



**City and Borough of Wrangell
Borough Assembly Meeting
AGENDA**

October 30, 2012 – 7:00 p.m.

Location: Assembly Chambers, City Hall

- 1. CALL TO ORDER**
 - a. PLEDGE OF ALLEGIANCE** led by Assembly Member Privett
 - b. INVOCATION**
 - c. COMMUNITY PRESENTATION**
- 2. ROLL CALL**
- 3. AMENDMENTS TO THE AGENDA**
- 4. CONFLICT OF INTEREST**
- 5. CONSENT AGENDA:**
 - a. Items (*) 6a, 7a, 7b, 7c**
- 6. APPROVAL OF MINUTES**
 - *a. Minutes of Special Assembly meeting held October 8, 2012;
Minutes of Special Assembly meeting held October 8, 2012; Minutes of
Regular Assembly meeting held October 9, 2012**
- 7. COMMUNICATIONS**
 - *a Minutes of Regular School Board meeting held August 13, 2012;
Minutes of Special School Board meeting held August 29, 2012; School
Board Action from the Special meeting held October 11, 2012; School
Board Action from the Regular meeting held October 15, 2012**
 - *b Minutes of Regular Parks & Recreation Board meeting held September
5, 2012**
 - *c Travel Summary for the Month of September, 2012**
- 8. BOROUGH MANAGER'S REPORT**
- 9. BOROUGH CLERK'S FILE**
- 10. MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS**
 - a. Reports by Assembly Members**
 - b. Proclamation for Extra Mile Day – November 1, 2012**
 - c. Resignation from Planning & Zoning Commission and Economic Development
Committee by August Schultz**
 - d. Appointment to fill the vacancy of Seat "B" on the Borough Assembly**

- e. Appointment to fill the vacancy of Port Commissioner on the Port Commission

11. PERSONS TO BE HEARD

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- a. PROPOSED ORDINANCE: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 3, CHAPTER 3.32.030 (D) AND CHAPTER 3.32.090 AND ORDINANCE NO. 865 OF THE WRANGELL MUNICIPAL CODE RELATING TO THE WRANGELL MEDICAL CENTER AND LONG-TERM CARE FACILITY BOARD (*first reading*)
- b. PROPOSED RESOLUTION: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE CONVEYANCE OF PUBLIC TIDELANDS, LOT A, BLOCK A, TRACT C, KELLER TIDELANDS SUBDIVISION, RECORDED AS PLAT #2012.-2 WRANGELL RECORDING DISTRICT, BY QUITCLAIM DEED TO STEVE AND HELEN KELLER
- c. PROPOSED RESOLUTION: A RESOLUTION OF THE CITY AND BOROUGH OF WRANGELL ASSEMBLY, WRANGELL, ALASKA, ACCEPTING FROM THE STATE OF ALASKA THE TRANSFER IN OWNERSHIP OF THE MEYERS CHUCK FLOAT HARBOR FACILITY FOR STATE DEFERRED MAINTENANCE FUNDS (\$3,000,000)
- d. Approval of Bid Received for Fuel Bid for Fuel for the City & Borough of Wrangell, Wrangell Public Schools, and the Wrangell Medical Center
- e. Consideration and Appropriate Action relating to the Renewal of the Contract for Legal Services for Hoffman & Blasco, LLC

14. ATTORNEY'S FILE

15. EXECUTIVE SESSION

16. ADJOURNMENT

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY

AGENDA ITEM

October 30, 2012

ITEM NO. 1 CALL TO ORDER:

INFORMATION: The Mayor, by code, is required to call the meeting to order at 7:00 p.m. in the Borough Assembly Chambers. Special meetings or continued meetings may be called for at differing times but at the same location. Notice of such will be required by the Borough Clerk. The Mayor will call the meeting to order according to such special or continued meeting notice. At all meetings of the assembly, four assembly members or three members and the mayor shall constitute a quorum for the transaction of business, but a smaller number less than a quorum may adjourn a meeting to a later date.

RECOMMENDED ACTION:

The Mayor, as presiding officer, is to call the meeting of the Borough Assembly to order, with the following actions to follow:

- a. Pledge of Allegiance to be given by Assembly Member Bill Privett
- b. Invocation to be given
- c. Community Presentation

ITEM NO. 2 ROLL CALL – BOROUGH CLERK:

INFORMATION: The Borough Clerk shall conduct a roll call of each elected and duly qualified Assembly Member. Such call shall result in an entry of those present or absent from the meeting. The roll call is primarily utilized in determining if sufficient member(s) are present to conduct a meeting. The Borough Clerk may randomly change the conduct of the roll to be fair to the members of the governing body unless the council determined an adopted procedure for roll call which is different than currently in use.

RECOMMENDED ACTION:

Borough Clerk to conduct a roll call by voice vote. Each member to signify by saying here, present (or equal) to give evidence of attendance.

ITEM NO. 3 AMENDMENTS TO THE AGENDA:

INFORMATION: The assembly may amend the agenda at the beginning of its meeting. The outline of the agenda shall be as from time to time prescribed and amended by resolution of the assembly. (WMC 3.04.100)

RECOMMENDED ACTION:

The Mayor should request of the members if there are any amendments to the posted agenda. ***THE MAYOR MAY RULE ON ANY REQUEST OR THE ASSEMBLY MEMBERS MAY VOTE ON EACH AMENDMENT.***

ITEM NO. 4 CONFLICT OF INTEREST:

INFORMATION: The purpose of this agenda item is to set reasonable standards of conduct for elected and appointed public officials and for city employees, so that the public may be assured that its trust in such persons is well placed and that the officials and employees themselves are aware of the high standards of conduct demanded of persons in like office and position.

An elected city official may not participate in any official action in which he/she or a member of his/her household has a substantial financial interest.

ITEM NO. 5 CONSENT AGENDA:

INFORMATION: Items listed on the Consent Agenda or marked with an asterisk (*) are considered part of the Consent Agenda and will be passed in one motion unless the item has been removed by an Assembly Member or the Mayor and placed on the regular agenda.

RECOMMENDED ACTION:

Move to approve those Agenda items listed under the Consent Agenda and those marked with an asterisk (*) Items:

6a, 7a, 7b & 7c

ITEM NO. 6 APPROVAL OF MINUTES:

INFORMATION:

6a Minutes of Special Assembly meeting held October 8, 2012; Minutes of Special Assembly meeting held October 8, 2012; Minutes of Regular Assembly meeting held October 9, 2012

**Minutes of Special Assembly Meeting
Held October 8, 2012**

AGENDA

6a 1
10-30-12

Mayor Jeremy Maxand called the special assembly meeting to order at 4:00 p.m., October 8, 2012, in the Assembly Chambers. Assembly Members Jack, Privett, McConachie, Stokes and Younce were present. Assembly Member McCloskey arrived at 4:03 p.m. Borough Manager Timothy Rooney and Borough Clerk Kim Flores were also in attendance.

CONFLICT OF INTEREST:

None.

PERSONS TO BE HEARD:

None.

ITEM OF BUSINESS:

5a Executive Session – Discussion of Wrangell v. Rea, et.al. 1WR-12-55

Moved by McConachie, seconded by Jack, to move to go into Executive Session to discuss the pending litigation in Discussion of Wrangell v. Rea, et.al. 1WR-12-55 involving matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity. Motion approved unanimously by polled vote.

Recessed into Executive Session at 4:01 p.m.

Assembly Member McCloskey arrived at 4:03 p.m. and joined the Assembly in Executive Session.

Reconvened back to Special Meeting at 4:37 p.m.

Mayor Maxand stated that Borough Staff would continue with the Litigation process.

Special meeting adjourned at 4:37 p.m.

Donald McConachie, Mayor

ATTEST: _____
Kim Flores, Borough Clerk

AGENDA

Minutes of Special Assembly Meeting Held October 8, 2012

6a 2
10-30-12

Mayor Jeremy Maxand called the special assembly meeting to order at 5:30 p.m., October 8, 2012, in the Assembly Chambers. Assembly Members Privett, McConachie, McCloskey, Stokes, Jack and Younce were present. Borough Manager Timothy Rooney and Borough Clerk Kim Flores were also in attendance.

CONFLICT OF INTEREST

None.

PERSONS TO BE HEARD

None.

ITEMS OF BUSINESS

5a Certification of Election Results for the October 2, 2012 Regular Election
Moved by Privett, seconded by Jack, that the Borough Assembly of the City and Borough of Wrangell, Alaska, hereby certifies the results of the Regular Election held October 2, 2012, as prepared by the Canvass Board, and that the following persons were elected into the office:

<i>Donald James McConachie Sr.</i>	<i>Borough Mayor</i>	<i>Two Year Term</i>
<i>James A. Stough</i>	<i>Assembly Seat C</i>	<i>Three Year Term</i>
<i>Pamella McCloskey</i>	<i>Assembly Seat D</i>	<i>Three Year Term</i>
<i>Maxlyn J. Wiederspohn</i>	<i>Assembly Seat F</i>	<i>One Year Unexpired Term</i>
<i>Clay Hammer</i>	<i>Port Commission</i>	<i>Three Year Term</i>
<i>Tamara Groshong</i>	<i>School Board</i>	<i>Three Year Term</i>
<i>Kimmi (Krissy) Smith</i>	<i>School Board</i>	<i>Three Year Term</i>
<i>Judy K. Allen</i>	<i>Hospital Board</i>	<i>Four Year Term</i>
<i>Barbara Conine</i>	<i>Hospital Board</i>	<i>Four Year Term</i>
<i>Marlene Messmer</i>	<i>Hospital Board</i>	<i>Four Year Term</i>

Motion approved unanimously by polled vote.

Mayor Maxand requested that the Certificates of Services be distributed before the Oaths of Office were administered. There were no objections from the Assembly.

5c Distribute Certificates of Services

Mayor Maxand distributed Certificates of Services to Robert Henry, Hospital Board; Rick Groshong, School Board; Billie Younce, Borough Assembly; Don McConachie Sr., Borough Assembly; and David Jack, Borough Assembly.

5b Administer Oath of Office

Borough Clerk Flores administered Oath of Office to all members except Judy K. Allen who was absent.

Special meeting adjourned at 5:40p.m.

Donald McConachie, Mayor

ATTEST: _____
Kim Flores, Borough Clerk

AGENDA

Minutes of Regular Assembly Meeting Held on October 9, 2012

Coa³
10-30-12

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.

Donald J. McConachie, Mayor

ATTEST: _____
Kim Flores, Borough Clerk

Unapproved

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA ITEM October 30, 2012

ITEM NO. 7 COMMUNICATIONS:

INFORMATION: The Assembly may receive items for Communications, reasons only which do not require action. This is an avenue to keep the Assembly informed, for the public to enter items on the record, if necessary. The Assembly also receives agenda communications directly by their constituents, Borough Manager, other agencies' Officers and Department Directors.

A MAIL BOX IS ALSO AVAILABLE IN THE BOROUGH CLERK'S OFFICE FOR EACH MEMBER OF THE ASSEMBLY AND SHOULD BE CHECKED ON A ROUTINE SCHEDULE.

All items appearing under Communications on the Agenda have been approved under the Consent Agenda unless removed.

- *7a Minutes of Regular School Board meeting held August 13, 2012; Minutes of Special School Board meeting held August 29, 2012; School Board Action from the Special meeting held October 11, 2012; School Board Action from the Regular meeting held October 15, 2012**
- *7b Minutes of Regular Parks & Recreation Board meeting held September 5, 2012**
- *7c Travel Summary for the Month of September, 2012**

AGENDA**PROCEEDINGS****MINUTES****WRANGELL SCHOOL BOARD
REGULAR MEETING**

August 13, 2012 6:00 P.M.

7a'
10-30-12CITY CLERK
OCT 12 2012
RECEIVED**Evergreen Elementary School Room 101-Intermediate**

School Board President Susan Eagle called the regular meeting of the Wrangell Public School Board to order at 6:19 P.M. on Monday, August 13, 2012.

CALL TO ORDER

A quorum was determined with the following school board members present: Susan Eagle, Peter Helgeson, Rick Groshong, and Rinda Howell. Krissy Smith was absent, excused. Also present was Superintendent Richard Rhodes and Recording Secretary Kimberly Powell.

DETERMINE QUORUM

The Pledge of Allegiance was recited, led by Rick Groshong.

PLEDGE OF ALLEGIANCE

There were no guests to be heard.

GUESTS TO BE HEARD

There was not a student representative present to report.

STUDENT REP REPORT

The agenda was approved as presented by unanimous consent.

APPROVAL OF AGENDA

The Alaska Island Community Services Presentation re: Counseling and Tobacco Prevention was deferred until the September School Board Meeting by unanimous consent.

**DEFERRED AICS
PRESENTATION RE
COUNSELING &
TOBACCO PREVENTION**

Superintendent Rhodes shared a Power Point presentation with the board. He reminded the school board of the five points of a curriculum as stated in school board policy #6141. He read a portion of the administrative regulation and told the board that this will change with the adoption of the State GLE's. He is proposing that we show the curriculum through a continuum that will connect the grades. Exhibit #6141 shows the curriculum review cycle. Mr. Rhodes said that since the Science curriculum review did not happen last year, we would need to complete the science review as well as the review of the Health/Physical Education and Vocational Education this year. Superintendent Rhodes pulled out the action commitments from the Strategic Plan that addresses curriculum review. He said that last year, we adopted the STEPP program that allows the district to work with the Department of Education to make sure that our students meet the state standards and pass the HSGQE. He said the board should be reviewing data to make sure that our students are meeting those standards. He presented a science continuum that he developed based on teacher input on what they currently teach in the science curriculum. The science review committee will review the continuum this year and develop the final continuum based on data driven decisions. He would like to meet with the teachers involved to discuss a good time and compensation to complete the process. The last time our science outcomes were reviewed was 1995 so it's time to complete a full review. The committees will come to the board with their recommendations and review.

**REVIEWED SCIENCE
CURRICULUM**

Motion to accept the items on the consent agenda as presented by Peter Helgeson, seconded by Rick Groshong. Poll vote: Rinda Howell: Yes; Rick Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

**APPROVAL OF
CONSENT AGENDA**

- Accepted the minutes of the June 18, 2012 Regular Board Meeting
- Accepted the minutes of the June 26, 2012 Special Board Meeting

Information & Reports were accepted by unanimous consent.

**ACCEPTED INFORMATION
& REPORTS**

Motion to write the Association of Alaska School Boards a letter supporting the Resolution Packet as presented by Rick Groshong, seconded by Peter Helgeson. Poll vote: Rick Groshong: Yes; Peter Helgeson: Yes; Rinda Howell: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED
WRITING AASB A
LETTER IN SUPORT
OF THE
RESOLUTION
PACKET**

President Eagle said that this is a discussion item only on some of the changes that are coming next school year on activities eligibility. ASAA is currently working on policy revisions to meet the requirements. Superintendent Rhodes feels that we should look at offering a district-wide high school home school program for our local students. President Eagle said that she is of the opinion that we should wait for the ASAA regulations and then use their recommendations for the middle school as well as the high school so that we remain consistent across the board.

DISCUSSED
ACTIVITIES
ELIGIBILITY

Motion to accept the Nutritional Alaska Foods for Schools Grant award in the amount of \$24,902.00 to purchase nutritious Alaska grown produce and seafood by Peter Helgeson, seconded by Rinda Howell. Poll vote: Rick Groshong: Yes; Peter Helgeson: Yes; Rinda Howell: Yes; Susan Eagle: Yes. Motion approved.

ACCEPTED THE
NUTRITIONAL
ALASKA FOODS
FOR SCHOOLS
GRANT AWARD

Motion to approve the application of the Alaska Public Entity Insurance 2012-2013 Safety Equipment and Training Grant in the amount of \$1,000.00 to cover travel expenses for district office staff to attend the Human Resources Training in Anchorage by Rinda Howell, seconded by Rick Groshong. Poll vote: Peter Helgeson: Yes; Rinda Howell: Yes; Rick Groshong: Yes; Susan Eagle: Yes. Motion approved.

APPROVED THE
APPLICATION OF
THE APEI 2012-2013
SAFETY AND
TRAINING GRANT

Motion to offer staff a contract addendum as presented in the board packet by Rick Groshong, seconded by Peter Helgeson. Poll vote: Rinda Howell: Yes; Rick Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

OFFERED STAFF A
CONTRACT
ADDENDUM AS
PRESENTED

Motion to hire Dixie Booker as Food Service Director/Cook pending receipt of a satisfactory criminal background check by Rinda Howell, seconded by Rick Groshong. Poll vote: Rick Groshong: Yes; Peter Helgeson: Yes; Rinda Howell: Yes; Susan Eagle: Yes. Motion approved.

HIRED DIXIE
BOOKER AS FOOD
SERVICE
DIRECTOR/COOK

The resignation of Edna Abella, Dulcey Heinzelman and Daniel Powell, Paraprofessionals was presented as an item of information.

PRESENTED
RESIGNATIONS AS
INFORMATION

Reviewed Board Policy:

- BP-4020, Drug, Tobacco and Alcohol-Free Workplace
- BP-4021, Pre-employment Drug Testing for Coaches
- BP-4111, Recruitment and Selection
- BP-4111.2, Legal Status Requirement

REVIEWED BOARD
POLICY

Motion to recess into executive session to discuss a matter the immediate knowledge of which would clearly have an adverse effect on the finances of the district more specifically legal questions concerning a procurement issue by Rinda Howell, seconded by Peter Helgeson. Poll vote: Rick Groshong: Yes; Peter Helgeson: Yes; Rinda Howell: Yes; Susan Eagle: Yes. Motion approved.

RECESSED INTO
EXECUTIVE
SESSION AT 7:02 PM

Reconvened into Regular Session at 7:32 P.M.

RECONVENED INTO
REGULAR SESSION

Motion to waive the requirement of Board Policy #3310, Purchasing and approve the payment totaling \$4,680.00 to the Stikine River Jet Boat Association less the prior payment of \$880.00 for the 2012 4th Grade Stikine River Field Trip by Peter Helgeson, seconded by Rinda Howell. Poll vote: Peter Helgeson: Yes; Rinda Howell: Yes; Rick Groshong: Yes; Susan Eagle: Yes. Motion approved.

WAIVED THE
REQUIREMENT OF
BOARD POLICY
#3310, PURCHASING
AND APPROVED
PAYING SRJBA

Reviewed the upcoming dates and meeting announcements.

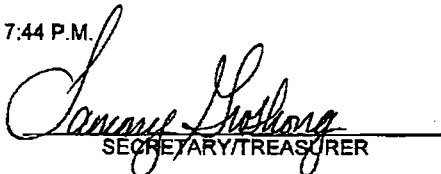
REVIEWED DATES &
MTG ANNOUNCEMENTS

There were no comments from the School Board Members.

PRESIDENT'S REMARKS
AND COMMENTS FROM
BOARD MEMBERS

Meeting Adjourned at 7:44 P.M.

ADJOURNED AT 7:44 P.M.


SECRETARY/TREASURER

AGENDA**PROCEEDINGS**7a²

10-30-12

**MINUTES
WRANGELL SCHOOL BOARD
SPECIAL MEETING**

August 29, 2012 6:00 P.M.

Evergreen Elementary School Room 101-Intermediate

School Board President Susan Eagle called the regular meeting of the Wrangell Public School Board to order at 6:02 P.M. on Wednesday, August 29, 2012.

CALL TO ORDER

A quorum was determined with the following school board members present: Susan Eagle, Rick Groshong and Krissy Smith. Rinda Howell arrived at 6:06 PM; Peter Helgeson arrived at 6:09 PM. Also present was Superintendent Richard Rhodes and Recording Secretary Kimberly Powell.

DETERMINE QUORUM

Motion to offer Ms. Jennifer Davies a contract addendum for five additional days at \$300.90 per day for a total of \$1,504.50 to prepare the secondary special education department for the start of school by Krissy Smith, seconded by Rick Groshong. Poll vote: Krissy Smith: Yes; Rick Groshong: Yes; Susan Eagle: Yes. Motion approved.

OFFERED JENNIFER DAVIES A CONTRACT ADDENDUM FOR SPECIAL EDUCATION

Motion to offer Michele Galla, Dustin Johnson, Tammi Meissner and Katrina Ottesen extracurricular contracts as presented, pending a satisfactory criminal background check and receipt of a negative, pre-employment drug test by Rick Groshong, seconded by Krissy Smith. Poll vote: Krissy Smith: Yes; Rick Groshong: Yes; Susan Eagle: Yes. Motion approved.

OFFERED EXTRACURRICULAR CONTRACTS AS PRESENTED

Motion to hire Ophelia Anderson, Aundria Cummings, Charidee Howell, Britany Lindley, Adam Morse and Rory Prunella as paraprofessionals, pending receipt of a satisfactory criminal background check by Krissy Smith, seconded by Rick Groshong. Poll vote: Krissy Smith: Yes; Rick Groshong: Yes; Susan Eagle: Yes. Motion approved.

APPROVED THE HIRE OF PARAPROFESSIONALS AS PRESENTED

Recessed into a break at 6:05 PM

RECESSED INTO A BREAK

Board Member Rinda Howell arrived at 6:06 PM and the School Board reconvened into Regular Session.

RECONVENED INTO REGULAR SESSION

Motion to allow Board Member Smith to abstain from voting on the hire of her daughter, Stephanie Smith due to a conflict of interest by Rick Groshong, seconded by Rinda Howell. Poll vote: Rick Groshong: Yes; Rinda Howell: Yes; Susan Eagle: Yes. Motion approved.

ALLOWED BOARD MEMBER SMITH TO ABSTAIN FROM VOTING ON THE HIRE OF HER DAUGHTER

Motion to hire Stephanie Smith as a paraprofessional, pending receipt of the approval and a waiver from the Commissioner of Education because Ms. Smith is the immediate family member of a school board member by Rinda Howell, seconded by Rick Groshong. Board Member Groshong asked that the minutes reflect that Ms. Smith was employed in this position last year. Poll vote: Rinda Howell: Yes; Rick Groshong: Yes; Susan Eagle: Yes. Motion approved.

APPROVED THE HIRE OF STEPHANIE SMITH PENDING RECEIPT OF A WAIVER FROM THE COMMISSIONER OF EDUCATION

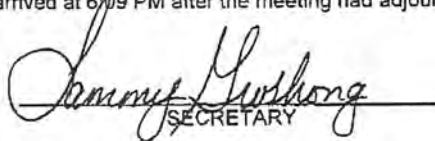
The resignations of Collin Dando, Paraprofessional and Michael Symons, Drama, Debate & Forensics Coach were presented as an item of information.

PRESENTED RESIGNATION OF DANDO AND SYMONS FOR INFORMATION

Meeting Adjourned at 6:08 P.M. Board Member Helgeson was delayed getting into town and arrived at 6:09 PM after the meeting had adjourned.

ADJOURNED AT 6:08 P.M.

CITY CLERK
OCT 12 2012
RECEIVED


SECRETARY

AGENDA

7a³
10-30-12

BOARD ACTION

WRANGELL PUBLIC SCHOOL BOARD SPECIAL MEETING OCTOBER 11, 2012

CITY CLERK
OCT 12 2012
RECEIVED

- Elected Susan Eagle School Board President
- Elected Rinda Howell School Board Vice-president
- Elected Tammy Groshong School Board Secretary
- Recessed into Executive Session
- Reconvened into Regular Session
- Suspended Student #13-01 from school for 45 days with education support
- Adjourned

WRANGELL PUBLIC SCHOOLS

FOR RELEASE: 7:30 PM
OCTOBER 11, 2012

AGENDA7a
10-31-12**BOARD ACTION****WRANGELL PUBLIC SCHOOL BOARD
REGULAR MEETING
OCTOBER 15, 2012**

- Approved the Agenda as Presented adding the nomination of Rinda Howell to the AASB Board of Directors as action Item #9-G
- Accepted the Minutes of the September 18, 2012 Regular Board Meeting
- Approved selling Apple MacAir Laptop #1037 to Retiring Employee, Larry Wilson
- Discussed the Contract with K12 for the Alaska Virtual Academy
- Discussed the Food Service Program Report
- Accepted the Migrant Education Book Program Allocation in the amount of \$800.00
- Accepted the SEARHC Food Service Grant Award in the amount of \$1,600.00
- Accepted the Upward Bound Grant Award in the amount of \$15,000.00
- Offered Luella Knapp a contract to complete the duties of FEA Advisor
- Offered Laura Davies, Jennifer & Matt Gerald, Mikki Kauppila & Ray Stokes extracurricular contracts as presented for the 2012-203 school year
- Allowed Board Member Smith to abstain from voting on an extracurricular contract for her daughter, Stephanie Smith due to a conflict of interest.
- Offered Stephanie Smith an Extracurricular Contract for Cheer Advisor
- Presented the Resignation of Aundria Cummings, Paraprofessional for information
- Reviewed Board Policy:
 - Board Policy 4116, Non-tenured/Tenured Status
 - Board Policy 4117.2, Resignation of Certificated Personnel
 - Board Policy 4117.3, Layoff of Teachers
 - Board Policy 4117.4, Dismissal of Teachers
- Accepted the second reading of Board Policy 5141.3, Health Examinations
- Accepted the second reading of Board Policy 6145.3, Concussion Prevention
- Discussed the Superintendent's Plan to Address the Strategic Plan Review
- Nominated Rinda Howell for a position on the AASB Board of Directors
- Adjourned

CITY CLERK
OCT 17 2012
RECEIVED

WRANGELL PUBLIC SCHOOLS

**FOR RELEASE: 3:30 PM
OCTOBER 16, 2012**

WRANGELL PARK RECREATION BOARD
REGULAR MEETING SEPTEMBER 5, 2012
7:00 ASSEMBLY CHAMBERS

Chairman Grover Mathis called the Park Recreation meeting to order on September 5, 2012 in the borough chambers. Board members in attendance were Holly Hammer, Bob Lippert. Carly Allen and Sue Nelson were absent. Also in attendance were Kim Covalt Recreation Director and Betsy McConachie recording secretary.

AMENDMENT TO AGENDA

None

APPROVAL OF MINUTES

The approval of April 4, 2012 regular Park & Recreation meeting were approved as read.

CORRESPONDENCE

- A. A letter dated September 4, 2012 from Kim Flores City Clerk to Holly Hammer and Carly Allen, Re: Appointment Expiration

PERSON'S TO BE HEARD

None

BOARDMEMBER REPORTS

Lippert reported we took a field trip to look at the Park & recreation facilities.

Mathis said the work on the community center roof is going good.

Hammer reported she is co-teaching the 2nd lifeguard classes with Vicki with 9 participants, currently going on.

Hammer said she has been working on updating the park & recreation website.

Hammer reported she will be going to Oregon for a hydro-fit academy for water aerobic training. Then after that she will be going to Anchorage for a week along with Vicki they will be doing Certified Pool Operator class, a two day class. After that ARPA (Alaska Recreation Parks Association) a two day class and then they will stay and do an Arthritis Foundation Aquatics instructor two day training.

OLD BUSINESS

- A. Suggestion Box-some nice positive compliments on the weight room and excellent staff at Park & Recreation.
- B. Ball field – Consideration of restriction animal access. A discussion on when to keep the dogs out of the ballpark field. It was decided to keep it as it has been.

NEW BUSINESS

None

DIRECTOR'S REPORT

Community Market was held once a month during the summer at the covered playground.

Youth basketball revamped, a workshop was held and Monty Bunes, School Principal, attended and was decided to align our Parks and Recreation youth basketball with Petersburg. It will start a month early (September 17) and the youth basketball will be over by the time high school basketball starts. So if the kids want to referee or coach for their senior project they will be able to do so. This way there will not be a conflict. All-stars will be over before Christmas break.

Youth basketball still needs 2 to 3 coaches this season.

The summer recreation went well having four staff this year.

The summer projects were as follows: poured city park shelter #1 got a new pad.

City park shelter #3 will get re-roofed- starting soon.

5 new fire rings-2 at the tent camp site at Shoemaker & 3 in the Shoemaker rv park.

The city park rest rooms were painted.

The Shoemaker shelter restrooms will be painted.

The Shoemaker shelter was painted inside & out.

The pool re-opened after being closed for yearly maintenance and was closed an extra week due to pool bottom having to be dug up in nine different places.

Under the pool has overflow & surge pipe has been replaced with 6" plastic.

A new sump pump has been ordered. A new check valve, replaced with pvc pipe.

The zinc & pipes have been replaced.

The heat exchanger has new head & coil.

There is money in the budget for a surge tank cover.

The outdoor shooting range has received a grant by (Doug McCloskey) for the shot gun range. The two buildings will be rebuilt and will also have power to it.

The resurfacing of the community center floor is on hold due to roof construction.

An open house for "Nessie" will be September 15.

The meeting was adjourned at 8:00.

Recreation Director
Kim Covalt

Recording Secretary
Betsy McConachie

AGENDA

CITY CLERK
OCT 23 2012
RECEIVED

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10-30-12

[illegible]

**TO: THE HONORABLE MAYOR AND ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: TIMOTHY D. ROONEY
BOROUGH MANAGER**

RE: BOROUGH MANAGER'S REPORT

DATE: October 26, 2012

"Eat, drink, and be scary."

--Author Unknown

MANAGERIAL:

CITY AND BOROUGH OF WRANGELL V. SELLE-REA, ROBINSON, BJORGE, MCGEE, NELSON, ETTTEFAUGH, RHINEHART – Based on direction provided by the Borough Assembly on the afternoon of October 8, 2012, the City and Borough of Wrangell has accepted a settlement offer from former Wrangell Medical Center Administrator Noel Selle-Rea and the six recalled members of the Wrangell Medical Center Board of Directors.

The settlement agreement will require the return of \$250,000 to the City and Borough of Wrangell and dismissal of the Borough's lawsuit and Mr. Selle-Rea's counterclaim entirely with prejudice, meaning the Borough and Wrangell Medical Center cannot seek further return of monies from Mr. Selle-Rea and the recalled board members and Mr. Selle-Rea cannot seek any additional payment from the Wrangell Medical Center.

The settlement offer also includes a requirement that both parties agree to an anti-disparagement clause and to no acknowledgement of wrongdoing by any of the parties involved. The settlement agreement will be made available to the public upon its execution by all parties and the filing of the Stipulation for Dismissal with Prejudice.

Our community has struggled emotionally since the events of the evening of June 20, 2012 and I am looking forward to a time of healing and the bright future ahead of us. I will continue to work with the Borough Assembly, the newly elected Wrangell Medical Center Board of Directors, as well as USDA Rural Development, in moving the Wrangell Medical Center Replacement Facility forward.

WASHINGTON UPDATE – The most recent update from Mr. Gilman and Mr. O'Kelly has been attached for your information and review. Updates are provided on the following: EPA Emission Control Area Rule, Fishing Vessel Discharge Legislation, OCS Oil & Gas Legislation, Cascade Creek Hydro License, the Federal Budget, and miscellaneous other items.

KASAAN AND WRANGELL AREA TIMBER SALES – The Alaska Mental Health Trust Land Office recently provided public notice of their determination that it “is in the best interest of the Alaska Mental Health Trust and its beneficiaries to complete timber sales on certain trust lands.” Comments on the proposed sale were due to the Trust Land Office in Anchorage by 4:30 PM on October 15, 2012.

Staff has attached the comments that were made on behalf of the City and Borough of Wrangell and delivered to the Trust Land Office prior to the above deadline. If you have any question regarding the correspondence, please do not hesitate to contact me.

WRANGELL MEDICAL CENTER ITEMS – The following relates to different items of interest regarding the Wrangell Medical Center:

INTERIM MANAGEMENT AGREEMENT – Mr. Kendall Sawa has accepted a permanent hospital administrator/CEO position in Ilwaco, WA and PeaceHealth has named Ms. Marla Sanger as his replacement. Ms. Sanger will assume her role as Interim Administrator/CEO on November 5, 2012 and Ms. Sanger was introduced to the WMC Staff last week. Until the time of Ms. Sanger's arrival, Ms. Barb Bigelow is here in Wrangell bridging the gap and serving as Acting Administrator/CEO.

PROPOSED ORDINANCE NO. 866 - Ordinance No. 865, passed and approved unanimously by the Borough Assembly on August 28, 2012, incorporated several changes to the Wrangell Municipal Code relating to the Wrangell Medical Center. At the time of its approval, the Borough Assembly pledged to review several of the items of concern expressed by citizens regarding the ordinance. Specifically, citizen concerns centered on the legality of the mandated WMC Board liaison participating in Executive Sessions and conflict between the personnel manuals. Mr. Blasco also met with the Wrangell Medical Center Board Chairman, Mr. Woody Wilson, about additional concerns regarding the ordinance.

Proposed Ordinance No. 866 – amending two portions of Ordinance 865 - has been placed on the Borough Assembly agenda for its first reading on Tuesday, October 30, 2012. The ordinance is included in the agenda packet and addresses two of the concerns communicated by Mr. Wilson and citizens and is the first of several revisions that may be needed to Ordinance No. 865. If approved in its first reading, a public hearing and action for adoption will be placed on the November 27, 2012 Borough Assembly agenda.

REPLACEMENT PROJECT – On Wednesday, October 24, 2012, staff along with Mr. Jonathan Stern from Innovative Capital participated in a teleconference with USDA's Mr. Keith Perkins regarding the reapplication process for USDA loan funds for WMC and Long Term Care Replacement Facility. A follow-up phone call has been scheduled for

Borough Manager's Report
October 26, 2012
Page 3 of 6

November 7, 2012. The WMC Board was provided an update regarding the hospital project at their October 17, 2012 meeting.

In addition to the loan application process, Mr. Blasco and I continue to meet via telephone with Mr. Steve Rutland of AHFD and representatives of Sanderling to finalize the component contracts. Once that contract is finalized, the project team meetings will resume.

UPCOMING HOLIDAY CLOSURE – City offices will be closed on Monday, November 12, 2012 in observance of Veteran's Day. City offices will also be closed on Thursday and Friday, November 22-23, 2012 in observance of Thanksgiving.

UPCOMING TRAVEL –I will be out of the office October 31, 2012 through November 13, 2012. Mr. Jabusch will be Acting Borough Manager in my absence.

CAPITAL PROJECTS:

300 TON MARINE TRAVEL LIFT - The Invitation to Bid for the 300-Ton Marine Travel Lift procurement has been issued, and subsequently the bid opening is set for Friday, November 2, 2012 at 2:00 PM in the Assembly Chambers. Staff anticipates submission of a recommendation of award for the Borough Assembly's review and approval during their November 27, 2012 meeting.

CASSIAR STREET - The City and Borough of Wrangell has received two grants related to Cassiar Street. One grant is from the State of Alaska, Department of Environmental Conservation (DEC) for the replacement of the underground water and sewer infrastructure. The second grant is from the State of Alaska, Department of Commerce, Community & Economic Development for roadway upgrades. Staff has scheduled a public meeting to review the project with the residents of Cassiar Street. The public meeting is scheduled for Tuesday, November 6, 2012, at 6:00 PM in Assembly Chambers. The public is welcome to attend.

CITY DOCK REHABILITATION - Northwest Underwater Construction (NUC) achieved final completion of the City and Borough of Wrangell Dock Rehabilitation project, including all punch list items, on October 17, 2012. Staff is currently working on the remaining closeout requirements before finalizing the Contractor's contract. The project was completed within the contract's scheduled timeline.

Once NUC's contract is completely closed out, staff will continue to pursue the previously identified repairs, which may include replacement of the existing timber fender piles and hardware, electrical and lighting upgrades, water service upgrades, and safety measures, in order to maximum use of the grant funds to their fullest extent.

Borough Manager's Report
October 26, 2012
Page 4 of 6

CITY PARK SHELTER #3 ROOF REPLACEMENT - S.E.A. Island Construction began demolition and replacement of the roof on Shelter #3 at City Park during the week of October 22, 2012. The Contractor anticipates completion by the end of the month.

COMMUNITY CENTER ROOF REPLACEMENT - Johnson Construction & Supply, Inc. (JCSI) achieved substantial completion of the Community Center Roof Replacement on October 17, 2012. JCSI's crew's continue to work on the punch list items and expect to be complete by next week.

Staff is working toward issuing solicitations for bids for the removal of a portion of the building's asbestos materials. The highest priority of asbestos materials for removal is the heating pipe insulation, since it is the only friable of the materials at this time. Staff anticipates release of bidding documents by the end of November 2012.

ETOLIN STREET AND MEDICAL CAMPUS UTILITIES - Ketchikan Ready Mix achieved final completion of the Etolin Street & Medical Campus Utilities Assistance project and is in the process of providing the closeout requirements. Boreal Controls has finalized the telemetry system for the lift station.

MARINE SERVICE CENTER PAVING PHASE I - S&S General Contractors achieved substantial completion of the base bid and the additional Area 6 of the Marine Service Center Paving Phase 1 project on October 15, 2012. The Contractor is finalizing the Additive Alternate "A" work task along with the punch list items and expects to reach final completion by the end of October. The Contractor is in the process of providing the closeout requirements.

MARINE SERVICE CENTER PAVING PHASE II - PND Engineers submitted their 35%-level plan review design submittal for the Marine Service Center Paving, Phase II. Staff has reviewed the conceptual drawings and has returned comments to PND as they work toward their 65%-level plan review design submittal. This subsequent submittal is scheduled to be received for staff review by the end of November 2012. The final engineering design is scheduled to be complete by March 2013, after which the construction bidding phase will follow.

MARINE SERVICE CENTER PIER UPGRADES - PND Engineers are currently preparing their 35%-level plan review design submittal for the Marine Service Center, Pier Upgrades, in order to upgrade the structural support of the pier for Wrangell's future 300-ton travel lift. The design submittal is scheduled to be received for staff review by the end of October. The final engineering design is scheduled to be complete by March 2013, after which the construction bidding phase will follow.

Staff is working toward issuing a solicitation for utility extensions and site grading in preparation for the setting of the new pre-manufactured restroom/office building for the Marine Service Center.

WRANGELL CONVENTION AND VISITORS BUREAU:

BUSINESS AND TRAVEL PLANNER – Wrangell Convention and Visitors Bureau (WCVB) is continuing to finalize the design for the new Business and Travel Planner. Staff met with the designer at AT Publishing in Anchorage a week ago and was provided first draft proofs of the planner. CVB met to review the proofs and changes are currently being made. Staff will be seeking quotes on printing next week to print between 20,000 and 40,000 planners.

If you have any questions regarding this item, please contact Ms. Rushmore.

SMALL MARKET MEETINGS – An article promoting Wrangell as both a tourist destination and a small market meeting and conference center was recently featured in the October 2012 edition of *Small Market Meetings*. The magazine is distributed free of charge to event planner who use smaller cities and sites for group meetings of five to 500. A copy of the full page article is attached for your information and review.

If you have any questions regarding this item, please contact Ms. Henson.

LIBRARY:

GRANT WRITING VIDEO CONFERENCE – The Irene Ingle Public Library will be participating in a grant writing video conference on December 13, 2012 from 12:15 to 1:00 PM. In this class, grant writing and general writing resources will be reviewed, as well as tips on things to avoid, and outcome based evaluations. There will be plenty of examples of what makes a successful grant versus a poorly written grant. The event is open to the public, however space is limited and is on a first come, first serve basis. If you or anyone you know is interested in participating in the video conference, please contact Ms. Jabusch.

STATE MEETING - Librarians representing the 19 largest communities in Alaska (Anchorage being the largest and Wrangell being the smallest) met at Aleyeska for two days last week. The two days of meetings focused on the principles of the AnyThink libraries located in Denver Colorado and the librarian from this innovative library system was the main presenter. She discussed various aspects of customer service, team work, and library connections. Also, on the agenda was the Alaska State Library presenting an update on grant funding for video conferencing and internet excess charges beyond June 30, 2013. This was followed by a session of all the directors sharing concerns, issues and suggestions for local programs and services. Travel, hotel, and several meals were covered by a grant from the Alaska State Library.

ELECTRIC DEPARTMENT:

SPUR ROAD EXTENSION - Don Stevens has finished with the tree falling and Ketchikan Ready Mix has started the process of hauling away the brush. Over 20 firewood cutting permits have been provided to people looking to utilize the downed trees for firewood. The free permits serve as a means of insuring that only trees fell as part of the clearing process are taken and that no mess is left in the roadway.

Borough Manager's Report
October 26, 2012
Page 6 of 6

FCC LICENSING - Revl Communications of Anchorage has been contracted to bring the Electric Department up to par on FCC licensing and new narrow band requirements. As part of a federal mandate, all FCC licensed operators are required to be narrow band compliant by 2013. This will require updating licenses as well as programming changes to the radios.

ATTACHMENTS:

1. Washington Update from Mr. Gilman and Mr. O'Kelly
2. Correspondence regarding the Kasaan and Wrangell Area Timber Sales
3. Wrangell article featured in *Small Market Meetings*

To: The Honorable Don McConachie
The Wrangell Borough Assembly
Tim Rooney, Borough Manager

From: Brad Gilman & Sebastian O'Kelly

Re: Washington Update

Date: October 19, 2012

1. EPA Emission Control Area Rule: The EPA is implementing a new rule that would require West Coast vessels to use low sulfur (1 percent content) diesel fuel starting August 1 then switching to ultra low sulfur diesel (0.1 percent) by 2015. The new rule will not affect cargo delivery to Southeast, as tug operators have already switched to the cleaner fuel. The new rule will, however, have a major impact on Alaska's cruise ship industry. The cruise ships currently operate on 3 percent bunker fuel. The new rule would result in higher fuel costs as well as engine retrofits. The cruise lines may reduce the number of trips or drop certain ports-of-call in response, as well as levy a per head passenger surcharge. The Cruise Line Industry Association estimates a total of \$427 million in economic losses to Alaska and its communities.

The House FY 2013 Interior & Environment Appropriations authorizes a 4 year pilot program that would demonstrate the viability of weighted averaging as an alternative to the current ECA rule. This alternative would permit cruise ships to use higher sulfur content fuel while underway but switch to low sulfur fuel when approaching ports or populated areas. The industry supports this less costly alternative method of compliance and is seeking its inclusion in Senate counterpart legislation.

2. Fishing Vessel Discharge Legislation: The House has passed legislation to extend permanently the current moratorium on Clean Water Act permits for vessels for all discharges (ballast and bilge water, deck runoff, fish hold effluent, etc). The exemption would cover all commercial fishing vessels. In the Senate, Senators Begich and Murkowski continue to push to extend the moratorium, but were unable to include an extension in the Senate counterpart bill. There will be further negotiations on this issue between the House and Senate during Lame Duck session. Absent action by Congress, the EPA will publish the new discharge permit requirements in December 2012 and provide for a one-year delay in implementation. The EPA is required by law to have the new discharge permits implemented by December 2013, which is when the current permit moratorium is set to expire. This rule will have a significant impact on commercial fishing vessels in Alaska.

3. OCS Oil & Gas Legislation: Senators Murkowski and Begich have introduced S. 3438 – The Offshore Petroleum Expansion Now Act of 2012. The bill requires execution of oil and gas lease sales proposed in the Dept of Interior 2012-2017 lease plan. This includes lease sales in the Beaufort and Chukchi Seas and Cook Inlet. The bill

reauthorizes coastal state revenue sharing through an extension of the Coastal Impact Assistance Program ("CIAP"). The Congress last authorized the CIAP in 2005. The Alaska Legislature engaged in a process to allocate CIAP funding throughout coastal Alaska during the 2006-2010 timeframe. We anticipate a similar process should the legislation be enacted in the next Congress, with possibly significant increases in funding flowing to the State and its communities depending on the revenues generated from the lease sales in the new areas. The House has passed counterpart legislation that adds the North Aleutian Basin as a lease sale by 2015 to go with the Chukchi, Beaufort and Cook Inlet sales.

While the Borough does not qualify as a coastal political subdivision due to its distance from the lease areas and therefore does not qualify for entitlement funding directly from the Department of Interior, it has been the recipient in the past of project funding from the allocation that goes directly to the State.

4. Cascade Creek Hydro License: Earlier this year, Cascade Creek LLC sought another renewal of its FERC permit to develop a hydro project in the region. FERC denied the renewal request but then Cascade Creek filed an appeal. On September 20, FERC formally denied Cascade Creek's appeal, determining "that Cascade did not meaningfully respond to agency and stakeholder concerns, including Commission staff's concerns, and therefore did not resolve study request issues in a timely manner."

5. The Federal Budget: The Congress is currently involved in a historic struggle over the Federal budget. The recession of 2008 and 2009 caused the Federal debt to grow exponentially. The Congress authorized a special committee in 2011 to come up with a compromise involving spending cuts and revenue raising measures to slow the growth of the Federal debt and move the country toward a balanced budget. Default measures involving across-the-board spending cuts (called sequestration) were included in subsequent debt relief legislation to try and force a compromise. The special committee nonetheless failed to achieve a consensus and sequestration is scheduled to be implemented in 2013.

The Washington D.C. wags have named the budget impasse the "Fiscal Cliff." The term not only includes the across-the-board cuts in Federal spending but expiration of the Bush-era tax cuts, and expiration of Social Security payroll tax relief. The across-the-board spending cuts include \$55 billion from the National Defense programs (a nearly 10 percent reduction from current spending levels), \$38 billion in non-defense discretionary programs (just over an 8 percent cut), and \$17 billion in non-defense entitlement programs. Taxes for all income levels are scheduled to increase, as well as tax rates on dividend income and capital gains income. Social Security taxes on individuals will revert back to 6.2% of income up to \$100,000 (the current payroll tax relief reduces this amount to 4.2%). There are also a series of business tax credits set to expire.

Economists are warning that the combination of significantly reduced Federal spending and higher taxes will plunge the economy back into recession and increase

unemployment by as much as one percentage point. Both President Obama and Governor Romney have pledged to avoid the across-the-board reductions and to not allow the tax cuts to expire (in part or whole), while also addressing tax and entitlement reform. The political parties are nonetheless far apart on the details of a budget framework. We anticipate an effort during the Lame Duck session to try and craft a compromise framework, but the issue could spill into 2013. The appropriations bills for Fiscal Year 2013 have stalled due to the budget impasse, and the Federal Government is operating under a stop-gap spending measure which funds operations slightly above Fiscal Year 2012 levels through March of next year.

6. Miscellaneous.

- **Farm Bill:** The recently passed Senate Farm Bill includes provisions that permit commercial fishermen to apply for disaster loans under the Emergency Disaster loan program at the USDA's Farm Service Agency when hurt by natural disasters, declines in stock abundance, or climate change. The House has yet to act on its version of the Farm Bill.
- **Arctic Deepwater Port Study:** The Senate-passed Coast Guard Reauthorization Bill includes a provision requiring the Coast Guard to conduct a one year study on the feasibility and potential of establishing a deep water sea port in the Arctic to promote strategic U.S. interests in the region.
- **Walk-In Freezers:** The Senate has passed legislation that would exempt walk-in freezers from new Federal energy efficiency standards.
- **Marine Debris Clean Up:** The Marine Debris Act Amendments of 2012 passed the House by voice vote in September. The legislation authorizes \$4.9 million annually to the National Oceanic and Atmospheric Administration for marine debris reduction activities through FY 2015. Separately, the Japanese Government has pledged \$5 million to the U.S. for cleanup of debris washing up on Alaska and West Coast shores from last year's tsunami.
- **Polar Icebreakers:** The Senate-passed Coast Reauthorization Bill includes a prohibition on retirement or transfer of existing polar ice breaking vessels until new vessels are ready for service. There is also a prohibition on changing any existing homeport.
- **Chinook Salmon Disaster Declaration:** The Secretary of Commerce has issued a disaster declaration for the Yukon River, Kuskokwim River and Upper Cook Inlet Chinook salmon fisheries – making Federal resources and disaster aid possible. The Congress will still need to appropriate funds for disaster relief nationally before any Federal assistance is forthcoming. All three Members of the Delegation advocated for the declaration.

- **Sportsmen's Legislation:** The Senate began debate on legislation to reauthorize multiple inland Federal fish and wildlife management and conservation programs. This bill will receive a final vote in the lame duck. At that time, Senator Murkowski is planning to offer a complementary amendment that, among other provisions, protects hunting and fishing rights on certain Federal lands. The House has passed counterpart legislation.
- **Alaska Land Withdrawal Legislation in Southeast:** The Alaska Lands Bill failed to pass in this Congress.
- **Lacey Act Relief For Plant Products:** The House has passed legislation that would hold harmless businesses and consumers who unknowingly purchase imported plant products (including wood products) that might be subject to Lacey Act violations and fines because the overseas maker of the product violated its country's or international natural resource protection laws.



CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

P.O. BOX 531 (907)-874-2381
Wrangell, AK 99929 FAX (907)-874-3952

October 15, 2012

Mr. Gregory L. Jones, Executive Director
Trust Land Office
2600 Cordova Street
Suite 100
Anchorage, AK 99503

Re Kasaan and Wrangell Area Timber Sales

Dear Mr. Jones,

The City and Borough of Wrangell have received copies of several comments from residents raising concerns on the upcoming proposed timber sale in Wrangell. I am forwarding those comments in the event that you have not received them.

The Borough Assembly has not at this time taken a position on the timber sale. The proposed sale in Wrangell abuts what has previously been referred to locally as the Institute Property as well as private property. The area proposed for timber harvesting is zoned Timber Management and abuts a Holding District (the former Institute Property) and Rural Residential property. Access to the sale area is through a Trust Land Office parcel, zoned Rural Residential. As a point of clarification, it is the understanding of the Borough that the proposed sale starts south of the Tyee Transmission Line and will not impact the area of the Rainbow Falls Trail or the Institute Trail.

While the proposed sale is in an appropriately zoned area, the Trust Land Office's previous sales in Wrangell along Zimovia Highway raised multiple concerns by residents and adjacent landowners. Drainage from the previously harvested areas onto the lower residential properties increased and often changed water patterns, resulting in water runoff impacts to residents below the sales. Harvesting also changed wind patterns, and inadequate buffers between the harvest area and the adjacent residential property likewise created blowdown impacts on private properties with several home owners losing the bulk of trees on their properties.

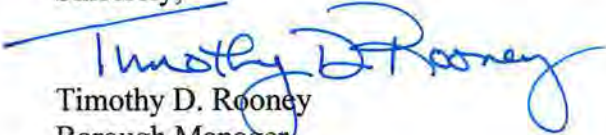
The City and Borough of Wrangell requests that the Trust Land office address concerns expressed by citizens of Wrangell. The Borough also requests that adequate buffers between the sale and all adjacent properties be maintained – at least a 100 foot buffer, not the 25 or 50 previously attempted. The Borough also requests that behind residential properties, the area be considered for harvesting as other than a clear cut, in order to reduce blowdowns and water runoff impacts.

Also, please be advised that the industrial activity must meet the Borough's noise ordinance WMC 20.52.060, which also dictates start and stop times for such activities adjacent to residential development. The Wrangell Municipal code can be found online at www.wrangell.com.

Finally, while the Borough has not officially commented on the MHTL proposed land trade with the USFS, staff has met on several occasions with TLO staff to discuss the issues for and against the different TLO parcels being considered for trade. Because the maps continued to change with each version, the Borough has not provided official comments. Once the USFS begins official review with an official request for comments, the Borough will provide them. The only areas that were requested definitely for a trade were the land areas around Rainbow Falls Trail to protect that trail and viewshed from the trail, as well as a portion of the Pats Creek Lake area.

We appreciate the opportunity to comment.

Sincerely,



Timothy D. Rooney
Borough Manager

Cc: Mayor Don McConachie
Wrangell Borough Assembly
Ms. Kim Flores, Borough Clerk

Wrangell Resource Council

PO Box 1783
Wrangell, Alaska 99929
(907) 874-3504

October 9, 2012

Alaska Mental Health Trust Authority
Trust Land Office
2600 Cordova Street, Suite 100
Anchorage, Alaska 99503

To Whom It May Concern:

The following comments are submitted by the Wrangell Resource Council in response to the Alaska Mental Health Trust Authority Trust Land Office's proposed timber sale MHT9100723 on Wrangell Island.

The Wrangell Resource Council is comprised of residents of the City and Borough of Wrangell who work to make Wrangell a viable, livable community through the sustainable use of the natural resources of Southeast Alaska.

The Wrangell Resource Council is opposed to any logging on the acres identified in this proposed timber sale for the following reasons:

- The Trust is working with the U.S. Forest Service on a land exchange that would allow the Trust Land Office to maximize The Trust's assets and maintain revenue while exchanging some of its lands bordering seven communities in Southeast Alaska, including Wrangell, for other lands in the Tongass National Forest. We support this effort and believe the proposed acreage in this timber sale should be included in this land exchange.
- The proposed logging would occur across the highway from a heavily used public park and adjacent to the Rainbow Falls Trail. This trail is one of the most popular trails on Wrangell Island and is used for all types of recreation and hunting.

- The proposed logging is adjacent to residential property along Zimovia Highway. Some residents adjacent to this sale are concerned about blowdown on their private property due to proposed timber cutting.
- The proposed logging would occur in a portion of the last remaining old-growth on the slopes above the community, and would significantly impair a viewshed that is of value to residents and the tourism industry alike.
- The proposed logging would occur adjacent to the City and Borough's Institute Property. The community could potentially develop this property as a residential subdivision. Clear-cut logging adjacent to this property could significantly reduce its value, and could eliminate incentive for residential development from taking place.

The Wrangell Resource Council fully supports our existing small local mills and wood related businesses, and we have backed efforts to collaborate with all stake holders to identify a long term timber supply so that these businesses can persist and thrive. Our organization largely supports the City and Borough's comments to the U.S. Forest Service regarding the Wrangell Island Project, urging that timber on this island is used to provide the greatest number of local jobs for the longest period of time in Wrangell.

We are aware that the Alaska Mental Health Trust Authority is mandated to manage its resources in the best interest of the Trust and its beneficiaries. We ask the Trust to cancel proposed timber sale MHT9100723 on Wrangell Island. It is our view that this cancellation, along with including this parcel in the land exchange currently under negotiation with the U.S. Forest Service, would better serve the Trust and its beneficiaries.

Sincerely,

Stephen Todd
President

Cc: Borough Assembly, City & Borough of Wrangell
Parks & Recreation Board, City & Borough of Wrangell
Representative Peggy Wilson
Senator Bert Stedman
Governor Sean Parnell

Jeff Jessee, Mental Health Trust, Chief Executive Officer
Bob Dalrymple, US Forest Service, Wrangell District Ranger
Lindsey Ketchel, Southeast Alaska Conservation Council, Executive
Director

Kim Flores

From: Steve & Ginny Helgeson <sghelgeson@gmail.com>
Sent: Friday, October 12, 2012 12:27 PM
To: mhtlo@alaska.gov
Cc: clerk@wrangell.com
Subject: Proposed timber sale Wrangell Island

October 12, 2012

Alaska Mental Health Trust Authority

Trust Land Office

2000 Cordova Street, Suite 100

Anchorage, Alaska 99503

To Whom It May Concern:

I am writing to request that the proposed timber sale, MHT9100723, located from 5 to 5.5 miles south of the town of Wrangell, directly behind and adjacent to residential homes, near the Rainbow Falls trail and the Institute property, be cancelled and this property be included in the USFS Land Exchange.

We have lived in Wrangell for 32 years, raised our family here, love it here, and do not plan to leave. We have seen a lot of changes good and bad. The in-your-face clear cuts that have already taken place, the huge cut from 6-9 mile and the two smaller ones at 9.5 and 10 mile are among the worst things that we have endured in our time here. The remaining eyesores that will last for the rest of our lives are very devastating to our state of mind. This is a beautiful place. When people come to Wrangell for whatever reason, they always ask, how could you let a thing like that happen? By the time we knew about it the sales were complete, cut dates set. We were at the public meeting that MHT had here in Wrangell, but it was already a done deal. Too late.

We are not against harvesting timber in a responsible way and with a value added plan for the wood. We are involved with the instrument making business that relies on quality instrument wood. We are just against destroying the atmosphere and beauty of Wrangell. Clear cuts are ugly and detrimental to the tourism industry which is vital for Wrangell's economic survival. Young people are moving here or returning after growing up here because of the quality of life and the beauty of the natural rain forest we live in. It is truly a unique place.

Please cancel this sale, help preserve what is left of the scenery around Wrangell, and include this property in the Forest Service land exchange program.

Sincerely,

Ginny Helgeson

October 15, 2012

PO Box 1762
Wrangell, AK 99929

Alaska Mental Health Trust Authority
Trust Land Office
2600 Cordova Street, Suite 100
Anchorage, AK 99503

Dear Sirs:

We are long time residents of Wrangell who have watched with dismay the actions of the Trust over the years. We are writing today to express displeasure with your newest proposal, timber sale MHT9100723. We are among the many Wrangell residents who support sustainable, long-term, local job producing logging on our island but am opposed to the above project because:

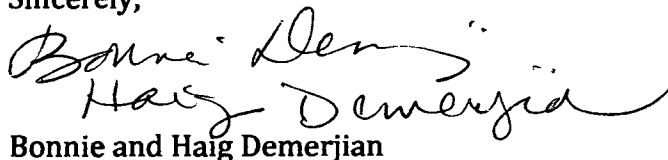
The proposed cut should be included in the land exchange now in process with the Forest Service;

The proposed sale is adjacent to both a residential area. We have already experienced the blowdown dangers associated with your 6-Mile cut and do not want further hazards in residential areas. The cut, which would occur on some of the last remaining old growth land near the community, will also seriously affect the viewshed of the affected homes and the community in general;

The proposed cut abuts Rainbow Trail, the most heavily used hiking and hunting area on the island. It also borders the community-owned Institute property which will lose significant value if bounded by clearcut.

We sincerely hope that you will reconsider this action in light of significant local opposition to it.

Sincerely,


Bonnie and Haig Demerjian

Tim Rooney

From: George Woodbury [woodbury@aptalaska.net]
Sent: Monday, October 15, 2012 10:07 AM
To: Paul Slenkamp
Cc: Don Mcconachie; Tim Rooney
Subject: Mental Health Trust Wrangell Timber Sale

Thanks for putting up a timber sale in Wrangell, I encourage you to put up more. Before we can have private sector jobs we need access to resources and timber is the job creating resource for Wrangell. The sale you propose has no negative impacts. The positive contributions are creating non tax payer funded jobs, access to areas that could become future sub divisions timber supply for local mill operations and business for transportation companies not to mentions customers for local businesses. If you can keep access road open it will be a handy area for fire wood cutters after the sale is completed.

There is no negative view shed issues. Even if you would be able to see the harvest area from the road it will be a short time before it will be the same view we now have from the site to town which is all second growth. Some of us enjoy looking at healthy second growth rather than snag filled old growth.

George Woodbury
woodbury@aptalaska.net
907 874 4140
907 305 0998
Box 1934
Wrangell AK 99929

October 15, 2012

To: Mr. Tim Rooney
Wrangell City/Borough Manager

From: James & Betty Abbott
5.5 Mile Shoemaker Loop Road
P.O. Box 1244
Wrangell, Alaska 99929

Subject: Timber Sale at 5.5 Mile Zimovia Highway

Dear Mr. Rooney,

This morning I called the Trust Land Office to give my comments on the Timber Sale mentioned above. I talked to Paul and give him my comments, which are as follows:

I am AGAINST the Timber Sale at this location for the following reasons:

1. The sale is located next to the Rainbow Falls Hiking trail, which is used by locals as well as visiting tourists.
2. It is adjacent to residential property.
3. There might be a buffer zone, however, the prevailing wind will eliminate that buffer zone in a short period of time! The prevailing Southeast wind comes across the water through Chichagof Pass to the West, over the old Mill site to the East, around the mountains, and back to the West. I asked Paul if he was familiar with the prevailing wind, in this area. He said he was not. A couple of weeks ago the wind at my house blew 46mph!

I mentioned that I did not think that Mental Health Logging operations had a very good reputation, in Wrangell. An example would be all the rock slides on the Sale around the "Bluff" area. Another example is across the entrance to the Golf Course, which is used by locals as well as tourists visiting our community. To the North and East are beautiful snow capped mountains and then to the South is an ugly clear cut, with no buffer! I told the gentleman that I was not against logging, however, I didn't think it was appropriate next to residential areas and recreational areas!

Sincerely,

A handwritten signature in cursive script, reading "James & Betty Abbott". The signature is written in dark ink and is positioned below the typed name "James & Betty Abbott".

Alaska Mental Health Trust Authority
Trust Land Office
Notice under 11 AAC 99.050 of
Kasaan and Wrangell Area Timber Sales
MHT 9100666 & 9100723

Notice is hereby given that, pursuant to the provisions of AS 38.05.801 and 11 AAC 99, the Executive Director of the Alaska Mental Health Trust Land Office (TLO) has determined that it is in the best interest of the Alaska Mental Health Trust and its beneficiaries to complete Timber Sales on certain Trust lands. The basis for this determination is explained in a written best interest decision prepared by the Executive Director pursuant to 11 AAC 99.040.

The Trust lands affected by the decision are adjacent or near to Kasaan and Wrangell, Alaska, and is more particularly described as: Kasaan- portions of Sections 22, 23, 26, 27 and 35, T72S, R84E, Copper River Meridian, containing approximately 300 acres and eight million board feet of timber (MH Parcels MHT C70871 & C32030).

Wrangell- portions of Sec 17, Township 63S, Range 84E, Copper River Meridian, containing approximately 75 acres and about one million two hundred board feet of timber (MH Parcel, MHT CRM-2454).

Persons who believe that the written decision should be altered because it is not in the best interests of the Trust or its beneficiaries, or because the decision is inconsistent with Trust management principles set out in 11 AAC 99.020, or any other provision of 11 AAC 99, must provide written comments on or before **4:30 PM, October 15, 2012. Comments should be submitted to the TLO at 2600 Cordova Street, Suite 100, Anchorage, AK 99503, or by fax (907) 269-8905 or email mhtlo@alaska.gov.** Following the comment deadline, the Executive Director will consider timely comments that question the decision on the basis of the best interest of the Alaska Mental Health Trust and its beneficiaries or inconsistency with 11 AAC 99, and the best interest decision may be changed in response to such written comments or other information. Commenting parties will be provided a copy of the final best interest decision after the end of the notice period.

To be eligible to file for reconsideration of the best interest decision, or to file a subsequent appeal to the Superior Court, a person must have submitted written comments during the notice period. Eligible persons will have twenty (20) calendar days after receipt of the final written decision to request that the Executive Director reconsider the decision under 11 AAC 99.060(b).

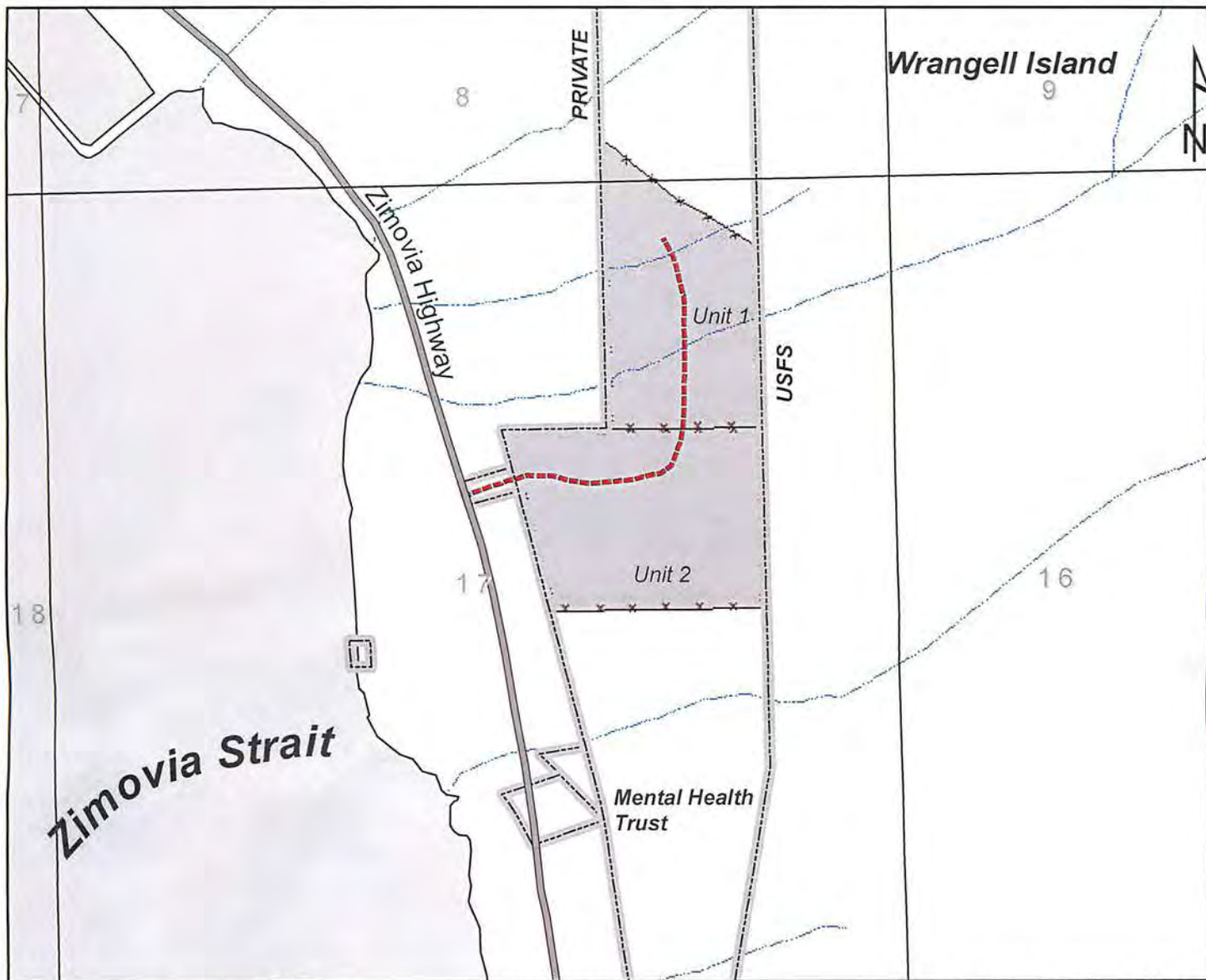
Copies of the written decision are available at the Trust Land Office, or at www.mhtrustland.org. If you have any questions concerning this action, please contact the Trust Land Office at (907) 269-8658.

In compliance with the Americans with Disabilities Act, the Alaska Mental Health Trust is prepared to accommodate individuals with disabilities. Please contact the Trust Land Office at (907) 269-8658 for assistance. Requests for assistance must be received at least 48 hours prior to the comment deadline in order to ensure that any necessary accommodations can be provided.

The Executive Director of the TLO reserves the right to waive technical defects in this notice or to amend, postpone, or vacate the best interest decision.

Gregory L. Jones
Executive Director

Date
Published Anchorage Daily News: MM/DD/2012
2nd Publication Name (if any): MM/DD/2012

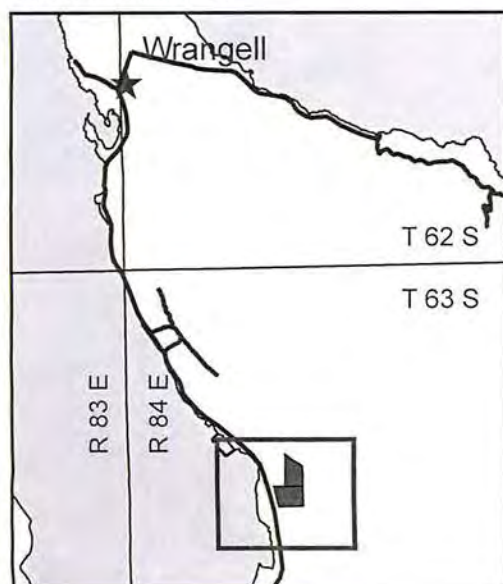


0 0.1 0.2 0.3 Miles

1 inch = 1,000 feet

T63S R84E C.R.M

Contour Interval = 100 feet



Vicinity Map

1 inch = 2 miles

WRANGELL INSTITUTE TIMBER SALE AREA MAP

Legend

- Proposed Harvest Unit
- Property Line
- Proposed Road Construction
- Water Quality Stream

Unit 1, 32 Acres

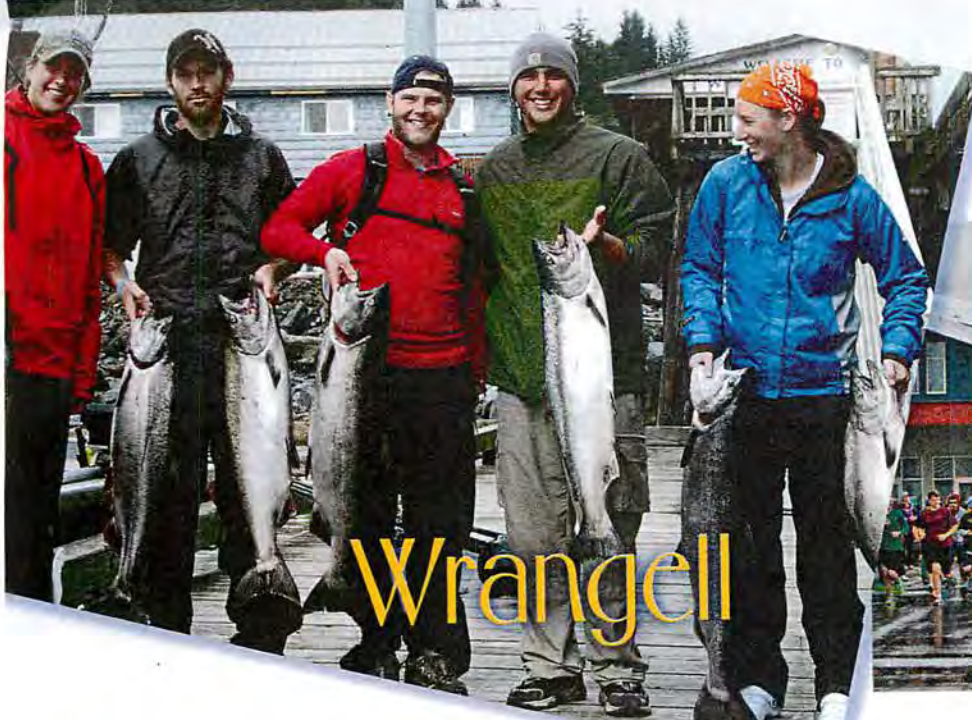
Unit 2, 38 Acres

Total Acres 70

28+00 Proposed Road Construction

Alaska Mental Health Trust

Date: 9/10/2012cw



Coastal town remains untouched, unspoiled



Courtesy Wrangell CVB

Left, fishermen show off their catches. Above, runners take off from Wrangell's Nolan Center. Below, in the winding waterways of the Alaskan Panhandle, Wrangell remains a quiet town.

Wrangell is the kind of place where people leave their doors unlocked and their car keys in the ignition. Its 2,300 residents also pull together to welcome groups to their quiet town on the north end of Wrangell Island in the Alaskan Panhandle, the tail of complicated coastal islands and winding waterways that borders British Columbia, Canada.

Unlike some coastal Alaska towns, Wrangell is not a cruise ship stop. That has left its small-town feel unspoiled, according to Terri Henson, director of conventions for the city.

"We're untouched in that commercial sense," she said. "We're small, we're quaint, we're quirky. We're still real, small-town Alaska."

Wrangell has ramped up its efforts to attract small meetings and retreats since it opened the James and Elsie Nolan Center five years ago. Already, the city hosts a number of state government meetings.

The Nolan Center encompasses a 4,000-square-foot meeting space, an 800-square-foot divisible classroom and a 24-person theater, as well as Wrangell's museum and visitors center. The museum is often used for receptions, according to Henson.

The city recently made downtown more invit-

ing and walkable by spending \$3 million to redo roads, sidewalks and lighting.

Wrangell has a total of 75 guest rooms, including inns, lodges and bed-and-breakfasts, which keeps meetings small.

At the city's largest hotel, the Stikine Inn, all 35 guest rooms have been remodeled over the past two years. A new patio was added last year, and owners have plans to redo the restaurant's kitchen this year. A new chef has already revamped the menu, keeping some local favorites.

The Stikine Inn has no dedicated meeting space, but the hotel sometimes allows groups to meet in the bar area. The Alaskan Sourdough Lodge, a 16-room red cedar pole lodge, has a small meeting room.

Getting to Wrangell isn't difficult given its remote location. Alaska Airlines offers direct flights to the Wrangell Airport from Seattle or through Juneau, Alaska. Ferry service is available

from Bellingham, Wash., and Prince Rupert, British Columbia.

Wrangell's biggest attraction is its spectacular setting. The city is surrounded by forested islands and protected bays. Visitors can see ancient tribal petroglyphs at Petroglyph Beach State Historic Park or watch brown and black bears feast on southeast Alaska's largest pink salmon run at Anan Bear and Wildlife Observatory.

"This is one of the most beautiful places I have ever seen," said Henson, who sometimes looks out her office window and sees a pod of killer whales going by in the harbor. "The beauty here, and the quiet, makes it a perfect place for people to come and relax."

800-367-9745
www.wrangellalaska.org

"We're untouched in that commercial sense. We're small, we're quaint, we're quirky. We're still real, small-town Alaska."



Courtesy Wrangell CVB

**BOROUGH ASSEMBLY
AGENDA ITEM
October 30, 2012**

ITEM NO. 9

BOROUGH CLERK'S FILE:

Upcoming Dates to Remember

- 11/1 Port Commission meets @ 7 pm in the Assembly Chambers
- 11/2 Bid Opening ~ 300-Ton Marine Vessel Hoist @ 2 pm in the Assembly Chambers
- 11/5 Absentee Voting for the General Election ends @ 5 pm
- 11/5 Assembly Workshop scheduled @ 5:30 pm in the Assembly Chambers
- 11/6 General Election Day. You can vote at the Nolan Center from 7am to 8pm
- 11/6 P&Z Committee Public Hearing & Regular meets @ 7pm in the Assembly Chambers
- 11/7 P&R Board meets @ 7 pm in the Assembly Chambers
- 11/9 & 11/10 Wrangell Harvest Festival
- 11/12** City Hall Closed for Veteran's Day
- 11/13 Regular Assembly meeting is cancelled
- 11/15 WCVB Committee meets @ 6:30 pm in the Assembly Chambers
- 11/22 & 11/23** City Hall will be closed for the Thanksgiving Holiday



11/22 Thanksgiving Day!! Happy Thanksgiving....

GENERAL ELECTION

Absentee Voting for the General Election is taking place until November 5th @ 5pm in the Borough Assembly Chambers.

The option to cast your vote electronically is now available. The direct link to the State of Alaska website for that application for online ballot deliver is:

<http://www.elections.alaska.gov/doc/forms/C07GE.pdf>

You can cast your vote on Election Day from 7am to 8pm on November 6th, 2012 at the Nolan Center.



AML

Alaska Municipal League Conference schedule is as follows:

- Pre-Conference (NEO-Newly Elected Officials Training) - Nov. 12 & 13, 2012
- Regular Conference - Nov. 14 & 15, 2012
- ACoM (Alaska Conference of Mayors) - Nov. 13, 2012

I will be attending the Annual AAMC (Alaska Association of Municipal Clerks) Conference in Anchorage. Travel dates are as follows:

- November 9, 2012 thru November 14, 2012

Assembly Members Stough and Wiederspohn will be attending the annual AML (Alaska Municipal League) & NEO (Newly Elected Officials training) conferences in Anchorage. Travel dates are as follows:

- November 11, 2012 thru November 16, 2012

Mayor McConachie will be attending the Annual AML & ACoM (Alaska Conference of Mayors) conferences in Anchorage. Travel dates are as follows:

- November 12, 2012 thru November 17, 2012

UNTIL NEXT TIME...



CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA ITEM October 30, 2012

ITEM NO. 10 a, b & c

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS:

INFORMATION: This agenda item is reserved for the Mayor and Assembly Member's special reports. Such information items as municipal league activities, reports from committees on which members sit, conference attendance, etc., are examples of items included here.

- a. Reports by Assembly Members
- b. Proclamation for Extra Mile Day – November 1, 2012
- c. Resignation from Planning & Zoning Commission and Economic Development Committee by August Schultz

Extra Mile Day PROCLAMATION November 1, 2012

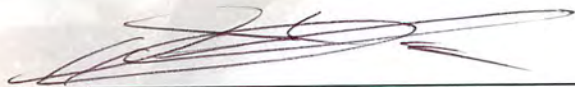
WHEREAS, Wrangell, Alaska is a community which acknowledges that a **special vibrancy exists within the entire community** when its individual citizens collectively “go the extra mile” in **personal effort, volunteerism, and service**; and

WHEREAS, Wrangell, Alaska is a community which encourages its citizens to **maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction** to their individual ambitions, family, friends, and community; and

WHEREAS, Wrangell, Alaska is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and


WHEREAS, Wrangell, Alaska acknowledges the **mission of the Extra Mile America Foundation to create 300 Extra Mile cities in America** and is proud to support “Extra Mile Day” on November 1, 2012.

NOW THEREFORE, I, MAYOR DONALD McCONACHIE, do hereby proclaim **November 1, 2012** to be **Extra Mile Day**. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also **acknowledge all those around who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.**



Donald McConachie, Mayor

Attest:


Kim Flores, Borough Clerk

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY

AGENDA ITEM

October 30, 2012

ITEM NO. 10 d MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS:

INFORMATION: This agenda item is reserved for the Mayor and Assembly Member's special reports. Such information items as municipal league activities, reports from committees on which members sit, conference attendance, etc., are examples of items included here.

d. Appointment to fill the vacancy of Seat "B" of the Borough Assembly

1. Letter of Interest from Patricia Gilbert
2. Letter of Interest from David L. Jack
3. Letter of Interest from Hollie Levine

RECOMMENDED ACTION:

Move to appoint _____ to fill the vacancy of Seat "B" of the Borough Assembly up until the next Borough Election to be held October 1, 2013

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY

AGENDA ITEM

October 30, 2012

ITEM NO. 10e

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS:

INFORMATION: This agenda item is reserved for the Mayor and Assembly Member's special reports. Such information items as municipal league activities, reports from committees on which members sit, conference attendance, etc., are examples of items included here.

e. Appointment to fill the vacancy of Port Commissioner on the Port Commission

1. Letter of Interest from Eric Yancy

RECOMMENDED ACTION:

Move to appoint _____ to fill the vacancy of Port Commissioner to the Port Commission up until the next Borough Election to be held October 1, 2013

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA ITEM October 30, 2012

ITEM NO. 13a **PROPOSED ORDINANCE: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 3, CHAPTER 3.32.030 (D) AND CHAPTER 3.32.090 AND ORDINANCE NO. 865 OF THE WRANGELL MUNICIPAL CODE RELATING TO THE WRANGELL MEDICAL CENTER AND LONG-TERM CARE FACILITY BOARD (*first reading*)**

INFORMATION:

Attachments

1. Memorandum from Borough Manager Rooney, dated October 25, 2012
2. Adopted Ordinance No. 865
3. Proposed Ordinance No. 866

RECOMMENDED ACTION:

Move to approve first reading and move to second with a public hearing to be held on November 27, 2012.

MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: TIMOTHY ROONEY
BOROUGH MANAGER**

**SUBJECT: ORDINANCE NO. 866
AMENDING ORDINANCE 865**

DATE: October 25, 2012

BACKGROUND:

In August of this year, the Borough Assembly unanimously passed and adopted Ordinance 865, which provided numerous changes to the Wrangell Municipal Code relating to the Wrangell Medical Center. At the time of adoption, it was both the position of staff and the Borough Assembly, that if the newly seated Wrangell Medical Center Board had concerns, both staff and Mr. Blasco would review those concerns and propose recommended changes to the Borough Assembly. A copy of Ordinance 865 is attached for your information and review.

After the new Wrangell Medical Center Board was seated, Mr. Blasco met with the Wrangell Medical Center Board Chairman, Mr. Woody Wilson to discuss his concerns. There were three, what I would categorize as major concerns discussed at that meeting, and the proposed Ordinance No. 866 addresses two of those concerns. The two concerns it addresses is the participation of the Hospital Board Liaison and the Personnel Rules. The third concern centered on a misunderstanding of the Borough Attorney approval of the WMC Administrator contract and has been addressed through discussion.

Ordinance 866, also attached for your information and review, provides for clarifying language relating to the Hospital Board Liaison. While the ordinance retains the requirement that the Hospital Board Liaison be permitted the absolute right and authority to participate in Executive Sessions of the Wrangell Medical Center Board, it would no longer allow for the Hospital Board Liaison to participate in any Executive Session that involves physician credentialing.

The second change addresses Personnel Rules and removes the requirement that the Wrangell Medical Center personnel policies be consistent with the personnel rules and regulations of the borough. It adds language the personnel policies shall be subject to annual review and modification by the Borough Assembly during May of each year or at other times during the year if changes are recommended by the Wrangell Medical Center Board.

Staff views Ordinance No. 866 as the first of several revisions that may be needed to Ordinance No. 865 over the coming year. That being said, we do want to implement these changes now so that we can address concerns as they arise, as was promised, when Ordinance No. 865 was adopted. If the first reading of Ordinance 866 is approved by the Borough Assembly, the public hearing and action for adoption would be scheduled for Tuesday, November 27, 2012.

RECOMMENDATION:

Staff recommends Borough Assembly approval of the first reading of Ordinance No. 866 and moving it to a Public Hearing and Action for Adoption on November 27, 2012.

ATTACHMENTS:

1. Ordinance No. 865
2. Proposed Ordinance No. 866

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 865

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 3, CHAPTER 3.32 OF THE WRANGELL MUNICIPAL CODE RELATING TO THE WRANGELL MEDICAL CENTER AND LONG-TERM CARE FACILITY BOARD

WHEREAS, the Home Rule Charter of the City and Borough of Wrangell provides in Article I, Section 1-5: "The City and Borough of Wrangell, Alaska, shall have all the powers, functions, rights, privileges, franchises and immunities of every name and nature whatever, which a home-rule borough may have under the constitution and laws of the State of Alaska. The borough may exercise all powers not prohibited by law or by this charter. The powers of the borough shall be liberally construed. The enumeration or mention of particular powers by this charter shall not be deemed to be exclusive or limiting"; and

WHEREAS, Article III of the Charter, regarding the Borough Manager and Administrative Departments, provides in Section 3-9: "The borough-operated Wrangell Medical Center shall be operated by a board established by ordinance and elected by the voters"; and

WHEREAS, the Wrangell Medical Center and Long-Term Care Facility is a part of the City and Borough of Wrangell and is not a separate public entity from the City and Borough of Wrangell; and

WHEREAS, the Wrangell Medical Center and Long-Term Care Facility is not a municipal government under Title 29 of the Alaska Statutes and does not have the powers and authority of a municipal government under AS Title 29, or the powers of the City and Borough of Wrangell enumerated in Section 1-5 of the Charter and is not otherwise a quasi-public agency or authority or separate public entity from the City and Borough of Wrangell under any state law; and

WHEREAS, the powers and authority of the Wrangell Medical Center and Long-Term Care Facility board are specifically limited by the Charter and state law to such powers and authority as may be provided by ordinance adopted by the Borough Assembly; and

WHEREAS, the budget for the operation and maintenance of the Wrangell Medical Center and Long-Term Care Facility consists entirely of public funds; and

WHEREAS, the Borough is responsible for obligations lawfully incurred by the Wrangell Medical Center and Long-Term Care Facility through the Borough general fund; and

WHEREAS, the budget for the operation of the Wrangell Medical Center and Long-Term Care Facility is subject to review and approval by the Borough Assembly; and

WHEREAS, the board of the Wrangell Medical Center and Long-Term Care Facility for the period of approximately January 1, 2008 through June 20, 2012, took actions detrimental to the best interests of the Borough and the Wrangell Medical Center and Long-Term Care Facility, and took actions adverse to the financial health and well-being of the Borough and the Wrangell Medical Center and Long-Term Care Facility; and

WHEREAS, the board of the Wrangell Medical Center and Long-Term Care Facility for the period of approximately January 1, 2008 through June 20, 2012, took actions which have placed the general fund of the Borough at substantial risk; and

WHEREAS, the board of the Wrangell Medical Center and Long-Term Care Facility for the period of approximately January 1, 2008 through June 20, 2012, took actions which required the Borough to institute legal proceedings to preserve and protect the general fund of the Borough and to effect the return of public funds distributed or obligated, and/or attempted to be distributed or obligated, by the board, which distribution and/or obligation and/or attempt to obligate by the board served no purpose related to the operation or maintenance of the Wrangell Medical Center and Long-Term Care Facility; and

WHEREAS, the Borough Assembly is responsible to protect the general fund from risk of any unauthorized and/or irresponsible expenditure of Wrangell Medical Center and Long-Term Care Facility monies derived from income or other sources, as well as from the Borough general fund; and

WHEREAS, the Borough Assembly has at all times asserted that the Wrangell Medical Center and Long-Term Care Facility exists as a part of the City and Borough of Wrangell, and further that the Wrangell Medical Center and Long-Term Care Facility is not and never has been a stand-alone, separate public entity from the City and Borough of Wrangell; and

WHEREAS, the Borough Assembly deems it necessary to clarify the Wrangell Municipal Code provisions relating to the board of the Wrangell Medical Center and Long-Term Care Facility to protect the Borough and the people of Wrangell from any future board exceeding the scope of its powers and authority under state law, the City and Borough of Wrangell Charter and the Wrangell Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

SEC. 1. Action. The City and Borough of Wrangell Charter, Article III, Section 3-9, authorizes the Assembly to establish, by ordinance, a board for the borough-operated Wrangell Medical Center and Long-Term Care Facility. Title 3 of the Wrangell Municipal Code addresses Administration and Personnel of the City and Borough of Wrangell; Chapter 32 of that title sets out the Code provisions regarding the establishment, powers, authority and duties of the Wrangell Medical Center and Long-Term Care Facility board, and administration of the facility.

The Assembly of the City and Borough of Wrangell declares that Title 3, Chapter 3.32 of the Wrangell Municipal Code, shall be clarified and amended as follows:
Chapter 3.32

UNITED STATES OF AMERICA)
:ss

STATE OF ALASKA)

The undersigned having been elected as a member of the Wrangell Medical Center and Long-Term Care Facility Board being first duly sworn, deposes and says:

I will honestly and faithfully perform the duties devolving upon me as a member of the Wrangell Medical Center and Long-Term Care Facility Board and will comply with the Ordinances of the City and Borough of Wrangell and the laws of the State of Alaska and the rules and bylaws of the Hospital Board with respect thereto, So Help Me, God.

Notary Public for Alaska

My Commission expires:_____

[Ord. 334 § 5, 1975; prior code § 3.63.030.]

Section 3.32.020 Physical Property management – Purchasing.

A. The physical management of the municipal hospital building, the land upon which the building is located, and the equipment and furnishings in the building is entrusted to the board by the assembly, and subject to the control and review by the borough assembly as deemed necessary by the assembly in the best interest of the borough. The board shall have the authority to make repairs and improvements to the hospital building as necessary to maintain the building in good condition, provided the board has no authority to approve or make additions or replacements or enter any contracts or agreements to do so in excess of \$25,000, including contracts for professional services or consulting contracts, without approval of the borough assembly. The board shall review and make recommendations to the assembly for proper maintenance of the Wrangell Medical Center and Long-Term Care Facility or any future facility, and the real property, for all projects in excess of \$25,000;

B. The board shall have the power to purchase, sell, exchange, operate, maintain and repair all personal property necessary for the daily operation and maintenance of the hospital; provided, however, that no property or equipment other than supplies shall be purchased until and unless the board has funds derived from the operation of the hospital and appropriated for that purpose by the borough assembly. All personal property of any kind and any nature existing at the Wrangell Medical Center and Long-Term Care Facility or any future facility (both the existing facility and future facility may be referred to as "hospital") or purchased in the future shall be the property of the borough and shall not disposed of or sold in any manner inconsistent with the Wrangell Municipal Code provisions governing the disposal or sale of personal property. [Ord. 250 § 5, 1969; prior code § 3.63.040.]

Section 3.32.030. Hospital Board – General powers and duties.

A. The hospital board shall review and make recommendations through the borough manger to the assembly on all hospital construction, consulting, engineering, and architectural services contracts before submitting such contracts to the assembly for approval. No such contracts shall be executed without review by the borough manager and the borough attorney, and such contracts in excess of \$25,000 shall be executed only after approval by the assembly. All contracts shall be executed in the name of the city and borough;

B. The board shall review and make recommendations through the borough manager to the assembly for review and approval by the assembly of proposals or plans for development of any new hospital construction and improvements;

C. The board shall have the authority to solicit grants and funds from any sources for the furtherance of the provision of medical care at the hospital. Any solicitations from federal or state agencies shall be subject to prior approval of the borough manager. The board shall keep the borough manager advised of grants and funds being sought by a written report from the board or hospital administrator;

D. The board shall adopt personnel policies for hospital employees, subject to annual review by the assembly during May of each year. The personnel policies shall be consistent with the personnel rules and regulations of the borough, and shall be subject to modification by the assembly;

E. The board shall employ a hospital administrator by contract, which contract shall be subject to review and approval by the borough manager. No administrator may be employed without a contract approved by the borough manager and the borough attorney. The administrator's contract may not be modified, amended or changed without approval of the borough manager and the borough attorney. The board shall only terminate or remove the administrator after consultation with the borough manager and the borough attorney and approval by the borough manager;

F. The board shall determine salaries and wages to be paid to each classification of labor employed at the hospital, except that the salary and any other wages or monies or benefits to be paid or provided to the hospital administrator shall be only as provided in the administrator's contract.

G. The board shall determine, charge and collect fees and charges for the services rendered and furnished by the hospital. The rates as determined by the board shall be in full compliance with federal and state laws. The rates as determined by the board shall be subject to modification by the borough assembly, which may change the rates at any time.

H. The board shall have authority to take all lawful action to collect all accounts owing to the hospital and the borough for services rendered or furnished by the hospital. No legal action shall be instituted unless reviewed and approved by the borough manager and borough attorney.

I. The board shall require that all persons admitted to the hospital be under the supervision and care of a licensed physician.

J. Subject to review and approval by the assembly, the board shall have the authority to make rules and regulations for the efficient and safe operation of the hospital, provided that any rules and regulations shall be consistent with federal and state law and the Wrangell Municipal Code and be in the best interests of the borough and in accordance with sound business practices. The board must submit the rules and regulations through the manager to the assembly for review and approval. The assembly may modify or amend any rules and regulations. [Ord. 263 § 6, 1971; prior code § 3.63.050.]

K. The board shall undertake the annual budget, annual audit, and annual reports for the hospital as required by 3.32.100. The board shall make no expenditure of funds or obligation of funds unless the expenditure or obligation is in conformance with the annual budget, or a budget amendment, that has been approved and adopted by the assembly.

Section 3.32.040 – Hospital Administrator.

A. General. The hospital administrator shall be responsible for the overall supervision of the hospital in a manner consistent with all federal and state laws, the City and Borough of Wrangell Charter, and Wrangell Municipal Code, and in a fiscally responsible manner in the best interests of the borough and in accordance with sound business practices. The borough manager shall have governing power over the administrator, except as related to the selection of the administrator pursuant to 3.32.030E, in the same manner as the borough manager has governing power over all other administrative department heads pursuant to 3.06.020A.

B. The authority and duties of the hospital administrator are as follows:

- (1) To be responsible for carrying out all applicable federal and state laws, the Wrangell Charter and Code, borough resolutions, and the hospital rules and regulations;
- (2) To be responsible for carrying out policies established by the hospital board and the assembly;
- (3) To prepare and submit to the hospital board for approval, a plan of organization and a job classification plan for the personnel at the hospital;
- (4) To prepare an annual report and an annual budget as required by 3.32.100;
- (5) The administrator shall have the authority to hire and discharge subordinate employees at the hospital in a manner consistent with federal and state laws and in accordance with the personnel policies of the hospital, the borough code, and the borough personnel rules and regulations;
- (6) To work with the professional staff and with those concerned with the rendering of professional services at the hospital to the end that the best possible care may be rendered to all patients;
- (7) To prepare such reports as may be required on any phase of hospital activity by the board, the assembly, or the borough manager;
- (8) To attend all meetings of the hospital board and of standing committees of the board except where otherwise specified by the board;
- (9) To perform any other duty that may be in the best interests of the borough as assigned by the board, the assembly, or the borough manager.

Section 3.32.050 – Accounting procedures.

The board shall establish a system of accounts and procedure for collecting revenues from the operation of the hospital which revenues shall be deposited periodically as determined by the board in a bank in Wrangell, Alaska, and a system for paying of all expenses of operation and costs of services and equipment purchased. The City and Borough of Wrangell shall be named on all accounts. The borough manager shall be a signatory on all accounts. [Ord. 250 § 5, 1969; prior code § 3.63.060.]

Section – 3.32.060 Bylaws and organization.

A. The board shall adopt bylaws governing its own proceedings, which bylaws shall be submitted to the assembly for review and approval and, which may be amended by the assembly. A copy of the bylaws shall be filed with the borough clerk together with all rules and regulations made by the board.

B. The board shall elect annually from its membership a president, a secretary, and such other officers as it deems necessary.
[Ord. 263 § 6, 1971; prior code § 3.63.070.]

Section 3.32.070 – Noncompensation.

No member of the board shall be paid for any services rendered or duties performed in connection with the administration and operation of the hospital. [Ord. 250 § 5, 1969; prior code § 3.63.080.]

Section 3.32.080 – Advisors to the board.

Subject to the limitations and provisions of 3.06.020, the hospital board may appoint persons in an advisory capacity, other than consultants referenced in 3.32.030A, as it deems advisable, except that any consultant agreement or contract in excess of \$5,000, or which may potentially exceed \$5,000, must be reviewed by the borough manager and the borough attorney and approved by the borough assembly before the consultant may be retained. The board will consult with all physicians and surgeons practicing in the borough from time to time so as to determine, understand, and take such action upon the views and recommendations of such physicians and surgeons as the board considers advisable. [Ord. 250 § 5, 1969; prior code § 3.63.090.]

Section 3.32.090 – Hospital board liaison.

The borough assembly shall appoint from its membership a liaison to the Wrangell Medical Center and Long-Term Care Facility. The borough assembly liaison shall represent the assembly and attend and participate in all hospital board meetings and all executive sessions of the board. The board has no authority to exclude the assembly liaison from any executive

session. The assembly liaison will not participate as a voting member of the board and the presence of the assembly liaison shall not be used to establish a quorum to convene a meeting of the board.

Section 3.32.100 – Annual reports to assembly – Annual audit and annual budget.

A. The board shall annually submit a detailed report to the borough manager and the assembly setting forth the principal facts regarding its policies, rules, regulations procedure and statistics in connection with the operation of the hospital and submit the annual audit to the borough manager and the assembly.

B. The board shall annually, on or before the fifteenth day of May of each year, submit a detailed budget setting forth the anticipated income and expense of the hospital operations for the ensuing year starting July 1st. The hospital administrator shall prepare the budget in accordance with approved City and Borough procedure and shall submit it to the hospital board for approval. The hospital board shall submit the budget to the borough manager with its recommendations in the same manner as the budgets are submitted by the other government departments of the borough, and the borough manager will submit the budget to the assembly. The purpose of the budget is to allow the assembly to appropriate necessary funds for operations; to insure that the proposed expenditures and financial obligations in the budget are in the best interests of the borough and the people of Wrangell; to insure that the budget reflects sound business practices; to insure that none of the proposed expenditures or obligations place the general fund of the borough at risk, and to use excess revenue of the hospital in the general fund of the borough. The board shall not obligate or expend by contract or otherwise any funds generated by hospital income or funds from the general fund of the borough unless such obligation or expenditure has been identified with specificity in the budget and the budget has been reviewed by the borough manager and approved and adopted by the assembly. The Wrangell Medical Center and Long-Term Care Facility budget as submitted to the borough manager and assembly is not final and may not be implemented until approved by the assembly.

C. The borough assembly at any time may request from the hospital additional reports or information the assembly deems necessary and the board shall direct the administrator to prepare the requested reports and provide the reports to the borough manager within the time frame established by the assembly.

SEC. 2. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 3. Severability. If any portion of this ordinance or any application thereof 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 thereby.

SEC. 4. Purpose. The purpose of this ordinance is to clarify and amend Wrangell Municipal Code Ch. 3.32, consistent with the historical authority of the Borough Assembly, the

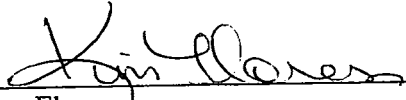
Charter of the City and Borough of Wrangell, and Title 29 of the laws of the State of Alaska, and in the public interest and the best interests of the borough.

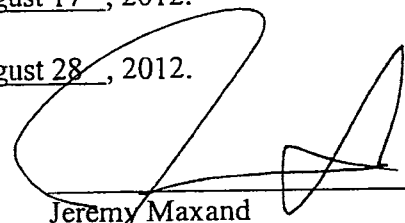
SEC. 5. Effective Date. This ordinance shall be effective upon adoption by the assembly.

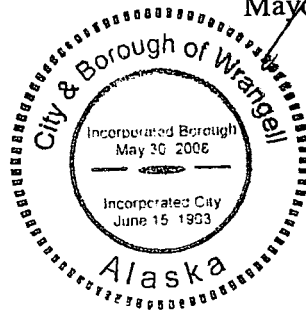
PASSED IN FIRST READING: August 17, 2012.

PASSED IN SECOND READING: August 28, 2012.

Attest:


Kim Flores
Borough Clerk


Jeremy Maxand
Mayor



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 866

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 3, CHAPTER 3.32.030 (D) AND CHAPTER 3.32.090 AND ORDINANCE NO. 865 OF THE WRANGELL MUNICIPAL CODE RELATING TO THE WRANGELL MEDICAL CENTER AND LONG-TERM CARE FACILITY BOARD

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

SEC. 1. Action. The City and Borough of Wrangell Charter, Article III, Section 3-9, authorizes the Assembly to establish, by ordinance, a board for the borough-operated Wrangell Medical Center and Long-Term Care Facility. Title 3 of the Wrangell Municipal Code addresses Administration and Personnel of the City and Borough of Wrangell; Chapter 32 of that title sets out the Code provisions regarding the establishment, powers, authority and duties of the Wrangell Medical Center and Long-Term Care Facility board, and administration of the facility. Ordinance 865 clarified and amended Ch. 3.32.

The Assembly of the City and Borough of Wrangell declares that Title 3, Chapter 3.32.030(D) and Chapter 3.32.090 and Ordinance No. 865 of the Wrangell Municipal Code, shall be clarified and amended as follows:

Section 3.32.030.Hospital Board – General powers and duties.

A. The hospital board shall review and make recommendations through the borough manger to the assembly on all hospital construction, consulting, engineering, and architectural services contracts before submitting such contracts to the assembly for approval. No such contracts shall be executed without review by the borough manager and the borough attorney, and such contracts in excess of \$25,000 shall be executed only after approval by the assembly. All contracts shall be executed in the name of the city and borough;

B. The board shall review and make recommendations through the borough manager to the assembly for review and approval by the assembly of proposals or plans for development of any new hospital construction and improvements;

C. The board shall have the authority to solicit grants and funds from any sources for the furtherance of the provision of medical care at the hospital. Any solicitations from federal or state agencies shall be subject to prior approval of the borough manager. The board shall keep the borough manager advised of grants and funds being sought by a written report from the board or hospital administrator;

D. The board shall adopt personnel policies for hospital employees, subject to annual review by the assembly during May of each year. The personnel policies shall be subject to

annual review by the assembly during May of each year. In addition, in the event the board adopts changes to the personnel policies at other times during the year, the board shall submit the personnel policy changes to the assembly for review. The personnel policies and any changes to the personnel policies shall be subject to modification by the assembly; The personnel policies shall be consistent with the personnel rules and regulations of the borough, and shall be subject to modification by the assembly;

E. The board shall employ a hospital administrator by contract, which contract shall be subject to review and approval by the borough manager. No administrator may be employed without a contract approved by the borough manager and the borough attorney. The administrator's contract may not be modified, amended or changed without approval of the borough manager and the borough attorney. The board shall only terminate or remove the administrator after consultation with the borough manager and the borough attorney and approval by the borough manager;

F. The board shall determine salaries and wages to be paid to each classification of labor employed at the hospital, except that the salary and any other wages or monies or benefits to be paid or provided to the hospital administrator shall be only as provided in the administrator's contract.

G. The board shall determine, charge and collect fees and charges for the services rendered and furnished by the hospital. The rates as determined by the board shall be in full compliance with federal and state laws. The rates as determined by the board shall be subject to modification by the borough assembly, which may change the rates at any time.

H. The board shall have authority to take all lawful action to collect all accounts owing to the hospital and the borough for services rendered or furnished by the hospital. No legal action shall be instituted unless reviewed and approved by the borough manager and borough attorney.

I. The board shall require that all persons admitted to the hospital be under the supervision and care of a licensed physician.

J. Subject to review and approval by the assembly, the board shall have the authority to make rules and regulations for the efficient and safe operation of the hospital, provided that any rules and regulations shall be consistent with federal and state law and the Wrangell Municipal Code and be in the best interests of the borough and in accordance with sound business practices. The board must submit the rules and regulations through the manager to the assembly for review and approval. The assembly may modify or amend any rules and regulations. [Ord. 263 § 6, 1971; prior code § 3.63.050.]

K. The board shall undertake the annual budget, annual audit, and annual reports for the hospital as required by 3.32.100. The board shall make no expenditure of funds or obligation of funds unless the expenditure or obligation is in conformance with the annual budget, or a budget amendment, that has been approved and adopted by the assembly.

Section 3.32.090—Hospital board liaison.

The borough assembly shall appoint from its membership a liaison to the Wrangell Medical Center and Long-Term Care Facility. The borough assembly liaison shall represent the assembly and attend and participate in all hospital board meetings and all executive sessions of the board with the exception of those involving physician credentialing. The board has no authority to exclude the assembly liaison from any executive session. The assembly liaison will not participate as a voting member of the board and the presence of the assembly liaison shall not be used to establish a quorum to convene a meeting of the board.

SEC. 2. Severability. If any portion of this ordinance or any application thereof 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 thereby.

SEC. 3. Purpose. The purpose of this ordinance is to clarify and amend Wrangell Municipal Code Ch. 3.32 and Ordinance No. 865, consistent with the historical authority of the Borough Assembly, the Charter of the City and Borough of Wrangell, and Title 29 of the laws of the State of Alaska, and in the public interest and the best interests of the borough.

SEC. 4. Effective Date. This ordinance shall be effective upon adoption by the assembly.

PASSED IN FIRST READING: October 30, 2012.

PASSED IN SECOND READING: _____.

Attest: _____

Kim Flores
Borough Clerk

Donald McConachie
Mayor

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA ITEM October 30, 2012

ITEM NO. 13b PROPOSED RESOLUTION: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE CONVEYANCE OF PUBLIC TIDELANDS, LOT A, BLOCK A, TRACT C, KELLER TIDELANDS SUBDIVISION, RECORDED AS PLAT #2012-2 WRANGELL RECORDING DISTRICT, BY QUITCLAIM DEED TO STEVE AND HELEN KELLER

INFORMATION:

Attachments

1. Proposed Resolution
2. Resolution #11-09-1179
3. Appraised Value of Lot, Submitted by Appraisal Company of Alaska
4. Map of Public Tideland Property

RECOMMENDED ACTION:

Move to adopt Resolution

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO:

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE CONVEYANCE OF PUBLIC TIDELANDS, LOT A, BLOCK A, TRACT C, KELLER TIDELANDS SUBDIVISION, RECORDED AS PLAT #2012-2, WRANGELL RECORDING DISTRICT, BY QUITCLAIM DEED TO STEVE AND HELEN KELLER

WHEREAS, the Borough Assembly, at their meeting held July 28, 2009 approved the purchase of City submerged tidelands known as Lot 1, Block A, Keller Tidelands Subdivision; and

WHEREAS, the City and Borough of Wrangell authorized disposition of public tidelands located within the Wrangell Tidelands ATS #1513, Wrangell Recording District, on November 10, 2009, by Resolution No. 11-09-1179; and

WHEREAS, the Borough Assembly, at their meeting held June 26, 2012 approved the Final Plat of Keller Tidelands Subdivision; and

WHEREAS, the Borough Assembly has approved the sale of the conveyed Wrangell Tidelands to Steve and Helen Keller, P.O. Box 133, Wrangell, Alaska 99929, for Lot A, Block A, Tract C, Keller Tidelands Subdivision, Recorded as Plat #2012-2, Wrangell Recording District.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

Section 1. The Mayor and Borough Clerk are authorized to execute a quit claim deed to Steve & Helen Keller, to convey the following public tidelands, when full price is paid for:

Lot A, Block A, Tract C, Keller Tidelands Subdivision, Recorded as Plat #2012-2, Wrangell Recording District, Wrangell, Alaska

ADOPTED: _____, 2012

Donald McConachie, Mayor

ATTEST: _____
Kim Flores, Borough Clerk

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO. 11-09-1179

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AUTHORIZING CONDITIONS FOR DISPOSITION OF PUBLIC TIDELANDS CONSISTING OF ONE LOT LOCATED WITHIN LOT 2, BLOCK A, TRACT C, ALASKA TIDELANDS SURVEY 1531

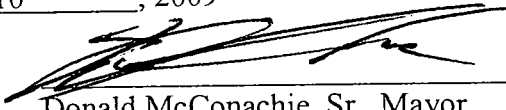
WHEREAS, the City and Borough of Wrangell offers public tidelands consisting of one lot pursuant to Chapter 16.12 Disposition of Public Lands and Tidelands of the Wrangell Municipal Code; and


WHEREAS, the Borough Assembly approved moving forth with the public tidelands sale at their regular meeting held July 28, 2009, with a request for an appraisal and survey.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

1. That the Borough Clerk is authorized to offer one parcel, specifically within Lot 2, Block A, Tract C, Alaska Tidelands Survey 1531, at a public sale, as attached in Exhibit "A".
2. That the purchase shall be ratified by resolution and appropriate form of deed subsequently issued and signed by the Mayor and the Borough Clerk.
3. That the bid submitted shall be accompanied with a twenty-five percent (25%) cash deposit, with the balance paid in full, or by purchase agreement for fifteen years at interest rate of prime plus two (2) points at time of closing.

ADOPTED: November 10, 2009


Donald McConachie, Sr., Mayor

ATTEST: 
Christie L. Jamieson, Borough Clerk

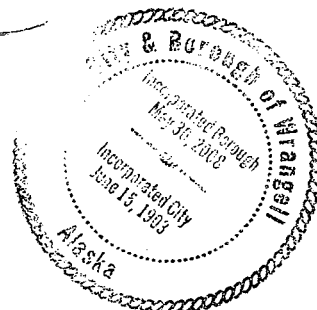


EXHIBIT "A"
RESOLUTION: 11-09-1179

AUTHORIZED PUBLIC TIDELANDS FOR DISPOSITION PROCEEDINGS

Within Lot 2, Block A, Tract C, Alaska Tidelands Survey 1531 located within the First Judicial District, State of Alaska, Wrangell, Alaska

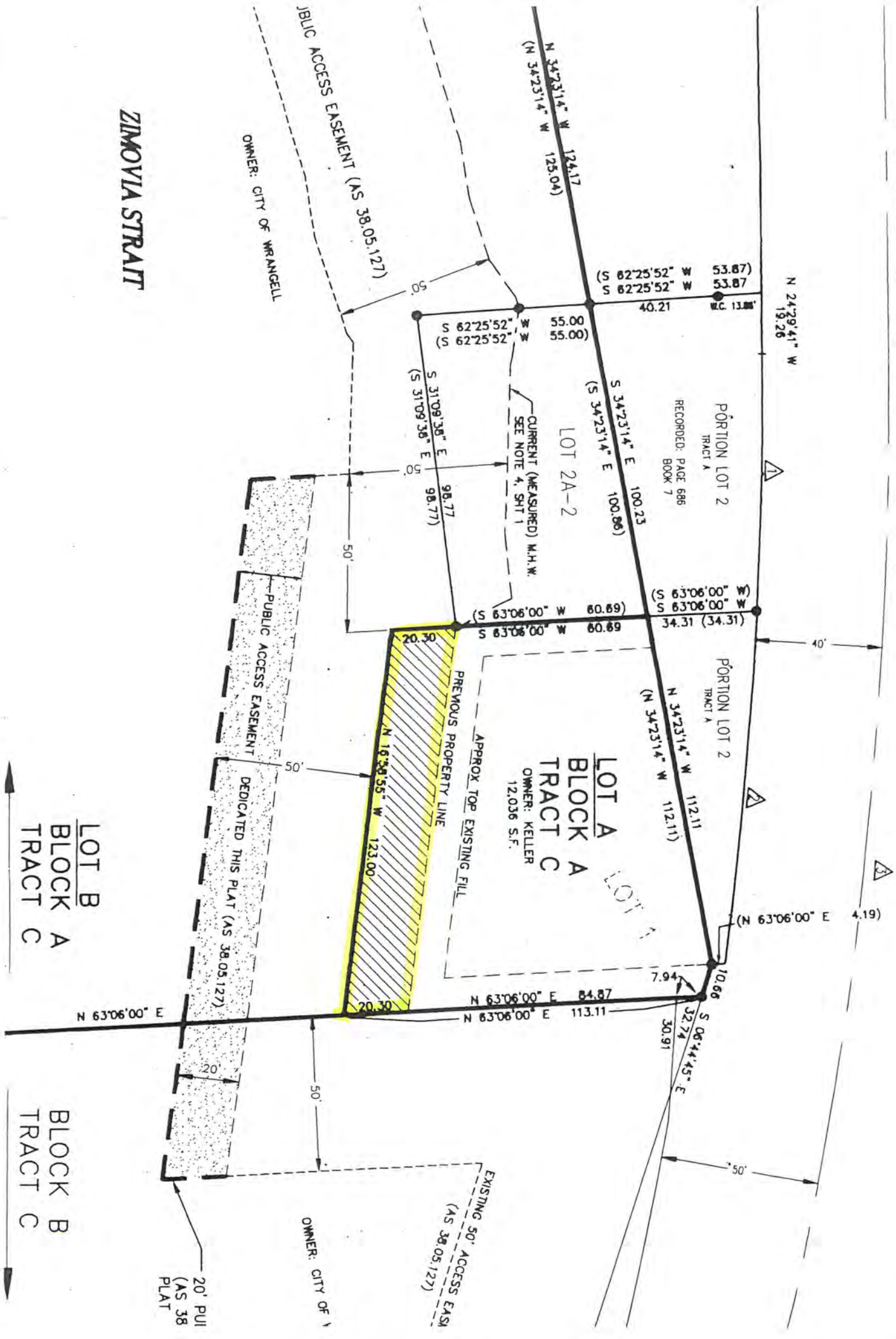
Appraised value of lot (2,460 square feet total) \$3,950

AMOUNT

\$3,950

ZIMOVIA HIGHWAY

ZIMOVIA STRAIT



CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA ITEM October 30, 2012

ITEM NO. 13c PROPOSED RESOLUTION: A RESOLUTION OF THE CITY AND BOROUGH OF WRANGELL ASSEMBLY, WRANGELL, ALASKA, ACCEPTING FROM THE STATE OF ALASKA THE TRANSFER IN OWNERSHIP OF THE MEYERS CHUCK FLOAT HARBOR FACILITY FOR STATE DEFERRED MAINTENANCE FUNDS (\$3,000,000)

INFORMATION:

Attachments

1. Memorandum from Timothy Rooney, Borough Manager dated October 22, 2012
2. Proposed Resolution No. 10-12-1260
3. Meyers Chuck As-Built Drawings

RECOMMENDED ACTION:

Move to adopt Resolution

MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: TIMOTHY ROONEY
BOROUGH MANAGER**

**SUBJECT: RESOLUTION NO. 10-12-1260
MEYERS CHUCK FLOAT SYSTEM
TRANSFER OF OWNERSHIP**

DATE: October 22, 2012

BACKGROUND:

The Meyers Chuck Float System has been somewhat of an issue since Wrangell became a Borough in 2008. In September of that year, former Borough Manager Bob Prunella was contacted by Mr. Michael Lukshin with the Alaska Department of Transportation regarding the desire for local ownership (Wrangell) of the facility rather than state ownership (DOT). The Meyers Chuck Float harbor facility consists of a harbor float, a seaplane float, a grid, a galvanized steel approach and a heliport. In 2008, the State of Alaska developed a cost estimate to bring this harbor facility up to a fair or better condition and thereby address the deferred maintenance condition of the Meyers Chuck Float. That amount was \$1,131,000.

This offer was not pursued by the City and Borough of Wrangell at that time due to several different concerns. The first concern was Wrangell staff not having confidence in the estimate provided by the State of Alaska for the improvements of the float system. The second concern added on to the first concern – that being, if the estimate was too low, how would Wrangell pay for the remaining repairs. Finally, there were also concerns as Wrangell had just become a Borough and we were not fully aware of the desires of the citizens of Meyers Chuck.

Early in 2012, the State once again began to initiate a dialogue regarding the Meyers Chuck Float system and the desire for the City and Borough of Wrangell to take over the ownership of the dock. At that time, the City and Borough of Wrangell's position with DOT was that DOT should improve the dock system (eliminating the possibility of the City and Borough of Wrangell getting stuck with a bill) and then the City and Borough of Wrangell would take over the ownership and maintenance. By the spring, it became evident to staff and Senator Stedman's office that this preferred scenario would not happen anytime soon as the Meyers Chuck Float System did not rate high enough on the state's list of harbors for improvement and that it would likely be years before the State would do anything.

In August, staff (Mr. Meissner, Ms. Rushmore) and Mr. Lukshin met again and also visited the Meyers Chuck Float System. Following that visit, a brief meeting was held over lunch that I also attended. With the above in mind, we were encouraged by Mr. Lukshin to have the Assembly adopt a resolution for the acceptance of the transfer of ownership of the Meyers Chuck Float System in exchange for deferred maintenance funds from the State. This would require

Wrangell to make the repairs once provided the money, but that it would also allow Wrangell to determine the amount of money needed to perform that task. Additionally, if there funds remaining after the improvements were made (if the work came in under budget) Wrangell would be able to keep that money and put it towards the long term maintenance of the Meyers Chuck Float System or other improvements that may be needed in the future. It is both Mr. Lukshin's opinion, and that of Senator Stedman, that this would likely result in funding being included in the State's budget this coming year for that to occur.

Staff worked with PND Engineering to obtain a rapid cost estimate for these improvements. PND Engineering reviewed the State of Alaska's as-built drawings for the Meyers Chuck facility to develop their estimate. That estimate was received on Monday, October 22, 2012 and came in at \$3,000,000. I have placed that figure in Resolution No. 10-12-1260, attached for your information and review, for action by the Borough Assembly. The Department of Transportation would like the resolution no later than mid-November so that they may include it in their submittals for the use of the State of Alaska's deferred maintenance funds.

RECOMMENDATION:

Staff recommends Borough Assembly approval of Resolution No. 10-12-1260.

ATTACHMENTS:

1. Resolution No. 10-12-1260.
2. Meyers Chuck As-Built Drawings

CITY AND BOROUGH OF WRANGELL

RESOLUTION NO. 10-12-1260

A RESOLUTION OF THE CITY AND BOROUGH OF WRANGELL ASSEMBLY, WRANGELL, ALASKA, ACCEPTING FROM THE STATE OF ALASKA THE TRANSFER IN OWNERSHIP OF THE MEYERS CHUCK FLOAT HARBOR FACILITY FOR STATE DEFERRED MAINTENANCE FUNDS (\$3,000,000)

WHEREAS, the State of Alaska built and owns many of the public harbor facilities in Alaska's communities; and

WHEREAS, under State of Alaska ownership, the maintenance and repair of the harbor facilities was minimal; and

WHEREAS, Alaska Statute 35.10.120 provides for the sale of harbor facilities to incorporated areas, so that they may enforce municipal ordinances and legally assess fees to meet maintenance costs; and

WHEREAS, the City and Borough of Wrangell is willing to assume financial and maintenance responsibility for its ownership role; and

WHEREAS, the Meyers Chuck Float Harbor Facility consists of a harbor float, a seaplane float, a grid, and a galvanized steel approach and heliport; and

WHEREAS, local governments are finding that municipal ownership of harbor facilities means that moorage rates to the public must be increased several fold to restore these harbors to good condition; and

WHEREAS municipalities seek financial assistance from the Alaska State Legislature to prevent Alaska's harbor facilities from falling into disrepair; and

WHEREAS an appropriation from the Alaska State Legislature is necessary to complete the intent of this resolution;

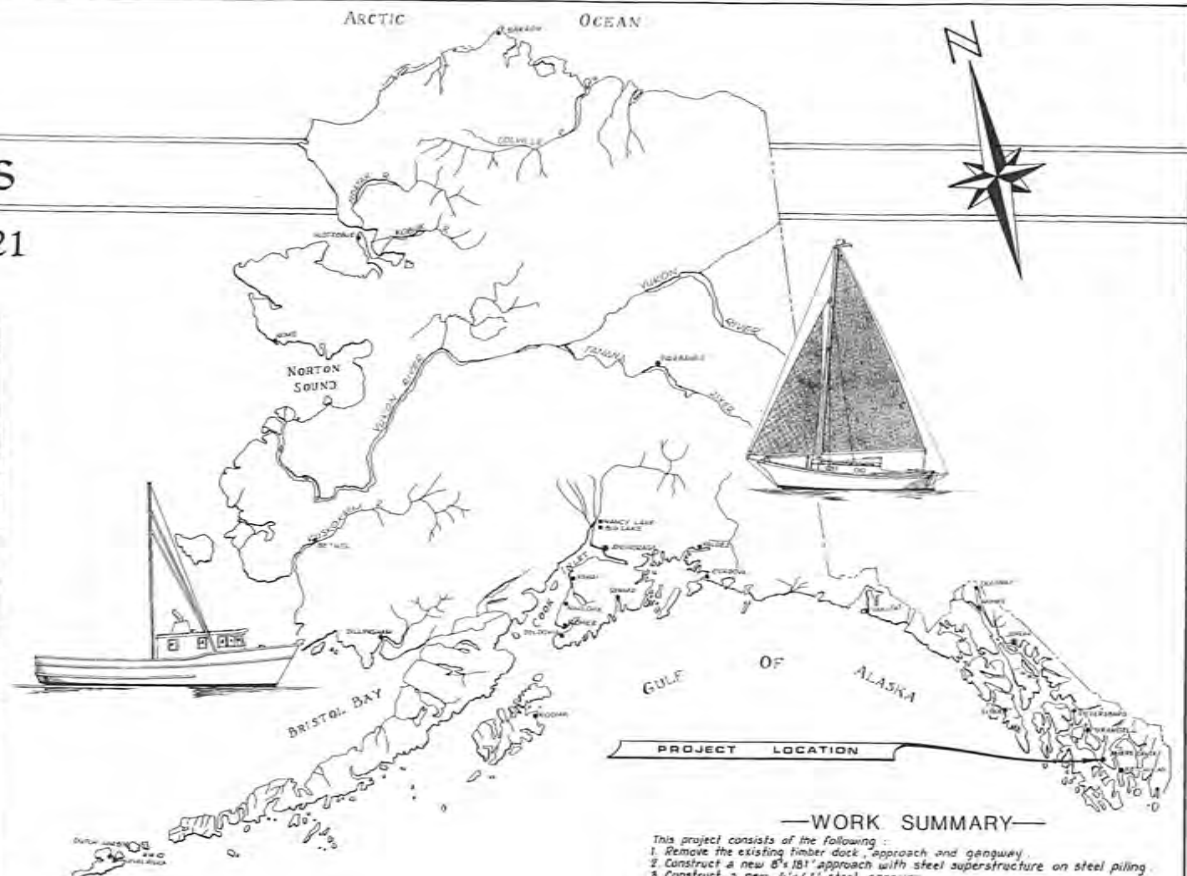
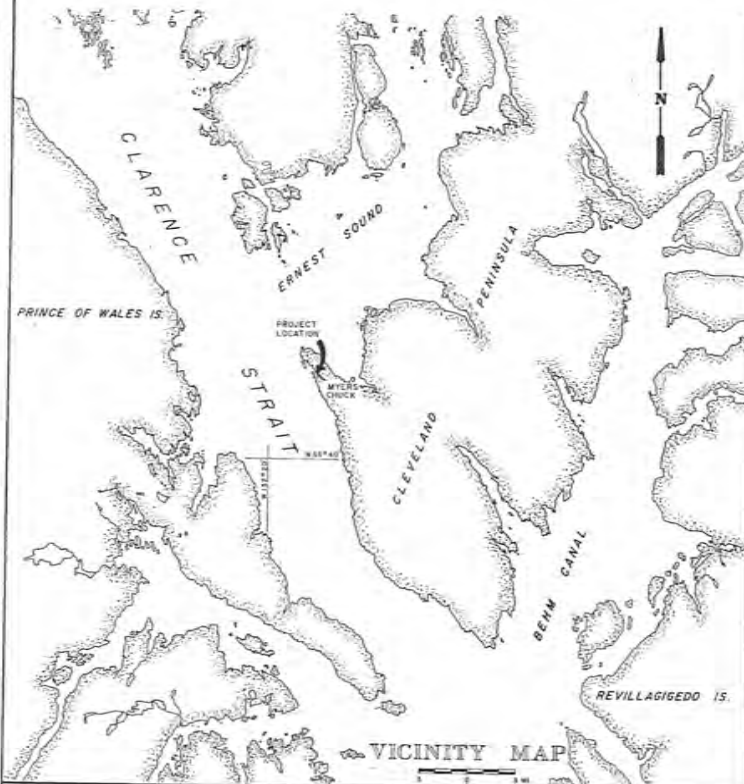
NOW THEREFORE BE IT RESOLVED that the City and Borough of Wrangell accepts transfer of ownership of the Meyers Chuck Float Harbor Facility for the amount of \$3,000,000 in State of Alaska deferred maintenance funds payable to the City and Borough of Wrangell upon transfer of ownership.

ADOPTED: October 30, 2012

Donald J. McConachie, Mayor

ATTEST: _____
Kim Flores, Borough Clerk

MYERS CHUCK HARBOR FACILITIES PROJECT NO. K-31521



—WORK SUMMARY—

- This project consists of the following:
1. Remove the existing timber dock, approach and gangway.
 2. Construct a new 8' x 181' approach with steel superstructure on steel piling.
 3. Construct a new 6' x 61' steel gangway.
 4. Remove 24 deteriorated timber float piles.
 5. Furnish and place 16 steel float piles and 14 steel approach piles.
 6. Perform misc. repairs to existing mooring floats.
 7. Redeck and perform misc. repairs to the existing seaplane float.

AS BUILT

START - MAY 31, 1985
STOP - JULY 9, 1985
CONTRACTOR: GAWSON CONSTRUCTION CO.
PROJECT ENGINEER: MARK HALVORSEN
DATE: JULY 19, 1985

INDEX TO SHEETS

NO.	TITLE	DATE
1	TITLE SHEET	
2	PROJECT LAYOUT	
3	APPROACH DETAILS	
4	GANGWAY - SHT. A	
5	GANGWAY - SHT. B	
6	MISC. DETAILS	
7	SEAPLANE FLOAT & GANGWAY FLOAT DETAILS	

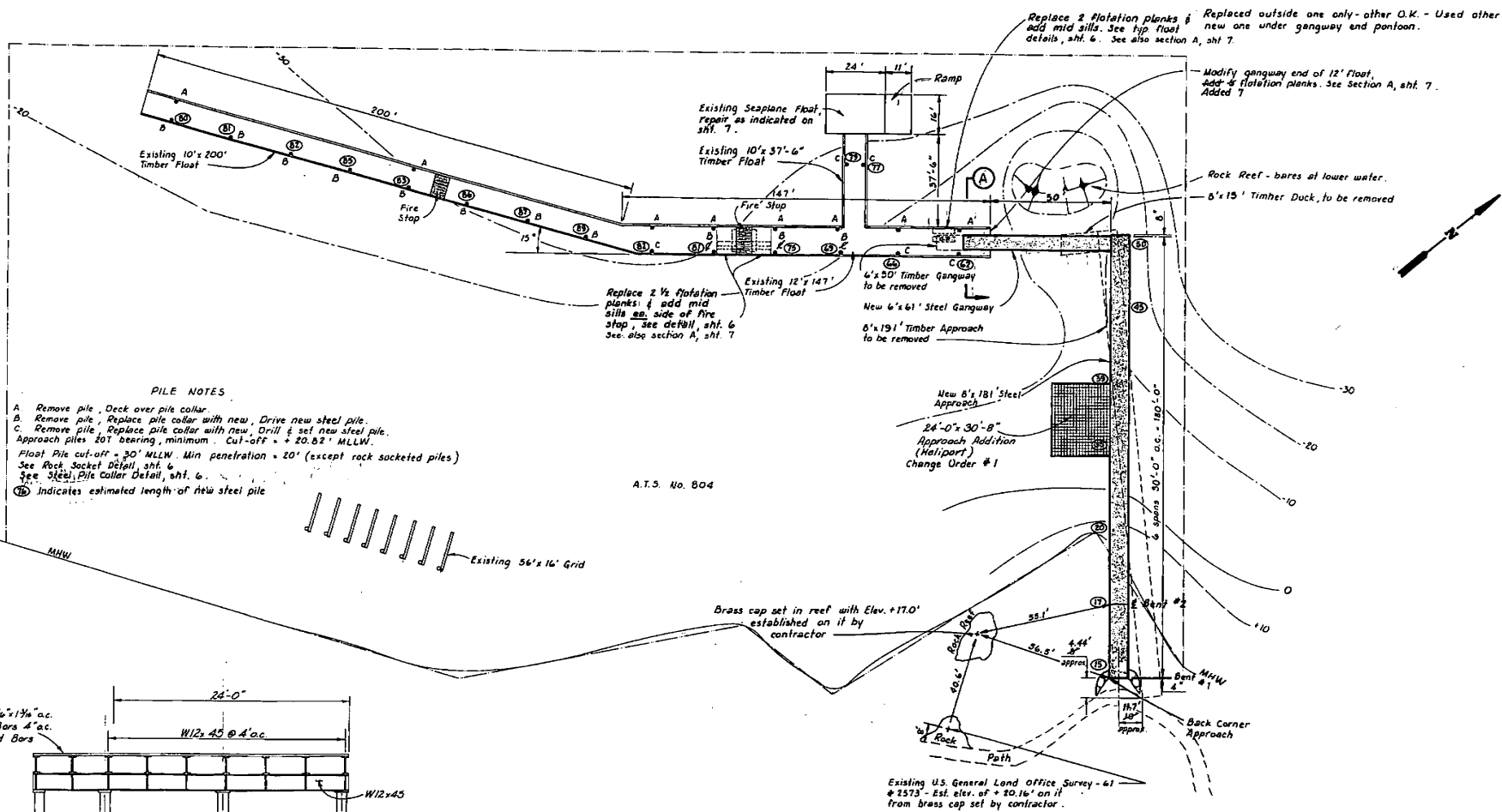
STATE
OF
ALASKA

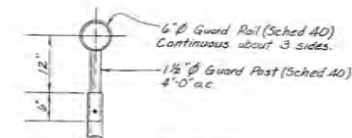
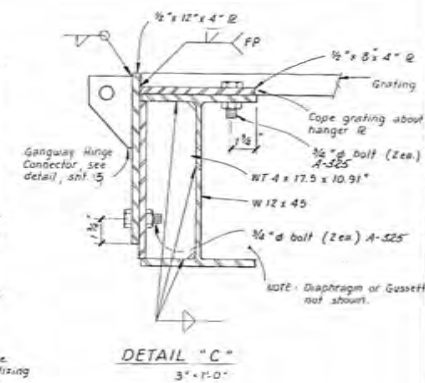
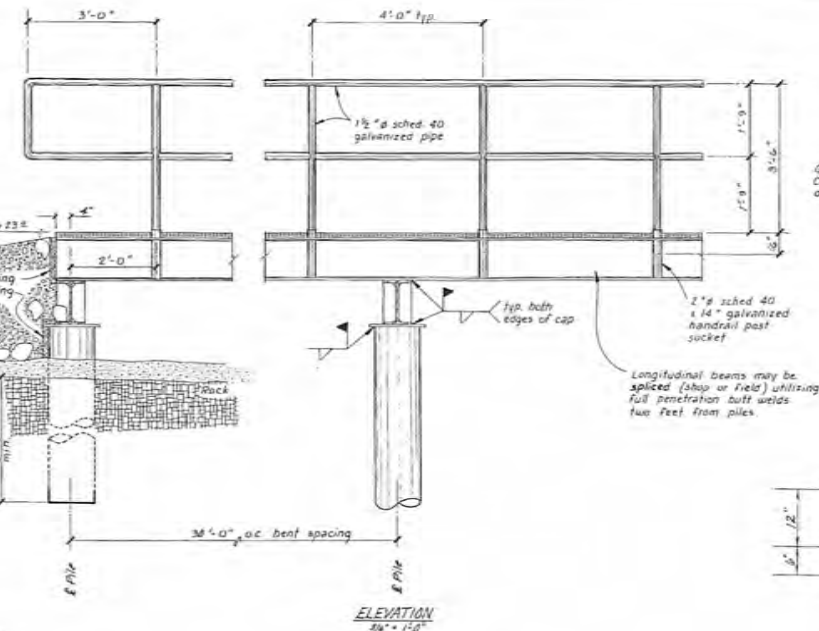
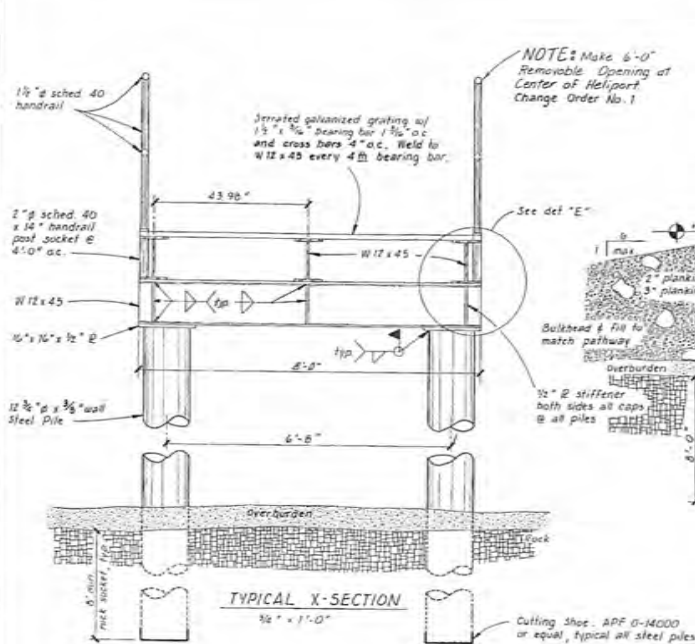
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
S.E. REGION
DESIGN & CONSTRUCTION

APPROVED

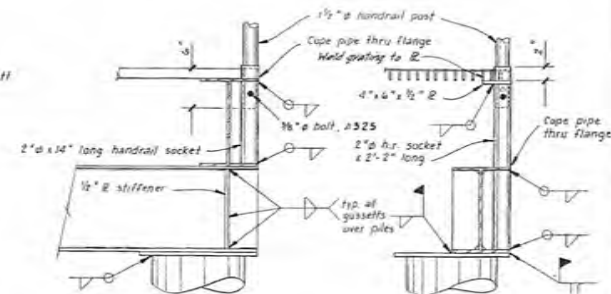
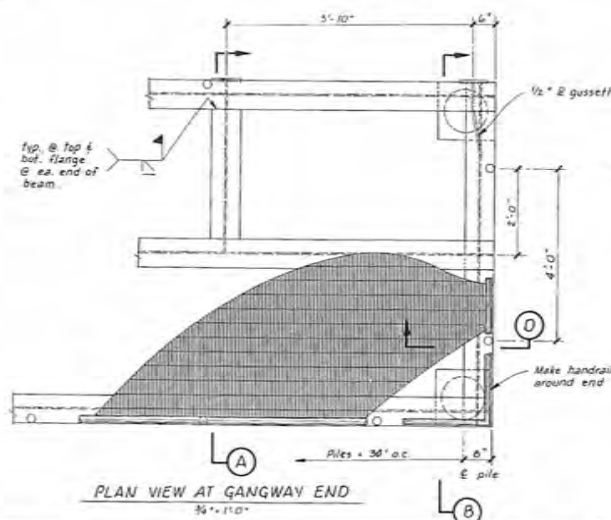
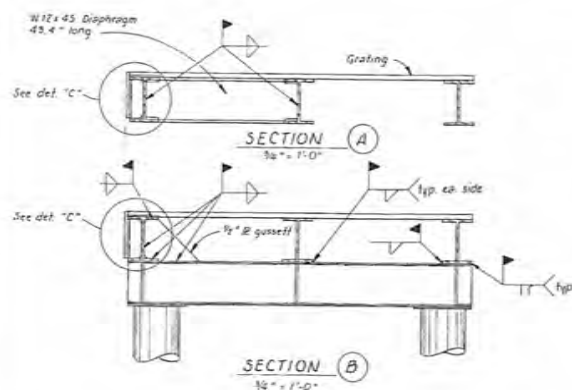
Mark Halvorsen
DIRECTOR S.E. R.C. 11-5-85
RECOMMEND FOR APPROVAL *John O. Brundage* 11/15/85
GROUP DESIGN CHIEF DATE
SHEET 1 OF 7

Attachment #3





HELIPORT GUARD RAIL
(3 SIDES ONLY)
Change Order No. 1

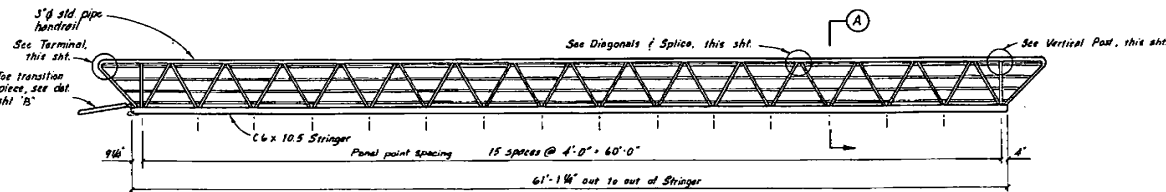


DETAIL "E"
1 1/2" x 1'-0"

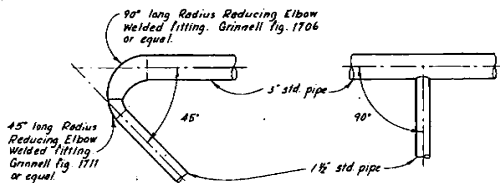
SECTION D
1 1/2" x 1'-0"

DO NOT SCALE THIS DRAWING - USE DIMENSIONS	
STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES	
Myers Chuck Alaska	
APPROACH DETAILS	
DESIGNED JPB	CHECKED JDB
DRAWN TS/CH	DATE 7/04
PROJECT NUMBER K-31521	SHEET 3 OF 7

M.R. 7/9/85

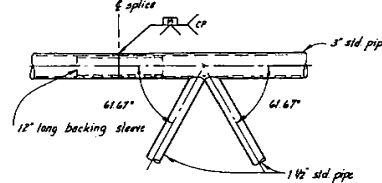


GANGWAY ELEVATION

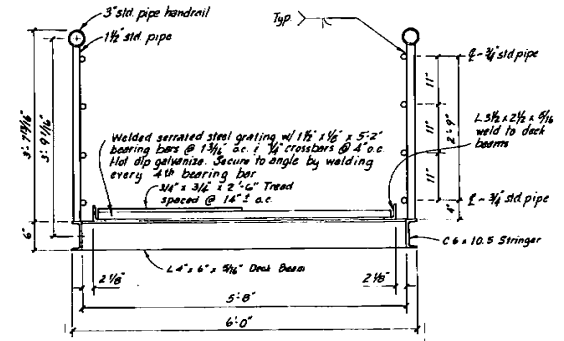


TERMINAL

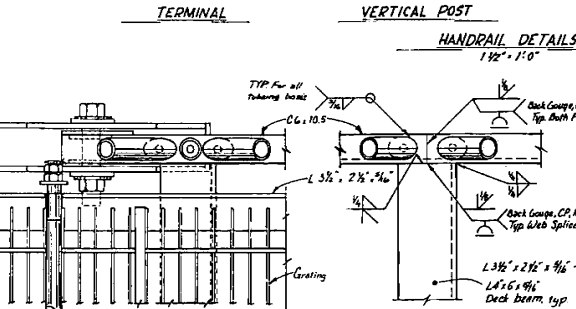
VERTICAL POST



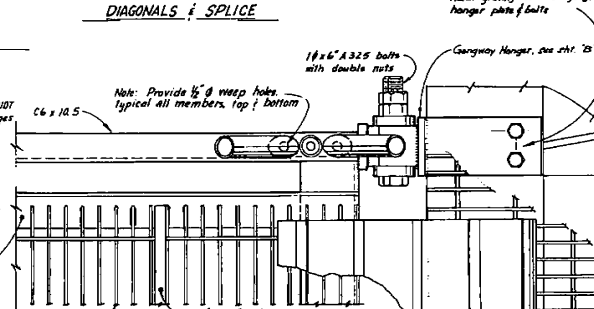
DIAGONALS & SPLICE



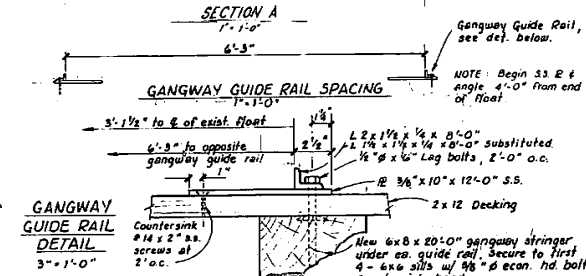
SECTION A



HANDRAIL DETAILS



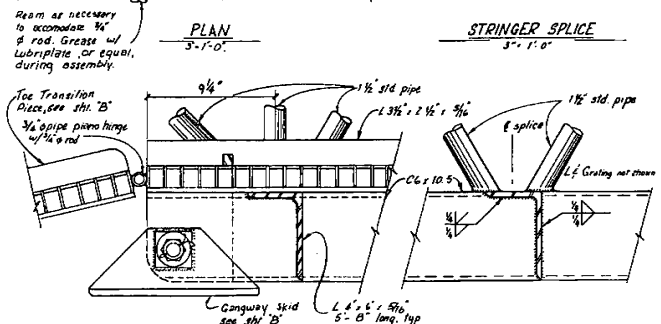
GANGWAY HEAD DETAILS



GANGWAY GUIDE RAIL SPACING

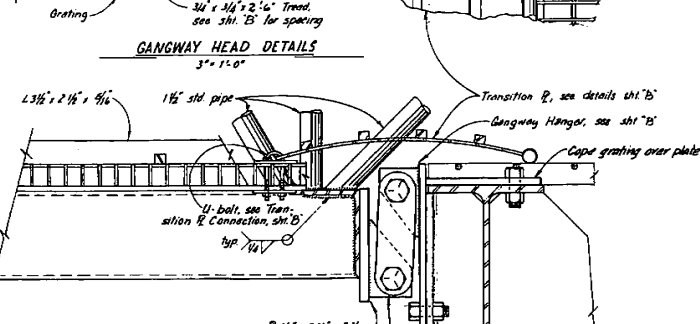
GANGWAY GUIDE RAIL DETAIL

- NOTES
1. Design live load 85 psf.
 2. All seamless pipe shall conform to ASTM A-53, Grade B or ASTM A-500 and shall be galvanized.
 3. All shapes & plates shall conform to ASTM A-36 and shall be galvanized.
 4. Ship disassembled.
 5. No stringer or pipe splices may be located in middle 3/5 of gangway.
 6. Hot dip Galv. all steel components after fabrication.
 7. Fabricator is to pre-assemble all components to assure proper fit.



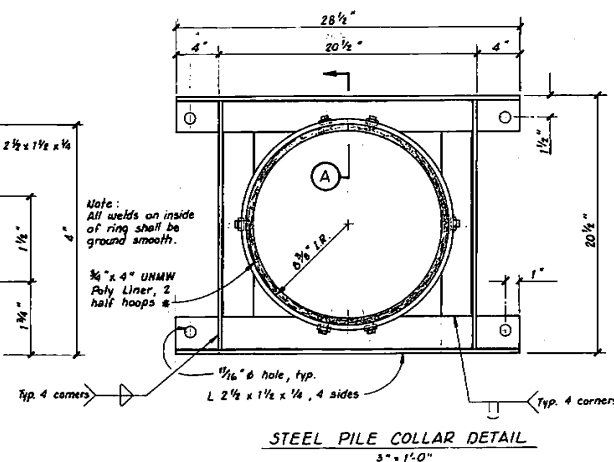
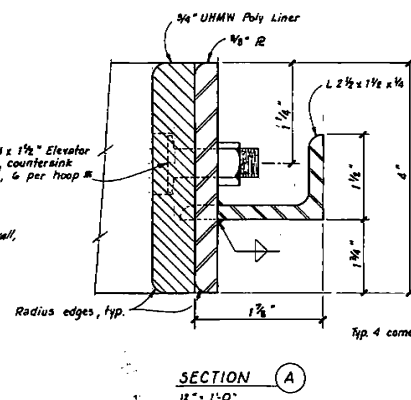
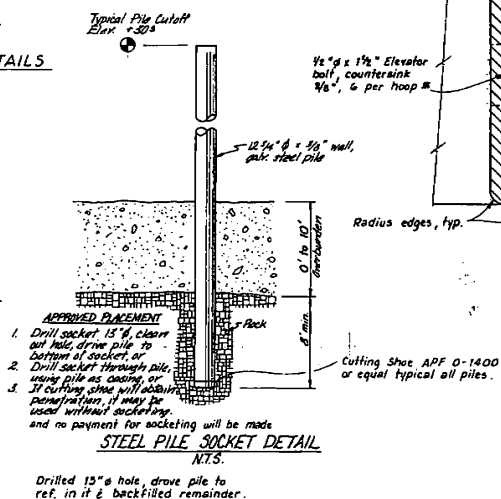
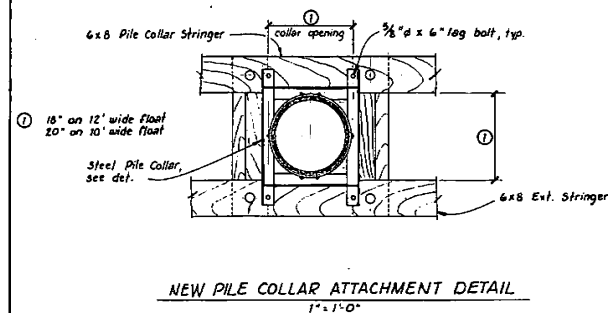
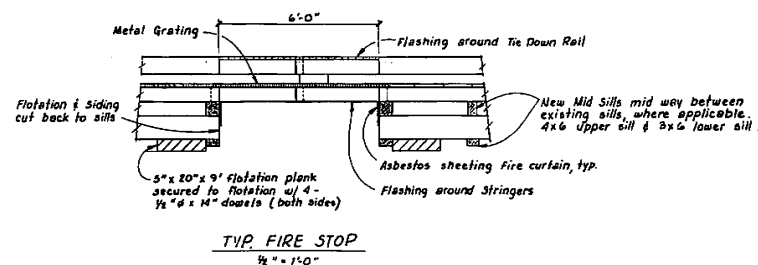
PLAN


STRINGER SPLICE



SECTIONAL ELEVATIONS

<p>STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES DESIGN AND CONSTRUCTION</p>	
<p>Myers Chuck</p>	<p>6' x 61'-0" STEEL GANGWAY SHEET A</p>
<p>SCALE: As Noted DESIGNED: RML/LB CHECKED: DATE 6-84 PROJECT NUMBER: K-31521</p>	<p>APPROVED: DATE 6-84 SHEET 4 OF 7</p>



	DO NOT SCALE THIS DRAWING - USE DIMENSIONS		
	STATE OF ALASKA		
	DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		
	Myers Chuck		Alaska
MISCELLANEOUS DETAILS			
DESIGNED <u>RPD</u>	CHECKED <u>JDB</u>	DRAWN <u>T.S.</u>	DATE <u>6/84</u>
PROJECT NUMBER <u>K-31521</u>		SHEET <u>6</u> OF <u>7</u>	

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA ITEM October 30, 2012

ITEM NO. 13d Approval of Bid Received to furnish petroleum products for the City & Borough of Wrangell, Wrangell Public Schools, and the Wrangell Medical Center

INFORMATION:

Attachments

1. Memorandum from Jeff Jabusch, Finance Director, dated October 24, 2012
2. Bids from Wrangell Oil, Inc., and Delta Western, Inc.
3. Advertisement for Fuel Bids

RECOMMENDED ACTION:

Move to approve Delta Western as the fuel provider for the City and Borough of Wrangell, Wrangell Public Schools and the Wrangell Medical Center for the period of November 1, 2012 through October 31, 2013, for an estimated amount of \$528,494.00 and a discount off the posted price of \$0.20 per gallon for all types of fuel.



City & Borough of Wrangell
P.O. Box 531
Wrangell, AK 99929
907-874-2381

Memorandum

Date: October 24, 2012

To: Wrangell Assembly
Tim Rooney, Borough Manager

Cc: Wrangell Public Schools
Wrangell Medical Center

From: Jeff Jabusch, Finance Director

Subject: Fuel Bids

On October 24th our annual fuel bids were opened and we received two bids as follows:

Delta Western, Inc.	\$528,494.00
Wrangell Oil, Inc.	\$568,146.00

The bids are based on historical estimates of fuel usage. The bidders then provide a discount to their current posted price and come up with the current bid price used to calculate their bid. The discount amount is then applied to all deliveries throughout the bid period.

We have attached a copy of the bids.

Recommended Motion:

Move to approve Delta Western, Inc. as the fuel provider for the City and Borough of Wrangell, Wrangell Public Schools and the Wrangell Medical Center for the period of November 1, 2012 through October 31, 2013 for an estimated amount of \$528,494 and a discount off the posted price of \$0.20 per gallon for all types of fuel.



420 L Street, Ste. 101
Anchorage, AK 99501
Toll Free: (800) 478-2688
Tel: (907) 276-2688
Fax: (907) 276-3741

**BID PROPOSAL FORM
FURNISHING PETROLEUM PRODUCTS**

To: City of Wrangell
Attn: City Clerk
206 Brueger or Box 531
Wrangell, AK 99929

Date: October 24, 2012

The undersigned hereby certifies that Tyman Comstock has personally read and understands the general provisions to furnish petroleum products and at the following unit prices.

ITEM	ESTIMATED QUANTITY (GALLONS)	DESCRIPTION	CURRENT POSTED PRICE 200-400 GALLONS	DISCOUNT AMOUNT PER GALLON	PER GALLON BID PRICE	ESTIMATED ANNUAL BID BASED ON (BID PRICE X ESTIMATED QUANTITY)
1	115,000	#2 HEATING OR #2 DIESEL FUEL	\$4.15	\$0.20 per gallon	\$3.95	\$454,250.00 ✓
2	1,200	#1 HEATING FUEL	\$4.32	\$0.20 per gallon	\$4.12	\$4,944.00 ✓
3	18,000	UNLEADED GASOLINE	\$4.05	\$0.20 per gallon	\$3.85	\$69,300.00 ✓
TOTAL						\$528,494.00 ✓

Bases of Bid Selection:

The bid will be awarded based on the extension and total estimated prices at the time of this bid. It is understood that fuel prices may fluctuate throughout the year and the unit price could change. In the event that this occurs, the price charged will be the posted (or listed) price for the day of the delivery less the bid discount (current posted price at time of bid). It will be the responsibility of the bidder to supply justification of prices charged during the life of the contract when requested.


Signature

10-24-12
Date

BID PROPOSAL FORM
FURNISHING PETROLEUM PRODUCTS

TO:

CITY OF WRANGELL
ATTN: CITY CLERK
206 BRUEGER OR (BOX 531)
WRANGELL, ALASKA 99929

The undersigned hereby certifies that Bill Pruett has personally read and understands the general provisions and proposes to furnish petroleum products in the following quantities and at the following unit prices:

ITEM	ESTIMATED		CURRENT	DISCOUNT	PER	ESTIMATED ANNUAL BID BASED ON : (BID PRICE X ESTIMATED QUANTITY)
	QUANTITY	DESCRIPTION	POSTED PRICE <u>200-400</u> GALLONS	AMOUNT PER GALLON	GALLON BID PRICE	
1.	115,000	#2 HEATING OR #2 DIESEL FUEL	<u>4.43</u>	<u>-.20</u>	<u>4.23</u>	\$ <u>486,450.00</u> ✓
2.	1,200 GAL.	#1 HEATING FUEL	<u>4.53</u>	<u>-.20</u>	<u>4.33</u>	\$ <u>5,196.00</u> ✓
3.	18,000	UNLEADED GASOLINE	<u>4.35</u>	<u>-.10</u>	<u>4.25</u>	\$ <u>76,500.00</u> ✓

BASES OF BID SELECTION

TOTAL

\$ 568,146.00 ✓

THE BID WILL BE AWARDED BASED ON THE EXTENSION AND TOTAL ESTIMATED PRICES AT THE TIME OF THIS BID. IT IS UNDERSTOOD THAT FUEL PRICES MAY FLUCTUATE THROUGHOUT THE YEAR AND THE UNIT PRICE COULD CHANGE. IN THE EVENT THAT THIS OCCURS, THE PRICE CHARGED WILL BE THE POSTED(OR LISTED) PRICE FOR THE DAY OF THE DELIVERY LESS THE BID DISCOUNT (CURRENT POSTED PRICE AT TIME OF BID LESS ACTUAL BID PRICE AT TIME OF BID). IT WILL BE THE RESPONSIBILITY OF THE BIDDER TO SUPPLY JUSTIFICATION OF PRICES CHARGED DURING THE LIFE OF THE CONTRACT WHEN REQUESTED.

SIGNATURE

DATE

FROM:

Wrangell Oil Inc.
P.O. Box 776
Wrangell, AK 99929
874-3276

10/19/12

City and Borough of Wrangell

Invitation to Bid

Furnish Petroleum Products

The City and Borough of Wrangell will receive sealed bids until 2:00 P.M., Wednesday, October 24, 2012 at the office of the City Clerk, 205 Brueger Street, Wrangell, Alaska 99929 at which time the bids will be opened and publicly read.

This invitation to bid is to contract with a supplier, the furnishing of diesel, fuel oil and gasoline petroleum products for the City and Borough of Wrangell, Wrangell Public Schools, and the Wrangell Medical Center.

Provisions to the proposed contract and Bid Proposal Form may be obtained at the Office of the Finance Director, 205 Brueger Street, or Box 531, Wrangell, Alaska 99929.

The City and Borough of Wrangell reserves the right to reject any and all bids and to waive informalities in the best interest of the City of Wrangell.

City and Borough of Wrangell
Jeff Jabusch, Finance Director

Publish October 18th, 2012

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA ITEM October 30, 2012

ITEM NO. 13e **Consideration and Appropriate Action relating to the Renewal of the Contract for Legal Services for Hoffman & Blasco, LLC**

INFORMATION:

Attachments

1. Memo from Manager Timothy D. Rooney, dated October 22, 2012
2. Proposed Legal Services Agreement, dated September 21, 2012
3. MOA for Legal Services (2008)

RECOMMENDED ACTION:

Move to approve the proposed Contract for Legal Services for Hoffman & Blasco, LLC.

MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: TIMOTHY ROONEY
BOROUGH MANAGER**

SUBJECT: REVIEW OF LEGAL SERVICES PROPOSALS

DATE: October 22, 2012

BACKGROUND:

Attached, for your information and review, is a proposal received from Mr. Bob Blasco with Hoffman & Blasco, LLC for the continuation of providing legal services for the City and Borough of Wrangell. As you are aware, Hoffman and Blasco have been providing legal services first to the City of Wrangell, then the City and Borough of Wrangell, since 2008.

The proposed changes in the Legal Services Agreement are as follows:

- Increasing the hourly rate from \$175 per hour to \$180 per hour. Hoffman and Blasco's rate has remained the same for 5+ years. At \$180 per hour, this would continue to be a discounted rate that he provides (\$180 per hour vs. \$225-250 per hour)
- Hourly work for Wrangell Medical Center to be set at \$225 per hour effective November 1, 2012. Pre-2007, when Mr. Blasco represented WMC, this rate was \$200. The proposed rate by Mr. Blasco is less than half what WMC has been paying to an out-of-state firm.
- Adds two trips to Wrangell per year – one for Assembly and one for WMC Board.
- Availability to conduct special training sessions for Assembly, staff, WMC Board, or the public at \$180 per hour.

Please note the retainer fee of \$3,333.33 per month is not proposed to change. I have attached the proposed Legal Services Agreement for your information and review.

RECOMMENDATION:

Staff recommends Borough Assembly approval of the proposed Legal Services Agreement. If approved by the Borough Assembly, this agreement would be in effect until October 31, 2014.

ATTACHMENT:

1. Proposed Legal Services Agreement
2. MOA for Legal Services (2008)

HOFFMAN & BLASCO, LLC

JUNEAU OFFICE

ATTORNEYS AT LAW

**ANCHORAGE & CRAIG
OFFICES**

9360 GLACIER HIGHWAY
SUITE 202
JUNEAU, ALASKA 99801
PHONE: (907) 586-3340
FACSIMILE: (907) 586-6818

PO BOX 809
CRAIG, ALASKA 99921
PHONE: (907) 826-2453

ROBERT P. BLASCO

PAUL M. HOFFMAN
ROBERT P. BLASCO
MARY HUNTER GRAMLING

September 21, 2012

Tim Rooney,
Borough Manager
City & Borough of Wrangell
P.O. Box 531
Wrangell, Alaska 99929
Ph: 907-874-2381
Fax: 907-874-3952

Re: Amendment to Legal Services Agreement

Dear Tim:

We consider it an honor and privilege to serve the Borough as borough attorneys. The present association with our firm began in 2008 with our former associate, Amy Gurton Mead. The Assembly has extended that agreement with us since that time.

It seems a logical time to re-affirm our commitment to the Agreement dated April 15, 2008, with some modifications due to the passage of time and the course of events during the last two years.

We propose to continue the Agreement entered with Ms. Mead, with the following modifications:

1. The firm is now: Hoffman & Blasco, LLC.
2. I will be the responsible attorney for all work. With your concurrence, Paul Hoffman and Mary Hunter Gramling will also assist on Wrangell matters, as well as our paralegal, Alison Foreman.
3. To our knowledge, we do not do represent the Borough in criminal matters as those matters are handled by the State District Attorney, and so our Agreement should not include criminal matters.
4. Our regular hourly rate for partners is \$250.00 an hour. Our regular hourly rate for general municipal work for clients for whom we are the City or Borough Attorney is \$180.00 per

hour. Our regular rate for special projects for municipalities for whom we are not the City or Borough Attorney is \$225.00, which includes projects where we are representing the Borough's municipally owned medically facility. As the rate for the Borough has remained \$175.00 per hour for nearly five years, we propose to amend that agreement to change the hourly rate for Borough special projects to \$180.00 per hour beginning November 1, 2012. (The \$175.00 rate used by Ms. Mead was also an associate, not partner, rate). The current special projects, not including the WMC general counsel work addressed below, are the new hospital construction related representation and representation in *Wrangell v. Selle-Rea, et.al.*, *1WR-12-55*. We would agree to maintain the \$180.00 per hour rate for future litigation related matters.

5. As we are now doing all the general counsel work for the Wrangell Medical Center as a special project under the Agreement, we propose that the hourly rate for the WMC work be at \$225.00 beginning November 1, 2012. During the years we represented the WMC when Brian Gilbert was the Administrator, (pre-2007), our rate was \$200.00. The proposed special project rate of \$225.00 is less than half of what the WMC has been paying for legal services since the change of Administrators after Mr. Gilbert retired.
6. We would add two trips to Wrangell per year for which we will pay the travel, one for an Assembly meeting and one for a WMC Board meeting, to be mutually agreed upon as to the time when each would want me to attend to coordinate schedules.
7. We would be available to conduct training sessions for the Assembly, Borough staff, or the WMC Board at the special project rate (\$180.00 per hour), plus the expenses, as requested by you, and with coordination of time and schedules.

We view these proposed modifications as fair and intended to continue our commitment to the Wrangell community for a long time.

Please let me know if you have any questions. If the modifications above are acceptable to you and the Assembly, you can sign below and we will consider the April 15, 2008 agreement to continue except as modified above.

Sincerely,

Robert P. Blasco

AGREED TO this _____ day of _____, 2012.

Tim Rooney, Borough Manager, as approved by the Borough Assembly

COPY

MEMORANDUM OF AGREEMENT
FOR
CITY ATTORNEY SERVICES

THIS AGREEMENT is made and entered into this 15th day of April, 2008, by and between the **City of Wrangell, Alaska**, hereinafter referred to as *City*, and the law firm of **Hoffman, Silver, Gilman & Blasco, PC.**, hereinafter referred to as the *Contractor*. The parties agree as follows:

I. Nature of Employment

A. The City retains and employs Amy Gurton Mead, hereinafter referred to as *Attorney*, of the law firm of Hoffman, Silver, Gilman & Blasco, PC, to act under the title of "City Attorney," as attorney for the City, to render to the City and its authorized officers all legal advice, to represent the City and its authorized officers, during and throughout the continuance of this agreement, in all matters brought by or against the City, that may be pending or that may hereafter be instituted, in any courts in the State of Alaska, in the courts of the United States located within the State of Alaska, and before all administrative agencies and departments of the government, and to prepare all contracts, to undertake all collections as requested, and to render legal opinions and all other services the City or any of its authorized officers may request or require.

B. The City Manager will assign individual projects to the Attorney by written letter or memorandum. In the event verbal requests must be made due to time constraints, written confirmation will follow.

C. The City shall have access to the Attorney's entire file on any matter assigned to the Attorney.

II. Scope of Work

A. The Attorney shall represent the City in all civil and criminal proceedings except those matters which may be assigned by the City Council to independent counsel. The City shall pay a monthly retainer. This retainer assures that all resources of the office of the Attorney will be available to the City at any time, and that the City's legal problems will receive priority over all other work of the Attorney. It is anticipated that the Attorney will provide approximately twenty (20) hours per month of professional services to the City under this contract. In addition, the Attorney will restrict her practice and that of any employees or associates so that clients are not represented who have legal conflicts with the City. The City will pay an hourly fee for each hour expended on specific legal activities so designated and authorized by the City Council. All miscellaneous matters not specifically designated by the City shall be construed as compensated by the monthly retainer. In-house consultation is included in the retainer, unless specific charges are agreed to by the City and the Attorney.

B. Requests for attorney services shall be authorized by the Mayor or the City Manager, with the approval of the City Council required for all specifically designated matters that are designated by the Council as falling outside the scope of the retainer. All matters of routine nature can be authorized by the City Manager, such as ordinances, resolutions, etc. This will ensure that the Attorney is not used inefficiently, that she does

not become unwittingly involved in matters of policy as opposed to legal matters, and that she does not become an advocate for differing factions within the City government. For the same reasons, it is intended that the Attorney not be asked to participate in every council meeting. When legal issues are anticipated at a council meeting, and the Council so requests, the Attorney agrees to be available as needed.

C. Every effort shall be made to avoid conflicts. The Attorney shall have the right and obligation to disqualify her office from participation in any matter which would result in a conflict of interest, or the appearance of a conflict. Outside counsel would be retained on such matters by the City at its sole expense, with the approval of the City Council, without reduction of the basic monthly retainer of the contractor.

D. In the event that particular matters, in the judgment of the Attorney, require assignment to or participation with attorneys or other professionals of a particular expertise, assignment or association will be made at the City expense with City Council approval. Such consent will not be unreasonable withheld. The Attorney shall be solely responsible for the case management of any item so assigned or referred.

E. All expenses incurred by the Attorney or her firm on City business will be billed directly to the City. Such items include, but are not limited to: specific secretarial, copying, postage expenses, travel, per diem, conferences, depositions, etc., when incurred on City business. Expenses so incurred will be paid in addition to the monthly retainer fee.

F. Upon City's request, Attorney shall attend four (4) city council meetings, each contract year, at no additional expense to the City.

G. The Attorney shall submit itemized monthly billings broken down into tenths of an hour describing work actually performed. This contract may be renewed from year to year by execution of a written amendment to the contract by the parties.

H. The Contractor shall maintain an errors and omissions policy in the amount of not less than ONE MILLION AND NO/100 DOLLARS (\$1,000,000).

III. Compensation

As compensation for services to be rendered by Attorney under this agreement, the City shall pay to Attorney a retainer in the sum of Three Thousand, Three Hundred Thirty-Three Dollars, and Thirty-Three Cents (\$3333.33) per month. In addition to the monthly retainer, City will pay a fee of One Hundred Seventy-Five Dollars (\$175.00) per hour plus costs for each hour Attorney expends on specific legal activities so designated and authorized by the City together. Legal aide expenses shall be billed at Seventy-Five Dollars (\$75.00) per hour. City shall not be billed for Attorney's travel time. All miscellaneous matters not specifically designated by City shall be construed as compensated for by the monthly retainer.

IV. Amendment

The parties may amend this contract only by written agreement signed by the City and Attorney.

V. Term

This contract shall become effective **May 1, 2008** and shall expire **April 30, 2009**. This contract may be renewed from year to year following an annual evaluation,

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA ITEM October 30, 2012

ITEM NO. 14

ATTORNEY'S FILE:

- a. Invoice is attached.