

# City of Edna Bay - Regular Meeting

## 1 — Meeting Date, Place and Call to order:

This Regular meeting was held on Monday, April 10th, 2023 at Edna Bay School.  
Mayor Poelstra called the meeting to order at 6:03 PM.

## 2 — Roll Call:

Tyler Poelstra	- Mayor / City Council	(Present)
Karen Williams	- Vice Mayor / City Council	(Absent)
Myla Poelstra	- Clerk + Treasurer / City Council	(Present)
Mike Williams	- City Council	(Absent)
Sandy Henson	- City Council	(Absent)
Paul Haag	- City Council	(Present)
Camille Cattani	- City Council	(Present)

## 2.1 — Public Participants:

None.

## 3 — Consent Agenda:

### A: Approval of Meeting Agenda:

The current agenda was read by Mayor 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 March 13th, 2023 - No questions.

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

### Motion:

Mayor Poelstra moved to accept the consent agenda as presented.

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

## 3.1 — Business:

### Old Business:

- a: *Derelict Boat at City Grid, Notifying Owner / Putting to Bid / Disposal, Discussion and Decision.*
- b: *Options for Adding Safety Ladders at the Harbor, Discussion and Decision.*
- c: *Comment Letter for Division of Forestry Parlay 2 Forest Land Use Plan, Discussion and Decision.*

### New Business:

- a: *First Reading of City of Edna Bay FY '24 Budget Ordinance #23-30NCO, Discussion and Decision.*
- b: *Verkada 360 Degree Monitor Camera for Harbor / Fuel Depot, Discussion and Decision.*
- c: *Initial Conversation Regarding Timber Harvest / Severance Tax, Discussion and Decision.*

## 4 — Mayor's Report:

Mayor Poelstra reported that both of the City's road graders are in Naukati and are ready for pickup. Jere will move the graders to Edna Bay in two separate trips. The first grader to be moved will be the machine that doesn't run, since it will require a jump from the fully working grader. A budget amendment will be required to pay for transport costs once they are finalized after transport.

Sarah Lewis will have an Open House in Edna Bay sponsored by the UAF on April 28th from 5PM to 8PM. This group of 1 hour sessions will be focussed on food security and preservation. The class is free of charge and will provide hand out pamphlets and information to attendees.

Mayor Poelstra noted that he spoke with Nick Reynolds with the USFS regarding a trip to Edna Bay. He asked for a meeting with them to discuss future personal use access opportunities, availability of gravel sources for the City and residents, and access to some currently closed roads for firewood and subsistence. They are planning to come to Edna Bay some time this summer to meet with locals and discuss these items. It was noted that there is currently no forest ranger assigned to Edna Bay at this time.

Sam Johnson is currently on Prince of Wales and will be scheduling testing on the bulk fuel pressure testing soon. Mike Papac called the City to offer splitting any costs to get Sam out to Edna Bay to save both entities money.

Mayor Poelstra noted that he has talked with the USCG regarding purchasing our own pressure testing equipment and conducting the tests internally to lower the annual cost. There are final details needed to be worked out before equipment can be purchased, but it may be possible to get USCG approval to do so.

Mayor Poelstra noted that he volunteered time and materials to repair the transition plate at the top of the gangway.

Mayor Poelstra spoke with our LGS regarding the powers provided by Road Authority status. The State assured that the City has complete authority over all activity on all roads within the municipality which, in certain circumstances, even extends beyond the City boundaries for any roads that access areas or items essential the City (i.e. the water hole). The State suggested the City speak with an attorney regarding any formal exercise of powers to restrict certain road activities.

Mayor Poelstra also spoke to the State regarding severance tax. They noted that as long as the entity being taxed is private, the City can exercise the right to assess a fee / tax. However, one subdivision of the State cannot assess a tax or fee on another, in this case it appears the City cannot tax the Division of Forestry. They advised the City contact legal counsel to see what the limitations are regarding taxing within the City on lands that may be owned by State or Federal entities.

Mayor Poelstra noted that the City just took a new load of fuel, and that there is enough open capacity in the 3 primary tanks to take another load of fuel if prices take a large drop.

#### **5 — Clerk's Report:**

No report.

#### **6 — Treasurer's Report:**

No report. No questions on the Treasurer's Report.

### **7 — *Committee Reports***

#### **7.1 — Dock Committee:**

Tyler Poelstra (Dock Chairman) had nothing new to report. He contacted DOT again by E-mail asking for conclusion of the harbor project and confirmation on whether the City can move to install safety ladders while they still own the harbor and requested any advice they can offer on areas suitable to install them.

Camille Cattani (Harbor Master) reported the China Cove is back in the bay and that Jesse is planning to be out to work on the Carrie after the 20th of April.

#### **7.2 — Road Committee:**

Michael Williams (Road Chairman) not present - no report.

#### **7.3 — EMS Committee:**

Karen Williams (EMS Administrator) not present - no report.

#### **7.4 — Search & Rescue Committee:**

Roger DiPaolo (Chairman) not present - no report.

#### **7.5 — Fire Committee:**

Brian Mortensen (Fire Chief) not present - no report. Mayor Poelstra noted he will reach out Brian and see if he can get figures and a place to purchase a few dozen new fire extinguishers. A final cost needs to be

determined so it can come to a vote.

### **7.6 — Fish & Game Advisory:**

Myla is looking into the process to restart the entire Fish & Game board and work through re-elections, since the terms of office are staggered.

### **7.7 — Bulk Fuel:**

Tyler Poelstra (Plant Manager) noted that current details were covered in the Mayor's Report.

## **8 — Old Business**

### **Item A - Derelict Boat at City Grid, Notifying Owner / Putting to Bid / Disposal, ...:**

Mayor Poelstra recommended that the City utilize Alaska Statute 30.30 to notify the new owner of the vessel that has been sitting on the grid for over 6 months, if necessary take ownership, and then dispose of the vessel. In order to pursue a remedy, official notice has to be given before action is taken on the appropriate time table.

The letter previously sent to Jim Widmyer was noted. There were questions on if the original letter that stated the City would take action under authority of AS 30.30 if the boat was not moved in two weeks would still constitute required notice for the City to take action immediately on the vessel, or if a new letter needs to be sent to the next of kin, heir or estate to re-start the time table.

Consensus of the public attendants was taken in favor of contacting the attorney for advice regarding a new notice to the owner of the Carrie, no objections were noted.

#### **Motion:**

Councilor Haag moved to contact our attorney for confirmation that the March 4th, 2022 letter to Jim Widmyer is legally adequate to take action regarding removing the boat from the grid, including sale or disposal of the vessel and remediating any fees thereof. If confirmed by the lawyer, the City will notify Jesse Widmyer or other entities, as determined by the attorney, with a courtesy letter written in a clear, friendly and firm tone regarding the timeline we are resuming for removal of the vessel from the Edna Bay harbor.

- *Seconded by Mayor Poelstra*

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

### **Item B - Options for Adding Safety Ladders at the Harbor, ...:**

Mayor Poelstra noted that he has contacted DOT regarding purchase of the model of ladders they suggested. He asked if they are willing to provide recommended installation locations, and allow the City to install them to the harbor prior to taking ownership.

This item is tabled pending a response from the DOT.

### **Item C - Comment Letter for Division of Forestry Parlay 2 Forest Land Use Plan, ...:**

Mayor Poelstra explained that he and Councilor Haag wanted this item addressed, and so it was added to the agenda for discussion. Mayor Poelstra suggested that the City submit a favorable comment letter regarding the Parlay 2 FLUP for West Edna Bay. He felt this would give the City better standing to have participated in each comment period and submitted favorable comments when applicable.

Councilor Haag agreed with this sentiment and added that he would also like to see a comment letter include a request for all of the key roads in the plan that are slated for closure to be left open for locals to access. He asked that the letter identify the roads by their ID's, as stated in the FLUP.

Consensus of the public attendants was taken in favor of submitting a comment letter to the DOF regarding the West Edna Bay Parlay 2 FLUP noting the items discussed, no objections were noted.

#### **Motion:**

Mayor Poelstra moved to submit a comment letter to DOF regarding the SEE-1342-2, West Kosciusko harvest area identified in the FLUP.

- *Seconded by Councilor Haag*
- **Approved Unanimously by vote of the council**

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## ***New Business***

### ***Item A - First Reading of City of Edna Bay FY '24 Budget Ordinance #23-30NCO, ...:***

Mayor Poelstra read back the contents of the draft budget ordinance to those in attendance. Copies of the draft were posted and available on the City website.

Consensus of the public attendants was taken in favor of adopting the first reading of draft ordinance #23-30NCO, no objections were noted.

#### **Motion:**

Mayor Poelstra moves to adopt the first reading of Budget Ordinance #23-30NCO.

- *Seconded by Councilor Cattani*
- **Approved Unanimously by vote of the council**

### ***Item B - Verkada 360 Degree Monitor Camera for Harbor / Fuel Depot, ...:***

Mayor Poelstra explained that the demo camera has been installed and available for testing. He asked for thoughts on the camera quality and features. It offers unlimited cloud storage with the plan and with a 10-year contract will run ~\$10/mo for the service. The camera purchase is a one time fee of \$1500.

It was agreed that though the camera is very nice and would meet our needs, the City is not in a position to start the subscription at this time until the power system at the harbor can be upgraded and an internet solution can be implemented, which may be many months from now with effort. It was suggested to ask them if the camera can be purchased without starting a subscription, or otherwise return the camera to Verkada.

### ***Item C - Initial Conversation Regarding Timber Harvest / Severance Tax, ...:***

Mayor Poelstra recapped on items shared during the Mayor's Report. The main issue with a timber tax is that the majority of lands that remain to be harvested fall within Division of Forestry / State of Alaska harvest, and our LGS has stated that unless an attorney says otherwise, it is not possible for one subdivision of the State to tax or assess a fee on another.

Our LGS said private lands can be charged stumpage, but not State or Federal lands. Any tax would have to apply to all private lands indiscriminately and it would have to be adopted by ballot during the next Regular Election or during a Special Election as a Ballot Initiative. The quickest a severance tax could be adopted is 45 days. Our LGS strongly advised the City to seek council from our attorney before moving forward.

Councilor Haag agreed that the City needs to contact the attorney for advice before moving forward. This item it tabled pending review with the attorney.

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## ***Persons to Be Heard***

Councilor Cattani asked that Motion Lights be on the next agenda.

## ***Adjournment***

Mayor Poelstra moved that the meeting be adjourned.  
Motion to adjourn seconded by Councilor (Mrs.) Poelstra.  
Meeting adjourned at 7:53 PM.