



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Minutes Borough Assembly

Monday, November 24, 2014

7:00 PM

Assembly Chambers

1. Call To Order/Roll Call

Mayor Jensen called the meeting to order at 7:00 p.m.

Present: 7 - Mayor Mark Jensen, Assembly Member John Havrilek, Assembly Member Nancy Strand, Assembly Member Bob Lynn, Vice Mayor Cindi Lagoudakis, Assembly Member Jeigh Stanton Gregor and Assembly Member Kurt Wohlhueter

2. Voluntary Pledge

The Pledge was recited.

3. Approval of Minutes

A. November 3, 2014 Meeting Minutes

Attachments: [11-03-2014 Minutes.pdf](#)

The minutes were amended on line 5 of agenda item 16C(Borough Service Areas) to replace the word "Charter" with "Petition".

The minutes, as amended, were unanimously approved.

4. Amendment and Approval of Meeting Agenda

The agenda was unanimously approved, as submitted.

5. Public Hearings and Bid Awards

No items.

6. Visitors' Views Related to Agenda

Kim Kilkenny, President, and Terry Falter, Director of Petersburg Children's Center, spoke in support of agenda item 16C - dedicating a local match toward the Center's needed building expansion. They informed of the need to expand the facility to accommodate increased enrollment of children between the ages of 6 weeks to 5 years. The Center has had a lengthy wait list for many years. Both Kilkenny and Falter spoke of economical benefits to the community for the expansion by providing instances where lack of child care has prevented parents from returning to work or discouraged young families to relocate to Petersburg. They also informed that development of the set-aside vacant land across from the current facility would be too costly and time consuming compared to expansion of the existing facility into the

current playground. The dedicated vacant land could be used for facility parking in the future.

David Randrup asked to read his letter to the Assembly at this time (see Agenda item 16A). He encouraged the Assembly to research herbicide and pesticide risk factors and effects prior to supporting any type of governing program.

7. Visitors' Views Unrelated to Agenda

None.

8. Board, Commission and Committee Reports

A. Notice from Thomas Bay Power Commission

Attachments: [TBPC Letter.pdf](#)
 [TBPC History.pdf](#)
 [Charter 10.05.pdf](#)
 [TBPC current ordinance.pdf](#)

Mayor Jensen read the letter that indicated the role of the Commission had changed due to the transfer of operation and maintenance of Tyee Hydro to SEAPA. Discussion was held on whether the Commission is needed now that SEAPA is the primary hydro developer. Consensus was the Commission should be retained on an advisory board basis to investigate and recommend joint energy needs for the communities.

The Clerk was instructed to contact Wrangell to find out how they would like to proceed with the matter.

9. Consent Agenda

A. Local Approval of Alaska Sport Clay Target Program (SCTP) Gaming Permit for 2014 & 2015

Attachments: [Gaming Permit Application.pdf](#)

This Action Item was approved

B. Local Approval of 2015 Gaming Permit Application for Alaska State Elks Charitable Trust Fund

Attachments: [Elks Gaming Permit Ap.pdf](#)

The Consent Agenda was unanimously approved by Roll Call Vote.

10. Report of Other Officers

No reports

11. Mayor's Report

In addition to matters on his written report, Mayor Jensen asked consideration be given to changing the December meeting dates due to limited business expected in the next week; and he provided information on his attendance to the annual Alaska Municipal League conference.

The December meeting dates were changed to the 8th (at noon) and 22nd (at 7:00 p.m.)

A. Mayor's Written Report

Attachments: [Written Report for 11-24-2014.pdf](#)
 [Cushing Letter of Interest.pdf](#)
 [Hoag Letter of Interest.pdf](#)
 [Sterns Letter of Interest.pdf](#)
 [Thynes Letter of Interest.pdf](#)
 [Letters Of Interest - SEAPA Board.pdf](#)

Mayor Jensen recommended the appointments of John Hoag and Tom Sterns to the Public Safety and Planning Commission respectively. He informed that three letters of interest had been received for two seats on the Hospital Board and he recommended appointment to the vacancies be addressed by a written ballot of the Assembly. He informed that 5 individuals, including himself, had applied to represent the Borough on SEAPA and recommended the appointments be made by written ballot of the Assembly. Mayor Jensen concluded he would like to see an ordinance developed for the appointment of SEAPA representatives and both Wrangell and Ketchikan Mayors have agreed to also consider an ordinance.

The following appointments were made: John Hoag to a vacancy on the Public Safety Advisory Board; Tom Sterns to a vacancy on the Planning Commission; Marlene Cushing and Kris Thynes to vacancies on the Hospital Board; and Joe Nelson as voting member and John Jensen as the alternate to the 2015 SEAPA Board.

12. Manager's Report

A. 11-24-2014 Manager's Report

Attachments: [Manager report 11242014](#)

Manager Giesbrecht reviewed his written report.

The report is attached and made part of the original meeting minutes.

13. Unfinished Business

A. Juneau Appeal of Petersburg Borough Boundaries

Both the LBC and Borough have submitted their briefs to Supreme Court. Juneau will have 20 days to reply unless it seeks an extension. Oral arguments are expected

next spring with a decision many months after that.

14. New Business

- A. Consideration of Renewal Contract with Ray Matiasowski & Associates for State Lobbying Services for Calendar Year 2015 at \$3,500 per month.**

Attachments: [Lobbyist Contract.pdf](#)

By unanimous Roll Call Vote, the renewal contract was approved.

15. Communications

- A. Randrup Letter**

Attachments: [David Randrup Letter Regarding Herbicides and Pesticides.pdf](#)

Borough Resident David Randrup submitted a letter to the Assembly expressing his concerns and observations regarding pesticides and herbicides use.

See agenda item 6.

- B. November 14, Letter from SEAPA on Rebates**

Attachments: [Letter from SEAPA on Rebates.pdf](#)

The letter informed that the member communities will receive a rebate in FY 2015; however, future rebates will be dependent on the business needs of the Agency as determined by the Board of Directors.

Mayor Jensen read the letter into the record.

16. Assembly Discussion Items

- A. Recognitions**

Finance employee Mindy Swihart was recognized for her exceptional business service and great attitude while her spouse (police chief) was absent from the community for a long while; and Mayor Jensen presented Clerk O'Rear with the 2014 Presidential Award of Distinction from the Alaska Association of Municipal Clerks.

- B. Notice from Mental Health Trust Land Office Informing Seven Lots in Seaduck Subdivision (at Papke's Landing) will be Sold Through the Trust Land Office Annual Land Sale Program.**

Attachments: [10-30-2014 Land Trust Letter.pdf](#)

The Assembly discussed the benefits of at least three of the lots becoming the property of the Borough. Parking in the highly congested and used dock and launch area is needed. The next Mental Health Land Trust sale is expected to begin sometime in December and it is unlikely that The Land Trust would entertain the Borough's continuation of the acquisition process started in the past, but then set

aside. Prior to taking any action in attempting to acquire the land, the Assembly desired public comment.

Public Hearings to receive community input in the purchase of land at Papke's Landing were scheduled for both December Assembly meetings.

C.**Resolution #2014-19: A Resolution Dedicating Local Funds to Capital Improvement Projects Approved for Funding by the Alaska State Legislature in the 2016 Budget**

Attachments: [Res. 2014-19.pdf](#)

The Assembly discussed whether or not to dedicate local funds to any of the projects on this year's list at this time. It was thought that placing dedicated local funding toward a project in resolution form would go a long way in demonstrating the community's support for the projects to the State Legislature. Some members preferred to demonstrate dedicated funds only to the #1 ranked project, while other members preferred to include lower ranked projects. Setting aside 3-5% of general fund revenues each year to address our future capital needs was also discussed. Manager Giesbrecht informed that the recent budget policies approved by the Assembly do something very similar to dedicating the 3-5%, only on the "back end" of the budget. As an example he referenced the recent audited budget surplus for last fiscal year of approximately \$900,000. The newly established budget policy would require one half of that amount to be deposited into the Land Development Fund for future use. Because each capital project placed into the State's CAPSIS system has a designated area where local contributions are noted, consensus of the Assembly was to designate local funding for this upcoming year's project requests by resolution. Borough Administration was asked to bring a proposed funding plan for our local contribution to the renovated police/municipal building to the next meeting.

By a unanimous Roll Call Vote, the Assembly authorized the Resolution be moved forward to the next meeting for consideration.

D.**Draft Herbicide and Pesticide Ordinance**

Attachments: [Draft Petersburg Ord.pdf](#)
 [Edited Skagway Ord.pdf](#)

The Administration staff had prepared a draft ordinance on herbicide and pesticide use within the Borough. Both the draft local ordinance and the Skagway ordinance (showing what was changed to form our local draft) had been provided for Assembly discussion. Concerns voiced to the draft were: the immediate effective date of the ordinance does not provide opportunity for merchants to prepare by addressing already obtained substances that may be banned; EPA restrictions should be used, not the US Composting Council's list of restricted herbicides; the \$1,000 fine for violation is too much; and the Borough does not have the resources to enforce the ordinance. It was noted the Borough may be better off to educate the public on the use of herbicides and pesticides than to adopt a prohibitive ordinance. Concerns were voiced that the ordinance would only apply to our citizens, not to the State and Federal agencies that are the mass users of the substances. How to mandate a required public notification process of which the State and Feds must follow was desired. Limiting the ordinance to apply to just public lands should be considered. Resident Susan Wood believed everyone should be expected to protect their environment and related that pesticides/herbicides are very susceptible to wind drift and many have long term residual effects.

Assembly Members Lynn, Lagoudakis and Strand volunteered to work with

Manager Giesbrecht to modify the draft ordinance.

E.

Borough Services and/or Borough Service Areas

Attachments: [PSA on Service Areas.pdf](#)
 [Charter provisions for Service Areas.pdf](#)

How to rectify the current conflict between the Borough Charter and the Borough's continuing operating practice to provide some services outside Service Area 1 at the same level as prior to Borough formation will need to be addressed.

17. Adjourn

The meeting adjourned at 9:20 p.m.