

**Minutes of Regular Assembly Meeting
Held on October 9, 2012**

Mayor Donald McConachie called the regular assembly meeting to order at 7:00 p.m., October 9, 2012, in the Assembly Chambers. Assembly Members McCloskey, Stough, Wiederspohn, Stokes and Privett were present. Borough Manager Timothy Rooney and Borough Clerk Kim Flores were also in attendance.

Pledge of Allegiance was led by Assembly Member Privett.

Invocation given by Greg Knight.

COMMUNITY PRESENTATION

None.

AMENDMENTS TO THE AGENDA

None.

CONFLICT OF INTEREST

None.

CONSENT AGENDA

Moved by Privett, seconded by Stough, to approve Consent Agenda Items marked with an () asterisk, 6a, 7a, 7b, 7c and 7d. Motion approved unanimously by polled vote.*

APPROVAL OF MINUTES

*6a Minutes of Regular Assembly Meeting held September 25, 2012

COMMUNICATIONS

- *7a Minutes of Regular Hospital Board meeting held June 20, 2012; Minutes of Regular Hospital Board meeting held August 29, 2012; Minutes of Special Hospital Board meeting held September 10, 2012
- *7b Minutes of Regular School Board meeting held September 18, 2012
- *7c Department of the Army – Corp Permit Application – POA-2012-734 – Proposed Fill Lot D Health Care Subdivision
- *7d Department of the Army – Corps of Engineers Alaska District – GP-2007-372- M1– General Permit SPECIAL PUBLIC NOTICE

BOROUGH MANAGER'S REPORT

Borough Manager Rooney reported that he had received notification from the State of Alaska that they had approved the final improvements on Front Street.

Borough Manager Rooney also stated that the Manager's Report was available on the Borough Website.

Assembly Member Privett asked if staff would make sure that all subcontractors to the Front Street project were paid before the General Contractor was paid.

Borough Manager Rooney answered that we would do that to the best of the City's ability.

Assembly Member Privett reported that he had been told that there were still some outstanding Sub-Contractors to the project that had not been paid.

Mayor McConachie commented that the improvements to Lynch Street were just about complete.

Assembly Member Stough thanked the Borough Manager for his report and stated that he appreciated how well the report was put together.

BOROUGH CLERK'S FILE

- Upcoming Dates to Remember
- Absentee Voting begins on October 22, 2012 for the General Election to be held on November 6, 2012
- Special thank you to the Election Workers, Employees of Public Works, and the Nolan Center Staff

Clerk Flores stated that in the future, the Assembly Agenda Packets would be double sided; option to copy Assembly Agenda Packet onto a thumb drive was available; Borough Manager's Report would be double sided and one (1) copy would be placed on the City Hall lobby table for the public; copies could be made to individuals upon request.

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Reports by Assembly Members

Assembly Member Privett thanked the members of the community who had served as elected officials on the Borough Assembly, School Board, and Planning & Zoning.

Assembly Member McCloskey thanked members of the community who had submitted *letters of interest* for the City Boards and Committee vacancies.

Mayor McConachie thanked everyone who had put their name in for the elected and appointed vacancies. He also commented that serving the community was a big commitment and appreciated that there were members of the community who had "stepped up".

Assembly Member Stokes commented that as an Assembly Member, she had learned to "take the heat". She further commented that serving on the assembly was something she did for the people of Wrangell.

10b City Board and Committee Appointments

Mayor McConachie appointed the following with the consensus of the Assembly:

Planning & Zoning Commission – Rudy Briskar and Betty Keegan – 3 year terms

Parks & Recreation Board – Holly Hammer and Timothy B. Berberich – 3 year terms

Wrangell Convention & Visitors Bureau – Marian Glentz – 3 year term

Thomas Bay Power Authority Commission – David Galla – 3 year term

Economic Development Committee – Jeremy M. Maxand, Marlene Clark and Michelle A. Ward – 3 year terms

Cemetery Committee – Kay Larson – 3 year term

Nolan Museum/Civic Center Board – Beth Comstock, Keene Kohrt and Michelle A. Ward – 3 year terms

Assembly Member Privett asked if Timothy B. Berberich was allowed to serve on the Parks & Recreation Board since he was currently an employee of Parks & Recreation.

Borough Manager Rooney answered that there was no rule prohibiting Mr. Berberich from serving on the Parks & Recreation Board even though he was an employee of Parks & Recreation.

10c Elect Vice Mayor

Moved by McCloskey, Seconded by Wiederspohn, to nominate Bill Privett for Vice-Mayor. Motion approved unanimously by polled vote.

Mayor McConachie stated that Clerk Flores would be directed to advertise for the vacant seat on the Borough Assembly and for the vacancy on the Port Commission.

Assembly Members Stough, Stokes and Wiederspohn stated that they would all be out of town for the next Regular Assembly Meeting of October 23, 2012.

Mayor McConachie, with the consensus of the Assembly, directed Clerk Flores to reschedule the Regular Assembly Meeting from October 23, 2012 to October 30, 2012.

Mayor McConachie directed Clerk Flores to advertise for letters of interest for the Borough Assembly, Seat B, for the term until October 2013, and for Port Commissioner for the Port Commission Seat for three (3) weeks until October 30, 2012.

PERSONS TO BE HEARD

Judy Allen, 8 ¾ Mile Zimovia, congratulated the newly elected and re-elected members of the Assembly. She also expressed her appreciation to those who had stepped forward to serve the community.

Ms. Allen further expressed her hopes for the Assembly by saying that if members of the Assembly looked more closely at the issues that needed to be addressed, the community as a whole would be able to move forward in a positive way. She also said that the community would benefit if everyone focused on the issues and not on personal differences.

Mayor McConachie, with the consensus of the Assembly, asked Assembly Member Stough to serve as the liaison member to the Hospital Board and to also serve on the Code Review Committee.

Assembly Member Stough agreed to the appointments.

UNFINISHED BUSINESS

None.

NEW BUSINESS

13a Discussion regarding the Order Denying a Request for Rehearing issued by the Federal Energy Regulatory Commission to Cascade Creek, LLC.

Moved by Privett, Seconded by McCloskey, to discuss the Order Denying a Request for Rehearing issued by the Federal Energy Regulatory Commission to Cascade Creek, LLC.

Assembly Member Privett stated that he was not in favor of a rehearing for Cascade Creek, LLC. Privett further commented that Cascade Creek, LLC. had not complied with the regulatory requirements. He also said that he believed that the City needed to step back from the project. Privett also commented that he seriously doubted that the City would ever recoup the \$250,000.00 that was given to the project.

Assembly Member Stough stated that after reviewing the documentation provided in the Assembly Packet, Cascade Creek, LLC. had failed to uphold their obligations. He expressed his disappointment that additional power in Southeast Alaska had not happened. He further expressed that if the opportunity for additional power in Southeast Alaska by means of a more reputable source were to present itself, he believed the Assembly should consider it.

Assembly Member McCloskey added that she was never in favor of the Cascade Creek project. She also said that if the City were to move forward with another project such as the Cascade Creek project, she would like it to be with the State. She expressed that if there was any way to get our money back from the Cascade Creek project, we need to pursue that avenue.

Mayor McConachie asked Manager Rooney if there were avenues that the City could take to get the \$250,000.00 that had been given to the Cascade Creek project back.

Borough Manager Rooney answered that he had given all of the information to Borough Attorney Bob Blasco and that Mr. Blasco would get back to him when he had an answer. He also stated that he would report back to the assembly once an answer was received.

Dave Jack, 3.2 Mile Zimovia Hwy, said that there had been a Workshop Session regarding the Cascade Creek about a year and a half ago. He said that he felt that Wrangell had been left in the dark about what was going on. Mr. Jack stated that the CEO of Cascade Creek had informed the Borough Assembly that they would be kept informed. Mr. Jack said that did not happen. He further reported that he did not believe that they (Cascade Creek) had lived up to their agreements.

Borough Manager Rooney commented that Mr. Jack's comments were accurate. He also stated that those who supported Cascade Creek had not communicated with the City on the progress either. He said that the City had received the notification of a denial request for a rehearing because the City was on an auto reply list.

Assembly Member Stough stated that he would be open to reputable entities other than the State offering additional hydro power to Southeast Alaska.

Motion approved unanimously by polled vote.

13b Power Plant and Substation SCADA System Upgrades Change Order #1 to EPS Consulting Engineers' Design Build Contract

Moved by Stough, Seconded by Privett, to authorize the Borough Manager to issue Change Order #1 to EPS Consulting Engineers for changed conditions to the Power Plant and Substation SCADA System project. Change Order #1 includes an additional contract increase in a total amount of \$28,541.60 to be paid from the State of Alaska, DCCED grant associated with this project.

Borough Manager Rooney stated that the City had received a Grant for \$85,000.00 from DCCED for the Power Plant and Substation SCADA System Upgrades. He stated that the original award amount for the design and upgrade was \$50,661.00. He further stated that EPS Consulting Engineers had completed their work on the project and because there were funds remaining, EPS had been asked to complete two other items which would cost a total of \$28,561.60. This would bring the total cost to \$79,222.60 which would still be in the total grant amount by just under \$6,000.00.

Motion approved unanimously by polled vote.

ATTORNEY'S FILE

None.

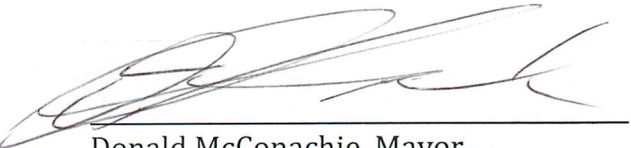
EXECUTIVE SESSION

None.

ADJOURNMENT: 7:28 p.m.

ATTEST:


Kim Flores, Borough Clerk


Donald McConachie, Mayor

