

**Minutes of Regular Assembly Meeting  
Held on August 22, 2017**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., August 22, 2017, in the Borough Assembly Chambers. Assembly Members Rooney, Powell, and Mitchell were present. Assembly Members Decker, Prysunka, and Gilbert were absent. Borough Manager Von Bargen and Clerk Kim Lane were also in attendance.

The Pledge of Allegiance was led by Assembly Member David Powell.

The Invocation was given by a Chelsea Cleghon of the Baha'i Faith.

A presentation was given by John Halverson, DEC to update the Assembly and the public on the final phase of the Monofill for the Wrangell Junkyard (Byford) Property Clean-up project.

Powell asked Mr. Halverson to clarify if the City could or could not stop the treated material from being disposed of at the selected site.

Mr. Halverson stated that the material must be disposed of within 2 years or less; already a year into it.

Powell stated that he wanted the people of Wrangell to understand that we, as the Assembly do not have the ability to stop this from happening by simply saying "no", unless we can secure other funding to move it off the island.

Mitchell stated that he believed that we could stop it, but we would then have to pay for it; State has come forward to help us with our problem; commended the State because without their assistance, we would be forced to comply and would most likely be subject to fines.

A certificate of service was presented for Robbie Austin for his service on the Planning & Zoning Commission.

**AMENDMENTS TO THE AGENDA – None**

**CONFLICT OF INTEREST – None**

**CONSENT AGENDA**

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

**APPROVAL OF MINUTES**

The Minutes of the Regular Assembly meeting held July 25, 2017 were approved as presented.

**COMMUNICATIONS**

- a. SEAPA's 2nd Quarter Community Flyer (2017)
- b. 2<sup>nd</sup> Quarter Expenditure Report from Catholic Community Services (4-1 thru 6-30-17)
- c. Letter from KSTK regarding the transfer of ownership to CoastAlaska (*referenced in the Borough Manager's Report*)

- d. *Thank you* letter to Representative Dan Ortiz regarding Shoemaker Bay Harbor project – from Manager Von Bargaen
- e. *Thank you* letter regarding Shoemaker Bay Harbor project to Senator Bert Stedman – from Manager Von Bargaen
- f. Letter from the Regulatory Commission of Alaska regarding the TBPA transfer to SEAPA (*referenced in the Borough Manager's Report*)
- g. Letter from the Wrangell Cooperative Association to the State of Alaska, DEC

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

Manager Von Bargaen's report was provided with the weekly Water Update and the Parks & Recreation Reports included in the Report. In addition to the Manager's written Report, Von Bargaen reported on the AML Summer Conference and she also stated that she would take Jeff Jabusch's place on the ANSEP Committee, as the Borough Manager. There were no objections from the Assembly.

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

Clerk Lane's report was provided.

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

#### **10a Reports by Assembly Members**

Rooney reported on the Wrangell Medical Center's Board meeting that was held on August 16, 2017.

Mitchell stated that he would not be running for another term on the Assembly but that he would be running for the open seat on the Port Commission; encouraged the public to step up and run for office if they want to make a difference.

### **PERSONS TO BE HEARD**

**Mary Campbell, 224 Reid Street #1**, commented on the water restriction issue; stated that Sylvia Ettefagh had brought someone into town who said that he could fix the issue for about \$70,000.

**Esther Ashton, Tribal Administrator / Board Member**, concerned that the Tribe was only recently informed of the final stage of the project. Ms. Ashton read a letter to the Assembly and the public that was written by the Wrangell Cooperative Association to DEC, State of Alaska on the final phase of the Monofill project. Ms. Ashton spoke in opposition of the treated material being disposed on the site that the DEC had chosen. Ms. Ashton also requested that collaboration happen between the Tribe, the City and DEC to come up with a more appropriate disposal site.

Ms. Ashton stated that Tribe had expressed that they were concerned with the treated material being disposed of at the selected site; on August 15<sup>th</sup> (after all of the materials that were submitted by DEC was considered), the Wrangell Cooperative Association Board passed a motion to : *stand behind the decision to disagree with the DEC Junkyard repository and look for alternative means of disposal*; Ms. Ashton also requested that collaboration happen between the Tribe, the City and DEC to come up with a more appropriate disposal site.

**Richard and Virginia Oliver** spoke in opposition of the treated material being disposed on Wrangell Island; we need to get together to seek funding to move it off the island; a little time is

what we are asking for; liner is man-made, has a time limit and could be fail. Ms. Oliver said that she doesn't want to see a precedence set that you can drop off your waste management in Wrangell; do not want it on the island; need to work towards a solution to move it.

**Vivian Prescott, 5.5 Mile Shoemaker Loop Road**, spoke about cultural and intellectual property rights; attempted to show photographs of people who had subsistence/traditional land use out in the Pat's Creek and Pat's Lake area.

Mayor Jack stated that it was not appropriate to show the pictures; that if she had something to show, she could send it to the Clerk and she can distribute it.

Ms. Prescott continued to show the pictures to the public and the Assembly.

Mayor Jack called Ms. Prescott out of order.

Ms. Prescott continued to try and show the pictures to the public and the Assembly.

Mayor Jack again, called Ms. Prescott out of order and directed the Clerk to call the police for assistance.

Ms. Prescott asked if there was something wrong with showing the pictures.

Mayor Jack stated that yes there was, this is an Assembly meeting and not a Public Hearing where that would be more appropriate. Mayor Jack stated that if she wanted to show the photographs, she would need to give them to the Clerk and that she could distribute them.

Clerk Lane stated that she would take the photographs, copy them and distribute them to the Assembly after the meeting.

Ms. Prescott stated that what was missing from this process was respect; Tribe was not informed; City and State did not involve the Tribe in the decision making. Ms. Prescott stated that that makes her think that this was a way of doing business for the City, to make decision without the indigenous people in the area and then involve them after the fact; most people in this town do not want it there.

**Jamie Roberts, 11.2 Zimovia Hwy.**, stated that she had concerns on the process and decision that occurred in the final phase of the project; stated that there should have been a public process and that was not done; believed that there was a legal process that should have been done; Alaska Department of Fish & Game was not given the correct information; map that was shown at the Public Meeting, did not show fish streams that are very close to the proposed rock pit; Fisheries Biologist has this information at the local Forest Service office; concerned that decisions were made without utilizing local services and involving the public.

Powell stated that meetings are never private; information is available on the internet, bulletin board, webpages, radio and the newspaper; if someone didn't contact the Tribe, maybe there should be someone from the Tribe at the Assembly Meetings or look at the Agenda's to see if there is something of interest; we are volunteers and are not here to hide anything.

Ms. Roberts said that they are just asking for a proper public process.

After more discussion back and forth, Mayor Jack called for order.

Powell apologized and Ms. Roberts sat down.

#### **UNFINISHED BUSINESS - None**

#### **NEW BUSINESS**

**13a** Request to vacate a private access/utility easement along the mutual property line of Lots 37A and 37B of the Senna Subdivision, zoned Rural Residential (public hearing item)

*M/S: Rooney/Mitchell, moved to approve the vacation of a private access/utility easement along the mutual property line of Lots 37A and 37B of the Senna Subdivision, zoned Rural Residential, requested by Charles and Joan Martin, owners. Motion approved unanimously by polled vote.*

**13b** Approval of the Senior Citizen Tax Exemption for Lloyd and Charlotte Brown

*M/S: Rooney/Mitchell, moved to approve the 2017 Senior Citizen Tax Exemption Late File Application for Lloyd and Charlotte Brown, received after the deadline of March 1, 2017, but within the allowed grace period. Motion approved unanimously by polled vote.*

**13c** Approval of the Senior Citizen Tax Exemption for Anthony and Sueann Guggenbickler

*M/S: Rooney/Mitchell, moved to approve the 2017 Senior Citizen Tax Exemption for Anthony and Sueann Guggenbickler received before the filing deadline but not processed according to procedure. Motion approved unanimously by polled vote.*

**13d PROPOSED RESOLUTION No. 08-17-1373:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE ASSESSMENT VALUE FOR TAX YEAR 2017 FOR LLOYD AND CHARLOTTE BROWN, LOT 19D, USS 2900, 5.5 MILE SHOEMAKER LOOP ROAD, DUE TO A MANIFEST CLERICAL ERROR

*M/S: Mitchell/Rooney, moved to approve Resolution No. 08-17-1373 that amends the Assessment Value for the 2017 Tax Year. Motion approved unanimously by polled vote.*

**13e PROPOSED RESOLUTION No. 08-17-1373:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE ASSESSMENT VALUE FOR TAX YEAR 2017 FOR ANTHONY AND SUEANN GUGGENBICKLER LOT 44, BLOCK 26, A PORTION OF CEDAR STREET VACATION, 802 ZIMOVIA HIGHWAY, DUE TO A MANIFEST CLERICAL ERROR

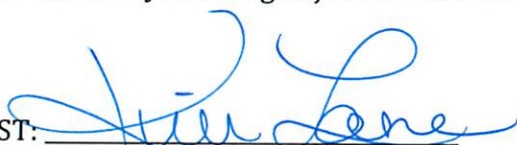
*M/S: Rooney/Mitchell, moved to adopt Resolution No. 08-17-1374 that amends the Assessment Value for the 2017 Tax Year. Motion approved unanimously by polled vote.*

**ATTORNEY'S FILE** – A summary report was provided to the Assembly.

**EXECUTIVE SESSION – None**

Regular Assembly Meeting adjourned at 8:10 p.m.

ATTEST:

  
Kim Lane, MMC, Borough Clerk

  
David L. Jack, Mayor

