

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

### November 12, 2014 – 7:00 p.m.

### Location: Assembly Chambers, City Hall

### 1. CALL TO ORDER

- a. PLEDGE OF ALLEGIANCE led by Assembly Member Steve Prysunka
- b. INVOCATION to be given by a member of the Baha'i Faith
- c. CEREMONIAL MATTERS Community Presentations, Proclamations, Certificates of Service, Guest Introductions
  - i. Recognition to Carl Johnson, Public Works Director for the Alaska Rural Water Association's 2014 Source Water Protection System of the Year to the City of Wrangell.

### 2. ROLL CALL

### 3. AMENDMENTS TO THE AGENDA

### 4. CONFLICT OF INTEREST

### 5. CONSENT AGENDA

a. Items (\*) 6a, 7a, 7c, and 7d

### 6. APPROVAL OF MINUTES

\*a. Minutes of the Special Assembly meeting held October 24, 2014; Minutes of the Regular Assembly meetings held October 28, 2014

### 7. COMMUNICATIONS

\*a Correspondence from Max Florschutz, regarding Municipal Internet Access and Wrangell Telecommunications

- \*b Gaming Permit Application from Alaska Scholastic Clay Target Program
- \*c Minutes of the Economic Development Committee mtg. held May, 2014
- \*d Public Notice (POA-2014-436) of an Application for Permit received from George Woodbury to the US Army Corps of Engineers

### 8. BOROUGH MANAGER'S REPORT

### 9. BOROUGH CLERK'S FILE

### **10. MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS**

a. Reports by Assembly Members

### **11. PERSONS TO BE HEARD**

### **12. UNFINISHED BUSINESS**

a. Approval of the Wrangell Capital Project Requests for FY 2015-16 (*postponed from the October 28, 2014 Regular Assembly Meeting*)

### **13. NEW BUSINESS**

- a. Approval for Engineering Services and to purchase a new Digital Excitation System for the Light Plant
- b. PROPOSED RESOLUTION No. 11-14-1307: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, VOIDING THE WARD REPLAT, PLAT #2008-3
- c. Approval of a Budget Amendment in the Sanitation Collection Budget to purchase additional dumpsters

### **14. ATTORNEY'S FILE**

### **15. EXECUTIVE SESSION**

### **16. ADJOURNMENT**

## Agenda Items 1 - 6

### **CITY & BOROUGH OF WRANGELL**

### BOROUGH ASSEMBLY AGENDA ITEM November 12, 2014

### 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 Steve Prysunka
- b. Invocation to be given by a member of the Baha'i Faith
- c. Ceremonial Matters Community Presentations, Proclamations, Certificates of Service, Guest Introduction
  - i. Recognition to Carl Johnson, Public Works Director for the Alaska Rural Water Association's 2014 Source Water Protection System of the Year to the City of Wrangell.

### 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 under Unfinished Business.

### **RECOMMENDED ACTION:**

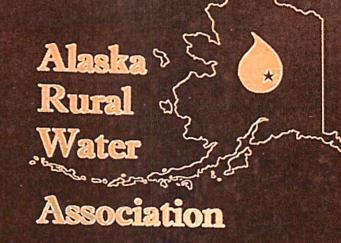
Move to approve those Agenda items listed under the Consent Agenda and those marked with an asterisk (\*) Items:

\*6a, 7a, 7b, 7c, and 7d

### **ITEM NO. 6 APPROVAL OF MINUTES:**

**INFORMATION:** 

*6a* Minutes of the Special Assembly meeting held October 24, 2014; Minutes of the Regular Assembly meetings held October 28, 2014



### SOURCE WATER PROTECTION SYSTEM OF THE YEAR

2014

## City of Wrangell

In recognition of the city's commitment to protecting their watershed both in land use efforts to protect their water source and community involvement.

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### Minutes of Special Assembly Meeting Held October 24, 2014

Mayor David L. Jack called the special assembly meeting to order at 12:00 p.m., October 24, 2014, in the Assembly Chambers. Assembly Members Decker, McCloskey, Mitchell, Rooney, and Blake were present. Assembly Member Prysunka was absent but participated telephonically. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

### **CONFLICT OF INTEREST**

There were no conflicts of interest declared.

### PERSONS TO BE HEARD

*Stephen Todd, 11.2 Mile Zimovia Hwy.*, spoke in opposition to intervening in the Big Thorne Timber Sale lawsuit.

*Marlene Clarke, Box 1020*, spoke in opposition to the City spending public money to intervene and to paying a lawyer's fees to do so.

### **ITEM OF BUSINESS**

**5a** Approval to join as an intervener in the Big Thorne Timber Sale lawsuit *M/S: Blake/Decker, Move to join as an intervener in the Big Thorne Timber Lawsuit.* 

In response to Assembly Member Mitchell, Manager Jabusch stated that as far as time goes, last Friday the original intervention was filed; since then, Ketchikan (City & Borough) was looking at joining the intervention; sometime within the next week or so, those who had filed the intervention would look into filing an amendment.

In response to Assembly Member McCloskey, Jabusch said that he thought that the City of Craig and that Ketchikan (City & Borough) were the only "Cities" that have joined (or wanted to join) in the intervention.

Assembly Member Blake stated that he did not like what clear cutting did to the land; should be required to clean up and re-plant; if the sale did not go through, it would affect our community directly; affects AP&T, Samson Tug and Barge, and AML; wants to support but has a hard time spending the \$5,000; would support as filing an Amicus Brief, as a friend of the court.

Assembly Member Decker stated that she supports getting more value and jobs out of our timer in our communities; do not have large scale companies anymore; one small company on Prince of Whales Island; smaller mills in the region; Forest Service has changed their management process since the '90's; they take the time to take into consideration, all of the concerns that are out there before they put out a timber sale; decisions should be made based on sound science. Decker stated that she was in support of intervening.

Assembly Member Mitchell stated that if you do not harvest the natural resources, Mother Nature will take it over. Mitchell stated that he would vote to intervene.

Assembly Member McCloskey stated that we need production; need to have the log cutting done here; should clean the clear cuts up after logging. McCloskey stated that we need to be in support of this.

Assembly Member Blake stated that it was his understanding that as an intervener, we pay the \$5,000 and that's it; as a friend of the court we could actually submit our brief and state our opinion.

Assembly Member Decker explained that as an intervener, there would be a \$5,000 fee to join; however, we would be able to put in our comments for our community and we could continue to comment as the case moved forward; also, if there were any attempts to settle, we would be at the table and be a part of that process; as an Amicus Brief, more people were accepted in, but you get only one comment - only one shot at what you want to say.

Assembly Member Prysunka (telephonically) thanked the members of the public who submitted both letters in support and in opposition. Prysunka stated that he was opposed to paying money to a Defendant Intervener; paying \$5,000 would be showing support to the cause, but deriving limited benefit from the expenditure. Prysunka stated the following points:

- Do not believe that environmental groups were the enemy or that they were counterproductive to the public process surrounding the timber industry;
- Those groups are the same groups that we will be relying on as we question mining activities that are proposed on tributaries of the Stikine River in Canada;
- Process was currently set up to allow for lawsuits to be launched against projects that take place on public lands;
- Do not like the idea of logs being shipped out in the round overseas; need to maximize the value added to our timer.

Assembly Member Rooney stated that 50% of logs processed would be better than zero percent. Rooney also stated that after listening to Assembly Member Prysunka's comments,

she was leaning towards an Amicus so that we could put make points of view for our upcoming log sale; we coup put our spin on the lawsuit; Amicus would not come for free though; should be supporting our fellow Southeast Communities.

In response to Assembly Member Blake, Jabusch stated that this type of work would be outside of the Borough Attorney's retainer.

Assembly Member Blake withdrew his original motion.

### M/S: Blake/McCloskey, to enter as a Friend of the Court instead of an Intervener.

Assembly Member Decker stated that we need to decide on whether we would want to file an Amicus on our own or with another organization. Decker said that SE Conference was also filing an Amicus; so if we wanted, we could probably file with them; cost would be less.

Assembly Member McCloskey stated that we should have full control and file our own Amicus.

Manager Jabusch requested clarification that the Assembly was looking for our Borough Attorney to do the Amicus and not to file with SE Conference.

Mayor Jack said yes.

Assembly Member Mitchell said that it would need a good idea to postpone this so that we could get a cost estimate from our Borough Attorney.

### *M/S: Mitchell/McCloskey, to postpone this item, and take it up at our next Regular Assembly meeting on Tuesday. Motion approved unanimously by polled vote.*

Special meeting adjourned at 12:36 p.m.

David L. Jack, Mayor

ATTEST:

Kim Lane, CMC, Borough Clerk

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### Minutes of Regular Assembly Meeting Held on October 28, 2014

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., October 28, 2014, in the Borough Assembly Chambers. Assembly Members Mitchell, Prysunka, Rooney, Decker, and Blake were present. Assembly Member Decker McCloskey was absent. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

Pledge of Allegiance was led by Assembly Member Becky Rooney.

Invocation was given by Nettie Covalt with the Presbyterian Church.

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

Mayor Jack presented Certificates of Service for: Kipha Valvoda for his time on the Planning & Zoning Commission, Rudy Briskar for his time on the Economic Development Committee, and Peter Helgeson for his time on the Nolan Museum/Civic Center Board.

### **AMENDMENTS TO THE AGENDA** – None.

**CONFLICT OF INTEREST** – None.

### **CONSENT AGENDA**

*M/S: Decker/Mitchell, to approve Consent Agenda Items marked with an (\*) asterisk; 6a, 7a, & 7b. Motion approved unanimously by polled vote.* 

#### **APPROVAL OF MINUTES**

The minutes of the Special Assembly meeting held on October 13, 2014 and the minutes of the Public Hearing and Regular Assembly meetings held on October 14, 2014 were approved, as presented.

### **COMMUNICATIONS**

- \*a Minutes of the Regular School Board meeting held August 18, 2014
- \*b Correspondence regarding the Big Thorne Timber Sale lawsuit from:
  - 1. Mr. Stephen Todd
  - 2. Ms. Bonnie Demerjian
  - 3. Walter Moorhead
  - 4. Marlene Clarke
  - 5. Gary Morrison

### **BOROUGH MANAGER'S REPORT**

Borough Manager Jabusch's report was provided.

### **BOROUGH CLERK'S FILE**

Borough Clerk Lane's report was provided.

### MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

**10a** Reports by Assembly Members

Assembly Member Prysunka reported on the Transboundary presentation that was given at City Hall earlier in the day on the risks associated with large-scale hard rock mining on rivers and the ill effects of mining toxins have on salmon.

**10b** Appointment of an Assembly Member to the Code Review Committee Assembly Member Blake volunteered to fill the vacancy. There were no objections from the Assembly.

**10c** Appointment to fill the vacancy on the Nolan Museum/Civic Center Board Mayor Jack appointed Alice Rooney to fill the unexpired vacancy until October 2014. There were no objections from the Assembly.

**10d** Appointment to fill the vacancies on the SEAPA Board (1 voting/1 alternate) Mayor Jack appointed Assembly Member Steve Prysunka to fill the voting member seat; Clay Hammer to the alternate member seat. There were no objections from the Assembly.

### **PERSONS TO BE HEARD** – None.

### **UNFINISHED BUSINESS**

**12a** Approval to enter as a friend of the Court instead of an intervener in the Big Thorne Timber Sale issue *(postponed from the October 24, 2014 Special Assembly Meeting)* 

### Pending Motion was: M/S: Blake/McCloskey, to enter as a friend of the Court instead of an intervener.

Assembly Member Blake stated that after reading the response from the Borough Attorney that said that the cost to file as a Friend of the Court would cost the same – if not more – he was not in favor of filing as a Friend of the Court.

Mayor Jack reminded Blake that he had made the motion at the Special Meeting.

Assembly Member Blake withdrew his motion.

### *M/S:* Decker/Mitchell, to enter as an intervener in the Big Thorne Timber sale.

Assembly Member Decker state that she had found details on the internet with regards to the charge that Attorney Jim Clark had faced and quoted from that article that "since Clark's awareness of the poll constituted neither bribes or kickbacks, all charges against him were voided".

Assembly Member Prysunka said that it comes down to spending \$5,000; the attorney letter had stated that unless the community had a different interest, it would not matter to the court; why spend our money on similar issues that other communities have; need to look at the upcoming Wrangell sale and maximize the community profit.

Assembly Member Decker explained the different interest that Wrangell could bring forward in the intervention; affects our industry because it's integrated; we have a small mill that

purchases logs from larger companies; if the larger companies go away, it does affect the smaller mills.

Motion approved with Decker, Mitchell, Blake, Rooney, and Jack voting yes; Prysunka voted no.

### **NEW BUSINESS**

**13a** Approval of the Wrangell Capital Project Requests for FY 2015-16

*M/S:* Blake/Prysunka, to postpone this item until the next Regular Assembly meeting. Motion approved unanimously by polled vote.

**13b** Approval of a Budget Amendment for the purpose of hiring a State Legislative Lobbyist

*M/S:* Decker/Blake, to approve a budget amendment, not to exceed \$45,000, to come from the General Fund Reserve for the purpose of hiring a State Legislative Lobbyist. Motion approved unanimously by polled vote.

**13c** Approval to hire a State Legislative Lobbyist

## *M/S:* Rooney/Prysunka, to approve the hiring of Ray Matiashowski as the Borough's State Legislative Lobbyist, and to authorize the Borough Manager to negotiate a contract not to exceed \$45,000 with funds to come from the General Fund Reserve.

At the request of Assembly Member Mitchell, Manager Jabusch explained the need for a State Lobbyist.

In Response to Assembly Member Blake, Assembly Member Decker explained why Mr. Matiashowski stood out over the rest. She stated that all of his clients have similar interests to Wrangell and that would be a good thing.

### Motion approved unanimously by polled vote.

**ATTORNEY'S FILE** – Summary Report was provided to the Borough Assembly.

**EXECUTIVE SESSION** – None.

Meeting adjourned at: 7:47 p.m.

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk



### **CITY & BOROUGH OF WRANGELL**

### BOROUGH ASSEMBLY AGENDA ITEM November 12, 2014

### **COMMUNICATIONS:**

INFORMATION: The Assembly may receive items for Communications, reasons only which do not require separate 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 <u>SHOULD BE CHECKED ON A ROUTINE</u> <u>SCHEDULE.</u>

All items appearing under Communications on the Agenda have been approved under the Consent Agenda unless removed by an Assembly Member or the Mayor and placed on the regular agenda under Unfinished Business.

\*a Correspondence from Max Florschutz, regarding Municipal Internet Access and Wrangell Telecommunications.

\*b Gaming Permit Application from Alaska Scholastic Clay Target Program

\*c Minutes of the Economic Development Committee mtg. held May, 2014

\*d Public Notice (POA-2014-436) of an Application for Permit received from George Woodbury to the US Army Corps of Engineers

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### Kim Lane

From:	Max Florschutz <sangheilian@gmail.com></sangheilian@gmail.com>
Sent:	Monday, October 27, 2014 1:13 PM
To:	clerk@wrangell.com
Subject:	Municipal Internet Access and Wrangell Telecommunications

Please distribute to the mayor and borough council members.

As Broadband internet access in Wrangell is one of the chief bottlenecks for new businesses and residents (much of what is offered here does not pass the FCCs established minimum standards for "High Speed internet," and with the FCC announcing that this definition will be updated to more than double that in the coming year, Wrangell will no longer have high speed access at all in most cases), a news article that I read this morning discussing the various ways that cities are revitalizing their telecommunications networks to entice new business and set up powerful high-speed networks immediately brought Wrangell to mind.

Neither of the ISPs serving Wrangell are prepared for the modern age, and as a result, Wrangell is not a viable option for new residents or businesses, not when the outlook of the now required internet is so doubtful. As the article points out, this is a cause for concern for many cities around the United States, but as the article also discusses, many of these cities are taking active steps to prepare and mitigate this issue. The article continues in depth on what different cities have done to meet the needs of their population and how it has helped them. It offers quite a bit of advice on what the city of Wrangell should consider in order to make itself a viable competitor and attractor of new business and citizens.

I know that one reason I can no longer live in Wrangell is the absolutely abysmal telecommunications offerings. It simply is not feasible in today's world to be so disconnected. Where I now live, I pay \$70 a month for a 950 Mbps connection with no data limits. According to the company that owns the telecommunications fiber lines going into Wrangell, Wrangell can have speeds like that. The lines are there, but the city (and current ISPs) are apparently not set up to receive that.

The article in question is here: <u>http://arstechnica.com/business/2014/10/fed-up-us-cities-try-to-build-better-</u> broadband/

I believe it to be well worth Wrangell's time to look into this further.

Thank you. Max Florschutz.

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Alaska Scholastic Clay Target Program

Neil Moss, State Advisor and President 2321 Palmer-Wasilla Hwy., Wasilla, AK 99654 907-373-0961 fax 907-373-0962 501c3 Non-Profit Corporation 90-0635354 www.aksctp.org

October 25, 2014

City & Borough of Wrangell Borough Clerk's Office PO Box 531 Wrangell, AK 99929

CITY CLERK NGV 0 4 2014 RECEIVED

Dear Ms. Lane,

Enclosed you will find a Gaming Permit Application for Alaska SCTP, a non profit corporation, as required by Alaska State Gaming Regulations 15AAC 160.020(e) and 15 AAC 160.870. Alaska SCTP now has 17 teams across the state from Fairbanks to Ketchikan, with over 300 registered athletes.

Alaska SCTP is an organization that, through fundraisers, contributions and grants, promotes shooting sports on a competitive and, ultimately, scholastic level throughout the State of Alaska. The goals and principles that SCTP develops are, first and foremost, to promote, advance and encourage firearms safety, care and storage. Alaska SCTP trains and develops not only better shooting techniques and higher scores, but more importantly self-confidence, self-esteem, self-reliance, respect, personal discipline, responsibility, teamwork, and sportsmanship. Through regular competition, both within local clubs and with other clubs in Alaska and in the Lower 48, these young athletes expand their "borders," developing friendships from all around Alaska and the United States. Participation in Alaska SCTP events consistently builds strong citizenship amongst these youth. Their communities benefit as well, and community service projects are encouraged for each team to promote the program and develop a sense of public responsibility. Alaska SCTP introduces youth shooters to a lifetime sport that families can enjoy together. Typically, entire communities get behind these young shooters to encourage, support and finance their participation in both practices and competition.

With these noble goals in mind, our organization is applying for a Gaming Permit in order to hold raffles and fundraising events to help our teams fund the clay target sports for our Alaskan youth shooters. These funds will help these athletes travel to competitions, including Junior Olympics and State and National Championships.

Please contact us if you have any questions.

Sincerely,

Indu

Lindy Moss Secretary/Treasurer, Alaska SCTP Primary Member in Charge, Gaming Permit Application

\*7b

### Alaska 2014 Gaming Permit Application



#### **Organization Information**

Federal EIN 90-0635354	If renewing, enter gaming permit #	Phone Number (907) 373-0961	Fax Numbe (907) 373			
Organization Name Alaska SCTP Non Profit Cor	poration	Website Address www.aksctp.org				
Mailing Address 2321 Palmer-Wasilla Hwy		City Wasilla	State AK	Zip Code 99654		
Entity Type (check one)	Organization Type (check one	e) for definitions see AS 05.15.690 and	15 AAC 160.	995.		
Corporation	Charitable	Fratemal	Police or fire department			
Partnership	Civic or service	Labor	Political			
Association	Dog mushers' association	Municipality	Religious			
	Z Educational	Nonprofit trade association	Veterans			
	Eishing derby association	Outboard motor association	□ IRA/Native Village			
Yes No Does the organ	ization have 25 or more members, as def	ined in your articles of incorporation	or bylaws, wh	no are Alaska residents?		

#### Members in Charge of Games

Members in charge must be natural persons and active members of the organization or employees of the municipality and designated by the organization. Members in charge may not be licensed as an operator, be a registered pull-tab vendor or an employee of a vendor for this organization. If more than one alternate, attach a separate sheet.

Primary Member First Name	M.I.	Primary Member Last Name		Alternate Member First Name M.I.		Alternate Member Last Name	
LORINDA	E	MOSS		NEIL A		MOSS	
Social Security Number Email		Social Security Number Ema		mail			
loktsafe@mtaonline.net		lokt		oktsafe@mtaonline.net			
Daytime Phone Number         Mobile N           (907) 373-0961         (907) 3		Number 854-5244			1obile Number 907) 355-0962		
Home Mailing Address PO Box 871272				Home Mailing Address PO Box 871272		_	
City		State	Zip Code	City	State	Zip Code	
Wasilla		AK	99687	Wasilla	AK	99687	
inde the printer) mennes person are rearry		Permit # under which test was taken:	Has the alternate member passed the test? Permit # under wh		Permit # under which test was taken:		

Legal Questions These questions must be answered, If you answer Yes to either question, see instructions.

Yes ✓ No is responsible for gaming activities have a prohibited conflict of interest as defined by 15 AAC 160.954? Has any member of management or any person who is responsible for gaming activities ever been convicted of a felony, extortion, or a violation of a law or ordinance of this state, or another jurisdiction, that is a crime involving theft or dishonesty, or a violation of gambling laws?

We declare, under penalty of unsworn falsification, that we have examined this application, including any attachments, and that, to the best of our knowledge and belief, it is true and complete. We understand that any false statement made on the application or any attachments is punishable by law. By our signatures below we, the primary member, the alternate member, and if applicable, the manager of games, agree to allow the Department of Revenue to review any criminal history we may have, in accordance with 15 AAC 160.934.

Yes No

Prinary Member In Charge's Signature	Printed Name Lorinda E Moss	Date 09/21/2014
President or Other Officer's Signature (see Instructions)	Printed Name Jesse H Stubblefield	Date 09/22/2014
Alternate Member In Charge's Signature	Printed Name Neil A Moss	Date 09/21/2014
Manager of Games Signature	Printed Name	Date

	DEPARTM	ENT USE ONLY	
Validation #			

Date Stamp

One copy of the completed application must be sent to the nearest municipality or borough. See instructions for mandatory attachments.

Pay online with OTIS at www.tax.alaska.gov or make check payable to State of Alaska. New applicants must pay by check.

#### **Permit Fee**

The permit fee is based on the 2013 estimated gross receipts. Check the appropriate box.

New applicant	\$20
□ \$0 - \$20,000	\$20
\$20,001 - \$100,000	\$50
S100,001 or more	\$100

Mail to: Alaska Department of Revenue, PO Box 110420, Juneau AK 99811-0420

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### 2014 Alaska Gaming Permit Application

Gaming	Permit #	

Organization Name Alaska SCTP Non Profit Corporation

Facility-Based Gar	nes (se	elf-dire	cted) If more than tw	o facilities, attach a se	eparate sheet.		-1000	0,1	and and a
Facility Name N/A		Physical Address		City		Sta	te AK	Zip Code	
Facility Type (check one)	nated		(check all that apply) Raffle	Animal classic (chicke	en)* 🗌 Animal clas	sic (rat ra	се)* [	Spe	cial draw raffle **
Facility Name	2.2	Physica	IAddress	A STORE A	City		Sta	ite AK	Zip Code
Facility Type (check one)	nated		check all that apply) Raffle Pull-tabs	Animal classic (chicke	en)* 🗌 Animal clas	sic (rat ra	ce)* [	Spe	cial draw raffle **
Area-Based Game	S If more	e than two	areas, attach a separa	te sheet. * restricted	game type **see	instructio	ons for	mand	atory attachments
Area Alaska State Wide		Game t	vpe (check all that apply le 🗹 Contest of skill	)		Classi	c/		
Area Alaska	-	Game type (check all that apply)		)		Class	ic/		5-1
Manager of Games	Require	d only for	self-directed pull-tabs a	nd bingo.	- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1		W		
Manager First Name N/A	MI	Manage	r Last Name	Social Security	urity Number Daytime		e Phone Number		
Home Mailing Address	Address		Email	Email Mobile P		Phone			
City		State Zip Coded Has the manag			r of games passed the test? Permit # under which test tak			er which test taken	
Vendor Informatio	n Attach	2013 ver	ndor registration form(s)	and fee(s) for each ve	endor listed below.			040	1751 TR
Bar or Liquor Store Name N/A		Physical Address			City	A T	State AK	Zip C	Code
Bar or Liquor Store Name		Physical Address			City	City		Zip C	Code
Bar or Liquor Store Name		Physical Address			City		State AK	Zip (	Code
Bar or Liquor Store Name		Physical Address			City		State AK	Zip (	Code
Bar or Liquor Store Name Physical Address			City		State AK	Zip (	Code		
Operator Information	ion conduct act	tivities on t	he organization's behalf.	Attach signed operating	contract(s). If more t	han one o	perator,	attach	a separate sheet.
Operator License # N/A	Operato			Facility Name	Facility Name		Game Type(s)		
Physical Address	hysical Address		City	City		State	Zip C	Code	
Multiple-Beneficial Designate the MBP with with					reement.			ŝ.,	
MBP Permit # N/A	MBP Na	-		Facility Name			Game Type(s)		
Physical Address			m multime	City			State	Zip (	Code
Dedication of Net	Procee	ds Des	cribe in detail how the c	organization will use th	e net proceeds from	n gaming	activitie	es.	· · · · · ·

Gaming proceeds will be used to help the organization keep its costs and membership fee lower.

# Sheet intentionally blank

City and Borough of Urangell, Alaska

**Economic Development Committee** 

### May 29, 2014 MINUTES

1. Call To Order 6:32 pm

2. Roll Call: Julie Decker, Rudy Briskar, James Edens, Marlene Clarke, Bob Maxand

3. Amendments to the Agenda:

 Approval of Minutes: April 16, 2014.. change Clark to Clarke BM moves RB 2<sup>nd</sup> approved

5. Persons to be Heard Introduction of Shelly Wright with Southeast Conference Angie Eldred, Southeast Alaska Watershed Coalition

Tim Piazza lead on Wrangell Island Timber Sale project Andy Selzer new Planner

### 6. Correspondence

a) Press Release from the USFS regarding appointments to the Tongass Advisory Committee. Carol Rushmore was appointed to committee.
b) State Proposed Budget for Wrangell

7. Old Business

a) Borough-USFS collaboration and coordination efforts: Update and discussion on the Wrangell Island Timber Sale alternatives and issues with District Ranger Bob Dalrymple and staff

Bob Dalrymple: Was hoping to share the draft alternatives alternatives of the EIS analysis. It is a stewardship contract so is a collaboration to work with the community... important to work with. Wrangell borough is a cooperative agency and Carol is that member as well as USFW and DNR. The collaborative part of the process is to share with you. Talk through the drafts, understand the objectives and themes and differences with each one. We don't have a lot of detail yet to share but want to provide the overall picture.

Main purpose is to provide reliable supply of timber to the industry in SE Alaska. Because of the history, this was designated as an area where a large timber sale could happen. In some alternatives we are heavily harvesting and will show what that means.

Wrangell was identified as an area that could be cut during the Tongass Futures Roundtable process.

Tongass was given task to come up with large timber sales. Big thorn, Zarembo and WI. But a lot has happened, roadless, law suits. All of Wrangell Island sale focuses on existing roaded areas in order to stay out of other areas.

Stewardship component is part of this sale.. allows USFS to keep the receipts generated from the timber sales and put back into on the ground projects. Question was raised if the receipts could also go to other districts.

RB: does it stay here in Wrangell district .. or does it go into regional pot of money. BD: A certain amount can stay where it was cut, but some will go back into the region. Not sure why USFS has not done it in the past. Never had the authority until recently.

Need help from EDC and public and what types of projects and where those stewardship projects should be. Heard about recreation, but cannot be new recreation, can improve existing. Can also focus on habitat, erosion, restoration.

Have scoped on this sale several times. Took comments and developed alternatives. Tim will explain how the comments were put into the different alternatives in different ways. Public, agency comments.

TP: had two kids born since this project started. This is a milestone. Keep talking about the sale but now have something tangible. We can start sharing, but have a long way to go. These are the alternatives that are firmed up that address the comments and range of options.

ALT 2 is what we deem as suitable and available at this time. And Implementable alternative under the current Forest Plan. (minutes on tape 17:10) Alt 3,4,5 are other options

Alt 1 is NO ACTION

Alt 2.. attempted to provide timber meeting current Forest Plan requirements

Alt 3 Comments from industry.. need more volume. What can be done to maximize and increase the timber. Not maximum harvest, but tried to create more harvest opportunities. Had to make changes to LUD and protections. Doing things pretty drastic, this is what you can do but consequences.

Alt 4 Stemmed from Borough comments.... How can we find happy medium between what proposing and minimizing extreme effects.. finding a balance. Borough wanted to see more intensive mgt in some areas and in other areas less. Tried to represent that.

JD: What do you mean by more intensive management.

Could mean more acres, more volume, with affects that are unacceptable, but less than 3

Alt 5. Voice from biological community. Not going to provide protection necessary. Bio preferred alternative. .. still meet purpose and need, but provide additional protections for areas identified beyond what the Forest Plan requires.

Alt 4 exceeds forest plan for wildlife protection and timber supply.

JE: what does protection of wildlife involve?

TP: wanted to show what the management of the harvest unit is. Yellow on the map is previously harvested. Another key item description: even age is a clear cut.... All trees are same age. Uneven age means multi story... mostly 80% of trees will remain in that unit. 20% volume removed by helicopter.

Have to select a variety of species and diameter. Not planning to highgrade the value trees.

JE: is it still economical? We have appraised all these alternative as positive. Some may be deficit acres because of helicopter, but other areas will make up for that.

BD: when talk about economics, it is based on what the public/USFS received from the sale. Timber has to know they can make money. Companies pay use USFS. Evaluation includes a profit for the bidder.

MC: In the past the FS has put in the road for the access and then maintained until company pulls out. Will still happen? Yes. Valuation includes the cost of the roads. The timber pays for them. The continued maintenance does not come from that, but that is where the stewardship contracting comes in.

There are different road alternatives

Alt 3.. is going to build 13 miles of road.... Alt 4 only allows 5 additional miles of road

TP: There is a road management component to this.. the chart does not show miles constructed but how many roads will stay open.

RB: USFS has been managing for environmental concerns for years but should be managing for multiple use.

We are trying to streamline and make a difference, break the mold, how do you balance multiple use. What is the opportunity out there? Pulling all the information out there and asking the public what they want.

Alternatives: prescriptions in Alt 2... 50% is uneven aged management. Alt 4 of that area, 70% of the area will be 80% retention.

What this map shows is the 2001 roadless areas off limits. In addition, shows habitat OGR which is also off limits, and in between is the area available. 2/3 of the island is off limits from Roadless. So we asked if we could move some of the OGR into the roadless, because of some areas that are adjacent to the road. Came up with a range of options for alt 3... biologist got together to identify areas but didn't' recommend it.

In alt 4, started bringing in some of the biological concerns. Moving for timber, but protect the wildlife. Moved an OGR into Roadless, but bio wanted to add a piece to OGR habitat here, want the connectivity, needed areas.. so some areas were changed to increase opportunities for harvest, in others were to increase areas for habitat.

Did lose an area for timber to balance protection for wildlife in one area.

Biologists really wanted areas of wildlife and habitat thus Alt 5

Another component is the Road Transportation plan. Same context of the motor vehicle use map available for the public. Some roads are wide open, no signs, but if it is not on the map as open, it is not supposed to be driven on. Went thru an EA.. that the access travel mgt issues were not in sync with what community wanted... so they heard that and considered. Because there will be new road construction for new access... usually say as part of the project, all new roads will be closed once the sales are done. What we are doing is opening to public comment what new roads might want to remain open by the public. Did receive some site specific comments on new roads. Can't leave all the roads open, but did talk to various user groups.

These maps represent what the access management plan would look like for each alternative. Looking at existing and new roads. Opening comments back up for comments on wanting what roads open and closed.

Found some opportunities for off highway vehicle trails. New thing. Propose a range of different management objectives.

Alts 1,2,5 use existing plan that we have. Alt 3,4 took a look and consider some different options. Not a lot of difference between the two other than 3 and 4 constructs new roads.

Diane O'brien: How do you decide how much stays open?

We are just analyzing Wrangell district, so funding would be considered based on district capabilities - the change in cost of roads to open and close.

BD.. Interdisciplinary Team looked at every road. Each went through a screening of not just cost, but also the benefit. Weighing it for recreational opportunity and subsistence is heavily important. That screening went on every road that was proposed and existing ones not being used. The ones that are being closed with no new use are staying closed. But new ones we came up with a proposal. Was a thought out process and will describe in the EIS. Areas where the team struggled and had different options: Area above mill and area by Long Lake.

Above mill.. there is timber harvest allowable, but community was saying they didn't want to see the harvest from town. All alts include harvesting from mill basin area.

Another area is the Long lake area. Alt 2.. doesn't go there. Alt 3 does a lot of clear cuts down to lake, Alt 4 provides a lighter touch. 80% retention. Alt 5 avoids the area mostly but sort of out of site of the lake. Showing a range of opportuniti9es and different methods that can be done to show a range.

Mill basin does partial harvesting.. changed old growth LUD to scenic view shed. some removed, but retain scenic integrity in alt 4.

Alt 3..could get a road, where it couldn't be seen much.. still 80% retention.. but some places that are just out of view so could clear cut. Provide a road that could also provide recreation, trails. Tried to show range.

How much of area is deer winter range?.... in Alt 5 shows the biologist view of winter range.. 100% biological

End of Pats on Eastern Channel. If you start moving various land use designations, then have to change it somewhere else. If vacate the OGR, and become timber harvesting, something changes elsewhere.

OGR will take a forest plan amendment.

JE: What is the salmon stream impact on the 80% retention?

TP: There are buffers required along streams and lake. 200 foot riparian buffer. Considered that some streams might not need the buffer so looked to see if could add in more timber, but was a lot of work so all alternatives provide full stream protection. Anther was eagle/heron rookeries/goshawks nests. ... looked to see if we could minimize, but decided not to trim but provide maximum protection.

Alt 3.. maximum protection in place, but we have tried to design and mitigate effects

Using helicopter in the 20% take areas, so very little impact to soil. In general a low impact way of harvest.

Moved OGR around.. looked at visual buffers. What we did though was driven by public comment in one way or another.

BM: what do you think the time line is..

EDC looked at wanting what was available over a 10-30 time period. It has been removed from the action.

All this is doing clearing volume, but not being presented how it would be cleared over time. Alt 3 is designed for one sale. Intent but not sure if stating it that way. Trying to create opportunity.

George Woodbury: Retention. How much work have you done on economics? 2/3 retention in the view shed areas. If you have a prescription that is going to leave or take out representative stand. It won't be worth more than 5-600 per thousand. High grading now so raises cost to 800 per thousand.

I am concerned that the 80% retention for high grading won't make it?

JD Is there a biological reason not to high grade?

Why do we do 80%? It is all about visual protection. It is the most we can do where places can be seen from water. WI surrounded by key routes, not willing to change.

If you were going to highgrade, taking largest trees. Would it impact biologically? And visual?? No

Spruce and yellow cedar only what you can take out to get the value

From a long term management strategy is that you are left long term with hemlock that doesn't have enough value and down to product that may only have 3-400.. so in the future would write it off?

GW: Got to areas where they did the airplane logging and took out spruce. All left is hemlock. Logged 80+ years ago. Only get stumps. Don't get reproduction. If you clear cut, you get second growth.

Price you will pay in the future for that kind of logging today so you don't offend someone's eyeball is pretty high.

If you get in a hurry to cut all the high grade timber you have no value left. GW: The package being presented will have to high grade to pay for the sale. But sacrificing the future, because you don't have diversity of log get in a clear cut.

Plan tonight.. a concern that I have.. make sure you look at the economics of the 20% you take and what you leave

MC: Clearcut so you do have a good second growth stand. In 15 years will be visually pleasant. Clear cut smaller amount of acreage rather than 20% of larger area.

BD: we have a standardize way to model the values. We run it as the whole package on the whole alternative.

The standardize model.. have you used something different? (SEC has a model that uses the Forest Service data to model individual stands and ground cover.

Size of project is hard to put boot on ground. We need to know that alternative can be packaged. Don't know that, but clear all the timber now through the EIS.. make it available, and then determine best how to do the sale. Just showing the opportunity for harvest.

The sale is a subset reality of these alternatives. Don't have specific economic numbers yet.

JD. Diane had mentioned some amendments you are proposing?

Visual protections that are inplace for district. See maps.

Green and lines means there is a visual protection on those roads.. or green on water visual from the water.

What does it mean to the alternatives?

Alt 2 keeps all protections in place.. red means proposing to make the change.

WI has visual protections on all the roads... other use areas listed and how the action affects.

Alt 3 removes all the visual protections on WI. Some use areas, Middle Ridge cabin stays green keeps the visual protection.. adjacent areas will be removed. Doesn't mean area will be logged, but if you look across the landscape you will see more disturbance than what is allowed under the current plan.

Water routes visual not changing in alt 3

JD: all road right now are view protected. But if I drive out the road I see cuts. Protection was put into place after the cuts occurred. . BD was surprised that every road had visual road

protection. Based on community comments.. why do you have visual protections? Remove some of them so can get more harvest areas, retain others. Alt 3 does retain visual protection near trails and key rec areas.

The dark on these new maps show the timber harvest areas proposed. Alt 4... view road maintained for protections and some areas could change. Remove protection from red roads.

Still have OGR on the island and roadless. But the other map shows the OG still remaining.

In alt 4 where you are joining two together provides connectivity.

RB what percentage of timber on WI is available? We have a term called suitable timber.... but doesn't mean it is available. What I am showing you in Alt 2 is suitable and available under the current plan.

What % on WI could never be logged? Depnds which alternative you are looking at.

If you add up all the resource protection area in or out in white.. then 75% might not be able to be logged.

RB what percent of the Tongass can never be harvested. BD active timber management areas on the Tongass is 4% of the Tongass, but a huge chunk of that land does not have trees.

RB.. my point is so much can never be touched

We concentrated on roads and rec sites.

Trying to transition into 2<sup>nd</sup> growth need the bridge until then. Or are we trying to manage for future of young growth.

GW: I recommend to take project area LSTA, that shows all the timber on Wrangell island, have a map that shows that.. without any of the OGR.. forget about suitable. Here it is, and this is the way it is being managed. This will then answer your question if you then over lay all the restrictions. Of all timber resource on island, only looking at half once all the prescriptions are applied. Put in EIS... answers the question... what the price of the restrictions. But all isn't timber that the timber companies want. LSTA is workable timber.

BM: so George.. how much timber does it take to set up a mill? Depends on number of jobs. If have 75 million bd feet, could be 7 or 8 million a year could generate 10-12 jobs. Originally was a 10 year sale of 200 milion bd ft. Could then talk about 50 jobs and with support services talking about 100 jobs. Otherwise not enough to create a base to expand on.

How much can they ship in the round out of country. Depends. For certain kind of sales could be up to 50%. Case by case, sale by sale.

MC so back to exporting jobs. Economics drive what is exported. If you have high grading, helicopter higher cost, then exporting to protect the jobs. If you clear cut in larger volumes have enough economic to generate stumpage and can create more jobs. Have to generate enough value. But cost over revenue is so high because of the prescriptions then have to export.

BM Also depends on the market. If have 20 year operation across the forest, with 4-5 sales and 6 mills, back to an economy of scale where you don't have to export.

TP it is challenging, want to create jobs, want to reach out to the public on how to create jobs. One thing would be to give us ideas on the stewardship. How could we do a debarker here before shipping.

My role to create the opportunity. But I need the public to suggest ways this could be utilized

JD first, suggestions. Open to timeline? Howl ong harvesting to go? 10 years or longer? BD will share what we heard tonight with Forrest Cole. Yes comment on that issue.. formally during the draft. Jeremy when Mayor had a comment letter.. to extend out over time to provide more enticement to set up a manufacturing opportunity. More thoughts would be useful. Very different concept than what we are used to.

JD come from commercial fishing. Talk about what is sustainable.. Alt 5 being the biologically preferred.. is there anything between 3 and 5 that is unsustainable.. biologically bad... or is more about visuals.

BD.. my opionion.. all is ecological within framework of the island itself but should be biologically viable

Real issue is social issues.. importance of issues to people. We placed the borough as cooperating agency and collaborate thru this means to work thru some of the issues.

DO: when US F&W came, they had a real concern over first few alternatives. They had a lot to say about the deer habitat. BD: That agency likes the no action. Focuses agency review of no other consideration.

A multiple use concept is not part of their mission,

We will have that evaluation... that a particular species will be damaged, individuals yes but not a species.

On back of sheet there are collaboration improvements.. pats lake area restoration is one.

To put receipts back into land, Pats is one place on island that is the most heaviest impacted. Has not had active restoration, multiple land ownership. Ability to use receipts.. can use on other land ownership..

Pats stream above the lake is not in a healthy condition... take the whole watershed to do fish habitat enhancement.

What about dredging the lake? It has filled in and is much smaller. Salmon runs used to be far greater than today. Look at whole system. Stream coming in was bigger.

Shelly Wright. Past 2 year SEC has been looking at alternative management strategy. Puts rules down where you have riparian zones, buffers, og (habitat). Habitat comes 1<sup>st</sup> then social issues then timber and other economics. The forest is growing and changing. Can have different things happening at different times of years. You can grow habitat and deer habitat over the long term.

Want to present this alternative plan to the Tongass Advisory Committee. It is a long shot, but it is an alternative way to management. It is working in Georgia and in Oregon. Spent 2 years building in all the Forest Service prescriptions into plan. Monitoring and managing the whole forest service vs. a smaller area. Not using generalizations and assumptions. Not using a

blanket prescriptions. Instead using data by stands, land cover, taking averages. Takes into account as a stand moves into various stages of its growth. All is dynamic. Habitat will expand as trees grow. Also in Canada, in similar type terrain.

We need resource harvest but sound science behind our decisions and reasoning.

BD closing comments: want the draft out by end of summer/ fall. Followed up with final decision in January. Time is now. When we get the draft EIS out will have our own public meetings, several, will have meetings with different groups. Important to community. Encourage community to speak. Be effective participants. Comments will be considered. May adjust in draft between Final decision.

Engage with us. Appreciate being able to come speak with us. Have carol.... Tell her concerns. Go to her with comments as well.

Wrangell Island Sale Website.. for information:

There will be aformal comment stie when draft comes out. If you have comments now, address to bob or tim and/or carol.

Is a link to subscribe to any notices of usfs. Can comment informally now.

Thank you. Put in a plug for Angie. Her organization could be critical for the restoration projects. Thanks and available for coming back and answering questions. TP been a lot of hard work and nice to see it coming due.

Institute... no RFPs how can money be used. Develop area along the creek for more recreational opportunities.

Our charge is to put out thinking caps on. So will be on agenda.

In my mind mill property folds in to the waterfront master plan

P2p ends end of month.

Only have 5 applications in now.

Adjournment 9:50

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US Army Corps of Engineers Alaska District

ANCHORAGE Regulatory Division (1145) CEPOA-RD Post Office Box 6898 JBER, Alaska 99506-0898

## Public Notice of Application for Permit

PUBLIC NOTICE DATE:	November 6, 2014
EXPIRATION DATE:	December 8, 2014
REFERENCE NUMBER:	POA-2014-436
WATERWAY:	Zimovia Strait

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Aaron Park at (907) 753-2798, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at Aaron.C.Park@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Mr. George Woodbury, Post Office Box 1934, Wrangell, Alaska 99929, (907) 305-0998

LOCATION: The project site is located within Section 24, T. 62 S., R. 83 E., Copper River Meridian; USGS Quad Map PETERSBURG B-2; Latitude 56.4734° N., Longitude 132.3897° W.; 231 Stikine Avenue, Lot 6, in Wrangell, Alaska.

PURPOSE: The applicant's stated purpose is to construct a private residence.

<u>PROPOSED WORK</u>: The applicant requests authorization to discharge 920-cubic yards of shot rock below the High Tide Line of Zimovia Strait to construct a private residence. The project would result in the placement of fill into 0.06-acre (80-foot by 30-foot) of waters of the United States. All work would be performed in accordance with the enclosed plan (sheets 1-3), dated 10/30/2014.

<u>APPLICANT PROPOSED MITIGATION</u>: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material.

a. Avoidance: The applicant evaluated alternative sites and determined they would not be financially feasible and states that waters of the U.S. could not be avoided.

b. Minimization: The applicant states they have minimized the impacts by reducing the fill area from .07acre to .06-acre by reducing the building size. The original plan was to fill the entire lot. c. Compensatory Mitigation: The applicant proposes to preserve the 0.002-acre of eelgrass in the proposed fill area by moving the grass to the 0.02-acre area that will not be filled at the end of the property. This area is at +9 tide level and the grass is now at +11 tide level.

<u>WATER QUALITY CERTIFICATION</u>: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

<u>CULTURAL RESOURCES</u>: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Commander at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: The project area is within the known or historic range of the Humpback Whale (*Megaptera novaeangliae*) and the Western Steller Sea Lion (*Eumetopias jubatus*).

We are currently gathering information regarding these species and have yet to make a determination of effect. Should we find that the described activity may affect the species listed above, or their designated critical habitat, we will follow the appropriate consultation procedures under section 7 of the Endangered Species Act of 1973 (87 Stat. 844). Any comments the U.S. Fish and Wildlife Service or the National Marine Fisheries Service may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

<u>ESSENTIAL FISH HABITAT</u>: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

We have determined the described activity may adversely affect EFH in the project area for the following species: Chum Salmon (*Oncorhynchus keta*), Pink Salmon (*Oncorhynchus gorbuscha*), Coho Salmon (*Oncorhynchus kisutch*), Sockeye Salmon (*Oncorhynchus nerka*), and Chinook Salmon (*Oncorhynchus tshawytscha*). This Public Notice initiates EFH consultation with the NMFS. Any comments or recommendations they may have concerning EFH will be considered in our final assessment of the described work.

<u>TRIBAL CONSULTATION</u>: The Alaska District fully supports tribal self-governance and government-togovernment relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

<u>PUBLIC HEARING</u>: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

<u>EVALUATION</u>: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to

accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(l) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

District Commander U.S. Army, Corps of Engineers

Enclosures

## STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION DIVISION OF WATER 401 Certification Program Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION WQM/401 CERTIFICATION 410 WILLOUGHBY AVENUE JUNEAU, ALASKA 99801-1795 PHONE: (907) 465-5321/FAX: (907) 465-5274

#### NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

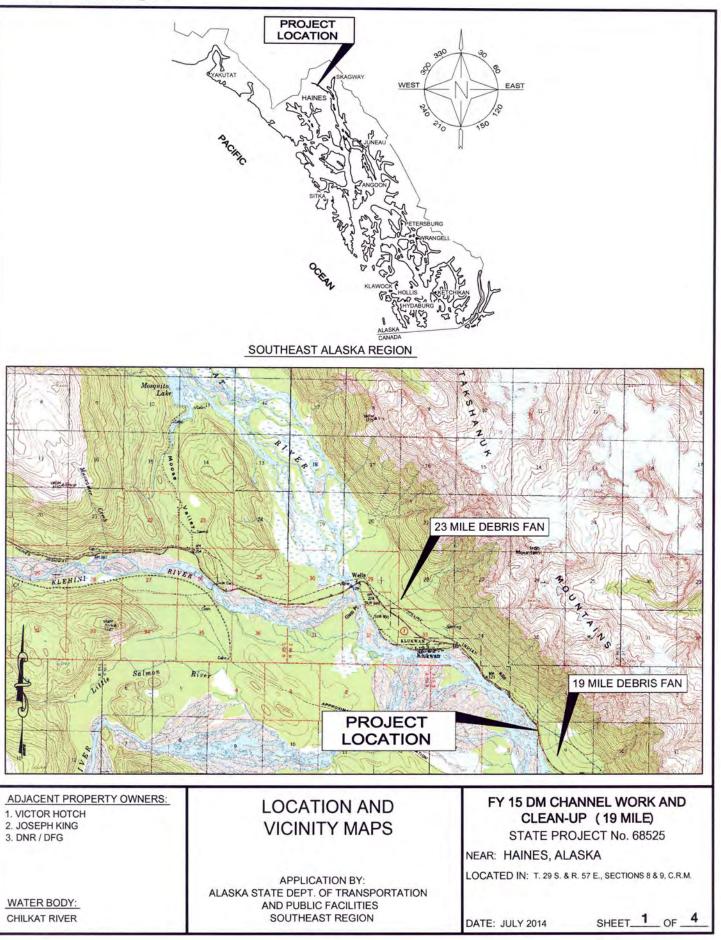
Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-2014-436, Zimovia Strait**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

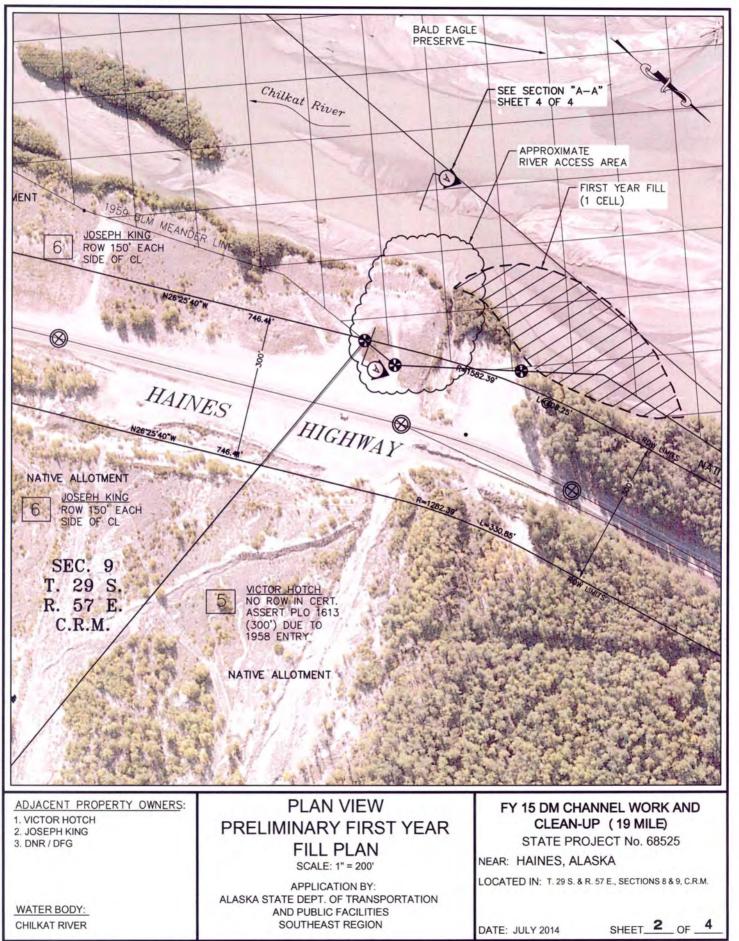
After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project, with respect to Water Quality Certification, may submit written comments to the address above by the expiration date of the Corps of Engineer's Public Notice.

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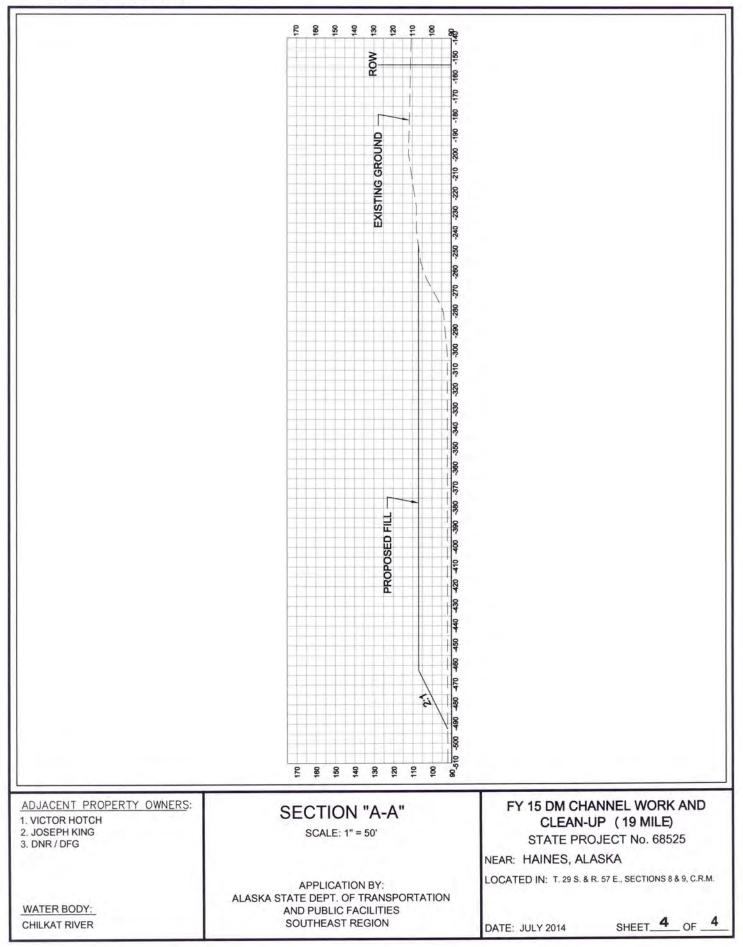


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FIFTH YEAR FILL (1 CELL) BALD EAGLE FOURTH YEAR FILL Chilkat River THIRD YEAR FILL-APPROXIMATE RIVER ACCESS AREA FIRST YEAR FILL SECOND YEAR FILL (1 CELL) NATIVE ALLOTMENT (1 CELL) JOSEPH KING ROW 150' EAU SIDE OF CL 6 Ø Maximum unit HAINES HIGHWAY 025'40 W refer ation NATIVE ALLOTMENT JOSEPH KING ROW 150' EACH SIDE OF CL 6 **SEC. 9** T. 29 S. MCTOR HOTCH NO ROW IN CERT. ASSERT PLO 1613 (300') DUE TO 1958 ENTRY 5 R. 57 E. C.R.M. NATIVE ALLOTMENT PLAN VIEW ADJACENT PROPERTY OWNERS: FY 15 DM CHANNEL WORK AND 1. VICTOR HOTCH CLEAN-UP (19 MILE) **PRELIMINARY 5-YEAR** 2. JOSEPH KING STATE PROJECT No. 68525 3. DNR / DFG **FILL PLAN** NEAR: HAINES, ALASKA SCALE: 1" = 300' LOCATED IN: T. 29 S. & R. 57 E., SECTIONS 8 & 9, C.R.M. APPLICATION BY: ALASKA STATE DEPT. OF TRANSPORTATION WATER BODY: AND PUBLIC FACILITIES SOUTHEAST REGION CHILKAT RIVER SHEET 3 OF 4 DATE: JULY 2014

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

FROM: JEFF JABUSCH BOROUGH MANAGER

#### **RE: BOROUGH MANAGER'S REPORT**

DATED: NOVEMBER 6, 2014

#### Public Works Director Resigned:

Carl Johnson, the Public Works Director, has turned in his resignation effective January 30, 2015. First off, I would like to thank Carl for his dedication to the City. This position is one of the most demanding jobs in the City. I don't think most people know the number of different skills this position requires, but I work with Carl daily and understand the demands of this position.

We have started advertising and will hire a replacement as soon as possible. Hopefully in time for Carl to work with the person for a period of time before he leaves.

#### Additional Personnel Changes:

#### Electric Department

Our Electrical Secretary turned in her resignation to accept a job out of Wrangell and has relocated. We have been advertising for this position. The deadline to receive applications closes on Friday, November 7<sup>th</sup> at 5:00 PM. While we have been going through the advertisements and replacement process, we have a temporary fill-in person manning the office. We hope to get someone hired within the next 10 days.

#### Library Department

The Library Department is in the process of hiring the replacement for Margaret Villarma since she was hired as the Library Director. We expect to have this position filled within the next week.

#### Manager Travel:

I will be gone from Thursday, November 13<sup>th</sup> to Wednesday at noon, November 19<sup>th</sup>. I am in contact with City Hall and can be reached if anyone would need to talk to me or if an issue arises.

#### Timber:

Carol Rushmore and I sat down and talked to Mike Allen, the owner of the small saw mill out the road and he enlightened us on his current and future plans. After the fire destroyed his mill a couple of years ago, Mike has been operating a mill that cuts about one third of the wood that he used to mill. He would like to rebuild to the size of mill that he had before the fire, but the current timber situation makes him wonder is this makes financial sense. Currently, under the micro sales program with the Forest Service, he has been promised a certain amount of timer. Although they have provided some timer, it isn't enough to keep Mr. Allen operational. As with the other timber sales, sales that are put out actually are only a fraction of what is scheduled and promised and are not even enough to keep Mr. Allen's small mill operational. If he doesn't get addition wood, he will run out of timber and be done cutting by the end of November. The unfortunate part is that Mr. Allen's employees are just a hand full of guys and they cut a lot of music wood. They are looking at plans to further refine what they are currently doing with music wood. We are surrounded by a forest and can't keep 3 or 4 guys working doing value added processing - something is wrong with that picture. Mr. Allen approached us about being able to buy some trees from the City to be able to keep running. We have asked him to write the Assembly a letter with his request and we would take a look at it.

Mr. Allen has a very good understanding of the timber industry and he believes like a lot of people in the industry that if it is going to be only second growth in 15 or so years, the industry will die and that will include the small mills like his because he needs the old growth for music wood to survive.

#### Timber Report from Carol Rushmore:

Carol Rushmore participated in several teleconferences of the Tongass Advisory Committee to discuss working group tasks. Committees are looking at modifications of the current standard and guides for young growth, ways to increase the land base for young growth, and implementation strategies to help guide implementation of young growth harvesting by the USFS. It is very frustrating listening to all the information regarding young growth as well as listening to some of the comments by some committee members. I am very concerned that what is being asked of the Committee. The time frame allotted (10-15 years) is not doable to maintain even a portion of the existing industry. Old growth harvests are necessary for music wood manufacturers, and other small mill owners, but transitioning away from all old grown harvesting is effectively the demise of any timber industry on the Tongass. The TAC website is <a href="http://www.merid.org/TongassAdvisoryCommittee.aspx">http://www.merid.org/TongassAdvisoryCommittee.aspx</a> and provides summary documents of the working group activities and issues. The next meeting is in November in Sitka, January – Juneau, February – Petersburg and March will be in Wrangell.

#### **Marine Industry:**

Southeast Conference has hired Kaleigh Holm to develop a regional program and Marine Industry Council to grow jobs in the Marine Industries. She will be working with Wrangell and Sitka initially on the industry and needs and initiatives. She has just started and visited Wrangell Nov. 4-7 to understand our industry here and to work with Carol on a questionnaire she is putting together for the service providers in the yard and for Service Center users.

#### Waterfront Master Plan:

The Consultants are currently doing some background studies and economic analysis and plan to be in Wrangell Dec 2-5 to meet one-on-one with key partners and interested community members by holding two different public meetings. A steering comprised of Chamber of Commerce – Cyni Waddington; Wrangell CVB – Corree Delabrue; Port Commission; Nolan Center – Terri Henson; Economic Development Committee – Julie Decker is established to provide on-going communications and feedback during the process.

#### <u>Tourism:</u>

Carol Rushmore attended the Alaska DCCED Alaska Media Roadshow representing the Alaska's Rainforest Islands (Wrangell, Petersburg, and POW). It is one of the cost share programs we participate in together to promote our area. Alaska Media Roadshow is like speed dating but with Travel Writers. We had 30 appointments with travel writers and made some excellent connections. We are hoping to be able to sponsor three or four this next summer.

Alaska's Rainforest Islands also completed an update for a new website:

www.alaskarainforestislands.com. There is still a lot of work to be done on the site but they were able to get it live before the Alaska media Roadshow and they will be spending the next month adding additional information.

#### **Cassiar Nears Completion:**

Currently, the main project going on is the Cassiar Street Project. It is planned that on Sunday, November 9<sup>th</sup>, the contractor will complete the concrete work for this project. It will be another week after that when vehicles will be allowed. There will be some other items such as clean up, planting grass, drive way approaches and other items that will need to be done to be complete, but the paving is the most important. The photos below show the paved road and the new turn around area that did not exist prior to this project.



#### **Streets:**

Street work right now mostly consists of drainage improvements. It has been a very wet fall and staff is maintaining ditches, cleaning out catch-basins, and adding new catch-basins and drain pipes. Some improvements were made to the upper end of Mission Street that have helped avoid damage from stormwater runoff during the past few storms but additional improvements will be made as soon as parts arrive.

Staff worked with Ottesen's Store to coordinate efforts with drainage improvements along McKinnon Street next to their store. Ottesen's was excavating to replace their foundation drains

so the City used the same excavation to extend drainage from a problem area on Cow Alley to Front Street.

A number of concrete street repairs are complete but there is still some curb we would like to get repaired and to replace the concrete around a manhole at the bottom of Saint Michaels Street.

Staff has also been spending a significant amount of time getting snow removal and de-icing equipment ready for winter. We are ready for the snow.

#### Solid Waste:

The Southeast Alaska Solid Waste Authority (SEASWA) just had a second round of interviews with the two finalists for selection of a regional scrap metal contractor. We anticipate final selection of a contractor at the next SEASWA meeting on November 20th. Once details of a potential contract are negotiated, the final draft will be presented to the member communities for review and approval.

Currently burning at the landfill is under some regulatory scrutiny because of some complaints from one citizen. We are cooperating with DEC and following their burning requirements. Lately this issue has been fairly quiet.

#### Water/Wastewater:

The primary issue at the water plant right now is that one of the ozone generators is having some serious issues. It has been down for over a month with regular calls with the manufacturer to try to figure out the problem. The machine is obsolete and even if we can identify the problem, parts are not available. We would bring a tech in but their availability is six weeks out.

Staff also spent about a week getting fire hydrants winterized and ready for cold weather.

Our next priorities are replacing a section of bad sewer main and several sections of water main in Evergreen Avenue to be ready for next season's Evergreen paving project. We also hope to replace the failing water mains in 5th avenue, Spring Street, the North end of Cow Alley, and an alley branching off upper Saint Michaels Street.

#### **Light Department Projects:**

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Royce Cowan, our plant operator/diesel mechanic, has been rebuilding our spare EMD power pack assembly's. They are the piston/cylinder liner combinations we retain as spares, some have been on the shelf for about 32 years and needed inspection. He has also been building a series of

large scale wire racks for the line crew to store distribution wire reels on. This will get the reels inside out of the weather and allow the crew to access the wire much more quickly.

#### Line Crew:

Our New Line Foreman Bruce Smith has been on the job a full month now and has been making steady progress all over town. In addition to the usual work orders and service calls they have been hard at it adding additional street lights up by the AICS clinic, replaced the aging service pole by Wells Fargo near the old Alley Cat location. They have removed a short section of primary (High Voltage) overhead lines that was trapped in behind Trident Seafood. That line represented a hazard and no longer served a purpose. They have addressed a number of the worst poles at the 8 mile stretch that were damaged in past storms so that section is secure for the winter.

Last but not least, they have been working diligently at removing the Danger Trees on the Pat's Creek bend. This has historically been an area of high risk to the power line with repeated tree strikes over the years. That job has proven to be a little more time consuming than originally estimated, requiring a number of momentary localized outages to minimize danger to the crew as well as the rest of the customers on feeder #4. The work has been well worth it however with many high risk trees being removed. It is estimated due to the rotten condition of the trees we would most likely have had them come through the line this year had there been a storm in this area of any strength. It should be pointed out that this is a high risk project requiring an above average skill-set to get these trees on the ground without destroying the power line or injuring the crew. The object is to remove as few trees as possible while at the same time providing adequate protection to the line.

One of the State's requirements for this project is that the wood be salvaged and or cleaned up. We do not have permission to stockpile onsite as before. In an effort to comply with that most of the wood has been sawn into firewood lengths and disposed of in the most expeditious way possible. A call has been made to the Wrangell Ministerial Association in an effort to locate families in need that we could donate the wood to. We have yet to hear back from them, but word of mouth gets around and we did deliver a number of loads to suggested families in need. Lacking other suggested recipients, members of the crew were allowed to take some of the wood home for their personal use. This was evidently brought to the attention of an Assembly Member who was concerned that this was not a good practice. That concern was taken to heart, the Harbor Master was called and permission granted to stockpile the wood at Shoemaker Harbor parking lot. That wood is now available there for free to the public on a First Come First Serve basis provided. There is no cutting, splitting, or sawing done in the parking area.

#### Project Reports from our Project Manager:

#### **<u>300-Ton Marine Vessel Hoist:</u>**

The 300-Ton hoist is complete and operational. The operation and maintenance manuals and parts list from ASCOM have been received. Final pay request has been submitted.

#### **Evergreen Avenue:**

Staff has been working with DOT and attorneys on both sides to come up with a satisfactory MOA for the project. The final draft should be ready for Assembly review and approval very soon.

Otherwise there has been very little information received from DOT regarding the status of the design. The project is still scheduled for 2015 construction.

#### **Reservoir Bypass line:**

Staff has been working with Wilson Engineering to determine exactly where the project left off some years ago when it was designed and partially constructed. Once we have all of the current information together we will figure out a scope of work to get the design updated and get a proposal from Wilson Engineering to prepare bid documents.

#### Water Treatment Pilot Study:

Not a lot has been done with this project yet. Now that the Marine Center project is completed for the year, and once Cassiar is complete, we will focus on this and some other tabled projects.

#### Marine Service Center, Concrete Paving, Phase 3:

The project is complete and the base bid area is now in use and the North End paved area is also complete and open to traffic. Project closeout is in progress with some minor administrative duties to be completed including As-built plans from the Contractor.

#### Marine Service Center Filtration Shed:

This shed built by John Taylor and Sons is complete.



#### Node 4 and 6 pump stations:

The Design memo was received in September from DOWL HKM, Juneau. Original budget for design and construction was \$600k. Preliminary estimate to rehabilitate both pump stations to be more energy and mechanically efficient to require minimal maintenance by staff is \$823k. CBW to look for additional funding or scale the project down to a base bid and add alt. Finalized 95% plans and estimate should be completed by mid-November, and 100% plans by mid-February. Construction is estimated to start spring/summer 2015.

#### **City Dock Fender Pile Replacement:**

Materials for this project were previously purchased for this project and are in Wrangell. This project will replace the wood fender pilings along the face of City Dock. Once this project is awarded, staff will look at the remaining funds to see what other City Dock work can be done. This project should go out to bid this fall.

#### **Other City Dock Work:**

Project estimate for the City Dock Fender replacement is approximately \$200,000. The balance of funds will go towards replacing existing wiring and street lights to City dock to match the lights on Front St. Other potential projects are to clean and reseal the concrete dock and replace the wooden log resting against the fender piles that the ships lay against with a high density polyethylene coated steel pipe.

#### **CIAP Grant Project:**

CBW received the draft plan from Richard Hertzberg for public review last month. Shortly thereafter he travelled to Wrangell to present his plan to the community on Oct 22<sup>nd</sup>. Under the solid waste plan, the goal is to implement a curb recycling program. He is also proposing the purchase of a baler to recover recyclables from the municipal solid waste which be a cost benefit to CBW via shipping costs and revenues from recyclables.

### **Agenda Item 9**

### **CITY & BOROUGH OF WRANGELL**

#### BOROUGH ASSEMBLY AGENDA ITEM

#### **CLERK'S REPORT** November 12, 2014

Mark Your Calendar:

- 11/13 Planning & Zoning Commission mtg. scheduled for 7pm in the Assembly Chambers
- 11/19 Hospital Board mtg. scheduled for 5:30 pm at the Nolan Center

November 25th Regular Assembly mtg. has been canceled

- 11/19 Parks & Recreation Board mtg. re-scheduled from 11/5 for 7pm in the Assembly Chambers
- 11/27 Thanksgiving Day



- 11/28 City Hall Closed in observance of Thanksgiving
- 12/3 Parks & Recreation Board mtg. scheduled @ 7pm in the Assembly Chambers
- 12/4 Port Commission mtg. scheduled @ 7pm in the Assembly Chambers
- 12/9 Regular Borough Assembly mtg. scheduled @ 7pm in the Assembly Chambers
- \_\_\_\_\_ TBP Commission mtg. to be held telephonically in the Petersburg & Wrangell Assembly Chambers @ 10am
- 11/13-14 SEAPA Board Mtg. to be held in Petersburg

#### AML (AcoM, NEO & Conference)

Alaska Municipal League Conference schedule is as follows:

Pre-Conference (NEO-Newly Elected Officials Training)	- Nov. 17 & 18, 2014
Regular Conference	- Nov. 19 & 20, 2014
ACom (Alaska Conference of Mayors)	- Nov. 18, 2014

Mayor Jack will be traveling to Anchorage to attend the ACoM and Regular AML Conference from 11/16 thru 11/21. Assembly Members Prysunka and Rooney will traveling from 11/16 thru 11/21 to attend the Newly Elected Officials training & the Regular AMA Conference.

I will be traveling to Anchorage to attend the Alaska Association of Municipal Clerk's Annual Conference from 11/15 thru 11/20/2014. I will also be taking a vacation day on Friday, November 21, 2014.

So, along with my Clerk's Report for the Oct. 28<sup>th</sup> meeting, I had information on commonly misused motioned. One of the listed motions was on "friendly amendments". Further research (because I need to fully understand the difference), brought me to the page of Ann Macfarlane who is AMAZING and really knows her stuff. This pretty much sums it up. I will highlight the key points. <sup>(i)</sup> Enjoy!

#### Robert's Rules: What is a friendly amendment?

1) An amendment is a proposal to change a motion – a proposed action – being considered by a group.

(2) Sometimes people suggest amendments with the intention of making the original motion ineffective, or defeating its purpose. These are hostile amendments, offered with negative intent.

(3) Sometimes people suggest amendments that they sincerely believe will improve the original motion. These are friendly amendments, offered with positive intent.

(4) An unfortunate custom has arisen whereby when a person suggests a "friendly amendment," the presider often turns to the maker of the motion to ask him if he would accept the amendment. If he agrees, the presider sometimes also asks the seconder if she would accept the amendment.

(5) This is wrong!

(6) Once a motion has been made, seconded, and stated by the chair, it belongs to the group as a whole, not to the individual who first proposed it. It is the group as a whole that must accept or reject any proposed amendment, whatever the intent of the proposer. The maker of the motion, and the seconder, has the same rights as the other members of the group – no more and no less.

(7) When someone offers a friendly amendment, we suggest that the presider say, "A friendly amendment is handled just like any other amendment. Is there a second?" This language doesn't make people feel stupid, but sets the group in the right procedural path.

(8) If the presider turns to the original maker of the motion to ask if he approves of the proposed change, any member can say "point of order." This stops the action. The member can then explain the error.

So.... what this means is that if a member makes a motion and it is seconded, and then another member wishes to *help* the motion by adding a *friendly amendment*, it will be treated just like any other amendment. So, it will play out like this:

**Member Joe:** I make a motion to purchase a truck for the Public Works Department for the amount of \$20,000.

#### Member Sue: Second!

*(without being recognized)* **Member Mary:** I would like to amend the main motion to add the word "dump" before the word truck.

Member Mike: (without being recognized) Second!

The amendment will then be debated......

If the amendment passes, the main motion as amended will then be voted on.

*Robert's Rules of Order Newly Revised,* 10<sup>th</sup> edition, the most widely accepted authority on parliamentary procedure offers a clear discussion of this issue on page 154, lines 24-35. The section is entitled "Friendly Amendments."

Ann G. Macfarlane, PRP (Mastering Council Meetings)

## Agenda Item 10 a

### **CITY & BOROUGH OF WRANGELL**

#### BOROUGH ASSEMBLY AGENDA ITEM November 12, 2014

#### 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.



**Reports by Assembly Members** 

## Agenda Item 12a

### **CITY & BOROUGH OF WRANGELL**

#### BOROUGH ASSEMBLY AGENDA ITEM November 12, 2014

**INFORMATION:** 

Approval of the Wrangell Capital Project Requests for FY 2015-16 (postponed from the October 28, 2014 Regular Assembly Meeting)

Attachments:

- 1. Memo from Manager Jabusch
- 2. Capital Project Request list

#### **RECOMMENDED ACTION:**

Move to approve the Wrangell Capital Project Request for Fiscal Year 2015-2016, as presented.

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

#### FROM: JEFF JABUSCH BOROUGH MANAGER

#### **RE:** Capital Project List

#### DATED: October 24, 2014

Annually staff and the assembly compile a list of projects that we show as needs of the community. Once the list is assembled, we arrange the list so that our top 10 or so projects are listed in order of important to the assembly. That list is used in a variety of places. We give the list to our federal lobbyist, our state legislators, our state lobbyist (when hired) and staff to look for funding opportunities. Sometimes it is possible to find specific funding for an item that is not in the top items, but we still would like to fund as many items on the list as possible.

Attached is the list that staff is presenting to the assembly. This list is for review and certainly can be rearranged before final adoption by the assembly.

We have tried to list the top 10 as economic drivers or critical infrastructure items that need addressed. There are others that also need attention but may not be as time sensitive.

Carol Rushmore, Carl Johnson and I have gone through last year's list and have revised it based on funding received for previous projects and some of the current needs. I won't go through the entire list, but we feel the hospital should be the number 1 project. The hospital is a huge economic driver in the community and with a new hospital the potential to have more care preformed in town is good for the citizens and good for the economy. We also feel that finishing the boat yard with the final paving is important and if there is a capital budget, it is more likely that there will be money to finish projects rather than to start new ones. We received money for the Sewer Pump Replacement, but this was not near enough to do all that we hoped and in fact will only replace the pump station near the inner harbor boat launch. We also have the pump station near Rayme's Bar. We also know at number 4 that the pool is going to need substantial renovations to stay open. Some of these repairs likely will be done out of the current budget, but there are some major things that additional funds will be needed. At number 5, the water main distribution replacement is also important. Many of our main ductile iron water mains have been failing. This could be a disaster as many of these deliver water out the highway and other areas of town.

After these 5, there are many others that that deserve attention, but the order of preference could be argued for many of them.

#### Proposed Wrangell Capital Budget Requests for State and Federal FY 2015-16

as of 11-12-14

			Stata	Total			45 01 11 12 14
			State	Total	Chata av		
	Tours	Drojast	Dogwoot Amount	Decient Amount	State or Federal		
1	Town Wrangell	Project Pool Facility Improvements (Pool Roof, Mechanical, Remodel)	Request Amount 1,500,000	Project Amount 1,000,000	State/Federal		
1 2	Wrangell	Wrangell Boat Yard Improvements - Final Improvements	4,000,000	4,000,000	State/Federal		
2	Wrangell	Sewer Pump Replacement	500,000	4,000,000	State/Fed	ł	-
5	Wrangell	Wrangell Medical Center Design and Construction	2,000,000	39,000,000	State/Fed	Rural	
4	Wrangen					Development	
5	Wrangell	Community Center Life & Safety Upgrades	100,000	100,000	State/Federal		
6	Wrangell	Water Main Distribution System Replacement	2,900,000	2,900,000	State		rcvd DEC Loan
7	Wrangell	Public Safety Building Renovations - Including Court System	950,000	950,000	State/Federal		
8	Wrangell	SCBA's for personal Protective Equipment	60,000				
9	Wrangell	Industrial Park Expansion - Road and Utilities Expansion	500,000	500,000	Federal		
10	Wrangell	Electric System Upgrades (Wrangell Medical Campus and Boat Yard Haul Out)	250,000	250,000	State/Federal		
11	Wrangell	New Cemetery Site	250,000	250,000			
12	Wrangell	Power Engineer Review of Distribution System					
13	Wrangell	Wrangell Road Resurfacing Phase I	250,000	250,000	State		
14	Wrangell	Storm Drain Plan	150,000				
15	Wrangell	Elementary School Parking Lots	500,000				
16	Wrangell	Fire Engine/Pumper	220,000				
17	Wrangell	Two Police Vehicles	70,000			split into only 1	
18	Wrangell	School Fire Alarm System					
19	Wrangell	911 System	200,000	300,000			
20	Wrangell	Library Recarpeting					
	Wrangell	Shoemaker Bay Breakwater Feasibility Study	4,000,000		Federal	DEC Clean Water Fund	Received 750k FY2015)
	Wrangell	Shoemaker Bay Float - Construction	9,000,000	9,000,000	State/Federal		
	Wrangell	Waste Reduction Facility: (Building modifications/Baler)	1,500,000	1,500,000	State		
	Wrangell	Sunrise Lake - Alternative Water Source (Monitoring, Design, NEPA, etc.)	3,000,000	3,000,000	State/Federal		
	WRG/PRG	South Mitkof Island Improvements - Banana Point Improvements	1,250,000	1,250,000	State		
	Wrangell	Dam Replacement		40,000,000	Federal		
	Wrangell	Trails' Extensions	250,000	250,000	State		
	Wrangell	Evergreen Road Improvements and Pedestrian Access (State STIP funding and our match)		5,800,000	State/Local		
	Wrangell	Reliance Harbor - Design and Construction	2,500,000	2,500,000	State/Federal		
	Wrangell	Inner Harbor - Design and Construction	2,500,000	2,500,000	State/Federal		

Town	Project	Request Amount	Project Amount	State or Federal	
Wrangell	Standard Oil Float - Design and Construction	2,000,000	2,000,000	State	
Wrangell	Wrangell Totem Pole Carving				
Wrangell	Pool Locker Replacements	50,000	50,000	State	
Wrangell	Power Plant Generation Expansion	1,500,000			
Wrangell	Power Infrastructure Improvements - Mission and First Avenue	150,000			
WRangell	Volunteer Park Ball Fields' Improvements				
Wrangell	Meridian Street Extension (North End of Cassiar)				
Wrangell	Wrangell Park facility Upgrades and Improvements	250,000	250,000	State	
Wrangell	Byford Junk Yard Improvements	100,000			
Wrangell	First and Second Avenue Improvements (Elementary School)	2,000,000			
Wrangell	Public Works Building Improvements	50,000			
Wrangell	City/School Exterior Painting	200,000			
Wrangell	Airplane Float Redecking				
Wrangell	Volunteer Park Plan	25,000			
Wrangell	Multi Purpose Field Improvements	100,000			
Wrangell	Mariners Memorial				
Wrangell	Grave Street Utilities	25,000			
Wrangell	Biomass Heating District			State/Federal	
Wrangell	Stikine Avenue Safety Issues				

			State or
Project	<b>Request Amount</b>	Project Amount	Federal

#### Prioritized Projects Under \$100,000

Town

1	Wrangell	Two Police Vehicles	70,000			
2	Wrangell	Fire Hose Replacement	25,000			
3	Wrangell	Public Works Building Improvements	50,000			
4	Wrangell	Pool Locker Replacements	50,000	50,000		
5	Wrangell	City Hall Energy Improvements	25,000			
6	Wrangell	Volunteer Park Plan	25,000	25,000		
7	Wrangell	Multipurpose Field Improvements	100,000	100,000	State/Federal	
8	Wrangell	Byford Junk yard improvements	100,000	800,000		
9	Wrangell	Mitigation/Restoration Plan for Public/Private Development	75000	150000		

## Agenda Item 13a

### **CITY & BOROUGH OF WRANGELL**

#### BOROUGH ASSEMBLY AGENDA ITEM November 12, 2014

**INFORMATION:** 

Approval for Engineering Services and to purchase a new Digital Excitation System for the Light Plant

#### Attachments:

- 1. Memo from Manager Jabusch, Borough Manager
- 2. Memo from Clay Hammer, Electrical Superintendent
- 3. Price and specification sheet from Electric Power Systems, Inc.
- 4. WMC Section 5.10.050 (E)(F)

#### **RECOMMENDED ACTION:**

Move to approve purchasing a new Digital Excitation System from Bassler Electric for the Light Plant without competitive bidding as allowed under Wrangell Municipal Code 5.10.050 (F), and to also approve Electric Power Systems, Inc. to provide the engineering services for this project without competitive bidding as allowed under Wrangell Municipal Code 5.10.050 (E) with funds for the project to come from the current Light Fund budget.

#### MEMORANDUM

- TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY CITY AND BOROUGH OF WRANGELL
- FROM: JEFF JABUSCH BOROUGH MANAGER

### SUBJECT: PURCHASE OF VOLTAGE REGULATION EQUIPMENT FOR GENERATOR #4

#### DATE: NOVEMBER 3, 2014

Clay Hammer brought forward in his budget last spring, a line item to replace a piece of equipment that is required for voltage regulation for our #4 generator. This item was approved in an amount of \$65,000. Electric Power Systems, Inc. has been our plant engineer's and assisted us with some rough numbers for budgeting. Since then, they have revised their numbers. The total amount is going to be \$74,849 plus a 10% contingency for unforeseen contingencies. This brings the total budget for the project to \$82,334. Mr. Hammer believes they can do the project by using other line items within the current approved budget and the \$65,000 to accomplish the project without additional budgeted funds.

The reason why this is coming before the Assembly is that we want to do this project without competitive bidding. This item would include both the purchase of the replacement equipment and approval of the Engineering Company that we have used exclusively for years. Clay's memo includes more detail on the reason for purchasing directly from the equipment supplier, Bassler Electric and also for using Electric Power Systems, Inc., for the engineer. The current equipment is made by Bassler Electric.

#### WMC Section 5.10.050 When Competitive Bidding or Quotations are not required:

#### WMC Section 5.10.050 (F):

The following applies for the equipment:

Supplies, materials, equipment, or contractual services which must be purchased from a specific source in order to prevent incompatibility with previously purchased supplies, materials, equipment, or contractual services. For purposes of this subsection the term "incompatibility" is defined as the inability to (1) interconnect, combine, interchange, or join, or (2) that which causes or necessitates maintenance expertise or training where such acquisition would result in substantial duplication. The assembly must approve by motion or resolution any purchase whose cost exceeds \$25,000 which is to be excluded from competitive bidding by the authority of this subsection

Basically this section says that bidding is not required when there is a specific source to prevent incompatibility with previously purchased equipment.

We will be purchasing this equipment directly from the Bassler Electric, the company that has manufactured the previous equipment we have. This is being done so we can use some of the existing compatible items to save money. This is both a single source and can only be purchased here to be compatible with some of the existing parts that we plan to use.

#### WMC Section 5.10.050 (E):

The following applies towards the Engineer:

### Contractual services of a professional nature, such as legal, engineering, architectural, and medical services

Electric Power Engineers have been the engineers who have set up the majority of our current generating system. They are also the engineering company that has assisted us with trouble shooting the current existing problem and their recommendation for the fix. They will be the ones, or we would like them to be the ones, to actually install and coordinate the installation of the new equipment and to be sure it all is working like it should.

#### **Recommended Action:**

Move to approve purchasing a new Digital Excitation System from Bassler Electric for the Light Plant without competitive bidding as allowed under Wrangell Municipal Code 5.10.050 (F), and to also approve Electric Power Systems, Inc. to provide the engineering services for this project without competitive bidding as allowed under Wrangell Municipal Code 5.10.050 (E) with funds for the project to come from the current Light Fund budget.

#### **MEMORANDUM**

TO:	Jeff Jabusch, City Manager CITY AND BOROUGH OF WRANGELL
FROM:	Clay Hammer Electrical Superintendent
SUBJECT:	Voltage Regulation Equipment Generator Unit #4

#### **DATE:** October 31, 2014

#### **BACKGROUND:**

Wrangell Municipal Light and Power's generator #4 has been experiencing reliability issues with its voltage regulation equipment and after a great deal of research it was concluded that the dated regulation equipment needed replacement. This was budgeted for and approved in the 2014-2015 fiscal year budget.

The amount budgeted was 65,000 dollars. With the breakdown of those expenses a	as follows;
Bassler Electric, New digital excitation system	51,300.00
Electric Power Systems, Engineering and commissioning	13,300.00

The intention was to sole source the excitation system from American manufacturer Bassler Electric as they are the company that built the original system and by using their product we could reuse some components of the old system that are still supported. This would allow us to save money and is as close to a Plug and Play replacement as is available. Bassler is also the only American company that supports this system.

Electric Power Systems based out of Juneau is the region's premier generation tech support and has the most experience with our system, when contacting Electric Power Systems to start moving the project ahead it was discovered that there were a number of components that had failed to make the list on the initial estimate. Wire and connections, one additional relay, shipping, plus a small fee for expediting components had not been accounted for. Also not considered was a 10% contingency fee to cover any unexpected cost that should arise.

The additional components add 7,851.00 to the cost of the project. A revised estimate on engineering and commissioning has added 2,398.00 and the 10% contingency fee adds another 7,485.00. This brings the total to 82,334.00 or 17,334.00 over what had been originally estimated.

#### **RECOMMENDATION:**

The biggest changes to the cost of the project are the addition of needed components and the 10% contingency fee. I believe that these additional costs may be absorbed within the generation and distribution budget by reallocating some of the funds intended for supplies and maintenance. I recommend that we be authorized to approve these changes and allow the project to proceed.

Clay Hammer, WML&P electric superintendent

#### **Clay Hammer**

From: Sent: To: David Buss <dbuss@epsinc.com> Friday, October 24, 2014 1:30 PM Clay Hammer

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Clay,

I put together a more detailed estimate for the AVR replacement. It is based on you guys supplying the install labor (wireman). I'm assuming it can get moved into place and close to set up before one of us comes down to checkout and startup.

I have \$59,151 in materials, that does not include a markup on the \$51,300 AVR cost from Basler. I'm assuming you will order direct and avoid our 10% markup. I am adding in 3% for shipping (\$1709).

I'm estimating around \$15,700 in engineering, on-site and expenses. This is based on 4 days on-site. I'm guessing if the install goes well, and it should, it should be less than this. Although I haven't put a lot of money in the design/drawings effort.

Plus a 10% contingency.

WMLP EXCITER RE	PLACEMENT
Engineering/Startup	\$15,698
Materials	\$59,151
Subtotal	\$74,849
Contingency (10%)	\$7,485
Sum	\$82,334

\*\*\*\*\*

David Buss Electric Power Systems, Inc. (907) 789-2474 main (907) 523-3101 direct (907) 321-7474 cell

	Materials						
			Labor				
Activity	Description	Labor (hrs)	Rate	Labor Total	Materials	Quantity	Total
Materials	WRE, ETC	0	\$ 210	- \$	\$ 500	1	\$ 500
	PRIMARY CABLE CONNECTIONS	2	2 \$ 210	\$ 420	\$ 1,500	1	\$ 1,920
	BASLER EQUIPMENT	4	4 \$ 210	\$ 840	\$ 51,300	F	\$ 52,140
	BASLER GROUND DETECTION RELAY	2	2 \$ 210	\$ 420	\$ 1,980	+	\$ 2,400
	CONSUMABLES	0	0 \$ 210	•	•	0	•
	RA70 FOR AVR CONTROL	0	0 \$ 210	•	•	0	•
	WYE PT CONNECTIONS	0	0 \$ 210	, \$	, 8	0	•
	SHIPPING					3% \$	\$ 1,708.80
	MARKUP					10% \$	
					Major Materials Procurement	rocurement	\$ 59,151
Notes							

Notes

2014 WMLP exciter.xlsx

			RESOURCES	IRCEB							
	Md	DEBIGNER	IGNER   DESIGNER   DESIGNER   DRAFTING	DESIGNER	DRAFTING	ADMIN					
DESCRIPTION	ENGINEER	ENGINEER	ENGINEER ENGINEER ENGINEER ENGINEER ENGINEER	ENGINEER	ENGINEER TECH II	CLERICAL	ατγ	TOTAL			
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ONSITE ASSISTANCERTARTUP PER DAY	ę						4	40		0	ONSITE ASSISTANCE/STARTUP PER DAY
TRAVEL	ŝ						2	10	\$2,100.00		TRAVEL
			ſ					°	\$0.05	0	
								0	\$0.00	0	
								0	\$0.00	0	
								0	\$0.08	0	
								0	\$0.00		
SUBTOTAL	53.0	0.0	24.0	0.0	9	0.0					
LR (\$Mr)	LR (\$/hr) \$210.00	\$158.00	\$132.00	\$117.00	\$109.00	\$56.00					
	\$11 130	Ş	et 158	Ş	Ş	Ş			\$14 295 0	\$14 293 00 \$14 293 00 TOTAL	TOTAL

	COST	TOTAL	EXPENSES
1 2	500.00	\$ 500.00	AIRFARE
4 5	150.00	\$ 600.00	HOTEL
\$ 7	75.00	\$ 300.00	PER DIEM (MEALS)
		-	CAR RENTAL
		\$ 1,400.00	TOTAL EXPENSES

\$ 15,698.00

#### 5.10.050 When competitive bidding or quotations are not required.

The following may be purchased or contracted for without giving an opportunity for competitive bidding or soliciting quotations:

E. Contractual services of a professional nature, such as legal, engineering, architectural, and medical services;

F. Supplies, materials, equipment, or contractual services which must be purchased from a specific source in order to prevent incompatibility with previously purchased supplies, materials, equipment, or contractual services. For purposes of this subsection the term "incompatibility" is defined as the inability to (1) interconnect, combine, interchange, or join, or (2) that which causes or necessitates maintenance expertise or training where such acquisition would result in substantial duplication. The assembly must approve by motion or resolution any purchase whose cost exceeds \$25,000 which is to be excluded from competitive bidding by the authority of this subsection;

## Agenda Item 13b

### **CITY & BOROUGH OF WRANGELL**

#### BOROUGH ASSEMBLY AGENDA ITEM November 12, 2014

**INFORMATION:** 

## PROPOSED RESOLUTION No. 11-14-1307: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, VOIDING THE WARD REPLAT, PLAT #2008-3

Attachments:

- 1. Memo from Carol Rushmore, Economic Director
- 2. Proposed Resolution No. 11-14-1307
- 3. Proposed Replat to void

#### **RECOMMENDED ACTION:**

Move to adopt Resolution No. 11-14-1307, that void's the Ward Replat, No. 2008-3.

#### MEMORANDUM

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

FROM: MS. CAROL RUSHMORE ECONOMIC DEVELOPMENT DIRECTOR

SUBJECT: Void Ward Replat Plat No. 2008-3

DATE: November 6, 2014

#### BACKGROUND:

A letter from the Alaska Mental Health Trust Office (MHTL) summarizes what occurred in 2008. Our tax rolls listed Bruce Ward as owner of the Lot 14 USS 3403 rather than MHTL, with Bruce Ward under contract to purchase. He was responsible for the taxes. He has since defaulted to MHTL on payments for the parcel, and MHTL is taking the property back. During this process they discovered that a subdivision had occurred. To clear up the title to the property in order to resell the parcel, they are requesting that the Borough nullify, void and vacate the Ward Replat.

The Planning and Zoning Commission at their regular meeting of August 14, 2015 unanimously approved a recommendation to the Borough Assembly to nullify the Ward Replat, #2008-3.

#### **RECOMMENDATION:**

Staff recommend approval of the Resolution voiding the Ward Replat

ATTACHMENTS:

Copy of Plat to be voided: Plat no. 2008-3, Ward Replat

#### CITY AND BOROUGH OF WRANGELL, ALASKA RESOLUTION NO. 11-14-1307

#### A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, VOIDING THE WARD REPLAT, PLAT #2008-3

WHEREAS, Bruce Ward entered into a 20 year contract for the sale of real property with the Alaska Mental Health Trust Authority to purchase Lot 14, USS 3403 on November 26, 2007, recorded as document #2008-000004-0 Wrangell Recording District; and

WHEREAS, Bruce Ward, owner of Lot 15, USS 3403, an adjacent parcel to Lot 14, USS 3403, applied to the City and Borough of Wrangell Planning Commission in April 2008 to subdivide and change the property boundary configurations of Lot 14 and Lot 15, USS 3403, creating two new Lots, A and B; and

WHEREAS, the City and Borough of Wrangell Planning and Zoning Commission and the City and Borough of Wrangell Assembly approved the Ward Replat which was subsequently recorded on April 28, 2008, as Plat #2008-3 Wrangell Recording District; and

WHEREAS, Bruce Ward defaulted on the contract for the sale of real property with Alaska Mental Health Trust Authority to purchase Lot 14, USS 3403 and a Decision to Terminate the Contract for the Sale of Real Property was initiated and filed on May 14, 2014 as Document #2014-000101-0 Wrangell Recording District;

WHEREAS, Alaska Mental Health Trust Authority notified the City and Borough of Wrangell that Ward was not the owner of Lot 14, USS 3403 and requested that the City and Borough of Wrangell void the Ward Replat, Plat #2008-3, reestablishing property boundary configurations of Lot 14 and Lot 15, USS 3403 to their configurations before the approval of the Ward Replat.

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

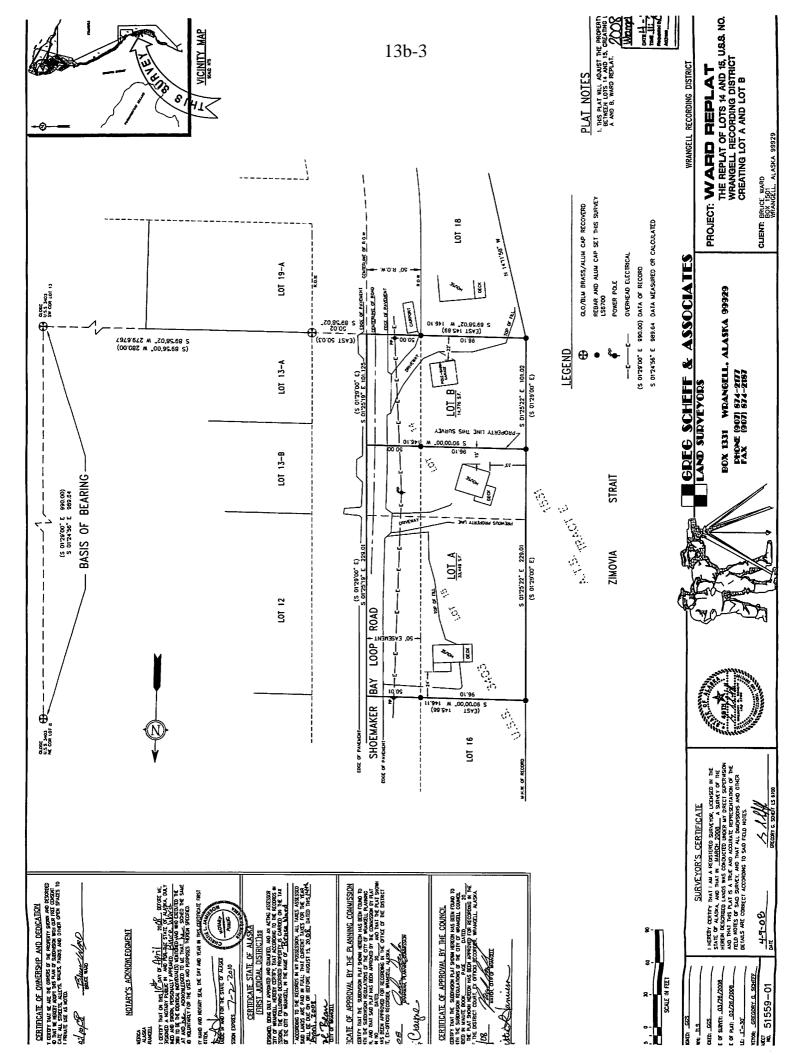
The Assembly hereby voids the Ward Replat, Plat #2008-3, re-establishing boundary configurations of Lot 14 and Lot 15, USS 3403 to their boundary configurations before the approval of the Ward Replat.

ADOPTED: \_\_\_\_\_

David Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk



## Agenda Item 13c

### **CITY & BOROUGH OF WRANGELL**

#### BOROUGH ASSEMBLY AGENDA ITEM November 12, 2014

**INFORMATION:** 

Approval of a Budget Amendment in the Sanitation Collection Budget to purchase additional dumpsters

Attachments:

1. Memo from Carl Johnson, Public Works Director

#### **RECOMMENDED ACTION:**

Move to approve a Budget Amendment to increase line item 34.01.00.5855 of the Sanitation Collection Budget from \$4,000 to \$10,000 with funds to come from the Sanitation Reserve Fund.

#### MEMORANDUM

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

#### FROM: CARL JOHNSON PUBLIC WORKS DIRECTOR

#### **SUBJECT: Dumpsters**

**DATE:** 11-4-2014

**BACKGROUND:** The sanitation department has been short on dumpsters for a while. Staff had a lead on some dumpsters purchased directly through our waste disposal contractor but that fell through. The lowest quote for 30-300gallon dumpsters is about \$10,000. The sanitation budget line item for dumpster purchases totals \$4,000. The department really needs 30 new dumpsters before spring and there is a fairly long lead time between ordering and delivery.

The sanitation department is seeking a budget amendment changing Sanitation Fund item 34.01.00.5855, "purchase exp/dumpster" from \$4,000 to \$10,000. The projected reserve at the end of this budget year is \$101,607.

#### **RECOMMENDATION:**

Staff recommends Borough Assembly approval of a budget amendment to increase line item 34.01.00.5855 of the Sanitation Collection budget from \$4,000 to \$10,000 with funds to come from the Sanitation Reserve Fund.

## Agenda Item 14

### **CITY & BOROUGH OF WRANGELL**

#### BOROUGH ASSEMBLY AGENDA ITEM November 12, 2014

**INFORMATION:** 

ATTORNEY'S FILE – None.

## Agenda Item 15

### **CITY & BOROUGH OF WRANGELL**

BOROUGH ASSEMBLY AGENDA ITEM November 12, 2014

Executive Session – None.