

ISLESBORO SELECT BOARD  
SPECIAL MEETING  
MONDAY, APRIL 6, 2020  
TOWN OFFICE & TELECONFERENCING  
10:30AM

Approved  
4/15/2020  
**DRAFT**

MINUTES

**Member present:** Arch Gillies

**Others present:** Janet Anderson

**Members by phone:** Gabe Pendleton, Lauren Bruce, Shey Conover and Phil Seymour

**Public:** Roger Heinen, Apple Bartlett, Tobi Gilbert, Vicki Doudera, Sarah Babbidge, Dylan \_\_\_\_, Andrew Hausmann, Tracy Wuori, Dick DeGrasse, Will Perkins, and Amanda Hobart.

**Call to order:** Chair Gillies opened the meeting at 10:30am and a quorum was established.

Roll call:

VOTE: A. Gillies        YES  
      G. Pendleton    YES  
      P. Seymour      YES  
      S. Conover      YES  
      L. Bruce         YES

**DRAFT Select Board Resolution Regarding COVID-19:**

Arch read 4/6/2020 emails from Attorney Sally Daggett:

"You have asked for my take on Section I, Part 4 of the Governor's Executive Order No. 34 issued on Friday, "An Order Establishing Quarantine Restrictions on Travelers Arriving in Maine." The two sentences of Part 4 (reprinted below) have to be read in context of the entire order. I've highlighted in yellow the phrases that raise the question of whether the action that the two sentences contemplate is mandatory (*i.e.*, one is obligated to do something) or directory (*i.e.*, one ought to do something).

Section I, Part 1 of Executive Order orders that "any person, resident or non-resident, traveling into Maine **must** immediately self-quarantine for 14 days..." (emphasis added). "Must" is a mandatory term, and it means that the action is an absolute requirement. In contrast, Section I, Part 4 does not use the term "must." Instead, it uses the phrases "are instructed not to travel..." and "should refrain from travel..." Thus, in the context of the Executive Order as a whole, the requirements of Section I, Part 4 appear to be directory – what one ought to do – but not mandatory.

If the Governor's Office is able to provide some clarification regarding the proper interpretation of Section I, Part 4, that interpretation may be relied upon by the Select Board in crafting its resolution.

**Exec Order No. 34, Section I, Part 4:**

Visitors are instructed not to travel to Maine if they are displaying symptoms of COVID19, and are advised not to travel to Maine if they are travelling from cities and regions identified as COVID-19 "hot spots," including, among others, the cities of Detroit, Chicago and New York City. In addition, residents of the States of New York, New Jersey and Connecticut should refrain from travel to Maine in strict compliance

with USCDC travel guidance issued Saturday, March 28, 2020 and any subsequent travel guidance that may be issued during the pendency of this Order.

**And 4/6/2020 email from Representative Vicki Doudera:**

" Arch and company, you are correct about the ferry -- it is a marine highway. Here is my legislative aide weighing in on your question about the order. If you have further questions about this, send them my way and I will get them to Gov Mills in advance of our 5 pm conference call:

Hi Vicki,

Here is the full section that I think Arch is referencing:

"Visitors are instructed not to travel to Maine if they are displaying symptoms of COVID19, and are advised not to travel to Maine if they are travelling from cities and regions identified as COVID-19 "hot spots," including, among others, the cities of Detroit, Chicago and New York City. In addition, residents of the States of New York, New Jersey and Connecticut should refrain from travel to Maine in strict compliance with USCDC travel guidance issued Saturday, March 28, 2020 and any subsequent travel guidance that may be issued during the pendency of this Order."

This is acknowledging the federal CDC recommendation, while also applying a new state-specific guideline. From my reading, the highlighted section is the Governor's guidance, while the next section is from the federal CDC.

Again, from my reading, "refrain" means stop unless essential. That being said, we will not be stopping cars at the border or setting up checkpoints along Route 1.

Arch will also note that in this Executive Order, the Governor requires that any person arriving in Maine, regardless of residency, must immediately self-quarantine for 14 days.

Let me know if this is helpful.

Emery Younger, Legislative Aide  
House Democratic Office

**The Select Board** discussed the draft Preamble/Resolution that had been created and all felt it should not go out at this time.

**Gabe:** He is hesitant at this time to put out guidance as it changes so quickly. More general information is better. We need to give the public the tools to find information and requirements online.

**Shey:** Generally, feels the same as Gabe – we need to reinforce the governor's executive orders and follow up with what's on the ground here.

**Phil:** Agrees with Gabe and Shey.

**Lauren:** Also agrees with everyone. Suggests 1) going back to preamble with new title; and 2) refer to webpage with clarification.

**Arch:** No rush to get anything out today.

**Public comments:**

**Sara Babbidge:** Appreciates all work the SB has put into getting information out.

**Tobi Gilbert:** Stresses public education on universal precautions/recommends people see the Univ. of Nebraska video of donning and taking off PPE gowns, etc. and the time involved in doing so. We need to focus on everybody – seasonal and year-round. Look into local Air B&B's that have not closed down.

**Dick DeGrasse:** Is concerned about our U.S. Postal Office and UPS deliveries.

**Sara Babbidge:** Also concerned about the post office as the McFarland's are retiring the end of April and she wonders if Postmaster Hillary Clark has filled the relief position.

**Vicki Doudera:** Vicki is looking into the Air B&B's not complying. Still seeing social interaction on the mainland.

**Shey:** The Crisis Committee has sent out a survey trying to find out how many people are in town now. Are we seeing increases at the Health Center? Emergency trips?

**Roger:** Will add Shey's comments to the Crisis Committee list of topics.

**Motion** by Gabe to adjourn/seconded by Shey at 11:19am.

VOTE: A. Gillies	YES
G. Pendleton	YES
P. Seymour	YES
S. Conover	YES
L. Bruce	YES



Janet Anderson  
Town Manager