

Mayor
John K. Handeland
Manager
Glenn Steckman
Clerk
Dan Grimmer



Nome Common Council
Scot Henderson
Mark Johnson
Maggie Miller
Adam Martinson
Cameron Piscoya
M. Sigvanna Tapqaq

**NOME COMMON COUNCIL
REGULAR MEETING AGENDA
MONDAY, AUGUST 26, 2024 at 7:00 PM
RICHARD FOSTER ROOM**

102 Division St. ▪ P.O. Box 281 ▪ Nome, Alaska 99762 ▪ Phone (907) 443-6663 ▪ Fax (907) 443-5345

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [A.](#) August 12, 2024 Nome Common Council Meeting Minutes,
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COMMUNICATIONS

- [A.](#) Fall Cleanup Advertisement- FALL HAUL,
PAGE 8
- [B.](#) September 3, 2024 Ad re: Historic Preservation Workshop at Old Saint Joe's,
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CITIZEN'S COMMENTS

UNFINISHED BUSINESS

NEW BUSINESS

- [A.](#) A Memo to Common Council from City Clerk re: Tax Determinations on Properties included on the 2024 Foreclosure List,
PAGE 10
- [B.](#) A Memo to Common Council based upon a letter from Gladys West re: Property taxes, penalties and interest owed on parcel 001.242.10,
PAGE 11
- [C.](#) R-24-08-02 A Resolution Appointing Election Judges and Clerks for the 2024 Municipal Election and Setting their Compensation,
PAGE 18
- [D.](#) R-24-08-03 A Resolution Authorizing the Sale of Surplus City Owned Equipment and Vehicles to the Public by Means of a Public Auction,
PAGE 19
- [E.](#) R-24-08-04 A Resolution of the City of Nome Authorizing an Agreement Between the City of Nome and Brooks Chandler Appointment Brooks Chandler as Interim City Manager,
PAGE 21

- [E.](#) O-24-08-01 An Ordinance Amending Chapter 17.20.030 Application for Exemption, FIRST
READING DISCUSSION,

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UTILITY MANAGER'S REPORT

CITY MANAGER'S REPORT

- [A.](#) City Manager's Report,

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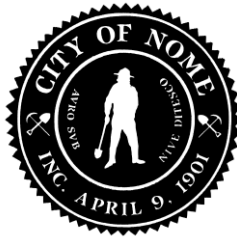
CITIZEN'S COMMENTS

COUNCIL MEMBER'S COMMENTS

MAYOR'S COMMENTS AND REPORT

ADJOURNMENT

Mayor
John K. Handeland
Manager
Glenn Steckman
Clerk
Dan Grimmer



Nome Common Council Item A.
Scot Henderson
Mark Johnson
Maggie Miller
Adam Martinson
Cameron Piscoya
M. Sigvanna Tapqaq

**NOME COMMON COUNCIL
REGULAR MEETING AGENDA**
MONDAY, AUGUST 12, 2024 at 7:00 PM
RICHARD FOSTER ROOM IN THE RICHARD FOSTER BUILDING

▪ P.O. Box 281 • Nome, Alaska 99762 • Phone (907) 443-6663 • Fax (907) 443-5345

ROLL CALL at 07:05PM

Members Present: C. Johnson, C. Martinson, C. Piscoya, C. Henderson, C. Miller, C. Tapqaq (Zoom);

Also Present: John K. Handeland, Mayor; Glenn Steckman, City Manager; Dan Grimmer, City Clerk;

In the Audience: Diana Haecker, Ben Townsend, Miranda Musich, Thomas Simonsson, Brad Soske (Zoom), Cynthia Gray (Zoom);

APPROVAL OF AGENDA

A Motion to Approve the Agenda was made by C. Henderson and Seconded by C. Martinson.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C. Piscoya, C. Tapqaq, C. Miller

Nay:

The motion **CARRIED**.

APPROVAL OF MINUTES

A. July 22, 2024 Work and Regular Meeting Minutes,

A Motion to Approve the Meeting Minutes was made by C. Martinson and Seconded by C. Henderson.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C. Piscoya, C. Tapqaq, C. Miller

Nay:

The motion **CARRIED**.

COMMUNICATIONS

A. May 7, 2024 Nome Planning Commission Meeting Minutes,

B. July 17, 2024 letter from a Guest of the Westerdam,

C. July 19, 2024 letter from AT&T re: AT&T Data Incident,

D. July 31, 2024 Foreclosure list presented to the Superior Court at Nome (2NO-24-00149 CI)

- E. July 31, 2024 Letters to DEC and DNR On Behalf of NCC and Response from DNR re: IPOP Permit Opposition,
- F. August 5, 2024 AMCO Public Notice of Proposed Regulation Changes of the Marijuana Control Board,
- G. August 16, 2024 communications from AMCO re: Marijuana Control Board regulations for Broadening Overlapping Premises and Plant Height,
- H. July 31, 2024 Public Notice of Application for Permit from USACE,

CITIZEN'S COMMENTS

No Comments

UNFINISHED BUSINESS

No Unfinished Business

NEW BUSINESS

- A. August 12, 2024 Memo to Nome Common Council re: 2024 Personal Property Fees and Interest,

A Motion to waive 2024 Personal Property Fees and Interest was made by C.Henderson and Seconded by C.Johnson.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C.Piscoya, C.Tapqaq, C.Miller

Nay:

The motion **CARRIED**.

- B. August 12, 2024 Memo to Nome Common Council re: Dilapidated Structures Exemption,

A Motion to approve Dilapidated Structures Exemptions presented was made by C.Henderson and Seconded by C.Martinson.

Discussion was made about the qualifications or criteria that is required for this exemption. Comments were made about how to make the qualifications less cumbersome.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C.Piscoya, C.Tapqaq, C.Miller

Nay:

The motion **CARRIED**.

- C. August 12, 2024 Memo to Nome Common Council re: Late Filing for Senior Exemption,

A Motion to approve the Senior exemption of Betty Ann Hoogendorn as timely filed by C.Johnson and Seconded by C.Martinson.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C.Piscoya, C.Tapqaq, C.Miller

Nay:

The motion **CARRIED**.

- D. R-24-08-01 A Resolution Appointing Dan Grimmer as Acting City Manager for August 17th Through August 20th 2024,

A Motion to approve the Resolution to appoint Dan Grimmer as Acting City Manager for August 17th through August 20th 2024 was made by C.Martinson and Seconded by C.Henderson.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C.Piscoya, C.Tapqaq, C.Miller

Nay:

The motion **CARRIED**.

UTILITY MANAGER'S REPORT

Thomas Simonsson, NJU Superintendant- Operating updates include jetting sewer lines and doing some septic cleaning at the school and correctional center. Fire hydrants are being repaired. VFD for additional blower at lagoon is now operational. BEST battery system is scheduled to arrive soon. Concrete is being poured at foundation. There was a technician that came up to work on the moonlight springs pressurization. Valves do need to be replaced in the water plant. N street and 6th ave sewer main is scheduled to start the first part of September. The Seppala project has all the piping and construction will start next year.

John K. Handeland- Working with NSHC for the lift Station that is located on N Street that would support the Quyaana Care Center. The Village of Solomon and King Island Native Corporation are looking for support of a lift station on 6th Ave. NSHC agreed to contribute 1.3 Million dollars to this project.

CITY MANAGER'S REPORT

- A. August 12, 2024 City Manager's Report,

There is an ordinance in process to amend the Senior and Disabled Veteran Exemption requirement. The City is also working on amending the exemption ordinance to read that final determinations will fall under the City Managers' approval.

The city engineer is currently in Nome and we're looking at having the DEC come in and review the efficiency of how we're managing the landfill. The engineer is waiting on the RFP for fixing the floors at OSJ.

An RFP will also be submitted for the electrical in the Public Works building. The accreditation for the Police Department is under final review. We are looking at an RFP for a public relations firm. We are working on an RFP for vehicle removal.

The City Manager gave thanks to organizations in the community for efforts that are being made to paint and make improvements to their properties.

The City will be working with DOT to removed vehicles from long term parking that are torn up and broken.

There have been reports by the public and in Social Media that there are no protocols in place for missing persons. The City Manager noted that the City has a missing persons protocol that is used in cases of missing persons. Comments in Social Media have been unfiltered and there is a lot of misunderstanding and misinformation being presented.

The 3D housing project is delayed until next year. An update was given on the details of this project and when the project will start next year.

Mayor Handeland noted that there will be an update coming to the sound system in City Hall. City Manager Steckman noted that Chariot services will be coming up to work on that system in City Hall. Mayor Handeland also noted from the City Manager report that there is an advertisement that has gone out to the community reminding them that Helmets need to be worn with ATV's and that you need to have a valid driver's license to operate within city limits.

C.Miller asked more questions about the 3D housing being used in an Arctic region. City Manager Steckman noted that there is an identified site where a house will be made and then there is another that is being looked at to problem solve how best to build one of these types of houses on unstable ground.

There was discussion about Leonard Seppala's Kennel building possibly coming to Nome. There was an update about the possibility of expanding the outside displays outside of the museum.

More questions were made by C.Miller about the possibility of having a local PR person instead of using a PR firm.

C.Henderson brought up for discussion about requirements in the Exemption Ordinance for dilapidated structures. Intent of the ordinance was discussed. C. Henderson asked if the council could make administrative changes to the ordinance. Mayor Handeland clarified that Ordinance changes would have to go through and be adopted by ordinance through multiple readings.

CITIZEN'S COMMENTS

No Comments

COUNCIL MEMBER'S COMMENTS

C. Henderson- Congratulations to the applicants for the dilapidated Structure exemptions. C.Henderson asked KNOM to update their role in the City Council Meeting. M.Musich noted that she is a member of the Chamber of Commerce and that they have sponsored KNOM to attend the City Council Meetings to stream on Facebook and Youtube. It was noted that this service can be provided anywhere.

C. Johnson- Thanks to City Staff for working on the Senior Exemption Ordinance and making progress on it.

C. Martinson- No Comment

C.Tapqaq- No Comment

C.Miller- Thanks to Glenn for answering questions. Talked about need for PR person, asked about Communications being more open with tribal entities. C.Miller asked about the street signs being repaired. Asked about artifacts of Nome Eskimo Community. Mayor Steckman addressed that the City has held these artifacts in trust for Nome Eskimo Community and he has attempted multiple times to contact them and they have not responded.

C.Piscoya- No Comment

MAYOR'S COMMENTS AND REPORT

The Post Office has been rumored to intend to be moving. Mail continues to be sent back to sender and having packages being sent back. Mayor Handeland stated that although they may be following protocol he feels like it is worth writing a strongly worded letter to our delegations to see how we can fix this issue. Mayor Handeland asked if there was objection to him writing a letter. There was no objection.

The Army Corp of Engineers and DOD came into town. Mayor Handeland noted that they were able to host them and that it is good for them to see Nome and understand where we're at and what their policies could be effecting.

There was a book signing "Stronger Together". There was a collaboration of Artifacts and Artwork along with stories in the book being displayed.

The City is working on the new Iditarod Arch. The new log is being worked on in Seward where it will be created. M.Silvernail will work on the based structure.

Thank you to Diana from the Nome Nugget for notices being posted in instances of short notice.

Mayor Handeland talked about Extreme Habitat and potential other opportunities that would benefit the City.

EXECUTIVE SESSION

- A. Matters in which the immediate knowledge would have an adverse effect upon the finances of the City and to discuss subjects that tend to prejudice the reputation and character of any persons,

A Motion was made to go into executive session by C.Henderson and
Seconded by C.Piscoya.

At the roll call:

Aye: C. Johnson, C. Martinson, C. Henderson, C.Piscoya, C.Tapqaq, C.Miller

Nay:

The motion **CARRIED**.

The council went into Executive Session at 08:32PM

ADJOURNMENT

The council came out of Executive Session at 09:30PM and Adjourned.

APPROVED and **SIGNED** this 26th Day of August, 2024.

JOHN K. HANDELAND
Mayor

DAN GRIMMER
City Clerk

FALL HAUL

SEPTEMBER 16 - 20, 2021

Item A.

U-CALL, WE-HAUL

YOU NO CALL, WE NO HAUL

- Call 443-6663 from Wednesday September 11 to Friday, September 20 to schedule a pickup.
- All items must be brought to the curb of the road and away from structures.
- NO: Drums of unknown chemical, flammable products, wet paint, or batteries.
- Refrigerators/Freezers: Each refrigerator/freezer must be empty & the door(s) removed.
- Vehicle pick up available for both Residential and Commercial (with signed release form).
- **The City stops taking requests for U-Call, We-Haul at 12:00pm on Friday, September 20.**

MONOFILL open for **FREE DUMPING**

- Monday September 16 - Friday September 20 from 11am - 7pm

LANDFILL open for **FREE DUMPING**

- Monday, September 16; Wednesday, September 18; Saturday, September 21
- 9am - 3pm



CONTACT US
907-443-6663

**AVAILABLE FOR RESIDENTS ONLY
(WITHIN CITY LIMITS)**

HISTORIC PRESERVATION WORKSHOP

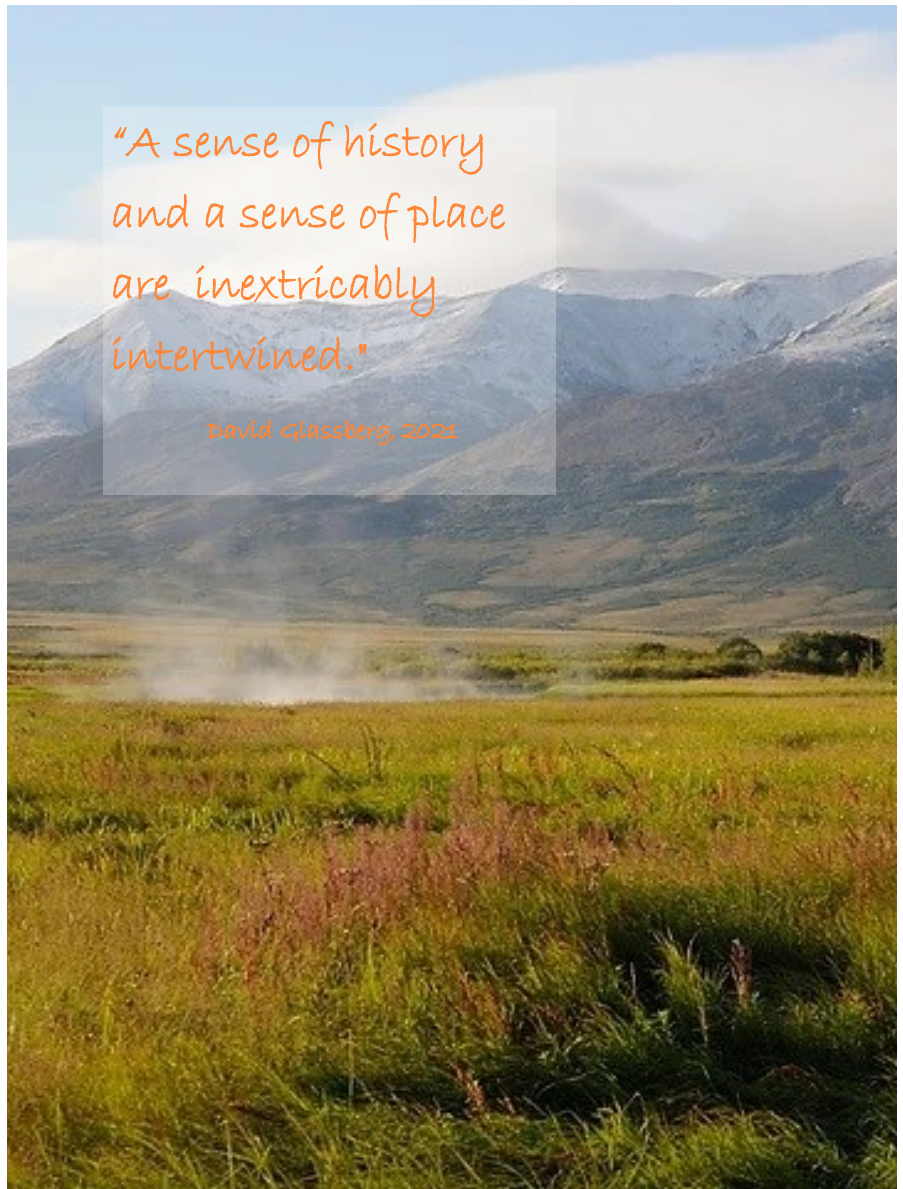
TUESDAY, SEPT 3
5:30 PM—7:00 PM
Old St. Joseph's Church

FREE and OPEN to the Public!

The Office of History and Archaeology is launching its statewide historic preservation planning efforts in Alaska, and we want to hear from Nome. Please consider joining local and state historic preservation leaders for a participatory planning workshop to learn how you can get involved. Discover what's new about statewide collaborative planning efforts and saving Nome's past for the future.

Featured presentations:

- ◆ **Carol Gales**, Owner, Discovery Saloon, *Challenges and Successes of Rehabilitating the Discovery Saloon.*
- ◆ **Maria Lewis**, Architectural Historian, *Updating the State of Alaska Historic Preservation Plan.*
- ◆ **Amy Hellmich**, Architectural Historian, *Section 106 and how it relates to the State of Alaska Historic Preservation Plan.*



Pilgrim Hot Springs, Photo Courtesy of Kawerak, Inc.

Questions, email: maria.lewis@alaska.gov





Memo

Date: August 26, 2024
From: Dan Grimmer, City Clerk
To: Nome Common Council
Subject: Council Determination for Property Taxes

An audit has been done on several accounts which have been listed on the 2024 Foreclosure List. The audit has found the following:

- **Parcel 190.1.066**- This is a building/Improvement, a portioned property that exists on land that was leased by AK Gold Co. The Current Land owner is Aaron Burmeister. The current owner of the building is listed as being Mike Benchoff. The City Clerk spoke to Mr. Benchoff who does not claim to have ownership of the property. The past listed owner has been reported by Mr. Benchoff to be deceased. As the property is under foreclosure and we do not wish to proceed with foreclosure on a property where taxes are being paid both land and improvements by the current owner. **We therefore ask the Common Council to approve the removal of all taxes, fees and interest listed against this property and to have the property removed from the tax rolls.**
- **Parcel 190.1.074**- This is a building/improvement, a portioned property that exists on land that was leased. The current owner of the land is Kirsten Bey. The last listed owner of the Building was Colby Carter who was reported to the City Clerk by the owners grandson Hunter Bellamy as being deceased for over 10 years. The City does not wish to continue foreclosure on a property that does not have a clear owner and the last owner is deceased. **We therefore ask the Common Council to approve the removal of all taxes, fees and interest listed against this property and to have the property removed from the tax rolls.**
- **Parcel 198.2.022**- This Property was previously 1 larger lot which was split into four different parcels when subdivided by the State of Alaska. Three of those parcels fell within city limits. This property does not fall within City Limits. **We therefore ask the Common Council to approve the removal of all taxes, fees and interest listed against this property and to have the property removed from the tax rolls.**

Dan Grimmer
City Clerk



Memo

Date: August 26, 2024
From: Dan Grimmer, City Clerk
To: Nome Common Council
Subject: Council Determination for Property Tax Penalties and Interest

The City Clerk's Office has received a request from Gladys West who is the owner of Parcel 001.242.10 which is also known as the old pharmacy building at 100 Lanes Way. Please see letter attached for details by Mrs. West on why she believes that certain penalties and interest be waived.

Mrs. West intends to sell the building to Sitnasauk Native Corporation who she reports intends to demolish, remediate and dispose of the building.

Therefore the City Clerk asks of the Common Council to make a determination based upon Mrs. West's request to waive all currently owed taxes, penalties and interest which represent the amount previously owed during the period in which the Sackett's owned the property.

Dan Grimmer
City Clerk

Gladys West
P.O. Box 1657
Nome, Alaska 99762

August 22, 2024

Re: Real Property Tax I.D. No. 001.242.10 (100 Lanes Way)

Dear Nome City Council:

This letter is to request that City of Nome waive the interest and penalties on my account for the property at 100 Lanes Way.

I sold the property at 100 Lanes Way to Mark Sackett and Windrow Sackett on December 2013. At the time I sold the property to the Sacketts, I had overpaid my property taxes on this property in the amount of \$1,505.91.

The Sacketts did not pay any taxes to City of Nome for 2014, 2015, or 2016. The Sacketts also did not pay the promissory note and West Star, the trustee, notified all of us that it was time to foreclose on the Deed of Trust that I had with Mark and Woodrow Sackett.

The former City Manager Tom Moran prepared a Quitclaim Deed for me and the Sacketts to sign and it said that the Sacketts "acknowledge that they are still responsible for all back taxes and all delinquent utility bills on the property up to, but not including, the date of this recording." The quitclaim deed was signed on September 19, 2016, before Tom Moran and Bryant Hammond.

The Sacketts did not take responsibility for the back taxes and I have been paying them, as well as paying consistently and timely on the taxes that have been charged to 100 Lanes Way since I have owned the property.

I was recently told that the taxes that I have been paying in full and on time do not count towards the years I have been paying them because those payments were first applied to the Sackett's taxes penalties and interest. I have never been provided with anything showing where my payments all these years have been applied.

My attorney asked Mr. Dan Grimmer to send a list of the assessments and payments I have made. Excluding penalties and interest on the Sackett taxes, I have paid everything on my assessments and the Sackett assessments except \$116.84, which I just paid today. The assessments have been paid in full for all years due to date.

The City of Nome recently informed me that all of these payments I made have been applied to penalties and interest and that I still owe for 2020, 2021, 2022, 2023, and 2024. My attorney requested from Mr. Dan Grimmer to waive the penalties and interest so that I can be current on my taxes, since I have paid the amount of the tax bills.

Mr. Grimmer told my attorney that I need to write a letter for him to present to the City Council to request relief from these penalties and interest. Therefore, this letter is to request that the City of Nome waive penalties and interest that accumulated on the Sackett's assessment and either charge it to the Sackett's or waive it all together.

These penalties and interest from the Sackett's are standing in the way of finalizing the sale of the 100 Lanes Way property to Sitnasuak Native Corporation. Sitnasuak Native Corporation will be bearing the burden and expense of demolishing, remediating and disposing of the building which will further the City's goal of improving Front Street and downtown Nome.

Since I have paid the Sackett's taxes to City of Nome that I was not even supposed to be responsible to pay and I am going to have to pay other debts of the Sackett's in order to finalize this sale, I cannot afford to pay the Sackett's penalties and interest and will have to wait one to two years for Sackett's IRS liens to expire if the City does not recognize that the assessments have been paid in full and apply the payments to the assessments instead of the past penalties and interest of the Sackett's.

Thank you very much for your time and consideration of this request.

Ms. Gladys West

**QUITCLAIM DEED AND COVENANT**

THIS DEED is made by GRANTORS Mark Sackett, an unmarried person whose mailing address is P.O. Box 1294, Nome, Alaska 99762, and Windrow Sackett, an unmarried person whose mailing address is 210 North 10th Avenue, Purcell, Oklahoma 73080.

NOW, THEREFORE, Grantors do hereby convey and quitclaim to Gladys West, an unmarried person whose mailing address is P.O. Box 1657, Nome, Alaska 99762, all the right, title, and interest of the Grantors, if any, to the property described as:

The east 47 feet of Lot 9, in Block D of Nome, Alaska, according to the official November 24, 1934 map of the Townsite of Nome, Records of the Cape Nome Recording District, Second Judicial District, State of Alaska.

Together with all structures, buildings, and fixtures, located thereon.

SUBJECT TO:

The Grantors acknowledge that they are still responsible for all back taxes and all delinquent utility bills on the property up to, but not including, the date of this recording.

Dated: 9-19-16 By: Mark Sackett
Mark Sackett

Dated: 9/19/16 By: Windrow Sackett
Windrow Sackett

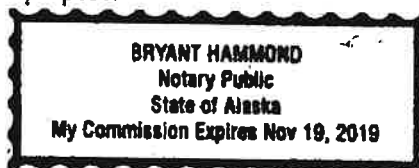
ACCEPTANCE:

THE COVENANT STATED HEREIN IS ACCEPTED AND AGREED TO AS A CONDITION OF CONVEYANCE.

Dated: 9/19/16 By: Gladys West
Gladys West

STATE OF ALASKA)
) ss.
 SECOND JUDICIAL DISTRICT)

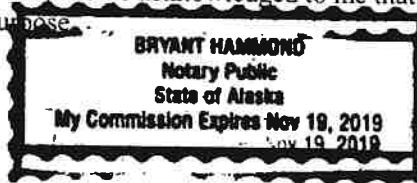
The foregoing instrument was acknowledged before me this 19th day of September 2016 by Mark Sackett, to me known to be the person named as Grantor in the foregoing deed, and he acknowledged to me that the deed was executed freely and voluntarily for its stated purpose.



[Signature]
 NOTARY PUBLIC FOR ALASKA
 My Commission Expires: 11/19/19

STATE OF ALASKA)
) ss.
 SECOND JUDICIAL DISTRICT)

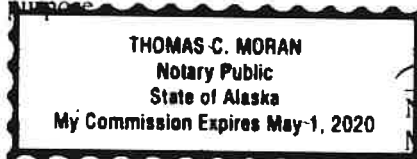
The foregoing instrument was acknowledged before me this 19th day of September 2016 by Windrow Sackett, to me known to be the person named as Grantor in the foregoing deed, and he acknowledged to me that the deed was executed freely and voluntarily for its stated purpose.



[Signature]
 NOTARY PUBLIC FOR ALASKA
 My Commission Expires: 11/19/19

STATE OF ALASKA)
) ss.
 SECOND JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 19th day of September 2016 by Gladys West, to me known to be the person named as Grantee in the foregoing deed, and she acknowledged to me that the deed was executed freely and voluntarily for its stated purpose.



[Signature]
 NOTARY PUBLIC FOR ALASKA
 My Commission Expires:

After Recording Return to:

City of Nome
 Attn: City Clerk
 P.O. Box 281
 Nome, AK 99762



2011 balance forward	\$ 2,325.50		
12/31/12	\$ 5,116.10		
	\$ 7,441.60	subtotal	\$ 12,753.50 taxes assessed through 2013
4/11/13	\$ (5,818.40)		\$ (14,259.41) payments through 2013
7/1/13	\$ 5,311.90		
9/18/13	\$ (5,573.95)		
9/26/13	\$ (2,813.30)		
12/19/13	\$ (53.76)		
	\$ (1,505.91)	property sold December 2013 Gladys credit	
7/1/14	\$ 6,243.60		
7/1/15	\$ 5,723.30		\$ 17,690.20
7/1/16	\$ 5,723.30		
	\$ 16,184.29	subtotal with credit while Sackett owned the property	
1/25/17	\$ (3,238.80)		
2/27/17	\$ (3,912.13)		\$ 7,150.93
	\$ 9,033.36	subtotal before 2017 assessment	
7/1/17	\$ 3,243.00		
7/17/17	\$ (1,621.50)		
10/16/17	\$ (1,621.50)		
1/3/18	\$ (200.00)		
2/14/18	\$ (200.00)		
	\$ 8,633.36	Subtotal before 2018 assessment	
7/1/18	\$ 3,567.30		
7/31/18	\$ (1,783.65)		
8/24/18	\$ (200.00)		
10/31/18	\$ (1,783.65)		
4/26/19	\$ (200.00)		
	\$ 8,233.36	Subtotal before 2019 assessment	
7/1/19	\$ 4,215.90		
7/31/19	\$ (2,107.95)		
10/31/19	\$ (2,107.95)		
	\$ 8,233.36	subtotal before 2020 assessment	
7/1/20	\$ 4,353.70		
7/31/20	\$ (2,176.85)		
10/30/20	\$ (2,176.85)		
10/30/20	\$ (1,000.00)		
1/25/21	\$ (3,304.79)		
	\$ 3,928.57	subtotal before 2021 assessment	
7/1/21	\$ 4,018.80		
8/2/21	\$ (2,009.40)		
11/1/21	\$ (2,009.40)		
1/5/22	\$ (714.51)		
	\$ 3,214.06	subtotal before 2022 assessment	
7/1/22	\$ 4,018.80		
8/3/22	\$ (2,009.40)		
8/3/22	\$ (184.30)		
10/31/22	\$ (2,009.40)		
12/27/22	\$ (1,412.92)		
	\$ 1,616.84	subtotal before 2023 assessment	
7/1/23	\$ 1,883.70		
7/31/23	\$ (941.85)		
10/30/23	\$ (941.85)		
5/17/24	\$ (500.00)		
6/14/24	\$ (500.00)		
	\$ 616.84	subtotal before 2024 assessment	
7/1/24	\$ 1,031.55	Only 1/2 is due now	
7/31/24	\$ (1,031.55)		
8/13/24	\$ (500.00)		
	\$ 116.84	total owed as of today	

City of Nome
102 Division St
PO Box 281
Nome AK 99762

(907) 443-6663

Receipt No: 2.004074

Aug 22, 2024

001.242.10
WEST, GLADYS N.
P.O. BOX 1657
NOME AK 99762

Previous Balance:	16,200.58
PROPERTY TAX COLLECTION - Additional payment	116.84
001.242.10 PRPTX	
11.1051.0049 Real Property AR	

Total:	116.84
New Balance:	16,083.74

CHECK-GEN FUND	Check No: 164	116.84
Payor: WEST, GLADYS N.		
Total Applied:		116.84

Change Tendered:	.00
------------------	-----

Duplicate Copy

08/22/2024 2:20 PM

Presented By.
Deputy City Clerk

Action Taken:
Yes____
No____
Abstain____

CITY OF NOME, ALASKA

RESOLUTION NO. R-24-08-02

**A RESOLUTION APPOINTING ELECTION JUDGES AND CLERKS FOR THE
2024 MUNICIPAL ELECTION AND SETTING THEIR COMPENSATION**

WHEREAS, Nome Code of Ordinances, 7.20.010(a) requires that for each municipal election “the City Council shall appoint from among qualified electors an election board comprised of three judges for each polling place”; and,

WHEREAS, one of the elections judges is to be designated as chairperson, one is to be designated as inspector and one does not have a title other than judge; and,

WHEREAS, the Council shall appoint three qualified electors to act as clerks of the election; and,

WHEREAS, the Nome City Council hereby authorizes the following qualified electors:

Jim Dory	Judge
Glen Pardy	Judge
Terrie Perkins	Judge
Sue Steinacher	Clerk
Barb Amarok	Clerk
Carol Gales	Clerk

WHEREAS, the City Clerk may appoint not more than three additional election clerks if such appointments are necessary to facilitate the orderly conduct of the election or to relieve the appointed clerks of undue hardship; and,

WHEREAS, many municipalities set the wages of their election workers at the same rate of pay as the State of Alaska pays its election personnel,

WHEREAS, and where other municipalities in rural Alaska are currently paying around \$20.50 per hour for Judges and Clerks.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves these electors and, by this resolution, hereby sets the compensation for the election personnel of the 2024 Municipal Election \$21.00 per hour for Judges and Clerks.

APPROVED and SIGNED this 26th day of August, 2024.

JOHN K. HANDELAND, Mayor

ATTEST:

DAN GRIMMER, City Clerk

Presented by.

City Manager

Action Taken:

Yes____No____

Abstain____

CITY OF NOME, ALASKA**RESOLUTION NO. R-24-08-03****A RESOLUTION AUTHORIZING THE SALE OF SURPLUS
CITY OWNED EQUIPMENT AND VEHICLES TO THE PUBLIC BY MEANS
OF A PUBLIC AUCTION ON**

WHEREAS, the City of Nome has surplus vehicles and equipment items which are no longer operable or cost effective to repair; along with and accumulation of miscellaneous small tools and supplies.

NOW, THEREFORE, BE IT RESOLVED that the Nome Common Council authorizes the Administration to conduct a sale of City owned surplus equipment (per attached Surplus Inventory List), to the public by means of public auction from September 16-20, 2024; and,

BE IT FURTHER RESOLVED that the Nome Common Council authorizes proper disposal of said equipment which is not sold in the auction by means of donation or appropriate disposal.

APPROVED and **SIGNED** this 26th Day of August 2024.

JOHN K. HANDELAND, Mayor

ATTEST:

DAN GRIMMER, City Clerk/Treasurer

Auction Item	Minimum Bid	Buy it now Price
Chevy Trailblazer	\$ 250.00	\$ 500.00
Cat motor from 966F	\$ 500.00	\$ 1,500.00
Honda 225 outboards CCW	\$ 500.00	\$ 1,500.00
Plasma cutter table	\$ 600.00	\$ 1,200.00
Honda 225 Outboard CW	\$ 1,000.00	\$ 4,000.00
05 SnoGo snowblower	\$ 5,000.00	\$ 8,000.00
84 Ford fire-truck	\$ 5,000.00	\$ 8,000.00
Case 580D Back-hoe	\$ 5,000.00	\$ 8,000.00
11 Freightliner Cascadia	\$ 6,000.00	\$ 10,000.00
76 Cat D-7G	\$ 8,000.00	\$ 15,000.00

Sale Item	Sale Price
Miscellaneous Items	As Tagged
5/8" hardboard (each)	\$ 10.00
36" commercial door jamb x6 (Each)	\$ 20.00
600 ft estimated ¾" PEX	\$ 50.00
700 ft estimated 1" sch 40 HDPE	\$ 50.00
Sinks \$50	\$ 50.00
Small tire machine	\$ 50.00
Man cage \$100	\$ 100.00
Small cement mixer \$100	\$ 100.00
Small roller (compactor) \$100	\$ 100.00
Washer x1	\$ 100.00
Dryer x1	\$ 100.00
04 Honda 4 wheeler	\$ 300.00
DR Brushcutter	\$ 350.00
Scaffolding \$400	\$ 400.00
Ford F-350 flatbed	\$ 500.00
Salt Dog Sander	\$ 500.00
04 Ford F-350	\$ 750.00
11 Expedition	\$ 750.00
84 Ford Dump truck	\$ 4,000.00

Presented By.
City Manager
Action Taken:
Yes____
No____
Abstain____

CITY OF NOME, ALASKA

RESOLUTION NO. R-24-08-04

A RESOLUTION OF THE CITY OF NOME AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF NOME AND BROOKS CHANDLER APPOINTING BROOKS CHANDLER AS INTERIM CITY MANAGER

WHEREAS, the current City Manager has given resignation effective September 1, 2024; and

WHEREAS, the City is in need of the services of an Interim City Manager; and,

WHEREAS, City of Nome desires to retain the services of Brooks Chandler as the Interim City Manager for a minimum of 90 days,

WHEREAS, Brooks Chandler desires to serve as the Interim City Manager of the City of Nome;

NOW, THEREFORE, BE IT RESOLVED that the Nome Common Council approves entering into a contract with Brooks Chandler for the position of the Interim Nome City Manager.

APPROVED and **SIGNED** this 26th day of August, 2024.

JOHN K. HANDELAND, Mayor

ATTEST:

DAN GRIMMER, City Clerk

1st Reading: _____
 2nd Reading: _____

Presented By:
 City Manager

Action Taken:
 Yes____
 No____
 Abstain____

**CITY OF NOME
 ORDINANCE NO. O-24-08-01**

**AN ORDINANCE AMENDING CHAPTER 17.20.030 APPLICATION FOR
 EXEMPTION**

WHEREAS, there has been interest by the public to no be required to fill out an application for exemption on an annual basis; and

WHEREAS, the exemptions are designed to be of assistance to the citizens that qualify for them; and

WHEREAS, the City Council wishes to eliminate any barriers to helping these citizens;

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOME:

Section 1. Classification. This is a Code ordinance.

Section 2. Amendment of Section 17.20.030. Section 17.20.030 of the Code of Ordinances of Nome, Alaska is hereby amended to read as follows [deletions are ~~overstruck~~ and new language is underlined]:

(a) No exemption may be granted except upon written application for the exemption on a form supplied by the assessor. The claimant must file the application no later than February 1st of the assessment year for which the exemption is sought. The city council for good cause shown and as demonstrated in a sworn statement of the claimant may waive the claimant's failure to make timely application for the exemption and authorize the assessor to accept the application as if timely filed. 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 Section 17.20.020 of this chapter. If a claimant whose failure to timely file for exemption has been waived by the city council as provided in this subsection, and the application for exemption is approved, the amount of tax which the claimant may have already paid for the assessment year with respect to the property exempt shall be refunded to the claimant.

(b) The assessor may at any time require proof, in the form he or she considers necessary, of the grounds for the claimed exemption and the amount of the exemption claimed. The claimant has the burden of establishing their qualifications and/or entitlement for an exemption. The exemption ordinance and statutes shall be strictly construed in favor of taxation. (Ord. O-06-10-03 § 3, 2006; Ord. O-93-6-6 § 1 (part), 1994

(c) Applications for Senior and Disabled Veteran Exemption are only required to be submitted for the first year in which the exemption is sought. All other exemptions will be applied for on a yearly basis. The claimant for Senior and Disabled Veteran Exemptions must file the application no later than February 1st of the assessment year for which the exemption is sought. The city council for good cause shown and as demonstrated in a sworn statement of the claimant may waive the claimant's failure to make timely application for the exemption and authorize the assessor to accept the application as if timely filed. 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 Section 17.20.020 of this chapter. If a claimant whose failure to timely file for exemption has been waived by the city council as provided in this subsection, and the application for exemption is approved, the amount of tax which the claimant may have already paid for the assessment year with respect to the property exempt shall be refunded to the claimant. For ever subsequent year after the initial year for which these exemptions are approved; the assessor will review qualifications of all previous years exemptions previously submitted along with any new applications for exemption.

Section 3. Effective Date. This ordinance is effective upon passage.

APPROVED and **SIGNED** the 24th day of August, 2024

JOHN K. HANDELAND
Mayor

ATTEST:

DAN GRIMMER
City Clerk

TO: The Mayor and Common Council

FROM: Glenn Steckman

RE: City Manager Report

August 23, 2024

Sandspit:

I reached out to the Nome Eskimo Community about the Sandspit artifacts. NEC wants the City of Nome to continue to maintain them until they plan what to do with the artifacts. The original agreement was drafted in 2011. I have attached that agreement. I also recommended that a new MOA be drafted that the city is holding these artifacts in trust for the NEC. The NEC agreed.

Radio/911 system:

The replacement of the radio system has been completed. The signal can reach in some areas eighteen miles out of town. In previous known dead spaces, the signal strength has been excellent. As the installer said we have gone from the 1970's to the 21st century.

This update included radios for NVAD and the NPD. The 911 Center operators have also received in depth training to operate the new system.

The fire sirens were also tested as part of this radio project. The snow dump siren is working. Icy View is still having intermittent issues. The Thornbush siren was discovered missing its transformer and we are still waiting an antenna from Federal Signal for the elementary school. These siren tests were to make sure they worked when being sent a signal by 911.

Sales Tax:

The City of Nome needs to increase its sale tax rate from 5% to 6%. While the effort led by the Chamber of Commerce to eliminate the burden on business owners of annually raising the sales tax rate from 5%-7% for the summer season, while admirable, it blew a hole in the city budget now of about \$1.1m. By going to an annual 6% rate this will raise an estimated of \$1.5m. This will substantially close the budget gap.

Fees:

On your next council agenda, will be an ordinance to raise certain fees for the Recreation Center and building rentals. The change in recreation fees will help cover a small portion of the building upgrades. The increase in the proposed building rental fees will help to continue the upgrades to those facilities covered by fees. Fees in general have been increased for over seven years.



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, ALASKA
P.O. BOX 6898
ELMENDORF AFB, ALASKA 99506-0898

Item A.

Environmental Resources Section

Honorable Denise Michels
Mayor
City of Nome
P.O. Box 281
Nome, AK 99762

AUG 24 2011

RECEIVED

AUG 31 2011

CITY OF NOME
CLERKS DEPARTMENT

Dear Mayor Michels:

Enclosed please find an original, signed copy of the final draft of the *Memorandum of Agreement Among the U.S. Army Corps of Engineers, Alaska State Historic Preservation Officer, City of Nome, and Nome Eskimo Community, Regarding the Nome Navigation Improvements Project at Nome, Alaska*. The purpose of the memorandum of agreement is to mitigate for adverse effects to the National Register eligible archaeological site NOM-00146 that occurred during excavation of a harbor channel through the Snake River Sandspit and placement of rock along that channel.

As per Stipulation XIII, this MOA is now effective and will remain in effect until terminated in accordance with Stipulation X or until August 12, 2016 (five years after execution). If you have any questions, please contact Corps archaeologist Ms. Kelly Eldridge at (907) 753-2641 or by e-mail: kelly.a.eldridge@usace.army.mil.

Sincerely,

Michael R. Salyer
Chief, Environmental Resources Section

Enclosure

Original, signed copy of the *Memorandum of Agreement Among the U.S. Army Corps of Engineers, Alaska State Historic Preservation Officer, City of Nome, and Nome Eskimo Community, Regarding the Nome Navigation Improvements Project at Nome, Alaska*

Cc w/out Enclosure

Josie Bahnke, City Manager, City of Nome
Laura Samuelson, Museum Director, City of Nome

**Memorandum of Agreement
Among the U.S. Army Corps of Engineers,
Alaska State Historic Preservation Officer,
City of Nome, and Nome Eskimo Community,
Regarding the Nome Navigation Improvements Project
at Nome, Alaska.**

- 1 WHEREAS, the U.S. Army Corps of Engineers, Alaska District (Corps) and the City of Nome (City) undertook the construction of harbor improvements in Nome, Alaska; and
- 2 WHEREAS, the Corps determined the area of potential effects (APE) in compliance with Section 106 of the National Historic Preservation Act [36 CFR § 800.4(a)(1)]; and
- 3 WHEREAS, in 1998 the Corps determined that construction of these harbor improvements had no potential to affect historic properties on or eligible for listing in the National Register of Historic Places (NRHP), and the Alaska State Historic Preservation Officer (SHPO) concurred; and
- 4 WHEREAS, in 2005 the Corps discovered an archaeological site, NOM-00146 (Snake River Sandspit Site), within the APE during the course of the project; and
- 5 WHEREAS, the Corps notified the SHPO, the Nome Eskimo Community (NEC), and the City of the discovery and of the Corps' determination that NOM-00146 was not eligible for the NRHP, and the SHPO concurred; and
- 6 WHEREAS, in 2006 additional loci of NOM-00146 were discovered by the Corps during the course of the project within the APE; and
- 7 WHEREAS, the Corps assumed NOM-00146 eligible for the NRHP under criterion D [36 CFR § 800.13(c)]; and
- 8 WHEREAS, the Corps determined that the entrance channel and the placement of a rock revetment along the entrance channel over the top of NOM-00146 would constitute an adverse effect; and
- 9 WHEREAS, the Corps notified the SHPO, NEC and the City of the discovery and of the Corps' determination of adverse effect [36 CFR § 800.13(b)(3)]; and
- 10 WHEREAS, construction had already commenced and the Corps determined that archaeological data recovery in the form of excavation would minimize adverse effects [36 CFR § 800.13(b)(3)]; and
- 11 WHEREAS, in 2006 NOM-00146 was excavated by the Corps and community volunteers utilizing applicable standard methods outlined in the 'Secretary of the Interior's Standards and Guidelines for Archeological Documentation' [48 FR 44716]; and

- 12 WHEREAS, a formal determination of the eligibility of NOM-00146 for the NRHP was made in 2007 in consultation with the SHPO, NEC, and the City; and
- 13 WHEREAS, the Corps notified the Advisory Council on Historic Preservation (ACHP) regarding the adverse effects on the properties eligible for the NRHP and the ACHP declined to participate in this memorandum of agreement (MOA); and
- 14 WHEREAS, NOM-00146 was excavated on City property, and the City has been invited to be a signatory to this MOA and has accepted; and
- 15 WHEREAS, the Carrie M. McLain Memorial Museum, which is operated by the City, is the current repository for artifacts excavated from NOM-00146 and all accompanying documents; and
- 16 WHEREAS, in 2007 Scott Carrlee, the Curator of Museum Services for the Alaska State Museum and a Fellow of the American Institute for Conservation, viewed the storage of the collection of artifacts from NOM-00146 and provided curation advice to the Carrie M. McLain Memorial Museum; and
- 17 WHEREAS, in 2007 the Carrie M. McLain Memorial Museum researched, designed and completed an exhibit on NOM-00146, taking the curation advice provided by Scott Carrlee into consideration; and
- 18 WHEREAS, the NEC, a federally recognized tribe and the Tribe culturally affiliated with NOM-00146 and the items recovered from it, has been invited to be an invited signatory to this MOA and has accepted; and
- 19 WHEREAS, Bering Straits Native Corporation, an Alaska Native organization which provides services throughout the Bering Straits Region, has been invited to participate in the development of this MOA and has accepted; and
- 20 WHEREAS, Kawerak, Incorporated, an Alaska Native organization which provides services throughout the Bering Straits region, has been invited to participate in the development this MOA and has declined; and
- 21 WHEREAS, Sitnasuak Native Corporation, an Alaska Native organization which provides services throughout the Bering Straits region, has been invited to participate in the development this MOA and has accepted; and
- 22 WHEREAS, NOM-00146 was a post-review discovery and the Corps is therefore required to provide the SHPO, NEC and the ACHP with a report of the actions taken to resolve the adverse effect on NOM-00146 once they are completed [36 CFR § 800.13(b)(3)]; and

- 23 WHEREAS, in 2009 the City, Corps and University of Alaska Anchorage (UAA) entered into a loan agreement involving the faunal remains recovered from NOM-00146 in which it was agreed that UAA would not restore, repair, fumigate, or perform destructive testing on the faunal remains; and
- 24 WHEREAS, in 2009 the City and NEC entered into agreement that, in the event human remains are discovered by UAA over the course of their studies, the City will immediately transfer ownership and physical possession of the remains to NEC; and
- 25 WHEREAS, this MOA applies only to the Nome Navigation Improvements Project in Nome, Alaska;
- 26 NOW, therefore, the Corps, NEC, SHPO, and City agree that the following stipulations will be met in order to resolve the adverse effects that the undertaking had on NOM-00146 [36 CFR § 800.13(b)(3)].

STIPULATIONS

The signatories will ensure that the following stipulations are implemented:

I. DATA RECOVERY REPORT

- A. The Corps will prepare a data recovery report outlining the excavation, analysis, interpretation, and importance of NOM-00146. The Corps shall ensure that the report is responsive to professional standards and to the *Secretary of the Interior's Format Standards for Final Reports of Data Recovery Programs* [42 CFR § 5377-79]. A draft outline of the report can be found in Appendix A.
 - 1. The City will provide access to the archaeological collection for analysis. For the purposes of this report, NEC shall be consulted prior to the loaning or destructive testing of any materials in the collection.
 - 2. The NEC will share information regarding the history, purpose, use and meaning of the objects in the archaeological collection in order to increase understanding of NOM-00146 and the people that inhabited it.
 - 3. A summary of results from archaeological monitoring in 2005 and 2006 will be included as an appendix in the final data recovery report.
- B. The Corps will update the Alaska Heritage Resource Survey (AHRS) record for NOM-00146 after completion of the data recovery report. A draft of the AHRS record will be sent to the signatories for review prior to its filing.

II. CURATION

- A. The City shall ensure that all artifacts, faunal remains, original field notes, and related materials be accessioned to the Carrie M. McLain Memorial Museum.

- B.** The City and the Carrie M. McLain Memorial Museum shall curate the archaeological collection from NOM-00146 currently in its possession in accordance with the Secretary of Interior's professional standards [36 CFR § 79] to the best of their ability to ensure the integrity of the collection.
- C.** In consultation with the City and NEC, the Corps will provide for an accredited museum conservator to visit the museum and provide expert advice on the conservation and curation of the NOM-00146 artifacts on display in the updated exhibit at the Carrie M. McLain Memorial Museum (Stipulation III).
 - 1.** A summary of the conservator's activities at the museum will be provided to the parties of this agreement by the Corps in its annual report for that year (Stipulation VII).
- D.** A Corps archaeologist will assist the City with the accessioning of artifacts from NOM-00146 during analysis for the Data Recovery Report. The Corps will complete the following:
 - 1.** Bag all artifacts and faunal remains in acid-free polyethylene bags with zip-lock-type closures,
 - a)** With the exception of any artifacts or faunal remains larger than the largest manufactured acid-free polyethylene bag.
 - 2.** Catalog the artifacts from NOM-00146.
 - 3.** Photograph the artifacts from NOM-00146.
 - 4.** Catalog the faunal remains from NOM-00146.

III. MUSEUM EXHIBIT

- A.** The City and NEC will be responsible for updating the museum exhibit currently on display in the Carrie M. McLain Memorial Museum. The City and NEC may determine if an alternate location will be used.
 - 1.** The Corps will provide a display case to the Carrie M. McLain Memorial Museum to be used solely for exhibit of the NOM-00146 artifacts while this MOA is in effect. The City will provide the artifacts for the display. The display case will provide for adequate humidity and temperature control. The Corps will consult with and receive approval from the City on display case construction and design. Upon its arrival in Nome, the display case will become City property.
 - 2.** Data garnered from additional analyses and interviews (as available in the Data Recovery Report) will be incorporated, in consultation with NEC,

with the original research completed by the Carrie M. McLain Memorial Museum in 2007 for exhibit in the new display case.

- a) NEC and the City will cooperatively determine text for labels.

IV. PUBLIC OUTREACH ACTIVITIES

A. Public/Educational Presentations

1. A Corps archaeologist will, in consultation with NEC, the City, and SHPO, present information learned from NOM-00146 to the general public in Nome via a public lecture before the expiration of this MOA.
2. A Corps archaeologist will, in consultation with NEC, the City, and SHPO, prepare a summary of the information learned from NOM-00146 in such a manner that the manuscript can be used by Nome teachers to present to students in grades 5-12.

B. Professional Presentation

1. A Corps archaeologist will, in consultation with NEC and the City, present information learned from NOM-00146 to a conference of peers, such as the Annual Meeting of the Society for American Anthropology, the Annual Meeting of the Alaska Anthropological Association, or an equivalent venue.

C. Professional Publication

1. A Corps archaeologist will, in consultation with NEC, SHPO and the City, submit an article about NOM-00146 for publication in a peer-reviewed journal.
 - a) If the article is not accepted for publication in a peer-reviewed journal, it will be published elsewhere.

V. TIMING AND SUBMITTALS

A. Archaeological Data Recovery Report:

1. The Corps shall submit one printed and one digital copy of the draft archaeological data recovery report to each of the signatories to this agreement no later than December 2011. One digital copy shall be submitted to the concurring parties. Upon receipt, the parties to this agreement shall have 45 days to review the draft and submit comments to the Corps.
2. The Corps shall take into consideration comments by NEC, the City, and SHPO, as well as comments by the concurring parties.

3. Submittal of the final data recovery report will occur no later than 90 days after receipt of comments. Final report submittals will consist of:

- a)** Three printed color copies and one digital copy submitted to each of the SHPO, City, and NEC; and
- b)** Two printed color copies and one digital copy submitted to both Bering Straits Native Corporation and Sitnasuak Native Corporation; and
- c)** Two printed color copies submitted to each of the following: Alaska State Library, Alaska Resource Library and Information Service, Kegoayah Kozga Library.

4. With the above timeline taken into consideration, the Corps shall submit the final data recovery report to the signatories and concurring parties to this MOA no later than June 2012.

B. Museum Exhibit:

- 1.** The City and the Corps will ensure that the updated museum exhibit goes on display before the expiration of this agreement.

C. Public Outreach Activities

- 1.** The Corps will commence with the public presentation as described in stipulation IV of this agreement, within 60 days of submittal of the final data recovery report.

- a)** Before commencement, NEC will have the opportunity to redact any culturally sensitive information from the public presentations.

- 2.** The Corps shall submit one printed and one digital copy of the draft journal article to the signatories to this agreement no later than 30 days after submittal of the final archaeological data recovery report. Upon receipt, the signatories to this agreement shall have 45 days to review the draft and submit comments to the Corps.

- a)** The Corps shall take into consideration comments by NEC, SHPO, and the City. NEC will have the opportunity to redact any culturally sensitive information from the article.

- b)** The Corps will submit one hard copy each of the journal containing the peer-reviewed article to all parties to this agreement upon its publication.

- 3.** The Corps shall submit one printed and one digital copy of the draft teacher summary to each of the signatories to this agreement no later than

30 days after submittal of the final archaeological data recovery report. Upon receipt, the signatories to this agreement shall have 45 days to review the draft and submit comments to the Corps.

VI. PROFESSIONAL STANDARDS

All work pursuant to this MOA will be developed by or under the supervision of a person or persons meeting the minimum professional qualifications as appropriate, listed in the *Secretary of the Interior's Professional Qualification Standards [36 CFR § 61, Appendix]*.

VII. ANNUAL REPORTING REQUIREMENTS

The Corps will provide the parties to this agreement an annual report that summarizes the Corps' actions under this MOA by December 31 for every year this MOA is in effect.

A. Annual reports will include the following information

1. A printed copy of the yearly interim report outlining the efforts and accomplishments of the year.
2. Summary of all actions taken under this MOA, including status of meeting all stipulations.
3. List of actions scheduled for coming year.
4. Signature of preparer of document.
5. Recommendations to amend this MOA or improve communications among the parties.

B. Review of Annual Report: The parties to this agreement may review each report and provide review comments to the Corps.

1. The parties to this agreement may request additional documentation or further explanations from the Corps.
2. The parties to this agreement must comment and/or request additional documentation within 45 calendar days of receipt of the Corps' report, otherwise, acceptance will be presumed. Received comments will be used by the Corps to determine if the MOA requires amendment.

VIII. RESOLVING OBJECTIONS

- ### **A. Should any party to this MOA object in writing to the Corps regarding any action carried out or proposed with respect to the implementation of this MOA, the Corps shall consult with the objecting party and other parties.**

1. If after initiating such consultation the Corps determines that the objection cannot be resolved through consultation, it shall forward all documentation relevant to the objection to the ACHP, including the Corps' proposed response to the objection.
 2. Within 30 calendar days after receipt of all pertinent documentation, the ACHP shall exercise one of the following options:
 - a) Advise the Corps that the ACHP concurs with the Corps' proposed response to the objection, whereupon the Corps will respond to the objection accordingly.
 - b) Provide the Corps with recommendations, which the Corps shall take into account in reaching a final decision regarding its response to the objection.
 - c) Notify the Corps that the objection will be referred to the ACHP membership for formal comment and proceed to refer the objection and comment within 45 calendar days. The Corps shall take the resulting comment into account.
 3. Should the ACHP not exercise one of the above options within 30 calendar days after receipt of the pertinent documentation, the Corps may assume the ACHP's concurrence in its proposed response to the objections.
- B.** The Corps shall take into account any ACHP recommendation or comment provided in accordance with this stipulation with reference only to the subject of the objection; the Corps' responsibility to carry out all actions under this MOA that are not the subjects of the objection shall remain unchanged.
- C.** At any time during implementation of any stipulation in this MOA, should an objection to any such stipulation or its manner of implementation be raised by a member of the public, the Corps shall take the objection into account and consult as needed with the objecting party, the ACHP, and the SHPO to address the objection.

IX. AMENDMENT

Any signatory to this MOA may request that this MOA be amended, whereupon all signatories will consult with Corps in accordance with *36 CFR § 800.6 (c)(7)* to consider such amendment.

- A.** In particular, the parties will consider the information developed in Corps' reports under Stipulation VII to determine if the Corps can effectively or efficiently carry out activities to support its mission through amendment to this MOA.
- B.** No amendment shall take effect until the Council and the other signatories have signed and executed the amendment.

X. TERMINATION

Any signatory to this MOA may propose to terminate this MOA by providing 30-calendar days notice to the other signatories explaining the reasons for the proposed termination.

- A. The Corps will consult with the other parties during this period to seek agreement on amendments or other actions that will avoid termination.
- B. In the event of termination, the Corps will request comments of the ACHP under *36 CFR § 800.7(a)(1)*.

XI. ANTI-DEFICIENCY ACT

All requirements set forth in this MOA requiring the expenditure of Corps funds are expressly subject to the availability of appropriations and the requirements of the Anti-Deficiency Act (31 U.S.C. Section 1341). No obligation undertaken by the Corps under the terms of this MOA will require or be interpreted to require a commitment to expend funds not obligated for a particular purpose.

- A. If the Corps cannot perform any obligations set forth in the MOA due to the unavailability of funds, the parties to this MOA intend the remainder of the agreement to be executed.
- B. In the event that any obligation under the MOA cannot be performed due to the unavailability of funds, the Corps agrees to utilize its best efforts to renegotiate the provision.

XII. MUTUAL AGREEMENTS AND UNDERSTANDINGS

- A. Neither the signatures nor content of this MOA has any bearing on the ownership of the objects recovered from NOM-00146 or any party's position on that issue.
- B. Points of Contact for Signatories and Concurring Parties are as follows

U.S. Army Corps of Engineers

Mr. Aaron Wilson

District Archaeologist

U.S. Army Corps of Engineers, Alaska District

CEPOA-EN-CW-ER (Wilson)

P.O. Box 6898

Joint Base Elmendorf Richardson, Alaska 99506

Phone: (907) 753-2631

Email: aaron.k.wilson@usace.army.mil

Alaska SHPO

Ms. Judith Bittner
 Alaska State Historic Preservation Officer
 Alaska Department of Natural Resources
 Office of History and Archaeology
 550 W. 7th Avenue, Suite 1310
 Anchorage, Alaska 99501
 Phone: (907) 269-8721
 Email: judy.bittner@alaska.gov

City of Nome

Ms. Josie Bahnke
 City Manager
 City of Nome
 P.O. Box 281
 Nome, Alaska 99762
 Phone: (907) 443-6601
 Email: jbahnke@nomealaska.org

Nome Eskimo Community

Ms. Denise Barengo
 Executive Director
 Nome Eskimo Community
 P.O. Box 1090
 Nome, Alaska 99762
 Phone: (907) 443-2246
 Email: dbarengo@gci.net

Bering Straits Native Corporation

Mr. Matt Ganley
 Land and Resources
 Bering Straits Native Corporation
 P.O. Box 1008
 Nome, Alaska 99762
 Phone: (907) 443-5252
 Email: matt@beringstraits.com

Sitnasuak Native Corporation

Ms. Crystal Andersen-Booth
 Chairman
 Sitnasuak Native Corporation
 P.O. Box 905
 Nome, Alaska 99762
 Phone: (907) 443-2632
 Email: cabooth@snc.org

XIII. DURATION

This MOA shall become effective upon execution by the signatories to this MOA and shall remain in effect until terminated in accordance with Stipulation X or until five years after it becomes effective.

Execution of this Memorandum of Agreement and implementation of its terms is evidence that the Corps has afforded the parties to this agreement an opportunity to comment on the Nome Navigation Improvements project and its effects on historic properties, and that the Corps has taken into account the effects of the project on historic properties.

SIGNATORIES:



12 Aug 11

Reinhard W. Koenig
Colonel, Corps of Engineers
District Commander, Alaska District



6-2-2011

Judith Bittner
Alaska State Historic Preservation Officer

INVITED SIGNATORIES:



8/2/11

Denise Michels
Mayor
City of Nome



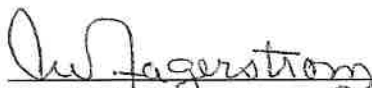
Cynthia Ahwinona
President
Nome Eskimo Community

CONCURRING PARTIES:



8/4

Gail Schubert
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APPENDIX A

Archaeological Data Recovery Report, Draft Outline

- I Introduction
- II Environment
 - a. Physical
 - b. Biological
- III Culture History
 - a. Culture history
 - b. Previous archaeological and anthropological work in area
- IV Methods
 - a. Research design
 - b. Monitoring plan
 - c. Excavation methods
 - d. Laboratory methods
 - e. Analytical methods
- V Site Description
 - a. Site maps, features, excavation area
- V Artifact Analysis (Stone/Ivory/Antler/Bone/Wood Tools, Ceramics)
 - a. Distribution
 - b. Frequencies
 - c. Photographs and artifact illustrations
- VI Faunal Analysis
 - a. Taxa
 - b. Distribution
- VII Discussion
 - a. Seasonality, diet, hunting technology, mobility, etc.
 - b. Identify and describe groups of similar artifacts and their use in Inupiaq culture
 - c. Importance of the site to Inupiaq culture and the prehistory of the Bering Strait region
- VIII Conclusion

REFERENCES CITED

APPENDIX A – Artifact catalog

APPENDIX B – Photographic plates and illustrations