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**City Council Minutes**  
**May 5, 2009 ~ 5:00PM**

**Regular Meeting**  
**City Hall, Delta Junction, Alaska**  
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The regular meeting of the Delta Junction City Council was held on Tuesday, May 5, 2009 at City Hall in Delta Junction, Alaska. Mayor Mary Leith-Dowling called the meeting to order at 5:00pm.

Council members present: Mayor Mary Leith-Dowling, Mayor Pro tem Pete Hallgren, Lou Heinbockel  
JW Musgrove, Pablo Martinez

Council member excused: Dawn Grossmann

City employees present: City Administrator Mike Tvenge, Finance Officer Dave Zimmerman

Landfill Supervisor Butch Ellis, Maintenance/Public Works Jeremy Williams, City Clerk Pat White  
Nineteen members from the community were present.

#### **AMENDMENTS TO AGENDA ~ APPROVAL OF AGENDA**

Leith-Dowling stated the first item of *New Business*, the proclamation honoring the Rescue Squad, would be moved to accommodate EMTs in attendance.

Heinbockel moved to approve the May 5, 2009 agenda as amended; Martinez seconded. Motion carried.

#### **APPROVAL OF MINUTES OF THE PREVIOUS MEETING**

Leith-Dowling stated Leslie Feilner's resignation was accepted at the April 7 Council meeting and therefore she did not need to be listed as excused from the April 21 meeting.

Heinbockel moved to approve the minutes from the April 21, 2009 meeting as amended; Martinez seconded. Motion carried.

#### **PUBLIC AND COUNCIL COMMENTS ON NON-AGENDA ITEMS**

Leith-Dowling called for public and Council comments on non-agenda items with none being offered.

#### **NEW BUSINESS - Proclamation - EMS Week, May 17-23, 2009**

Leith-Dowling read aloud the proclamation, "Whereas, emergency medical services are a vital community function; and whereas, the members of emergency medical service teams are ready to provide lifesaving care to those in need 24 hours a day, 7 days a week; and whereas, the community of Delta Junction benefits daily from the knowledge and skills of these highly trained and dedicated individuals; and whereas, it is appropriate to recognize the value of emergency medical service providers by designating Emergency Medical Services Week. Now, therefore, the City of Delta Junction proclaims the week of May 17-23, 2009 as Emergency Medical Services Week by encouraging the people of Delta Junction, Ft. Greely, and Deltana to observe and recognize the Delta Rescue Squad, EMS providers within our community, who stand ready to save a neighbor's life at a moment's notice." Leith-Dowling presented a framed certificate to squad members and she expressed appreciation for their hours of service.

#### **CITY COUNCIL SEAT D VACANCY**

White reported no one has filed a letter of interest to fill the vacancy left from Leslie Feilner's resignation. City Attorney Jim DeWitt suggested advertising again because there are no provisions in either State Statute (AS 29.20.180) or City Ordinance (1.10.060) that addresses not being able to fill a seat. White said two of the four eligible write-ins from the 2007 election, in which Feilner ran unopposed, declined. Heinbockel suggested running the ad through October.

**PUBLIC AND COUNCIL COMMENTS ON NON-AGENDA ITEMS**

Rick Vandenboom, High School science teacher and basketball coach, expressed interest in an outdoor basketball court. He said he hosts an open gym 3 times a week, including alumni. The High School court will be closed due to the weatherization project and the only outdoor court is behind the elementary school. Vandenboom offered to help support an outdoor facility.

Hallgren said the street-paving project, under *New Business*, will have two full outdoor courts and will be located across the street from the High School near the rink building.

Rob Warren, President of Delta Skating Association (DSA), said plenty of labor would be needed.

**REQUEST TO SPEAK**

**Janice Templin-Weller**, PHN, reported swine flu, now known as Influenza A/H1N1, is a new strain that was seen in Mexico. Animal and human viruses normally stick to themselves, but they occasionally cross over. Once incubated into the human population, and transmitted from human to human, it becomes more of a concern. Influenza A/H1N1 is an unusual virus, having genetic pieces from four different viruses, but it does not have any similarities to the 1918 Spanish flu virus. As of this morning, twenty-one countries have been affected, reporting 1,085 confirmed cases. Forty-three people have been hospitalized (3.9%), which is a bit higher than usual seasonal flu. Presently in the United States, in thirty-eight states, there are 403 confirmed cases, 1,105 probable cases, and 8,000 suspect cases. Washington State and Alaska have not yet been affected. Deaths related to seasonal influenza, estimated to be 36,000 each year, are usually because of complications from other medical conditions. Templin-Weller said Influenza A/H1N1 has potential to be serious because it is a new strain and no one has immunities to it. She said the best defense is to stay healthy and wash hands. The goal of the Centers for Disease Control (CDC) is to reduce transmission and thus, hopefully, the severity of the illness.

**Rachelle Hill**, PHN, said there is global effort to reduce transmission of Influenza A/H1N1 and it has been labeled a Pandemic Level 5, even though it is not as severe as what was feared last week. (Level 5 is when a pandemic is imminent and time is short to finalize the organization, communication, and implementation of the planned mitigation measures.) The action plan is to educate partners (schools, EMS, day care, clinic, City Council) about the signs of influenza (fever, sore throat, runny nose, cough, body aches, chills) and to encourage them to seek medical attention and stay home, away from the general public. Hill said practicing cleanliness (washing hands with soap and water or with alcohol-based hand cleaner) and cough etiquette (coughing or sneezing into elbows instead of hands) could prevent the spread of germs. She said a system is in place should mass dispensing of medications be necessary.

Jerry Zachgo, ETT, asked about animal to human transmission, migratory birds, and the affect on tourism.

Hill said the virus was passed from pigs/hogs to humans in the '70s. It was labeled as swine flu when it changed to human-to-human. A case in Canada showed it was passed back to hogs. Information is shared with the Chamber of Commerce and the Visitor's Center, stressing basic cleanliness and cough etiquette. CDC and the World Health Organization watch for the spread of disease and viruses.

Templin-Weller said the Avian flu virus, transmitted from birds, was feared to be the next pandemic, but it has not been sustained as a human-to-human threat.

Michael Nuckols, Rescue Squad Chief, asked if random cultures are taken from flu patients.

Templin-Weller said the State Virology Lab in Fairbanks keeps track of specimens and they work closely with medical providers, but she does not know how much Family Medical Center utilizes the lab. The Public Health office may become aware of cluster illnesses in the area, but they do not do viral cultures on a day-to-day basis. Templin-Weller encouraged the public to call the Public Health Center (895-4292) with input and concerns and to go to the Department of Health and Social Services (DHSS) website ([www.pandemicflu.alaska.gov](http://www.pandemicflu.alaska.gov)) for updated information.

**REPORTS**

**Rescue Squad** – Michael Nuckols reported 5 squad members signed up for May training, they are still looking for enough people to hold an ETT class, and they will be recruiting during the Relay for Life.

White stated Aurora, an Alaskan electronic data collection system for web-based entry of patient care, is to be implemented by June 1, 2009. Staff from Interior EMS will provide training for the Delta Rescue Squad. Aurora will be used for billing purposes also. Entry for one report is estimated to take 17 minutes. Laptops will be required, as well as compatible billing software. Otherwise, the system is provided by the

State of Alaska. White stated she worked with Timothy Bundy from the Juneau office and is scheduled to work with IEMS.

Nuckols said the squad does have one laptop and implementing the Aurora program will be an additional burden for squad members. He said the training would likely be scheduled on a Saturday.

Discussion followed regarding consequences of not participating in the statewide program and upgrading the current billing software.

Nuckols said he feels the system is designed to work wonderfully in larger communities, but it offers little benefit for volunteer services.

**City Administrator** – Mike Tvenge reported Channel 17 will be off the air for a few more weeks due to modules repairs and the budget work session is scheduled for 5:00pm on May 13, 2009.

**Finance** – Dave Zimmerman referenced purchase order 013438 (\$5,595) to Mikunda, Cottrell under *New Business* and said the total annual City audit costs \$18,500. The fees were decreasing the past three years, but since the Sarbanes-Oxley Act that was implemented by Congress, because of ENRON and WorldCom financial disasters of 2002/2003, Mikunda, Cottrell must comply with more internal audit reporting, which is driving up audit costs. The City has to go by the same rules as multi-million dollar corporations.

Hallgren referenced cash reconciliation in the audit report (ending June 30, 2008) and said reconciling bank statements with other records has been a deficiency for at least 5 years. The audit is clean, but he would like to conform to the recommendation.

Leith-Dowling said a plan is needed to train staff in journal entries.

Tvenge said it could be discussed during the budget work session on May 13.

Hallgren suggested tasking a City Council member with the responsibility.

**Lands** – Pete Hallgren referred to an April 29, 2009 letter from Susan Sandy, co-owner of Kelly's Alaska Country Inn, who is in the process of applying for title to a parcel of State land.

Susie Sandy said she is available for questions before coming back for plat approval. Kelly's owns property on both sides of the parcel, which was initially part of the Canol pipeline right of way, but she has never known a pipeline to be there. They have a permit to use the property, but they would like to own it. Presently it is in the process of being surveyed.

Discussion followed regarding history in the area.

**Library** – Mary Leith-Dowling reported the Library Open House on May 25 was a success, with over four hundred in attendance. The annual fundraiser brought in about the same as last year (\$8,000+).

**Park / Recreation** – Lou Heinbockel stated he asked to combine *Park* and *Recreation* reporting (at the April 21 meeting), but he felt comfortable filling that position and not leaving it for the Council member who will fill Leslie Feilner's vacancy.

Tvenge said the septic system at the park is not functioning yet for the season so the City paid to have porta-potties available for the High School baseball games.

Hallgren asked to look at repairing the park fence to include areas affected by frost heaves so that the fence is level all the way around the park, particularly near the gate on Harper Street.

**Personnel** – Mary Leith-Dowling reported applicants are being interviewed to fill the custodial position.

**Public Works** – Lou Heinbockel reported:

- Once weight restrictions are lifted a water tanker would be used to hose off gravel from paved streets. He suggested locating someone needing community service hours to sweep them with a broom. Discussion followed regarding overseeing community service work.

- Three loader tires were repaired. (See PO#013440 under *New Business*.)

Hallgren said the new draft budget provides for four new tires.

Heinbockel said he doubted any legislative funds would be received to purchase a D8 dozer. He learned about a D8 that was being hauled to Fairbanks from Calgary that was bought at auction for \$425,000 Canadian dollars. Because of the turn in the economy, equipment is now reasonably priced.

Hallgren said none of the Capital projects on the Legislative Wish List were approved, but the Legislature did pass forgiveness for the \$50,000/year loan payment on the million-dollar prison debt, but the governor has vetoed it before.

**Additional Reports by Council** – Lou Heinbockel reported he has received positive comments from the public regarding the City requesting the State reduce the speed limit on State highways.

**UNFINISHED BUSINESS** - none**NEW BUSINESS** continued**Resolution 2009-04, A Resolution Requesting Forgiveness of Prison Debt**

Tvenge said Representative John Harris was successful in adding the prison loan forgiveness request to the Legislative budget. With the changes to the language to the promissory note the Governor will have the opportunity to sign the bill in the next few weeks. Resolution 2009-04 will be included with a letter signed by Mayor Leith-Dowling. Legislators asked for it as additional support from City Council.

Forgiveness will save \$50,000 annually from the City's operating budget for the next twenty years.

Heinbockel moved to approve Resolution 2009-04 requesting forgiveness of the \$1,000,000.00 remaining prison debt; Martinez seconded.

Hallgren asked to insert "annually" into the fifth paragraph and "every year" into the sixth paragraph.

Heinbockel amended the motion to include the wording; Martinez seconded.

Musgrove asked to organize an accompanying statement, justifying the request, to explain why the State of Alaska should pay the bill. Effort should not be wasted if a good case cannot be presented.

Heinbockel said City Attorney Jim DeWitt might already have historical perspective on how the City became responsible for the debt. Newspaper columnists need to be set straight and the letter may be helpful to the Palin administration also.

Tvenge said a letter was drafted to Governor Palin last fall that briefed her and legislators on the history.

Heinbockel said the prison scam was against the State of Alaska and it got dumped on the City of Delta Junction.

Discussion followed regarding borough formation being dropped as a contingency in the loan agreement, talking to more than one legislator, and the "loan" redefined as a "grant."

Motion passed unanimously on a roll call vote.

**Award 2009-01 Street Paving Contract**

Tvenge referenced the bid sheet for the paving project. He said four of the five bidders attended the bid opening on May 1 and the apparent low bidder is Paving Products, Inc. whose base bid was \$276,180.50. The base bid includes paving Aurora Avenue, north and south, Healy Street, east and west, and the library parking lot. Alternates included Chena Street, Ryan Avenue, Butte Street, 2nd Street, fairground pathways, and the new outdoor ice rink pad. The base bid can be awarded because funding is available through paving grants and the Rasmuson grant (for the library parking lot). He said there would be additional engineering to oversee the project. Funding is also needed to cover a small brushing contract prior to the paving project and the lighting on Nistler Road and the school campus on North Clearwater. He recommended awarding the base bid plus three alternate streets (Chena, Ryan, and Butte) and the outdoor rink. He suggested leaving out 2nd Street because it is outside the core area and leaving out the fairgrounds because of language in the grant, which he would inquire about with the State.

Discussion followed regarding available funding.

Heinbockel said Brewis Subdivision should be the next priority core area to consider because of the number of families.

Heinbockel moved to issue the letter of Intent to Award to Paving Products, Inc. for the 2009-01 street paving contract to include the base bid items (Aurora Avenue, Healy Street, library parking lot), the alternates (Chena Street, Ryan Avenue, Butte Street), and the new outdoor rink in the amount of \$561,336.20; Hallgren seconded.

Heinbockel said he has changed his opinion, because the fairgrounds receive so little use, but feels they should be paved because gravel makes handicap access difficult.

Hallgren said the ice rink pad would be covered from \$200,000 that was set aside from impact funds. It is not covered by the paving grant funds.

David Flynn, representing M2C1, stated Paving Products are not setting up a plant locally because they plan to truck asphalt from Fairbanks.

Leith-Dowling said Mil-Tan was paved the same way.

Hallgren said good inspection would be needed on every load.

Motion passed unanimously on a roll call vote.

Musgrove expressed frustration in not knowing what money is available.

Hallgren said Council members have a right to know details, but it is not in the City's best interest to advertise amounts.

### **Purchase Orders**

PO#013430 to Aetna WHO-AAS in the amount of \$9,831.81 for May '09 group health insurance

PO#013431 to Beta Lighting in the amount of \$2,685.00 for 3 250-watt LED street lights

PO#013432 to Center for Employment Education in the amount of \$525.00 for Jeremy Williams' training and testing for CDL license

PO#013433 to Crowley Petroleum Distribution in the amount of \$2,664.25 for April '09 heating oil

PO#013434 to Delta Professional Development in the amount of \$954.20 for April '09 vehicle fuel

PO#013435 to Rae Ann Filla in the amount of \$600.00 for reimbursement for EMT training

PO#013436 to GVEA in the amount of \$903.03 for March '09 electricity at ice arena

PO#013437 to M2C1 Construction & Engineering in the amount of \$16,744.77 for Mar/Apr '09 street design

PO#013438 to Mikunda, Cottrell & Company in the amount of \$5,595.00 for FY08 final audit services

PO#013439 to Powerhouse Signs in the amount of \$540.00 for (8) 50% weight restriction signs

PO#013440 to Wingfoot Commercial Tire Systems LLC in the amount of \$1,206.50 for loader tire repair

Martinez moved to approve purchase orders 013430 through 013440 as presented; Musgrove seconded.

Tvenge said he received public comment that the LED test lights are "bright enough." The new lights will be installed as soon as the electricians are available.

Hallgren said the streetlights are just in time for the 24-hour Relay for Life event.

Motion passed unanimously on a roll call vote.

### **ADDITIONAL PUBLIC AND COUNCIL COMMENTS**

Martinez said EMS week is opportunity to honor and show appreciation to EMTs and firefighters. He asked to not forget their employers who contribute by allowing their employees to volunteer.

David Flynn said the Deltana Community Services Partnership (DCSP) received a letter showing official non-profit status. They are now researching a non-profit, sustainable business approach to generate revenue to support services within the community such as elderly care – feeding and housing, youth services, EMS and fire services support, child care, medical needs and physical therapy, substance abuse, and transitioning Family Medical Center to another clinic.

Leith-Dowling said she is on the elder care committee and DCSP would appreciate more involvement from the community.

Flynn said the Delta website is updated regularly. DCSP met on April 20 with representatives from four branches of the government to assess physical and medical challenges in the Delta area.

Heinbockel said he originally thought this community would have no difficulty in raising the matching 2% local contribution (\$193,878) for the school weatherization grant, but he now has concerns.

Michele Trainor, School Board member and Delta Wind reporter, said \$30,000 has been received to date.

Heinbockel said not paying taxes is a benefit to many companies.

Martinez said local contribution could be collected if the State would garnish dividend checks.

Leith-Dowling distributed information showing what and where recyclable items could be dropped off.

Flynn stated he worked on the Pogo road project, which is beautiful and scenic. He said he grew up in Vancouver Island where they use a 60-mile walk for fundraising. He suggested something similar, a walk into Pogo, to generate money for the school weatherization project and the Relay for Life.

Hallgren said Pogo is still advertising their FY08 (2007) PILT contribution to Delta Junction, which they supported to avoid property tax. By being outside a borough they are exempt from paying any local taxes. Hallgren said he is concerned with deficit spending and running out of operating funds. The FY10 budget does not use the PILT reserves, but it does include the one-time \$325,000 BLM funding that was unexpected and unencumbered.

Martinez suggested not including it in the budget.

### **ADJOURNMENT**

Martinez moved to adjourn at 6:50pm; Musgrove seconded. Motion carried.