



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

**Tuesday, September 25, 2018
7:00 p.m.**

**Location: Assembly Chambers,
City Hall**

1. CALL TO ORDER

- a. PLEDGE OF ALLEGIANCE led by Assembly Member Rolland Howell
- b. INVOCATION to be given by Nettie Covalt of the Presbyterian Church
- c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Awards, Certificates of Service, Guest Introductions.*
 - i. Certificate of Service – Georgianna Buhler (School Board)

2. ROLL CALL

3. PERSONS TO BE HEARD

4. AMENDMENTS TO THE AGENDA

5. CONFLICT OF INTEREST

6. CONSENT AGENDA

Consent Agenda Items:

- a. Approval of Assembly Minutes – August 28, 2018 (Regular); September 4, 2018 (Special); September 17, 2018 (Special)
- b. Final Plat of the Massin/Industrial Subdivision Replat of Lots 3, 4, 6, 7, and 8, Block 59B, Industrial Subdivision, creating Lots 4A, 6A and Lot 8A
- c. Final Plat of the Good/Edgley Subdivision, a Replat of Lots 7-K and 7-R, Block 67, creating Lot AA and Lot BB
- d. Approval of a Retail Marijuana Store License renewal for the Happy Cannabis (#10200) **(Current on all Sales Taxes)**
- e. Approval of a Marijuana Cultivation Facility renewal for the Happy Cannabis (#10201) **(Current on all Excise Taxes)**
- f. Telegraph Creek Letter

Correspondence Items:

- g. School Board Action - September 17, 2018 (action only, minutes will follow)
- h. School Board Minutes – June 18, 2018 (Regular) & August 10, 2018 (Special)
- i. Hospital Board minutes – July 18, 2018 (Regular) & August 15, 2018 (Regular)

7. BOROUGH MANAGER'S REPORT

- a. Water Report
- b. Public Works Report

8. BOROUGH CLERK'S FILE

9. MAYOR AND ASSEMBLY BUSINESS

10. MAYOR AND ASSEMBLY APPOINTMENTS

11. PUBLIC HEARING

- a. Approval of the vacation of an alleyway and portion of a scenic strip adjacent to Lots 1 and 10, Block 54, Wrangell Townsite, according to Plat No. 68-81, and Tract "B", supplemental plat of Wrangell Townsite, USS 1119, according to Plat No. 68-129, and portion of Lot 1, portion of Lot 2, and Lots 9 and 10, Block 54, Wrangell Townsite, USS 1119
- b. Approval of the vacation of unused floating easements within Lots B-1, B-2 and B-3, Health Care Subdivision II, and Lot A, Heath Care Subdivision

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- a. **PROPOSED RESOLUTION No. 09-18-1426** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, DESIGNATING CANVASS BOARD DUTIES TO THREE ASSEMBLY MEMBERS FOR CANVASSING THE RESULTS OF THE REGULAR ELECTION TO BE HELD OCTOBER 2, 2018
- b. **PROPOSED RESOLUTION NO. 09-18-1427** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING THE ALASKA SALMON HATCHERY PROGRAM
- c. **PROPOSED RESOLUTION NO. 09-18-1428** OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE RENEWAL OF THE LINE OF CREDIT AGREEMENT BETWEEN THE CITY AND BOROUGH OF WRANGELL AND THE WRANGELL MEDICAL CENTER
- d. Approval to hold a Special Assembly meeting on Thursday, October 4, 2018 at 5:30 p.m. to Certify the Regular Borough Election
- e. Discussion Item: Official Borough Position Opposing Ballot Measure 1, "Stand for Salmon"
- f. Approval to Dispose of City Surplus Property

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

15. EXECUTIVE SESSION

- a. Discuss with the Borough's legal counsel, Dorsey & Whitney LLP and the Borough Manager, legal issues regarding the proposed Asset Purchase Agreement with SEARHC regarding the Wrangell Medical Center and the financial status of Wrangell Medical Center related to the transition with SEARHC

16. ADJOURNMENT

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u> Ceremonial Matters	<u>NO.</u>	1c	Date	September 25, 2018
<u>SUBMITTED BY:</u> Kim Lane, Borough Clerk				

INFORMATION:

Ceremonial Matters. Community Presentations, Proclamations, Awards, Certificates of Service, Guest Introductions.

RECOMMENDED ACTION: No action required.

- i. Certificate of Service – Georgianna Buhler (School Board)

CERTIFICATE OF SERVICE

The City & Borough of Wrangell, Alaska
Presents this Certificate of Service to:

Georgianna Buhler

for her service and dedication as a member of the School Board
October 2016 to August 2018



ATTEST: Kim Lane, MMC, Borough Clerk

Dated this 25th day of September, 2018



David L. Jack, Mayor

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	6	Date	September 25, 2018
Consent Agenda				
<u>SUBMITTED BY:</u>				
Kim Lane, Borough Clerk				

INFORMATION:

Consent agenda. Items listed on the consent agenda or marked with an asterisk (*) are considered routine and will be passed in one motion; provided, upon the request of any member, the manager, or the clerk, an item on the consent agenda shall be removed from the consent agenda and placed under New Business for assembly action.

CONSENT AGENDA - RECOMMENDED ACTION:

Move to approve the Consent Agenda as submitted.

Consent Agenda Items:

- a. Approval of Assembly Minutes – August 28, 2018 (Regular); September 4, 2018 (Special); September 17, 2018 (Special)
- b. Final Plat of the Massin/Industrial Subdivision Replat of Lots 3, 4, 6, 7, and 8, Block 59B, Industrial Subdivision, creating Lots 4A, 6A and Lot 8A
- c. Final Plat of the Good/Edgley Subdivision, a Replat of Lots 7-K and 7-R, Block 67, creating Lot AA and Lot BB
- d. Approval of a Retail Marijuana Store License renewal for the Happy Cannabis (#10200)
(Current on all Sales Taxes)
- e. Approval of a Marijuana Cultivation Facility renewal for the Happy Cannabis (#10201)
(Current on all Excise Taxes)
- f. Telegraph Creek Letter

Correspondence Items:

- g. School Board Action (- action only, minutes will follow)
- h. School Board Minutes – June 18, 2018 (Regular) & August 10, 2018 (Special)
- i. Hospital Board minutes – July 18, 2018 (Regular) & August 15, 2018 (Regular)

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

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Kim Lane, Borough Clerk				

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- e. Approval of a Marijuana Cultivation Facility renewal for the Happy Cannabis (#10201) ***(Current on all Excise Taxes)***

Correspondence Items:

- f. School Board Action – September 17, 2018 (Regular) *action only, minutes will follow*
- g. School Board Minutes – June 18, 2018 (Regular) & August 10, 2018 (Special)
- h. Hospital Board minutes – July 18, 2018 (Regular) & August 15, 2018 (Regular)

Minutes of Regular Assembly Meeting Held on August 28, 2018

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., August 8, 2018, in the Borough Assembly Chambers. Assembly Members Gilbert, Larrabee, Powell, Howell, and Decker were present. Assembly Member Prysunka was absent. Borough Manager Von Bargen and Clerk Kim Lane were also in attendance.

The Pledge of Allegiance was led by Assembly Member Julie Decker.

The Invocation was given by Don McConachie.

CEREMONIAL MATTERS – None.

PERSONS TO BE HEARD

AMENDMENTS TO THE AGENDA

With the consent of the Assembly, Item 15a (Executive Session) was moved up to be before 11a (Public Hearing).

CONFLICT OF INTEREST – None.

CONSENT AGENDA

Consent Agenda Items:

- a. Approval of Assembly Minutes –August 2 & 3, 2018 (Special); August 7, 2018 (Regular); August 9, 2018 (Special); August 14, 2018 (Special)

Correspondence Items:

- b. School Board Action (August 10, 2018 - action only, minutes will follow)
- c. Byford Junkyard Clean-up Status Report (week ending 7-29-18)

M/S: Gilbert/Powell moved to approve the Consent Agenda as submitted. Motion approved unanimously by polled vote.

BOROUGH MANAGER'S REPORT

Manager Von Bargen provided an update to the Assembly on the following items:

- New Library Hours
- EDA Grant
- Federal Lobbyist – Work Session scheduled for Sept. 4th at 5:30 p.m.
- Open City positions (Finance Director, Public Works Director, & Electric Superintendent)
- Shoemaker Bay Harbor Project
- IT Support / May contract with the SEARHC IT Dept.
- Condition of the DAM
- USCG Anthony Petit thanked City for allowing them to service their vessel at one of our docks
- Southeast Conference (Sept 10th thru Sept 15th)
- Auditors were in town a few weeks ago, will return first part of Sept.

Amber Al-Haddad, Capital Facilities Director and **Wayne McHolland, Water Treatment Leadman** provided the Assembly with an update on the Upper Dam condition; seepage is occurring at the foot of the west end of the dam. Al-Haddad expressed that there is seepage concerns and compromised pipe concerns (possibly needs replacement).

Reached out to Shannon & Wilson Engineers to discuss dam stability; last dam stability analysis was done in 1993; will need to have a new dam stability done; working with Mill Creek Management Technologies to come in and perform the camera inspections and trenchless pipe technologies; working closely with Alaska Dam Safety Engineers to determine the appropriate method of correction.

Von Bargaen stated that we may need to have a future Work Session on this item; will keep the Assembly posted.

BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

MAYOR AND ASSEMBLY BUSINESS

Decker reported on the following:

- Governor Walker signed Mariculture Bill
- Governor Walker signed an Administrative Order to extend mariculture task force; as part of the task force, Decker stated that they will be working on implementing the comprehensive plan
- Working with a group of people to put together a resolution of support for Salmon Hatcheries; will be bringing it to the Wrangell Borough Assembly; a lot of misinformation going around in the press, board of fisheries on hatcheries; need to stay vigilant and look at the factual information that is being provided

Gilbert requested that the City's Permanent Fund Broker come and present to the Assembly; asked if a letter could be sent to Telegraph to express our condolences on the tragic forest fires. Von Bargaen stated that she had that on her list and will make sure that it gets done.

MAYOR AND ASSEMBLY APPOINTMENTS – None.

15a Discuss with the Borough's legal counsel, Dorsey & Whitney LLP and the Borough Manager, legal issues regarding the proposed Asset Purchase Agreement with SEARHC regarding the Wrangell Medical Center

M/S: Decker/Powell moved, pursuant to AS 44.62.310 (c)(1) and AS 44.62.310(c)(3), and section 3.04.120 of the Wrangell Municipal Code, that we recess into executive session to discuss privileged and confidential attorney-client information with our legal counsel, Dorsey & Whitney LLP and the Borough Manager, as well as information the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough, regarding a proposed Asset Purchase Agreement between the Borough and SEARHC regarding the Wrangell Medical Center. Motion approved unanimously by polled vote.

Recessed into Executive Session at 7:49 p.m.

Reconvened back into Regular Session at 8:48 p.m.

PUBLIC HEARING

Mayor Jack opened the Public Hearing on the following items:

11a PROPOSED ORDINANCE No. 948 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REGARDING A PROPOSED TRANSACTION BETWEEN THE CITY AND BOROUGH OF WRANGELL AND SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM CONCERNING FUTURE OPERATION OF THE WRANGELL MEDICAL CENTER AND THE CONSTRUCTION OF A NEW HOSPITAL IN WRANGELL (second reading)

11b PROPOSED ORDINANCE No. 949 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REGARDING INAPPLICABILITY OF PROVISIONS OF THE WRANGELL MUNICIPAL CODE TO A PROPOSED TRANSACTION BETWEEN THE CITY AND BOROUGH OF WRANGELL AND SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM CONCERNING FUTURE OPERATION OF THE WRANGELL MEDICAL CENTER AND THE CONSTRUCTION OF A NEW HOSPITAL IN WRANGELL (second reading)

There were no Persons to be Heard on the Public Hearing items. Mayor Jack declared the Public Hearing closed.

11a *M/S: Powell/Gilbert moved to adopt Ordinance No. 948. Motion approved unanimously by polled vote.*

11b *M/S: Powell/Howell moved to adopt Ordinance No. 949. Motion approved unanimously by polled vote.*

UNFINISHED BUSINESS – None.

NEW BUSINESS

13a PROPOSED RESOLUTION No. 08-18-1422 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AMENDING THE FY 2019 BUDGET IN THE CAPITAL IMPROVEMENTS PROJECT FUND BY ACCEPTING A HARBOR FACILITY MATCHING GRANT FROM THE ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES IN THE AMOUNT OF \$5,000,000 FOR THE SHOEMAKER BAY HARBOR PROJECT

M/S: Powell/Howell moved to approve Resolution 08-18-1422 of the City and Borough of Wrangell, Alaska Amending the FY 2019 Budget in the Capital Projects Fund by Accepting a Harbor Facility Matching Grant from the Alaska Department of Transportation & Public Facilities, in the Amount of \$5,000,000 for the Shoemaker Bay Harbor Project. Motion approved unanimously by polled vote.

13b Approval of a Cooperative Agreement between the City & Borough of Wrangell and the US Department of Transportation Federal Highway Administration for the North Country Trailhead Access Road Repair Project

M/S: Howell/Powell moved to approve a Cooperative Agreement between the City & Borough of Wrangell and the US Department of Transportation Federal Highway Administration for the North Country Trailhead Road Repairs Project. Motion approved unanimously by polled vote.

13c Approval of a Cooperative Agreement between the City & Borough of Wrangell and the US Department of Transportation Federal Highway Administration for the Non-Motorized Transportation System (Mt. Dewey Trail Extension) Project

M/S: Howell/Powell moved to approve a Cooperative Agreement between the City & Borough of Wrangell and the US Department of Transportation Federal Highway Administration for the Non-Motorized Transportation System (Mt. Dewey Trail Extension) Project. Motion approved unanimously by polled vote.

13d PROPOSED RESOLUTION NO. 08-18-1423 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AUTHORIZING THE SURPLUS OF BOROUGH PROPERTY THROUGH SCRAP METAL DISPOSAL

M/S: Gilbert/Howell moved to approve Resolution No. 08-18-1423 authorizing the surplus of Borough property through scrap metal disposal.

Powell expressed that he would like to see these items offered for surplus to the public before scraping them.

After extensive discussion, Von Barga and Ms. Al-Haddad stated that we could see about listing the items for surplus if the condition of the items was noted; language could be obtained from the Borough Attorney.

Motion failed unanimously by polled vote.

13e PROPOSED RESOLUTION NO. 08-18-1424 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA APPROVING THE JOB DESCRIPTION FOR THE FACILITY MAINTENANCE SPECIALIST LEAD POSITION AND THE AMENDMENT OF THE UNION WAGE AND GRADE TABLE

M/S: Decker/Gilbert moved to approve Resolution No. 08-18-1424 approving the job description for the Facility Maintenance Specialist Lead Position and the Amendment of the Union Wage and Grade Table. Motion approved unanimously by polled vote.

13f Approval to Purchase New Police Vehicle in the Amount \$39,499

M/S: Howell/Powell moved to approve purchase of new police vehicle in the amount of \$39,499. Motion approved unanimously by polled vote.

13g Approval to Cancel the Regular Assembly Meeting of September 11, 2018

M/S: Powell/Decker moved to approve canceling the Regular Assembly meeting of September 11, 2018. Motion approved unanimously by polled vote.

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

EXECUTIVE SESSION (considered before the Public Hearing)

Regular Assembly meeting adjourned at 9:11 p.m.

ATTEST: _____
Kim Lane, MMC, Borough Clerk

David L. Jack, Mayor

**Minutes of Special Assembly Meeting
Held on September 4, 2018**

Acting Mayor Patty Gilbert called the Special Assembly meeting to order at 6:48 p.m., September 4, 2018, in the Borough Assembly Chambers. Assembly Members Powell, Larrabee, Decker, and Howell were present. Mayor Jack and Assembly Member Prysunka were absent. Borough Manager Von Bargen and Clerk Lane were also in attendance.

Assembly Member Gilbert stated that since Mayor Jack and Vice-Mayor Prysunka were out of town, Mayor Jack had selected her to be acting Mayor. There were no objections from the Assembly.

CONFLICT OF INTEREST – None.

PERSONS TO BE HEARD – None.

ITEMS OF BUSINESS

5a. Approval of a Sole Source Contract with SECON, in Conformance with WMC Section 5.10.050f, in the Amount of \$32,178.25 for that Portion of the ADEC-Funded Water Mains Replacement Project affecting the ADOT Evergreen Avenue Improvements and Pedestrian Access Project

M/S: Howell/Powell moved to approve a Sole Source construction contract with SECON, in the amount of \$32,178.25, for the portion of the ADEC-funded Water Mains Replacement project which affect ADOT's Evergreen Avenue Improvements and Pedestrian Access project. Motion approved unanimously by polled vote.

5b Approval of a letter of support for Trey Acteson, SEAPA CEO to be appointed to a Public Advisory Group for the State specific rulemaking for Roadless Management

M/S: Powell/Decker moved to approve a letter of support for Trey Acteson, SEAPA CEO to be appointed to a Public Advisory Group for the State specific rulemaking for Roadless Management. Motion approved unanimously by polled vote.

Special Assembly Meeting adjourned at 6:58 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

**Minutes of Special Assembly Meeting
Held on September 17, 2018**

Mayor David Jack called the Special Assembly meeting to order at 5:30 p.m., September 17, 2018, in the Borough Assembly Chambers. Assembly Members Powell, Larrabee, Prysunka, and Gilbert were present. Assembly Members Decker and Howell were absent. Borough Manager Von Bargen and Clerk Lane were also in attendance.

CONFLICT OF INTEREST – None.

PERSONS TO BE HEARD – None.

ITEMS OF BUSINESS

5a Approval of a Sole Source Contract with SECON, in the amount of \$29,827.00, for Paving Repairs to Church Street

M/S: Prysunka/Gilbert to approve a sole source contract with SECON, in the amount of \$29,827, for paving repairs to Church Street. Motion approved unanimously by polled vote.

5b RESOLUTION NO. 09-18-1425 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2019 BUDGET IN THE WRANGELL MUNICIPAL LIGHT & POWER'S BUDGET BY TRANSFERRING FUNDS FROM THE GENERAL EXPENDITURES' FIXED ASSETS FUND TO THE DISTRIBUTION EXPENDITURES' CAPITAL PURCHASES & CONSTRUCTION FUND, IN THE AMOUNT OF \$36,000 FOR THE DIESEL GENERATION PLANT CONTROLS UPGRADES PROJECT

M/S: Gilbert/Prysunka to adopt Resolution 09-18-1425 of the Assembly of the City and Borough of Wrangell, Alaska amending the FY 2019 Budget in the Wrangell Municipal Light and Power's budget by transferring funds from the General Expenditures' Fixed Assets Fund to the Distribution Expenditures' Capital Purchases & Construction Fund, in the amount of \$36,000 for the Diesel Generation Plant Controls Upgrades project. Motion approved unanimously by polled vote.

5c Approval of a Contract with Electric Power Systems, Inc., in the Amount of \$85,697.45, for the Diesel Generation Plant Controls Upgrades Project

M/S: Gilbert/Larrabee to approve a contract award to Electric Power Systems, Inc. in the amount of \$85,697.45 for the Diesel Generation Plant Controls Upgrades Project. Motion approved unanimously by polled vote.

Special Assembly Meeting adjourned at 5:45 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	6b	<u>DATE:</u>	September 25, 2018
APPROVAL of final plat of Massin/Industrial Replat, a replat of Lots 6, 7 and 8, Block 59B, Industrial Subdivision, Plat 82-1, creating Lot 6A and Lot 8A, zoned Industrial Development, requested by Bernard Massin, owner, and Alaska Power and Telephone				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
Carol Rushmore, Economic Development Director		Expenditure Required:		
		Amount Budgeted:		
		Account Number(s):		
		Account Name(s):		
<u>Reviews/Approvals/Recommendations</u>				
<input checked="" type="checkbox"/>	Planning and Zoning Commission		Unencumbered Balance(s) (prior to expenditure):	
Name(s)				
<input type="checkbox"/>	Attorney			
<input type="checkbox"/>	Insurance			
<u>ATTACHMENTS:</u>				
1. Final Plat map will be available at the meeting				

RECOMMENDATION MOTION:

Approved as part of the Consent Agenda.

SUMMARY STATEMENT:

Alaska Power and Telephone is seeking to purchase Lot 6 and a portion of Lot 7, Block 59B, in the Industrial Park, owned by Bernard Massin. Due to two structures being located across lot lines as presented in the preliminary plat, the Commission approved a reconfiguration of the lot lines to eliminate two structures crossing property boundary lines. The configuration as presented here was agreed to by Mr. Massin and approved by the Commission. The Planning and Zoning Commission approved the final plat at their August 23, 2018 meeting.

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	6c	<u>DATE:</u>	September 25, 2018
<p>APPROVAL of final plat of Good/Edgley Subdivision, a replat of Lots 7-K and 7-R Block 67, creating Lot AA and Lot BB, zoned Single Family Residential, requested by Jeffrey Good</p>				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
		Expenditure Required:		
Carol Rushmore, Economic Development Director		Amount Budgeted:		
		Account Number(s):		
		Account Name(s):		
<u>Reviews/Approvals/Recommendations</u>				
<input checked="" type="checkbox"/>	Planning and Zoning Commission		Unencumbered Balance(s) (prior to expenditure):	
Name(s)				
<input type="checkbox"/>	Attorney			
<input type="checkbox"/>	Insurance			
<u>ATTACHMENTS:</u>				
1. Final Plat map will be available at the meeting				

RECOMMENDATION MOTION:

Approved as part of the Consent Agenda

SUMMARY STATEMENT:

Applicants are combining two lots and adjusting the side lot line with the Edgley's. The utility easement on Third Street was continued the full width of proposed Lot BB in order to address some proposed power pole installations, as requested by the Electrical Department. An access easement to Lot B of the Edgley-Massin Subdivision is also being created this plat. The final plat was approved by the Planning and Zoning Commission at their September 13, 2018 meeting.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

August 31, 2018

City and Borough of Wrangell
Attn: Borough Clerk
VIA Email: clerk@wrangell.com

License Number:	10200
License Type:	Retail Marijuana Store
Licensee:	KELSEY J MARTINSEN; SARINEE NUAMNUI
Doing Business As:	HAPPY CANNABIS
Physical Address:	225 South Front Street Wrangell, AK 99929
Designated Licensee:	KELSEY J MARTINSEN
Phone Number:	907-305-0292
Email Address:	kjm420@hotmail.com

AMCO has received a complete renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under 3 AAC 306.035(c)(2).

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to me the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license may be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Sincerely,

Erika McConnell

Erika McConnell
Director

Current on all taxes.
[Signature]



THE STATE
of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

August 31, 2018

City and Borough of Wrangell
Attn: Borough Clerk
VIA Email: clerk@wrangell.com

License Number:	10201
License Type:	Standard Marijuana Cultivation Facility
Licensee:	KELSEY J MARTINSEN; SARINEE NUAMNUI
Doing Business As:	HAPPY CANNABIS
Physical Address:	225 South Front Street Wrangell, AK 99929
Designated Licensee:	Kelsey Martinsen
Phone Number:	907-305-0292
Email Address:	kjm420@hotmail.com

AMCO has received a complete renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under 3 AAC 306.035(c)(2).

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to me the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license may be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Sincerely,

Erika McConnell

Erika McConnell
Director

✓ Current on all taxes
K Lane



CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

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

September 25, 2018

Tahltan Band Council
PO Box 46
Telegraph Creek, BC V0J2W0

Dear Council Members:

On behalf of the entire community, the Borough Assembly has asked me to reach out to the residents of the Telegraph Creek area to offer what assistance may be most needed, that we are able to organize. Recovery is just now beginning, with so many still unable to return home for a time period as yet undetermined. It is obvious reading the updates from the Emergency Operations Center that the needs are vast. Know that our thoughts are with you. Please let us know if there is any way we can be of assistance.

Sincerely

David L. Jack
Mayor

BOARD ACTION

WRANGELL PUBLIC SCHOOL BOARD REGULAR MEETING (PAGE 1) SEPTEMBER 17, 2018

FOR DETAILS, CONTACT:

DR. DEBBE LANCASTER

SUPERINTENDENT

DIRECT PHONE: 907-874-2347

- Approved the minutes of the August 20, 2018 Regular School Board Meeting
- Offered an extracurricular contract to Issabella Crowley, Softball Head Coach
- Approved the hire of Jeanette Anderson, Paraprofessional
- Approved the hire of Olivia Macri, Paraprofessional
- Approve the hire of Tony Massin, Custodian
- Approved the hire of Dawn Mill, Paraprofessional
- Reviewed the resignation of:
 - Theresa Allen, Assistant Middle School Girls Basketball Coach
 - Danielle Easterly, Paraprofessional
 - Karey Losinski, Paraprofessional
 - Scott McAuliffe, Head Baseball Coach
 - Lucas Messmer, Assistant Middle School Boys Basketball Coach
 - Elizabeth Roundtree, Paraprofessional
- Entered into a Legal Services Agreement with Sedor, Wendlandt, Evans and Fillipi
- Supported the AASB 2019 Resolutions as presented
- Accepted the fiscal year 2019 Career Technical Education Grant award
- Accepted the donation of classroom supplies from Donor's Choose
- Appointed the School Board Curriculum and Policy Standing Committee Members
- Accepted the Classified Salary Schedule as revised
- Accepted the First Reading of Board Policy 7132, Advisory Committees to the Board
- Accepted the Second Reading of Board Policy:
 - 0300, Strategic Plan
 - 0411, Certified Staff Recruitment & Selection
 - 4112.6, Personnel Records
 - 4117.2, Resignation of Certificated Personnel
 - 4119.12, Harassment
 - 4119.23, Unauthorized Release of Confidential Information
 - 4131, Certificated Staff Development
 - 4211, Classified Staff Recruitment and Selection
 - 4311, Administrative Staff Recruitment and Selection
- Reviewed Board Policy 1312.1, Public Complaints Concerning School Personnel
- Adopted Resolution 19-01, Retire/Rehire Teachers and Administrators as presented
- Adjourned

FOR RELEASE: 12:45 PM
SEPTEMBER 19, 2018

PROCEEDINGS**MINUTES****WRANGELL SCHOOL BOARD
REGULAR MEETING****June 18, 2018 6:30 PM****Evergreen Elementary School Room 101**

President Georgianna Buhler called the regular meeting of the Wrangell Public School Board to order at 6:30 P.M. on June 18, 2018.

CALL TO ORDER

A quorum was determined with the following school board members present: Georgianna Buhler, Tammy Groshong and Aleisha Mollen. David Wilson was present via Facetime. Jessica Rooney was absent, excused. Also present was Acting Superintendent Pam Roope and Recording Secretary Kimberly Powell.

DETERMINE QUORUM

The Pledge of Allegiance was recited, led by Georgianna Buhler.

PLEDGE OF ALLEGIANCE

The District Vision Statement was recited by Georgianna Buhler

DISTRICT VISION STATEMENT

The agenda was approved as presented by unanimous consent.

APPROVAL OF AGENDA

Diane O'Brien, secondary parent, gave input on the advisory committees. She is against combining the elementary and secondary advisory committees because the issues are different at the different levels. She requested training for the advisory committee members.

GUESTS TO BE HEARD

Jamie Roberts, community member, informed the Board that the high swim season begins in six weeks. She had not seen an advertisement for the coaching position yet. Mrs. Roberts said that the proposed policy requires six students in order for the program to be funded. They currently have five students interested. Mrs. Roberts also spoke against the proposed revision that would require students who are enrolled full time in an alternative program to pay for their travel costs. She would like them to have the opportunity to pay an additional activity fee rather than have to enroll in school .25 fte to have their travel covered.

Information & Correspondence were accepted by unanimous consent.

**ACCEPTED INFORMATION &
CORRESPONDENCE**

Motion to approve the items on the consent agenda as presented by Aleisha Mollen; seconded by Tammy Groshong. Poll vote: Dave Wilson: Yes; Aleisha Mollen: Yes; Tammy Groshong: Yes; Georgianna Buhler: Yes. Motion approved.

**APPROVED THE ITEMS
ON THE CONSENT
AGENDA**

- Approved the minutes of the May 21, 2018 Regular Board Meeting as presented
- Approved the removal of the obsolete ipads from the inventory list as presented
- Approved selling laptop computers to graduating seniors and staff members as presented.
- Offered contract addenda as presented for the 2018-2019 school year
- Offered extracurricular contracts for the 2018-2019 school year for Jennifer Ingman, Freshman Class Advisor, Shanna Mall, Art Festival Director and Scott McAuliffe, Baseball Head Coach pending receipt of a satisfactory drug test.
- Approved the hire of Stephanie Carney, Elementary Secretary, effective August 6, 2018, with appropriate placement on the salary schedule and pending receipt of a satisfactory criminal background check
- Approved the hire of Brittani Robbins, IT Coordinator, with appropriate placement on the salary schedule and pending receipt of a satisfactory criminal background check
- Resignation letters from the following were presented as information:
 - Fred Angerman, Maintenance Director
 - Megan Clark, Paraprofessional
 - Pam Roope, Business Manager

The administrative reports were presented as an item of information.

ADMINISTRATIVE REPORTS

Motion on the floor to enter into an agreement with SEARHC to provide counseling services during the 2018-2019 year as presented by Jessica Rooney, seconded by Tammy Groshong. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Dave Wilson: Yes; Georgianna Buhler: Yes. Motion approved.

**ENTERED INTO AN
AGREEMENT WITH
SEARHC TO PROVIDE
COUNSELING SERVICES**

Motion to approve the Fiscal Year 2019 School Budget as presented, reflecting the reduced contribution from the City and Borough of Wrangell by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Tammy Groshong: Yes. Dave Wilson: Yes; Aleisha Mollen: Yes; Georgianna Buhler: Yes. Motion approved.

APPROVED THE FY19 BUDGET, REFLECTING THE REDUCED CONTRIBUTION FROM THE BOROUGH

Motion to adopt the Wrangell Public Schools Strategic Plan as presented, effective July 1, 2018 by Aleisha Mollen, seconded by Tammy Groshong. Poll vote: Dave Wilson: Yes; Aleisha Mollen: Yes; Tammy Groshong: Yes. Georgianna Buhler: Yes. Motion approved.

ADOPTED THE STRATEGIC PLAN, EFFECTIVE JULY 1, 2018

Motion to approve the fiscal year 2018 budget as revised by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes. Dave Wilson: Yes; Georgianna Buhler: Yes. Motion approved.

APPROVED THE FY18 BUDGET REVISION

Motion to enter into a Memorandum of Agreement with Wrangell Teachers' Association redefining "day" to allow the Title I intervention teacher position to be hired in June 2018 by Aleisha Mollen, seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes. Dave Wilson: Yes; Aleisha Mollen: Yes; Georgianna Buhler: Yes. Motion approved.

ENTERED INTO A MEMORANDUM OF AGREEMENT WITH WTA REDEFINING "DAY" TO ALLOW A TEACHER HIRE

Motion to accept the first reading of Board Policy 1325, Advertising and Promotion adding R-rated movies under advertisements that are not allowed in the schools by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Dave Wilson: Yes; Aleisha Mollen: Yes; Tammy Groshong: Yes. Georgianna Buhler: Yes. Motion approved.

ACCEPTED THE FIRST READING OF BOARD POLICY 1325, ADVERTISING AND PROMOTION

Motion to accept the first reading of Board Policy 7131, Ad Hoc Committees as presented by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes. Dave Wilson: Yes; Georgianna Buhler: Yes. Motion approved.

ACCEPTED THE FIRST READING OF BOARD POLICY 7131, AD HOC COMMITTEES AS PRESENTED

Motion to accept the second reading of Board Policy 1250, Volunteer Assistance, for inclusion in the policy manual by Aleisha Mollen, seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes; Dave Wilson: Yes; Aleisha Mollen: Yes; Georgianna Buhler: Yes. Motion approved.

ACCEPTED THE SECOND READING OF BOARD POLICY 1250, VOLUNTEER ASSISTANCE

Motion to accept the second reading of Board Policy 1312.4, Public Complaints Concerning Elementary and Secondary Education Act Programs for inclusion in the policy manual by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Dave Wilson: Yes; Aleisha Mollen: Yes; Tammy Groshong: Yes; Georgianna Buhler: Yes. Motion approved.

ACCEPTED THE SECOND READING OF BOARD POLICY 1312.4, PUBLIC COMPLAINTS CONCERNING ESEA

Motion to accept the second reading of Board Policy 2123, Superintendent Evaluation as presented to replace the existing policy by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Dave Wilson: Yes; Georgianna Buhler: Yes. Motion approved.

ACCEPTED THE SECOND READING OF BOARD POLICY 2123, SUPERINTENDENT EVALUATION

Motion to accept the second reading of Board Policy 5040, Student Nutrition and Physical Activity for inclusion in the policy manual by Jessica Rooney, seconded by Aleisha Mollen. Poll vote: Tammy Groshong: Yes; Dave Wilson: Yes; Aleisha Mollen: Yes; Georgianna Buhler: Yes. Motion approved.

ACCEPTED THE SECOND READING OF BOARD POLICY 5040, STUDENT NUTRITION AND PHYSICAL ACTIVITY

Motion to accept the second reading of Board Policy 6145, Extracurricular and Co-curricular Activities for inclusion in the policy manual by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Dave Wilson: Yes; Aleisha Mollen: Yes; Tammy Groshong: Yes; Georgianna Buhler: Yes. Motion approved.

ACCEPTED THE SECOND READING OF BOARD POLICY 6145, EXTRACURRICULAR & CO-CURRICULAR ACTIVITIES

President Georgianna Buhler directed the board members to take the Board Self-Assessment survey after the meeting.

DIRECTED THE BOARD TO TAKE THE SELF ASSESSMENT SURVEY

Reviewed the upcoming dates and meeting announcements.

REVIEWED DATES & MTG ANNOUNCEMENTS

There were no comments from Board Members.

BOARD MEMBER COMMUNITY ACTIVITY REPORTS

Meeting Adjourned at 7:16 P.M.

ADJOURNED AT 7:16 P.M.


SECRETARY/TREASURER

PROCEEDINGS**MINUTES****WRANGELL SCHOOL BOARD
SPECIAL MEETING****August 10, 2018 5:30 PM****Evergreen Elementary School Room 101-Intermediate**

President Georgianna Buhler called the Special meeting of the Wrangell Public School Board to order at 5:32 PM on Friday, August 10, 2018.

CALL TO ORDER

A quorum was determined with the following school board members present: Georgianna Buhler, Aleisha Mollen, Jessica Rooney and Dave Wilson. Tammy Groshong was absent, excused. Also present was Recording Secretary Kimberly Powell. Superintendent Lancaster was present telephonically.

DETERMINE QUORUM

Motion to approve a one-time suspension of Board Policy 7222 to allow the School Board to accept the resignation of Board Member Buhler during a Special School Board Meeting by Jessica Rooney, seconded by Aleisha Mollen. Poll vote: Dave Wilson: Yes; Aleisha Mollen: Yes; Jessica Rooney: Yes. Motion approved.

**SUSPENDED THE
REQUIREMENTS OF
BOARD POLICY 7222**

Motion to accept the resignation of School Board Member Georgianna Buhler effective immediately by Aleisha Mollen, seconded by Jessica Rooney. Poll vote: Aleisha Mollen: Yes; Jessica Rooney: Yes. Dave Wilson: Yes; Motion approved.

**ACCEPTED THE RESIGNATION
OF GEORGIANNA BUHLER,
SCHOOL BOARD MEMBER**

Mrs. Buhler passed the gavel to School Board Secretary Aleisha Mollen.

PASSING OF THE GAVEL

The Board Members elected not to appoint a replacement to the position pursuant to School Board Policy 7223, Vacancies, since the Declaration for Candidacy is open.

**DISCUSSED FILLING THE
VACANT SEAT**

Meeting Adjourned at 5:40 P.M.

ADJOURNED AT 5:40 P.M.

SECRETARY/TREASURER



WRANGELL MEDICAL CENTER
BOARD OF DIRECTORS MEETING MINUTES
July 18, 2018 -- 5:30 p.m.
Location: City Assembly Chambers

MEMBERS: Jennifer Bates, Lynne Christensen, Don McConachie, Marlene Messmer, Olinda White, Maxi Wiederspohn, Ex-Officio member CEO Robert Rang

CALL TO ORDER: 5:30 pm

ROLL CALL:

Present: Olinda White, Marlene Messmer, Jennifer Bates, Don McConachie, Maxi Wiederspohn
Absent: Lynne Christiansen
Quorum established
Assembly representative Rolland Howell was present.

AMENDMENTS TO THE AGENDA:

Add item 10.a Board Vacancies (Don M.)

CONFLICT OF INTEREST: None

CONSENT ITEMS:

Motion made by Don McConachie to approve consent item 5.a minutes of the regular meeting held June 20, 2018, and item 5.b statistics for June 2018, Jennifer bates seconded

Vote passed, five yes votes, no objections

PERSONS TO BE HEARD: None

CORRESPONDENCE: None

REPORTS AND COMMUNICATIONS FROM WMC STAFF:

Quality report – In addition to written report:

Page 1 of report shows WMC score in green, state average in yellow, and CMS target in red.

QAPI Projects

Complaints of early morning noise, currently investigating

Mary Campbell researching alternative methods to combat antipsychotic use

Don M. – Do you know reason for spike in noise level?

Garbage cans with squeaky wheels and shift changes likely cause

Compliance report – in addition to written report

High level of respect for David Roane after sitting in IT consultant meetings with him
Surveyors returned last month

All deficiencies back in compliance for health survey

Back in compliance for emergency preparedness, pending three responses

Annual fire door inspection, 18 doors to repair or replace

Test generator fuel annually, sample has been sent off

Sensitivity testing for smoke detectors, scheduled for September

Don M. – We have a lone source for our fuel locally, I'm sure they do testing

Robert – More a test of the fuel storage, check for condensation, leaks, diesel breaking down over time and reducing quality

Don M. – What do they check for on fire door?

Check for tightness of fit

Doors cannot be altered, door handle replacements not allowed

OUR MISSION: To Enhance The Quality of Life For All We Serve!

BOARD OF DIRECTORS MEETING
July 18, 2018 - 5:30 p.m.

CFO report – In addition to written report:

Staff is limiting loss, 8% under budget revenue, but 5% under budget expenses
Audit scheduled for the week of August 13th
Spent this week filling information requests for SEARHC
Cash flow has stabilized

Don M. – Is the \$250K line of credit held in the City bank account?

Doran H. – No, the line of credit is in WMC account?

CEO report – In addition to written report:

WMC actually has \$500K line of credit with city, only had to borrow \$250K
No comfortable enough to pay it back yet
State ran out of money end of June, so had to wait til July 1 for some Medicaid
Dr. Moxley, Podiatry, intends to continue visiting WMC after SEARHC takes over
Resident's had a blast at LTC fun run, want to show my appreciation of the staff
Currently having bi-weekly meetings with City Manager, Wold and SEARHC
Org structure does not change in SEARHC transition, staff not reporting to SEARHC
LTC received 5-star rating for third straight year
Says a lot, considering troubles of the past
In 2017 made US World and News best Nursing Home list, expect to repeat

MEDSTAFF REPORT: Verbal (standing agenda item)

Robert – Dr. Bania start training in Aug., should be working at WMC in Sept.

Olinda – Good to have 3 doctors.

Robert – Should eliminate the need for Locums, unless two doctors absent

ACTION ITEMS:

Don M. – Think it's important to fill the President seat, worried an empty seat may scare off potential board members who think they are required to fill that role, wants to see that seat on the board filled.

Motion to appoint Olinda White to the seat of WMC Board of Directors President made by Don M., seconded by Maxi W.

Vote passed, four yes votes, no objections.

Motion to appoint Jennifer Bates to the seat of WMC Board of Directors Vice President made by Don M., seconded by Maxi W.

Vote passed, four yes votes, no objections.

DISCUSSION ITEMS:

INFORMATION ITEMS:

New Hospital Project update (standing agenda item)

Robert - Architects here this week, will return in August and again in Oct/Nov, aiming to wrap up design in December.

Feeling is that they will have an RFP out in March to break ground summer 2019

Lisa VB – Working 7 days a week on Asset Purchase Agreement

Assembly to look at finished APA on August 2, take action August 28

In regards to how things transition for WMC Board, the assembly will have to pass an ordinance to remove board section of the code, charter will have to be changed at the next election, Board should have invitation to join SEARHC

Advisory Board, plan is to not put anyone on ballot, but ask members in expired seats to remain on.

BOARD OF DIRECTORS MEETING
July 18, 2018 - 5:30 p.m.

BOARD COMMENTS:

Don M. – Talked to employees and they seemed excited to be asked for input in the design process of the new hospital. Congrats to the STAR Award winner. Not surprised by the 5-star rating for LTC because of the people who work there, we have great hospital staff.

ADJOURN: 6:14

Marlene Messmer
Board Secretary



Aaron Angerman
Date Certified:



9-18-18



**WRANGELL MEDICAL CENTER
BOARD OF DIRECTORS MEETING MINUTES
August 15, 2018 -- 5:30 p.m.
Location: City Assembly Chambers**

MEMBERS: Jennifer Bates, Lynne Christensen, Don McConachie, Marlene Messmer, Olinda White, Maxi Wiederspohn, Ex-Officio member CEO Robert Rang

CALL TO ORDER: 5:30 p.m.

ROLL CALL:

Present: Marlene Messmer, Jennifer Bates, Don McConachie

Absent: Maxi Wiederspohn, Olinda White, Lynne Christiansen

Quorum not established

Assembly representative Rolland Howell was present

ADJOURN: 5:34 p.m.

Marlene Messmer

Board Secretary

Aaron Angerman

Date Certified:

9-19-18

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	7	<u>DATE:</u>	September 25, 2018
Borough Manager's Report				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
			Expenditure Required:	
Lisa Von Bargaen, Borough Manager			\$0	
			Amount Budgeted:	
			\$0	
			Account Number(s):	
			N/A	
			Account Name(s):	
			N/A	
<u>Reviews/Approvals/Recommendations</u>			N/A	
	Commission, Board or Committee	Unencumbered Balance(s) (prior to expenditure):		
Name(s)		N/A		
	Attorney			
	Insurance			
<u>ATTACHMENTS:</u>				
1. Manager's Report; 2. Public Works/Capital Facilities Report; 3. Water Report				

RECOMMENDATION:

None. Report only.

SUMMARY STATEMENT:

Please see the attached Borough Manager's Report, Public Works/Capital Projects Report, and Water Report.

MEMORANDUM

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

**FROM: LISA VON BARGEN
BOROUGH MANAGER**

SUBJECT: MANAGER'S REPORT

DATE: September 25, 2018

INFORMATION:

Assembly Requests from August 28th:

Permanent Fund Reporting:

At the August 28th meeting the Assembly requested regular reports on the status of the Permanent Fund. An additional request was made for (at least) one annual in-person update from the Fund's broker. The Finance Director will begin providing quarterly reports on the Permanent Fund. The report will become a standing addition to the agenda for the second meetings of the month in January, April, July and October as these months follow the quarters ending in December, March, June and September. The first report will be provided at the second meeting in October. The Finance Director has made a request of our broker, Tom Konop, to schedule a trip to Wrangell. As soon as we have confirmation of the visit, it will be reported to the Assembly.

Letter to Telegraph Creek:

Also on August 28th, the Assembly requested a letter of support be written to Telegraph Creek following the devastating fire that occurred this summer. That letter is on the Consent Agenda for approval at this meeting.

Water Reservoir Upper Dam Status:

Please see the update in the attached Water Report from the Capital Facilities Director.

Library Change to Hours of Operation:

At the August 28th meeting it was reported to the Assembly that the Library would be changing its hours Tuesday-Thursday to be open from 1:00pm-7:00pm rather than 1:00pm-5:00pm and 7:00pm-9:00pm. Some concern was expressed by Assembly members on behalf of the general public about the schedule change, specifically as it related to use of the library by students. As it turns out, the High School offers a homework lab from 7:00pm-9:00pm Monday-Thursday and it was reported that most students are using that venue for homework because faculty are available to provide assistance. With the library open from 1:00pm-7:00pm there is space for continuous study from the time school is out through 9:00pm Tuesday-Thursday. The library staff will be keeping track of the number of patrons using the library during the new time. However, there was previously no tracking so no comparison will be available to usage under the previous schedule. At this time I am aware of only one person who has expressed disappointment with the change in the schedule. Staff will continue to monitor and report on the change.

Parks & Recreation:

Kate Thomas, Parks & Recreation Director, has been appointed to the position of Secretary on the Board of the Alaska Recreation and Parks Association. She has also been invited to give a presentation at the upcoming statewide conference in Fairbanks. In other recreation news, pool staffing is going through the transition from summer to fall season. As a result there is a temporary shortage of lifeguards. This situation is expected to resolve itself in early October.

Harbormaster's Update:**Shoemaker Bay:**

The project started on September 10th and is making good progress. Keep in mind this is the demolition portion and goes pretty fast. Things will get much more technical soon and although moving along, progress will appear much slower. September 21st the contractor will be heading home and return on Tuesday or Wednesday (25th or 26th) with the dredge barge and equipment. The dredging and upland work will be starting very soon.

Boat Yard:

Yard is remaining consistent but will be getting busier as vessels come out of the water for winter storage and repair projects.

Summer Floats:

Fall is here and although the weather has been holding, we pulled the summer floats over the past two weeks. We do this mid-September to avoid damage from fall and winter storms. We have tried in the past to leave them in longer but that practice has proven to be costly so we put them away now to avoid unnecessary damage. This does force the charter fleet to operate from the Reliance float area. Monday, September 24th, and October 2nd and 3rd will be final ships for the season.

Overall the summer activities are slowing and we will be entering our fall activities which will be final brushing, cleanup, minor maintenance projects and getting ready for snow.

Annual Audit:

Representatives from BDO were here in early August and again in early September collecting the necessary data to complete the Borough's annual year-end audit. We expect to have audit results within the normal timeframe – sometime before the end of the year. The audit will be presented to the Assembly for review and approval upon completion.

Central Tongass Landscape Level Analysis:

There was a community meeting at the Nolan Center on September 5th. It was attended by Carol Rushmore, Jim Nelson and myself. Initial comments are due Monday September 24th. Ms. Rushmore is in the process of finalizing that letter, a copy of which will be distributed to the Assembly at Tuesday's meeting.

Healthcare Continuum:

The Assembly voted on the ordinances second reading on August 28th. Wold Architects was in Wrangell on September 17th to provide a community update on the progress of the design process. There will be an executive session at this meeting to discuss the financial obligation of the Borough following the transfer of operations of WMC to SEARHC. This will include contracts not being assumed, insurance requirements, audit expenditures, and final payroll expenses; plus the overall financial condition of the hospital as it relates to the pending transaction. Following the executive session, as promised, this information will be posted on the City's website for public information. The Community will vote on Proposition 1 on October 2nd. The Canvas Board and the Assembly will both meet on October 4th to certify the election. Assuming a favorable vote by Wrangell, the SEARHC Board of Directors will vote officially on the matter on October 26th. SEARHC will assume operational control on November 1st.

National Hydropower Association Regional Meeting:

On Tuesday, September 11th I attended the regional meeting of the National Hydropower Association in Ketchikan (just prior to the start of Southeast Conference). It was a wealth of information on regulatory area of interest and other issues facing communities and agencies reliant on, and responsible for hydropower. A copy of the agenda can be provided upon request for any Assembly member who may be interested.

Southeast Conference:

Along with Assembly member Decker and Carol Rushmore, I attended Southeast Conference in Ketchikan September 12th-14th. There were updates from every industry active in the region. Additionally, there were panel discussions (quasi-debates) with the three gubernatorial candidates, and all of the candidates running for Southeast region seats in the legislature. Additionally, I was elected to the SE Conference Board. Regular meetings for the board will not begin again in earnest until November.

Meeting with IBEW Representative:

While in Ketchikan I took the opportunity to meet with Jay Rhodes, our IBEW representative. We discussed a small group of outstanding issues. It is a priority for me to maintain open communications with the IBEW.

State Lobbyist:

Also while in Ketchikan Assembly member Decker and I had the opportunity to have dinner with our State Lobbyist, Ray Matiashowski. We discussed him making a trip to Wrangell to meet with the Assembly. He recommended we schedule that after the November election so there is a better understanding the representation we will have in Juneau in both the legislative and executive branches.

Federal Lobbyist:

The Assembly held a work session with Seb O'Kelly, our Federal Lobbyist, on September 4th. He provided us with an update on federal issues. Additionally, he met with staff to become more familiarized with on-going projects. He is conducting due diligence follow-up on a number of items currently.

Mill Property:

Staff is in the process of finalizing and sending a letter to the owner's real estate agent outlining the myriad issues that need to be considered as part of the negotiations of a purchase price. As more information becomes available it will be provided to the Assembly.

Personnel Updates:**Public Works Director:**

Interviews were held with Public Works Director Candidates on September 5th & 6th. The written and oral exercise for those candidates culminated in presentations to a mock Assembly on September 18th. An offer to a candidate is expected shortly.

Electric Supervisor:

The interview of a candidate (a second withdrew) was held on September 17th. The oral and written exercise in this process will culminate on September 25th.

Finance Director:

This position is being reposted. Thankfully, in the interim, Lee Burgess continues to act in his full capacity as Director, albeit working remotely.

Nolan Center Facility Manager:

Please welcome Jennifer Ridgeway as the new Nolan Center Facility Manager. She comes to us from Tennessee and is a welcome addition to the staff at that facility.

Facility Maintenance Specialist Lead:

There were no in-house applicants for this position so it has been posted externally for approximately three weeks.

Police Department:

Two new officers have been hired. Nick Pearson began September 1st. Connor Phillips will begin November 1st. Please welcome them to the team.

SEAPA Board:

Along with Assembly member Prysunka, Steve Beers and Jim Nelson, I will attend the SEAPA Board meeting in Ketchikan on September 27th.

Wrangell Junkyard Cleanup:

Please see the report from Sally Schlichting at ADEC regarding the progress of material removal and the close-out of this project. Staff would like concurrence from the Assembly to write a thank-you letter to ADEC for all the incredible work on this project.

Water Treatment:

Staff is waiting for a response from the Economic Development Administration, now from the third iteration of information provided to the agency. The Capital Facilities Director and the Economic Development Director have been instrumental in addressing all the additional requests from EDA. Until the EDA funding is secured forward progress on the Water Treatment Plant is in a holding pattern. The Federal Lobbyist is engaged on this matter and upon direction he is standing by with a letter for the Federal Delegation to involve them if necessary.

Please see the attached Public Works/Capital Facilities and Water Reports.



Wrangell Water Report **September 20, 2018**

Raw Water Reservoir Levels

The upper reservoir is full and the lower reservoir is about 1-1/2 feet low.

Treated Storage Tank Levels

Both tanks are currently maintaining daily recovery to their set points.

Water Production

Reported as a Daily Average, in Gallons:

- | | |
|--------------------------------------------------------------|-------------------------------------------------------|
| - 859,000 gallons – Week of September 18 th | - 854,000 gallons – Week of February 26 th |
| - 784,000 gallons – Week of September 25 th | - 626,571 gallons – Week of March 5 th |
| - 712,300 gallons – Week of October 2 nd | - 674,142 gallons – Week of March 12 th |
| - 718,714 gallons - Week of October 9 th | - 705,571 gallons – Week of March 19 th |
| - 734,000 gallons – Week of October 16 th | - 676,286 gallons – Week of March 26 th |
| - 755,000 gallons – Week of October 23 rd | - 658,857 gallons – Week of April 1 st |
| - 771,000 gallons – Week of October 30 th | - 704,000 gallons – Week of April 8 th |
| - 759,286 gallons – Week of November 13 th | - 686,000 gallons – Week of April 15 th |
| - 826,857 gallons – Week of November 20 th | - 563,429 gallons – Week of April 22 nd |
| - 730,000 gallons – Week of November 27 th | - 709,664 gallons – Week of April 29 th |
| - 778,429 gallons - Week of December 4 th | - 518,142 gallons – Week of May 6 th |
| - 764,000 gallons - Week of December 11 th | (consumption 329,312 gallons) |
| - 844,143 gallons - Week of December 18 th | - 580,714 gallons - Week of May 13 th |
| - 922,142 gallons – Week of December 25 th | (consumption 357,772 gallons) |
| - 1,062,333 gallons – Week of January 1 st (2018) | - 588,285 gallons – Week of May 21 st |
| - 974,000 gallons – Week of January 8 th | (consumption 349,070 gallons) |
| - 946,000 gallons – Week of January 15 th | - 530,857 gallons – Week of May 28 th |
| - 1,049,143 gallons – Week of January 22 nd | (consumption 315,815 gallons) |
| - 1,132,571 gallons – Week of January 29 th | - 565,429 gallons – Week of June 3 rd |
| - 1,151,286 gallons – Week of February 5 th | (consumption 335,281 gallons) |
| - 1,115,857 gallons – Week of February 12 th | - 553,429 gallons - Week of June 10 th |
| - 934,571 gallons – Week of February 19 th | (consumption 378,951 gallons) |

- 765,857 gallons – Week of June 17th
(consumption 596,839 gallons)
- 765,857 gallons – Week of June 24th
(consumption 596,839 gallons)
- 766,715 gallons – Week of July 1st
(consumption 605,766 gallons)
- 914,571 gallons – Week of July 8th
(consumption 694,689 gallons)
- 758,286 gallons – Week of July 15th
(consumption 674,000 gallons)
- 882,286 gallons – Week of July 22nd
(consumption 302,440 gallons)
- 814,000 gallons – Week of July 29th
(consumption 547,000 gallons)
- 754,286 gallons – Week of August 5th
(consumption 687,136 gallons)
- 658,857 gallons – Week of August 27th
(consumption 484,885 gallons)
- 651,143 gallons – Week of September 3rd
(consumption 464,492 gallons)
- 641,200 gallons – Week of September 10th
(consumption 344,000 gallons)

Recent Water News

- Upper Dam Condition

Kyle Brennon, with Shannon & Wilson Engineers, was in Wrangell on September 7th to inspect the upper dam and review the seepage occurring. Based on a review of the piezometers' (bored monitoring pipes in the dam's core) monitoring data and the visual condition of the dam structure, Shannon & Wilson has indicated that there does not appear to be a new condition with the seepage which would correlate with an eminent threat of dam failure.

The seepage appears at the base of the dam, where the earth fill structure meets the ground line. Shannon & Wilson has indicated that this seepage is not necessarily dangerous since all earth dams are subject to seepage, and drainage of the base of dams is often necessary for dam stability. That said, drainage works best with control measures in place, such as a drain field, and with a review of the as built drawings of the last dam reconstruction project, Wrangell's dams do not appear to have been constructed with drain-specific control measures in place.

Shannon & Wilson indicates that if water was becoming a problem within the dam core, the piezometers would have water level readings at a level above the dam's base foundation. Wrangell's piezometer monitoring data since 2009 has not provided a reading of water within the dam's core section. Two of the piezometers' (bored monitoring pipes in the dam's core) have always been dry and the third piezometer has consistently reported water in the bottom of the pipe, but at levels below the dam structure.

Daily monitoring of the piezometers and the weirs continues. Measurements from these monitoring efforts indicate that conditions remain consistent.

Shannon & Wilson will be providing a written report of their inspection and recommendations for continued monitoring as well as their opinion related to the pursuit of a subsequent dam stability analysis. The full report and recommendations will be presented to the Assembly and the public as it becomes available.

City and Borough of Wrangell

Public Works and Capital Improvement Projects Report

September 20, 2018

Evergreen Avenue Rehabilitation and Pedestrian Access (CBW-owned, DOT-managed project)

SECON has been focused on concrete work for the last couple of weeks, constructing sidewalks and curb and gutter. Their schedule currently reflects paving the road corridor, as well as all driveway and side street aprons, during the week of September 24th. Following paving they have yet to complete headwall construction, guardrails, stairwell reconstructions, painting, markings, and signs, with substantial completion by the middle of October.

Shoemaker Bay Harbor Replacement

Tamico-RNR JV continues to work on submittals and has received approval for floats' fabrication for the Shoemaker Harbor project. The Contractor is anticipating mobilizing to the project site with their barge and equipment on or around September 9th to begin work that next week. The Harbor Department continues to work with all current harbor users' for the relocation of their vessels. Those persons who purchased the existing floats through surplus disposal are being contacted with advance notice of the Contractor's float removal schedule.

Water Mains Replacement

Following both ADEC's and the Wrangell Borough Assembly's approvals for sole sourcing work related to a portion of the Water Mains Replacement project, this project has been postponed due to timing constraints.

With a late receipt of ADEC's project loan approval, staff attempted to push the work through rapidly in order to have the new water mains stubbed out from the water main in Evergreen Avenue before the Evergreen pavement occurred. Through further project planning assessment, it was determined that not all of the materials necessary for the work were readily available in the time required. Additionally, it also became apparent that there are too many unknown conditions of the existing water and sewer infrastructure for staff to proceed without engineering design assistance and ADEC compliance review for potential water and sewer cross contamination issues.

Staff will revert to applying the standard delivery method of design, bid, build, for this project, and will begin development of the solicitation seeking professional services for the design work in order to have this project constructed next year when an asphalt plant is anticipated to be in Wrangell for the upcoming DOT project for resurfacing Bennett Street.

Byford Junkyard Cleanup

ADEC reports that all of the previously stored soil bags have been relocated to the old mill site staging area, in preparation for barge loading. The second barge is expected to arrive and load the remaining soil during the first week in October.

Staff submitted the CBW's requests for site restoration to ADEC who have accommodated those requests, as follows:

- The upper portion of the site will be maintained flat, where possible. As the soil is removed and site specific areas are brought back to grade, that there will be varying elevations between those flat areas. Final slopes are anticipated to be no more than 16%-18% grade, similar to the slope currently on the site.
- The driveway acting as the northern-most entrance to the site will be widened to a 30-foot drive, complete with the necessary driveway culvert and the surface capped with appropriate aggregate. The electrical pole that was located next to the existing drive has been relocated by the Municipal Light & Power Department.
- A portion of the site drainage was impacting the neighbor's, Bob Molinek's, adjacent property, which lies downhill of where the majority of the soil has been stockpiled. Water that has been shedding off the surface of the stockpile area, an area which used to drain toward the center of the site, as well as the additional water that has been picked up by the perimeter property drainage ditch doesn't have adequate means of conveyance once it reaches Mr. Molinek's property. Due to the site's configuration, picking up the water along all these points and redirecting it was a bit challenging. NRC's idea to build a French drain to perform this collection was agreed to be the best option at this time. The drain field would start at the point where the north side ditch terminates and will cross the site along the bottom of the property line below where the soil was stockpiled and then tie into the existing drain field.

Having these improvements in place will serve to maintain the integrity of the site and neighboring properties, as well as offer some added benefit for future use of the site.

Miscellaneous Contaminated Soils' Stockpiles

There has long been a conglomeration of contaminated soils taken from previous removals of CBW-owned underground fuel tanks'. One set of soils was analyzed to have a low level of lead, and since the stockpiles were not kept separate, with site specific definition, the soil was not deemed suitable for use as a landfill cover but rather requires the soil to be addressed to the highest level of contamination, that being related to the lead.

ADEC and NRC were consulted about the possibility of disposing of the soils along with the current Byford soils. Given ADEC's concurrence with this disposal plan and the CBW funds with which to pay for this service, Public Works has transported the contaminated soils to the Byford work site where NRS has loaded the material into bags. This soil material will be included on NRC's next barge departure from Wrangell.

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	8	<u>Date</u>	September 25, 2018
Clerk's File				
<u>SUBMITTED BY:</u>				
Kim Lane, Borough Clerk				

CALENDAR:

- 10-1 Absentee Voting **ends** at 4:00 p.m. in the Clerk's Office
- 10-2 **Regular Borough Election 8am to 8pm at the Nolan Center**
- 10-3 Parks & Recreation Board mtg. at 7pm in the Assembly Chambers
- 10-4 Canvass Board meets at 12:30 p.m.
- 10-4 Special Assembly Meeting to Certify the Election at 5:30 p.m.
- 10-6 TAX FREE DAY!
- 10-9 Regular Assembly mtg. @7pm in the Assembly Chambers
- 10-11 Planning & Zoning Commission mtg at 7pm in the Assembly Chambers

SEAPA Board Meeting is scheduled for September 27th in Ketchikan



**Regular Borough
Election
Tuesday, October 2, 2018
From 8:00 a.m. to 8:00 p.m.
At the Nolan Center**

CITY & BOROUGH OF WRANGELL, ALASKA				
BOROUGH ASSEMBLY AGENDA STATEMENT				

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	9	<u>Date</u>	September 25, 2018
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Mayor and Assembly Business				
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<u>SUBMITTED BY:</u>	

Kim Lane, Borough Clerk	
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ATTACHMENTS:				
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None.				
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MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS:

INFORMATION: This agenda item is reserved for the mayor and assembly to provide reports or comments and to introduce items not previously on the agenda which need to be brought to the attention of the entire assembly or the staff. Assembly members may hold limited discussion on these topics or ask the borough manager or the borough clerk for clarifying information. By majority consent of the assembly, the mayor or assembly may give direction to the borough manager or the borough clerk to add an item for consideration for the next regular assembly meeting. Other than as described in this subsection I, no action may be taken by the assembly under this agenda item.

CITY & BOROUGH OF WRANGELL, ALASKA				
BOROUGH ASSEMBLY AGENDA STATEMENT				

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	10	<u>Date</u>	September 25, 2018
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Mayor and Assembly Appointments				
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<u>SUBMITTED BY:</u>	
Kim Lane, Borough Clerk	

ATTACHMENTS:				

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.

None.

<p align="center">CITY & BOROUGH OF WRANGELL, ALASKA</p> <p align="center">BOROUGH ASSEMBLY <u>PUBLIC HEARING</u> AGENDA STATEMENT</p>			
<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	11a	<u>DATE:</u> September 25, 2018
<u>PUBLIC HEARING/Approval:</u> Approval of the vacation of an alleyway and portion of a scenic strip adjacent to Lots 1 and 10, Block 54, Wrangell Townsite, according to Plat No. 68-81, and Tract "B", supplemental plat of Wrangell Townsite, USS 1119, according to Plat No. 68-129, and portion of Lot 1, portion of Lot 2, and Lots 9 and 10, Block 54, Wrangell Townsite, USS 1119			
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>	
		Expenditure Required: none	
Carol Rushmore, Economic Development Director		Amount Budgeted: none	
		Account Number(s): none	
		Account Name(s): n/a	
<u>Reviews/Approvals/Recommendations</u>			
Yes	Planning & Zoning Commission	Unencumbered Balance(s) (prior to expenditure):	
Name(s)		n/a	
<input type="checkbox"/>	Attorney		
n/a	Insurance		
<u>ATTACHMENTS:</u> 1. Preliminary as presented to the Planning and Zoning Commission.			

Procedure: Mayor Jack shall declare the Public Hearing open. The Mayor shall ask if there is any administrative report on the Public Hearing Item. Clerk Lane shall retrieve the list of those who signed up to speak. When the item comes up, Persons on the list will be called by the mayor to speak in the order in which they signed up for the Public Hearing Agenda Item.

Mayor Jack shall declare the Public Hearing closed before the Assembly takes action on the item.

Once the Public Hearing has CLOSED.....

RECOMMENDATION MOTION:

Move to approve the vacation of an alleyway and portion of a scenic strip adjacent to Lots 1 and 10, Block 54, Wrangell Townsite, according to Plat No.

68-81, and Tract "B", supplemental plat of Wrangell Townsite, USS 1119, according to Plat No. 68-129, and portion of Lot 1, portion of Lot 2, and Lots 9 and 10, Block 54, Wrangell Townsite, USS 1119.

SUMMARY STATEMENT:

The vacation request is part of a preliminary plat as part of the agreement with the Southeast Alaska Regional Health Consortium for assuming the management responsibility of the existing hospital facility. The existing building was constructed on 7 lots and over an alley and scenic view right-of-ways. A preliminary plat was presented to the Planning and Zoning Commission replatting the lots to combine the facility on one single lot and vacate the right-of-ways.

The Planning and Zoning Commission, at their regular meeting of September 13, 2018,

- 1) Moved to recommend to the Assembly to vacate the alley way and a portion of the floating easements adjacent to the above described lots;
- 2) Moved to approve the preliminary plat of the W.M.C. Subdivision, the replat of Lots 1 and 10, Block 54, Wrangell Townsite, according to Plat No. 68-81, and Tract "B", supplemental plat of Wrangell Townsite, USS 1119, according to Plat No. 68-129, and portion of Lot 1, portion of Lot 2, and Lots 9 and 10, Block 54, Townsite, USS 1119, creating Lot A, Block 54, W.M.C. Subdivision, subject to the following:
 - a) Create electrical easements along Reid Street and Bennett Street
 - b) Assembly approval of the vacation request of the alley and portion of scenic strip.

The final plat will be before the Assembly in October.

WE HEREBY CERTIFY THAT WE ARE THE LESSEES OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____

MAYOR, CITY AND BOROUGH OF WRANGELL

NOTARY'S ACKNOWLEDGMENT

U.S. OF AMERICA
STATE OF ALASKA
CITY AND BOROUGH OF WRANGELL

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____ 20____, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____ TO ME KNOWN TO BE _____ (THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL, THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREBY WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES _____

DATE _____ MAYOR, CITY AND BOROUGH OF WRANGELL
 ATTENTION: _____
 CITY CLERK _____

THE UNDERSIGNED, BEING FIRST APPOINTED AND QUALIFIED, AND AN ACTING ASSESSOR FOR THE CITY AND BOROUGH OF WRANWELL, HEREBY CERTIFY, THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY AND BOROUGH OF WRANWELL, IN THE NAME OF _____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, MY TAXES ASSESSED AGAINST SAID LANDS ARE PAID IN FULL, THAT CURRENT TAXES FOR THE YEAR _____ WILL BE DUE ON OR BEFORE OCTOBER 15, 20____ DATED THIS _____ DAY OF _____

ASSESSOR CITY AND BOROUGH OF WRANWELL _____

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CLERK AND BOARD OF COUNTY CLERK, JUNEAU, ALASKA, AND THAT SAID PLAT HAS BEEN APPROVED AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, WENDELL, ALASKA.

DATE _____ CHARRMAN, PLANNING COMMISSION

SECRETARY _____

[illegible]

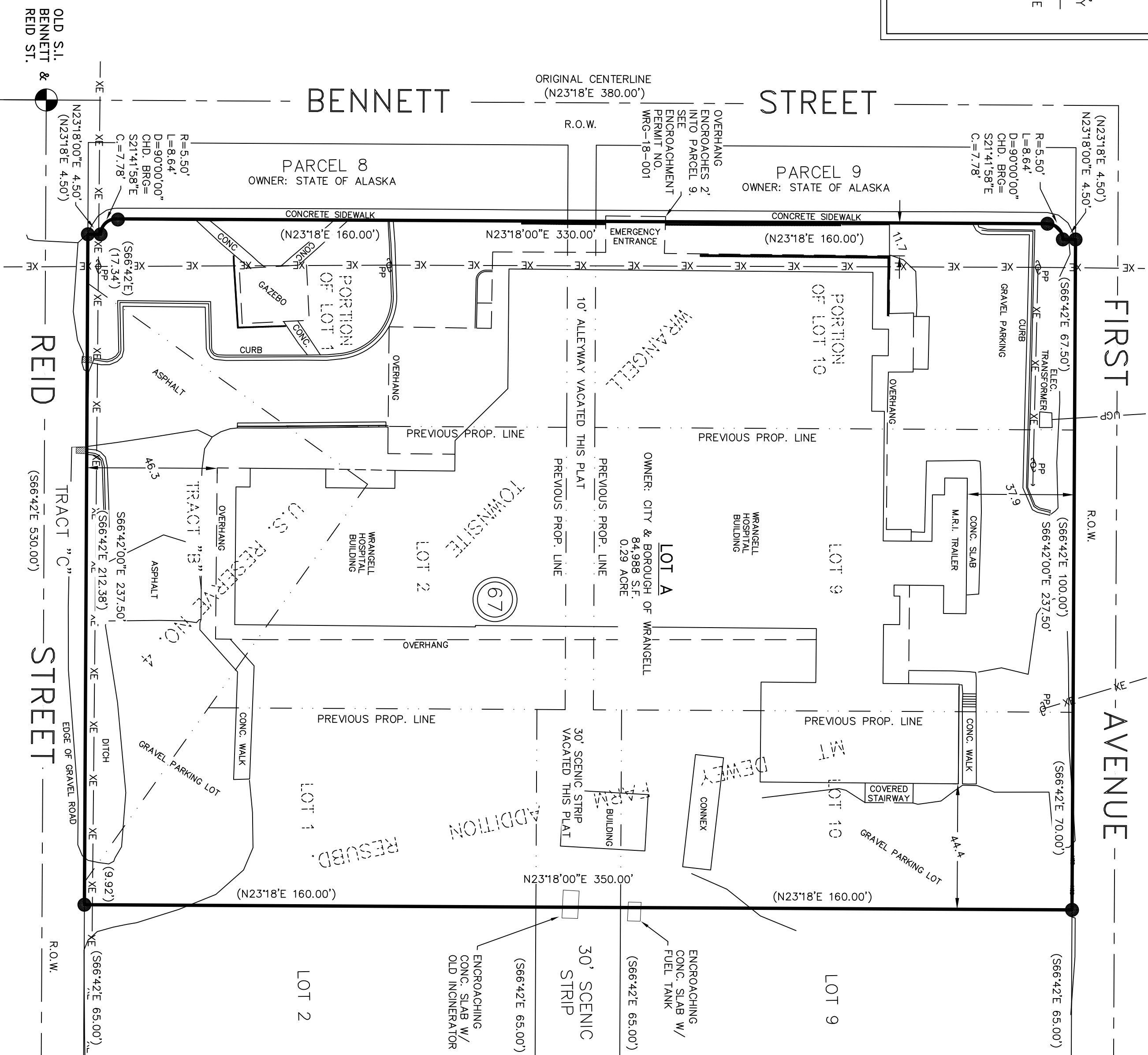
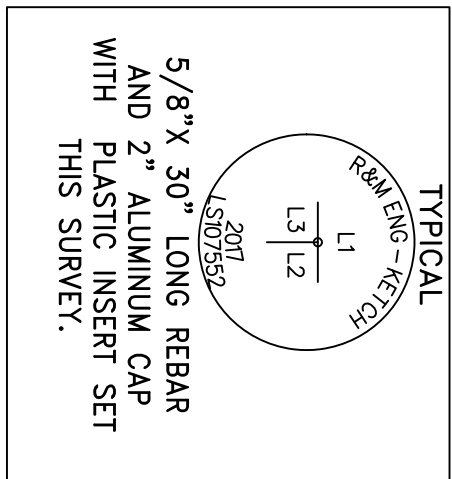
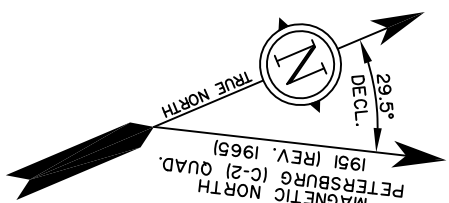
U.S. OF AMERICA
STATE OF ALASKA
CITY AND BOROUGH OF WRANGELL

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME,
THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY
COMMISSIONED AND SWORN, PERSONALLY APPEARED _____
TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE
WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT S/he signed the SAME
FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL, THE DAY AND YEAR IN THIS CERTIFICATE FIRST

GREEN WATSON

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES_____.



1. THE PURPOSE OF THIS SURETYS IS COMBINE LOTS 1 & 10, BLOCK 54, WRANGELL TOWNSHIP, ACCORDING TO PLAT NO. 68-81, AND TRACT "B", SUPPLEMENTAL PLAT OF WRANGELL TOWNSHIP, U.S. 1119, ACCORDING TO PLAT 68-129, AND A PORTION OF LOT 1, LOT 2, LOT 9, AND PORTION OF LOT 10, BLOCK 54, TOWNSHIP OF WRANGELL, ALASKA, U.S. 1119, WRANGELL RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA, CREATING LOT A, BLOCK 54, W.M.C. REPLAT, WRANGELL RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA.

VICINITY MAP:
SCALE: NOT TO SCALE

1. LOT 1 (CITY OF WRANGELL)
2. LOT 10 (CITY OF WRANGELL)
3. TRACT "B" (CITY OF WRANGELL)
4. PORTION OF LOT 1 (CITY OF WRANGELL)
5. LOT 2 (CITY OF WRANGELL)
6. PORTION OF LOT 10 (CITY OF WRANGELL)
7. LOT 9 (CITY OF WRANGELL)

PREVIOUS LOT AREAS

1. LOT 1 (9,848 SQ. FT.) (0.23 ACRES)
2. LOT 10 (11,200 SQ. FT.) (0.26 ACRES)
3. TRACT "B" (10,577 SQ. FT.) (0.24 ACRES)
4. PORTION OF LOT 1 (10,606 SQ. FT.) (0.24 ACRES)
5. LOT 2 (17,000 SQ. FT.) (0.39 ACRES)
6. PORTION OF LOT 10 (12,379 SQ. FT.) (0.28 ACRES)
7. LOT 9 (17,000 SQ. FT.) (0.39 ACRES)

1. LOT A (84,988 SQ. FT)(1.95 ACRES)

HIGHWAY CENTERLINE BRASS CAP RECOVERED THIS SURVEY
5/8 REBAR 30" LONG WITH 2" ALUM CAP WITH PLASTIC INSERT
SET THIS SURVEY

THIS DRAWING MAY BE REDUCED. VERIFY SCALE BEFORE USING.

SCALE 1"=30'

A horizontal graphic scale bar. The top scale is in feet, with markings at 0, 15, 30, 45, 60, 75, 90, 105, 120. The bottom scale is in meters, with markings at 0, 3, 6, 9, 12, 15, 18, 21, 24, 27, 30, 33, 36. The bar is divided into alternating black and white segments.

120 FEET
36 METERS

1 METER = 3.2808333 U.S. SURVEY FEET
1 U.S. ACRE = 0.404 HECTARES

WRANGELL RECORDING DISTRICT	
Revisions	
No.	Description
1	

PRELIMINARY

ENGINEERS
REVILLA ROAD
Tulsa, Oklahoma AK 74101
CANNELL OFFICE
BOX 70
TULSA, AK 74101

Phone:

W.M.C. REPLAT

THE REPLY OF LOTS 1 & 10, BLOCK 54, WRANGELL TOWNSHIP, ACCORDING TO PLAT NO. 68-81; AND TRACT "B", SUPPLEMENTAL PLAT OF WRANGELL TOWNSHIP, USS 1119, ACCORDING TO PLAT 68-129; AND A PORTION OF LOT 1, LOT 2, LOT 9, AND PORTION OF LOT 10, BLOCK 54, TOWNSHIP OF WRANGELL, ALASKA, USS 1119, WRANGELL RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA, CREATING LOT A, BLOCK 54, W.M.C. REPLAT, WRANGELL RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA.

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN 2018 A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.



DATE _____

CHRISTOPHER G. PIBURN LS 1075552

CLIENT: CITY & BOROUGH OF WRANGELL
P.O. BOX 541
WRANGELL, ALASKA 99929

CITY & BOROUGH OF WRANGELL, ALASKA			
BOROUGH ASSEMBLY <u>PUBLIC HEARING</u> AGENDA STATEMENT			
<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	11b	<u>DATE:</u> September 25, 2018
<i>PUBLIC HEARING/Approval:</i>			
Approval of the vacation of unused floating easements within Lots B-1, B-2 and B-3, Health Care Subdivision II, and Lot A, Heath Care Subdivision			
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>	
Carol Rushmore, Economic Development Director		Expenditure Required: none	
		Amount Budgeted: none	
		Account Number(s): none	
		Account Name(s): n/a	
<u>Reviews/Approvals/Recommendations</u>			
Yes	Planning & Zoning Commission	Unencumbered Balance(s) (prior to expenditure):	
Name(s)		n/a	
<input type="checkbox"/>	Attorney		
n/a	Insurance		
<u>ATTACHMENTS:</u> 1. Preliminary plat as presented to the Planning and Zoning Commission.			

Procedure: Mayor Jack shall declare the Public Hearing open. The Mayor shall ask if there is any administrative report on the Public Hearing Item. Clerk Lane shall retrieve the list of those who signed up to speak. When the item comes up, Persons on the list will be called by the mayor to speak in the order in which they signed up for the Public Hearing Agenda Item.

Mayor Jack shall declare the Public Hearing closed before the Assembly takes action on the item.

Once the Public Hearing has CLOSED.....

RECOMMENDATION MOTION:

Move to approve the vacation of unused floating easements within Lots B-1, B-2 and B-3, Health Care Subdivision II, and Lot A, Heath Care Subdivision.

SUMMARY STATEMENT:

The vacation request is part of a preliminary plat required as part of the agreement with the Southeast Alaska Regional Health Consortium to assume the management responsibility of the existing hospital facility and to construct a new hospital adjacent to the AICS Clinic. The proposed preliminary plat removes the previously recorded floating easements, locates all utility and road easements where they are actually constructed, creates a right-of-way for the Etolin Avenue road, and modifies the north and south property lines of former Lot A (proposed Lot 4).

The Planning and Zoning Commission at their regular meeting of September 13, 2018

- 1) Moved to recommend to the Assembly to vacate the floating easements in Lots B-3 and Lot B-1, Health Care Subdivision II, Plat No. 2010-6, as the actual locations of utilities and road will be placed into easements in the proposed new subdivision, Health Care Subdivision III.
- 2) Moved to approve the preliminary plat of Health Care Subdivision III, a replat of Lots B-1, B-2 and B-3, Health Care Subdivision II, and Lot A, Health Care Subdivision, creating Lots 1,2,3 and 4, Health Care Subdivision III, subject to:
 - a) Create a small triangular substandard lot at the corner of Ash Street and Etolin Ave from the proposed ROW, with a Plat note that it will be combined with Lot 20 in a replat of those City lots forthcoming shortly;
 - b) Adjust the northerly boundary of proposed Lot 4, approximately 120 feet to the north into proposed Lot 1.
 - c) Correct the Certificate to Plat information
 - d) Assembly approval of the vacation request of the floating easements.

The final plat will be before the Assembly in October.

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	13a	<u>DATE:</u>	September 25, 2018
<p>PROPOSED RESOLUTION No. 09-18-1426 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, DESIGNATING CANVASS BOARD DUTIES TO THREE ASSEMBLY MEMBERS FOR CANVASSING THE RESULTS OF THE REGULAR ELECTION TO BE HELD OCTOBER 2, 2018</p>				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
Kim Lane, Borough Clerk		Expenditure Required: none		
		Amount Budgeted: none		
<div style="background-color: #ccccff; height: 20px; width: 100%;"></div>		Account Number(s): none		
		Account Name(s): none		
<u>Reviews/Approvals/Recommendations</u>				
n/a	Commission, Board or Committee		Unencumbered Balance(s) (prior to expenditure):	
Name(s)			none	
<input type="checkbox"/>	Attorney			
n/a	Insurance			
<u>ATTACHMENTS:</u>				
1. Resolution No. 09-18-1426.				

RECOMMENDATION MOTION:

Move to approve Resolution No. 09-18-1426 that designates three members of the Borough Assembly to serve on the Canvass Board, following the October 2, 2018 Borough Election.

SUMMARY STATEMENT:

None.

CITY AND BOROUGH OF WRANGELL

RESOLUTION NO. 09-18-1426

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, DESIGNATING CANVASS BOARD DUTIES TO THREE ASSEMBLY MEMBERS FOR CANVASSING THE RESULTS OF THE REGULAR ELECTION TO BE HELD OCTOBER 2, 2018

WHEREAS, Wrangell Municipal Code Sec. 2.28.050 Canvass Board, provides that the Borough Assembly shall, prior to the date of the election, designate three assembly members to serve on the Canvass Board; and

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, that Assembly Members **Julie Decker, Patty Gilbert, and Rolland Howell** be designated to serve on the Canvass Board and to attend the election, pursuant to Wrangell Municipal Code Sec. 2.28.050 to be held within six days after the election, pursuant to Wrangell Municipal Code Sec. 2.28.060 Canvass of Returns-Procedures Generally.

ADOPTED: September 25, 2018

David L. Jack, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	13b	<u>DATE:</u>	September 25, 2018
PROPOSED RESOLUTION NO. 09-18-1427 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING THE ALASKA SALMON HATCHERY PROGRAM				
<u>SUBMITTED BY:</u> Julie Decker, Assembly Member			<u>FISCAL NOTE:</u>	
			Expenditure Required: none	
			Amount Budgeted: none	
			Account Number(s): none	
			Account Name(s): none	
<u>Reviews/Approvals/Recommendations</u>				
n/a	Commission, Board or Committee			Unencumbered Balance(s) (prior to expenditure): none
Name(s)				
<input type="checkbox"/>	Attorney			
n/a	Insurance			
<u>ATTACHMENTS:</u>				
1. Resolution No. 09-18-1427.				

RECOMMENDATION MOTION:

Move to approve Resolution No. 09-18-1427 that supports the Alaska Salmon Hatchery program.

SUMMARY STATEMENT:

An organized attack against Alaska's salmon hatcheries is underway since approximately March of 2018. The attacks are coming in the form of blog articles by Craig Medred, opinion editorials in the ADN, and emergency petitions to the Board of Fisheries (BOF) to stop hatcheries releases. The Kenai River Sportsmen Association (KRSA) are leading the charge at the BOF and attempting to utilize the BOF as a political tool to break into the management authority of the Alaska Department of Fish and

Game and the Regional Planning Teams. KRSA and others are using completed unsupported arguments like: for every hatchery fish that is released, one wild fish is removed.

Consequently, fishermen, processors, communities, support businesses, Chambers, economic development orgs, and municipalities are showing support through letters and resolutions of support. The Southeast Conference, Ketchikan Gateway Borough and City of Cordova passed similar resolutions to the one you are considering. Other communities considering resolutions are: Petersburg, Sitka, Craig, Valdez, Homer, and Whittier. Supporters have also created a website to house supportive and factual information (see below).

More information can be found at the following links:

<https://www.salmonhatcheriesforak.org>

McDowell Group economic analysis of SSRAA (2017):

<http://ssraa.org/wp-content/uploads/2018/08/SSRAA-Economic-Impacts-2017.pdf>

CITY AND BOROUGH OF WRANGELL

RESOLUTION NO. 09-18-1427

A RESOLUTION OF THE ASSEMBLY OF THE ASSEMBLY OF THE
CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING
THE ALASKA SALMON HATCHERY PROGRAM

WHEREAS, the City and Borough of Wrangell, and the fishermen, processors and businesses in Wrangell all benefit greatly from the State of Alaska Salmon Hatchery Program; and

WHEREAS, Alaska's salmon hatchery program has operated for 45 years and supplements wild salmon harvests throughout the state; and

WHEREAS, Alaska's salmon hatchery program is an example of sustainable economic development that directly benefits subsistence fishermen, personal use fishermen, sport fishermen, charter fishermen, commercial fishermen, seafood processors, as well as state and local governments, which receive raw fish tax dollars; and

WHEREAS, Alaska's salmon hatchery program employs strong scientific methodology and is built upon precautionary principles and sustainable fisheries policies to protect wild salmon populations; and

WHEREAS, Alaska Department of Fish and Game regulates hatchery operations, production, and permitting through a transparent public process and multi-stakeholder development of annual management plans; and

WHEREAS, returns of hatchery and wild salmon stocks follow similar survival trends over time and the largest returns of both hatchery and wild salmon stocks have largely occurred since hatchery returns began in about 1980; and

WHEREAS, there are no stocks of concern where most hatchery production occurs, indicating that adequate escapements to wild stock systems are being met in these areas over time; and

WHEREAS, Alaska hatcheries contributed an annual average of nearly 67 million fish to Alaska's commercial fisheries in the past decade; and

WHEREAS, Alaska hatcheries accounted for 22% of the total common property commercial catch and 43% of the total ex-vessel value in the Southeast region in 2016; and

WHEREAS, a McDowell Group report identifies the economic contribution in 2017 of the Southern Southeast Regional Aquaculture Association (SSRAA) to be 680 jobs, \$32 million in labor income, and \$70 million in total economic output; and

WHEREAS, Alaska's salmon hatchery program has proven to be significant and vital to Alaska's seafood and sportfish industries and the state of Alaska by creating employment and economic opportunities throughout the state and in particular in rural coastal communities; and

WHEREAS, Alaska's salmon hatchery program is non-profit and self-funded through cost recovery and enhancement taxes on the resource and is a model partnership between private and public entities; and

WHEREAS, the State of Alaska has significantly invested in Alaska's salmon hatchery program and associated research to provide for stable salmon harvests and to bolster the economies of coastal communities while maintaining a wild stock escapement priority; and

WHEREAS, Alaska salmon fisheries, including the hatchery program, continue to be certified as sustainable by two separate programs, Responsible Fisheries Management (RFM) and Marine Stewardship Council (MSC);

NOW, THEREFORE BE IT RESOLVED that the City and Borough of Wrangell affirms its support for Alaska's salmon hatchery programs; and

FURTHER BE IT RESOLVED that the City and Borough of Wrangell supports unbiased and scientific methods to assess the interaction of Alaska's salmon hatchery programs with natural salmon stocks, such as the Alaska Hatchery-Wild Salmon Interaction Study which began in 2011 and is scheduled to conclude in 2023; and

FURTHER BE IT RESOLVED that the City and Borough of Wrangell calls on the Alaska Board of Fisheries to work with the hatchery community, the Alaska Department of Fish and Game and industry leaders to further its understanding of the importance of the Alaska salmon hatchery program to all Alaskans.

ADOPTED: September 25, 2018

David L. Jack, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	13c	<u>DATE:</u>	September 25, 2018
PROPOSED RESOLUTION NO. 09-18-1428 OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE RENEWAL OF THE LINE OF CREDIT AGREEMENT BETWEEN THE CITY AND BOROUGH OF WRANGELL AND THE WRANGELL MEDICAL CENTER				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
Lisa Von Bargen, Borough Manager			Expenditure Required:	
			\$250,000 – Outstanding Draw to WMC	
			Amount Budgeted:	
			\$0	
			Account Number(s):	
			N/A	
			Account Name(s):	
			General Fund Account with Cash	
<u>Reviews/Approvals/Recommendations</u>				
_____	Commission, Board or Committee		Unencumbered Balance(s) (prior to expenditure):	
Name(s)			N/A	
_____	Attorney			
_____	Insurance			
<u>ATTACHMENTS:</u>				
1. Resolution No. 09-18-1428; 2. 2018 Line of Credit Agreement;				

RECOMMENDATION:

Approve Resolution 09-18-1428 of the Assembly of the City & Borough of Wrangell Authorizing the Renewal of the Line of Credit Agreement between the City & Borough of Wrangell and the Wrangell Medical Center.

SUMMARY STATEMENT:

In July of 2015 the Wrangell Medical Center came to the Assembly requesting assistance in obtaining a line of credit through a bank to have a “back-up plan” in the event of unfavorable cash flow circumstances. The Assembly was in favor of the concept, but did not pass the resolution on July 28, 2015. Instead, the Assembly gave direction to Administration to create a line of credit from the Borough for the WMC, thus eliminating the need for WMC to pay interest on borrowed money.

A Line of Credit Agreement was developed between the Borough and WMC with the following parameters:

- Line of Credit requests require both WMC CEO/Administrator and Borough Manager approval
- Reporting of the repayment process and outstanding balance shall be reported to the Assembly monthly by both WMC and the Borough Finance Department
- Borrowed money shall be interest free
- Repayment is based on the capacity of WMC
- The Line of Credit Agreement is to be brought back to the Assembly for review and renewal the first Assembly meeting of September each year

The original Line of Credit was signed by both parties in August of 2015.

WMC submitted a Line of Credit Request for \$250,000 in the fall of 2017 because the hospital needed money by October 25, 2017 to maintain operations (to make payroll).

On October 24, 2017 the Assembly approved Resolution No. 10-17-1383 authorizing the Line of Credit (LOC) Agreement for another year. The LOC Agreement is to be renewed at the first Assembly meeting in September of each year. This year the Assembly cancelled the first meeting in September due to Assembly member and Manager travel schedules. So the Agreement is before the Assembly for action at this meeting.

The CBW and WMC are mere weeks away from transitioning operations to SEARHC. It is reasonable to ask why the LOC Agreement needs to be renewed. It is necessary for a renewal to maintain the authorization for WMC to retain the existing \$250,000 draw against the line of credit.

The WMC Board of Directors approved the Line of Credit renewal at the Board Meeting on Wednesday, September 19th. The LOC was originally on the agenda for the Board to approve in August, but that meeting had to be cancelled due to lack of a quorum.

A copy of the Agreement Renewal document is attached for review by the Assembly.

CITY AND BOROUGH OF WRANGELL, ALASKA
RESOLUTION No. 09-18-1428

A RESOLUTION OF THE ASSEMBLY OF THE CITY & BOROUGH
OF WRANGELL, ALASKA, AUTHORIZING THE RENEWAL OF
THE LINE OF CREDIT AGREEMENT BETWEEN THE CITY AND
BOROUGH OF WRANGELL AND THE WRANGELL MEDICAL
CENTER

WHEREAS, the Wrangell Medical Center experiences times of unfavorable cash flow; and

WHEREAS, Wrangell Medical Center requires financial assistance to bridge financial gaps during these times; and

WHEREAS, in 2015 the Borough Assembly authorized a Line of Credit Agreement between the City & Borough of Wrangell and the Wrangell Medical Center in the amount of \$500,000; and

WHEREAS, that Line of Credit Agreement is required to be renewed annually by the Assembly; and

WHEREAS, Wrangell Medical Center was extended \$250,000 in October of 2017 and, to date, none of that money has been repaid to the City & Borough of Wrangell; and

WHEREAS, to maintain the authorization for Wrangell Medical Center to retain the current \$250,000 draw against the line of credit, the Agreement must be renewed.

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

THE ASSEMBLY AUTHORIZES THE RENEWAL OF THE LINE OF CREDIT AGREEMENT BETWEEN THE CITY AND BOROUGH OF WRANGELL AND THE WRANGELL MEDICAL CENTER.

PASSED AND APPROVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, this 25th day of September, 2018.

CITY AND BOROUGH OF WRANGELL, ALASKA

Dave L. Jack, Mayor

ATTEST:

Kim Lane, MMC, Borough Clerk



CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

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

Line of Credit Agreement

**Between the City and Borough of Wrangell and the
Wrangell Medical Center**

The City and Borough of Wrangell authorizes the Wrangell Medical Center a line of credit from the Borough in an amount not to exceed \$500,000.

PURPOSE:

The purpose of the line of credit is to assist the Wrangell Medical Center during times of unfavorable cash flow. It is also needed and can be used to balance cash flow when unexpected expenditures or the timing of large expenditures are required to be made in a timely manner and a temporary cash infusion is needed.

REQUEST AND AUTHORIZATION PROCESS:

Line of Credit requests will be submitted on a form provided by the Borough and will require approval by both the Wrangell Medical Center CEO/Administrator and the Borough Manager prior to a payment being made. In the event a request is needed and one or both of the above parties are not present, their designee can approve the request. Once the request is approved, a check will be cut immediately or in the time frame needed by Wrangell Medical Center. It is encouraged, but not required, that requests be planned out so that one large request be made instead of many smaller ones in a short period of time. Example: If it is anticipated that a sum of \$50,000 will be needed over a two month period of time, requesting the \$50,000 rather than requesting \$6,500 every week for two months is the preferred method.

REPORTING PROCESS:

The Wrangell Medical Center will include reporting of the transactions and the balance to the Wrangell Medical Board on a monthly basis and will also include this information in the monthly report they give to the Assembly.

In addition, the Borough Finance Department will include a report to the Assembly each month of the activity in the Line of Credit Account.

TERMS:

Money loaned to the Wrangell Medical Center through the Line of Credit Agreement will be interest free. At the time a Line of Credit is requested the Wrangell Medical Center will provide an anticipated repayment schedule. The schedule may be amended based on the financial capacity of Wrangell Medical Center at the time a payment is due. Money borrowed is to be returned to the Line of Credit Account with the Borough as soon as funds become available to do so.

RENEWAL:

Annually, the Board of Directors of the Wrangell Medical Center shall request renewal of this Agreement, should it be warranted. A written request shall be submitted by the Wrangell Medical Center CEO/Administrator to the Borough Manager no later than the third week of August each year. Review and renewal of this Agreement shall be considered by the Assembly at the first regular meeting in September each year.

TERMINATION OF THIS AGREEMENT:

The Borough Assembly reserves the right at any time to cancel this Agreement and request an alternate repayment schedule of any money owed to the Borough.

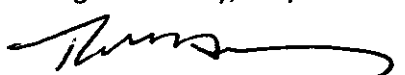
By signing below, we agree to the terms of the Line of Credit Agreement between and City and Borough of Wrangell and the Wrangell Medical Center:


City and Borough of Wrangell
Borough Manager

Date

Borough Assembly, Mayor

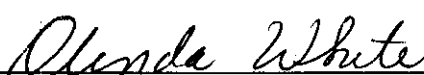
Date

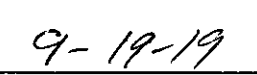




Wrangell Medical Center CEO

Date





Wrangell Medical Center
Board President

Date

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	13e	<u>DATE:</u>	September 25, 2018
Discussion Item: Official Borough Position Opposing Ballot Measure 1, “Stand for Salmon”				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
Lisa Von Bargaen, Borough Manager		Expenditure Required: none		
		Amount Budgeted: none		
		Account Number(s):		
n/a	Attorney			
n/a	Insurance			
<u>ATTACHMENTS:</u>				
1. Ballot Measure 1; 2. State of Alaska FAQ’s; 3. APA White Paper				

RECOMMENDED MOTION:
Discussion only.

SUMMARY STATEMENT:

During the National Hydropower Association Regional Meeting and Southeast Conference in Ketchikan the week of September 10th, a topic of significant discussion was Ballot Measure 1, commonly referred to as the “Stand for Salmon” initiative. It appears the initiative was brought forward to provide greater regulatory oversight for very large projects like the Pebble Mine. However, the way the language is written, the impacts to very small development projects (down to even the private homeowner level) could be significant. Regulators at across state agencies have developed an FAQ sheet about what the impacts could be if Ballot Measure 1 is successful in passing. That FAQ sheet is attached for reference.

Among many impacts, possibly one of the most critical for Southeast communities is the hurdles Ballot Measure 1 would put in place for reauthorizing existing hydropower installations, and new hydropower projects. Although the Alaska Power Association has not yet taken an official position on the initiative, the agency has developed a white paper outlining the impacts which is also attached to this agenda statement.

Administration encourages the Assembly to familiarize yourself with the material so we can have a conversation on Tuesday about whether or not Wrangell should take an official position opposing the initiative.

AN ACT ENTITLED

“An Act providing for protection of wild salmon and fish and wildlife habitat”

BE IT ENACTED BY THE PEOPLE OF THE STATE OF ALASKA:

*Section 1. The uncoded law of the State of Alaska is amended by adding a section to read:

Alaska Fish Habitat Policy.

Because wild salmon are critically important to Alaska's communities, economies and cultures, it is the policy of the State of Alaska to:

- (a) ensure sustainable fisheries for current and future generations by maintaining wild salmon stocks, other anadromous fish species, and important fish and wildlife habitat;
- (b) protect water resources and habitat that support Alaska's wild salmon and other anadromous fish species;
- (c) ensure that development activities comply with enforceable standards that protect wild salmon, other anadromous fish species, and important fish and wildlife habitat; and
- (d) ensure that the Department of Fish and Game protects the natural fishery resources of Alaska consistent with Article VIII of the Alaska Constitution.

*Section 2. AS 16.05 is amended by adding a new section to read:

Sec. 16.05.867. Fish and wildlife habitat protection standards.

- (a) The commissioner shall ensure the proper protection of fish and wildlife, including protecting anadromous fish habitat from significant adverse effects.
- (b) When issuing a permit under AS 16.05.867-16.05.901, the commissioner shall ensure the proper protection of anadromous fish habitat by maintaining:
 - (1) water quality and water temperature necessary to support anadromous fish habitat;
 - (2) instream flows, the duration of flows, and natural and seasonal flow regimes;
 - (3) safe, timely and efficient upstream and downstream passage of anadromous and native resident fish species to spawning, rearing, migration, and overwintering habitat;
 - (4) habitat-dependent connections between anadromous fish habitat including surface-groundwater connections;
 - (5) stream, river and lake bank and bed stability;
 - (6) aquatic habitat diversity, productivity, stability and function;
 - (7) riparian areas that support adjacent fish and wildlife habitat; and
 - (8) any additional criteria, consistent with the requirements of AS 16.05.867-AS 16.05.901, adopted by the commissioner by regulation.
- (c) The commissioner is authorized, in accordance with AS 44.62, to adopt regulations consistent with AS 16.05.867-16.05.901. All regulations, administrative actions and other duties carried out under this chapter shall be consistent with and in furtherance of the standards set out in this section.

* Section 3. AS 16.05.871 is repealed and reenacted to read:

Sec. 16.05.871. Fish habitat permit required for certain activities in anadromous fish habitat.

- (a) Except as provided under AS 16.05.891, a person must obtain an anadromous fish habitat permit under AS 16.05.867 - 16.05.901 before initiating any activity that may use, divert, obstruct, pollute, disturb or otherwise alter anadromous fish habitat. The commissioner may specify in regulation activities that do not require an anadromous fish habitat permit if the activity has only a de minimis effect on anadromous fish habitat.
- (b) The commissioner shall specify in regulation anadromous fish habitat.

- (c) In the absence of a specification under (b) or a site-specific determination by the department under (e) of this section, the commissioner shall presume that a naturally occurring permanent or seasonal surface water body, including all upstream tributaries and segments, is anadromous fish habitat if it is connected to anadromous waters specified under (b) of this section or connected to marine waters.
- (d) The presumption established under (c) of this section applies exclusively to AS 16.05.867-16.05.901.
- (e) The department may conduct a site-specific review at the request of an applicant to determine whether to exclude a water body from the presumption established under (c) of this section. A determination that a water body is not anadromous fish habitat must be supported by the commissioner's written finding and verifiable documentation that it is not anadromous fish habitat. Any site-specific determination must be made available on the department's internet website with public notice provided through the Alaska Online Public Notice System (AS 44.62.175). The commissioner shall adopt regulations specifying how the department shall conduct site-specific reviews.
- (f) In this chapter, "anadromous fish habitat" means a naturally occurring permanent or intermittent seasonal water body, and the bed beneath, including all sloughs, backwaters, portions of the floodplain covered by the mean annual flood, and adjacent riparian areas, that contribute, directly or indirectly, to the spawning, rearing, migration, or overwintering of anadromous fish.

*Section 4. AS 16.05 is amended by adding a new section to read:

Sec. 16.05.875. Anadromous fish habitat permit application.

- (a) An applicant for an anadromous fish habitat permit shall complete an application on a form approved by the department for a permit under AS 16.05.867-16.05.901 and submit the application to the department. The commissioner shall require or collect all information, plans and specifications necessary to assess the proposed activity's potential adverse effects on anadromous fish habitat, and may collect or request additional information to evaluate an application. An applicant shall provide all information required or requested by the commissioner to assess a proposed activity's effects on anadromous fish habitat, including
 - (1) the scope, timing and duration of the proposed activity; and
 - (2) mitigation measures planned for areas of affected anadromous fish habitat.
- (b) Upon receiving a complete fish habitat permit application and any other information requested or collected by the commissioner, the commissioner shall determine whether the proposed activity has the potential to cause significant adverse effects on anadromous fish habitat under AS 16.05.877(a). Before making the determination, the commissioner may work with the applicant in planning the activity to avoid or minimize the activity's potential adverse effects on anadromous fish habitat.
- (c) If the commissioner finds that a proposed activity with proposed conditions and mitigation measures will not cause significant adverse effects to anadromous fish habitat under AS 16.05.877(a), the commissioner shall determine the application is for a minor anadromous fish habitat permit under AS 16.05.883.
- (d) If the commissioner finds that a proposed activity has the potential to cause significant adverse effects to anadromous fish habitat under AS 16.05.877(a), the commissioner shall determine the application is for a major anadromous fish habitat permit under AS 16.05.885.
- (e) The department shall provide public notice of a determination made under this section. The department shall
 - (1) post notice of the determination on the Alaska Online Public Notice System (AS 44.62.175); and
 - (2) make a copy of the application available on the department's website.

* Section 5. AS 16.05 is amended by adding a new section to read:

Sec. 16.05.877. Significant adverse effects.

- (a) The commissioner shall find the potential for significant adverse effects where the activity may, singly or in combination with other factors:
 - (1) impair or degrade any habitat characteristic protected under AS 16.05.867;
 - (2) interfere with or prevent the spawning, rearing, or migration of anadromous fish at any life stage;
 - (3) result in conditions known to cause increased mortality of anadromous fish at any life stage;
 - (4) lower the capacity of anadromous waters to maintain aquatic diversity, productivity or stability; or
 - (5) impair any additional criteria, consistent with the requirements of AS 16.05.867-16.05.901, adopted by the commissioner through regulation.
- (b) The commissioner shall find that the proposed activity will cause substantial damage to anadromous fish habitat and fish and wildlife species if, despite the application of scientifically proven, peer reviewed and accepted mitigation measures under AS 16.05.887, the anadromous fish habitat will be adversely affected such that it will not likely recover or be restored within a reasonable period to a level that sustains the water body's, or portion of the water body's, anadromous fish, other fish, and wildlife that depend on the health and productivity of that anadromous fish habitat.
- (c) In determining whether anadromous fish habitat will recover or be restored within a reasonable period under this section, the commissioner shall account for the life stage, life span, and reproductive behavior of the species of anadromous fish that depend on the habitat adversely affected by the proposed activity using the best available scientific information.
- (d) In determining whether adversely affected anadromous fish species will remain sustainable and recover, the commissioner shall consider likely post-project conditions known to result in the mortality of anadromous fish at any life stage, and known to interfere with or prevent spawning, rearing or migration of anadromous fish using the best available scientific information.

*Section 6. AS 16.05 is amended by adding new sections to read:

Sec. 16.05.883. Minor individual anadromous fish habitat permit.

- (a) A minor anadromous fish habitat permit may be issued by the commissioner for an activity if the commissioner determines that:
 - (1) all application requirements under AS 16.05.875 are met, including the determination that the activity will not cause significant adverse effects to anadromous fish habitat; and
 - (2) public notice has been given as required in AS 16.05.875(e).
- (b) The minor anadromous fish habitat permit under this section must include all permit conditions or mitigation measures required of the permittee under AS 16.05.887.

Sec. 16.05.884. General permits for minor activities.

- (a) The commissioner may authorize a general permit on a regional or other geographical basis for similar activities, if the commissioner determines that:
 - (1) the activity will not singly or cumulatively cause significant adverse effects on anadromous fish habitat;
 - (2) the activity is not related to large-scale development;
 - (3) adverse effects can be avoided by meeting certain conditions and stipulations;
 - (4) any conditions or stipulations are mandatory and enforceable; and

- (5) a general permit is in the public interest.
- (b) The commissioner may issue a proposed general permit or a person may petition the commissioner to issue a proposed general permit.
- (c) A petition shall include a description of the geographic location and the proposed permitted activity and provide information explaining how the activity meets the requirements under (a) of this section. The commissioner shall determine whether to grant or deny a petition within 30 days.
- (d) When the commissioner makes a determination to propose a general permit under (b) or (c) of this section, the commissioner shall provide public notice of the proposed general permit and provide at least 30 days for receipt of public comments. The commissioner shall hold at least one public hearing if requested by an interested person. If the proposed general permit meets the requirements in (a) of this section, the commissioner may make a determination to issue a general permit.
- (e) The commissioner may issue a regional or geographical authorization to cover any person conducting an activity under a general permit or require a person to first obtain a written authorization from the department before being covered under the general permit. The department shall make general permit authorizations available through electronic means. The commissioner shall issue a decision on a request for written authorization within 5 work days after receiving the request. The general permit authorization shall set forth enforceable stipulations to avoid adverse effects to anadromous fish habitat.
- (f) The commissioner shall review a general permit at least every 5 years. The commissioner may make a determination to reissue the general permit if the requirements under (d) of this section are met.
- (g) The commissioner may amend a general permit at any time to include additional stipulations. The commissioner may rescind a general permit if the commissioner determines that the general permit no longer meets the requirements of (a) of this section. The commissioner shall issue public notice of any proposed permit amendment or the intent to rescind a general permit, and shall provide at least 30 days for receipt of public comments.
- (h) Notice under this section shall be provided in accordance with AS 16.05.875(e).

Sec. 16.05.885. Major anadromous fish habitat permit.

- (a) Unless reconsideration is requested under AS 16.05.889, the commissioner shall, after providing notice under AS 16.05.875(e) of a determination under AS 16.05.875(d), prepare a draft major anadromous fish habitat permit assessment that identifies and describes:
 - (1) the proposed activity;
 - (2) the extent, timing and duration of the potential adverse effects the activity could have on anadromous fish habitat and other fish and wildlife;
 - (3) possible alternatives or modifications to the proposed activity that will avoid or minimize the activity's potential adverse effects on anadromous fish habitat;
 - (4) any permit conditions and mitigation measures that the department may require of the permittee under AS 16.05.887;
 - (5) the amount of the performance bond necessary to restore anadromous fish habitat if the permittee is not in compliance with the permit conditions and mitigation measures required under AS 16.05.887; and
 - (6) the commissioner's determination of whether the proposed activity's significant adverse effects, singly or in combination with other factors:
 - (A) will be prevented or minimized under AS 16.05.887; or
 - (B) will cause substantial damage to anadromous fish habitat under AS 16.05.877(b).

- (b) The commissioner shall collect, or require the applicant to collect, the information needed for permitting. The commissioner may recover fees equal to the cost of services for collecting the information and conducting the fish habitat permit assessment.
- (c) Upon completion of the draft assessment under (a) of this section, the department shall:
 - (1) post notice on the Alaska Online Public Notice System (AS 44.62.175);
 - (2) make a copy of the draft assessment available on the department's website; and
 - (3) provide at least 30 days for public comment.
- (d) After the completion of the comment period established by (c)(3) of this section and evaluation of the comments received, the commissioner shall publish a final assessment and a written permit determination on the department's website. The final assessment must include all of the components required for a draft assessment under (a) of this section. The written permit determination shall set forth the reasons for the decision and the basis for concluding that the requirements of AS 16.05.887 and of (e) of this section are met. The department shall post public notice of the final assessment and permit determination on the Alaska Online Public Notice System (AS 44.62.175) and provide written or electronic notice to each person who commented on the commissioner's determination that the application for the permitted activity was an application for a major permit under AS 16.05.875(d) or on the draft assessment prepared under (a) of this section for the activity.
- (e) The commissioner may issue a major permit to an applicant only if:
 - (1) the public notice period required under (c) of this section is complete;
 - (2) any permit conditions and mitigation measures under AS 16.05.887 are mandatory and enforceable;
 - (3) the activity, as authorized by the written permit determination, will not cause substantial damage to anadromous fish habitat under AS 16.05.877(b);
 - (4) the applicant, if required, provides the bond required by (g) of this section; and
 - (5) a request for reconsideration of the commissioner's final assessment and written determination under (d) of this section is not timely received under AS 16.05.889.
- (f) If request for reconsideration of the commissioner's final assessment and written determination issued under (d) of this section is timely received under AS 16.05.889(a), the commissioner shall issue a major permit for the activity when the commissioner
 - (1) denies the request for reconsideration or issues a new determination under AS 16.05.889(c); and
 - (2) finds that the requirements of (e) of this section have been met.
- (g) After the commissioner issues a written permit determination under (d) of this section, the applicant shall file with the commissioner, on a form furnished by the commissioner, a performance bond in an amount established by the commissioner payable to the State of Alaska and conditioned on faithful performance of the requirements of this chapter and the permit. The commissioner may not issue a permit until an applicant files the bond in an amount sufficient to ensure compliance with permit terms and the completion of the mitigation measures determined necessary by the commissioner under AS 16.05.887 and included in the written permit determination posted under (d) of this section. The performance bond may be a corporate surety bond issued by a corporation licensed to do business in the state or a personal bond secured by cash or its equivalent. The commissioner may not accept a bond executed by the applicant without separate surety.
- (h) A governmental entity or federally recognized tribe is exempt from the bonding requirements of this section.
- (i) A permittee may not transfer or assign authority to conduct an activity that requires a permit under this section to another person without:
 - (1) the written approval of the commissioner; and
 - (2) posting a performance bond for the transferee or assignee as required under (g) of this section, unless the transferee or assignee is exempt under (h) of this section.
- (j) In this section "federally recognized tribe" has the meaning given in AS 23.20.520.

*Section 7. AS 16.05 is amended by adding a new section to read:

Sec. 16.05.887. Permit conditions and mitigation measures.

- (a) The commissioner shall prevent or minimize significant adverse effects to anadromous fish habitat. The commissioner shall require a permittee under AS 16.05.885 to implement the permitted activity in a manner that avoids significant adverse effects to anadromous fish habitat or, if significant adverse effects cannot be avoided, to mitigate significant adverse effects to fish and wildlife including anadromous fish habitat under (b) of this section. Notwithstanding (b) of this section, an anadromous fish habitat permit may not be granted for an activity that will:
 - (1) cause substantial damage to anadromous fish habitat under AS 16.05.877(b);
 - (2) fail to ensure the proper protection of fish and wildlife;
 - (3) store or dispose of mining waste, including overburden, waste rock, and tailings in a way that could result in the release or discharge of sulfuric acid, other acids, dissolved metals, toxic pollutants, or other compounds that will adversely affect, directly or indirectly, anadromous fish habitat, fish, or wildlife species that depend on anadromous fish habitat;
 - (4) replace or supplement, in full or in part, a wild fish population with a hatchery-dependent fish population;
 - (5) withdraw water from anadromous fish habitat in an amount that will adversely affect anadromous fish habitat, fish, or wildlife species; or
 - (6) dewater and relocate a stream or river if the relocation does not provide for fish passage or will adversely affect anadromous fish habitat, fish, or wildlife species.
- (b) When establishing permit conditions for an activity, the commissioner shall, in order of priority, require a permittee under AS 16.05.883, AS 16.05.884, or AS 16.05.885 to mitigate adverse effects by taking one or more of the following actions:
 - (1) limit adverse effects of the activity on anadromous fish habitat by changing the siting, timing, procedure, or other manageable qualities of the activity;
 - (2) if the adverse effects of the activity cannot be prevented under (1) of this subsection, minimize the adverse effects of the activity by limiting the degree, magnitude, duration, or implementation of the activity, including implementing protective measures or control technologies; and
 - (3) if the activity cannot be implemented in a manner that prevents adverse effects to anadromous fish habitat under this subsection, restore the affected anadromous fish habitat.
- (c) Permit conditions and mitigation measures under this section may not offset the activity's adverse effects by restoring, establishing, enhancing, or preserving another water body, other portions of the same water body, or land.
- (d) The commissioner shall require an applicant to employ the best available, scientifically supported techniques to mitigate adverse effects under (b) of this section.
- (e) The department may adopt regulations consistent with AS 16.05.867 - 16.05.901 establishing appropriate permit conditions and mitigation measures applicable to activities subject to permitting requirements under AS 16.05.883, AS 16.05.884 or AS 16.05.885.

*Section 8. AS 16.05 is amended by adding a new section to read:

Sec. 16.05.889. Reconsideration of determinations.

- (a) Within 30 days after the date of a determination of the commissioner under AS 16.05.871(e), AS 16.05.875(c) or (d), AS 16.05.883, AS 16.05.884(d) or (f), or AS 16.05.885(d), any interested person may request that the commissioner reconsider the determination. A request for reconsideration must be in writing.
- (b) Within 30 days after receiving a request for reconsideration, the commissioner shall issue a written determination granting or denying the request. If the commissioner does not act on

the request for reconsideration within 30 days after receiving the request, the request is denied. If the commissioner grants the request for reconsideration, the commissioner will issue a final determination within 30 days.

- (c) Unless the commissioner orders a remand for further agency proceedings, the commissioner's determination upon reconsideration is the final administrative decision for purposes of appeal to the superior court under AS 44.62.560. A person shall initiate an appeal within 30 days after the date that the final determination is mailed or otherwise distributed, or the date that the request for reconsideration is considered denied by the commissioner's failure to act on the request, whichever is earlier.

*Section 9. AS 16.05 is amended by adding new sections to read:

Sec. 16.05.894. Notification of violation.

When the commissioner finds, after investigation, that a person is violating a provision of AS 16.05.867-16.05.901, a regulation adopted under AS 16.05.867-16.05.901, a permit condition or stipulation imposed under AS 16.05.884, or a permit condition or mitigation measure imposed under AS 16.05.883 or AS 16.05.885, the commissioner shall notify the permittee of the nature of the violation and:

- (1) order that the violation be stopped; or
- (2) if the violation cannot be stopped, order the permittee to prevent or mitigate the adverse effects of the violation on anadromous fish habitat, fish and wildlife, and other adversely affected resources in a manner consistent with AS 16.05.867-16.05.901.

*Section 10. AS 16.05.901(a) is amended to read:

Sec. 16.05.901. Penalty for violations of AS 16.05.867-16.05.901 [16.05.896].

- (a) A person who, with criminal negligence, violates or permits a violation of AS 16.05.867-16.05.901, a regulation adopted under AS 16.05.867-16.05.901, a permit condition or stipulation imposed under AS 16.05.884, a permit condition or mitigation measure imposed under AS 16.05.883 or AS 16.05.885, or an order issued under AS 16.05.894 is guilty of a class A misdemeanor and is punishable as provided in AS 12.55. In this subsection, "criminal negligence" has the meaning given in AS 16.81.900(a).

*Section 11. AS 16.05.901 is amended by adding new subsections to read:

- (c) Notwithstanding (a) of this section, if a person or governmental agency fails to notify the commissioner of an activity for which a permit is required under AS 16.05.867-16.05.901 and the activity causes material damage to anadromous fish habitat or, by neglect or noncompliance with permit conditions and stipulations imposed under AS 16.05.884 or permit conditions or mitigation measures imposed under AS 16.05.883 or AS 16.05.885, causes material damage to anadromous fish habitat, the person or governmental agency is guilty of a class A misdemeanor and is punishable as provided in AS 12.55.
- (d) Each day that a violation under this section occurs or continues is a separate violation.
- (e) A person who violates or permits a violation of AS 16.05.867-16.05.901, or a regulation adopted under AS 16.05.867-16.05.901, a permit condition or stipulation imposed under AS 16.05.884, a permit condition or mitigation measure imposed under AS 16.05.883 or AS 16.05.885, or an order issued under AS 16.05.894 is liable, after notice and hearing, for a civil penalty in an amount not to exceed \$10,000 to be assessed by the commissioner. In determining the amount of the civil penalty, the commissioner shall consider:
 - (1) the character and degree of injury to anadromous fish, other fish, and wildlife habitat;

- (2) the degree of intent or negligence of the respondent in causing or permitting the violation;
- (3) the character and number of past violations caused or permitted by the respondent; and
- (4) if the information is available, the net economic savings realized by the respondent through the violation.
- (f) If a respondent violates an order issued under AS 16.05.894, the attorney general, upon the request of the commissioner, may seek an injunction requiring the respondent to suspend an activity, in whole or in part, until the respondent complies with the order.
- (g) If a respondent violates an order issued under AS 16.05.894 that requires the respondent to repair or correct damage, the commissioner may proceed to repair or correct the damage using state agency employees or contractors and the respondent shall be liable for the cost of the repair. The commissioner shall deliver to the respondent an itemized statement of expenses incurred.
- (h) The supreme court shall establish by order or rule a schedule of bail amounts for violations under (a) of this section that allow the disposition of a citation without a court appearance. The bail amount for a violation must be stated on the citation.

*Section 12. AS 16.05 is amended by adding new sections to read:

Sec. 16.05. Scope.

The provisions of this Act do not apply to existing activities, operations, or facilities that have received all required federal, state, and local permits, authorizations, licenses, and approvals for activities adversely affecting anadromous fish habitat, on or before the effective date of this Act, until expiration or termination of the user's permit, authorization, license, or approval.

*Section 13. AS 16.05.851 and AS 16.05.896 are repealed.

AS 16.05.851 and AS 16.05.896 are repealed.

*Section 14. The uncoded law of the State of Alaska is amended by adding a section to read:

The provisions of this Act are independent and severable. If any provision of this Act is found to be invalid or unconstitutional, the remainder of this Act shall not be affected and shall be given effect to the fullest extent possible.

FAQ

Ballot Measure 1 – 17FSH2

Disclaimer:

Please note that these answers are based on state agencies' current reading of the initiative language. If the initiative passes and is enacted into law, regulations would have to be adopted to implement the initiative, and agencies' ultimate interpretation of the law through the regulations process could change some of the answers provided in these Frequently Asked Questions.

Department of Fish and Game **(ADF&G)**

Would this initiative stop development in Alaska?

No. If this initiative passes, a public notice and review process would be initiated for development projects requiring ADF&G Fish Habitat Permits. This would lengthen the Fish Habitat Permitting process and may, in certain cases, lead to permit denials.

How many Fish Habitat Permits does ADF&G issue a year?

Numbers have decreased in the recent years, but have ranged from 1,500 to over 4,000 per year in the past five years.

What kind of project requires a Fish Habitat Permit?

Currently, any activity or project that is conducted below the ordinary high water mark (typically the vegetation line) of an anadromous stream, or has the potential to impede fish passage, typically requires a Fish Habitat Permit. The initiative would extend ADF&G's authority by orders of magnitude to include the assumption of anadromy (i.e., a natural waterbody is presumed to support anadromous fish) and also extend our authority into riparian* habitat.

*Riparian areas are a transitional habitat between terrestrial and aquatic ecosystems found immediately adjacent to rivers, streams, and lakes.

Would enforcement actions by ADF&G change under the initiative?

Yes, the full effects of the proposed changes would be dealt with and determined through consultation with Department of Law and the Department of Public Safety.

Would I still be able to operate my recreational mining suction dredge?

Yes, although the permitting process would change according to the new language in the initiative. Current recreational suction dredge Fish Habitat Permits already include stipulations designed to minimize adverse effects on fish habitat, so the permit should remain fundamentally the same.

How does this initiative differ from existing regulations regarding resource development in fish bearing waters?

The initiative would do several things which are different from current regulations regarding fish habitat permits, but one of the biggest changes is the creation of a tiered permitting process in which activities defined as “minor” or “major” would go through different steps when an applicant applies for a fish habitat permit; and it would establish a public review requirement for “major” fish habitat permits. The initiative would also provide opportunities for any interested person to request a reconsideration of a decision.

Does ADF&G have concerns that the current permitting system does not adequately protect salmon?

No. The ADF&G believes the current permitting process effectively protects anadromous fish habitat.

What are examples of *de minimis*, minor or major activities?

To be determined, although it is likely that activities such as stream crossings (with off-road vehicles or equipment), mechanized water withdrawals and/or small scale suction dredging may be categorized as minor. Activities such as stream diversions, culvert installations/replacements and stream bank restoration projects may be categorized as major. The *de minimis* category may include activities such as water withdrawals using hand pumps, recreational mining using only hand tools (shovels/ gold pans), and foot traffic in streams.

What are the criteria that would determine ‘significant adverse effects’ to anadromous fish and subsequently, if a proposed activity requires a minor or a major anadromous fish habitat permit? If multiple minor permits are required for a project, does this push the project into the realm of a “major project”?

To be determined. The ADF&G would have to develop regulations regarding these criteria.

Does this initiative apply to waterbodies that support only resident species of fish (Arctic grayling, rainbow trout, northern pike, burbot, etc.)?

No. The initiative only applies to anadromous** water bodies. However if a waterbody has not been defined as anadromous, the initiative presumes that it is anadromous if it is connected to a waterbody defined as anadromous or connected directly to marine waters (see *ADF&G Catalog of Waters Important for the Spawning, Rearing or Migration of Anadromous Fishes*).

**anadromous fish are species such as salmon, lamprey, and sheefish, which spend a portion of their life in marine waters and return to fresh waters to spawn.

Since all natural waterbodies would be considered anadromous, how much effort would be required for a site-specific determination to determine it is not anadromous?

In some cases, effort would be minimal if there is an obvious physical barrier to anadromous fish. In cases without an obvious barrier, proving anadromous fish are not present would be difficult, time consuming, and expensive.

Would I need to post a bond in order to get a Fish Habitat Permit for a project considered major?

Yes, with several exceptions as stated in the initiative.

How would public comments on major fish habitat permits be incorporated into the final permit? Would they just be placed in a project file? Would individual, detailed responses be provided to the comments and placed on the department's website? Could the comments received during the public comment period result in the permit not being issued?

To be determined.

Why are aspects of the state water quality standards under the jurisdiction of the Alaska Department of Environmental Conservation (ADEC) contained in this proposal and would the state grant dual authority over state water quality standards, increasing agency redundancy?

The ADEC would retain primacy regarding the state water quality standards; the ADF&G would provide consultation and support to the ADEC in cases where water quality may be affected by proposed development activities.

How would the ADF&G regulate activities that may affect groundwater and within what distance from a stream would this come into play? Would this be measured in feet, miles, or tens of miles? Would this change affect home water wells? Municipal wells? This appears it may duplicate or potentially come in to conflict with Alaska Department of Natural Resources Water Resources regulatory authority over water and water use.

The state would have to develop a list of definitions, criteria, and standards to address this concern.

Department of Environmental Conservation **(ADEC)**

What is the impact of the ballot initiative on ADEC's Water Division?

The initiative would require several changes to the permitting program in the Department of Fish and Game, Habitat Division. These changes would impact the ADEC's permitting and engineering plan review of wastewater discharges to all fresh waters in Alaska.

The initiative creates a rebuttable presumption that all waters in Alaska are anadromous. Alaska's Water Quality Standards at 18 AAC 70.255(h)(1) states that mixing zones will not be allowed in an area of anadromous fish spawning. The presumption per the initiative can be rebutted by the ADF&G, but unless and until this occurs, all discharges would be presumed to be ineligible for mixing zones and thus needing to meet water quality criteria at the "end-of-pipe," the point at which the discharge enters the receiving water.

What is the impact on current wastewater discharge systems with a current National Pollutant Discharge Elimination System (NPDES) or Alaska Pollutant Discharge Elimination System (APDES) permit from ADEC or the Environmental Protection Agency (EPA)?

No change while the existing permit is still current.

What is the impact on expiring (renewals) wastewater discharge system NPDES or APDES permits?

Impact would depend on whether a mixing zone was authorized in the expiring permit

- 1.) If no mixing zone authorized, then no change.
- 2.) If mixing zone authorized and the receiving water is explicitly specified by ADF&G as non-anadromous or anadromous but not a spawning area, then no change.
- 3.) If the receiving water is currently specified as anadromous and a spawning area, then the initiative's statutory language limits the ADEC's discretion and a mixing zone cannot be authorized during renewal.
- 4.) If the receiving water is not explicitly specified, then a mixing zone could not be authorized during renewal.

The ability to have a compliance schedule would depend on ADF&G interpretation of the initiative language. For example, it is unknown at this time what process and how long it would take ADF&G to determine an unspecified water's status given the ballot measure's presumption of anadromous waters. It is unknown whether an expired mixing zone authorization could continue during the evaluation. The longer the ADF&G process, the less likely the expired mixing zone authorization could continue. Regulations may be needed to allow any continuation. These are some of the issues that agencies, in consultation with the Department of Law, would have to address if the ballot measure passes.

What is the impact on storm water systems and permitting/monitoring?

There are no planned changes to current regulatory requirements due to the ballot measure, if passed.

What is the impact on drainage ditches that may eventually lead to open waters?

There are no changes to current regulatory requirements due to the ballot measure, if passed.

Which agency would have lead/supremacy on discharge permitting or would multiple permits be required?

Multiple permits would be required as is currently the case.

How would the ballot measure relate to federal Clean Water Act requirements already monitored/enforced by state agencies?

The impacts of the ballot measure come through the application of Alaska's water quality standards (including mixing zones) which have to be approved by EPA for use in actions under the authority of the Clean Water Act. The ballot measure would not change the requirements but does affect implementation. ADEC relies upon ADF&G determination of which freshwater waterbodies or waterbody segments have spawning areas. Mixing zones are not allowable in freshwater spawning areas. The ballot measure would create a presumption of anadromous waters (and anadromous spawning areas) absent a prior determination by ADF&G (or a subsequent evaluation).

What is the estimated cost to a community for future permitting requirements?

If a municipality cannot have an existing mixing zone re-authorized due to the ballot measure, the costs would vary depending on whether an alternate discharge location (non-spawning area) is logistically feasible and/or what additional level of treatment is necessary to meet the effluent limits without a mixing zone (i.e., at the end of the discharge pipe) or under the new conditions of an alternate discharge location. The cost would be very discharger-specific.

Department of Transportation and Public Facilities (ADOT)

How would the proposed ballot initiative language impact the ADOT's mission?

As ADOT keeps Alaska moving through service and infrastructure, ADOT works in and around fish habitat by constructing roads and airports that require: bridges, culverts, roadway embankment protection (riprap armoring), stream realignments (temporary and permanent), as well as habitat mitigation, restoration, or enhancement.

The proposed ballot initiative language could restrict the following: culverts with inverts, riprap for erosion protection and scour counter measures, channel maintenance, and temporary construction activities (diversions and water use).

How would the ballot initiative's presumption of anadromous waterbodies impact ADOT's workload and construction process?

The presumption in the initiative is that a naturally occurring "permanent or seasonal surface water body" is anadromous. This is the critical aspect of the proposed changes to current fish habitat regulations – the assumption that a waterbody is anadromous would lead to extra resource demands for ADOT (staff time, funding, etc.) to "prove" that the waterbody is not anadromous, which would impact project delivery time and cost.

- Increased Cost in project delivery: Structures designed to adequately pass fish are significantly more expensive to design, construct and maintain. The ADOT has historically worked with ADF&G on installing these structures when fish passage is required to reduce the cost to the project. The ADOT has also worked with ADF&G to replace culverts placed in the past that may not provide adequate fish passage.
- Delay in project delivery: The proposed language would require applicants to prove fish *do not* exist for all work in Alaska waters – this can be a challenge. Anadromous fish are migratory and only spend a very short portion of their life cycles in freshwater. Attempting to verify fish presence can be virtually impossible unless a fish biologist is present at the appropriate time of the year. "Assumption" of fish presence would require that all work in stream habitat, riparian areas, and stream crossings would need to be designed, and built to pass fish – at an added expense to the ADOT – regardless of fish presence.
- To expedite the permit process the ADOT may simply design for fish passage everywhere. This would require significantly more technical design time and generally larger hydraulic structures, which would increase both construction and maintenance time and costs.

How would the ballot initiative's additional public notice and comment process impact ADOT's workload and construction process?

The proposed language would create two public notice steps (where no public notice is required currently) in the permit process – the application and initial determination as well as a public notice of the draft permit.

- The two step public notice process would come during the permit application process, which for ADOT, comes after the completion of project design, the public and agency scoping process, and any public involvement conducted during the development of the National Environmental Policy Act (NEPA) document, and other environmental regulatory processes. This provision could create significant delay and additional costs to the development of infrastructure projects as any modifications made to the project

design as a result of either public notice period this late in the project development process could result in a re-design of a project and a re-evaluation of the NEPA document.

- This uncertainty could create significant delay in infrastructure design, and construction projects. These additional public notice periods could also introduce enough delay that federal funding could be jeopardized.

How would the ballot initiative's reconsideration process impact ADOT's workload and construction process?

The proposed initiative language has included a process by which a permit could be remanded back to the Commissioner for reconsideration. The language suggests that within 30 days of a determination "any interested person" may request the Commissioner reconsider the determination.

- Reconsideration determinations would require significant additional work from both the applicant (ADOT on infrastructure projects) and the permitting agency. This would lead to delay in project delivery.
- Reconsideration determinations result in automatic denial of the permit if the Commissioner fails to act on the request. This could result in the denial of permits for critical infrastructure projects and project uncertainty.

How would the ballot initiative's requirement that significant adverse effects be mitigated on-site impact ADOT's workload and construction process?

Mitigation required for all "significant adverse effects". The proposed language now makes mitigation ("scientifically proven, peer reviewed and accepted") required for all significant adverse effects.

- Limitation on mitigation options. The proposed language indicates that permit conditions or mitigation measures "may not offset the activity's adverse effects" in another waterbody, or even portions of the same waterbody. This would restrict the use of off-site mitigation.
- The proposed language would essentially mean that off-site mitigation measures would not satisfy mitigation requirements. Historically, the ADOT has worked with agencies on the best site for mitigation based on the scientific knowledge and comprehensive view of the resources. On-site mitigation for airports may not be an option as this can lead to other concerns as it may cause wildlife hazards.

Does the ballot initiative's introduction of the term "significant adverse effects" impact ADOT's ability to deliver infrastructure projects?

The NEPA process considers both state and federal permitting decisions to determine whether a proposed action may "significantly affect" the environment. The ballot initiative's use of the term "significant adverse effect" will likely lead to confusion, and unnecessary litigation, over whether NEPA's more stringent review requirements for actions that "significantly affect" the environment are triggered by an action's potential "significant adverse effect" under the ballot initiative's terminology.

Would the initiative require ADOT to change its structural designs? Could this impact the safety of road projects?

ADOT Engineers are responsible for safeguarding the traveling public. The proposed language in the initiative limit the structural options available for ADOT engineers. Depending on the project, this could result in a structural option that would be considered less safe under general engineering standards.

The proposed initiative language would require that mitigation and fish habitat permits be based on “scientifically proven, peer reviewed, and accepted” methods. However structural infrastructure features like bridges, erosion control features and culverts should only be designed and sited by qualified professional engineers. The proposed language would increase the risks related to scour vulnerability, reduced flood resiliency, and adverse impacts to adjacent properties.

Does ADOT already have a Public Involvement Process for infrastructure projects?

ADOT currently has multiple opportunities for both the public and agencies to comment during the development of a project.

- During initial planning – For highway projects, ADOT has the Statewide Transportation Implementation Plan (STIP) that is revised and updated regularly and is developed with public input. For aviation projects, each of the 239 Airports develops an Airport Improvement Plan, which is approved by the Federal Aviation Administration.
- During project development – ADOT develops Public Involvement Plans, which outlines the public process to be completed during development of the NEPA document. This can include public comment periods, meetings, and workshops.
- During the permit process – ADOT engages in public review and comment during the permit process for most of the permits that ADOT needs for its infrastructure projects.

Department of Natural Resources **(ADNR)**

Does the initiative impact ADNR’s statutes or authority?

The initiative does not amend or change any statutes or regulations under ADNR authorities. However, due to changes to ADF&G statutes and regulations, ADNR expects it to change how it implements some of its authorities related to the use of state water.

Would there be an impact on use of water by state, local, and federal agencies for firefighting?

ADNR does not expect the initiative to affect emergency uses of water.

How would this impact ADNR’s operations?

ADNR anticipates that the initiative would impact how ADNR evaluates and applies Alaska Water Use Act criteria (AS 46.15.080) for issuing a water right or temporary water use authorization, due to changes to ADF&G statutes and regulations.

Would the initiative impact the time it takes to get a permit?

Due to new workloads for ADF&G, the ballot measure may lengthen the timeline for ADF&G to respond to DNR requests for consultation on water authorizations, thus delaying overall permitting timelines for project applicants.

FISCAL IMPACT

Department of Fish and Game

ADF&G estimate the annual cost increase would be **\$1,319,000 for at least five years.**

Department of Environmental Conservation

Division of Water permit application reviews are expected to increase in complexity as industry and municipalities work within the changed model of all fresh waters being presumed anadromous. This presumption would increase complexity for applicants as it is predicted that numerous facilities would be required to meet the end-of-pipe limits.

Existing fees cover approximately 60 percent of the cost of permitting and plan review activities. It would take a year to enact new regulations before the ADEC can begin collecting fees to cover this activity. FY2019 would be funded entirely by general funds while new staff are brought on and trained and new regulations are developed. Revenues would reflect a proportional shift to general fund program receipts starting in FY2020 as new regulations are implemented and additional fees are collected.

Personal Services \$225,100

Other Costs \$57,500

TOTAL \$282,600 / annually

Personal Services: An Environmental Program Specialist III would be responsible for permit application reviews and would be required to address the additional workload without causing a backlog in the permitting. An Engineer I at DEC would be needed for review and approval of engineering plans for treatment system changes needed to meet the more stringent limits. Both positions would be located in Anchorage.

Other Costs: The new Environmental Program Specialist would require permit writer training, which is only available out-of-state at this time. Limited in-state travel would be required to conduct compliance inspections annually. DEC would require assistance from the Department of Law for consultation during the development of new regulations. The new employees would require equipment for the first year, and normal office supply needs in subsequent years.

Department of Transportation

The initiative would introduce changes to the way that ADF&G regulates development within fish habitat and modifies Title 16. This proposal would have a direct impact in the time and cost it takes an infrastructure project (highway, airport, etc.) to be developed and put into construction.

It is anticipated that this proposal would require an additional 8 full time positions within the ADOT at a total annual increase of \$953,900. These positions include additional environmental staff to develop permit applications, and conduct habitat surveys, as well as additional hydraulic engineers to assist in the design of fish passage infrastructure. Note:

- This figure **does not** consider the services and commodities costs of each position, e.g., office furniture, phone service, IT service, computers and other office supplies.
- This figure **does not** include any additional costs to the infrastructure projects as a result of delay, additional habitat surveys, increased process, or additional mitigation requirements.

Department of Natural Resources

The initiative would **not create new costs** for DNR in terms of additional staff and resources.

Please note that project proponents have identified potentially significant impacts to existing and future projects in Alaska that are regulated by ADNR. ADNR does not speak for them.

Department of Law

The Department of Law provides legal counsel to ADF&G. The initiative would potentially significantly increase the current amount of ADF&G permitting and appeals because it would broaden the expanse of waterbodies in the state deemed to be anadromous fish habitat, expand the scope of activities that would require permits, create a detailed permit consideration process, and provide for reconsideration and appeal of a determination of the Commissioner under AS 16.05.871(e), AS 16.05.875(c) or (d), AS 16.05.883, AS 16.05.884(d) or (f), or AS 16.05.885(d).

At a total cost of **\$450,000**, the Department of Law anticipates that two additional full-time civil attorneys would be needed to perform the legal work this initiative would create -- one attorney primarily focused on permitting and appeals and one attorney primarily focused on enforcement, while providing support to permitting and appeals as needed. ADF&G would be responsible for developing regulations to implement the initiative's provisions, and the Department of Law would likely need to provide assistance with the regulations.



Comments in reference Ballot Measure 1, the Stand for Salmon voter initiative

Initiative number: Original - 17FSHB, Revised - 17FSH2

The following information is provided by a group of electric utility members of Alaska Power Association who own and operate hydropower assets. It is an impact statement for hydropower development in Alaska that has the potential to be affected by Ballot Measure 1, the Stand for Salmon voter initiative 17FSH2, on which Alaskans will vote November 6, 2018. Alaska Power Association, the statewide electric utility trade association, does not have a position supporting or opposing Ballot Measure 1; however, it is providing information on how it could significantly impact current and future hydropower projects.

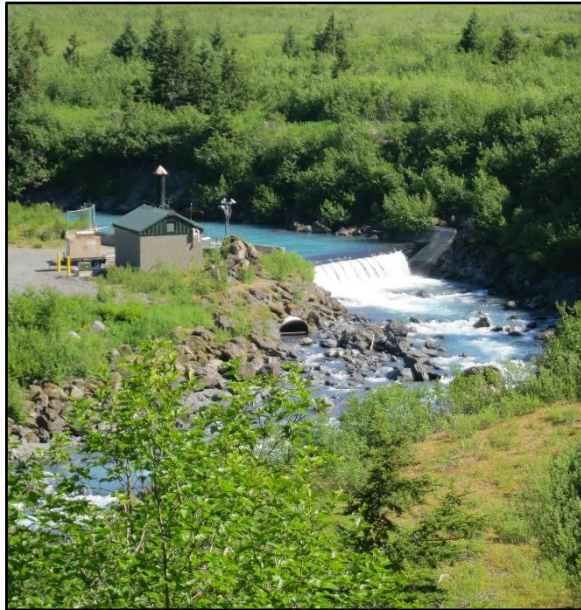
Hydropower is a renewable energy that comes under the jurisdiction of the Federal Energy Regulatory Commission (FERC) any time federal lands, navigable waters or interstate commerce are involved. FERC requires a stringent National Environmental Policy Act (NEPA) review, with input from all local, state and federal agencies before issuing a license to a new or existing hydropower project. Fishery impacts are a major part of any hydropower license permitting process, with the Alaska Department of Fish and Game, National Marine Fisheries Service and the U.S. Fish and Wildlife Service actively participating on any licensing efforts regardless of land ownership.

After a license is issued, the license terms require active participation by state and federal resource agencies before and during construction, and the project developer must supply an independent, full-time environmental compliance monitor (ECM) throughout construction. The ECM reports directly to the resource agencies and has full authority to stop work in the event that the project developer is not complying with all environmental regulations. Typically, once built, a FERC-licensed project requires a report to federal and state resource agencies for any deviation in water flows established by the FERC License Order. Hydropower projects not under FERC jurisdiction are also subject to a comprehensive and rigorous permitting process involving state and federal agencies.



If Ballot Measure 1 (17FSH2) is approved by the voters, the following list describes the impact to Alaska hydropower.

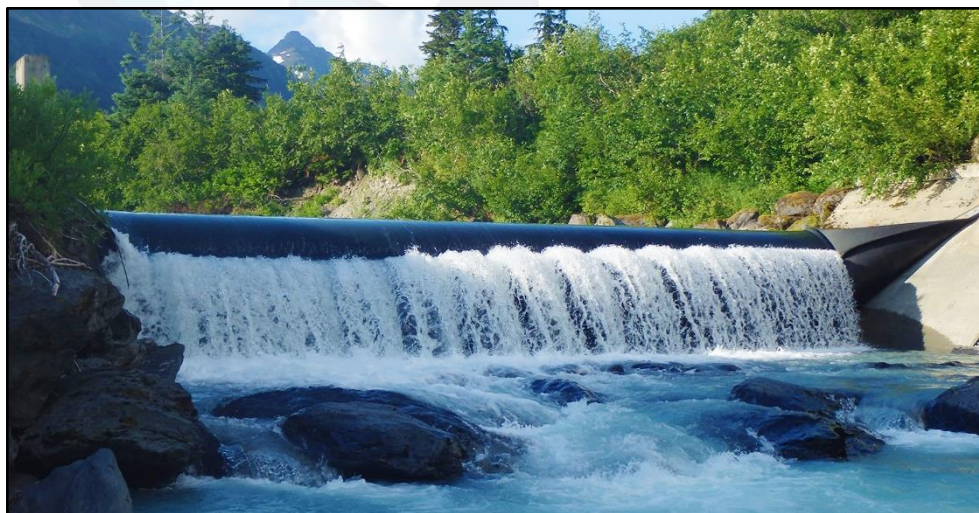
Key Points: These are more than points - they are undisputed facts.



1. The regulations will have a negative, long-term impact on Alaska's hydropower resources.
2. The regulations will duplicate processes already required in FERC hydropower licensing and relicensing.
3. The regulations add a new layer to hydropower licensing that does not exist today.
4. The regulations will increase costs for licensing new and existing hydropower projects.
5. The regulations will stop some development of hydropower in Alaska.
6. The initiative is in direct conflict with Senator Lisa Murkowski's legislation to streamline hydro licensing.

Secondary Points: These are highly probable to happen.

1. The Alaska Department of Fish and Game will not be able to enforce the initiative without increasing staff; thereby, growing government to solve a problem that currently does not exist.
2. The regulations will discourage or even prevent efforts to advance hydropower development in Alaska.
3. The regulations will raise electric rates in Alaska by increasing the costs of regulatory burden on hydropower project developers and delaying the development of economically beneficial hydro projects.
4. The regulations will impede and create barriers to the development of renewable energy in Alaska.
5. The initiative will likely see many legal challenges.





Problems with the initiative from an electric utility point of view:

1. The definition of anadromous fish habitat is vague enough to include nearly every water body in the state.
2. The initiative gives no consideration to economic impacts to Alaska.
3. The initiative ignores the Anadromous Waters Catalogue created and used by the Alaska Department of Fish and Game.
4. The initiative has the potential to negatively impact the permitting of future salmon hatcheries.
5. The initiative impacts all "surface water" use because any withdrawal can be stated to have adverse effects on fish.
6. The initiative impedes all water uses for even non-anadromous streams requiring a permit request.
7. This initiative is meant to protect anadromous fish, therefore, the word "wildlife" should be removed from throughout the initiative. Even though the Alaska Department of Fish and Game has wildlife responsibilities, wildlife is not and should not be a part of a fish permit initiative
8. The initiative duplicates responsibilities of the Alaska Department of Fish and Game Commissioner and FERC.

Recent arguments made in favor of Stand for Salmon, but are not based with factual backup or data to prove the claims:

1. *The current statutes for protecting fisheries are outdated.* **Reality:** Fishery statutes are constantly being updated. The responsibilities under the initiative description are already assigned to the Commissioner of Fish and Game in Alaska Statute. The Commissioner is required to review fishery protection at least annually (Sec. 16.05.010). The initiative, if approved by voters, will be duplicative of processes set by FERC and the Alaska Department of Fish and Game.
2. *The opposing group, "Stand for Alaska," is made up of out-of-state, big oil or big mining companies.* **Reality:** The Stand for Alaska coalition comprises more than 400 Alaska businesses, trade associations and organizations including the Alaska Chamber of Commerce, Alaska Native corporations, the Alaska Telecom Association, labor unions, financial institutions, and a vast number of Alaska citizens. Many Alaska hydropower owners are not in favor of this legislation.

3. *Salmon populations are already dwindling from poor management of Alaska waters.*

Reality: There is no evidence that shows Alaska salmon populations are declining from fresh water difficulties. Data does show that in certain regions in recent years, portions of the runs of returning salmon are markedly below long-term averages, which many scientists attribute to ocean conditions or issues. Other areas are experiencing record high returns including Prince William Sound wild and hatchery stocks, and Bristol Bay wild salmon stocks.



4. *Alaska protections of anadromous fish are lacking.* **Reality:** Protection of anadromous fish is well-defined in Alaska and has worked. There is a rigorous and time-proven process for assuring that salmon are adequately protected in Alaskan waters by existing regulations. The Alaska Department of Fish and Game maintains an Anadromous Waters Catalogue that defines where anadromous fish habitat is located. This voter initiative ignores the catalogue and declares that all water bodies are anadromous, even if not listed in the established resource inventory. The Anadromous Waters Catalogue is continually updated to compensate for changing waterways and fish movements.

Bottom line: If you use hydropower or are planning to develop a hydro resource, you need to know the implications of Ballot Measure 1, the Stand for Salmon voter initiative, on your utility and your electric rates.



Crystal Enkvist
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Alaska Power Association
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CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	13d	<u>DATE:</u>	September 25, 2018
Approval to hold a Special Assembly meeting on Thursday, October 4, 2018 at 5:30 p.m. to Certify the Regular Borough Election				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
			Expenditure Required: none	
Kim Lane, Borough Clerk			Amount Budgeted: none	
			Account Number(s): none	
			Account Name(s): none	
<u>Reviews/Approvals/Recommendations</u>				
n/a	Commission, Board or Committee		Unencumbered Balance(s) (prior to expenditure):	
Name(s)				
			none	
<input type="checkbox"/>	Attorney			
n/a	Insurance			
<u>ATTACHMENTS:</u>				
1. None.				

RECOMMENDATION MOTION:

Move to approve holding a Special Assembly meeting on Thursday, October 4, 2018 at 5:30 p.m. to certify the election results from the October 2, 2018 Regular Borough Election.

SUMMARY STATEMENT:

WMC 2.28.170 Action by assembly on election results states that if the Assembly concludes that a valid election was held, such conclusion shall be publicly announced and entered upon the minutes of the meeting.

Therefore, a Special Assembly meeting is required to perform that task.

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	13f	<u>DATE:</u>	September 25, 2018
Approval to Dispose of City Surplus Property				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
			Expenditure Required: none	
Lisa Von Bargen, Borough Manager			Amount Budgeted: none	
			Account Number(s): none	
			Account Name(s): none	
<u>Reviews/Approvals/Recommendations</u>				
n/a	Commission, Board or Committee		Unencumbered Balance(s) (prior to expenditure):	
Name(s)				
			none	
<input type="checkbox"/>	Attorney			
n/a	Insurance			
<u>ATTACHMENTS:</u>				
1. List of Surplus items.				

RECOMMENDATION MOTION:

Move to approve the disposition of surplus property in conformance with Wrangell Municipal Code Section 5.10.060.

SUMMARY STATEMENT:

Section 5.10.060 of the Wrangell Municipal Code (WMC) outlines the requirements for the sale of surplus, obsolete, or unneeded personal property. Subsection A requires the Assembly to approve the disposition of surplus items either by motion or by resolution.

The Borough has some surplus property that is no longer used or needed. Administration is recommending these items be appropriately disposed of.

Although these items are no longer needed by the Borough, they may be useful to others. If approved by the Assembly, staff will advertise these items for sale by sealed bid. It is recommended that if these items do not sell during the bid period, that they go out for sale over the counter (with a minimum price) on a first come first serve basis.

In conformance with WMC the list of items and details of the sale will be advertised in the newspaper. Additionally, this information will be posted on the Borough website and FaceBook page.

Two items, a Ford Expedition and the Rock Crusher, are in very poor condition. The staff has worked with the Attorney to develop waivers of liability for this vehicle and piece of heavy industrial equipment. Copies of those waivers are attached for information.

City & Borough of Wrangell
City Surplus List
Friday, October 12, 2018 @ 2:00 p.m.

Item #	Department	Item	Description	Cond.	Location for Public Inspection	Starting Bid
1	Police	SUV	1FMPU16L61LB16731	Poor	Garage on Case Avenue	\$500
2	Streets	Rock Crusher	SN-1-802D	Poor	CBW Rock Quarry on Zimovia Hwy	\$500
3	City Hall	HP Officejet PRO 8600		Good	City Hall	\$5
4	City Hall	HP Laserjet 5 Printer		Good	City Hall	\$5
5	City Hall	HP Laserjet 5n Printer		Good	City Hall	\$5
6	City Hall	HP Deskjet 5650 Printer		Good	City Hall	\$1
7	City Hall	Small Electric Calculator		Works	City Hall	\$1
8	WPR	55 Gallon Plastic Drums - 13 units		Good	Pool	\$20
9	WPR	Vintage Style Green Loveseat		Good	CC	\$20
10	WPR	Nautilus Weight Machine		Fair	CC	\$50
11	WPR	Nautilus Weight Machine		Fair	CC	\$50
12	WPR	Nautilus Weight Machine		Fair	CC	\$50
13	WPR	Brother Printer		Fair	CC	\$1
14	WPR	File Cabinet		Good	CC	\$1
15	WPR	X BOX accessory		Good	CC	\$10
16	WPR	Canon Printer		Fair	CC	\$1
17	WPR	Canon Printer		Fair	CC	\$1
18	WPR	Flippers (10 units)		Fair	CC	\$1
19	WPR	AB Roller		Fair	CC	\$5

<p style="text-align: center;">CITY & BOROUGH OF WRANGELL, ALASKA BOROUGH ASSEMBLY AGENDA STATEMENT</p>

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	14	<u>Date</u>	September 25, 2018
<u>SUBMITTED BY:</u>				
Kim Lane, Borough Clerk				

INFORMATION:

ATTORNEY'S FILE – The latest attorney's billing is available for the Borough Assembly to view in the Clerk's office.

CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT

<u>AGENDA ITEM TITLE:</u>	<u>No.</u>	15a	<u>Date</u>	September 25, 2018
Discuss with the Borough’s legal counsel, Dorsey & Whitney LLP and the Borough Manager, legal issues regarding the proposed Asset Purchase Agreement with SEARHC regarding the Wrangell Medical Center and the financial status of Wrangell Medical Center related to the transition with SEARHC				
<u>SUBMITTED BY:</u>				
Lisa Von Bargaen, Borough Manager				

RECOMMENDED MOTION: I move, pursuant to AS 44.62.310 (c)(1) and AS 44.62.310(c)(3), and section 3.04.120 of the Wrangell Municipal Code, that we recess into executive session to discuss privileged and confidential attorney-client information with our legal counsel, Dorsey & Whitney LLP and the Borough Manager, as well as information the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough, regarding a proposed Asset Purchase Agreement with SEARHC regarding the Wrangell Medical Center and the financial status of Wrangell Medical Center related to the transition with SEARHC.