

MINUTES
FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR
THE CITY OF THORNE BAY, ALASKA
TUESDAY, APRIL 6, 2021
TIME: 6:30 p.m.

1) **CALL TO ORDER:**

Mayor Edenfield called the meeting to order at 6:30 p.m.

2) **PLEDGE TO FLAG:**

The council and audience pledged to the flag.

3) **ROLL CALL:**

Those in attendance were: Edenfield, Rhodes, Burger, Kerkof, Cunningham & Craske
Stram joined after approval of the agenda.

4) **APPROVAL OF AGENDA:**

Edenfield moved to approve the agenda. Burger seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda
F/S: Edenfield / Burger
YEAS: Edenfield, Craske, Rhodes, Cunningham, Kerkof & Burger
NAYS: None
STATUS: Motion Passed.
(Stram was not present for vote on the agenda)

5) **MAYOR'S REPORT:**

Mayor Edenfield reported the following:

- Requested the City Council do their Mile of the "Adopt a Highway" on April 22nd which is Earth Day. City Council-TB Bridge to the Goose Creek turnoff.

6) **ADMINISTRATIVE REPORTS:**

a) City Administrator:

Meetings Attended and Updates:

- A. On March 18th I met with Steve Grandorff from Viking Lumber to establish a line of contact if there are any issues with the crews doing work on the Bay View Timber sale. Steve said that the logging trucks will be using the Bypass Rd. route and he has committed to improving and maintaining the road during the course of their work. I expressed my concerns regarding the logging traffic and our community members that like to walk the area. Steve said that he will make sure the drivers are safe and if we have any issues at all to let him know.
- B. The City received confirmation that we were not selected for the CDBG grant for FY22. We were also informed that if there are funds available or left over from FY19 or FY20 they would move forward to award those funds to our new firehall project. As we were not selected, I have proactively submitted a brief to Senator Murkowski's office

for legislative appropriations consideration to fund the project.

Tasks and Projects:

- A. Village Safe Water (VSW) and the City are working on an update to our Intrusion and Infiltration (I&I) grant seeking additional funds to address our excessive outflow to the Wastewater Treatment Facility. On the agenda tonight is a request for a resolution approving the visit of the engineering team. This is a “new” requirement for visits from VSW team members that took Doug Pogue and I by surprise. If this resolution is passed, the VSW team will schedule their visit ASAP.
- B. FEMA / CARES grant funding realignment is in the process of being applied for. The City has had five “Recovery Scoping Meeting follow up” meetings with FEMA. We are nearing the completion of the application with FEMA/State staff oversight and are hopeful to get it submitted soon.
- C. The Seaplane Base Transfer is in progress. The process to officially transfer the Seaplane Base at the harbor to City management is underway with Alaska Department of Transportation (AKDOT) and the Federal Aviation Administration (FAA). We are currently working with the AKDOT and FAA team members to facilitate the transfer. The State is currently reviewing our submissions of their requested forms.
- D. ACS Broadband deployment for the North Side of town has been completed. With the Telco equipment upgrade having been completed, ACS is now offering broadband internet in the area. ACS is currently working on deployment plans and funding for the South Side and is hoping to work in conjunction with OVK / City of Kasaan moving forward. You can go to <https://www.alaskacommunications.com/offer> to start the process of getting it set up.

Expenditures over \$2000.

- A. \$3500.00 Alaska Pump & Supply. This is for the purchase of 2 new water pumps for the Wastewater Treatment facility. These pumps control the water pressure inside the building for the mechanical room, including the boiler, water faucets, shower, and outside water spigots. The existing pump began leaking in October and it was shut down to transition to the second pump (both pumps are always installed for redundancy). The second pump began leaking immediately. It would appear that the last time a pump failed (long before our current staff were hired), they did not pull and replace it, just transitioned to the backup pump.

b) City Clerk:

- Regarding the FEMA Grant that was submitted, the total amount requested was for \$298k.
- There are openings for the Planning Commission Members. Looking for two people who would be interested in serving as a planning and zoning commission member. To be qualified to apply for a Board or Commission, you must be a registered voter who has been a City resident for at least one year. Applications available online, or for pickup at City Hall. Contact City Clerk at 907-828-3380 or email cityclerk@thornebay-ak.gov
- Next Planning Commission meeting will be held via Webex on Monday, May 3rd, for purposes of holding a Public Hearing on Conditional Use permit to operate a small sawmill on Lot 51, Block 4, South Thorne Bay Subdivision, AKA 45 1 Harbor Road, South Thorne Bay

Subdivision.

➤ Financial Balances:

Tongass Federal Credit Union:

ACCOUNT NAME	AVAILABLE BALANCE	
OCCUPANCY GEN.	\$2,077.20	
OCC TAX EMS/FIR	\$15,831.38	
OCC TAX TOURISM	\$10,082.61	
OCC TAX PARKS	\$10,333.60	
OCC TAX HARBOR	\$22,516.73	\$60,841.52

WATER UTL R&R	\$16,298.35	
SEWER UTL R&R	\$14,654.70	
SOLID WASTE R&R	\$13,987.73	
HARBOR	\$90,106.80	\$90,047.58

COMM CENTER	\$7,500.49	\$7,500.49
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HEALTH PREMIUM	\$15,068.20	\$15,068.20
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CHECKING	\$14,113.70	\$14,113.70
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60% SALES TAX	\$115,850.24	
40% SALES TAX	\$124,898.15	\$240,748.39

Total Tongass:	\$ 428,303.75	
First Bank Checking	\$ 19,132.22	
Wells Fargo	\$1,016,038.20	

7) PUBLIC COMMENTS:

Karen Petersen provided the following comments:

- Update on the Library – Moving forward with construction portion of project which will happen over the summer. Waiting for fire marshal permit, cannot start anything until then.
- Invited by Rasmussen foundation to submit application for Tier II grant. Will not know until June whether received or not.
- Friends will be kicking off their fund raising this month. Currently \$25,000 under funded for the new Library construction. Will see raffle tickets and bake sales.
- Jim Nieland passed away. We have been receiving number of donations from people coming in donating in his memory.

Jason Clowar, submitted the following written comments:

- Thank you for adding our annual request for boat slips at the city dock to the agenda for this meeting. This year, we need to request 13 boat slips for the summer, to meet the demand for our business. Unfortunately, we could not make it to call in, because we are traveling back from Seattle at the time of this meeting. We have been South preparing supplies in anticipation of another successful and productive year of business in Thorne Bay.
As most of you know, these boat slips are an integral part of our business, and we hope that there will be no issues in reserving them once again.
Thank you again, from the entire team of locals at Adventure Alaska Southeast, for taking the time to review this request.

Best,
Jason Clowar
Adventure Alaska Southeast, GM

Doug Black, submitted the following written comments:

- In regard to Wes Craske's sponsored Ordinance 21-04-06-04, to stop the shooting of rock or rock pits in the Thorne Bay Southside.

To stop the shooting of rock on the Southside would make nearly every undeveloped lot, undevelopable. This is steep hill sides with thin soils and beneath "hard rock". Excavators, Drills and dynamite are required to carve out our driveways and building sites. If a neighbor while developing his driveway and building site has extra rock, it can benefit another neighbor who may not have the rock. Every developed lot strengthens the City. This is a large subdivision.

Many City Roads are not put in yet. Many of the city roads were put in by southside lot owners. I myself had to build 1150 feet of road to access my building site. I used 100 yards of my own rock on this section of road. I paid City Sales tax on this construction four other lots along that road were developed almost immediately.

IT BENEFITS THE CITY.

Just this month, extra rock from my properties was used to build City road. Paid for by a southside property owner why would the City of Thorne bay put a stop to this?

Now before anyone else thinks this rock makes a big profit, that not so. It still cost me over \$4,000.00, on this drilling, Shooting and shovel work. Not many people would want to move here if they had to walk a muddy path to their hobbit shack in the trees, let us open up our properties.

Harley (Doug) Black
Lots 1, 2, 5, 6 & 7, Choker Setter Subdivision, Thorne Bay South Side.

David Egelston submitted the following written comments:

- Submitted for the for the first Public Comment for the April 6, 2021 City Council Meeting

Mayor Edenfield and the City Council of Thorne Bay,

I listened to the city council meeting on March 16, 2021 and was extremely disappointed in the way it appeared Councilman Craske used his office to attempt to harm a city resident financially for personal reasons. The ordinance he proposed to stop blasting would have stopped the contractor/resident from developing a property. His proposed ordinance would have also harmed many other landowners in the south-side subdivision with a need to blast to develop their properties. I expect much better from our elected officials. Mr. Craske used his position as a City Council member to try to stop one of our local businessmen from working. It seems that the councilman singled out the local contractor for reasons that sounded like a personal vendetta. Not only did he publicly malign the contractor, but also his wife.

In my opinion, there are no finer people in this city than the two he attacked. For a councilman to use his position in such a way is extremely disappointing at the least. He has left the city in a precarious position, vulnerable to a lawsuit for his actions and words as an elected official. Whatever his mental state or purpose, his actions were undefendable and an embarrassment to those of us who love this city.

It is my recommendation that the city council move to relieve Councilman Craske from the City Council if he does not do the right thing and resign immediately. This city deserves much better. Tim and Teresa Lindseth deserve a sincere apology.

Sean Kaer provided the following comments.

- Was not present for the last meeting when Councilmember Craske spoke, but stated that Craske was elected to serve the Community and he was not trying to stop development, only asking for people to follow rules.

8) **COUNCIL COMMENTS:**

Mayor Edenfield commented on the following:

- I was approached by multiple councilmembers regarding the actions of one councilmember at the March 16th Regular City Council meeting and was asked to address these as the Mayor.

At the last City Council Meeting held March 16th, Councilmember Craske introduced a non-code ordinance placing a 180-day moratorium on blasting within the South Thorne Bay Subdivision with the justification of safety and compliance with appropriate permits.

As the meeting progressed it became apparent that Councilman Craske's true motivation was to inflict damage to a particular city resident, and his business as a result of personal feelings against this resident based on past history he had with them approximately 30 years ago.

Use of the City Council position to initiate actions meant to harm a city resident is a blatant misuse of the Council's authority and the slanderous comments made by this council member, could possibly lead to a legal challenge against the city causing financial harm

It is my recommendation that the City Council hold an executive session at the next City Council meeting to discuss actions that may be taken to mitigate the damage to both the city and the resident, and to add definitive Council rules to avoid this sort of problem in the future.

At this time we have found that there are no code violations. Thank you.

Cunningham commented on the following:

- Commented he was having phone issues and requested clarification of what the Mayor is requesting on April 22nd.
 - Mayor explained mile cleanup
- Inquiry to Les-When speaking to Viking, did you mention maintenance to Kasaan Road?
 - Administrator explained Viking was NOT the company performing the logging out South Thorne Bay Road. It is actually PAPAC contracting with Alcan.
 - Reached out to PAPAC requesting them to do roadwork. PAPAC representative told us that they were told specifically not to do any work on that road.
- Update on lights at Davidson Landing?
 - Administrator stated that the lights had arrived yesterday in Thorne Bay and were originally ordered back in December

Kerkof commented on the following:

- Requested an update on having the Council meetings opened to the public again?
 - Clerk responded that she reached out to the City's Local Government Specialist and he stated that he did not know of any communities that have opened back up.
 - Administrator stated there was still health mandate limiting public gatherings

9) **CONSENT AGENDA**

- a) **MINUTES:**
 - 1. Approving the Minutes from the Regular City Council Meeting of March 2, 2021, discussion and action item:
- b) **Resolution 21-04-06-01:** Supporting the Thorne Bay Watch Timber Sale aka Overlook Sale, discussion and action item:
- c) **Resolution 21-04-06-02:** authorizing the renewal of the lease agreement between the City of Thorne Bay and Tongass Federal Credit Union, discussion and action item:
- d) **Resolution 21-04-06-03:** authorizing the renewal of the lease agreement between the City of Thorne Bay and SEARHC Clinic, discussion and action item:
- e) **Resolution 21-04-06-04:** Amending Resolution 20-06-16-01 & 18-09-18-01, City Fee and Rate Schedule, discussion and action item:
- f) **Resolution 21-04-06-05:** authorizing VSW project team to travel to Thorne Bay for the purpose inspecting and evaluating infiltration mitigation measures.

Edenfield moved to approve the consent agenda consisting of the Minutes for the March 2, 2021, Council Meeting and Resolutions 21-04-06-01, 02, 03, 04 & 05. Kerkof seconded the motion.

MOTION: Move to approve the consent agenda consisting of the Minutes for the March 2, 2021, Council Meeting and Resolutions 21-04-06-01, 02, 03, 04 & 05
F/S: Edenfield/Kerkof
YEAS: Craske, Rhodes, Cunningham, Kerkof, Burger & Edenfield
NAYS: None
STATUS: Motion Passed. (Stram had phone issues and unable to vote)

10) CONTINUING BUSINESS:

a) North Road Bridge installation update and information, discussion and possible action item:

Cunningham moved to direct City Administrator to place a Request for Proposal moving forward on North Road Bridge Project. Rhodes seconded the motion.

Burger inquired if the City Administrator had any knowledge of why the North Road Bridge had not been completed? Administrator responded that he did not have information. This is the first he had seen of a culvert type bridge. Is unaware of funding that exists. Rhodes commented that there are timbers buried in the Sort Yard and may not be salvageable at this point. If continued stalling, the price will not get cheaper.

MOTION: Move to direct City Administrator to place a Request for Proposal moving forward on North Road Bridge Project
F/S: Cunningham/Rhodes
YEAS: Stram, Edenfield, Craske, Rhodes, Cunningham, Kerkof & Burger
NAYS: None
STATUS: Motion Passed.

b) Accepting the resignation of Jim Silverthorn as Fire Chief for the City of Thorne Bay, discussion and action item:

Edenfield moved to accept the resignation of Jim Silverthorn as the Fire Chief for the City of Thorne Bay. Burger seconded the motion.

Kerkof stated that when the issue of appointing the new VPSO as a Fire Chief, he was reluctant, but it seemed that Chief Silverthorn was amenable to sticking around and training the new VPSO. Kerkof stated he was concerned that the new Fire Chief is not familiar with the community and locations, and Silverthorn as a longtime resident was. Kerkof expressed that he was not happy with how the transition happened.

Burger concurred with Kerkof's comments.

Cunningham inquired if the City still had the assistant chief?

Mayor responded that the Assistant Chief also resigned, and the City needed to appoint a new one.

Discussions included the need to appoint an assistant chief.

Rhodes commented that Kerkof's point of needing a better way to identify locations was a very valid point. Rhodes suggested a Fire and EMS map showing areas that are easily identified. Example that a resident place a flag along their property to assist in identifying.

Mayor Edenfield stated there were maps in the Fire Truck and Ambulances that have color coded maps showing lot and block numbers.

Edenfield stated it would be nice to have the public assist with putting out flags or a marker for their property identifying the Lot and Block number or name.

Kerkof stated that GPS in the fire and ambulance vehicles.

MOTION: Move to accept the resignation of Jim Silverthorn as the Fire Chief for the City of Thorne Bay
F/S: Edenfield/Burger
YEAS: Craske, Rhodes, Cunningham, Burger & Stram
NAYS: Kerkof & Edenfield
STATUS: Motion Passed.

c) Appointment of Matthew McGinnis as the Fire Chief for the City of Thorne Bay, discussion and action item:

Edenfield moved to appoint Matthew McGinnis as the Fire Chief for the City of Thorne Bay. Rhodes seconded the motion. There was no further discussion.

MOTION: Move to appoint Matthew McGinnis as the Fire Chief for the City of Thorne Bay
F/S: Edenfield/Rhodes
YEAS: Cunningham, Rhodes & Stram
NAYS: Kerkof, Craske, Burger, Edenfield
STATUS: Motion Failed.

d) Authorizing the rental of 13 boat stalls on a monthly basis to Adventure Alaska, discussion and action item:

Edenfield moved to authorize the rental of 13 harbor stalls to Adventure Alaska. Burger seconded the motion. Cunningham inquired if the stalls were on the main side of Thorne Bay. Mayor stated they were in the main harbor. Cunningham inquired if the City had a waiting list of locals who may need those stalls. Harbormaster Cross stated that there were stalls available. Rhodes stated there was an annual grant opportunity with Alaska Department of Transportation and Public Facilities that the City had been discussing applying for and encouraged the City to do so..

MOTION: Move to authorize the rental of 13 harbor stalls to Adventure Alaska
F/S: Edenfield/Burger
YEAS: Kerkof, Cunningham, Craske, Rhodes, Burger, Stram & Edenfield
NAYS: None
STATUS: Motion Passed.

11) **ORDINANCE FOR PUBLIC HEARING:**

a) Ordinance 21-04-06-01, amending Title 9-Public Peace, Morals and Welfare, adding Chapter 9.06-Marijuana Establishments, discussion and action item:

Edenfield moved to approve Ordinance 21-04-06-01. Burger seconded the motion. Cunningham inquired if these were the same rules set by the marijuana control board.

PUBLIC HEARING COMMENTS:

Sean Kaer commented on the following:

- State and Marijuana guidelines have been thoroughly investigated and inquired if there was interest.

MOTION: Move to approve Ordinance 21-04-06-01 .
F/S: Edenfield/Burger
YEAS: Edenfield, Rhodes, Cunningham, Kerkof, Stram & Burger
NAYS: Craske
STATUS: Motion Passed.

- b) Ordinance 21-04-06-02, amending Title 9-Public Peace, Morals and Welfare, adding Chapter 9.07-Controlled substances, discussion and action item:

Edenfield moved to approve Ordinance 21-04-06-02, amending Title 9-Public Peace, Morals and Welfare, adding Chapter 9.07-Controlled substances. Kerkof seconded the motion.

Mayor opened to public comments regarding this ordinance. No public comments. Cunningham inquired if these were still following state guidelines. Mayor responded they were.

MOTION: Move to Move to approve Ordinance 21-04-06-02
F/S: Edenfield/Kerkof
YEAS: Stram, Edenfield, Rhodes, Cunningham, Kerkof & Burger
NAYS: Craske
STATUS: Motion Passed.

- c) Ordinance 21-04-06-03, amending Title 1-General Provisions, Chapter 1.16.0.35-Minor Offense Fine Schedule, adding fines for controlled substances, discussion and action item:

Edenfield moved to approve Ordinance 21-04-06-03. Kerkof seconded the motion.

Public Hearing comments:

Sean Kaer provided the following comments:

- Inquired if the fines were in line with the State.
 - Clerk stated they were mirrored from Craig and compared to the City’s fine schedule on other matters.

MOTION: Move to Move to approve Ordinance 21-04-06-03
F/S: Edenfield/Kerkof
YEAS: Burger, Stram, Kerkof, Edenfield, Rhodes & Cunningham
NAYS: Craske
STATUS: Motion Passed.

- d) Ordinance 21-04-06-05, Amending Title 2 – Administration and Personnel, Chapter 2.04 – City Council, discussion and action item:

Edenfield moved to approve Ordinance 21-04-06-05. Kerkof seconded the motion. Mayor opened to public comments.

Public Hearing Comments:

Sean Kaer requested clarification of Ordinance. The City Clerk explained the ordinance restructured the order of business in council meetings.

MOTION: Move to Move to approve Ordinance 21-04-06-05
F/S: Edenfield/Kerkof
YEAS: Rhodes, Cunningham, Stram, Edenfield, Craske, Kerkof & Burger
NAYS: None
STATUS: Motion Passed.

12) **EXPENDITURES EXCEEDING \$2,000.00:**

- a) Authorizing the expenditure of \$3500.00, plus shipping, to Alaska Pump and Supply for the purchase of two pumps, discussion and action item:

Edenfield moved to approve the expenditure of \$3,500.00, plus shipping, to Alaska Pump and Supply for the purchase of two pumps. Burger seconded the motion. There was no further discussion.

MOTION: Move to approve the expenditure of \$3,500.00, plus shipping, to Alaska Pump and Supply for the purchase of two pumps
F/S: Edenfield/Burger
YEAS: Cunningham, Stram, Rhodes, Edenfield, Craske, Kerkof & Burger
NAYS: None
STATUS: Motion Passed.

13) **CONTINUATION OF PUBLIC COMMENT:**

Sean Kaer commented on the following:

- Would like to see meetings opened to the public, would help to find a fire chief
- GPS do not work well for where we live. There would be locations such as Jud Road, Jeep Trail, Etc. that are not currently marked. What is currently in the vehicles is perfect for what Thorne Bay has.

14) **CONTINUATION OF COUNCIL COMMENT:**

Cunningham commented on the following:

- Inquired if the resolutions had already been approved, he had

15) ADJOURNMENT:

Mayor Edenfield adjourned the meeting at 8:10 p.m.

ATTEST:


Teri Feibel, CMC


Cindy Edenfield, Mayor