

City of Edna Bay - Regular Meeting

1 — Meeting Date, Place and Call to order:

This Regular meeting was held on Monday, September 12th, 2016 at Edna Bay School. Mayor Richter called the meeting to order at 6:08 PM.

2 — Roll Call:

Heather Richter	- Mayor / Presiding Officer	(Present)
Karen Williams	- Vice Mayor / City Council	(Absent)
Tyler Poelstra	- Clerk / City Council	(Present)
Myla Poelstra	- Treasurer / City Council	(Present)
Carleigh Fairchild	- City Council	(Present)
Doris Greif	- City Council	(Present)

2.1 — Public Participants:

Sharon Wargi	Joe Wargi	Pat Richter	Richard Stockdale	Maureen Viera
Robert Fish	Sue Crew	Lee Greif	Russ Bartels	

3 — Consent Agenda:

A: Approval of Meeting Agenda:

The current agenda was read by Councilor (Mr.) Poelstra.

Consensus of the public attendants was taken in favor, and no objections were noted.

B: Approval of Prior Meeting Minutes:

The following minutes were presented for review:

1: Regular Meeting Minutes of August 8th, 2016

- Sue Crew noted that the comment she made under Old Business item B was not clear enough at conveying her question. The clerk will amend the minutes to add more content to this item and bring copies of the revised minutes to the next regular meeting for approval.

2: Special Meeting Minutes of September 6th, 2016 - No questions or objections

Consensus of the public attendants was taken in favor, and no objections were noted.

Motion:

Councilor Fairchild moved to accept the minutes with the noted amendments and the consent agenda.

- *Seconded by Councilor (Mrs.) Poelstra*
- **Approved by unanimous vote of the council**

3.1 — Business:

Old Business:

- a: *Personnel Handbook Revision(s) Discussion and Decision.*
- b: *Discussion and Adoption of Misc. Municipal Forms.*
- c: *Discussion regarding possible Title 2 Amendment(s).*

New Business:

- a: Bulk Fuel Project / Site Prep and Passthrough Grant Discussion and Decision.

4 — Mayor's Report:

Mayor Richter shared that Lee Cole and John Gellings (DNR) called on short notice and wanted to stop into Edna Bay for on-site review of the DNR sites in the City that the agency is currently working on. They looked at the Bulk Fuel site, the upland area near the School, and the Municipal Entitlement land that the City is working with DNR to adjudicate.

Mayor Richter reported that she also received a call from our local Senator Burt Stedman. He wanted to stop into Edna Bay on a trip through the area and look around the City. He evaluated the dock, Bulk Fuel site, and conversed about the City Municipal Entitlement lands. He and his aide Dave Scott are interested in being our advocates and are happy to hear from the City as it works to address current and future needs.

5 — Clerk's Report:

Tyler Poelstra reported that it is his goal to produce one necessary municipal form each month as he has time, and bring it to the meeting for review, comments and approval. This month a newly formed Candidate Packet has been created for presentation and approval.

6 — Treasurer's Report:

Myla Poelstra read back the treasurer's report.

7 — Committee Reports

7.1 — Dock Committee:

Tyler Poelstra (Dock Chairman) spoke with Senator Stedman about our dock facility and the need for the facility to be replaced in the near future and pointed out the age and overall condition of the facility. Senator Stedman outlined some funding sources that may be available and shared his recognition that the dock facilities are the lifeline of the City.

7.2 — Road Committee:

Pat Richter (Road Chairman) stated that there is no need for road committee meeting at this time until the road work being done by the USFS is completed.

7.3 — EMS Committee:

Myla Poelstra (EMS Squad Captain) reported for Karen Williams. She shared that the ETT recertification process is on hold pending Bobbi / ETT Training availability, which are restricted is a result of funding shortfalls effecting the trainer(s) and the staff at University of Alaska that manage the online course(s).

Myla noted that the EMS will need 5-6 days with a trainer to re-certify. SERIMS has funds encumbered for Edna Bay for the class(es). The EMS needs to figure out logistics and timing and work with the trainer scheduling to pull together a training event. Online ETT training would have reduced the on-site time with the trainer to only two days. At this time the online ZOOM class is still being pursued, but has not yet yielded any available training material.

7.4 — Search & Rescue Committee:

No report.

7.5 — Fire Committee:

Lee Greif (Fire Chief) wants to hold a meeting to discuss individual fire response, since he feels that there is no way for the Fire Dept. to respond in a timely fashion during an emergency due to the distance the fire equipment is from homes in the bay. He felt that fire prevention and first response awareness is critical in a remote community like Edna Bay.

It was noted that a better pickup with new fire pump equipment is needed, but for the time being Lee has donated a Samurai to the Fire Dept. to act as a basic fire pump/equipment transport. It was agreed to hold a joint Fire / Dock Committee meeting in the near future.

7.6 — Fish & Game Advisory:

No report.

7.7 — Bulk Fuel:

Mayor Richter reported that new details on Bulk Fuel will be shared under the New Business agenda item.

8 — Old Business

Item A – Personnel Handbook Revision(s)....:

Mayor Richter described some of the revisions that have been made to the handbook. Volunteer and

employee language is now included to make the document more clear. More information has been added to better describe each role in the City, and also make it clear that volunteers are also employees of the City..

Volunteers need to sign up for each activity they intend to perform for the City in order to accept the responsibilities they are taking on for that limited-time task. Job descriptions are the next component to be developed and completed. Changes to the handbook have primarily focussed on volunteer employees.

Consensus of the public attendants was taken unanimously in favor, and no objections were noted.

Motion:

Councilor (Mrs.) Poelstra moved to accept the revised Personnel Handbook as presented.

- *Seconded by Mayor Richter*

- **Approved by unanimous vote of the council**

Item B – Discussion and Adoption of Misc. Municipal Forms:

Councilor (Mr.) Poelstra presented the Candidate Packet for City Council form hard copy and on the projector for review and approval.

Consensus of the public attendants was taken unanimously in favor, and no objections were noted.

Motion:

Councilor (Mrs.) Poelstra moved to adopt the Candidate Packet for City Council form.

- *Seconded by Councilor Greif*

- **Approved by unanimous vote of the council**

Item C – Discussion Regarding Possible Title 2 Amendment(s):

Mayor Richter shared that she felt former Council member Paul Haag was right about the spirit of the Community with respect to how Title 2 could be amended, and that the municipal code in this title is in need of clarification.

The consensus during the last discussion on this item was that absent Council members should not count towards the legal quorum or have the right to vote on matters of the City when attending telephonically. Councilor Fairchild acknowledged she was not present for that discussion but felt differently about the matter. She felt that if a member of the Council is indeed staying actively involved, informed and intends to participate telephonically that they should be able to adequately make an informed vote. She also added that even if a Councilman is in the City a majority of the time it is still their choice to be informed or involved.

Mayor Richter felt that there are some issues that are challenging to vote on from a distance, citing recent road activity and the challenges it presents that only those who are here to observe would fully understand. It was noted that even if someone is present at a City meeting after being gone for an extended period of time, they are not necessarily or automatically more informed than someone who calls in to participate. It was agreed during the last discussion of this item to prepare a draft Title 2 amendment removing the ability of Council members to count for quorum or vote telephonically.

Consensus of the public attendants was taken in favor of preparing a draft amendment to Title 2, and two objections noted.

Motion:

Mayor Richter moved to bring a Title 2 draft amending Sec. 2.40.090 to the next Regular meeting.

- *Seconded by Councilor Greif*

- **Approved by unanimous vote of the council**

Councilor Fairchild shared that she understands the spirit of the community on this matter, but asked if it is even possible to make the spirit of this matter black and white and still follow the law. She questioned whether the code can be changed to prohibit a Council member from participating in any other form than physical attendance from counting towards quorum or restricting their lawful duty to vote. She asked if it was at least possible to restrict them from tie-break votes to limit any unjust effects of remote participation.

Mayor Richter said she would call the State to ensure that the suggested changes to Title 2 are in compliance with Alaska Statute before writing up the draft amendment ordinance.

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New Business

Item A – Bulk Fuel Project / Site Prep and Passthrough Grant....:

Mayor Richter opened the item by noting that contractor for the bulk fuel facility construction (Superior Plumbing and Heating) has been terminated from the contract. The City is moving to take over the project and administer the grant, but is waiting on the paperwork for the next step in that process. At this time the primary grant is being held by the AEA, but the agency is working to obtain \$75-\$100K from other funding at their disposal to assist the City in expediting the earthwork construction phase for the facility. When the new grant paperwork comes through, a Special Meeting will be called.

She shared that Senator Stedman had some reservations about whether or not the primary grant could be extended in the current fiscal climate in the State, but would offer his support in pressing for it to be secured. He suggested that the best course of action for the City at this time would be to encumber the funding as quickly and effectively as possible on all key expenses for the project. Mayor Richter shared pricing on fuel tanks, barging, and other facility components that could encumber the grant funds.

The final primary grant funding figures are not known at this time due to legal matters that are underway. Councilor (Mr.) Poelstra asked if the City could speed up the process and move to utilize direct-hire or force accounting since we are in a time crisis on the grant funding. He felt that there is not enough time left to generate and go through the typical contracting processes. He stressed his concern that in order to protect the 8-years of public participation, administrative work and State investment into the project, the City must move quickly to encumber the funds and begin construction utilizing direct-hire.

Pat Richter suggested making changes to the facility design to produce a better result for the facility and the public. He noted that the blocks are not necessary, and the pad could be made larger to accommodate future growth of the facility and better utilization of the available land. He offered to donate rock to the construction process to make sure the facility is built the best it can be for the future. Councilor (Mr.) Poelstra suggested that he would like to see the design stay as it was previously approved, or otherwise vote to accept the design as-built so that the changes are documented and implemented with City oversight.

Mayor Richter stated that in communications with CRW it was offered that the blocks can be removed, and the pad size can be increased since it no longer needs to be engineered to meet requirements for the current fuel tank specifications.

Consensus of the public attendants was taken unanimously in favor, and no objections were noted.

Motion:

Councilor (Mr.) Poelstra moved to utilize direct hire for expedited completion of the Tank Farm Facility within the December 31st grant funding deadline time frame..

- *Seconded by Councilor Greif*
- **Approved by unanimous vote of the council**

Mayor Richter shared that Senator Stedman is helping to push in speeding up the project, and she will follow up with his office shortly.

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Persons to Be Heard

Lee Greif stated his feeling that the spirit of the public was clear, that the public fought hard for it, and that they got it.

Sue Crew shared her belief that the City did not vote to pay the clerk, and that in the spirit of transparency felt that the process was poorly done. She also shared her feeling that the amount is fair or otherwise bottom of the line fair for typical clerk pay rates, and also felt that there was no basis for the existing rate. She cited \$17.95/hr as the low end pay rate for a clerk.

Adjournment

Mayor Richter moved that the meeting be adjourned.

