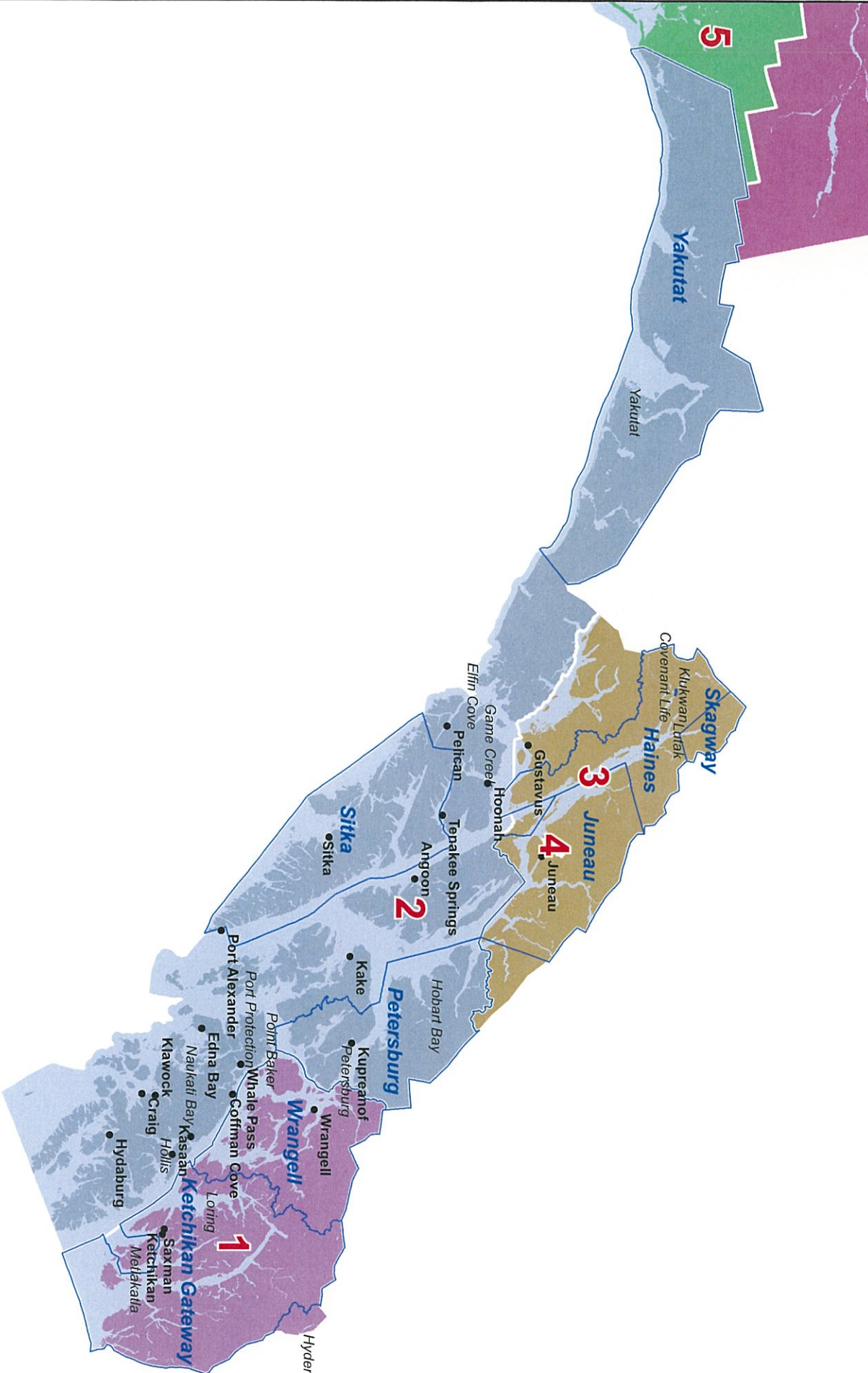
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# Board Proposed v.4 Southeast

Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021

McCarthy **36**



Based on 2020 Census Geography and 2020 PL94-171 Data  
Map Gallery link: [www.akredistrict.org/maps](http://www.akredistrict.org/maps)



# Senate Minority Proposed Southeast

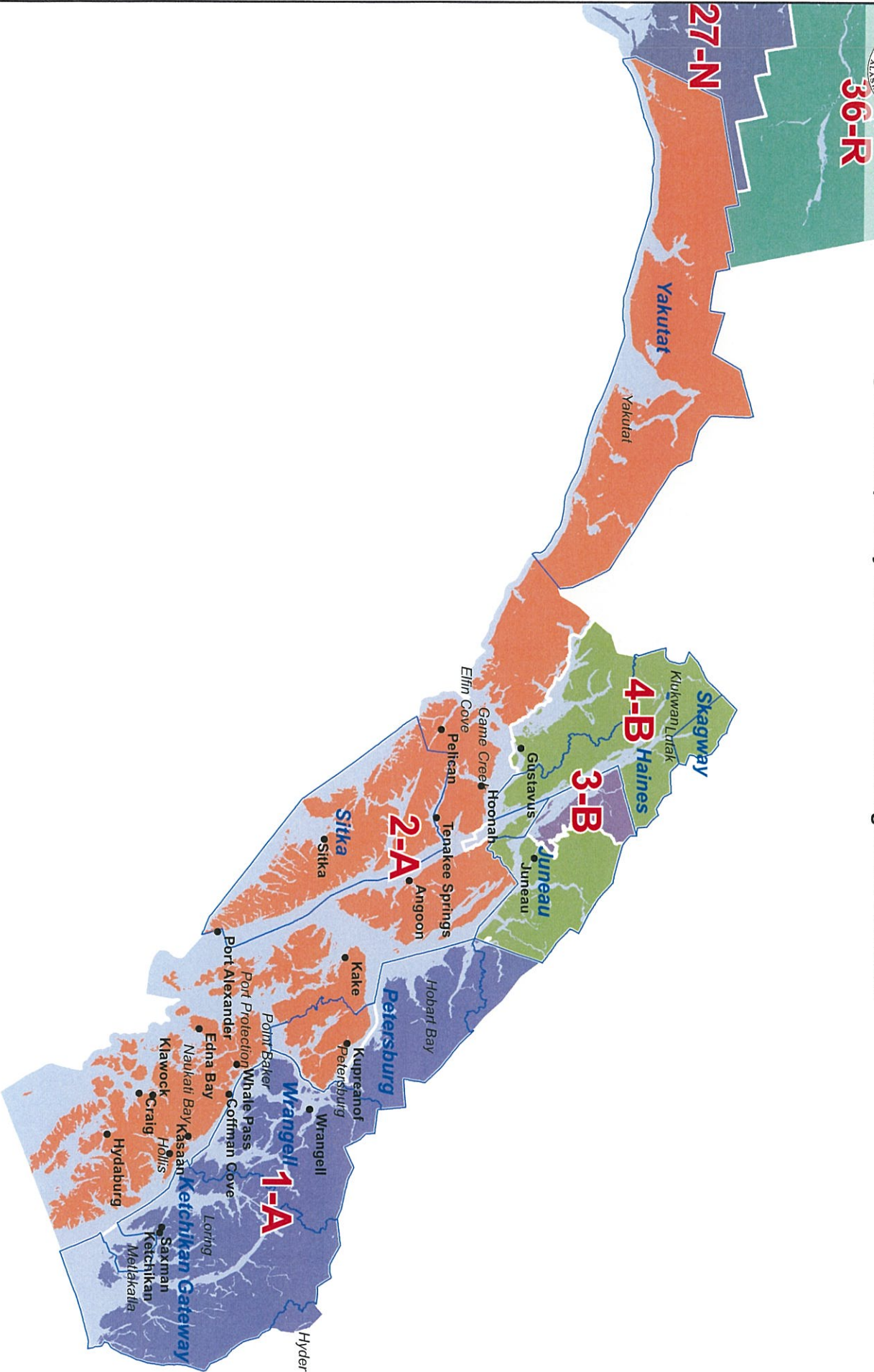
Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021

**6-C**





# Doyon Coalition Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021



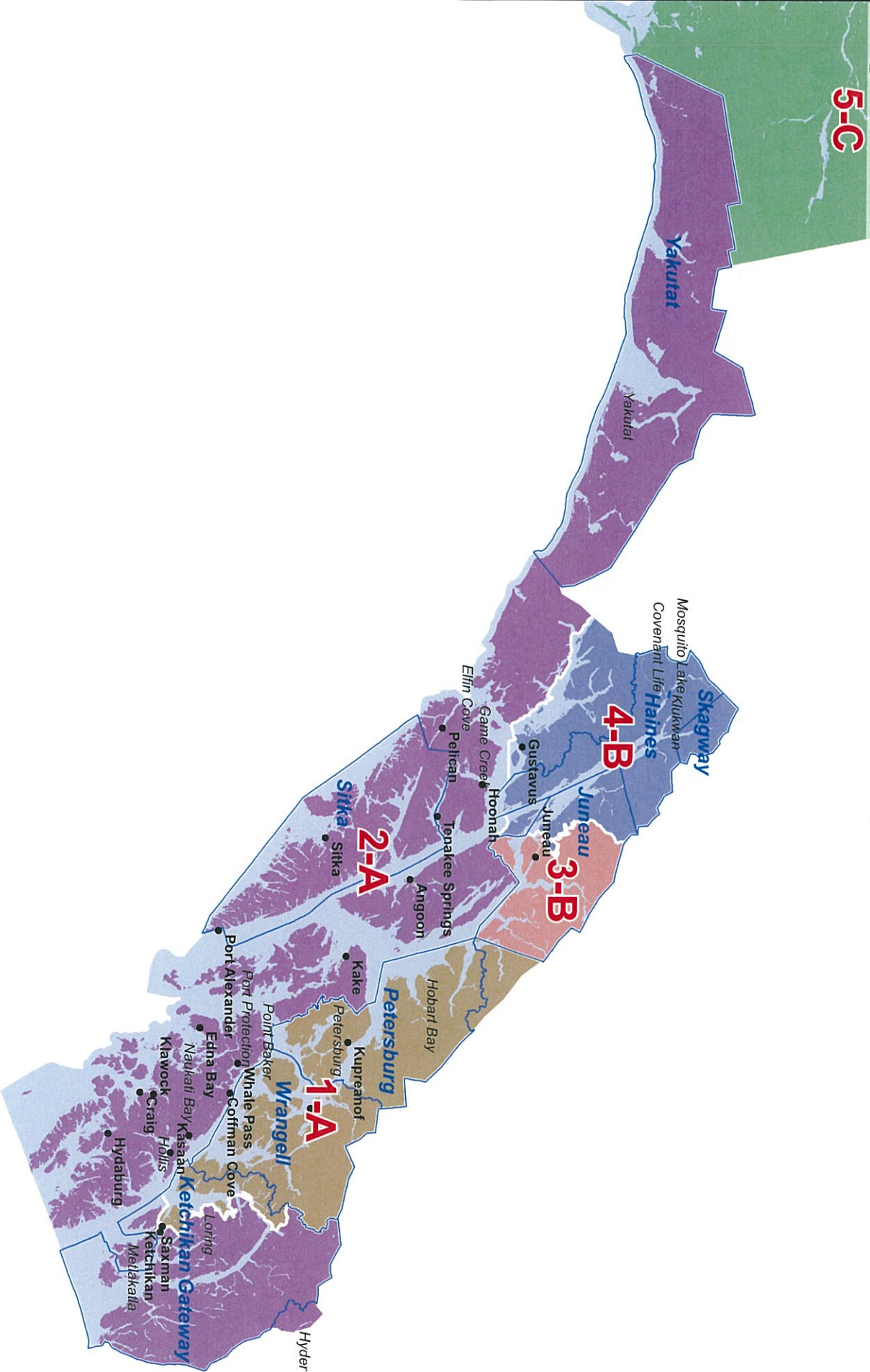
Based on 2020 Census Geography and 2020 PL94-171 Data  
Map Gallery link: [www.akredistrict.org/maps](http://www.akredistrict.org/maps)



# AFFER Proposed Southeast

Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021

5-C



Based on 2020 Census Geography and 2020 PL94-171 Data  
Map Gallery link: [www.akredistrict.org/maps](http://www.akredistrict.org/maps)



# Board Proposed v.3 Southeast

Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021

McCarthy **36**

**5**

Yakutat

Yakutat

Skagway

Haines

Juneau **3**

Juneau

**4**

Juneau **2**

Juneau

Juneau **2**

Juneau

Juneau **2**

Juneau

Juneau **2**

Juneau

Juneau **2**

Juneau

Juneau **2**

Juneau

Petersburg

Petersburg

Petersburg

Petersburg

Petersburg

Petersburg

Petersburg

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Wrangell

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Ketchikan Gateway

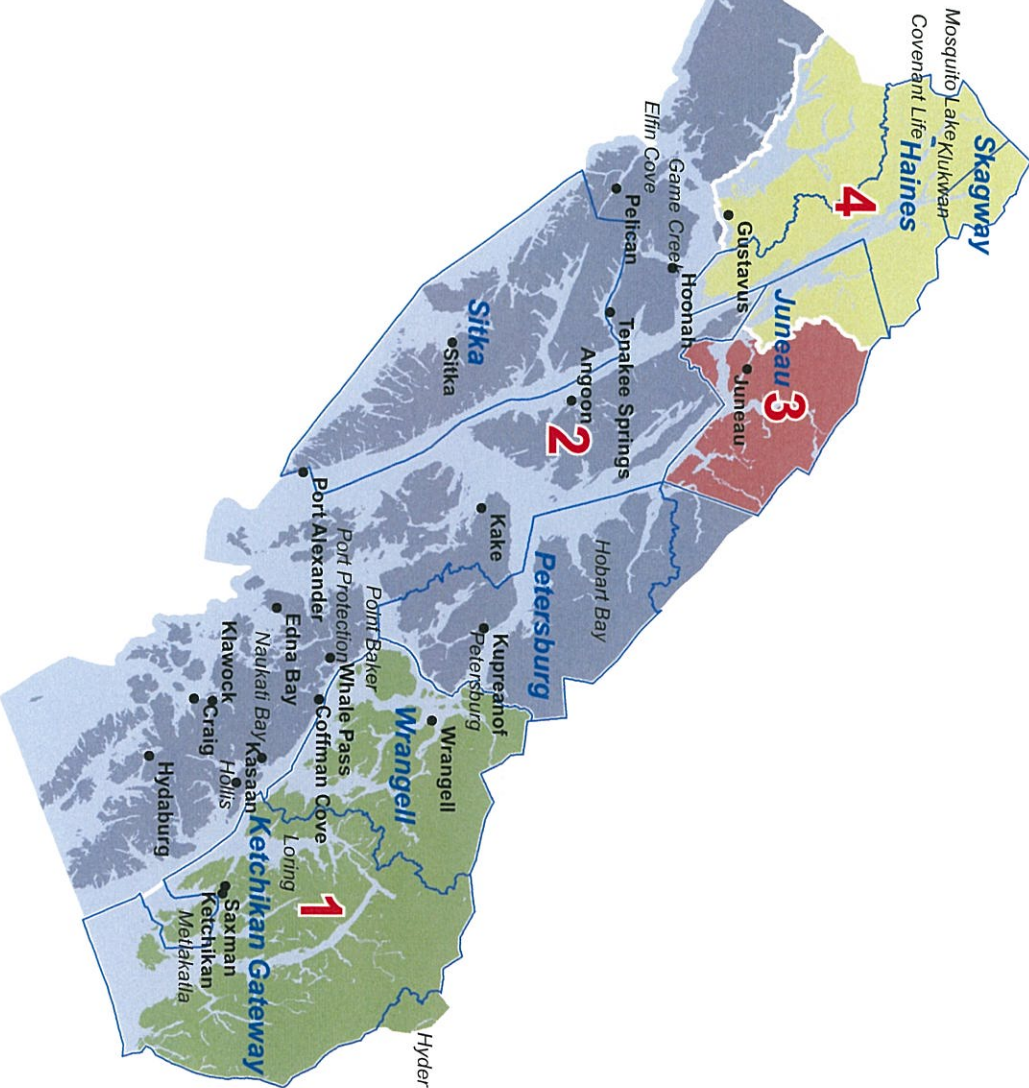
Ketchikan Gateway

Ketchikan Gateway

Ketchikan Gateway

Ketchikan Gateway

Ketchikan Gateway



Based on 2020 Census Geography and 2020 PL94-171 Data  
Map Gallery link: [www.akredistrict.org/maps](http://www.akredistrict.org/maps)



# AFFR Proposed Southeast

Proposed Redistricting Plan Adopted by the Alaska Redistricting Board 9/20/2021

**36-R**

**5-C**

Yakutat  
Yakutat

Skagway  
Kukwan  
Lytak

Covenant Life  
Gustavus

**3-B**

Juneau  
Juneau

Game Creek  
Hoonah

**2-A**

Sitka  
Sitka

**4-B**

Petersburg  
Kupreanof  
Petersburg

Kake  
Kake

Wrangell  
Wrangell

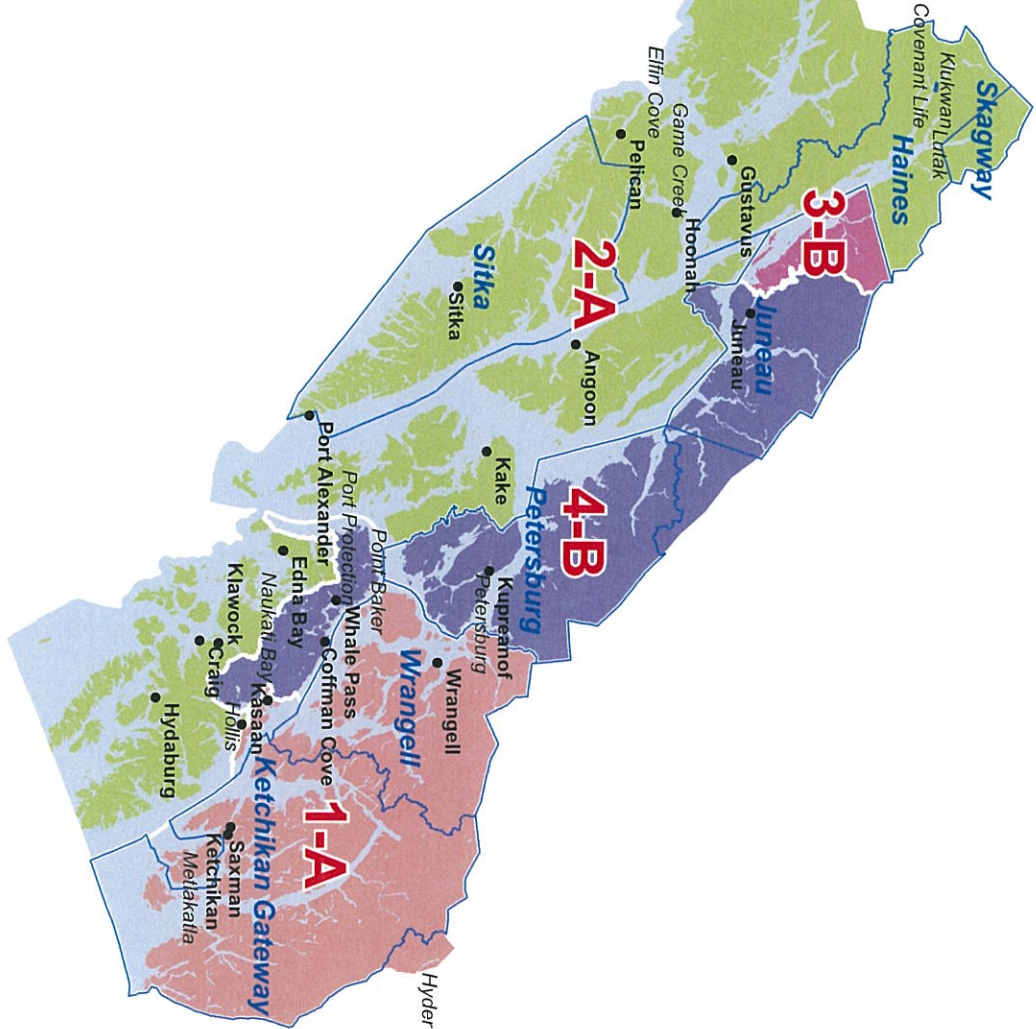
**1-A**

Ketchikan Gateway  
Saxman  
Ketchikan  
Metlakatla

Point Baker  
Whale Pass  
Coffman Cove

Edna Bay  
Naukai Bay  
Kasaan

Klawock  
Hollis  
Hydaburg



Based on 2020 Census Geography and 2020 PL94-171 Data  
Map Gallery link: [www.akredistrict.org/maps](http://www.akredistrict.org/maps)