



Alice Ruby, Mayor

City Council Members

- Doug Holt • Paul Liedberg • Bob Himschoot
- Keggie Tubbs • Tracy G. Hightower • Tim Sands

**DILLINGHAM CITY COUNCIL  
MEETING AGENDA**

David B. Carlson Council Chambers

Dillingham City Hall, 141 Main Street, Dillingham, AK 99576 (907) 842-5212

<b>WORKSHOP – CIP LIST</b>	<b>6:30 P.M.</b>	<b>OCTOBER 4, 2012</b>
<b>REGULAR MEETING</b>	<b>7:00 P.M.</b>	<b>OCTOBER 4, 2012</b>

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF MINUTES**

- A. Board of Equalization Meeting, September 6, 2012
- B. Regular Council Meeting, September 6, 2012

**IV. APPROVAL OF CONSENT AGENDA**

- A. Proclamation – Extra Mile Day
- B. Resolution No. 2012-52, A Resolution of the Dillingham City Council Expressing Thanks and a Commendation to the Dillingham City School District for a Job Well Done

**APPROVAL OF AGENDA**

**V. STAFF REPORTS**

- A. City Manager Report
- B. Standing Committee Reports

**VI. PUBLIC HEARINGS**

- A. Adopt Ordinance No. 2012-16, An Ordinance of the Dillingham City Council Amending Title 7, Animals, and Adding Chapters 7.08.011, Investigations of Cruelty to Animal Complaints, and 7.08.015, Seizure of Animals

## **VII. CITIZEN'S DISCUSSION (Prior Notice or Agenda Items)**

- A. Veteran's Memorial Park – Wayne Kapotak

## **VIII. ORDINANCES AND RESOLUTIONS**

- A. Adopt Ordinance No. 2012-16, An Ordinance of the Dillingham City Council Amending Title 7, Animals, and Adding Chapters 7.08.011, Investigations of Cruelty to Animal Complaints, and 7.08.015, Seizure of Animals
- B. Introduce Ordinance No. 2012-18, An Ordinance of the Dillingham City Council Amending Chapter 4.20 of the Dillingham Municipal Code to Limit the Penalty Assessed for Failure to File Sales Tax Returns or Remit Sales Tax to Fifteen Percent, Eliminate Interest Accrual on Penalty Amounts and Provide Authority for Repayment Plans for Unpaid Tax
- C. Resolution No. 2012-53, A Resolution of the Dillingham City Council Creating a City of Dillingham Cemetery Committee
- D. Resolution No. 2012-54, A Resolution of the Dillingham City Council Amending the Allocation of Funding for the Dillingham City School District for the Fiscal Year Ending June 30, 2013 and Repealing Resolution No. 2012-21
- E. Resolution No. 2012-55, A Resolution of the Dillingham City Council 2013-2018 Six Year Capital Improvement Program and FY 2014 Legislative Priorities
- F. Resolution No. 2012-56, A Resolution of the Dillingham City Council Approving an Encroachment Permit for the Installation of a Buried Electrical Line at 4700 Cessna Drive
- G. Resolution No. 2012-57, A Resolution of the Dillingham City Council Approving an Encroachment Permit for the Installation of a Buried Electrical Line at 4735 Cessna Drive
- H. Resolution No. 2012-58, A Resolution of the Dillingham City Council Authorizing the City Attorney to Investigate and File Suit against James Bingman for Unpaid Sales Tax

## **IX. UNFINISHED BUSINESS**

- A. Animal Shelter Facility
- B. Committee Appointments
  - 1. Library Board – 1 Seat
  - 2. Selection Committee – Police Chief Hire
  - 3. Planning Commission – 1 Seat

## **X. NEW BUSINESS**

- A. Action Memorandum No. 2012-06, Authorize City Manager to Sign Contract with Delta Western for the Annual Petroleum Purchase of No. 1 Heating/Diesel, No. 2 Heating/Diesel, and Unleaded Gasoline
- B. Action Memorandum No. 2012-07, Waive Nepotism Provisions to Allow Christopher Marx to Accept a Grant Funded Position as the Internet Technology Aide at the Library
- C. Action Memorandum No. 2012-08, Placement of Barbecue Grills in City Parks
- D. Action Memorandum No. 2012-09, Adopt Dillingham Public Safety Operations Manual - Animal Shelter Operating Procedures
- E. Action Memorandum No. 2012-10, the City Manager to Negotiate and Execute a Professional Services Engineering and Design Contract with Ecological Engineering Inc.
- F. Action Memorandum No. 2012-11, Authorize the City Manager to Negotiate and Execute the Mutual Aide Agreements with the Alaska State Troopers (AST) and the Dillingham City School District, and a Memorandum of Understanding with Choggiung Limited
- G. Special Meeting Scheduled for October 11 (DMC 3.70.040)
  - a. Certify the October 2, 2012 Regular City Election
  - b. Swearing in Ceremony of Newly Elected Council Members

## **XI. CITIZEN'S DISCUSSION (Open to the Public)**

## **XII. COUNCIL COMMENTS**

## **XIII. MAYOR'S COMMENTS**

## **XIV. EXECUTIVE SESSION**

- A. Legal Matter
  - 1. Annexation
  - 2. Gladden vs. City of Dillingham
  - 3. Union Negotiations
  - 4. Update from the Public Safety Department

## **XV. ADJOURNMENT**

## I. CALL TO ORDER

The Board of Equalization Meeting was held on Thursday, September 6, 2012, at the Dillingham City Council Chambers, Dillingham, AK. Mayor Ruby, Chair, called the meeting to order at 6:30 p.m.

## II. ROLL CALL

Mayor Alice Ruby present.

Council Members present and establishing a quorum:

Doug Holt  
Tracy Hightower  
Tim Sands

Staff in attendance:

Janice Williams, City Clerk

## III. NEW BUSINESS

Mayor Ruby reported that the purpose of the meeting was to decide whether to consider each of the late filed appeals. The approved appeals would then be scheduled for a separate meeting of the Board of Equalization.

### A. Late Filed Appeals for Consideration

#### 1. Real Property

##### a. Verna M. Nelson – Block 4, Nerka IV Subdivision

City Clerk Williams informed the BOE that the granting of an appeal would require the concurring vote of all three board members.

City Clerk Williams reported Verna Nelson had filed a request to consider her late filed appeal last year because she didn't know the due date was April 15. The appeal went before the BOE and it was denied, because the BOE did not feel it was a compelling enough reason to prevent a reasonable person under the circumstances from filing an appeal. Verna filed late again this year because she thought her 2011 appeal would carry over to 2012. A letter informing Verna of the denied request instructed that in the future when she received her assessment statement should she want to appeal the assessed value, she would be required to complete an appeal form and submit it back by April 15.

**MOTION:** Tim Sands moved and Doug Holt seconded the motion to consider the late filed appeal for discussion purposes for Verna Nelson.

**Discussion:**

- commented that the letter may not have been clear to her, but it was not a compelling enough reason under the circumstances to prevent her from filing a timely appeal.

**VOTE:** The motion to consider Verna Nelson's late filed appeal failed with Tracy Hightower, Tim Sands and Doug Holt voting against the motion.

b. Randall Finkerbinder – Lot 5A, Laura Subdivision

City Clerk Williams reported that Randall bought a property from Fannie Mae, a bank repossession, around June 1, 2012. He noted had he purchased the home before April 15, he would have appealed the valuation. She noted Fannie Mae did pay a prorated portion of the taxes for 2012.

**MOTION:** Tim Sands moved and Tracy Hightower seconded the motion to consider for discussion purposes the late filed appeal for Randall Finkerbinder.

**Discussion:**

- commented he knew what the taxes would be when he bought the property;
- commented he may not have known what the assessed value was when he took possession, should have a chance to appeal; and
- commented it was very common for the owner to assume a portion of the taxes when the home exchanged hands.

**VOTE:** The motion to consider Randall Finkerbinder's appeal failed with Tim Sands, and Tracy Hightower voting against the motion, and Doug Holt voting for the motion.

**IV. CITIZEN'S DISCUSSION (Prior Notice or Agenda Items)**

There was no citizen's discussion.

**V. UNFINISHED BUSINESS**

There was no unfinished business.

**VI. ADJOURNMENT**

Mayor Ruby adjourned the meeting at 6:47 p.m.

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Alice Ruby, Mayor

**ATTEST:**

\_\_\_\_\_  
Janice Williams, City Clerk

Approved:  
  
\_\_\_\_\_

**I. CALL TO ORDER**

The Regular Meeting of the Dillingham City Council was held on Thursday, September 6, 2012, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:00 p.m.

**II. ROLL CALL**

Mayor Alice Ruby was present.

Council Members present and establishing a quorum (a quorum being four):

- Doug Holt, Seat A
- Paul Liedberg, Seat B
- Bob Himschoot, Seat C
- Keggie Tubbs, Seat D
- Tracy Hightower, Seat E
- Tim Sands, Seat F

Staff in attendance:

- Rose Loera, City Manager
- Malcolm Brown, Public Works Director
- Steve Cropsey, Project Manager
- Nancy Chamberlain, Interim Chief of Police
- Jody Seitz, City Planner
- Carol Shade, Finance Director
- Janice Williams, City Clerk

Guests:

- Attorney Brooks Chandler – *via teleconference*

**III. APPROVAL OF MINUTES**

A. Regular Meeting, August 9, 2012

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve the minutes of August 9, 2012.

MOTION: The motion passed unanimously.

**IV. APPROVAL OF CONSENT AGENDA**

**APPROVAL OF AGENDA**

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the agenda as presented.

VOTE: The motion passed unanimously.

**V. STAFF REPORTS**

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A. City Manager Report

City Manager Loera reported on the following:

- Staff had narrowed down the Chief of Police applicants - will be working on committee appointments;
- Senior Advisory Commission had inquired about rent from Potato House – will be following up with staff;
- Chester Valley Clinic had canceled their clinic - with the increase in prices almost doubling, few had provided the necessary down payment;
- CIP projects – staff was moving forward on schedule; and
- City Vacancies – water/waste water operator position was open, City was advertising for an IT specialist for the library, which was fully grant funded;

Steve Cropsey, Project Manager:

- Horizontal drilling project would be done this season. Have until October 15, penalized \$500 a day for each day after. The contractors were about four days behind due to unexpected equipment breakdowns and poor weather; relatively new equipment, and well maintained, and they know what they are doing;
- Library roof replacement project was going back out for RFP for contractor's services, design and build a new roof, and city would set the specifications. No one had responded to the RFP for architectural design. For a small project with an architectural firm involved, the fees aren't worthwhile;
- Waste water treatment plan upgrades – deadline was Sept. 20 for design services. Will be working to set up a committee to analyze the responses and make a recommendation to the Council for an award.
- Rolland Thomas – Mr. Thomas wants to deed two lots to the City, in lieu of the taxes owed, doesn't want to be on the foreclosure list. . Probably the easiest option would be to buy the property for \$1, get first American to ensure title, city would take it subject to the City's taxes owed, no other liens against the property, and turn around and put it back on the market.

Discussion:

- concerned that the K-9 unit was to be funded through forfeiture funds, staff noted the City was obtaining the forfeiture assets from previous narcotic investigations, some cash some vehicles;
- asked about the Dept. of Labor placing the City on a high hazard target list back in April, staff noted the incidents were workplace accidents, the agency would be conducting an on sight inspection with a one year implementation to take corrective action; in the future the Council would be made aware at the time of the notification; suggested staff come back with a follow up report with changes and how they would be implemented.

B. Standing Committee Reports

Tim Sands, Chair of Code Review Committee:

- provided a report at the last Council meeting, nothing new to add.

Bob Himschoot, Chair of Finance and Budget Committee:

- staff had reported on the transition to ACCU Fund financial software;
- subject of business tax incentives was postponed to October;
- health insurance would be brought up later in the packet;

- water and wastewater rate review was in progress;
- staff was working on standardizing the current rates at the landfill; and
- reclassifying the fire dept. coordinator position was in the packet.

**VI. PUBLIC HEARINGS**

Mayor Ruby opened the public hearing.

- A. Ordinance No. 2012-15, An Ordinance of the Dillingham City Council Amending Chapter 8.16 of the Dillingham Municipal Code Related to Enhanced 911 Service to Increase the Surcharge for Enhanced 911 Service from \$1.46 Per Month to \$1.76 Per Month

There were no public comments on Ordinance No. 2012-15.

**VII. CITIZEN'S DISCUSSION (Prior Notice or Agenda Items)**

Supt. Bill McLeod reported the School District was very appreciative of the City's FY 2013 appropriation, which allocated \$50,000 to major maintenance and \$50,000 to the position added in the prior year. He noted these resources helped to contribute to the School District's good news:

- the proficiency levels of third graders was a key benchmark for future success. The trend lines in proficiency since 2005 had steadily increased in reading and writing and mathematics from 49-50% proficiency, to 85% proficient in reading, 77% in writing, and 82% in mathematics. He noted a 70% rate represented a good quality school system;
- the elementary school had recently met all the criteria measured by AYP, Adequate Yearly Progress;
- a goal was set for the last three years to meet AYP safe harbor – 10% of non proficient kids are moved to proficiency without losing anyone. For the third year running in all grades have made AYP in reading and writing;
- graduation rates have shown a positive trendline. Historically the graduation rate has been 49%; the State average is 50%. Last two years it has been 70% and 64.8% recently. Goal is to reach the AMO (Annual Measurable Objective for High Schools) of 85% or better.

**VIII. ORDINANCES AND RESOLUTIONS**

- A. Ordinance No. 2012-15, An Ordinance of the Dillingham City Council Amending Chapter 8.16 of the Dillingham Municipal Code Related to Enhanced 911 Service to Increase the Surcharge for Enhanced 911 Service from \$1.46 Per Month to \$1.76 Per Month

**MOTION:** Keggie Tubbs moved and Tim Sands seconded the motion to adopt Ordinance No. 2012-15.

**VOTE:** The motion to adopt Ordinance No. 2012-15 passed unanimously.

- B. Introduce Ordinance No. 2012-16, An Ordinance of the Dillingham City Council Amending Title 7, Animals, and Adding Chapters 7.08.011, Investigations of Cruelty to Animal Complaints, and 7.08.015, Seizure of Animals

MOTION: Paul Liedberg moved and Keggie Tubbs seconded the motion to introduce Ordinance No. 2012-16.

Tim Sands noted some of the changes were necessary to be in compliance with State law. Committee had considered the fiscal impact adding five days but felt the City had no choice but to adopt the new law.

City Clerk Williams reported the City's Attorney had returned his comments just recently. The changes would be shared with the Code Committee and incorporated into a substitute ordinance that would be brought back to the public hearing.

VOTE: The motion to introduce Ordinance No. 2012-16 passed unanimously.

- C. Introduce Ordinance No. 2012-17, An Ordinance of the Dillingham City Council Amending Chapter 3.60.050, Ballots- Marking, Validity – Removal Prohibited, and Adding Chapter 3.60.055, Write-In Candidates

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to introduce Ordinance No. 2012-17.

Tim Sands noted some of the changes were made to be in compliance with State law, including disallowing stickers on the ballot for write-in candidates. Another key change was to have a write-in candidate file a letter of intent.

VOTE: The motion to introduce Ordinance No. 2012-17 passed unanimously.

- D. Resolution No. 2012-50, A Resolution of the Dillingham City Council Extending Appraisal Co. of Alaska's Contract to FY 2013

MOTION: Tim Sands moved and Doug Holt seconded the motion to adopt Resolution No. 2012-50.

Staff noted the assessor's contract had expired and they were recommending extending it for one year and waive the bidding process as allowed in code for a professional service. The City was also scheduled for a field assessment of all properties this year and needed to move forward with a contract. Next year the City would go out for a RFP.

Finance Director Carol Shade noted for the next Council packet she would have more information on the 82% sales ratio provided by the assessor's office that would be used to calculate local property values.

VOTE: The motion to adopt Resolution No. 2012-50 passed unanimously.

- E. Resolution No. 2012-51, A Resolution of the Dillingham City Council Authorizing The City Manager To Contract with Premera Blue Cross To Provide Health Insurance for the City of Dillingham Employees

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to adopt Resolution No. 2012-51.

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Finance Director Shade noted although health insurance premiums had increased slightly by 3.2% over the prior year, discussions continued during the FY 2012 budget process to look for ways to significantly decrease the premiums. With the help of an insurance broker, staff analyzed several plans available to the City, and had all employees complete a health questionnaire. Workshops were held with the employees to explain the health plans, and an anonymous survey was distributed to all employees to choose one of the plans. The result was a recommendation to go with a high deductible health plan of \$2,000 with a health reimbursement arrangement to reimburse on the amount spent over \$750, the current deductible. The plan would go into effect December 1 if approved.

VOTE: The motion to adopt Ordinance No. 2012-51 passed unanimously.

#### **IX. UNFINISHED BUSINESS**

A. Animal Shelter Facility

There was nothing to report.

B. Committee Appointments

1. Library Board – 1 Seat

There was nothing to report.

2. Selection Committee – Police Chief Hire

Mayor Ruby reported selecting the committee was still in progress. Members confirmed to date included Manager Loera, Chief Chamberlain, Bob Himschoot, Tracy Hightower, Dorothy Larson, Ginger Baim, Rex Spofford, and John Green. Other members included State Trooper Sergeant Tuckwood, that had yet to be confirmed, and a business representative that had yet to be identified.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the committee members confirmed so far.

VOTE: The motion passed unanimously.

3. Cemetery Committee

Mayor Ruby reported a resolution to create the Cemetery Committee would be presented at the next Council meeting.

C. Offer of Land Transfer

There was nothing else to report.

#### **X. NEW BUSINESS**

A. Action Memorandum No. 2012-03, Authorize City Manager to Enter Into a Contract with Project Manager with Aurora SMA

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MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to approve Action Memorandum No. 2012-03.

Manager Loera reported the contract with Aurora SMA, Steve Cropsey, had expired in June. It was recommended that his services be continued. The new contract listed the various projects he would be involved with.

VOTE: The motion to approve Action Memorandum No. 2012-03 passed unanimously.

- B. Action Memorandum No. 2012-04, Award a Contract to Supply Sand and Gravel for FY 2013

MOTION: Tim Sands moved and seconded the motion to approve Ordinance No. 2012-04.

Staff to report back on whether or not the material delivered was sampled beforehand to be sure it met the specifications as advertised.

VOTE: The motion to adopt Ordinance No. 2012-04 passed unanimously.

- C. Action Memorandum No. 2012-05, Reclassification of the Fire Department Coordinator Position

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve Ordinance No. 2012-05.

City Manager Loera reported on the fire ISO audit, noting an improvement plan had been presented to the auditing firm. Failure to implement the improvement plan within a specified time could result in increased fire insurance premiums for homeowners. One of the recommendations made was to reclassify the fire dept. coordinator position to be an EMT 1 or a Firefighter 1. The current job description didn't require either certification. The reclassification elevated the pay range. Reclassifying the position would make it possible for the certified employee to respond to an emergency call during the day without having to call for a volunteer.

Other issues pointed out in the audit included lack of recording fire hose, pump, and hydrant testing, not conducting the testing on a regular basis, and the need for better accounting of training efforts and that the training was conducted under the national standards. Part of the improvement plan was to have two individuals with the required certification. This would be discussed during the next budget cycle.

The person in the fire dept. coordinator's position could qualify for the reclassified position if they got the required training, but there may not be training until January or February.

VOTE: The motion to approve Ordinance No. 2012-05 passed unanimously.

#### **XI. CITIZEN'S DISCUSSION (Open to the Public)**

Roy Winter, fire department volunteer, spoke in favor of working with the current fire dept. coordinator, Bo Evans, to keep him in the position, and the Council offer and pay for the training he needed. He did not want to lose him and considered Bo Evans an asset to the City.

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**XII. COUNCIL COMMENTS**

Bob Himschoot: no comment

Tim Sands:

- thanked staff for keeping the City running;
- thanked Carol Shade for all her hard work on the health insurance premiums that would save the City some money;
- suggested sending pictures to the legislators, AkDEC, and the Governor's office to show the City's appreciation for funding the sewer line force main relocation project and when the issue was resolved communicating back that the City appreciated the money and how it the sewer main was fixed; and
- noted the Code Committee meeting was rescheduled to September 12.

Keggie Tubbs:

- thanked Janice [Williams] on behalf of the election officials for providing a lot of assistance during the elections, going above and beyond, it didn't go unnoticed;
- thanked Jody [Seitz] for going above and beyond and showing Senator Begich's staff around;
- thanked Steve [Cropsey] and Chief Chamberlain for assisting with the visit from the Corrections Department;
- thanked all other staff who helped out that their efforts were much appreciated;
- noted in the meeting with the Corrections Commissioner they discussed additional funding to operate the contract jail that is was never enough and they were looking at ways to direct more money; the need for a new public safety facility, they were very receptive with combining the facility with the State Troopers; regional jail was up for discussion down the road; and
- offered condolences to those who had lost family members since the last meeting.

Paul Liedberg:

- echoed Keggie and Tim's comments thanking the employees and the City, appreciated everybody's help.

Doug Holt:

- accepted the other Council members' statements.

Tracy Hightower: no comment

**XIII. MAYOR'S COMMENTS**

Mayor Ruby:

- noted she appreciated the Council members each in turn attending the visits by the Corrections Dept., Senator Begich's office, Governor's rural advisor, providing each an opportunity to talk with the various legislators;
- thanked the election judges for sitting through long hours;
- thanked the fire department for assisting with a recent family incident, that they did an outstanding job keeping the fire contained; and
- asked for a moment of silence to recognize all those lost since the last meeting.

**XIV. EXECUTIVE SESSION**

- A. Legal Matter
  - 1. Annexation
  - 2. Gladden vs. City of Dillingham
  - 3. Manager Strategy

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to go into executive session under DMC, 2.09.050, regarding legal matters [8.22 p.m.].

GENERAL CONSENT: The motion passed without objection.

Manager Loera was invited into the executive session along with City Clerk Williams who left at the beginning of the session on Manager Strategy.

MOTION: Paul Liedberg moved and Keggie Tubbs seconded the motion to come out of executive session [9:39 p.m.].

GENERAL CONSENT: The motion passed with no objection.

**XV. ADJOURNMENT**

Mayor Ruby adjourned the meeting at 9:39 p.m.

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Alice Ruby, Mayor

ATTEST:

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Janice Williams, City Clerk

Approved: \_\_\_\_\_

# City of Dillingham



## Executive Proclamation

### Extra Mile Day November 1, 2012

WHEREAS, the City of Dillingham, Alaska is a community which acknowledges that a special vitality exists within the entire community when its individual citizens collectively "go the extra mile" in personal effort, volunteerism, and service; and

WHEREAS, Dillingham, Alaska is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Dillingham, Alaska is a community which chooses to shine a light on and celebrate individuals and organizations within its community who "go the extra mile" in order to make a difference and lift up fellow members of their community; and

WHEREAS, Dillingham, Alaska is proud to join other cities across the nation in recognizing November 1, 2012 as Extra Mile Day;

NOW, THEREFORE, I, Alice Ruby, Mayor of Dillingham, Alaska do hereby proclaim November 1, 2012 to be Extra Mile Day. I urge each individual in the community to take time on this day to not only "go the extra mile" in his or her own life, but to also acknowledge all those around who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

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**Mayor Alice Ruby**

who has also authorized the seal of the City of Dillingham, Alaska,  
to be affixed to this proclamation

Dated this day of October 4, 2012

CITY OF DILLINGHAM, ALASKA

**RESOLUTION NO. 2012-52**

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL EXPRESSING THANKS AND A COMMENDATION TO THE DILLINGHAM SCHOOL DISTRICT FOR A JOB WELL DONE**

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WHEREAS, the Dillingham School District has been diligently working toward raising student reading, writing and math benchmark test scores; and

WHEREAS, the third grade is considered a critical academic period which can signal children's future abilities to succeed in school; and

WHEREAS, the Dillingham City School District's third grade students have increased their test scores by as much as 30 percentage points in reading and 22 percentage point in writing and math; and

WHEREAS, the Dillingham City School District's third grade student scores in reading and math are better than 82 percent and in writing more than 77 percent; and

WHEREAS, the Dillingham City School District's elementary school now meets the Federal standard for Adequate Yearly Progress in all areas; and

WHEREAS, for the second year in a row the entire school district has made Adequate Yearly Progress in reading and writing with significant gains with formerly non-proficient students; and

WHEREAS, these achievements demonstrate an increase in the standard of excellence in our Dillingham City Schools due to hard work and dedication;

NOW, THEREFORE, BE IT RESOLVED that the City of Dillingham hereby commends the teachers, administration, support staff and students for their achievements which will contribute to the success of our future generations.

PASSED and ADOPTED by the Dillingham City Council on October 4, 2012.

SEAL:

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Alice Ruby, Mayor

ATTEST:

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Janice Williams, City Clerk

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



**Dillingham City Council**  
Doug Holt  
Paul Liedberg  
Keggie Tubbs  
Bob Himschoot  
Tracy Hightower  
Tim Sands

## MEMORANDUM

**Date:** September 25, 2012  
**To:** Mayor and City Council  
**From:** Rose Loera, City Manager  
**Subject:** September Monthly Report

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**Letter from Department of Labor (DOL)** - In his August monthly report, the Public Works Director reported about being on the "2012 High Hazard Targeting System (HHTS)". In the information section of your packet is a copy of the letter from DOL. The State's targeting system is based on the data from Worker's Compensation database taken over the period of the 2011 State fiscal year. The 2011 list is based on the correlation/rate between # of time loss injuries and # of employees from 7/1/10 – 6/30/11. The letter states that if we have more than 3 times loss injuries and more than 11 employees with a rate higher than 2 then we're included on the list. During the State fiscal year 2011 we had 5 time loss injuries, 61 total number of employees which calculated to an 8.2 rate. According to finance, we were on this same list in 2010. DOL will be here in early October to help us identify ways to lower our rate. From January 2012 to August we've had 13 Workmen Comp claims – 8 from Public Safety, 3 from Public Works, 1 Harbor, and 1 in Finance.

**Animal Shelter** – I continue to research options for the animal shelter. It appears that no one wants it in their back yard, nor anywhere in a public area because of the barking noise as well as concern for being at the Landfill, because of concern for the dogs from the sound of gun shots coming from the target practicing area. Finding a permanent solution to the animal shelter will be challenging.

**Erosion at the Harbor** – the last two storms have increased the erosion at the harbor significantly. There is a pole that is getting very close to the edge of the bank. The Corp of Engineers is recommending that we put rock down as soon as possible to avoid losing the electrical line.

**NAPA Building** – we will be running a water line to the new NAPA building. The owner of the building is paying for material needed to get water to his lot. We will be digging up the water line and insulating it since it is prone to freezing in the winter and was not a problem since there was no use for it.

**Snag Point Bulkhead Inspection** – Corp of Engineers here on 9/24/12. We want to determine how critical the bulkhead is since we lost close to two feet of soil from last winter.

*Our Vision. By 2015 to have an infrastructure that supports a sustainable, diversified and growing economy. \* We will take a leadership role and partner with others to achieve economic development and other common goals. \* We will develop a high quality City workforce to serve the community. \* We will promote excellence in education.*

A picture of the erosion is included in the letter that we sent to our legislators thanking them for the funding for moving our force main.

**Downtown Streets** – The Department of Transportation was here this past month and held a public hearing on the downtown street projects. When they were here we anticipated needing a match for the project, but were informed by them that there was not a required match because our community is eligible for a waiver due to our size. We will need to upgrade the Storm Sewers that are on the streets, and they have not determined if that is included in the street project. Their initial reaction was it was not included and we would need to have funds available for that when they are doing the roads. The funding will be needed prior to 2015, when it is anticipated the project to be started.

**Landfill Inspection** – We had an inspection of our Landfill this past month and the same deficiencies noted in 2011 are still present in 2012. In Malcolm's report, he has an assessment of the inspection. We will be getting a full report from DEC in a few months and will share it once received. The Landfill needs to be a top priority of ours so we don't lose our permit which expires June 1, 2014. What I am proposing to staff is to form a committee this winter of staff and community members to come up with a solution that we can carry forward. DEC made it clear that we cannot burn plastics and other toxic material at all, so if we want to continue to burn we will need to recycle. It appears that the location of the landfill would not sustain burying for very long since there is a lot of tundra and not much usable ground. Even burying the waste would require recycling.

**Policies** – Our attorney is including us in his development of a computer use policy that he is working on with other municipalities. We have identified this need after some inappropriate usage of the computer was identified. We are also revising our Personnel Regulations because staff was working with AMLJIA on a total rewrite and our union attorney was also tasked with a total rewrite. Staff will be comparing both documents and come up with a recommendation.

**Collection processes** – over the next few months staff will be working on the collection and foreclosure processes. The goal is to define a clear procedure for dealing with collections and foreclosure so that everyone is on the same page and we work collections in a timely manner to maximize revenue.

**Committee Meetings** – this past month I attend the Choggiung MOU and School Facilities meeting on 9/18, Code Review on 9/12, and Finance and Budget on 9/24.

**Mutual Aide Agreements** – I am working on a Mutual Aide Agreement with the Alaska State Trooper on responding in the newly annexed waters, Choggiung Limited on a Parks and Rec ski trail, and the Dillingham City Schools for the Territorial School. Once these are finalized, I will provide a copy to the Council.

### **Away from the Office**

On leave October 8 – 12 and November 19 – 28.

November 12 – 16 attending the AMLJIA conference in Anchorage.

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**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



**Dillingham City Council**  
Doug Holt  
Paul Liedberg  
Keggie Tubbs  
Bob Himschoot  
Tracy Hightower  
Tim Sands

## MEMORANDUM

**Date:** September 27, 2012  
**To:** Rose Loera, City Manager  
**From:** Steve Cropsey Project Mgr.  
**Subject:** Project Status

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**FORCE MAIN HDD:** Using an oilfield term the project has been tube-locked for about 12 days. Meaning no actual progress has been made in the last 10 days or so due to sub-surface soils conditions. The pipe became hydro-locked and the drill rig could not pull the pipe. The pull head and reamer bit became disconnected due to a broken shackle. The crew has been trying to dig down about 30 feet to the pipe and reconnect to the pipe to the drill head. The soils have been silty and wet causing extreme problems with water and mud infiltration into the excavation. The crew is working with an approved and engineered excavation plan and they are safely trying to resolve the problem. By the time the City Council meets the drilling activity should be back on track although the project is an estimated three weeks behind schedule.

**LIBRARY RE-ROOF:** A "Design and build" bid package is being developed and will be out for bid by mid October with a bid opening apx Nov 20,2012. This approach will save design dollars and has proven successful for smaller projects. The project will be awarded so as to be built in the May – June 2013 time period.

**WASTE WATER TREATMENT PLANT UPGRADES:** Three engineering design teams responded to the RFP to design the wastewater treatment plant upgrades. Ecological Engineering Group, Inc. (EEG) was selected by the committee as the firm most responsive not only to the RFP but the particular needs of the Dillingham Community and its treatment needs and opportunities. The City Council Agenda will have an item, which if passed by the City Council will allow the City Manager to execute a contract with EEG once the contract language and terms have been agree upon. The expectation is that the City Attorney, City Manager and Project Manager will negotiate on behalf of the City. This contract award approach is a little different in-as-much-as the project itself is not well defined. In other words, the specific portion of the project being designed is budget driven and will only be Phase I of the final project. The goal is to actually get work done on the WWTP and have the construction drawings address only the currently funded phase. The Not To Exceed (NTE) cost for construction drawings

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City of Dillingham

should approximate 10% of the engineer's estimate of the construction cost (Or a fee of \$170,000+or-). The master plan fee will be also defined as a NTE fee.) It is believed the amount of design work that needs to be accomplished in order to get the construction project out to bid by March 15, 2013 requires this approach to awarding the design contract.

**MEMBERS OF THE SELECTION COMMITTEE:**

Ms. Rose Loera  
Mr. Rick Dallmann  
Mr. Tim Sands  
Mr. Malcolm Brown  
Mr. Bob Himschoot

Thanks to each dedicated member of the committee and to the Senior Center staff for the lunch served to the committee.

**ROLAND THOMAS LAND ACQUISITION:** Escrow documents have been executed by the City Manager for Lots 8 and 11 of Block 6 (Currently owned by Roland Thomas). The purchase price is \$1380.23 although the City has another \$250.00 invested in title search work by First American Title Ins. Co. Using the purchase approach rather than foreclosing on the property for taxes gets title to the City quicker and at less upfront cost and allows the City to keep all sale proceeds which could turn out to become a profit to the City on the transaction. Foreclosure would require the City to return any sale proceeds in excess of the City's taxes and costs to the former property owner.

Thank you for the opportunity to continue providing project management service to the City of Dillingham.

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



**Dillingham City Council**  
Doug Holt  
Paul Liedberg  
Keggie Tubbs  
Bob Himschoot  
Tracy Hightower  
Tim Sands

## MEMORANDUM

**Date:** September 25, 2012  
**To:** Rose Loera, City Manager  
**From:** Janice Williams, City Clerk *JW*  
**Subject:** Monthly Report

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**Regular City Election, October 2, 2012 – Possible Request for a Waiver of the Nepotism Rules.** Christopher Maines is running on Council Seat B. His brother, Craig Maines, is employed by the City of Dillingham as a Corrections Officer. If elected the City Manager may recommend a waiver to the Council as long as the employee is not directly supervised by the Council or Mayor. In this case, Craig would not be directly supervised by the Council or Mayor. The code is not entirely clear how this process would be transacted. The City's Attorney has provided the following:

"Whoever gets the most votes wins the election regardless of whether they have a relative employed by the City. They don't get to run for office and then decide later if they will take the oath depending on how the council votes on a nepotism waiver. That is why it is not necessary to decide the waiver issue in advance of administering the oath of office.

If the person that won the election refuses to take the oath the person who currently holds the council seat remains in office.

If the nepotism waiver is not granted then either the relative leaves city employment or the newly elected council member resigns. My suggestion is that decision gets made by the November meeting. If the council member does not resign at that meeting or in advance of that meeting their relative is terminated from city employment.

If the council member resigns, the seat is filled using the vacancy procedure it does not automatically go to whoever finished second in the election."

**Ordinance No. 2012-17, introduced September 6, up for adoption November 1.** This ordinance amends Chapter 3.60.050, Ballots – Marking, validity- Removal prohibited, and adds a new chapter 3.60.055, Write-in candidates. This ordinance is scheduled for a public hearing and adoption November 1, not October 4, to avoid any confusion with the October 2 city election.

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City of Dillingham

Since this ordinance was introduced, a situation occurred in which a potential candidate was out of town and not able to file in person during the declaration of candidacy filing period. Our Attorney was contacted, and it was his opinion that there was nothing in our code that would have allowed for email or fax submittals even if notarized. I would recommend this be added to the Code Committee's task list for possible change after Ordinance No. 2012-17 is adopted.

### **Foreclosure Process 2005-2010 – Status Update**

In June 2012, the City entered the one year statutory redemption period during which delinquent property tax payers have one year to pay their back taxes, interest, penalties, and proportionate shares of costs and fees. Until then, it is just a matter of keeping up with anyone who comes in to pay off their taxes, after which the City will file a certificate of redemption with the Court to record and clear their lien.

We have since filed on the years 2006-2011. The list would normally only include 2011, but we are adding property owners who were kept off the 2005-2010 list because they were on a payment plan, but have not followed through with their repayment plan.

### **E-911 Rate Increase.**

The four wireline and wireless carriers that bill and remit the E911 surcharge were contacted back in August of the proposed increase, and contacted again by phone and in writing after the ordinance was adopted September 6. All have responded that the E-911 increase would go into effect on their November 1 bills.

The City Clerk is responsible to notify in writing the customers subject to the surcharge and provide an explanation of what the surcharge will be used for. Our attorney suggested we provide the customers with a billing insert. The following billing insert was provided to the four carriers. I offered to make the copies, but they opted to do it themselves.

## **Notice from City of Dillingham, Box 889, Dillingham, Alaska, 99576**



### **INCREASE IN E-911 SURCHARGE**

- **TO \$1.76 PER MONTH FROM \$1.46 PER MONTH, A \$.30 INCREASE**
- **EFFECTIVE DATE NOVEMBER 1, 2012**

#### **Who is assessed the E-911 surcharge?**

The E-911 surcharge is imposed on all local exchange access lines and each wireless telephone number that is billed to an address in the City of Dillingham.

#### **Who bills and collects the E-911 surcharge?**

The E-911 surcharge is billed and collected by the wireline and wireless carriers and is remitted to the municipality providing the service.

#### **How will the E-911 revenues be used?**

The increase in the surcharge was necessary in order to meet the needs for upgrades to the E-911 system and provide a backup system. The need for an increase was evaluated during the 2013 City of Dillingham budget process.

If you have any questions regarding the E-911 increase, please contact the City Clerk's Office at 842-5212.  
10.1.2012

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Tracy Hightower  
Tim Sands

## MEMORANDUM

**Date:** September 27, 2012

**To:** Rose Loera  
City Manager

**From:** Carol Shade  
Finance Director

**Subject:** Financial Report Period Ending August 31, 2012

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August continued to be a busy month as the Finance Department was beginning preparations for closing out the fiscal year 12 books, putting together information for the implementation of the Utility Billing system in the new AccuFund accounting software.

Sharri continued to be busy, as monitoring the front desk never seems to have a dull moment. People were coming in to get forms. Some coming in for property tax questions, which of course she referred to Ted, others asking sales tax and business license questions, which are referred to Stephanie. And a few requesting forms for the annual fish tax payments.

Stephanie and Anita were finally able to get all the information into the new system and balanced between the ACS software and the AccuFund software and the first bills from the new software went out in September.

Holly continued the payables and payroll processing in conjunction with pulling documents for the annual audit. She did the majority of the payroll information gathering.

Ted is always willing to help people when they have questions on property taxes and assisting people with payback agreements if they are in need of such assistance. In addition he aided Holly with the pulling and documentation of the vouchers the auditors wanted pulled.

We still remain split between the two accounting systems for just a little longer, so the reporting is still a bit of a challenge, but with the budget having been imported into the new system, I was able to pull some budget to actual reports and will be able to start distributing these to the Department Heads.

Following are the financials for the period ending August 31, 2012.

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**City of Dillingham**  
**Revenues and Expenditures As of August 31, 2012**  
**Unaudited Figures**

REVENUES:	Budget - FY13	Aug-12	Year to Date Actual -8/31/12	Percent	Previous Year	
					8/31/2011	INC/(DEC)
					Actual	Last Year
<u>General Fund Revenues</u>						
General Sales Tax	2,700,000	305,894	648,801	24.0%	573,384	75,418
Alcohol Sales Tax	265,000	-	6,123	2.3%	38,690	(32,567)
Transient Lodging Sales Tax	95,000	15,212	70,455	74.2%	15,372	55,082
Gaming Sales Tax	65,000	5,186	12,844	19.8%	3,198	9,646
<b>Total Sales Tax</b>	<b>3,125,000</b>	<b>326,292</b>	<b>738,223</b>	<b>23.6%</b>	<b>630,644</b>	<b>107,579</b>
Real Property Tax	1,460,000	-	1,532,755	105.0%	1,477,670	55,085
Personal Property Tax	500,000	-	529,420	105.9%	507,162	22,258
<b>Total Property Taxes</b>	<b>1,960,000</b>	<b>-</b>	<b>2,062,175</b>	<b>105.2%</b>	<b>1,984,832</b>	<b>77,343</b>
Telephone Gross Receipts State Tax	80,000	-	-	0.0%	-	-
Raw Fish Tax	205,000	-	-	0.0%	-	-
Shared Fisheries	40,000	-	-	0.0%	-	-
Revenue Sharing (Municipal Energy Assist in '08)	298,970	-	-	0.0%	233	(233)
Payment in Lieu of Taxes (PILT)	423,142	-	-	0.0%	-	-
Foreclosures	-	-	-	-	13,579	(13,579)
State Jail Contract	480,417	120,104	120,104	25.0%	-	120,104
Other Revenues	1,012,272	24,014	46,977	4.6%	52,772	(5,795)
<b>Sub-Total G/F Revenues</b>	<b>2,539,801</b>	<b>144,118</b>	<b>167,081</b>	<b>6.6%</b>	<b>66,584</b>	<b>100,497</b>
Nushagak Fish Tax (Proportion transfer in)	579,513	-	-	-	-	-
<b>Total General Fund Revenues</b>	<b>8,204,314</b>	<b>470,410</b>	<b>2,967,479</b>	<b>36.2%</b>	<b>2,682,060</b>	<b>285,419</b>
<u>Special Revenue Funds Revenues</u>						
Nushagak Fish Tax	710,883	-	-	-	-	-
Water	224,479	13,367	18,184	8.1%	26,971	(8,787)
Sewer	263,138	19,015	27,267	10.4%	38,864	(11,597)
Landfill	339,298	14,586	29,454	8.7%	32,732	(3,278)
Dock	709,603	108,177	108,244	15.3%	135,348	(27,104)
Boat Harbor	175,426	12,339	28,669	16.3%	23,464	5,205
E-911 Service	74,650	5,558	10,962	14.7%	7,479	3,483
Senior Center	469,969	94,466	95,947	20.4%	35,480	60,467
<b>Total Special Revenue Funds Revenues</b>	<b>2,967,446</b>	<b>267,508</b>	<b>318,726</b>	<b>10.7%</b>	<b>300,339</b>	<b>18,387</b>
Debt Service Fund Revenue	1,177,840	-	-	-	8,243	(8,243)
Asset Forfeiture Fund	800	-	-	-	-	-
Dock and Harbor Capital Project Fund Revenue	-	71,925	71,925	-	2,783	69,143
Road and Streets Capital Project Fund Revenue	-	-	-	-	-	-
Force Main	1,800,000	117,999	117,999	-	-	117,999
School Bond Project	-	-	-	-	16	(16)
Boiler Grant	-	-	-	-	-	-
JAG Grant	59,719	59,719	59,719	-	-	59,719
Dillingham School District Additional Request	-	-	-	-	-	-
Equipment Replacement Capital Project Fund	100,000	-	-	-	-	-
Ambulance Reserve Capital Project Fund Revenue	38,000	-	-	-	-	-
Mary Carlson Estate Permanent Fund Revenue	10,000	-	-	-	625	(625)
Landfill Phase 3	-	-	-	-	-	-
Public Safety Building Planning	-	-	-	-	-	-
<b>Total CIP &amp; Special Revenues</b>	<b>3,186,359</b>	<b>249,643</b>	<b>249,643</b>	<b>-</b>	<b>11,666</b>	<b>237,976</b>
<b>Total All Revenues</b>	<b>14,358,119</b>	<b>987,561</b>	<b>3,535,847</b>	<b>24.6%</b>	<b>2,994,066</b>	<b>541,782</b>

**City of Dillingham**  
**Revenues and Expenditures As of August 31, 2012**  
**Preliminary Figures**

EXPENDITURES:	Budget - FY13	Aug-12	Year to Date Actual -8/31/12	Percent	Previous Year	
					8/31/2011 Actual	INC/(DEC) Last Year
General Fund Expenditures						
City Council	88,800	2,277	5,182	5.8%	21,699	(16,517)
City Clerk	132,282	9,458	16,701	12.6%	14,429	2,272
Administration	319,445	44,489	33,592	10.5%	46,490	(12,898)
Finance	581,108	33,348	59,797	10.3%	86,457	(26,661)
Legal	135,000	18,421	44,588	33.0%	6,780	37,808
Insurance	88,642	-	-	0.0%	92,890	(92,890)
City School	1,300,000	325,000	325,000	25.0%	325,000	-
Non-Departmental	204,975	27,518	44,129	21.5%	46,120	(1,991)
Museum	4,000	-	-	0.0%	-	-
Planning	153,591	7,231	12,857	8.4%	13,582	(725)
Public Safety Administration	273,506	10,336	13,644	5.0%		
Dispatch	428,354	42,677	73,115	17.1%	63,647	9,467
Patrol	577,921	64,006	136,843	23.7%	183,521	(46,678)
Investigations/WAANT	126,659	-	546	0.4%		
Corrections	571,597	39,890	71,319	12.5%	86,091	(14,773)
DMV	103,356	6,177	11,108	10.7%	11,687	(580)
Animal Control Officer	131,564	8,314	21,238	16.1%	18,905	2,332
Fire	299,447	17,734	29,045	9.7%	35,137	(6,092)
K-9	83,719	14	14	0.0%		
PS IT	21,500	3,091	6,259	29.1%		
Public Works Administration	237,954	11,963	22,366	9.4%	19,979	2,387
Building and Grounds	326,357	46,502	80,282	24.6%	40,597	39,685
Shop	267,525	13,953	25,589	9.6%	5,053	20,535
Street	605,656	16,462	54,063	8.9%	52,990	1,073
Foreclosed Properties	-	-	-		13,394	(13,394)
Library	203,996	11,859	21,980	10.8%	24,713	(2,732)
Meeting Hall above Fire Station	3,680	276	434	11.8%	435	(1)
Transfers to Other Funds	1,033,383	-	-	0.0%	-	-
<b>Total General Fund Expenditures</b>	<b>8,304,017</b>	<b>760,996</b>	<b>1,109,689</b>	<b>13.4%</b>	<b>1,209,597</b>	<b>(120,371)</b>
<u>Special Revenue Funds Expenditures</u>						
Nushagak Fish Tax						
Property Tax & Low Income Refunds	74,500	-	-			
Fiseries Infrastructure Fund	579,513	-	-			
Borough Study Fund	21,326	-	-			
Transfer to General Fund	35,544	-	-			
<b>SubTotal Nushagak Fish Tax Expenditures</b>	<b>710,883</b>					
Water	224,479	8,153	18,688	8.3%	20,068	(1,380)
WasteWater	263,138	24,989	48,145	18.3%	33,024	15,121
Landfill	339,298	16,102	44,179	13.0%	53,930	(9,751)
Dock	426,996	39,413	98,065	23.0%	102,629	(4,564)
Boat Harbor	214,524	26,891	57,120	26.6%	52,259	4,861
E-911 Service	14,060	-	-	0.0%	-	-
Senior Center	469,969	33,899	58,460	12.4%	126,252	(67,792)
<b>Total Special Revenue Fund Expenditures</b>	<b>2,663,347</b>	<b>149,447</b>	<b>324,657</b>	<b>12.2%</b>	<b>388,162</b>	<b>(63,505)</b>
Debt Service Fund Expenditures	1,177,840	302,295	302,295	25.7%	315,920	(13,625)
Asset Forfeitures Fund					1,480	(1,480)
Library Technology					3,000	(3,000)
Dock and Harbor Capital Project Fund Expenditures					-	-
Road and Streets Capital Project Fund Expenditures					26,743	
Force Main	1,800,000	381,972	485,661	27.0%	283,486	202,176
School Bond Project Fund Expenditures					4,389	(4,389)
Library Roof	250,000	70	70	0.0%	-	70
JAG Grant					-	-
Equipment Replacement Capital Proj Fund Expen	100,000			0.0%	8,186	(8,186)
Ambulance Reserve Capital Project Fund Expen	38,000					
Mary Carlson Estate Permanent Fund Expenditures	10,000	126	420	4.2%	1,566	(1,146)
Landfill Capital Project Fund Expenditures					2,695	(2,695)
<b>Total</b>	<b>3,375,840</b>	<b>684,463</b>	<b>788,446</b>	<b>23.4%</b>	<b>647,465</b>	<b>167,724</b>
<b>Total Expenditures</b>	<b>14,343,204</b>	<b>1,594,907</b>	<b>2,222,793</b>	<b>15.5%</b>	<b>2,245,224</b>	<b>(16,151)</b>
<b>Revenues Over (Under) Expenditures</b>	<b>14,915</b>	<b>(607,346)</b>	<b>1,313,054</b>		<b>748,842</b>	<b>557,933</b>

City of Dillingham  
Revenues and Expenditures As of August 31, 2012  
Preliminary Figures

	<u>Fund Bal.</u> <u>6/30/2011</u>	<u>FY'13</u> <u>Revenues</u>	<u>FY'13</u> <u>Expenditures</u>	<u>Add or (-)</u> <u>Fund Bal</u>	<u>Fund Bal.</u> <u>8/31/2012</u>
General Fund	3,893,876	2,967,479	1,109,689	1,857,790	5,751,666
Water and Sewer	70,644	45,451	66,833	(21,383)	49,261
Landfill	-	29,454	44,179	(14,725)	(14,725)
Dock	1,580,187	108,244	98,065	10,179	1,590,366
Boat Harbor	-	28,669	57,120	(28,452)	(28,452)
E-911 Service	130,632	10,962	-	10,962	141,594
Asset Forfeitures Fund	37,220	-	-	-	37,220
Senior Center	-	95,947	58,460	37,487	37,487
Debt Service	-	-	302,295	(302,295)	(302,295)
Dock and Harbor Capital Project Fund	(18,386)	71,925	-	71,925	53,539
Road and Streets Capital Project Fund	-	-	-	-	-
Water and Sewer Capital Project Fund	(58,393)	117,999	485,661	(367,662)	(426,055)
School Bond Project Capital Project Fund	956,055	10	-	10	956,065
Library Roof	-	-	70	(70)	(70)
JAG Grant	-	-	-	-	-
Equipment Replacement Capital Project Fund	76,704	-	-	-	76,704
Ambulance Reserve Capital Project Fund	452,955	-	-	-	452,955
Mary Carlson Estate Permanent Fund	407,132	-	420	(420)	406,712
Landfill Capital Project Fund	172,044	-	-	-	172,044
<b>Fund Balance Totals</b>	<b>\$ 7,700,670</b>	<b>\$ 3,476,139</b>	<b>\$ 2,222,793</b>	<b>\$ 1,253,346</b>	<b>\$ 8,954,016</b>

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



**Dillingham City Council**  
Doug Holt  
Paul Liedberg  
Keggie Tubbs  
Bob Himschoot  
Tracy Hightower  
Tim Sands

## MEMORANDUM

**Date:** September 25, 2012  
**To:** Chief Nancy Chamberlin  
**From:** Ethan Richards, Fire Department Coordinator  
**Subject:** Department Head Report

---

The Dillingham Volunteer Fire Department and Rescue Squad held a combination meeting on September 5, 2012. Training for the evening reviewed rescue and ambulance extrication equipment procedure and familiarization. Some extrication equipment was transferred to Engine-1.

Rescue Squad Training has been rescheduled for September 26, 2012 at the Lake Road Station. AURORA based digitalized training for pre-hospital reporting and run reviews are planned for the evening.

Fire Training was held on September 12, 2012 at the Lake Road Station. Fire attack set up orientation, introduction to hose streams; fire debriefing, scene management and fit testing were accomplished.

The Rescue Squad responded to 13 ambulance transports during the month of August 2012. They consisted of 6 trauma, 2 alcohol, 2 stroke, and 3 other medical and 1 Police Department standby. Currently, for the month of September, the Rescue Squad has responded to 15 ambulance calls consisting of 2 seizure, 1 respiratory 6 trauma, 5 other medical and 1 fire call.

There were no major equipment issues and all apparatus are in service and ready to respond.

There were no new membership applications presented by the Executive Committee.

During the month of September, routine inspection of apparatus, equipment, replacement of expired medical supplies and clerical duties were performed.

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



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## MEMORANDUM

**Date:** September 25, 2012  
**To:** Rose Loera, City Manager  
**From:** Sonja Marx  
**Subject:** September Monthly Report

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I attended the Alaska OWL Project Sustainability Summit in Anchorage, September 19-21. It was a great opportunity for those libraries who are participating in this project to come together and share what has been done since this project began in 2010. We were one of the first libraries to be connected to the high speed internet with GCI, and then receive and install all the equipment. Many of the other libraries in Alaska are just now getting their internet connected and the equipment installed.

This summit was also a time to brainstorm on how this project can be sustained once the grant ends in August, 2013. We want to be able to continue to provide this needed service to the patrons of our community, as well as those who visit.

Regarding our staff, Thresa Askoak was hired as a Library Aide/Clerk I, and is in the process of being trained. The Internet Technology Aide position that is grant funded by the Alaska OWL project was also advertised. There was only one applicant for the position and a recommendation for hire has been made.

The seventh and eighth graders from the middle school have been using the library on a weekly basis. The Technology for College class from the high school has also been utilizing the resources from the library.

Library Stat report for August 26 – September 22, 2012:

Patron Visits: 1,905 Computer Use: 1,135 Story Hour: 39

Class Visits: 185 Museum Use: Rasmussen meeting Videoconferencing: 1

Approximately 13.5 volunteer hours logged

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**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



**Dillingham City Council**  
Doug Holt  
Paul Liedberg  
Keggie Tubbs  
Bob Himschoot  
Tracy Hightower  
Tim Sands

141 Main Street • PO Box 889  
Dillingham, Alaska 99576  
907.842.5211

## MEMORANDUM

**Date:** September 24, 2012  
**To:** Rose Loera, City Manager  
**From:** Jody Seitz, Planning Director  
**Subject:** Staff Report

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CANDU: Attended strategic planning meeting for the CANDU project on September 21. The project is in its reporting mode and is focused on developing quantitative measures for showing improvement in Dillingham's domestic violence statistics.

CIP: Prepared six year CIP with assistance from the Project Review Committee. At their September 18 meeting, the Planning Commission recommended this to the Council for approval. Developed legislative priorities list based on both the 2013-2018 CIP as well as how projects scored on the Project Evaluation Criteria.

Grants: The City is requesting the Curyung Tribe allow the City to apply for the 2012 BBEDC Community Block Grant in order to have a match to use with a CDBG for planning and design for the Fire Hall/Public Safety Building(s). There may be some funding left from the Snag Point Force Main legislative grant which could be directed toward the Wastewater Collection System Upgrades. Filled out 4 ADEC municipal matching grants; returned 4 loan requests. Completed a new grant application for MMG 28303. Attended Rasmuson gathering. Many people are interested in arts related projects and several voiced support for projects such as the Harvey Samuelson Community Cultural Center that bring the community, particularly elders and youth, together for activities.

Grant Reporting: EDA is asking for the 3<sup>rd</sup> and 9<sup>th</sup> year reports on job creation due to the All-Tide Dock and North Bulkhead extension. These grants require us to find out

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City of Dillingham

how many of the jobs proposed to be created in the pre-application for funding were actually created and retained.....indirectly or directly. Very very time consuming.

Grill Project: A local men's group, Dillingmen, has purchased 3 grills for installing in parks in Dillingham: the harbor picnic park, the old airstrip park, and the ballfield park. The project would give the grills to the City. They'd be anchored on posts in concrete.

Neighborhood Initiative: Due to hunting season and public requests, deadline was extended to October 31 for proposals. The Planning Department has received two proposals: one for exercise equipment for the Senior Center, which has also gotten a number of letters of endorsement, and one for a mosaic at the University. The Planning Commission will consider all proposals after October 31 deadline.

#### Permitting:

- **Encroachments:** two requests for permits for electrical utilities on Cessna Drive. Utility lines will be run from Stinson Drive across Cessna drive to a house at 4700 cessna Drive and across Cessna from 4735 Cessna drive to a chicken coop.
- **Floodplain:** ADOT Kanakanak Road in progress. Still have not completed this.
- **Land Use Permits:** Still behind on contacting landowners re: land use permits.
  - Researching whether a permit can be issued for a building that has no ADEC approved sewage system. The family uses a honey bucket in the already constructed house. They empty it into an outhouse at their old house on Jerry Liboff's property.
  - Requested information from the City Attorney:how should the City Planning Department handle the situation if a land use permit is not supposed to be issued? What does the family do especially if they have already built their house?

#### Actions:

Planning Department contract staff has been compiling land use permit codes from several municipalities and has numerous outstanding requests for information from other City Planners.

#### Tentative ideas for improving land use permit code enforcement:

- Code change to require all land use permit application to get planning commission approval.
- Public education campaign with one or two public meetings to take comments on potential code revisions .
- Develop a process for carrying through in the case of non-compliance.
- Bring suggested changes to Planning Commission and City Council Code Committee.

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### Platting:

- Resolution vacating alley between lots 6 and 7 of Block 2 of USS 2732 was tabled at the Planning Commission meeting September 4, due to need for more information. A second attempt to pass the resolution during the September 18 meeting, without the additional information, was unsuccessful. Owner and applicant has not contacted the City since the plat was heard by the Planning Commission.
- Working with John Oconnor to provide a plat for the vacation of the upper half of the alley behind the NAPA store.

### Road Projects:

- The **Downtown Streets** project is funded for construction in FY2015! Reviewed project with Project Manager Wolfgang Junge and Jessica Wuttke on 9/11. Held public meeting which was attended by only a few people, but they had the time to visit with a few landowners in the project area. The project is in right of way acquisition stage. Our GIS data made providing maps for this project much quicker.
- **Nerka Roads:** 23 people attended the public meeting for this project. Most protested the proposed new extension of Teal Lane to Emperor Way North and asked Curyung Tribe and BESC to investigate use of Kingfisher Lane as an outlet to the subdivision in case of fire.
- **Windmill Hill.** Working with BBNA to improve pedestrian and bicycling safety on Windmill Hill. Met twice with ADOT engineers and planners. Still gathering information.

USACOE – engineers visited Dillingham 9/24, to inspect our bulkheads and harbor for erosion damage. Advised protecting the east side harbor bank as soon as possible. Staff is looking for funds in 09-DC 449 legislative grant. USACOE says the Snag Point bulkhead rip rap job was well done and holding up well. Will look into permitting needs for the harbor project.

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



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## MEMORANDUM

**Date:** September 24, 2012

**To:** City Manager Rose Loera

**From:** Nancy Chamberlin  
Interim Chief of Police

**Subject:** Public Safety Department Updates – September 2012

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### Patrol

City Manager Loera and I met with Alaska State Trooper (AST) Sgt. Tim Tuckwood on September 18, regarding calls for police service in the newly-annexed Nushagak waters. The purpose of the meeting was to ensure that both agencies have a clear understanding as to law enforcement service delivery in this area. The Dillingham Department of Public Safety will continue to work closely with the AST and the United States Coast Guard in addressing emergencies in the Nushagak Bay annexation area. We will also be developing and documenting a protocol for the DPD's response to calls for service in this area and will ensure that Dillingham Public Safety and City personnel are properly trained for these responses. We are also in the process of purchasing PFD's, life rings, and other equipment necessary for responding to water-related emergencies in the newly annexed area.

City Manager Loera and I met with representatives of the Curyung Tribal Council at their monthly meeting on September 18. I outlined my efforts to instill in the public safety employees the importance of being professional, accountable, and dedicated toward serving the citizens of Dillingham. I also mentioned that our department was increasing their outreach to the Dillingham youth. I also shared with them my interest in providing the officers additional training in the area of cultural competency. I further explained that we are streamlining the complaint process, to assist citizens in providing us with feedback regarding our delivery of police services. A couple of board members expressed their concern about the use of illegal drugs, as well as the overuse of prescription drugs within the Dillingham community. Another tribal council member commented on the turnover rate within the Dillingham Police Department. I briefly outlined the process for selecting the new chief, which includes the input and involvement of several community members.

Mr. Doug King of the District Attorney's office will be providing our officers with additional training in the area of charging elements required for the various criminal statutes. In these

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monthly meetings, Mr. King will also assist the officers in preparing more detailed probable cause affidavits, which we believe will strengthen the cases for prosecution.

On Friday, September 14, I participated in a tabletop exercise with other stakeholders regarding the community's Airport Emergency Plan. During this training, we reviewed the various agencies' responsibilities and tasks when responding to emergencies at the airport. Each agency's standard operating procedures manual was updated. Other participants at the meeting included members of the Dillingham Fire Department, the Alaska State Troopers, the Department of Transportation, and the Federal Aviation Administration.

Progress continues to be made in contract negotiations with the PSEA.

The Department of Public Safety will assist AST in conducting a "Prescription Drug Take Back Day", which will allow our residents to dispose of expired, unused or unwanted prescription medication. The AST office will serve as the drop-off site for the collection of this medication. The event is being held on Saturday, September 29, between the hours of 10:00 a.m. and 2:00 p.m. We believe that this initiative will reduce the number of incidents involving the theft, diversion, misuse, and abuse of prescription drugs and may also positively impact the number of poisonings and/or overdoses that occur each year, as well as reducing the potential public safety hazards which are posed by the improper disposal of medication.

The Dillingham Police Department currently has approximately ten unclaimed bicycles. If the original owners cannot be located, the bicycles will be donated to the two Dillingham youth centers and to S.A.F.E.

A number of months ago, a citizen asked Council Member Bob Himschoot to research whether or not legislation had been passed, which would allow the operation of low-speed vehicles on our highway. It appears that on October 28, 2006 Sec. 28.35.261 of the Alaska Criminal and Traffic Law Manual ("Operation of Low-Speed Vehicles) was enacted. I have attached a copy of the legislation to this report. I am still researching the issue and may have more specific information available at the time City Council meets on Thursday, October 4, which should help clarify this issue.

City Manager Loera and I will be working with the Finance Department in better outlining the process required for the distribution of monies held in the Seizure Fund. As you are aware, this money is acquired as a result of seizures and forfeitures received from either Federal or State seizure/forfeiture proceedings in drug or other investigations. We will be establishing a more clearly defined process on how these funds may be utilized and authorized for disbursements.

## **Corrections**

On Tuesday, September 4, I along with other members of the City's staff, met with representatives of the Alaska Department of Corrections. Preliminary discussions were held regarding the need for a new jail and Public Safety building. In our current facility, it is not uncommon for us to be over capacity in terms of the number of inmates we

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have in custody. Further discussions will occur in the coming months in an effort to determine the most viable course of action for addressing this issue.

## **WAANT Unit (Western Alaska Anti-Narcotics Team)**

During the month of September, the WAANT conducted several successful narcotics investigations:

A female suspect was arrested for transporting 15 Oxycodone pills (with a total street value of \$3,000) for the purpose of selling it. She was also charged with tampering with evidence when she attempted to hide the vile of pills in the DPD's interview room.

Another female suspect was arrested after she refused to submit to a search as part of her release conditions for a pending drug charge.

A male suspect was arrested after he violated third party custody conditions.

Approximately one-half pound of marijuana was seized while being shipped to a Togiak residence.

Approximately one pound of marijuana was seized while being shipped to a Togiak residence.

Approximately one ounce of marijuana was seized while being shipped to Port Heiden.

Approximately \$7,000 of suspected drug money was seized during a narcotics investigation in September. The WAANT Unit will begin asset forfeiture proceedings in this case.

K-9 Lutri and Officer Casselman played a key role in three of the above cases, including the seizure of the \$7,000 of suspected drug money.

The WAANT Unit also seized twelve bottles of liquor, which was being shipped to local villages.

## **Communications**

I have had communication with the State Fire Marshall's office regarding modifying the fire suppression system in the area which houses our E9-1-1 system. As you may recall, concern was expressed about having a "wet" sprinkler head in this area, which could potentially damage the equipment. The recommendation of the Fire Marshall's office was that we contact a fire suppression system vendor to visit our facility and ask them to develop an alternate fire suppression system for the 6' by 10' area. Once the plan is approved by the State Fire Marshall's office, the vendor would install and certify

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the system. Mr. Richard Thompson, our computer technician, is contacting the fire suppression system vendor who is most familiar with our system.

During the past month Richard Thompson has been working with Emil Sorenson from Nushagak on the rollover of the 9-1-1 lines. They have confirmed that the switch will be programmed, so that the 9-1-1- lines will roll over to our non-emergency number (842-5354) under two circumstances: (1) If both 9-1-1 trunk lines are busy; or, (2) If no signal is received from the Department's 9-1-1 system, i.e., if the system is down. The second circumstance is especially important, as it provides a mechanism to divert 9-1-1 to a backup location in the event the building must be hurriedly abandoned – thus providing some flexibility in the execution of an alternate dispatch site.

## **Animal Control**

A total of three cameras have been installed on both the exterior and interior of the building, which will allow for 24-hour monitoring of the facility. Nushagak is in the process of programming and installing the security appliance. Gravel will be spread at the facility in an effort to level off the lot, which should significantly reduce the pooling of water in the exterior kennel areas. The exterior kennels will be furnished with metal roofs, which will offer the animals protection from inclement weather. We are also in the process of securing a clothes dryer for the facility, so that the bedding for the animals can remain clean and dry.

As you are aware, the Chester Valley Vet Clinic cancelled their trip to Dillingham several days before they were scheduled to arrive. They have indicated an interest in conducting a clinic in May of next year. We are contacting other veterinarians in this region to see if they are interested in servicing Dillingham. ACO Boyd is working with Sally Clampett, an animal advocate in Anchorage, in determining whether there is grant funding available to help reduce the costs of veterinarian services provided to Dillingham residents and their pets

## **DMV**

Boat registrations for fishing and hunting, as well as registrations for commercial construction vehicles have decreased significantly – which is a trend we see annually during this time of year.

Discussions have occurred regarding Ms. Gail Norden, our DMV Agent, assisting with the commercial driver's license process. In the event that it is determined to be a viable option, she would make herself available at a specific date and time to assist with commercial vehicle inspections and the CDL driving course. Ms. Norden would require additional training in this area before she could participate in this process. Mr. Jean Barrett will be familiarizing Ms. Norden and me with the driving course and vehicle inspections, in an effort to determine whether or not she will be able to assist with the CDL process.

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## Conclusion

In all likelihood, this will be my last monthly report – as I am tentatively scheduled to leave Dillingham around October 19. It would have been my preference to remain here until your new chief is in place, but, unfortunately, familial considerations may not make that possible. I will be available by phone or email, however, in the event I can assist with the transition in any way.

I would like to sincerely thank you for the opportunity to serve you and the citizens of this community. I have very mixed feelings about leaving Dillingham. On one hand, I will look forward to spending time with my family again, but I will truly miss being a part of your community. From the moment I arrived in Dillingham, everyone has been extremely warm and hospitable. I will take with me wonderful memories of the time I spent with you. You have so much to be proud of here and, while there is work yet to be done, I have no doubt that with your community's caring, commitment, and "can-do" attitude -- you will continue to do great things.

It has truly been a privilege and an honor to serve as your Chief during the past several months. I wish you all the best and will keep my new Dillingham "family" in my thoughts and prayers. If I can ever be of service to you in the future, please do not hesitate to contact me.

Thank you again for this wonderful opportunity and for the many kindnesses extended to me throughout my stay. Godspeed!!

Nancy S. Chamberlin  
Interim Chief of Police  
Dillingham Department of Public Safety  
September 24, 2012

Sec. 28.35.261. Operation of low-speed vehicles.

(a) The operator of a low-speed vehicle is subject to all the traffic and other laws applicable to operators of passenger vehicles.

(b) The operator of a low-speed vehicle may not operate that vehicle on a highway that has a maximum speed limit of more than 35 miles an hour. Notwithstanding this subsection, the operator of a low-speed vehicle may operate that vehicle

(1) on a highway with a maximum speed limit of 45 miles an hour if the highway is

(A) within a municipality that

(i) has a population of less than 35,000;

(ii) is not connected by road to Anchorage or Fairbanks; and

(iii) has passed an ordinance allowing for the operation of low-speed vehicles as provided for in this subparagraph; or

(B) within an area of the unorganized borough, outside of a city, that is not connected by road to Anchorage or Fairbanks;

(2) across an intersection with a highway that has a maximum speed limit greater than is permissible for low-speed vehicles under this subsection.

(c) Notwithstanding AS 28.01.010, a municipality may, by ordinance, further restrict the operation of low-speed vehicles within its jurisdiction.

History -

(Sec. 4 ch 95 SLA 2006; am Sec. 1 ch 1 SLA 2010)

Amendment Notes -

The 2010 amendment, effective May 17, 2010, in the introductory language of (b), added "limit" following "maximum speed", and "operate that vehicle", added (b)(1), and rewrote (b)(2).

Effective Date Notes -

Section 4, ch. 95, SLA 2006, which enacted this section, took effect on October 28, 2006.

# Monthly Report

## Dillingham Dept. of Public Safety

*For the month of September 2012*

### Patrol

- ❖ 416 Calls for service
- ❖ 51 Incident reports
- ❖ 11 Assaults
- ❖ 05 Theft offenses
- ❖ 01 Burglary offense
- ❖ 07 Violation of release conditions/probation
- ❖ 01 Criminal mischief offenses
- ❖ 06 Driving under the influence
- ❖ 01 Disorderly conduct
- ❖ 05 Sexual offenses
- ❖ 03 Minor consuming
- ❖ 21 Persons arrested
- ❖ 11 Title 47/Protective custody
- ❖ 19 Citations issued

### Corrections

- ❖ 52 Total Inmates for 08/23/2012-09/23/2012
- ❖ 11 Title 47/Protective custody
- ❖ 42 Male inmates
- ❖ 10 Female inmates
- ❖ 09 Male Protective custody
- ❖ 02 Female Protective custody
- ❖ 01 Inmates from Adult Probation
- ❖ 14 Inmates from Courthouse
- ❖ 11 Inmates from A.S.T.
- ❖ 26 Inmates from Dillingham Police
- ❖ 00 Use of force report

## **Communications**

- ❖ 687 Calls for service 08/23/2012-09/23/2012
- ❖ 79% Dispatched to Dillingham Police
- ❖ 13% Dispatched to Alaska State Troopers
- ❖ 3% Dispatched to EMS/Dillingham Fire
- ❖ 5% Dispatched to Dillingham Animal Control
- ❖ 08 Record requests complete
- ❖ 101 E-911 calls received

## **Animal Control**

- ❖ 33 Calls handled for 08/23/2012-09/23/2012
- ❖ 02 Dog impound
- ❖ 02 Owner released animals to the shelter
- ❖ 01 Owner requested compassionate euthanasia
- ❖ 01 Citations issued
- ❖ 04 Rabies/Parvo shot given
- ❖ 02 Shelter dog adopted out
- ❖ 09 Bear calls
- ❖ 03 Dead animals removed from roadway
- ❖ 02 Animals returned to their owners

## **DMV**

- ❖ 58 Registrations/Titles
- ❖ 78 Driver's license/ID's
- ❖ 06 Commercial driver's licenses
- ❖ 07 Road tests

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**Manager**  
Rose Loera



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## MEMORANDUM

**Date:** September 24, 2012  
**To:** Rose Loera, City Manager  
**From:** Malcolm Brown, Public Works Director  
**Subject:** Monthly Report

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### Public Works Divisions:

Buildings & Grounds – Five bus shacks received structural rehabs and a new base paint and are being emplaced. The landfill bear fence was upgraded with four new strands of wire and a new fence charger. There will be a posting for Temporary As Needed Laborers to assist the Fire Department with ISO testing. B&G staff also backfilled at the Harbor and for the Landfill and Water/Wastewater Divisions.

Landfill – DEC conducted the annual inspection and was concerned that there needs to be progress with some deficiencies, particularly the burning of non-combustibles. More detail for the inspection is provided in the attachment “DEC Landfill Inspection, September, 2012.” The Landfill Technician, Jesse Hobson, went to training “Sustainable Solid Waste Management” and toured the landfill at Valdez where baling is done. His training and experience will be valuable as our Landfill activities change. Staff is forming a Landfill Committee and to improve the deficiencies and will work with other organizations in the community. The goal is to establish a DEC compliant Landfill and an effective municipal solid waste program. An informal rate study of ten comparable communities was developed for the Finance and Budget Committee. The ground water sampling was done September 25th by Bristol Environmental and staff. Bristol will send methane sampling equipment for the staff, both Bristol and DEC said that the methane sampling procedures are easy to learn. Staff continues to work with the UAF Bristol Bay Campus staff on a grant for a composting pilot project. This grant is intended to be used as a match for a DEC grant for Municipal Solid Waste planning.

Shop – In addition to maintaining vehicles and heavy equipment an aluminum clutter catching basket was fabricated for the HUD sewage lift station. This basket will prevent improper items such as mop heads, carpet fragments and diapers from getting stuck in the lift station pumps.

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Streets – Grading is ongoing due to the rainy conditions we've had. The sampling of the sand and gravel will be done by DOWL HKL's lab in Anchorage. The salt came in on the barge and will be mixed. Streets staff also backfilled for the Water/Wastewater Division.

Water/Wastewater - One of the two pumps for the HUD lift station was rebuilt. Staff assisted the Horizontal Drilling project by working at the treatment lagoon and getting water from hydrants. Several hydrants were tested for the Fire Department's ISO on September 24<sup>th</sup>. The testing will continue for nine testing events, this is because the water system's storage need to be recharged after each testing event. The RFPs for the wastewater treatment design work were evaluated for a recommendation for award.

Safety – Weekly training meetings are ongoing. The classes were: General Carpentry, Hot Tar and Tar Kettle Safety, Pavement Crack Fill Ops and Reciprocating (Saber/Jig/Sawzall) Saws.

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## MEMORANDUM

**Date:** September 24, 2012  
**To:** Rose Loera, City Manager  
**From:** Malcolm G. Brown, Public Works Director  
**Subject:** DEC Landfill Inspection September 12, 2012

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Kitrina Perrson from the Alaska Department of Environmental Conservation (ADEC) Solid Waste Program conducted the annual inspection of the Landfill on September 12 and met with staff on September 13. She was assisted by Katrina Chambon of the ADEC Contaminated Sites Program.

On the 12<sup>th</sup> the inspection started at the Public Works office then went to the landfill. The deficiencies were similar to the inspection from October, 2011, with the exception that some items that were coded as "N/A" in previous inspections due to lack of time were inspected and either not current or had not been done.

Kitrina said that many of the defects from the October 2011 inspection were still present. Burning non-combustibles, such as plastic, is a major concern. Since it might be several months before DEC publishes the findings from the September, 2012 inspection it is helpful to look at the findings from the October, 2011 inspection. For reference purpose the specific defects where points were deducted and/or general comments noted from the **October 2011** inspection are as follows:

### **Part One: ADEC information Gathering**

#### **4. Previous Inspections**

1. Separate non-burnable items before combustion to prevent black smoke.
2. Compact the metals pile.
3. Submit design plan for the new asbestos cell prior to disposal
4. Close Cell 1 following the Landfill Expansion and Partial Closure Plan prepared by Bristol Environmental and Engineering dated June 28, 2006.

#### **9. Monitoring Requirements**

States that a report to DEC is not required for methane gas, which contradicts Part Three Landfill Records, 7. Gas Monitoring.

#### **11. Additional Permit Requirements**

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- The City of Dillingham is responsible for educating the general public as to what types of wastes are allowed to be disposed in the transfer dumpster at the landfill for burning.
  - The operator must remove noncombustible items from the transfer dumpster prior to each load.
  - Burnables collected in a separate container at transfer station.
  - Burning is monitored at all times.
  - Waste is covered with 6 inches of soil each day.

## **12. Financial Assurance**

- Local government financial test not current.

## **Part Two**

### **2. Monitoring Reports**

Samples are not collected according to the Groundwater Monitoring and Quality Assurance Project Plan. (-5 pts.)

## **Part Three: Landfill Records**

### **1. Permit**

The first page of the current permit was on the wall at the landfill building. No permit application.

### **2. Operations Plan**

The current operations plan (October, 2006 ) is not available at the landfill facility. (Note, this plan was onsite for the September, 2012 inspection).

### **3. Waste Quantity Tracking**

Records are kept by guesstimating weight by volume. Records appear to be less than what is expected at the Dillingham landfill and was observed in the transfer station disposal bins and at the working face. Waste may be disposed of without record or guesstimates may be less than actual amounts. (-2 pts.)

### **4. Training**

No records were available to document training. (-1 pt.)

### **5. Random Inspection Records**

Inspections are not conducted according to the Solid Waste Management Plan (Section 7.22.3). Random inspections will be conducted four times per year.

Most recent inspection records: Oct. 11, 2011; Feb. 20, 2010; Aug. 8, 2009; Mar. 16, 2009 (-4 pts.)

### **7. Gas Monitoring**

In accordance with the Solid Waste Management Plan (Section 7.23), gas monitoring will be conducted four times per year in May, August, November and February. Records will be retained in the landfill operating record and at the City Office.

Most recent gas monitoring record at the landfill was 2/28/2006. The records at the City office were not investigated (-5 pts.)

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## 8. Visual Monitoring

Monitoring form used is not the approved form. (-1 pt.)

## 10. Financial Assurance

Financial assurance documentation was requested in December 2010 and has not been received at the ADEC office. (-5 pts.)

### Part Four: Landfill Development

#### 1. Landfill Development

The berm on the North side, near the roadside, was not constructed. The changes did not appear to be detrimental to operations at this time. However, an updated site plan should be submitted to ADEC. (-3 pts.)

### Part Five: Access

#### 1. Signage

No, there are no signs at the transfer station to inform residents of wastes that are allowed or not allowed in the burn box. No separate containers for burnable and non-burnable waste. (-3 pts.)

### Part Six: Working Cell Operations

#### 2. Cover

Waste at the active cell was not covered sufficiently. Only the current days waste should be visible at the working face. The attached photos show areas of the active cell that were not covered with 6 inches of soil. The working face must be covered with at least 6 inches of soil at the end of each working day. (-10 pts.)

### Part Seven: General Operations

#### 1. Burning

An exemption has been granted to the Dillingham landfill to burn municipal solid waste to control the animal attractants to the landfill with the stipulation that non-combustible waste and those wastes that may release harmful chemicals when burned be removed prior to burning. The ADEC permit requires that the operators remove items that may not be burned from the transfer dumpster prior to each load being put into the burn unit, and to manage the burn to prevent black smoke. The permit also requires the City of Dillingham to educate the public on what types of waste are allowed to be disposed of in the transfer station dumpster for burning. Multiple inspections have found that the waste is not appropriately segregated prior to burning and that black smoke is a regular occurrence at the landfill (-5 pts.)

#### 3. Dust, Odor, Noise, etc.

Constant smoke from burning waste at low temperatures is likely a nuisance and a health concern for workers at the landfill and the community. There have been numerous reports of smoke blowing from the landfill into town as well comments from pilots and recreational hikers in the area. (-5 pts.)

#### 4. Salvaging

Salvaging at the metals pile is a public safety concern. (-2 pts.)

#### 6. Inactive Areas

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*Our Vision. By 2015 to have an infrastructure that supports a sustainable, diversified and growing economy. \* We will take a leadership role and partner with others to achieve economic development and other common goals. \* We will develop a high quality City workforce to serve the community. \* We will promote excellence in education.*

Closed cells were covered, graded, and revegetated. However, inactive areas of the open cell were not adequately covered and waste was visible. The grade was flat. (-2 pts.)

#### **7. Stability**

The slope of the metals pile is very steep and potentially unstable. (-3 pts.) The closed cell was revegetated and the slope appeared to be stable.

The slopes of the metals pile are steep.

#### **8. Maintenance and Repair**

One of the Summit burn units was damaged and under repair. A collection box was being used in lieu of the burn unit. (-2 pts.)

### **Part Eight: Special Waste**

#### **6. Vehicles**

The metals pile has potentially unstable slopes. If the metals cannot be barged to a metals recycling company, they should be compacted as much as possible and covered in the same manner as the municipal solid waste. (-2 pts.)

### **Part Nine: Surface Water Controls/Impacts**

#### **1. Run-on/Run-off**

Leachate was observed in nearby wetlands south of the open cell. (-5 pts.)

#### **5. Wetlands**

Discolored water was observed in the wetland area south of the active cell. (-10 pts.)

### **Part Eleven: Additional Permit Requirements**

#### **1. Additional Permit Requirements**

The City of Dillingham is not educating the general public as to what types of wastes are allowed to be disposed in the transfer dumpster at the landfill for burning. The operator has no way of efficiently separating noncombustible items from the transfer dumpster prior to each load being put into the burn box. (-10 pts.)

**Mayor**  
Alice Ruby

**Manager**  
Rose Loera



**Dillingham City Council**  
Doug Holt  
Paul Liedberg  
Keggie Tubbs  
Bob Himschoot  
Tracy Hightower  
Tim Sands

## MEMORANDUM

**Date:** September 18, 2012  
**To:** Rose Loera, Manager  
**From:** Ida Noonkesser, Director  
**Subject:** Senior Center Monthly Report

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This month's paperwork for the state included recording monthly meals, home delivered meals, assisted rides, and unassisted rides. This month I also helped four elders with personal aide paperwork, senior benefit, permanent fund questionnaires, Adult Public Assistance, Medicaid, Food Stamps and paying their bills.

We only had two renters at the Senior Center this past month. The pinochle players' group will continue to rent the dining room every Friday and the quilters will start renting the building every third week of the month.

We had our monthly Senior Center Advisory Board meeting August 8, 2012. This was our first meeting this fall.

Andrew Clavette donated canned kings salmon and salted fish which Jody, our Senior Center cook, canned for the elders.

The Senior Center would like to thank Alice Ruby for a year's subscription to Better Homes and Garden Magazine this summer. Also thank you to Georgina Cleveland for donating blackberries to the Center. And, finally, thank you to Peter Pan for donating over \$3000.00 in food that, we shared with Marrulut Eniit, and individual elders who needed a little extra help.

For the month of August, the Senior Center served 776 congregate meals to 71 individuals, 173 home delivered meals to 7 individuals, gave 350 assisted rides to 27 individuals, and 397 to unassisted rides to 44 individuals.

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*Our Vision. By 2015 to have an infrastructure that supports a sustainable, diversified and growing economy. \* We will take a leadership role and partner with others to achieve economic development and other common goals. \* We will develop a high quality City workforce to serve the community. \* We will promote excellence in education.*

**I. CALL TO ORDER**

The Code Review Committee met on Thursday, September 12, 2012, in the Council Chambers, Dillingham, AK. Tim Sands, Chair, called the meeting to order at 5:29 p.m.

**II. ROLL CALL**

Committee Members present:

Tim Sands, Chair/Council Member  
Paul Liedberg, Council Member  
Doug Holt, Council Member  
Rose Loera, City Manager  
Janice Williams, City Clerk

Mayor Ruby absent and excused

Guest(s):

Nancy Chamberlain, Interim Chief of Police

**III. APPROVAL OF MINUTES**

A. Minutes of August 9, 2012

MOTION: Paul Liedberg moved and Doug Holt seconded the motion to approve the minutes of August 9, 2012.

GENERAL CONSENT: The motion passed without objection.

**IV. APPROVAL OF AGENDA**

Staff asked to move up item B before item A so Chief Chamberlain can make her presentation and leave for another engagement.

MOTION: Doug Holt moved and Paul Liedberg seconded the motion to approve the agenda as amended.

GENERAL CONSENT: The motion passed without objection.

**V. UNFINISHED BUSINESS**

B. Title VII. Animal Control

1. Compare Code with State Statutes

Chief Chamberlain reviewed the changes offered by Attorney Chandler to Ordinance No. 2012-16, Amend Title 7 Animals. In his opinion the City wasn't bound by the state law requirements exactly, and could vary in some of the requirements. The committee asked

staff to get a clarification from the attorney on the section having to do with removing the animal and placing animals in protective custody, and bring the information back to Chief Chamberlain and Manager Loera for review.

Manager Loera noted the Animal Shelter Policy was also being recommended for adoption with the proposed changes and suggested adding language on page 5, Care of Animals, the animals could be left outside between the hours of 7:00 a.m. and 8:00 p.m., weather permitting.

MOTION: Paul Liedberg moved and Janice Williams seconded the motion to recommend approval of Animal Control Ordinance No. 2012-16 to the City Council.

City Clerk Williams noted the revised ordinance would be presented as a substitute ordinance and a copy would be distributed to the committee before the Council meeting.

GENERAL CONSENT: The motion passed without objection.

MOTION: Rose Loera moved and Janice Williams seconded the motion to recommend the changes to the Animal Shelter Policy included in the Public Safety Operations Manual to add an animal is held for 10 business days if taken into protective custody, and to add the hours the animals can be left outside.

GENERAL CONSENT: The motion passed without objection.

A. Title IV. Revenue and Finance

1. Manager Authority to Settle Unpaid Accounts

a. Review Penalty and Interest on Sales Tax and Personal Property Tax

The committee reviewed the proposed ordinance drafted by Attorney Chandler.

Discussion:

- sales tax - the 15% penalty would apply for each incident;
- personal property tax - the 15% would apply one time per year;
- interest would not apply to the penalty;
- repayment plan – item 3. Make a 20% down payment applied first to penalty, then to accumulated interest [of 10.5% applied at the time the payment is late], then to the tax [principal] owed, plus 6% if they enter into the repayment plan.
- suggested striking item C. the manager has the sole discretion on whether to offer a repayment plan;
- suggested replacing in line item 1. has not been on the delinquent list in the previous five years with three years;
- add a condition that need to stay current on any new taxes;

- change line item 2. has not previously agreed to a repayment plan to read has not been in default on a previous repayment plan;
- suggested bringing it back for further review at the next code meeting.

Manager Loera reported she had informed the two citizens who had requested a waiver of penalty and interest that it was pending until a decision was made. At the prior meeting, the committee did not recommend retroactive adjustments after considering the pros and cons.

MOTION: Paul Liedberg moved and Doug Holt seconded the motion to recommend the Council introduce the ordinance at the October 4 meeting.

GENERAL CONSENT: The motion passed without objection.

2. Chapter 4.15 Real and Personal Property Tax
  - a. 4.15.120 C.2 and F, Membership and procedures of BOE
  - b. 4.15.120 D.1-10 – Conduct of Hearings

City Clerk Williams noted she was in the process of gathering the work previously done, and if the Code Committee would consider reviewing the requirement to hold a special meeting of the BOE whenever a request for a late filed appeal was submitted. Staff to research how other municipalities handle requests for a late filed appeal. Chair Sands to ask the Council to add it to the committee's to do list.

C. Title XI. Vehicles & Traffic and Snowmobiles

City Clerk Williams noted there are some sections of the code that are not in compliance with State law as addressed in an action memorandum by management in 2007. She noted the 3-wheeler traffic was getting out of control, running through Nerka, and would like to see the committee assisted by Chief Chamberlain start working on enforcement of the code and addressing the action memorandum. Paul Liedberg noted the Planning Committee was mainly looking at safe routes for snowmobile traffic.

D. Personnel Regulations

Manager Loera reported that staff was in the process of reviewing the revisions to the personnel regulations that were suggested by Attorney William Mede, and a new set of personnel regulations worked on by staff over the last three years. It was anticipated the personnel regulations would be brought back in January.

E. Write-in Ballots, Legislative Changes

City Clerk Williams noted the ordinance introduced September 6 would not be acted on until November, and emphasized that proposing a letter of intent be on file for all write-in candidates was a major change in the code.

Questioned the code language *“improper marks on the ballot would be returned to the voter by the Accu-Vote machine and a new ballot issued.”* Staff to research the intent of the language.

F. Regulate Commercial Licenses

Staff suggested and the committee agreed that the initial step would be to present a proposed ordinance and the committee evaluate the changes that would have to be made to be in compliance with the proposed regulations.

VI. NEW BUSINESS

There was no new business.

VII. PUBLIC COMMENT/COMMITTEE COMMENTS

The committee thanked Tim Sands for being the Chair, this being his last meeting.

There were no other public or committee comments.

VIII. ADJOURNMENT

The meeting adjourned at 6:36 p.m.

\_\_\_\_\_  
Tim Sands, Chair

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk

Approved: \_\_\_\_\_

**I. CALL TO ORDER**

The Finance and Budget Committee met on Monday, September 24, 2012 at the City Council Chambers, Dillingham, AK. Bob Himschoot, Chair, called the meeting to order at 5:30 p.m.

**II. ROLL CALL**

Committee Members present:

Bob Himschoot, Council Member, Chair  
Tracy Hightower, Council Member  
Alice Ruby, Mayor  
Rose Loera, City Manager  
Carol Shade, Finance Director

Absent and Excused:

Keggie Tubbs, Council Member

**III. APPROVAL OF MINUTES**

A. Minutes of August 29, 2012

MOTION: Rose Loera moved and Carol Shade seconded the motion to accept the minutes of August 29, 2012.

GENERAL CONSENT: The motion passed without objection.

**IV. APPROVAL OF AGENDA**

Chair Himschoot recommended a review of the raw fish tax revenues be put on the November or December agenda.

MOTION: Carol Shade moved and Tracy Hightower seconded the motion to accept the agenda.

GENERAL CONSENT: The motion passed without objection.

**V. STAFF REPORTS**

Manager Loera:

- BBEDC Funding – seeking a grant through BBEDC working with Curyung Tribal Council; will provide the Tribe a copy of the City's CIP list;
- Landfill Municipal Matching Grant for \$124,000 – looking to receive an award letter from the U of A for a piece of equipment being donated from a composting grant, valued at \$42,000, that could be used as a match, and may need another \$10,000 to get the total match needed. Will look into whether the new fish waste box could also be used as a match;
- researching funding to pay for a 35% design (\$250K-\$300K) for a new public safety building – still lots of planning to do, including a design. CDBG has a grant that the City could apply for; the deadline is December 7; it requires a match to receive the maximum points;

- 
- three grills to be donated to the City for its parks – working out the particulars; and
  - CIP list to be presented at the next Council meeting.

It was noted that \$20,000 had been allocated in the FY 2013 budget to continue working on planning for a new public safety building. City Manager Loera volunteered to start working toward getting a group together to begin the planning.

Finance Director Shade:

- auditors arrived;
- finance was struggling trying to keep up;
- halfway through implementing the accounting software; and
- several employees would be taking a much deserved vacation.

## VI. UNFINISHED BUSINESS

### A. Business Tax Incentives (postponed to October)

Council Member Sands had initiated the discussion and would plan to invite him to the next meeting to share his thoughts. City Manager Loera noted, in her research, she could not find any smaller communities that provide tax incentives, but some cities link this item to the State's website.

### B. Fiscal Policy Development

#### 1. Overall Rate Review

##### a. Water and Wastewater

Public Works Director Malcolm Brown presented a report on the status of the water and wastewater study. The timeline in the contract read as a presentation and first draft was due June 22, completion of final draft August 17, and final results September 6. It had purposefully been set up as an aggressive timeline in order to use the study to support a loan application with AkDEC. The delay in completing the study was mainly attributed to staff turnover. Although staff was able to pursue funding through other grants that did not require a rate study, the committee opined the study was still very much needed. Malcolm thought the study would be completed by early November.

##### b. Landfill

Malcolm Brown reported on an informal rate study he conducted on 10 communities that were fairly similar, of which 8 were not on the road system. There were a lot of variations. During the time he spent at the landfill, he noted most of the loads (99.9%) that go to the landfill are covered; the incentive to cover was to avoid a high fee for uncovered loads.

Discussion:

- administering the resolution passed in 2006 to update the landfill rates wasn't always easy to determine the rates in some cases, some loads were a mixture of everything;
- employees were certified in the past to remove refrigerants, but may need to be recertified; asked staff to bring back info on the equipment they had to store Freon;

- commented it was never intended that the landfill would pay for itself;
- have started the process of meeting with staff and eventually bringing in other community members to work on the landfill issues addressed by AkDEC that could result in not renewing the landfill permit if not taken care of by 2014; mainly no longer burning plastics and other toxics, and implementing a recycling program for these items;
- SWAMC had placed solid waste management as a top priority in the past, and might be a venue for coordinating the removal of steel and metal from communities; and
- Bristol Bay Scrap Metal is leasing property next to Bristol Alliance for his storage containers, he was interested in the City's scrap metal, but it would require items be prepared and meet certain specifications, requiring a lot of employee time and equipment that was not in the budget.

- C. Animal Shelter Facility

City Manager Loera noted she had been gathering historical information, and there would be pressure to move from the existing site, and if placed at the landfill, there would be a concern with the effect on dogs from hearing the sounds of gun shots at the shooting range. The new police chief would be asked to evaluate this issue.

## VII. NEW BUSINESS

### A. Sales Ratio – Real Property Values

Carol Shade explained the sales that were used to come up with the 82% sales ratio, based on 11 sales. In 2010 the sales ratio was 110%, 2011 it was 98.6%. Copies of emails from the state assessor addressing the sales ratio in the past were included in the packet.

The last field trip was in 2007, and the city clerk accompanied the assessor to all properties, a visual of the outside of the buildings. The 2008 valuations jumped.

#### Discussion:

- would like the assessor to provide an analysis of the sales ratio that had dropped by almost 30% from 2010 to 2012 - will the assessed values be increased by 18%?
- the price of new construction has gone up a lot according to BBHA, which has made them decide to buy more homes instead of building new;
- suggested a copy of the sales ratio, which was made part of the City's Annual Report [on Assessment and Taxation] filed with the State, be reviewed annually through the finance committee; and
- recommended a workshop, possibly with the State's assessor on hand, on how the assessment process works; staff to follow up, and looking at a November or December meeting.

## VIII. PUBLIC/COMMITTEE COMMENT(S)

Alice Ruby:

- appreciated the good information brought forward by staff.

Bob Himschoot:

- dittoed Alice's comments.

There were no other public or committee comments.

**IX. ADJOURNMENT**

The meeting adjourned at 7:05 p.m.

ATTEST:

\_\_\_\_\_  
Bob Himschoot, Chair

\_\_\_\_\_  
Janice Williams, City Clerk

Approved: \_\_\_\_\_

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City Manager Loera noted she had reviewed the various options presented to the Council previously, including build new, lease an existing facility, had visited with Wells Fargo Bank, and was not certain where the committee was headed. Committee recommended staff research the previous efforts made with Steve Cropsey.

## VII. NEW BUSINESS

### A. Reclassify a Job Position

Manager Loera reported an audit had been conducted on the city's fire department in March, first time in 16 years. The results were low scores in some areas. The city's improvement plan included reclassifying the positions in the fire dept. The plan called for two paid employees able to respond with an EMT or Firefighter 1 certification and an administrative position. Current job description for Fire Dept. Coordinator didn't require EMT certification. To be able to bill for an ambulance run, required EMT 1 or higher. Volunteers were being called out on a regular basis and the position change would relieve some of the pressure. Also the plan included testing of hoses, pumps on the fire trucks, and hydrants on a regular schedule, training, and maintaining training logs. Volunteers were not getting credit for some of the training, because it didn't meet certain standards, qualified instructors, or training was not being logged. Without these changes, homeowners' fire insurance premiums would be subject to increase. Fire Dept. Coordinator's position title would remain the same, would include responding as an EMT technician, would be a training officer, and an increased salary level.

MOTION: Alice Ruby moved and Tracy Hightower moved to support a reclassification of the job position for Fire Dept. Coordinator.

GENERAL CONSENT: The motion passed without objection.

### B. Assessment Service Contract

Carol Shade noted the contract for assessment services had expired, and due to time constraints, she was recommending extending the contract with Appraisal Co. of Alaska for one year and would go out for an RFP next year. The code allowed for waiver of the bidding process when the service was of a professional nature and in the best interest of the City. The current year called for a field trip to reevaluate all properties.

Mayor Ruby was concerned the sales ratio of 82.1% as presented was lower than what was announced at the BOE meeting in May when it was announced it was in the 90's. She voiced her concern that when the appraiser under appraised property, then when the State set it's assessed value by which the City would make its school contribution, the City had actually under taxed and was not collecting the money to make that school contribution.

Discussion:"

- concerned that the sales ratio of 82.1% presented the problem of increasing property values by a sizeable percentage to be near 100% as required by State (full and true value determination).

MOTION: Alice Ruby moved and Tracy Hightower seconded the motion to recommend extending Appraisal Co. of Alaska's contract for one year.

Discussion:

- supported the motion but wanted some clarification on the numbers provided.

GENERAL CONSENT: The motion passed without objection.

**VIII. PUBLIC/COMMITTEE COMMENT(S)**

Carol Shade:

- commented she was appreciative of the committee being so supportive of her suggestions.

Rose Loera:

- commented the City was going to need to buy some additional supplies and equipment for the boat harbor and undergo some public safety training, and would report more later.

Bob Himschoot:

- thanked Carol Shade for her work on the health insurance.

**IX. ADJOURNMENT**

The meeting adjourned at 7:37 p.m.

  
\_\_\_\_\_  
Bob Himschoot, Chair

ATTEST:

  
\_\_\_\_\_  
Janice Williams, City Clerk

Approved: 9/24/2012

**I. CALL TO ORDER**

The Finance and Budget Committee met on Monday, August 29, 2012 at the City Council Chambers, Dillingham, AK. Bob Himschoot, Chair, called the meeting to order at 5:34 p.m.

**II. ROLL CALL**

Committee Members present:

Bob Himschoot, Council Member, Chair  
Tracy Hightower, Council Member  
Alice Ruby, Mayor  
Keggie Tubbs, Council Member  
Rose Loera, City Manager  
Carol Shade, Finance Director

**III. APPROVAL OF MINUTES**

A. Minutes of June 25, 2012

MOTION: Carol Shade moved and Tracy Hightower seconded the motion to accept the minutes of June 25, 2012.

GENERAL CONSENT: The motion passed without objection.

**IV. APPROVAL OF AGENDA**

Under New Business, item B. Assessment Service Contract was added to the agenda.

MOTION: Alice Ruby moved and Tracy Hightower seconded the motion to accept the agenda as amended.

GENERAL CONSENT: The motion passed without objection.

**V. STAFF REPORTS**

Carol Shade reported the finance dept. was continuing to work on implementing the new ACCU Fund software modules and was expecting to be fully up and running on the new system mid to late September.

**VI. UNFINISHED BUSINESS**

A. Business Tax Incentives

Mayor Ruby reported the subject of business tax incentives had been suggested to look for ways to give local businesses incentives to expand, improve their businesses. It was a placeholder for the time being, and would require some research. The item was postponed to October's meeting.

## B. Health Insurance Coverage

Carol Shade reported employees were given an opportunity to attend one of several sessions set up to explain the health plans being offered, and to select their preference through an anonymous survey. The Union's approval was sought before distributing the survey to the employees in the Union group. The plans included higher deductibles, \$1,000 and \$2,000, with a Health Reimbursement Arrangement that reimburses the employee from their current deductible to a newly selected plan deductible. The City would gain a significant break in health costs for any one plan. She was recommending the Premera Heritage Select PPO \$2,000.

MOTION: Alice Ruby moved and Tracy Hightower seconded the motion to concur with the finance director's recommendation and go with Premera.

Carol Shade commented AETNA would need 60 days notice, and the new plan would be effective December 1, pending Council approval of a resolution at the next Council meeting.

GENERAL CONSENT: The motion passed without objection.

## C. Fiscal Policy Development

## 1. Overall Rate Review

## a. Water and Wastewater

Manager Loera commented the study was still in progress.

## b. Landfill

City Manager Loera reported the Smart Tower project had some hurdles to climb. The City's Attorney had suggested waiting until Peter Pan and Nushagak Cooperative were more in line with the project. In the meantime, a full-fledged landfill plan was in the works.

## Discussion items:

- landfill was never expected to pay for itself (property taxes cover a portion of it);
- researched scales, but high maintenance cost;
- encourage Aleknagik south shore residents (landfill closed) to use the Dillingham landfill; landfill on the Aleknagik north shore would be more accessible if a bridge was installed;
- grant project in progress working through Marine Advisory Program to get the community involved in recycling starting initially with a small group;
- involve Dillingham Refuse;
- if City would recycle plastics, could still use the incinerator;
- had engaged Curyung Tribe's recycling program;
- suggested staff review stabilizing the rate structure at the landfill, implement consistent rates, review imposing a minimum charge.

## D. Animal Shelter Facility

**I. CALL TO ORDER**

The School Facility Committee met on September 19, 2012 at the Dillingham Council Chambers, Dillingham, AK. Mayor Ruby called the meeting to order around 12:20 p.m.

**II. ROLL CALL**

Committee Members present:

Mayor Alice Ruby  
William McLeod, School Superintendent  
Rose Loera, City Manager  
Malcolm Brown, Public Works Director  
Russell Nelson, Director of Facilities (School)  
Tim Sands, School Board Member

Committee Members absent and excused:

Bob Himschoot, Council Member  
Robin Samuelsen, Citizen Member

**III. APPROVAL OF AGENDA**

MOTION: Tim Sands moved and Kim Williams seconded the motion to approve the amended agenda.

GENERAL CONSENT: The motion passed without objection.

**IV. APPROVAL OF MINUTES**

A. Minutes of April 19, 2012

MOTION: Tim Sands moved and Kim Williams seconded the motion to approve the minutes of April 19, 2012.

GENERAL CONSENT: The motion passed without objection.

**V. UNFINISHED BUSINESS**

A. Affordable Teacher Housing

Mayor Ruby had asked a Chamber member if they would be interested in doing a forum or an informal survey of housing. She would follow up with the new Chamber chair.

B. Schedule Open House of HS/MS Upgrades

An open house was held at the elementary school the prior week. The high school met the week before that.

C. Status of Assessment on Red Territorial School

Supt. McLeod distributed an assessment report prepared by an architect, Phase I, including schematics of the building, and photos. The report highlighted areas inside and out warranting attention noting the building was in deteriorating condition and not up to any current codes for any use. He strongly urged moving the occupants out and close the building off.

He suggested four changes that could remove the district [City] from high risk exposure and allow the renters to use the apartments. School maintenance staff removed a door between the apartments that was now a 4-bedroom apartment with two kitchens, windows were ordered that will meet the code for egress (exiting), have put up exit signs and installed smoke and CO detectors, all paid for from the school district budget, and will put in motion what needs to be done with the stairs that are deteriorating and not up to code. The renters have been put on notice that they probably need to find another place, because they can't be there when the stairs are being changed out. A progress report will be presented at the next meeting.

City Manager Loera noted the new apartment leases do not have the addendum introduced in 2009 to indemnify the city from liability in the case of a fire since there is no sprinkler system. Supt. McLeod to follow up.

D. Prioritized School Capital Projects List

1. High School Penthouse Major Mechanical Repair

Staff had the mechanical firm of Cool Air Mechanical update the overall picture of the major mechanical system to help prioritize what needed to be done right away. The original report was presented along with the school's major maintenance list earlier in the year. Supt. McLeod noted they may well be able to do the project during the Christmas break possibly using the \$50,000 provided by the City for major maintenance. It was agreed the project did not need to be brought before the Council for approval; it was not a modification, but repair work.

A copy of the school's major maintenance priority list was to be included in the Council packet.

E. Major Maintenance Appropriation

Mayor Ruby noted that a resolution would be coming before the Council to amend the school budget allocation to allocate \$1.2 M for the school's FY 2013 budget, plus \$50,000 for major maintenance and \$50,000 for the reading specialist position as

adopted in the final FY 2013 Council budget, and repeal the resolution adopted in April 2012 that allocated \$1.2 M plus \$100,000 to the school bond payment.

## **VI. NEW BUSINESS**

### **A. MOU between the School and City**

Mayor Ruby noted an administrative agreement on the red school building between the school and city was in progress and long overdue. City Manager Loera was working on a MOU and would be asking for Supt. McLeod's feedback.

#### **1. Tenant Lease Agreements**

As note earlier, the request was for an indemnity clause to be added to the lease agreements indemnifying the City from liability in the case of a fire, since there was no sprinkler system in the building. Copies of tenant leases and the addendum are to be provided to the City. Sharing the lease agreements will be included in the MOU.

### **B. Property Fence between Fish and Game and School Property**

The families of the State Troopers who resided in the adjacent area had complained to Fish and Game about kids speeding through the area on their snowmobiles and 4-wheelers. It was recommended that the install of a fence between the High School and Fish and Game and the State Troopers would be evaluated during the next annual update of the school's projects list, added to the list, and prioritized.

## **VII. PUBLIC COMMENT/COMMITTEE COMMENTS**

Tim Sands:

- noted it had been a pleasure serving on the committee.

Bill McLeod:

- appreciated the openness, cooperation, collaboration, nice to work with everyone on this basis, can't solve all the problems, but can take a stab at them.

Manager Loera:

- agreed with Bill's comments.

Mayor Ruby:

- noted the next meeting was scheduled for January.

## **VIII. ADJOURNMENT**

Mayor Ruby adjourned the meeting at 1:33 p.m.

\_\_\_\_\_  
Alice Ruby, Chair

ATTEST:

\_\_\_\_\_  
Janice Williams, City Clerk

Approved: \_\_\_\_\_