



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Agenda Borough Assembly Regular Meeting

Monday, May 03, 2021

12:00 PM

Via Zoom

1. **Call To Order/Roll Call**
2. **Voluntary Pledge of Allegiance**
3. **Approval of Minutes**
 - A. Regular Meeting Minutes of May 18, 2020**
Regular Meeting Minutes of June 1, 2020
Special Meeting Minutes of June 1, 2020
4. **Amendment and Approval of Meeting Agenda**
5. **Public Hearings**
 - A. Public Hearing for Ordinance #2021-08: An Ordinance to Reduce the Boundaries of Borough Service Area No. 1 by Removing Frederick Point East Subdivision, and to Direct that the Proposed Boundary Amendment be Submitted to the Voters Residing within the Service Area at the Regular Election to be Held on October 5, 2021, in Accordance with Borough Charter Section 14.03B(1)-(2)**

Any public testimony regarding Ordinance #2021-08 should be given during this public hearing. A copy of Ordinance #2021-08 may be found under agenda item 14D.
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. Inga's Galley Liquor License Renewal Application**

Inga's Galley has applied with the Alaska Alcohol & Marijuana Control Office for a liquor license renewal. The Assembly may support or protest the application. A protest may not be arbitrary, capricious or unreasonable.

11. Report of Other Officers

A. Petersburg Medical Center Update

PMC CEO Hofstetter will provide an update on the Medical Center.

B. Petersburg Volunteer Fire Department Report

Fire Chief Stolpe will provide his quarterly report to the Assembly.

C. Borough Assembly Meeting Change to Zoom Format

Clerk Thompson will provide a report to the Assembly regarding the transition to using a Zoom format for Assembly and other public meetings.

12. Mayor's Report

A. May 3, 2021 Mayor's Report

13. Manager's Report

A. May 3, 2021 Manager's Report

14. Unfinished Business

A. Ordinance #2021-05: An Ordinance Adjusting the FY 2021 Budget for Known Changes - Third and Final Reading

Ordinance #2021-05 adjusts the FY 2021 Borough budget to: transfer funds from the General Fund to the Property Development Fund; delegate funds to the purchase of a new E911 System; delegate funds to the Motor Pool Shop Alternate Modifications; delegate funds to the Southeast Storm Local Emergency Disaster Fund to repair the City Shop Culvert Failure; delegate funds to repair the Ira II Street sewer main; and accept grant funding for Testing and Vaccination expenses from the Department of Health and Social Services. The ordinance was unanimously approved in its first and second readings (as amended in second reading).

Public Works Director Cotta requests amendment of this supplemental budget to transfer from the Property Development Fund to the Motor Pool Shop Fire Damage Repairs Project \$52,650 to cover the cost of Change Order No. 1 which will:

- 1. Use spray foam insulation in the roof and wall cavities of the shop to fill all voids and create an airtight insulation layer for our cold, wet climate. \$26,400*
- 2. Correct framing deficiencies found during demolition to meet code. \$16,300*

3. Correct plumbing deficiencies found during the design and construction phase of the project. \$6,750

4. Replace failed air line to center workbench. \$3,200

Suggested motion: to transfer \$52,650 from the Property Development Fund to the Motor Pool Shop Fire Damage Repair Project.

B. Ordinance #2021-06: An Ordinance Determining that Property Conveyed to the Borough in a Tax Foreclosure Proceeding Shall Not be Retained for a Public Purpose and Shall Hereafter be Sold - Third and Final Reading

If adopted, Ordinance #2021-06 will determine that Parcel Number 03-213-040 on Kupreanof Island, acquired by the Borough in foreclosure proceedings, is not needed for public purposes and shall be sold by the Borough.

C. Ordinance #2021-07: An Ordinance Determining that Property Conveyed to the Borough in a Tax Foreclosure Proceeding Shall Not be Retained for a Public Purpose and Shall Hereafter be Sold - Third and Final Reading

If adopted, Ordinance #2021-07 will determine that Parcel Number 03-210-310 on Kupreanof Island, acquired by the Borough in foreclosure proceedings, is not needed for public purposes and shall be sold by the Borough.

D. Ordinance #2021-08: An Ordinance to Reduce the Boundaries of Borough Service Area No. 1 by Removing Frederick Point East Subdivision, and to Direct that the Proposed Boundary Amendment be Submitted to the Voters Residing within the Service Area at the Regular Election to be Held on October 5, 2021, in Accordance with Borough Charter Section 14.03B(1)-(2) - Second Reading

At the July 20, 2020 meeting, the Assembly requested an ordinance to bring the question of removing Frederick Point East Subdivision from Service Area No. 1 to the voters at the 2021 Municipal Election. The ordinance was unanimously approved in its first reading.

15. New Business

A. Ordinance #2021-09: An Ordinance Adopting the Budget for the Fiscal Year July 1, 2021 Through June 30, 2022

If adopted, Ordinance #2021-09 will set the Borough's FY 2022 Budget

B. Borough Comments to DNR's Preliminary Decision Regarding Petersburg Borough Municipal Land Selections ADL 108981 (Thomas Bay)

The comment deadline for DNR's preliminary decision regarding Petersburg Borough's Municipal Land Selections is May 3, 2021. Community and Economic Director Cabrera has drafted the attached response for the Assembly to approve or amend.

16. Communications

A. Correspondence Received Since April 15, 2021

17. Assembly Discussion Items

A. Seasonal Sales Tax

Assembly Member Norheim requests a discussion about a seasonal sales tax.

B. Assembly Member and Mayor Term Limits

Assembly Member Norheim requests a discussion on term limits for Assembly Members and Mayor.

C. Assembly Member Comments

D. Recognitions

18. Adjourn



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Minutes Borough Assembly

Monday, May 18, 2020

6:00 PM

Assembly Chambers

1. Call To Order/Roll Call

Mayor Jensen called the meeting to order at 6:00 p.m.

Present: 7 - Mayor Mark Jensen, Assembly Member Bob Lynn, Assembly Member Brandi Marohl, Assembly Member Jeffrey Meucci, Assembly Member Taylor Norheim, Assembly Member Jeigh Stanton Gregor and Assembly Member Chelsea Tremblay

2. Voluntary Pledge of Allegiance

The Pledge was recited.

3. Approval of Minutes

There were no minutes available for approval.

4. Amendment and Approval of Meeting Agenda

The agenda was amended to add under Assembly Discussion Item B: CARES Act Funding for all Non Profits, Particularly Day Care Centers. The amended agenda was unanimously approved.

5. Public Hearings

- A. Public Hearing for Ordinance #2020-14: An Ordinance Amending Chapter 4.24 "Property Tax" to Change the Payment Due Date for Property Taxes

No testimony was given.

- B. Public Hearing for Ordinance #2020-15: An Ordinance Adopting the Budget for the Fiscal Year July 1, 2020 Through June 30, 2021

No testimony was given.

- C. Public Hearing for Ordinance #2020-16: An Ordinance Amending Title 2 (Elections) of the Petersburg Borough Code to Provide for an Election by Mail at the Discretion of the Assembly

No testimony was given.

6. Bid Awards

7. Persons to be Heard Related to Agenda

Blake Buotte, Vice President of the PMEA, spoke in support of a contract extension and the proposed 2% wage increase.

Camie Gillen, representing the PMEA, spoke in support of the PMEA contract extension and the proposed 2% wage increase.

Mike Olivo, representing American Cruise Lines, spoke on their commitment to safe cruising this summer.

Tom Abbott, Station Manager of KFSK Community radio, asked for consideration of the full funding requested by KFSK from the Borough's FY 2021 Community Services Budget.

David Berg, owner of Viking Travel, spoke on the cruise ship docking and disembarkment mandate and the travel industry's commitment to safe travel this summer. Mr. Berg also spoke in support of funding KFSK.

David Beebe, representing himself, commended the Borough in keeping its citizens safe and supported face masking.

James Kerr, Chief of Police, spoke in support of the proposed 2% wage increase.

8. Persons to be Heard Unrelated to Agenda

No views were shared.

9. Board, Commission and Committee Reports

10. Consent Agenda

11. Report of Other Officers

A. Parks and Recreation Department Update

Manager Giesbrecht provided a verbal update to the Assembly on the Parks & Recreation Department.

12. Mayor's Report

A. May 18, 2020 Mayor's Report

Attachments: [May 18, 2020 Mayor's Report](#)

Mayor Jensen read his report into the record.

13. Manager's Report

A. May 18, 2020 Manager's Report

Attachments: [May 18, 2020 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

Ordinances for Second Reading

A. Ordinance #2020-14: An Ordinance Amending Chapter 4.24 "Property Tax" to Change the Payment Due Date for Property Taxes

Attachments: [Ordinance #2020-14](#)

Ordinance #2020-14 was unanimously approved in its second reading.

B. Ordinance #2020-15: An Ordinance Adopting the Budget for the Fiscal Year July 1, 2020 Through June 30, 2021

Attachments: [Ordinance #2020-15 for 3rd reading](#)

Ordinance #2020-15 was amended as follows:

- The proposed additional Building Maintenance position was removed.
 - Replacement of a Police Department SUV was added.
 - Revisions inadvertently excluded from the proposed budget in the Electric and Sanitation Departments were added.
 - The dollar amount of the SRS Transfer Out to the General Fund was corrected.
 - A Special Revenue Fund was added for CARES Act funds the Borough will receive.
 - The Fire Department Training Budget was reduced by \$9,000.
 - The Community Services Budget for KFSK was restored to the same level as FY 2020.
- The ordinance, as amended, was unanimously approved in its second reading.

C. Ordinance #2020-16: An Ordinance Amending Title 2 "Elections" of the Petersburg Borough Code to Provide for an Election by Mail at the Discretion of the Assembly

Attachments: [Ordinance #2020-16 for 3rd Reading](#)

Ordinance #2020-16 was unanimously approved in its second reading.

15. New Business

A. Ordinance #2020-17: An Emergency Ordinance Amending Borough Code Chapter 3.72 to Provide for Civil Emergency Provisions

Attachments: [Ordinance #2020-17](#)

By unanimous roll call vote, Ordinance #2020-17 was approved in its first reading.

B. Ordinance #2020-18: An Ordinance Adjusting the FY 2020 Budget for Known Changes

Attachments: [Ordinance #2020-18](#)
[CARES Act Funding Distribution Amount](#)

The Assembly unanimously approved Ordinance #2020-18 in its first reading.

C. Resolution #2020-04: A Resolution Authorizing a Loan Application to the Alaska Clean Water Fund to Assist in Funding Improvements to the Wastewater Collection System

Attachments: [Resolution #2020-04](#)

Resolution #2020-04 was unanimously approved.

- D. Extension of Petersburg Borough Health Mandate #05 (Borough Harbor Facilities - cruise ship docking and disembarkment)

Attachments: [EOC IC Hagerman Memo - Extension Request](#)
[PB Public Health Mandate #05 Extension](#)
[PB Public Health Mandate #05](#)

Extension of Petersburg Borough Health Mandate #05 was approved by unanimous roll call vote.

- E. Extension of the Current Petersburg Municipal Employees Association Collective Bargaining Agreement to December 31, 2020 and Authorization of a 2% Wage Increase Effective July 1, 2020

Attachments: [Letter of Agreement](#)

Extension of the current Petersburg Municipal Employees Association Collective Bargaining Agreement to December 31, 2020 and authorization of a 2% wage increase effective July 1, 2020 was approved by a vote of 5 to 2, Mayor Jensen and Member Marohl opposed.

- F. Letter of Support for GCI's Application for Easement to Remove and Relocate a Fiber Optic Cable in Stikine Straits

Attachments: [Letter of Support - GCI Cable Relocation](#)
[SEAPA Request for Letter of Support](#)

The letter of support for GCI's application for an easement to remove and relocate a fiber optic cable in Stikine Straits was unanimously approved.

- G. South Harbor Navigation Improvements Design Phase Project Partnership Agreement

Attachments: [South Harbor Dredge Agreement with Corps](#)
[Cost Share Breakdown](#)

The South Harbor Navigation Improvements Design Phase Project Partnership Agreement was unanimously approved.

- H. Use of Cellular Phone During a Public Meeting Policy

Attachments: [Cellular Phone Use During Public Meeting Policy](#)

The Assembly unanimously approved the Use of Cellular Phone During a Public Meeting policy.

16. Communications

- A. Communications Received Prior to May 11 Agenda Deadline

Attachments: [KFSK 4.30.2020](#)
[S. Burrell 5.9.2020](#)
[D. Rogers 5.11.2020](#)

17. Assembly Discussion Items

A. American Cruise Lines Scheduled Dockings in June

Member Tremblay discussed the desire to have more time and conversation regarding the docking schedule.

B. CARES Act funding for all non-profits particularly daycare centers

The Assembly discussed ways to aid non-profits and day care centers with CARES Act funds.

C. Assembly Member Comments

Member Tremblay addressed the issue of the State Attorney General not planning to offer voting by mail for either the primary in August or the November election. In the interest of safety (COVID), she asked that the Assembly draft a letter requesting him to reconsider and for him to allow voting by mail for the November election. She asked for a draft letter to be an action item on the next agenda.

Member Meucci discussed high school graduation on May 26th and encouraged the public to get out and show their appreciation for our PHS graduates.

D. Recognitions

Member Tremblay recognized and thanked The Petersburg Community Foundation for their COVID related rolling applications that are happening for non-profits. They have so far given money of support to Mountain View Manor Food Services, Salvation Army, Petersburg Indian Association, Lighthouse Assembly of God, Petersburg Mental Health Services, and Petersburg Children Center for housing placements, food vouchers, direct meals and food pantry.

18. Adjourn

The meeting was adjourned at 8:43pm.

Debra K. Thompson

Date Approved _____



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Minutes Borough Assembly

Monday, June 1, 2020

12:00 PM

Assembly Chambers

1. Call To Order/Roll Call

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

Present: 7 - Mayor Mark Jensen, Assembly Member Bob Lynn, Assembly Member Brandi Marohl, Assembly Member Jeffrey Meucci, Assembly Member Taylor Norheim, Assembly Member Jeigh Stanton Gregor and Assembly Member Chelsea Tremblay

2. Voluntary Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Approval of Minutes

There were no minutes available for approval.

4. Amendment and Approval of Meeting Agenda

The agenda was approved unanimously as presented.

5. Public Hearings

A. Public Hearing for Ordinance #2020-18: An Ordinance Adjusting the FY 2020 Budget for Known Changes

No testimony was given during this public hearing.

6. Bid Awards

7. Persons to be Heard Related to Agenda

Paul Paiclet spoke on behalf of American Cruise Lines. They operate the American Constellation. They have made the modification that all passengers and crew be required to test 72 hours prior to arriving in Alaska.

Joni Johnson read a letter into the record in support of Resolution #2020-08, CARES Act funding.

Nancy Berg, co-owner of Viking Travel spoke in regards to the AML memo, in support of small cruise ship travel.

Marj Oines spoke on her own behalf expressing concern about allowing cruise ships to town.

Mark Roberts spoke on behalf of the Alaska Trollers Association in favor of their request for funds.

Amy Dougherty, Director of the Alaska Trollers Association, spoke in support of the request for funding.

Kris Norosz spoke in support of the CARES Act funding.

Cynthia Lynn spoke on her own behalf expressing concern about the safety of cruise ships coming to town.

8. Persons to be Heard Unrelated to Agenda

David Beebe asked if the Borough had received a response from the Office of Inspector General regarding the letter sent requesting an investigation on events that were uncovered during the Tonka and Big Thorne Integrated Resource Timber Contracts activity review. Clerk Thompson reported that the Borough has not.

9. Board, Commission and Committee Reports

10. Consent Agenda

A. Stikine Services Lease Renewal #4

Attachments: [Stikine Services Lease Amendment #4](#)

The Assembly unanimously approved to renew the Stikine Services lease through May 15, 2025 for an annual rate of \$5,330.00

11. Report of Other Officers

A. PMC CEO Hofstetter

PMC CEO Hofstetter updated the Assembly on COVID related issues facing the medical center staff and recognized the staff for their tireless work during these challenging times.

B. Public Works Director Cotta

Public Director Chris Cotta reported on the ongoing Solid Waste Study. There is no rate increase planned for FY2021.

C. Community & Economic Development Director Cabrera

A draft review of the Visitor Industry Working Group's work will soon be released (delays are due to COVID).

12. Mayor's Report

There was no report for this meeting.

13. Manager's Report

There was no report for this meeting.

14. Unfinished Business

Ordinances for Third and Final Reading

- A. Ordinance #2020-14: An Ordinance Amending Chapter 4.24 "Property Tax" to Change the Payment Due Date for Property Taxes

Attachments: [Ordinance #2020-14](#)

Ordinance #2020-14 was unanimously adopted in its third and final reading.

- B. Ordinance #2020-15: An Ordinance Adopting the Budget for the Fiscal Year July 1, 2020 Through June 30, 2021

Attachments: [Ordinance #2020-15 for 3rd reading](#)

Ordinance #2020-15 was amended to increase the Community Services Budget for Mountain View Food Services to match the FY 2020 funding level. The ordinance, as amended, was unanimously approved in its third and final reading.

- C. Ordinance #2020-16: An Ordinance Amending Title 2 "Elections" of the Petersburg Borough Code to Provide for an Election by Mail at the Discretion of the Assembly

Attachments: [Ordinance #2020-16 for 3rd Reading](#)

Ordinance #2020-16 was amended to add wording to 2.04.060(F) and (L) to accommodate voters not listed on the voter register, provide the ability to hand deliver an absentee ballot, and provide a specific day and time as the deadline to request an absentee ballot. The ordinance, as amended, was unanimously adopted in its third and final reading.

Ordinances for Second Reading

- D. Ordinance #2020-18: An Ordinance Adjusting the FY 2020 Budget for Known Changes

Attachments: [Ordinance #2020-18](#)
[CARES Act Funding Distribution Amount](#)

By unanimous roll call vote, Ordinance #2020-18 was approved in its second reading.

15. New Business

- A. Resolution #2020-05: A Resolution Setting the Millage Rates for the Fiscal Year July 1, 2020 Through June 30, 2021

Attachments: [Resolution #2020-05](#)

Resolution #2020-05 passed unanimously.

- B. Resolution #2020-06: A Resolution Accepting Coronavirus Relief Funds from the State of Alaska, Department of Commerce, Community and Economic Development, for Costs that are Necessary for Expenditures Incurred Due to the Public Health Emergency with Respect to the Coronavirus Disease 2019 (COVID-19)

Attachments: [Resolution #2020-06](#)
[Coronavirus Relief Fund Grant Agreement](#)

Resolution #2020-06 passed unanimously.

- C.** Resolution #2020-07: A Resolution to Temporarily Change Assembly Meeting Times for the 2020 Summer Months of June, July, August and September to 12:00 Noon

Attachments: [Resolution #2020-07](#)

Resolution #2020-07 failed by a vote of 6 to 1, Member Lynn in favor.

- D.** Resolution #2020-08: A Resolution Approving Expenditure of \$390,000 from the CARES Act Special Revenue Fund to Mitigate Economic Harm to Nonprofit Organizations and Child Care Providers Related to the COVID-19 Outbreak

Attachments: [Resolution #2020-08 & Appendix A](#)

Resolution #2020-08 passed unanimously.

- E.** Alaska Trollers Association Request for \$2,500 to Legal Fund

Attachments: [Alaska Trollers Association Request](#)
[Q & A about the WFC Law Suit and ATA](#)
[ATA, Salmon State, ALFA Joint Press Release](#)

The Assembly approved funding to the Alaska Trollers Association in the amount of \$2,500.00 by a vote of 5 to 2, Members Lynn and Stanton Gregor opposed.

- F.** Public Health Mandate #3 Extension - In-Person Participation at Assembly Meetings Suspended During COVID-19 Crisis

Attachments: [PB Public Health Mandate #3 Extension](#)

The extension of Public Health Mandate #3 first failed unanimously due to Assembly members wanting the choice to attend in person. A motion to reconsider was made by Member Lynn and seconded by Member Meucci with a request to have a rewritten proposal to allow Assembly Members to attend in person if they choose before the Assembly at the June 15 meeting. Extension of Public Health Mandate #3 was unanimously approved.

16. Communications

- A.** Communications Received Prior to May 25 Agenda Deadline

Attachments: [Petersburg Children's Center 5.14 & 15.2020](#)
[B. Lynch 1 5.18.2020](#)
[B. Lynch 2 5.18.2020](#)
[D. Marsh 5.18.2020](#)
[N. Strand 1 5.18.2020](#)
[N. Strand 2 5.18.2020](#)
[B. Martin 5.18.2020](#)
[D. Berg 5.19.2020](#)
[M. Olsen 5.21.2020](#)
[Clausen Memorial Museum 5.21.2020](#)

B. American Cruise Lines, Inc.

Attachments: [American Cruise Lines - COVID-19 Operating Policies and Risk Mitigation Plan](#)
[American Cruise Lines - Operating Safely Amid COVID-19](#)

C. SE Alaska Association for the Education of Young Children

Attachments: [seaaeyc 5.27.2020](#)

D. Petersburg Economic Development Council

Attachments: [PEDC 5.28.2020](#)

17. Assembly Discussion Items

A. Small Cruise Ship 2020 Summer Visits to Petersburg

Attachments: [EOC IC Hagerman Email re Local Mandate 5 - Harbor Access](#)
[AML Memo re Small Cruise Ship Travel](#)
[PB Public Health Mandate #05](#)
[SoA COVID-19 Health Mandate 10](#)

Mayor Jensen gave an update on the progression of the Alaska Municipal League survey and opened the discussion of how the Assembly wishes to proceed. Member Tremblay gave an update of the recent meetings with American Cruise Lines. Incident Commander Karl Hagerman stated the EOC would be willing to answer the survey from AML. Manager Giesbrecht stated that he feels the EOC is qualified to work with AML on this survey.

Member Meucci requested that Public Health Mandate #5 be placed on the June 15, 2020 agenda as an action item, since it is expiring at the end of June. He would like to see it extended through August or September.

B. Manager Giesbrecht Annual Evaluation

Attachments: [2020 Borough Manager Evaluation Form](#)

Member Meucci requests the Manager's Evaluation be performed (delayed do to COVID) and that the process be somewhat simplified and more user friendly.

C. Visitor Industry Working Group

Member Meucci requested the Visitor Industry Working Group take a look at the cruise company's mitigation plans.

D. Assembly Member Comments

Member Meucci expressed disappointment in a pornographic photo with a Borough employee's name associated with it circulating the community. He requested community members respect each other.

Member Tremblay reminded the public that Open isn't Over and encouraged continued COVID precautions.

Member Norheim shared that a healthy immune system is your best COVID defense and is aquired by eating right.

E. Recognitions

18. Adjourn

The meeting was adjourned at 2:23 p.m.

Debra K. Thompson

Date Approved _____



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Minutes Borough Assembly

Monday, June 1, 2020

1:00 PM

Assembly Chambers

Special Meeting for 3rd Reading of Ordinance #2020-18 re CARES Act Special Revenue Fund

1. Call To Order/Roll Call

Mayor Jensen called the meeting to order at 2:24 p.m.

Present: 6 - Mayor Mark Jensen, Assembly Member Bob Lynn, Assembly Member Brandi Marohl, Assembly Member Jeffrey Meucci, Assembly Member Taylor Norheim and Assembly Member Chelsea Tremblay

Excused: 1 - Assembly Member Jeigh Stanton Gregor

2. Unfinished Business

Ordinances for Third and Final Reading

A. Ordinance #2020-18: An Ordinance Adjusting the FY 2020 Budget for Known Changes

Attachments: [Ordinance #2020-18](#)
[CARES Act Funding Distribution Amount](#)

Ordinance #2020-18 was approved unanimously in its third and final reading.

3. Adjourn

The meeting was adjourned at 2:26 p.m.

Debra K. Thompson

Date Approved _____



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce,
Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

April 23, 2021

Petersburg Borough

Via Email: dtompson@petersburgak.gov, daikins@petersburgak.gov

Re: Notice of Liquor License Renewal Application

DBA	Type	City	Borough	Community Council
Inga's Gallery	Restaurant/Eating Place - Seasonal	Petersburg	Borough of Petersburg	NONE

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

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

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

Sincerely,

Glen Klinkhart, Director
amco.localgovernmentonly@alaska.gov

**Petersburg Volunteer
Fire Department**

Memo

To: Petersburg Borough Assembly
From: Fire Chief Stolpe
Date: April 28, 2021
Re: Petersburg Volunteer Fire Department Report (First Quarter 2021)

I would like to present this information to you as it relates to Petersburg Volunteer Fire Department for the first quarter of 2021 (January through March). As you know, 2020 was a very unusual year due to COVID-19 and unfortunately, we continue to be impacted by the pandemic in 2021. The Petersburg Volunteer Fire Department and its members are not exempt from the restrictions and mitigations measures set forth by CDC, the State of Alaska, and the Borough.

The fire branch has continued with in-person training and EMS and SAR have recently resumed in-person training, all with mitigations measures in place. We continue to meet virtually if not in person. We continue to postpone and/or suspend activities and programs until it is safe to resume.

January 1, 2021 through March 31, 2021

Fire Branch donated 516 person hours.

Responded to 19 incidents for 246 person hours donated.

Had 7 drills for 170 person hours donated.

Participated in other activities (meetings, good deed opportunities, etc) for 100 person hours donated.

EMS Branch donated 355 person hours.

Responded to 54 calls with 54 patient contacts for 170 person hours donated.

Had 6 drills for 98 person hours donated.

Participated in other activities (meetings, BLS, Polar Dip, ECHOs, etc) for 87 person hours donated.

SAR Branch donated 116 person hours.

Responded to 1 incident for 3 person hours donated.

Had 5 drills for 94 person hours donated.

Participated in other activities (meetings, admin, gear organization, etc) for 19 person hours donated.

Petersburg Volunteer Fire Department Volunteer Members donated 987 person hours for the first quarter (January – March) of 2021.

We are still accepting applications for new members. We hope to offer a firefighter recruit class, an EMS course, and restart the Junior Firefighter program as soon as it is safe to do so.

Respectfully,

Fire Chief Stolpe

**Mayor's Report
For
May 3, 2021 Assembly Meeting**

- 1. Alaska Natives Without Land Legislation:** Alaska's Federal Delegation plans to reintroduce the Landless Native legislation soon. Comments and questions regarding the transfer of ownership of federal lands and infrastructure to the Southeast Alaska native communities that were not included in the Alaska Native Claims Settlement Act (ANCSA) may be emailed to assembly@petersburgak.gov.

A copy of Senate Bill 4891, which was introduced in the 116th Congress but failed to move to a vote of Congress before the end of the last session, is on the Borough website for public viewing along with maps of the federal lands selected for transfer to Haines, Ketchikan, Petersburg, Tenakee and Wrangell.

- 2. Conference of Young Alaskans:** The Alaska Municipal League and the Alaska Conference of Mayors are hosting the 2021 Conference of Young Alaskans (COYA) August 1-4, 2021 in Fairbanks. Fifty-five emerging leaders between the ages of 16 and 25 will participate as delegates, deliberating municipal policy and forming vision statements for municipal governance in Alaska. Delegates will be selected based on their application to participate in this unique opportunity. Selected delegates will attend at no cost to them. The application deadline is May 10, 2021. A draft agenda and information packet regarding the conference are attached to this report.
- 3. Changing the Recitation of the Pledge of Allegiance During Assembly Meetings from Voluntary to Mandatory:** At the April 19, 2021 Assembly meeting, Member Norheim brought up the subject of mandatory recitation of the Pledge of Allegiance (a version without the words "under God") during Assembly meetings. Borough Attorney Heideman feels mandatory recitation would face "serious constitutional challenge under both the federal and state constitutions". Attorney Heideman's opinion is as follows:

"In my view, an ordinance compelling the recitation of the pledge of allegiance by individual Assembly Members (as opposed to Members remaining silent during a voluntary pledge) would face serious constitutional challenge under both the federal and state constitutions -- specifically, the free speech rights granted under the 1st Amendment of the U.S. Constitution and the freedom of speech provisions of Art. I, §5 of the Alaska Constitution, which the Alaska Supreme Court has held protects free speech at least as broadly as the U.S. Constitution. See, e.g., W.Va. State Bd. Of Educ. v. Barnette, 319 U.S. 624 (1943) (A United States Supreme Court case holding unconstitutional a Board of Education

resolution requiring teachers and pupils to recite the pledge of allegiance and salute the flag). Removal of the words "under God" from the pledge would not cure the constitutional concerns.

There is no Alaska Supreme Court case which directly addresses the issue of the pledge of allegiance, however the Court did uphold free speech rights of elected officials in Alaskans for a Common Language, Inc. v. Kritz, 170 P.3d 183 (Alaska 2007), in the context of an English-only initiative."

- 4. Invitation to Join the United Fisherman of Alaska:** Mayor Jensen received an invitation from the UFA Executive Director requesting the Petersburg Borough join the UFA as a community supporting member at the cost of \$300 per year. Joining the UFA will support the economic benefits provided the State and local businesses by the commercial fishing industry. If any Assembly Member would like this as an action item on a future agenda, please let Clerk Thompson know. The letter from UFA Executive Director Leach is attached to this report.
- 5. Seeking Letters of Interest:** The Assembly is seeking letters of interest from Borough residents who wish to serve the community by filling a vacant seat on the following Boards/Commissions until the October 2021 Municipal Election:

Planning Commission – 1 vacant seat
Public Safety Advisory Board – 2 vacant seats

Letters of interest should be submitted to Clerk Thompson at the Borough office located at 12 S. Nordic Drive; by mailing to PO Box 329, Petersburg, AK 99833; or by emailing to dthompson@petersburgak.gov.



ONE SEALASKA PLAZA, SUITE 200 • JUNEAU, ALASKA 99801
 TEL (907) 586-1325 • FAX (907) 463-5480 • WWW.AKML.ORG

Member of the National League of Cities and the National Association of Counties

April 2021

The Alaska Municipal League (AML) invites emerging Alaska leaders, ages 16-25, to join us at the 2021 Conference of Young Alaskans (COYA). COYA is a unique opportunity that will be offered to 55 Alaskan leaders, who will convene and work together in Fairbanks this August 1-4, 2021.

COYA has been hosted three times in its history, and originally convened to recognize the Constitutional Convention. It has focused on state and statewide issues in the past; “delegates” came from across the state to address critical issues facing the State. Their work was delivered directly to policy makers.

In 2021, delegates will again be drawn from across Alaska to address statewide issues that are critical to local governments. AML is celebrating its 70th anniversary – we’re excited about strengthening Alaska’s cities and boroughs to truly maximize local self-governance. Delegates will help by contributing their perspectives, drafting and deliberating upon questions facing local governments.

- How could local control be enhanced within the unorganized borough?
- What is an appropriate transition from general law to home rule local governments?
- How should a tax base be evaluated to make sure that revenues are in place to provide services?
- What role do local governments have in ensuring quality of life and sustainability of communities?
- What should the relationship be between the State and its political subdivisions?

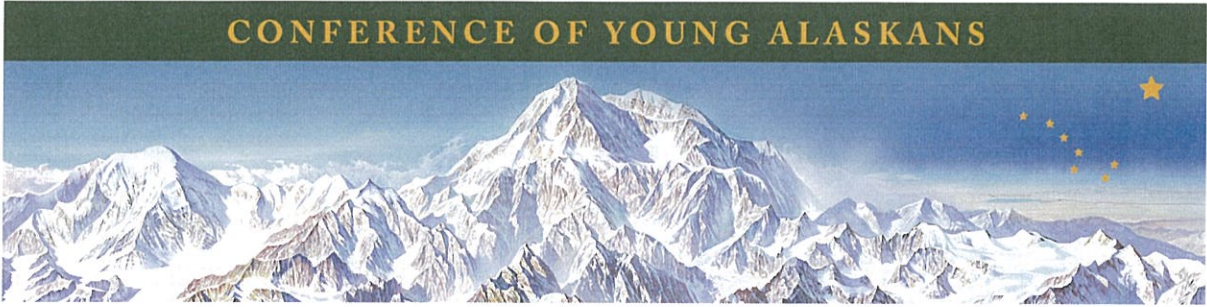
The Final Report of the 2021 COYA will be presented to the Alaska Conference of Mayors on the final day of the Conference. It will further be distributed to every legislator, mayor, Governor, and our congressional delegation. Really, delegate voices can have a significant impact on Alaska policy.

COYA provides delegates the opportunity to meet and work with a diverse group of Alaskans who share a common interest in the future of the state. Professional development skills will be honed throughout the Conference, including through small group processes and peer networking. We’re committed to advancing the next generation of Alaska’s leaders.

Please find included more information as part of the application process, including a draft agenda. By participating, those selected will join a small group of Alaskans who have gone through this process. Past participants have been some of Alaska’s most promising young leaders, and today two are sitting legislators. You will be in the first group to participate in COYA with a focus on municipal government. Transportation, lodging, meals, and conference materials are completely sponsored and provided at no cost to you.

Applications are due May 10th. If you have any questions, please contact portlandh@akml.org or 907-790-5306. We hope to see you in Fairbanks at COYA 2021.

Portland Highbaugh
 Program Coordinator



**Conference of Young Alaskans 2021
 Fairbanks, August 1-4
 Application Form
 Due May 10, 2021**

The Conference of Young Alaskans (COYA) is the premier forum for engaging young Alaskans as emerging leaders. This year, we are especially interested in those who want to work together to strengthen local governments. 55 delegates will spend three days in Fairbanks, immersed in policy deliberations and one-on-one interaction with some of Alaska’s foremost municipal leaders. Delegates will attend COYA 2021 at no cost – transportation, lodging, meals and conference materials will be provided.

Name: _____

School or Employer: _____

Home Community: _____

Address: _____

Email: _____ Phone: _____

Ethnicity: _____ Gender: _____ Birth date: _____

Essay Questions – Attach answers on a separate sheet of paper or separate document, if submitting electronically.

In 50 words or less, please detail what you would bring to the COYA experience.

Answer two of the following short essay questions in 300 words or less (each).

1. How have you been involved in your community and tried to make a positive difference; how can you apply what you learned in this in the future?
2. What excites or dismays you about local government, or is it a blank space you want to fill?
3. Where do you see yourself in 10 years? What might you be doing to contribute to your community and Alaska?
4. If you were mayor, what changes would you make?

Provide one reference from a current or former employer or teacher who will attest to your ability to contribute positively and substantively to the COYA experience.

- Name: _____
- Phone: _____
- Email: _____

As a part of your application, contact your Mayor to endorse your application.

As Mayor of _____, I support this application for COYA 2021.

Name: _____

Signature: _____

If selected, you will be asked to provide a brief bio and photo for publishing. You will receive notification of selection by May 28th – you must commit to participate in writing by June 8th to be included in the COYA 2021 process. Delegates will be expected to attend the entire three days from August 1-4, 2021. Conference organizers will be responsible for all costs associated with your participation, so this commitment is extremely important.

After confirming your commitment, you will receive more information about COYA 2021 including reading material, required forms to be filled out and travel information.

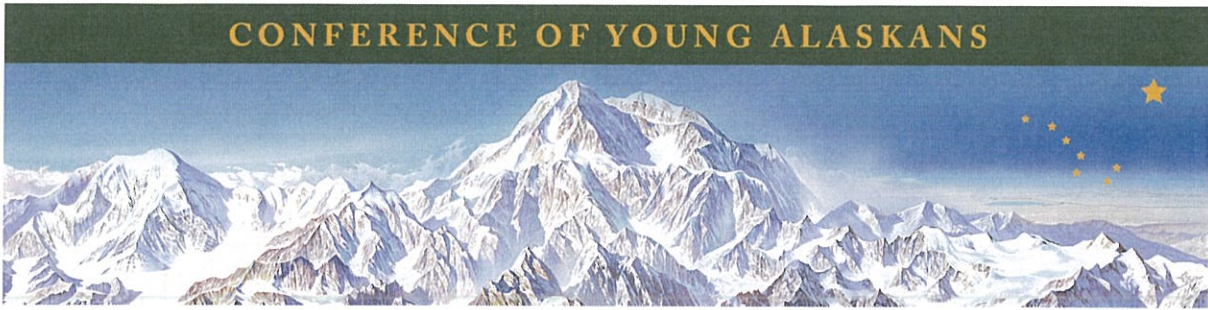
Applications can be sent in via email, mail, online at akml.org or fax:

Email: portlandh@akml.org

Fax: 907-463-5480

COYA
c/o Alaska Municipal League
1 Sealaska Plaza, Suite 200
Juneau, AK 99801

For more information, contact Portland Highbaugh at portlandh@akml.org or by phone at 907-790-5306.



What is the Conference of Young Alaskans?

The Conference of Young Alaskans will bring together 55 Alaskans to learn, discuss and deliberate topics that directly impact Alaska's local governments. Attendees (delegates) will work together in plenary and breakout sessions to create vision statements, priorities and action items about these topics. Final vision statements will be produced after a consensus has been reached. The final reports will be presented at the Summer Meeting of the Alaska Conference of Mayors.

Why should I attend COYA?

Participating in COYA allows you to have a voice in Alaska's local governments. The final reports will be distributed to all of Alaska's cities and boroughs – allowing your government leaders to know what your priorities are for the State. Additionally, delegates will engage with some of Alaska's foremost political, business and community leaders through interactive sessions.

When and where is it?

August 1-4, 2021 in Fairbanks

Who is the Conference of Young Alaskans for?

COYA is for Alaskans between the ages of 16-25 who are interested in municipal and state affairs.

How much is it to attend?

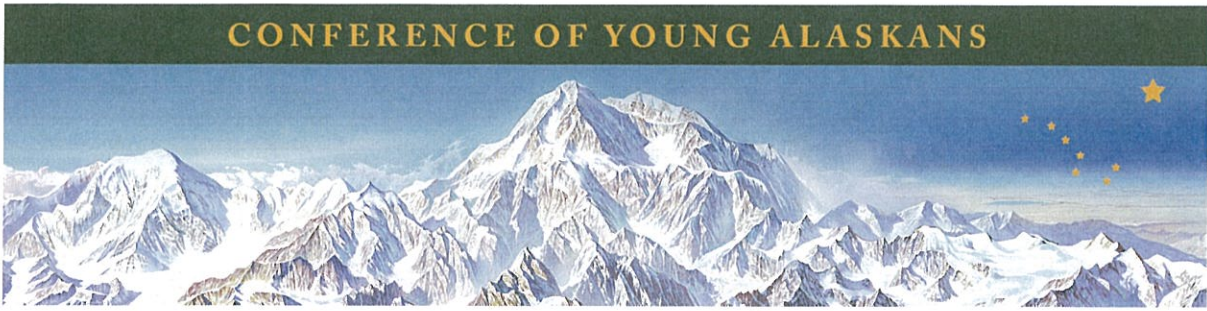
Thanks to our sponsors, delegates will attend free of charge. Transportation, lodging, meals and conference materials are paid for each delegate to ensure access and equity to all selected delegates.

How do I apply?

Applications are available on akml.org. The deadline to submit your application is May 10. Applications will be reviewed by the COYA Advisory Committee. Applicants will be notified of acceptance by May 28.

What if I have more questions?

Contact Portland Highbaugh at portlandh@akml.org or by phone at 907-790-5306.



Draft Agenda

Below is a sample schedule of what a day at the Conference of Young Alaskans might look like.

- | | |
|----------|--|
| 7:00 AM | Breakfast |
| 8:00 AM | <p>Speed Dating Subject Matter Experts – groups of 3-4 delegates meet with subject matter experts to for a crash course in their fields. Groups will rotate through each topic, giving them the opportunity to listen and ask questions with each expert.</p> <ul style="list-style-type: none"> ○ Demographics ○ Fiscal Policy ○ Economic Development ○ Social and Community Development ○ Public Health |
| 10:30 AM | Professional Development Workshop |
| Noon | Lunch |
| 1:00 PM | Plenary: Legislators with local government experience (Panel) |
| 3:00 PM | Goal Setting (small groups) |
| 4:30 PM | Vision statements |
| 6:00 PM | Dinner and Social |



2021 Conference of Young Alaskans (COYA)

Strengthening Alaska Local Governments' Future

Saturday, July 31

Possible travel day for delegates

Sunday, August 1

5:30 PM Welcome Dinner

6:00 PM Orientation – Introduction and agenda

- **Nils Andreassen**, Alaska Municipal League
- Introduction to Facilitators
 - **Carole Triem**, City and Borough of Juneau
 - **Austin Otos**, Ketchikan Gateway Borough
 - **Meghan Topkok**, City of Nome
 - **Chelsea Tremblay**, Petersburg Borough
 - **Sabrena Combs**, City of Palmer

7:00 PM **Community Café**

Structured as a world café, stations will be set up for small groups of delegates to discuss with one another the interest they have in local government, knowledge or gaps, and what the future might look like. Rotations will allow full participation, and delegates will report out on outcomes.

- What do we know about our local government?
- What do we want to know?
- What would we change?
- What are we missing?

8:30 PM Adjourn

Monday, August 2

7:00 AM Breakfast and Welcome

- Mayor **Bryce Ward**, Fairbanks North Star Borough
- **Lee Ryan**, Ryan Air; COYA Alum

8:30 AM **Expert Speed Dating**

Experts will convey to small groups of delegates information that is relevant to understanding and working to address local government issues. Experts will be drawn from federal, state, local, and tribal governments; from the private and nonprofit sector; and from the university and research. Issues will range from education to law





enforcement, including fiscal policy, business development, innovation, health sanitation, and transportation.

10:00 AM Break

10:30 AM **Local Government Fishbowl**

Municipal officials will meet with delegates in a fishbowl discussion to address current challenges and opportunities, with an opportunity for all delegates to listen and contribute.

Noon Lunch and Plenary

Legislators will discuss their experience in local government or COYA, and their perspective on the relationship between the State and its political subdivisions.

- Sen. **Peter Micciche**; Mayor, Kenai Peninsula Borough (TBI)
- Sen. **Elvi Gray-Jackson**; Assembly, Municipality of Anchorage (TBI)
- Sen. **Jesse Kiehl**; Assembly, City and Borough of Juneau (TBI)
- Rep. **DeLena Johnson**; Mayor, City of Palmer (TBI)
- Rep. **Jonathan Kreiss-Tomkins**, COYA Alum (TBI)
- Rep. **Tiffany Zulkosky**, COYA Alum; Mayor, City of Bethel (TBI)

1:30 PM **Vision Statements**

Based on a proposed list of priorities, small groups will meet in “open space” to consider vision statements that consider how local governments should approach these now and into the future.

- Strengthening local control through home rule and borough government
- Tax base and economic development
- Quality of life and sustainability of communities
- Relationship between State and localities
- Intergovernmental collaboration
- Infrastructure and services

3:00 PM Break

Vision Planning (continued)

Small groups will settle into their last iteration to finalize the vision statement.

4:30 PM Break and Activity

6:00 PM Dinner and Plenary: Presentation and discussion of vision planning

7:30 PM Small Groups meet and revise statements, if necessary, develop goals

9:00 PM Adjourn





Tuesday, August 3

- 7:00 AM Breakfast – Mayors Dialogue
- **Clay Walker**, Denali Borough
 - **Pat Branson**, City of Kodiak
 - **Vern Halter**, Mat Su Borough
 - **Fannie Suvlu**, City of Utqiagvik
 - **Bob Sivertsen**, City of Ketchikan
-
- 8:30 AM **Goal-Setting**
- Small groups will reconvene to discuss how the vision for local government can be applied to the activities of local government. Delegates will develop goals and associated recommendations for consideration at the State and local level.*
- Public Safety
 - Early Childhood Learning and Education
 - Transportation and Infrastructure
 - Economic Development
 - Quality of Life
 -
- 10:00 AM Break
- 10:30 AM **Goal-Setting** (continued)
- Noon Lunch – “If I Were Mayor”
- Delegates will perform “If I were Mayor...” as spoken word.*
- 1:00 PM Plenary: Presentation and Discussion of Goals
- Small groups will report out on their goals and recommendations, with time for plenary discussion and feedback.*
- 3:00 PM Break
- 3:30 PM Presentation and Discussion of Goals (*continued*)
- 5:00 PM Activity
- 7:00 PM Ambassador Dinner
- Delegates will be joined by sponsors, community leaders, and local government officials.*
- 8:00 PM Small groups finalize products
- 9:00 PM Adjourn





Wednesday, August 4

7:00 AM Breakfast and Keynote

- **Clarence Anthony**, NLC Executive Director ()

8:30 AM Final Report – review, challenge and confirmation of consensus

Facilitated session with voting for approval of goals and recommendations.

11:00 AM Break

Noon Lunch and presentation Prep

1:00 PM Presentation to the Alaska Conference of Mayors

Discussion and Reflections

2:30 PM Adjourn

Travel home

COYA Staff/Volunteers

1. Josie Bahnke (confirmed)
2. Suzanne LaFrance (confirmed – unable to be present)
3. Sabrena Combs (confirmed)
4. Bryce Ward (confirmed)

Subject Matter Experts





UNITED FISHERMEN OF ALASKA

Mailing Address: PO Box 20229, Juneau AK 99802-0229
Physical Address: 410 Calhoun Ave Ste 101, Juneau AK 99801
Phone: (907)586-2820 **Email:** ufa@ufa-fish.org
Website: www.ufafish.org

March 10, 2021

Mayor Mark Jensen

Dear Mayor Jensen,

My name is Frances Leach and I am the Executive Director of the United Fishermen of Alaska (UFA) in Juneau. I am writing to inquire if the City and Borough of Petersburg might be interested in joining UFA as a community supporting member. UFA is the largest statewide commercial fishing trade association, representing 37 commercial fishing organizations from fisheries throughout the state and its offshore waters. Our mission is to promote and protect the common interests of Alaska's commercial fishing industry as a vital component of Alaska's social and economic well-being. UFA's strength is a direct function of the breadth of our member groups that comprise our Board of Directors. We would welcome community supporting members such as the City and Borough of Petersburg that are not currently UFA members to join and support the economic benefits provided the State and local businesses by the commercial fishing industry.

Supporting community membership costs \$300 a year. Community supporting members have the communities web link included on UFA site (pasted below). You can see the list of communities and businesses that are members of UFA right now represent a broad spectrum of the fishing community. Each supporting community member also receives a membership certificate and UFA decals that can be displayed in public places to demonstrate your support of the commercial fishing industry. We know from experience that such support is much appreciated by our hundreds of permit holders and crew who live throughout the State.

I very much appreciate your time and consideration. If you'd like to discuss this letter further I would be happy to do so at your convenience. My number is 586-2820.

<http://www.ufafish.org/member-organizations/business-members/>

Sincerely,

Frances H. Leach
 Executive Director

MEMBER ORGANIZATIONS

Alaska Bering Sea Crabbers • Alaska Longline Fishermen's Association • Alaska Scallop Association • Alaska Trollers Association
 Alaska Whitefish Trawlers Association • Area M Seiners Association • At-sea Processors Association • Bristol Bay Fishermen's Association
 Bristol Bay Regional Seafood Development Association • Bristol Bay Reserve • Cape Barnabas, Inc. • Concerned Area "M" Fishermen
 Cook Inlet Aquaculture Association • Cordova District Fishermen United • Douglas Island Pink and Chum • Freezer Longline Coalition • Fishing Vessel Owners Assn
 Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Crab Alliance Cooperative • Kodiak Regional Aquaculture Association • Kodiak Seiners
 Association • North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association • Northwest Setnetters Association • Petersburg Vessel Owner
 Association • Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owner Association • Seafood Producers Cooperative • Southeast Alaska Herring
 Conservation Alliance • Southeast Alaska Fisherman's Alliance • Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners
 Southern Southeast Regional Aquaculture Association • United Catcher Boats • United Southeast Alaska Gillnetters
 Valdez Fisheries Development Association



**Borough Manager's Report
Assembly Meeting 03 May 2021**

- ❖ The Borough has open positions in several departments. Interested parties should check with Becky or review the Borough's website and FACEBOOK page.
- ❖ EH window replacement should take place toward the end of May.
- ❖ Sandy attended several virtual meetings these past weeks. These include the State Local Emergency Planning Committee Association, Southeast Regional EMS Symposium, and the Petersburg Port Safety and Security spring teleconference April 27.
- ❖ Ryan attended the Alaska Fire and Arson Investigators Conference.
- ❖ The Library is getting summer programs ready to launch. We will have programs for all ages this summer.
- ❖ Thanks to the many individuals and businesses that have donated to Summer STREAM, donations can be made online (psglib.org) or at the library front desk.
- ❖ We're excited to welcome Ray Wesebaum to the Community Development Dept. Ray will be taking over Building Official duties. His first day is May 3rd.
- ❖ The State of Alaska's Low-Income Heating Assistance Program is accepting applications through August 31 this year. The state has also set up a virtual call center to assist applicants. The phone number is **1-800-478-7778**. Applicants must meet income requirements to receive assistance. Applications are available at the borough finance office or online at <http://dhss.alaska.gov/dpa/Pages/hap/default.aspx>.
- ❖ Water staff helped to mark the location of the water main on 12th Street prior to the start of the next phase of PIA's project to install storm drainage and sidewalks from Haugen Drive to the Airport Subdivision. The sidewalk on 12th Street will be installed on top of a water main that experienced a bad leak about 1 ½ years ago. Planning for the replacement of this main should be possible without disturbing a majority of the sidewalk or pavement.
- ❖ ADEC has issued an Approval to Construct for the Ira II Street Sewer Main project. Alan Murph, Project Engineer, is currently working on bid documents to advertise the work as soon as possible.
- ❖ Rock N Road has made good progress on the Scow Bay Pumpstation project. On April 27th, the new wet well was placed. The recent dry weather helped to reduce ground water impacts to the project dramatically.

- ❖ Staff is spending some time to familiarize themselves with the new public restroom trailers and sort out how they will be sited and operated through the spring, summer, and fall. We have a goal to have at least one of the trailers set up in the back of the municipal building parking lot prior to the Little Norway Festival.
- ❖ The annual SEAPA shutdown is scheduled for the first 10 days of June.
- ❖ D&D Tree Service continues to assist PMPL with various cutting and clearing activities around our local power lines.
- ❖ PMPL is working with the Chamber of Commerce and Hammer and Wikan to provide power to various functions and locations for the Festival.
- ❖ The spring snow survey at Tye and Swan Lakes indicate that there is the equivalent of 68 feet of lake level in the snowpack at Swan Lake and a whopping 159' of lake level equivalent at Tye Lake. In one of the survey locations at Tye Lake, the snow was over 20' deep and exceeded the capabilities of the measuring equipment. Crystal Lake has a healthy snowpack as well, but no annual calculations on snow water equivalent are made. With spring temperatures and rainfall, all lakes are now starting to fill.
- ❖ The finance department is starting up disconnects again for nonpayment of utilities.
- ❖ USACE has rescheduled the dredge spoil sampling for the first week in May. Staff continues to work on coordination support of this project.
- ❖ Annual Launch permits and Middle Harbor parking permits are available.
- ❖ Join Petersburg Parks and Rec this summer (May 1 – Sept 1) in a little friendly Southeast competition against Juneau and Wrangell in our “Walk SE” event! Check out the Parks and Rec Facebook page or contact them for more details!
- ❖ Parks and Rec will resume charging on May 17th. Details to follow!
- ❖ I met with Mark Morris and Peter Anderson regarding the repairs to the Aquatic Center. We have the Mechanical Engineer coming on May 7th and we are expecting some additional information from the original project engineer Wayne Jensen shortly. We will be working with them to identify the possible repairs and outline the estimates on the costs for the facility. It appears we will also need to have the interior of the building painted sometime soon as there is significant paint flaking occurring in the building, contributing to corrosion in places. I do not have a timeframe or cost on the painting currently.
- ❖ Assisted Living and Petersburg Medical Center staff met to discuss improved communications between the groups. This will likely be a meeting that we do regularly to help coordinate resident care at the Manor.

**PETERSBURG BOROUGH
ORDINANCE #2021-05**

**AN ORDINANCE OF THE PETERSBURG BOROUGH ADJUSTING
THE FY 2021 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 2021 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, 2020 and ending June 30, 2021 is adjusted as follows:

Explanation:

Necessary revisions in the FY 2021 budget identified after adoption of the Budget.

<u>Account Number</u>	<u>Account</u>	<u>Increase</u>
FISCAL YEAR 2021 REVENUE / EXPENSE BUDGET ADJUSTMENTS		
General Fund / Property Development Fund		
110.000.501961	General Fund - Transfer Out to the Property Development Fund	(\$669,379.)
260.000.402240	Property Development Fund – Transfer In from the General Fund	\$669,379.
As discussed and Approved in the Budget Policy Document on March 8, 2021.		
E911 Surcharge Fund		
270.000.501420	Procomm E911 System and Maintenance	(\$87,454)
On 11/2/20 the Borough Assembly approved Resolution #2020-20 for the purchase of a new E911 System. The Homeland security grant funded portion of this expense was previously budgeted for (\$285,000) but the E911 Expenses of \$87,454 was not, this is to add this expense to the Borough's FY21 budget.		
Property Development Fund		
260.000.506526	Motor Pool Shop Alternate Modifications	(\$55,650.)
Approved by Assembly at 2.22.21 Meeting and awarded to Rainforest Contracting.		
Local Emergency Disaster Fund – Southeast Storm		
800.050.501410	Southeast Storm – Professional Services (Harai & Associates)	(\$10,000.)
800.050.501412	Construction and Repair	(\$250,000)
City Shop Culvert Failure - May be reimbursed by FEMA		

Wastewater - Ira II Street Sewer Main		
430.000.501960	Wastewater Reserves – Transfer Out to IRA II Street Sewer Main Capital Project	(\$315,000)
756.000.402240	IRA II Capital Project – Transfer In from the Wastewater Fund	\$315,000.
756.000.501410	Professional Services	(\$40,000)
756.000.501450	Contractors/Construction	(\$275,000)
<p>The wastewater department discovered that the Ira II Street sewer main is failing and causing stoppages for customers on this street. This condition will be exacerbated by the construction of the new duplex at Ira II and 8th Street. In order to replace the failing pipe and provide dependable service to the utility customers on Ira II Street, the department is seeking to design and build the work as soon as possible. Passage of this supplemental budget item will allow the department to move forward with bidding the work in this fiscal year. Wastewater department reserves are healthy and will still be above the level required by the Assembly’s budget policy at the completion of this work.</p>		
Miscellaneous Grants		
200.000.402271	State DHSS Grant – COVID Testing & Vaccines	\$177,593.
200.000.504632	COVID Testing & Vaccine Expenses	(\$177,593.)
<p>State grant that the Borough will mainly pass through to the Medical Center for testing and vaccinations.</p>		

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.

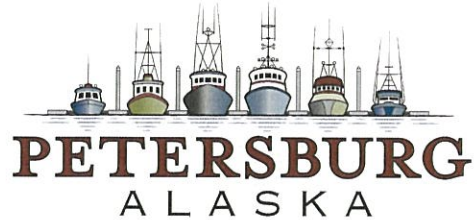
Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 3rd day of May, 2021.

Mark Jensen, Mayor

ATTEST:

Debra Thompson, Clerk

Adopted:
 Published:
 Effective:



Memorandum

04-28-21

To: Steve Giesbrecht, Borough Manager

CC: Mayor Jensen and Members of the Petersburg Borough Assembly

From: Chris Cotta, Public Works Director

Re: Motor Pool Shop Fire Damage Repairs – Change Order No. 1

Construction on the Motor Pool Repair project was initiated in late March and has been progressing smoothly thus far. During construction, several issues have arisen which need to be addressed via change order, as follows:

1. The roof insulation plan mirrored what was existing as per insurance company requirements. However, the system that was in place (batt insulation sandwiched under the metal panels) tends to leak over time, especially in rainy areas like Petersburg. The contractor has proposed spray foam insulation for the roof and walls. This will seal up the building more effectively than batt insulation and will also have the same R values as the system specified in the plans. It will also be much less likely to develop leaks over the long term. Cost for this upgrade is \$26,400. The contractor's memo and proposal for this item are attached for reference.
2. During demolition of the wall sheathing inside the office areas, numerous framing deficiencies were noted. Some walls were not properly supported, safety railing is not adequately anchored, one large window was missing a header causing sagging of the framing above, and other similar issues. The framing was not up to code when built and is certainly not up to current codes. Rainforest Contracting supplied a price of \$16,300 to address these issues. This will involve removing existing framing and installing new framing that meets code. The Contractor's proposal is attached for reference.
3. Plumbing issues have been noted during both the design and construction phases. As with the framing in the building, the existing plumbing lines and fixtures were not initially installed to code and do not meet current codes. The contractor has supplied a price to fix these issues by adding vent pipes where needed and installing properly sized drain piping in code-compliant locations. The Borough's insurance provider has previously stated that plumbing deficiencies would not be a covered cost and the Borough will have to fund these changes. Rainforest Contracting has supplied a price of \$6,750 to make the necessary corrections and ensure a properly functioning and code-compliant plumbing system going forward. This quote is attached for reference.

Public Works Department

PO Box 329, Petersburg, AK 99833 – Phone (907) 772-4430 Fax (907) 772-4102

www.petersburgak.gov

4. There is a compressed air line in the shop that runs under the slab and feeds the workbench in the center of the building. This air line failed somewhere underneath the slab a few years ago and as a result there is no permanent air supply to the main workbench in the shop. Because of the overhead crane, feeding air from above is not practical and running hoses over the floor can pose a trip hazard. Installing a new air line under the concrete slab is the best option moving forward. Rainforest Contracting has supplied a quote of \$3,200 to sawcut the slab, lay in new air pipe and patch with concrete. This would be done prior to floor refinishing so the resulting surface would be as smooth as possible. The quote for this work is attached for reference.

A summary of the above costs is presented in the table below. If approved, costs for the above items will be paid out of the Borough's property development fund. At present, the construction contract amount is \$1,130,450 of which \$55,650 is coming from the Borough's Property Development Fund, and the balance to be paid by the Borough's insurance provider. If Change Order 1 is approved, an additional \$52,650 would be coming from the Property Development Fund, for a total expenditure of \$108,300 from that fund for the Motor Pool Shop Repair project. Total contract amount would increase to \$1,183,100.

Item No.	Description	Cost
1	Spray foam insulation in roof and wall cavities	\$26,400
2	Correct framing deficiencies	\$16,300
3	Correct plumbing deficiencies	\$6,750
4	Replace failed air line to center workbench	\$3,200
	Total Cost for All Items – Change Order 1	\$52,650

If you are in agreement with Change Order No. 1 as described above, please forward it to the Borough Assembly for consideration at their next regular meeting on May 3, 2021. I'll be present at the meeting to answer any questions that may arise in regards to the need for this additional work. Thank you.

Attachments: Spray foam quote and memo (2 pages)
 Correct framing deficiencies quote (1 page)
 Plumbing and air line quotes (1 page)

Petersburg Motor Pool – Fire Damage Repair

This letter is in regards to the insulation methods stated in the plans. We believe that we have a better method that will make the building more efficient and be a better system for the longevity of the building.

In our experience the typical sag and bag insulation that is sometimes used on steel buildings is not a good fit for our climate. The sag and bag insulation is sandwiched in between the steel purlins and the roofing or siding metal, which creates a situation where the roofing screws do not seat up tight to the roofing metal. What we have seen happen in the past is that since the screws don't seat tight there is a good possibility for small water seeps, which would not be a problem in a dryer climate, but here in southeast Alaska it compounds the issue and the insulation becomes wet and stays wet.

Last spring we removed and replaced the roof on Reid Brothers shop for this very reason, the insulation had become so wet that the weight of it was falling off the ceiling into the shop. They sprayed foam insulation on the new roof to create a dryer and warmer shop.

In addition to the sag and bag the specs call for a fiberglass batt to be installed on the inside of the sag and bag insulation. Fiberglass batts are made to fit into a typical stud wall where the friction of insulation against the stud keeps the batt in place and prevents sagging. In a steel building there are no stud cavities so if batts are to be used they would be stacked into the wall and with nothing to prevent them from sagging there would be voids at the top of every cavity. The current building was blown in with a loose fill insulation in the wall cavities, which would be better than batts.

Spray foam insulation is very commonly used in steel structures especially in cold climates. It fills all voids and creates an airtight insulation. Buildings that use spray foam are more efficient and easier to heat.

**Job Proposal
Rainforest Contracting INC.
Petersburg, Alaska
Jesse West-General Contractor
Residential Endorsement**

Job: Petersburg Motor Pool – Fire Damage Repair

Date: 04/20/2021

Job Description: Install spray foam insulation in all exterior walls and roof to full R value of R-28 in the walls and R-40 in the ceiling. These are the R values that we would reach with the current insulation plan.

Total cost: \$26,400.00

Jesse West

**Rainforest Contracting INC.
Jesse West - President**

Cell (907) 518-1289

email - jesserwest@hotmail.com

**Job Proposal
Rainforest Contracting INC.
Petersburg, Alaska
Jesse West-General Contractor
Residential Endorsement**

Job: Petersburg Motor Pool – Fire Damage Repair

Date: 04/19/2021

Job Description: replace and/or fix all framing that is inadequate including missing headers, unsecured walls, replacing weak railings, adding support posts under stair landing.

Total cost: \$16,300.00

Jesse West

**Rainforest Contracting INC.
Jesse West - President**

Cell (907) 518-1289

email - jesserwest@hotmail.com

**Job Proposal
Rainforest Contracting INC.
Petersburg, Alaska
Jesse West-General Contractor
Residential Endorsement**

Job: Petersburg Motor Pool – Fire damage repair

Date: 04/28/2021

Job Description: Cut and expose plumbing around toilet flange, update plumbing to include venting and proper sized drain piping for washer and above plumbing. Pour new concrete patch to match surface

~~Option 1: to include rough in plumbing for urinal in bathroom while pipe is exposed below grade.~~

Option 2: to include saw cutting and laying in new pipe and pour new concrete patch for air supply to center bench

Total cost: \$6,750.00

~~Option 1: \$1,400.00~~

Option 2: \$3,200.00

Jesse West

**Rainforest Contracting INC.
Jesse West - President**

Cell (907) 518-1289

email - jesserwest@hotmail.com

**PETERSBURG BOROUGH
ORDINANCE #2021-06**

**AN ORDINANCE DETERMINING THAT PROPERTY CONVEYED TO THE
BOROUGH IN A TAX FORECLOSURE PROCEEDING SHALL NOT BE RETAINED
FOR A PUBLIC PURPOSE AND SHALL HEREAFTER BE SOLD**

WHEREAS, a tax foreclosure proceeding regarding real property taxes for tax year 2017 was initiated by the Petersburg Borough in the Superior Court, First Judicial District at Petersburg, and designated 1PE-19-55 Civil; and

WHEREAS, on November 22, 2019, the Court entered a Judgment and Decree, in favor of the Petersburg Borough, transferring to the Borough the properties remaining on the foreclosure list, subject only to the statutory rights of redemption; and

WHEREAS, starting on November 12, 2020 and in compliance with applicable state statutes and borough ordinances, the Borough caused to be published a Notice of Expiration of Redemption Period, once a week for a period of four consecutive weeks; and

WHEREAS, following expiration of the notice period, the 2018 taxes on the property described below remained unpaid, and the Borough thereafter sought and received a tax deed from the Clerk of Court, formally transferring ownership of that property to the Petersburg Borough, which was recorded on March 17, 2021 in the records of the Petersburg Recording District as document number 2021-000212-0; and

WHEREAS, under A.S. 29.45.460 and PMC 4.26.460, the Borough is now required to determine whether the foreclosed and transferred property shall be retained for a public purpose.

THEREFORE, the Petersburg Borough ordains,

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

Section 2. Purpose: The purpose of this ordinance is to determine whether a certain tax-foreclosed property shall be retained for a public purpose.

Section 3. Substantive Provisions:

A. The following described property, previously owned by Thomas E Cole Jr, was obtained by the Borough pursuant to a tax foreclosure proceeding:

Parcel Number 03-213-040

A parcel of land being Gov. Lot 12, Green Rocks Subdivision, Plat 82-1, Sec. 23, T60S, R79E, CRM, Petersburg Recording District, First Judicial District, State of Alaska. Also being a portion of the land described in Deed recorded in Book 24, Page 653, document number 1985-001090-0. (Physical location: Kupreanof Island, fronting the Wrangell Narrows, South of Papke's Landing Boat Launch)

B. It is hereby determined that a public need for the property does not exist, and that it will not be retained for a public purpose. The parcel shall hereafter be sold by the Borough.

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 the application to other persons or circumstances shall not be affected.

Section 5. Effective Date: This Ordinance shall become effective immediately upon final passage.

PASSED AND APPROVED by the Petersburg Borough Assembly, Petersburg, Alaska this ____ day of _____, 2021.

Mark Jensen, Borough Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective:



03-210-310 - Lot 5C

03-213-040 - Lot 12



**PETERSBURG BOROUGH
ORDINANCE #2021-07**

**AN ORDINANCE DETERMINING THAT PROPERTY CONVEYED TO THE
BOROUGH IN A TAX FORECLOSURE PROCEEDING SHALL NOT BE RETAINED
FOR A PUBLIC PURPOSE AND SHALL HEREAFTER BE SOLD**

WHEREAS, a tax foreclosure proceeding regarding real property taxes for tax year 2017 was initiated by the Petersburg Borough in the Superior Court, First Judicial District at Petersburg, and designated 1PE-18-39 Civil; and

WHEREAS, on December 4, 2018, the Court entered a Judgment and Decree, in favor of the Petersburg Borough, transferring to the Borough the properties remaining on the foreclosure list, subject only to the statutory rights of redemption; and

WHEREAS, starting on November 12, 2020 and in compliance with applicable state statutes and borough ordinances, the Borough caused to be published a Notice of Expiration of Redemption Period, once a week for a period of four consecutive weeks; and

WHEREAS, following expiration of the notice period, the 2017 taxes on the property described below remained unpaid, and the Borough thereafter sought and received a tax deed from the Clerk of Court, formally transferring ownership of that property to the Petersburg Borough, which was recorded on March 5, 2021 in the records of the Petersburg Recording District as document number 2021-000179-0; and

WHEREAS, under A.S. 29.45.460 and PMC 4.26.460, the Borough is now required to determine whether the foreclosed and transferred property shall be retained for a public purpose.

THEREFORE, THE PETERSBURG BOROUGH ORDAINS,

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

Section 2. Purpose: The purpose of this ordinance is to determine whether a certain tax-foreclosed property shall be retained for a public purpose.

Section 3. Substantive Provisions:

A. The following described property, previously owned by Leroy Ziegler and Thora Ziegler, was obtained by the Borough pursuant to a tax foreclosure proceeding:

Parcel Number 03-210-310

A parcel of land being a portion of Gov. Lot 5, Sec. 14, T60S, R79E, CRM, Petersburg Recording District, First Judicial District, State of Alaska (also referred to as 'Parcel C' or "Parcel 5C'). Also being a portion of the land described in Deed recorded in Book 43, Page 513, described as:

Beginning at the S.W. corner of said section 14; thence North 0° 03' west along the section line 914.02 feet; thence south 84° 47' 30" East 553.62 feet; thence north 26° 19' 27" west 360.00 feet; thence north 52° 30' 51" east 201.98 feet; thence north 17° 36' 06" west 180.00 feet to the true point of beginning; thence continuing north 17° 36' 06" west 90.00 feet; thence north 39° 52' 04" east 150.00 feet; thence south 20° 23' 22" east along the meander line 100.00 feet; thence south 44° 04' 32" west 149.19 feet to the true point of beginning, records of the Petersburg Recording District, First Judicial District, State of Alaska. (Physical location: Kupreanof Island, fronting the Wrangell Narrows, South of Papke's Landing Boat Launch)

B. It is hereby determined that a public need for the property does not exist, and that it will not be retained for a public purpose. The parcel shall hereafter be sold by the Borough.

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 the application to other persons or circumstances shall not be affected.

Section 5. Effective Date: This Ordinance shall become effective immediately upon final passage.

PASSED AND APPROVED by the Petersburg Borough Assembly, Petersburg, Alaska this ____ day of _____, 2021.

Mark Jensen, Borough Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective:



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, Swatch

03-210-310 - Lot 5C

03-213-040 - Lot 12



**PETERSBURG BOROUGH
ORDINANCE #2021-08**

**AN ORDINANCE TO REDUCE THE BOUNDARIES OF BOROUGH SERVICE
AREA NO. 1 BY REMOVING FREDERICK POINT EAST SUBDIVISION, AND
TO DIRECT THAT THE PROPOSED BOUNDARY AMENDMENT BE
SUBMITTED TO THE VOTERS RESIDING WITHIN THE SERVICE AREA AT
THE REGULAR ELECTION TO BE HELD ON OCTOBER 5, 2021, IN
ACCORDANCE WITH BOROUGH CHARTER SECTION 14.03B(1)-(2)**

WHEREAS, on January 3, 2013 the Election Division for the State of Alaska certified the election results of the December 18, 2012 incorporation election for the Petersburg Borough; and

WHEREAS, the election confirmed the incorporation of the Petersburg Borough and dissolved the City of Petersburg; and

WHEREAS, upon borough formation, Borough Service Area No. 1 was created, with boundaries coinciding with the boundaries of the prior City of Petersburg; and

WHEREAS, those prior City boundaries included Frederick Point East Subdivision (ASLS 83-32, Plat No. 84-5), which had been annexed to the City of Petersburg in 1978; and

WHEREAS, some property owners within Frederick Point East Subdivision have expressed a belief that Frederick Point East Subdivision has more in common with the portions of the Borough located outside of Service Area No. 1 than it does with the remainder of Service Area No. 1; and

WHEREAS, the Assembly has determined to put this matter before the Service Area voters in accordance with Borough Charter Sec. 14.03(B)(1)-(2), to have the voters consider whether to reduce the boundaries of Borough Service Area No. 1 to remove Frederick Point East Subdivision.

THEREFORE, THE PETERSBURG BOROUGH ORDAINS, as follow:

Section 1. Classification: This ordinance shall not be codified in the Petersburg Municipal Code.

Section 2. Purpose: The purpose of this ordinance is to put before the voters residing within Service Area No. 1 a proposition as to whether to reduce the boundaries of the service area by removing Frederick Point East Subdivision.

Section 3. Substantive Provisions:

A) In accordance with Section 14.03B(1)-(2) of the Borough Charter, the Borough Clerk shall submit this ordinance, as a single proposition, to the qualified Borough voters residing within Borough Service Area No. 1 at the regular election to be held on October 5, 2021.

B) If approved by the voters in accordance with Borough Charter Sec. 14.03(B)(1)-(2), the boundaries of Borough Service Area No. 1 would be reduced by removing the area encompassed within Frederick Point East Subdivision, as demonstrated on Alaska State Land Survey (ASLS) 83-32 (recorded as Plat No. 84-5).

C) Borough Service Area No. 1 would, upon such amendment to its boundaries, continue to exercise the same powers that it exercised prior to the amendment.

D) A map demonstrating the existing boundaries of Service Area No. 1 and the boundaries of Frederick Point East Subdivision is attached hereto as Exhibit A. Upon approved boundary reduction, the boundaries of Borough Service Area No. 1 would be reduced by removing the area encompassed within Frederick Point East Subdivision.

E) In order to be considered approved by the voters, the boundary reduction must be approved by both:

- 1. A majority of the voters who will remain within the boundaries of Service Area No. 1 after the reduction; and
- 2. A majority of the voters residing in Frederick Point East Subdivision; if no voters reside within that area, the written consent of all owners of real property within the area shall be deemed sufficient in lieu of such voter approval. Such written consent must be received by the Borough Clerk on or before the date of the election.

The term "majority of the voters" shall mean a majority of the qualified voters casting a ballot on the proposition at the election.

F) The proposition to be submitted to the voters shall read substantially as follows, with the Borough Clerk to administratively insert the 2021 mill rate and tax information where indicated:

Proposition #1

Reduction in the Boundaries of Borough Service Area No. 1 to Remove Frederick Point East Subdivision

Shall the boundaries of Borough Service Area No. 1 be reduced by removing the area known as Frederick Point East Subdivision, as demonstrated by ASLS 83-32 (recorded as Plat No. 84-5)?

- Yes
- No

A "Yes" vote means that the area known as Frederick Point East Subdivision would be removed from Borough Service Area No. 1. If this proposition is approved, Frederick Point East Subdivision would become part of the area of the Borough located outside of any service area (unless subsequently included within a service area).

A “No” vote means that the area known as Frederick Point East Subdivision would remain within Borough Service Area No. 1.

For year 2021, the area wide mill rate in the Borough was [redacted], and the Service Area No. 1 mill rate was an additional [redacted] mills (including debt service). If this boundary amendment is enacted, Frederick Point East Subdivision would be taxed at the area wide mill rate only beginning with year 2022 (unless subsequently included within a service area).

The amount of real property taxes for year 2021 imposed upon all properties within Service Area No. 1 totaled \$ [redacted] (including both the area wide mill rate and the additional Service Area No. 1 mill rate). The real property taxes imposed on properties located within Frederick Point East Subdivision accounted for \$ [redacted] of those total taxes (\$ [redacted] for the area wide mill rate and \$ [redacted] for the additional Service Area No. 1 mill rate).

In order to be enacted, this boundary reduction must be approved separately by both:

1. A majority of the voters who will remain within the boundaries of Service Area No. 1 after the reduction; and
2. A majority of the voters residing in Frederick Point East Subdivision. [*or, if there are no such voters residing within that area, then:* The written consent, received by the Borough Clerk on or before the date of the election, of all owners of real property within Frederick Point East Subdivision.]

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 the application to other persons or circumstances shall not be affected.

Section 5. Effective Date: This ordinance shall become effective immediately upon adoption. The proposed Borough Service Area No. 1 boundary reduction, if approved by the voters in accordance with Borough Charter Sec. 14.03(B)(1)-(2) and certified by the election judges, shall become effective at 12:01 am on January 1, 2022.

PASSED AND APPROVED by the Petersburg Borough Assembly, Petersburg, Alaska this _____ day of _____, 2021.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Noticed:
Effective:

**PETERSBURG BOROUGH
ORDINANCE #2021-09**

**AN ORDINANCE OF THE PETERSBURG BOROUGH ADOPTING THE BUDGET FOR THE FISCAL
YEAR JULY 1, 2021 THROUGH JUNE 30, 2022**

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 set forth budgetary requirements for the operation of the various divisions, departments and organizations of the Petersburg Borough for Fiscal Year 2022. Support to the Petersburg School District has been included in the General Fund Expenditures.

Section 3. Substantive Provisions: In accordance with Section 11.07 of the Charter of the Petersburg Borough, the budget for the fiscal period beginning July 1, 2021 and ending June 30, 2022 is hereby approved in the amounts and for the purposes as stated below. The supporting line item budget detail, as reviewed by the Assembly, is incorporated as part of this ordinance.

A. Fiscal Year 2022 Revenue and Expenditure Budget

<u>FUND</u>	<u>REVENUES</u>	<u>EXPENDITURES BUDGET</u>
<u>GENERAL FUND</u>		
General Fund	\$ 9,741,364	\$ 9,741,364
<u>ENTERPRISE FUNDS</u>		
Electric Fund	\$ 5,456,763	\$ 8,233,322
Water Fund	\$ 1,147,127	\$ 1,979,423
Wastewater Fund	\$ 908,668	\$ 1,324,220
Sanitation Fund	\$ 1,227,285	\$ 1,460,792
Harbor Fund	\$ 1,400,368	\$ 3,611,358
Elderly Housing Fund	\$ 445,870	\$ 534,415
Assisted Living Fund	\$ 1,781,558	\$ 1,953,788
<u>INTERNAL SERVICE FUNDS</u>		
Motor Pool Fund	\$ 937,680	\$ 1,860,774
<u>DEBT SERVICE FUND</u>		
	\$ 840,500	\$ 840,500
<u>SPECIAL REVENUE FUNDS</u>		
Miscellaneous Grants	\$ 215,232	\$ 215,232
Economic Development Fund	\$ 100,000	\$ 722,320
Secure Rural Schools Fund	\$ 500,000	\$ 475,000
Secure Rural Roads Fund	\$ 74,000	\$ 244,000
Property Development Fund	\$ 38,000	\$ 480,000
Transient Room Tax Fund	\$ 36,000	\$ 46,000
E911 Surcharge Fund	\$ 86,000	\$ 81,971
Marine Passenger Fee	\$ 12,000	\$ -
COVID-19 Fund	\$ 420,000	\$ 420,000
American Rescue Plan - ARPA	\$ 633,420	\$ 633,420
Local Disaster Fund - FEMA	\$ 289,000	\$ 289,000
Borough Organizational Fund	\$ -	\$ 61,128
<u>CAPITAL PROJECTS FUNDS</u>	\$ 10,520,318	\$ 14,986,710

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 July 1, 2020.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 7th day of June, 2021.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective:

May 3, 2021

TO: ASSEMBLY
FR: LIZ CABRERA

RE: PRELIMINARY DECISION – PETERSBURG BOROUGH MUNICIPAL LAND SELECTIONS ADL 108981
(THOMAS BAY)

BACKGROUND: As you know, the Land Conveyance Section (LCS) of the Alaska Department of Natural Resources issued a second preliminary decision regarding lands to be conveyed to Petersburg. The lands covered under this decision are Petersburg's selections made in February of 2018 comprising 701.199 acres in Thomas Bay.

In summary, the LCS is recommending Petersburg be conveyed 616 acres and be rejected for 85 acres.

Deadline to submit comments to the LCS is May 3, 2021.

SUMMARY OF DRAFT COMMENTS:

1. The draft comments below concur with the decision to convey 616.203 acres.
2. The draft comments do not object to the state retaining the following lands:

Tract A. This area is identified as important moose and wildlife habitat at Thomas Bay. The borough can object, but the management intent adopted by the state is to retain these lands in state ownership.

Tract D. – This area is identified as important moose and wildlife habitat at Thomas Bay. The borough can object, but the management intent adopted by the state is to retain these lands in state ownership.

May 3, 2021

Ms. Mary Hermon
Division of Mining, Land and Water
550 West 7th Avenue, Suite 640
Anchorage, Alaska 99501

RE: COMMENTS FROM THE PETERSBURG BOROUGH REGARDING THE LCS PRELIMINARY DECISION –
PETERSBURG BOROUGH MUNICIPAL LAND SELECTIONS ADL 108981

Dear Ms. Hermon,

The Petersburg Borough has completed its preliminary review of ADL 10898.

The Petersburg Borough supports the LCS's decision to convey approximately 616.203 acres of state owned vacant, unappropriated, unreserved (VUU) general grant land at Thomas Bay.

The Petersburg Borough has the following additional comments regarding statements in the Preliminary Decision:

Section V.

A. The City of Petersburg was dissolved in favor of the Petersburg Borough in 2013. Please delete reference to the City of Petersburg in the FFD.

B. Table 1. ADL 106536 (Section 35), Quiet Title. Please confirm in the FFD whether this quiet title action is Tract B-2 and not selected by the municipality.

B. Table 1. ADL 106536. Please confirm whether FDR 6101 was misidentified as 6010 in the PD.

B. Table 1. ADL 106536 (Sections 3,4, and 9), Quiet Title. Please confirm in the FFD that this quiet title action refers to Forest Development Roads 6252, 6256, 6010 (or 6101).

B. Table 1. ADL 106536. Please confirm whether FDR 6103 is located within the lands considered for conveyance.

Section VI.

A. The selections in ADL 108981 were submitted to the DNR in February of 2018, not in 2019 as stated in the Preliminary Decision. Please correct this in the FFD.

B.3. The PD establishes that the mineral estate is reserved to the state. Under Mineral Order 275, all parcels within the Thomas Bay Subdivision are closed to mineral entry. Please confirm in the FFD that there are no existing mineral related leases, permits, licenses, or claims. Please clarify whether MO 275 remains in force following conveyance of parcels within the Thomas Bay Subdivision.

D. The small road system in Thomas Bay developed because of state timber sales and an active material sale in the area. There is no “developing subdivision” in Thomas Bay.

D.1. The borough concurs with the LCS that the section-line easements that run through the Thomas Bay Subdivision (Plat 82-16) were vacated by Plat 82-17.

D.2. The borough concurs with the LCS that there are no RS-2477 rights-of-way with the selected lands.

D.3. The borough requests the following language be amended in *3 Navigable and Public Waters* to read: Unless a state approved survey exists, a survey will determine the Ordinary High Water Mark of the navigable and public waters....

D. 4. The borough concurs with the LCS that there are no navigable waters bordering or within the selected lands.

D. 4. The borough notes that no waters navigable in fact have been identified by the state in this decision.

D. 4. The borough notes that the LCS does not propose any alternative upland access routes to be reserved under 11 AAC 51.045(d)(1).

D.4. The borough concurs with the LCS that the beds of public waters are to be conveyed to the borough with the adjoining approved lands.

D. 4. Table 3 lists two unnamed lakes and one unnamed lake and stream in Thomas Bay as determined to be public waters under 11 AAC 51.035. The ADF&G comments makes no mention of these specific waterbodies nor are these called out on the accompanying DNR map. Additional correspondence with the LCS indicated:

- The unnamed lake in Section 35 is within Tract A on lands rejected for conveyance.
- The unnamed lake in Section 4 is located within Tract A on lands rejected for conveyance.
- The unnamed lake and streams in Section 9 are located within Tract D on lands rejected for conveyance.

Please confirm in the FFD whether these represent the state's public waters' reservation determinations.

H. The borough requests the language in *H. Conditional Leases and Sales* be amended in the FFD to read: "...land approved for conveyance until the land has been surveyed, unless a state-approved survey exists, and ownership transferred to the Borough."

Thank you for the opportunity to comment.

Sincerely,

STATE OF ALASKA
ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

PRELIMINARY DECISION
PROPOSED CONVEYANCE OF STATE LAND UNDER AS 29.65.010

PETERSBURG BOROUGH
MUNICIPAL LAND ENTITLEMENT SELECTIONS
ADL 108981

PUBLIC COMMENT PERIOD ENDS 4:30 PM, MONDAY, MAY 3, 2021

I. PROPOSED ACTION

Preliminary Decision: Petersburg Borough Municipal Land Entitlement Selections – ADL 108981
Attachment A: Thomas Bay
Attachment B: Public Notice

Primary Proposed Action: The State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) proposes to convey in part and reject in part, lands selected by Petersburg Borough (Borough) in partial fulfillment of their general grant land entitlement under AS 29.65.010 *Determination of Entitlement of Boroughs and Unified Municipalities*. See *Attachment A: Thomas Bay* for a depiction of the project area.

The Borough has selected subdivision (Thomas Bay Subdivision) parcels contained in Region 3 (Petersburg) as identified in the Central/Southern Southeast Area Plan¹ (CSSAP). Approximately 701 acres will be adjudicated in this decision.

LCS proposes to convey approximately 616 acres of state owned vacant, unappropriated, unreserved (VUU²) general grant land. Regarding these parcels, DNR has determined that there are no over-riding state interests that merit retaining these selections in state ownership.

LCS proposes to reject the conveyance of approximately 85 acres of borough selections because the land is ineligible for conveyance for reasons stated in the CSSAP and that it be retained to the State.

Public Notice of Proposal: In accordance with AS 38.05.945 *Notice*, during a period of at least 30 consecutive days, the public is invited to submit written comments on this Preliminary Decision (PD).

See **Section VII. Submittal of Public Comments** at the end of this document and *Attachment B: Public Notice* for details on how to submit a comment for consideration. If, after consideration of timely, written comments, LCS moves forward with the proposal, a Final Finding and Decision (FFD) will be issued.

¹ The *Central/Southern Southeast Area Plan (CSSAP)* adopted November 2000 determines the management intent, land-use designations, and management guidelines that apply to all state lands in the applicable planning area. This plan forms the basis for the land use classifications that constitute vacant, unappropriated, unreserved land for purposes of determining the eligibility of state land for potential conveyance to a municipality under AS 29.65 *General Grant Land*.

² *Vacant, unappropriated, unreserved (VUU)* land is general grant land patented or tentatively approved to the State from the United States, excluding minerals as required by 6(i) of the Alaska Statehood Act, and is conveyable under the Municipal Entitlement Act (AS 29.65).

II. AUTHORITY

The proposed actions in this PD are authorized pursuant to Alaska Statute (AS) and Alaska Administrative Code (AAC), particularly AS 29.65 *General Grant Land*, AS 38.05.035(e) *Power and Duties of the Director*, AS 38.05.125 *Reservations*, AS 38.05.127 *Access to Navigable or Public Water*, AS 19.10.010 *Dedication of Land for Public Highways*, 11 AAC 51 *Public Easements*, and 11 AAC 55 *Land Planning and Classification*.

III. ADMINISTRATIVE RECORD

The administrative record for this PD consists of case files Alaska Division of Lands (ADL) 108981, the Central/Southern Southeast Area Plan (CSSAP, adopted November 2000), the Alaska Department of Fish and Game (ADF&G) Alaska Anadromous Waters Catalog & Atlas to the Catalog, and Alaska Department of Environmental Conservation (DEC) Contaminated Sites Database. Additional files and resources are incorporated by reference.

IV. SCOPE OF DECISION

The scope of this proposal, under the statutes described in the preceding **Section II. Authority**, is limited and specific to a determination of whether it is found to be appropriate to convey the subject parcels to the Petersburg Borough. This decision includes a review of third-party interests, stipulations necessary to effectuate this decision, and an evaluation of whether the public interest in retaining state ownership of the land outweighs the Borough's interest in obtaining the selected lands as provided in AS 29.65.050 *Fulfillment of Land Entitlement*. In this decision, LCS will also determine whether the Petersburg Borough's municipal entitlement land selections meet the requirements under AS 29.65.070(c) *Selection and Conveyance Procedure*, and whether it is appropriate to allow the Borough to exercise immediate management authority for conditional sales and leases on land approved for conveyance.

V. DESCRIPTION

A. Location and Geographical Features

Petersburg Borough was incorporated as a Non-Unified Home Rule Borough in 2013. The Borough boundary encompasses the entrance to Endicott Arm, east to the Canadian border, south to Sumner Strait, west through the middle of Kupreanof Island (east half of the island), and north along Stephens Passage up to Endicott Arm. The City of Petersburg is the largest population area and is located on the north end of Mitkof Island.

The general area within the borough boundary is characterized by steep hillsides along the coast and fairly flat coastal plains. Spruce bog vegetation is found on coastal plains, whereas the steeper hillsides support a mixture of hemlock and spruce forest. The northern area of Mitkof Island has a steep mountain terrain, while the southern part of Mitkof Island is characterized by gently sloping coastal plains backed by foothills, often rising rapidly and producing steep valleys.

<i>Borough/Municipality:</i>	Petersburg Borough
<i>Meridian:</i>	Copper River (CRM)
<i>Regional Native Corp.:</i>	Sealaska Corporation
<i>Tribes:</i>	Central Council of the Tlingit and Haida Indian Tribes of Alaska, Petersburg Indian Association
<i>USGS Map Coverage:</i>	Petersburg Quadrangle (1:250,000) Petersburg D-3 (1:63,360)

B. Legal Description, Land Status, and Third-Party Interests

Table 1 below identifies Petersburg Borough land selections adjudicated in this decision by location name, Township (T), Range (R), Sections (S), and includes state case file, title status, date, and any third-party interest affecting those state owned. The State holds fee title to the land and mineral estates through either Patent or Tentative Approval (TA) received from the

U.S. Department of the Interior, Bureau of Land Management (BLM). The State will only convey the land estate on lands approved for conveyance to the Borough. AS 38.05.125 requires the State to retain the mineral estate.

Table 1

Map Name	MTRS	State Case File	Title/ Date	Third Party Interests
Thomas Bay	C056S079E35	NFCG 124	PA 50-2004-0112 12/29/2003	ADL 106536 Agreement/Settlement, Approved, Quiet Title ADL 108379 Land Sale Project, Auction Brochure (<i>Thomas Bay Alaska Subdivision</i>) Forest Development Road 6256 (60' ROW)
	C057S080E03 C057S080E04 C057S080E09 C057S080E10	NFCG 124	PA 50-99-0205 4/16/1999	ADL 106536 Agreement/Settlement, Approved (Sections 3, 4, and 9), Quiet Title ADL 108379 Land Sale Project, Auction Brochure (<i>Thomas Bay Alaska Subdivision</i>) Forest Development Roads 6010, 6103, 6252, and 6256 (all 60' ROW)

VI. PRELIMINARY DECISION

A. Background

In January of 2013, Petersburg Borough was certified as an incorporated non-unified home rule borough, which dissolved the City of Petersburg as an entity eligible to receive grant lands. Subsequently, DNR certified a Petersburg Borough entitlement of 1,896 acres of VUU land in accordance with AS 29.65.030 *Determination of Entitlement for Newly Incorporated Municipalities*. This VUU calculation included acreage from the Southeast State Forest, although per AS 41.17.500(f) *Southeast State Forest*, state forest lands may be used to calculate entitlement, but cannot be selected for municipal lands. The City of Petersburg land that was previously conveyed (458 acres) was subtracted from Petersburg Borough's certified entitlement, which left an entitlement of 1,438 acres. However, the municipal entitlement that DNR certified in 2013 was nullified when the Alaska Legislature granted a larger entitlement to the Borough in 2017 under AS 29.65.010(a)(16) of 14,666 acres. Excluding the City of Petersburg's conveyed lands, the final entitlement was 14,208 acres. A previous decision adjudicated approximately 1,813 acres, of which approximately 1,496 acres were approved for conveyance. This preliminary decision addresses a selection sent in 2019.

B. Planning, Classification and Mineral Orders

1. Planning

The land selections fall into one geographic management unit (P-01). The management intent and area plan designation for each management unit is described in the CSSAP. These plan designations convert to land use classifications, which establish what land the State may convey under the Municipal Entitlement Act (*see AS 29.65.010 et seq.*). With respect to planning, the CSSAP is the controlling land management planning authority. The Borough's land selections fall within the planning boundary of the CSSAP, and accordingly, are governed by the management intent and classifications found in the plan.

Management intent has the same level of authority as a plan designation under 11 AAC 55.030(c)(6). In all instances, whether it is a municipal selection affected by a non-conveyable classification or a management guideline/intent that requires the State to retain land, the effect is the same: the selection is not conveyable to the Borough *unless* a plan amendment changes the classification, the management guideline/intent, or both.

2. Land Use Classification

The land selections proposed for conveyance in this decision are classified as Resource Management (RMG) and Public Recreation (PUR) which are all conveyable classifications as municipal entitlement general grant land under AS 29.65, unless an overriding state interest exists as stated in the management intent. The designation Harvest (Hv), which converts to a non-conveyable classification of Wildlife Habitat, is also included in Unit P-01, however, it does not cover the Borough selections. The management intent for P-01 is for multiple uses, particularly recreation and for current and future forest values. The area is used extensively by Petersburg residents for fishing and hunting, with the logging roads and streams and lakes receiving the most use. Table 2 below shows the land use classifications derived from the CSSAP for the land selections adjudicated in this decision.

Table 2

Map Name	Copper River MTR	Section(s)	Approx. Acres	Unit	Classification	Plan Management Intent
Thomas Bay	T56S, R79E	35	56	P-01	RMG PUR (Tracts A, D)	Multiple uses Retain tracts
	T57S, R80E	03, 04, 09	645			

3. Mineral Orders

The mineral estate is reserved to the State pursuant to *AS 38.05.125 Reservation*.

Mineral Order (MO) 275 closed mineral entry for all parcels within the Thomas Bay Subdivision. There are no other known mineral orders affecting the Borough’s selections within this ADL.

C. Traditional Use Finding

In an unorganized borough, disposal of state land with traditional uses is to be reviewed under *AS 38.05.830 Land Disposal in the Unorganized Borough*. Petersburg Borough is an organized borough under *AS 29.05.031 Incorporation of a Borough or Unified Municipality* and eligible for municipal entitlement. Therefore, a determination for traditional uses is not required. All the Borough’s municipal entitlement land selections in this decision are located within its legal boundary.

D. Access

Public access will be reserved in accordance with *AS 19.10.010*, *AS 19.30.400 Identification and Acceptance to Rights-of-Way*, *AS 38.05.125*, *AS 38.05.127*, and *11 AAC 51*.

Frederick Sound and Sumner Straight are the major travel corridors for ferries, ships, and boats in this southeast region of Alaska. Primary travel to Thomas Bay is via floatplane or boat. The Thomas Bay area contains a small road system within its immediate area because of a developing subdivision (*Thomas Bay Alaska Subdivision*, ASLS 81-235). Many of the secondary roads are previous forestry service roads. Forestry Development Roads also extend from Frederick Sound to the subdivision.

1. Section Line Easements

As required under *AS 19.10.010*, and in accordance with *11 AAC 51.025 Section Line Easements*, a public access easement 100 feet wide will be reserved along each section line on lands approved for conveyance. If a section line forms a boundary of a selection being conveyed, then the easement will be 50 feet wide measured from the section line. If a

section line runs through a section being conveyed, then the easement will be 50 feet wide measured on each side of the section line, for a total width of 100 feet.

In 1982, the Department of Transportation & Public Facilities (DOT&PF) vacated section-line easements within this area (Plat No. 82-17, Easement Vacation Plat EV-2-228 filed October 21, 1982) but did not vacate any other dedicated public right of ways. The existing right of ways and easements should be maintained in this land conveyance request.

2. Trails, Rights-of-way, RS 2477, and Easements

A review of state records verifies that there are rights-of-way (ROW), easements, reservations, and exceptions in the U.S. Patent affecting some of Petersburg Borough land selections as disclosed above in Table 1.

The Forest Development Roads (FDR), that are present in the Thomas Bay area, are reserved to the U.S. (r/w AA45079) with a 60-foot ROW as stipulated in Section 6(a) of the Final Partial Judgment, United States v. State of Alaska, et al., Civil No. A86-630, August 6, 1987. There are no RS 2477 rights-of-way with the selected lands.

3. Navigable and Public Water

The State will retain ownership of the bed of navigable water, including all gravel bars and islands, and will convey the bed of public waters to the Borough. A survey will determine the Ordinary High Water Mark (OHWM) of the navigable and public waters, the Mean High Water Mark (MHWM) on marine meandering shorelines, identify islands, and determine the specific areas to be retained by the State. At the time of survey, field work may find that a body of water or a waterway is different than identified in this decision. If this occurs, the results of the survey work will be reviewed further within DNR. If the field work is determined to be accurate, then the survey results will supersede the recommendation in this decision.

Navigable Waters: Pursuant to 11 AAC 51.035 *Determination of Navigable or Public Water*, a water body is navigable if it is at least 50 acres in size or a waterway at least 50 feet wide from OHWM to OHWM. A water body will also be considered navigable if it is found navigable for a useful public purpose in accordance with AS 38.05.965 *Definitions*, otherwise, it will be considered public water in accordance to 11 AAC 51.035. Additionally, ownership of land adjacent to navigable water does not create any right of title to land below the OHWM of the navigable water.

All tidal waters are considered navigable under the Submerged Lands Act (67 Stat 29, PL 31, 5/22/1953). The MHWM is established at the time of survey.

Public Waters: Pursuant of 11 AAC 51.035, a water body is considered public water if it is at least 10 but less than 50 acres in size or at least 10 feet but less than 50 feet wide from OHWM to OHWM. Ownership of the land under or adjacent to public water does not grant an exclusive right to use of the water (AS 38.05.126 *Navigable and Public Water*).

On and along the bed of public water bodies or waterways, the State will reserve an access easement and convey title to Petersburg Borough. Legal public access is generally limited to easements typically 100 feet wide on section lines (SLE) and typically 50 feet wide along the OHWM and MHWM of navigable and public water bodies (the 'along' easement, see below).

4. Easements To and Along Navigable and Public Water

A public access easement on the bed and 50 feet in width upland of the OHWM will be reserved on all water bodies and waterways determined to be public, and 50 feet in width

upland of the MHW of navigable waters, in accordance with AS 38.05.127 and 11 AAC 51. This easement is referred to as the 'along' easement. The 'to' easement is to be established approximately once each mile and is often provided on section line easements of 50 feet in width adjacent to the section line on each side (AS 19.10.010 and 11 AAC 51.025). The 'along' easement applies to these waterbodies and the 'to' easement is intended to provide access to the 'along' easements.

An alternative upland access route may be reserved if DNR finds that access along an easement reserved under 11 AAC51.045(d)(1) *Easements To and Along Navigable and Public Water* difficult because of topography or obstructions.

Navigable Waters: Navigable waters may or may not be anadromous. Exposed sand or gravel bars that are within, and are not above the OHWM, are part of the waterbody bed. Only those lands determined to be uplands that are above the OHWM are intended to be conveyed.

There are no navigable waters that are bordering or within the selected lands.

Public Waters: Waterbodies determined to be public waters under 11 AAC 51.035 are identified in Table 3. These waterbodies may or may not be anadromous. The beds of public waters are to be conveyed with the adjoining approved lands.

Table 3

Map Name	MTRS	Waterbody Name	Anadromous Water Catalog #	Pub Access Easement (to & along)
Thomas Bay	C056S079E35 C057S079E04 C057S079E09	Unnamed lake Unnamed lake Unnamed lake and streams	none	On the bed and 50 feet upland

E. Reservation of Mineral Estate

A conveyance of VUU general grant land to a municipality under AS 29.65 conveys no interest in the mineral estate. All mineral related permits, licenses, claims, and leases affecting the land for conveyance, if any, will remain under the authority of the State.

In accordance with Section 6(i) of the Alaska Statehood Act and AS 38.05.125, the State, in this decision, reserves unto itself the mineral estate, including oil and gas, and the rights expressed in the reservation clause of the statute, that being the right to reasonable access to the surface for purposes of exploring for, developing, and producing the reserved mineral resources. Exploration and development, if any, which could occur, would be consistent with AS 38.05.130 *Damages and Posting of Bond* and other applicable statutes and regulations.

F. Hazardous Materials and Potential Contaminants

It is the responsibility of the State to protect the overall public interest if there is a reasonable expectation that hazardous contamination may exist on land being proposed for disposal. Based on review by the DNR DMLW Statewide Abatement of Impaired Lands (SAIL) Section, Alaska Resource Data files (ARDF) GIS data of historic mining properties, and the following DEC GIS layers of DEC Solid Waste, Contaminated sites, PFAS, groundwater plumes, and drinking water source protection areas, none of the aforementioned data layers show sites within a mile of the proposed conveyance, and therefore present no issues within the selected lands.

Petersburg Borough is expected to inspect these selections and familiarize itself with regards to the condition and quality of the land. The State of Alaska makes no representations and no warranties, expressed or implied, concerning the existence or absence of any hazardous substances, hazardous wastes, contaminants, or pollutants on the land proposed here for conveyance. The State assumes no liability for removal of hazardous substances, hazardous wastes, contaminants, or pollutants, nor any liability for the remediation of the site should such substances ever be identified. The Borough, by selecting these lands and requesting their conveyance through this PD, recognizes the surrounding areas of identified contaminated sites and will take the land "as is."

G. Survey

A state approved survey is required prior to issuance of a conveyance document. If no approved survey exists, then one must be performed by an Alaska Registered Land Surveyor under direction of the DNR DMLW Survey Section. Petersburg Borough is responsible for the expense of any survey. A survey determination may be requested by the Borough at any time subsequent to the Final Finding and Decision (FFD). There is no requirement under AS 29.65.070 to appraise the land prior to conveyance.

H. Conditional Leases and Sales

The Borough will receive management authority and equitable title to all land approved for conveyance in this decision once the FFD is effective. This will allow Petersburg Borough to approve conditional leases and make conditional sales pursuant to AS 29.65.070(b), but not to dispose of land approved for conveyance until the land has been surveyed and ownership transferred to the Borough.

I. Unauthorized Use

LCS has not physically inspected all areas of the selected lands for the presence of unauthorized use and is unaware of any other existing unauthorized use within the land selections.

The Borough is expected to inspect all of its land selections to familiarize itself with the condition and quality of the land.

J. Disposition of Leases, Permits and Applications

Administration of any active leases, permits, and easements for the surface estate issued by the State on land to be conveyed will be transferred to the Borough when the FFD becomes effective, unless such authorizations are specifically excluded from the conveyance. Any pending applications that have not been adjudicated and issued will be closed.

K. Cultural Resources

The Alaska Office of History and Archaeology (OHA) maintains the Alaska Heritage Resources Survey (AHRs) which is an inventory of all reported historic, prehistoric, and archaeological sites in the State. At this point in time, no historical cultural resources have been found in the selected area.

However, it should be noted that only a very small portion of the State has been surveyed for cultural resources and therefore, the possibility remains that previously unidentified cultural resources may be located within the selected lands. While the conveyance of these parcels will have no direct effects to cultural resources, future projects that may be proposed by Petersburg Borough on selected lands could affect unidentified cultural resources. Should any cultural resources be encountered, the Borough will need to take those actions required by law to protect such resources in accordance with AS 41.35.070(d) *Preservation of Historic, Prehistoric, and Archeological Resources Threatened by Public Construction*.

L. Form and Width Requirement

Each municipal entitlement land selection is required to be compact in form with its length not exceeding approximately four times its width pursuant to AS 29.65.070(c). Review of the Borough's land selections proposed for conveyance in this decision indicates that the selections are consistent with this statute.

M. DMLW and Agency Review

The intent of an agency review is to request comments from agencies that may be affected by a municipal entitlement land conveyance decision. Agencies are given the opportunity to evaluate and comment on the municipality's land selection to determine if the State should retain all or a portion of the selected lands, and, if so, provide supporting reasons for the requested action. Additionally, agencies are requested to identify any stipulations that may be appropriate if the land is to be conveyed out of state ownership. Information and comments received from multiple sections within DMLW prior to and during agency review have been considered and included in the preparation of this preliminary decision. Agency review was conducted from January 14, 2021 through February 2, 2021. Comments pertinent to this proposed action and responses from agency review are included below.

DNR DMLW LCS received brief comments of non-objection from the following agencies:
 DNR Division of Parks and Outdoor Recreation – Southeast Region and DNR DMLW Resource Assessment and Development Section

DNR DMLW LCS Response: LCS appreciates your review of the proposal.

Comments from Alaska Department of Fish and Game (ADF&G):

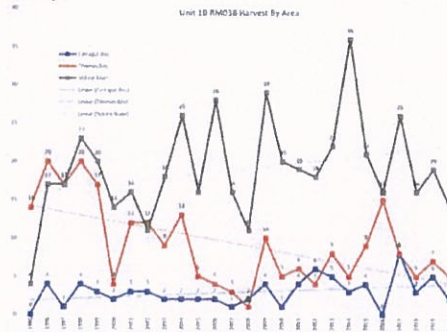
This area is within Unit P-01 of the Central/Southern Southeast Area Plan (CSSEAP), which identifies the managed resources of the parcel as timber, habitat/wildlife, anadromous streams and dispersed recreation. The majority of this unit was co-designated as General Use and Harvest land, with smaller tracts designated as Material Sites, Public Recreation and Tourism-Undeveloped and Public Facilities.

The CSSEAP highlights the importance of this area for moose habitat and associated hunting opportunities and establishes the intent to manage the parcel for these values. The CSSEAP acknowledges that much of the habitat value of the parcel for moose (and deer) is the result of forest thinning through timber harvest practices and the subsequent forest succession leading to increased browse availability. However, as identified in the CSSEAP, the remaining portions of old growth forest in the area are important wintering habitat for moose and deer. While forest succession over the ensuing 20 years since the plan was adopted has altered the habitat value of the parcel, current information from ADF&G wildlife managers reaffirms the importance of this area for moose, deer, black bear and mountain goats. The relatively small size of this area (all of Unit P-01 is only 2,273 acres), provides a disproportionate value to wildlife as it is essentially an island of suitable habitat surrounded by oceans and mountains.

As previously mentioned, the remaining old growth forest in the area is particularly important. Much of the critical wintering habitat for deer has been logged, and winter habitat in the form of low elevation, high volume old growth forest is the most important and most limiting habitat for deer in Thomas Bay. According to United States Forest Service (USFS) data, historically only 6,344 acres of Thomas Bay was estimated to be south facing productive old growth (POG) below 800' elevation, of which 4,995 acres (79%) remains. However, of all POG below 800' elevation a total of 10,256 acres remains, only 66% of the

historic amount. The remaining POG also provides habitat for moose, black bear, and mountain goats.

While forage for moose has declined as secondary habitat has matured, and the Thomas Bay moose harvest has also declined, recreational use of the area for deer and moose hunting still remains high. The area is a popular hunting destination for Petersburg residents and Point Agassiz cabin owners, and is still the second most important moose harvest area Unit 1B (See figure below).



ADF&G would concur with the CSSEAP, which recommends to retain portions of this parcel, particularly any remaining stands of old growth forest, in state ownership. While much of the state subdivision (ASLS 81-235) were designated as General Use and hence conveyable, previous attempts to dispose of these lands were met with opposition from the community because of the recreation value of the tract. ADF&G believes that these lands are still highly valuable for hunting purposes. Additionally, Tracts A and D are recommended by the CSSEAP for retention. These tracts contain water bodies, that while not cataloged in ADF&G's Anadromous Waters Catalog, likely support resident and/or anadromous fishes.

Furthermore, given the extremely low gradient/elevation terrain and proximity to the Patterson River, it is likely that there are several more streams supporting anadromous fish in the conveyance area. The presence of any streams within the conveyance area should be definitively located and at a minimum will be subject to 50' easements upland of ordinary high water pursuant to AS 38.05.127.

DNR DMLW LCS Response to ADF&G: LCS understands the importance of the recreational value of this unit. While most of the unit is classified WHB, the subdivision is classified RMG and PUR and is intended for multiple uses. Per the CSSAP, Tracts A and D will be retained within state ownership. This would assist in the protection of the lakes and streams within the Tracts, however, in accordance with AS 38.05.127, a 50-foot public access easement will be imposed along the shores of all navigable and public waters and anadromous streams regardless of their location within the selected lands.

Comments from Department of Transportation & Public Facilities (DOT&PF):

The Alaska Department of Transportation & Public Facilities has no comment but cautions, generally, that existing and proposed right of ways and related transportation facilities shall be preserved in State ownership in accordance with State and Federal laws and regulations.

Comments from DOT&PF, Southcoast Region Right of Way (SCR ROW):

In 1982 DOT&PF vacated section-line easements within this area but did not vacate any other dedicated public right of ways. The existing right of ways and easements should be maintained in this land conveyance request.

DNR DMLW LCS Response to DOT&PF and SCR ROW: The rights-of-way for the Forest Development Roads were reserved in the patent to the State and will be maintained per AS 19.10.010. LCS acknowledges the vacation (Plat 82-17) of the section line easements that run through this platted subdivision (Plat 82-16).

The following agencies or groups were included in the agency review, but no comment was received:

- Department of Commerce, Community, & Economic Development
- Department of Natural Resources
 - Division of Oil and Gas
 - Division of Forestry
 - Division of Geological and Geophysical Surveys
 - Division of Mining, Land and Water
 - Public Access Assertion and Defense
 - Mining Section – Southeast Region
 - Southeast Regional Office
 - Land Conveyance Section

VII. SUBMITTAL OF PUBLIC COMMENTS

See *Attachment B: Public Notice for specific date and conditions*

Pursuant to AS 38.05.945 Notice, LCS is issuing public notice inviting comment on this Preliminary Decision.

In accordance with AS 38.05.946(a), a municipality or corporation entitled to receive notice under AS 38.05.945(c) may hold a hearing within 30 days after receipt of the notice. If a hearing is held, the Commissioner (or representative) shall attend the hearing. The Commissioner has discretion whether or not to hold a public hearing.

LCS will consider all timely, written comments received. If analysis of such comments indicates the need for significant changes to the PD, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to any of the proposals will not be considered significant changes requiring additional public notice.

If the proposal is approved and no significant change is required, the Preliminary Decision, including any deletions, minor changes, and summary of comments and LCS responses will be issued as a subsequent Final Finding and Decision without further notice.

Only persons from whom LCS receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision. Upon approval and issuance of a Final Finding and Decision, a copy of the decision will be made available online at <http://dnr.alaska.gov/mlw/muni/> and at <http://landsales.alaska.gov/> and sent with an explanation of the appeal process to any party who provides timely written comment.

DNR is prepared to accommodate individuals with disabilities by providing auxiliary aids, services, or special modifications in order to participate in this review. Individuals who may need such assistance should contact DNR's Public Information Center. For more information refer to *Attachment B: Public Notice*.

**DEADLINE TO SUBMIT WRITTEN COMMENT IS
 4:30 PM, MONDAY, MAY 3, 2021**

VIII. DISCUSSION AND ALTERNATIVES

A. Discussion

This preliminary decision for the Petersburg Borough municipal entitlement land selections covers approximately 701 acres of state land. DNR proposes to approve for conveyance and transfer equitable title and management authority on approximately 616 acres of state land, identified in **Table 4** below. It also rejects approximately 85 acres of municipal selections. These lands are to be retained in state ownership for reasons outlined below, and are identified in **Table 5**.

Certain borough selected lands are proposed to be rejected in this decision for the following reasons:

- The Borough selected Tracts A and D of ASLS 81-235, *Thomas Bay Subdivision*, which is identified in the CSSAP to be retained in state ownership.

This decision determines that the majority of the municipal selections adjudicated in this decision for which the State currently has title are appropriate for conveyance to the Borough. These lands fall within a conveyable classification and there is no indication that the State's interest in retaining these land selections outweighs the interest of Petersburg Borough in obtaining them.

Management authority on lands approved for conveyance will be transferred to the Borough once the FFD becomes effective.

This decision further determines that, for those lands to be conveyed to Petersburg Borough, that certain conditions and restrictions are appropriate and necessary to ensure the protection of important resources and public access. This decision, therefore, imposes restrictions and reservations that are to be part of the conveyance document, to ensure adherence to pertinent state statutes and administrative code.

B. Alternatives

The following alternatives exist:

1. Take no action to approve or reject Petersburg Borough land selections. This alternative would, in effect, preclude the Borough's ownership of lands considered to be important to their land base. This action would be inconsistent with the purpose of the Municipal Entitlement Act and inconsistent with the basis for the disapproval of a municipal entitlement selection. Such selections can only be rejected when a state's interests outweigh the interest of the borough, and there is no basis for such a determination.
2. Reject the Borough's selections in their entirety. This alternative would have the same effect as Alternative #1 and would, similarly, be inconsistent with the statutory basis for rejection of a municipal selection.
3. Approve in part with management authority transferred and reject in part retaining state ownership. This alternative is effective in meeting the intent of the Municipal Entitlement Act to convey appropriately classified state general grant land to Petersburg Borough.

IX. RECOMMENDATION

A. Recommended Alternative

This decision determines that Alternative 3 is the preferred action and best fits the intent of the Municipal Entitlement Act. The Petersburg Borough land selections in part, are approved for conveyance, subject to the conditions, restrictions and reservations listed below.

B. Recommended Conditions, Restrictions, and Reservations

Conditions

1. As provided by *11 AAC 51.035*, the State will retain in state ownership to the bed of all navigable waters, including any waters determined to be navigable in fact, from the outermost OHWM, including all gravel bars and islands.
2. As required under *AS 38.05.127* and *11 AAC 51*, the location of the MHWM and OHWM of navigable waters, including any waters determined to be navigable in fact, will be determined at the time of survey to determine the specific area to be retained by the State.
3. As required under *AS 38.05.127* and *11 AAC 51*, the location of the OHWM of public waters will be determined at the time of survey.
4. Management authority will transfer to Petersburg Borough on those lands approved for conveyance once the FFD becomes effective.
5. Management authority for public access easements is transferred to the Borough once the FFD becomes effective. No such easements may be vacated, abandoned, or otherwise extinguished or rendered incapable of reasonable use by the public without approval of the State of Alaska, unless an alternative means for reasonable public access is provided and approved by the State.
6. Administration of state leases and permits pertinent to the surface estate will be transferred to Petersburg Borough once the FFD becomes effective. Administration of issued state leases and permits, in the mineral estate will remain with the State.
7. Once the FFD is effective, Petersburg Borough may execute conditional leases and make conditional sales on lands approved for conveyance, prior to issuance of a state patent in accordance with *AS 29.65.070(b)*.
8. The net chargeable acreage approved for conveyance shall be credited towards partial fulfillment of Petersburg Borough municipal land entitlement pursuant to *AS 29.65.010*.
9. Notification to the Alaska State Historic Preservation Office in accordance with *AS 41.35.070(d)* is required upon discovery of historic, prehistoric, or archaeological sites, locations, remains or objects.

Restrictions and Reservations

The 50-foot section line easement (*AS 19.10.010* and *11 AAC 51.025*) normally imposed as a public access easement has been vacated per Section Line Easement Vacation Plat EV-2-228, Plat 82-17, filed in the Petersburg Recording District on October 21, 1982. The platted roads within the subdivision give adequate access to the various lots within Section 35, Township 56 South, Range 79 East, and Sections 3, 4, 9, and 10, Township 57 South, Range 80 East, Copper River Meridian.

Conveyance document will be issued subject to the following restrictions and reservations:

1. Valid existing rights, including reservations, easements, and exceptions in the U.S. Patent, or other state or federal conveyance, and in acts authorizing the issue thereof; easements, rights-of-way, covenants, conditions, reservations, notes on the plat, and restrictions of record, if any.
2. Reservation of a continuous public access easement, 50 feet wide, upland of and adjacent to the OHWM of all navigable, waters determined to be navigable in fact, and on the bed and 50 feet upland along public waters pursuant to *AS 38.05.127* and *11 AAC 51*.

3. Reservation of the mineral estate pursuant to Section 6(i) of the Alaska Statehood Act and AS 38.05.125; and reservation of reasonably necessary access to the mineral estate in accordance with AS 38.05.130.

C. Recommended Action on Municipal Selections

This decision recommends conveyance of certain state owned vacant, unappropriated, unreserved general grant land to Petersburg Borough and rejects a portion of the lands selected, all located in the Copper River Meridian of Southeast Alaska.

Lands Proposed for Conveyance

Table 4 lists those lands proposed to be approved for conveyance in this decision. The estimated acreages for conveyance do not account for any exclusions, and exact acreages would be determined by survey. The final acreage amount will be credited towards partial fulfillment of Petersburg Borough municipal land entitlement.

Table 4

Map Name	Copper River MTR	Section and Legal Description Thomas Bay Subdivision ASLS 81-235, Plat 82-16	Acres
Thomas Bay	T56S, R79E	Sec. 35: BL 5 Lot 1 (2.458 ac.), portion Lot 2 (0.547 ac.)	3.005
	T57S, R79E	Sec. 03: BL 2 Lots 14, 15 (7.811 ac.) BL 3 Lots 5-11 (26.45 ac.), portions Lots 4, 12 (1.049 ac.) BL 7 Lots 12, 13 (8.518 ac.), portions Lots 11, 14 (4.617 ac.) BL 8 Lots 3, 4 (9.309 ac.), portions Lots 2, 5 (4.742 ac.) BL 9 Portions Lots 2-4 (4.932 ac.) BL 10 Lots 1-6 (25.95 ac.), portions Lots 7, 8, 9, 10, 11 (8.432 ac.) BL 11 Lots 1-5 (20.27 ac.) BL 12 Lots 1-3 (12.2 ac.), portion Lot 4 (1.019 ac.)	135.299
		Sec. 04: BL 3 Lots 1-3, 13-18 (34.09 ac.), portions Lots 4, 12 (6.102 ac.) BL 4 Lots 1-8 (33.641 ac.) BL 5 Lots 3, 4 (5.361 ac.), portion Lot 2 (2.017 ac.), BL 6 Lots 1-11 (44.944 ac.) BL 7 Lots 1-10, 15 (48.264 ac.), portions Lots 11, 14 (4.618 ac.) BL 8 Lots 1, 6 (8.606 ac.), portions Lots 2, 5 (5.021 ac.) BL 9 Lots 1, 5-7 (15.499 ac.), portions Lots 2-4 (4.546 ac.) BL 10 Portions Lots 8, 10, 11 (2.089 ac.) BL 16 Portions Lots 1, 2 (3.524 ac.) BL 17 Lots 1, 2 (5.689 ac.), portions Lots 3, 4 (.685 ac.)	224.697
		Sec. 09: BL 10 Lots 17-19 (12.972 ac.), portions Lots 10, 15, 16, 20, 21 (10.47 ac.) BL 14 Portions Lots 1-3 (7.4 ac.) BL 15 Lots 1-5 (21.003 ac.) BL 16 Lots 3-7 (22.473 ac.), portions Lots 1, 2 (4.262 ac.) BL 17 Lots 5-12 (32.778 ac.), portions Lots 3, 4 (5.835 ac.)	117.193
		Sec. 10: BL 10 Lots 12-14 (12.909 ac.), portions of Lots 7, 10, 11, 15, 16, 20, 21 (16.687 ac.) BL 12 portion Lot 4 (2.282 ac.), Lot 5 (3.704 ac.) BL 13 Lots 1-5 (21.892 ac.) BL 14 Lots 4, 5 (8.222 ac.), portions Lots 1-3 (4.488 ac.)	70.184
		Subdivision roads	65.825
PROPOSED CONVEYANCE: TOTAL APPROXIMATE ACRES			616.203

Lands Proposed for Rejection

Table 5 lists those lands that were selected by Petersburg Borough that are proposed for rejection in this decision. These include lands to be retained by the State because the CSSAP states the land will be retained by the State.

Table 5

Map Name	Copper River MTR	Section and Legal Description Thomas Bay Subdivision ASLS 81-235, Plat 82-16	Acres
Thomas Bay	T56S, R79E	Sec. 35: Portion Tract A (52.624 ac.)	52.624
	T56S, R80E	Sec: 04: Portion Tract A (8.85 ac.), Tract D (23.522 ac.)	32.372
PROPOSED REJECTION: TOTAL APPROXIMATE ACRES			84.996


D. Preliminary Decision

The following are the findings for this Preliminary Decision:


1. That it is appropriate to convey approximately 616.203 acres of state-owned land to Petersburg Borough. This decision determines that the interest of the State to retain this land does not outweigh the interests of the Borough to obtain it.
2. That it is appropriate to reject 84.996 acres of borough land selections because the CSSAP states Tracts A and D will be retained by the State.

This Preliminary Decision, described above, represents the preferred alternative that has been reviewed and considered. After review and consideration of materials in this PD, LCS finds that the recommended action may be in the best interest of the State and that it is hereby approved to proceed to Public Notice in accordance with AS 38.05.945.

After public notice, the subsequent review process may result in changes to the preferred alternative(s) or disapproval of the proposed action altogether. A Final Finding and Decision will address any significant issues or concerns raised during the public review process.


 Prepared by: Mary Hermon
 Natural Resource Specialist II
 Land Conveyance Section
 Division of Mining, Land and Water
 Department of Natural Resources
 State of Alaska

4-1-2021
 Date

for

 Approved by: Rachel Longacre
 Section Chief
 Land Conveyance Section
 Division of Mining, Land and Water
 Department of Natural Resources
 State of Alaska

4-1-2021
 Date

STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
LAND CONVEYANCE SECTION

Attachment B: PUBLIC NOTICE

Requesting Input for a Proposed Conveyance Under AS 29.65
Petersburg Borough Municipal Land Entitlement Selections – ADL 108981

COMMENT PERIOD ENDS 4:30 PM, MONDAY, MAY 3, 2021

The Department of Natural Resource (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) has prepared a Preliminary Decision (PD) for a proposal to convey approximately 616 acres of state owned vacant, unappropriated, unreserved (VUU) general grant land to Petersburg Borough (Borough), in order to partially fulfill their municipal land entitlement under AS 29.65.010. Located within DNR's Southeast Region, these land selections are in one geographical region of the Central Southern Southeast Area Plan (Region 3. Petersburg). LCS finds that the proposed conveyance is consistent with the requirements of AS 29.65, and that the Borough's interest in obtaining these state lands outweigh the State's interest in retaining them.

LCS proposes to reject approximately 85 acres of borough selections as LCS has determined that the land will be retained in state ownership for reasons that outweigh the Borough's interest in obtaining the land.

To obtain the notice, Preliminary Decision, or instructions on submitting comment, go to the DMLW Land Sales website at: <http://landsales.alaska.gov/>; the DMLW Municipal Entitlement website at: <http://dnr.alaska.gov/mlw/muni/>; or <https://aws.state.ak.us/OnlinePublicNotices/>. For assistance in obtaining the documents by an alternative method, to request auxiliary aids, services, or special accommodations, contact DNR's Public Information Centers on State work days, Monday through Friday, between 10:00 AM and 5:00 PM in Anchorage at 907-269-8400, Fairbanks at 907-451-2705, or the Southeast Land Office in Juneau at 907-465-3400 (TTY for the hearing impaired for all locations: 711 for Alaska relay or 800-770-8973), or go to <http://dnr.alaska.gov/commis/pic/> for additional contact information. Individuals who require special assistance must request assistance from the Public Information Center in Anchorage no later than 4:00 PM, Monday, April 26, 2021.

Pursuant to AS 38.05.945 Notice, the public is invited to comment on this PD which proposes to transfer ownership of state land to the Petersburg Borough. **The deadline for submitting public comment is 4:30 PM, Monday, May 3, 2021.** Only persons from whom LCS receives timely written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision (FFD). Comments must be received in writing to the Division of Mining, Land and Water, Attention: Mary Hermon, at 550 West 7th Avenue, Suite 640, Anchorage, Alaska 99501, by fax at (907) 269-8916, or by email at mary.hermon@alaska.gov. If you have questions, call Mary Hermon at (907) 269-6546.

If no significant change is required, the PD, including any minor changes and a summary of comments and responses, will be issued as the FFD, without further notice. A copy of the FFD will be sent to any persons who commented timely on the PD.

DNR reserves the right to waive technical defects in this notice.

ATTACHMENT A

Petersburg Borough
Municipal Selections

Preliminary Decision

Thomas Bay Subdivision
ADL 108981

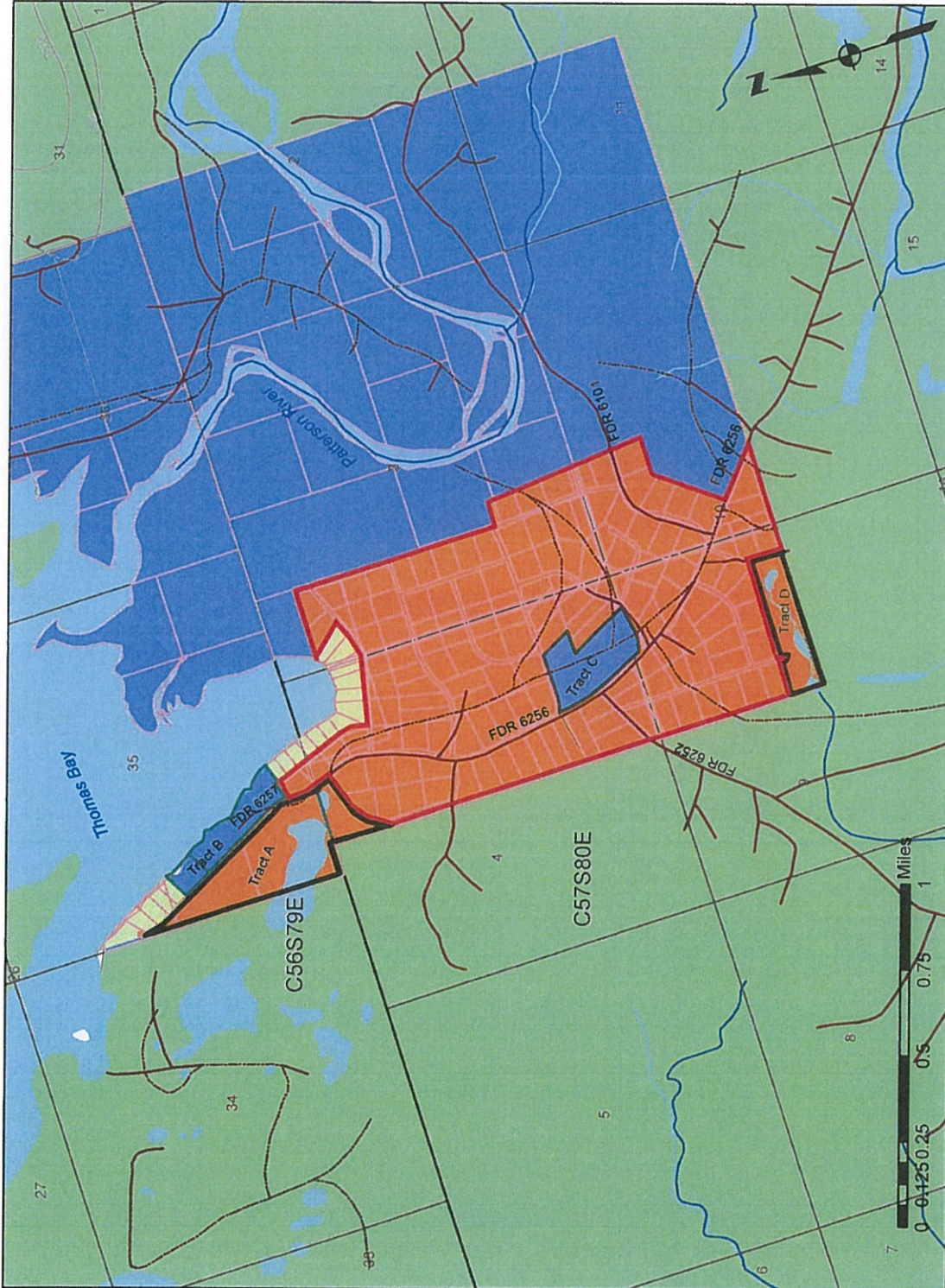
Legend

- Anadromous Stream
- Other Forest Roads
- Forest Development Road
- Surveyed Tracts
- Surveyed Lots
- Selected Lands
- Proposed Conveyance
- Proposed Rejection
- Borough Selection ADL 108579
- State Land, TA or Patented
- USFS Land



DNR-DMLW-LCS-ME

April 2021



This map is for graphic representation only. It is intended to be used as a guide only and may not show the exact location of existing surveyed parcels or show all easements and reservations. Source documents remain the official record.

Debra Thompson

From: Bill Tremblay <brtrembla@gmail.com>
Sent: Monday, April 19, 2021 8:42 AM
To: Assembly
Cc: brtrembla@gmail.com
Subject: Requiring recital of Pledge of Allegiance is illegal

Dear Assembly Members,

The Supreme Court decided that school children could not be compelled to say the Pledge of Allegiance back in the 40's. Their decision was based on the freedom of speech. Today, schools may offer the opportunity to recite the Pledge but students are not compelled to act.

Ere is no reason

There is no need to bring the discussion of requiring people recite the Pledge of Allegiance before Assembly meeting as this proposed requirement would clearly be unconstitutional.

Please let any discussion of requiring this proposed action die for a lack of a second. There is no reason to waste time in a discussion.

Bill Tremblay
P.O.Box 662
Petersburg, AK 99833
(907) 772-4461

Debra Thompson

From: Shannon McCullough <shannon.mccullough.9358@gmail.com>
Sent: Wednesday, April 28, 2021 7:13 PM
To: Assembly; Karl Hagerman
Subject: Mask Mandate

I would like to encourage the EOC and Assembly to consider removing the mask mandate in Petersburg. I understand there are still risks, and that the pandemic is not over, but we also have the community's mental, emotional, social and economic health to keep in mind. I feel that with our vaccination rates, anyone who wants to be vaccinated, likely is already, or is in the process.

I myself have been fairly cautious, and have been in favor of testing and vaccinations, but I really feel like people are at their wits end. Or maybe I'm just projecting, because I am totally over masking at work (where we are mostly vaccinated, sort of distanced and have a huge plexiglass sneeze guard at the front desk). Even without a mask mandate I think many of us will continue masking at the stores and Post office. I simply don't want to mask at all gatherings, and at work all day. I know the decision isn't easy, and thank you for your time and consideration!

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Smiles,

Shannon McCullough
PO Box 1615
Petersburg, Alaska
(907)518-0757

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Shannon McCullough
(907)518-0757