

**Minutes of Regular Assembly Meeting
Held on September 10, 2013**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., September 10, 2013, in the Borough Assembly Chambers. Assembly Members Stough, McCloskey, Wiederspohn, Stokes, and Christian were present. Interim Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

Pledge of Allegiance was led by Assembly Member Ernie Christian.

Invocation was given by Donald J. McConachie, Sr.

CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

Certificate of Service was presented to Christie L. Jamieson, Borough Assembly

AMENDMENTS TO THE AGENDA

Amendment to item 13g to add "possible action directing the Board Member" was requested by Assembly Member Stough.

There was no objection by the Assembly for the amendment.

CONFLICT OF INTEREST

There were no Conflicts of Interest declared.

CONSENT AGENDA

Moved by Stough, seconded by Christian, to approve Consent Agenda Items marked with an () asterisk; 6a. Motion approved unanimously by polled vote.*

APPROVAL OF MINUTES

*6a Minutes of the Regular Assembly meeting held August 27, 2013 were approved as presented.

COMMUNICATIONS

There was no communication presented.

BOROUGH MANAGER'S REPORT

Interim Borough Manager Jabusch's report was provided.

In addition to the report, Jabusch reported on:

- Election Flyer
- Cassiar Project update
- Weber Street update
- Pier Improvements - complete

BOROUGH CLERK'S FILE

Borough Clerk Lane's report was provided.

In addition to the report, Lane reported on:

- Absentee Voting dates
- Election Day, October 1, 2013

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Reports by Assembly Members

There were no reports from Assembly Members.

10b Appointment to fill the vacancy of Seat E on the Borough Assembly

Moved by Stough, seconded by Christian, to appoint Julie Decker to fill the vacancy of Assembly Member Seat E on the Borough Assembly up until the next Borough Election to be held October 1, 2013. Motion approved unanimously by polled vote.

Regular Meeting recessed at 7:12 p.m.

Clerk Lane administered the Oath of Office for Julie Decker

Regular Meeting reconvened at 7:14 p.m.

10c Appointment to fill the vacancy on the Planning & Zoning Commission

Mayor Jack stated that there were no letters of interest received for the vacancy; we would continue to advertise.

10d Appointment to fill the vacancy on the Economic Development Committee

Moved by Christian, seconded by McCloskey, to appoint Rudy Briskar to fill the vacancy on the Economic Development Committee for the unexpired term up until October 2014. Motion approved unanimously by polled vote.

10e Appointment to fill the vacancy on the Parks & Recreation Board

Mayor Jack stated that there were no letters of interest received for the vacancy; we would continue to advertise.

PERSONS TO BE HEARD

Warren Edgley, 209 First Ave., voiced the following:

- If you define the projects as the land, the water, the structures, and the equipment; SEAPA owns the structures and the equipment, but does not own the water and the land
- SEAPA can't issue General Obligation Bonds
- When the State divested the four projects, they formed the Four Dam Pool Power Authority
- Only option that SEAPA considers for financing are grants

- Still paying the bond indebtedness for Swan and Tyee
- Swan – Tyee Intertie does not generate any revenue; still costs rate payers to operate and maintain
- Benefit to SEAPA and all three purchasing utilities is that purchases were made and paid for using Wrangell's Tax Id Number; does not believe that SEAPA should be allowed to make tax exempt purchases
- Urged the two Assemblies to hire an independent consultant to help to understand what SEAPA can and cannot do

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

13a RESOLUTION No. 09-13-1285: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, DESIGNATING CANVASS BOARD DUTIES TO THREE ASSEMBLY MEMBERS FOR CANVASSING THE RESULTS OF THE REGULAR ELECTION TO BE HELD OCTOBER 1, 2013

Moved by Christian, seconded by Wiederspohn, to approve Resolution No. 09-13-1285. Motion approved unanimously by polled vote.

13b Approval of the revised Wrangell Medical Center Bylaws

Moved by McCloskey, seconded by Stough, to approve the revised Wrangell Medical Center Bylaws as required by Wrangell Municipal Code 3.32.060.

Mayor Jack stated that the Wrangell Municipal Code refers to the person in charge as the Administrator; the Bylaws refer to that person as the CEO; possible conflict.

Christie Jamieson, 612 Zimovia Hwy., suggested bringing the concern to the Borough Attorney and getting his advice.

Assembly Member McCloskey withdrew her motion.

Moved by Stough, seconded by Christian, to postpone this item until the next Regular Assembly meeting. Motion approved unanimously by polled vote.

13c Discussion and Possible Action on the process for hiring the new Borough Manager

With the consensus of the Assembly, Clerk Lane was directed to schedule a Special Meeting on Thursday, September 26, 2013, at 7:00 p.m., so that the Borough Assembly could meet in Executive Session to review the resumes submitted for the Borough Manager's position.

13d Approval to send a Letter of Support for HR 1526 to the Natural Resources Committee

Moved by Stough, seconded by Christian, to approve a letter of support for HR 1526 to be sent to the Chairman and Ranking Member of the Natural Resources Committee. Motion approved unanimously by polled vote.

13e Approval of the first amendment to the Engagement Letter as part of the Master Services Agreement between PeaceHealth and the City & Borough of Wrangell

Moved by Christian, seconded by McCloskey, approve First Amendment to Engagement Letter as part of the Master Services Agreement between PeaceHealth and the City and Borough of Wrangell with costs to be paid by the borough's State of Alaska hospital grant. Motion approved unanimously by polled vote.

13f Approval to send a Letter of Support for the Renewable Energy Fund Grant (Round VII) SEAPA Wind Resource Assessment

Moved by McCloskey, seconded by Wiederspohn, to approve a letter of support for SEAPA to the AEA, in support of the Renewable Energy Fund Grant (Round 7) Wind Resource Assessment.

Motion approved with McCloskey, Wiederspohn, Decker, Stokes, and Jack voting yea; Stough and Christian voting nay.

13g Discussion and possible action to the SEAPA Board to request a vote to remove the Wrangell SEAPA Board voting member, and possible directing the SEAPA Board Member, and possible action directing the SEAPA Board Member.

Moved by Stough, seconded by Christian, to direct our SEAPA Board Representative to ask the SEAPA Board to pay for the O&M cost of the secretary wage and accounting fees under FERC Code 539. If the SEAPA Board does not approve these legitimate O&M expenses, the Borough Manager is directed to deduct these O&M expenses from the monthly power purchases from SEAPA as according to the current O&M Agreement.

After much discussion, Mayor Jack stated that the motion could be considered separately from the original Agenda Item. He stated that the original Agenda Item (13g), would be considered after this item was considered.

Assembly Member Christian commented on the TBPA Memo, received from TBPA General Manager Nicholls. He read the following portion of that memo:

An alternate proposal would be to continue to operate the facility and follow a provision of the O&M agreement with SEAPA – An operator (TBPA) who is a Purchaser under the Long-Term Sales Agreement may deduct from its monthly power purchase payments the costs provided for in the Project Facility Budget which are actually incurred in operating and maintaining the Project Facility. If the Operator (TBPA) is not a Purchaser under the Long-Term Power Sales Agreement, it may arrange with such a Purchaser to deduct the actual operation and maintenance costs of that Project Facility

Mayor Jack stated that this item should be placed on the Agenda for the next Assembly Meeting. He further stated that this item was somewhat removed from the original agenda item.

Assembly Member Stough said that he wanted to remind the Mayor that this was the purpose for the Amendments to the Agenda; can take up things like this when they are brought forward.

Mayor Jack stated that proper notice for this topic was not noticed.

Assembly Member Stough replied that there was a full discussion in public about this at the Workshop; other meetings where this had been brought up; Petersburg not paying their share.

Assembly Member Decker asked when the next SEAPA Board Meeting was; did Wrangell and Petersburg split the non-net billable expenses.

Assembly Member Stough said that they were supposed to.

Clerk Lane read Section 3.04.110 – Meeting Procedure.

Assembly Member McCloskey asked the Assembly if Assembly Member Christian had a conflict of interest to this item since this item was of monetary value and pertained to his spouse.

Mayor Jack declared that Assembly Member Christian did have a conflict of interest to this item.

Clerk Lane stated that Assembly Member Christian had seconded the motion. She further stated that since the ruling was that Assembly Member Christian had a conflict of interest, it would be appropriate for a different Assembly Member to second the motion.

Assembly Member Stough seconded the motion.

Mr. Ashton asked if the Mayor would be writing an official letter making this request to SEAPA.

Mayor Jack said yes.

Assembly Member Decker stated that she would not be supporting this motion; further review needed to be done in order to consider this.

Motion failed with Stough and Stokes voting yea; Wiederspohn, Decker, McCloskey and Jack voting nay.

Assembly Member Christian did not participate in this item as the Mayor had ruled that he had a conflict of interest.

Assembly Member Decker requested that this item be added to the next meeting's agenda for consideration.

13g Discussion and possible action to the SEAPA Board to request a vote to remove the Wrangell SEAPA Board voting member, and possible directing the SEAPA Board Member, and possible action directing the SEAPA Board Member.

Assembly Member Stough stated that the letter from Attorney Blasco had said that the Assembly could not remove an appointed SEAPA Board Member.

Assembly Member McCloskey requested that the Assembly receive reports as to what is going on.

Mr. Ashton stated that he had to remove himself for a few months due to a crisis; he is fully re-engaged and will provide more frequent updates. He further stated that if the Borough Assembly

voted that they had a loss in confidence in him, he would step down. Mr. Ashton said that he had provided more reports than any other SEAPA Board Member in the past.

Rhonda Christian, 9.2 Mile Zimovia, stated her displeasure that the Assembly would consider removing a SEAPA Board Member without giving clear direction as to what was expected.

There was no action on this item.

ATTORNEY'S FILE

There was no Attorney's File.


EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT: 8:27 p.m.

ATTEST:


Kim Lane, Borough Clerk


David L. Jack, Mayor

