

**ADDITIONS TO THIS AGENDA ARE POSSIBLE – CHECK BACK ON TUESDAY,
MARCH 1, 2022, BY 4PM TO GET THE MOST UP TO DATE AGENDA**

AGENDA

FOR THE REGULAR MEETING OF THE CITY COUNCIL FOR
THE CITY OF THORNE BAY, ALASKA

TUESDAY, March 1, 2022

TIME: 6:30 p.m.

THERE WILL BE A WORKSHOP BEGINNING AT 6:00 PM

LOCATION: TELECONFERENCE/VIDEO CONFERENCING LINE

Phone Number: **1-408-418-9388**

Meeting Link:

<https://cityofthornebay.my.webex.com/cityofthornebay.my/j.php?MTID=m99f71eee7f975b71d7ee0f9f7c5e44a1>

Meeting number: **182 323 7632** Password: **MghMxgJy424 (64469459** from phones and video systems)

- 1) CALL TO ORDER:
- 2) PLEDGE TO FLAG:
- 3) ROLL CALL:
- 4) APPROVAL OF AGENDA:
- 5) MAYOR'S REPORT:
- 6) ADMINISTRATIVE REPORTS:
 - a) City Administrator:
 - b) City Clerk:
- 7) PUBLIC COMMENTS:
- 8) COUNCIL COMMENTS:
- 9) CONSENT AGENDA:
 - a) MINUTES
 - i. Minutes of the February 1, 2022, Regular City Council Meeting, discussion and action item:
- 10) NEW BUSINESS:
 - a) Resolution 22-03-01-01, support entering a 3-year agreement with the Department of Transportation Adopt-A-Highway program, discussion and action item:
 - b) Resolution 22-03-01-02, authorizing the city to enter into an MOA with SISD for the transfer of improvements and personal property located along the waterfront of the Downtown Business District, discussion and action item:
 - c) Resolution 22-03-01-03, Allocating ARPA Funds to Fire and EMS Departments, discussion and action item:
 - d) Resolution 22-03-01-04, Accepting bids and approving contract with NEWlook Construction for insurance related repair of the City Shop, discussion and action item:
 - e) Discussion and possible action item: discussion of annual support of the Thorne Bay Basketball Team Fundraising program:

- 11) ORDINANCE FOR PUBLIC HEARING: (None)

- 12) ORDINANCE FOR INTRODUCTION: (None)
- 13) EXPENDITURES EXCEEDING \$2,000.00: (None)
- 14) CONTINUATION OF PUBLIC COMMENT:
- 15) CONTINUATION OF COUNCIL COMMENT:
- 16) ADJOURNMENT:

POSTED: February 25, 2022

[AMENDMENTS TO AGENDA POSTED:](#)

[Tuesday, March 1, 2022](#)

JOIN BY WEBEX – ONLINE VIDEO/TELECONFERENCING

Regular City Council Meeting

Tuesday, March 1, 2022, there is a workshop of the City Council beginning at 6:30 pm, with a Workshop beginning at 6:00 pm

Meeting Link:

<https://cityofthornebay.my.webex.com/cityofthornebay.my/j.php?MTID=m99f71eee7f975b71d7ee0f9f7c5e44a1>

Meeting number: 182 323 7632

Password: MghMxgJy424 (64469459 from phones and video systems)

Join by video system

Dial 1823237632@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-408-418-9388 United States Toll

Access code: 182 323 7632

Agenda: Agendas are posted the Friday before each meeting by 6pm.

Agenda packets can be downloaded online at www.thornebay-ak.gov and on our Facebook page at: <https://www.facebook.com/profile.php?id=100064908843463>

Packets may also be picked up around town at various locations which include:
City Hall, Thorne Bay Market, The Port, Riptide Liquor & Davidson Landing Harbor.

Agendas are posted at the Thorne Bay Market, The Port, US Forest Service Main Office, Thorne Bay School, SISD District Office, City Hall, Riptide Liquor & Davidson Landing Harbor.

To request items on the agenda for the City Council to act upon, complete the Agenda Item Request for Action form available on the City's Website or by request to the City Clerk. Submit the form to the City Clerk by 4pm on the Wednesday preceding the regular meeting date. The form can also be downloaded using the following link:

<https://thornebay-ak.gov/wp-content/uploads/2021/11/AGENDA-ITEM-REQUEST-FOR-ACTION-MASTER-FORM.pdf>

MINUTES
FOR THE REGULAR MEETING OF THE CITY COUNCIL FOR
THE CITY OF THORNE BAY, ALASKA
TUESDAY, February 1, 2022

TIME: 6:30 p.m.

THERE WAS A WORKSHOP THAT BEGAN AT 6:00 PM

1. CALL TO ORDER:

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

2. PLEDGE TO FLAG:

The audience and council stood for the pledge to the flag.

3. ROLL CALL:

Those present were Burger, Jennings, Oatman, Hartwell, Stram, Kerkof & Nyquest

4. APPROVAL OF AGENDA:

Burger moved to approve the agenda as written. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda as written

F/S: Burger/Hartwell

YEAS: Kerkof, Oatman, Hartwell, Stram, Burger, Nyquest & Jennings

NAYS: None

STATUS: Motion Passed.

5. MAYOR'S REPORT:

Mayor Burger reported the following:

- Encouraged everyone to continue practicing proper hygiene and small crowds as there is still COVID in the Community
- Snow on the ground and more to come.

6. ADMINISTRATIVE REPORTS:

a) City Administrator:

- Snow and ice removal has tapered off a bit with the warmer weather providing a period to retool and prepare for more winter weather.
- Began reviewing past capital project lists for development of current priorities for 2022 city grant applications.
- Mechanic quit on January 10, revisiting job description for reposting soon.
- City has the opportunity to take ownership of the infrastructure installed by SISD to support the floating schoolhouse. Working with the school district to draft an agreement with terms and conditions of transfer to bring to the council for consideration.

- Reaching out to others on POW who have been active in EMS to get feedback and advise on potential for collective efforts amongst small resource poor communities. Plan to present a resolution at the next council meeting with recommendations for a term limit EMS Coordination position to be funded using some of the ARPA funds.
- Working with OVK and SE Conference Project Manager, Jon Bolling, to develop and submit Transportation Priority Project Nominations which would be added to a region wide database to help municipalities bring attention to the top transportations needs of the region and each community. TNB jointly submitted projects on the Kasaan to Goose Creek Road as per the POWCAC Resolution suggesting that this was the top surface transportation priority for POW Island. One was also submitted for road improvements in the south side subdivisions.
- Surgery scheduled for Thursday morning and if all goes well will return to Thorne Bay on the 20th of February. However, expect to be working remotely and will be available every day during normal work time except for Thursday.

b) Department Reports:

John Huestis read the following department reports:

➤ Library Department Report:

- Large leak inside old library discovered on January 22nd. City Employees Sam Sawyer and Willie Jennings were quick to respond.
- Sunday January 23rd moved most items from old library to new. A big thank you to all volunteers who showed up to help.
- Volunteers are needed as the library prepares to reopen. Volunteer applications may be picked up at City Hall.
- WiFi is up and running in front of the new library and at Davidson Landing.

➤ Harbor Department:

- Currently working on maintenance of winter equipment.
- Impoundment and appropriate action on 3 vessels still in progress.
- Planning and preparing to accommodate USFS bunkhouse barge for the summer.
- Working on lighting and electrical issues at Davidson Landing.
 - a. Removal of lights in violation with AP & T
 - b. Installing lights in parking lot and top of ramp
- Preparing a plan to issue limited parking permits at Davidson Landing and clean up all non-compliant vehicles.
- Projects completed: replaced the battery in main harbor navigation light, removed broken and hazardous breakwater from SISD float house sight and in the process of removing the breakwater from the bay completely, added tread to Davidson walkway skid plate and installed "slippery when wet or icy" signs to the dock.

➤ **Streets & Roads:**

- Busy month with keeping equipment running and snow removal
- James assisting with installation of new sander to Solid Waste truck, re-vamping an old trailer for use with the brush cutter and upkeep and repairs on equipment.

➤ **Water Department:**

- Icy roads caused a city vehicle to slide into the City shop. Insurance company has been notified.

➤ **Parks & Recreation:**

- Amy Jennings is assisting with the front office and assisting the Administrator with the Brownfield Assessment. Removed and stored holiday decorations and working on upcoming events for Thorne Bay.

➤ **Solid Waste:**

- Repaired the waste oil heater, completed work on the front-end loader and the wire tire system on the bailer.
- New sander was installed on the Solid Waste Ford 550, unfortunately the 550 needs repair so have been requesting repair quotes.
- Removed a micro-slide off the road.

7. PUBLIC COMMENTS:

Anthony Lovell commented on the following:

- Property owner on Setter Lake Road, expressed appreciation to the Council for bringing more rock onto Setter Lake Road.

Sherri Becker, SISD Superintendent

- Notice of COVID to High School students. High school students and staff were exposed to positive COVID, beginning February 2nd, those students are directed to quarantine and to do online schooling.

8. COUNCIL COMMENTS:

Robert Hartwell commented on the following:

- Suggested removing the SISD float house ramp from the before it is ruined.

Mayor Burger commented:

- The ramp was property of SISD and must first be officially given to the City before we can act upon its removal.

9. CONSENT AGENDA:

a) **MINUTES**

- i. Minutes of the December 21, 2021, Regular City Council Meeting, discussion and action item:

Burger moved to approve the consent agenda consisting of the December 21, 2021, minutes of the City Council meeting. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the consent agenda consisting of the December 21, 2021, council meeting minutes.
F/S: Burger/Hartwell
YEAS: Kerkof, Oatman, Hartwell, Stram, Burger, Nyquest & Jennings
NAYS: None
STATUS: Motion Passed.

10. NEW BUSINESS:

- a) Resolution 22-02-01-01, supporting the Prince of Wales Advisory Council Resolution No. 22-01, discussion and action item:

Burger moved to approve Resolution 22-02-01-01, supporting POWCAC Resolution No. 22-01. Oatman seconded the motion. There was further discussion.

MOTION: Move to approve Resolution 22-02-01-01, supporting POWCAC Resolution No. 22-01
F/S: Burger/Oatman
YEAS: Burger, Kerkof, Oatman, Hartwell, Jennings, Stram & Nyquest
NAYS: None
STATUS: Motion Passed.

- b) Resolution 22-02-01-02, supporting the application to receive ADEC services for additional Brownfields Assessment, Cleanup Planning, and Cleanup of Hazardous Materials from the Old Fire Hall, discussion and action item:

Burger moved to approve Resolution 22-02-01-02, supporting application to receive ADEC Services for additional Brownfield Assessment Cleanup Planning and Cleanup of Hazardous Materials. Jennings seconded the motion.

MOTION: Move to approve Resolution 22-02-01-02, supporting application to receive ADEC Services for additional Brownfield Assessment Cleanup Planning and Cleanup of Hazardous Materials.
F/S: Burger/Jennings
YEAS: Stram, Kerkof, Oatman, Hartwell, Burger, Nyquest & Jennings
NAYS: None
STATUS: Motion Passed.

- c) Discussion and possible action item: discussion of historical sales tax rate increases and utilization of sales tax funds, discussion and possible action item:

Nyquest moved to table any discussion of historical sales tax rate increases and utilization of sales tax funds until a later date. Burger seconded the motion.

Opening comments on this item included the following:

Jennings commented that in 1988 the public voted to increase city sales tax by 1%, increasing the rate from 2% to 3%. Jennings stated the ordinance was to sunset after two years. At this time, the clerk has not been able to locate any records that confirm whether or not the city actually spent the funds on the clinic. There were minutes located that include William Martin requesting verification from the Council that the increased tax funds would be spent on the health department. Those minutes include the mayor at that time confirming that the increased revenue would assist in the operation of the entire public safety departments, but the main intent of the increase was to fund the clinic.

Jennings requested that the City Council entertain an ordinance that would dedicate 1% of the existing sales tax rate of 6%, to the EMS department for a period of 2-years.

Nyquest inquired if the city was depending on the 6% of the sales tax funds to balance the budget and wanted to know what kind of impact this would have to the existing budget if the council were to redirect a portion of those tax funds. Acting Clerk, Lisa Roseland, commented that Teri would be the one to answer that question and she was not currently available.

MOTION: Move to table any discussion of historical sales tax rate increases and utilization of sales tax funds until a later date

F/S: Nyquest/Burger

YEAS: Kerkof, Oatman, Hartwell, Stram, Burger & Nyquest

NAYS: Jennings

STATUS: Motion Passed.

11. ORDINANCE FOR PUBLIC HEARING:

- a) **Ordinance 22-02-01-01**, amending Title 3 – Revenue and Finance, Chapter 3.12 – Purchasing, discussion and action item:

Burger moved to adopt Ordinance 22-02-01-01, amending Title 3, Chapter 3.12- Purchasing. Hartwell seconded the motion. Huestis explained the purpose of the amendment to the purchasing ordinance was to simplify and clarify the purchasing policies of the City. Nyquest thanked John for meeting with him and going over the proposed ordinance amendments with him. Nyquest stated he felt that the amounts for required approval were a little too high. Oatman agreed that the City should be more conservative and keep the limits for approval required to where they currently are.

Jennings commented that he understood the need for amending the purchasing code, but that he too had reservations about increasing an amount of \$5,000.00 to \$25,000.00 due to past history of the city. Jennings stated that he did agree with the need of increasing the limit from \$2,000.00 to \$5,000.00 because much of the time the cost of shipping can increase the cost of an item by anywhere from \$1,000.00 to \$3,000.00.

Kerkof added a point to consider that a lot of the time if something is available, it is available now, and may not be available in the next week to two-weeks to wait for council approval. Administrator Huestis explained that the amendment of approval from \$5,000.00 to \$25,000.00, was only for items that were already approved in the city budget

and where those funds were available. Huestis reiterated that the administration would provide the city council with a report of expenses at the following scheduled meeting.

Public Hearing comments included:

Tim Lindseth, Resident, provided the following comments:

- Stated that he agreed with the amendment to the minimum expense approval of \$2,000.00 to \$5,000.00. Lindseth stated he had just performed some repairs to Setter Lake Road, and he could barely get them done for less than \$2,000.00.

There were no further comments from the public under this Public Hearing item.

Nyquest commented that it was the city council's job to make sure that the city finances are handled properly.

MOTION: Move to adopt Ordinance 22-02-01-01, amending Title 3, Chapter 3.12- Purchasing
F/S: Burger/Hartwell
YEAS: Kerkof, Oatman, Hartwell, Stram, Burger, Nyquest & Jennings
NAYS: None
STATUS: Motion Passed.

12. EXPENDITURES EXCEEDING \$2,000.00:

- a. Authorizing the expenditure of up to \$5,000.00 to Island Repair for the diagnostics and repair of the Solid Waste Sander/Snowplow truck:

Burger moved to approve the expenditure of up to \$5000.00 to Island Repair for the diagnostics and repair of the Solid Waste Sander/Snowplow truck. Jennings seconded the motion. There was further discussion.

MOTION: Move to approve the expenditure of up to \$5,000.00 to Island Repair for the diagnostics and repair of the Solid Waste Sander/Snowplow truck
F/S: Burger/Jennings
YEAS: Kerkof, Oatman, Hartwell, Stram, Burger, Nyquest & Jennings
NAYS: None
STATUS: Motion Passed.

13. CONTINUATION OF PUBLIC COMMENT:

There were no further public comments.

14. CONTINUATION OF COUNCIL COMMENT:

Nyquest apologized for missing the February 1st workshop but would be in attendance for the next one.

15. ADJOURNMENT:

Burger adjourned the meeting at 7:59 pm

Lee Burger, Mayor

ATTEST:

Lisa Roseland, Acting City Clerk
For Teri Feibel, CMC



CITY OF THORNE BAY
RESOLUTION 22-03-01-01

A RESOLUTION OF THE CITY COUNCIL, FOR THE CITY OF THORNE BAY, ALASKA,
SUPPORTING THE CITY OF THORNE BAY ENTERING A THREE-YEAR AGREEMENT WITH THE
DEPARTMENT OF TRANSPORTATION ADOPT-A-HIGHWAY PROGRAM

WHEREAS, the City Council is the governing body of Thorne Bay, Alaska; and

WHEREAS, the City Council for the City of Thorne Bay recognizes the need and desirability
of litter free highways; and

WHEREAS, the "Adopt-A-Highway" program has been established for civic organizations,
nonprofit organizations, and interested parties to contribute toward the effort of
maintaining litter free highways; and

WHEREAS, the City of Thorne Bay agrees to abide by the Adopt-A-Highway rules and
regulations attached; and

NOW, THEREFORE, BE IT RESOLVED that the City of Thorne Bay, Alaska, supports and agrees
to conduct its litter control activities in accordance with the Department of Transportation's
guidelines for the Adopt-A-Highway program and accepts the adoption of the section of
highway between Thorne Bay and Control Lake Junction, mile post 0 to mile post 17.5, for
a three-year term commencing on March 1, 2022, and ending on March 1, 2025.

PASSED AND APPROVED by a duly constituted quorum of the City Council, for the City of
Thorne Bay, Alaska, this 1st day of March 2022.

ATTEST:

Lee Burger, Mayor

Teri Feibel, CMC

NEW BUSINESS ITEM (10) (b)



CITY OF THORNE BAY
RESOLUTION 22-03-01-02

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, AUTHORIZING THE CITY TO ENTER INTO AN MOA WITH SOUTHEAST ISLAND SCHOOL DISTRICT (HEREINAFTER SISD), FOR THE TRANSFER OF IMPROVEMENTS AND DISTRICT PERSONAL PROPERTY ITEMS TO CITY OF THORNE BAY

WHEREAS, the City Council is the governing body for the City of Thorne Bay; and

WHEREAS, The Southeast Island School District (SISD) is the Regional Education Enrollment Area school district responsible for providing K-12 education in many communities throughout Southeast Alaska; and

WHEREAS, SISD recently sold the floating building that was moored adjacent to the Business Loop Road, Business District subdivision in the City of Thorne Bay; and

WHEREAS, the City of Thorne Bay (City) owns the property along the waterfront across Business Loop Road from Lots 4 and 5 in the Business District subdivision where the SISD improvements and personal property items are located, and SISD has full authority to transfer improvements and personal property items which are located on City property and described herein; and

WHEREAS, the following improvements and personal property items are located at the site of the former SISD floating building, adjacent to the Business Loop Road across from Lots 4 and 5 in the Thorne Bay Business District subdivision.

- a. Metal Ramp
- b. Wood Landing at top of Metal Ramp
- c. Dock Parts affixed to metal pilings
- d. Five (5) Metal Pilings
- e. All parts of the wood breakwater

WHEREAS, all said improvements and items are being transferred free and clear of all liens, encumbrances, liabilities and adverse claims of every nature and description; and

WHEREAS, no cost to either party will be associated with the transfer of the improvements and personal property items listed in Section 1 of the MOA.

NOW, THEREFORE BE IT RESOLVED that the City Council deems it to be in the best interest of the City to acquire ownership of said improvements and personal property and authorizes the City Administrator to sign the attached MOA between SISD and the City of Thorne Bay.

BE IT FURTHER RESOLVED that the ownership of the improvements and personal property items listed herein and in Section 1 of the MOA will be transferred from SISD to City on the date the Memorandum of Agreement has been executed by both parties.

PASSED AND APPROVED by the City Council of the City of Thorne Bay, Alaska this 1st day of March 2022.

Lee Burger, Mayor

ATTEST:

Teri Feibel, CMC

NEW BUSINESS ITEM (10) (b)



SOUTHEAST ISLAND SCHOOL DISTRICT

P.O. Box 19569, 1010 Sandy Beach Road, Thorne Bay, Alaska 99919

(907) 828-8254

Fax: (907) 828-8257

E-mail: sisd@sisd.org

MEMORANDUM OF AGREEMENT

Transfer of Improvements and District Personal Property Items to City of Thorne Bay by Southeast Island School District

The Southeast Island School District (SISD) is the Regional Education Enrollment Area school district responsible for providing K-12 education in many communities throughout Southeast Alaska. SISD recently sold the floating building that was moored adjacent to the Business Loop Road, Business District subdivision in the City of Thorne Bay.

City of Thorne Bay (City) owns the property along the waterfront across Business Loop Road from Lots 4 and 5 in the Business District subdivision where the SISD improvements and personal property items are located.

The terms and conditions of this agreement are outlined below.


1. **DESCRIPTION OF IMPROVEMENTS AND PROPERTY ITEMS:** The following improvements and personal property items are located at the site of the former SISD floating building, adjacent to the Business Loop Road across from Lots 4 and 5 in the Thorne Bay Business District subdivision.
 - a. Metal Ramp
 - b. Wood Landing at top of Metal Ramp
 - c. Dock Parts affixed to metal pilings
 - d. Five (5) Metal Pilings
 - e. All parts of the wood breakwater

2. **TRANSFER OF OWNERSHIP:** SISD has full authority to transfer improvements and personal property items listed in Section 1 and said improvements and items are being transferred free and clear of all liens, encumbrances, liabilities and adverse claims of every nature and description.

Ownership of the improvements and personal property items listed in Section 1 will be transferred from SISD to City on the date this memorandum of agreement has been executed by both parties.

3. **COST:** No cost to either party will be associated with the transfer of the improvements and personal property items listed in Section 1.

4. **MAINTENANCE AND UPKEEP:** As of the date of the transfer of ownership to City, all maintenance and upkeep of the improvements and personal property items listed in Section 1 will become the responsibility of City.
5. **INSURANCE:** As of the date of the transfer of ownership to City, insurance for the improvements and personal property items listed in Section 1 will become the responsibility of City and City will take on all liability for said improvements and personal property items.
6. **CONDITION:** SISD disclaims any implied warranty of condition, merchantability of fitness for a particular purpose. The improvements and personal property items listed in Section 1 being in the present condition "as is and where is".
7. **APPLICABLE LAW:** This contract shall be governed by the laws of the State of Alaska.



Sherry Becker
SISD Superintendent

Date 2/24/22

John Huestis
City Administrator

Date _____



CITY OF THORNE BAY
RESOLUTION 22-03-01-03

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, APPROPRIATING THE AMERICAN RESCUE PLAN ACT OF 2021 LOCAL FISCAL RECOVERY (ARPA) FUNDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED AND SIXTY-ONE THOUSAND, THREE HUNDRED AND FORTY-EIGHT DOLLARS AND SIXTY-SEVEN CENTS (\$261,348.67) AND ALLOCATING THE SAME TO BE SPLIT 50/50 BETWEEN THE FIRE & EMS DEPARTMENT OPERATIONS AND PROJECTS.

WHEREAS, the City Council is the governing body for the City of Thorne Bay; and

WHEREAS, the United States Congress passed and President Biden signed the American Rescue Plan Act of 2021, on March 11, 2021; and

WHEREAS, the American Rescue Plan Act of 2021, a \$1.9 trillion dollar relief bill, established the Coronavirus State and Local Fiscal Recovery Funds to provide \$130 billion in emergency funding for eligible local governments; and

WHEREAS, the City of Thorne Bay is set to receive \$261,348.67 in two deposits, with 50% (\$130,674.33) already having been deposited and the remaining 50% balance to be deposited no more than 12 months later; and

WHEREAS, the Coronavirus Local Fiscal Recovery Fund (Recovery Fund) is intended to provide support to State, local, and Tribal governments in responding to the impact of COVID-19 on communities, residents, and businesses; and

WHEREAS, the Recovery Fund also is intended to support government services to the extent of reduced revenues due to the COVID-19 public health emergency relative to revenues in the most recent full fiscal year prior to the emergency; and

WHEREAS, the City Administration has identified the Fire and EMS Department Operations to be the most crucial need of the community.

NOW THEREFORE, THE THORNE BAY CITY COUNCIL RESOLVES that the ARPA Funds shall be allocated as provided herein:

Section 1. The City of Thorne Bay is hereby authorized to fund, from American Rescue Plan Act of 2021 Local Fiscal Recovery Funds the departments and programs in the amounts stated below.

Section 2. These funds will be available for the following programs:

a. FIRE DEPARTMENT SERVICES – Not to exceed \$130,674.33:

- i. Wages for a temporary Fire Chief are approved up to twenty-five thousand (\$25,000.00) dollars for a period not to exceed 6-months. Actual wage will be determined based on individual qualifications, on the 2022 Pay-grade GS-7,
- ii. Remaining funds of one-hundred and five thousand, six-hundred and seventy-four dollars and thirty-three cents (\$105,674.33), or more, depending on the actual wages of the Fire Chief, shall be approved for Fire related eligible expenditures over a period of 2-years.

b. EMS DEPARTMENT SERVICES – Not to exceed \$130,674.34:

- i. Wages for a temporary EMS Coordinator position up to one-hundred thousand (\$100,000.00) dollars for a period not to exceed 2-years. Actual wage will be determined based on individual qualifications, on the 2022 Pay-grade GS-7,
- ii. Remaining funds of thirty thousand, six-hundred and seventy-four dollars and thirty-four cents (\$30,674.34), or more, depending on the actual wages of the EMS Coordinator, shall be approved for EMS related eligible expenditures over a period of 2-years.

PASSED AND APPROVED this 1st day of March 2022, by a duly constituted quorum of the Thorne Bay City Council with a vote of _____ Yeas and _____ Nays

Lee Burger, Mayor

ATTEST:

Teri Feibel, CMC



CITY OF THORNE BAY
RESOLUTION 22-03-01-04

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ACCEPTING BIDS AND APPROVING A CONTRACT WITH NEWLOOK CONSTRUCTION LLC, OWNED BY COUNCIL MEMBER SHANE NYQUEST, FOR INSURANCE RELATED WORK FOR REPAIRING THE DAMAGES TO THE CITY SHOP AS REQUIRED BY CITY CODE AND WAIVING THE PROCUREMENT PROCEDURES REQUIRING FORMAL COMPETITIVE BIDDING.

WHEREAS, the City Council is the governing body for the City of Thorne Bay; and

WHEREAS, the City incurred significant damage to its Streets and Roads Department shop due to a City vehicle crashing into it during the recent icy winter weather conditions; and

WHEREAS, The City filed an insurance claim with the City's insurer (AMLJIA) for repairs of the damages to the shop including the compressed air delivery system integrated into the shop building and the City's deductible is \$5,000; and

WHEREAS, per the request of AMLJIA Claims Adjuster, the City asked several local contractors for bids to repair the damage as a basis for the claim settlement amount and sent several reminders to try to invoke action to visit the shop, evaluate the damages and submit bids for repairs; and

WHEREAS, since none of the initial contractors contacted were interested in the work, considering they were unresponsive to the City's invitation, and a local City Council Member, Shane Nyquest, owns a construction company called NEWlook Construction LLC and being local to Thorne Bay and licensed to do this type of work the City asked Shane if he was interested in submitting a bid for the repairs; and

WHEREAS, NEWlook Construction LLC submitted the only viable bid of \$26,900, just for the building repairs, with an additional amount of \$9,770 for the replacement of the compressed air delivery system; and

WHEREAS, the AMLJIA Claims Adjuster accepted the bid for the building as sufficient for the settlement amount of the claim for damages to the building but agreed with the City Administrator to delay the claim settlement for the compressed air system until a more detailed inventory and assessment could be completed to settle as a

separate claim amount in the future once we have dismantled the system and have a better idea of potential damages; and

WHEREAS, per City Code 3.12.060, Approval of City Council Required – Procurements, procurements estimated at over \$25,000 require City Council approval; and

WHEREAS, per City Code 3.12.100, Competitive Procurement Procedure, contracts estimated at over \$25,000 are supposed to be competitively bid for adequate competition in seeking the best value for the City; and

WHEREAS, this is a unique situation where the City's actual expenditure is limited to the deductible of \$5,000 and the rest of the procurement for repairs is covered by the City's insurance provider, AMLJIA, and the insurer has accepted the City's only bid for payment of the construction services needed for the repairs; and

WHEREAS, time is of the essence and the City has no reason to believe that spending the additional time and effort involved with bidding the project competitively would result in any more responsiveness or more favorable bids and will have sufficient insurance funds to accept the bid from NEWlook Construction LLC and move forward with an award of a contract for the building repairs only; and

WHEREAS, per City Code 2.04.075, Contractual Services by Council Members, a City Council Member may provide contractual services to the city if approved by the Mayor and City Council; and

WHEREAS, per City Code 2.04.080, Conflicts of Interest, a City Council Member or employee of the City must disqualify himself or herself from participating in any official action in which he or she has a substantial financial interest and thus would require Shane Nyquest to disqualify himself for this and future actions of the City Council as they may pertain to this matter if he wishes to remain eligible for potential contractual services being considered in this Resolution.

NOW, THEREFORE, BE IT RESOLVED the City Council for the City of Thorne Bay, Alaska, hereby accepts the bid from NEWlook Construction LLC as the basis for the insurance settlement amount and waives the requirement for formal competitive bidding for contracts over \$25,000 and approves the Mayor and City Administrator to award a contract for the shop repairs to NEWlook Construction LLC based on the value of the insurance claim settlement for the building only, so long as Council Member Shane Nyquest disqualify himself from taking any official action on this matter now and forever; and

BE IT FURTHER RESOLVED, the Thorne Bay City Council authorizes the mayor to sign any and all awards, insurance agreements, contracts, change orders or other such

future documents related to this project so long as they are covered by the insurance settlement budget and connected with this same insurance claim and covered event.

PASSED AND APPROVED this 1st day of March 2022, by a duly constituted quorum of the Thorne Bay City Council with a vote of _____ Yeas and _____ Nays and _____ Abstained.

Lee Burger, Mayor

ATTEST:

Teri Feibel, CMC

Black and Gold Thorne Bay Basketball Team Fundraising

To: Local Businesses and Community Members

The Thorne Bay Wolverine Basketball Team Is fundraising throughout the season to help offset the costs of traveling expenses related to playing other schools within the state. At this time we are asking for donations of monetary or merchandise that would help us raise funds to compete with other schools. We sincerely appreciate any support from businesses and community members as we move forward towards our goal.

-This year we are offering Black and Gold supporters an opportunity to have banners with businesses names and information to be prominently displayed on the gymnasium wall.

- In addition we are offering supporting community members and/or supporting families to have an individual's name or family name displayed on our gymnasium wall.

4'x2' Business banner displayed. \$350. annually first year and \$300. every year thereafter.

4'x1' Individual or family displayed. \$250 annually first year and \$200. every year thereafter.

Sponsor payment can be made to:

Thorne Bay School ASC

Attn Amy Jennings

PO Box 19005

Thorne Bay, Ak 99919

For any additional questions or information please don't hesitate to contact

Coach Mel Cook

(907)953-4127

Thank you again for your support.

Thorne Bay Basketball Team

JAN 31 2022