

LOCAL  
BOUNDARY  
COMMISSION -  
OVERSIGHT  
(1987)

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House C+RA	2-23-87	3:00p.m.
" "	2-20-87	3:00p.m.



# STATE OF ALASKA

STEVE COWPER, GOVERNOR

## LOCAL BOUNDARY COMMISSION

949 EAST 36TH AVENUE, SUITE 404  
ANCHORAGE, ALASKA 99508  
PHONE: (907) 561-8586

December 9, 1987

The Honorable Arliss Sturgulewski  
Chairperson  
Senate Community and Regional Affairs Committee  
Pouch V  
Juneau, AK 99811

Dear Senator Sturgulewski:

I have been advised by our staff that the annual meeting between the House and Senate Community and Regional Affairs Committees and the Local Boundary Commission has been scheduled for January 26, 1988. Further, I understand that the meeting is scheduled to begin at 3:30 p.m. in the Butrovich Room of the State Capitol. We appreciate your cooperation and the cooperation of Representative Springer in scheduling this meeting.

The Local Boundary Commission has a number of issues which it wishes to raise before the committees. Details of these issues will, of course, be provided in our annual report which is due to be presented to the legislature by January 20. However, I thought it would be appropriate to list the issues which we wish to present at the meeting. These consist of the following:

- ° Recommendations for municipal boundary changes pursuant to Article X, Section 12 of the Constitution. These consist of recommendations for annexations to the City of Dillingham and the City of Kake.
- ° Issues relating to municipal dissolution [CSSB 50 (Rules) am; and CSHB 65 (Judiciary)].
- ° Regional government in the Unorganized Borough [SSH B 1].
- ° Advisory elections for legislative review annexations [CSHB 163]. CRA
- ° Elections by mail for municipal incorporations and dissolutions [AS 15.20.800].
- ° Compensation to the Local Boundary Commission [SB 292].

Arliss Sturgulewski  
December 9, 1987  
Page Two

While the list above contains the issues which we most wish to discuss with the committees, there may be other matters which the committees -- or if time permits -- we may wish to raise. These may include other matters presented in our report such as 1987 activities of the commission and relevant activities of the Department of Community and Regional Affairs.

We look forward to meeting with you and the other members of the two committees on January 26.

Sincerely,

*David Hanson*  
*Vice Chairperson*

*for* C.B. Bettisworth  
Chairperson

cc: David Hanson, Vice-Chairperson, Local Boundary Commission  
Josephine Anderson, Local Boundary Commission member  
Ben Nageak, Local Boundary Commission member  
Shelley Dugan, Local Boundary Commission member  
David Hoffman, Commissioner, DCRA  
Marty Rutherford, Director, MRAD, DCRA

5  
(7)

# HOUSE COMMITTEE REPORT

Date referred: 2/25/87

FURTHER REFERRALS:

DATE: 03/03/87

The Community and Regional Affairs Committee has considered HJR 21

Disapproving the Local Boundary Commission recommendation for annexation of territory to the City of Dillingham.

**RECOMMENDS:**

- replace with \_\_\_\_\_  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

\_\_\_\_\_  
*Janet Zawacki*                      Zawacki  
 \_\_\_\_\_  
*Heinrich Springer*              Springer  
 \_\_\_\_\_  
*Bette Cuto*                          Cuto  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SIGNING OTHER RECOMMENDATIONS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Springer *Heinrich Springer*  
 \_\_\_\_\_  
 Chairman's signature

5-0706A  
Cook  
2/23/87

1 IN THE HOUSE

BY THE COMMUNITY AND REGIONAL  
AFFAIRS COMMITTEE

2 HOUSE JOINT RESOLUTION NO. 21

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 Disapproving the Local Boundary Commis-  
6 sion recommendation for annexation of  
7 territory to the City of Dillingham.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS, under art. X, sec. 12, Constitution of the State of Alaska,  
10 the Local Boundary Commission has presented to the legislature its rec-  
11 ommendation dated January 28, 1987, entitled "Recommendation for the  
12 Annexation of Territory to the City of Dillingham"; and

13 WHEREAS a recommendation of the Local Eoundary Commission presented to  
14 the legislature becomes effective 45 days after presentation or at the end  
15 of the session, whichever is earlier, unless disapproved by a resolution  
16 concurred in by the majority of the members of each house;

17 BE IT RESOLVED by the Alaska State Legislature that the recommendation  
18 of the Local Boundary Commission dated January 28, 1987, and entitled  
19 "Recommendation for the Annexation of Territory to the City of Dillingham"  
20 is disapproved.

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# HOUSE COMMITTEE REPORT

(7)

Date referred: 2/25/87

FURTHER REFERRALS:

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- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(s):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

**SIGNING OTHER RECOMMENDATIONS:**

\_\_\_\_\_  
Zawacki

\_\_\_\_\_  
Springer

\_\_\_\_\_  
Cato

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Springer

\_\_\_\_\_  
Chairman's signature

STATE OF ALASKA 1987 LEGISLATIVE SESSION  
FISCAL NOTE

REQUEST: \_\_\_\_\_

Bill Version: HJR #21  
Publish Date: \_\_\_\_\_

Revision Date: \_\_\_\_\_  
Title: Disapproving LBC recommendation  
for annexation of Dillingham

Agency Affected: Community & Regional Affairs  
BRU: Local Government Assistance

Sponsor: \_\_\_\_\_  
Requestor: House C&RA

Components: Local Boundary Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Doug Griffin, Deputy Director  
Division: Municipal & Regional Assistance

Phone: 465-4750  
Date: 2/24/87

Approved by Commissioner: [Signature]  
Agency: Community & Regional Affairs

Date: 2-25-87

Distribution (by preparer):

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- Senate Secretary

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
TIM KELLY, Vice Chairman  
RICK HALFORD  
MIKE SZYMANSKI  
FRED ZHAROFF



P O BOX V  
JUNEAU, ALASKA 99811  
(907) 465-4989

## Senate Community and Regional Affairs Committee

### COMMITTEE SCHEDULE

TUESDAY, MARCH 3, 1987

SJR 20 - Disapproving the Dillingham annexation  
joint with House C&RA  
teleconference - Dillingham and Anchorage

CSSB 55 (C&RA) - Minto Flats State Game Refuge

THURSDAY, MARCH 5, 1987

SB 133 - General Grant Land Entitlements

All meetings in the Butrovich Room, 3:30 TO 5 P.M.

# MEMORANDUM

# State of Alaska

TO: Local Boundary  
Commission Members

DATE: February 18, 1987

FILE NO.:

THRU:

TELEPHONE NO.: 465-4700

FROM:

*David G. Hoffman*  
David G. Hoffman  
Commissioner  
Department of Community  
and Regional Affairs

SUBJECT: Potential Focus of  
Local Boundary  
Commission in the  
new Administration

*LBC  
Master  
file*

One of the primary goals of the Cowper Administration is to help make local government work better, especially in the smaller, rural communities of the state. During his State of the State message, the Governor said:

Over the past few years life has changed a great deal for all of us in Alaska. But no where has the change been felt as deeply as in rural Alaska . . . I believe the villages are fundamentally different culturally and historically from urban Alaska and that we must make an effort to create new forms of government that are appropriate to rural Alaska. Such forms of village government must be democratically managed and consistent with the Alaska Constitution, but they must also be consistent with the realities of village life.

On numerous occasions the Governor has stated that when he first began traveling throughout rural Alaska in 1968, he saw a form of government that seemed to be very integrated into village life. People then felt as if they "owned" their local governments, and they operated them with very little cash. In these times of fiscal crisis where there is a feeling in some communities that local people no longer "own" their local governments, it is important for the state to reexamine local government.

The movement by several communities, primarily in the Yukon-Kuskokwim Delta Area, to dissolve their state-chartered municipal governments is a symptom of discontent with the current form of local government. I have traveled to Bethel, Kasigluk, and Nome since I was appointed Commissioner to gain new insights into how people felt about their local governments. I will be traveling to Barrow, Kotzebue, and Dillingham next week to attempt to gain further insights. It is my hope that the Department of Community and Regional Affairs can assist local people in developing more effective local governments within the context of the Alaska Constitution.

The Local Boundary Commission (LBC) is squarely in the middle of the issue of the dissolution of municipal governments. I would hope that under the new Administration the LBC could take the lead role in helping to solve problems relating to the dissolution of municipal governments. I also hope that the LBC could serve as my primary advisory group in helping me deal with issues relating to local government generally.

The LBC is in a unique position to be a problem solver for several reasons. These reasons include:

- ° The Commission is composed of private citizens who have an independent and objective perspective on governance issues as a result of the fact that they are not government employees.
- ° The Commission has been dealing with local government problems in the past and can provide continuity between administrations with regards to policy relating to local governments.
- ° The Commission has substantial statutory decision making authority with regards to local government issues.

Specific issues that I would like to discuss with you on the 19th include the following:

1. Development of a specific workplan by staff under which the LBC would deal with local government issues;
2. Explore the possibility of getting consulting money to the Commission for an independent study of issues relating to the dissolution of cities;
3. The development of new forms of local government; and
4. The status of the suit filed by Akiachak against the Boundary Commission and ways in which that suit and the underlying dispute might be resolved.

I am sorry that bad weather prevented me from meeting all Commission members on January 21. I look forward to spending a considerable amount of time talking with the Commission members on the 19th, and I hope that we can work together to help focus the role of the Boundary Commission under the new administration. I look forward to providing the staff support and assistance that will allow the Commission to assume an aggressive role as a problem solver with regards to the issues we are now facing.

DGH/gmw

**STATE OF ALASKA  
LOCAL BOUNDARY COMMISSION**

**Robert Eder, Chairman**

**Josephine Anderson**

**Bert Greist**

**David Hanson**

**Charles Bettisworth**



**Report  
to the  
Second Session  
of the  
Fourteenth Legislature**

**January 22, 1986**

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whether a majority of residents in the territory affected would support the proposed boundary change.

This last circumstance is, unquestionably, the most controversial of the various processes and circumstances surrounding municipal boundary changes. However, as was addressed earlier, the provisions of Article X § 12 of the State Constitution were established to accommodate this very type of situation.

Decisions of the Alaska Supreme Court confirm the constitutional principle associated with Article X § 12 of the State Constitution without exception. In Fairview Public Utility Dist. No. 1 v. City of Anchorage, 352 P.2d 540 (Alaska 1962), the Supreme Court stated that, "An examination of the relevant minutes of [the constitutional proceedings] shows clearly the concept that was in mind when the local boundary commission was being considered: that local political decisions do not usually create proper boundaries and that boundaries should be established at the state level." Id. at 543. The court concluded, "The subject of ... municipal boundaries is legitimately the concern of the state as a whole, and not just that of the local community." Id. at 546.

Further information concerning the procedures and standards which govern the annexation and detachment of territory to a municipality may be obtained by referring to the statutes and regulations listed below:

- ° standards for annexation to cities -  
19 AAC 10.065-090;
- ° standards for detachment from cities and unified municipalities -  
19 AAC 10.95-120;
- ° standards for annexation to organized boroughs -  
19 AAC 10.185-220;
- ° standards for detachment from organized boroughs  
19 AAC 10.225-250;
- ° procedures for boundary changes by Local Action -  
AS 19.06.040(c), AS 44.47.567(a)(4), 19 AAC  
10.730-730 and 19 AAC 10.735-790; and
- ° procedures for boundary changes by Legislative  
Revisions  
Article X § 12 of the State Constitution,  
AS 44.47.567(b)(2), AS 29.06.040(b) and  
19 AAC 10.450-620.

#### Dissolution of Municipal Governments:

The Local Boundary Commission examines proposed dissolutions of municipal governments using

standards and procedures established by law and administrative regulations.

Standards for the dissolution of municipal governments include the following: whether the municipality is free of debt, whether it still meets the standards for incorporation or whether the municipality still exercises municipal powers.

If the proposed dissolution of a municipality is approved by the Local Boundary Commission, it may not be effected unless approved by a vote of the residents of the municipality or by the Legislature, depending on the particular process used.

Further information concerning the procedures and standards which govern the dissolution of a municipality may be obtained by referring to the statutes and regulations listed below:

- ° standards for dissolution of a city -  
AS 29.06.470 and 19 AAC 10.130-150;
- ° standards for dissolution of a borough -  
19 AAC 10.260-280; and
- ° procedures for dissolution of a municipality -  
AS 29.06.450-530.

#### Consolidation or Merger of Municipal Governments

The Local Boundary Commission examines proposals for consolidation of municipalities (the creation of a new municipality from the union of two or more existing municipalities) and for the merger of municipalities (the absorption of one municipality by another existing municipality) using a standard and the procedures established by law and administrative regulations.

The standard for the merger or consolidation of municipalities is whether the successor municipality meets the standards for incorporation.

Further information concerning the procedures and standards which govern the consolidation or merger of municipalities may be obtained by referring to the statutes and regulations listed below:

- ° standards for merger of municipalities -  
19 AAC 10.290-300;
- ° standards for consolidation of municipalities -  
19 AAC 10.310-320;
- ° procedures for merger or consolidation -  
AS 29.06.090-170 and 19 AAC 10.800-810.

### XIII. ISSUES TO BE BROUGHT TO THE ATTENTION OF THE LEGISLATURE

There are two issues which the Local Boundary Commission wishes to bring to the attention of the Legislature. The first relates to the desire of certain residents of the State to dissolve their municipal governments in favor of Native governments. The second issue concerns the impacts of the Federal Voting Rights Act upon the State and its political subdivisions on matters relating to Local Boundary Commission proceedings.

#### Dissolution of Municipal Governments

As was discussed in Section III of this Report, last year the Local Boundary Commission denied a petition of residents of the City of Akiachak for the dissolution of their municipal government. It has been reported that residents of a number of other communities are also contemplating attempts to dissolve their municipal governments.

While the Commission denied the petition for dissolution of the City of Akiachak, it was sympathetic to the desire of the residents of Akiachak for self-determination in that matter. It was amply demonstrated to the Commission that dissolution of the City of Akiachak and the vesting of all local government powers in the Akiachak IRA Council was strongly desired by many of the residents of the community.

The petition was denied simply because the present structure of State law concerning this matter would not permit the dissolution of the City under the current circumstances. The Commission suspects that residents of Akiachak may now simply ignore their municipal government.

The Commission believes that this circumstance poses several significant public policy questions which encompass matters which are far beyond the responsibilities of the Local Boundary Commission. The Commission does not advocate any particular position in this matter, rather it believes that the matter should be considered carefully by the Governor and the Legislature.

Policy questions relating to this matter include the following:

- impacts of dissolution on both the State and the community;
- equitable delivery of public services to unincorporated communities;
- civil rights of citizens of Alaska;
- distribution of assets and liabilities of a municipal government in the event of dissolution; and
- standards and procedures for dissolution.

#### Federal Voting Rights Act

The impact of the Federal Voting Rights Act upon matters brought before the Local Boundary Commission is of particular

February 1987

FEB 17 1987

Representative Heinrich Springer  
Alaska State House of Representatives  
POB V  
Juneau, Alaska 99811

Unorganized Borough  
POB 19  
Aleknagik, Alaska  
99555

*SPW*  
*Terry*  
*CRA*

Representative Heinrich Springer;

We the people of the Unorganized Borough including the 40 square mile area northwest of the City of Dillingham Petition our Un-organized Borough Assembly to be called into session.

On April 24, 1986 the City Council of the City of Dillingham passed a resolution authorizing the filing of a petition for annexation of 918.25 square miles of territory under the provisions of 29.06.040(b). On May 1, 1986, the Department of Community of Regional Affairs received the authorized petition. Under 19 AAC 10.530, the City published notice of the filing of its petition on June 27 and July 4, 1986, in the Bristol Bay Times but not in commonly understood terms and during time when most people were fishing or cut off from the City of Dillingham by heavy rains and the resulting marshy conditions. Most of the people outside of the City of Dillingham and many of those city residents never to this day have seen the map published at that time and those who did found it confusing and misleading in that it was fuzzy and titled Existing & Proposed Boundary but with no clarity as to where the existing boundaries were nor any listing of territory covered by the proposal.

On April 23, 1986, the City of Clark's Point submitted a petition for annexation of area included within the territory proposed for annexation by the City of Dillingham. The State of Alaska Department of Community and Regional Affairs received this petition and passed it on to the Local Boundary Commission.

Opposition to the City of Dillingham's proposal lined up:

- May 25: Saguyak Incorporated (Clark's Point Native Corporation)
- June 12: Choggiung Limited (Dillingham Native Corporation)  
(objecting to certain points. What these points are, may only now, in February 1987, be coming to the surface)
- July 24: Secretary for the City council of Manokotak

On October 4, 1986, a public hearing was conducted by the Local Boundary Commission in Dillingham and one in Clark's Point. There does not appear to have been an attempt to contact property owners in the areas of annexation before these hearings, at least not in the area proposed to be annexed. Many people were totally ignorant of fact that they had been included and even upon hearing of the hearings though they were for Clark's Point residents and Dillingham residents only. The attitude was one of "Gee, I hope these two cities work out their differences."

After the public hearings, rumors were that the City of Dillingham had left out Warehouse Mountain Remote Parcel/Open to Entry State Land.

At this point it became apparent that the submission of competing annexation requests was motivated by the desire of Dillingham and Clark's Point to obtain the revenue generated by raw fish taxes. This would be available to them only through annexation of at least a portion of Nushagak Bay. In order to justify reaching out that far as a city, Dillingham had to take into it's boundaries what was in between to make it contiguous territory to its boundaries. (19 AAC 10.070(1))

The Local Boundary Commission told the two cities to compromise and revise their boundary requests with how they could share revenues and municipal services. October 24th, the two cities met with the Department of Community and Regional Affairs, but even with help they could not come to a resolution of their conflicts.

By now it was November. After the meetings with Clark's Point the City of Dillingham City Council Members passed Resolution #86-66 requesting the Local Boundary Commission to judge the competing annexation petitions on their own merits.

It is difficult to say how many people actually ever saw the petitions to evaluate their accuracy as to facts.

Questions arose raising concerns of a regional nature:

- November 3: The Bristol Bay Native Corporation (the regional corporation) raises issues.
- November 4: 70 landowners submitted a petition in opposition Department of Community and Regional Affairs
- November 21: John Pearson, City Council Member in the City of Dillingham representing himself submitted a letter rebutting the arguments against annexation presented by Marie Luckhurst and the 70 landowners petitioners
- November 21: William P. Johnson's letter arrived in the Department of Community and Regional Affairs questioning the revised western boundaries of the annexation area. It noted that "the City Council pulled back the boundaries sufficiently to exclude all City Council and immediate family members who staked land within the State Open to Entry Area."

Right after this, the Alaska Attorney General's office was requested to provide advice on how the Local Boundary Commission should handle two proposals for annexation where the proposals overlap in the area to be annexed.

On November 13th, the Attorney General advised the Department of Community and Regional Affairs that the common law doctrine of "prior jurisdiction" should be applied in this instance. This meant the Local Boundary Commission should act on Clark Point's petition first and on November 22nd they did and then acted upon the proposed annexation request from the City of Dillingham.

By December most people did not know what was going on with the

proposed boundaries for annexation. The only two year round residents of the Warehouse Mountain Remote Parcel/Open to Entry Land (Township 12 South, Range 56 West, Seward Meridian, Alaska/Warehouse Mountain Remote Parcel Area 9051/Open to Entry Land) received rumors that they "may have been left in the boundaries" and Roslyn Gallagher went to the City Manager's office and asked the secretary "Are we in the boundaries?" The secretary said, "I don't believe so." There in the in/out box was the map so Roslyn made a copy and took it home where her husband Gary Gallagher compared it to the survey map. Even then it was difficult to be sure because the map was so small, that was used to send in on the proposed boundaries, and there was no mention of the Warehouse Mountain area in terms the Gallaghers could understand. This was the day before the revised boundaries went to the Local Boundary Commission.

Almost immediately after this the Gallaghers learned, also, from rumor that Council had pushed back boundaries to exclude Council members and immediate members of their families who staked land within the Open to Entry Land. The Gallaghers and other members of Dillingham and the adjacent communities and areas were offended that this had taken place and considered this behavior unworthy of those who hold public office. They also felt that the Warehouse Mountain area is rural and separating part of it into city boundaries was not warranted.

In January, Gary Gallagher went to Anchorage where he met with Tom Hawkins, a Land Manager. Hawkins referred him to Dan Bockhorst, Supervisor of Grants Administration Section/Local Boundary Commission Staff, Department of Community and Regional Affairs, Municipal and Regional Assistance Division. Dan Bockhorst sent Gary a copy of a page from the government municipal code which reads as follows:

Sec. 29.45.580. Differential tax zones. A city may by ordinance establish, alter, and abolish differential tax zones to provide and levy property taxes for services not provided generally in the city or a different level of service than that provided generally in the city. (12 ch 74 SLA 1985)

Dan Bockhorst also sent the Gallaghers a copy of the Statement of Decision for Annexation of Territory to the City of Dillingham that by then had already gone to the State Legislature. It had a date of December 10, 1986 on it and was signed by Alaska Local Boundary Commission Robert Eder, Chairman and attested to by Staff Member Gene Ksni (spelling is hand written and unclear).

Mr. & Mrs. Gallagher live in Warehouse Mountain, an area that begins about three miles from the present boundaries of the City of Dillingham and is marshy tundra with occasional outcroppings of high spruce covered ground capable of sustaining human settlement. The area is commonly called Warehouse Mountain and appears as Warehouse Mountain on National and State maps. The Gallaghers are the only year round settlers in the Warehouse Mountain area. They travel the 4 3/4 miles from the Aleknagik Lake Road by three-wheeler, snow machine or on foot. There is only a short road through Choggiung Native Corporation land and most of the year, this road is impassable. The land after this road drops down hill where the Gallaghers travel across marshy tundra and open springs, forced to follow a different route than that planned by the designers of the "Warehouse Mountain Paper Road." (referred to herein as "paper road" because that is where

it will probably stay "on paper in a State engineer's office.") There are places where the road is planned over areas where the bottom drops out. Local contractors who are familiar with the cost of filling holes with gravel in the building of roads estimate that to build the planned road could cost as much or more than 3.5 million dollars.

The Gallaghers by February were reading the State Constitution, the State Statutes and the State Administrative Codes trying to figure out how to remedy what had happened.

It was obvious to them, upon reading the Conclusions of Law and the Findings of Fact of the Alaska Local Boundary Commission, that the case for annexation of the approximate 40 square mile area northwest of the City of Dillingham that included part of the Warehouse Mountain Remote Parcel/Open to Entry Land was falsely represented.

The boundary also includes land that extends Dillinghams boundaries to include a remote area of Wood River. There is a small settlement of homes in the area. These people are also opposed to the annexation. They have had their homes in the area for years and do not feel the City can extend services to them without access to the area by roads. They also must get to their homes by three-wheelers, snow machines, (or skiffs, summer only).

The land the City identifies as developed land immediately adjacent to the Aleknagik Lake Road has also, been included. Those residents that bought property in the 4 subdivisions known as Ahklun View Estates, Ahklun View Estates North, Ahklun Subdivision III and Lars D. Nelson Subdivision, were aware of the fact that their Lots were outside City Limits. These people bought property "Out the Road" to get away from the City Limits and were told by Choggiung at the time that they would be informed if the City planned to annex them and that it would go to a vote of the affected people. These people were not personally informed of the City's plans to annex them. Services out the road are last on the list because the City small maintenance crew has priority to take care of City Streets.

#### CRITIQUE OF FINDINGS OF FACT:

Item 10, "The annexing city has demonstrated that it is capable of and willing to extend full municipal services to the identified 40 square mile area northwest of the City of Dillingham immediately upon annexation." The Gallaghers find it morally repugnant to see others endure hardship in the City of Dillingham in order to provide the cost of gravel to fill up the bog to make a road for them so that they may enjoy municipal services. But, they say, "We are not going to be "in" a "City" and expect less.

At a recent City Council Meeting, Gary Gallaher challenged Mary Darling, City Council Member, to get a fire truck and he'd borrow a set of checkered flags to start her off just to see how long it would take her to get into his cabin at Warehouse Mountain.

Two days later someone tried to drive some kind of a truck in

and make it, only six feet or so from the Aleknagik Lake Road before they were stuck. Whoever it was broke down a large spruce tree to the base, using it and a winch to get pulled out. the City Council may be willing to provide services out there but that willingness on paper does not make them capable.

Item 14. "Using of a method other than legislative review for annexation of the identified 40 square mile area northwest of the City of Dillingham would have been in appropriate." In this item, the report indicates 'There is no indications they want to do so, or will do so' when mentioning the option the Local Boundary Commission has in Place: LOCAL ACTION/ELECTION. Even though the decision may not rest with the people of the area to be annexed, the people have the right to know and the right to representation.

The people of the State of Alaska when delegating authority, do not in doing so give their agencies the right to decide what is good for people to know and what is not good for them to know.

It is the policy of the State of Alaska to encourage settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest. (State Constitution, Article VIII, Section 1)

The Gallaghers plan a small scale farm on their little five acre ridge but so far have been unable to get their garden to grow. They are not clear now that they can go on with their development plans and are puzzled that the Department of Natural Resources was not involved in the decision making process since most of the land is presently subject to this agency's protection.

A local boundary commission or board shall be established by law in the executive branch of the state government...The commission or board, subject to law, may establish procedures whereby boundaries may be adjusted by local action. (State Constitution, Article X, Section 12)

Neither year round residents nor land owners were informed regarding the changes in boundaries nor were they informed regarding the options they could exercise according to the procedures established by the Boundary Commission itself.

Because the people of the approximate 40 square mile area northwest of the City of Dillingham have been mis-represented either to or by the Boundary Commission and have not been privy to full disclosure of matters affecting service delivery and economic development of natural resources, we believe we have a right to democratic representation from a regional form of government which might better serve us than a city government.

The Legislature shall provide for the performance of services it deems necessary or advisable in unorganized borough, allowing for maximum local participation and

responsibility. The legislature may also exercise any power or function in any unorganized borough which the assembly may exercise in an organized borough.  
(State Constitution, Article X, Section 6)

We the people call our unorganized borough into session.

As proud members of the State of Alaska we want nothing less than responsible democracy.

February 4, 1987, Roslyn Gallagher sent the following telexed message to each legislature, representative and each committee:

SUBJECT: Unorganized Borough Assembly

Annexation 40 Square Mile area Northwest of Dillingham Warehouse Mountain Open to Entry Remote Parcel Area 9051 Local Boundary Commission Facts item 1, 10 and 14 mis-represented. We call our unorganized borough assembly (State legislature) into session (Constitution Article X, Section 6, Section 12, Article VIII, Section 1)

February 5, 1987, Thomas Tilden, P.O.Box 786, Dillingham-- signed the petition being circulated against the City of Dillingham's proposed annexation. This is significant in that Tilden is one of Dillingham's City Council Members and he is one who has actually traveled into the territory proposed for annexation, into Warehouse Mountain in the area of the Gallagher area 5 acres, and Wood River Remote area.

February 6, 1987 an article appeared in the Bristol Bay Times, on page 3 under petition Drive "The commission denied both cities claims to the water, but gav Dillingham the 40 square miles of land including 9 square miles of the Open to Entry Land the City never asked for."

February 9, 1987, Marie Luckhurst sent the following telex;

SUBJECT: proposed Annexation by the City of Dillingham

To our Senators and Representatives-matter of annexation of City of Dillingham -Request you to support and present our personal letters, Petition by landowners and petition to the State Legislature. (in route) during final decision by the Legislature on Feb 20, 1987.

Letters and landowners petition sent to Herrman-Petition to Legislature in-route Herrman, Sturgelewski, Zaroff, Springer.

We believe the City Council of Dillingham is not acting responsibly in their decision to annex the identified 40 square mile area northwest of the City of Dillingham. The enclosed petition supports the beliefs of the citizens of Dillingham and the area residents who will be affected. A whole community is being affected by the few City Council Members decision.

We hope you will Consider the evidence and truths.

Written and Signed "by the people" and make your decision to Disapprove the Petition for Annexation of territory to the City of Dillingham known as "the identified area 40 square miles northwest of the City of Dillingham.:"

*Gary Gallagher*  
*Marie Luckhurst*

CLERKS, UNORGANIZED BOROUGH

Unorganized Borough Proclamation to our Proclaimed 1987 Feb/8 Southwest Region/Alaska in the interest of the general good.

Citizens do make this solemon proclamation that there be no passing into law of the annexation of the approximate forty square miles northwest of the City of Dillingham without there first being a meeting of the Assembly of the Unorganized Borough Representative Warehouse Mountain Open to Entry Land Remote Parcel Area 9051 Wood River Hanson Point, the Cities of ~~of [redacted]~~ and Dillingham, and all other areas of disputed boundaries within the approximate 40 square mils northwest of the City of Dillingham and the approximate 9.8 miles disputed between the two cities and any other territories the State Legislature deems appropriate to be included acting in the public interest.

The legislature shall provide for the performance of services it deems necessary or advisable in unorganized boroughs, allowing for maximum local participation and responsibility. (State of Alaska Constitution, Article X, Section 6)

WHEREAS: The legislature may also exercise any power or function in an unorganized borough which the assembly may exercise in an organized borough; (State of Alaska Constitution, Article X, Section 6)

WHEREAS: The people of Alaska do not lose their sovereignty by legislative authority to an agency of the government and in delegating authority do not in so doing give their agencies the right to decide what is good for people to know and what is not good for them to know;

a local boundary commission or board shall be established by law in the executive branch of the state government (State of Alaska Constitution, Article X, Section 12)

WHEREAS: The commission or board, subject to law, may establish procedures whereby boundaries may be adjusted by local action;

WHEREAS: The local boundary commission did not make option local action/election availabl and yet had established such procedures;

WHEREAS: The people of the approximate 40 square miles northwest of Dillingham have been mis-represented either by city government to state agency or by a state agency to the state legislature and have not been privv to full disclosure of matters affecting service delivery and development.

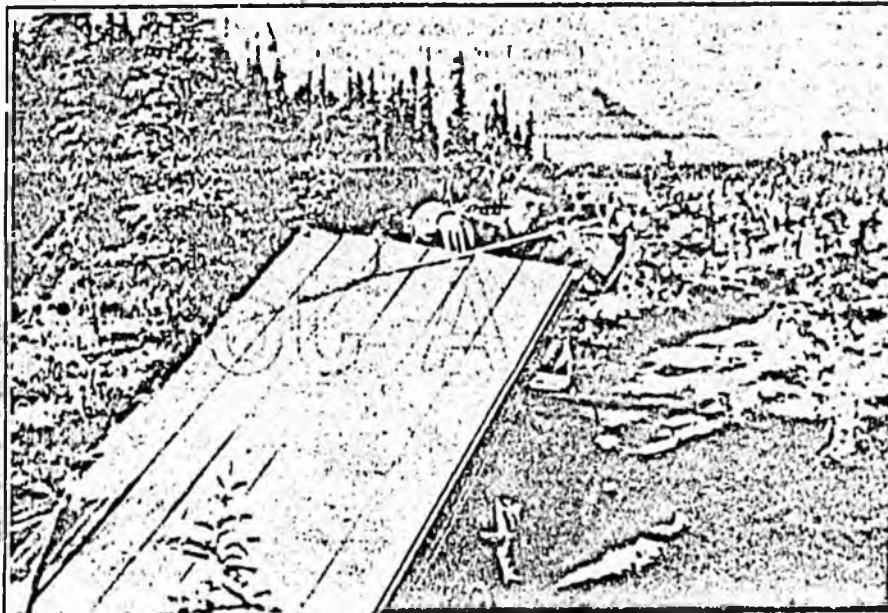
We the people of the Unorganized Borough believe our problems of service delivery, revenue enhancement, public health and welfare threats, and management of development might better be served were we to have representation in a regional government than a city government.

## Petitioners protest city annexation

by Bruce Baltar  
BayTimes staff

Residents of the area proposed for annexation to the City of Dillingham have mounted a petition drive aimed at stopping the city's expansion.

"Why should we be part of the city when we don't even have road access to our homes?" asked one resident who is helping circulate the petition, initiated by V.A. and Marie Luckhurst.



By three-wheeler in summer and sled in winter, Gary Gallagher packed materials nearly 5 miles to build his cabin on the state open-to-entry land.

Opposition to the annexation attempt became vocal following a Nov. 22 Local Boundary Commission decision which approved city annexation of 60 square miles north of its existing boundaries.

The addition includes several areas without road access, such as the state Open To Entry (OTE) land west of 11 Mile on the Lake Road, and settled Native allotments along Wood River.

Gary and Roslyn Gallagher, the only year-round OTE residents, oppose the annexation, and are particularly incensed by lack of prior notice that their cabin near Warehouse Mountain might be included. They say they did not know their area was under consideration when the boundary commission held hearings here last August.

"We simply don't feel what's happened over these boundaries is responsible representative government," Roslyn Gallagher said.

"What's worse is that facts have been misrepresented to the Local Boundary Commission by the City of Dillingham, and worse yet, the commission has included absolutely preposterous statements in its findings of facts," she said.

Specifically, Gallagher objects to an LBC finding that the city is capable of extending "full municipal services" to the annexation area.

Both Gallaghers ridicule the notion that the city will be able to provide any services to their cabin, which is located nearly five miles off the Lake Road and is accessible only by foot or off-road vehicles.

Anna Maria Ferraro, whose home is within the annexation area at Hanson Point on Wood River, also opposes the annexation. She says that preservation of lifestyle is her chief concern.

"I don't believe that without road access to our homes,

See PETITION Page 3

## Petition drive

Cont'd from Page 1

we should be part of any city ordinances," she says.

Ferraro adds that her opposition to the annexation has nothing to do with city taxation, pointing out that her tax burden would not increase. Her house on Wood River is on a Native allotment and would not be subject to property taxes, she says. And she already pays taxes on her property in town.

Ferraro said Wednesday that as of her last count 246 local residents had signed the petition, which then had been circulating less than a week. She estimated that about 100 additional signatures were on copies of the petition still in circulation.

She says that many people who live within existing city boundaries have signed the petition because they fear city resources will be spread too thin if it attempts to provide services to the annexations.

"There have been a lot of comments that (city residents) are not getting proper service as it is," she said.

Organizers will send the signatures to the

down the annexation. The commission's decision was submitted to the legislature last week, and that body has 45 days to act on the proposal. If it does nothing the annexation will go into effect.

The annexation effort began last spring. The main objective was to obtain Nushagak Bay waters so that the city would receive a share of the fish taxes floating processors pay the state.

But the village of Clark Point was also seeking to annex the bay, and Dillingham officials feared that if they did not respond in kind, the Dillingham might permanently lose out on the fish revenues.

The commission denied both cities' claims to the water, but gave the Dillingham the 40 square miles of land — including 9 square miles of OTE land the city never asked for.

Procedurally, officials say there is no way to modify the LBC decision. The legislature can only approve or deny it. City officials have offered no indication that they might be considering withdrawing support for the annexation.



PETITION TO THE STATE LEGISLATURE

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This land includes parcels that are remote and without access to roads. The City does not intend to provide roads to the area but does plan to collect property taxes from the property owners. The City would be obliged to provide equal services to all land owners but cannot possibly expect to provide Police, Fire, EMT, and School Busing to these remote areas.

We are also concerned about the City's ordinance that bans the discharge of firearms within the City limits. The area has traditionally been used by local hunters and trappers and would adversely affect the right of the traditional use of the land for that purpose.

Dillingham has plenty of land to grow within the existing city limits. We believe adding the proposed land to the city boundary will only cost the city more money and could eventually end up costing the taxpayer more in increased taxes to pay for added services to the remote areas to be annexed.

PLEASE PRINT NAME

WRITTEN SIGNATURE

ADDRESS

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
JAN R ALEXANDER	<i>Jan R Alexander</i>	P.O. Box 690 Dillingham, AK
John B FLYNN	<i>John B Flynn</i>	PO Box 1550 Dillingham, AK
Alan K Johnson	<i>Alan K Johnson</i>	PO Box 352 Dillingham, AK
SUGAN NIELSEN	<i>SUGAN NIELSEN</i>	Box 103 Dillingham, AK
Alice Ruby	<i>Alice Ruby</i>	Box 121 Dillingham, AK
KATHLEEN ANDERSON	<i>KATHLEEN ANDERSON</i>	Box 1530 Dillingham, AK
Shirley Schroeder	<i>Shirley Schroeder</i>	Box 116 Dillingham, AK
LAWRENCE F. CURTIS	<i>LAWRENCE F. CURTIS</i>	Box 796 Dillingham, AK
DORIS WOODWORTH	<i>DORIS WOODWORTH</i>	Box 133 Dillingham, AK
JAL SEANDERA	<i>Jal Seandera</i>	Box 44 Dillingham, AK
BESSIE A. WAHL	<i>BESSIE A. WAHL</i>	Box 125 Dillingham, AK
KATIE M. ANDERSON	<i>KATIE M. ANDERSON</i>	Box 886 Dillingham, AK
GINA MARTICHUSKI	<i>GINA MARTICHUSKI</i>	Box 636 Dillingham, AK
JERI NELSON	<i>JERI NELSON</i>	Box 386 Dillingham, AK
KAY WOODWORTH	<i>KAY WOODWORTH</i>	P.O. Box 503 Dillingham, AK

Petition to State Legislature Regarding Dillingham Land Annexation Proposal.

PLEASE PRINT NAME

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ADDRESS

Carl S. ... May ... P.O. Box 353

Multiple horizontal dashed lines for additional entries.

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PLEASE PRINT NAME

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ADDRESS

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
ARLEN E. RUBY	<i>Arlen E Ruby</i>	Box 121 DILLINGHAM, AK
BARBARA S. LOUW	<i>Barbara S Louw</i>	Box 64 Dillingham, Alaska
Freeman A. Roberts	<i>Freeman A Robert</i>	Box 252 Dillingham AK
Carole R. McMurray	<i>Carole R. McMurray</i>	Box 799, Dillingham, AK
Janice K. McCarty	<i>Janice K McCarty</i>	Box 566 Dillingham, AK
MATTHIAS M. O'CONNELL	<i>Matth O'Connell</i>	Box 331 DLG, AK 99576
Charles Annis	<i>C Annis</i>	Box 1609 DLG
Emily M. ROBERTS	<i>Emily M. Roberts</i>	Box 252 DLG 99576
ROGER S. SCHUYLER	<i>Roger S Schuyler</i>	Box 676 DLG 99576
JAMES L. FOLBORN JR.	<i>James L Folborn Jr</i>	Box 444 DLG 99576
John Mulhert	<i>John Mulhert</i>	Box 76 - 99576
Mike O'Connell	<i>Mike O'Connell</i>	Box 137 Dillingham 99576
John L. O'Connell	<i>John L O'Connell</i>	Box 65 Dillingham AK 99576
LLOYD F. O'CONNOR	<i>Lloyd F O'Connor</i>	Box 65 Dillingham AK 99576

Petition to State Legislature Regarding Dillingham Land Annexation Proposal.

PLEASE PRINT NAME

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ADDRESS

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
George Andrew	George Andrew	Box 197 Dlg. AK.
Mike Merlin	Mike Merlin	Box 306 DLG AK
John Owens	John Owens	Box 894. DLG, AK
NEIS G JOHNSON	Neis G Johnson	Box 197 DLG, AK
Charles E Wattier	Charles E Wattier	Box 784 DLG AK
Robert Rossi	Robert Rossi	P.O. 151 Dlg AK
Dennis Olson	Dennis L Olson	Box 537 Dlg AK
<del>Ernie Olson</del>	<del>Ernie Olson</del>	<del>Box 537 Dlg AK</del>
Scott J. White	Scott J White	Box 326 DLG. AK.
ANTHONY REX GWYHER	Anthony Rex Gwyther	Box 728 DLG - AK.
<del>Frank Katchak</del>	<del>Frank Katchak</del>	<del>Box 473 Dlg, AK</del>
Maureen L wentz	Maureen Wentz	Box 286 Dlg
<del>CM KEESOM</del>	<del>CM Keesom</del>	<del>Box 453 Dlg</del>
Chris Carby	Chris Carby	Box 653 DLG
Jean K Schlusser		Box 123
<del>Karen Smeeta</del>	<del>Karen Smeeta</del>	<del>Box 768</del>
Rose M Hegans	Rose Hegans	Box 1409 DLG, AK 99574
Sandra E. Nelson	Sandra E Nelson	Box 477 Dlg. AK.
Bob Pritchard	Bob Pritchard	Box 1249 Dlg. AK
<del>Lois Pritchard</del>	<del>Lois Pritchard</del>	<del>Box 1249 DLG. AK.</del>
Sharon M. Bloniarz	Sharon M - Bloniarz	Box 1 DLG, AK
LEE FLYNN	Lee Flynn	Box 1530
<del>James L Johnson</del>	<del>James L Johnson Sr</del>	<del>Box 444 Dlg</del>
Mike VanVelschlag	MIKE VANVELSCLAG	P.O. BOX 1064
LINDA Hilders	Linda Hilders	Box 10 - DLG
Anna Marie Akelkole	Anna Marie Akelkole	Box 644 Dlg.
Della Clark	Della Clark	Box 184 Dlg. AK. 99576

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Dillingham has plenty of land to grown within the existing city limits. We believe adding the proposed land to the city boundary will only cost the city more money and could eventually end up costing the taxpayer more in increased taxes to pay for added services to the remote areas to be annexed.

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
Willa Tagham	<i>Willa Tagham</i>	Box 122 Dlg.
Karen Smeaton	<i>Karen Smeaton</i>	Box 768
Alice Fisher	<i>Alice Fisher</i>	Box 331
Emily h Olsen	<i>Emily h Olsen</i>	Box 537
Carol shade	<i>Carol shade</i>	Box 871
Karen Carty	<i>Karen Carty</i>	Box 653
Nannie M. Jordan	<i>Nannie M. Jordan</i>	Box 142 Dlg. Ak.
Ernie W Sifset	<i>Ernie W Sifset</i>	Box 1449 Dlg. Ak.
Hilda M. Shade	<i>Hilda M. Shade</i>	Box 765 Dlg.
Theresa A. Munn	<i>Theresa A. Munn</i>	Box 481 Dlg.
Alexandra Backford	<i>Alexandra Backford</i>	P.O. Box, Dlg.
Mary Franklin	<i>Mary Franklin</i>	(144) Dlg.
Jeanne M. Luvorn	<i>Jeanne M. Luvorn</i>	Box 866 Dlg.
Verna L. Hadden	<i>Verna L. Hadden</i>	115 Verna Court

Petition to State Legislature Regarding Dillingham Land Annexation Proposal.

PLEASE PRINT NAME

WRITTEN SIGNATURE

ADDRESS

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
Carl E. Glessburg	Carl E. Glessburg	Box 10026 DLG.
Dorothy M. Fleisburg	DOROTHY M FLEISBURG	Box 43 DLG. 99576
Michael Sagnoon	Michael Sagnoon	Box 437 DLG, AK 99576
Bill Linn	Bill Linn	Box 271 DLG, AK 99576
Anuska Olson	Anuska Olson	Box 14576
Wanda Fulton	Wanda Fulton	Box 522, DLG
June Ingram	June Ingram	Box 851 DLG.
Roxanne Christensen	Roxanne Christensen	Box 371 DLG.
Raymond Christensen	Raymond Christensen	Box 371 DLG
Frank Monty O'Connor	Frank Monty O'Connor	Box 312 DLG

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PLEASE PRINT NAME

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ADDRESS

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
Gail Kurtz	Gail Kurtz	Box 416 Dlg. AK
John R. Kurtz	John R. Kurtz	Box 416 Dlg AK
Teresa Flensburg	Teresa Flensburg	Box 77 Dlg. Ak.
PAUL KROPOFF	Paul Kroppoff	BOX 10155 DLG AK
MARIE JOHNSON	Marie Johnson	" 628 " "
Dale Huffman	Dale Huffman	Box 394 Dlg
Wayne F. Schroeder	Wayne F. Schroeder	Box 126 Dlg 99526
Jan Ah	SAC Arkius	Box 425 DLG 99526
Sassa A. Dunn	SASSA DUNN	Box 778-Dlg. AK.
Norman M. Johnson	Norman M. Johnson	Box 865 Dlg. AK
Gust Bortner	(Box 806) Gust Bortner	Dillingham, AK 99526
M R Rabuter	Box 803	DILLINGHAM AK
George L. Nelson	George L. Nelson	P.O. Box 85
Kevin M Johnson	Kevin M. Johnson	PO Box 907 DLG, AK

Petition to State Legislature Regarding Dillingham Land Annexation Proposal.

PLEASE PRINT NAME

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ADDRESS

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
Genie Schlosser	Genie Schlosser	Box 945 DLG AK
John A. Heyano	John A. Heyano	Box 523 DLG AK
Nick F. Smeaton	Nick F. Smeaton	Box 895 DLG AK
Senia K. Brunson	Senia Brunson	Box 557 DLG AK
JAYLE FREUND	Jayle Freund	Box 282 DLG
John T Smeaton	John T Smeaton	Box 10040 DLG
LYNN BRUX	Lynn Bruy	Box 885 DLG
JACK ASAUD	Jack Asaud	Box 378 DLG
ERIZ SHADE	Eriz Lou Shade	Box 2
Jean Barrett	Jean Barrett	Box 55
Marina Jo Nelson	Marina Jo Nelson	Box 128 DLG AK
LAURENCE Sorenson	Lauren Sorenson	Box 121 DLG
Theresa Turner	Theresa Turner	Box 127 Dillingham
Michael Branch	Michael Branch	Box 733 DLG
CLINT REINTJES	Clint Reintjes	Box 1490 DLG
KENNETH M. ROULLIER	Kenneth M. Roullier	Box 233 DLG
Dorothy M. Flensburg	Dorothy M. Flensburg	Box 43 DLG
RACHAEL D. KOHLER	Rachael W. Kohler	Box 757, DLG, AK

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PLEASE PRINT NAME

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ADDRESS

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
JUDY PATERSON	<i>Judy Paterson</i>	Box 199 Dillingham
<del>Dennis Olson</del>	<del><i>Dennis Olson</i></del>	<del>Box 2825 10 mi. Lukeia</del>
WESLEY A. BUCHER	<i>Wesley Bucher</i>	P.O. Box 668 Dillingham
Herman E. Schroeder, Jr.	<i>Herman E. Schroeder, Jr.</i>	Box 236 Dillingham
Rebecca h. Nelson	<i>Rebecca L. Nelson</i>	Box 36 Dillingham
FAY SHORT	<i>Fay Short</i>	Box 843 Bethel AK
<del>Jack J. Rupp</del>	<del><i>Jack J. Rupp</i></del>	<del>Box <del>369</del> Dillingham</del>
Bill J. Maines	<i>Bill J. Maines</i>	Box 494 Dlg Ak 99576
MURK D CURTIS	<i>MURK D CURTIS</i>	Box 387 Dlg AK 99576
HOWARD B. GRAYBOFF	<i>Howard B. Grayboff</i>	Box 228 Dlg AK 99576
<del>Jerry Wiley</del>	<del><i>JERRY WILEY</i></del>	<del>Box 604 Dlg AK 99576</del>
<del>Arthur Nelson</del>	<del><i>ARTHUR NELSON</i></del>	<del>Box 47 Dlg AK 99576</del>
<del>Isaac Kwasnikoff</del>	<del><i>Isaac Kwasnikoff</i></del>	<del>P.O. 171 Dlg AK 99576</del>
Andrew Nielsen	<i>Andrew Nielsen</i>	Box 892 DLG, AK 99576
Katherine G. Nielsen	<i>Katherine Nielsen</i>	Box 892 DLG AK 99576

Petition to State Legislature Regarding Dillingham Land Annexation Proposal.

PLEASE PRINT NAME

WRITTEN SIGNATURE

ADDRESS

Patti Darden Patti Darden Box 251, Dlg

Richard E. Wornack Richard E. Wornack Box 392 Dlg

Martin Kilmer Martin Kilmer Box 1189 Dlg

Stephen A. Levinson Stephen A. Levinson Box 930, Dlg

Walter Haran Walter Haran Box 824 Dlg

F. J. Jutske FREDDY J. JUTSIK Box P.O. 302 Dlg

Deanna E. Hardin Deanna E. Hardin Box 597 Dlg

Ronald K. Coleman RONALD K. COLEMAN Box 601 Dlg

Frank Nielsen FRANK NIELSEN Box 221

Jack Wilber Jack Wilber Box 169

Betty Witter Betty Witter Box 169

Carol L. Myhre CAROL L. MYHRE Box 482 Dlg

John R. Hurley John R. Hurley Box 484

Julie Kelf Julie Kelf Box 681

DAGEN H. NELSON Dagen H. Nelson Box 477

ELLAMAE CHANEY Ellamae Chaney Box 13

PETITION TO THE STATE LEGISLATURE

We the undersigned, petition the Legislature to disapprove the Proposal by the City of Dillingham to annex land that will extend Dillingham's boundaries 1 1/2 miles on the Aleknagik Lake Road, up Wood River to include the State Land disposal area south of Belt Creek to the North-west to include State Open to Entry (OTE) land from 11 mile to Warehouse Mountain.

This land includes parcels that are remote and without access to roads. The City does not intend to provide roads to the area but does plan to collect property taxes from the property owners. The City would be obliged to provide equal services to all land owners but cannot possibly expect to provide Police, Fire, EMT, and School Busing to these remote areas.

We are also concerned about the City's ordinance that bans the discharge of firearms within the City limits. The area has traditionally been used by local hunters and trappers and would adversely affect the right of the traditional use of the land for that purpose.

Dillingham has plenty of land to grow within the existing city limits. We believe adding the proposed land to the city boundary will only cost the city more money and could eventually end up costing the taxpayer more in increased taxes to pay for added services to the remote areas to be annexed.

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
ROSLYN GALLAGHER	Roslyn Gallagher	Warehouse Mountain T12S, R56W, Seward Meridian P.O. Box 19, Aleknagik
Carla Merriner	Carla Merriner	Box 284 DLG.
THOMAS TILDEN	Thomas Tilden	Box 786 DLG.
Russ Rolf	Russ Rolf	Box 681 Dillingham
GARY GALLAGHER	Gary Gallagher	Box 19 ALEKNAGIK AK.
IRMA R. SCHROEDER	Irma R. Schroeder	Box 236 DILLINGHAM AK mile 2 1/2 ALEX.
Myrtie Carty	Myrtie Carty	Box 338 Dillingham Ak.
Steve D. Hardin	Steve D. Hardin	mile 9 1/2 outside city limits
Vicki WALK	Vicki Walk	Mile 6, Lake Rd Dillingham AK 99572
JIM McMURRAY	Jim McMurray	MILE 6 1/2 LAKE ROAD DLG
Vern Schmitt	Vern Schmitt	Mile 10 Lake Rd Dillingham Aleknagik
Jack N. Jordan	Jack N. Jordan	P.O. Box 173
June M. Beckford	June M. Beckford	P.O. Box 114

Petition to State Legislature Regarding Dillingham Land Annexation Proposal.

PLEASE PRINT NAME

WRITTEN SIGNATURE

ADDRESS

Paul Ribick

*Paul Ribick*

P.O. Box 755 DLC.

Henry E. Skads

*Henry E. Skads*

P.O. Box 2 D/Ly

PETITION TO THE STATE LEGISLATURE

We the undersigned, petition the Legislature to ~~disapprove the Proposal~~ by the City of Dillingham to annex land that will extend Dillingham's boundaries 1 1/2 miles on the Aleknagik Lake Road, up Wood River to include the State Land Disposal area south of Belt Creek to the North-west to include State Open to Entry (OTE) land from 11 mile to Warehouse Mountain.

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PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
JAMES CARTY	<i>James M. Carty</i>	Box 358 Dillingham AK 99576
JAMES A WARD	<i>James A Ward</i>	Box 124 DLG AK 99576
STEVE NICHOLSON	<i>Steve Nicholson</i>	Box 912 DLG AK 99576
VERL LUCKHEART	<i>Verl Luckheart</i>	Box 166 DLG AK 99576
LLOYD F. O'CONNOR	<i>Lloyd F. O'Connor</i>	Box 65 DLG
JEAN L. O'CONNOR	<i>Jean L. O'Connor</i>	Box 65 Dillingham AK 99576
MARIO FERRARO	<i>Mario Ferraro</i>	Box 253 DLG
DANA CUTTINS	<i>Dana S. Cuttins</i>	Box 690 DLG
JACK E. PARKIN	<i>Jack E. Parkin</i>	Box 515 DLG
THOMAS E. WARD JR	<i>Thomas E. Ward Jr</i>	Box 385 DLG
GORDON L. JENSEN	<i>Gordon L. Jensen</i>	Box 764 - DLG
Josephine A. Jensen	<i>Josephine A. Jensen</i>	Box 764 - DLG
Shannon's Pond	<i>Shannon's Pond</i>	



PETITION TO THE STATE LEGISLATURE

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PLEASE PRINT NAME

WRITTEN SIGNATURE

ADDRESS

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
Joe Hiratsuka	<i>Joe Hiratsuka</i>	P.O. Box 736 Dlg.
MARGUERITE B. KALLSTROM	<i>M. (Marguerite) Berde Kallstrom</i>	Box 550 Dlg.
DAN WARD	<i>Daniel P. Ward</i>	Box 917 Dlg.
<i>Mark W. Bell</i>	<i>Mark W. Bell</i>	Dlg. Ak.
Bryand N. Gregoire	<i>Bryand N. Gregoire</i>	Box 426 P.O. AK
R. Binkowski	<i>R. Binkowski</i>	Box 382 Dlg.
Raymond N. Gregoire Jr	<i>Raymond N. Gregoire Jr</i>	Box 426 P.O. AK
Bryce Hansen	<i>Bryce Hansen</i>	Box 1209
Rob Carpenter	<i>Rob Carpenter</i>	Box 701
Phillip R. Carpenter	<i>Phillip R. Carpenter</i>	P.O. Box 761
<i>Mike Filipich</i>	<i>Mike Filipich</i>	Box 713
Mike Filipich	<i>Mike P. Filipich</i>	Box 185 Dlg.
Wanda M. Oberholzer	<i>Wanda M. Oberholzer</i>	Box 285 Dlg.
Marie B. Tennison	<i>Marie B. Tennison</i>	Box 710 Dlg.

PETITION TO THE STATE LEGISLATURE

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PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
ANNAMARIA FERRARO	<i>Annamaria Ferraro</i>	Box 253 Dillingham, Ak. 99576
Dorothy B. Angasan	<i>Dorothy B. Angasan</i>	Box 623 Dillingham, AK. 99576
Zacharias Brink	<i>Zacharias Brink</i>	Box 666 Dillingham, AK. 99576
Cristy Willer Tilden	<i>Cristy Willer Tilden</i>	P.O. Box 786 Dillingham, AK. 99576
Jacqueline Bennis Greechiagin	<i>Jacqueline Bennis Greechiagin</i>	P.O. Box 565 Dillingham, AK. 99576
Brenda Akalkok	<i>Brenda Akalkok</i>	P.O. Box 34 Dillingham, AK. 99576
Wassilisia Bennis	<i>Wassilisia Bennis</i>	Box 406 Dillingham, AK. 99576
Alan Sylvester	<i>Alan Sylvester</i>	P.O. Box 915 Dillingham, 99576
Alan Backford	<i>Alan Backford</i>	P.O. Box 22 Dillingham, AK.
Adolph Janson	<i>Adolph Janson</i>	P.O. Box 264 Dillingham, AK.
Debbie Lee	<i>Debbie Lee</i>	P.O. Box 634 Dillingham, AK.
DARYL MOORE	<i>Daryl Moore</i>	Box 662 Dillingham, AK
Elizabeth S. Dettler	<i>Elizabeth S. Dettler</i>	Box 554 Dillingham, AK. 99576
Dean R Jensen	<i>Dean R Jensen</i>	Box 245 Dillingham, AK.

Petition to State Legislature Regarding Dillingham Land Annexation Proposal.

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
Shirley Diggins	Shirley Diggins	P.O. 1319 Dillingham AK
DAVID M. JACKSON	David M. Jackson	Box 3 Dillingham AK
KATHERINE C. JACKSON	Katherine C. Jackson	Box 3 DLG, AK 99576
MARY D. SAGMOEN	Mary D. Sagmoen	Box 54 Dillingham AK 99576
RONALD J. KIBBLE	Ronald J. Kibble	Box 417 Dillingham AK
GIVIE C. LONG	Givie C. Long	Box 1310 Dillingham AK
ANNA K. LONG	Anna K. Long	Box 1310 Dillingham AK
MARY B. WATTS	Mary B. Watts	Box 543 Dillingham AK
HENRY J. KILMER	Henry J. Kilmer	Box 1189 Dillingham AK
DOUGLAS A. TURNER	Douglas A. Turner	Box 904 Dillingham AK
E. FAYE JONES	E. Faye Jones	Box 562 Dillingham AK
DOROTHY S. WILSON	Dorothy S. Wilson	Box 142 Dillingham AK
MARJORIE A. NELSON	Marjorie A. Nelson	Box 572 Dillingham AK
MARIO FERRARO	Mario Ferraro	Box 253 Dillingham AK
GEORGE M. FLANSBURG	George M. Flansburg	Box 72 Dillingham AK
MARILYN SHULER	Marilyn Shuler	Box 266 Dillingham AK
BEA PETERSEN	Bea Petersen	Box 397 Dillingham AK
SAM EVESTAGE	Sam Evestage	Box 314 Dillingham AK
JOAN EVESTAGE	Joan Evestage	Box 755 Dillingham AK
SHELLEY FARLER	Shelley Farler	Box 130 Dillingham AK
DAVID FARLER	David Farler	Box 618 Dillingham AK
STEVEN SHADER	Steven Shader	Box 871 Dillingham AK
CHUCK WALLACE	Chuck Wallace	Box 431 Dillingham AK
RAY M. APALAYAK	Ray M. Apalayak	Box 97 Dillingham AK
DANA CLARK	Dana Clark	Box 616 Dillingham AK
ELAINE INGRAM	Elaine Ingram	Box 335 Dillingham AK

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PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS BOX 768 DLg.
Martin L. Smeaton	<i>Martin L. Smeaton</i>	10 mile
Marie A. Luckhurst	<i>Marie A. Luckhurst</i>	P.O. Box 637 Dillingham Ak.
Vic A. Luckhurst	<i>Vic A. Luckhurst</i>	P.O. Box 637 Dillingham Ak.
Carolyn Hagest	<i>Carolyn Hagest</i>	Box 183 DLg. AK. 99576
Virgil Luckhurst	<i>Virgil Luckhurst</i>	PO Box 409 DLG AK. 99576
VIRGINIA Smeaton	<i>Virginia Smeaton</i>	Box 895 DLG AK. 99576
Robert D. Kallstrom	<i>Robert D. Kallstrom</i>	Box 550 DLG AK 99576
Diane E. Folsom	<i>Diane E. Folsom</i>	Box 444 DLg, AK 99576
MARK R. DIXON	<i>Mark R. Dixon</i>	Box 1064 DLG AK 99576
Walter O. Luckhurst	<i>Walter O. Luckhurst</i>	Box 633 DLg AK 99576
Henry Buckley	<i>Henry Buckley</i>	Box 633 DLg AK. 99576
LARRY WILSBAM	<i>Larry Wilsbam</i>	Box 298 DLG AK 99576
Rene Brown	<i>Rene Brown</i>	Box 182 DLg AK 99576
Clara Brown	<i>Clara Brown</i>	Box 182 DLg AK. 99576

Petition to State Legislature Regarding Dillingham Land Annexation Proposal.

PLEASE PRINT NAME

WRITTEN SIGNATURE

ADDRESS

PLEASE PRINT NAME	WRITTEN SIGNATURE	ADDRESS
Paula F. Brown	Paula F. Brown	Box 567 Dlg. AK
Jackson M. Cormick	Jackson M. Cormick	PO Box 157 Dlg. AK
Keith A. Roullier	Keith A. Roullier	DLG.
Patricia Roullier	Patricia Roullier	Box 333 Dlg. AK.
VERN "B" LUCKHURST	Vern B. Luckhurst	Box 11 Dlg. AK
George S. Hile	George S. Hile	Box 17 Dlg. AK
Joe Chowey	Joe Chowey	Box 13
VAL LUCKHURST	Val Luckhurst	Box 16 Dlg. AK, 99576
Gloria Bernhartz	Gloria Bernhartz	Simpson Estates
Rick Murphy	Rick Murphy	Box 732 Dlg.
Doris Sitsaf	Doris Sitsaf	Box 1449 Dlg.
Richard C. Schvester	Richard C. Schvester	Box 915 Dlg.
Mystice Noden	Mystice Noden	Box 47 Dlg.
Tatiana R. McCormick	Tatiana R. McCormick	Box 157, Dlg. AK.
Jerry Luft	Jerry Luft	Box 646 - Dlg. AK
FRED NODEN	FRED NODEN	47 Dlg.
Amelia Christensen	Amelia Christensen	P.O. Box 203 Dlg. AK
Nick Christensen	Nick Christensen	P.O. Box 203, Dlg. AK
Eunice WAHL	Eunice Wahl	P.O. Box 17 Dlg. AK.
Cheryl Shade	Cheryl Shade	Box 172 Dlg. AK
Betty Lopez	Betty Lopez	Box 28 Dlg.
Evelyn J. Barnett	Evelyn J. Barnett	P.O. Box 55
Ronald W. Caldwell	Ronald W. Caldwell	P.O. Box 694
Charles N. Backford	Charles N. Backford	Box 414
Leo S. Ayull Jr.	Leo S. Ayull Jr.	Box 138
Louie P. Jones	Louie P. Jones	

BILL WORKSHEET

Bill #: Proposed Committee Resolution No: Dillingham  
Annexation  
Date Sched.: HCRA Committee, Monday, Feb. 23, 1987  
Title: "House Joint Resolution Disapproving the Local  
Boundary Commission recommendation for annexation  
of territory to the City of Dillingham." -proposed  
Sponsors: House Community and Regional Affairs Committee

Info Attached:  
Copy of Proposed Resolution

**Effect of Bill:**

A Joint Resolution, passed by a majority in both houses of the legislature is required to veto the Local Boundary Commission's recommendation that 40 square miles be annexed to the City of Dillingham. In the absence of such action, the annexation will become effective Saturday, March 14, 1987, 45 days after the LBC presented it's report.

**Fiscal Impact:**  
0 (Zero)

**Proponents:**  
At this point, no one.

**Opponents:**  
Everyone, including:  
303 petitioners  
all 72 residents of the area to be annexed  
the City of Dillingham  
the City of Clark's Point  
Saguyak Inc.  
Choggiung Ltd.  
the City of Manokotak  
Bristol Bay Native Corporation

**Analysis of Bill's effect, by staff:**

This Resolution would disapprove the LBC's recommendation that 40 square miles be annexed to the City of Dillingham. Originally, the City wanted to annex 918 sq. miles down into Nushagak Bay to appropriate to itself the raw fish tax monies of processors located there. The 40 sq. mi. in question, NORTH of the city was included for proprietaries' sake. Protest forced the LBC to exclude all the Bay area property (SOUTH of the City). In a perverse decision the LBC chose to grant all the property the city did not want and deny all the property it did want.

**Committee Report:**

5-0706A

Cook

2/23/87

1 IN THE HOUSE

BY THE COMMUNITY AND REGIONAL  
AFFAIRS COMMITTEE

2 HOUSE JOINT RESOLUTION NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 Disapproving the Local Boundary Commis-  
6 sion recommendation for annexation of  
7 territory to the City of Dillingham.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS, under art. X, sec. 12, Constitution of the State of Alaska,  
10 the Local Boundary Commission has presented to the legislature its rec-  
11 ommendation dated January 28, 1987, entitled "Recommendation for the  
12 Annexation of Territory to the City of Dillingham"; and

13 WHEREAS a recommendation of the Local Boundary Commission presented to  
14 the legislature becomes effective 45 days after presentation or at the end  
15 of the session, whichever is earlier, unless disapproved by a resolution  
16 concurred in by the majority of the members of each house;

17 BE IT RESOLVED by the Alaska State Legislature that the recommendation  
18 of the Local Boundary Commission dated January 28, 1987, and entitled  
19 "Recommendation for the Annexation of Territory to the City of Dillingham"  
20 is disapproved.

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SPRINGER

NAME: DOROTHY WILSON  
TITLE:  
ADDRESS: BOX 142  
CITY: DILLINGHAM, ALASKA ZIP: 99576  
PHONE: N/A-  
BILL NO:  
SUBJECT: CITY OF DILLINGHAM ANNEXATION  
MESSAGE: I OPPOSE THE CITY OF DILLINGHAM'S ANNEXATION PROPOSAL.

*fr  
Teny*

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SPRINGER

NAME: CHARLES WILSON  
TITLE:  
ADDRESS: BOX 142  
CITY: DILLINGHAM, ALASKA ZIP: 99576  
PHONE: N/A-  
BILL NO:  
SUBJECT: CITY OF DILLINGHAM ANNEXATION  
MESSAGE: AM OPPOSED TO THE CITY OF DILLINGHAM'S PROPOSAL FOR ANNEXATION.

*fr  
Teny*

POMID: 06155750  
DATE: 02/11/87  
TIME: 15:57:50  
LIONAME: DILLINGHAM LIO

COPIES: REPRESENTATIVES SENATORS

CATO  
COLLINS  
HERRMANN  
ZAWACKI  
HALFORD  
KELLY  
STURGULEWSKI  
SZYMANSKI  
ZHAROFF  
ZHAROFF

POMID: 06155957  
DATE: 02/11/87  
TIME: 15:59:57  
LIONAME: DILLINGHAM LIO

COPIES: REPRESENTATIVES SENATORS

CATO  
COLLINS  
HERRMANN  
ZAWACKI  
HALFORD  
KELLY  
STURGULEWSKI  
SZYMANSKI  
ZHAROFF  
ZHAROFF

FEB 13 1987

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SPRINGER

*Fr*  
*Tony*

NAME: DOROTHY M. FLENSBURG  
TITLE:  
ADDRESS: BOX 43  
CITY: DILLINGHAM, ALASKA  
PHONE: N/A-  
BILL NO:  
SUBJECT: CITY OF DILLINGHAM ANNEXATION PROPOSAL  
MESSAGE: FOR THE RECORD, I AM OPPOSED TO THE PROPOSAL FOR ANNEXATION  
PUT FORTH BY THE CITY OF DILLINGHAM.

ZIP: 99576

POMID: 06160118  
DATE: 02/11/87  
TIME: 16:01:18  
LIONAME: DILLINGHAM LIC

CCPIES: REPRESENTATIVES SENATORS

CATO	HALFORD
COLLINS	KELLY
HERRMANN	STURGULEWSKI
ZAWACKI	SZYMANSKI
	ZHAROFF
	ZHAROFF

FEB 13 1987

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE SPRINGER

*John*  
FEB 16 1987  
*Terry*

NAME: HENRY E. SHADE  
TITLE:  
ADDRESS: SHANNON LAKE ROAD, BOX 2  
CITY: DILLINGHAM, ALASKA ZIP: 99576  
PHONE: 842-5410

BILL NO:  
SUBJECT: CITY OF DILLINGHAM LAND ANNEXATION  
MESSAGE: ANNEXING TO THE CITY WILL NOT IMPROVE POLICE PROTECTION. THEY HAVE NO JURISDICTION ON ALLOTMENTS. TAXES WILL RISE TO PROVIDE ROADS, CLEARING SNOW, GRADING, SANDING, SCHOOL BUSES, SERVICE, SEWERS. CITY CANNOT PROVIDE SEWER TO OUR AREA. CITY IS IN VIOLATION NOW BY DUMPING RAW SEWAGE INTO THE NUSHAGAK RIVER.

POMID: 06143645  
DATE: 02/13/87  
TIME: 14:36:45  
LIONAME: DILLINGHAM LIO

COPIES:	<u>REPRESENTATIVES</u>	<u>REPRESENTATIVES</u>	<u>SENATORS</u>
	ADAMS	BARNES	ABOOD
	BOUCHER	BOYER	BENNETT
	BROWN	CATO	BINKLEY
	COLLINS	COTTEN	COGHILL
	DAVIDSON	DAVIS	DUNCAN
	DONLEY	ELLIS	ELIASON
	FRANK	FURNACE	FAHRENKAMP
	GOLL	GRUENBERG	FAIKS
	GRUSSENDORF	HANLEY	FISCHER
	HERRMANN	HOFFMAN	HALFORD
	HUDSON	KOPONEN	HENSLEY
	LARSON	MARTIN	JONES
	MENARD	MILLER	JOSEPHSON
	NAVARRE	PEARCE	KELLY
	PETTYJOHN	PHILLIPS	KERTTULA
	POURCHOT	RIEGER	RODEY
	SHULTZ	SUND	STURGULEWSKI
	SWACKHAMMER	TAYLOR	SZYMANSKI
	ULMER	WALLIS	UEHLING
	ZAWACKI		ZHAROFF