



# Petersburg Borough

12 South Nordic Drive  
Petersburg, AK 99833

## Meeting Agenda Borough Assembly Regular Meeting

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Monday, March 20, 2023

6:00 PM

Assembly Chambers

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You are invited to a Zoom webinar.

When: Mar 20, 2023 06:00 PM Alaska

Topic: March 20, 2023 Assembly Meeting

Please click the link below to join the webinar:

<https://petersburgak-gov.zoom.us/j/88342769283?pwd=VIZBQnQ3NVRRCMEpOUEZ0RGF5Zzg1UT09>

Passcode: 752533

Or Telephone:

(720) 707-2699 or (253) 215-8782

Webinar ID: 883 4276 9283

Passcode: 752533

1. **Call To Order/Roll Call**
2. **Voluntary Pledge of Allegiance**
3. **Approval of Minutes**
  - A. March 6 , 2023 Assembly Meeting Minutes**
4. **Amendment and Approval of Meeting Agenda**
5. **Public Hearings**
  - A. Public Hearing for Ordinance #2023-03: An Ordinance Proposing Amendments to the Home Rule Charter of the Petersburg Borough to Allow Borough Employees, Including Employees Working at Petersburg Medical Center and Petersburg School District, to Serve on Certain Borough Boards and**

## **Commissions, and Directing that the Proposed Charter Amendments be Submitted to the Qualified Voters of the Borough**

Any public testimony regarding Ordinance #2023-03 should be given during this public hearing. A copy of Ordinance #2023-03 may be found under agenda item 14A.

### **6. Bid Awards**

### **7. Persons to be Heard Related to Agenda**

*Persons wishing to share their views on any item on today's agenda may do so at this time.*

### **8. Persons to be Heard Unrelated to Agenda**

*Persons with views on subjects not on today's agenda may share those views at this time.*

### **9. Boards, Commission and Committee Reports**

### **10. Consent Agenda**

#### **A. Renewal of GCI Lease**

GCI wishes to continue their land lease with the Borough for the period of March 1, 2023 through February 28, 2028 at the rate of \$4,540 per year.

### **11. Report of Other Officers**

#### **A. Appraisal Company of Alaska Assessment Report**

Mike Renfro and Martins Onskulis with Appraisal Company of Alaska will provide an estimated tax assessment report for the Petersburg Borough.

#### **B. Southeast Alaska Power Agency Report**

Vice Mayor and SEAPA Board Member Lynn and Utility Director and SEAPA Board Member Hagerman will report on a recent SEAPA meeting.

#### **C. Local Emergency Planning Committee Report**

Assembly Member and LEPC Member Meucci will provide a report on a recent LEPC meeting.

### **12. Mayor's Report**

There is no written report for this meeting.

### **13. Manager's Report**

#### **A. March 20, 2023 Manager's Report**

### **14. Unfinished Business**

#### **A. Ordinance #2023-03: An Ordinance Proposing Amendments to the Home Rule Charter of the Petersburg Borough to Allow Borough Employees, Including**

## **Employees Working at Petersburg Medical Center and Petersburg School District, to Serve on Certain Boards and Commissions, and Directing that the Proposed Charter Amendments be Submitted to the Qualified Voters of the Borough - Second Reading**

If adopted in three readings and then approved by Petersburg voters on October 3, 2023, Ordinance #2023-03 will allow Borough, Medical Center and School District employees to serve on certain local boards and commissions, but not including those which directly administer their employment. Examples: 1) a Borough employee may serve on the School Board or Hospital Board but may not run for Assembly; 2) a Medical Center employee may serve on the Assembly or the School Board but may not run for the Hospital Board; 3) a School District employee may serve on the Assembly or Hospital Board but may not run for School Board. Ordinance #2023-03 was approved by a vote of 6-1 in its first reading.

### **15. New Business**

#### **A. Ordinance #2023-04: An Ordinance Adjusting the FY 2023 Budget for Known Changes**

If approved in three readings, Ordinance #2023-04 will: 1) transfer 50% of General Fund surplus from FY 2022 to the Property Development Fund; 2) transfer \$65,432 from the Property Development Fund to the Community Center Sewer Line project; 3) transfer \$21,165.46 from the Hydro Substation project to the Blind Slough Hydro project; 4) transfer \$12,916 from the Wastewater Department reserves to the Ira II Street project; 5) transfer \$170,000 from the Electric Department reserves to the Diesel Plant Fuel budget line item to assure adequate funds for the annual SEAPA maintenance shutdown and diesel run in May/June; 6) increase the General Fund Attorney budget by \$90,000 due to unanticipated legal expenses from the Pitta Rosse, Kerr and Koenigs lawsuits; 7) increase the South Harbor Dredging project budget of \$635,000 due to encountering hard material during dredging operations; 8) increase to the Wastewater Professional Services budget of \$35,000 to cover the hire of HDR Engineering to assist in completing ADEC forms for retention of the NPDES 301h secondary treatment waiver; 9) transfer \$189,000 to a new Middle Harbor Dredging budget line item for removal of landslide debris from the Hammers Slough slide that is damaging the Middle Harbor; 10) increase of \$20,000 to the Fire Engine Motor Pool budget line item to cover various equipment needed for the new vehicle; 11) increase of \$80,000 to the Streets Department Motor Pool O&M budget line item due to increase parts costs and unanticipated necessary repairs; and 12) increase of \$10,000 each to the Motor Pool Patrol Unit #54 and Patrol Unit #96 budget line items due to increased costs of chassis and vehicle uplifts.

#### **B. Resolution #2023-03 A Resolution Approving the Sole Source Procurement of Contracting for the Dredge and Disposal of Middle Harbor Spoils**

If approved, Resolution #2023-03 will authorize sole source issuance of accepting the proposal from Rock-N-Road for mobilization, removal and reinstallation of 7 stall floats, domestic waterline repair and reinstall and the dredge and disposal of approximately 1,600 cubic yards of dredge spoils delivered to the Borough's Mud Dump for the price of \$189,000.

**C. Assignment of Stikine Services, Inc. Leases to Birchell Properties, LLC**

Curt and Kristi Birchell request approval of assignment of two leases the Borough has with Stikine Services, Inc. to Birchell Properties, LLC. The Stikine Services business was recently sold to Wes and Angela Davis and the Birchells would like to continue to lease the two tidelands properties under their new business name.

**16. Communications**

**A. Correspondence Received Since March 2, 2023**

**17. Assembly Discussion Items**

**A. Assembly Member Comments**

**B. Recognitions**

**18. Adjourn**



# Petersburg Borough

12 South Nordic Drive  
Petersburg, AK 99833

## Meeting Minutes Borough Assembly Regular Meeting

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Monday, March 06, 2023

12:00 PM

Assembly Chambers

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### 1. Call To Order/Roll Call

Mayor Jensen called the meeting to order at 12:00 p.m.

#### PRESENT

Mayor Mark Jensen  
Vice Mayor Bob Lynn  
Assembly Member Thomas Fine-Walsh  
Assembly Member David Kensinger  
Assembly Member Donna Marsh  
Assembly Member Jeff Meucci  
Assembly Member Scott Newman

### 2. Voluntary Pledge of Allegiance

The Pledge was recited.

### 3. Approval of Minutes

#### A. February 21, 2023 Assembly Meeting Minutes

The February 21, 2023 meeting minutes were unanimously approved.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Marsh.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh,  
Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci,  
Assembly Member Newman

### 4. Amendment and Approval of Meeting Agenda

The agenda was approved as submitted.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Marsh.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly  
Member Kensinger, Assembly Member Marsh, Assembly Member Meucci, Assembly  
Member Newman

**5. Public Hearings**

There were no public hearings.

**6. Bid Awards**

There were no bid awards.

**7. Persons to be Heard Related to Agenda**

*Persons wishing to share their views on any item on today's agenda may do so at this time.*

No views were shared.

**8. Persons to be Heard Unrelated to Agenda**

*Persons with views on subjects not on today's agenda may share those views at this time.*

No views were shared.

**9. Boards, Commission and Committee Reports**

There were no reports.

**10. Consent Agenda**

There were no consent agenda items.

**11. Report of Other Officers**

**A. Petersburg Medical Center Update**

PMC CEO Hofstetter updated the Assembly on Medical Center activities.

**B. FY 2022 Audit Report**

BDO Auditor Bikky Shrestha thanked Finance Director Tow and the Finance Department staff for a smooth and organized audit. Mr. Shrestha reviewed the audit documents with the Assembly, stating that the Petersburg Borough was issued an unmodified opinion on the FY 2022 financial statements, which is the highest level of assurance the auditors can professionally render.

**12. Mayor's Report**

There was no Mayor's Report.

**13. Manager's Report**

**A. March 6, 2023 Manager's Report**

Manager Giesbrecht read his report into the record, a copy of which is attached and made a permanent part of these minutes.

**14. Unfinished Business**

There was no unfinished business.

**15. New Business**

**A. Ordinance #2023-03: An Ordinance Proposing Amendments to the Home Rule Charter of the Petersburg Borough to Allow Borough Employees, Including Employees Working at Petersburg Medical Center and Petersburg School District, to Serve on Certain Borough Boards and Commissions, and Directing that the Proposed Charter Amendments be Submitted to the Qualified Voters of the Borough - First Reading**

Ordinance #2023-03 was approved in its first reading by a vote of 6-1.

Motion made by Assembly Member Meucci, Seconded by Vice Mayor Lynn.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Meucci, Assembly Member Newman

Voting Nay: Assembly Member Marsh

**B. Approval of Tim Chittenden Appointment to the Local Emergency Planning Committee in the Position of Environmental Advisor**

By unanimous roll call vote, Tim Chittenden was approved for appointment to the LEPC as Environmental Advisor.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Marsh.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci, Assembly Member Newman

**16. Communications**

**A. Correspondence Received Since February 16, 2023**

**17. Assembly Discussion Items**

**A. Assembly Member Comments**

No comments were shared.

**B. Recognitions**

There were no recognitions.

**18. Adjourn**

The meeting was adjourned at 12:52 p.m.

Motion made by Assembly Member Marsh, Seconded by Assembly Member Newman.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci, Assembly Member Newman



*Record in the Petersburg Recording District.*

**Amendment No. 3 (Lease Renewal) to the  
Land Lease Agreement  
Between The Petersburg Borough, Alaska - Lessor  
and  
GCI Communication Corp. -Lessee**

**For land described as:  
Lot 1, of Block 288 of the Scenic View Addition Sub-division,  
formally City of Petersburg, now Petersburg Borough, located in the  
Petersburg Recording District**

Date of Original Lease – February 4, 2008, Effective Date of Lease:  
March 1, 2008, Recorded on 06-12-2008 as document #2008-000442-0  
Amendment No. 1, dated March 1, 2013,  
Recorded as document # 2014-000065-0 on January 29, 2014  
Amendment No. 2, dated March 1, 2018,  
Recorded as document # 2018-000517-0 on September 17, 2018

**Effective date of this rate amendment – March 1, 2023**

WHEREAS, the Original Lease dated March 1, 2008, as amended, provides for renewal of the term of the lease; and

WHEREAS, Municipal Code and the amended original lease require the annual rent to be adjusted on each fifth anniversary date of the lease and the new annual rent shall be based upon the current full and true value of the property and any borough owned improvements, as established by the borough's assessor.

THEREFORE, BE IT RESOLVED, the original lease dated March 1, 2008, as amended, is further amended as follows:

1. Section 2.1: Term. The term of this lease shall be for a period of five (5) years beginning on March 1, 2023 and ending at midnight on February 28, 2028.

2. Section 3.1: Rent. Based on the assessor’s statement of valuations for the leased premises, as reflected in the 2023 assessment records, the annual rent payment for the five (5) year period of March 1, 2023 through February 28, 2028 is:

Four Thousand Five Hundred Fourty Dollars and 00/100  
(2023 assessed value of \$45,400 x 10% = \$4,540)

Lessor does hereby certify the terms of this lease amendment. All other terms and conditions of the Original Lease remain in full force and effect.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

LESSOR: Petersburg Borough  
PO Box 329  
Petersburg, AK 99833

By: \_\_\_\_\_  
Debra Thompson, CMC  
Borough Clerk

STATE OF ALASKA )  
 ) ss  
FIRST JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2023, before me the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Debra Thompson to me known to be the Borough Clerk described in and which executed the above and foregoing instrument, and acknowledged to me said instrument to be the free and voluntary act and deed of said Borough for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute this instrument.

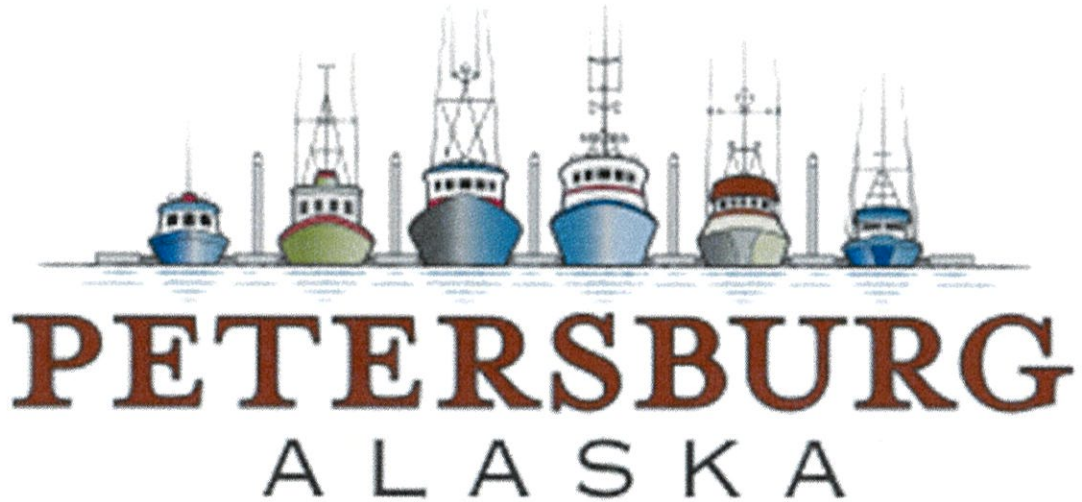
WITNESS My Hand and Official Seal the day and year in this certificate first above written.

\_\_\_\_\_

Notary Public in and for the State of Alaska residing at Petersburg, Alaska.  
My commission expires \_\_\_\_\_.

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# 2023 ESTIMATED TAX ASSESSMENT REPORT FOR THE PETERSBURG BOROUGH



Anchorage, Alaska

Report Prepared on February 15, 2023

## ASSESSMENT REPORT SUMMARY

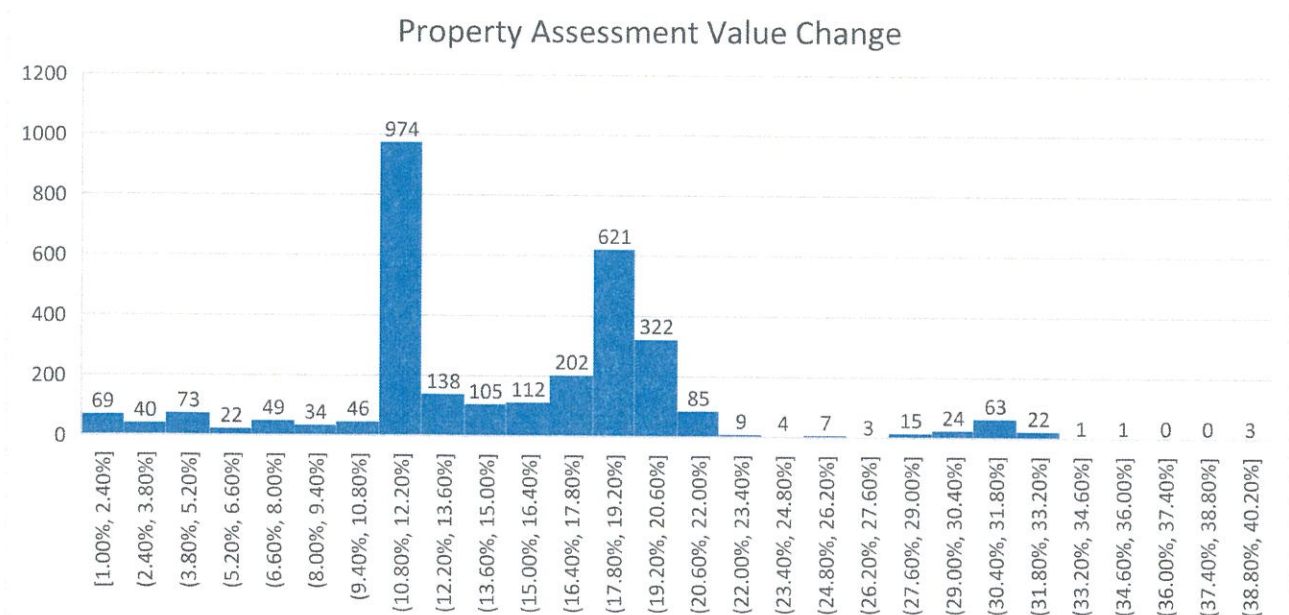
**To: Petersburg Borough, Borough Assembly**  
**From: Appraisal Company of Alaska**  
**Date: 2/15/2023**  
**Subject: 2023 Estimated Tax Assessment Report**

This is a brief report that includes an estimate of 2023 assessment value totals and changes. More detailed report will be available at the time of the Board of Equalization meeting. All values are subject to change due to appeals and other factors.

For your information – properties are assessed based on constant research for significant facts (sales) to accumulate and analyze in order to estimate the full and true (fair market) value of your property. Finding the full and true market value involves estimating the price most people would pay for it in its present condition. The assessor does not create the value – people create value through their transactions in the marketplace. State law requires your property to be assessed at its full and true value each and every year. The assessor has the legal responsibility to study those transactions and appraise your property accordingly. Values change in the marketplace, whether improvements are made to property or not. Each year assessments are done all over again because the market value changes from one year to the next.

### 2023 Updates

- Residential Properties: Based on the property market analysis in Petersburg– trends from the past year and past 2 – 3 years show residential property value increase. This year property owners will see the assessed value increase on average by about 15% (majority ranging from 10%...20% - see the graph below) - depending on the characteristics of the property. Part of the increase includes land value updates as well. An increase this year for both land / improvements was required to meet the requirements set by the States Assessors Office. Based on our annual inspections - some properties will see higher value changes than listed above due to construction related to their property – new deck; shed; new house, etc.



Appraisal Company of Alaska  
341 W Tudor Rd; #202  
Anchorage, AK 99503-6639  
+1 (907) 5622 424 (Office)

- Commercial Properties: The only change for commercial properties will be land revaluation and changes in land valuation are ranging from 12%...20%. Some properties will see value change due to our annual inventory review, but it's a small number of properties.
- Sales Ratio Study: As part of our assessment process, we conduct annual reviews of recent property sales; and compare these to the specific property/ies they relate to. Based on the sales ratio study findings an increase for land and improvements are being applied. It's important to highlight that both land and residential property values in Petersburg have been increasing, and this trend still continues as of today. The Assessor's Office is always taking a cautious approach to calculating trends mainly due to lack of available data. Major factors that are contributing to value changes are:
  - Supply / Demand – shortage of housing
  - Costs of Vacant land – site preparation costs
  - Construction Costs – material costs, shipping, labor, etc.

These factors are common across the State and are the driving force of higher property values.



Sincerely,

Michael C Renfro

Contract Assessor

# Property Tax Workshop

Michael C Renfro, Assessor

Arne Erickson, Assessor

Martins Onskulis, Assessor

Appraisal Company of Alaska  
monskulis@appraisalalaska.com  
907.334.6312 (Office)  
907.793.7713 (c)



# Four Areas of Interest

- Real Estate Market Overview
  - Real Estate Trends
  - Sales Ratio Study
  - Supply / Demand & Construction Costs
- 2023 Updates
  - Valuation Process (Field & Office)
- Appeals
  - Areas of Concern
- Board Of Equalization
  - BOE Hearing

# Real Estate Market Overview

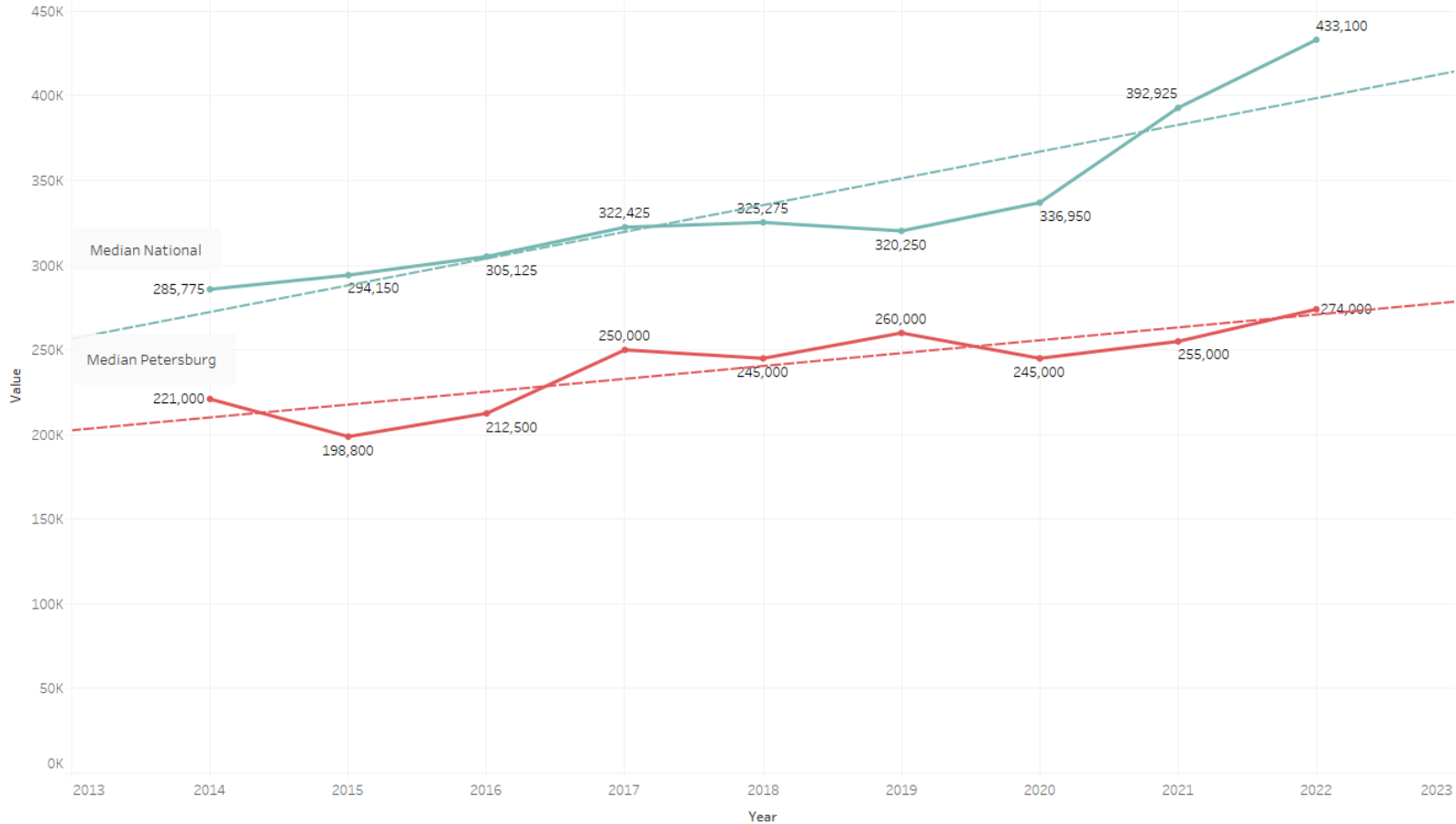
- Sales Ratio Study 2022
  - (75 Sales – 40 Vacant & 35 Improved)
- Current Sales Ratio 81.34%
- Vacant Land 75.22%
- Residential Properties 83.8%





# Real Estate Market Overview

U.S. Census Bureau and U.S. Department of Housing and Urban Development, Median Sales Price of Houses Sold for the United States [MSPUS], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/MSPUS>, February 22, 2023.  
Appraisal Company of Alaska State Reports "Sales Ratios"



# Real Estate Market Overview

Year	Petersburg	% Change	National	% Change
2014	\$ 221,000.00		\$ 285,775.00	
2015	\$ 198,800.00	-10.05%	\$ 294,150.00	2.93%
2016	\$ 212,500.00	6.89%	\$ 305,125.00	3.73%
2017	\$ 250,000.00	17.65%	\$ 322,425.00	5.67%
2018	\$ 245,000.00	-2.00%	\$ 325,275.00	0.88%
2019	\$ 260,000.00	6.12%	\$ 320,250.00	-1.54%
2020	\$ 245,000.00	-5.77%	\$ 336,950.00	5.21%
2021	\$ 255,000.00	4.08%	\$ 392,925.00	16.61%
2022	\$ 274,000.00	7.45%	\$ 433,100.00	10.22%
			\$ 467,700.00	7.99%
Average		3.05%		5.75%

# Real Estate Market Overview

- Supply / Demand
- Construction Costs
- Vacant Land



# Real Estate Market Overview 2022

- **Valdez** – median 2%...13% residential, some cases higher
- **Anchorage** – average 8.6% residential, some cases more than 25%
- **Fairbanks** – around 10% residential; 15% commercial
- **Juneau** – average 5%...12.2% residential; 5% commercial; (50% land increase in 2021)
- **Unalaska** – 2%...12% residential
- **Nome** – 5%...15% residential



# Real Estate Market Overview 2023

- **Valdez** – average 16%...18% residential
- **Anchorage** – average 2%...3.7% residential
- **Petersburg** – around 14%...18% residential; 12%...20% land
- **Dillingham** – average 6%...8% residential;
- **Unalaska** – N/C
- **Nome** – 5%...15% residential
- **Cordova** – Residential 16%...18%; Land 10%



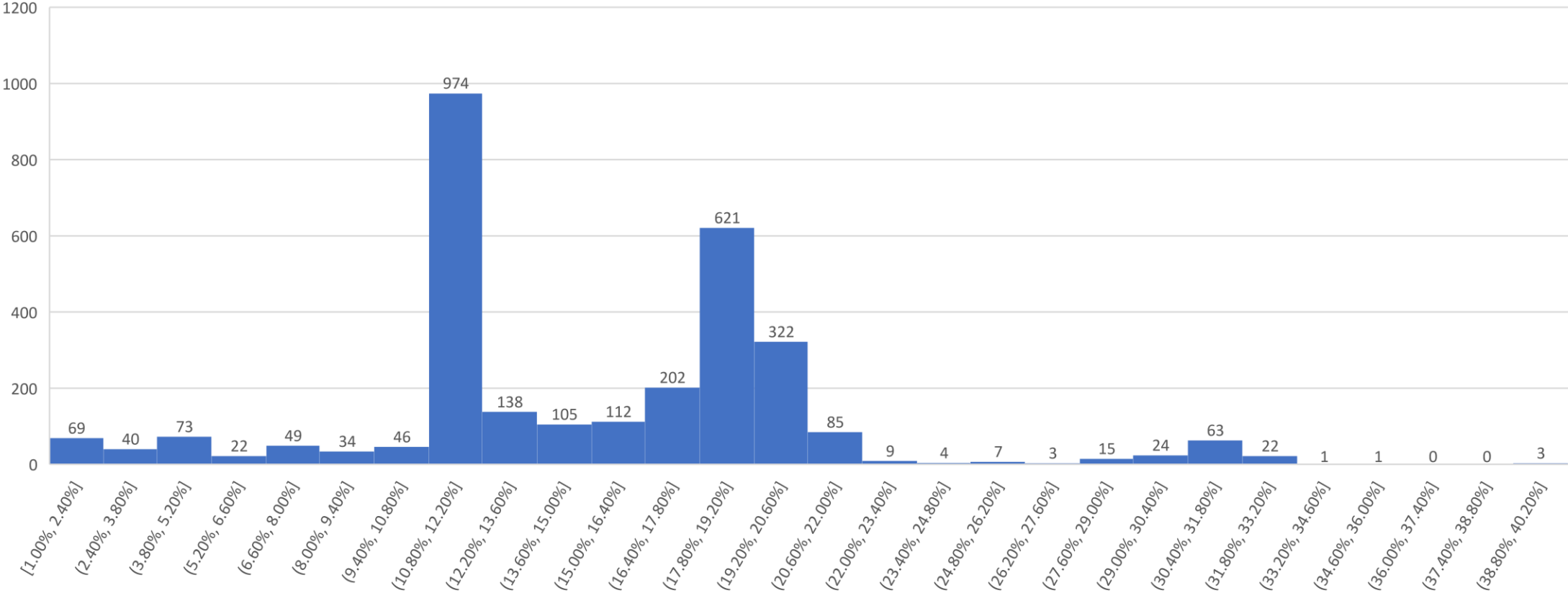
# 2023 Updates

- Valuation Process
  - Field Work
    - Ongoing Recheck Items
    - Building Permits
  - Cost Approach -> Sales Approach
    - Quality; type; age; etc
- Residential Increase
- Vacant Land Increase

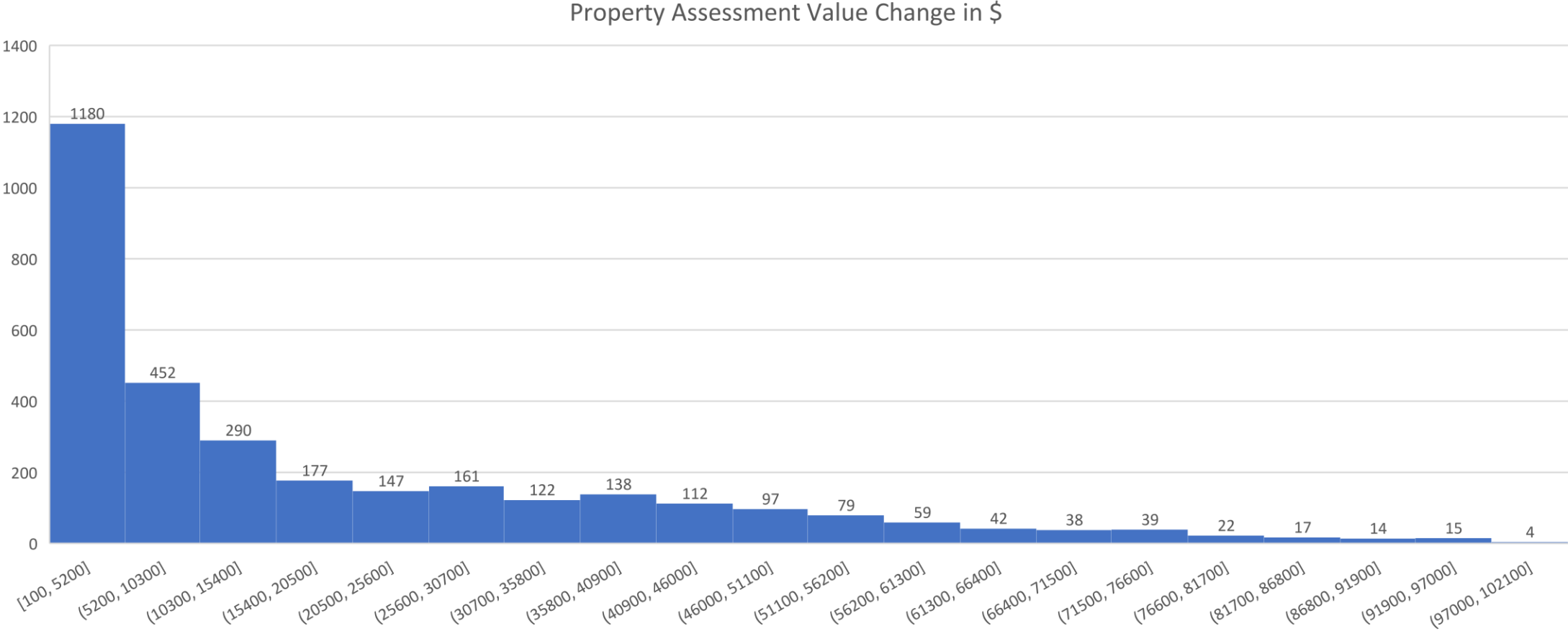


# Real Estate Market Overview

Property Assessment Value Change



# Real Estate Market Overview





# Appeals

- Expected High Number of Appeals
- Main Areas of Concern
  1. No improvements made to the property
  2. Values should increase, but it is too high of an increase in one year
  3. Unaware of market changes
  4. Physical damage – water, snow, wind
  5. Local Economy
  6. Where is the tax \$ going to
  7. It's not fair



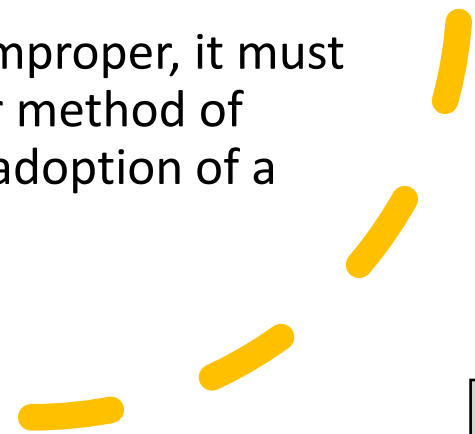
# Board of Equalization

- Appeal to the board must include facts to prove your assessment is excessive, unequal, improper, or undervalued. The fact that your taxes are too high or that your assessment went up are not grounds for an appeal and the board can do nothing to alter those facts.
- Facts in \$



# Unequal, Excessive, Improper

- **EXCESSIVE** – To show that an assessment is excessive, an appellant must show that the assessment is more than just overvalued. It must be shown that the assessment is grossly disproportionate when compared to other assessments (*OR, it can be shown that there is an intentional or fraudulent purpose to place an excessive valuation on the property.*) Higher than what similar properties are selling for.
- **UNEQUAL** – To show that an assessment is unequal, the appellant must show that there are other properties in the same class as the property being appealed and that there is no basis that would justify different valuations of the property.
- **IMPROPER** – To show that an assessment is improper, it must be shown that the assessor used an improper method of valuation, which amounts to fraud or a clear adoption of a wrong principle of valuation.



# Conclusion

- Values are increasing and are increasing as of today
- Assessor does not create the value; value is created in the marketplace between sellers and buyers; we research the market and report back to the city; make adjustments as needed to the assessment values.



## Summary: March 8-10 SEAPA Meeting

Voting Member Bob Lynn – Alternate Karl Hagerman

--The Board selected Robert Siedman as the new CEO replacing Trey Acteson - pending negotiations of a contract. Mr. Siedman has been the Director of Engineering and Technical Service for the past 8 years. Some of his past accomplishments include synchronicity of turbines for efficiency and longer-term life; development of a highly detailed annual operations plan to move power over the Swan- Tyee intertie among Petersburg, Wrangell and Ketchikan to maximize water use and storage; development of a model to more accurately predict runoff and storage within the reservoirs.

--The Board also discussed coming issues including re-licensing of both Swan and Tyee; the need for more power (kilowatts vs. kilowatt-hours); upgrading and replacement of equipment; finances and potential funding opportunities through the infrastructure legislation and future staffing needs. No decisions were made except to schedule a discussion of organization needs and skills at the next board meeting.

--During the December 2022 meeting the Board authorized a study to look at our long-term power needs of the 3 communities. The Acting CEO reported the first draft of that study is due to the board by the summer meeting. The conclusions and recommendations from this study are very important. Our local power usage is increasing at about 3% annually. Ketchikan reported their being higher. The study will set the table for many long-term planning efforts of the Agency.

--Power sales in the 3 communities were higher than estimated during January and February – a condition owed to lower temperatures and generally increasing loads. If we can bank some of the revenues, we can delay increases to wholesale power rates.

--The winter reservoir draw down is well underway. Low to nil lake inflows due to freezing conditions and snowpack development do not keep up with generation and the lakes draw down as a result. However, this year we are in a good position due to the lake levels being full at winter's start. Neither Swan or Tyee lake should be in danger of hitting draft limits before the warmer weather and increased inflows start up this spring.

--Almost all the project cost estimates the Board approved in the FY22 and FY23 budgets are coming in at least one-fourth to one-half higher than engineer estimates. The Board has convened several times since the beginning of the year to look at and approve cost increases and equipment delays. This is an alarming trend in the construction industry but there is little relief in site, so the Board has approved budget increases as necessary to keep momentum on important projects and operations.

--The Board began a discussion of grid resiliency. That term captures a lot of different aspects including increases of power production for the three communities; protection of the grid from cyber attack; recovery from natural disasters like the recent slide on Mitkof Island; monitoring for equipment and cable failure; taking care of peak loads and more. The subject will be back on the summer agenda and some action initiated.

--The need to install a third turbine at Tyee was discussed, with no decisions made. Once a decision is made to install a third turbine, it will take a minimum of 5 years before any output is realized. The Board toured the Tyee power plant and had a chance to observe the many provisions for the third turbine that are already in place. Past planning and work will help shorten the time frame to install, will reduce costs, and will enable quick integration with the existing transmission system.

P-LEPC Meeting 2-28-2023  
 Assembly Chambers – 1500

Petersburg Local Emergency Planning Committee  
 907-772-3355

Attendees:

- Virtual: Alan Malone (OBI), Orin Pierson (PFI), Tim Chittenden (environmental advisor), Erica Kludt-Painter (PCSD), Erin Michaels (Public Health)
- In-Person: Aaron Hankins (Fire Department), Jeff Meucci (Assembly), Jim Kerr (PPD Chief), Jim Floyd (H&W), Barry Youngberg (DOT), Karl Hagerman (Borough), Julie Walker (Hospital), Kurt Kivisto (AML)
- Members of the public: Judy Ohmer (Scribe), John Murgas.

Hospital is doing a grant for community preparedness

1504 – Call to Order

- Filling Vacant Seats
- Tim Chittenden as chair of Environmental Advisor
  - Karl Hagerman moved
  - Jeff Meucci seconded
  - All in favor, motion passes
- Aaron asked the group about forming a plan on how to distribute emergency preparedness information.
- Aaron suggested booths at the following.
  - Little Norway
  - 4<sup>th</sup> of July
  - Oktoberfest
- Julie cautions about staffing booth issues
- Orin could help with PSA's at Pilot and KFSK
- Jim Kerr suggests to go through schools to get information into the community
- Emergency kit to raffle?
- Julie asks about setting the priority message to the public. Seven Day Emergency Kits chosen
- Tom Abbott & Jeff Meucci to head up safety information – 7-day emergency prep kits
- Focus on ads instead of events
- Distribution points for Project HOPE
  - Narcan
  - Police Dept/Fire Dept to coordinate
    - Public Health Nurse (Erin Michael) has info on Drug Awareness

Jim Floyd asked if this board has any funding available, Aaron had looked into it and found no funds available. Jim F. suggests asking the assembly for some funds. Aaron to follow up.

UPDATES:

- Kerr/Police

- Grant for school radio systems (school, hospital, fire, police, EMS)
- Borough
  - None
- Floyd
  - None
- Fire Director
  - ETT class concluded, all 6 participants passed
  - Will perform a EMT-1 bridge in the fall
  - Business as usual
  - Engine 5 to Papke's draft plan is in the works
- Youngberg/DOT
  - Culvert replacement at 11-mile
    - Questions about traffic access as hwy will be blocked
  - April 2024 Mass Casualty drill
- Walker/Hospital
  - Vulnerability issues (required)
  - Training (required)
  - Preparedness grant being applied for
    - Previous grants applied to Active Shooter Training and FIT Test Training (masks)
  - Partnering with other agencies is helpful in getting grants as well as building on previous grants.
  - Communication drill at hospital
  - Mass Casualty Drill also suggested, include forest service, troopers, etc.
- Hagerman/Borough
  - Backup Generator
- Kivisto/AML
  - None
- Meucci/Assembly
  - Mentions school staff went to tsunami trainings

Will next meet as needed, probably in August  
PSA development in meantime going forward

Storage of Emergency Supplies moved to EOC Trailer bay at MVM

Adjourned at 1545



**Borough Manager's Report  
Assembly Meeting 20 March 2023**

- ❖ Parks and Rec, along with PSD maintenance technician Aaron Buller, installed the new pool covers over Spring Break.
- ❖ PSD and Parks and Rec will be working together with SERRC to add the Community Center sewer line repairs added to the DEED CIP list for possible reimbursement in future.
- ❖ Biddable documents are expected later this month for the sewer line project to be ready to be put out for bid.
- ❖ Pat Blair is submitting all needed paperwork to state to create the Friends of the Bike Park and gain non-profit status.
- ❖ Open Volleyball on Monday and Wednesday nights has been seeing amazing turnout, trying to spread the word for Water Volleyball and Water Polo on Monday and Thursday nights, respectively.
- ❖ Over 100 people of all ages participated in the library's Winter Reading Challenge, logging 65,000 reading minutes and doing philanthropic activities that help build our community. Two winners will be selected, they will be able to give \$500 to a local non-profit of their choice. The program is sponsored by the Friends of Petersburg's Libraries.
- ❖ Kathy Rousso, master basket weaver from Ketchikan, will be giving an artist's slide show & presentation followed by a three-day basket weaving class in late March. The library currently has several of her amazing baskets on display. This program is funded by the Alaska Community Foundation's Healthy Communities Grant and the Petersburg Library Art Education Endowment.
- ❖ Upcoming programs and events at the library include Estate Planning with Lawyer Liz Smith (March 17), Baby Massage & Mama Care with Jessica Toth of Healing Hands Chinese Therapeutic Massage, Rainforest Writers with Orin Pierson, Maker's Space for Kids (March 9 & 16), Stories in Motion (every Thursday) and a Friends of the Library Book Sale (April 1).
- ❖ ADEC has informed the water utility that we will be required to complete a Lead Service Line Inventory by late 2024. This effort will be substantial and will document every water service line in the community, both private or public. The department's professional services budget will reflect the hiring of consultants to assist with this endeavor, although overall effort and costs are not known at this point.
- ❖ Wastewater department has reviewed a technical memorandum produced by PND Engineers to lay out several design alternatives for the Pump Station 4 project. The department is seeking a proposal from PND to develop final design and construction documents.



- ❖ On a related note, ADEC has accepted a funding questionnaire from the utility for a loan increase to the Pump Station 4 project and has indicated that we may start the loan request process. Additional documents required for this loan request will be coming to the Assembly soon.
- ❖ ADEC has issued comments in regard to the department's WW discharge water quality certification forms. We will be required to provide additional information on treatment alternatives and costs.
- ❖ The Blind Slough FERC license amendment has still not been approved, and subsequently the construction project has not received approval either. PMPL recently requested approval of pre-construction activities from the Portland Regional Office so that the Contractor may start mobilization and material delivery to the site. Senate delegations have contacted the FERC office in Washington DC on our behalf and we are hopeful that project approvals will be coming soon.
- ❖ The effort to convert to AMI smart meters continues with the recent install of Large Commercial meters in the system. Staff continues to plan for meter replacements although the supply chain for these meters is highly strained and lead times seem to be getting longer and longer.
- ❖ The department is working with our selected consultant to coordinate the next Part 12D Periodic Inspection with FERC.
- ❖ NC Machinery has committed to the first two weeks of April to complete the rebuild on the Caterpillar 398.
- ❖ Tour ship schedule has firmed up, with 112 stops so a few more than last year right now.
- ❖ SH Dredge has been suspended until environmental windows open back up. Approx half the dredge materials have been removed, with the worst areas in the egress in and out of the South Harbor opened up.
- ❖ During the last set of minus tides, the waterline in the Middle Harbor was damaged causing staff to realize sediment coming out of Hammers Slough has built up considerably over the winter. Staff contacted the USACE to apply for an emergency permit to remove sediment and through discussion was able to get the same authorization as was used in 2012 in the same area through the USACE Nation Wide Permit #35 that allows communities to dredge existing harbor basins. Staff worked with Rock N Road to establish quantities and cost estimate for removing 1600 cubic yards from the Middle Harbor and disposing of it at the Public Works Mud dump. Estimate is part of the proposed supplemental budget.
- ❖ Mountain View Assisted Living is full.
- ❖ Derrick is working with Medicaid to recover some past unreimbursed bills.
- ❖ As part of the OSHA inspection at Assisted Living, we are ordering an additional Hoyer lift and an eyewash station.
- ❖ Police Department won the 2<sup>nd</sup> annual chili cookoff, although the Fire Department is claiming a faulty voting machine and asking for a recount! 🤔
- ❖ Officers Waechter and Aikins attended SART (Sexual Assault Response Team) training in Anchorage.
- ❖ Waiting on install and training dates from the vendor on the digital fingerprint machine. PCS finished all install requirements for the PD.

**PETERSBURG BOROUGH  
ORDINANCE #2023-03**

**AN ORDINANCE PROPOSING AMENDMENTS TO THE HOME RULE CHARTER OF THE  
PETERSBURG BOROUGH TO ALLOW BOROUGH EMPLOYEES, INCLUDING  
EMPLOYEES WORKING AT PETERSBURG MEDICAL CENTER AND PETERSBURG  
SCHOOL DISTRICT, TO SERVE ON CERTAIN BOROUGH BOARDS AND COMMISSIONS,  
AND DIRECTING THAT THE PROPOSED CHARTER AMENDMENTS BE SUBMITTED TO  
THE QUALIFIED VOTERS OF THE BOROUGH**

**WHEREAS**, Section 2.10A prohibits borough employees from serving on the borough assembly; and

**WHEREAS**, Sections 7.01D, 8.02C, and 9.02C apply the same prohibition to members of the Planning Commission, Petersburg School Board and PMC Hospital Board, respectively; and

**WHEREAS**, Petersburg is a small community, with a limited number of persons interested in sitting on a borough board or commission, which can be time-consuming with limited payment; and

**WHEREAS**, there is frequently an insufficient number of candidates on the annual borough ballot to fill all of the open seats on borough boards and commissions; and

**WHEREAS**, amending the charter to allow borough employees to serve on certain boards and commissions, but not including those which directly administer their employment, would expand the pool of available candidates without interfering with operations of these boards and commissions, and allow more borough residents to serve the community on elected boards and commissions; and

**WHEREAS**, Section 19.03 of the Borough Charter, which prohibits borough officials from participating in any official action in which the official, or official's household, has a substantial financial interest, already protects the Borough from potential conflicts of interest by officials; and

**WHEREAS**, Petersburg Borough Charter Section 18.02, entitled Election, specifies that any proposed charter amendment shall be submitted to the qualified voters of the Borough.

**THEREFORE, THE PETERSBURG BOROUGH ORDAINS**, that the following proposed amendments to the Home Rule Charter of the Petersburg Borough be submitted to the qualified voters of the Borough, as a single proposition, at the next regular or special election occurring more than 90 days after adoption of this ordinance.

**Section 1. Classification:** This is a non-code ordinance, however the proposed borough charter amendments set out below are of a permanent nature and, if approved by the voters, shall be reflected in the Petersburg Borough Charter.

**Section 2. Purpose:** The purpose of this ordinance is to propose charter amendments to the Borough voters which would allow borough employees to serve on certain borough boards and commissions.

**Section 3. Substantive Provisions:**

- a) Proposed Charter Amendment – Section 2.10A of the Charter: The language proposed for addition is in **bold and underlined**.

**Article 2. The Assembly**

**Section 2.10 - Prohibitions.**

A. *Other Public Offices, Employment or Contracts.* Except to the extent otherwise provided by state law **or this section**, no borough assembly member or the mayor shall hold any other elected borough office, any other compensated borough office or any borough employment during term of office, **except an assembly member or the mayor is permitted to work at the Petersburg School District or at the Petersburg Medical Center**. Other than membership on an appointed committee, board or commission, no borough assembly member or the mayor shall be hired or appointed to any compensated borough office or borough employment for a period of one year after vacating office, **except that an assembly member or the mayor is permitted to work at the Petersburg School District or at the Petersburg Medical Center**. The relationship of independent contractor for goods and services does not constitute employment for the purposes of this section.

- b) Proposed Charter Amendment – Section 8.02C of the Charter: The language proposed for addition is in **bold and underlined**.

**Article 8. Education**

**Section 8.02 - Membership, Qualification and Term.**

\* \* \*

C. The provisions of this Charter applicable to the assembly members and mayor apply to school board members to the extent permitted by state law, **except that a school board member may not work at the Petersburg School District, but is permitted to work at the Petersburg Medical Center or be employed in a position over which the borough manager has authority to hire under Section 4.02A of this Charter.**

- c) Proposed Charter Amendment – Section 9.02C of the Charter: The language proposed for addition is in **bold and underlined**.

**Article 9. Medical Center**

**Section 9.02 - Membership, Qualification and Term.**

\* \* \*

C. The provisions of this Charter applicable to the assembly members and mayor apply to hospital board members to the extent permitted by state law, **except that a hospital board member may not work at the Petersburg Medical Center, but is permitted to work at the Petersburg School District**

**or be employed in a position over which the borough manager has authority to hire under Section 4.02A of this Charter.**

d) Proposed Charter Amendment – Section 11.13 of the Charter: The language proposed for addition as new paragraph F is in **bold and underlined**.

**Section 11.13 - Purchasing; Contracting.**

\* \* \*

D. Business Dealings with the Borough. The assembly shall provide by ordinance the procedure whereby an officer or employee of the borough, who intends to have business dealings with the borough whereby he or she may derive income or benefits other than those provided as a remuneration for official duties or the duties of employment, shall file with the clerk a statement, under oath, setting forth the nature of such business dealings and his or her interest therein, not less than ten days before the date when action may be taken by the assembly or by any officer or agency of the borough upon the matter involved. Such statement shall be sufficient for continuing transactions of a similar or like nature for six months from the date of its filing.

E. Personal Interest. Borough officers, employees and elected officials shall not be eligible to sell, barter, or supply anything to the borough or purchase anything from the borough while holding office or employment or for a period of six months after leaving office or employment unless an invitation to submit sealed bids is published or an outcry auction is conducted, and the borough complies with all ordinance provisions regarding the acceptance or rejection of bids. This section shall not apply to things valued at less than \$5,000.00 or those things which the borough offers generally to the public (as for example, utility services) which shall be purchased or offered at prices or rates prevailing in the community and without discrimination.

**F. Nothing in paragraphs D and E above is intended to prohibit an employee of the Borough from serving on a Borough board or commission, subject to the restrictions of sections 2.10A, 8.02C and 9.02C of this Charter.**

e) Submittal to Voters: The proposition to be submitted to the voters shall read substantially as follows:

**Proposition #\_\_\_**

**Allowing borough employees to serve on certain borough boards and commissions**

Shall Sections 2.10A, 8.02C, 9.02C, and 11.13 of the Petersburg Borough Charter be amended to allow borough employees to serve on the borough assembly, planning commission, hospital board and school board, except not on the board or commission which directly administers their employment?

- YES
- NO

If this proposition is approved, assembly members and members of the planning commission could work at the Petersburg Medical Center or School District; school board members could not work at the School District, but would be permitted to work at the Medical Center or in a borough position hired by the borough manager; and hospital board members could not work at the Medical Center, but would be permitted to work at the School District or in a borough position hired by the borough manager.

**Section 4. Severability:** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person and circumstance shall not be affected.

**Section 5. Effective Date:** This ordinance shall be effective upon adoption. The proposed borough charter amendments set forth herein, if approved by the voters, shall become effective immediately upon certification of the election results.

**Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

\_\_\_\_\_  
**Mark Jensen, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Debra K. Thompson, Borough Clerk**

Adopted:  
Published:  
Effective: Ordinance effective upon adoption. Charter Amendment effective upon Voter Approval and Certification of Election Results.

**PETERSBURG BOROUGH  
ORDINANCE #2023-04**

**AN ORDINANCE OF THE PETERSBURG BOROUGH ADJUSTING  
THE FY 2023 BUDGET FOR KNOWN CHANGES**

**Section 1. Classification:** This ordinance is not of a permanent nature and shall not be codified in the Petersburg Municipal Code.

**Section 2. Purpose:** The purpose of this ordinance is to adjust the FY 2023 budget for known changes.

**Section 3. Substantive Provisions:** In accordance with Section 11.09(a) of the Charter of the Petersburg Borough, the budget for the fiscal period beginning July 1, 2022 and ending June 30, 2023 is adjusted as follows:

**Explanation:** Necessary revisions in the FY 2023 budget identified after adoption of the Budget.

<u>Account Number</u>	<u>Account</u>	<u>Original Budget</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
<b><u>FISCAL YEAR 2023 REVENUE / EXPENSE BUDGET ADJUSTMENTS</u></b>				
<b>Property Development Fund</b>				
260.000.402240	Property Dev. Fund – Transfer In Surplus	\$0	\$77,277.	\$77,277.
110.000.501961	General Fund – Transfer Out Surplus	\$0	\$77,277.	\$77,277.
Transferring 50% of General Fund Surplus reported in the audited FY22 financials to the Property Development Fund to build reserves.				
<b>Property Development Fund</b>				
260.000.506528	Community Center Sewer Line	\$0	\$65,432.	\$65,432.
On 12/5/22 the Borough Assembly approved Resolution 2022-21 that approved to spend \$65,432 of Property Development Funds on an engineer designing biddable documents for the repairs to the Community Center Sewer Line.				
<b>Hydro Substation Close Out</b>				
732.000.501960	Hydro Substation Transfer Out	\$0	\$21,165.46	\$21,165.46
747.000.402240	Blind Slough Hydro Transfer In	\$0	\$21,165.46	\$21,165.46
Transferring remaining fund balance to the Blind Slough Hydro Fund which has absorbed this project.				
<b>Wastewater Fund – Ira II Street Project Close Out</b>				

430.000.501960	Wastewater Transfer Out to Ira II Project to close out	\$0	\$12,916.	\$12,916.
756.000.402240	Ira II Street Project Transfer In to Close Out	\$0	\$12,916.	\$12,916.
Project cost overruns that were not expected when putting together the budget for FY23. Transferring the funds from Wastewater will close out the fund to a zero balance.				
<b>Electric Fund</b>				
410.404.501352	Diesel Plant Fuel	\$249,480.	\$170,000.	\$419,480.
Increase due to cost increases (estimating \$81,000) and from the Mitkof Highway landslide outage (\$89,000). PMPL is needing to supplement the Diesel Plant Fuel line item to ensure that funds are adequate for the annual SEAPA maintenance shutdown and diesel run from May 31 – June 9, 2023.				
<b>General Fund – Attorney Fees</b>				
110.515.501410	Borough Attorney Fees	\$90,000.	\$90,000.	\$180,000.
Lawsuits/complaints costing \$66,619.65 as of March 6, 2023 in FY23.				
<b>Harbor - Dredging</b>				
450.000.506541	Harbor Dredging – Corp. of Engineers	\$1,100,000.	\$635,000.	\$1,735,000.
Contract modification due to a change in the site conditions resulting from the encounter of hard material during dredging operations.				
<b>Wastewater Fund</b>				
430.000.501410	Professional Services	\$21,030.	\$35,000.	\$56,000.
Increase due to retaining HDR Engineering to assist in completing ADEC forms in preparation for retention of the department's NPDES 301h secondary treatment waiver, including discharge plume modeling and research/development of treatment alternatives to meet stricter State and Federal discharge parameters.				
<b>Harbor Department</b>				
450.000.506553	Middle Harbor Dredging	\$0	\$189,000.	\$189,000.
Landslide in Hammers Slough has resulted in run off debris to the middle harbor basin that needs to be removed so more damage isn't done to the middle harbor.				
<b>Motor Pool – FD5 Fire Engine</b>				
510.000.507058	FD Fire Engine	\$0	\$20,000.	\$20,000.
The above funds are for various equipment needed for the new fire truck: radio, tablet computer, hand lights, misc mounting hardware, labor for installing equipment, snow tires/rims (shipped loose with new truck). Budget for the new truck was \$650,000 and actual cost of the truck was \$596,776. The proposed supplemental budget items represent things that are needed for the new truck and will still allow the truck to come in well under the original budget.				
<b>General Fund – Streets Department</b>				
110.534.501449	Streets Dept. – Motor Pool O&M	\$218,955.	\$80,000.	\$298,955.

Due to increased costs of parts as well as a number of unanticipated repairs that were necessary to keep vital equipment functioning, the Streets Dept Motor Pool O&M budget is already depleted, with almost 4 months left to go until the FY24 budget begins. We are requesting \$80,000 to cover the anticipated budget shortfall.

**Motor Pool – Police Patrol Units**

510.000.507001	Police Department #54 – Patrol Unit	\$60,000.	\$10,000.	\$70,000.
510.000.507006	Police Department #96 – Patrol Unit	\$57,000.	\$10,000.	\$67,000.

Cost of chassis and vehicle upfits for both units have increased since the budgets were put in place.

**Section 4. Severability:** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person and circumstance shall not be affected.

**Section 5. Effective Date:** This ordinance shall become effective immediately after the date of its passage.

**Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this**

\_\_\_\_\_  
**Mark Jensen, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Debra K. Thompson, Borough Clerk**

Adopted:  
Published:  
Effective:





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

March 7, 2023

Petersburg Borough  
ATTN: Mr. Stephen Giesbrecht  
P.O. Box 329  
Petersburg, Alaska 99833

Dear Mr. Giesbrecht:

The U.S. Army Corps of Engineers (USACE) is requesting \$635,000 for dredging of the local service facility, outlined as Area 4. This request is in accordance with the Project Partnership Agreement for Petersburg Navigation Improvements, for an anticipated contract modification due to a request for equitable adjustment (REA) by the construction contractor.

This REA is due to a change in site conditions resulting from the encounter of hard material during dredging operations. USACE is awaiting additional documentation to complete the evaluation of the REA and modification to the contract. Based on current contractor submittals, the anticipated funding requirement for a contract modification to complete construction of the local service facility Area 4, which is a 100 percent Sponsor cost, is \$635,000. No cost increase is anticipated for the other local service facility (LSF) areas.

Please provide the requested amount of \$635,000 by check to the U.S. Army Corps of Engineers, Alaska District, Attn, Resource Management Room 160, 2204 3<sup>rd</sup> Street, JBER, AK 99506, within 60 days.

If you have any more questions or concerns, please feel free to contact the Project Manager, Kim Graham at (907) 753-2724, or email at [Kimberley.A.Graham@usace.army.mil](mailto:Kimberley.A.Graham@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Graham".

Kim Graham  
Project Manager

CC: Amanda Kelleher

# Proposal

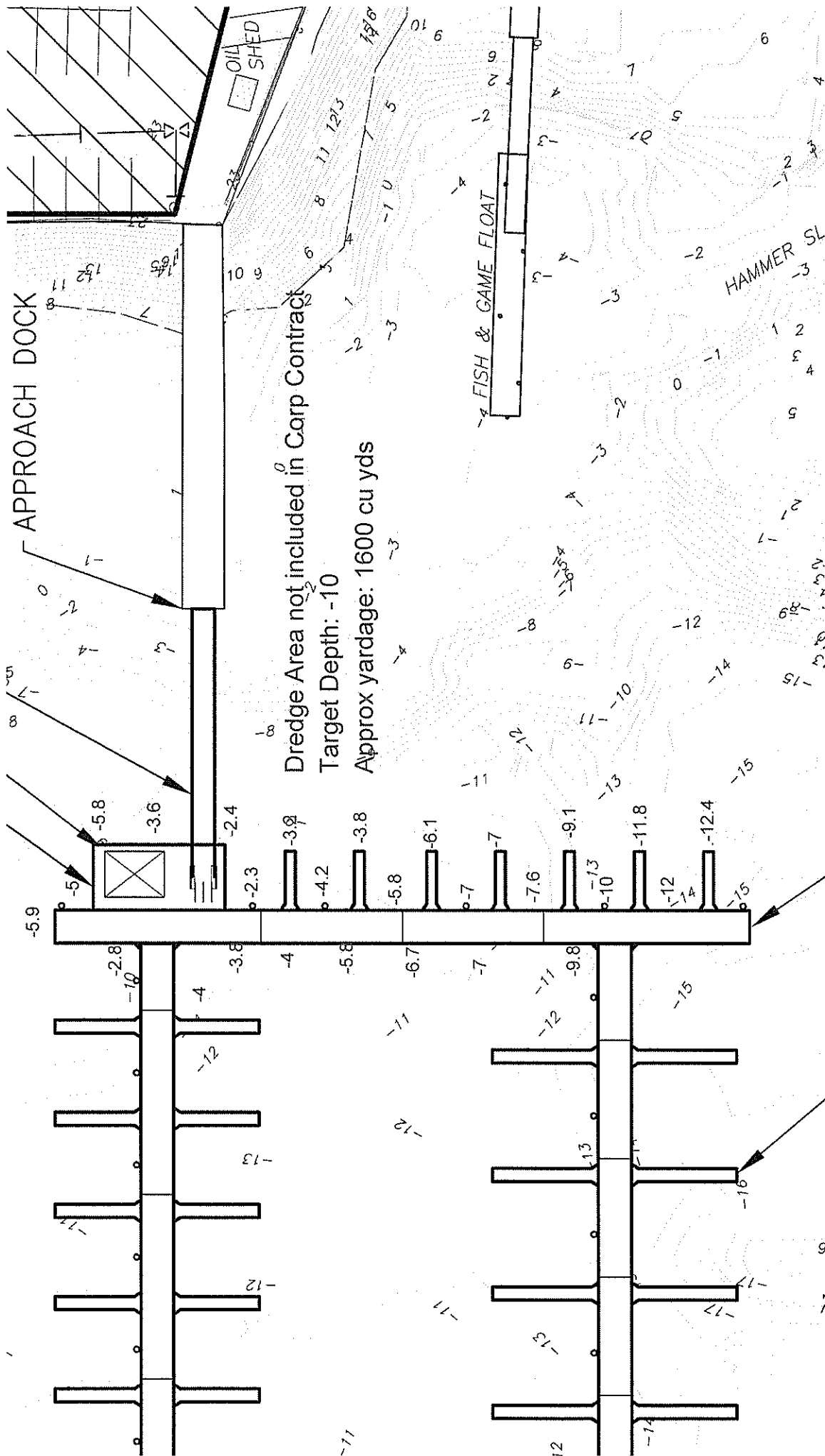
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**From:** Rock-N-Road  
 PO Box 1188  
 Petersburg, AK 99833  
 Phone: 907-772-3308  
 Fax: 907-772-2268

**Project:** MIDDLE HARBOR DREDGING  
**Description:** Dredge approximately 1600 cu yds of material with the foot print of the headwalk float and stall floats

ITEM / DESCRIPTION	BID QTY	U/M	UNIT BID	AMOUNT
100 Mobilization	1.000	lump sum	20,000.00	\$20,000.00
150 Remove-Reinstall 7 stall floats	1.000	lump sum	15,000.00	\$15,000.00
<b>Alternate #1</b> 175 Water Line	1.000	Contingent Fu	10,000.00	\$10,000.00
200 Dredge and Disposal	1,600.000	cu yd	90.00	\$144,000.00
<b>TOTAL BID:</b>				<b>\$189,000.00</b>

Signature: \_\_\_\_\_  
 \_\_\_\_\_



**PETERSBURG BOROUGH, ALASKA  
RESOLUTION #2023-03**

**A RESOLUTION APPROVING THE SOLE SOURCE PROCUREMENT OF  
CONTRACTING FOR THE DREDGE AND DISPOSAL OF MIDDLE HARBOR SPOILS**

**WHEREAS**, Petersburg Harbor Department solicited a request for proposal for the removal and disposal of approximately 1,600 cubic yards of material within the footprint of the head walk float and inner stall floats of the Middle Harbor to stop further damage to this facility due to severe buildup of siltation from the adjacent Hammers Sough runoff; and

**WHEREAS**, the United States Army Corps of Engineers (USACE) has given the Borough’s Harbormaster direction to use the Nationwide permit: **NWP # 35. MAINTENANCE DREDGING OF EXISTING BASINS**, which says ““The removal of accumulated sediment for maintenance of existing marina basins, access channels to marinas or boat slips, and boat slips to previously authorized depths or controlling depths for ingress/egress, whichever is less. All dredged material must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization. Proper sediment controls must be used for the disposal site. (Authority: Section 10)”; and

**WHEREAS**, this activity will not effect the federal project and therefore can be non-reporting as there is no effect to ESA or cultural resources as outlined in the NWP #35; and

**WHEREAS**, due to the Harbor Department recognizing the emergency nature of scheduling the project before the next set of -minus tides; and

**WHEREAS**, Rock-N-Road corporation was selected as the available local contractor with marine dredging equipment and experience to provide the in-water and disposal work; and

**WHEREAS**, the Borough has space available at the Public Works properly controlled Mud Dump to receive the spoils.

**THEREFORE BE IT RESOLVED**, the Assembly for the Petersburg Borough approves of the sole source issuance of accepting the proposal from Rock-N-Road for mobilization, removal and reinstallation of 7 stall floats, domestic waterline repair and reinstall and the dredge and disposal of approximately 1,600 cubic yards of dredge spoils delivered to the Borough’s Mud Dump for the price of \$189,000.

**Passed and Approved by the Petersburg Borough Assembly on**

\_\_\_\_\_  
**Mark Jensen, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca Regula, Borough Deputy Clerk**

**LESSOR'S CONSENT**  
**AND**  
**ASSIGNMENT AND ASSUMPTION AGREEMENT**

This Lessor's Consent and Assignment and Assumption Agreement ("Agreement") is entered into as of the date of the last signature below, by and among the Petersburg Borough, of PO Box 329, Petersburg, AK 99833 ("Lessor"), Stikine Services, Inc., of PO Box 1393, Petersburg, AK 99833 ("Assignor"), and Birchell Properties, LLC, of PO Box 12, Petersburg, AK 99833 ("Assignee"). Lessor, Assignor, and Assignee are collectively referred to herein as "the parties".

**Recitals**

**A.** The Assignor is the current lessee under a Lease Agreement dated April 18, 1985, which is recorded in the Petersburg Recording District at Book 0023, pages 877-892 ("Lease") and attached hereto as Exhibit A. Curt and Kristi Birchell are the Lessors under the Lease after assignment by Anna L. Sadler and Karen R. Reichert in January of 1994. Terms defined in the Lease shall have the same meaning herein.

**B.** The property subject to the Lease is described as follows:

**4,183 sq. ft. as shown on the Plat entitled Tidelands Lease,  
Portions T-37 and T-38, ATS#9, Addition to Petersburg,  
Filed on July 29, 1985 as Survey No. 85-21**

**C.** Assignor desires to assign and delegate to Assignee, and Assignee desires to assume from Assignor, all of Assignor's rights, duties, interests and liabilities under the Lease.

**Agreement**

In consideration of the mutual covenants set forth in this Agreement, the parties hereby agree as follows:

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Lessor's Consent and  
Assignment and Assumption Agreement  
Stikine Services to Birchell Properties  
Page 1

**A. Assignment of Lease.**

Assignor hereby assigns and transfers to Assignee all of Assignor's right, title and interest in and to the Lease. This assignment is subject to all terms and conditions set forth in the Lease. This assignment is contingent upon the consent of the Lessor. Assignor agrees that, notwithstanding the assignment of the Lease and the consent of Lessor thereto, Assignor shall remain fully liable for all obligations of the Lessee under the Lease coming due or to be performed after the date of the assignment.

**B. Assumption of Obligations.**

Assignee hereby assumes all obligations of Assignor subject and pursuant to the terms and conditions of the Lease, including but not limited to, the obligations to pay rent and obtain bonding and insurance.

**C. Lessor's Consent.**

Lessor hereby consents to the assignment of the Assignor's interest in the Lease to Assignee. This Consent is a consent only to such direct assignment from Assignor to Assignee and is not a consent to, nor a waiver of, any requirement to obtain Lessor's consent to any other or further assignment of the Lessee's interest in the Lease. It is expressly agreed that this Consent shall not affect any duty, obligation or liability imposed on Assignor under the Lease.

**D. Other Provisions.**

1. The persons executing this Agreement represent and warrant that each is authorized to execute and enter into this Agreement on behalf of the party for whom s/he has signed and that this Agreement is binding on such party without further action or approval.

2. Any notices, requests, demands and other communications provided for hereunder shall be in writing and mailed, sent by courier, or by email or otherwise delivered to the addresses indicated below:

If to the Assignor: Stikine Services, Inc.  
PO Box 1393  
Petersburg, AK 99833  
Email: rugers.h20@gmail.com

If to the Lessor : Petersburg Borough  
PO Box 329  
Petersburg, AK 99833

If to the Assignee:   Birchell Properties, LLC  
                                  PO Box 12  
                                  Petersburg, AK 99833  
                                  Email: kcsalesseif@gmail.com

Any party may change its address for notice purposes by giving each of the other parties notice of such change in the manner aforesaid.

3.       The parties agree that this Agreement may be recorded and shall constitute a notice or memorandum of lease for purposes of notifying the public as to the terms of the Agreement.

4.       This Agreement may be executed by the parties hereto by electronic signature and in counterparts, each of which shall be an original and all of which together shall constitute one and the same instrument.

5.       This Agreement shall be immediately effective.

*[Signatures on following pages]*

**ASSIGNOR:**

**Stikine Services, Inc.**

**Stikine Services, Inc.**

\_\_\_\_\_  
By: Wesley Davis  
Its: President  
Dated : \_\_\_\_\_

\_\_\_\_\_  
By: Angela Davis  
Its: Vice President  
Dated: \_\_\_\_\_

STATE OF ALASKA                    )  
  ) ss.  
COUNTY OF PETERSBURG        )

THIS IS TO CERTIFY that before me, the undersigned Notary Public for the State of Alaska, duly commissioned and sworn as such, personally appeared Wesley and Angela Davis, to me known to be the individuals named in and who executed the foregoing instrument, and acknowledged to me that s/he signed and sealed the same as his/her free and voluntary act and deed for the uses and purposes therein mentioned.

DATED: \_\_\_\_\_

\_\_\_\_\_  
[Notary Signature]

\_\_\_\_\_  
[Type or Print Name of Notary]

NOTARY PUBLIC for the State of \_\_\_\_\_  
My appointment expires: \_\_\_\_\_



**ASSIGNEE:**

**Birchell Properties, LLC**

**Birchell Properties, LLC**

\_\_\_\_\_  
By: Curt Birchell  
Its: President  
Dated : \_\_\_\_\_

\_\_\_\_\_  
By: Kristi Birchell  
Its: Vice President  
Dated: \_\_\_\_\_

STATE OF ALASKA                    )  
  ) ss.  
COUNTY OF PETERSBURG        )

THIS IS TO CERTIFY that before me, the undersigned Notary Public for the State of Alaska, duly commissioned and sworn as such, personally appeared Curt and Kristi Birchell, to me known to be the individuals named in and who executed the foregoing instrument, and acknowledged to me that s/he signed and sealed the same as his/her free and voluntary act and deed for the uses and purposes therein mentioned.

DATED: \_\_\_\_\_

\_\_\_\_\_  
[Notary Signature]

\_\_\_\_\_  
[Type or Print Name of Notary]

NOTARY PUBLIC for the State of Alaska  
My appointment expires: \_\_\_\_\_

-----  
Lessor's Consent and  
Assignment and Assumption Agreement  
Stikine Services to Birchell Properties  
Page 5

**LESSOR:**

**Petersburg Borough  
a municipal corporation of the State of Alaska**

\_\_\_\_\_  
By: Stephen Giesbrecht  
Its: Borough Manager  
Dated : \_\_\_\_\_

STATE OF ALASKA            )  
  ) ss.  
FIRST JUDICIAL DISTRICT)

I certify that I know or have satisfactory evidence that Stephen Giesbrecht is the person who appeared before me, and said person acknowledged that s/he signed this instrument, on oath stated that s/he was authorized to execute the instrument and acknowledged it as the Manager of the Petersburg Borough, a municipal corporation of the State of Alaska, to be the free and voluntary act of such party for the uses and purposes therein mentioned.

DATED: \_\_\_\_\_

\_\_\_\_\_  
[Notary Signature]

\_\_\_\_\_  
[Type or Print Name of Notary]

NOTARY PUBLIC for the State of Alaska  
My appointment expires: \_\_\_\_\_

-----  
Lessor's Consent and  
Assignment and Assumption Agreement  
Stikine Services to Birchell Properties  
Page 6

**LESSOR'S CONSENT**  
**AND**  
**ASSIGNMENT AND ASSUMPTION AGREEMENT**

This Lessor's Consent and Assignment and Assumption Agreement ("Agreement") is entered into as of the date of the last signature below, by and among the Petersburg Borough, of PO Box 329, Petersburg, AK 99833 ("Lessor"), Stikine Services, Inc., of PO Box 1393, Petersburg, AK 99833 ("Assignor"), and Birchell Properties, LLC, of PO Box 12, Petersburg, AK 99833 ("Assignee"). Lessor, Assignor, and Assignee are collectively referred to herein as "the parties".

**Recitals**

**A.** The Assignor is the current lessee under a Lease Agreement dated May 15, 2000, which is recorded in the Petersburg Recording District at Book 0066, pages 630-645 ("Lease") and attached hereto as Exhibit A. Stikine Services is the Lessor under the Lease. Terms defined in the Lease shall have the same meaning herein.

**B.** The property subject to the Lease is described as follows:

**5,334 sq. ft. as shown on the Tidelands Lease Plat  
Filed as Plat #2000-5 on June 6, 2000**

**C.** Assignor desires to assign and delegate to Assignee, and Assignee desires to assume from Assignor, all of Assignor's rights, duties, interests and liabilities under the Lease.

**Agreement**

In consideration of the mutual covenants set forth in this Agreement, the parties hereby agree as follows:

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Lessor's Consent and  
Assignment and Assumption Agreement  
Stikine Services to Birchell Properties  
Page 1

**A. Assignment of Lease.**

Assignor hereby assigns and transfers to Assignee all of Assignor's right, title and interest in and to the Lease. This assignment is subject to all terms and conditions set forth in the Lease. This assignment is contingent upon the consent of the Lessor. Assignor agrees that, notwithstanding the assignment of the Lease and the consent of Lessor thereto, Assignor shall remain fully liable for all obligations of the Lessee under the Lease coming due or to be performed after the date of the assignment.

**B. Assumption of Obligations.**

Assignee hereby assumes all obligations of Assignor subject and pursuant to the terms and conditions of the Lease, including but not limited to, the obligations to pay rent and obtain bonding and insurance.

**C. Lessor's Consent.**

Lessor hereby consents to the assignment of the Assignor's interest in the Lease to Assignee. This Consent is a consent only to such direct assignment from Assignor to Assignee and is not a consent to, nor a waiver of, any requirement to obtain Lessor's consent to any other or further assignment of the Lessee's interest in the Lease. It is expressly agreed that this Consent shall not affect any duty, obligation or liability imposed on Assignor under the Lease.

**D. Other Provisions.**

1. The persons executing this Agreement represent and warrant that each is authorized to execute and enter into this Agreement on behalf of the party for whom s/he has signed and that this Agreement is binding on such party without further action or approval.

2. Any notices, requests, demands and other communications provided for hereunder shall be in writing and mailed, sent by courier, or by email or otherwise delivered to the addresses indicated below:

If to the Assignor:     Stikine Services, Inc.  
                                   PO Box 1393  
                                   Petersburg, AK 99833  
                                   Email: rugers.h20@gmail.com

If to the Lessor :     Petersburg Borough  
                                   PO Box 329  
                                   Petersburg, AK 99833

If to the Assignee:   Birchell Properties, LLC  
                                  PO Box 12  
                                  Petersburg, AK 99833  
                                  Email: kcsalesseif@gmail.com

Any party may change its address for notice purposes by giving each of the other parties notice of such change in the manner aforesaid.

3.       The parties agree that this Agreement may be recorded and shall constitute a notice or memorandum of lease for purposes of notifying the public as to the terms of the Agreement.

4.       This Agreement may be executed by the parties hereto by electronic signature and in counterparts, each of which shall be an original and all of which together shall constitute one and the same instrument.

5.       This Agreement shall be immediately effective.

*[Signatures on following pages]*

**ASSIGNOR:**

**Stikine Services, Inc.**

**Stikine Services, Inc.**

\_\_\_\_\_  
By: Wesley Davis  
Its: President  
Dated : \_\_\_\_\_

\_\_\_\_\_  
By: Angela Davis  
Its: Vice President  
Dated: \_\_\_\_\_

STATE OF ALASKA                    )  
  ) ss.  
COUNTY OF PETERSBURG        )

THIS IS TO CERTIFY that before me, the undersigned Notary Public for the State of Alaska, duly commissioned and sworn as such, personally appeared Wesley and Angela Davis, to me known to be the individuals named in and who executed the foregoing instrument, and acknowledged to me that s/he signed and sealed the same as his/her free and voluntary act and deed for the uses and purposes therein mentioned.

DATED: \_\_\_\_\_

\_\_\_\_\_  
[Notary Signature]

\_\_\_\_\_  
[Type or Print Name of Notary]

NOTARY PUBLIC for the State of \_\_\_\_\_  
My appointment expires: \_\_\_\_\_

**ASSIGNEE:**

**Birchell Properties, LLC**

**Birchell Properties, LLC**

\_\_\_\_\_  
By: Curt Birchell  
Its: President  
Dated : \_\_\_\_\_

\_\_\_\_\_  
By: Kristi Birchell  
Its: Vice President  
Dated: \_\_\_\_\_

STATE OF ALASKA                    )  
  ) ss.  
COUNTY OF PETERSBURG        )

THIS IS TO CERTIFY that before me, the undersigned Notary Public for the State of Alaska, duly commissioned and sworn as such, personally appeared Curt and Kristi Birchell, to me known to be the individuals named in and who executed the foregoing instrument, and acknowledged to me that s/he signed and sealed the same as his/her free and voluntary act and deed for the uses and purposes therein mentioned.

DATED: \_\_\_\_\_

\_\_\_\_\_  
[Notary Signature]

\_\_\_\_\_  
[Type or Print Name of Notary]

NOTARY PUBLIC for the State of Alaska  
My appointment expires: \_\_\_\_\_

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Lessor's Consent and  
Assignment and Assumption Agreement  
Stikine Services to Birchell Properties  
Page 5

**LESSOR:**

**Petersburg Borough  
a municipal corporation of the State of Alaska**

\_\_\_\_\_  
By: Stephen Giesbrecht  
Its: Borough Manager  
Dated : \_\_\_\_\_

STATE OF ALASKA            )  
  ) ss.  
FIRST JUDICIAL DISTRICT)

I certify that I know or have satisfactory evidence that Stephen Giesbrecht is the person who appeared before me, and said person acknowledged that s/he signed this instrument, on oath stated that s/he was authorized to execute the instrument and acknowledged it as the Manager of the Petersburg Borough, a municipal corporation of the State of Alaska, to be the free and voluntary act of such party for the uses and purposes therein mentioned.

DATED: \_\_\_\_\_

\_\_\_\_\_  
[Notary Signature]

\_\_\_\_\_  
[Type or Print Name of Notary]

NOTARY PUBLIC for the State of Alaska  
My appointment expires: \_\_\_\_\_

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Lessor's Consent and  
Assignment and Assumption Agreement  
Stikine Services to Birchell Properties  
Page 6



**PETERSBURG INDIAN ASSOCIATION**

**PO Box 1418  
15 N. 12th Street  
Petersburg, Alaska 99833**

**Phone: 907-772-3636**

**Fax: 907-772-3637**

March 5, 2023

Petersburg Borough Assembly  
PO Box 329  
Petersburg, AK 99833

RE: Grant Application Submitted by Mt. View Food Services (MVFS)

Dear Borough Assembly Members;

The Petersburg Indian Association (PIA) Tribal Council supports awarding a grant in the next fiscal year to MVFS in the requested amount of \$42,788.48.

MVFS provides an invaluable service to the elderly and disabled population of our community. This service not only benefits the recipient of the meals, it also assures caregivers and family members that their loved one is receiving nourishing meals on a regular basis. In addition to providing meals up to five (5) nights a week, there is an unintended benefit that is provided as well; specifically, the delivery drivers add another layer of monitoring the welfare of the people they serve. Delivery drivers have been known to call a family member or even enter the home if their knock at the door goes unanswered. More than once, their action may have saved a life.

PIA demonstrates its support of MVFS by donating the costs associated with providing a PIA driver and PIA vehicle for meal delivery five (5) nights a week.

The Petersburg Indian Association Tribal Council urges the Assembly to acknowledge the importance of this service and demonstrate its support by awarding a grant to MVFS in the requested amount.

Sincerely,

Cris Morrison  
Tribal Council President

**From:** Jimmy Martinsen <jimmy@tamico.net>  
**Sent:** Monday, March 6, 2023 10:25 AM  
**To:** Assembly <assembly@petersburgak.gov>  
**Subject:** Fwd: PMC Dawson

Good morning to all,

I will not be able to attend the meeting today, but would like to voice some concerns about a very difficult topic for us at Tamico.

PMC is entering into a contract with Dawson Construction with the apparent construction of a new hospital.

My concerns are both from a business and also from a personal perspective.

Tamico worked for 18-20 months as a subcontractor under Dawson on the Ketchikan Airport ferry project. From our perspective Dawson did not administer the project correctly and did not act in good faith with their subcontractors.

Since our termination we have spent considerable legal fees to keep Dawson from "stealing" our equipment, and countering their continual sport litigation.

They have breached a lease agreement for equipment that has severely impacted our ability to operate, enough so that we may cease to operate.

We are not the only subcontractor on the project that will be in litigation with them.

Dawson was investigated by the Civil Rights department and will now be under investigation by the AELS board of licensing as they were using their own employees that were not licensed or trained sufficiently to do surveying on the entire project. This issue alone has caused financial hardship on both Tamico and Dehart Construction from Kodiak.

There are a number of projects out there that Dawson has had or is having legal issues with. The Ketchikan Airport Ferry project already has very large legal claims and the project is not even finished. I do not think they are a good fit for a small town hospital project.

From a personal perspective I am not sure what the process is for the entire project?

I dont think the community majority is onboard for such an expensive project. When SEARHC representatives came I felt they were not treated with respect or an open mind to what they could offer. Now we seem to be moving along and instead of going with ASRC (another native entity) which is a Alaskan corporation we are contracting with a suspect out of State company. Doing this at a time when Alaskan companies are needing to recover from the economic downturns of the pandemic and general sluggishness of the economy seems short sighted. This project may be splitting the community further if PMC plows forward with a contract with Dawson. SEARHC and ASRC have been casualties of the process. Tamico, which through my moms bloodline is a certified native DBE company, will also not be around much longer and it is solely because of Dawson's vindictive and willingness to litigate until we can no longer afford to defend ourselves.

Thanks for your time.

Jimmy Martinsen  
Tamico Inc  
PO Box 1540  
Petersburg, AK 99833  
907-772-4585  
907-340-6494

March 7, 2023

Petersburg Borough Assembly  
PO Box 329  
Petersburg, AK 99833

RE: Grant Application Submitted by Mt. View Food Services (MVFS)

Dear Borough Assembly Members;

My husband and I support awarding a grant in the next fiscal year to MVFS in the requested amount of \$42,788.48.

My dad was diagnosed in 2015 with Alzheimer disease. He is now 83 years old and has been incapable of cooking his own meals for almost three years. He eats cold foods during the day, MVFS brings dinner to him five nights a week, and our family provides it on the weekends.

My 92-year-old mother-in-law no longer cooks for herself, which is probably best because her short-term memory is significantly impaired and cooking could be an unsafe activity. Like my dad, she eats cold foods during the day, MVFS brings dinner five nights a week, and we provide it on the weekends.

We are extremely grateful for the reliable service that MVFS offers. We would be hard-pressed to prepare dinners seven days a week for our parents. They are both on fixed incomes so don't have the luxury of hiring someone to do the job that MVFS would provide for free.

Our parents do make monthly donations to MVFS, however -- \$140 per month. I have learned that a large number of meal recipients do not donate the suggested amount of \$7 per meal. MVFS is prohibited by the terms of their State of Alaska grant from charging for the meals or asking for payment. Therefore, they must rely on people paying the \$7 out of the goodness of their heart or their sense of fairness or responsibility.

As is evidenced by MVFS's grant application, the number of meals served has increased significantly in the last few years. I have been told that donations have remained flat, however, at pre-pandemic levels. This invaluable service needs the Borough's assistance to continue providing hot and nutritious meals to the disabled and elderly, especially to the vulnerable population that includes my dad and mother-in-law. I urge the members to vote in favor of awarding MVFS's grant application in the requested amount.

Sincerely,

*Cris Morrison*

Cris Morrison  
PO Box 284  
Petersburg, AK 99833