

**Minutes of Regular Assembly Meeting
Held on December 5, 2017 (rescheduled from December 12, 2017)**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., December 5, 2017, in the Borough Assembly Chambers. Assembly Members Howell, Rooney, Prysunka, and Gilbert were present. Assembly Member Decker participated by telephone. Assembly Member Powell was absent. Borough Manager Von Barga and Clerk Kim Lane were also in attendance.

The Pledge of Allegiance was led by Assembly Member Patty Gilbert.

The Invocation was given by Adam Morse of the Baha'i Faith.

PERSONS TO BE HEARD - None

AMENDMENTS TO THE AGENDA - None

CONFLICT OF INTEREST

Prysunka declared a potential conflict of interest on item 13b since his wife is an employee of SEARHC and holds a contract with the hospital for long term care and is the chief of staff.

Jack stated that he did not see a conflict since if this item were approved; she would not receive monetary money above anyone else. There were no objections from the Assembly.

CONSENT AGENDA

- a. Approval of Assembly Minutes – November 7, 2017 (Public Hearing & Regular)
- b. School Board Minutes – September 18, 2017 (Regular) & October 5, 2017 (Special)
- c. School Board Action – November 11, 2017
- d. SEAPA – 3rd Quarter Community Flyer
- e. WMC Minutes – October 18-2017
- f. Correspondence from Senator Dan Sullivan, congratulating Wrangell on receiving the 2017 SE Conference's Community of the Year Award
- g. USFS Wrangell Island Project Consolidated Objection Response to the Final Environmental Impact Study and Draft Record of Decision – November 13, 2017
- h. Dept. of Administration PERS Audit Report Letter

M/S: Gilbert/Prysunka, to approve the Consent Agenda as submitted.

Rooney brought to the attention for the public that Wrangell had received a letter from Senator Sullivan for receiving the community of the year award from SE Conference for 2017; also that we had received a 100% perfect State audit from the State.

Prysunka stated that the 3rd quarter community flyer for SEAPA was included in the Consent Agenda and was also available on the Borough website.

Motion approved unanimously by polled vote.

BOROUGH MANAGER'S REPORT

Manager Von Barga provided a verbal report to the Assembly, she also reported on the following:

- Shoemaker Bay Harbor Project – Dredge Material Testing Costs
- Managers (IMMA) meeting in Anchorage
- Alaska Municipal League
- Public Safety Building
- Generator Procurement; would go out for bid for the generator but because trailer was a great deal, will go ahead with that purchase
- Scrap Metal
- Community Development Block Grant was completed and submitted on time
- DAM Safety, poster child in a bad way; we do have a downstream risk
- Hazard mitigation plan not completed when the DAM work was done in 2016; State says that it was; need to have that corrected
- P&Z Commission currently short two seats
- Assessors were in town; working towards a new assessment digital program

Prysunka asked that we look for easy mitigation and advance downstream notification to those who are threatened with downstream risk; similar to our Water Treatment Plan.

Prysunka requested that a report be brought back to the Assembly on the hacking of the City's email system, to understand how they were able to get the information that they had and exactly what took place.

In response to Gilbert, Amber Al-Haddad, Public Works Director updated the Assembly on the scrap metal schedule; would be accepting free metal all throughout December.

Prysunka requested that Staff send personal invitation letters to those who were in violation of our code; who have junk vehicles in their front yards or who have accumulated debris in their front yards to let them know that we have free disposal at the landfill site; outline what the process is going to look like. Prysunka also asked that this rule be applied to those violators in the harbors.

Gilbert requested that there be an agenda item on every Agenda that would allow for discussion and possible action for the plan on the water treatment issue.

BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

MAYOR AND ASSEMBLY BUSINESS

Gilbert stated that she had substituted for Rooney at the last Hospital Board meeting; main consideration at that meeting was the directive letter that was sent to the Assembly on their recommendation to look at the feasibility of a third party relationship with the hospital.

Prysunka stated that he had talked with the Financial Director of Sitka; they had put out a Request for Proposals for Management services to their hospital and there were no proposals received.

Decker reported the following:

- Southeast Conference Fisheries committee met today and forwarded a resolution of support for Sea Otter management to the board for consideration; would like to forward something similar for the next agenda for the Assembly to consider.
- Would like to work with Staff on a time where she could give the Assembly a short presentation about mariculture in our State and plan to develop the industry.
- Would like to see the Borough Manager take an active role in the ANSEP Boarding School process and on the committee.

Prysunka stated that the Girls Volleyball Team really represented our community well, fought hard, and placed second at State.

Von Barga asked if the Mayor and Assembly if they would want Staff to come back at the next meeting with a Proclamation for the Volleyball Team. The Assembly said yes.

MAYOR AND ASSEMBLY APPOINTMENTS

10a City Boards and Committee Appointments

As there were no letters of interest received for the two vacancies on the Planning & Zoning Commission and the one vacancy on the Wrangell Convention & Visitors Bureau, Mayor Jack directed the Clerk to continue advertising to solicit letters of interest.

Prysunka asked if there was any way that a member of the assembly could sit in and be a part of the process to establish a quorum; asked that Staff check into if that would be allowed; doesn't want to see Planning & Zoning business not take place due to lack of participation.

10b SSRAA Nomination (Assembly Member – Municipal Seat)

M/S: Prysunka/Gilbert, moved to nominate Powell to the SSRAA Board. Motion approved unanimously by polled vote.

PUBLIC HEARING

There was no Public Hearing.

UNFINISHED BUSINESS

NEW BUSINESS

13a Approval to Waive Section 16.08.240 of the Wrangell Municipal Code Requiring Assembly Approval of Tideland Lease Assignments for the Consent to Assignment of Lease for Financing Purposes from Don Sorric to First Bank for Lot 1, Wrangell Marine Service Center

M/S: Prysunka/Howell, moved to not approve waiver of Section 16.08.240 of the Wrangell Municipal Code requiring Assembly approval of Tideland Lease Assignments for the Consent to Assignment of Lease for Financing Purposes from Don Sorric to First Bank for Lot 1, Wrangell Marine Service Center.

Von Barga explained that the City and First Bank was deadlocked on the language. Von Barga stated that she had been in contact with the City of Ketchikan; had allowed for a similar consent document but not under the same circumstances; land was a State Tidelands lease; would not

have allowed it if it had been a City Tidelands lease. Von Bargaen had also reached out to the Ketchikan Gateway Borough's Attorney; he stated that consent to assignments were allowed to be approved by the Manager; if the bank exercised its security interest, it would step into the shoes of the lessee and that would require Assembly consent to assign from the bank to a third party. Von Bargaen expressed concern that the language that First Bank is proposing was that they could assign the lease to another party in whole or in part.

Decker questioned if we were allowed to make a negative motion; also if the Borough Manager had had a conversation with the First Bank President and if so, how did it go.

Von Bargaen stated that she had and that both parties agreed to have the attorneys work on the language; were unable to come to an agreement; risks are nominal but there are some unknowns; have not seen this done any other place.

In response to Rooney, Von Bargaen stated that she didn't know if Mr. Sorric had looked at financing with other lenders; Mr. Sorric had completed the work and was looking for financing after the fact.

The Assembly made some recommendations to the wording in the consent that would require that First Bank follow our municipal code and the lease parameters.

Decker asked if Von Bargaen could take the Ketchikan Gateway Borough Attorney's language to the First Bank President to see if they could come up with an agreement.

Clerk Lane asked that a member amend the motion by removing the word "not" from the motion so that the motion would be a positive motion.

M/S: Gilbert/Howell, moved to amend the motion by removing the word "not". Motion approved unanimously by polled vote.

Prysunka suggested that the Assembly possibly postpone this item so that the manager could take some of the suggestions of the Assembly and bring it back when it's ready.

M/S: Decker/Gilbert, moved to postpone this item until the first meeting in January or at an earlier call of the Borough Manager. Motion approved unanimously by polled vote.

Mayor Jack called a recess at 8:18 p.m.
Regular meeting reconvened at 8:25 p.m.

13b Approval to Issue Request for Proposals for Healthcare Consulting Services

M/S: Decker/Gilbert, moved to approve Issuance of Request for Proposals for Healthcare Consulting Services.

Decker thanked the Borough Manager for striking a good balance and doing her due diligence on this; should end up with something positive.

Prysunka stated that he appreciated that SEARHC had put together some information for us and also allowed us to include the confidentiality agreement in the packet for this evening.

Gilbert requested that if approved, that the RFP be brought back to the Assembly for approval.

After discussion, the Assembly agreed to have the Manager (through the Clerk) email the completed RFP document to the Assembly; if comments or requests are received by the Assembly, that she would email those to the Manager for consideration.

Motion approved unanimously by polled vote.

13c Approval of Contribution in the Amount of \$5,000 toward the Tongass National Forest Roadless Rule Appeal

M/S: Rooney/Howell, moved to approve contribution in the amount of \$5,000 toward the Tongass National Forest Roadless Rule Appeal.

Von Bargen stated that if the Assembly felt that \$5,000 was too much to contribute, any amount would be appreciated; funding would come out of the Community Promotions budget.

Prysunka spoke in opposition to spending any more money; Assembly first approved contributing \$5000; then they came back to contribute \$3000, Assembly said no; now they are asking for \$5000; timber does not play the same role that it used to; if we had funded all of the funding that was requested, we would have spent \$13,000.

Decker stated that this request was for a different legal appeal; still around Tongass timber; listed those who were participants on the appeal.

Rooney stated that she was in favor of this; believes it's an opportunity to open up our area to more utilization for timber processing.

Gilbert voiced that she didn't believe that any of these lawsuits have ever succeeded; better shot with our Senators working on this.

Motion failed with Rooney and Decker voting yes; Gilbert, Howell, Prysunka, and Mayor Jack voted no.


ATTORNEY'S FILE – Available for Assembly review in the Borough Clerk's office.

EXECUTIVE SESSION – None

Mayor Jack wished everyone a Very Merry Christmas and a Happy New Year.

Regular Assembly Meeting adjourned at 8:44 p.m.

ATTEST:


Kim Lane, MMC, Borough Clerk
Alesha Mollen, Deputy

