



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

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**Tuesday, February 6, 2018 (rescheduled from January 23, 2018)**

**7:00 p.m.**

**Location: Assembly Chambers, City Hall**

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**WORK SESSION/ PRESENTATION ~ 6:00 PM**

**TOPIC: Mariculture and the Mariculture Task Force's Comprehensive Plan  
By Assembly Member Julie Decker**

**1. CALL TO ORDER**

- a. PLEDGE OF ALLEGIANCE led by Assembly Member Julie Decker
- b. INVOCATION to be given by a member of the Baha'i Faith
- c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Awards, Certificates of Service, Guest Introductions.*
  - i. **Proclamation** – JD Barratt 3<sup>rd</sup> Place Alaska State Wrestling
  - ii. **Proclamation** – School Board Recognition Month

**2. ROLL CALL**

**3. PERSONS TO BE HEARD** – *This agenda item is reserved to provide an opportunity for persons to address the assembly on agenda items or non-agenda items.*

**4. AMENDMENTS TO THE AGENDA** – *The assembly may amend the agenda as provided in WMC 3.05.030(E). Removal of an item from the Consent Agenda is not considered an amendment to the agenda.*

**5. CONFLICT OF INTEREST** – *The purpose of this agenda item is to provide a time for any conflict of interest disclosures and determinations on such disclosures by the mayor, as may be necessary and appropriate under WMC 3.04.112.*

**6. 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 Items:**

- a. Approval of Assembly Minutes – January 9, 2018 (Regular)
- b. Approve May 5<sup>th</sup> and October 6<sup>th</sup>, 2018 as the 2018 Tax Free Days as allowed under WMC 5.08.060 (submitted by the Wrangell Chamber of Commerce)
- c. Wrangell Golf Club Inc, dba Muskeg Meadows Golf Course – *Liquor License Renewal*
- d. POA-2010-512: Southeast Properties Permit Application (Tidelands adjacent to Stikine Inn)
- e. POA-2017-00475: BW Enterprise Permit for fill in the Wrangell Harbor (Tidelands)

**Correspondence Items:**

- f. School Board Minutes – November 20, 2017
- g. School Board Action – None
- h. Wrangell Medical Center Minutes – December 20, 2017
- i. DCCED 2017 Population Determination

**7. BOROUGH MANAGER'S REPORT**

- a. Use of State, Federal and other Municipal Contract Awards for CBW Procurement
- b. Goals Status Report

**8. BOROUGH CLERK'S FILE**

**9. MAYOR AND ASSEMBLY BUSINESS** – *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 1, no action may be taken by the assembly under this agenda item.*

**10. MAYOR AND ASSEMBLY APPOINTMENTS**

- a. City Boards and Committee Appointments

**11. PUBLIC HEARING** – *Procedure: Persons wishing to speak during a public hearing on an agenda item, or otherwise on an agenda item, will sign up on a sheet provided by the clerk and list the agenda item they intend to speak on. Persons on the list will be called by the mayor to speak in the order in which they signed up for the agenda item, when that item is brought up for consideration, following any administrative or committee reports on the item.*

- a. **PROPOSED ORDINANCE NO. 938: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 5.04.040 OF THE WRANGELL MUNICIPAL CODE, SENIOR CITIZEN AND DISABLED VETERAN PROPERTY TAX EXEMPTION QUALIFICATIONS (*second reading*)**

**12. UNFINISHED BUSINESS - None**

**13. NEW BUSINESS**

- a. **PROPOSED ORDINANCE NO. 939: AN ORDINANCE OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA CREATING SECTION 5.05.060 OF THE WRANGELL MUNICIPAL CODE RELATING TO FIRE PROTECTION SYSTEM EXEMPTION QUALIFICATIONS (*first reading*)**
- b. Discussion Item: 2019 Budget Policy & Draft Schedule
- c. Approval of Professional Services Agreement with Dorsey & Whitney LLP for Healthcare Consulting Services in an Amount Not to Exceed \$22,120
- d. Discussion Item: Federal Legislative Priorities
- e. **PROPOSED RESOLUTION NO. 02-18-1391: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR GROUNDMAN/METER TECHNICIAN I, THE CREATION OF THE POSITION GROUNDMAN/METER TECHNICIAN II AND THE AMENDMENT OF THE UNION WAGE AND GRADE TABLE**
- f. Approval of Letter to the Federal Delegation and the Chief of the US Forest Service Regarding the Final Record of Decision on the Wrangell Island Project
- g. **PROPOSED RESOLUTION NO. 02-18-1392: A RESOLUTION OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA UPDATING RESOLUTION NO. 06-15-1321 REGARDING THE FINANCING PLAN FOR THE SHOEMAKER BAY HARBOR PROJECT RELATING TO THE PROJECT BUDGET AND ISSUANCE OF REVENUE BONDS**
- h. Approval of City Tidelands Annual Five-Year Reassessments

- i. Approval to Cancel the Regular Assembly Meeting of February 13, 2018
- j. Acceptance of the Resignation from Becky Rooney from the Borough Assembly
- k. Discussion Item: City & Borough of Wrangell Code and Policies Related to Nepotism
- l. Approval of Letter to the Alaska Department of Environmental Conservation Regarding Byford Junkyard Clean-Up
- m. Approval of Letter to Tlingit/Haida Central Council Affirming Support for the Concept of the Proposed ANSEP School
- n. Discussion Item: Leave Cash Out Policy Discrepancy
- o. Approval of Shoemaker Bay Harbor Project Dredge Material Disposal Plan

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

**15. EXECUTIVE SESSION** – *Procedure: Motion is made and voted upon. If adopted, executive session is held. If necessary, action is taken in public session following the executive session. If there is more than one executive session topic, each topic will be handled completely separate from the other.*

None

**16. ADJOURNMENT**

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>1c</b>	Date	February 6, 2018
Ceremonial Matters				
<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. **Proclamation** – JD Barratt for placing 3<sup>rd</sup> at the AK State Wrestling Tournament
- ii. **Proclamation** – School Board recognition month

**Wrangell High School Wrestler  
Jonathan Dakota (JD) Barratt  
PROCLAMATION**

**WHEREAS**, the Wrangell Wrestlers finished 11<sup>th</sup> at the Alaska State Championships in Anchorage; and

**WHEREAS**, Wrangell Senior Jonathan Dakota (JD) Barratt ultimately finished by a 12-5 decision in the finals; and

**WHEREAS**, JD Barratt wrestled in the 106-pound weight bracket; and

**WHEREAS**, JD Barratt took third place overall in the State Championships in Anchorage; and

**WHEREAS**, Coach Jeff Rooney has been the Wrangell Wrestling Head Coach for nine years and Assistant Coach Jack Carney has been the Assistant Coach for the past two years.

**NOW THEREFORE**, I, David L. Jack, Mayor of the City & Borough of Wrangell, Alaska, on behalf of the citizens of the City & Borough of Wrangell congratulates JD Barratt for his third place finish overall at State.

Signed and sealed on behalf of the City & Borough  
of Wrangell this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
David L. Jack, Mayor

Attest: \_\_\_\_\_  
Kim Lane, MMC, Borough Clerk

**PROCLAMATION**  
***School Board Recognition Month***

**WHEREAS**, the mission of the Wrangell Public School is to meet the diverse educational needs of all children and to empower them to become competent, productive contributors to a democratic society and an ever-changing world; and

**WHEREAS**, Wrangell School Board members are committed to children and believe that all children can be successful learners and that the best education is tailored to the individual needs of the child; and

**WHEREAS**, Wrangell School Board members work closely with parents, educational professionals, and other community members to create the educational vision we want for our students; and

**WHEREAS**, Wrangell School Board members are responsible for ensuring the structure that provides a solid foundation for our school system; and

**WHEREAS**, Wrangell School Board members assure the assessment of students, school staff, and educational programs and are accountable to the community; and

**WHEREAS**, Wrangell School Board members are strong advocates for public education and are responsible for communicating the needs of the school district to the public and the public's expectations to the district.

**NOW, THEREFORE**, be it resolved that I, David L. Jack, Mayor of the City & Borough of Wrangell, Alaska, do hereby proclaim the month of February, 2018 as:

***School Board Recognition Month***

in Alaska, and encourage all Alaskans to recognize the hard work and dedication of local School Board members and join them in creating and supporting an educational system that meets the needs of our children now and in the future.

\_\_\_\_\_  
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>	<b>6</b>	Date	February 6, 2018
<b>Consent Agenda</b>				
<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 – January 9, 2018 (Regular)
- b. Approve May 5th and October 6th, 2018 as the 2018 Tax Free Days as allowed under WMC 5.08.060 (submitted by the Wrangell Chamber of Commerce)
- c. Wrangell Golf Club Inc, dba Muskeg Meadows Golf Course – Liquor License Renewal
- d. POA-2010-512: Southeast Properties Permit Application (Tidelands adjacent to Stikine Inn)
- e. POA-2017-00475: BW Enterprise Permit for fill in the Wrangell Harbor (Tidelands)

**Correspondence Items:**

- f. School Board Minutes – November 20, 2017
- g. School Board Action – None.
- h. Wrangell Medical Center Minutes – December 20, 2017
- i. DCCED 2017 Population Determination

**Minutes of Regular Assembly Meeting  
Held on January 9, 2018**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:02 p.m., January 9, 2018, in the Borough Assembly Chambers. Assembly Members Gilbert, Howell, and Powell were present. Assembly Member Decker participated by telephone. Assembly Members Rooney and Prysunka were absent. Borough Manager Von Barga and Deputy Clerk Aleisha Mollen were also in attendance.

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

The Invocation was given by Don McConachie.

**CEREMONIAL MATTERS -**

A Proclamation was presented to the Wrangell Girls Volleyball Team in recognition of their achievement at the State Championships.

A Proclamation was presented to Jim Lebo in appreciation of his 34 years of service to the City & Borough of Wrangell and in recognition of his retirement.

A Proclamation was presented to Jerry Knapp in appreciation of his 10 years of service to the City & Borough of Wrangell and in recognition of his retirement.

Mayor Jack called a recess at 7:13 p.m.

Regular meeting reconvened at 7:22 p.m.

**PERSONS TO BE HEARD** - None

**AMENDMENTS TO THE AGENDA** - None

**CONFLICT OF INTEREST**

Gilbert declared a perceived conflict of interest on item 13a since she would be eligible for a Senior Exemption to Property Tax.

Mayor Jack stated that he would receive that as well, but since it was something that would be available to everyone, there was no conflict of interest.

**CONSENT AGENDA**

Consent Agenda Items:

- a. Approval of Assembly Minutes – December 5, 2017 (Regular)
- b. POA-1997-00919-M3, Letter of Permission to Critter Enterprises, LLC
- c. POA-2017-475, Permit Application from BW Enterprises
- d. Stikine Inn Beverage Dispensary - *License Renewal*
- e. Benjamin's Store, Inc. *dba* Bob's IGA Package Store - *License Renewal*

Correspondence Items:

- f. School Board Minutes – None.
- g. School Board Action – December 18, 2017
- h. Wrangell Medical Center Minutes – November 15, 2017
- i. Travel Summary (September – November, 2017)



- j. 2018 Senate Schedule
- k. Transboundary Mine Projects/Waters (3 documents – 12 pages total)
- l. Wrangell Medical Center Audit Report (26 pages)

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

Decker brought to attention a change in the minutes. Under Item 13a it says “Decker asked if Von Bargaen could take the Ketchikan Gateway Borough Attorney’s language to the First Bank Manager to see if they could come up with an agreement.” It should say “First Bank President.” Von Bargaen stated that the change would be made. Decker also stated that there was a trailing sentence in the minutes, but unknown as to where.

***Motion approved unanimously by polled vote.***

### **BOROUGH MANAGER’S REPORT**

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

- Public Safety Building
- Wrangell Municipal Code Fun Fact regarding milk regulation – will be returning with a change to that ordinance.
- FYI19 Budget – Will add a discussion item at the next meeting regarding the budget.
- Water Treatment Plan – Will need a Work Session, but due to SE Conference, requested a Work Session on Tuesday, February 6<sup>th</sup>. Assembly agreed. Gilbert asked for the reports ahead of time. Von Bargaen stated that there would be a regular packet for the Work Session.
- Manager’s 6-month evaluation – Requested for Monday, February 5<sup>th</sup> due to SE Conference. Assembly agreed.
- Reported back to Gilbert that of the \$50,000 marked for temporary wages for assistance at the water plant in 2017, \$31,804 was spent.
- Regarding the email hacking, no sensitive information was lost. There is no update at this time as to how it happened.
- Regarding the Healthcare RFQ, 4 responses were received. The committee will be evaluating these on Friday, January 12, 2018 and if they make a recommendation, Von Bargaen will move forward with this. However, no contract will be entered into without the Assembly’s approval. The Consulting Agreement and Architectural Agreement will be two separate issues.
- Wrangell Island Project of Record – Von Bargaen stated that the only recourse we have at this time is a lawsuit and wants to know what the intention of the Assembly is towards this. Decker asked to put thought into what other options may be available. Von Bargaen will look into that and return the information as well as getting an update from the lobbyist.
- Scrap Metal – Von Bargaen provided a copy of the letter that the Assembly asked to be sent regarding the free scrap metal disposal. Von Bargaen and Rushmore drove around and identified 15-20 properties and those letters will go out tomorrow.
- Community Development Block Grant was completed and submitted on time
- DAM Safety – requested this to be elevated, but the Hazard Mitigation Plan has to be completed. In order to complete this, we need to hire someone to do this or we need to free up someone in house for 3 weeks to do so.

- Shoemaker Tideland Leases – Von Bargaen wants to know how far the Assembly wants to go with out of compliance leases, i.e. what will the Assembly support. The Assembly requested to contact the lessee and return with that information at the next meeting. Following the path of contact, mailed letter, etc. is the fair and reasonable action plan.

Gilbert asked if the new Online Utility Payments system is encrypted. Finance Director Burgess answered that they retain PCI Compliance and is secure.

Gilbert asked about the Crisis Plan and confirmed that it had not been updated in 15 years. The plan going forward is to look at it yearly. She asked about the Local Emergency Planning Committee. Von Bargaen stated that the LEPC exists with a grant-funded employee, Jamie Roberts, but that their primary role is related to Hazardous Materials in the community. We need to come up with a way forward to update the Emergency Response Plan, the Comprehensive Plan, and the Hazard Mitigation Plan. The Hazard Mitigation Plan is the priority to get federal funding.

Gilbert stated that boiler plates are out there and might be a fit. Von Bargaen stated that the City of New York has a great template.

Von Bargaen also stated that due to new Federal Tax Code, people were being encouraged to prepay property tax to avoid the cap. Three people took advantage of that and the Finance Department staff was able to take care of that for them.

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

Clerk Lane's report was provided.

Decker wanted to congratulate Powell on his appointment to the SSRAA board, especially since they had 5 nominations for the seat.

#### **MAYOR AND ASSEMBLY BUSINESS**

Powell stated that a lot of people had mentioned that they love the Online Utility Payments system. Congratulations to the staff and Finance Director Burgess for this.

Gilbert stated that JD Barratt took 3<sup>rd</sup> place at the State Wrestling Tournament. Von Bargaen asked if the Assembly would like to present him with a Proclamation at the next meeting. The Assembly asked to do so.

#### **MAYOR AND ASSEMBLY APPOINTMENTS**

##### **10a City Boards and Committee Appointments**

One letter of interest was received for the Wrangell Convention & Visitors Bureau from Chris Hatton. Mayor Jack made the appointment with the consent of the Assembly. There remain 2 seats on the Planning and Zoning Commission.

Jack referred to the response regarding the Assembly serving on the Planning and Zoning Commission.

## **PUBLIC HEARING**

There was no Public Hearing.

## **UNFINISHED BUSINESS**

### **NEW BUSINESS**

**13a** PROPOSED ORDINANCE NO. 938: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 5.04.040 OF THE WRANGELL MUNICIPAL CODE, SENIOR CITIZEN AND DISABLED VETERAN PROPERTY TAX EXEMPTION QUALIFICATIONS

***M/S: Powell/Gilbert, moved to approve first reading of Ordinance No. 938 and move to a second with a Public Hearing to be held on January 23, 2018.***

Von Bargen explained that this removes the requirement for an annual re-application for a senior property tax exemption. After the first application, they are eligible unless there is a change in status.

Decker stated that this was a good job on the part of the staff to reduce everyone's workload.

Gilbert stated that it would be great to keep a list of the ways that the staff come up with ways to make things easier and save money.

***Motion approved unanimously by polled vote.***

**13b** PROPOSED RESOLUTION No. 01-18-1387: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING SEA OTTER MANAGEMENT IN SOUTHEAST ALASKA

***M/S: Gilbert/Powell, moved to adopt Resolution No. 01-18-1387.***

Decker stated that she asked for this to be on the Agenda because sea otters are starting to come inward towards Petersburg and Wrangell and since they eat 25% of their body weight in shellfish each day, it could prove devastating to the commercial and subsistence industries.

***Motion approved unanimously by polled vote.***

**13c** PROPOSED RESOLUTION No. 01-18-1388: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE MECHANIC LEAD POSITION AND THE AMENDMENT OF THE UNION WAGE AND GRADE TABLE

***M/S: Powell/Howell, moved to approve Resolution No. 01-18-1388 providing for the amendment of the job description for the Mechanic Lead Position and the Amendment of the Union Wage and Grade Table. Motion approved unanimously by polled vote.***

**13d** PROPOSED RESOLUTION No. 01-18-1389: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ADOPTING AN ALTERNATIVE ALLOCATION

METHOD FOR THE FY 2018 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FISHERIES MANAGEMENT IN FMA 18: CENTRAL SOUTHEAST

***M/S: Gilbert/Powell, moved to adopt Resolution No. 01-18-1389 that adopts an alternative allocation method for the FY 2019 Shared Fisheries Business Tax Program. Motion approved unanimously by polled vote.***

**13e** Approval of the first modification to the Facility Lease Agreement in the Wrangell Marine Service Center for Steve Thomassen, Jr., to extend the duration and modify the square footage of said lease.

***M/S: Powell/Howell, moved Move to approve the first modification to the Facility Lease Agreement in the Wrangell Marine Service Center for Steve Thomassen, Jr., to extend the duration to May 1, 2022, and modify the square footage of said lease from 4000 square feet to 5140 square feet, and to raise the monthly fee from \$320.00 per month to \$411.20 per month. Motion approved unanimously by polled vote.***

**13f** Approval to proceed with the purchase of Borough Tidelands as requested by BW Enterprises, Brett Woodbury

***M/S: Gilbert/Powell, moved to classify Borough Tidelands in the unsubdivided portion of Lot 15, Block 12A, ATS83 for sale and to proceed with the sale of those submerged Tidelands, adjacent to Lots 6&7, Block 12A, ATS83 which are owned by Brett Woodbury of BW Enterprises, and to waive the public auction and bid provisions as stated in 16.12.040 B&C, which is allowed under WMC 16.12.075, with the following conditions as requested by the Planning & Zoning Commission:***

- 1) Tideland area extends only from the north corner of the toe of the slope of the Borough's previously filled tidelands requested for purchase by Tidewater Investments and angled sharply toward land to minimize encroachment with State of Alaska tidelands and ROW and maintain adequate buffer; and***
- 2) All tideland sale areas are verified by survey and coordinated with the State Alaska Department of Transportation Marine Terminal Operations Manager prior to final sale and plat approvals; and***
- 3) The barge docking will be at an angle parallel to the ROW of State of Alaska DOT to remain out of the ROW area; and***
- 4) Barges may be required to sit offshore during ferry arrival/departure at port.***

Powell asked if this agreement was OK with Tidewater Investments, LLC. Shirley Wimberley answered yes.

***Motion approved unanimously by polled vote.***

**13g** Approval to proceed with the purchase of Borough Tidelands as requested by Tidewater Investments, LLC (Shirley Wimberley, member).

***M/S: Howell/Gilbert, moved to classify Borough Tidelands for sale and to proceed with the sale of filled Borough owned Tidelands, in a portion of Lot 15, adjacent to Lots 1-5, Block***

**12A, ATS83 zoned Waterfront Development, and to waive the public auction and bid provisions as stated in 16.12.040 B&C, which is allowed under WMC 16.12.075, with the following conditions as requested by the Planning & Zoning Commission:**

- 1. All tideland sale areas are verified by survey and coordinated with the State Alaska Department of Transportation Marine Terminal Operations Manager prior to final sale agreement and plat approvals.**
- 2. The north corner will be reconfigured from submitted drawing and angled toward land to minimize encroachment with State of Alaska tidelands and ROW.**

**Motion approved unanimously by polled vote.**

**13h** Approval to Write Off Uncollectible Accounts and send them to Collections.

**M/S: Powell/Gilbert, moved to approve to Write Off Uncollectible Accounts and send them to Collections. Motion approved unanimously by polled vote.**

**13i** Approval of Amendment Three to the Professional Services Agreement Ray Matiashowski & Associates for State Lobbying Services in the Amount of \$36,000

**M/S: Howell/Powell, moved to approve Amendment Three to the Professional Services Agreement Ray Matiashowski & Associates for State Lobbying Services in the Amount of \$36,000.**

Gilbert asked for a written summary, especially when the legislature is in session and an annual meet and greet.

Von Bargaen stated that having Matiashowski attend the Work Session fulfilled that, but going forward it is nice to have individual contact with Assembly Members, but the meeting as a whole is good to show the public.

**Motion approved unanimously by polled vote.**

**13j** DISCUSSION ITEM: PLANNING FOR THE SUMMER PROGRAM - WATER TREATMENT PLANT OPERATIONS AND MAINTENANCE

Gilbert stated that she is nervous about the summer plan, but having money remaining, having staff trained, and having a plan is good; what is our plan?

Von Bargaen stated that we do have a plan and more information will be forthcoming in February and hopefully this is the last time we will have to deal with this issue.

Decker stated that we need to add some fire to the issue because we are getting late in working towards this issue and we were lucky the last two years that the pink salmon run was down; there are a lot of variables.

Gilbert noted that there was an item on the Public Works Director's information about systems failing; do we have any additional information about that?

Von Bargaen stated that she would get additional information in a report for the next meeting.

**13k** Discussion Item: Amendments to Alaska Statute (AS) 29.45.050 Related to the Tax Exemption for Fire Protection Systems

Jack stated that the state is allowing the local government to provide for this and we don't have an ordinance in place for this.

Von Bargaen agreed and stated that we would like to add this to the Code as something optional, but that we are giving. The Assembly agreed and an ordinance change will be brought forth at the next meeting.

Gilbert noted that the Senior and Disabled Veteran exemption is already in our Code.

**13l** Discussion Item: Amendments to Alaska Statute (AS) AS 29.35.010(17) Related to Liens to Real and Personal Property for Unpaid Fees and Fines.

Von Bargaen stated that the State now allows municipalities to put a lien on a property and eventually foreclose if fees aren't paid. There is no suggested action at this time, but if the Assembly wanted, she will come back with the suggested minimum threshold of fees owed for a lien to be placed. The Assembly wants to see this. Von Bargaen also noted that this could be a way to deal with the noise abatement.

Gilbert asked if a lien prevents the City from sending it to Collections. Von Bargaen stated that this is correct.

Jack mentioned that an example is the case of the Byford Junkyard.

Gilbert asked if a lien prevents someone from selling the property. Von Bargaen confirmed that is correct.

Jack mentioned that the threshold would keep everything fair and applicable to all.

Gilbert noted that it does allow for past-due utilities and asked about municipal lien priority.

Von Bargaen stated that municipal liens take priority over everything except property tax liens. Basically, the City gets paid first if a property is sold or foreclosed upon.

**13m** Approval of State Legislative Priorities

***M/S: Gilbert/Howell, moved to approve State Legislative Priorities with the rearrangement as discussed at the Work Session, removal of the Evergreen Project, removal of the last portion of the sentence from the Sustainable Budget Plan, and addition of the Alaska Marine Highway full funding and reform. Motion approved unanimously by polled vote.***

**13n** Approval to Purchase 150kW Caterpillar Generator Set from NC Power Systems in the Amount of \$40,194.

***M/S: Howell/Gilbert, moved to Approve Purchase of 150kW Caterpillar Generator Set from NC Power Systems in the Amount of \$40,194.***

Howell asked if it came in lower in the bid process. Von Bargaen stated that the difference was \$36 less.

Powell stated that it is the way to go and there was a bid that we could tag onto and not have to go to a second bid.

Von Bargaen said that a Code provision allows us to tag on to other state and municipal bids. The state annually bids many items and we can tag onto that bid and get the low price that the state bid shows. In this instance, she was advised to go through this bid process by an Assembly Member, so that was pulled.

Gilbert stated that she wished she had known because we are reluctant to go with a single source and in this instance it would have helped.

Von Bargaen stated that she would get more information to the Assembly about this process.

***Motion approved unanimously by polled vote.***

**13o** Discussion Item: Shoemaker Bay Harbor Dredge Material Options

Von Bargaen reported that the results on the chromium are in; it was negative on Chromium-3, but there were results for Chromium-6 at 50, but not in the range of concern; looking to see if the Corp will allow us to dump nearby in the basin, and if not we will dump it to the monofill; dumping in the basin will save about \$250,000.

Powell asked about the next agenda item and the timeline to put floats back in. Von Bargaen said that the auction would be a presale with no removal until after the project is complete and the remaining discussion was deferred until the next Agenda item.

Gilbert asked where the samples came from. Von Bargaen said that samples were taken 4 feet deep, right in the center.

**13p** PROPOSED RESOLUTION No. 01-18-1389: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AUTHORIZING THE SURPLUS DISPOSITION BY OUTCRY AUCTION OF THE EXISTING SHOEMAKER BAY HARBOR FLOATS

***M/S: Howell moved to approve Resolution No. 01-18-1389 authorizing the disposition by Outcry Auction of the existing Shoemaker Harbor Bay Harbor Floats.***

***M/S: Gilbert/Powell, moved to amend the motion to state Resolution No. 01-18-1390.***

Von Bargaen stated the reason that they are doing a presale is to know how many floats are spoken for beforehand and how many need to be disposed of by the contractor.

***Motion approved unanimously by polled vote.***

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

**EXECUTIVE SESSION** – None

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

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David L. Jack, Mayor

ATTEST: \_\_\_\_\_  
Kim Lane, MMC, Borough Clerk





Wrangell Chamber of Commerce  
P. O. Box 49  
Wrangell, AK 99929  
(907) 874-3901  
[www.wrangellchamber.org](http://www.wrangellchamber.org)

---

January 17, 2018

City & Borough of Wrangell  
P.O. Box 531  
Wrangell, AK 99929

Dear Assembly Members,

Re: 2018 Tax Free Days

The Wrangell Chamber of Commerce would respectfully request that the tax free days for 2018 be set for Saturday, **May 5th** and Saturday, **October 6th**.

Thank you for your consideration, and please feel free to contact the Chamber office with any questions.

Sincerely,

Wrangell Chamber of Commerce  
[cyni@wrangellchamber.org](mailto:cyni@wrangellchamber.org)



January 18, 2018

City & Borough of Wrangell  
Attn: Kim Lane, MMC  
VIA Email: [clerk@wrangell.com](mailto:clerk@wrangell.com)

6c

**Re: Notice of 2018/2019 Liquor License Renewal Application**

<b>License Type:</b>	Golf Course – Seasonal	<b>License Number:</b>	3926
<b>Licensee:</b>	Wrangell Golf Club Inc		
<b>Doing Business As:</b>	Muskeg Meadows Golf Course		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Erika McConnell, Director  
[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)



Alaska Alcoholic Beverage Control Board

## Master Checklist: Renewal Liquor License Application

License Type:	Golf Course	License Number:	3926
Doing Business As:	Muskeg Meadows Golf Course		
Examiner:	Carrie	Transaction #:	1017812

Document	Received	Completed	Notes
AB-17: Renewal Application	11/28/17	1/12	
App and License Fees	11/28/17	1/12	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation			
AB-30: Minimum Operation			
Fingerprint Cards & Fees / AB-08a: Crim. History	1/12	1/12	1020979
Late Fee			

Names on FP Cards:	Kathleen Harding
--------------------	------------------

	Yes	No
Selling alcohol in response to written order (package stores)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mailing address different than one in database?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Alaska Alcoholic Beverage Control Board

**Form AB-17: 2018/2019 Renewal License Application**

**What is this form?**

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that will expire on December 31, 2017. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

**This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.**

**Section 1 - Establishment and Contact Information**

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Wrangell Golf Club Inc	License #:	3926
License Type:	Golf Course - Seasonal	Statute:	AS 04.11.115
Doing Business As:	Muskeg Meadows Golf Course		
Premises Address:	Mile .5 Wrangell East Hwy		
Local Governing Body:	City & Borough of Wrangell		
Community Council:	None		

Mailing Address:	PO Box 2199		
City:	Wrangell	State:	AK
		ZIP:	99929

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Point of Contact:	Richard Angerman		
Contact Phone:	907-874-3279	Business Phone:	907-874-4653
Contact Email:			

Seasonal License?  Yes  No

If "Yes", write your six-month operating period: 4/1 - 9/30





Alaska Alcoholic Beverage Control Board

**Form AB-17: 2018/2019 Renewal License Application**

**Section 2 – Authorization**

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

CF JAMES CPA, PC who is our registered agent

**Section 3 – Sole Proprietor Ownership Information**

This section must be completed by any sole proprietorship who is applying for license renewal. Entities should skip to Section 4. If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an:  applicant  affiliate

Name:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					

This individual is an:  applicant  affiliate

Name:					
Mailing Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					





Alaska Alcoholic Beverage Control Board

**Form AB-17: 2018/2019 Renewal License Application**

**Section 4 – Entity Ownership Information**

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). You may view your entity's status or find your CBPL entity number by using the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>  
 Partnerships may skip to the second half of this page. Sole proprietorships should skip to Section 5.

Alaska CBPL Entity #:	50960 D
-----------------------	---------

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

*[Handwritten initials]*

This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official Name:	BRIAN SMITH			
Title(s):	PRESIDENT	Phone:		% Owned: <input checked="" type="checkbox"/>
Mailing Address:	PO BOX 2137			
City:	WRANGELL	State:	AK	ZIP: 99929

Entity Official Name:	George Woodbury			
Title(s):	Vice President	Phone:		% Owned: <input checked="" type="checkbox"/>
Mailing Address:	PO BOX 1934			
City:	WRANGELL	State:	AK	ZIP: 99929

Entity Official Name:	KATHLEEN HARDING			
Title(s):	SECRETARY PRO TEM	Phone:		% Owned: <input checked="" type="checkbox"/>
Mailing Address:	PO BOX 2167			
City:	WRANGELL	State:	AK	ZIP: 99929





Alaska Alcoholic Beverage Control Board

**Form AB-17: 2018/2019 Renewal License Application**

**Section 4 – Entity Ownership Information**

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). You may view your entity's status or find your CBPL entity number by using the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>  
 Partnerships may skip to the second half of this page. Sole proprietorships should skip to Section 5.

Alaska CBPL Entity #:	50960 D
-----------------------	---------

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official Name:	RICHARD ANGERMAN			
Title(s):	TREASURER	Phone:		% Owned: 5
Mailing Address:	PO BOX 849			
City:	WRANGELL	State:	AK	ZIP: 99929

Entity Official Name:				
Title(s):		Phone:		% Owned:
Mailing Address:				
City:		State:		ZIP:

Entity Official Name:				
Title(s):		Phone:		% Owned:
Mailing Address:				
City:		State:		ZIP:





Alaska Alcoholic Beverage Control Board

**Form AB-17: 2018/2019 Renewal License Application**

**Section 5 – License Operation**

Check a single box for each calendar year that best describes how this liquor license was operated:

2016      2017

The license was regularly operated continuously throughout each year, for 8 or more hours each day.

The license was regularly operated during a specific season each year, for 8 or more hours each day.

The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day.

*If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.*

The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years.

*If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement.*

**Section 6 – Violations and Convictions**

Applicant violations and convictions in calendar years 2016 and 2017:

Yes      No

Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2016 or 2017?

Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2016 or 2017?

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

**Section 7 – Alcohol Server Education**

This section must be completed only by the holder of a beverage dispensary, club, or pub license or conditional contractor's permit. The holders of all other license types should skip to Section 8.

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as required under AS 04.21.025 and 3 AAC 304.465.







**Alaska Alcoholic Beverage Control Board**  
**Form AB-17: 2018/2019 Renewal License Application**

**Section 8 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

	Initials
I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.	<div style="border: 1px solid black; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center;"> </div>
I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.	<div style="border: 1px solid black; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center;"> </div>
I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board.	<div style="border: 1px solid black; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center;"> </div>
I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.	<div style="border: 1px solid black; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center;"> </div>

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Signature of licensee

JOHN L. ANNEBERMAN  
 Printed name of licensee

Kelley A. Decker  
 Signature of Notary Public

Notary Public in and for the State of Alaska

Notary Public  
 Kelley A. Decker  
 State of Alaska  
 My Commission Expires 8/28/18

My commission expires: 8/28/18

Subscribed and sworn to before me this 20<sup>th</sup> day of November, 2017.

License Fee:	\$ 200.00	Application Fee:	\$ 200.00	TOTAL:	\$ 400.00
Late Fee of \$500.00 – if received or postmarked after 01/02/2018:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					



Department of Commerce, Community, and Economic Development  
Division of Corporations, Business and Professional  
Licensing

State of Alaska > Commerce > Corporations, Business, & Professional Licensing > Search & Database Download > Corp. > Corporation Details

**NAME(S)**

Type	Name
Legal Name	WRANGELL GOLF CLUB, INC.

**ENTITY DETAILS**

**Entity Type:** Nonprofit Corporation  
**Entity #:** 50960D  
**Status:** Good Standing  
**AK Formed Date:** 1/21/1993  
**Duration/Expiration:** Perpetual  
**Home State:** ALASKA  
**Next Biennial Report Due:** 7/2/2019  
**Entity Mailing Address:** PO BOX 2199, WRANGELL, AK 99929  
**Entity Physical Address:** .5 MILE ISHIYAMA RD., WRANGELL, AK 99929

**REGISTERED AGENT**

**Agent Name:** Clifford F. James  
**Registered Mailing Address:** PO Box 1258, Wrangell, AK 99929  
**Registered Physical Address:** 302 Front St, Wrangell, AK 99929

**OFFICIALS**

AK Entity #	Name	Titles	<input type="checkbox"/> Show Former Owned
	Brian Smith	Director, President	
	George Woodbury	Director, Vice President	
	Richard Angerman	Director, Treasurer	
	Sue Nelson	Director, Secretary	

**FILED DOCUMENTS**

Date Filed	Type	Filing	Certificate
1/21/1993	Creation Filing	<a href="#">Click to View</a>	
7/10/1995	Biennial Report	<a href="#">Click to View</a>	
6/24/1997	Biennial Report	<a href="#">Click to View</a>	
7/19/1999	Biennial Report	<a href="#">Click to View</a>	
7/11/2001	Biennial Report	<a href="#">Click to View</a>	
6/27/2003	Biennial Report	<a href="#">Click to View</a>	
6/20/2005	Biennial Report	<a href="#">Click to View</a>	
6/25/2007	Agent Change	<a href="#">Click to View</a>	
7/02/2007	Biennial Report	<a href="#">Click to View</a>	
7/02/2007	Agent Change	<a href="#">Click to View</a>	
6/16/2009	Biennial Report	<a href="#">Click to View</a>	
7/07/2011	Biennial Report	<a href="#">Click to View</a>	

C. F. James, CPA, PC  
P. O. Box 1258 Wrangell, Alaska 99929  
Phone (907) 874-2331 Fax (907) 874-3187  
Email: info@cfjamescpa.com

1020979

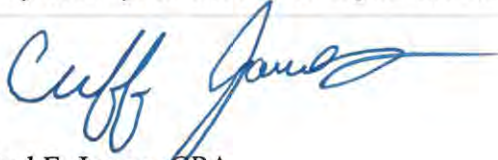
January 9, 2018

Alcohol & Marijuana Control Office  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

Carrie Craig,

Our client received the enclosed letter (dated December 22, 2017) on January 9, 2018. While the letter was dated on the December 22, it was postmarked on January 4, 2018. We are including a copy of the postmarked envelope as proof that we had no opportunity to respond in a timely fashion to the errors in our application. We are responding to the notice and providing all information requested the day we received the letter in the mail and ask that you please waive the late fee associated with incomplete applications as of the January 2 deadline. We have emailed this to [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov) on 1/9/18 and have sent the originals via mail as well.

Thank you for your understanding in this manner,



Clifford F. James, CPA





US Army Corps  
of Engineers  
Alaska District

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

# Public Notice of Application for Permit

<b>PUBLIC NOTICE DATE:</b>	<b>January 18, 2018</b>
<b>EXPIRATION DATE:</b>	<b>February 20, 2018</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2010-512</b>
<b>WATERWAY:</b>	<b>Zimovia Strait</b>

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

All comments regarding this Public Notice should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the Project Manager's email as listed below or to [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil). All comments should include the Public Notice reference number listed above.

All comments should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Jack Hewitt at (907) 753-2708, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at [jack.j.hewitt@usace.army.mil](mailto:jack.j.hewitt@usace.army.mil) if further information is desired concerning this notice.

**APPLICANT:** Southeast Properties, Post Office Box 662, Wrangell, Alaska 99929.

**AGENT:** R&M Engineering-Ketchikan, Inc., 355 Carlanna Lake Road, Ketchikan, Alaska 99901.

**LOCATION:** The project site is located within Section 24, T. 62 S., R. 83 E., Copper River Meridian, Latitude 56.4717° N., Longitude 132.3883° W., adjacent to the cruise ship dock, in Wrangell, Alaska.

**PURPOSE:** The applicant's stated purpose is to construct a 50 foot by 110 foot expansion to the Stikine Inn that would provide an additional 30 rooms and four retail spaces, and create off-street parking for 20 vehicles.

**PROPOSED WORK:** Discharge 13,000 cubic yards of shot rock, and 700 cubic yards of rip rap, into a 22,400 square feet (0.52-acre) area below the high tide line. All work would be performed in accordance with the enclosed plan (sheets 1-6), dated November 6, 2017.

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

a. Avoidance: There are no practical alternatives to avoid impacts. Presently, the hotel has no off-street parking and very limited on-street parking. The adjacent upland property is within the Fort Wrangell Historic District. The applicant has been coordinated with the City and Borough of Wrangell to solve local parking issues, this appears to be the only feasible solution.

b. Minimization: Many ideas were explored that would utilize adjacent uplands for additional parking instead of the proposed fill. Due to the historic nature of the surrounding property, development is not allowed. The parking site plan is the minimum space necessary to satisfy both hotel expansion, and the existing parking shortage.

c. Compensatory Mitigation: No compensatory mitigation is proposed for this project.

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

**CULTURAL RESOURCES:** The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed, or eligible for inclusion, in the National Register of Historic Places. According to the AHRs, the following cultural resources are within the vicinity of the permit area: Matheson/Angerman Building, Miles/Benjamin Building, Sylvester/Richie House, and the Wrangell Core Historic District. Consultation of the AHRs constitutes the extent of cultural resource investigations by the Corps of Engineers (Corps) at this time. The permit area has been determined to be the footprint of the proposed fill. There are no cultural resources in the permit area. The Corps has made a no adverse effect determination for the proposed project. This application is being coordinated with the State Historic Preservation Office, and any comments they may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

**ENDANGERED SPECIES:** The project area is within the known range of the humpback whale (*Megaptera novaeangliae*), Mexico DPS. We have determined the described activity would have no effect on humpback whales or any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, no consultation with the National Marine Fisheries Service (NMFS) is required. However, any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

**ESSENTIAL FISH HABITAT:** The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to

consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The project area is within the known range of Pacific salmon: pink (*Oncorhynchus gorbuscha*), chum (*O. keta*), coho (*O. kisutch*), sockeye (*O. nerka*), and chinook (*O. tshawytscha*). We are currently gathering information regarding Pacific salmon species and have yet to make a determination of effect. Should we find that the described activity may affect the species listed above, we will follow the appropriate course of action under Section 305(b)(2) of the Magnuson-Stevens Act. Any comments the National Marine Fisheries Service may have concerning essential fish habitat will be considered in our final assessment of the described work.

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

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

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

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

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

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

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

Project drawings and a Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander  
U.S. Army, Corps of Engineers

Enclosures

# STATE OF ALASKA

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

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

## NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

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

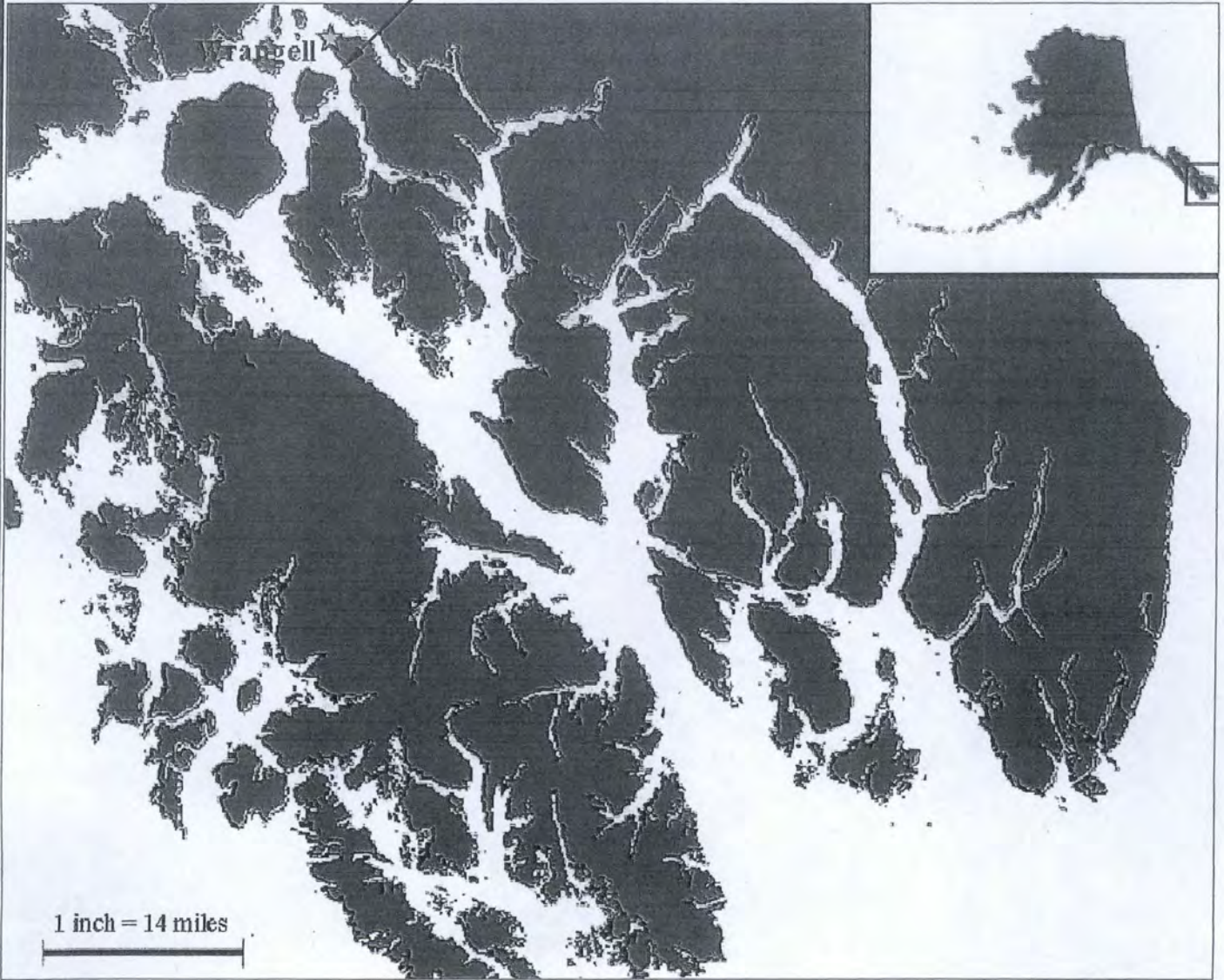
Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-2010-512, Zimovia Strait**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

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

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



PROJECT LOCATION



**GENERAL MAP**

APPLICATION BY:  
Southeast Properties  
P.O. Box 701  
Wrangell, AK 99929

STIKINE INN TIDELANDS  
RECONFIGURATION

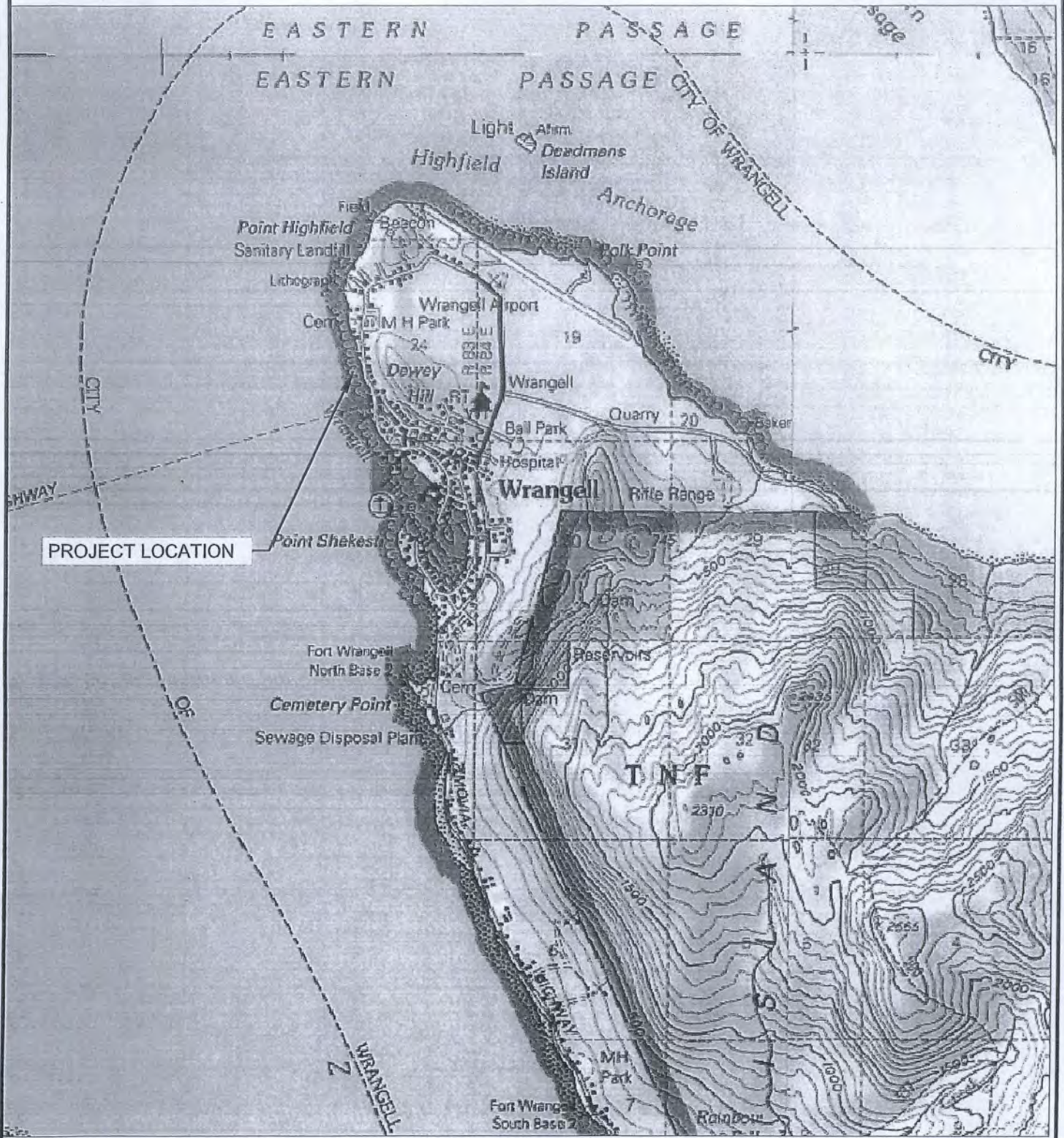
AT: WRANGELL

LOCATED IN: T.62S., R.83E., SECTION 24  
Lat 56°23'55.75"N, Long. 132°20'24.21"W

DATE: 11-6-17

SHEET 1 OF 6

POA-2010-512, Zimovia Strait



PROJECT LOCATION

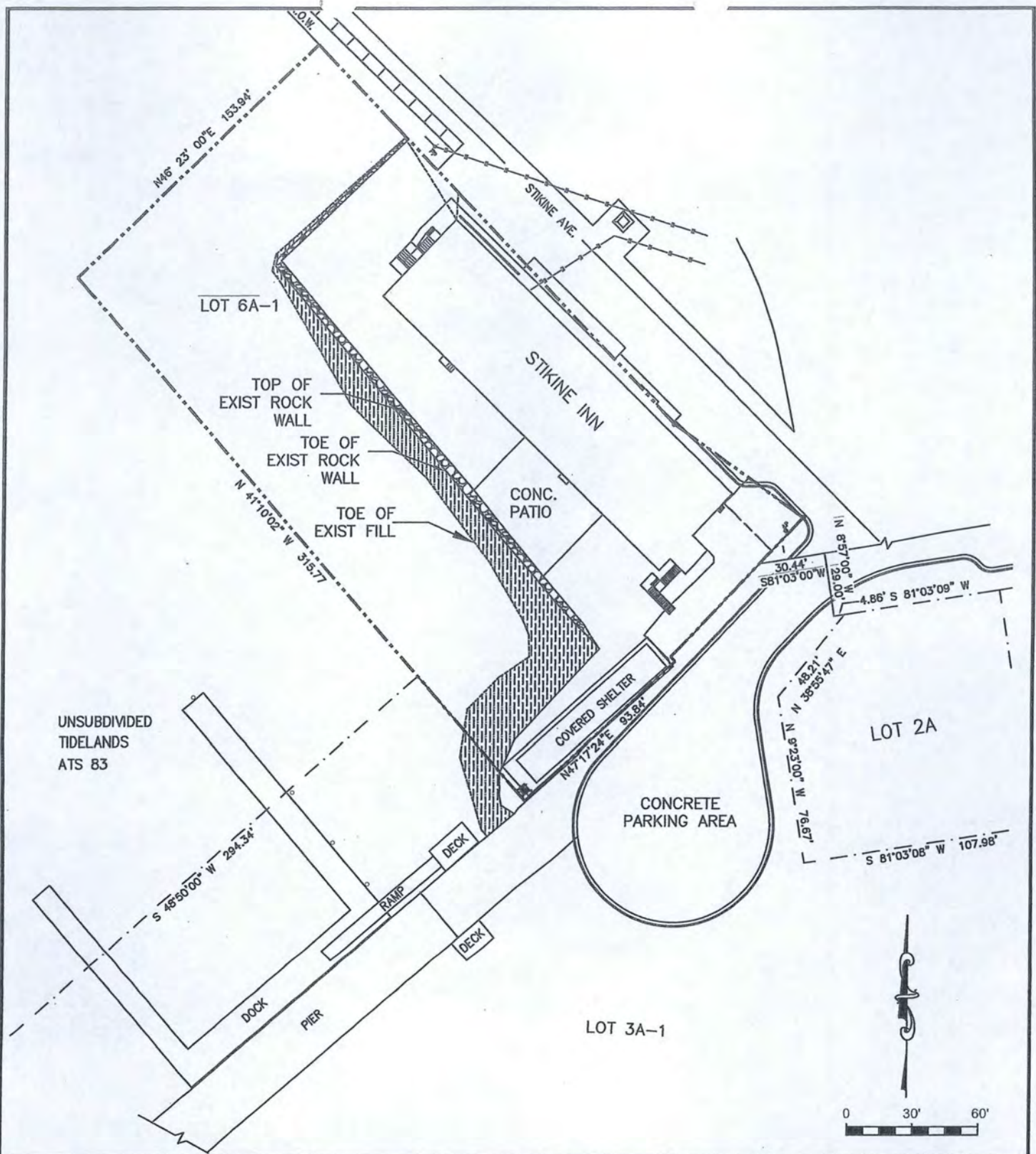
**VICINITY MAP**

**STIKINE INN TIDELANDS RECONFIGURATION**

SCALE: 1":150'

APPLICATION BY:  
 Southeast Properties  
 P.O. Box 701  
 Wrangell, AK 99929

AT: WRANGELL  
 LOCATED IN: T.62S., R.83E., SECTION 24  
 Lat 56°23'55.75"N, Long. 132°20'24.21"W  
 DATE: 11-6-17 SHEET 2 OF 6



SCALE: 1"=60'

**EXISTING CONDITIONS**

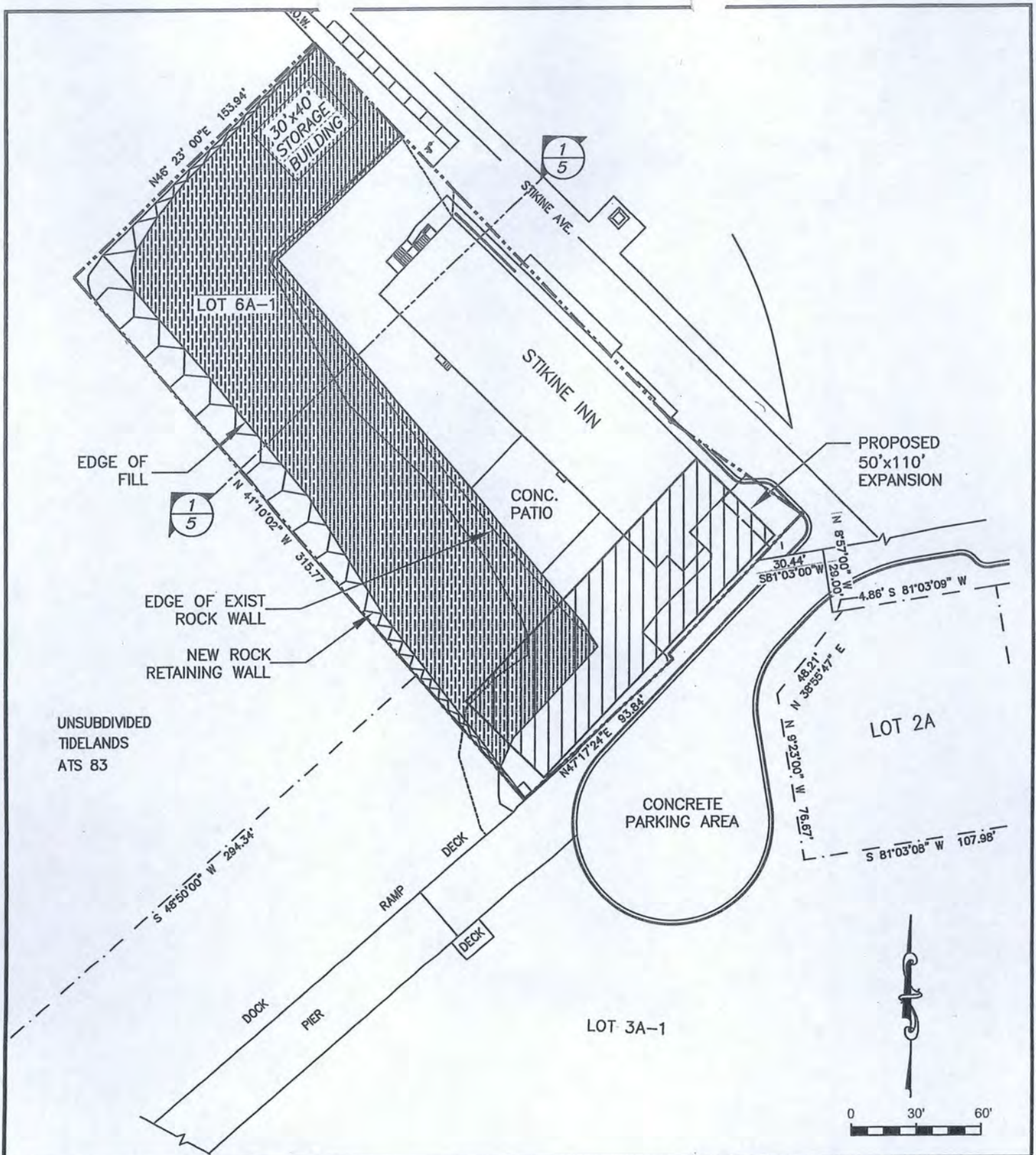
APPLICATION BY:  
 Southeast Properties  
 P.O. Box 701  
 Wrangell, AK 99929

STIKINE INN TIDELANDS RECONFIGURATION

AT: WRANGELL

LOCATED IN: T.62S., R.83E., SECTION 24  
 Lat 56°23'55.75"N, Long. 132°20'24.21"W

DATE: 11-6-17 SHEET 3 OF 6



SCALE: 1"=60'

**ROCK WALL PLAN**

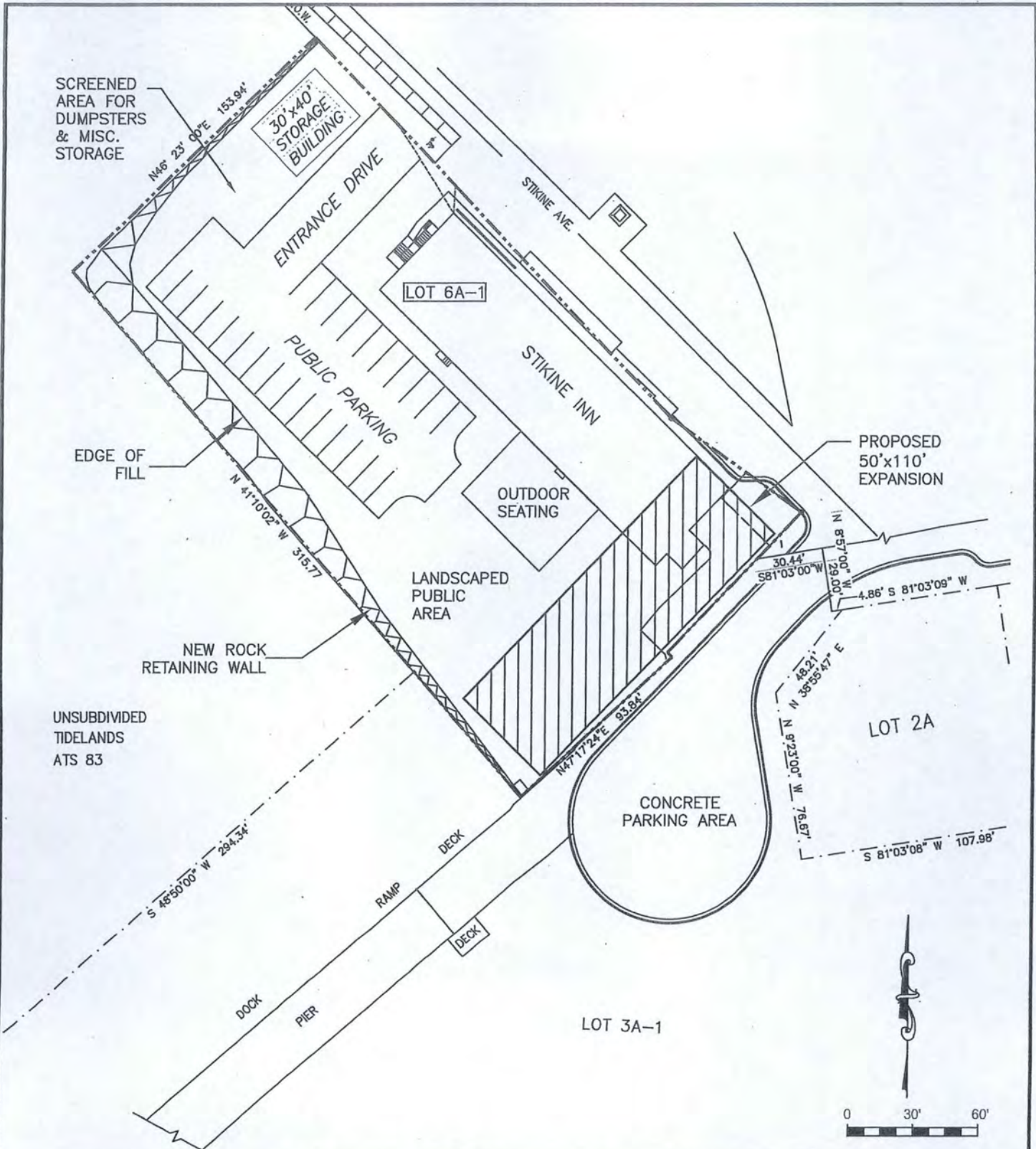
APPLICATION BY:  
 Southeast Properties  
 P.O. Box 701  
 Wrangell, AK 99929

STIKINE INN TIDELANDS RECONFIGURATION

AT: WRANGELL

LOCATED IN: T.62S., R.83E., SECTION 24  
 Lat 56°23'55.75"N, Long. 132°20'24.21"W

DATE: 11-6-17 SHEET **4** OF **6**



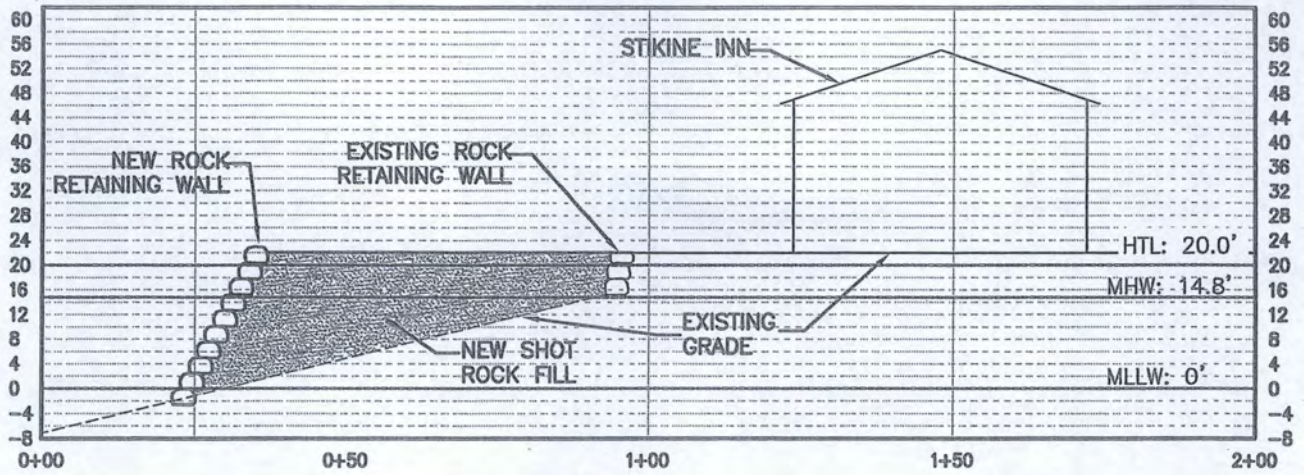
SCALE: 1":60'

**ROCK WALL PLAN**

APPLICATION BY:  
 Southeast Properties  
 P.O. Box 701  
 Wrangell, AK 99929

**STIKINE INN TIDELANDS RECONFIGURATION**

AT: WRANGELL  
 LOCATED IN: T.62S., R.83E., SECTION 24  
 Lot 56°23'55.75"N, Long. 132°20'24.21"W  
 DATE: 1-17-18 SHEET **4A** OF **6**



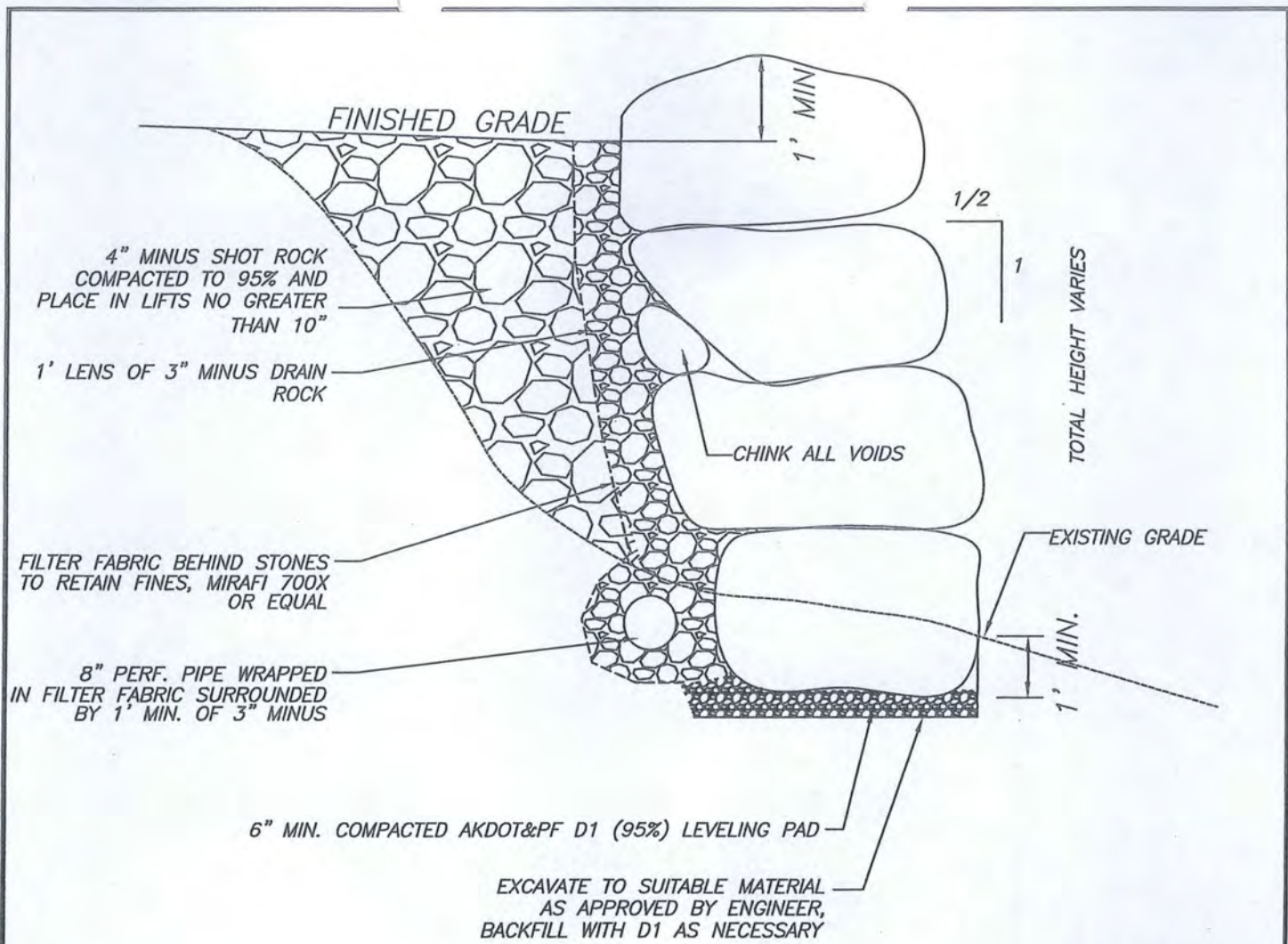
1 SECTION VIEW  
5 SCALE: 1"=30'

**TYPICAL SECTION**

APPLICATION BY:  
Southeast Properties  
P.O. Box 701  
Wrangell, AK 99929

STIKINE INN TIDELANDS  
RECONFIGURATION

AT: WRANGELL  
LOCATED IN: T.62S., R.83E., SECTION 24  
Lat 56°23'55.75"N, Long. 132°20'24.21"W  
DATE: 11-6-17 SHEET **5** OF **6**



**ROCKERY RETAINING WALL DETAIL NOTES:**

- 1) THE LONG DIMENSION OF THE ROCKS SHALL EXTEND INTO THE EMBANKMENT TO PROVIDE MAXIMUM STABILITY.
- 2) THE ROCK SHALL BE PLACED SO AS TO LOCK INTO TWO ROCKS; STAGGER JOINTS.
- 3) CONSTRUCT ROCKERY OF 5 MAN TO 2 MAN ROCKS WITH DECREASING SIZE FROM BOTTOM TO TOP.
  - 2 MAN ROCKS 200 LBS MIN, 700 LBS MAX, SIZE 18" TO 28"
  - 2 MAN ROCK LOCATION - TOP 3 FEET
  - 3 MAN ROCKS 700 LBS MIN, 2000 LBS MAX, SIZE 28" TO 36"
  - 3 MAN ROCK LOCATION - 2 TO 6 FEET FROM TOP
  - 4 MAN ROCKS 2000 LBS MIN, 4000 LBS MAX, SIZE 36" TO 48"
  - 4 MAN ROCK LOCATION - 4 TO 8 FEET FROM TOP
  - 5 MAN ROCKS 4000 LBS MIN, 6000 LBS MAX, SIZE 48" TO 54"
  - 5 MAN ROCK LOCATION - BOTTOM TO 8 FEET BELOW TOP

**ROCK WALL  
DETAIL**

APPLICATION BY:  
Southeast Properties  
P.O. Box 701  
Wrangell, AK 99929

STIKINE INN TIDELANDS  
RECONFIGURATION

AT: WRANGELL  
LOCATED IN: T.62S., R.83E., SECTION 24  
Lat 56°23'55.75"N, Long. 132°20'24.21"W  
DATE: 11-6-17 SHEET 6 OF 6



DEPARTMENT OF THE ARMY  
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
REGULATORY DIVISION  
P.O. BOX 6898  
JBER, AK 99506-0898

JAN 22 2018

Regulatory Division  
POA-2017-00475

BW Enterprise  
Attention: Mr. Brett Woodbury  
Post Office Box 2121  
Wrangell, Alaska 99929

Dear Mr. Woodbury:

Enclosed is the signed Department of the Army (DA) permit, file number POA-2017-00475, Wrangell Harbor, which authorizes the placement of fill material and the installation of structures into waters of the United States (U.S.). The project site is located at Section 25, T. 62 S., R. 83 E., Copper River Meridian; USGS Quad Map Petersburg B-2; Latitude 56.4659° N., Longitude 132.3776° W.; Wrangell Harbor, Block 24A, Lot 5; in Wrangell, Alaska Also enclosed is a Notice of Authorization which should be posted in a prominent location near the authorized work.

If changes to the plans or location of the work are necessary for any reason, plans must be submitted to us immediately. Federal law requires approval of any changes before construction begins.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Please contact Mr. Michael R. Gala via email at [michael.r.gala@usace.army.mil](mailto:michael.r.gala@usace.army.mil), by mail at the address above, by phone at (907) 753-2821, or toll free from within Alaska at (800) 478-2712. For additional information about our Regulatory Program, visit our web site at [www.poa.usace.army.mil/Missions/Regulatory](http://www.poa.usace.army.mil/Missions/Regulatory).

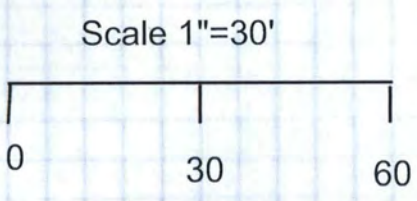
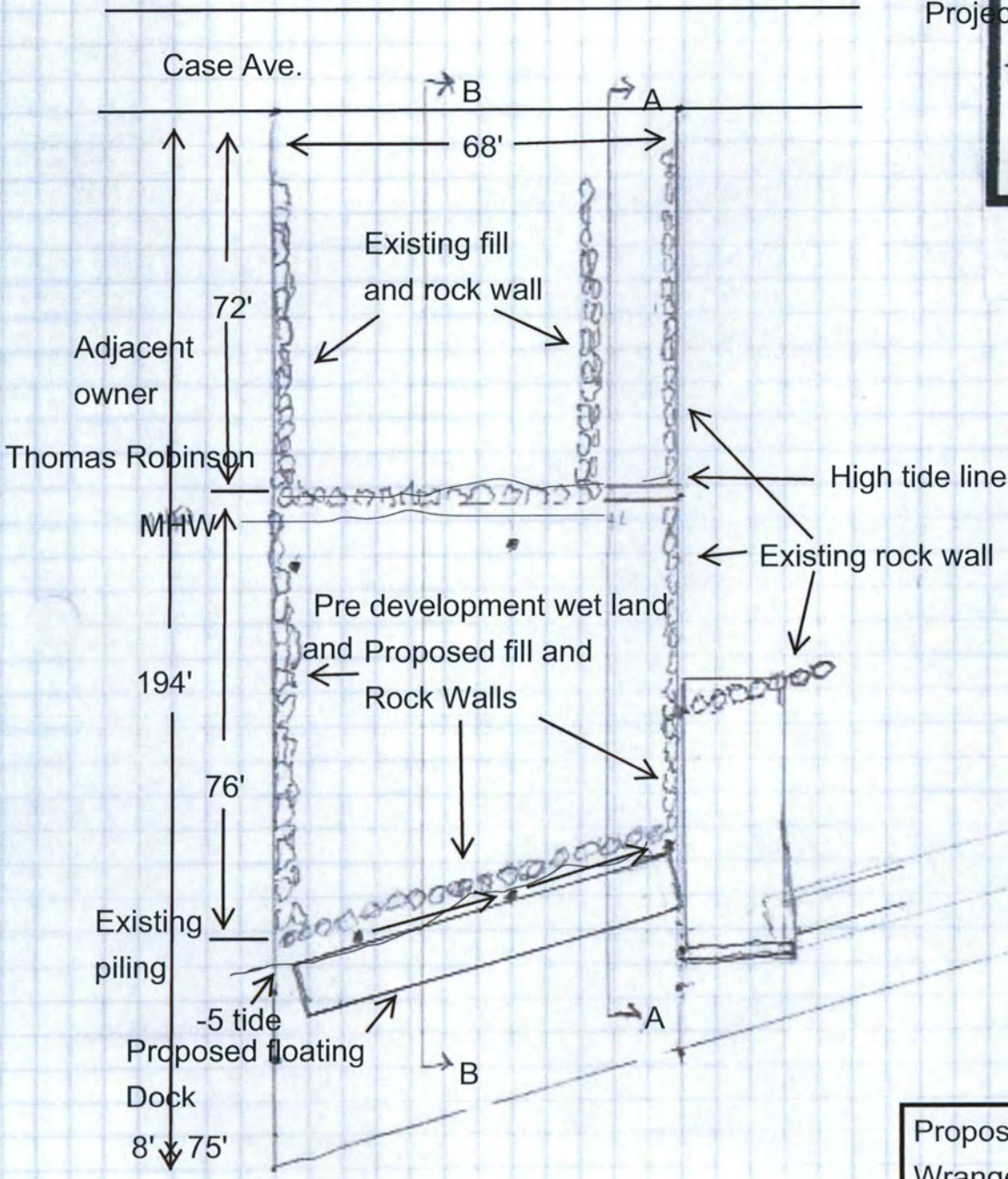
Sincerely,

A handwritten signature in black ink, appearing to read "Michael R. Gala", with a long horizontal flourish extending to the right.

Michael R. Gala  
Regulatory Specialist

Enclosures

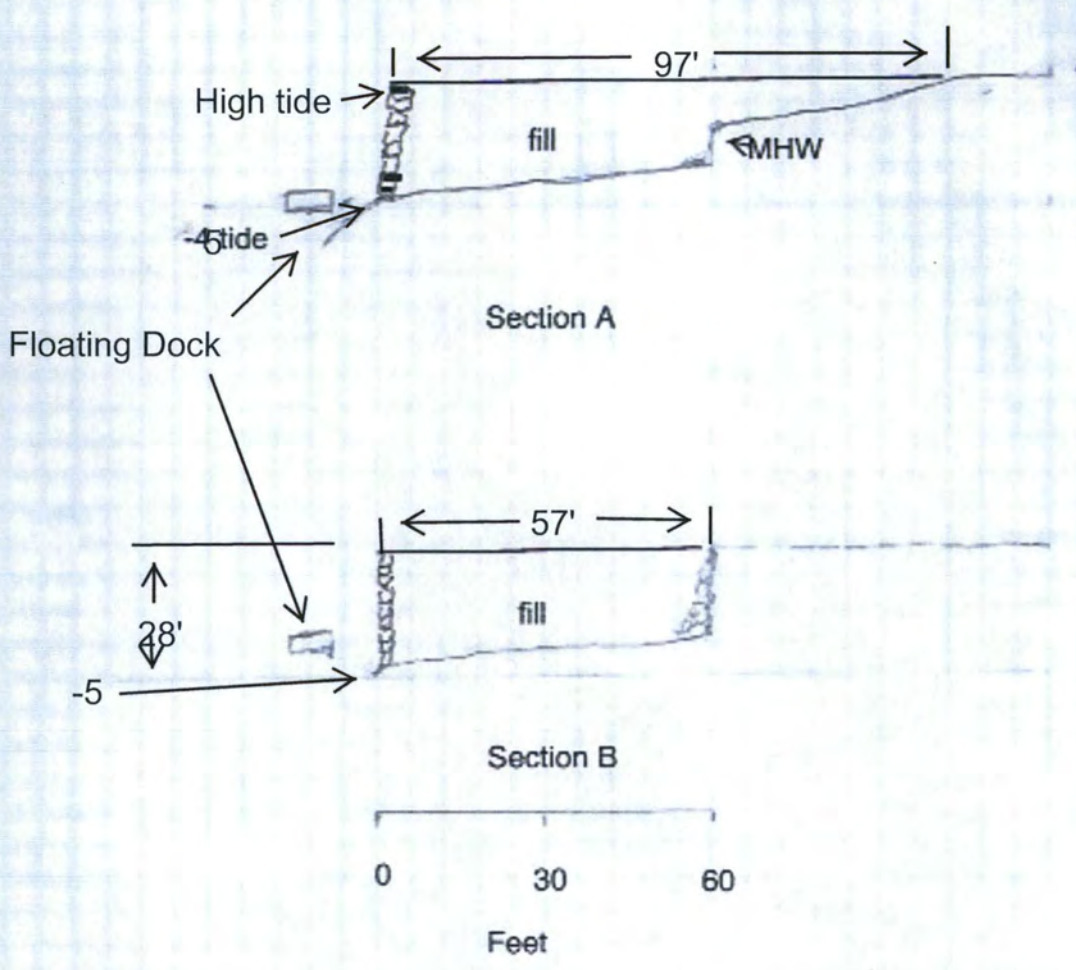




Proposed fill and Floating Dock  
 Wrangell Inner Harbor  
 Applicant Brett Woodbury  
 Sep 1 2017  
 Zimovia St  
 Applicant: Brett Woodbury  
 POA-2017-475  
 Sheet 1 of 2



VICINITY MAP  
SCALE 1"=1 MILE



Proposed fill and Floating Dock  
Wrangell Inner Harbor  
Applicant Brett Woodbury  
Sep 1 2017  
Zimovia St.,  
POA-2017-475

# DEPARTMENT OF THE ARMY PERMIT

Permittee: BW Enterprise

Permit No.: POA-2017-475

Issuing Office: U.S. Army Engineer District, Alaska

**NOTE:** The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

## Project Description:

Discharge 2,850 cubic yards of clean shot rock and 390 cubic yards of stacked rock fill material into 0.09-acre below the high tide line (approximate elevation +19.9 feet above the 0.0 foot contour) within Wrangell Harbor, which is a navigable water of the United States, to construct a 76 feet long by 68 feet wide pad for parking, storage, and safer access to adjacent property, and construct below the Mean High Water Mark (approximate elevation +15.3 above the 0.0 foot contour) a new 75 feet long by 8 feet wide floating moorage dock.

All work will be performed in accordance with the attached plan, sheets 1-2, dated September 1, 2017.

## Project Location:

The project site is located within Section 25, T. 62 S., R. 83 E., Copper River Meridian; USGS Quad Map Petersburg B-2; Latitude 56.4659° N., Longitude 132.3776° W.; Subdivision Name, Block 24A, Lot 5; in Wrangell, Alaska

## Permit Conditions:

### General Conditions:

1. The time limit for completing the work authorized ends on **December 31, 2022**.

If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

1. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.
2. You must install and maintain, at your expense, any safety lights and signals prescribed by the United States Coast Guard (USCG), through regulations or otherwise, on your authorized facilities. The USCG may be reached at the following address and telephone number: Commander (dpw), 17th Coast Guard District, Post Office Box 25517, Juneau, Alaska 99802; or by telephone at (907) 463-2272.
3. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers (Corps), to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
4. Within 60 days of completion or cessation of a period of 1 year or more of authorized work within each phase, the Permittee shall submit as-built drawings of the authorized work within that phase and complete "As-Built Certification By Professional Engineer" form (Attachment 1) to the Corps. Upon expiration of the construction window identified in General Condition 1, the Permittee shall submit a final as-built drawing and certification for all phases.
5. No grounding of floating structures shall occur at any tidal stage.

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorization required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

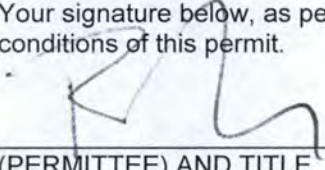
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

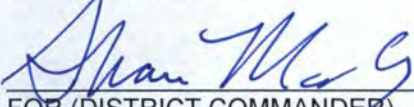
6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

  
 \_\_\_\_\_  
 (PERMITTEE) AND TITLE

1/16/18  
 \_\_\_\_\_  
 (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

  
 \_\_\_\_\_  
 FOR (DISTRICT COMMANDER)  
 Colonel Michael S. Brooks  
 Shane M. McCoy, Acting Chief South Branch  
 South Branch, Regulatory Division

22 Jan 2018  
 \_\_\_\_\_  
 (DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEEE)

\_\_\_\_\_  
(DATE)

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: BW Enterprises	File Number: POA-2017-475	Date: 12/18/2017
Attached is:	See Section below	
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)	A
<input checked="" type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of Permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**THIS REQUEST FOR APPEAL FORM MUST BE RECEIVED BY: 60 Days From Date Above**

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at [http://www.usace.army.mil/CECW/Pages/reg\\_materials.aspx](http://www.usace.army.mil/CECW/Pages/reg_materials.aspx) or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the District Engineer. Your objections must be received by the District Engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the District Engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or, (c) not modify the permit, having determined that the permit should be issued as previously written. After evaluating your objections, the District Engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the Division Engineer. This form must be received by the Division Engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the Division Engineer. This form must be received by the Division Engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION (JD):** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the Division Engineer. This form must be received by the Division Engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the Preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

In order for a Request For Appeal to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the Notice of Appeal Process. It is not necessary to submit a Request For Appeal form to the Division office if you do not object to the decision.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process please contact:

**Michael R. Gala**  
Alaska District Corps of Engineers  
CEPOA-RD-S  
P.O. Box 6898  
JBER, AK 99506-0898  
(907) 753-2821  
(800) 478-2712 (toll free in AK)

If you only have questions regarding the appeal process you may also contact:

Commander  
USAED, Pacific Ocean Division  
ATTN: CEPOD-PDC/Cindy Barger  
Building 525  
Fort Shafter, HI 96858-5440

**To submit this form, mail to the address above**

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:
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THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

**Department of Environmental  
Conservation**

**DIVISION OF WATER**  
Wastewater Discharge Authorization Program

555 Cordova Street  
Anchorage, Alaska 99501-2617  
Main: 907.269.6285  
Fax: 907.334.2415  
[www.dec.alaska.gov/water/wwdp](http://www.dec.alaska.gov/water/wwdp)

November 30, 2017

BW Enterprises  
Mr. Brett Woodbury  
P.O. Box 2121  
Wrangell, AK 99929

Re: BW Enterprises, Storage/Parking Lot and Mooring Area  
POA-2017-475, Wrangell Harbor

Dear Mr. Woodbury:

In accordance with Section 401 of the Federal Clean Water Act of 1977 and provisions of the Alaska Water Quality Standards, the Department of Environmental Conservation (DEC) is issuing the enclosed Certificate of Reasonable Assurance for placement of dredged and/or fill material in waters of the U.S., including wetlands and streams, associated with the development of a storage/parking lot and mooring area in Wrangell, Alaska.

DEC regulations provide that any person who disagrees with this decision may request an informal review by the Division Director in accordance with 18 AAC 15.185 or an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340. An informal review request must be delivered to the Director, Division of Water, 555 Cordova Street, Anchorage, AK 99501, within 15 days of the permit decision. Visit <http://dec.alaska.gov/commish/ReviewGuidance.htm> for information on Administrative Appeals of Department decisions.

An adjudicatory hearing request must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 111800, Juneau, AK 99811-1800, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

By copy of this letter we are advising the U.S. Army Corps of Engineers of our actions and enclosing a copy of the certification for their use.

Sincerely,

Handwritten signature of James Rypkeina in black ink.

James Rypkeina  
Program Manager, Storm Water and Wetlands

Enclosure: 401 Certificate of Reasonable Assurance

cc: (with encl.)  
Michael Gala, USACE, Anchorage  
Jackie Timothy, ADF&G

USFWS Field Office Juneau  
Mark Douglas, EPA Operations, Anchorage

**STATE OF ALASKA**  
**DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**CERTIFICATE OF REASONABLE ASSURANCE**

In accordance with Section 401 of the Federal Clean Water Act (CWA) and the Alaska Water Quality Standards (18 AAC 70), a Certificate of Reasonable Assurance, is issued to BW Enterprises, attention: Mr. Brett Woodbury, at P.O. Box 2121, Wrangell, Alaska 99929, for placement of dredged and/or fill material in waters of the U.S. including wetlands and streams in association with the development of a storage/parking lot and mooring area in Wrangell, Alaska.

The proposed project would discharge 2,850 cubic yards of clean shot rock and 390 cubic yards of stacked rock into 0.09-acre of waters of the U.S., in order to create additional uplands for parking, storage, and safer access to adjacent property, and to construct a new 65 linear foot floating moorage dock and associated structures.

A state issued water quality certification is required under Section 401 because the proposed activity will be authorized by a U.S. Army Corps of Engineers permit (POA-2017-475) and a discharge of pollutants to waters of the U.S. located in the State of Alaska may result from the proposed activity. Public notice of the application for this certification was given as required by 18 AAC 15.180 in the Corps Public Notice POA-2017-475 posted from October 13, 2017 to November 13, 2017.

The proposed activity is located within Section 25, T. 62 S., R. 83 E., Copper River Meridian; Latitude 56.4659° N., Longitude -132.3776° W.; in Wrangell, Alaska.

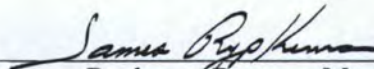
The Department of Environmental Conservation (DEC) reviewed the application and certifies that there is reasonable assurance that the proposed activity, as well as any discharge which may result, will comply with applicable provisions of Section 401 of the CWA and the Alaska Water Quality Standards, 18 AAC 70, provided that the following additional measures are adhered to.

1. Reasonable precautions and controls must be used to prevent incidental and accidental discharge of petroleum products or other hazardous substances. Fuel storage and handling activities for equipment must be sited and conducted so there is no petroleum contamination of the ground, subsurface, or surface waterbodies.
2. During construction, spill response equipment and supplies such as sorbent pads shall be available and used immediately to contain and cleanup oil, fuel, hydraulic fluid, antifreeze, or other pollutant spills. Any spill amount must be reported in accordance with Discharge Notification and Reporting Requirements (AS 46.03.755 and 18 AAC 75 Article 3). The applicant must contact by telephone the DEC Area Response Team for Southeast Alaska (907) 465-5340 during work hours or 1-800-478-9300 after hours. Also, the applicant must contact by telephone the National Response Center at 1-800-424-8802.
3. Construction equipment shall not be operated below the high tide line if equipment is leaking fuel, oil, hydraulic fluid, or any other hazardous material. Equipment shall be inspected and recorded in a log on a daily basis for leaks. If leaks are found, the equipment shall not be used and pulled from service until the leak is repaired.

4. All work areas, material access routes, and surrounding wetlands involved in the construction project shall be clearly delineated and marked in such a way that equipment operators do not operate outside of the marked areas.
5. Natural drainage patterns shall be maintained, to the extent practicable, without introducing ponding or drying.
6. Include the following BMPs to handle storm water and total storm water volume discharges as they apply to the site:
  - a. Divert storm water from off-site around the site so that it does not flow onto the project site and cause erosion of exposed soils;
  - b. Slow down or contain storm water that may collect and concentrate within a site and cause erosion of exposed soils;
  - c. Place velocity dissipation devices (e.g., check dams, sediment traps, or riprap) along the length of any conveyance channel to provide a non-erosive flow velocity. Also place velocity dissipation devices where discharges from the conveyance channel or structure join a water course to prevent erosion and to protect the channel embankment, outlet, adjacent stream bank slopes, and downstream waters.
7. Fill material must be clean sand, gravel or rock, free from petroleum products and toxic contaminants in toxic amounts.
8. Any disturbed ground and exposed soil not covered with fill must be stabilized and re-vegetated with endemic species, grasses, or other suitable vegetation in an appropriate manner to minimize erosion and sedimentation, so that a durable vegetative cover is established in a timely manner.

This certification expires five (5) years after the date the certification is signed. If your project is not completed by then and work under U.S Army Corps of Engineers Permit will continue, you must submit an application for renewal of this certification no later than 30 days before the expiration date (18 AAC 15.100).

Date: November 30, 2017

  
\_\_\_\_\_  
James Rypkema, Program Manager  
Storm Water and Wetlands

**PROCEEDINGS**

**MINUTES  
WRANGELL SCHOOL BOARD  
REGULAR MEETING  
November 20, 2017 6:30 PM  
Evergreen Elementary School Room 101**

President Georgianna Buhler called the regular meeting of the Wrangell Public School Board to order at 6:42 P.M. on November 20, 2017.	<b>CALL TO ORDER</b>
A quorum was determined with the following school board members present: Georgianna Buhler, Tammy Groshong, Jessica Rooney and David Wilson. Aleisha Mollen was present telephonically. Also present was Superintendent Patrick Mayer and Recording Secretary Kimberly Powell.	<b>DETERMINE QUORUM</b>
The Pledge of Allegiance was recited, led by Jessica Rooney.	<b>PLEDGE OF ALLEGIANCE</b>
Third grade students (Melanie Ibarra, Sophia Martinsen, Dakota Kahklen, Sawyer Rooney, Brody Hommel and Everett Meissner) sang the Wrangell Song.	<b>STUDENT PRESENTATION</b>
Helen Decker, Student Body President, read the Student Representative report as provided in the School Board packet. She added that the volleyball team took second place during the Region V tournament and will be headed to the state tournament later this month.	<b>STUDENT REPRESENTATIVE REPORT</b>
Brian Merritt, 4 <sup>th</sup> grade teacher, read a letter into the minutes in praise of Gail Taylor, Elementary Principal.	<b>GUESTS TO BE HEARD</b>
Roderick Ryll, retired teacher/substitute employee, told the School Board that he has been substituting as a paraprofessional this year. He is the only certified substitute who will sub for a paraprofessional because the pay is so low. Mr. Ryll feels that certified subs should get a higher wage than other subs when working as a paraprofessional. He suggested an additional fifty cents per hour.	
The agenda was approved as presented by unanimous consent.	<b>APPROVAL OF AGENDA</b>
Motion to approve the items on the consent agenda as presented by Dave Wilson; seconded by Tammy Groshong. Poll vote: Jessica Rooney: Yes; Dave Wilson: Yes; Tammy Groshong: Yes; Aleisha Mollen: Yes; Georgianna Buhler: Yes; Motion approved unanimously.	<b>APPROVED THE ITEMS ON THE CONSENT AGENDA</b>
<ul style="list-style-type: none"> <li>• Approved the minutes of the October 16, 2017 Regular School Board Meeting</li> <li>• Offered Ms. Odile Meister a contract addendum for one hour per day, up to 143 days, to teach Middle School Transition Math</li> <li>• Approved the hire of Eric Gerald as a paraprofessional, retroactive to October 19, 2017 at the appropriate placement on the salary schedule.</li> </ul>	
Reviewed Correspondence to the School Board:	<b>REVIEWED CORRESPONDENCE</b>
<ul style="list-style-type: none"> <li>• 11-16-17 AASB re PTPC Code of Ethics</li> <li>• 11-16-17 Elementary Teachers re Support of Elementary Principal</li> </ul>	
Information & Reports were accepted by unanimous consent.	<b>ACCEPTED INFORMATION &amp; REPORTS</b>
Motion to accept the Small Rural School Achievement Grant Award in the amount of \$3,029.00, as presented by Jessica Rooney, seconded by Tammy Groshong. Poll vote: Dave Wilson: Yes; Tammy Groshong: Yes; Aleisha Mollen: Yes; Jessica Rooney: Yes; Georgianna Buhler: Yes. Motion approved unanimously.	<b>ACCEPTED THE SMALL RURAL SCHOOL ACHIEVEMENT GRANT AWARD</b>
School Board President Georgianna Buhler appointed Mrs. Powell as parliamentarian.	<b>APPOINTED KIM POWELL AS PARLIAMENTARIAN</b>
Motion to accept the fiscal year 2017 audit as presented by Tammy Groshong, seconded by Jessica Rooney. Poll vote: Tammy Groshong: Yes; Aleisha Mollen: Yes; Jessica Rooney: Yes; Dave Wilson: Yes; Georgianna Buhler: Yes. Motion approved unanimously.	<b>ACCEPTED THE FY'17 AUDIT AS PRESENTED</b>

Motion to accept the second reading of Board Policy 4111, Recruitment and Selection, for inclusion in the policy manual by Tammy Groshong, seconded by Jessica Rooney.

**ACCEPTED THE SECOND READING OF BOARD POLICY 4111, CERTIFIED STAFF RECRUITMENT AND SELECTION**

Amended the motion to remove "for inclusion in the policy manual" and to bring the policy back for third reading by unanimous consent.

Final motion: to accept the second reading of Board Policy 4111, Recruitment and Selection and to bring the policy back for third reading in December. Poll vote: Aleisha Mollen: Yes; Jessica Rooney: Yes; Dave Wilson: Yes; Tammy Groshong: Yes; Georgianna Buhler: Yes. Motion approved unanimously.

Motion to accept the first reading of Board Policy 4211, Classified Staff Recruitment and Selection, as presented by Tammy Groshong, seconded by Jessica Rooney. Poll vote: Jessica Rooney: Yes; Dave Wilson: Yes; Tammy Groshong: Yes; Aleisha Mollen: Yes; Georgianna Buhler: Yes. Motion approved unanimously.

**ACCEPTED THE FIRST READING OF BOARD POLICY 4211, CLASSIFIED STAFF RECRUITMENT AND SELECTION**

Motion to accept the first reading of Board Policy 4311, Administrative Staff Recruitment and Selection, as presented by Tammy Groshong, seconded by Jessica Rooney. Poll vote: Dave Wilson: Yes; Tammy Groshong: Yes; Aleisha Mollen: Yes; Jessica Rooney: Yes; Georgianna Buhler: Yes. Motion approved unanimously.

**ACCEPTED THE FIRST READING OF BOARD POLICY 4311, ADMINISTRATIVE STAFF RECRUITMENT AND SELECTION**

The School Board reviewed Board Policy #7311, School Board Policies.

**REVIEWED BOARD POLICY 7311, SCHOOL BOARD POLICIES**

Reviewed the upcoming dates and meeting announcements.

**REVIEWED DATES & MTG ANNOUNCEMENTS**

Jessica Rooney told the other board members that she is really excited for the volleyball team who will be attending the State tournament. She thanked Mr. Schwan for his work on the Veteran's Day Assembly. Mrs. Rooney commended Mrs. Taylor on having such a supportive staff. Mrs. Rooney said that she and Aleisha Mollen recently returned from the AASB Annual conference and she learned that Wrangell is unique in that we are gaining students instead of losing them.

**PRESIDENT'S REMARKS AND COMMENTS FROM BOARD MEMBERS**

Aleisha Mollen thanked the administration for their reports and congratulated the volleyball team. She said that she and Jessica learned a lot at the AASB Annual Conference.

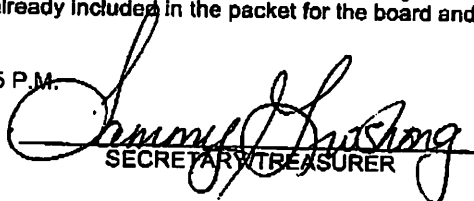
Georgianna Buhler told the board that she is looking forward to 2018. The Board will be working with Jerry Covey on Strategic Planning and will be meeting with Thomas Alsbury regarding balanced governance. She thinks that it's wonderful that we are gaining so many new families and our student count is increasing. She is thankful for the board and is looking forward to a great year.

Dave Wilson is excited about the direction the district is going. He'd like the Board to send a letter from the School Board acknowledging their donation of hardware. He reported that he is looking at information on PTA's and PTO's and will research it further to see if it's doable in Wrangell.

Tammy Groshong said she is looking forward to the Christmas season. She would like the board to limit the time that administration spends on giving their oral reports since written reports are already included in the packet for the board and public to review.

Meeting Adjourned at 8:15 P.M.

**ADJOURNED AT 8:15 P.M.**

  
SECRETARY/TREASURER

# Correspondence: 6h



## WRANGELL MEDICAL CENTER BOARD OF DIRECTORS MEETING MINUTES December 20, 2017 - 5:30 p.m. Location: Nolan Center

CALL TO ORDER: Meeting was called to order at 5:30 by President Patrick Mayer

### ROLL CALL:

Present: Marlene Messmer, Maxi Wiederspohn, Patrick Mayer, Jennifer Bates, Don McConachie, Olinda White, Rebecca (Lynne) Christiansen  
Quorum established  
Assembly representative Becky Rooney was not present

AMENDMENTS TO THE AGENDA: Removed item 5.b Statistics for November 2017 from consent agenda.

CONFLICT OF INTEREST: None

### CONSENT ITEMS:

Motion made by Don McConachie to approve consent item 5.a minutes of the regular meeting held November 15, 2017, Olinda White seconded, passed unanimously.

PERSONS TO BE HEARD: None

CORRESPONDENCE: None

### REPORTS AND COMMUNICATIONS FROM WMC STAFF:

QUALITY REPORT: None this month

COMPLIANCE REPORT: In addition to re-capping the written report...

- Welcomed the board members to attend the Compliance meeting on Thursday, February 15.
- Although the November safety report is slightly dated, the drop in staff incidents to 2/3 of last year's is great progress.

CFO REPORT: In addition to the written report...

- Added that it is time, again, to clean up the bank accounts to show the following:
  - o **Wells Fargo accounts ending in: 8349, 4282, and 9614**  
Owner/Key individuals should be: Lisa Von Bargaen, City Manager, Robert Rang, CEO, Ginger Watko CNO  
Signers should be: Diana Nore, Robert A Rang Sr., Kristen Reed, Lisa Von Bargaen, Patrick Mayer, Olinda White, Scott Glaze, and Ginger Watko
  - o **First Bank account ending in: 8610**  
Signers should be: Diana Nore, Robert A Rang Sr., Kristen Reed, Lisa Von Bargaen, Patrick Mayer, Olinda White, Scott Glaze, and Ginger Watko
  - o **All other signers/owners shall be removed from these accounts**
- Staff have worked hard to keep expenses down in light of lower than budgeted income
- Thanks to the consistent, accurate, hard work by Mary Jo, the auditors have noted in the recent audit report: the unqualified opinion, with no material weaknesses found in the internal controls and results of the tests disclosed no instances of noncompliance for matters required to be reported under Government Auditing Standards – Congratulations on a clean audit!

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

BOARD OF DIRECTORS MEETING  
December 20, 2017 - 5:30 p.m.

REPORTS AND COMMUNICATIONS FROM WMC STAFF (CONTINUED):

CEO REPORT: In addition to the written report:

- Introduced and welcomed Ginger Watko, CNO and asked her to say a few words
- Thanked staff for a wonderful Christmas party that was well-attended

MEDICAL STAFF REPORT: No report this month

ACTION ITEMS: None this month

DISCUSSION ITEMS: None this month

INFORMATION ITEMS:

- a. New Hospital Project Update: The City Manger has requested two Board members serve on the RFQ review committee (looking for a consultant to help guide the potential merger between SEARHC and WMC), Don McConachie and Maxi Wiederspohn volunteered and Patrick Mayer could serve as a potential alternate. It was also noted that architectural work on the new hospital could begin in the new year, with SEARHC offering to provide for that service.

BOARD COMMENTS:

Don McConachie: (as Santa) Merry Christmas everyone!

EXECUTIVE SESSION:

Don McConachie moved that the board recess into executive session to discuss matters the immediate knowledge of which could prejudice the reputation and character of a person, specifically the annual review of the CEO, Maxi Wiederspohn seconded and the motion passed unanimously.

Meeting recessed into executive session at 5:54 p.m.

Meeting reconvened into regular session at 6:43 p.m.

ADJOURN: With no further business, the regular meeting adjourned at 6:50 p.m.

Marlene Messmer

Kris Reed,

Date Certified:

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

# Correspondence: 6i



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

P.O. Box 110809  
Juneau, AK 99811-0809  
Main: 907.465.3961  
Programs fax: 907.465.4761

January 12, 2018

Lisa Von Bargaen, Borough Manager  
City and Borough of Wrangell  
P.O. Box 531  
Wrangell, AK 99929

SUBJECT: Population Determination for FY2019 DCCED Financial Assistance Programs

Dear Ms. Von Bargaen:

The Department of Commerce, Community, and Economic Development annually certifies the population of each municipality, community, and reserve in the State of Alaska for use in various financial assistance programs based upon population estimates prepared by the State Demographer at the Department of Labor and Workforce Development. For the City and Borough of Wrangell the following population will be used for all FY19 programs the department administers.

**The population of the City and Borough of Wrangell has been determined to be 2387.**

If you do not agree with the population determination, you may request a population adjustment by submitting a written request and substantiate the request by completing either of the two approved methods: Head Count Census Method or Housing Unit Method. The request must include a resolution from the governing body proposing a corrected population total.

If you choose to request a population adjustment, please review the Head Count Census and Housing Unit Method manuals the department has published to assist you with this process. These manuals are available at <http://commerce.alaska.gov/web/dcra/> or you may also contact the department for a copy of the manuals.

The request for adjustment and completed census documentation must be postmarked no later than April 1, 2018 and submitted to:

Department of Commerce, Community, and Economic Development  
Division of Community and Regional Affairs  
Attn: Manjula Boyina  
550 W. 7<sup>th</sup> Avenue, Suite 1640



City and Borough of Wrangell – Population Determination

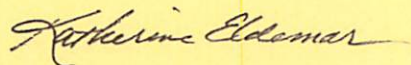
January 12, 2018

Page 2

Anchorage, AK 99501

For additional information, please contact Manjula Boyina, Research Analyst IV, at (907) 269-7959 or [DCRARResearchAndAnalysis@alaska.gov](mailto:DCRARResearchAndAnalysis@alaska.gov).

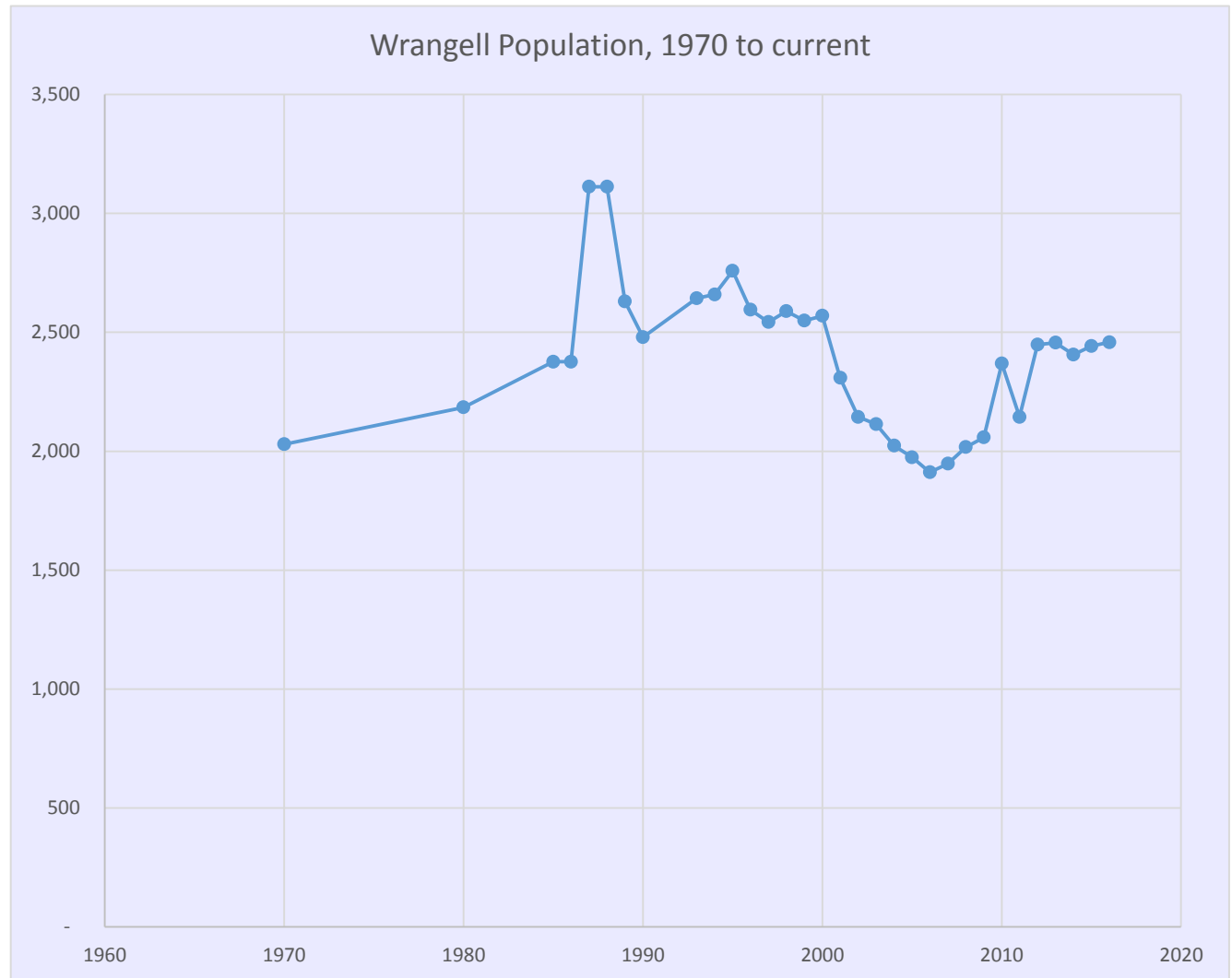
Sincerely,

A handwritten signature in cursive script that reads "Katherine Eldemar".

Katherine Eldemar  
Division Director

Cc: Division of Community and Regional Affairs, Research and Analysis Section  
Division of Community and Regional Affairs, Community Aid and Accountability Section

Year	Population
1970	2,029
1980	2,184
1985	2,376
1986	2,376
1987	3,112
1988	3,112
1989	2,630
1990	2,479
1993	2,643
1994	2,659
1995	2,758
1996	2,595
1997	2,543
1998	2,589
1999	2,549
2000	2,569
2001	2,308
2002	2,144
2003	2,113
2004	2,023
2005	1,974
2006	1,911
2007	1,947
2008	2,017
2009	2,058
2010	2,369
2011	2,144
2012	2,448
2013	2,456
2014	2,406
2015	2,442
2016	2,458
2017	
2018	



**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>7</b>	<u>DATE:</u>	February 6, 2018
Borough Manager's Report				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
Lisa Von Bargaen, Borough Manager			<b>Expenditure Required:</b>	
			\$0	
			<b>Amount Budgeted:</b>	
			\$0	
			<b>Account Number(s):</b>	
			N/A	
			<b>Account Name(s):</b>	
			N/A	
<u>Reviews/Approvals/Recommendations</u>			N/A	
	Commission, Board or Committee	<b>Unencumbered Balance(s) (prior to expenditure):</b>		
Name(s)				
	Attorney			
	Insurance			
<b><u>ATTACHMENTS:</u></b>				
1. Manager's Report; 2. Capital Projects & PW Report				

**RECOMMENDATION:**

None. Report only.

**SUMMARY STATEMENT:**

Please see the attached Borough Manager's 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: February 6, 2018**

### **INFORMATION:**

#### **Illegal Dumping of Sandblast Material from the Wrangell Marine Yard:**

A resident SCUBA diver near the waterfront by the Marine Yard discovered illegally dumped sandblast material. This information was reported to the Harbor staff. Notices were mailed to the lessees (who conduct sand blasting) immediately advising them of the illegal nature of this activity and that it is a violation of lease conditions. The letter further stated that the Harbor staff would use every means possible to determine the responsible party and report them to the appropriate agency. Subsequently, it has been reported to Harbor staff, and the Manager, that material is being loaded on boats and hauled offshore for illegal dumping. As the CBW is the property owner of the Marine Yard, it is imperative this behavior is not allowed to continue. This is necessary to ensure the CBW is not considered to be a responsible party. If there is no objection from the Assembly, effective immediately, lessees within the Marine Yard who conduct sandblast operations will be required to show documentation of the amount of sand being brought into the yard; and the amount being disposed, along with documentation of legal disposal and related material chain of command.

#### **Helping our Parks (HOP):**

The Parks & Recreation Advisory Board and P&R Director have released information on the 2018 HOP Project which will be the revitalization of City Park. HOP was first launched in 2017 and was a major success the community donating more than \$15,000 – along with a volunteer crew of 65 people helping on the day of the event. THANK YOU WRANGELL!!! This year, a fundraising goal of \$30,000 has been set (to which Parks & Rec will match 25%). Work in the field is scheduled to take place on April 21<sup>st</sup>. Inquiries about the project may be made by contacting the Parks & Rec Director at 907-874-2444. Look for information on the Parks & Rec Website.

#### **Public Safety Building Update:**

Please see the summary in the attached Capital Projects & Public Works report.

#### **Wrangell Municipal Code Proposed Code Revisions:**

Please stay tuned for upcoming ordinance revisions to the following code sections.

Section 1.12.060 of the Wrangell Municipal Code (Adoption by reference.) Milk & Milk Products

Addition of Wrangell Boat Yard Code

Addition of General Land Lease Code

Revision of Tideland Lease Section of Code

Fines/Fees as Liens

#### **Borough Goals:**

Please see the new report on the agenda called "Goals Status Report." This provides a status update on the milestones listed for each goal. These were also discussed during the Manager's evaluation

**FY 2019 Budget:**

Please see the Draft FY2019 Budget Schedule along with the Discussion item on the agenda regarding budget policy for development of the priorities for this year's budget. Budget development packets were distributed to the Department Directors on February 2<sup>nd</sup>.

**Water Treatment (Direction Required):**

The Assembly is holding a work session to discuss this issue on February 5<sup>th</sup>. Approval of a solution is expected the second meeting in February.

**Healthcare Continuum:**

The Review Team met on 1-12-2018 and decided upon Dorsey/Whitney as preferred team to assist the Borough. The professional services agreement is on the agenda for the February 6<sup>th</sup> meeting. Staff will be bringing a plan of work to the Assembly in the next week regarding work with SEARHC – following review of the appropriate documents by the consultants.

**Wrangell Junkyard Cleanup:**

ADEC was in Wrangell last week reviewing addition disposal options. A status summary and letter for Assembly approval is on the February 6<sup>th</sup> agenda.

**Wrangell Island Project Record of Decision (Direction Required):**

Please see the attached agenda statement and letter to the Federal Delegation regarding this issue.

**Wrangell Mariners' Memorial:**

Met on November 7<sup>th</sup>. Have a request from them. In February/March will be bringing a request to both the Ports & Harbor Commission and the Assembly for approval of a lease with the newly formed non-profit organization championing the memorial.

**Gift from the Estate of Marian Glentz to the Wrangell CVB:**

Wrangell resident, Marian Glentz passed away a short time ago. As part of her estate she left the Wrangell CVB the sum of \$50,000 for community promotion. The Borough is forever grateful for her posthumous generosity

**Shoemaker Bay Harbor Project Update:**

Please see the attached dredge disposal agenda statement and bond authorization resolution.

**Public Works Report:**

Please see the attached Capital Projects Public Works Report.

**Economic Development Report:**

Please see the attached Economic Development Report.

# **City and Borough of Wrangell**

## **Public Works and Capital Improvement Projects Report**

### **February 1, 2018**

#### **Water Treatment System Evaluation and Recommendation**

Wrangell has spent a significant amount of time and expense to assess the needs and identify alternatives for water treatment system improvements. CRW Engineering Group joined the CBW to perform an engineering study to carefully evaluate various project delivery models and make a final recommendation to the CBW. A Memorandum from the Public Works Director and CRW Engineers was prepared, which summarizes the challenges of our current water treatment process, outlines the operations and maintenance, engineering and project funding work performed to date, and provides staff's recommendations based on CRW's final evaluation and recommendations for further improvements to Wrangell's water treatment system. Recommendations include:

- A. For long-term improvements, construct a new water treatment system based on the DAF treatment process.
- B. For short-term improvements, replace existing roughing filters with self-cleaning mechanical filters.
- C. Delay a Borough-wide water metering program.
- D. Continue pursuit of both grant and loan funding alternatives to pay for the water treatment system's improvements projects.

The Borough Assembly will review and discuss the water treatment improvements recommendations during a workshop scheduled for February 5, 2018, 5:30-7:00 p.m. CRW Engineers will also attend the workshop, by teleconference, to offer discussion regarding their evaluation and recommendations.

At their regularly-scheduled meeting on February 27, 2017, it is expected that the Borough Assembly will deliberate and take action for water treatment system improvements.

#### **Shannon & Wilson Desktop Groundwater Evaluation**

Shannon & Wilson completed the Groundwater Desktop Study. This study was developed to provide a general understanding of whether a viable groundwater source exists to supplement Wrangell's surface water supply of municipal drinking water.

The Shannon & Wilson report provides an overview of Wrangell's geologic setting, with descriptions of the various types of rock formation across the island and the assumptions of a potential groundwater source based on these types of formations, soil deposits and other subsurface information. Wrangell's geological setting was reviewed by way of USGS' geological

mapping, historical field investigations related to marble exploration, and USFS karst topography mapping. Deposits of sand and gravel are generally more conducive to groundwater wells, while bedrock is typically the least conducive of topography for successful development of a groundwater supply.

The report analyses Wrangell's historical well logs of which there are 36, mostly completed in bedrock. 11 logs reported flow rates of less than 1 gpm, 3 reported flow rates of 15-25 gpm (these were completed in sandstone or fractured rock), and others had no production information. 29 of the 36 wells were mapped in the ocean. The report states that without accurate well location, whether the wells encountered sand and gravel or weakly-cemented rock cannot be determined.

In conclusion, the Shannon & Wilson groundwater desktop study reports that, based on the available information, they did not identify a known aquifer system capable of producing a significant amount of Wrangell's municipal water demand and that there is low potential to develop a production well given the soil deposits identified to date in Wrangell.

It is not conclusive that conditions are not favorable; however, given the lack of subsurface information available, having had no one ever map the geology of Wrangell, no "hot spots" have been identified.

Based on certain available mapping information, there are two areas suggested as potential locations for further investigation to determine lower geology. One is on Mental Health Lands Trust where logging activities last took place on Ishiyama Drive several years ago. Although this area's early USGS mapping showed sedimentary rock (rock formed by deposits and solidification of sediment transported by water, wind and ice), the latest USGS maps, from 2015 do not indicate the same. The other potential area identified are State and Federal lands through the Pats Road valley; however, exposed bedrock along the roadway's slopes and the lack of subsurface information make understanding the viability of this area for groundwater production difficult without subsurface exploration.

If Wrangell decides to pursue further groundwater investigation in either of these areas, exploratory geotechnical drilling would be the next step in the process, which would cost well into the tens of thousands of dollars or more. Without geological mapping and with little or no assurance as to the accuracy, we would be more or less guessing about where to perform the exploratory drilling.

One other suggestion made by Shannon & Wilson is to explore the existing Shoemaker Bay well, which was decommissioned in 1999. While this water well was recorded to have produced only about 50 gallons per minute, at best, having the casing still intact could provide a feasible option to test the hydraulic properties of the bedrock aquifer in an effort to gain a sense of the groundwater potential at this site. Staff are exploring this as an option and will provide a subsequent report if and when a pump test is performed.

Shannon & Wilson's full groundwater desktop study report is attached.

## **Shannon & Wilson Dam Tap Phase I Evaluation**

Staff have received Shannon & Wilson's draft summary of the evaluation of the existing reservoir and dam conditions, which was necessary in order to consider a variety of dam tapping methods upon which to select the best alternative and thereafter develop full project design scope and costs for the Reservoir Bypass Connection project. A larger report of the Task I evaluation results will be provided to the Assembly and the public once staff completes their review of the alternatives summary with the engineers.

## **Shoemaker Harbor Replacement**

In an effort to protect public health and the environment, the CBW performed heavy metals and petroleum hydrocarbons contaminant testing of the Shoemaker Bay Harbor's basin soils from the proposed dredge area of the upcoming harbor replacement project. Testing is now complete and results have been reviewed against the contaminant levels listed by DEC. All of the analytes tested fall within DEC's cleanup limits, most with very little or no detection, which categorizes the dredge material as acceptable for uplands disposal. In-water disposal of the soils was considered; however, to pursue this option could delay the project for at least another four to six months with, potentially, little cost savings. It is in the best interest of the project to pursue uplands disposal for the dredged soils.

The next step in moving the project forward is to select an uplands disposal site for the dredged soils. Staff have identified several uplands disposal locations for the dredging soils, which could be made available to the project's successful Contractor. Each location has its own advantages and disadvantages, which have been outlined and will be presented to the Borough Assembly for review and site selection.

PND is nearly complete the 100% bid ready drawings and specification for the Shoemaker Harbor Replacement project and is awaiting further CBW-direction regarding the dredging soils' disposal site, as well as information regarding the disposal of the existing floats through surplus auction (the outcry auction is scheduled to take place at City Hall on Friday, February 16, 2018).

Once the dredging soils' disposal location is identified, PND will finalize the project's construction cost estimate, which staff will use to seek bonding for that portion of the cost that exceed the State grant and Harbor revenues, dedicated to the project. Assuming no complications with the bonding effort, the estimated project schedule has the project slated for competitive bidding in March. Following a construction award and allowing time for contracts, submittals/shop drawings, fabrication, delivery, and harbor vessel relocation, we expect an in-field construction start of September 2018.



## **Public Safety Building**

The CBW received the report from the third party consultant, Advance Look, related to their air quality sampling and moisture survey in the Public Safety Building. The report indicates that air quality at the time of the second inspection was within acceptable limits for present airborne particulates, MVOC and VOC levels were acceptable, Formaldehyde levels were acceptable (with two areas reporting moderate levels), and microbial levels were mostly within acceptable ranges.

The one exception to the normal microbial levels is that of one corner area in the Court's space. Based on recommendations in Advance Look's report, CBW staff have coordinated next steps with the Alaska Court System, by installing HEPA filters in the Court's space to improve the air quality. The report did not recommend other air quality mitigation efforts for the remainder of the building at this time; however, the report did make recommendations for air quality control during a future siding replacement project.

Interior wallboard and flooring systems were reported in fair to good condition, with minimal areas suffering from high moisture content. The interior drywall is reported to be functioning as designed.

Advance Look's report further addresses the moisture intrusion in the exterior wall system, which has already been documented through Jensen Yorba Lott's building envelope assessment. Further moisture remediation efforts would be implemented during the future siding replacement project, which remains on hold until a response to the CBW's CDBG grant application is received in March 2018.

## **Evergreen Avenue Reconstruction (CBW-owned, DOT-managed project)**

A report on Evergreen Avenue Reconstruction project was received as recent as last week.

With DOT having received the last of the property owners' Right of Way (ROW) documentation, ROW certification, through Federal Highways (FHWA), will soon begin. Once the ROW certification is final, DOT will be able to apply for funding with FHWA, which also triggers DOT's request for the CBW's full match. With funding in place, and a Notice to Proceed with FHWA, DOT can release the solicitation for competitive bidding. Design is complete, save for some final touches; however, given the Environmental Assessment's (EA) 90-day window has lapsed, DOT will be required to reevaluate the previously-performed environmental work. DOT estimates that, without complication in these last planning pieces, we could see the bidding phase begin as early as March 2018.

December 11, 2017

City and Borough of Wrangell  
PO Box 531  
Wrangell, Alaska 99929

Ms. Amber Al-Haddad, Director of Public Works

**RE: GROUNDWATER SUPPLY EVALUATION, WRANGELL ISLAND, ALASKA**

We are pleased to submit herein our revised groundwater supply evaluation for the above referenced project. Our November 2, 2017 letter was revised to include information on the former Shoemaker Bay well. The purpose of this project is to evaluate the potential for developing groundwater as a source of municipal drinking water. This work was conducted in accordance with our September 13, 2017 proposal. The scope of work was authorized by Ms. Kim Lane of the City and Borough of Wrangell (CBW) on September 29, 2017.

**BACKGROUND**

The CBW is located in Southeast Alaska as shown in Figure 1. Municipal drinking water is supplied to the CBW from two reservoirs located southeast of the City of Wrangell. The original lower crib dam was constructed in 1900 and the upper crib dam was constructed in 1935 (CRW 2017). Several upgrade projects have been completed since that time including earthen embankments over the original cribs, pipelines, and a water treatment plant. Water from the upper reservoir is discharged through its spillway to the lower reservoir via a small creek. Water from the lower reservoir is piped into the water treatment plant.

Historically, the flow from the reservoir system was inadequate to meet demand during cold weather (USGS 1950). The current system is able to supply approximately 900 gallons per minute (gpm) at maximum flow which is adequate to meet base demand (CRW 2017) but may not be adequate to meet peak demand. However, the current water treatment plant does not effectively treat the water to meet Alaska Department of Environmental Conservation (ADEC) requirements during the fall and spring seasons. The primary contaminant in the source water is turbidity.

The purpose of this study is to evaluate existing, public information to evaluate the potential for utilizing groundwater to meet drinking water demands. If available, groundwater typically

requires much less treatment to meet ADEC drinking water requirements. Successful development of groundwater supplies requires the presence of groundwater and the geologic conditions to efficiently pump the groundwater.

Groundwater wells in soil are typically developed in normally consolidated deposits of sand and gravel. While bedrock is typically not as conducive to groundwater production, productive wells can be developed where the rock is not intact (faults, shear zones, bedding planes, etc.) or from karsts (areas where the bedrock has been eroded). To avoid the potential for a Groundwater Under the Direct Influence of Surface Water (GWUDISW), and treatment of groundwater as if it were surface water, well intakes are typically completed 50 feet or more below ground surface (bgs).

### **GEOLOGIC SETTING**

Wrangell Island was covered with glacial ice during the Pleistocene Era. The main glaciation originated from the Stikine River basin, however lobes of ice carved low passes across the island near Thoms and Pats Lakes (Heusser 1960).

With the exception of isolated areas of natural soil and rock exposure, the undeveloped portions of Wrangell Island are covered by surface organics. Alluvial and glacial deposits underlie the surface organics to a depth of generally less than 15 feet bgs with the deeper deposits observed near larger streams (USGS 1995). The bedrock on Wrangell Island falls under two main types: metasedimentary and intrusive igneous rocks. As shown on Figure 2, the metasedimentary rocks dominate the northern and southern portions of the island. The metasedimentary rocks consist of schists, phyllite, greenschist, shale, and metamorphosed andesite (USFS Undated). The metamorphic rock formation is also described as having localized limestone deposits (USGS 1992, 2015). The intrusive igneous rock formations include granite, diorite, and gabbro (USGS 2015). Igneous formations are localized across the central portion of the island; however, they are also isolated occurrences scattered throughout terrain dominated by metasedimentary rock. Wrangell Island is rising at an estimated rate of 1.5 centimeters per year due to isostatic rebound (USFS undated).

Karsts are formed when the acidic surface water infiltrates into the ground and erodes carbonate-based rock (primarily limestone). Lawyers and Hole 52 Caves on the mainland just east of Wrangell Island are examples of karst formations in the region. In the early 20<sup>th</sup> Century there was a high demand for marble; a metamorphic product of carbonaceous rocks such as limestone.

Numerous field investigations were conducted in southeast Alaska and two potentially viable marble quarries were identified on the mainland just east of Wrangell Island (USGS 1920). A 17-mile long band of limestone was identified on the mainland and it was hypothesized that Blake Channel was formed by the erosion of this limestone (USGS 1920). No marble or limestone deposits were mapped on Wrangell Island in these studies. Figure 2 contains a bedrock map developed by USGS in 1992 where an area of sedimentary rocks including carbonaceous shale, mudstone, and greywacke with subordinate limestone is mapped in two areas of the southeast portion of Wrangell Island. These sedimentary rocks are not included in the 2015 USGS map. It is unclear if this was an unintentional omission or if additional information was available when the 2015 map was compiled. No faults or shear zones are noted on Wrangell Island on either map.

### **WELL LOG REVIEW**

Shannon & Wilson searched the Alaska Department of Natural Resources (DNR) Well Log Tracking System (WELTS) to locate existing wells on the Island of Wrangell. A total of 36 well logs were located on the island. It is important to note that the geologic descriptions on well logs are not always complete or accurate and flow rates reported are estimated by the drilling crew. Additionally, the location of the wells is not always accurate; 29 of the identified wells were mapped in the ocean.

Based on our review, all of these wells were completed in bedrock. Several of the wells do not have production information included; 11 of the reported flow rates are less than 1 gpm. Three wells were identified that reportedly produced between 15 and 25 gpm. These wells were completed in sandstone or fractured rock. On the logs, fractured rock was typically associated with thin layers of quartz deposits.

One well that reportedly produced 15 gpm, with an unknown location, was described as having 48 feet of sand and gravel on top of bedrock. In the other wells bedrock was typically within 10 feet of the surface. Without an accurate well location we can't determine if the well encountered sand and gravel or weakly-cemented rock.

One water quality sample result from 1959 was located from the former Wrangell Institute. Based on the sample results, the water is moderately hard and has a pH of 8.7. Iron and manganese were not detected in the sample. Based on the Langelier Saturation Index the water would be slightly corrosive. The hardness and pH results appear to contradict each other; it

appears that the pH result is suspect. Based on the limited analytes sampled, it is not possible to offer an opinion on whether the groundwater would likely meet current ADEC requirements.

### **ADDITIONAL REVIEW**

Four subsurface water rights appropriations by ADNR were identified on Wrangell Island. The largest authorized withdrawal identified was 4,000 gallons per day (gpd) or about 2.5 gpm for constant pumping. This authorization was reduced to 1,500 gpd in 1993 for undocumented reasons.

We reviewed boring logs and excavation information from eight projects conducted by Shannon & Wilson in the CBW. Because of the nature of the projects, no samples or descriptions of the bedrock encountered were included. With the exception of the borings conducted through the Upper Reservoir Dam, bedrock was typically encountered within 15 feet of the ground surface. While bedrock was deeper at the Upper Dam site, most of the soil that was encountered was imported fill for the dam construction.

Groundwater was considered a possible drinking water source for the Federal Aviation Authority (FAA) facility on Wrangell island (USGS 1995). Laboratory sample results from five groundwater wells in the area are presented in this report. The results are similar to the results from the former Wrangell Institute water system, with the exception that the pH is lower (more acidic).

The terrace to the east of the City of Wrangell is suggested as a potential location for a groundwater production well (USGS 1950). No map is included of this location; we assume that this location is in the general area where the Mental Health Land Trust recently logged.

The Wallace Drilling Company appeared to drill the majority of the water wells on Wrangell Island. We could not locate the Wallace Drilling Company; conversations with longtime well drillers in Alaska suggested that the company went out of business in the late 1980's.

We conducted an interview with a local excavator (Mr. Todd White). Mr. White has conducted numerous excavations on the Island of Wrangell and operates a quarry. During his career Mr. White has not encountered, or heard of others encountering, limestone deposits on Wrangell Island. He also indicated that many of the wells on the island have high iron content.

We also reviewed the ADEC's contaminated sites maps for information on groundwater on Wrangell Island. Rock coring was conducted as part of hydrogeologic study for a proposed monofill located in a former rock quarry near Pat Creek. The bedrock encountered was described as fractured schist and hornfels (Ahtna 2017) and was only cored about five feet below the bedrock contact. It is unclear if the fractures were natural or the result of blasting.

The Tongass National Forest – Petersburg Supervisors office (Forest) was contacted about subsurface information on Wrangell Island. They stated that Pats Road had been constructed in the 1960's as a pioneer road and no subsurface information is available. They provided a map of quarry locations on Wrangell Island, however the information only includes location and does not describe the type of rock encountered. The Forest also provided a map of karst topography for the Tongass National Forest; this map did not show karst topography on Wrangell Island.

### **SHOEMAKER BAY WELL**

On November 30, 2017 the CBW provided information on a former well located near Shoemaker Bay, just north of the former Wrangell Institute site. Based on the schematic provided, the well penetrated 160 into bedrock that was located below 300 feet of clay (total depth of 460 feet). Up to 50 gpm is reported originating from fractures in the bedrock. According to the information provided, the well was producing 20 gpm under flowing artesian conditions. Groundwater from the well was pumped into a 30,000-gallon storage tank before distribution.

A 1985 water quality sample from the well indicated that it met primary contaminant maximum contaminant levels applicable at that time. Production from the well was stopped in December 1998, presumably because the municipal water system had been extended to this area.

The information provided by CBW included the ADEC's Public Water System number. With that information, we were able to locate a portion of the ADEC file regarding the Shoemaker Bay well. Other than standard sampling information for nitrates, the only other information in the file was a 1991 sanitary survey conducted by the ADEC. The sanitary survey indicates that the well had three service connections and served a non-resident (transient) population of 35 at the harbor. The sanitary survey indicates that no treatment or disinfection system was used in the water system.

While the sanitary survey does not indicate how much water the well was capable of producing, it does indicate that the source is not adequate in capacity. Additionally, it indicates that seasonally the system pressure is not adequate.

### **SUMMARY/CONCLUSIONS**

Based on the information reviewed, we did not identify a known aquifer system that is capable of producing a significant percentage of the 900 gpm water demand. While the geologic conditions as described in literature are not favorable, there is also very little subsurface information to support the geologic descriptions in the literature. There may be geologic conditions on Wrangell Island that may be conducive to groundwater production.

It is our opinion that there is a low potential to develop a production well in soil deposits. The soil deposits are typically not thick enough to produce sufficient quantities of water and what could be produced would likely be a GWUDISW. One potential area for sufficient thickness of unconsolidated deposits is the broad, glacial valley surrounding Pats Creek road. However, the thickness of the soil deposits in this area cannot be confirmed through available subsurface information. Photographs taken from the road by CBW personnel show exposed bedrock slopes.

Karst aquifers have been developed worldwide to provide municipal drinking water. Karst topography has been identified in the limestone deposits in southeast Alaska. However, no known limestone deposits are located on Wrangell Island. The most likely location of limestone, based on geologic mapping, appears to be on the eastern side of the island.

Most of the well logs reviewed indicated that groundwater for residential wells, and one former public well, is produced from fractured quartz deposits. When a description was included, the quartz deposits were generally one foot or less in thickness. It is possible that a large-diameter well completed through multiple quartz layers could produce more significant quantities of water than has been historically produced on Wrangell Island. Based on our experience with similar bedrock wells in Alaska, we expect that even if successful, the flows would be limited to a few hundred gpm.

### **FUTURE STUDIES**

A more detailed evaluation of the potential groundwater supplies in the CBW is not possible without significant subsurface explorations. However, some additional information could be generated if the former Shoemaker Bay well casing is intact. If the well casing is intact, an

inspection and pumping test could generate additional information about potential fractured-bedrock aquifer at a much lower cost than subsurface investigations.

The first step in the evaluation would be to conduct a subsurface camera inspection of the Shoemaker Bay well. The purpose of this inspection would be to evaluate the casing for soundness, the total depth of the well, and attempt to log the portion of the well completed in bedrock. A pumping test could then be conducted to evaluate the hydraulic properties of the bedrock aquifer. If a substantial flow (more than 100 gpm) can be generated from the well, the pumping test should be continued for at least 24 hours. This information could be used to evaluate whether a larger-diameter well in this location could provide more groundwater. Based on our review, water rights were not appropriated for this former well by ADNR; therefore, a Temporary Water Use Authorization (TWUA) would be required prior to the pumping test.

### **CLOSURE AND LIMITATIONS**

The analyses, conclusions, and recommendations contained in this report are based on interpreted site conditions from existing documents, and further assume that the reviewed subsurface information is representative of the subsurface conditions throughout the area; that is, the subsurface conditions everywhere are not significantly different from those disclosed by the historical documents. If subsurface conditions different from those encountered in the explorations are encountered or appear to be present during future site work, we should be advised at once so that we can review these conditions and reconsider our recommendations, where necessary.

Within the limitations of scope, schedule, and budget, the analyses, conclusions, and recommendations presented in this report were prepared in accordance with generally accepted professional engineering principles and practice in this area at the time this report was prepared. We make no other warranty, either express or implied. These conclusions and recommendations were based on our understanding of the project as described in existing records.

This report was prepared for the exclusive use of our client, CBW, and their representatives for evaluating the site as it relates to the hydrogeologic aspects discussed herein. Our report, conclusions, and interpretations should not be construed as a warranty of subsurface conditions included in this report.



City and Borough of Wrangell  
Ms. Amber Al-Haddad  
December 11, 2017  
Page 8 of 11

SHANNON & WILSON, INC.

We appreciate this opportunity to be of service. Please contact the undersigned at (907) 433-3214 with questions or comments concerning the contents of this letter.

Sincerely,

**SHANNON & WILSON, INC.**  
**AEC C125**



Stafford Glashan, P.E.  
Senior Engineer III

Encl: Figure 1 – Vicinity Map  
Figure 2 – Geologic Map  
Attachment 1 – Selected Well Logs and Pages from Prior Studies  
Attachment 2 - Important Information about your Geotechnical/Environmental Report

## REFERENCES

AHTNA, 2017, *Proposed Wrangell Monofill, Report of findings, Wrangell, Alaska*, January 27

CRW, 2017, *Water Treatment Plant Upgrades Project, Preliminary Engineering Report, City and Borough of Wrangell, Alaska*, March

Heusser, 1960, *Late-Pleistocene Environments of North Pacific North America*, C.J.

USFS, *Undated, Wrangell Island Analysis Report*

USGS, 1920, *Marble Resources of Southeastern Alaska*, by E.F. Burchard

USGS, 1950, *Geological Survey Circular 169, Summary of Groundwater Development in Alaska* by D.J. Cederstrom

USGS 1995, *Open-File Report 95-344, Overview of Environmental and Hydrogeologic Conditions at Wrangell, Alaska*

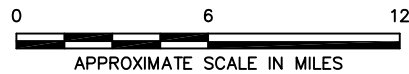
USGS 1995, *Geologic Map of Southeastern Alaska*, by G.E. Geherls and H.C. Berg

USGS 2015, *Geologic Map of Alaska, Scientific Investigations Map 3340*, by F.H. Wilson, C.O. Hults, C.G. Mull, and S.M. Karl



**NOTES**

- 1. Map adapted from aerial imagery provided by Alaska Mapper.
- Approximate location of ADNR appropriated subsurface water right.  
L 1518

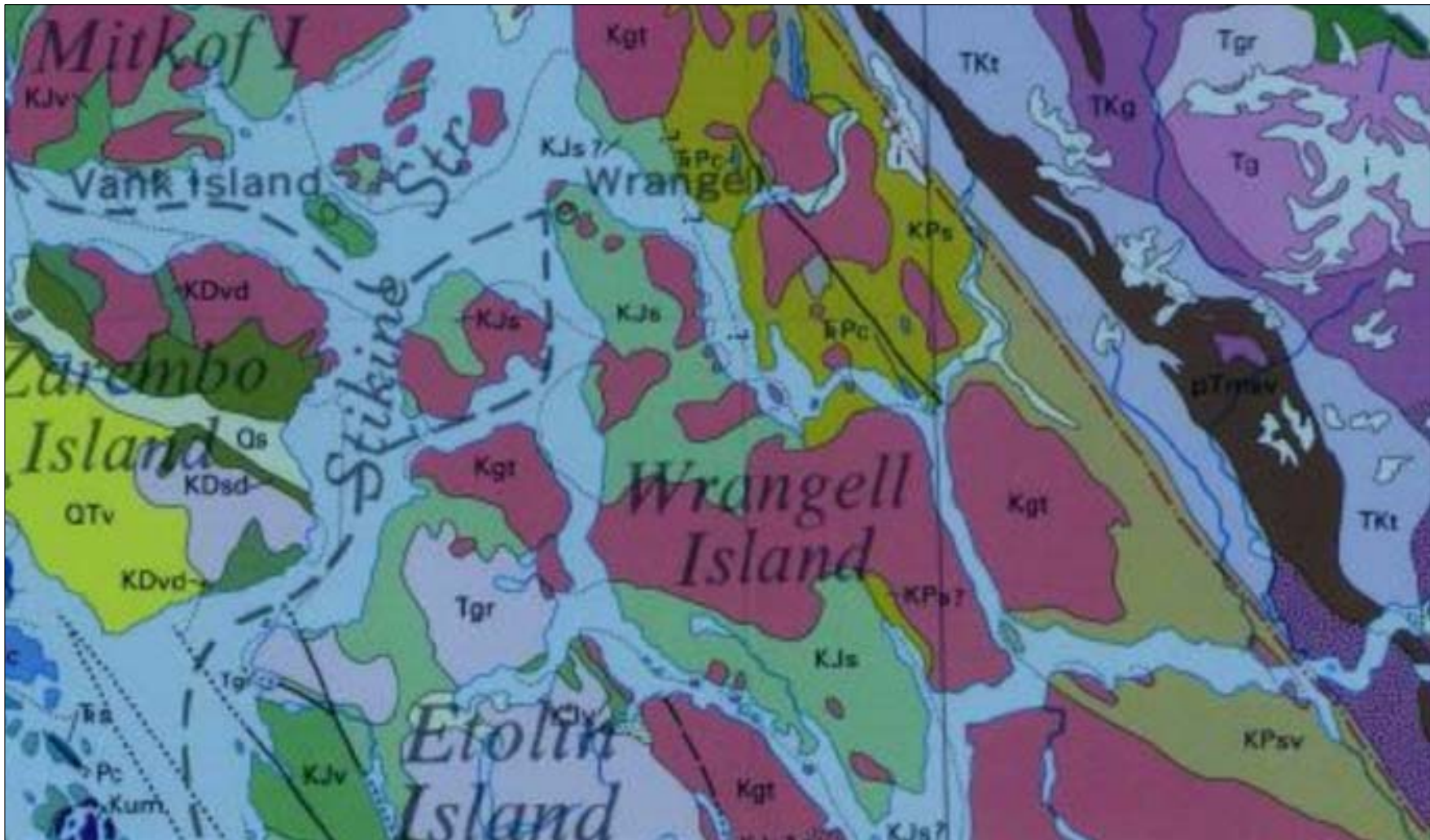


Groundwater Supply Evaluation  
Wrangell Island, Alaska

**VICINITY MAP**

December 2017

32-1-20045



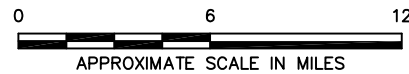
**NOTES**

Map adapted from USGS Geologic Map of Southeastern Alaska, 1992

KJs - Metasedimentary Rocks

Kgt - Intrusive Igneous Rocks

KPs - Sedimentary Rocks



Groundwater Supply Evaluation  
Wrangell Island, Alaska

**GEOLOGIC MAP**

December 2017

32-1-20045



SHANNON & WILSON, INC.  
Geotechnical and Environmental Consultants

**FIG. 2**

## MEMORANDUM

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

**FROM: LISA VON BARGEN  
BOROUGH MANAGER**

**SUBJECT: Use of State, Federal or Other Municipal Contract Awards for CBW  
Procurement**

**DATE: January 23, 2018**

### **INFORMATION:**

Chapter 5.10 of the Wrangell Municipal Code outlines the requirement and procedures for procurement of Borough goods and services. Section 5.10.010 (When competitive bidding is not required.) outlines the instances when a competitive bid is not required. One of those instances, use of state, federal or other government contracts, is outlined below in Subsection I:

#### **Subsection I:**

“When it is advantageous to the borough to enter into a contract with a bidder for the same supplies or services such bidder is providing another Alaskan local government, the State of Alaska, or the United States where such supplies or services are being provided the other government unit on the basis of formal bids submitted and where the borough contract is on substantially the same terms as those bids, or to contract with or through such other government unit so that the benefit of the lowest and best responsible bid accrues to the borough.”

What this means is that the CBW may purchase equipment, or other supplies, from a vendor that has provided a price to another government entity through a competitive bid process. The best example of this is the State of Alaska Equipment Fleet Contracts. The State of Alaska goes out for bid for the equipment it is going to need. The State then enters into contracts with the most responsive bidder to provide a piece of equipment for a specific price. These contract prices – obtained through competitive bid by the State – are available for use by municipalities. Often the price quoted to the State is a much better rate than any small municipality could obtain because of the volume of equipment purchased by the State (and other municipalities) under this contract. Essentially, the State has gone through the trouble of bidding for us. There are also federal, and other municipal associations throughout the US whose contracts can be “tagged on to” to leverage better pricing for items.

For more detailed information please see the State’s Fleet Contract Awards webpage. Here, municipalities can download spreadsheets outlining the specific characteristics of equipment under contract at a certain pre-bid price. <http://fleet.alaska.gov/awards.shtml>

There are instances where it may be very beneficial for the CBW to use this option – specifically heavy equipment like graders and loaders, and police vehicles. However, it extends to smaller equipment as well.

Administration considered using this option for the purchase of the Generator, approved for purchase at the last meeting. The Caterpillar representative directed the CBW to the National Joint Powers Alliance (NJPA), which is a municipal national contracting agency, which establishes and provides nationally-leveraged and competitively-solicited purchasing contracts under the guidance of the Uniform Municipal Contracting Law. NJPA contracts have been competitively solicited nationally, reviewed, evaluated by committee and recommended to the NJPA Board of Directors for award in accordance with Minnesota public purchasing and contracting rules, guidelines and regulations applicable to NJPA. Each RFP advises all responders that NJPA most desires and invites a vendor whom can sell and service participating member agencies in all fifty states. Eligible members include any unit of government, education (K-12 and higher education) or non-profit agencies nationwide. There is no cost to governments to become members, and the CBW has submitted an application and received a member number so this option can be used in the future if advantageous.

NC Power Systems' price under the NJPA contract was \$41,463 for a 175 kW generator. In the end, by going to competitive bid, the Borough ended up paying \$40,194 for a 150 kW generator. The savings to the Borough (excluding staff time and advertising costs), for a smaller generator is \$1,269.

In the future, the Administration would like to use this option when it makes sense for the Borough. Staff does understand that using this procurement methodology precludes local contractors from bidding on some CBW equipment purchases. There is a balance between obtaining the best value for the Borough and supporting local businesses. Hopefully we can do both.



## CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

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

### City and Borough of Wrangell Goals Update February 1, 2018

#### **Goal: Hospital Operating Solution**

Much has changed since the goals were adopted in November of last year regarding a **Community Healthcare Solution**. Despite that, the current milestone is as follows and we are right on target.

#### Current Milestone

February 2018

Approve Professional Services Agreement for Healthcare Consultant

#### Status

On February 6<sup>th</sup> the Assembly will be taking action on the Professional Services Agreement with Dorsey & Whitney, LLP for Healthcare Consulting Services.

#### Next Steps

Review of the Non-Binding Letter of Intent with SEARHC by Dorsey & Whitney. Approval of Letter of Intent by Assembly (February 23<sup>rd</sup>), and finalization of exploration process with SEARHC.

#### **Goal: Hospital Facility Solution**

This has been wrapped into the Hospital Operating Solution goal to be part of the overall **Community Healthcare Solution**. As such, there is no separate update.

#### **Goal: Water Treatment Solution**

#### Current Milestone

Late January 2018

Solution Decision by Assembly

#### Status

There is a work session scheduled for February 5<sup>th</sup> to for the Assembly and Administration to have a discussion about the solution. Action on the solution is scheduled for Assembly approval on February 23<sup>rd</sup>.

#### Next Steps

This will be contingent upon Assembly adoption of Administration's recommendation. First Quarter 2018: 1) move forward with replacement and expansion of Roughing Filters; 2) Begin Finalization of Funding Package; and 3) RFP and award for design of treatment solution.

**Goal: Shoemaker Bay Harbor**

The solution for the dredge material has skewed the schedule from what was originally expected to be possible.

Current Milestones

January 2018	Design/Engineering Complete
February 2018	Issue Construction Bid Package

Status

The testing of the dredge material was completed in January. The design package is also complete. At the first meeting in January the Assembly approved the disposal of the floats via outcry auction. That will take place on February 16<sup>th</sup>. The Assembly will be taking action on February 6<sup>th</sup> on a solution for the dredge material. Once the results of the auction are in, and a dredge decision is made, the budget can be finalized and the application to the bond bank can be submitted. The Assembly is also taking action at the February 6<sup>th</sup> meeting on a resolution re-affirming the maximum bond amount for the project. The project should go out to bid in early March with construction to begin in the fall of this year.

Next Steps

Submittal of bond bank application in February. Project out to bid in March.

**Goal: Wrangell Junkyard Cleanup**

Current Milestones

February 1, 2018	Deadline for \$8 Million Additional Funds for Off-Island Disposal
April 1, 2018	ADEC/Contractor resume disposal work at Pats Creek Pit site

Status

ADEC was in Wrangell last week looking at additional disposal sites on the island. There is a letter to ADEC on the agenda for Assembly consideration on February 6<sup>th</sup>. WCA has taken a lead role in addressing this issue.

Next Steps

Continue working with ADEC and WCA for a solution. If the Pat's Creek site is determined as the disposal location, work to develop on-going monitoring program with ADEC.

**Goal: Wrangell Institute Property/ANSEP Boarding School Concept**

The future work on this item was listed in the Goals as To Be Determined. Action on support of the concept was tabled at AFN last fall. The current activity has been wait to see if action occurs at the AFN Board level.

Current Milestone

TBD	Schedule of Future Work & Responsibilities
-----	--

Status



The week representatives from Tlingit/Haida Central Council met with Administration as they are submitting a letter to AFN asking to be on the AFN Board Meeting Agenda in February for action on the ANSEP School Concept. They requested confirmation from Administration about the Borough's commitment to providing land for the project. The Manager advised them the Assembly has been supportive in concept, but far more planning at the local level needs to take place to understand the concept, the relationship within the school district, the educational model, the facility and especially the development requirements the Borough might need to be responsible for or participate in regarding the school facility and any development associated with an influx of residents who will be school faculty and employees.

Next Steps

A letter affirming conceptual support is on the agenda for action by the Assembly at the February 6<sup>th</sup> meeting. The local committee needs to reactivate the planning efforts to address the items outlined above.

**Goal: Nuisance/Junk Car Abatement/Scrap Metal Recycling**

Current Milestones

April 2018	New Media Blitz on Enforcement
May 2018	Greater Enforcement Program Begins

Status

Letters are out to property owners. Channel Construction expected in Wrangell in February.

Next Steps

Will be ramping up notification of enforcement to the community. Working, still to get vehicles removed from Harbor areas and ROWs.

**Goal: Lobbying - State Legislative Priorities/Federal Legislative Priorities**

Current Milestones

December 2017/January 2018	Work Session with Assembly/State Delegation/State Lobbyist
TBD February 2018	Lobbying Trip to Juneau (?)
Early January 2018	Federal Legislative Priorities Work Session with Assembly
Late January 2018	Assembly Approves Federal Legislative Priorities
January/February 2018	Assembly Work Session with Federal Lobbyist & Delegation Staff
TBD March 2018	Lobbying Trip to Washington DC

Status

The Assembly held a work session at the first meeting in January with Representative Ortiz and the CBW State Lobbyist. Administration met with Senator Stedman just prior to that. The Assembly approved the State Priorities at that same meeting. The Manager will be attending SE Conference in Juneau February 13-14. The State Lobbyist is setting up meetings with members of the legislature and the administration for the Manager to attend on February 12<sup>th</sup>.

The Assembly will be discussing the Federal Legislative Priorities at the February 6<sup>th</sup> meeting. These were developed in concert with the CBW Federal Lobbyist. The Assembly will take action on the Federal

Priorities on February 23<sup>rd</sup>. The Federal Lobbyist has said if Wrangell would like to make a DC visit this year anytime in March or April is fine.

Next Steps

Discussion and approval of the Federal Priorities by the Assembly in February. Making a decision about a DC Lobbying trip in the spring.

**Goal: Personnel Policy**

Current Milestones

November/December 2017	Manager Second Review of Draft Changes Executive Staff Review of Draft Changes General Staff Review of Draft Changes
January 2018	Initial Assembly Work Session Attorney/Insurance Review of Draft Changes
February-March 2018	Follow-Up Assembly Work Sessions
Late March 2018	Assembly Adoption of Personnel Policy Revisions

Status

Of all the Goals this is the one that keeps “dropping of the table.” Although, the agenda for February 6<sup>th</sup> includes discussion items on two different sections of the policies. Finalization of this is likely going to happen in late spring.

Next Steps

Follow the milestones as outlined above with a start timeframe in February.

**FY19 Budget Pre-Planning Components**

**This is a discussion item on the agenda for February 6<sup>th</sup> to set budget policy and schedule.**

	<b>Major Maintenance-Streets/Sidewalks Schedule Development (Surface Condition)</b>
Late Fall 2017	Development of Inventory & Replacement Schedule
	<b>Major Maintenance-Water/Sewer Schedule Development (Underground Utilities)</b>
Mid-Late Summer 2018	Development of Inventory & Replacement Schedule (for 2020 Budget)
	<b>Major Equipment Replacement Schedule Development</b>
Early Winter 2017	Development of Inventory & Replacement Schedule
	<b>CIP/MM Project Evaluation Process</b>
January-March 2018	CIP/MM Budget Development – to include: In-House Group Department Director Evaluations Evaluation Committee Public Process

**Consolidated IT Services – Department Directors are submitting needs. The RFP will go out in time to have budget numbers for the FY19 budget.**

October 2017	Interim Solution
November-December 2017	Discussions on Possible Shared IT Service w/ Other Agencies Statewide RFP for IT Services if Necessary

**Succession Planning – On going**

January-March 2018

**Municipal Entitlement Lands**

**Zaremba Island/Thom’s Place/Earl West – On Target**

Spring 2017	P&Z Commission/ED Committee Zoning Recommendations
Early 2018	Re-Engage on Zoning Recommendations
	Zoning Ordinance Action by Assembly
Spring 2018	Development of Plan to Sell Property
Summer 2018	Property Sale

**Remaining Entitlement Land**

Temporarily in Parking Lot

**Land/Property Development – On Target**

**National Guard Armory**

Fall 2017	Staff Discussions/Evaluations
Spring 2018	P&Z Commission/ED Committee Recommendations
Spring 2018	Development of Potential Plan to Sell Property
Summer 2018	Potential Property Sale

**Byford Junkyard**

Temporarily in Parking Lot until Solution for Treated Soil is Determined

**Former Wrangell Institute Property**

Please see ANSEP Summary

**Former Mill Site Property**

October/November 2017	Re-engage Conversations with Property Owner
	Engage with Potential Private Sector Developer

Currently having meetings regarding the status of this property.

**Waterfront Master Plan**

Temporarily in Parking Lot

**Economic Development Strategy**

More discussion is necessary up front with the Assembly and the Administration and the Economic Development Committee before any milestones and dates are outlined.

Early January	Administration/ED Committee Work Session
Late January 2018	Joint Work Session Assembly/ED Committee
TBD	Future Milestones/Schedule

Work on this will begin in February and March.

**Items to be Worked into Schedule Following Further Consideration**

**Risk Management/Safety Planning/ICS Training**

Work on this is beginning. Had a hotwash with staff following the Tsunami Warning and the Rock Slide. There will be a report for the Assembly at the second meeting in February.

**Financial Planning**

**Procurement Policy**

**Preparation for Union Negotiations (CBA Expires June 30, 2020)**

**Hazard Mitigation Plan**

A re-write of this is about to begin.

**Dam Stabilization Project Planning**

Once the hazard Mitigation Plan is complete grant work for planning will begin.

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>8</b>	<u>Date</u>	February 6, 2018
Clerk's File				
<u>SUBMITTED BY:</u>				
Kim Lane, Borough Clerk				

CALENDAR:

- 2-8 Planning & Zoning Commission Mtg. at 7:00 p.m. in the Assembly Chambers
- 2-14 Parks & Recreation Mtg. *rescheduled* from Feb. 7<sup>th</sup> at 7:00 p.m. in the Assembly Chambers
- 2-13 ASSEMBLY: Regular Assembly Mtg. at 7:00 p.m. - Request to Cancel on this meeting.
- 2-16 Public Outcry Auction for the Shoemaker Harbor Floats at 2:00 p.m. in the Assembly Chambers

SEAPA Second meeting in 2018 is scheduled for June 19-20 in Wrangell



The Southeast Conference Mid-Session Summit will take place from February 13<sup>th</sup> through February 14<sup>th</sup> in Juneau.

Assembly Member Decker will be attending.



Alaska Municipal League  
*Local Government At Its Best*

Alaska Municipal League  
 Alaska Conference of Mayors /  
 Winter Legislative Conference

**(2 members allocated to attend)**

To be held in Juneau from February 20<sup>th</sup> through February 23<sup>rd</sup>, 2018

Assembly Member Prysunka and Mayor Jack will be attending.

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>9</b>	<u>Date</u>	February 6, 2018
Mayor and Assembly Business				
<u>SUBMITTED BY:</u>				
Kim Lane, Borough Clerk				
<u>ATTACHMENTS:</u>				
None.				

**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>	<b>10</b>	<u>Date</u>	February 6, 2018
Mayor and Assembly Appointments				
<u>SUBMITTED BY:</u>				
Kim Lane, Borough Clerk				
<u>ATTACHMENTS:</u>				

**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.

➤ **Item 10a City Boards and Committee Appointments**

- Planning & Zoning Commission (unexp. until 10-2019)
- Planning & Zoning Commission (unexp. until 10-2020)

*There were no letters received for the above vacancies.*

*Appointments to be filled by the Mayor with the consent of the assembly for the various seats with.*

**Recommended Action if not approved with the consent of the Assembly:**

*Motion: Move to appoint \_\_\_\_\_ to fill the vacancy on the \_\_\_\_\_ for the term up until October \_\_\_\_\_.*

**CITY & BOROUGH OF WRANGELL, ALASKA**

**BOROUGH ASSEMBLY PUBLIC HEARING AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>11a</b>	<u>DATE:</u>	February 6, 2018
<b>PROPOSED ORDINANCE NO. 938:</b> AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 5.04.040 OF THE WRANGELL MUNICIPAL CODE, SENIOR CITIZEN AND DISABLED VETERAN PROPERTY TAX EXEMPTION QUALIFICATIONS				
<i>(second reading)</i>				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
Lee Burgess, Finance Director			<b>Expenditure Required:</b> none	
			<b>Amount Budgeted:</b> none	
			<b>Account Number(s):</b> none	
			<b>Account Name(s):</b> none	
<u>Reviews/Approvals/Recommendations</u>				
n/a	Commission, Board or Committee		<b>Unencumbered Balance(s) (prior to expenditure):</b>	
Name(s)			none	
<input checked="" type="checkbox"/>	Attorney			
n/a	Insurance			
<u>ATTACHMENTS:</u>				
1. Proposed Ordinance No. 938.				

**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 Adopt Ordinance No. 938.

**SUMMARY STATEMENT:**



Last year, Wrangell had 230 successful senior property tax exemption applicants (for exemptions totaling \$25,525,213.60 of assessed value, or \$316,341.22 in tax revenue), the most per capita in the state. Currently, Wrangell Municipal Code 5.04 requires all eligible applicants to re-file the same application every year. In the past it had been typical that applicants would call and request blank applications be mailed to them, or come to City Hall and ask for copies, and then also ask for staff to look up the information the application requires. At some point the process evolved such that, as a courtesy, staff would use prior years' tax roll data and execute data merge functions in order to partially pre-fill the subsequent year's applications on applicants' behalf, and then mail the individualized pre-filled applications to each successful prior year applicant.

When these re-applications are received, staff reviews them for completeness, personally contact any whose applications are incomplete, and complete a clerical staff-only section of each document by hand. This process has evolved such that it now takes days' worth of staff time to administer the senior property tax exemption application process. Staff also receive numerous inquiries each year regarding the application document, when it will be available, how and when they can obtain one, and concerned requests for confirmations that their application will be approved.

The requirement to re-file the application each year after the first successful application is a code requirement, not a State of Alaska requirement. The Petersburg Borough, for example, does not require annual reapplications for this exemption. The primary intent of this proposed ordinance is therefore to discontinue the requirement upon eligible seniors to re-file the exemption application every year after the first successful application.

The secondary purpose of the proposed ordinance is to update for accuracy the section concerning review and verification of eligibility criteria for the senior exemption. Currently the code identifies the assessor as the primary party responsible for this review and adjudication process. In actuality, this responsibility ultimately falls to the Finance Director and departmental staff. Changes are therefore made to identify the Finance Director as the staff that ultimately scrutinizes the list of exemptions to verify those receiving it still meets required criteria. This is also consistent with the Petersburg Borough which, like Wrangell, does not staff its own Assessment Department.

Most of the time savings staff will yield from the proposed changes, if approved, will be reallocated to more thorough review of exemption eligibility, tax roll completeness, and development of policies and procedures for the assessment process as it relates to the new Computer-Aided Mass Appraisal software the Borough is currently in the middle of implementing. Review of the senior exemption list will continue to be accomplished through inspection of internal utility records and data, access to the State of Alaska's Permanent Fund Dividend eligibility data, and if ultimately necessary on a case-by-case basis, direct communication with the individual(s) to require further documentation that substantiates continued eligibility.

In summary, the proposed changes would remove a significant documentation burden on Wrangell seniors while also eliminating time-consuming work for the Finance Department that is ultimately of little added informational value, unnecessary, and therefore inefficient.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 938

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 5.04.040 OF THE WRANGELL MUNICIPAL CODE, SENIOR CITIZEN AND DISABLED VETERAN PROPERTY TAX EXEMPTION QUALIFICATIONS

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

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **bolded and in brackets** are to be deleted].]

SEC. 1. Action. The purpose of this ordinance is to section 5.04.040 of the Wrangell Municipal Code, relating to senior citizen and disabled veteran property tax exemption qualifications.

SEC. 2. Amendment of Section. Section 5.04.040 of the Wrangell Municipal Code is amended to read:

**5.04.040 Senior citizen and disabled veteran exemption qualifications.**

A. Pursuant to AS 29.45.030(e) and the requirements of this section, the first one hundred fifty thousand dollars of assessed value of [The] real property owned and occupied as the primary residence and permanent place of abode by the following persons is exempt from taxation:

1. A resident 65 years of age or older on January 1st of the assessment year; or
2. A resident who is a disabled veteran on January 1st of the assessment year; or
3. A resident at least 60 years old on January 1st of the assessment year who is the widow or widower of a person who qualified for an exemption under subsections (A)(1) or (A)(2) of this section. **[is exempt from taxation on the first \$150,000 of the assessed value of the real property. Only one exemption may be granted for the same property, and if two or more persons are eligible for an exemption for the same property, the parties shall decide between or among themselves who is to receive the benefit of the exemption. Real property may not be exempted under this subsection if the assessor determines, after notice**

**and hearing to the parties, that the property was conveyed to the applicant primarily for the purpose of obtaining the exemption. The determination of the assessor may be appealed under AS 44.62.560 through 44.62.570.]**

B. To be eligible for an exemption under subsection (A) of this section, for a year the individual applying for an exemption must also meet requirements under one of the following subsections:

1. The individual shall be eligible for a permanent fund dividend under AS 43.23.005 for that same year or for the immediately preceding year; or
2. If the individual has not applied or does not apply for one or both of the permanent fund dividends, the individual would have been eligible for one of the permanent fund dividends identified in subsection (B)(1) of this section had the individual applied.

C. Only one exemption under subsection (A) of this section may be granted for the same property, and if two or more persons are eligible for an exemption for the same property, the parties shall decide between or among themselves who is to receive the benefit of the exemption. Real property may not be exempted under subsection (A) if the Finance Director determines, after notice and hearing to the parties, that the property was conveyed to the applicant primarily for the purpose of obtaining the exemption. The determination of the Finance Director may be appealed under AS 44.62.560 through 44.62.570.

D. An exemption may not be granted under subsection (A) of this section except upon written application for the exemption on a form designated by the [assessor] Borough. The claimant must file the application no later than March 1st of the first assessment year for which the exemption is sought. The assembly, for good cause shown, may waive the claimant's failure to make timely application for exemption for that year and authorize the [assessor] Finance Director to accept the application as if timely filed. To be considered by the assembly, a request to waive the claimant's failure to make timely application for exemption must be in writing and filed no later than April 15th of the assessment year for which the exemption is sought. [The claimant must file a separate application for each assessment year in which the exemption is sought. If an application is filed within the required time and is approved by the assessor, the assessor shall allow an exemption in accordance with the provisions of this section.]

E. If the application for exemption is approved after taxes have been paid, the amount of tax that the claimant has already paid for the assessment year for the property exempted shall be refunded to the claimant.

F. The [assessor] Finance Director shall require proof in the form the [assessor]

Finance Director considers necessary of the right to and amount of an exemption claimed under subsection (A) of this section and shall require a disabled veteran claiming an exemption under subsection (A) of this section to provide evidence of the disability rating. The ~~[assessor]~~ Finance Director may require proof of eligibility for exemption under this section at any time.

G. Subsequent annual applications for exemption under this section shall not be required. It shall be the responsibility of every person who obtains a property tax exemption under this section to notify the Borough of any change in ownership, property use, residency, permanent place of abode, status of disability, or other factor affecting qualification for the exemption. The finance director may at any time demand proof of current eligibility for exemption under this section.

[C]H. In this section:

1. “Disabled veteran” means a disabled person:

- a. Separated from the military service of the United States under a condition that is not dishonorable, who is a resident of the state, whose disability was incurred or aggravated in the line of duty in the military service of the United States, and whose disability has been rated as 50 percent or more by the branch of service in which that person served or by the Veterans’ Administration; or
- b. Who served in the Alaska Territorial Guard, who is a resident of the state, whose disability was incurred or aggravated in the line of duty while serving in the Alaska Territorial Guard, and whose disability has been rated as 50 percent or more;

2. “Real property” includes but is not limited to mobile homes, whether classified as real or personal property for municipal tax purposes.

SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 4. Severability. If any portion of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

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

PASSED IN FIRST READING: January 9, 2018.

PASSED IN SECOND READING: \_\_\_\_\_, 2018.

\_\_\_\_\_  
David L. Jack, Mayor

ATTEST:

\_\_\_\_\_  
Kim Lane, Borough Clerk

Yes: \_\_\_\_\_

No: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstaining: \_\_\_\_\_

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13a</b>	<u>DATE:</u>	February 6, 2018
<b>PROPOSED ORDINANCE NO. 939: AN ORDINANCE OF THE ASSEMBLY OF THE CITY &amp; BOROUGH OF WRANGELL, ALASKA CREATING SECTION 5.04.060 OF THE WRANGELL MUNICIPAL CODE RELATING TO FIRE EXEMPTION QUALIFICATIONS</b>				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
			<b>Expenditure Required:</b>	
			\$0	
Lisa Von Bargaen, Borough Manager			<b>Amount Budgeted:</b>	
			\$0	
			<b>Account Number(s):</b>	
			N/A	
			<b>Account Name(s):</b>	
			N/A	
<u>Reviews/Approvals/Recommendations</u>			N/A	
<input type="checkbox"/>	Commission, Board or Committee		<b>Unencumbered Balance(s) (prior to expenditure):</b>	
Name(s)				
<input type="checkbox"/>	Attorney			
<input type="checkbox"/>	Insurance			
<b><u>ATTACHMENTS:</u></b>				
1. Proposed Ordinance No. 939				

**RECOMMENDATION MOTION:**

Move to Approve First Reading of Ordinance 939 Creating Section 5.04.060 of the Wrangell Municipal Code Relating to Fire Protection System Exemption Qualifications; with a second reading and public hearing to be held on February 27, 2018.

**SUMMARY STATEMENT:**

At the January 9<sup>th</sup> meeting Administration recommended to the Assembly that an ordinance be brought back action adding, the now optional, tax exemption for fire protection systems to the Wrangell Municipal Code. As a reminder, this tax exemption was formerly mandatory. Wrangell followed State Statute by granting the exemption, but never locally codified the requirement. Now that the exemption is optional, it needs to be added to the Code as Administration is recommending Wrangell keep the exemption in place. It is less than a \$1,000 impact to the Borough's revenue.

The remaining portion of this agenda statement remains unchanged from January 9<sup>th</sup> so the Assembly has access to the summary for information purposes. Proposed Ordinance No. 939 makes the recommended changes to Title 5 of the Wrangell Municipal Code. If first reading passes the ordinance will be brought back for second reading and public hearing at the February 13<sup>th</sup> meeting.

January 9<sup>th</sup> Summary Statement:

In 2017 the Legislature passed Senate Bill 100 which included several amendments to Title 29, the section of the Alaska Statutes that addresses the powers of local governments. One specific amendment addresses the previously, mandatory exemption for some types of sprinkler systems.

Even though this was a mandatory exemption, similar to the Senior Citizen and Disabled Veteran exemptions, the sprinkler exemption is not currently in Chapter 5.04 (Property Taxes) of the Wrangell Municipal Code (WMC).

Senate Bill 100 has made the sprinkler exemption optional, rather than mandatory. Therefore, if the CBW wants to retain this exemption, an amendment (via ordinance) to the WMC will be required. The new language reads:

A municipality **may** by ordinance exempt from taxation up to two percent of the assessed value of a structure if the structure contains a fire protection system that is approved under AS 18.70.081, in operating condition, and incorporated as a fixture or part of the structure. An exemption under this subsection is limited to an amount that does not exceed two percent of the value of the structure based on the assessment

- (1) For 1981, if the fire protection systems was a fixture of the structure on January 1, 1981; or
- (2) As of January 1 of the year immediately following the installation of the fire protection system, if the fire protection system became a fixture of the structure after January 1, 1981.

In 2017 there were 14 properties with sprinkler exemptions totaling \$71,938 in assessed value, or \$971.21 in total tax revenue exempted.

The recommendation from Administration is that we continue the exemption as a courtesy to the business community members who have approved fire protection systems. If the Assembly agrees, an ordinance adding the exemption to Chapter 5.04 of the WMC will be brought back for first reading at the second meeting in January.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 939

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, CREATING SECTION 5.04.060 OF THE WRANGELL MUNICIPAL CODE, RELATING TO FIRE PROTECTION SYSTEM EXEMPTION QUALIFICATIONS

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

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **bolded and in brackets** are to be deleted].]

SEC. 1. Action. The purpose of this ordinance is to create section 5.04.060 of the Wrangell Municipal Code, relating to fire protection system tax exemption qualifications.

SEC. 2. Creation of Section. Section 5.04.060 of the Wrangell Municipal Code is created to read:

**5.04.060 Fire protection system exemption qualifications.**

- A. Pursuant to AS 29.45.050 and the requirements of this section, up to two percent of the assessed value of a structure may be exempted from taxation if the structure contains a fire protection system that is approved under AS 18.70.081, in operating condition, and incorporated as a fixture or part of the structure.
1. An exemption under this subsection is limited to an amount that does not exceed two percent of the value of the structure based on the assessment as of January 1<sup>st</sup> of the year in which an application is submitted and approved pursuant to subsection B of this section.
  2. An application for exemption will be denied if the fire protection system was not installed and operational prior to January 1st of the year for which the application is submitted.
  3. The amount of the exemption shall be fixed for all subsequent years for which the system qualifies for the exemption at the amount initially established in the first year an application is submitted and approved.



- B. An exemption may not be granted under this section except upon written application on a form provided by the Borough. The application must be filed no later than January 15th of the year for which the exemption is sought.
- C. Failure to comply with the conditions in subsections A and B of this section will result in the exemption being deemed invalid for the subject property. In order to verify that the property is in compliance with subsection A of this section, the Borough shall require verification annually by the property owner no later than January 15th of the assessment year.

SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 4. Severability. If any portion of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

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

PASSED IN FIRST READING: January 9, 2018.

PASSED IN SECOND READING: \_\_\_\_\_, 2018.

\_\_\_\_\_  
David L. Jack, Mayor

ATTEST:

\_\_\_\_\_  
Kim Lane, Borough Clerk

Yes: _____ No: _____ Absent: _____ Abstaining: _____
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**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13b</b>	<u>DATE:</u>	February 6, 2018
<b>Discussion Item: 2019 Budget Policy &amp; Draft Schedule</b>				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
Lisa Von Bargaen, Borough Manager		<b>Expenditure Required:</b>		
		\$0		
		<b>Amount Budgeted:</b>		
		\$0		
		<b>Account Number(s):</b>		
		n/a		
		<b>Account Name(s):</b>		
		n/a		
<u>Reviews/Approvals/Recommendations</u>		n/a		
_____	Commission, Board or Committee		<b>Unencumbered Balance(s) (prior to expenditure):</b>	
Name(s)			N/A	
_____	Attorney			
_____	Insurance			
<b>ATTACHMENTS:</b>				
1.				

**RECOMMENDATION:**

Discussion only on the 2019 Budget Policy & Draft Schedule.

**SUMMARY STATEMENT:**

This is time for the Assembly to provide feedback to the Administration about what over-arching themes you would like to see be the focus of the budget. The Manager will take that information and draft a budget policy statement for Assembly approval. Please come to the meeting with thoughts about your “global” budget priorities.

Before a budget schedule can be finalized, the Assembly needs to provide direction to Administration about what level of detail review of the budget is desired; and what level of public hearing involvement is desired.

Administration is planning to have the Assembly take action to adopt the budget no later than June 12, 2018. Working backwards from there, a partially drafted schedule is beginning to come together for your consideration.

January 26	General Ledger Detail to Department Directors
February 9	Budget Preparation Packets to Department Directors
March 9	Detailed Budget Submittals Due from Department Directors
March (full month)	New CIP/MM Process
March 30	Draft Operational Budget Due from Finance
April 2-6	Department Director Meetings w/ Manager & Finance Director
April 13	Draft (2) Budget Due from Finance
April/May	Assembly Review of Budget/Administration Presentation of Budget Administration Presentation of CIP/MM Budget Budget Public Hearings
May 22	Official Budget Public Hearing
June 12	Budget Adoption by Assembly (Latest Date)

Administration is looking forward to your input about budget policy and the schedule.

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13c</b>	<u>DATE:</u>	February 6, 2018
Approval of Professional Services Agreement with Dorsey & Whitney, LLP for Healthcare Consulting Services in an Amount Not to Exceed \$22,120				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
Lisa Von Bargaen, Borough Manager		<b>Expenditure Required:</b>		
		\$22,120		
		<b>Amount Budgeted:</b>		
		\$0		
		<b>Account Number(s):</b>		
		80020 000 7519		
		<b>Account Name(s):</b>		
		CIP Professional Services, Contractual		
<u>Reviews/Approvals/Recommendations</u>				
<u>  X  </u>	Commission, Board or Committee		<b>Unencumbered Balance(s) (prior to expenditure):</b>	
Name(s)	Review Team		\$1,053,549.11	
<u>ATTACHMENTS:</u>				
1. Dorsey & Whitney RFQ Response; 2. CBW RFQ; 3. Professional Services Agreement				

**RECOMMENDATION:**

Move to Approve Professional Services Agreement with Dorsey & Whitney, LLP for Healthcare Consulting Services in an Amount Not to Exceed \$22,120.

**SUMMARY STATEMENT:**

At the December 5<sup>th</sup> meeting the Assembly gave direction to Administration to issue an RFQ seeking qualified firms to provide Healthcare Consulting Services to advise the Borough during a process to look at a potential community healthcare solution partnership with SEARHC.

The RFQ was released on December 15<sup>th</sup> and responses were due back by January 2<sup>nd</sup>. Four responses were received from firms in Anchorage, Seattle, California and Colorado. A Review Team comprised of two Assembly members, two Wrangell Medical Center Board Members, the Hospital Administrator and the Borough Manager reviewed/evaluated the proposals for a week beginning January 6<sup>th</sup>. The Review

Team met on January 12<sup>th</sup> and chose Dorsey & Whitney, LLP out of Anchorage as the firm most qualified to provide services to the Borough throughout this process.

The Hospital Administrator and Borough Manager met with representatives of Dorsey & Whitney on Monday, January 15<sup>th</sup> to have an initial scope discussion. Given the scope provided Dorsey & Whitney has developed an estimated number of hours for work, and budget on Phase I.

Phase I includes four tasks (in name only) as follows:

- Task One – Letter of Intent Review
- Task Two – Architectural Agreement Review
- Task Three – Healthcare Industry Inquiry
- Task Four – Contingency

The attached Professional Services Agreement more clearly outlines the scope of work, work hours and cost estimates.

Following a review of these estimates, Administration is recommending a not to exceed (without Assembly approval) contract in the amount of \$22,120.

The funding for this agreement is coming from the Hospital Grant from the State of Alaska.

A copy of the response from Dorsey & Whitney is attached; along with a copy of the RFQ. Please be advised this is Phase I of what will likely be a three-phase process. The scope of work and associated budgets for subsequent phases will be brought back to the Assembly for approval when appropriate.

**RESPONSE TO:**

# City and Borough of Wrangell

**JANUARY 2, 2018**

**Re:** Dorsey & Whitney LLP's  
Response to Request for  
Qualifications for Healthcare  
Consulting Services

**Louisiana W. Cutler**

Partner  
(907) 257-7828  
cutler.louisiana@dorsey.com

**Alissa Smith**

Partner  
(515) 699-3267  
smith.alissa@dorsey.com

**MS. LISA VON BARGEN, BOROUGH MANAGER**

**City and Borough of Wrangell**

**Via email to [lvonbargen@wrangell.com](mailto:lvonbargen@wrangell.com)**

Dear Ms. Von Borgen:

Dorsey & Whitney LLP ("Dorsey") is pleased to respond to the City and Borough of Wrangell's ("CBW's") request for qualifications for healthcare consulting services with respect to acquisition of a new health care facility.

As you will see from the enclosed materials, we have the team, the experience and the energy to successfully represent CBW in this endeavor.

We look forward to discussing with you any questions you may have about our response to the RFQ.

Sincerely,



Louisiana W. Cutler

Alissa Smith

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## 1. CAPABILITY TO PERFORM THE REQUIRED SERVICES

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Dorsey has had an office in Anchorage since 2001. Last year, Louann Cutler joined Dorsey in our Anchorage office. Louann has represented municipalities and other public sector clients throughout Alaska since 1991. As part of her practice, she has assisted municipalities with legal needs related to health care facility operation, acquisition, employment issues, and a variety of different kinds of contracts with health care providers for various municipal health care service needs.

Dorsey has served clients in the health care industry since the 1940s. Our Healthcare Industry Group is comprised of more than 150 attorneys in 13 practice groups who work for hundreds of health care clients. As part of our Healthcare Industry Group, we have a dedicated group of 12 attorneys whose practices focus solely on health law transactional, regulatory and administrative work, assisting hospitals, other health care providers, and a wide range of businesses that are related to the healthcare industry. This group is known as our Health Transactions and Regulations Group. Our recommended team leader for this project, Alissa Smith, is a partner in the Health Transactions and Regulations Group. Alissa has extensive experience representing hospitals in transactions involving partnerships with other hospitals and health systems. For example, last year, Alissa represented a health system in Fairbanks in acquiring the assets and operations of the health system from the former long-time operator, Banner Health. Alissa also recently represented a rural municipal hospital in Iowa in its sale of the hospital to a larger health system.

We have clients in all aspects of the health care and life sciences field, including hospitals, municipalities who own health care facilities, providers, vendors who serve the health industry, innovators and investors. We have also counseled ambulatory surgical centers, specialty hospitals, institutional and specialty pharmacies, primary and specialty medical clinics, nursing homes, assisted living facilities, and home health care agencies. We have assisted such clients on a wide variety of issues, including acquisitions and sales of hospitals and other health care facilities and practices, the formation and operation of health care systems and networks, medical staff and peer review issues, provider/payer contract negotiations, integration of specialty providers with hospitals and other providers, and representation of individual providers before state licensing boards.

Alissa and her colleagues in Des Moines routinely advise and act as general counsel to critical access hospitals, rural, city and county hospitals. We have provided legal advice to more than twenty critical access hospitals in Iowa. We understand the unique business issues facing rural health care providers such as access to professional services and patient access to care, which directly impact our legal analysis in a wide range of health care law matters, including transactions and other arrangements such as the one that CBW is considering with SEARHC.



## 2. RECENT EXPERIENCE

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As noted above, Dorsey helps clients successfully complete strategic transactions such as mergers and acquisitions, divestitures, joint ventures, strategic alliances and affiliations, co-management agreements, imaging arrangements, clinical trial agreements, participating provider agreements, administrative and management services agreements, medical director and physician employment agreements and group purchasing agreements.

### *Recent Representative Matters*

- Represented The Greater Fairbanks Community Hospital Foundation, Inc., a private health care foundation, located in Fairbanks, in the purchase of the operations of the health system in Fairbanks from Banner Health, a private health care operator. The health system includes a large hospital, multi-specialty medical clinic, skilled nursing facility, home health agency, imaging and cancer centers and pharmacy and medical equipment supplier. Dorsey's representation included exploration of numerous options for partnership with other health systems, assisting with the RFP process and negotiations of the letter of intent, an operations transfer agreement and other documents necessary for the transaction, drafting and negotiating the transition documents, and advice regarding operational issues and processes necessary to the transition.
- Represented Skiff Medical Center, a mid-sized, rural, municipal hospital in Iowa in its acquisition by a larger health system in the state. Dorsey's representation included detailed analysis and exploration with the municipal hospital and the municipality regarding a variety of options for partnering with a larger health system, assisting with the RFP process for seeking responses from potential partners, advising the hospital board and leadership, meetings and discussions with the city council and city administration, negotiating documents and in-person negotiations to complete the transaction, and advice regarding numerous operational and regulatory matters related to the transition.
- Represented Geneva Woods Pharmacy, LLC, a private company located in Anchorage, Alaska, in the purchase of Pharmasync, LLC, a pharmacy and drug store.
- Represented Fairview Health Services, an integrated health system in Minnesota, in its affiliation with rural provider, Grand Itasca Clinic & Hospital. Dorsey's representation included legal due diligence and drafting of the definitive documents. Pursuant to the affiliation, Grand Itasca became a wholly-owned subsidiary of Fairview.
- Represented Hawkeye Care Center, Inc. in the sale of six skilled nursing facilities and additional assisted living and independent living facilities in Iowa to Summit Healthcare REIT, Inc., a private company focused on investing in senior housing located in Lake Forest, California.
- Represented UnitedHealth Group subsidiary, Optum, with respect to an agreement to acquire DaVita Medical Group, a large physician group with practices in California, Colorado, Florida, Nevada, New Mexico and Washington. Dorsey's representation included legal due diligence focused on health regulatory issues and payor relationships. The transaction is expected to close in 2018 and is subject to regulatory approval.
- Represented Optum subsidiary, Collaborative Care Holdings, LLC, in its acquisition of New West Physicians, Inc., a large physician group practice with over 120 providers serving patients in 18 offices throughout the Denver metropolitan area. Dorsey's representation included legal due diligence, negotiation and drafting of the definitive documents.

- Represented Optum subsidiary, Collaborative Care Holdings, LLC, in its acquisition of American Health Network, Inc., a large physician group practice with over 70 offices and more than 200 primary care physicians and specialists in Indiana and Ohio. Dorsey's representation included legal due diligence, negotiation and drafting of the definitive documents.
- Represented Health Enterprises Medical Laboratory, LLC, a private company located in Cedar Rapids, Iowa, in the purchase of the laboratory assets of Skiff Medical Center, a municipal hospital located in Newton Iowa.
- Represented a rural long term care facility in a donation arrangement whereby the long term care facility was donated to a larger long term care facility owner/operator. Dorsey's representation included negotiating the letter of intent, drafting the donation agreement and ancillary agreements, and advice regarding both the operational and regulatory matters involved in the donation.
- Represented the tenant/operator with respect to the lease and transfer of operations with respect to 13 nursing facilities in Wisconsin and Ohio, including negotiation of the master lease and the operations transfer agreements and closing the transfers.
- Represented the purchaser and operator with respect to the acquisition of four nursing facilities in Oklahoma, including negotiation of the combined purchase agreements/operations transfer agreements and closing the transfers. We represented the tenant/operator with the assumption of a lease and transfer of operations for a nursing facility and assisted living facility in Oklahoma, including negotiating amendments to the lease and operations transfer agreement and closing the transfers.
- Represented hospital systems and a physician group in structuring co-management agreements for orthopedics, cardiology, surgery and oncology.
- Represented several pharmacy clients in purchases or sales of retail, specialty and long term care pharmacies, DME companies and infusion clinics.
- Represented a hospital in connection with the acquisition of its region's largest heart clinic to create a highly integrated cardiovascular service line.

### 3. CAPABILITY TO MEET SCHEDULES & DEADLINES

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We have the resources and personnel to respond on short notice and within tight time lines in a cost effective manner. If we are chosen to assist CBW, we recommend that Alissa be the team lead because of her vast knowledge and specific experience with hospital acquisitions, sales, joint ventures and other transactions, with assistance from Louann as needed for Alaska law matters. We will manage the work with a team approach and will call upon other attorneys if and when necessary to get the project done in a timely and cost effective manner.

## 4. REPUTATION, PERSONAL AND PROFESSIONAL INTEGRITY AND COMPETENCY

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Dorsey consistently ranks as a “BTI Client Service A-Team” (including in 2017). Proposed Team Leader Alissa Smith was named 2018 “Lawyer of the Year” in Health Care Law in Des Moines by Best Lawyers in America. Dorsey’s Des Moines office was also named “Health Care Law - Law Firm of the Year in Iowa” by the business magazine Corporate INTL in connection with the 2017 Corporate INTL Legal Awards. The Des Moines office earned this award and its reputation by providing excellent legal service to rural, small, and municipal hospital clients and other small to mid-sized health care providers, as well as to larger health system and healthcare clients. Louann has also been ranked highly by her peers and others for her municipal and litigation expertise (see bio for further details).

Reference for Alissa Smith: Shelley Ebenal, Executive Director and General Counsel, The Greater Fairbanks Community Hospital Foundation, Inc. (907) 458-6465; [shelley.ebenal@gfchf.com](mailto:shelley.ebenal@gfchf.com).

References for Louann Cutler: Fannie Suvlu, Mayor, City of Utqiagvik (formerly Barrow), 907-852-5211, [fannie.suvlu@utqiagvik.com](mailto:fannie.suvlu@utqiagvik.com); Leslie Isaacs, Administrator, City of Klawock, 907-401-2018, [lisaacs@cityofklawock.com](mailto:lisaacs@cityofklawock.com).

Additional references available upon request.

## 5. DEMONSTRATED FLEXIBILITY OF FIRM

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As noted above, we will respond to your needs on short notice and within tight time lines. If the workload requires additional attorneys, we have the flexibility to include them to get the work done effectively and efficiently. We can also offer innovative services to meet CBW’s needs. For example, Dorsey Health Strategies LLC, offers a comprehensive array of business advisory and regulatory services to clients in the health care industry. These services range from strategic planning to operational assistance to optimizing business models, and they may be obtained in conjunction with Dorsey’s legal services or independently.

## 6. PROFESSIONAL BACKGROUND, AVAILABILITY AND CALIBER OF KEY PERSONNEL

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Further information about Alissa and Louann is below, with complete biographical information appearing in Appendix A. We also provide a brief explanation of the expertise of some of the other attorneys who might assist (depending on CBW’s specific needs). We will represent CBW as a coordinated team to ensure our collective experience and expertise is integrated effectively for all matters we address.



***Alissa Smith, Partner – Des Moines***  
**Health Transactions & Regulations**

Alissa represents health systems, hospitals, pharmacies, specialty pharmacies, wholesale distributors, long-term care providers, home health agencies and medical practices, as well as nonprofit and other organizations. Alissa’s practice involves significant transactional work, regulatory compliance advice, and administrative advocacy before state and federal agencies. Alissa’s transactional practice includes preparing and negotiating a wide range of contracts, and all aspects of mergers, acquisitions, partnerships and joint ventures in health care.



***Louisiana W. Cutler, Partner – Anchorage***  
**Alaska Municipal Law, Tribal Law**

Louann advises Alaskan clients on a variety of issues such as constitutional law, legislation, ordinances, municipal, employment and other Alaska law issues. She has over 25 years of complex litigation experience involving constitutional law, municipal law, construction law, environmental issues, oil and gas taxation and royalties, and other issues. She specializes in representing public sector clients and the unique issues that face them because of their status as governmental actors.



***Benjamin Fee, Partner – Des Moines***  
**Health Transactions & Regulations**

Ben practices exclusively in the area of health law advising health systems, hospitals, pharmacies, long term care providers and medical practices on a variety of regulatory, compliance and corporate transactional matters. Ben’s transactional experience includes analyzing, drafting, structuring and negotiating many types of health care contractual arrangements, notably space and equipment purchase and lease transactions; hospital-physician joint ventures; and employment, medical director, recruitment and personal service arrangements with physicians and physician groups.

*[photo not available]*

***Joan Travostino, Partner – Anchorage***  
**Real Estate**

Joan has vast experience in real estate and financial transactions for municipalities in Alaska. She is familiar with the unique aspects of acquisition and disposal of municipal facilities that may be relevant to the acquisition of new health care facility in Wrangell.

## **7. CURRENT WORKLOAD OF KEY PERSONNEL**

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Alissa, Louann and other team members will devote whatever time is necessary to this project. We pledge that we will meet your deadlines with high quality work product at all levels, in a cost effective and timely fashion. All of the team members included in this RFQ have availability to devote significant time to this project in the coming year.

## 8. FEE SCHEDULE

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### Hourly Rates

Current hourly billing rates for the proposed team members are set forth below.

Name	Standard Hourly Billing Rate
Alissa Smith, Partner	\$370
Louisiana W. Cutler, Partner	\$420
Other attorneys, depending on experience	\$225 - \$390

\* \* \* \* \*

Thank you for the opportunity to respond to this RFQ. We understand that the future of the WMC is critical to the people of Wrangell and look forward to applying our knowledge and expertise to help CBW meet its goal of providing quality health care long into the future.

## APPENDIX A – BIOGRAPHIES

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### Louisiana W. Cutler

Partner  
 Dorsey & Whitney LLP  
 1031 West Fourth Avenue  
 Suite 600  
 Anchorage, AK 99501-5907  
 P (907) 257-7828  
[cutler.louisiana@dorsey.com](mailto:cutler.louisiana@dorsey.com)

**LOUANN ADVISES ALASKAN CLIENTS ON OIL AND GAS ISSUES AS WELL AS CONSTITUTIONAL LAW, LEGISLATION, ORDINANCES, MUNICIPAL, EMPLOYMENT AND OTHER ALASKA LAW ISSUES.**

Louann has over 25 years of experience as a litigator and advisor to clients, focusing on complex environmental issues, oil and gas taxation and royalties, constitutional law, construction law, municipal law, and other issues. She has litigated matters in Alaska trial and appellate courts, as well as administrative hearings and arbitrations. She has been involved in a series of administrative and court appeals on large oil and gas tax matters.

#### Admissions

- United States Court of Appeals for the Ninth Circuit
- United States District Court for the District of Alaska
- Alaska

#### Honors

- Named one of “America’s Leading Business Lawyers” by Chambers USA (Litigation: General Commercial), 2013-2017 (Band 2)
- Recognized in Benchmark Litigation’s *Top 250 Women in Litigation*, 2012-2018
- Listed in *Best Lawyers in America*® for Municipal Law, Litigation – Labor & Employment, Land Use and Zoning Law, and Employment Law – Management, 2006-2018

#### Education

- Northeastern University School of Law (J.D., 1990)
- Yale University (B.A., 1978), *with distinction*

#### Professional Activities

Louann is a member of various sections of the Alaska Bar Association, the Alaska Municipal League, and the Alaska Municipal Attorneys Association. In the past, she has served on non-profit boards including the United Way of Anchorage and Abused Women’s Aid in Crisis (AWAIC).



## Alissa Smith

Partner  
Dorsey & Whitney LLP  
801 Grand Avenue  
Suite 4100  
Des Moines, IA 50309-2790  
P +1 (515) 699-3267  
smith.alissa@dorsey.com

### **ALISSA HELPS HEALTH CARE ORGANIZATIONS COMPLETE STRATEGIC TRANSACTIONS AND ADDRESS A WIDE RANGE OF REGULATORY MATTERS THAT AFFECT THEIR BUSINESS.**

Alissa represents health systems, hospitals, pharmacies, specialty pharmacies, wholesale distributors, long-term care providers, home health agencies and medical practices, as well as nonprofit and other organizations. Alissa's practice involves significant transactional work, regulatory compliance advice, and administrative advocacy before state and federal agencies. Alissa's transactional practice includes preparing and negotiating a wide range of contracts, and all aspects of mergers, acquisitions, partnerships and joint ventures in health care.

Alissa's regulatory practice includes the interpretation and application of state and federal fraud and abuse laws, Medicare and Medicaid rules including payment rules and provider-based regulations, tax-exemption laws, HIPAA and privacy laws, EMTALA laws, licensing matters, employment laws, governmental audits and open records and open meetings matters. She also assists with corporate and health system governance issues, including the preparation of policies and procedures, the revision and negotiation of medical staff bylaws, establishing corporate existence including preparing operating agreements and other governance documents, and in assisting in all aspects of participation in accountable care organizations including assisting with the legal structures, policies and procedures and the application process required for participation in the Medicare Shared Savings Program.

#### **Admissions**

- Iowa
- Illinois

#### **Honors**

- Named "Des Moines Lawyer of the Year" in Health Care Law by *Best Lawyers*<sup>®</sup>, 2018
- Listed in *Best Lawyers in America*<sup>®</sup>, 2015-2018
- Listed as a "Rising Star" by Great Plains Super Lawyers, 2013-2017

#### **Education**

- University of Iowa (J.D., 2004), Graduated with Honors
- University of Iowa (Masters of Health Administration, 2005)
- University of Northern Iowa (B.A., Communicative Disorders and Psychology, 2001), Graduated with Highest Honors



## CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

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

### REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES

**Project:** Healthcare Consulting Services

**Date of Issue:** December 15, 2017

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#### **BACKGROUND:**

The current healthcare climate is such that the sustainability of small community hospitals is significantly challenged. Wrangell Medical Center (WMC) in Wrangell, Alaska is no exception. Wrangell is a small, island community of about 2,400 residents, located in Southeast Alaska approximately halfway between Juneau and Ketchikan. WMC has annual gross operating revenue of \$12 million. Roughly 80 percent of the revenue is from Medicaid and Medicare. The current hospital facility is 30,000 square feet including; 14 long-term care beds (in shared rooms), 8 inpatient/swing beds, 2-bed emergency room, operating room, lab, x-ray and CT scan technology, and a full-service rehab department. The facility is also between 40-50 years old depending on the part of the building. A new facility is necessary. Initial planning work toward development of a new hospital has taken place. WMC operates independently but is part of the local Municipality, the City & Borough of Wrangell (CBW). The Borough Assembly and WMC Board have determined it is in the best interest of the community to explore opportunities with potential third-party partners.

Southeast Alaska Regional Health Consortium (SEARHC) is a non-profit health consortium which serves the health interests of the residents of Southeast Alaska. SEARHC was established in 1975 under the provisions of the Indian Self-Determination Act. SEARHC is headquartered in Juneau and provides healthcare services in 20 communities in Southeast Alaska, including ownership and operation of the clinic in Wrangell.

SEARHC has expressed a strong interest in expanding its presence in Wrangell; including inviting the CBW to enter into a non-binding agreement to explore what an increased healthcare partnership might look like. There are several compelling reasons why this partnership with SEARHC may be the most advantageous option for Wrangell: 1) SEARHC is already an established healthcare entity in the community; 2) SEARHC is willing to provide financial resources to explore facility and operational healthcare options in the community; 3) the contract with SEARHC for doctors at the hospital allows for a 4-physician need to be handled by a 1.5 FTE, thus saving the hospital money; 4) SEARHC owns the primary care clinic which has extra and common space that could be used in a "campus" type approach to a new facility, thus reducing the footprint and cost of a new hospital facility; 5) SEARHC's organizational status provides for a higher reimbursement rate for services, thus increasing healthcare



revenue; and 6) SEARHC currently purchases services from WMC in the amount of \$4 Million – a third of the hospital’s gross operating revenue.

**SCOPE OF SERVICES:**

The City & Borough of Wrangell is seeking the expertise of a qualified firm knowledgeable in healthcare operations, mergers and acquisitions to provide legal review of all aspects of a potential, three-phase process to determine if a partnership with SEARHC, WMC and CBW is the most advantageous healthcare option for the community. The anticipated phases are:

Phase I: Review of Non-Binding Agreement with SEARHC and all related documents and actions that may arise as part of this partnership exploration;

Phase II: Review of Results & Recommendations that result from joint exploration process with SEARHC;

Phase III: If a relationship with SEARHC is found to be in the best interest of the community – Development of legal documentation and oversight of process necessary to complete the third-party relationship transition in whatever form that takes.

The final scope of each phase will be negotiated between the City & Borough of Wrangell and the successful firm.

**SCHEDULE:**

There will be an aggressive schedule associated with this work. Award of a professional services agreement is expected to be January 23, 2018 with review work on the non-binding agreement beginning immediately. Depending on how fast the final scope of Phase I can be negotiated, it is possible, but unlikely, award may take place as early as January 9, 2018. Firms should plan to have representatives available for a telephonic or video conference scope discussion as early as January 3, 2018. Firms should also be prepared to be available for follow-up telephonic or video conference interviews January 3-7, 2018 (if determined necessary by the review team). The vast majority of this work (in all three phases) is expected to take place within the next six months.

**RFQ HOLDERS LIST:**

In the case addenda to this RFQ are required please be certain to complete the RFQ Holders List application and return to the fax or email on the form.

**SUBMITTAL TIMEFRAME:**

Qualification summaries are due **Tuesday, January 2, 2018 5:00 p.m. local time.**

**FORM OF SUBMITTALS:** Qualification Summaries should be prepared providing a straightforward, concise description of the firm’s qualifications related to this type of project. Emphasis should be on completeness and clarity of content. Page limit shall not exceed ten (10). This page length includes staff biographies and experience. Please format submittals to follow the evaluation criteria.

**SUBMISSION INSTRUCTIONS:**

Qualification Summaries are due on or before **5:00 p.m. local time, Tuesday, January 2, 2018.** Qualification Summaries not received at or before said time will not be considered. Proposals shall be submitted as an Adobe Acrobat PDF file via email with the subject line titled

“QUALIFICATIONS SUBMITTAL – HEALTHCARE CONSULTING.” Submit to: Lisa Von Barga, Borough Manager at [lvonbarga@wrangell.com](mailto:lvonbarga@wrangell.com). Delivery confirmation will be provided by email.

**QUALIFICATION SUMMARY EVALUATION CRITERIA:**

**Weight:** Each criterion has an assigned weight which will be used to establish the relative importance of each aspect of the firm’s qualifications.

**Rating:** A committee of Wrangell Medical Center Board Members, City & Borough of Wrangell Assembly Members and Hospital/City Administrators will evaluate the qualifications of consultants. Ratings will be from 0 - 5 points with 5 being the best. Ratings from all members of the review team will be averaged together to determine an aggregate rating score for each criterion.

- 1. Capability to perform the required services for the project (WEIGHT 20).
- 2. Recent experience in similar projects and proven success (WEIGHT 25).
- 3. Capability to meet schedules or deadlines (WEIGHT 20).
- 4. Reputation, personal and professional integrity and competency of firm (WEIGHT 15).
- 5. Demonstrated flexibility of firm (WEIGHT 5).
- 6. Professional background, availability, and caliber of key personnel to be assigned to this project (WEIGHT 5).
- 7. Indication of current workload of key personnel assigned to this project (WEIGHT 10).
- 8. Competitive fee schedule (WEIGHT 15).

TOTAL POSSIBLE SCORE

- 1. 5 X 20 = 100
- 2. 5 X 25 = 125
- 3. 5 X 20 = 100
- 4. 5 X 15 = 75
- 5. 5 X 5 = 25
- 6. 5 X 5 = 25
- 7. 5 X 10 = 50
- 8. 5 X 15 = 75

TOTAL POSSIBLE POINTS \_\_\_\_\_ (0 to 575)

**INTERPRETATIONS:**

Questions or requests for clarifications shall be submitted in writing (via email) and directed to Lisa Von Barga, Borough Manager at [lvonbarga@wrangell.com](mailto:lvonbarga@wrangell.com). The CBW will respond to each question or clarification in writing and answers will be provided in the form of addenda to all firms registered on the RFQ Holders list.

**RIGHT TO REJECT QUALIFICATION SUMMARIES:**

The City & Borough of Wrangell reserves the right to reject any or all proposals OR qualification summaries for any reason, and/or to waive any or all irregularities and/or informalities.

**QUALIFICATION INTERVIEW:**

The review team may determine follow-up telephonic or video conference interviews are necessary to make a decision. Firms should be prepared for an interview request January 3-7, 2018.

**AWARD:**

The City anticipates awarding a professional services agreement for Phase I no later than **January 23, 2018**. Phase I should be complete within the first quarter of 2018. The timeline of the remaining phases will be negotiated between the CBW and the successful firm.

**BUDGET:**

The final scope and budget will be negotiated with the successful firm.

**THIS RFQ IS POSTED AT:**

[www.wrangell.com](http://www.wrangell.com)



## CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

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

### Agreement for Professional Services

THIS AGREEMENT between the CITY & BOROUGH OF WRANGELL, ALASKA, ("CBW") and Dorsey & Whitney, LLP, ("Attorney"), effective on the 24<sup>th</sup> day of January, 2018.

All work under this agreement shall be referred to by the following:

#### HEALTHCARE CONSULTING SERVICES

**Contract No: TBD**

**Account Number:**

Attorney's project manager under this agreement is Louisiana Cutler. Attorney's project manager may not be changed without the written consent of the CBW. The CBW's project manager is Lisa Von Bargaen.

#### ARTICLE 1. Scope of Work

1.1 The scope of work to be performed hereunder is more completely described in Appendix A which is incorporated herein by reference.

#### ARTICLE 2. Compensation

2.1 Compensation shall be paid in accordance with the Basis of Compensation Schedule attached hereto as Appendix B and incorporated herein by reference.

ARTICLE 3. Period of Performance

3.1 The Attorney agrees to commence work under this agreement only as authorized by and in accordance with written notice to proceed and to complete the work in accordance with the Scope of Work (Appendix A).

3.2 The period of performance under this agreement shall begin on January 24, 2018 and Attorney shall continue on a time and materials basis until authorized funding is expended, or increased by approved change order. Work shall proceed in accordance with the schedule set forth in Appendix A and is expected to be completed by June 30, 2018.

ARTICLE 4. Subconsultants

4.1 The Attorney shall be responsible for the performance of all services required under this agreement.

ARTICLE 5. Insurance

5.1 In accordance with the provision contained in the General Conditions (Appendix C), the following minimum limits of insurance coverage are required:

<u>Type of Insurance</u>	<u>Limits of Liability</u>	
	<u>Each Occurrence</u>	<u>Aggregate</u>
Workers' Compensation	Statutory	Statutory
Employers' General	\$100,000	\$300,000
Comprehensive General Liability	\$100,000	\$300,000
Comprehensive Automobile Liability	\$100,000	\$300,000
Professional Liability	\$500,000	\$500,000

ARTICLE 6. Appendices

6.1 The following appendices are attached to this agreement and incorporated herein:

<u>Appendix</u>	<u>Title</u>
A	Scope of Work
B	Basis of Compensation
C	General Conditions
D	Attorney's Current Standard Labor Rates

IN WITNESS WHEREOF, the parties have executed this agreement.

AUTHORIZED

DORSEY & WHITNEY, LLP

CITY & BOROUGH OF WRANGELL

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Address:

Attest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_

Borough Clerk

Date: \_\_\_\_\_

RECOMMENDED

Federal ID or SS#:

By: \_\_\_\_\_

\_\_\_\_\_

Borough Manager

Date: \_\_\_\_\_

By: \_\_\_\_\_

Approved as to Form:

Corporate Secretary or Attest

By: \_\_\_\_\_

Date: \_\_\_\_\_

Robert P. Blasco

Hoffman & Blasco, LLC

Attorney for CBW

**Appendix A  
Scope of Work**

DORSEY & WHITNEY, LLP  
Healthcare Consulting Services  
Agreement for Professional Services  
Scope of Work

The Scope of Work for Phase I shall be as described below:

Task 1 – Letter of Intent (LOI) with SEARHC

- |   |            |
|---|------------|
| • Review of Background Material/Preparation for Review of Documents | 2-4 hours  |
| • Review & Revision (if necessary) of LOI; Prepare Written Summary  | 2-4 hours  |
| • LOI Negotiation with SEARHC                                       | 6-8 hours  |
| • Assembly Meeting Attendance (1/23, 2/8, others)                   | 6-10 hours |

Subtotal Task 1 16-26 hours

Task 2 – Architectural Agreement (AA)

- |   |           |
|---|-----------|
| • Review & Revision (if necessary) of AA; Prepare Written Summary | 10 hours  |
| • AA Negotiation with SEARHC                                      | 6-8 hours |

Subtotal Task 2 16-18 hours

Task 3 – Healthcare Industry Inquiry

- |  |           |
|--|-----------|
| • Understand interest from industry if Negotiations with SEARHC Are Unsuccessful | 2-4 hours |
|--|-----------|

Subtotal Task 3 2-4 hours

Task 4 – Contingency for Unknown/Unplanned Needs

- |  |           |
|--|-----------|
| • 10% Total Hours Contingency (based on 34-48 total hours) | 4-8 hours |
|--|-----------|

Subtotal Task 4 4-8 hours

Total All Tasks 38-46 hours

**Appendix B  
Basis of Compensation**

On completion of work and submission of monthly invoices and reports, the CBW shall pay to Attorney the compensation as follows:

Task 1 – Letter of Intent (16-26 hours @ \$395)	\$6,320-\$10,270
Task 2 – Architectural Agreement (16-18 hours @ \$395)	\$6,320-\$7,110
Task 3 – Healthcare Industry Inquiry (2-4 hours@3 \$395)	\$790-\$1,580
Task 4 – Contingency	\$1,580-3,160
 Total	 \$15,010-\$22,120

Hours of Work are to be tracked reported to the CBW Project Manager. If the level of work is expected to go beyond the minimum estimate of each task category, the CBW Project Manager is to be informed prior to work commencing.

The authorized amount of this Professional Services Agreement is \$22,120. Payment beyond this amount is prohibited without action by the Assembly approving a change order increasing the amount of the Agreement.

All payments made to the Attorney shall be payable to:

Dorsey & Whitney, LLP  
1031 West Fourth Avenue, Suite 600  
Anchorage, AK 99501-5907



## **Appendix C General Conditions**

### I. Definitions:

Basic Services: The identified work elements set forth in this Agreement for which the Attorney will receive prime compensation.

Change: An addition to, or reduction of, or other revision in the scope, complexity, character, or duration of the services or other provisions of this Agreement.

CBW's Project Manager: CBW's representative in charge of the project(s) and the Attorney's primary point of contact for notice(s) to proceed, invoices, correspondence and interface with the CBW.

Attorney's Project Manager: The Attorney's representative in charge of the project(s) who is directly responsible and engaged in performing the required services.

Extra Services: Any services or actions required of the Attorney above and beyond provisions of this Agreement.

Funding Agency(s): The agency(s) of the federal, state or municipal government which furnishes funds for the Attorney's compensation under this Agreement.

Optional Services: Identifiable and/or indeterminate work elements set forth in this Agreement, which are separate and distinct from those covered by the prime compensation, which the CBW has the option to authorize.

Prime Compensation: The dollar amount paid to the Attorney for basic services set forth in this Agreement. Prime compensation does not include payment for any optional or extra services.

Scope of Work: Basic and optional services required of the Attorney by provisions of this Agreement.

Subconsultant: Any person, firm, corporation, joint venture, partnership or other entity engaged through or by Attorney.

II. Information and Services from Others: Provision of information, data, budget, standards, and other materials by the CBW does not warrant their accuracy or quality nor provide approval of omissions or oversights or of any non-compliance with applicable regulations.

The CBW may, at its election, or in response to a request from the Attorney, furnish information or services from other Consultants. If, in the Attorney's opinion, such information or services are inadequate, the Attorney must notify the CBW of the specific service or material deemed inadequate and the extent of the inadequacy prior to use in the performance of this Agreement. Unless so notified by the Attorney, the CBW may assume the information or services provided are adequate.

III. Insurance:

The Attorney shall purchase and maintain professional liability insurance coverage with limits not less than those specified herein for the duration of the Agreement. The professional liability insurance shall be maintained in force through the duration of this agreement. Insurance coverage shall provide for negligent acts, errors or omissions which the Attorney, employees of the Attorney or Subconsultant may make which produce loss or liability to the Owner and for protection against loss which results from reliance on the Attorney's products, reports or a combination thereof. Failure to comply with the provision for maintaining the insurance in effect during the term of the agreement may be cause for the CBW to refrain from dealing with the Attorney in the future.

IV. Payments:

The CBW shall pay to the Attorney the amount of any changes in the cost of insurance which are attributable to the Scope of Work created by change orders.

Payments shall be made in accordance with Appendix B. Attorney shall submit progress invoices to CBW showing the itemized services performed during the invoice period and the charges therefore.

All progress invoices shall be prepared as a percentage of the work completed except contracts performed on "time and expenses" basis which invoiced amounts shall not exceed the actual charges to the invoice date.

Under no circumstances will CBW pay for charges in excess of any lump sum or not-to-exceed contract amount incurred prior to written authorization by CBW for an increase in the contract amount. Written request for an increase in the contract amount shall be given to CBW with sufficient notice to allow CBW to issue formal approval prior to the incurring of excess charges without delay to the work.

On "time and expenses" contract amounts, compensation for work included in the Scope of Work shall be for direct labor costs and the actual cost of reimbursable expenses. Direct labor costs shall be as shown on the current Standard Labor Rates for the

Attorney, a copy of which is attached as Appendix D, times a factor of na, for services rendered by principals and employees of the firm. Reimbursable expenses mean the actual expenses incurred directly or indirectly in connection with the Project for: transportation and subsistence incidental thereto; obtaining bids or proposals from contractor(s); furnishing and maintaining field office facilities; toll telephone calls and telegrams; reproduction of reports, drawings, specifications, and similar project-related items and, if authorized in advance by CBW, overtime work requiring higher than regular rates. Reimbursable expenses shall also include the amount billed to Attorney by Subconsultants employed by consultant for such Subconsultants' services and reimbursable expenses times a factor of 1.05.

The sum of payments shall not exceed the allowable compensation stated in this Agreement. In the event items on an invoice are disputed, payment on those items will be withheld until the dispute is resolved.

The Attorney shall submit a final invoice and required documentation for services authorized by each Notice to Proceed within ninety (90) days after final acceptance by the CBW. The CBW will not be held liable for payment of invoices submitted after this time unless prior written approval has been given.

V. Changes:

Changes in the Scope of Work or of services may only be made by written amendment.

If at any time the CBW through its authorized representatives, either orally or in writing, requests or issues instructions for extra services or otherwise directs actions which conflict with any provisions of this Agreement, the Attorney shall, within twenty (20) days of receipt and prior to pursuing such instructions, notify the CBW in writing, and to the extent possible, describe the scope and estimated cost of any extra services. Unless so notified by the Attorney, the CBW may assume such instructions have not changed any provisions of this Agreement nor require additional compensation. No additional payments shall be made to the Attorney without such notice.

VI. Audits and Records:

The Attorney shall maintain records of all performances, communications, documents, and correspondence pertinent to this Agreement, and the CBW or its authorized representatives shall have the right to examine such records and accounting procedures and practices.

The materials described in this Article shall be made available at the business

office of the Attorney, at all reasonable times, for inspection, audit or reproduction by CBW or any funding agency, for a minimum of three years from the date (a) of final payment under this Agreement, (b) final payment upon claims or disputes, and for such longer period, if any, as may be required by applicable statute or other provisions of this Agreement.

VII. Inspections:

The CBW, or any funding agency, has the right to inspect, in the manner and at reasonable times it considers appropriate during the period of this Agreement, all facilities, materials and activities of the Attorney in the performance of this Agreement.

VIII. Termination or Suspension:

This Agreement may be terminated by either party upon thirty (30) days written notice if the other party fails substantially to perform in accordance with its terms through no fault of the party initiating the termination (default termination). If the CBW terminates this Agreement, the CBW will pay the Attorney a sum equal to the percentage of work completed that can be substantiated by the Attorney and the CBW. If the CBW becomes aware of any fault or defect in the work of the Attorney or nonconformance with this Agreement, the CBW will give prompt written notice thereof to the Attorney. Should the Attorney's services remain in nonconformance to this Agreement, the percentage of total compensation attributable to the nonconforming work may be withheld.

The CBW at any time may terminate (convenience termination) or suspend this Agreement for its own needs or convenience. In the event of a convenience termination or suspension for more than three months, the Attorney will be compensated for authorized services and authorized expenditures performed to the date of receipt of written notice of termination plus reasonable termination expenses. No fee or other compensation for the uncompleted portion of the services will be paid, except for already incurred indirect costs which the Attorney can establish and which would have been compensated for over the life of this Agreement, but because of the convenience of the termination would have to be absorbed by the Attorney without further compensation.

If state or federal funds support this Agreement, settlement in the event of default or convenience termination must be approved by the CBW and any appropriate state or federal agency.

IX. Officials Not to Benefit:

No member of or delegate to Congress, United States Commissioner or other officials of federal, state or local government shall be admitted to any share or part of this

Agreement or any benefit to arise therefrom. The Attorney warrants that it has not employed or retained any organization or person, other than a bona fide employee working for the Attorney, to solicit or secure this Agreement and that it has not paid or agreed to pay any consideration contingent upon or resulting from this Agreement.

X. Independent Attorney:

Except in those instances specifically provided for herein, the Attorney and any of its agents and employees shall act in an independent capacity and not as agents of the CBW in the performance of the Agreement.

XI. Ownership of Work Products:

Work products produced under this Agreement, except items which have pre-existing copyrights, are the property of the CBW. Payments to the Attorney for services hereunder includes full compensation for all work products, field notes, interim work, reports, and other materials produced by the Attorney and its Subconsultants pertaining to this Agreement. Any re-use the CBW might make of these work products shall be at the CBW's own risk and the Attorney shall not incur any liability for the CBW's re-use of the work products on any project for which they were not intended.

XII. Subconsultants, Successors and Assigns:

The CBW must concur in the selection of all Subconsultants for professional services to be engaged in performance of this Agreement.

As soon as practicable after the award of the contract, the Attorney shall furnish to the CBW in writing the names of the proposed Subconsultants for each of the principal portions of the work. The CBW shall promptly notify the Consultant if it has reasonable objection to any of the proposed Subconsultants. Failure of the CBW to give prompt notification shall constitute notice of no reasonable objection. The Attorney shall not contract with any Subconsultant to whom the CBW has made reasonable objection.

If this Agreement includes named firms or individuals, then such firms or individuals shall be employed for the designated services, unless the Agreement is changed by amendment.

The Attorney shall not assign, sublet or transfer any interest in this Agreement without the prior written consent of the CBW.

The Attorney binds itself, its partners, its Subconsultants, assigns and legal representatives to this Agreement and to the successors, assigns and legal representatives of the CBW with respect to all covenants of this Agreement.

The Attorney shall include provisions appropriate to effectuate the purposes

of this Appendix C in all subcontracts executed to perform services under this Agreement which subcontract amount exceed \$50,000.

XIII. Claims and Disputes:

If the Attorney becomes aware, or reasonably should have become aware of any act or occurrence which may form the basis of a claim, the consultant shall immediately inform the CBW's Project Manager. If the matter cannot be resolved within fourteen (14) days, the Attorney shall within the next thirty (30) days, submit written notice of the facts which may form the basis of the claim.

In addition, all claims by the Attorney for additional compensation or an extension of the time for performance of any dispute regarding a question of fact or interpretation of this Agreement shall be presented in writing by the Attorney to the CBW's Project Manager within the next sixty (60) days unless the Project Manager agrees in writing to an extension of time for good cause shown. Good cause shown includes time for the Attorney to prepare the claim, and the CBW's Project Manager will grant an extension of not more than sixty (60) days for preparation of the claim. The Attorney agrees that unless these written notices are provided, the Attorney shall not be entitled to additional time or compensation for such act, event or condition. The Attorney shall in any case continue diligent performance under this Agreement. The Attorney shall in any case continue to expeditiously accomplish disputed services pending future resolution of the Attorney's claim unless notified by the CBW to stop work on the disputed matter.

In presenting any claim, the Attorney shall specifically include, to the extent then possible, the following:

- The provisions of this Agreement which apply to the claim and under which it is made.
- The specific relief requested including any additional compensation claimed and the basis upon which it was calculated and/or the additional time requested and the basis upon which it was calculated.
- The claim will be acknowledged in writing by the CBW's Project Manager. If the claim is not disposed of within sixty (60) days of acknowledgment, provided additional time is not granted in writing by the CBW's Contract Officer, the claim will be decided by the CBW's Contract. The Contract Officer reserves the right to make a written request to the Attorney at any time for additional information which the Attorney may possess to support the claim(s). The Attorney agrees to provide the City such additional information within thirty

(30) days of receipt for such a request. The CBW's Contract Officer will allow a reasonable time extension for good cause if presented in writing prior to the expiration of the thirty (30) days. Failure to furnish such additional information constitutes a waiver of claim.

- The Attorney will be furnished a written, signed copy of the Contract Officer's decision within ninety (90) days of receipt of all necessary information from the Contractor upon which to base the decision. The Contract Officer's decision is final and conclusive unless fraudulent as to the claim unless, within thirty (30) days of receipt of the decision, the Attorney delivers a notice of appeal to the Borough Manager. The notice of appeal shall include specific exceptions to the CBW's decision including specific provision of this Agreement which the Consultant intends to rely upon on appeal. General assertions that the CBW's decision is contrary to law or to fact are not sufficient.
- The decision of the Borough Manager will be rendered within 120 days of notice of appeal and the decision constitutes the exhaustion of contractual and administrative remedies.

XIV. Extent of Agreement:

This Agreement, including appendices, represents the entire and integrated Agreement between the CBW and the Attorney and supersedes all prior negotiations, representations or agreements, either written or oral.

Nothing contained herein may be deemed to create any contractual relationship between the CBW and any Subconsultants or material suppliers; nor may anything contained herein be deemed to give any third party a claim or right of action against the CBW or the Attorney which does not otherwise exist without regard to this Agreement.

This Agreement may be changed only by written amendment executed by both the CBW and the Attorney.

All communications that affect this Agreement must be made or confirmed in writing.

The Attorney on receiving final payment will execute a release, if required, relinquishing in full all claims against the CBW arising out of or by reason of the services and work products furnished under this Agreement.

The Attorney shall pay all federal, state and local taxes incurred by the Attorney and shall require their payment by any Subconsultant or any other persons in the performance of this Agreement.

XV. Governing Laws:

This Agreement is governed by the laws of the State of Alaska and such federal and local laws and ordinances as are applicable to the work performed. Any litigation arising out of the terms of this Agreement shall be brought in the First Judicial District, Superior or District Court at Wrangell.

XVI. Minimum Wages:

Minimum wages as determined by the Department of Labor shall be paid to all persons performing work on this Contract.



**Appendix D**  
**Consultant's Current Standard Labor Rates**

Not applicable.

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13d</b>	<u>DATE:</u>	February 6, 2018
Discussion Item: Federal Legislative Priorities				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
			<b>Expenditure Required:</b>	
			\$0	
Lisa Von Bargen, Borough Manager			<b>Amount Budgeted:</b>	
			\$0	
			<b>Account Number(s):</b>	
			N/A	
			<b>Account Name(s):</b>	
			N/A	
<u>Reviews/Approvals/Recommendations</u>			N/A	
	Commission, Board or Committee	<b>Unencumbered Balance(s) (prior to expenditure):</b>		
Name(s)				
			N/A	
	Attorney			
	Insurance			
<b><u>ATTACHMENTS:</u></b>				
1. Draft Federal Legislative Priorities				

**RECOMMENDATION:**  
None. Discussion Item only.

**SUMMARY STATEMENT:**  
Please see the attached Draft Federal Legislative Priorities document for consideration and discussion.



## CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

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

Draft 1-23-2018

### 2018 FEDERAL LEGISLATIVE PRIORITIES

#### **Water Treatment Plant:**

The existing water treatment plant lacks the capacity to treat the volume of water necessary to meet the residential and commercial needs of the community during times of peak demand. The past two summers Wrangell has instituted a water conservation program (Wrangell H2O). Unfortunately this includes measures like denying water purchases to visiting cruise ships (the numbers of which are expanding), asking local restaurants to only serve water when asked by customers, and installation of conservation technology by fish processors. In addition to being a public health issue, every aspect of the Wrangell economy depends on the availability of clean water. Final recommendations have just been received from engineering consultants. The Borough Assembly will be making a project decision in early February. The (approximate) \$9.5 Million project will require a funding package including the use of Water Department Reserve Funds, a USDA Rural Development loan/grant, and EDA funding. The USDA package is appreciated, but will likely require another significant rate increase, on top of the three year rate increase the community is currently undergoing. At some point the economics of water will not be sustainable, especially for the commercial rate-payers. We respectfully request the Delegation continue full support of USDA Rural Development and EDA funding programs – without which the Borough would be unable to solve this issue. Longer-term, the community also needs to expand its water supply and improve reservoir safety (see below).

#### **Wrangell Medical Center:**

Changes in healthcare standards and funding are putting insurmountable pressures on small hospitals across the country. Wrangell is no exception. Coupled with a facility with sections ranging in age from 40-50 years, the community is at a healthcare crossroads. The Borough is preparing to enter into a non-binding agreement with Southeast Alaska Regional Health Consortium (SEARHC) to explore what a healthcare partnership may look like. This includes a new architectural evaluation to look at a campus approach to the facility using existing shared and open space in the new SEARHC Medical Clinic to eliminate redundant hospital space allowing for a reduced building footprint, or an expansion of space for sustainable services (like Long Term Care). Maintaining the Critical Access Hospital designation is of the utmost importance. As Wrangell moves through this process in the next few months, the Borough may need Congressional support for loan financing from USDA Rural Development once the project is ready to move forward. A financial feasibility analysis has been completed showing Wrangell has the capacity to carry the debt obligation on a \$40-\$50 Million project. The Borough is confident this new approach will result in a far less costly endeavor.

Wrangell Medical Center is a vital safety-net provider for the City and Borough of Wrangell and surrounding communities and a major social and economic driver for the region. Its current building was originally constructed in 1968 and can no longer meet today's health care needs for the community and region. A few

years ago, the Center developed a proposal for a new facility but it did not proceed beyond the feasibility and design phase due to management issues. We are re-working the feasibility and design elements from that proposal to build a new hospital as part of a medical campus that would also house Wrangell's community health clinic, thus generating cost-savings for both entities through shared administration and certain services. We have been having discussions with the Southeast Alaska Regional Health Consortium about entering into a contracting arrangement to make use of the Consortium's management and health care expertise once the new facility is built. In the future, we are likely to need Congressional support for loan financing from USDA Rural Development once the project is ready to move forward to construction.

**Reservoir Dam Rehabilitation/Replacement:**

Two reservoirs hold the entire water supply for Wrangell. In 2015 the Alaska Department of Natural Resources has identified the reservoir dams as the second worst dams in the State. Although stable in a static environment, there is a significant likelihood of failure during a substantive seismic event. A Corps of Engineers Study from 2006 shows 15 homes and nearly 40 residents at risk in a runout zone. That same study identified a new reservoir expansion project as the recommended course of action, but the community did not move forward with the Corps' recommendation because of its overly large scale and high cost. The 2017 WIIN Act provides funding for non-federal dam rehabilitation. The Borough is currently in the process of updating the community Hazard Mitigation Plan for approval by FEMA in preparation for submitting an application for this program. The Borough believes a more cost effective solution than the original COE recommendation is a viable option moving forward.

**Army Corps of Engineers Section 107 Small Navigational Improvements – Shoemaker Bay Harbor:**

The City & Borough of Wrangell will begin work this fall on the replacement of the inner-harbor infrastructure of Shoemaker Bay harbor. Wrangell has put together a funding package for the project that includes a \$5 million State Harbor Matching Grant; Harbor Reserve Funds; and revenue bonds that will be issued this spring. The Borough will be including \$500,000 in the bond package as the anticipated 50% local match for the Study Phase of improvements to the Shoemaker Bay Harbor breakwater. The breakwater length is insufficient, which significantly contributed to the premature breakdown of the Harbor's interior float system. Wrangell has had communications with the Alaska Region of the Army Corps on early general investigations to dredge the harbor and expand the breakwater under the Section 107 Small Navigation Improvements program. As Wrangell moves forward first with the inner harbor improvements, in the interim, we urge the Delegation to continue full support and funding of the Section 107 Program.

**Transboundary Waters & British Columbia Mines:**

In May of 2016 the Canadian Auditor General released *An Audit of Compliance and Enforcement of the Mining Sector* finding significant inadequacies in both compliance and enforcement; and recommending the creation of a new ministry to properly address mining oversight. This is an extremely significant issue for the coastal communities of Southeast Alaska whose local economies are deeply rooted in the seafood industry. Commercial fishing, processing, and marine support services directly comprise a large portion of the economies and virtually every business benefits from commercial fishing dollars. Tourism is another large part of Southeast's economy that is connected to our pristine waters. Even the perception of compromised water quality integrity in Southeast Alaska's waters could be catastrophic to the economic well-being as terms such as "pure" and "natural" define the marketing of our region's seafood and visitor destinations. In 2014 a tailings dam at the Mt. Polley mine on the Fraser River breached and caused significant environmental and economic harm to that fishery. Eight British Columbia mines are under various stages of development that are located in the Taku, Unuk, and Stikine River watersheds and could pose threats to Wrangell and other Southeast Alaska community fisheries. We support continued engagement by the Delegation and State Department, as well as possible

investigation by the International Joint Commission, to press Canada to ensure that proper water quality, monitoring, and protections are in place as the mines are developed and operated.

#### **Southeast Sea Otter Management:**

The rapid growth of the Southern Sea Otter population over the last decade has been a scourge to near-shore fish and crab populations and the fisheries that depend on them. Local fishermen are seeing significant declines in crab, urchin and shellfish species, resulting in area closures by the Alaska Department of Fish & Game, and an estimated loss of \$30 million in foregone catch over the last 20 years. The Borough favors re-introduction of legislation that would expand Native handicraft business development that has been impeded by restrictive USFWS rules on otter pelts and products production and sale. The Borough also supports use of waiver authority by USFWS to permit co-management of the species with the State and Native Alaskan tribes. The Borough passed Resolution No. 01-18-1387 in January, 2018 supporting Sea Otter Management in Southeast Alaska.

#### **Secure Rural Schools (SRS):**

The SRS Program was created by bipartisan legislation in 2000 as a substitute for declining revenue sharing receipts due to reductions in timber harvesting on Forest Service lands. For the second time in its existence, Congress has failed to fund SRS. This loss of funding could mean reduced equipment and supplies, loss of non-core classes, and cut backs in sports and activities. Wrangell receives approximately \$900,000 annually in SRS payments that go to our schools. The State's National Forest communities stand to lose \$10 million per year without program extension.

#### **Pink Salmon Disaster Assistance:**

The Governor has determined that salmon fishermen and processors were negatively affected by the poor pink salmon runs in the State and has submitted a fisheries disaster request to the Federal government. The Borough supports the Department of Commerce's determination that a fisheries disaster has occurred and requests support for disaster relief funding through appropriations. For Southeast Alaska, there was a loss of 62% in catch and 74 percent in fishing revenue.

#### **Tongass Forest Management:**

The City & Borough of Wrangell is disappointed with the Final Record of Decision (ROD) for the Wrangell Island Project. What began as a 10-year sale offering between 250-500 million board feet (mmbf) has become a ten year sale with 5-7 mmbf; and acknowledgement from the USFS that all ROD alternatives were not economically viable. Most disturbing is the time it took to arrive at this decision. During the decade-long process, the only remaining mill on the island closed and the highly-skilled timber workforce disappeared. Timber is a global commodity that requires swift response to a fluctuating market. It is laughable to think the USFS is concerned truly concerned about the economic viability of its neighboring communities. A more nimble process is required, along with a commitment to harvest planning that allocates areas in preparation for future market changes, so when timber is needed, it can immediately be made available. The Borough supports changes to Tongass National Forest Land & Resource Management Plan to facilitate greater production of timber in Southeast Alaska. This position includes rejection of the 2016 Plan Amendment that shifted production toward young/second growth timber and a reversion back to the 2008 Plan Amendment. The Borough supports these changes being accomplished through either legislative means or Forest Service administrative actions.

#### **Federal Payment in Lieu of Taxes (PILT):**

A March 2017 Report by the Congressional Research Service confirmed 61% of all land (224.2 Million Acres) in Alaska is owned by the federal government; 57% (129 Million Acres) of which is managed by agencies with preservation and conservation of land as core mission components. This means those lands will likely never be

available for development. The federal PILT payment is designed to compensate local governments for the equivalent of lost property tax revenue only. This represents a fraction of the economic benefit those lands would mean to a jurisdiction if some was in private hands. In Wrangell alone 97% of lands within the municipal boundaries are owned by the US Forest Service and will never be open to development. Upon completion of the land transfer from the Alaska Mental Health Trust to the USFS, it will be nearly 98%. The federal PILT is essential to places with significant federal land holdings to off-set the lack of property tax revenue and aid in covering the cost of essential basic services. PILT payments become even more critical to communities like Wrangell, surrounded by US Forest Service lands that now have restricted timber harvesting and no longer provide alternative economic opportunities. Wrangell receives approximately \$425,000 of the total \$30 million in annual PILT payments to Alaska communities. The Borough continues to support full funding for this program.

**Young Fishermen’s Development Act:**

The “graying” of Alaska’s commercial fishing fleet is a known issue potentially jeopardizing the future of this essential industry. Acquiring the diverse skill set associated with commercial fishing and acquiring initial start-up investment can be prohibitive to overcome. Thankfully, Representative Young and Senator Sullivan have introduced bills (H.R. 2079 & S. 1323) to authorize \$2 million in annual grants through NOAA’s Sea Grant Program to provide training support facilitating the entry of young fishermen into the industry. Eligible recipients to conduct the training include regional collaborations or partnerships consisting of Federal, State and Tribal agencies; fishing co-ops and associations; ANCs; NGOs, or universities. Training activities include: navigation; boat and engine care; sustainable fishing practices; use of innovative conservation gear and technology; and understanding of Federal and State fishing regulations. The City & Borough of Wrangell passed Resolution No. 09-17-1379 in September, 2017 supporting this important program.

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13e</b>	<u>DATE:</u>	February 6, 2018
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**PROPOSED RESOLUTUION No. 02-18-1391:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE POSITION OF GROUNDMAN/METER TECHNICIAN I, THE CREATION OF THE POSITION GROUNDMAN/METER TECHNICIAN II AND THE AMENDMENT OF THE UNION WAGE AND GRADE TABLE

<u>SUBMITTED BY:</u>	<u>FISCAL NOTE:</u>
Clay Hammer Electrical, Superintendent	<b>Expenditure Required:</b>
	<b>Amount Budgeted:</b>
	<b>Account Number(s):</b>
	<b>Account Name(s):</b>
<u>Reviews/Approvals/Recommendations</u>	
_____	Commission, Board or Committee
Name(s)	
_____	Attorney
_____	Insurance

**ATTACHMENTS:**

1. Resolution No. 02-18-1391, which includes Exhibit A; 2. Revised & New Job Description for Groundman/Meter Tech I-II; 3. Exhibit B, Revised IBEW Pay Plan. 4. Exhibit C, Wage Comparison Groundman/Meter Technician

**RECOMMENDATION MOTION:**

Move to approve Resolution No. 02-18-1391 providing for the amendment of the job description for the Meter Technician I, the Creation of the Position Meter Technician II and the Amendment of the Union Wage and Grade Table.

**SUMMARY STATEMENT:**

The City and Borough believes that its employees are critical in achieving the Borough’s mission, goals, and objectives. To be successful, the Borough must employ and retain qualified and productive people. Further, in order to be a high performing organization, the Borough must attract and retain employees who demonstrate initiative while also accepting responsibility and accountability for their

work performance. To support, encourage and reward employees, the Borough uses a classification and compensation system to operate in a fair and equitable manner.

Positions are classified into job grades and pay levels according to the nature and difficulty of duties and responsibilities assigned to employees in their positions. Classification of a position often is determined based on the level of decision-making, discretion, independence of action, complexity, consequence of error, and impact on the unit or organization.

The existing Groundman/meter reader position has long been considered an entry level position but there has never been an actual review of the job description, qualifications, and responsibilities or wage to see how it compares with other entry level positions within the Borough and regional standards among other utilities for the same worker. It has long been the opinion by the Electrical Superintendent that this position is undervalued. The Borough Manager came to the same conclusion when reviewing the Meter position job description in comparison to that of the Lineman Apprentice position.

Attached is Exhibit A, revised job descriptions that accurately reflect what is expected of this position.

Attached is Exhibit B, Revised IBEW Pay Plan

Attached is Exhibit C, the results of a review of (6) other electrical utilities within our region performing essentially the same tasks with similar responsibilities. The review compares essential qualifications, duties, and responsibilities as well as hourly pay range.

Due to the difficulty in finding available recruits for this position that have the necessary skills and qualifications, staff recommends the position be re-titled as "Groundman/Meter Technician I" and "Groundman/Meter Technician II".

Groundman/Meter Tech I would start at step #1 Grade 17. This grade level presumes an above average level of responsibility for the work they will be doing with experience and documentation meeting as many of the requirements for the position possible. This person is expected to safely work on and around live electricity, carry a current CDL, learn to operate municipal generators as well as enroll in a meter training program and obtain any other documentation that will advance them to Meter Tech II.

Groundman Meter Tech II Would advance to Grade 20 starting at the first step that would offer a bump in hourly pay. Advancement to this level would require obtaining all required licenses and certificates and completing year (4) of the provided Meter classes. Grade 20 is still below the industry standard for comparable workers but is consistent with other highly skilled non-licensed positions within the borough.

Both the Electric Department Superintendent and the Borough Manager support the job description changes and related pay grade increase for the Groundman/Meter Technician position.

The proposed, revised job description also required concurrence from the IBEW before proceeding to the Borough Assembly for approval. The job descriptions submitted herein and the corresponding Wage Grade increases, has been approved by Jay Rhodes, the IBEW representative.



## CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION No. 02-18-1391

WHEREAS, the amendment of this position description allows the City and Borough of Wrangell's Administration Department the ability to appropriately update the duties and responsibilities of the Groundman/Meter Reader position to that of a Groundman/Meter Technician I and a Groundman/Meter Technician II; and

WHEREAS, the current rate of pay for the Groundman/Meter Reader position is a grade 13 with the pay range from \$18.55 to \$23.32 and based on the proposed changes to the job descriptions, this will change to grade (17) for the Groundman/Meter Technician I position with the pay range from \$22.17 to \$27.92 and grade (20) for the Groundman/Meter Technician II position with the pay range of \$25.44 to \$32.07; and

WHEREAS, this positions have been reviewed and job description updated to accurately reflect actual duties, responsibilities, and qualifications; and

WHEREAS, this position title needs to be modified to better accommodate different levels of training and added responsibility; and

WHEREAS, the revised job descriptions need to reflect a commensurate rate of pay.

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

Section 1. The attached Exhibit "A" includes the job descriptions which describe the duties, responsibilities and qualifications for the Groundman/Meter Technician I and the Groundman/Meter Technician II.

Section 2. The new job description for the Groundman/Meter Technician I, Groundman/Meter Technician II position will be effective as of February 1, 2018.

Section 3. The attached Exhibit "B" is the Union Wage and Grade Table reflecting the change of the Groundman/Meter Technician I from grade 13 to grade 17 and the creation of the Groundman/Meter Technician II position at a grade 20.

Section 4. The attached Exhibit "B" repeals all other previous Union Pay Plans and becomes effective February 1, 2018.

Section 5. The attached Exhibit "C" is Meter Reader/Meter Technician job and hourly wage as compared to other utilities within the region.

ADOPTED: February 6, 2018

\_\_\_\_\_  
David L. Jack, Mayor

ATTEST: \_\_\_\_\_  
Kim Lane, Borough Clerk

# Exhibit A

## City & Borough of Wrangell

## Position Description

Position: Groundman/Meter <del>Reader</del> <u>Technician-(I) (H)</u>	Position Number:
Department/Site: Light Department	FLSA: Non-exempt
Evaluated by: Electrical Line Foreman	Salary Grade: <del>13 (17) (20)</del>

### Summary

~~To assist line crews in the installation and maintenance of electrical distribution systems, operate electrical generation systems, and read electric meters citywide.  
To install, service and read all WML&P electrical revenue meters. To provide ground support for line crew as well as operate municipal generators when required.~~

### Distinguishing Career Features

~~The Groundman/Meter Reader is essential to the support of Wrangell Municipal Light & Power operations. The Groundman/Meter Reader assists lineworkers and operates various heavy equipment to do so, in addition to monitoring Wrangell's electrical grid.  
This position exposes the occupant to a wide range of technical instruction and training in the electrical and distribution field. Occupant will need to travel at least (1) week per year for training for first (5) years of employment. learn to install, read, test single and three phase electrical services up to 500 volts. Will have or acquire a Class A CDL within six (6) months of employment a specified period of time. Know or learn how to operate various pieces of heavy and light equipment including but not limited to Boom Trucks, Bucket Trucks, Chainsaws, Brush Chipper, and Municipal Generators.  
Occupant will be advanced from Groundman/Meter Tech I to Groundman Meter Tech II after obtaining all required licenses and certificates and successful completion of year (4) of the departments meter training program.~~

Comment [CH1]: ,

### Essential Duties and Responsibilities

- ~~• Provides assistance to lineworkers in maintaining the City's electrical distribution systems. Assists with materials and equipment. From the ground, monitors the safety of lineworkers. Assists in brush cutting and tree falling around power lines.~~
  - ~~▪ Performs scheduled or assigned meter reading duties to record customer power usage. Observes and reports meter abnormalities or malfunctions.~~
  - ~~▪ Performs other related duties as required or assigned. Works cooperatively with other employees, city departments, external agencies, and the public.~~
  - ~~• Must quickly learn needed skills and perform such duties as operate diesel generators and operate city equipment including the department's boom and bucket trucks.~~
  - ~~▪ Performs routine inventory inspections on all trucks and supply materials. Maintains complete and accurate records of all inventories. Confers with Supervisor for supply purchases.~~
  - ~~▪ Read and Record all electrical revenue meters on monthly basis~~
  - ~~▪ Perform daily Work Orders as needed including but not limited to Reads, Installs, and Disconnects.~~
  - ~~▪ Program, Test and Troubleshoot electrical meters.~~
  - ~~▪ Maintain meter inventory, ordering additional stock when needed.~~
  - ~~▪ Identify and install correct metering devices for single and three phase electrical services up to 600 volts.~~

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- Serve as Groundman for Linecrew providing assistance from the ground and maintaining safety overwatch over crews working off poles and elevated structures.
- Assist in brush cutting and Right of Way maintenance.
- Operate boom truck, bucket trucks, Chainsaws, brush chipper, municipal generators.
- Flagging and traffic control as required.
- 

## **Qualifications**

### **Knowledge and Skills**

Requires knowledge of or the ability to learn basic and advanced electric principles and safety procedures.

Working knowledge of computers

Certified traffic flagger

Class A CDL

CPR/First Aid card

### **Abilities**

- Ability to work cooperatively with line crews.
- Ability to accurately read and record meter readings.
- Willingness to perform various job related duties as required or assigned.
- Must have a strong sense of teamwork and the ability to work cooperatively with others.
- Requires the ability to learn to operate heavy equipment and the boom and bucket trucks safely and efficiently.
- Requires inventory and record keeping skills to maintain appropriate supplies for the department.
- Requires some mechanical knowledge of vehicles and equipment to ensure that they are in good and safe operating condition.
- Requires good verbal interpersonal skills and interaction skills.
- 

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### **Physical Abilities**

~~Ability to perform physically active duties such as lifting heavy materials. Must be able to work outside in severe conditions, to stand for long periods of time, and to bend, stoop, and crouch.~~

Must be physically able to to walk long distances, stand for long periods of time and lift loads of at least 50 pounds often under adverse weather conditions.

### **Education and Experience**

- High School Diploma or GED required
- Some knowledge of basic electric principles and safety procedures desirable
- Prior Electrical experience desirable

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### **Licenses and Certificates**

~~Requires CDL and Medical Certificate. Requires the ability to obtain a State of Alaska Certificate of Fitness. Requires the following be held at the time of employment or obtained within the specified timeframe.~~

Current Class A CDL (Within 6 months of employment.)

CPR/First aid card (Within 6 months of employment.)

Flagger certification (As soon as class attendance can be arranged by Supervisor.)

- **Working Conditions**

Ability to work irregular hours in sometimes severe weather and working conditions.

*This job/class description, describes the general nature of the work performed, representative duties as well as the typical qualifications needed for acceptable performance. It is not intended to be a complete list of all responsibilities, duties, work steps, and skills required of the job.*

City & Borough of Wrangell

Position Description

Position: Groundman/Meter <del>Reader</del> Technician-( <del>I</del> ) (II)	Position Number:
Department/Site: Light Department	FLSA: Non-exempt
Evaluated by: Electrical Line Foreman	Salary Grade: <del>13</del> ( <del>17</del> ) (20)

**Summary**

~~To assist line crews in the installation and maintenance of electrical distribution systems, operate electrical generation systems, and read electric meters citywide. To install, service and read all WML&P electrical revenue meters. To provide ground support for line crew as well as operate municipal generators when required.~~

**Distinguishing Career Features**

~~The Groundman/Meter Reader is essential to the support of Wrangell Municipal Light & Power operations. The Groundman/Meter Reader assists lineworkers and operates various heavy equipment to do so, in addition to monitoring Wrangell's electrical grid. This position exposes the occupant to a wide range of technical instruction and training in the electrical and distribution field. Occupant will need to travel at least (1) week per year for training for first (5) years of employment. learn to install, read, test single and three phase electrical services up to 500 volts. Will have or acquire a Class A CDL within six months of employment a specified period of time. Know or learn how to operate various pieces of heavy and light equipment including but not limited to Boom Trucks, Bucket Trucks, Chainsaws, Brush Chipper, and Municipal Generators. Occupant will be advanced from Groundman/Meter Tech I to Groundman Meter Tech II after obtaining all required licenses and certificates and successful completion of year (4) of the departments meter training program.~~

Commented [CH1]: .

**Essential Duties and Responsibilities**

- ~~\* Provides assistance to lineworkers in maintaining the City's electrical distribution systems. Assists with materials and equipment. From the ground, monitors the safety of lineworkers. Assists in brush cutting and tree falling around power lines.~~
  - ~~▪ Performs scheduled or assigned meter reading duties to record customer power usage. Observes and reports meter abnormalities or malfunctions.~~
  - ~~▪ Performs other related duties as required or assigned. Works cooperatively with other employees, city departments, external agencies, and the public.~~
  - ~~▪ Must quickly learn needed skills and perform such duties as operate diesel generators and operate city equipment including the department's boom and bucket trucks.~~
  - ~~▪ Performs routine inventory inspections on all trucks and supply materials. Maintains complete and accurate records of all inventories. Confers with Supervisor for supply purchases.~~
  - ~~▪ Read and Record all electrical revenue meters on monthly basis~~
  - ~~▪ Perform daily Work Orders as needed including but not limited to Reads, Installs, and Disconnects.~~
  - ~~▪ Program, Test and Troubleshoot electrical meters.~~
  - ~~▪ Maintain meter inventory, ordering additional stock when needed.~~
  - ~~▪ Identify and install correct metering devices for single and three phase electrical services up to 600 volts.~~

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- Serve as Groundman for Linecrew providing assistance from the ground and maintaining safety overwatch over crews working off poles and elevated structures.
- Assist in brush cutting and Right of Way maintenance.
- Operate boom truck, bucket trucks, Chainsaws, brush chipper, municipal generators.
- Flagging and traffic control as required.
- 

## **Qualifications**

### **Knowledge and Skills**

Requires knowledge of or the ability to learn basic and advanced electric principles and safety procedures.

Working knowledge of computers

Certified traffic flagger

Class A CDL

CPR/First Aid card

### **Abilities**

- Ability to work cooperatively with line crews.
- Ability to accurately read and record meter readings.
- Willingness to perform various job related duties as required or assigned.
- Must have a strong sense of teamwork and the ability to work cooperatively with others.
- Requires the ability to learn to operate heavy equipment and the boom and bucket trucks safely and efficiently.
- Requires inventory and record keeping skills to maintain appropriate supplies for the department.
- Requires some mechanical knowledge of vehicles and equipment to ensure that they are in good and safe operating condition.
- Requires good verbal interpersonal skills and interaction skills.
- 

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### **Physical Abilities**

~~Ability to perform physically active duties such as lifting heavy materials. Must be able to work outside in severe conditions, to stand for long periods of time, and to bend, stoop, and crouch.~~

Must be physically able to to walk long distances, stand for long periods of time and lift loads of at least 50 pounds often under adverse weather conditions.

### **Education and Experience**

- High School Diploma or GED required
- ~~Some~~ knowledge of basic electric principles and safety procedures desirable
- Prior Electrical experience desirable

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### **Licenses and Certificates**

~~Requires CDL and Medical Certificate. Requires the ability to obtain a State of Alaska Certificate of Fitness.~~ Requires the following be held at the time of employment:

Certified Traffic Flagger

Current Class A CDL

CPR/First Aid Card

Flagger certification

- **Working Conditions**

Ability to work irregular hours in sometimes severe weather and working conditions.

*This job/class description, describes the general nature of the work performed, representative duties as well as the typical qualifications needed for acceptable performance. It is not intended to be a complete list of all responsibilities, duties, work steps, and skills required of the job.*



# Exhibit B

## EXHIBIT "B" to REOLUTION 01-18-1391

Proposed Revisions to Pay Plan based on Recommended Change in Groundman/Meter Reader

1/23/2018

to Groundman/Meter Technician I from Grade 13 to Grade 17 and Groundman/Meter Technician II at Grade 20

Wage Scale, IBEW-represented positions, July 1, 2017 to June 30, 2020

City & Borough of Wrangell

Grade	Step	NEW												
		STEP 1	2	3	4	5	6	7	8	9	10	11	12	13
<del>13</del>	<del>Groundman/Meter Reader</del>	<del>18.55</del>	<del>18.90</del>	<del>19.26</del>	<del>19.63</del>	<del>20.00</del>	<del>20.40</del>	<del>20.79</del>	<del>21.19</del>	<del>21.59</del>	<del>22.02</del>	<del>22.45</del>	<del>22.88</del>	<del>23.32</del>
13	Harbor Maintenance/Security	18.55	18.90	19.26	19.63	20.00	20.40	20.79	21.19	21.59	22.02	22.45	22.88	23.32
14	Maint Specialist I	19.38	19.75	20.14	20.53	20.92	21.32	21.74	22.16	22.58	23.01	23.46	23.91	24.37
15	Administrative Assistant-Harbors	20.26	20.65	21.04	21.44	21.87	22.29	22.72	23.15	23.61	24.06	24.53	25.00	25.49
15	Water Trt. Plt. Apprentice	20.26	20.65	21.04	21.44	21.87	22.29	22.72	23.15	23.61	24.06	24.53	25.00	25.49
15	Maintenance Specialist	20.26	20.65	21.04	21.44	21.87	22.29	22.72	23.15	23.61	24.06	24.53	25.00	25.49
15	Custodian - Light Maintenance	20.26	20.65	21.04	21.44	21.87	22.29	22.72	23.15	23.61	24.06	24.53	25.00	25.49
16	Electrical Dispatch Secretary	21.18	21.58	22.01	22.43	22.86	23.30	23.77	24.22	24.68	25.16	25.65	26.15	26.65
16	Sanitation Worker	21.18	21.58	22.01	22.43	22.86	23.30	23.77	24.22	24.68	25.16	25.65	26.15	26.65
<del>17</del>	<del>Groundman/Meter Technician I</del>	<del>22.17</del>	<del>22.59</del>	<del>23.02</del>	<del>23.47</del>	<del>23.93</del>	<del>24.39</del>	<del>24.86</del>	<del>25.36</del>	<del>25.85</del>	<del>26.35</del>	<del>26.86</del>	<del>27.38</del>	<del>27.92</del>
17	Port & Harbor Maintenance	22.17	22.59	23.02	23.47	23.93	24.39	24.86	25.36	25.85	26.35	26.86	27.38	27.92
19	Mechanic	24.28	24.75	25.24	25.72	26.21	26.71	27.24	27.76	28.29	28.85	29.41	29.99	30.57
19	Maint. Specialist II/Heavy Equip Operator	24.28	24.75	25.24	25.72	26.21	26.71	27.24	27.76	28.29	28.85	29.41	29.99	30.57
19	Water/Wastewater Treatment Operator	24.28	24.75	25.24	25.72	26.21	26.71	27.24	27.76	28.29	28.85	29.41	29.99	30.57
19	Marine Service Ctr & Harbor Team Leader	24.28	24.75	25.24	25.72	26.21	26.71	27.24	27.76	28.29	28.85	29.41	29.99	30.57
20	Diesel Electric Mechanic	25.44	25.93	26.43	26.96	27.48	28.01	28.56	29.12	29.68	30.26	30.85	31.45	32.07
<del>20</del>	<del>Groundman/Meter Technician II</del>	<del>25.44</del>	<del>25.93</del>	<del>26.43</del>	<del>26.96</del>	<del>27.48</del>	<del>28.01</del>	<del>28.56</del>	<del>29.12</del>	<del>29.68</del>	<del>30.26</del>	<del>30.85</del>	<del>31.45</del>	<del>32.07</del>
20	Maint. Specialist III/Heavy Equip Operator	25.44	25.93	26.43	26.96	27.48	28.01	28.56	29.12	29.68	30.26	30.85	31.45	32.07
23	Public Works Foreman	28.55	29.11	29.67	30.25	30.84	31.43	32.06	32.68	33.31	33.97	34.63	35.31	36.00
23	Water Treatment Leadman	28.55	29.11	29.67	30.25	30.84	31.43	32.06	32.68	33.31	33.97	34.63	35.31	36.00
23	Wastewater Treatment Leadman	28.55	29.11	29.67	30.25	30.84	31.43	32.06	32.68	33.31	33.97	34.63	35.31	36.00
23	Mechanic Lead	28.55	29.11	29.67	30.25	30.84	31.43	32.06	32.68	33.31	33.97	34.63	35.31	36.00
27	Electrical Lineman	33.58	34.24	34.90	35.60	36.29	37.00	37.73	38.46	39.23	39.99	40.77	41.58	42.39
29	Electrical Line Foreman	36.53	37.26	37.98	38.74	39.49	40.27	41.06	41.87	42.69	43.53	44.39	45.26	46.15

# Exhibit C

## Exhibit C, Wage Comparison Groundman/Meter Technician-Groundman

In all (6) different local utilities were reviewed for comparison.

- Matanuska
- Homer
- Juneau
- Sitka
- Petersburg
- Ketchikan

Of note, all utilities polled pay a given wage for an employee that meets the qualifications for the job. This is usually a percentage based wage with Journeyman line wage serving as the benchmark. Some use a 3-year probationary period for entry level positions, but terms do not exceed (3) years in length unless part of an apprenticeship program. Wrangell has a Grade based system with step increases for years of service spanning (13) years.

Also of note, most utilities polled do not have a full time Groundman on the crew. If needed Meter Readers may be assigned to this on an as-needed basis but usually a member of the Line Crew does this work effectively putting the Groundman wage within the realm of the Line Man scale.

### Matanuska (Palmer)

Wage: 50-100% Line Man Scale or (23.82) to (47.65) per hour.

Two to three work classes cover this work, Meter Reader, Meter/Relay Tech, Lineman.

Meter Reader reads all meters, connect/disconnect single phase meters. Other duties as assigned. Wage starts at 50% Line an Scale with 5% bump every 6 months until 75% line man scale. (3.82 to 35.73 per hour)

Meter/relay tech (or Lineman) removes, installs, tests and calibrates all residential and commercial grade meters. Assists in disconnect/reconnects, monthly substation reads. Performs installation of complex metering installations. Trouble shoot power complaints. Wage is 100% Line Man scale or 47.65 per hour.

## Homer

Wage: 65% to 100% of Line Man Scale or 31.57 to 48.57 per hour.

Two classes of workers fill this position. Meter Reader and Metering/Apparatus Tech.

The Tech inspects and tests meters, performs installation of complex metering systems and also maintains and services protective relays and SCADA systems. Wage is 100% line scale.

Meter Reader takes care of meter reading, delivers shut off notices, serves as Groundman for Line crew.

Wage is 65% Line Scale

## Juneau (AEL&P)

Wage: 70% to 100% Line Man Scale or 31.26 to 44.66 per hour

Two classes of worker fill this position, Meter Reader and Meterman.

The Meterman is an apprenticed tech position that requires 7000 hours of documented time with a Journeyman Meterman in a valid apprenticeship program. Meterman programs, installs and tests complex metering installations, performs disconnects/reconnects. Shut off's for non-pays, investigate suspect usage and meter tampering.

Wage is 100% line scale or 44.66 per hour.

Meter Reader reads meters, delivers shut off notices and collects re-reads as needed. Installation and removal of single phase self-contained meters only as necessary. Other duties as assigned.

Wage is 70-80 % Lineman scale. Start at 70% (31.26) then receive 5% bump at 6 months then at one year for 80% or 35.72 per hour.

## Sitka

Wage: 65-100% line Man scale or 29.36 to 45.17 per hour

Two classes of worker fill this position, Meter Reader and Meter Tech.

Meter Tech manages operation of metering department. Supervises reading, testing, installation and repair of all residential, commercial and industrial electric meters. Performs special reads, operates and calibrates test equipment.

Maintains metering equipment inventory.

Wage is 100% lineman scale or 45.17 per hour

Meter Reader reads electric meters and records energy consumption. Performs special reads as required. performs meter disconnects and reconnects as requested. Tests single phase meters. Related work as required.

Wage is 50-65% Lineman scale. Position starts at 50% (22.58) and then receives 5% bump annually until 65% or (29.36) per hour.

## Petersburg

Wage: 25.98 per hour to 42.81 per hour.

Two classes of worker fill this position, Meter Reader and Electrician.

Meter Reader reads electric AND water meters monthly and serves as mapping technician for borough. Also serves as Groundman for Line crew when required.

Wage is 25.98 per hour for Tier 4, 27.06 per hour for Tier 1-3.

Job description states that Meter Reader connects, disconnects, tests, calibrates and repairs electric meters as well as programs metering installations for commercial services. Staff within that department tell me this is not actually the case and that the departments Electrician performs those duties.

Electrician is a journeyman level position with a listed wage of 41.10 per hour for Tier 4 and 42.81 for Tier 1-3 employees.

## Ketchikan

Wage: 65% to 100% Lineman Scale or (25.34-38.39) per hour. (Licensed Line Men receive additional 6.50 per hour premium over the 38.39 other workers rated at 100% receive)

Two classes of worker, Meter Reader, and Journeyman Meterman.

Meter Reader reads and records electrical meter readings. creates routs and uploads data to handheld electronic device and downloads to central system. Performs related duties as required.

Wage is 65% line scale (25.34) per hour.

Journeyman Meterman tests, calibrates, and installs electric meters and other devices used to measure electricity. Coordinates new meter installs. Maintains electrical testing and load checking equipment, repairs meter reading equipment and software upgrades.

Wage is 100% Line Scale or (38.39) per hour.

## Wrangell

Wage: 18.55 to 23.32 per hour spread over 13 years.

One worker covers meter reading, meter tech and line crew groundman duties. Responsibilities include read, calibrate, test, program and install single and three phase meter installations. Perform required software upgrades to meter test equipment. Perform disconnect/reconnects and related work orders.

Troubleshoot customer consumption complaints. Down load stored meter data for customer consumption analysis. Serve Line Crew as Groundman aiding from the ground and maintaining safety over watch for crews working off poles and elevated structures. Operate municipal generators when required.

# Summary

We can see that basically there are two positions that typically cover this work, a Meter Reader and a Meter Tech

Looking at average wages for the two positions represented and we come up with:

Meter Reader wage range of 23.82 to 35.72 per hour with an overall average wage of .....28.63 per hour

Meter Tech wage range of 38.39 to 48.57 per hour with an overall average wage of .....44.54 per hour

Generally speaking the Meter Reader position is entry level and this is reflected in the wage.

The Meter Tech positions are much more technical and most other utilities tie that position to a Skilled Trades position requiring advanced training or completion of a documented apprenticeship program. This too is reflected in the wage.

Wrangell does not have a journeyman program as part of our meter department. We do send our meter reader off to a recognized meter school for (1) week per year for a total of (5) years or (5) weeks of training. While this does provide the training needed to safely do the required work it does not give them a license or other universally accepted documentation that would allow them to necessarily assume the same level of responsibility in another utility. Because the meters and related equipment are the property of our utility we are exempt from State Department of Labor statutes requiring licensing or other advanced documentation for our worker. (see chapter 40 Alaska State Statutes)

What I Propose is this:

Create a "Groundman-Meter Technician I" position and a "Groundman-Meter Technician II" position.

Tech I would start at Step #1 Grade 17. This Grade level presumes an above average level of responsibility for the work they will be doing with either experience and or documentation meeting as many of the requirements for the position as possible. Anyone expected to work on or around live electricity and carry a CDL should be worth this much.

Tech II would move them up to Grade 20 starting at whatever year would allow them a bump in pay. Advancement to Tech II would require obtaining all required licenses and certificates and completing year (4) of the provided Meter Classes. Grade 20, while still far below the polled average, is consistent with the Borough's other skilled non-licensed positions yet below most union lead positions.

Justification:

When comparing our wage and scale to other utilities we do not come close to paying the average wage for a Meter Reader. If we add the Meter Tech aspect of the job and then throw in the requirement that they serve as Groundman then we fall even further behind.

One of the reasons this has been a low paying position is that it has always been considered entry level. In all fairness, pay grades 13-17 of the listed IBEW positions are all entry level too. None of those positions require the worker to be exposed to live unguarded electrical components, operate boom/ bucket trucks/municipal generators or any of the risks associated with Line Work. This is inherently dangerous work, but the grade level does not reflect this. Indeed, this position falls well behind even the Custodian level job grades.

Further consider the technical aspects of the position and that other utilities pay a wage for those services that is at minimum on par with year (8) of our Line Man Scale. This is serious work; an improperly selected or installed meter service can

explode within minutes of being energized so it is imperative that it be done right the first time. Training is required to do the work correctly and safely, but the current grade does not reflect the level expertise required.

Historically it has been difficult to recruit and retain good help for this position. We typically invest in recruitment and training of able candidates only to lose them to another position or department that pays more. Turn over is higher in this job than any other in this department. I would like to be able to offer a program and wage scale that will not only allow me to recruit able candidates but also offer incentive for upward advancement and encourage longevity.

Clay Hammer  
Electrical Superintendent  
Wrangell Municipal Light and Power



**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13f</b>	<u>DATE:</u>	February 6, 2018
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**Approval of Letter to the Federal Delegation and the Chief of the US Forest Service Regarding the Final Record of Decision on the Wrangell Island Project**

<u>SUBMITTED BY:</u>	<u>FISCAL NOTE:</u>
	<b>Expenditure Required:</b>
	\$0
Lisa Von Bargaen, Borough Manager	<b>Amount Budgeted:</b>
	\$0
	<b>Account Number(s):</b>
	n/a
	<b>Account Name(s):</b>
<u>Reviews/Approvals/Recommendations</u>	n/a
_____ Commission, Board or Committee	<b>Unencumbered Balance(s) (prior to expenditure):</b>
Name(s)	N/A
_____ Attorney	
_____ Insurance	
<b>ATTACHMENTS:</b>	
1. Letter to Federal Delegation	

**RECOMMENDATION:**

Move to approve a letter to be sent to the Federal Delegation and the Chief of the US Forest Service Regarding the Final Record of Decision on the Wrangell Island Project.

**SUMMARY STATEMENT:**

At the last meeting Administration asked for concurrence from the Assembly that no further action is to be taken regarding the Final Record of Decision on the Wrangell Island Project – specifically that the Borough does not want to file suite regarding the decision. There was consensus from the Assembly that filing suit is not desired. However, the Assembly did ask staff to determine what other actions might be taken.

Administration is offering the attached letter to the Federal Delegation and the Chief of the US Forest Service as an action that can be taken. The degree to which it may help is unknown, but the letter

addresses a couple of key points regarding bureaucratic process that keep the USFS from being nimble enough to ever be considered “responsive” in the ever-changing (now global) world of natural resource commodities.

Upon approval by the Assembly, either as-is, or with amendments, the correspondence will go out to the federal delegation, the Chief of the US Forest Service and the CBW Federal Lobbyist.

The version of the letter that is attached is addressed to Senator Murkowski. If approved, individually addressed letters to Senator Sullivan and Congressman Young will be prepared; and the USFS Chief.



## CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

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

February 7, 2018

Honorable Senator Lisa Murkowski  
United States Senate SH-522  
Washington, DC 20510

Dear Senator Murkowski:

On behalf of the City & Borough of Wrangell (CBW), I wish to express our significant disappointment in the Final Record of Decision (ROD) for the Wrangell Island Project Timber Sale. The process to arrive at this decision began more than a decade ago with an anticipated sale of 250-500 mmbf over 10 years and culminated in a timber sale of 5-7 mmbf over the same time period.

US Forest Service lands comprise 97% of the property within the Borough. Those lands will never be available for development, other than for sustainable and responsible timber harvesting. It should be the obligation of the USFS to fulfill its mission, "To sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations." By law the USFS is mandated, among other priorities, to "help States and communities to wisely use the forests to promote rural economic development and a quality rural environment." This process could not have resulted in an outcome further from the agency's mission.

Most disturbing is the time associated with decision-making. Timber is an internationally-sought natural resource commodity; the global demands for which change constantly. A ten-year decision-making timeline is completely unreasonable to meet changing market forces. Over the "decade of decision-making" the last remaining mill on Wrangell Island closed and the knowledgeable timber workforce has left the community or had to find new career alternatives. Even if a viable, economic sale were to be opened up on Forest Lands, it is prohibitive to rebuild the industry from scratch.

A small number of micro-areas were identified for timber harvest in the ROD. Far more were previously under consideration. The CBW specifically requested the maximum number of areas, not a minimum number, be included in the ROD so they could be

available for harvest, without a full review process, should market forces change. This was not considered.

Finally, the ROD should have included requirements for local processing prior to export. If the intent of the USFS is to help promote rural economic development, excluding a local processing requirement is a direct mission contradiction.

It is the understanding of the Borough that work on the Central Tongass Landscape Level Analysis will begin very soon. The purpose of this endeavor is to “improve forest ecosystem health on the Petersburg and Wrangell Ranger Districts...help support community resilience, and to use an integrated approach in meeting multiple resource objectives.” We look forward to working on the Analysis and hope outcomes will not be a decade in the making.

Sincerely,

David L. Jack  
Mayor

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13g</b>	<u>DATE:</u>	February 6, 2018
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**Proposed Resolution No. 02-18-1392:** A RESOLUTION OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA UPDATING RESOLUTION NO. 06-15-1321 REGARDING THE FINANCING PLAN FOR THE SHOEMAKER BAY HARBOR PROJECT RELATING TO THE PROJECT BUDGET AND ISSUANCE OF REVENUE BONDS

<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>
Lisa Von Bargaen, Borough Manager		<b>Expenditure Required:</b>
		\$11,684,941
		<b>Amount Budgeted:</b>
		\$0
		<b>Account Number(s):</b>
		Multiple
		<b>Account Name(s):</b>
		Grant, Harbor Reserves, Revenue Bond
<u>Reviews/Approvals/Recommendations</u>		
	Commission, Board or Committee	<b>Unencumbered Balance(s) (prior to expenditure):</b>
Name(s)		N/A
	Attorney	
	Insurance	
<u>ATTACHMENTS:</u>		
1. Proposed Resolution No. 02-18-1392; 2. Original Resolution 06-15-1321		

**RECOMMENDATION:**

Move to approve Proposed Resolution No. 02-18-1392 updating Resolution No. 06-15-1321 regarding the financing plan for the Shoemaker Bay Harbor Project relating to the Project Budget and the Issuance of Revenue Bonds.

**SUMMARY STATEMENT:**

The final budget for the Shoemaker Bay Harbor Project is complete. Please see the table below with the proposed financing plan:

1	Estimated Budget to Completion	11,684,941	Includes Borough share of Breakwater Extension Plan
2	FY 18 Beginning Operating Reserves:	1,194,608	
3	FY 18 Revised Est. Revenue:	1,132,454	

4	FY 18 Est. Expenditures:	<u>(573,397)</u>	
5	Est. Harbor Reserves, Year End FY 2018:	1,753,665	
6	Est. additions to harbor reserves, FY 19	400,000	Estimate based on recent harbor budget trends
7	Harbor Replacement Reserves	1,838,900	Saved from a portion of Annual Stall Rent
8	Commercial Fishing Infrastructure Reserve	<u>551,093</u>	Saved from annual State Raw Fish Tax Revenue
<b>9</b>	<b>Available through year end FY 2019:</b>	<b>4,543,658</b>	Borough Harbor Funds
10	State Harbor Matching Grant	5,000,000	
11	Minimum Bond Amount	2,391,283	Remainder required based on above sources
12	Remaining in Harbor Operating Reserves	250,000	

The amount of the interior harbor replacement project (including upland disposal of the dredge material at the Borough Monofill) is estimated at \$11,184,941. In order to concurrently move forward with planning for a Section 107 US Army Corps of Engineers study for a breakwater extension, an estimated \$500,000 in match money is required. This is included in the overall cost of the full project at \$11,684,941 and is included in the bond amount.

As we prepare to submit an application to the Bond Bank, Administration thought it prudent to update the authorizing resolution passed in 2015. This resolution makes the necessary updates give the new budget. It does, however, retain the same original bonding authorization at \$2.5 million. The new estimated bond amount is \$2.4 million.

Staff is happy to discuss any aspect of the project at the meeting. Once we get approval from the Board at the Bond Bank, we will authorize PND to move forward with bidding the project – hopefully sometime in March. We are planning for fall construction which gives the most flexibility to relocate vessels from Shoemaker Bay to another location during demolition and construction.

**CITY AND BOROUGH OF WRANGELL, ALASKA****RESOLUTION No. 02-18-1392**

A RESOLUTION OF THE ASSMEBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA UPDATING RESOLUTION NO. 06-15-1321 REGARDING THE FINANCING PLAN FOR THE SHOEMAKERBAY HARBOR PROJECT RELATING TO THE PROJECT BUDGET AND ISSUANCE OF REVENUE BONDS

**WHEREAS**, on June 15, 2015 the Assembly passed Resolution 06-15-1321 authorizing a plan of financing for the reconstruction of Shoemaker Bay Harbor , including issuance of harbor revenue bonds and application for grant funding and for the sale of revenue bonds; and

**WHEREAS**, the City & Borough of Wrangell was awarded a \$5 million grant from the State of Alaska Harbor Matching Grant Program; and

**WHEREAS**, final engineering and design of the project are complete and the new cost estimate for the project is \$11,184,941; and

**WHEREAS**, the Harbor Fund has \$4,453,658 in available reserves and estimated unallocated revenue for expenditure toward the project; and

**WHEREAS**, the grant and harbor funds require revenue bonds be issued for the project in the amount of \$1,900,000; and

**WHEREAS**, the Shoemaker Bay Harbor Breakwater is deficient, which has caused the deterioration of the internal float system; and

**WHEREAS**, a breakwater extension is necessary to preserve the new float system; and

**WHEREAS**, estimated match for a US Army Corps of Engineers Section 107 Planning Grant at 50% is \$500,000, and

**WHEREAS**, it is necessary for the harbor to bond for this additional cost, increasing the total bond amount to approximately \$2,400,000 with a total project cost of \$11,684,941.

**NOW, THEREFORE, BE IT RESOLVED** by the Assembly of the City and Borough of Wrangell, Alaska, as follows:

Section 1. In accordance with Section 2 (Plan of Financing) of Resolution 06-15-1321 the financing plan of the Shoemaker Bay Harbor Project remains in place with the following updated funding plan:

1	Estimated Budget to Completion	11,684,941	Includes Borough share of Breakwater Extension Plan
2	FY 18 Beginning Operating Reserves:	1,194,608	
3	FY 18 Revised Est. Revenue:	1,132,454	
4	FY 18 Est. Expenditures:	<u>(573,397)</u>	
5	Est. Harbor Reserves, Year End FY 2018:	1,753,665	
6	Est. additions to harbor reserves, FY 19	400,000	Estimate based on recent harbor budget trends
7	Harbor Replacement Reserves	1,838,900	Saved from a portion of Annual Stall Rent
8	Commercial Fishing Infrastructure Reserve	<u>551,093</u>	Saved from annual State Raw Fish Tax Revenue
9	<b>Available through year end FY 2019:</b>	<b>4,543,658</b>	Borough Harbor Funds
10	State Harbor Matching Grant	5,000,000	
11	Minimum Bond Amount	2,391,283	Remainder required based on above sources
12	Remaining in Harbor Operating Reserves	250,000	

Section 2. Section 4 (Authorization of Harbor Revenue Bonds) of Resolution 06-15-1321 remains valid authorizing up to \$2.5 million in Harbor Revenue Bonds, as the new estimated bond amount is approximately \$2.4 million.

Section 3. Section 5 (General Authorization) of Resolution 06-15-1321 remains in place allowing the necessary elected officials and staff to authorize the bond issuance as necessary.

Section 4. All other sections of Resolution 06-15-1321 remain in full force and effect.

Section 5. Prior Acts. The Assembly ratifies and confirms any and all acts heretofore taken by officers, agents, attorneys and employees of the Borough in connection with the Project or the plan of financing described in this resolution.

Section 6. Effective Date. This resolution will take effect immediately upon its adoption.

**ADOPTED** this 6<sup>th</sup> day of February, 2018.

CITY AND BOROUGH OF WRANGELL

By \_\_\_\_\_  
David L. Jack, Mayor

ATTEST:

\_\_\_\_\_  
Kim Lane, Borough Clerk



**CITY AND BOROUGH OF WRANGELL, ALASKA****RESOLUTION NO. 06-15-1321**

**A RESOLUTION of the Assembly of the City and Borough of Wrangell, Alaska, authorizing a plan of financing for the reconstruction of Shoemaker Bay Harbor, including the issuance of harbor revenue bonds and applications for grant funding and for the sale of the revenue bonds.**

**WHEREAS**, the City and Borough of Wrangell, Alaska (the "Borough"), owns and operates harbor facilities for recreational and commercial use (the "Harbor Facilities"); and

**WHEREAS**, the Borough has established the Harbor Department within the Port Fund to account for revenues derived from owning and operating the Harbor Facilities; and

**WHEREAS**, the Port Commission has recommended that the Borough make certain improvements to the Shoemaker Bay harbor basin (the "Project"), which is part of the Harbor Facilities, and the Borough has hired PND Engineers to design those improvements; and

**WHEREAS**, \$10,700,000 is the preliminary estimate for the cost of the Project; and

**WHEREAS**, the Borough has accumulated funds in the Harbor Replacement and Commercial Fishing Fund Reserves that can be used to pay a portion of the cost of the Project; and

**WHEREAS**, to pay additional costs of the Project, the Borough wishes to apply for a municipal harbor facility grant from the State of Alaska in the approximate amount of \$5,000,000, which grant will require matching funds from the Borough; and

**WHEREAS**, to provide those matching funds, the Assembly finds that it is in the best interest of the Borough and users of the Harbor Facilities to authorize the issuance of bonds payable from revenues derived from the Harbor Facilities (the "Harbor Revenue Bonds"), the proceeds of which bonds would also fund a reserve account (if required) and pay costs of issuing the bonds; and

**WHEREAS**, the Assembly wishes to authorize Borough staff to apply to the Alaska Municipal Bond Bank (the "Bond Bank") for the potential sale of the Harbor Revenue Bonds to the Bond Bank;

**NOW, THEREFORE, BE IT RESOLVED** by the Assembly of the City and Borough of Wrangell, Alaska, as follows:

**Section 1. The Project.** The Assembly ratifies and confirms the Borough's hiring of PND Engineers to design improvements for the reconstruction of Shoemaker Bay Harbor (the "Project") and authorizes Borough staff to continue to work with PND Engineers to develop cost estimates for the Project. The cost of all architectural, engineering, and other consulting

services, administrative and relocation expenses, acquisitions of property, on- and off-site utilities, and other costs incurred in connection with the Project and planning for the Project will be considered part of the cost of the Project.

Section 2. Plan of Financing. To finance costs of the Project, the Assembly hereby approves a plan of financing that may include any or all of the following:

- Application by the Borough for a municipal harbor facility grant from the State of Alaska;
- Providing all or a portion of any required matching funds from the proceeds of bonds payable from revenues of the Harbor Facilities (the “Harbor Revenue Bonds”);
- Application to the Alaska Municipal Bond Bank for the potential sale to the Bond Bank of the Harbor Revenue Bonds;
- Using funds in the Harbor Replacement and Commercial Fishing Fund Reserves to pay a portion of the cost of the Project; and
- Using such other funds of the Borough as may lawfully be applied to costs of the Project.

Section 3. Application for Grant. Borough staff is hereby authorized to apply to the State of Alaska Harbor Facility Grant Program for grant funding to pay a portion of the cost of the Project. The Assembly authorizes and directs Borough staff to submit any forms, data, resolutions, and certifications that may be required by the Program in its review of the Borough’s grant application.

Section 4. Authorization of Harbor Revenue Bonds. To provide a portion of the matching funds that may be necessary for any grant funding for costs of the Project, the Borough is authorized to issue and sell the Harbor Revenue Bonds in an aggregate principal amount not to exceed \$2,500,000. Proceeds of the Harbor Revenue Bonds may also be used to pay incidental costs of the Project, the cost of funding a debt service reserve (if required), and costs of issuing the Harbor Revenue Bonds.

Both principal of and interest on the Harbor Revenue Bonds shall be payable solely from the Harbor Account in the Port Fund and secured by a pledge of revenues derived from the Harbor Facilities. The Harbor Revenue Bonds shall be issued and sold in such amounts and at such time or times as found necessary and advisable by the Assembly and as permitted by law. The Harbor Revenue Bonds may be issued in one or more series, with interest rates, maturity schedule, payment dates, covenants, form, other terms, and manner of sale to be authorized or otherwise provided for by ordinance or ordinances of the Borough.

The Finance Director and other appropriate Borough staff are authorized to apply to the Alaska Municipal Bond Bank for the potential issuance of the Harbor Revenue Bonds to secure a loan from the Bond Bank. The Assembly authorizes and directs the Finance Director and other Borough staff to submit any forms, data, resolutions, and certifications that may be required by the Bond Bank in its review of the Borough’s loan application.

Section 5. General Authorization. The Assembly authorizes and directs the Mayor, Borough Manager, Finance Director, Borough Clerk, Borough Attorney, and any other


appropriate officers, agents, attorneys and employees of the Borough to take such steps, do such other acts and things, and execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable to carry out the terms and provisions of, and complete the actions contemplated by, this resolution.

Section 6. Prior Acts. The Assembly ratifies and confirms any and all acts heretofore taken by officers, agents, attorneys and employees of the Borough in connection with the Project or the plan of financing described in this resolution.

Section 7. Effective Date. This resolution will take effect immediately upon its adoption.

**ADOPTED** this 9th day of June, 2015.

CITY AND BOROUGH OF WRANGELL

By  \_\_\_\_\_  
David L. Jack, Mayor

ATTEST:

  
Lavonne Klinke, Deputy Borough Clerk

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13h</b>	<u>DATE:</u>	February 6, 2018
<b>Approval of City Tidelands Annual Five-Year Reassessments</b>				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
Kim Lane, Borough Clerk		<b>Expenditure Required:</b> none		
		<b>Amount Budgeted:</b> none		
		<b>Account Number(s):</b> none		
		<b>Account Name(s):</b> none		
<u>Reviews/Approvals/Recommendations</u>				
<input type="checkbox"/>	Port Commission	<b>Unencumbered Balance(s) (prior to expenditure):</b> none		
<input type="checkbox"/>	P&Z Commission			
<input type="checkbox"/>	Attorney			
<input type="checkbox"/>	Insurance			
<b><u>ATTACHMENTS:</u></b>				
1. Annual Reassessments from Michael Renfro, Borough Assessor				

**RECOMMENDATION:**

Move to approve the five-year City Tideland Reassessments as presented.

**SUMMARY STATEMENT:**

Per WMC 16.08.220 – Rental Adjustments: The annual rental payable pursuant to any lease issued under the provisions of this chapter shall be subject to adjustment by the assembly on the fifth anniversary of the date of the lease and each anniversary date thereafter which is divisible by the number five. All adjusted rates shall be computed at six percent on the fair market value of the land and improvements owned by the borough and leased thereunder. Such value shall be determined by an appraisal made by the borough assessor and reviewed and determined by the assembly as provided in WMC [16.08.100](#).

- #48** new fee value \$185,000 = \$11,100 + tax, per year (ATS 1249) (Silver Bay Logging)
- #49** new fee value \$75,000 = \$4,500 + tax, per year (ATS 1143) (Silver Bay Logging)
- #32** new fee value \$52,000 = (Lots 6&7, Block 54, Wrangell Townsite) Fixed rate of \$50 per year per Lease Agreement. (No Change) (Central Council Tlingit & Haida Indian Tribes of Alaska)

# Silver Bay Logging (#48)

WRANGELL TIDELANDS LEASE  
Lease No. 48

LOCATION: NHN Zimovia Highway, at Shoemaker Bay

LEGAL DESCRIPTION: ATS 1249

LESSOR: City and Borough of Wrangell      INSTRUMENT: Lease

LESSEE: Silver Bay Logging, Inc.

FEE VALUE: \$185,000      DATE OF LEASE: 5/1985

TERM: 55 years      ZONING: WFD

AREA: 30.807/Acre      USE AT LEASE: Vacant

ANTICIPATED USE: Unknown

ACCESS: Good      ASSESSMENTS: None Noted

UTILITIES: Electric/Telephone      EASEMENTS/RESTRICTIONS: None

CONFIRMED WITH: City and Borough of Wrangell      BY/DATE: MCR 08-12, 12-17

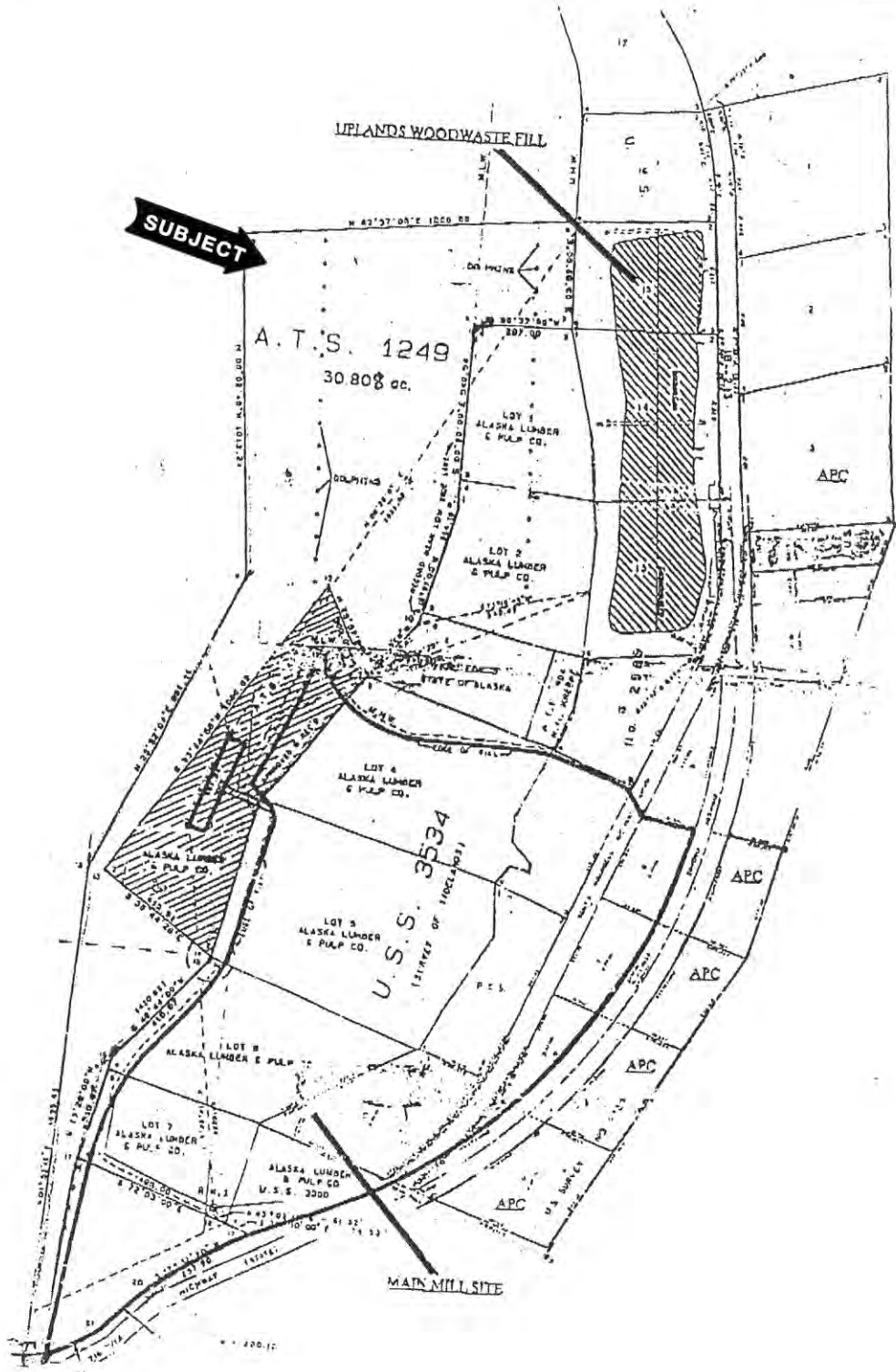
PROPERTY DESCRIPTION: Submerged tidelands adjoining the old mill site

ANALYSIS: 2018       $\$185,000/30.807 \text{ acre} = \$6,005/\text{acre}$

$\$185,000 \times .06 = \$11,100/\text{year}$



ATS 1249 Plat



LAND VALUE: There have been limited sales of similar submerged tideland lots. The sales provided are considered to be representative of the market for undeveloped land.

COMPARABLE LAND SALES

NUMBER	LEGAL	DATE	SALE PRICE	AREA/acre	PRICE AC	REMARKS
1	5B Spur Rd	03/99	\$175,000	4.67	\$37,473	Industrial Waterfront Lot
2	Tracts A&B ATS 1114	05/17	\$67,600*	1.94	\$34,845	Submerged Tidelands Inside Harbor
3	Lots 2,3 & 4 SBPL Sub	06/15	\$75,100*	.57	\$131,754	Level Industrial Lots at Shoemaker Bay

\*Capitalized Value of Lease



WRANGELL TIDELAND LEASES  
LEASE 48(continued)

Adjustment Grid: The following grid shows the estimated adjustments for each sale bringing it into conformity with the subject.

	#1	#2	#3
Price/Acre	\$37,473	\$34,845	\$131,754
Time	+19%	+1%	+3%
Net After Time	\$44,592	\$35,193	\$35,706
Terms	0	0	0
Size	-60%	-60%	-80%
Location/Access	0%	-20%	-10%
Utilities	0	0	0
Net Adjustment	-60%	-80%	-90%
Indicated Value/acre	\$17,836	\$7,039	\$13,570

Conclusion

Submerged tidelands generally sell between 20% to 30% of the adjoining uplands. Both comparables one and three are uplands sites and would be adjusted downward.

After adjustment the indicated value for comparable one is \$5,350 per acre for tidelands and comparable three would be \$4,071 per acre. Comparable two is \$7,039 an acre.

After adjustments the range in value for the tidelands is between \$4,100 and \$7,000 per acre rounded.

After analysis of the property differences, including the subject's size and location, the market value of the subject's 30.807 acres is concluded to be \$6,000 per acre or \$184,842, rounded to \$185,000.





# Silver Bay Logging (#49)

WRANGELL TIDELANDS LEASE  
Lease No. 49

LOCATION: NHH Zimovia Highway at Shoemaker Bay

LEGAL DESCRIPTION: ATS 1143

LESSOR: City of Wrangell

INSTRUMENT: Lease

LESSEE: Silver Bay Logging, Inc.

FEE VALUE: \$74,000

DATE OF LEASE: 08/1981

TERMS: 55 years

ZONING: WFD

AREA: 6.632 Acres

USE AT LEASE: Dock Site

ANTICIPATED USE: Dock Site

ACCESS: Good

ASSESSMENTS: None Noted

UTILITIES: Electric/Telephone

EASEMENTS/RESTRICTIONS: None

CONFIRMED WITH: City of Wrangell

BY/DATE: MCR 8-2012, 12-18

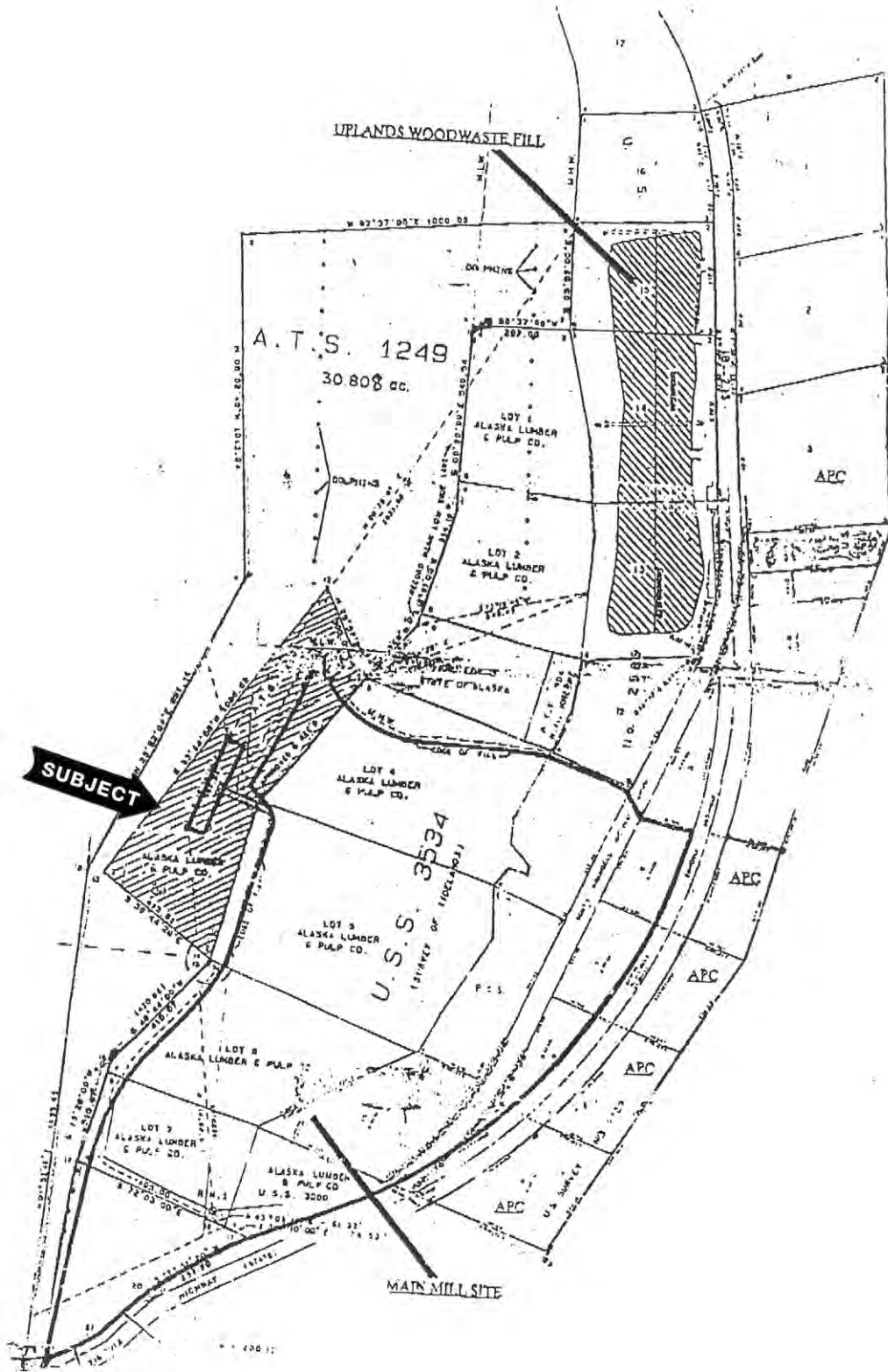
PROPERTY DESCRIPTION: Submerged tidelands adjoining the old mill site.

ANALYSIS: 2018             $\$ 74,000 / 6.632 \text{ Acre} = \$11,158 / \text{Acre}$

$\$74,000 \times .06 = \$4,440 / \text{year}$



ATS 1143



LAND VALUE: There have been limited sales of similar submerged tideland sites. The analysis provided is considered to be representative of the market for undeveloped land surrounding the subject a current appraisal of the adjoining uplands was completed 9/24/2016

Conclusion:

The current appraisal prepared for the City and Borough of Wrangell by Kim Wold dated 9/24/2016 values the adjoining uplands at \$.85 per square foot. Submerged tidelands generally sell for between 20% and 30% of adjoining uplands.

\$.85/SF uplands value X 30% = \$.26/SF indicated value for adjoining tidelands or \$11,107 per acre.

6.632 acres X \$11,107/Acre = \$73,663  
Rounded \$74,000



# Tlingit & Haida (#32)

## LEASE NO. 32

LOCATION: NHN First Avenue, Wrangell, Alaska

LEGAL DESCRIPTION: Lots 6 & 7, Block 54 Wrangell Townsite

LESSOR: City of Wrangell

INSTRUMENT: Lease

LESSEE: Central Council Tlingit & Haida Indian Tribes of Alaska

FEE VALUE: \$52,000

DATE OF LEASE: 09/93

TERMS: 55 years

ZONING: Public Use

AREA: 16,000 SF

USE AT LEASE: Vacant

ANTICIPATED USE: Head Start Building Site

ACCESS: Good, 1<sup>st</sup> Avenue

ASSESSMENTS: None

UTILITIES: Water/Sewer  
Electric/Telephone

EASEMENTS/RESTRICTIONS: Typical

CONFIRMED WITH: City of Wrangell

BY/DATE: MCR 7-14, 12-17

PROPERTY DESCRIPTION: Level filled site with all utilities.

ANALYSIS: 2018

$\$52,000/16,000\text{SF} = \$3.25\text{SF}$

Lease rate fixed by original lease at \$50.00 per year



LAND VALUE: There have been limited sales of similar lots. The sales provided are considered to be representative of the market for undeveloped land.

COMPARABLE LAND SALES

NUMBER	LEGAL	DATE	SALE PRICE	AREA/SF	PRICE SF	REMARKS
1	Lot 3 Sortyard	12/01	\$14,900	4,254	\$3.50	Business Industrial Lot on Front Street
2	Lot 2A Sortyard	11/01	\$50,281	14,366	\$3.50	Business Industrial Lot on Front Street
3	Lot 7 Sortyard	11/01	\$20,229	6,743	\$3.00	Business Industrial Lot located one lot off Front Street



**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	13i	<u>DATE:</u>	February 6, 2018
<b>Approval to cancel the February 13, 2018 Regular Assembly meeting</b>				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
			Expenditure Required:	
			\$0	
Lisa Von Bargaen, Borough Manager			Amount Budgeted:	
			\$0	
			Account Number(s):	
			N/A	
			Account Name(s):	
			N/A	
<u>Reviews/Approvals/Recommendations</u>			N/A	
	Commission, Board or Committee	<b>Unencumbered Balance(s) (prior to expenditure):</b>		
Name(s)				
			N/A	
	Attorney			
	Insurance			
<u>ATTACHMENTS:</u>				
None				

**RECOMMENDATION MOTION:**

Move to approve canceling the Regular Assembly meeting of February 13, 2018.

**SUMMARY STATEMENT:**

Administration is respectfully requesting to cancel the regular Assembly meeting of February 13, 2018. Both Assembly Member Decker and I (Manager Von Bargaen) will be in Juneau attending Southeast Conference.

Additionally, due to a lack of a quorum, the Regular meeting of January 23, 2018 was rescheduled to February 6, 2018, which is just one week the February 13<sup>th</sup> meeting.

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13j</b>	<u>DATE:</u>	February 6, 2018
<b>Approval to accept the Resignation from Becky Rooney from the Borough Assembly</b>				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
Kim Lane, Borough Clerk			Expenditure Required: none	
			Amount Budgeted: none	
			Account Number(s): none	
			Account Name(s): none	
<u>Reviews/Approvals/Recommendations</u>				
<input type="checkbox"/>	Port Commission		<b>Unencumbered Balance(s) (prior to expenditure):</b> none	
<input type="checkbox"/>	P&Z Commission			
	Attorney			
n/a	Insurance			
<u>ATTACHMENTS:</u>				
None.				

**RECOMMENDATION:**

Move to accept the letter of resignation from Assembly Member Becky Rooney from the Borough Assembly and to direct the Borough Clerk to begin advertising for the unexpired term ending in October 2018.

SUMMARY STATEMENT: None.

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	13k	<u>DATE:</u>	February 6, 2018
<b>Discussion Item: City &amp; Borough of Wrangell Code and Policies Related to Nepotism</b>				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
		<b>Expenditure Required:</b>		
		\$0		
Lisa Von Bargen, Borough Manager		<b>Amount Budgeted:</b>		
		\$0		
		<b>Account Number(s):</b>		
		n/a		
		<b>Account Name(s):</b>		
		n/a		
<u>Reviews/Approvals/Recommendations</u>		n/a		
	Commission, Board or Committee	<b>Unencumbered Balance(s) (prior to expenditure):</b>		
Name(s)		N/A		
	Attorney			
	Insurance			
<b><u>ATTACHMENTS:</u></b>				
1. Memo & Packet from Daltons; 2. 2016 Spreadsheet from Borough Clerk				

**RECOMMENDATION:**

None. Discussion only.

**SUMMARY STATEMENT:**

The permanent, part-time position of Custodian-Light Maintenance in the Parks & Recreation Department is open. Following the mandatory, five-day, in-house posting, during which no applications were received, the position was posted externally for three weeks. Several candidates applied. Applications were reviewed, interviews conducted and the position was offered to the person determined by staff to be the best candidate.

The position has been open for several weeks and the Parks & Rec Director had been bridging the gap in addition to her normal duties. In an effort to bring the new employee on as soon as possible, he was brought into work currently with the submittal of his hiring paperwork. Not until that time was it



realized by anyone that this person is a first degree relative (by marriage) of an Assembly member. For clarification, the candidate disclosed this information on his application, and it was missed. Both the Wrangell Municipal Code and the Personnel Policies prohibit the hiring of employees who are within the second degree of a relative of an Assembly member.

The Wrangell Municipal Code reads as follows:

#### 3.04.114 Nepotism

A. Except as provided in subsection (B) of this section, neither the borough manager, the assembly nor any other authority of the borough government may appoint any person related to the mayor or any other assembly member, to the borough manager, or to such person, or, in the case of a plural authority, to one of its members, by affinity or consanguinity within the second degree, to any office or position of profit in the borough government; but this shall not prohibit an officer or employee from continuing in the service of the borough.

B. Relatives, within the second degree of affinity or consanguinity to the borough manager cannot be appointed to an office or position of profit in the borough government without the prior approval of the borough assembly. If an employee is currently working for the borough government and a relative within the second degree of affinity or consanguinity is hired as the borough manager, that person cannot continue their employment with the borough without approval of the borough assembly. [Ord. 870 § 2, 2013; Ord. 807 § 1, 2007.]

The Personnel Policies read as follows:

#### 105 Hiring of Relatives

Relatives, within the second degree of either a Borough Assembly member or the Borough Manager cannot be hired for a position with the Borough. If an employee is currently working for the City and Borough of Wrangell and a relative is elected to the assembly, the employee can continue with employment, but cannot take a new position unless the position is similar in nature to the existing job. A higher position is not allowed. If an employee is currently working for the City and Borough of Wrangell and a relative is hired as the Borough Manager, that person cannot continue their employment with the Borough.

The Attorney was consulted and the new employee was advised he was not eligible for hire because of his relationship to an Assembly member. However, the Attorney did say, if the Assembly member resigned, the person would be eligible for hire. Administration provided the applicant with five days to determine if this would be a viable option. It is staff's understanding from the applicant he declined to ask this of his relative on the Assembly. This makes him ineligible for consideration.

This is an unfortunate situation in a couple of respects. First, the candidate went all the way through the hiring process, including being brought into work, before this issue was realized. Second, this person was determined to be the best candidate and is not eligible for employment.

The Assembly dealt with this issue as recently as two years ago and decided to leave the nepotism rules in place, with exception of changing the hiring ineligibility from a third degree relation, to a second. The reason this issue is back before the Assembly for consideration is that the applicant and his wife submitted a formal request for this item to be on the agenda. After reviewing the memo

submitted by them, and the background research, the Manager approved this item for discussion on the agenda.

Please see the attached packet of material submitted by Maxfield and Jennifer Dalton. They are asking the Assembly to consider changing the nepotism rules to be more consistent with other communities. They contacted several communities in Southeast and have provided information on their codes and policies for review by the Assembly.

Additionally, when this item was previously discussed by the Assembly, the Clerk conducted research. The compilation of her findings is also attached.

This is an opportunity for the Daltons to present their information and for the Assembly to discuss the matter and provide direction to Administration.



**City & Borough of Wrangell  
Agenda Item Request Form**

13k-1

Agenda Item No. \_\_\_\_\_

Meeting Date \_\_\_\_\_

Received in Clerk's Office:

\_\_\_\_\_ Time and Date

\_\_\_\_\_ Name

Reviewed for  
Submittal -  
Borough Manager

Initial: \_\_\_\_\_

Above information to be completed by the Borough Clerk

**TITLE:**

[brief description of request]

Review of Personnel Policy 105 Hiring of relatives  
-request amendment

Submitted By:

Maxfield Dalton

Contact Name:

Max Dalton or Jennifer Dalton

Phone No.:

907-209-6935 or 907-331-0877

**REQUESTED ACTION:**

[what are you asking the Assembly to do?]

removed exclusion of hiring of relative of members  
of assembly OR add an exception for approval  
of employment by assembly

**SUMMARY OF ISSUE:**

[Provide any information that would assist the Assembly in its decision-making process. You may attach additional pages of information to this form.]

Please see attached statement  
also included are notes regarding employment  
of relatives for other Southeast Alaska  
Communities

Good evening Mayor Jack and members of our Assembly. Thank you for allowing me the opportunity to present my request for review and modification of section 105 of the current Personnel Policy.

In late December of last year, I submitted my application for employment as a part-time maintenance worker with the Parks & Recreation department. On the first page of the application, it asks if there is a relationship with an assembly member or borough manager, and also asks if related to any city workers. I answered yes to both of those questions, listing David Jack as my father-in-law and Wayne McHolland as my brother-in-law.

In January, I was interviewed for the position, found to be the most qualified applicant, and offered employment. I began work on Monday January 22<sup>nd</sup> and worked by full shift. Several hours later, I was contacted by the supervisor for the position and advised that I would not be able to continue working due to my relationship with Mayor Jack. I was surprised by this news as I had assumed that the questions on the application were to ensure that a new hire would not be supervised by their relative. I was also very disappointed - As you know, job opportunities in Wrangell can be scarce.

In contacting the borough manager regarding this matter, she immediately looked into it and provided the information to show that my hire was prohibited. This is found in resolution 08-13-1281.

She apologized for the situation – that I was offered employment, and then denied. She also advised that the hiring supervisor would contact me. Later that day, the supervisor did contact me and advised that she really felt that I was the most qualified for the position, which is why she offered it – that there was no attempt at favoritism. She indicated that if I wished to keep the position, my father-in-law would need to resign from service.

Based on this series of events, my wife and I decided to research this a little further. We found that the Personnel Policy posted on line referred to amendments, but they were not included in the post. That was corrected once the clerk was notified. Additionally, the employment application did not notify the applicant that they could not be considered if related to an assembly member. The application has since been modified as a result.

As we really didn't think that the intention of the resolution was to pass over the best qualified applicant because of the relationship, we looked at how other cities and boroughs in Southeast Alaska handled this. Through on-line searches, emails, and calls to Juneau, Ketchikan, Petersburg, Sitka, Craig, Klawock, and Haines, we found that none of these communities were as restrictive. With the exception of Ketchikan, none of these had a restriction specifically for relatives of assembly members or the mayor; they simply do not allow supervision of relatives. Ketchikan does have a similar rule that applies to assembly and borough manager, but it also includes an exception for assembly approval. This is similar to the exception for relatives of the borough manager. A recap of the rules was submitted with the request to be added to the agenda.

That brings me to another point related to this. Under the current municipal code, 3.58.030, assembly members may not be involved in hiring or firing matters- that authority is under the borough manager. Prior to July 2013, there was no exception for the borough manager either. In July of 2013, due to the potential appointment of Jeff Jabusch to borough manager, it was recognized by the assembly that his wife, a long-time employee, and son would be required to resign their positions. The assembly adopted the resolution to allow for their approval and they did allow these 2 relatives to remain employed.

My request is that Personnel Policy **105 Hiring of Relatives** be review and amended. As currently written, no spouse, child, grandchild, brother, sister, niece or nephew or a spouse of one these family members can be employed by the Borough – without exception. That would include a very large population of our city.

The borough manager is charged with personnel matters in the Borough. However, there is an exception for hiring of relatives. The assembly is prohibited from involvement in hiring/firing practices, yet they do not have an exception. It would seem that the entire section that prohibits relatives of assembly members (3.04.114 A) could be removed as there is no assembly involvement in hiring/firing. At a minimum, an exception to allow assembly approval should be added to ensure that the most qualified individual is placed in the open position. This would consistent with other communities in our area, and to ensure that the Borough is served by the most qualified individual.

I would also like to note that there were previous concerns regarding unspoken pressure of hiring a relative of an assembly member. It would seem that as the borough manager has oversight of all personnel matters, it would be likely that unspoken pressure of hiring their relation would exist. Or that this same pressure would exist for relatives of any department head, even though they do not supervise those relatives.

Thank you for your time and consideration.

## **Ketchikan Gateway Borough**

<http://www.codepublishing.com/AK/KetchikanGatewayBorough/#!/ketchikangatewayborough03/KetchikanGatewayBorough0310.html#3.10.040>

### **3.10.040 Nepotism.**

No person shall be employed who is under the direct or indirect authority of a supervisor, director or manager who is an immediate family member as defined in KGBC [3.05.110](#) or is in a personal relationship, as defined in KGBC [3.05.110](#). Employees found in violation of this section may be subject to disciplinary action up to and including termination. No immediate family member of the borough manager, assistant borough manager, borough mayor or an assembly member may be employed **without prior approval of the borough assembly**. No person shall be employed with the borough who is in a personal relationship, as defined in KGBC [3.05.110](#), with the borough manager, assistant borough manager, borough mayor, or an assembly member. This section does not apply to volunteers of the North and South Tongass fire departments, and members of the planning commission or school board. Any employee who becomes involved in a personal relationship prohibited by this section shall immediately inform the assistant manager or human resources administrator of the existence of such relationship. [Ord. No. 1807, §2, 7-18-16; Ord. No. 1736, §2, 9-2-14; Ord. No. 970A, §4, 5-20-96; Ord. No. 956B, §1, 5-1-95. Code 1974 §30.20.017.]

<http://www.codepublishing.com/AK/KetchikanGatewayBorough/#!/KetchikanGatewayBorough03/KetchikanGatewayBorough0305.html#3.05.110>

### **3.05.110 Definitions**

**“Immediate family” means a spouse; sibling; grandparent; uncle; aunt; niece; nephew; regular member of the person’s household; a child, including a stepchild or adoptive child; grandchild; brother-in-law; sister-in-law; and a parent or sibling of the person’s spouse.**

**“Personal relationship” means a relationship involving employees who are dating or engaged in a romantic relationship**

## **Petersburg**

\*Verified with Borough Clerk that there are no code or ordinance related to nepotism for hiring practices. The rule is found in their handbook.

[http://www.ci.petersburg.ak.us/vertical/sites/%7B6795A51C-8710-4546-B2D2-2A07534E232B%7D/uploads/2014\\_employee\\_handbook.pdf](http://www.ci.petersburg.ak.us/vertical/sites/%7B6795A51C-8710-4546-B2D2-2A07534E232B%7D/uploads/2014_employee_handbook.pdf)

## **Employment of Relatives**

Petersburg Borough may hire relatives of employees where there are no potential problems of supervision, safety, security, morale or potential conflict of interest and where there are no real or apparent conflicts of interest nor circumstance which may suggest a conflict of interest. Relatives include an employee's parents, child, spouse, domestic partner, sibling, cousin, in-laws and step relationships.

An employee may not be in a position that checks, processes, audits, verifies or received the work of a relative, nor may an employee be entrusted with money received from or by a relative.

Employees who marry or become related will be permitted to continue to work as long as there are no substantial conflicts of interest. Reasonable accommodations will be made when possible in the event a conflict of interest arises.

The Borough prohibits direct supervision of any employee by a relative.

## **City & Borough of Sitka**

Verified through phone call that nothing prohibits relatives of assembly members from employment. Section 3.10 of Personnel Policy applies.

<http://www.cityofsitka.com/government/departments/hr/documents/Section3UPDATE08-11.pdf>

3.10 NEPOTISM. No persons may be employed in a position supervised by another family member. If an employee and their supervisor should marry, the Municipality shall elect which employee may continue with the department and which employee shall terminate or transfer, if other positions are available. Family members shall mean spouse, father, mother, brother, sister, child and the same relationship by in-law

## **City & Borough of Juneau**

Verified through phone call that nothing prohibits relatives of assembly members from employment. 16 PR 050 applies

<https://cdn.juneau.org/wp-content/uploads/2017/05/PersonnelRules4.24.17.pdf>

16 PR 050. Nepotism. (a) A person may not be employed when that person is related by blood, marriage, or domestic partnership to an employee within and including the second degree of kinship if a direct supervisory or direct working relationship would exist. A direct working relationship is one in which one employee approves, directs or reviews the work of another employee. (Res. No. 2370, 2006)

### **City of Craig**

<https://www.dropbox.com/sh/vfrvw5ufixsh6fv/AAAEos-F4KM9oyCJTmzrgEkha?dl=0&preview=Title+2%2C+Administration+and+Personnel.pdf>

Verified that they do not have an ordinance prohibiting the hire of relatives of council members. As an informal policy, they do not allow direct supervision of relatives. (spoke with Dani and Joyce at City of Craig).

### **City of Klawock**

[http://www.cityofklawock.com/cg\\_dept.htm](http://www.cityofklawock.com/cg_dept.htm)

Verified that they do not have an ordinance prohibiting the hire of relatives of council members. They have an informal policy not to allow employees to be supervised by a relative.

### **City of Haines**

<http://www.codepublishing.com/AK/HainesBorough/>

### **Section 18.01 Conflict of Interest**

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An elected borough officer may not participate in any official action in which he or a member of his immediate family has a substantial financial interest unless after disclosure of the interest his participation is approved by a majority of the body. This prohibition shall be implemented in the manner provided by law, including provision for public disclosure of substantial financial interests of assembly members, school board members, and members of regulatory, appellate and quasi-judicial boards and commissions. The assembly by ordinance shall adopt procedures dealing with nepotism and conflict of interest on the part of borough employees.

Haines' ordinance restricted hiring of relatives in a department in which their related worked. This ordinance was recently repealed and replaced to only prohibit hiring under a relatives supervision.

[http://www.hainesalaska.gov/sites/default/files/fileattachments/borough\\_assembly/page/1773/d1710481.pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/borough_assembly/page/1773/d1710481.pdf)

Section 6. Repeal of HBC Chapter 2.96. Chapter 2.96 of the Haines Borough Code is hereby repealed to be incorporated into or addressed by other areas of code [see section 4.10 of this ordinance]. NOTE: STRIKETHROUGH ITEMS ARE DELETED

Bolded/UNDERLINED ITEMS ARE TO BE ADDED



~~4. Any person to be employed in any position in any department whose immediate family member is the elected official, borough officer or department head under whom such person is employed.~~

4. 10. Any person to be employed in any regular full-time or part-time position where they would be supervised by their immediate family member. This shall not apply to temporary positions or special hires.

“Immediate family member” means a person’s spouse, life partner or person cohabiting with the person, child or dependents, a regular member of the person’s household, the person’s parent or parent of the person’s spouse or life partner.

Good morning,

If possible, I would like to include this with the previous information submitted. It took a few days for Klawock to respond.

Thank you,

----- Forwarded message -----

From: **Leslie Isaacs** <[lisaacs@cityofklawock.com](mailto:lisaacs@cityofklawock.com)>

Date: Tue, Jan 30, 2018 at 8:26 AM

Subject: RE: nepotism rules

To: Jennifer Dalton <[jdalton772@gmail.com](mailto:jdalton772@gmail.com)>

Here is the language in our employee handbook that sets forth the policies on nepotism and other employment related issues.

I hope it helps you in your endeavors

Leslie

#### **D. Nepotism Prohibited**

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Relatives of persons currently employed by the City may be hired only if they will not be working directly for or supervising a relative, will not occupy a position in the same line of authority within the organization, and will not work with or have access to sensitive information regarding a close family member. City employees may not be transferred into such a reporting relationship.

In the event a family relationship is established after employment, management will consult with the employees to decide who is to be transferred or terminated. The City will honor the employees' wishes when practical and consistent with business needs; however, the final decision will be made by the City.

In other cases where conflicts or problems arise, even if there is no supervisory relationship involved, the parties may be separated by reassignment or termination from employment, in the City's sole discretion.

For the purpose of this policy, relatives are defined to include spouses, parents, children, brothers, sisters, brothers and sisters-in-law, fathers- and mothers-in-law, nieces, nephews, grandparents, stepparents, stepbrothers, stepsisters, stepchildren, and domestic partners.

-----Original Message-----

**From:** Jennifer Dalton [mailto:[jdalton772@gmail.com](mailto:jdalton772@gmail.com)]

**Sent:** Friday, January 26, 2018 11:35 AM

**To:** [lisaacs@cityofklawock.com](mailto:lisaacs@cityofklawock.com)

**Subject:** nepotism rules

Good morning,

Thank you so much for taking the time to talk with me this morning.

As we discussed, I would appreciate it if you can forward me a copy of our personnel rules that speak about nepotism/employment of relatives.

Jennifer

# Nepotism in our code and other code's in AK

13k-2

Municipality	Code Section	Verbiage	Additional Information
City & Borough of Wrangell	3.04.114 Nepotism	<p>A. Except as provided in subsection (B) of this section, neither the borough manager, the assembly nor any other authority of the borough government may appoint any person related to the mayor or any other assembly member, to the borough manager, or to such person, or, in the case of a plural authority, to one of its members, by affinity or consanguinity within the second degree, to any office or position of profit in the borough government; but this shall not prohibit an officer or employee from continuing in the service of the borough.</p> <p>B. Relatives, within the second degree of affinity or consanguinity to the borough manager cannot be appointed to an office or position of profit in the borough government without the prior approval of the borough assembly. If an employee is currently working for the borough government and a relative within the second degree of affinity or consanguinity is hired as the borough manager, that person cannot continue their employment with the borough without approval of the borough assembly.</p>	<p><b>affinity means:</b> <i>relationship by marriage or by ties other than those of blood</i></p> <p><b>consanguinity means:</b> <i>a close relation or connection</i></p>
Ketchikan Gateway Borough	3.10.040 Nepotism	<p>No person shall be employed who is under the direct or indirect authority of a supervisor, director or manager who is an immediate family member as defined in KGBC 3.05.110 or is in a personal relationship, as defined in KGBC 3.05.110. Employees found in violation of this section may be subject to disciplinary action up to and including termination. No immediate family member of the borough manager, assistant borough manager, borough mayor or an assembly member may be employed without prior approval of the borough assembly. No person shall be employed with the borough who is in a personal relationship, as defined in KGBC 3.05.110, with the borough manager, assistant borough manager, borough mayor, or an assembly member. This section does not apply to volunteers of the North and South Tongass fire departments, and members of the planning commission or school board. Any employee who becomes involved in a personal relationship prohibited by this section shall immediately inform the assistant manager or human resources administrator of the existence of such relationship.</p>	<p>3.05.110 "Personal Relationship": means a relationship involving employees who are dating or engaged in a romantic relationship</p>
North Pole, AK	2.14.390 Nepotism	<p>A. A member of the City Council member's or Mayor's immediate family may not serve as the City Clerk.</p> <p>B. Neither a member of the City Council, nor the Mayor, nor the City Clerk shall use the position of office to influence the selection of any of the member's, or the Mayor's, or the City Clerk's immediate family for any City employment.</p>	

Northwest Arctic Borough, AK	3.08.100 Nepotism	<p>A. Except as provided in this section no persons may be employed in a classified, exempt or partially exempt position supervised by a family member. If an employee is supervised by a family member in the same borough department, they shall elect which employee may continue with the department and which employee shall terminate employment or transfer to another department.</p> <p>B. Except as provided in this section, no person may be employed in a classified, exempt, or partially exempt position if a family member holds a seat on the borough assembly. However, this limitation shall not apply to any such person who is employed by the borough prior to the election or appointment of a family member to the assembly.</p> <p>C. "Family member" as used in this section means a supervisor or assembly member who is a spouse, parent, sibling or child in a full, half, step or official state or tribal adoptive relationship to the employee and also includes a supervisor or assembly member who is a brother-in-law, sister-in-law, aunt, uncle,</p>	
Palmer, AK	4.15.005 € Nepotism	<p>1. No person may be employed in a position by the city who is a spouse, domestic partner, or close relative of the city manager.</p> <p>2. No person may be employed in a position in a department who is a spouse, domestic partner, or close relative of the department director.</p> <p>3. In addition, no person may be employed in a direct or indirect supervisory position regarding a spouse, domestic partner, or close relative.</p> <p>4. Department directors may not be spouses, domestic partners, or close relatives of one another.</p> <p>5. "Domestic partners" means any person with whom the employee maintains shared household and conjugal relations.</p> <p>6. "A close relative of an employee" means the employee's child, parent, in-laws and sibling, whether in full, half, or step relationship, by blood or adoption.</p>	

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>131</b>	<u>DATE:</u>	February 6, 2018
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**Approval of Letter to Alaska Department of Environmental Conservation Regarding Byford Junkyard Clean-Up**

<u>SUBMITTED BY:</u>	<u>FISCAL NOTE:</u>	
	<b>Expenditure Required:</b>	
	\$0	
Lisa Von Bargaen, Borough Manager	<b>Amount Budgeted:</b>	
	\$0	
	<b>Account Number(s):</b>	
	n/a	
	<b>Account Name(s):</b>	
	n/a	
<u>Reviews/Approvals/Recommendations</u>		
<u>          </u>	Commission, Board or Committee	<b>Unencumbered Balance(s) (prior to expenditure):</b>
Name(s)		N/A
<u>          </u>	Attorney	
<u>          </u>	Insurance	
<b><u>ATTACHMENTS:</u></b>		
1. Letter to ADEC; 2. ADEC Response to WCA Questions January 2018		

**RECOMMENDATION:**

Move to Approve Letter to Alaska Department of Environmental Conservation regarding Byford Junkyard Clean-Up.

**SUMMARY STATEMENT:**

The staff at Wrangell Cooperative Association has taken the lead in obtaining clarifying information from ADEC, and coordinating additional inspections of on-island disposal location alternatives. ADEC and project contractor representatives were in Wrangell last week, at the request of the Commissioner, reviewing potential alternative disposal sites, including areas of Mental Health Trust Land. The results of those inspections are not fully known yet. Absent any compelling alternatives, ADEC is planning to move forward with disposal of the treated material at the original Pat’s Creek site beginning in April. Part of urgency in their timeline is the “expiration date” of the liner on which the material is sitting at the Byford site. That expiration is in August.

WCA and the Borough are hopeful there is still a potential to expand the deadline for a solution. Although the manufacturer puts an expiration timeframe on the liner, is there reasonable evidence that the liner will last longer than the published timeframe?

The most desirable option for disposal remains off-island at an appropriate disposal facility. We have been given indication that additional funding is not available as a more cost effective solution for on-island disposal exists that meets or exceeds all regulatory guidelines. Is there value in asking if additional funds can be made available from the Oil and Hazardous Substance Release Prevention and Response Fund?

To that end, Administration has drafted a letter asking these two questions of ADEC. The attached letter is here for consideration by the Assembly.

Also included in this agenda statement is the January 2018 response from ADEC to WCA questions.



## CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

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

February 7, 2018

State of Alaska  
Department of Environmental Conservation  
SPR-Contaminated Sites Program  
Ms. Sally Schlichting  
PO Box 111800  
Juneau, AK 99811-1800  
[sally.schlichting@alaska.gov](mailto:sally.schlichting@alaska.gov)

131-1

Dear Ms. Schlichting:

Thank you for your recent visit to Wrangell to visit additional sites for consideration as disposal locations for the treated material from the Byford Junkyard. Your willingness to consider alternatives is greatly appreciated. We look forward to receiving the results of your visit.

The urgency in the schedule moving forward this spring is the August "expiration date" of the liner below the material stored at the Byford site. Although that is the maximum extent of the manufacturer's warranty of the product, does the manufacturer have proven examples where the liner has worked well beyond its expiration date? If so, is it possible the timeframe for the project could be extended if another alternative site appears to be viable?

It is our understanding that no additional money will be made available from the Response Fund for an off-island alternative as an on-island disposal site meeting all regulatory standards is in place. In previous correspondence we asked if some (but not all) additional funding were obtained through another source, would the state consider making up the difference from the Response Fund. If other funds, though not the complete amount is obtained, what is the proper mechanism to ask for the final gap funding to come from the Response Fund?

The City & Borough of Wrangell is indebted to the State for this clean-up effort. Your work is much appreciated. We look forward to continued work on this project.

Sincerely,

David L. Jack  
Mayor





January 2, 2018

131-2

Esther Ashton, Tribal Administrator  
Wrangell Cooperative Association  
P.O. Box 2021  
Wrangell, AK 99929

RE: Soil Disposal Options for the Wrangell Junkyard Cleanup

Dear Ms. Ashton:

Thank you for email of December 18, 2017, requesting additional information related to the proposed monofill. I have included your questions with our responses below.

1. Regarding the top and bottom liners:

a. Why do we need to have a permeable bottom liner? Our understanding is that it is related to freeze/thaw cycles, but we would appreciate more clarity.

**DEC Response:**

A monofill can be constructed with or without a liner. The DEC Solid Waste Program can waive the liner requirement based on certain factors that include: the contaminants in the material are stabilized with a product such as EcoBond; the site is underlain by bedrock; the groundwater is not used for drinking; and the depth to the shallowest aquifer is greater than 10 feet or the monofill is constructed two feet or more above the natural ground surface and a hydrologic and leachability assessment has been performed.

The permeable liner included in this design is an additional measure to limit the transmission of fine particles into groundwater under the site, but to allow small amounts of water to move through. However, most water is directed off of the monofill and down through the chimney drains throughout the perimeter of the repository.

b. Could bentonite be used between the two top layers in the event that a hole develops?

**DEC Response:**

Bentonite is an expanding clay that is typically used to seal leaks between joints, often in concrete foundations to seal joints or for leaking concrete structures like vaults and pools. It is designed to be used between two rigid structures, not layers of soil and liners.

Holes or other penetrations will be repaired as part of the liner manufacturer's specifications and as identified during inspections. However, the liner itself will be entirely covered by an erosion barrier, which is designed to limit punctures by animals, weather and other natural causes.

c. Could there be a leachate collection system installed in the bottom of the monofill? This would allow for testing of any leachate. What might be construction costs?

**DEC Response:**

The purpose of a leachate collection system is to drain and collect water that accumulates above an impermeable liner so that it can be treated. Since the EcoBond treated soil has stabilized the lead, any water that comes in contact with the soil does not need to be treated, and therefore no leachate system is required. To add such a system to this design would require an impermeable liner. The leachate collection system would then be constructed on top of the liner, consisting of a couple thousand feet of pipe to collect and channel the leachate to a structure for collection and sampling. This would require continuous inspections on a more frequent basis over the life of the monofill to ensure that the leachate collection system is operating properly and not allowing water to build up in the base of the monofill. Due to the more intensive maintenance requirements and costs, we sought to design and construct the monofill without an impermeable barrier requiring leachate collection.

Currently, a French drain system is in place that drains the floor of the pit. Water that runs off the top of the monofill will percolate through the chimney drains throughout the perimeter and travel through the two foot layer of clean rock underlying the permeable base liner under the monofill. This water, along with any residual water that may migrate through the monofill itself, can be sampled from the discharge point from the French drain, and groundwater can also be sampled from the existing well near the pit entrance.

Estimated costs for liner and leachate collection system:

30-mil impermeable liner	\$ 75,000
Pipe	\$ 50,000
<u>Collection structure</u>	<u>\$ 10,000</u>
<b>Total for construction:</b>	<b>\$ 135,000</b>

Estimated average annual monitoring and maintenance costs are unknown and would be dependent on the frequency and type of sampling and analysis, anticipating and repairing failures of the leachate collection system over time, the amount of water that would be generated and collected; and how it would be disposed.

2. Why can the soil not be incinerated or smelted? There would still be a product leftover, but considerably less than the current product.

**DEC Response:**

Incineration of contaminated wastes may only be done by a permitted hazardous waste incinerator, of which there are none in the state of Alaska. Incineration is designed for organic contaminants rather than inorganic heavy metals such as lead. Because of this, the lead would not be destroyed by incineration, but would result in a by-product that then must be recycled or disposed.

Smelting operations are what generate lead contamination at some industrial sites in the lower '48. In the early 1990s, a "flash" smelting system using a flame reactor process was studied to treat wastes containing metals such as lead, reducing the metals to recyclable oxides and the remaining material to slag. However, there is no evidence of an active facility currently operating in the U.S. As the process appears to be energy intensive requiring large fuel inputs, other alternatives such as stabilization likely proved more cost-effective in the long run.

3. We have the "90% Work Plan and Conceptual Design, Wrangell Junkyard Repository Site" written by Ecology and Environment. Is there a "100%"? Would we ask the EPA for that?

**DEC Response:**

The 100% Basis for Design and Design Package was completed in June of 2017. It was transmitted to the City and Borough of Wrangell on August 2, 2017 where it was posted to the website for the project here: <http://www.wrangell.com/community/state-dec-final-phase-clean-former-byford-junkyard>.

It is also available here:

<http://dec.alaska.gov/spar/csp/RFPWebsiteDocuments/WrangellJunkyardRepository-BasisofDesignandDesignPackage.pdf>.

4. Has there been any Fate and Transportation Modelling done for moving the soil to the monofill? If so, please send us those reports.

**DEC Response:**

The process surrounding the transport of the soil and pollution prevention measures in place for controlling waste streams is described in the USFS road transport plan (enclosed). Fate and transport modelling is designed to evaluate the behavior of contamination that has reached the environment. The transport of the treated polluted soil is more appropriately evaluated for establishing measures and practices to prevent contamination from ever occurring, and if it does occur, to have in place a plan to stop and mitigate the contamination.

5. What will the effects of EcoBond be if it were to enter a fresh water system? Is there potential that it could cause an algae bloom?

**DEC Response:**

According to representatives of MT2, Inc., the company that sells the EcoBond product, there have been many government approved applications in high profile riparian areas such as the Chesapeake Bay watershed, Long Island Sound, and in many wetland and groundwater exposed settings, all without adverse effects to water quality and the environment.

6. Please list monitoring procedures and frequency that will occur after the monofill is completed.

**DEC Response:**

Monitoring of the monofill will occur once a month for a period of five years. The monitoring will consist of inspecting the vegetative cover to verify that it is flourishing, identifying and repairing any damage to the surface of the monofill, revegetating if necessary, and on a less frequent basis such as quarterly or annually, performing groundwater monitoring for total lead. These results will be compared to the baseline results reported in the 2016 hydrologic and leachability assessment.

Once the five year monitoring period is complete and the cover is determined to be sufficiently vegetated, the monofill will be evaluated in consultation with the DEC Solid Waste Program for monitoring at a reduced frequency.

7. Will the state be conducting water samples from the surrounding area after the monofill is completed?

**DEC Response:**

The state will conduct an initial round of surface water sampling from the surrounding area immediately following the construction in order to verify that no contamination from material transport has impacted the watershed. Ongoing surface water monitoring will not be conducted unless lead concentrations from groundwater monitoring appear elevated above background levels.

8. If a problem is detected during post-construction monitoring, how long will it take the ADEC to act?

**DEC Response:**

If a problem is detected, ADEC will take immediate measures to address the problem as soon as possible. However, if re-vegetation is needed, this may only be feasibly performed during spring, summer or fall. Most remedial actions will require the department to issue a contract; however if the problem is severe, the department has the authority to issue emergency response action contracts on a rapid turnaround.

9. Does the state have an amount set aside to fix any problems that arise over the next 10 thousand years?

**DEC Response:**

ADEC is an agency of the executive branch within state government for which budgeting is currently only authorized by the legislature on an annual basis, although a two-year budget cycle is being explored. Therefore, costs will be set aside on an annual basis to address problems that may arise in a given year. If funding to address a problem is found to be insufficient in a given year, additional funding will be secured. As the site is owned by the state, the state is liable for ensuring the monofill is maintained into the future.

Please don't hesitate to contact me at (907) 465-5076 if you have any additional questions or need more information.

Sincerely,



Sally Schlichting  
Unit Manager

Enclosure

cc: Lisa Von Barga, Borough Manager, City and Borough of Wrangell  
John Halverson, Contaminated Sites Program Manager



United States  
Department of  
Agriculture

Forest  
Service

Alaska Region  
Tongass National Forest  
Wrangell Ranger District

P.O. Box 51  
Wrangell, AK 99929-0051  
Phone: (907) 874-2323  
Fax: (907) 874-7595

---

File Code: 7730

Date: 8/22/2017

S. Daniel Strucher  
NRC Alaska  
425 Outer Springer Loop, Rd.  
Palmer, Alaska 99645

Dear Mr. Strucher,

Enclosed find a road use permit for NRC's use of Forest Service Road 6259 on Wrangell Island. Please review it, sign page 2 of the permit, and return the signed permit back to this office.

Your proposed Road Use Activity Plan dated August 15, 2017 is accepted and part of this permit. It is included as an attachment. To clarify, between May 1<sup>st</sup> and October 1<sup>st</sup>, there will be no hauling of material on weekends or holidays in order to mitigate impacts to recreation users at Pats Lake and Pats Creek.

All road work performed by NRC on Road 6259 in lieu of payment must be done prior to completion of the project. Road work is described in your Road Use Activity plan. If you have any technical questions concerning road work to be performed, please contact Ron Schmohl, Civil Engineering Technician, at (907)874-7516 or [rschmohl@fs.fed.us](mailto:rschmohl@fs.fed.us)

Sincerely,

ROBERT J. DALRYMPLE  
District Ranger





August 15, 2017

United States Department of Agriculture:  
United States Forest Service  
Attn: Bob Dalrymple  
525 Bennett Street  
PO Box 51  
Wrangell, Alaska, 99929-0051

**RE: Proposed Road Use Activity:  
Soil Transportation along portion of NFS 6259  
Tongass National Forest, Wrangell Island, Alaska**

Dear Mr. Dalrymple:

This letter is intended to provide notification for the intent to utilize a portion of the National Forest Service Road identified as NFS 6259 (otherwise known as the Pat's Creek Road) for the purpose of transporting lead contaminated soil which has been stabilized and treated with a phosphate-based product called EcoBond from the Wrangell Junkyard site, Wrangell, Alaska, to a permanent repository at the Alaska Department of Natural Resources (DNR) Pit #2 located adjacent to NFS 6259/Pat's Creek Road. The material has been treated to render the lead non-leachable. Additional transportation of clean imported rock material for necessary site improvements and cover at the DNR Pit #2 will also be conducted as part of this project.

#### **Proposed Hauling Activities**

The Wrangell Junkyard site is located at approximately mile 4 of the Zimovia Highway, south of the City of Wrangell, Alaska. DNR Pit #2 is located adjacent to NFS 6259/Pat's Creek Road at Latitude 56.35281 North, Longitude 132.31198 West. The proposed transportation route (see attached Map #1) between the Wrangell Junkyard Site and DNR Pit #2 will require the use of an approximate 1.7 mile portion of NFS Road 6259.

The proposed transportation of treated soil will be completed using 10 cubic yard (CY) end dump trucks. A total of 18,500 CY of treated soil is currently stored at the Wrangell Junkyard site in a long-term containment stockpile. An estimated total of 1,850 – 1,875 truck round trips will be required to complete the transportation of this material to DNR Pit #2. All trucks will be fitted with liners and all loads will be covered during transport of this material.

Clean rock will also be transported from a local quarry (BW Enterprises quarry at 9.3 Mile Zimovia Highway) to the repository at DNR Pit #2 for construction of chimney drains, base and cover fill, and other necessary improvements associated with the project. Clean rock fill transportation will also be completed using 10 cubic yard CY end dump trucks. An estimated 10,000 to 20,000 CY of clean imported rock material (1,000 to 2,000 truck round trips) will be

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required to complete this portion of the project effort. As all material used on the project is locally sourced, invasive plants species are not expected to be an issue. However, invasive species such as hawkweed have been identified in the Wrangell area. The rock from the BW Enterprises rock pit will be sprayed with commercially available herbicide prior to transport to the repository location. All trucks leaving the Byford lot hauling the treated soils will have their wheels brushed prior to exiting the Site, as part of the SWPPP. This procedure will include inspection for any vegetation to prevent the transfer of plant species between sites.

NRC and BW Enterprises work hours are expected to be 0630 – 1830 Monday through Saturday during summer months, and 0700 – 1900 Monday through Saturday after September. Material hauling, however, will be carried out Monday through Friday excepting holidays from May 1 through October 1 and is expected to occur roughly 30 minutes after start time, and be completed no later than 1830 daily. Material hauling during the period of October 2 through April 30 will occur on all available days per week subject to weather and the work schedule. All drivers are aware of the recreational nature of public use in the area around Pat's Lake and will strive to limit conflict with other users. The expected hauling schedule may be adjusted due to weather conditions as needed to continue project progress. For example, if heavy rains are expected mid-week, but dry weather is predicted on the weekends, the haul schedule will be adjusted accordingly.

NRC plans to place additional signage along the haul route, warning the public of increased truck traffic, and haul schedules will also be posted on the informational sign boards that are located both at the rockpit entrance and the junction of Pat's Creek Road and Zimovia Highway.

### **Road Maintenance and Inspections**

The 1.7 mile portion of NFS 6259 will be inspected and assessed prior to commencing the proposed soil transportation project. Photos have been taken to document the road condition prior to the project starting, including aerial photos. Road maintenance improvements to the road surface will be conducted prior to initiating the soil transportation effort. Improvements may include tuning of the road surface (blading and grading), and the addition of up to 250 cubic yards of D1 rock to the road surface. In addition, watering of the unimproved road surfaces will be conducted as necessary to control dust along the haul route(s).

Routine inspections will occur 2-3 times weekly and with maintenance of the road surface completed throughout the project as needed. This maintenance work (blading/grading, addition of D1 to road surface and culvert inspections/repairs) will be completed as necessary to maintain the road surface in good operating condition for the expected volume of truck traffic associated with the project. In addition, watering of the unimproved road surfaces will be conducted as necessary to control dust along the haul route(s). Road improvements will also be completed upon seasonal suspension of hauling activities in 2017 and at the completion of the transportation project in the spring/summer of 2018. A photo log will also be developed at the end of the road use. NRC Alaska anticipates that up to 1,000 cubic yards of D1 will be added to the 1.7 miles of road through the project duration. Typical road aggregate section is shown on Sheet 1.

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While the haul restrictions will generally be based on ADOT criteria, with regards to weather and road conditions, the main criteria used to determine road use will be based on the weather. Due to the type of material being installed into the solid waste monofill, and that the material will need to meet compaction standards, excess moisture will affect the material to be placed in the repository. Material will not be hauled during high precipitation conditions that will affect compaction and placement; this is a greater controlling factor in our operations than adverse weather that may impact road conditions.

Routine inspections will also be conducted throughout the haul route from the Wrangell Junkyard Site and the repository at DNR Pit #2 to identify any potential spillage of treated soil materials during transportation. Any identified spillage will be immediately addressed. All loads will be lined, and all loads will be covered to prevent any material being spilled, and to prevent precipitation from reaching the material being hauled. Speed limits will be adhered to at all times.

As part of their Best Management Practices (BMPs) in place to protect Pat's Creek and Pat's Lake, NRC and BW Enterprises will place a gravel berm between Pat's Creek Road and the waterbodies in the areas where the road is in close proximity, as shown on the attached Sheet 1. Sheet 1 also shows the culverts that are located along the haul route on Pat's Creek Road, and where the road crosses Pat's Creek. Additionally, NRC will perform any necessary maintenance on the turnouts located along the road, to include removal or trimming vegetation to improve both access to the turnouts and driver sightlines.

Spill Kits will also be maintained at both the Wrangell Junkyard site and at the DNR #2 Pit to address any accidental fuel spills or releases which may result during this transportation project, in addition to the spill kits located in each vehicle. All spills will be reported as required by state regulations. A project specific Stormwater Pollution Prevention Plan (SWPPP) is in place (CGP NOI AKR10FQ51) for the project will be implemented to assure that the transportation project does not contribute to stormwater discharges into any receiving bodies of water along the haul route. SWPPP BMPs along the haul route will include dust control.

#### **Public Safety Plan**

NRC Alaska will have signage present at the junction of Zimovia Highway and Pat's Creek Road warning the public of truck traffic. Several other traffic signs warning of truck traffic will also be placed along the 1.7 miles of the gravel portion of Pat's Creek Road. Public information signs will also be placed at the junction of Zimovia Highway and Pat's Creek Road, and at the entrance to the rock pit with general project details and contact information, including SWPPP information. This information will include the hours of operation and the approximate numbers of trucks per day.

NRC Alaska plans to issue a radio and print media public service announcement within a week prior to beginning hauling operations. NRC and ADEC will also hold a pre-construction public meeting, prior to the hauling of the material to the repository. This meeting is scheduled for August 21, 2017.

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## **Project Schedule**

Transportation of clean rock for pit preparation is proposed to commence in approximately one week. Transportation of the treated soil and rock for chimney drains will not begin until approximately the last week of August. This activity will continue through the onset of freezing temperatures, which is anticipated to be in mid-October to early November of 2017, weather dependent. Transportation activities are expected to resume in the spring of 2018, about April or May. Substantial completion of this transportation project is anticipated to be sometime between May to July of 2018.

It is anticipated that between 30 to 40 round trips of truck traffic will be completed each day throughout the project effort on the 1.7 mile section of NFS 6259 between Zimovia Highway and DNR Pit #2. This includes both the hauling of imported rock material for construction and improvements and the transportation of the treated soil material. Hauling of material will not be conducted on Saturdays, Sundays, or holidays during the period of May 1 through October 1.

Please do not hesitate to contact NRC should you have any questions or require additional information regarding this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Daniel Strucher".

**S. Daniel Strucher**  
Sr. Project Manager  
NRC

cc: Sally Schlichting, ADEC Contaminated Sites Program  
John Halverson, ADEC Contaminated Sites Program  
Ben White, ADNR Division of Mining Land and Water  
Trevor Sande, R & M Engineering Ketchikan  
Jason Ginter, Nortech  
Shane O'Neill, NRC  
Carol Rushmore, City and Borough of Wrangell

Attachments: Hauling Route Map #1  
Pat's Creek Road Sheet #1  
Pat's Creek Road Sheet #2

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NRC Alaska • 425 Outer Springer Loop Rd • Palmer, Alaska 99645 • +1 907 258 1558  
www.nrc.com

Wrangell Junkyard Site

Zimovia Highway  
Haul Route  
(shown in yellow)

NFS 6259  
Haul Route  
(shown in orange)

DNR Pit #2

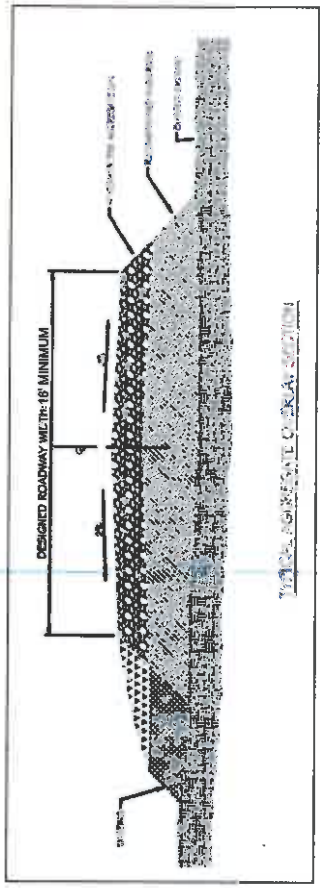
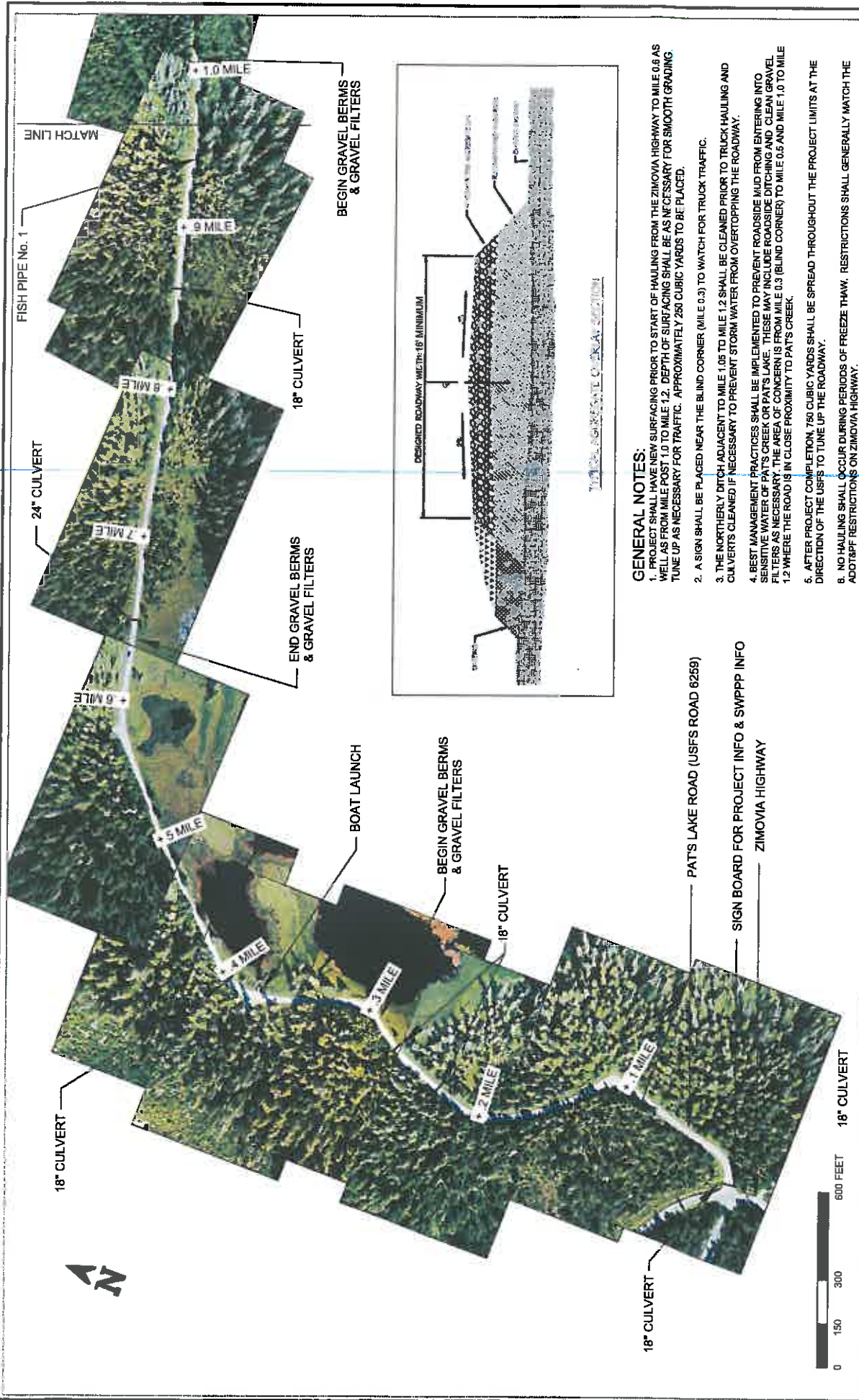


tovia Highway  
Haul Route  
(shown in yellow)

DNR Pit #2

NFS 6259  
Haul Route  
(shown in orange)

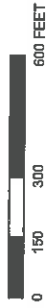
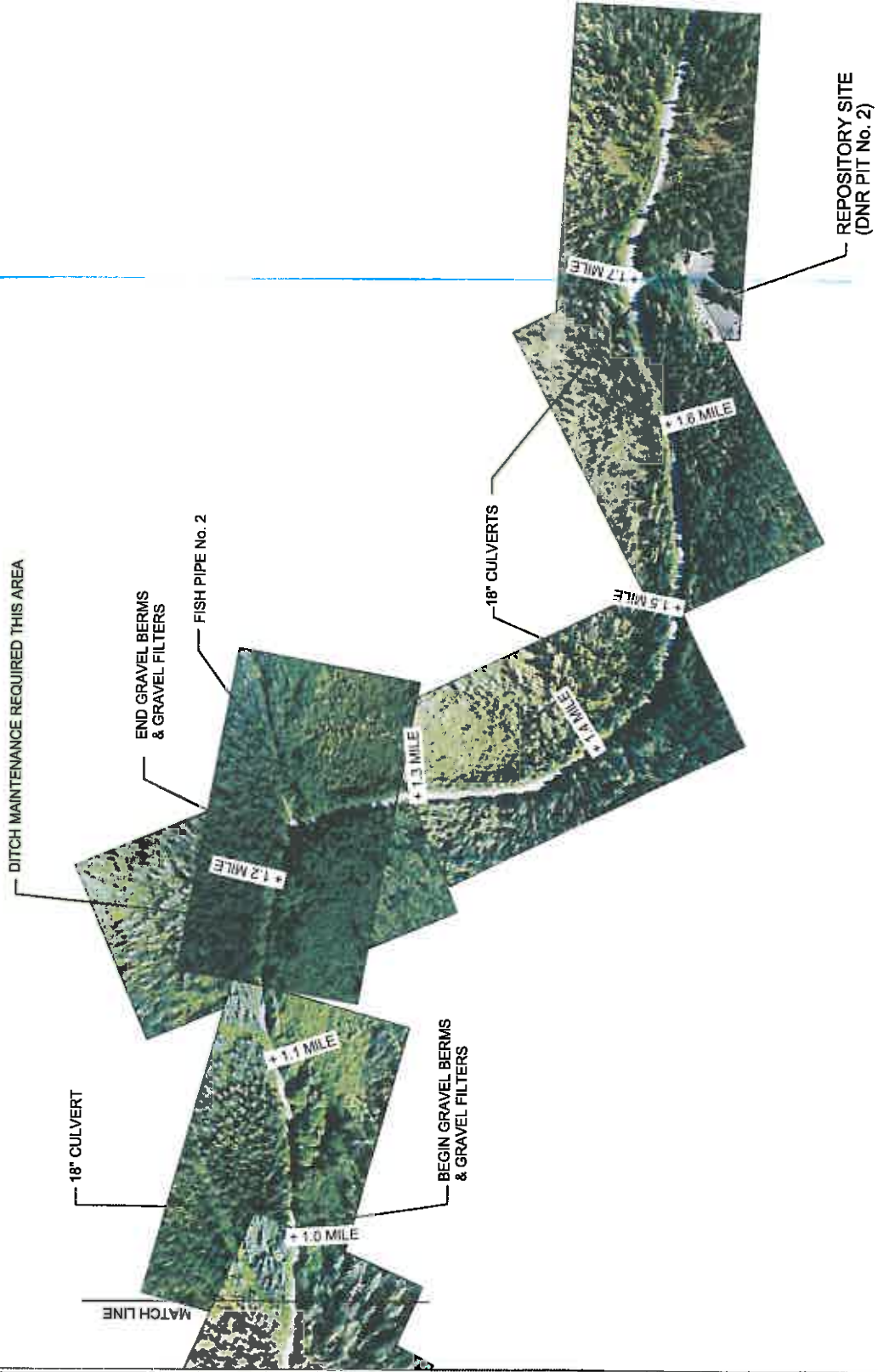




**GENERAL NOTES:**

1. PROJECT SHALL HAVE NEW SURFACING PRIOR TO START OF HAULING FROM THE ZIMOVIA HIGHWAY TO MILE 0.6 AS WELL AS FROM MILE POST 1.0 TO MILE 1.2. DEPTH OF SURFACING SHALL BE AS NECESSARY FOR SMOOTH GRADING TUNE UP AS NECESSARY FOR TRAFFIC. APPROXIMATELY 250 CUBIC YARDS TO BE PLACED.
2. A SIGN SHALL BE PLACED NEAR THE BLIND CORNER (MILE 0.3) TO WATCH FOR TRUCK TRAFFIC.
3. THE NORTHERLY DITCH ADJACENT TO MILE 1.05 TO MILE 1.2 SHALL BE CLEANED PRIOR TO TRUCK HAULING AND CULVERTS CLEANED IF NECESSARY TO PREVENT STORM WATER FROM OVERTOPPING THE ROADWAY.
4. BEST MANAGEMENT PRACTICES SHALL BE IMPLEMENTED TO PREVENT ROADSIDE MUD FROM ENTERING INTO SENSITIVE WATER OF PAT'S CREEK OR PAT'S LAKE. THESE MAY INCLUDE ROADSIDE DITCHING AND CLEAN GRAVEL FILTERS AS NECESSARY. THE AREA OF CONCERN IS FROM MILE 0.3 (BLIND CORNER) TO MILE 0.5 AND MILE 1.0 TO MILE 1.2 WHERE THE ROAD IS IN CLOSE PROXIMITY TO PAT'S CREEK.
5. AFTER PROJECT COMPLETION, 750 CUBIC YARDS SHALL BE SPREAD THROUGHOUT THE PROJECT LIMITS AT THE DIRECTION OF THE USFS TO TUNE UP THE ROADWAY.
6. NO HAULING SHALL OCCUR DURING PERIODS OF FREEZE THAW. RESTRICTIONS SHALL GENERALLY MATCH THE ADOPTED RESTRICTIONS ON ZIMOVIA HIGHWAY.

ADEC CONTAMINATED SITE PROGRAM		WRANGELL JUNKYARD REPOSITORY USFS ROAD MAINTENANCE PLAN		ROAD PLAN VIEW	
Date: 8/2/17 Project No. 1725-09	Date: 8/2/17 Project No. 1725-09	Sheet No. 1	Sheet No. 1		



Sheet No.	2
Project Name	WRANGELL JUNKYARD REPOSITORY USFS ROAD MAINTENANCE PLAN
Client	ADEC CONTAMINATED SITE PROGRAM
Scale	AS SHOWN
Drawn	[Name]
Checked	[Name]
Approved	[Name]
Date	8/29/17
Project No.	172649

## Road Use Permit

R10-FS 7700-41 (6/94)

U.S. Department of Agriculture - Forest Service  
**ROAD USE PERMIT**  
(Re: FSM 7730)

Authority: Acts of October 13, 1964 and October 21, 1976  
(16 U.S.C. 532-38 and 43 U.S.C. 1761-71)

**NRC Alaska**

(Name)

of **425 Outer Springer Loop Rd., Palmer, AK 99645**

(Address & Zip Code)

(hereafter called the permittee) is hereby granted use of the following road(s) or road segments, and/or related transportation facilities: **Road 6259 MP 0.0 to 1.7 on the Wrangell Ranger District, Tongass National Forest**, subject to the provisions of this permit including clauses 1 through 20, on page(s) 1 through 5 for the purpose of hauling rock and soil.

The exercise of any of the privileges granted in this permit constitutes acceptance of all the conditions of the permit.

**1. ROAD USE PERMIT FEES.** The rate for sharing under this permit is **\$10.38 / Dump Truck Load**. Permittee's share of investment will be met as provided for in Clause 2. This rate is a form of investment sharing where the permittee shares in the original costs of the road based upon the gross vehicle weight hauled and the miles of road used.

Rate for sharing maintenance is shown in Clause 8.

**2-1. WORK REQUIRED TO ACCOMMODATE PERMITTED USE.** In accordance with this use, the permittee shall perform the work described below and in accordance with plans and specifications attached hereto: **This clause is not applicable, it refers to work required before haul can safely commence.**

**WORK PERFORMANCE SCHEDULE.** (Construction of required improvements or reconstruction will be completed within NA months and before hauling commences.)\* (Work shall be performed in accordance with the attached schedule. In no case will haul be allowed to exceed the value of completed work.)\* Credit will be allowed in the total of \$ NA, which is the engineering estimate for the cost of the work, to be credited to the share to be borne by this permitted use. In the event that permitted use will exceed the value of required work performed, the difference between the value of permitted use and work performed will be deposited in cash as provided in clause 2-3, or will be incorporated in Cooperative Work under clause 2.2..

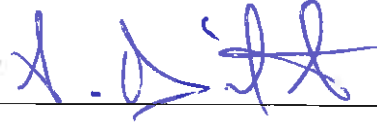
**2-2. COOPERATIVE WORK.** Although not required to accommodate the use herein permitted, it is desirable to the Forest Service and the permittee to have certain construction or reconstruction work accomplished coincident to use of the road.

The permittee shall perform the work described below in accordance with plans and specifications attached hereto. Refer to the attached Road Use Plan, it includes road work to be performed by the permittee in lieu of payment.

Upon satisfactory performance, credit will be allowed in the total of **\$47,453** to the share to be borne by the permittee. This figure is the sum of investment sharing for the road (\$40,224) plus the Surface Rock Replacement cost (\$7,229)

2-3. **ROAD USE FEE.** In consideration for this use, the permittee shall deposit with the Forest Service, the sum of \$ NA (and thereafter in individual deposits, equivalent to estimated charges before next payment is made, as called for by the Forest Service in advance of current road use).\* When preferred by a permittee, a payment guarantee may be furnished in lieu of advance deposits. **This clause is not applicable when the permittee opts to perform work in lieu of payment.**

This permit is accepted subject to all of its terms and conditions.

ACCEPTED	S. DANIEL STRUCHER Permittee (Name and Signature) 	Date 8/29/17
APPROVED	Issuing Officer (Name, Title, and Signature)	Date

**PAYMENT GUARANTEE.** Notwithstanding the provisions of clause 1, if the permittee furnishes and maintains an acceptable payment bond in a penal sum of not less than \$ NA guaranteeing payments for road use up to this amount, or in lieu thereof deposits in a Federal depository, through the Regional Fiscal Agent, and maintains therein negotiable securities of the United States having a market value in like sum and agreement authorizing the bond approving officer to sell or collect such securities if payment is not made within NA ( ) days of request therefor, the Forest Service shall permit road use in advance of cash payment up to the penal sum of such bond, or market value at time of deposit of negotiable securities; provided that regardless of penal sum of such payment bond, or the value of such deposited securities, the permittee shall pay cash within NA ( ) days of request therefor, for all performed road use. If any payment is not received within NA ( ) days of request therefor, the Forest Service may suspend all hauling under this permit until payments due are received, and may take such action as is necessary to collect such payments from the payment guarantee surety, or by sale or collection of securities guaranteeing payments. In the event the permittee fails to make payment and collection is obtained from the surety, or from the sale or collection of the deposited securities, the Forest Service may thereafter require the permittee to make payments in advance of road use.

3. **USE PLANS.** Prior to April 1 each year this permit is in effect, permittee shall notify the in writing of the approximate time when such use will commence, the anticipated duration of such use, the names and addresses of permittee's contractors or agents who will use the road on behalf of permittee, the estimated extent of use, and such other information relative to permittee's anticipated use as the Forest Service may from time to time reasonably request. If and when during the year there is any significant change with respect to the information so supplied by permittee, the permittee will notify the Wrangell Ranger District promptly in writing of such change. Plans and changes will be approved by the District Ranger before use may commence.

4. **COMPLIANCE WITH LAWS AND REGULATIONS.** The Permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county and municipal laws, ordinances or regulations which are applicable to the area or operations covered by this permit.

**5. USE NONEXCLUSIVE.** The privileges granted in this permit to use this road are not exclusive. The Forest Service may use this road and authorize others to use it at any and all times. The permittee shall use said road in such manner as will not unreasonably or unnecessarily interfere with the use thereof by other authorized persons, including Forest Service.

**6. RULES GOVERNING USE.** The permittee, its agents, employees, contractors or employees of contractors, shall comply with all reasonable rules prescribed by the Forest Service for control and safety in the use of this road and to avoid undue damage to the road. Such rules will include:

- (1) Closing the road or restricting its use when, due to weather conditions or the making of alterations or repairs, unrestricted use would in Forest Service judgement, cause excessive damage, or create hazardous conditions;
- (2) Closing the road during periods when, in Forest Service judgement, there is extraordinary fire danger;
- (3) Traffic controls, which in Forest Service judgement, are required for safe and effective use of the road by authorized users thereof;
- (4) Prohibiting the operation on this road of any vehicles or equipment having cleats or other tracks which will injure the surface thereof;
- (5) Prohibiting the operation of all vehicles of a width in excess of 14' and a gross weight of vehicles and load in excess of 52 tons for 2-axle vehicle, 72 tons for 3-axle vehicle, or 80 tons for a 5-axle vehicle. For tracked vehicles the average ground pressure shall be less than 2000 pounds per square feet.
- (6) Regulating the number of vehicles so as to prevent undue congestion of this road.
- (7) Prohibiting the use of an "active ingredient" as defined in Section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat. 973), in violation of said act on the Land described in this permit.

**7. INSURANCE.** Permittee or his contractors and assigns shall be required to carry public liability and property damage insurance for the operation of vehicles in the amounts established by applicable state laws, cooperative agreements, or easements issued on the subject road or roads. In any event, the permittee must carry liability insurance and property damage insurance of not less than \$250,000 for injury or death to one person, \$500,000 for injury or death to two or more persons, and \$250,000 for damage to property. The permittee itself shall be responsible for furnishing to the proof of satisfactory insurance when said insurance is to be furnished by other than the permittee. Proof of satisfactory insurance may be required by the **Wrangell Ranger District** prior to hauling over the road(s) and will be for the duration of the permit and such insurance policy shall bear an endorsement requiring the issuing company to give 10 days prior written notice to the **Wrangell Ranger District** of cancellation or material change.

**8. MAINTENANCE.** The permittee shall bear the expense of maintenance proportionate to his use.



Maintenance shall be performed in accordance with Forest Service specifications or requirements for maintenance as hereinafter listed, or as may be mutually agreed upon from time to time and shall consist of (1) current maintenance as necessary to preserve, repair, and protect the roadbed, surface and all structures and appurtenances, and (2) resurfacing equivalent in extent to the wear and loss of surfacing caused by operations authorized by this permit.

**8a. MAINTENANCE AND RESURFACING REQUIREMENTS AND SPECIFICATIONS.**  
(See attached maintenance specifications.)

**9. PERFORMANCE BOND.** In the event the permittee is to perform its proportionate share of road maintenance, road resurfacing, or betterment, as determined and within time periods established by the Forest Supervisor, the Forest Service may require as a further guarantee of the faithful performance of such work that the permittee furnish and maintain a surety bond satisfactory to the Forest Service in the sum of twenty five thousand dollars (\$25,000), or in lieu of a surety bond, deposit into a Federal depository, as directed by the Forest Service, and maintain therein cash in the sum of twenty five thousand dollars (\$25,000), or negotiable securities of the United States having market value at time of deposit of not less than twenty five thousand dollars (\$25,000). As soon as security for the performance of road maintenance (and betterment) requirements or the settlement of claims incident thereto is completed, unencumbered cash guarantees or negotiable securities deposited in lieu of surety bond will be returned to the permittee.

**10. FIRE PREVENTION AND SUPPRESSION.** The permittee shall take all reasonable precautions to prevent and suppress Forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a permit from the Forest Service.

**11. DAMAGES.** The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and promptly upon demand shall pay the United States for any damage resulting from negligence, or from violation of the terms of this permit or of any law or regulation applicable to the National Forests, by the permittee, or by his agents, contractors, or employees of the permittee acting within the scope of their agency, contract, or employment.

**12. OFFICIALS NOT TO BENEFIT.** No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

**13. OUTSTANDING RIGHTS.** This permit is subject to all outstanding rights.

**14. SUSPENSION.** Upon the failure of the permittee, its agents, employees or contractors to comply with any of the requirements of this permit, the officer issuing the permit may suspend operations in pursuance of this permit.

**15. TERMINATION.** This permit shall terminate on **December 31, 2018** unless extended in writing by the Forest Service. It may be terminated upon breach of any conditions herein.

**16. CLAUSE CONTROL.** In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provisions thereof, the following clauses will control.

17. **SAFETY.** Unless otherwise agreed in writing, when Permittee's Operations are in progress adjacent to or on Forest Service controlled roads and trails open to public travel, Permittee shall provide the use with adequate warning of hazardous or potentially hazardous conditions associated with Permittee's Operation. A specific traffic control plan for each individual project shall be agreed to by Permittee and Forest Service prior to commencing operations. Devices shall be appropriate to current conditions and shall be covered or removed when not needed. Flaggers and devices shall be as specified in the "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD), and in specifications attached hereto.

18. **DRIVER'S COPY.** Drivers of all vehicles hauling soil or rock shall have a copy of page 1 of this agreement in their possession. This copy will be presented, on request, to any Forest Officer.

19. **SNOW REMOVAL.** Snow removal shall be done in a manner to preserve and protect the roads, to the extent necessary to ensure safe and efficient transportation of materials, and to prevent excessive erosion damage to roads, streams, and adjacent lands. Permittee shall:

- (1) Remove snow from the entire road surface width including turnouts.
- (2) Remove snow slides, earth slides, fallen timber, and boulders that obstruct normal road surface width.
- (3) Remove snow, ice, and debris from culverts so that the drainage system will function efficiently at all times.
- (4) Perform all items of snow removal currently to ensure safe, efficient transportation. Work shall be done in accordance with the following minimum standards of performance:
- (5) Deposit all debris, except snow and ice, removed from the road surface and ditches at agreed locations and away from stream channels.
- (6) Not undercut roadbanks nor remove gravel or other selected surfacing material off the roadway surface.
- (7) Assure that ditches and culverts are kept functional during and following roadway use.
- (8) Not leave snow berms on the road surface. Berms on the shoulder of road shall be removed and/or drainage holes shall be opened and maintained. Drainage holes shall be spaced as required to obtain satisfactory surface drainage without discharge on erodible fills.
- (9) Not use dozers to plow snow on system roads without written approval of the Forest Service.
- (10) Leave a minimum of 2-inches of snow depth to protect the roadway.
- (11) Restore any damage resulting from the snow removal in a timely manner.

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13m</b>	<u>DATE:</u>	February 6, 2018
<b>Approval of Letter to Tlingit/Haida Central Council Affirming Support for the Concept of the Proposed ANSEP School</b>				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
Lisa Von Bargen, Borough Manager		<b>Expenditure Required:</b>		
		\$0		
		<b>Amount Budgeted:</b>		
		\$0		
		<b>Account Number(s):</b>		
		n/a		
		<b>Account Name(s):</b>		
		n/a		
<u>Reviews/Approvals/Recommendations</u>		n/a		
_____	Commission, Board or Committee	<b>Unencumbered Balance(s) (prior to expenditure):</b>		
Name(s)		N/A		
_____	Attorney			
_____	Insurance			
<b>ATTACHMENTS:</b>				
1. Letter to Tlingit/Haida Central Council				

**RECOMMENDATION:**

Move to Approve Letter to Tlingit/Haida Central Council Affirming Support for the Concept of the Proposed ANSEP School.

**SUMMARY STATEMENT:**

Last year the Assembly approved a resolution supporting the concept of the proposed ANSEP school in Wrangell. That resolution joined resolutions of support from Wrangell Cooperative Association and Tlingit/Haida Central Council presented at the Alaska Federation of Natives conference in November of last year in hopes AFN would support the concept as well. Action on the resolution of support at AFN was tabled.

In an effort to keep the process moving, the local leadership of the Tlingit/Haida Central Council is submitting a letter asking for action to be taken on the item at the February AFN Board meeting. The

local representatives visited the Manager's office this week to confirm the Borough's support for the project. I was very clear in responding that the Assembly is supportive conceptually, but a SIGNIFICANT amount of local planning and understanding will need to take place for the Assembly to consider full support.

It is the Manager's understanding that support from AFN is critical before additional planning activities commence. I too share the hesitancy of the Assembly as we lack clarity about the educational model, the relationship within the existing school district, the facility and grounds, and support services necessary – just to name a few items. It is imperative for the community and the Assembly to understand what infrastructure needs may be necessary including (but not limited to) the use of existing Borough-owned land, and public utilities and roads.

The attached letter for Assembly consideration affirms support of the concept and asks for AFN support so more in-depth planning can commence to determine if the ANSEP school concept is a viable, and sustainable opportunity for Wrangell and statewide education.



## CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

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

February 7, 2018

Central Council  
Tlingit & Haida Indian Tribes of Alaska  
Mr. Richard J. Peterson, President  
9097 Glacier Highway  
Juneau, AK 99801

Dear President Peterson:

The City & Borough of Wrangell (CBW) joins the Tlingit & Haida Central Council asking for support from the Alaska Federation of Natives for the concept of an ANSEP type school in Wrangell. Last year the CBW Assembly passed a resolution of support for the concept. That resolution joined others from the Wrangell Cooperative Association, the Wrangell School District, and Tlingit & Haida Central Council in seeking support from AFN last fall.

In order to determine the viability and sustainability of the proposed concept for both Wrangell and statewide education, it is necessary to embark on a far more robust planning effort. This work is moot without support from AFN. Therefore, the CBW respectfully requests your assistance in working with AFN Leadership to see that this item is addressed at the upcoming February Board meeting.

Should you have any questions, or require additional information from the Borough, please contact the Manager, Lisa Von Barga at 907-874-2381 or [lvonbarga@wrangell.com](mailto:lvonbarga@wrangell.com). We look forward to working with you exploring this educational opportunity.

Sincerely,

David L. Jack  
Mayor

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	13n	<u>DATE:</u>	February 6, 2018
Discussion Item: Leave Cash Out Policy Discrepancy				
<u>SUBMITTED BY:</u>			<u>FISCAL NOTE:</u>	
			<b>Expenditure Required:</b>	
			\$0	
Lisa Von Bargaen, Borough Manager			<b>Amount Budgeted:</b>	
			\$0	
			<b>Account Number(s):</b>	
			N/A	
			<b>Account Name(s):</b>	
			N/A	
<u>Reviews/Approvals/Recommendations</u>			N/A	
	Commission, Board or Committee	<b>Unencumbered Balance(s) (prior to expenditure):</b>		
Name(s)				
			N/A	
	Attorney			
	Insurance			
<b><u>ATTACHMENTS:</u></b>				
None				

**RECOMMENDATION:**  
None. Discussion Item only.

**SUMMARY STATEMENT:**

It was recently brought to the attention of the Administration that the Leave Cash-Out Policy is different for those employees covered by the Collective Bargaining Agreement (CBA) and those who are not.

The CBW Personnel Policy reads:

“Upon termination of employment, employees will be paid for unused vacation time earned up to 320 hours. There shall be no pay in lieu of earned vacation except upon termination of an employee.”

The Collective Bargaining Agreement reads:

“8.7 All regular employees shall be paid upon termination of employment up to a maximum of 320 hours of vacation time earned but not used.”

“8.8 Upon retirement all regular employees shall be paid 100% for all vacation time earned but not used.”

In the Personnel Policy the word “termination” refers to all types of employment separation (if an employee resigns, is terminated, or retires). In the CBA there is a distinction. In the CBA if an employee resigns or is terminated a maximum of 320 hours of leave is paid – the same as the Personnel Policy. However, if an employee covered under the CBA retires, they are allowed to be cashed out 100% of earned vacation time, which can be as much as 520 hours.

The question being posed to the Assembly is, do you want to amend the Personnel Policy for non-union employees to reflect the same benefit to union employees?

Only a “snapshot in time” of potential liability can be offered to the Assembly. As of December 31, 2017 sixteen (16) employees had leave balances exceeding 320 hours. If all of them (most of whom are not eligible for retirement) were to retire the additional leave cash-out by the CBW would be \$62,707. **HOWEVER**, only two of the sixteen are planned to retire this fiscal year. As of the leave accrual at 12/31/2017, the additional leave payout to those two employees, upon retirement, would be \$7,406.

Administration looks forward to this discussion with the Assembly.

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>13o</b>	<u>DATE:</u>	February 6, 2018
<b>APPROVAL OF THE SHOEMAKER BAY HARBOR REPLACEMENT PROJECT'S DREDGE MATERIAL DISPOSAL PLAN</b>				
<u>SUBMITTED BY:</u>		<u>FISCAL NOTE:</u>		
Amber Al-Haddad Director of Public Works and Capital Projects		<b>Expenditure Required:</b> none		
		<b>Amount Budgeted:</b> none		
		<b>Account Number(s):</b> none		
		<b>Account Name(s):</b> none		
<u>Reviews/Approvals/Recommendations</u>				
		<b>Unencumbered Balance(s) (prior to expenditure):</b>		
		none		
n/a	Attorney			
n/a	Insurance			
<b>ATTACHMENTS:</b> Dredge Disposal Site Alternatives				

**RECOMMENDATION:**

Move to approve the Running Track as the alternative as the Shoemaker Harbor Replacement project's dredge material's disposal site.

**SUMMARY STATEMENT:**

In an effort to protect public health and the environment, the CBW performed heavy metals and petroleum hydrocarbons contaminant testing of the Shoemaker Bay Harbor's basin soils from the proposed dredge area of the upcoming harbor replacement project. Testing is now complete and results have been reviewed against the contaminant levels listed by DEC. All of the analytes tested fall within DEC's cleanup limits, most with very little or no detection, which categorizes the dredge material as acceptable for uplands disposal. In-water disposal of the soils was considered; however, to



pursue this option could delay the project for at least another four to six months with potential minimal cost savings. It is in the best interest of the project to pursue uplands disposal for the dredged soil material.

The next step in moving this project forward is to select an uplands disposal site for the dredged soil material. Staff have identified several uplands disposal locations for this purpose. The selected alternative would be made available to the project Contractor, in case they have no other means for disposal of the material.

The alternatives have been narrowed to five possible disposal sites on Borough-owned lands. An outline of the considerations related to each site, including their distinct advantages and disadvantages, is presented in the attachment entitled Dredge Disposal Site Alternatives.

It is important to note that the disposal costs listed are estimates for comparative purposes and are based on the engineer's starting estimate of \$375,000 for the combined activities of material dredging and material disposal in the Shoemaker Harbor parking lot, plus the inclusion of \$1/cubic yard/mile, applied to a round trip disposal haul. Additional site specific development costs have also been included (as estimated by staff) as required to take the disposal to its final completion level. The disposal quantity is based on the estimated dredge material amount of 7500 cubic yards.

It is also important to discuss the possibility of the dredge material emitting an odor. Characterization of odors is not usually done for a dredging project because odors are very seldom a problem at the disposal facility. Additionally, measurements of odors or unpleasant smells are very subjective and not easily quantifiable. Following staff's research on odor related to dredge material, we learn that in cases where odors have been a problem, the facilities experienced poor disposal operations which allowed stagnation to occur. With the anticipation of multiple stages of material handling required for the relocation of the dredge material, it is expected that any odiferous material would have a high probability of dissipation through air dispersion.

Through the sites' identification process, we sought input from staff who's departmental and facility plans are affected, with respect to the potential impacts of the alternatives. General consensus is that the best alternative is one that places the material in a location that will become its final resting place, especially if it also provides the added benefit of land improvements.

Based on a review of the alternatives outlined above, staff's recommendation for the preferred alternative, which best accomplishes the purpose and need for the soil disposal *and* provides for land improvements to that preferred site, is the Running Track.

**Shoemaker Harbor Replacement Project  
Dredge Disposal Site Alternatives**

130-1

Site Alternatives	Comparitive Site Criteria	Advantages and Disadvantages
Shoemaker Harbor Parking Lot	<p>Distance: 0.0 miles from project Capacity: 7,500 cy Site Readiness: Site is ready Land's Designated Use: Continued parking lot for harbor and lease lots Agencies' Concurrence: Harbor Department and Public Works</p> <p>Estimated Cost for Disposal: \$375,000</p>	<p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>- Ease of disposal at project site</li> <li>- Lowest cost alternative</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>- Given the unknown characteristics of the material, there may be little use for it elsewhere and thus it would remain in the parking lot for an indeterminate amount of time, creating a loss of parking lot space.</li> </ul>
Institute Property	<p>Distance: 0.25 miles from project</p> <p>Capacity: 7,500 cy</p> <p>Site Readiness: Land requires tree clearing and stump removal to accomodate disposal stockpile</p> <p>Land's Designated Use: Phase II of the 2016-developed Institute Master Plan Agencies' Concurrence: Economic Development Estimated Cost for Disposal: \$415,000</p>	<p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>- Close proximity to the project, resulting in second lowest cost alternative after Shoemaker Harbor parking lot alternative</li> <li>- Given the initial gradation tests performed on material samples, the high percentage of sand and silt could deem the material suitable for utility pipe bedding for a future utility expansion based on the Institute Master Plan.</li> <li>- If the dredged material is found to have an odor, requiring time to dissipate, the stockpile is well out of town and with adequate distance to residential areas that it should not draw complaint. Characterization of odors is not typically done as odors are seldom a problem unless stagnation is allowed to occur.</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>- Site requires clearing to be able to stockpile material. The cost to perform the site clearing is included in the cost estimate reflected here.</li> <li>- Trees from the site clearing would be stockpiled and left on site. The trees' stockpile could become a liability to future Institute property development.</li> <li>- Material's stockpile could become a liability with land disposal and/or development, depending on what next steps are taken to advance progress at the Institute property.</li> </ul>

**Shoemaker Harbor Replacement Project  
Dredge Disposal Site Alternatives**

Site Alternatives	Comparitive Site Criteria	Advantages and Disadvantages
Running Track	<p>Distance: 4.75 miles from project</p> <p>Capacity: 7,500 cy</p> <p>Site Readiness: Site is ready Land's Designated Use: Recreation Agencies' Concurrence: Parks &amp; Rec</p> <p>Estimated Cost for Disposal: \$515,000</p>	<p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>- The site would be improved as a green space on Recreation-designated land. Costs to develop the green space, post stockpiling, are included in the cost estimate reflected here.</li> <li>- The material would require stockpile at the site, prior to final placement to improve the site as a green space. It is recommended by the project engineers to allow the material to remain stockpiled for approximately twelve months to fully dewater for necessary aggregate compaction, grading and seeding. The stockpile would be appropriately barricaded to minimize access by motorized vehicles.</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>- There is the potential for the material to have an off-putting odor, which could take some time to dissipate. With the stockpile being in town-range, it could draw complaints until the odor is diffused. In speaking with those who were around during the initial construction of the Running Track, by way of wood waste material, the odor took about a year to dissipate. At this time however, it is unknown if there would be an odor and if so how long it could take to dissipate. Characterization of odors is not typically done as odors are seldom a problem unless stagnation is allowed to occur.</li> </ul>
Monofill	<p>Distance: 5.9 miles from project</p> <p>Capacity: 7,500 cy</p> <p>Site Readiness: Site is ready</p> <p>Land's Designated Use: Monofill for inert waste disposal</p>	<p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>- Site has been developed as a Monofill for inert waste disposal under a 1999 Corps permit.</li> <li>- Given renewal of the Corps permit, there is plenty of space for the community to continue to access the Monofill while the project's Contractor has access and use of that disposal site.</li> <li>- If the dredged material is found to have an odor, requiring time to dissipate, the stockpile is well out of town and with adequate distance to residential areas that it should not draw complaint.</li> </ul>

**Shoemaker Harbor Replacement Project  
Dredge Disposal Site Alternatives**

Site Alternatives	Comparitive Site Criteria	Advantages and Disadvantages
Monofill (continued)	Agencies' Concurrence: Public Works Estimated Cost for Disposal: \$525,000	<p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>- The Monofill's Corps permit has expired (staff's recent review of the Corps-issued permit brought to light the June 2002 expiration of the permit). Requires Corps permit renewal. Staff is currently working on a renewal permit, but it could take up to 90 days to establish new permit.</li> <li>- If the Monofill site is identified as the selected alternative, based on the time necessary to assure renewal of the Corp permit, we would need to be prepared to identify a second selected alternative, in such case as we are unsuccessful in receiving the permit prior to the Contractor's need for the disposal site.</li> <li>- Second highest cost alternative.</li> </ul>
Skeet Range	Distance: 5.9 miles from project  Capacity: Approximately 3,750 cy (half of the diposal quantity)  Site Readiness: Land's Designated Use: Recreation Agencies' Concurrence: Parks & Rec and Police Department  Estimated Cost for Disposal: \$525,000 + Unidentified cost to permit, engineer and construct gun range	<p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>- Same distance as the disposal haul option to the adjacent Monofill. If the material is making that far a haul, the added benefit to using a portion of the material is the opportunity for improvements to the skeet range, an existing Recreation facility, and it would minimize the amount of material that went into the Monofill, thus preserving capacity for future disposal materials.</li> <li>- If the dredged material is found to have an odor, requiring time to dissipate, the stockpile is well out of town and with adequate distance to residential areas that it should not draw complaint.</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>- Site would require regulatory permitting and engineering design to comply with gun range development; therefore the stockpile could remain unused until this larger project is funded and planned.</li> <li>- Highest (unknown) cost alternative</li> </ul>

**CITY & BOROUGH OF WRANGELL, ALASKA**  
**BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>NO.</u>	<b>14</b>	<u>Date</u>	February 6, 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>	<b>15</b>	<u>Date</u>	February 6, 2018
<b>None.</b>				
<u>SUBMITTED BY:</u>				