

**Minutes of Special Emergency Assembly Meeting
Held on April 6, 2020**

Mayor Stephen Prysunka called the Special Emergency Assembly meeting to order at 5:30 p.m., April 6, 2020, in the Borough Assembly Chambers.

PRESENT (*by teleconference*): PRYSUNKA, GILBERT, LARRABEE, DELONG, POWELL, DECKER, MORRISON

ABSENT:

Borough Manager Von Bargaen and Borough Clerk Lane were also in attendance.

CONFLICT OF INTEREST

Prysunka declared a potential Conflict of Interest due to his son owning a Fishing Vessel and he and his wife being shareholders in that business; this action might affect his business. Vice-Mayor Gilbert stated that she did not see a Conflict of Interest; there were no objections from the Assembly.

Decker declared a potential Conflict of Interest due to her family owning a fishing boat operation; Mayor Prysunka declared that she did not see a Conflict of Interest; there were no objections from the Assembly.

DeLong declared a potential Conflict of Interest due to her family having income from the fishing industry; Mayor Prysunka declared that she did not see a Conflict of Interest; there were no objections from the Assembly.

ITEM(S) OF BUSINESS

6a EMERGENCY ORDINANCE No. 977 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA INSTITUTING THREE LOCAL HEALTH MANDATES RELATED TO THE COVID-19 PANDEMIC EMERGENCY: 1) 14-DAY SELF QUARANTINE REQUIRED FOR INTRASTATE TRAVELERS; 2) MODIFIED QUARANTINE IS PERMITTED FOR CRITICAL WORKFORCE INFRASTRUCTURE; AND 3) REQUIREMENT THAT TRAVEL SAFETY AND MODIFIED QUARANTINE PLANS FOR CRITICAL WORKFORCE INFRASTRUCTURE BE SUBMITTED TO THE CITY AND BOROUGH OF WRANGELL FOR APPROVAL, PRIOR TO TRAVEL

Von Bargaen gave an administrative explanation of what this Mandate would mean

M/S: Gilbert/Powell to approve Emergency Ordinance No. 977.

Von Bargaen provided an administrative report on the proposed Ordinance. Von Bargaen stated that the purpose of this Ordinance was to put some safety measures in place that would protect Wrangell while still allowing for commerce in the community.

There were extensive questions from the Assembly which were answered by Von Bargaen.

Von Bargaen stated that she had received email notification today from SEARHC, that Dr. Bruhl had emailed them to say that SEARHC has one Hub Hospital, which is in Sitka (Mount Edgumbe Medical Center).

Decker thanked Von Bargaen for the information on the HUB Hospital determination but would still like confirmation from the State on if Wrangell Medical Center was considered a HUB Hospital or not.

In response to Decker on who would be receiving the plans and what criteria would be followed, Von Bargaen stated that our Parks & Recreation Director as well as Dorianne Sprehe, Police Chief Radke and Harbormaster Meissner would be the initial reviewers.

Von Bargaen further stated that we are not looking for anything more complex than what the State is asking for; looking to review and ask the submitter to make modifications, if needed; not looking to create hurdles or roadblocks, just making sure that folks are following guidelines.

M/S: Gilbert/Morrison to amend the ordinance to add the words "or travelers" in Section 7 and after "... Plan are requested by Borough".

After extensive discussion and clarification by Von Bargaen, Gilbert withdrew her amendment to the motion. There were no objections from the Assembly on the withdrawal of the amendment.

M/S: Gilbert/Morrison to amend the Ordinance to approve Manager Von Bargaen inserting a sentence in Section 7 that addresses the traveler submitting a modified travel plan or amendment, to be reviewed within 24 hours by the Borough. Amendment to the motion was approved with Gilbert, Larrabee, Morrison, Decker, Powell and Prysunka voting yes; DeLong was not on the line to vote on the amendment.

Hearing no objections from the Assembly, Von Bargaen stated that she would additionally add language to Section 8 to allow for Emergency travel situations that need immediate review and approval that would take place immediately and not fall under the 48-hour window. There were no objections to having Manager Von Bargaen add the emergency language.

After more extensive information was given and questions answered, the following Persons to be Heard were invited to speak.

PERSONS TO BE HEARD

Brennon Eagle, Fisherman stated that he didn't believe this was something that the Assembly should be trying to demonstrate expertise on; believed that the language in the Ordinance had medical expertise requirements and wasn't comfortable that the Assembly had that expertise. Mr. Eagle stated that in the Ordinance, there were several things that were lacking; among those were the definition of travel relating to what is defined as travel and the sunset date being 6 months in the future seemed too long and should be maybe two or three months.

Chris Guggenbickler, Resident and Fisherman stated that the fishing industry was working on a comprehensive plan; no way intending to increase the liability to the community; stated that he was working on a plan now that would be submitted to the State and the City and would hopefully go through the summer.

Von Bargaen stated that with regard to the Sunset Date, it's the same Sunset Date that was used in the Shelter in Place Order; allows for the mandate to be shorter if this is no longer considered a federal or local emergency; Borough would be flexible and work with people on plans to the maximum ability possible; trusting people to do the right thing; asking that people will not "raft up" with other vessels.

Decker commented on what Cordova is requiring; not sure if Cordova was actually reviewing plans, and requesting changes be made.

M/S: Decker/Gilbert amended the Ordinance to have the effective date section read: this ordinance shall be effective on Wednesday, April 8, 2020 at 5:00 p.m.

Decker stated that this would allow for the answer from the State to come in on if Wrangell qualified as a "Small Community"; also there is a meeting tomorrow with Fishing Community Stakeholders, Manager, Mayor and Decker to talk through some details on how to implement this.

Amendment to change the effective date on the Ordinance was approved unanimously by polled vote.

M/S: Powell/Morrison to recess meeting and reconvene on Wednesday, April 8, 2020 at 5:30 p.m. Motion approved unanimously by polled vote.

Special Emergency Assembly meeting **recessed** at 6:59 p.m.

Mayor Stephen Prysunka **reconvened** the Special Emergency Assembly meeting at **5:30 p.m., April 6, 2020**, in the Borough Assembly Chambers.

PRESENT (*by teleconference*): PRYSUNKA, GILBERT, LARRABEE, DELONG, POWELL, DECKER, MORRISON

ABSENT:

Borough Manager Von Bargaen and Borough Clerk Lane were also in attendance.

Prysunka read the motion on the floor: to approve Emergency Ordinance No. 977, amended to approve Manager Von Bargaen inserting a sentence in Section 7 that addresses the traveler submitting a modified travel plan or amendment, to be reviewed within 24 hours by the Borough and to have the effective date read: this Ordinance shall be effective on Wednesday, April 8, 2020 at 5:00 p.m.

Von Barga reported that she had received email confirmation Alaska State Hospital and Nursing Home Association, and they stated that Wrangell does meet the criteria for what the State defines as a Hub Hospital; with this information, Wrangell no longer qualifies as a "Small Community", to enact more stringent travel restrictions for Wrangell; have no choice but to appeal to the Governor to ask that they allow Wrangell to adopt travel restrictions that are more stringent than what the State has in place; Cordova has put measures in place so that their fishing fleet submits a travel plan to the City for approval.

Prysunka stated that since this was an Emergency Meeting to adopt an Emergency Ordinance, he was not comfortable with moving forward with the Ordinance; asked Clerk Lane for guidance on how to move forward.

Lane stated that since we advertised for the Emergency Ordinance and not for a discussion on possibly going to the Governor to ask for more stringent measures, may be others community members who might want to comment on that discussion.

Prysunka stated that he was concerned with transparency and complying with the open meetings act.

Decker stated that she wanted to still have discussion on the motion because they it was important in moving forward; new information has come forward with meetings that were held today from the by the State.

Prysunka asked that the Assembly have a procedural vote on if to move forward on the discussion or not; since this was an Emergency Meeting to take action, not comfortable in moving forward to have a discussion.

Lane stated that she believed that the cleanest way to handle this was for the maker of the motion (Gilbert) to request that her motion be withdrawn; could call a Work Session for tomorrow evening, if need be, to discuss the options with the Assembly and Manager Von Barga.

Powell stated that he wanted to know why we couldn't take action; not understanding why we are not moving forward with this action just because someone from the State said that our hospital was considered a Hub Hospital; still feels that this is critical to the safety of our community.

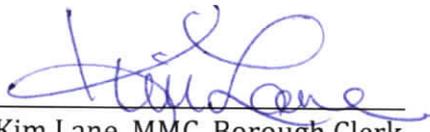
Prysunka stated that we had been told by SEARHC that our medical center was not a Hub Hospital; we are being told now that it is considered a Hub Hospital; so the communities ability to take more restrictive action is based on that criteria; we do not meet that criteria now and if we still take that more restrictive action, we open ourselves to legal action; would like to proceed in a more deliberative manner.

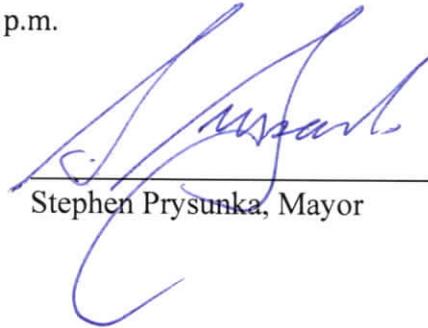
Gilbert stated that she did agree with Powell however if it was the Assembly's wished, she would withdraw her motion.

Procedural Vote to withdraw the motion and move forward with Manager Von Barga leading a Work Session tomorrow evening: Decker, Larrabee, Gilbert, Morrison and Prysunka voted yes to Withdraw; DeLong and Powell voted no to Continue.

With the Procedural Vote, Gilbert withdrew her motion.

Special Emergency Assembly Meeting adjourned at 6:00 p.m.

ATTEST: 
Kim Lane, MMC, Borough Clerk



Stephen Prysunka, Mayor

