

AGENDA

FOR THE **SPECIAL MEETING**
OF THE CITY COUNCIL FOR THE
CITY OF THORNE BAY, ALASKA
MONDAY, OCTOBER 7, 2024

TIME: 6:30 p.m.

THERE WILL BE A WORKSHOP BEGINNING AT 6:00PM

LOCATION: IN PERSON AT CITY HALL or TELECONFERENCE/VIDEO CONFERENCING LINE

Phone Number: 1-650-479-3208 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) Clerk:
- 7) DEPARTMENT REPORTS:
 - a) WATER:
 - b) VPSO:
 - c) EMS:
- 8) PUBLIC COMMENTS:
- 9) COUNCIL COMMENTS:
- 10) CONSENT AGENDA:
 - a) Minutes of the September 3, 2024, Regular City Council Meeting, discussion and action item:
- 11) NEW BUSINESS:
 - a) Resolution 24-10-07-01: Certifying October 1, 2024 Election Results, Discussion and action item;
 - b) Resolution 24-10-07-02: Establishing DL as an Absentee Voting Location, Discussion and action item;
- 12) ORDINANCES FOR INTRODUCTION:
- 13) CONTINUATION OF PUBLIC COMMENT:
- 14) CONTINUATION OF COUNCIL COMMENT:
- 15) ADJOURNMENT:

POSTED: September 27, 2024

MINUTES

FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR THE
CITY OF THORNE BAY, ALASKA
TUESDAY, SEPTEMBER 3, 2024

TIME: 6:30 p.m.

THERE WAS A WORKSHOP BEGINNING AT 6:00PM

1) CALL TO ORDER:

Mayor Nyquest called the meeting to order at 6:30pm

2) PLEDGE TO FLAG:

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

3) ROLL CALL:

Those present were:

Burger, LaVoie, Lovell, Nyquest, Kaer

Those absent were:

Blair

4) APPROVAL OF AGENDA:

Nyquest moved to approve the agenda. Lovell seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda.

F/S: Nyquest/ Lovell

YEAS: Burger, LaVoie, Lovell, Nyquest, Kaer

NAYS: None

ABSENT: Blair

STATUS: Motion Passed.

5) MAYOR'S REPORT:

- a) Comment that it's good to be back after medical leave. Many elections are coming up, Municipal and State. Excited to receive the new Firetruck, I will let EMS/Fire report more on that.

6) ADMINISTRATIVE REPORTS:

- a) City Administrator:
 - i. Operator Jennings quit, Owen filling in
 - ii. Atlas towers beginning prep work this month, Tower arrives in Oct.
 - iii. Broadband grant notice is delayed
 - iv. OVK with the City put in for a fish passage culverts grant and design work is started for those.
 - v. OVK applied for 4Mil for Tolstoi access road bridge – October work to begin. Public easement to sort yard will be put in place.
 - vi. OVK looking to add City roads on Southside subdivision to their inventory which allows them to use transportation money on those roads.
 - vii. Expect to hear back from Rural Transportation on Kasaan Road grant soon and looking at

another grant for the first 5.3 miles of Kasaan rd. to get to the subdivision.
viii. City and Community Connections have finished the deal for the property.

b) Clerk:

i. Absentee voting is open at City Hall.

- 4 seats open – candidates read aloud.
- Elections Oct 1
- One proposition to establish Same-day absentee voting at Davidson Landing

ii. State elections open Sept 16-30 for School board and Election Day is Oct. 1st.

7) **DEPARTMENT REPORTS:**

a) WATER: Attached

b) VPSO/FIRE/EMS: Jake Aaro reported that EMS has 2 new dispatchers and one new EMT

c) Fundraiser dinner pulled in 3500, Derby expects to donate 1500 to EMS. Monthly meeting will be held this Saturday. 5 calls this month. Fire dept had 1 fire, no loss of life or damage, thanks to Sean Kaer. VPSO 5 calls. Harbormaster and VPSO will be prepping new truck to put away at DL. Working on truck from 9-noon. Mayor Suggested the firehall heating be checked to make sure nothing out there freezes in the truck.

8) **PUBLIC COMMENTS:**

a) **Karen Petersen** for the Chair of the Friends of the Library reporting on the DL Meeting. Notes provided to the clerk and included in minutes.

b) **Charles Jennings:** complained about rate increases – meanwhile 4 leaks at fish cleaning station. Didn't report the leaks but saw a council member at the cleaning station and both valves were open and both hoses were leaking. 21 days of 8 leaks before anyone fixed the leaks. Amount of water leaked is equivalent to 28 houses. Why didn't the harbormaster fix the leaks? Complained that city stopped pay raises for everyone but 2 employees, who got raises. Any council member could have voted no on the contract and removed the raise for John's contract. Should have to post apologies and made public just like Sam had to. Council needs to be discussed with council not just Administrator and Mayor making choices. Time for council to do their job.

c) **Thom Cunningham** commented that Lauri with Div of Elections is looking for workers for DL absentee voting for Oct 1. Thanks to his hometown for donating the firetruck to Thorne Bay. Named Council members that he disagreed with for approving Administrator's contract. City was in the black when he was on council and it is now in the red. Commented on a Public Records Request received for Teri Feibel's contract. City hall needs to tighten their belts instead of the people tightening theirs. Commented that Huestis should have declined any increase, Feibel's job needs to go away, and budget should be between Mayor, Clerk, and Administrator. Suggested the Administrator should give up one of his jobs or City needs a new Administrator.

d) **Jonathan Jennings** disappointed in the report that was all for OVK, what about Thorne Bay? Heard about OVK transit van picking up our people, what are we giving up in return? Commented on issues with firetruck could have been avoided with a checklist for turning off and have something that could actually jump start a truck and new batteries.

e) **Mike Steele** commented that he had a contract with John and Lee to cut up boats, containers ready to go south and bales ready to go south. Aluminum is going at a good price (\$1/lb about). Mayor and City Administrator should sell the materials down south.

Several bales of cans that have plastic in them and Pacific metal does not want plastic. Offered to sort all cans, remove the plastic, the same contract as last year.

f) **Trina Pesterfield** thanks to Shawn and Jason, great loss to the City.

9) **COUNCIL COMMENTS:**

a) **Sean Kaer** appreciates the FOL and bringing light to plans needed over there. Comprehensive plans should happen and we should look at all state lands because DL is not a good place for a rescue base. Thanked Charlie for his comments and suggested we shut off water to the dock instead of wasting water. Thank you to Johnny for the words about the landing at Tolstoi to help bring in income for the community. Should move meetings back to 2 times per month.

b) **Tony Lovell** letter from Stan McCoy – Read into the minutes.

c) **Nyquest** commented that his phone is open and he is available for meetings. Held office hours and no one came in. Please reach out to get a hold of me to clear up many issues. Workshop is the time for discussion, not public comment.

d) **Sean Kaer** In response to the fire truck and fire that happened, very unprepared for the fire that happened out there. Grateful that Kasaan showed up to help out.

10) **CONSENT AGENDA:**

a) Minutes of the August 6, 2024, Regular City Council Meeting, discussion and action item:

MOTION: Move to approve the consent agenda.
F/S: Nyquest/ Lovell
YEAS: Burger, LaVoie, Lovell, Nyquest, Kaer
NAYS: None
ABSENT: Blair
STATUS: Motion Passed.

11) **NEW BUSINESS:**

a) Mayoral Proclamation of Appreciation to Spokane Fire Department
i. Mayor Nyquest read the Proclamation into the Record.

b) Resolution 24-09-03-01: Appointing election judges for the 2024 General & Mayoral Elections, discussion and action item;

Mayor Nyquest moved to approve Resolution 24-09-03-01. Appointing Election judges for the 2024 Municipal Elections.

MOTION: Move to approve Resolution 24-09-03-01 appointing election judges for the 2024 Municipal Elections.

F/S: Nyquest/ Lovell
YEAS: Burger, LaVoie, Lovell, Nyquest, Kaer
NAYS: None
ABSENT: Blair
STATUS: Motion Passed.

- c) Resolution 24-09-03-02: Approving the 2-year lease renewal for SISD parking on sandy beach road, discussion and action item;

Mayor moved to approve Resolution 24-09-03-02, seconded by Lovell. No further discussion.

MOTION: Move to approve Resolution 24-09-03-02, approving the 2 year lease with SISD.

F/S: Nyquest/ Lovell
YEAS: Burger, LaVoie, Lovell, Nyquest, Kaer
NAYS: None
STATUS: Motion Passed.

- d) Karen Peterson: Southeast Conference Integrated Energy Campus, discussion item;
 - i. Karen gave a presentation on the Solvelt Grant to solve lumber/timber issues. Two meetings at VOTEC Friday Sept 6, 3-5, Sept 7, 9-11am also available via Zoom. SE Conference in KTN, sept 26-28, this year to help economic development.

12) **ORDINANCES FOR INTRODUCTION:**

- a) Ordinance 24-10-07-01: An Ordinance Amending Title 17.04.024, Residential Commercial I Zone, Property Development Standards, discussion and action item,

Mayor Nyquest moved to approve ORD 24-10-07-01, seconded by Burger. Discussion as follows:

Nyquest would like to see it reworked and should vote this down to bring it back amended.

Burger commented on the intent of the Ordinance.

MOTION: Move to approve Ordinance 24-10-07-01, Amending Title 17.04.024

F/S: Nyquest/ Burger
YEAS: None
NAYS: Burger, LaVoie, Lovell, Nyquest, Kaer
STATUS: Motion Failed.

13) **CONTINUATION OF PUBLIC COMMENT:**

- a) **Mike Steele** commented that he appreciates COTB taking care of citizens. The raise for the SS Harbor is outrageous due to the lack of amenities on that side. City is doing a great job and employees should have raises each year.
- b) **Thom Cunningham** suggested that then standard fire engine isn't right size for southside and city should look into getting a DNR pickup truck instead.
- c) **Trina** questioned the Ordinance and if people would be notified

14) **CONTINUATION OF COUNCIL COMMENT:**

- a) **Nyquest** appreciation for all public feedback
- b) **Lovell** questioned the ability to check on rates across the island.
- c) **Nyquest** commented that our rates are for running our department and the costs of other cities would not necessarily match up with

15) **ADJOURNMENT:** Mayor Nyquest adjourned at 7:38 p.m.



**RESOLUTION 24-10-07-01
CITY OF THORNE BAY**

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY CERTIFYING THE ELECTION RESULTS AND ALL PROCEEDINGS IN THE OCTOBER 1, 2024, REGULAR MUNICIPAL ELECTION

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

WHEREAS, the City held a Regular Municipal Election on October 1, 2024, for the purpose of filling four (4) vacant council seats; and

WHEREAS, notice of the City Election was duly given per the Thorne Bay Municipal Code Chapter 2.28-Elections; and

WHEREAS, the City Council received from the City Clerk, a Canvass Report and Certificate of Results of the Regular Election ("Certificate of Election"); and

WHEREAS, there were a total of 176 votes cast and 173 votes were counted during the October 1, 2024, Regular Election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THORNE BAY DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:

Section 1. That the minutes of the October 7th, 2024, Council Meeting, reflect that the City Council certified the Election Results, reflecting a total of ____ votes cast, and ____ votes were counted and reflected in the Certificate of the Election.

Section 2. Timber Pesterfield is Elected to Seat A, for a One-year Term with a total of 117 votes, Anthony Lovell is Elected to Seat D, for a Three-year Term, with a total of 143 votes, Trevor Killian is Elected to Seat F, for a Three-year Term, with a total of 87 votes, Shane Nyquest is Elected to Seat G, for a Three-year Term, with a total of 114 votes.

Section 3. That all proceedings in connection with the Regular Municipal Election have been accomplished according to law and the City Clerk is, hereby authorized and directed to deliver, or arrange for delivery of, a copy of the Certificate of Election to each newly elected councilmember.

PASSED and ADOPTED this 7th day of October 2024, by a duly constituted quorum of the City Council for the City of Thorne Bay, Alaska.

ATTEST:

Lee Burger, Vice Mayor

Caitlyn Sawyer, City Clerk/Treasurer



CERTIFICATE OF ELECTION
City of Thorne Bay, Alaska

THIS IS TO CERTIFY that on the 1st day of October 2024, the City of Thorne Bay, Alaska, held a Regular Municipal Election for the purpose of electing four officers to the Thorne Bay City Council (Seats A, D, F & G)

As confirmed by the City Council upon Completion of the final canvass of ballots on the 4th day of October 2024, the final election results are:

Council Seat A: (1-Year Term)

Gary Anderson - 49
Timber Pesterfield - 117

With a vote of 117, Timber Pesterfield is hereby elected to Seat A for a 1-Year Term

Council Seat D: (3-Year Term)

Anthony Lovell - 143

With a vote of 143, Anthony Lovell is hereby elected to Seat D for a 3-Year Term

Council Seat F: (3-Year Term)

Thom Cunningham - 85
Trevor Killian - 87

With a vote of 87, Trevor Killian is hereby elected to Seat F for a 3-Year Term

Council Seat G: (3-Year Term)

Shane Nyquest - 114

With a vote of 114, Shane Nyquest is hereby elected to Seat G for a 3-year Term

Ballot Initiative 1:

Shall a Resolution be approved by the City to establish same day, in-person, absentee voting at Davidson Landing for all Municipal General and Mayoral Elections?

Yes - 117
No - 51

With a vote of 117, Ballot Initiative has passed, establishing Davidson Landing as a Same day, in-person, absentee voting location for all Municipal General and Mayoral Elections.

The results of the October 1, 2024, Regular Municipal Election, are hereby Certified by a duly constituted quorum of the City Council for the City of Thorne Bay, Alaska

DATED this 7th day of October 2024, at Thorne Bay, Alaska

ATTEST:

Lee Burger, Vice Mayor

Caitlyn Sawyer, City Clerk/Treasurer



**CERTIFICATE OF ELECTION
REGULAR ELECTION OCTOBER 1, 2024
TOTAL VOTES CAST: 176**

TOTAL VOTES CAST AT POLLS:	<u>139</u>
TOTAL VOTES QUESTIONED AT POLLS:	<u>2</u>
TOTAL VOTES ABSENTEE:	<u>32</u>
TOTAL VOTES ABSENTEE MAIL:	<u>0</u>
TOTAL QUESTION ABSENTEE BALLOTS:	<u>0</u>
TOTAL VOTES CAST:	<u>173</u>

TOTAL VOTES COUNTED AT THE POLLS :	<u>171</u>
October 1, 2024	

TOTAL VOTES COUNTED AT CANVASS:	<u>33</u>
October 4, 2024	

TOTAL VOTES COUNTED: 173

TOTAL VOTES NOT COUNTED: 3

2 Questioned Ballots not counted – Non-Registered Voters

1 Absentee by Mail/Special Needs not returned to City Clerk

TOTAL VOTES CAST:

QUESTION 1:	<u>Results from Polls</u>	<u>Canvass Results</u>	<u>Total Votes</u>
YES:	93	24	117
NO:	43	8	51



OFFICIAL
PRELIMINARY ELECTION RESULTS
REGULAR MUNICIPAL ELECTION OCTOBER 1, 2024

CITY OF THORNE BAY, ALASKA
ELECTION JUDGES' REPORT OF ELECTION RESULTS

The tally below is a true and accurate record of all votes cast at the polls in the October 1, 2024, Regular Municipal Election.

SEAT A CANDIDATE	CITY HALL THE POLLS	CANVASS VOTES	TOTAL VOTES
Gary Anderson	<u>42</u>	<u>7</u>	<u>49</u>
Timber Pesterfield	<u>94</u>	<u>23</u>	<u>117</u>
Write In	<u>2</u>	<u>3</u>	<u>5</u>

SEAT D CANDIDATE	CITY HALL THE POLLS	CANVASS VOTES	TOTAL VOTES
Anthony Lovell	<u>120</u>	<u>23</u>	<u>143</u>
Write In	<u>6</u>	<u>0</u>	<u>6</u>

SEAT F CANDIDATE	CITY HALL THE POLLS	CANVASS VOTES	TOTAL VOTES
Thom Cunningham	<u>68</u>	<u>17</u>	<u>85</u>
Trevor Killian	<u>71</u>	<u>16</u>	<u>87</u>
Write In	<u>0</u>	<u>0</u>	<u>0</u>

SEAT G CANDIDATE	CITY HALL THE POLLS	CANVASS VOTES	TOTAL VOTES
Shane Nyquest	<u>94</u>	<u>20</u>	<u>114</u>
Write In	<u>29</u>	<u>5</u>	<u>34</u>

QUESTION 1:	CITY HALL THE POLLS	CANVASS VOTES	TOTAL VOTES
YES:	<u>93</u>	<u>24</u>	<u>117</u>
NO:	<u>43</u>	<u>8</u>	<u>51</u>



**OFFICIAL
BALLOT CANVASS REPORT
REGULAR MUNICIPAL ELECTION OCTOBER 1, 2024**

**CITY OF THORNE BAY, ALASKA
ELECTION JUDGES' REPORT OF ELECTION RESULTS**

Total Ballots Printed City Hall: FIFTY (50)

Total Ballots Cast Absentee City Hall: 32

Absentee In Person: 31

Absentee by Mail: 0

Total Spoiled Ballots City Hall: 1

Subtotal Absentee City Hall: 32

Ballots received by Election Judges from City Clerk: ONE HUNDRED & NINETY-TWO (192) (at polls)

Total regular ballots cast: ONE HUNDRED & THIRTY-NINE (139) (at polls)

Total questioned ballots cast: TWO (2) (at polls)

Total special needs ballots: TWO (2) (at polls)

Total spoiled ballots: ONE (1) (at polls)

Total unused ballots: FORTY-EIGHT (48) (from Polls)

Grand Total..... ONE HUNDRED & NINETY-TWO (192)

(Grand total of all ballots should equal those received from election supervisor at the Polls at City Hall)

The tally of voters was completed between the hours of 8:00am and 8:00pm, October 1, 2024

The votes were counted between the hours of 8:00 p.m. and 9:00 p.m. October 1, 2024

SUBTOTAL BALLOT ACCOUNTABILITY REPORT:

City Hall Absentee: THIRTY-TWO (32)

City Polls Question: TWO (2)

Ballots Cast Polls: ONE HUNDRED & THIRTY-NINE (139)

Spoiled Ballots: ONE (1)

Special Needs: TWO (2)

Unused Ballots: FORTY-EIGHT (48)

TOTAL BALLOT PRINTED: TWO HUNDRED & TWENTY-FIVE (225)

The total ballots counted at the Canvassing Meeting on October 4, 2024, were **THIRTY-THREE (33)**
ABSENTEE Ballots.....

The total ballots **NOT** counted at the Canvassing Meeting on October 4, 2024, were **TWO (2)**
QUESTIONED Ballots, as advised by the State of Alaska Division of Elections because the voters were not registered to vote in time for the Regular Municipal Election.....



**CITY OF THORNE BAY
RESOLUTION 24-10-07-02**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, AUTHORIZING
DAVIDSON LANDING TO SERVE AS A SAME DAY, IN-PERSON ABSENTEE VOTING LOCATION
FOR ALL MUNICIPAL GENERAL AND MAYORAL ELECTIONS**

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

WHEREAS, the City of Thorne Bay has one polling place and one absentee voting place registered within the District 35, for the Thorne Bay Municipal Elections; and

WHEREAS, the City Council approved an absentee voting station on Election Day in the General Municipal Election of October 2015 and 2019; and

WHEREAS, the City Council has had requests from the public to authorize Davidson Landing to serve as an Absentee Voting Station for Municipal Elections; and

WHEREAS, the City Council has researched the options for providing an absentee voting station on at Davidson Landing on the day of the Regular Municipal Elections and find that they have the authority to appoint two absentee officials to operate the absentee voting station on Election Day who would be responsible for the administration, security and delivery of the absentee ballots cast on Election Day to the City Clerk not later than 9:00 p.m. on election days; and

WHEREAS, the City Council feels it to be in the best interest of the community to offer Absentee Voting on Election Day for General and Mayoral Municipal Elections at the Davidson Landing Fire Hall.

NOW THEREFORE, BE IT RESOLVED, the City Council for the City of Thorne Bay, District/Precinct: 35-780 authorizes Absentee Voting to be held on Election Days, for all General and Mayoral Municipal Elections, in the South Thorne Bay Davidson Landing Fire Hall. The City Council will advertise and appoint two qualified registered voters of Thorne Bay to serve as the Absentee Officials for the Davidson Landing absentee voting station.

BE IT FURTHER RESOLVED that the City Council for the City of Thorne Bay, Alaska, designates City Hall located at 120 Freeman Drive, Thorne Bay, Alaska 99919, as an Absentee Voting Station prior to Election Day, and Davidson Landing as an Absentee Voting Station on Election Day. The Thorne Bay City Hall Council Chambers located at 120 Freeman Drive, will be the only Official Polling Place for all General and Special Municipal Elections.

PASSED AND APPROVED

Shane Nyquest, Mayor

ATTEST:

Caitlyn Sawyer, City Clerk/Treasurer



City of Thorne Bay

Thorne Bay, AK 999109

PHONE: (907) 828-3380; FAX: (907) 828-3374

E-MAIL: cityclerk@thornebay-ak.gov

DEPARTMENT REPORT

Subject: Monthly Department Report

Department: Water & Sewer Utility

Supervisor: Sam Sawyer, Level II Water

Employees: Sam Sawyer, Supervisor
Willy Jennings, Employee

Date: September 2024

A Departmental Overview

The Water/Sewer Department is administered by Sam Sawyer, Level II Water Operator. The Supervisor(s) and staff are responsible for the operation and maintenance of the City's four core sanitation services: Water Treatment, Water Distribution, Sewage Collection, and Sewer Treatment. Duties include maintenance, minor and major schedule and unscheduled repairs throughout all four systems, monthly reporting to the Alaska Department of Environmental Conservation as required, direct sampling as scheduled for water quality and wastewater effluent quality compliance, implementation of a preventative maintenance schedule, construction of new water distribution mains and residential /commercial service connections and wastewater collection mains and residential/commercial service connections.

Current Department Activities:

Aside from working at the water plant and conducting our usual daily work, we will be working at the sewer plant fixing a mechanical breakdown that occurred with our blower motor pump and working with an electrician to fix our generator issues we are currently having at the water treatment plant. Starting October 1st, we will be turning off the water at the boat wash down.