

PETITION TO  
THE LOCAL BOUNDARY COMMISSION  
FOR INCORPORATION OF  
THE DELTANA BOROUGH,  
A UNIFIED HOME RULE BOROUGH

SECTION 1. NAME OF THE PETITIONER. The petitioner consists of the qualified voters of the proposed borough who signed this petition in accordance with AS 29.05.060(7) in Exhibit A.

SECTION 2. PETITIONER'S REPRESENTATIVE. The petitioner designates the following individual to act as representative in matters regarding the proposed borough incorporation:

Name: Mike Schultz, Deltana Borough Charter Commission Chair  
Physical address: Mile 1403 Alaska Highway  
Mailing Address: HC62, Box 5440, Delta Junction, Alaska 99737  
Telephone number: (907) 895-4368  
Facsimile number: (907) 895-4375 (City Hall, City of Delta Junction)  
Electronic-mail address:

Further, the petitioner designates the following person to act as alternate representative in matters regarding the proposed borough incorporation in the event that the primary representative is absent, resigns, or fails to perform his or her duties:

Name: Mary A. Leith-Dowling  
Physical address: 2465 Mil-Tan Road  
Mailing Address: PO Box 322, Delta Junction, AK 99737  
Telephone number: (907) 895-4434  
Facsimile number: (907) 895-4375 (City Hall, City of Delta Junction)  
Electronic-mail address: momld@wildak.net

SECTION 3. NAME AND CLASS OF PROPOSED BOROUGH. The name of the proposed borough is Deltana Borough. However, when deemed in the public interest to

do so, the Deltana Borough may use the name Deltana Home Rule Borough. Unless the context indicates otherwise, references in this petition to the "Borough" mean the proposed Deltana Borough.

The class of the proposed borough is unified home rule.<sup>1</sup>

**SECTION 4. GENERAL DESCRIPTION OF THE NATURE OF THE PROPOSED BOROUGH INCORPORATION.** This petition seeks incorporation of the borough described herein under the local option method provided for in AS 29.05.060 – 29.05.150.

The petitioner requests that the Local Boundary Commission grant this petition with any amendments and conditions that, in the determination of the Commission, better fulfill applicable principles and standards relating to borough incorporation. Those include principles and standards under Art. I, sec. 1, Constitution of the State of Alaska; Art. X, secs. 1, 3, and 12, Constitution of the State of Alaska; AS 29.05.031; AS 29.05.100; 3 AAC 110.045 - 3 AAC 110.065; and 3 AAC 110.900 - 3 AAC 110.990.

All exhibits attached to this petition are incorporated by reference.

**SECTION 5. AREA PROPOSED FOR INCORPORATION.** A general description of the area proposed for incorporation is provided below:

The area of the Borough is identical to the area within the existing Delta-Greely Regional Educational Attendance Area. This covers approximately 5,892 square miles.

**SECTION 6. REASONS FOR PETITIONING FOR INCORPORATION.** A statement of the reasons for the proposed incorporation is provided below:

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<sup>1</sup>A municipality unified in accordance with AS 29.06.190 - 29.06.420.

The petitioner seeks to provide basic municipal services in the Deltana area, including education, planning and taxation. The area also seeks to provide services currently provided by the City of Delta Junction, Delta-Greely REAA and in the case of platting, the State of Alaska. The area desires to establish a regional government in a deliberate and thoughtful fashion that best reflects the region's values. It seeks boundary configurations that truly reflect the regional values and are based on logic and common sense. Moreover, the region desires to establish a borough government that can provide service in an efficient and cost-effective fashion.

## SECTION 7. LEGAL DESCRIPTIONS AND MAPS OF THE PROPOSED BOROUGH.

### **Proposed Deltana Borough**

Exhibit B-1 provides a written metes and bounds legal description of the proposed corporate boundaries of the area proposed for borough incorporation.

Exhibit B-2 provides a map showing the proposed corporate boundaries of the proposed Deltana Borough.

### **City of Delta Junction**

Exhibit B-3 provides a written metes and bounds legal description of the existing corporate boundaries of the City of Delta Junction.

Exhibit B-4 provides a map showing the existing corporate boundaries of the City of Delta Junction.

In accordance with AS 29.05.140(d), upon incorporation of the Deltana Borough, a unified home-rule borough, the Charter operates to dissolve the City of Delta Junction in accordance with the Charter.

**SECTION 8. SIZE.** The area proposed for incorporation is estimated to encompass:

- 5,892 square miles of land
- 0 square miles of tidelands and submerged lands
- 5,892 square miles of total area.

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**SECTION 9. POPULATION.** The current population of the area proposed for incorporation is estimated to be 5,760 residents.

Area	Petitioner's Estimate (June 1, 2005)
Delta Junction	1000
Big Delta	800
Deltana	1800
Fort Greely	2000
Other (included Healy Lake and other areas that are not included in the other categories)	160
<b>Total</b>	<b>5,760</b>

**SECTION 10. INFORMATION RELATING TO PUBLIC NOTICE AND SERVICE OF THE PETITION.** Exhibit C offers information relevant to the provision of public notice of the incorporation proceedings and service of the petition. Included are details about local media, municipal governments within and adjacent to the area proposed for incorporation, places for posting public notices relating to the proposed incorporation, the location where the petition may be reviewed by the public, and individuals and entities that the petitioner believes warrant specific notice of the incorporation proceedings.

**SECTION 11. TAX DATA**

**Subsection 11-A. Value of taxable real property.** This subsection lists estimates of the value of taxable real property within the boundaries of the proposed borough.

<b>ESTIMATED VALUE OF TAXABLE REAL PROPERTY</b>	
<b>Commercial</b>	<b>\$24,483,300</b>
<b>Residential</b>	<b>\$131,514,100</b>
<b>Pogo Mine (based on 50 percent completion as of January 1, 2005)</b>	<b>\$125,000,000</b>
<b>Trans-Alaska Pipeline</b>	<b>\$194,500,000</b>
<b>Total</b>	<b>\$475,497,400</b>

Please note that the estimated value of taxable property will increase following the completion of the Pogo Mine-perhaps as much as \$195,000,000 and the region's tax base may increase even more due to the upward trends in values observed by the state assessor.

**Subsection 11-B. Value of taxable personal property.**

The estimated value of taxable personal property in the proposed borough is \$26,080,600

**Subsection 11-C. Value of taxable real and personal property.**

The combined estimated value of taxable real and personal property in the proposed borough is \$501,578,000. That figure will increase substantially (by perhaps as much as \$195,000,000 or more) following the completion of the construction of the Pogo Mine. Other factors may lead to additional increases in the value of taxable property within the proposed borough.

**Subsection 11-D. Taxes currently levied by city governments within the proposed borough.** The type and rate of each tax currently levied by city governments within the proposed borough is listed below: The City of Delta Junction currently does not have taxes.

**Subsection 11-E. Taxes currently levied by an existing borough government within the proposed borough.** The region is not within an existing borough.

**Subsection 11-F. Taxes projected to be levied by the proposed borough.** The type and rate of each tax projected to be levied by the proposed borough is listed below.

Proposed Local Taxes	
Home heating Fuel and vehicle gas sales tax	3 percent
Energy Tax (sale of electrical power)	10 percent
PILT	See Exhibit K

### Conditions of Incorporation Vote

1. Incorporation is proposed to be conditioned upon voter approval of the 3 percent home heating fuel and vehicle gas sales tax.
2. Incorporation is proposed to be conditioned upon voter approval of the 10% tax on the sale of electrical power
3. Incorporation is proposed to be conditioned upon voter approval of the PILT Agreement with Tech Pogo. The Agreement is included in this petition as Exhibit K.

**Subsection 11-G. PROJECTED TAXABLE SALES.** The projected value of sales of fuel in the proposed borough that would be subject to borough sales taxes following incorporation is estimated to be \$9.6 million. At the sales tax rate listed in Subsection 11-F (3%), projected borough sales tax revenues would equal \$288,000 each year. The projected value of sales of energy in the proposed borough that would be subject to borough sales taxes following incorporation is estimated to be \$2.8 million. At the sales tax rate listed in Subsection 11-F (10%), projected borough sales tax revenues would equal \$280,000 each year.

### Data Source and Related Explanatory Notes.

1. There currently is no formal data collection system of business sales in the Deltana region. Consequently, the petitioner used local business owners as a reliable source of information upon which fuel sales are projected. The local business owners, Suzie Sandy (owner of one of the six local fuel in Delta Junction) and Roy Gilbertson (owner of local building supply company, builder and various other local businesses) have been business owners in the Delta area for a combined period of over 90 years.
2. The projected increase in fuel sales is premised on both the increase cost of fuel and a reflection of the steady increase in demand for such products because of the increase in local population and commercial and industry growth in the area.
3. The source of the projected \$2.8 million (2003) worth of electricity sales is the Public Affairs Office, Golden Valley Electric Cooperative. The petitioner views this as a conservative estimate in light of the continued growth in the area and in turn demand for electricity.

4. Through the PILT agreement, Tech Pogo will be exempt from all taxes at the site of the mine. Tech Pogo will not be exempt from any other taxes elsewhere in the Deltana Borough.

**SECTION 12. PROJECTIONS OF REVENUES, OPERATING EXPENSES, AND CAPITAL EXPENSES.**

**Exhibit D-1** lists projected revenues for the proposed borough during each of the first six full fiscal years. **Exhibit D-2**, lists projected operating expenses for the proposed borough during each of the first six full fiscal years. **Exhibit D-3** lists projected revenues and expenses for capital items during each of the first six full fiscal years.

**SECTION 13. LONG-TERM MUNICIPAL DEBT.**

There is currently no city debt that a new borough would need to assume. The current city debt of approximately \$1 million to the state of Alaska related to previous prison construction will be converted into a municipal grant as provided for in AS 37.05.315.

**SECTION 14. POWERS AND FUNCTIONS.** Listed below are the areawide powers proposed to be exercised by the unified home-rule borough.

<b>Proposed Borough Powers and Functions</b>		
<b>Power or Function</b>	<b>Areawide Basis</b>	<b>Service area</b>
Education	Yes	
Planning, platting, land use regulation	Yes	
Taxation	Yes	
Cemetery	Yes	
Landfill	Yes	
Library	Yes	
Parks and Recreation, including Community Center	Yes	
Street and Road Maintenance	Yes	
Volunteer Fire/EMS/Ambulance/Rescue Squad	Yes	
Airport Maintenance	Yes	

**SECTION 15. TRANSITION PLAN. Exhibit E** presents a practical plan demonstrating the intent and capability of the proposed borough to:

- (a) Extend essential services (as defined by 3 AAC 110.970) to the area proposed for incorporation within the shortest practicable time after incorporation.
- (b) Assume all relevant and appropriate powers, rights, duties, and functions, including those relevant and appropriate powers, rights, duties, and functions presently exercised by municipal governments, regional educational attendance areas, coastal resource service areas and other relevant entities within the area proposed for incorporation.
- (c) Receive the transfer of and integrate all relevant and appropriate assets and liabilities of existing municipal governments, regional educational attendance areas, and other relevant entities within the proposed for incorporation.

The plan was developed in consultation with officials of municipal governments, regional educational attendance areas, coastal resource service areas, and other relevant entities within the area proposed for incorporation. Information about the level of consultation, including specific individuals contacted on particular dates is included. The plan complies with the provisions of AS 29.05.130, AS 29.05.140, and 3 AAC 110.900.

**SECTION 16. COMPOSITION, FORM OF REPRESENTATION, AND APPORTIONMENT OF THE BOROUGH ASSEMBLY.**

There shall be a seven member elected at large by the voters throughout the borough.



**SECTION 17. FEDERAL VOTING RIGHTS ACT INFORMATION.** Information regarding any effects of the proposed incorporation upon civil and political rights for purposes of the Federal Voting Rights Act (42 U.S.C. 1971 – 1974) are provided in **Exhibit G**. This information includes the following:

- (a) How incorporation of the proposed borough will affect voting rights.
- (b) The extent to which the proposed borough or proposed assembly election districts exclude minorities while including other similarly situated persons.
- (c) Whether the electoral system of the proposed borough fairly reflects minority voting strength.
- (d) Participation by minorities in the development of the annexation proposal.
- (e) Statement concerning whether minorities within the boundaries of the proposed borough understand English in written and spoken forms.
- (f) Listing of a minority contact familiar with the incorporation proposal.

**SECTION 18. SUPPORTING BRIEF.** **Exhibit H** presents a supporting brief that provides a detailed explanation of how the proposed borough incorporation satisfies the standards set out in Article X of Alaska's Constitution; AS 29.05.031; AS 29.05.100, 3 AAC 110.045 - 3 AAC 110.065, and 3 AAC 110.900 – 3 AAC 110.980. The brief references each of these standards and explains why the proposed incorporation is good public policy and is in the best interests of the state as required by AS 29.05.100. The brief demonstrates that:

- (a) The proposed incorporation promotes equal rights, opportunities, protection and obligations among all Alaskans in accordance with Article I, sec. 1 of the Constitution of the State of Alaska.
- (b) The proposed incorporation promotes maximum local self-government with a minimum of local government units in accordance with Article X, sec. 1 of the Constitution of the State of Alaska.

- (c) The boundaries of the proposed borough maximize the area and population while maintaining common interests in accordance with Article X, sec. 3 of the Constitution of the State of Alaska.
- (d) The borough incorporation proposal serves other constitutional principles relating to boroughs set out in Article X of the Constitution of the State of Alaska.
- (e) The social, cultural, and economic characteristics and activities of the people in the proposed borough are interrelated and integrated as required by AS 29.05.031(a)(1) and 3 AAC 110.045(a)
- (f) As required by 3 AAC 110.045(b), there are multiple *bona fide* communities, as defined by 3 AAC 110.990(5) and determined under 3 AAC 110.920, in the proposed borough, unless a specific and persuasive showing is made that a sufficient level of interrelationship exists with fewer than two communities.
- (g) The communications media and the land, water, and air transportation facilities throughout the proposed borough allow for the level of communications and exchange necessary to develop an integrated borough government as required by AS 29.05.031(a)(4) and 3 AAC 110.045(c).
- (h) All communities within the proposed borough are either connected to the seat of the proposed borough by a public roadway, regularly scheduled airline flights on at least a weekly basis, a charter flight service based in the proposed borough, or sufficient electronic media communications as required by 3 AAC 110.045(d). Alternatively, a specific and persuasive showing is made that communications and exchange patterns are sufficient to operate an integrated borough government.

- (i) The population of the proposed borough is sufficiently large and stable to support the proposed borough government as required by AS 29.05.031(a)(1) and 3 AAC 110.050(a).
- (j) The population of the proposed borough includes at least 1,000 permanent residents as required by 3 AAC 110.050(b). Alternatively, a specific and persuasive showing is made that the population of the proposed borough is sufficiently large and stable enough to support the proposed borough government.
- (k) The economy of the proposed borough includes the human and financial resources necessary to provide essential borough services on an efficient, cost-effective level as required by AS 29.05.031(a)(3) and 3 AAC 110.055.
- (l) The boundaries of the proposed borough conform generally to natural geography, and must include all land and water necessary to provide the full development of essential borough services on an efficient, cost-effective level as required by AS 29.05.031(a)(2) and 3 AAC 110.060(a). Also, in accordance with 3 AAC 110.660(d), the area proposed for incorporation is contiguous and would not create enclaves. Alternatively, a specific and persuasive showing has been made that such noncontiguous areas or enclaves are in the best interests of the State.
- (m) The proposed borough boundaries comply with the model borough boundaries adopted by the Commission under 3 AAC 110.060(b). Alternatively, a specific and persuasive showing is made that the proposed borough boundaries are more appropriate under the standards for borough incorporation.
- (n) The proposed borough boundaries conform to existing regional educational attendance area boundaries as required by 3 AAC 110.060(c). Alternatively, evidence is provided that will allow the Local Boundary

Commission, after consultation with the Commissioner of the Department of Education and Early Development, to determine that an area of different size is better suited to the public interest in a full balance of the standards for incorporation of a borough.

- (o) The petition does not propose boundaries overlapping the boundaries of an existing organized borough or unified municipality.
- (p) The proposed borough will have the ability to extend services to the area proposed for incorporation in a practical and effective manner as required by 3 AAC 110.900.
- (q) In accordance with 3 AAC 110.910, incorporation of the proposed borough will not deny any person the enjoyment of any civil or political right because of race, color, creed, sex, or national origin.
- (r) Incorporation of the proposed borough is in the best interests of the State as required by AS 29.05.100(a) and 3 AAC 110.065, and as determined under 3 AAC 110.980.

SECTION 19. CHARTER. **Exhibit I** presents the proposed home rule Charter for the borough. The proposed Charter, as may be amended on a reasonable basis by the Local Boundary Commission following a public hearing on this petition, is adopted if voters approve incorporation of the home rule borough.

**SECTION 20. NUMBER OF VOTES CAST IN LAST STATE GENERAL ELECTION.**

The number of votes cast in the last State general election within the proposed borough but outside existing home rule and first class cities was: **1,313**. A letter from the State Division of Elections documenting the number of votes cast is provided as **Exhibit J**.

**SECTION 21. PETITION INFORMATION AND ACCURACY.** An affidavit of the petitioner's representative affirming that the information in the petition is true and accurate is provided in **Exhibit M.**

DATED this 16th day of November, 2005.

By: *Mike Schultzy Ch.*  
Petitioner's Representative  
*Deltara Borough Charter  
Commission*

## EXHIBIT A

### SIGNATURES OF QUALIFIED VOTERS WITHIN THE PROPOSED BOROUGH OUTSIDE HOME RULE AND FIRST CLASS CITIES

This exhibit presents the signatures and resident addresses of qualified voters seeking incorporation who live within the borough proposed for incorporation, but outside home-rule and first-class cities. There are no home-rule or first-class cities within the proposed borough.

The number of signatures in this exhibit equals at least 15 percent of the number who voted in the area of the proposed borough but outside home rule and first class cities during the last general election conducted by the State of Alaska.

**To help verify your voter-registration status, please:**

1. sign your name as it is listed in the State voter registration records;
2. print your name legibly;
3. list your State voter ID # or Social Security #;
4. list your residence address (e.g. street number, milepost) -- **do not list a post office or other mail box.**

WE, THE UNDERSIGNED, hereby petition for the incorporation of the borough as set out in the complete petition. Further, we affirm that:

1. We are registered voters of the State of Alaska;
2. We currently maintain our principal place of residence within the area proposed for incorporation but outside home rule and first class cities;

3. We have reviewed the complete petition for incorporation, including all exhibits and we understand its terms.

**IMPORTANT:** review the first page of this exhibit for instructions and affirmations before signing.

WE, THE UNDERSIGNED, hereby petition for the incorporation of the borough described in the complete petition. Further, we swear or affirm as set out in page one of this exhibit.

_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>

_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>

_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>

_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>



_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>

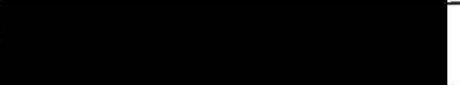

_____	_____
<b>Signature</b>	<b>Printed Name</b>

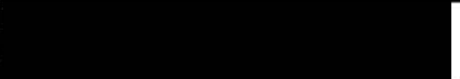
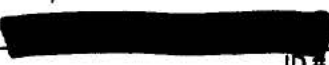
3. We have reviewed the complete petition for incorporation, including all exhibits and we understand its terms.

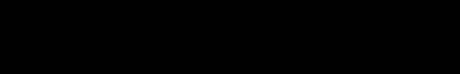

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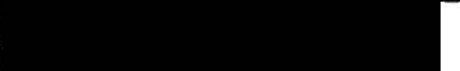
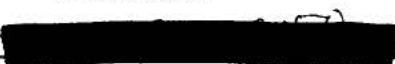
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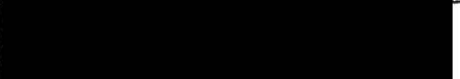
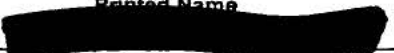
	Donald A. Winston
Signature	Printed Name
Mile 275 Richardson Hi	
Residence Address (or equivalent)	ID # or SSN

	Ronald Greenleaf
Signature	Printed Name
Mile 275 Richardson Hwy	
Residence Address (or equivalent)	ID # or SSN

	Nyron H. Wheeler
Signature	Printed Name
MILE 275 Richardson Hwy	
Residence Address (or equivalent)	ID # or SSN

	JASON Wheeler
Signature	Printed Name
Mile 275 Richardson Hwy	
Residence Address (or equivalent)	ID # or SSN

	EVAN A. EADS
Signature	Printed Name
MILE 275 RICH. HWY.	
Residence Address (or equivalent)	ID # or SSN



	EMERSON W. EADS
Signature	Printed Name
Mile 275 Rich. Hwy.	
Residence Address (or equivalent)	ID # or SSN

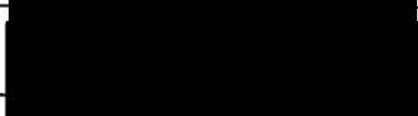

Residence Address (or equivalent)	ID # or SSN
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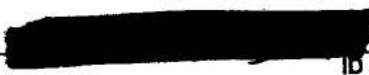



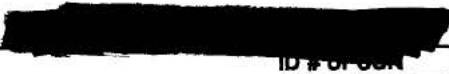
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	<u>Sandra K. Schultz</u> Printed Name
<u>Mile 1403 Alaska Hwy</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Pam M. Rule</u> Printed Name
<u>351 Chase Lane</u> Residence Address (or equivalent)	 ID # or SSN

	<u>PETE FELLMAN</u> Printed Name
<u>H.C. 60 Bx 4200 Delta</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Phil Kaspari</u> Printed Name
 Residence Address (or equivalent)	 ID # or SSN



 Signature	 Printed Name
 Residence Address (or equivalent)	 ID # or SSN


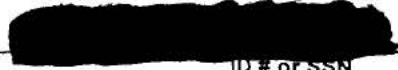
 Signature	 Printed Name
 Residence Address (or equivalent)	 ID # or SSN


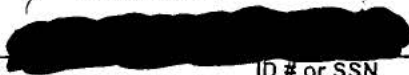
Use additional pages as necessary.

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	<u>Robert F. Green</u>
Signature	Printed Name
<u>2317 Triple H Rd Delta Jet,</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Eogede L. Gilbert</u>
Signature	Printed Name
<u>4443 Tanaga Loop Ext Delta Jet,</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Randy Peterson</u>
Signature	Printed Name
<u>P.O. 1572 Delta</u>	
Residence Address (or equivalent)	ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN


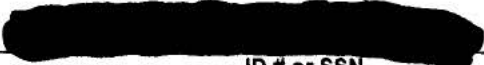
_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN



Use additional pages as necessary.

3. We have reviewed the complete petition for incorporation, including all exhibits and we understand its terms.

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	<u>Jeffrey M. Lipscomb</u>
Signature	Printed Name
<u>3799 Big Dipper Rd.</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Tina Marie Lipscomb</u>
Signature	Printed Name
<u>3799 Big Dipper Road</u>	
Residence Address (or equivalent)	ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN



_____ Signature	_____ Printed Name
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_____ Residence Address (or equivalent)	_____ ID # or SSN
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	Silas W. Hill
Signature	Printed Name
2551 Rapids St Delta Jct, AK	
Residence Address (or equivalent)	ID # or SSN


	David E. Blum
Signature	Printed Name
Sunset Dr., De Ha Jct AK	
Residence Address (or equivalent)	ID # or SSN

	Adeline J Blum
Signature	Printed Name
Sunset Dr., Delta Jct, AK	
Residence Address (or equivalent)	ID # or SSN

	Michelle R. LaDauer-Beitz
Signature	Printed Name
14674 Farrar Rd. Delta Jct, AK 99737	
Residence Address (or equivalent)	ID # or SSN

	David A Roadwine
Signature	Printed Name
2435 Ueltoby Ln	
Residence Address (or equivalent)	ID # or SSN


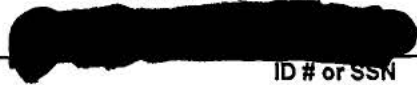
	EDWIN CARNS
Signature	Printed Name

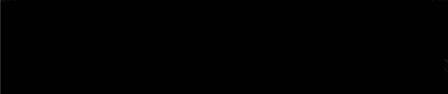

1414 S ALASKA HWY	
Residence Address (or equivalent)	ID # or SSN



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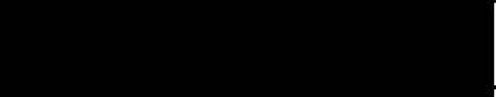

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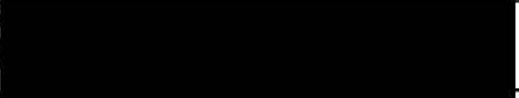
	David J. DiGloria
	Printed Name
Mile 275 Richardson Hwy	
Residence Address (or equivalent)	ID # or SSN


	Jennifer Austin
	Printed Name
Mi 275 Richardson Hwy	
Residence Address (or equivalent)	ID # or SSN

	Rebecca Baranowski
	Printed Name
Mile 275 Richardson Hwy	
Residence Address (or equivalent)	ID # or SSN

	V. Elaine Eads
	Printed Name
mile 275 Richardson HWY	
Residence Address (or equivalent)	ID # or SSN

	Garnet W. Grier
	Printed Name
1 1/2 Mile 275 Richardson Hwy.	
Residence Address (or equivalent)	ID # or SSN



	Danielle Donaldson
	Printed Name



Mile 275 Richardson Hwy.	
Residence Address (or equivalent)	ID # or SSN



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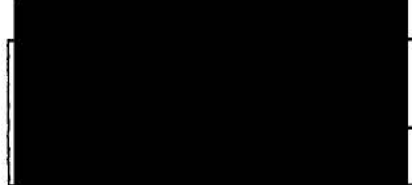
	<u>Rebecca Wenger</u> Printed Name
<u>Mile 275 Richardson Hwy Delta</u> Residence Address (or equivalent)	 ID # or SSN

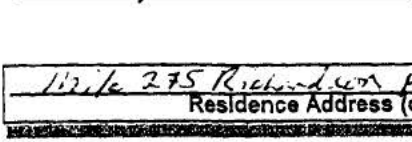

	<u>JACK FREDRICK</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN

	<u>JOHN R HASZ</u> Printed Name
<u>MILE 275 RICHARDSON Hwy Delta Jct</u> Residence Address (or equivalent)	 ID # or SSN

	<u>JOHN T PORTER</u> Printed Name
<u>5271 SPENGLER DELTA JCT. AK</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Evan Gorman</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN


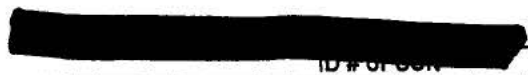
	<u>Clara J. Baranowski</u> Printed Name
---	--



	<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)
	 ID # or SSN



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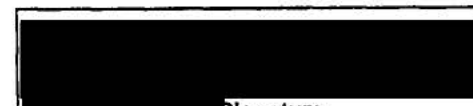
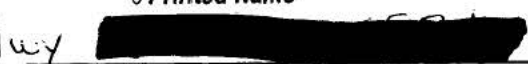
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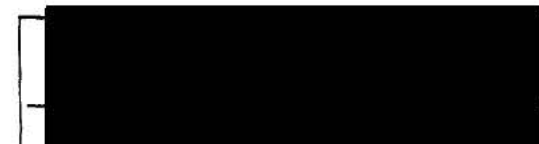
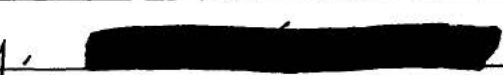
	<u>Samuel Wenger</u> Printed Name
<u>Mile 275 Richardson Hiway</u> Residence Address (or equivalent)	 ID # or SSN

	<u>KAREN WENGER</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Deborah A. Winston</u> Printed Name
<u>mile 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Richard M Greeleaf</u> Printed Name
<u>mi 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN



	<u>Mary E. Porter</u> Printed Name
<u>mile 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN

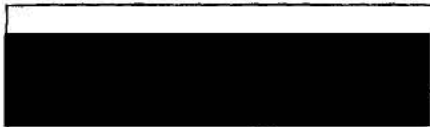

	<u>Donna Rae S. Hasz</u> Printed Name
<u>mile 275 Richardson Hwy.</u> Residence Address (or equivalent)	 ID # or SSN

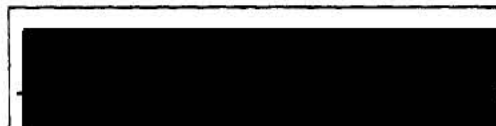
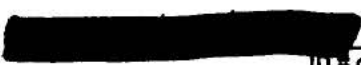
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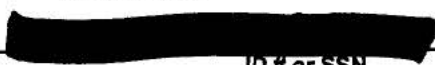
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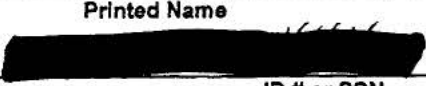
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	<u>GABRIEL M GREENLEAF</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN

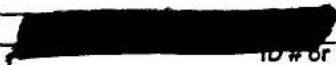
	<u>Mary J. Seeger</u> Printed Name
<u>Mile 275 Richardson Hwy.</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Kathy L. Selvaggio</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Bette A. Grier</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN

	<u>H. Curtis Eastman</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Brenda A. Eastman</u> Printed Name
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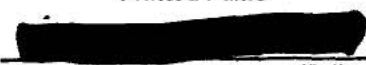
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	 ID # or SSN
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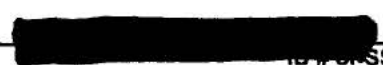



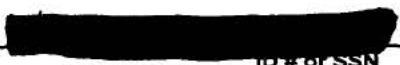
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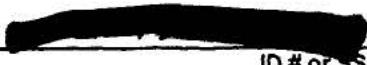
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	<u>Milla G. Mercier</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN


	<u>Ben Mercier</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy</u> Delta Jct., AK	
Residence Address (or equivalent)	ID # or SSN

	<u>BROOKE Z. SEEGER</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>STEVEN M. SEEGER</u>
Signature	Printed Name
<u>MILE 275 R. Ct. Hwy.</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Lisa M. Baranaski</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Karen L. Greenleaf</u>
Signature	Printed Name

<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

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[Redacted]	<u>Oshea D. H. Greenleaf</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	<u>[Redacted]</u> ID # or SSN

[Redacted]	<u>Megan M Greenleaf</u> Printed Name
<u>MILE 275 Richardson Hwy</u> Residence Address (or equivalent)	<u>[Redacted]</u> ID # or SSN

[Redacted]	<u>Diana H. Graf</u> Printed Name
<u>Milepost 275 Richardson Hwy</u> Residence Address (or equivalent)	<u>[Redacted]</u> ID # or SSN

[Redacted]	<u>LYNN CHAVEZ</u> Printed Name
<u>Mile 275 Richardson Hwy.</u> Residence Address (or equivalent)	<u>[Redacted]</u> ID # or SSN

[Redacted]	<u>ANGELA MACIAS</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	<u>[Redacted]</u> ID # or SSN


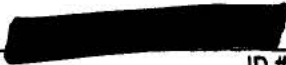
[Redacted]	<u>Nicole H. Greenleaf</u> Printed Name
<u>Mile 275 Richardson</u> Residence Address (or equivalent)	<u>[Redacted]</u> ID # or SSN



[Redacted]	<u>[Redacted]</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	<u>[Redacted]</u> ID # or SSN



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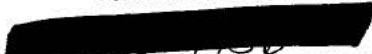
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	<u>Thomas R. Porter</u>
Signature	Printed Name
<u>Mile 275 Richardson Highway</u>	
Residence Address (or equivalent)	ID # or SSN

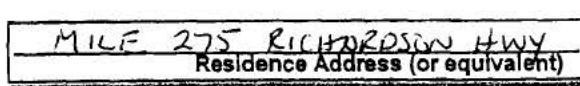

	<u>NELSON A GRIER</u>
Signature	Printed Name
<u>MILE 275 RICHARDSON HIGHWAY</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>BENJAMIN M GREENLEAF</u>
Signature	Printed Name
<u>MI 275 RICH. HWY</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Amanda D. Brown</u>
Signature	Printed Name
<u>Mile 275 Richardson HWY</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Karen A. Keller</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy.</u>	
Residence Address (or equivalent)	ID # or SSN


	<u>NATHANAEEL S VEREIDE</u>
Signature	Printed Name
<u>MILE 275 RICHARDSON HWY</u>	
Residence Address (or equivalent)	

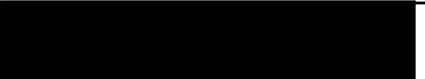

	
Residence Address (or equivalent)	ID # or SSN



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	<u>Richard Dias</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy Delt J. AK</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Oscar F. Chavez</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Nannette Timothy</u>
Signature	Printed Name
<u>Mile Post 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Pauline M. Wheeler</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Theodore M. Keller</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

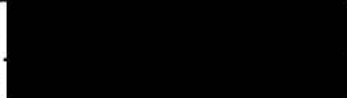

	<u>Vicki A. Greenleaf</u>
Signature	Printed Name
<u>Mile Post 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN


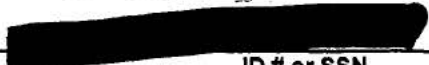
Residence Address (or equivalent)	ID # or SSN
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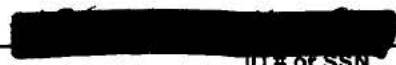
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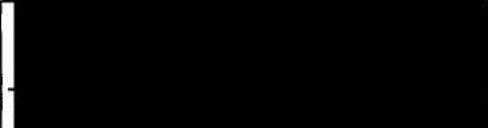

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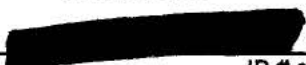
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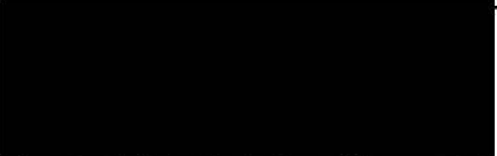
	<u>JINNI SELVAGGIO</u> Printed Name
<u>MIKE 275 RICHARDSON HWY DELTA JCT</u> Residence Address (or equivalent)	 ID # or SSN

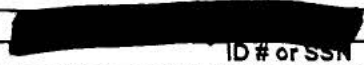
	<u>STEVE M. SELVAGGIO</u> Printed Name
<u>MILE 275 RICHARDSON HWY DELTA JCT</u> Residence Address (or equivalent)	 ID # or SSN

	<u>David L. Brown</u> Printed Name
<u>Mile 275 Richardson Hwy <sup>Delta Jct.</sup></u> Residence Address (or equivalent)	 ID # or SSN

	<u>JEREMY HATFIELD</u> Printed Name
<u>Mi 275 RICHARDSON Hwy DELTA JCT</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Josiah D Keller</u> Printed Name
<u>Mi 275 Richardson Hwy, Delta Junction</u> Residence Address (or equivalent)	 ID # or SSN


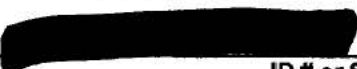
	<u>PAMELA A. SELVAGGIO</u> Printed Name
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<u>MILE 275 RICHARDSON HWY, DELTA JCT</u> Residence Address (or equivalent)	 ID # or SSN
--	---



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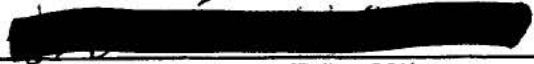
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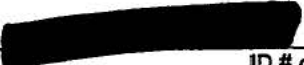
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	<u>Tracie Semichsen</u>
Signature	Printed Name
<u>1543 Remington Rd Delta NJ 09737</u>	
Residence Address (or equivalent)	ID # or SSN

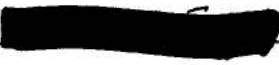
	<u>JOHN THEURINGER</u>
Signature	Printed Name
<u>116 02 130 X 5065</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Tamie L. Webb</u>
Signature	Printed Name
<u>3439 Veltch Lake</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Godfrey Knight</u>
Signature	Printed Name
<u>500 Kristin Rd</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>HELEN CROTT</u>
Signature	Printed Name
<u>1361 RICHARDSON HWY</u>	
Residence Address (or equivalent)	ID # or SSN


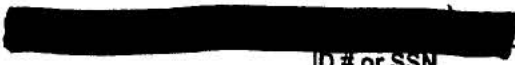
	<u>William J Smith</u>
Signature	Printed Name

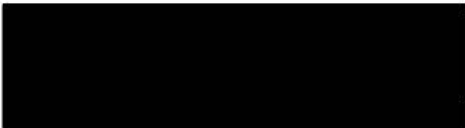
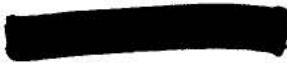
<u>2480 Sheldon St. Delta NJ 09737</u>	
Residence Address (or equivalent)	ID # or SSN


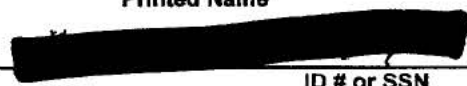
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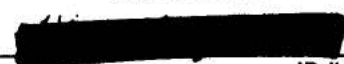
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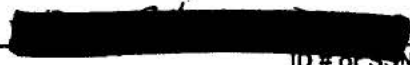
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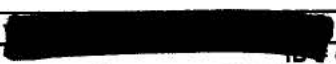
	<u>Hannelore H Dennisson</u>
Signature	Printed Name
<u>MP 271.5 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>LEIGH B. DENNISON</u>
Signature	Printed Name
<u>271.5 RICHARDSON HWY</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>DARLENE GORMAN</u>
Signature	Printed Name
<u>313 W JACKWARREN</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Thomas E. Theisen</u>
Signature	Printed Name
<u>5205 Remington Road</u>	
Residence Address (or equivalent)	ID # or SSN


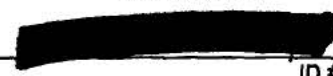
	<u>DANIEL E LUCAS</u>
Signature	Printed Name
<u>4973 Nathan Pike Ave</u>	
Residence Address (or equivalent)	ID # or SSN



	<u>Jaural Jackson</u>
Signature	Printed Name
<u>3319 Jackson Rd</u>	
Residence Address (or equivalent)	ID # or SSN


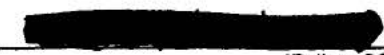
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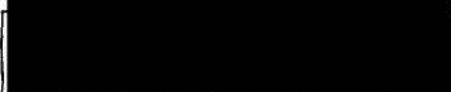
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	<u>Letha J. Burcham</u>
Signature	Printed Name
<u>Mi. 2.75 Tanana Loop Ext</u>	
Residence Address (or equivalent)	ID # or SSN

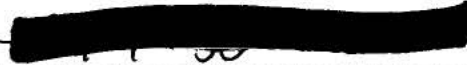
	<u>Catharine Wright</u>
Signature	Printed Name
<u>1841 Sandra</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>RON MAGEE</u>
Signature	Printed Name
<u>6788 Remington Road</u> <u>PO Box 967 D.J.</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>ANNE H. MAUER</u>
Signature	Printed Name
<u>10 Jason St. Delta Jct.</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Richard I. MAUER</u>
Signature	Printed Name
<u>10 Jason St. Delta Junction</u>	<u>Note: Mr Mauer does not know voter ID, declines use of SS #.</u>
Residence Address (or equivalent)	

	<u>Danny</u>
Signature	Printed Name
	<u>Note: I have telephonic approval to use his</u>
	Pri 

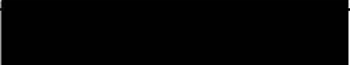
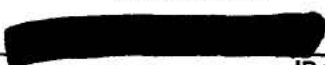
<u>Mile 1/4 Clearwater Rd</u>	
Residence Address (or equivalent)	ID # or SSN


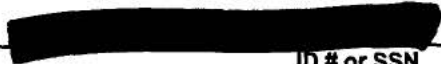




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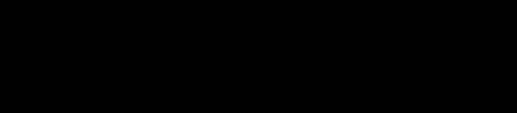
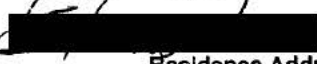

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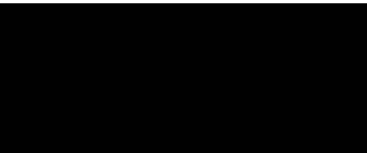
	Sheryl OSmith
Signature	Printed Name
2480 Snodden St. Dst. Jct. M	
Residence Address (or equivalent)	ID # or SSN


	Amy L Case
Signature	Printed Name
2398 Nistler Rd	
Residence Address (or equivalent)	ID # or SSN

	Richard Carpenter
Signature	Printed Name
#1 Hurstway Road	
Residence Address (or equivalent)	ID # or SSN

	Sheryl Filla
Signature	Printed Name
Forest Drive Delta	
Residence Address (or equivalent)	ID # or SSN



	NO GARDEN ST 907 1/2 ST Name
Signature	Name
	
Residence Address (or equivalent)	ID # or SSN



	Regina PCH
Signature	Printed Name


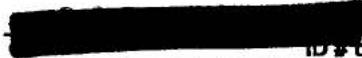
1808 HARPER AVE.	
Residence Address (or equivalent)	ID # or SSN


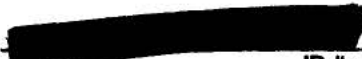
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	<u>PATRICK L. Schlichting</u> Printed Name
<u>MP 1415 AK HWY. Delta Jct. AK 99737</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Jeannie Pinkelman</u> Printed Name
<u>Mile 1418 Alaska Hwy Delta AK 99737</u> Residence Address (or equivalent)	 ID # or SSN

	<u>LOUIS STOCKWELL</u> Printed Name
<u>6.5 MI TANNAN LOOP ROAD</u> Residence Address (or equivalent)	 ID # or SSN

	<u>MARY R CORCORAN</u> Printed Name
<u>Mile 1415 Alaska Hwy. DJ AK</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Paul NISTLER</u> Printed Name
<u>1 mile Nistler Rd</u> Residence Address (or equivalent)	 ID # or SSN

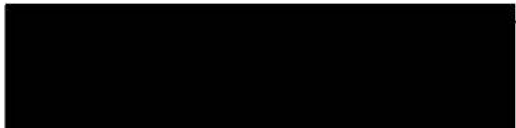
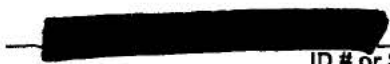
	<u>Joseph P. Nistler</u> Printed Name
<u>6369 Nistler Rd</u> Residence Address (or equivalent)	 ID # or SSN


Use additional pages as necessary.


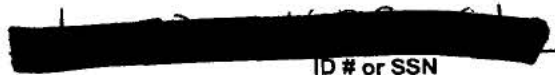
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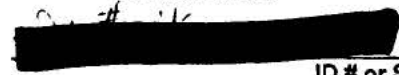
**IMPORTANT: review the first page of this exhibit for instructions and affirmations before signing.**


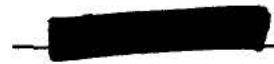
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	<u>Carlene W. Smith</u> Printed Name
<u>5727 Remington Rd Delta Jet, AK</u> Residence Address (or equivalent)	 ID # or SSN

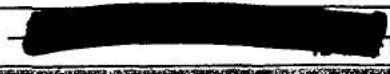
	<u>ALBERT W GALIZ</u> Printed Name
<u>MILE- 7 1/2 REMINGTON RD</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Mary Ellen Lucas</u> Printed Name
<u>4973 Northern Pike Ave.</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Janina S Todd</u> Printed Name
<u>1974 Granite View Drive</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Ronnie E Riegard</u> Printed Name
<u>Mile 1414 AK Hwy.</u> Residence Address (or equivalent)	 ID # or SSN





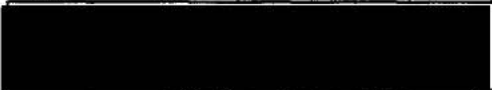




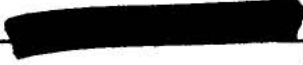

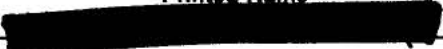
	<u>TRAVIS IASEN</u> Printed Name
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<u>2335 S. TANNING LUGN EXP</u> Residence Address (or equivalent)	 ID # or SSN
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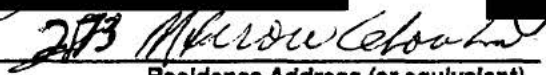
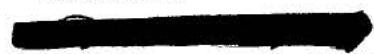
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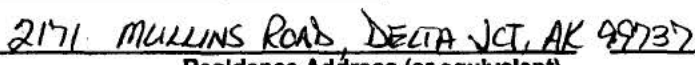
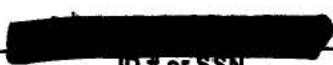
	<u>Thomas L Gilbertson</u> Printed Name
<u>One Mile Mil-Tan</u> Residence Address (or equivalent)	 ID # or SSN
	<u>Ryan J Gilbertson</u> Printed Name
<u>One Mile Mil-Tan</u> Residence Address (or equivalent)	 ID # or SSN
	<u>Ron Lester</u> Printed Name
<u>6971 Lester Ln</u> Residence Address (or equivalent)	 ID # or SSN
	<u>Greg M Gerhart</u> Printed Name
<u>Sales Rd</u> Residence Address (or equivalent)	 ID # or SSN
	<u>Eddy D. Growden</u> Printed Name
<u>1420 1/2 Alaska Hwy</u> Residence Address (or equivalent)	 ID # or SSN
	<u>Scott R Miller</u> Printed Name
<u>HL 60 Box 4140</u> Residence Address (or equivalent)	 ID # or SSN



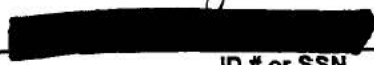
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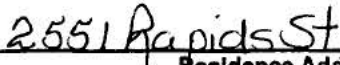
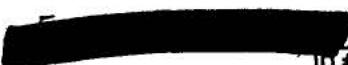
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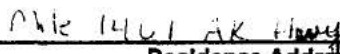

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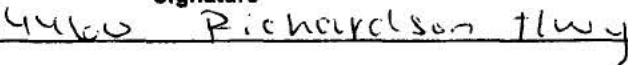
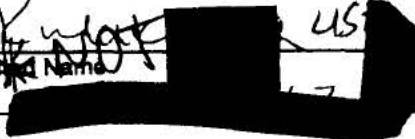
	DANIEL L. BEEL	
		Printed Name
	273 Meadowbrook	
	Residence Address (or equivalent)	ID # or SSN

	Kim M. JOHNSON	
	Printed Name	
	2171 MULLINS ROAD, DELTA JCT, AK 99737	
	Residence Address (or equivalent)	ID # or SSN

	Melanie Bynum	
	Printed Name	
	1414.5 Alaska Highway	
	Residence Address (or equivalent)	ID # or SSN

	Sandra M. Hill	
	Printed Name	
	2551 Rapids St	
	Residence Address (or equivalent)	ID # or SSN







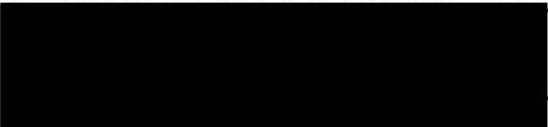
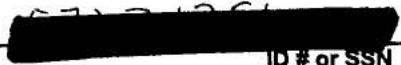
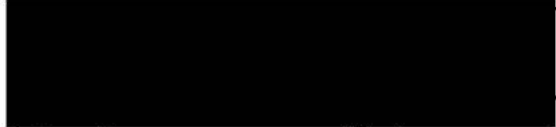



	Julie Taylor	
	Printed Name	
	Rte 1401 AK Hwy	
	Residence Address (or equivalent)	ID # or SSN

	Irena K... US	
	Printed Name	
	4460 Richardson Hwy	
	Residence Address (or equivalent)	ID # or SSN

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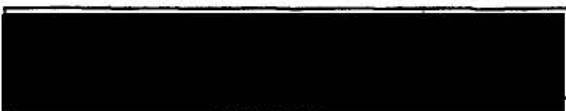

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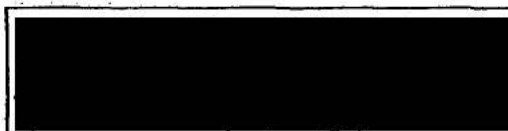

	<u>Margaret R. Gest</u> Printed Name
<u>2913 Foles Rd, Delta Id AK 99737</u> Residence Address (or equivalent)	 ID # or SSN
	<u>Mary Ann Cemer</u> Printed Name
<u>Delta Id, AK 99739</u> <u>3358 Jack Warren Rd</u> Residence Address (or equivalent)	 ID # or SSN
	<u>Mary T. Detzel</u> Printed Name
<u>5210 Tanana Loop Road</u> Residence Address (or equivalent)	 ID # or SSN
	<u>MELINDA D Eggleston</u> Printed Name
<u>5121 Saurhada Rd Delta</u> Residence Address (or equivalent)	 ID # or SSN
	<u>Anne E. Toth</u> Printed Name
<u>1/4 Remington Rd.</u> Residence Address (or equivalent)	 ID # or SSN
	<u>Janell Y Gilbertson</u> Printed Name
<u>One Mile Mil-Tan Rd.</u> Residence Address (or equivalent)	 ID # or SSN

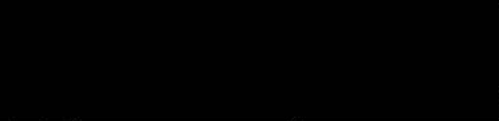

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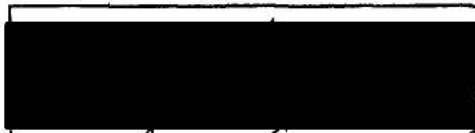
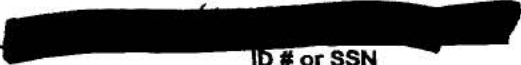
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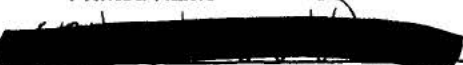
	FRED E. WOOD
Signature	Printed Name
AK. 99737	
5617 BIRCH LANE DELTA JCT.	ID # or SSN
Residence Address (or equivalent)	

	Tana Wood
Signature	Printed Name
5617 Birch Lane, Delta Jct	
Residence Address (or equivalent)	ID # or SSN

	Judith A. Sewell
Signature	Printed Name
1/4 mile to Lakes Rd.	
Residence Address (or equivalent)	ID # or SSN

	Tanet L Boyer
Signature	Printed Name
Gold Rush Trail	
Residence Address (or equivalent)	ID # or SSN

	LORETTA SCHOOLEY
Signature	Printed Name
5039 ARCTIC GRAYLING AVE	
Residence Address (or equivalent)	ID # or SSN




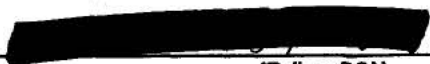





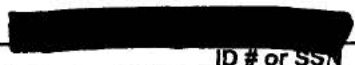

	Victoria Faber
Signature	Printed Name
Box 207 Delta's Mill	
Residence Address (or equivalent)	ID # or SSN

Use additional pages as necessary.

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	<u>FRANCES O'LEARY</u> Printed Name
<u>272 Richardson</u> Residence Address (or equivalent)	 ID # or SSN
	<u>EMMA TREWIE MEAD</u> Printed Name
<u>Hartsen Hollow Rd - Big Delta</u> Residence Address (or equivalent)	 ID # or SSN
	<u>MICHAEL E. MURPHY</u> Printed Name
<u>2490 Hayes St Delta Jct</u> Residence Address (or equivalent)	 ID # or SSN
	<u>FRAN Colombo</u> Printed Name
<u>1875 - Ness Ave. Delta Jct</u> Residence Address (or equivalent)	 ID # or SSN
	<u>TREVETT ALBERT</u> Printed Name
<u>3 Mile Clearwater Rd Delta Jct</u> Residence Address (or equivalent)	 ID # or SSN
	<u>PAUL T. ALBERT</u> Printed Name



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[Redacted]	Mary A. Leith-Dowling Printed Name
2465 Mill-Tan Rd., Delta Jct., AK 99737 Residence Address (or equivalent)	[Redacted] ID # or SSN

[Redacted] (P.O. Box 1212) Signature	Maxine V. Ilgenfritz Printed Name
6260 Remington Rd / Delta Junction, AK Residence Address (or equivalent)	99737 [Redacted] ID # or SSN

[Redacted] Signature	Don C. ILGENFRITZ Printed Name
P.O. Box 1212 6260 Remington Rd / Delta Jct., AK Residence Address (or equivalent)	[Redacted] ID # or SSN

[Redacted]	Emily V. Keaster Printed Name
Keaster Rd HC60 Box 3360 Delta, Alaska 99707 Residence Address (or equivalent)	[Redacted] ID # or SSN

[Redacted]	SHIRLEY GILBERT Printed Name
4443 Innana Loop Est. Residence Address (or equivalent)	[Redacted] ID # or SSN

[Redacted]	Joyce A. McCombs Printed Name
HC 60 Box 3760 Delta, AK 99737 Residence Address (or equivalent)	[Redacted] ID # or SSN

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[REDACTED] SIGNED, hereby petition for the incorporation of the borough described in the complete [REDACTED] we swear or affirm as set out in page one of this exhibit.

[REDACTED] Signature Ivan Hebert Printed Name  
2 mile Clearwater Residence Address (or equivalent) ID # or SSN [REDACTED]

[REDACTED] Signature Catherine A. McCallum Printed Name  
1418 Alaska Drive N.S. Residence Address (or equivalent) ID # or SSN [REDACTED]

[REDACTED] Signature Davis Lovett Printed Name  
PO BOX 411, 2544 MOOSE RUN LN Residence Address (or equivalent) ID # or SSN [REDACTED]

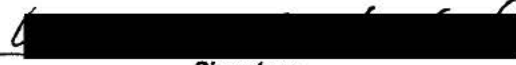
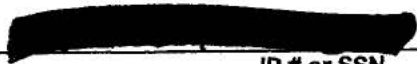
[REDACTED] Signature Karla M Giese Printed Name  
1261 James Rd Residence Address (or equivalent) ID # or SSN [REDACTED]


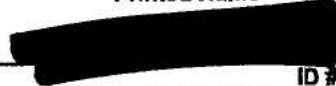
[REDACTED] Signature Sharon L. Waldo Printed Name  
6220 Nistler Road Residence Address (or equivalent) ID # or SSN [REDACTED]


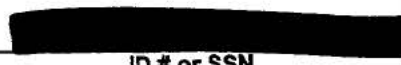
[REDACTED] Signature Jackie W Becker Printed Name



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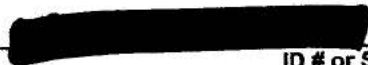
WE, THE UNDERSIGNED, hereby petition for the incorporation of the borough described in the complete petition. Further, we swear or affirm as set out in page one of this exhibit.



	Lewis E Heinbockel
Signature	Printed Name
1805 Harper Av <sup>AK</sup> Prudhoe Bay	
Residence Address (or equivalent)	ID # or SSN

	JAMES Schooley
Signature	Printed Name
5039 Arctic Creekling	
Residence Address (or equivalent)	ID # or SSN

	Toni Lee
Signature	Printed Name
<del>HC-60</del> 967 Clearwater Rd. - Delta, AK	
Residence Address (or equivalent)	ID # or SSN

	DAVID S. ZIMMERMAN
Signature	Printed Name
Mile 1413.5 Alaska Highway	
Residence Address (or equivalent)	ID # or SSN

	Peter S HALLORAN
Signature	Printed Name
1699 Harper St. D.I.	
Residence Address (or equivalent)	ID # or SSN


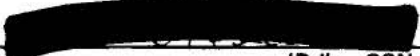
	Patricia E. White
Signature	Printed Name
MP 275 Richardson	
Residence Address (or equivalent)	ID # or SSN



Use additional pages as necessary.



3. We have reviewed the complete petition for incorporation, including all exhibits and we understand its terms.

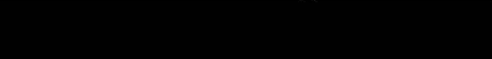

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	<u>Paisy C. Ewing</u>
Signature	Printed Name
<u>5846 Remington Road</u>	
Residence Address (or equivalent)	ID # or SSN


	<u>Cleeta P. Berger</u>
Signature	Printed Name
<u>1839 Hayes Circle, W.J.</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>DORIS J. FALES</u>
Signature	Printed Name
<u>2856 SPENGLER ROAD</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Mary Thea Tiki Levinson</u>
Signature	Printed Name
<u>1547 Glacier View Dr. D.J.</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>NOT LISTED</u>
Signature	Name
<u>1616 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>NANCY M. McNEIL</u>
Signature	Printed Name



<u>P.O. Box 4840 D.J.</u>	
Residence Address (or equivalent)	ID # or SSN


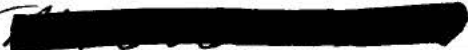
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	<u>Patticia Griswold</u>
Signature	Printed Name
<u>Mi. 270 Richardson Hwy, Delta Junction, AK</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Moshe Griswold</u>
Signature	Printed Name
<u>MI-270 Richardson Hwy, Delta Jct. AK DL</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Arthur E Griswold</u>
Signature	Printed Name
<u>Mi. 270 Richardson Hwy HC60 Box 4493 Delta Jct AK</u>	
Residence Address (or equivalent)	ID # or SSN




	<u>Nathaniel Griswold</u>
Signature	Printed Name
<u>MI 270 Richardson Hwy Delta Junction AK</u>	
Residence Address (or equivalent)	ID # or SSN



	<u>Gloria J. Hendricks</u>
Signature	Printed Name
<u>HC 60 MILE 269 Rich. Hwy Box 4440</u>	
Residence Address (or equivalent)	ID # or SSN


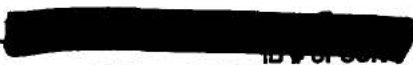
Signature	Printed Name

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Signature	Printed Name
HC 60 Box 4510 1714 King Lane Delta, NJ 08821	
Residence Address (or equivalent)	ID # or SSN

	Claudia Vecchiarelli
Signature	Printed Name
HC 60 Box 4300 Delta, NJ 08821	
Residence Address (or equivalent)	ID # or SSN

	James O. Dove
Signature	Printed Name
2519 Rapids St. Delta, NJ	
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN



Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Use additional pages as necessary.

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	<i>Theodore Peter Halbgren</i>
Signature	Printed Name
1699 Harper, Delta Jct, AK 99737	
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN


Signature	Printed Name


Residence Address (or equivalent)	ID # or SSN


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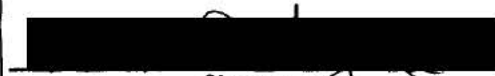
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 \_\_\_\_\_  
Signature  
Amy J. Hudgin  
Printed Name  
5271 Spengler Rd.  
Residence Address (or equivalent) \_\_\_\_\_  
ID # or SSN

 \_\_\_\_\_  
Signature  
KYLIE MILLER  
Printed Name  
Milepost 275 Richardson Hwy  
Residence Address (or equivalent) \_\_\_\_\_  
ID # or SSN

 \_\_\_\_\_  
Signature  
NATHAN MILLER  
Printed Name  
M 275 RICH HWY  
Residence Address (or equivalent) \_\_\_\_\_  
ID # or SSN

 \_\_\_\_\_  
Signature  
Diane Debigare  
Printed Name  
Mile post 275 Richardson Hwy  
Residence Address (or equivalent) \_\_\_\_\_  
ID # or SSN

 \_\_\_\_\_  
Signature  
Anne K. Hayes  
Printed Name  
Mile 275 Richardson HWY  
Residence Address (or equivalent) \_\_\_\_\_  
ID # or SSN

 \_\_\_\_\_  
Signature  
Vanessa Erb  
Printed Name



Mile 275 Richardson Hwy.  
Residence Address (or equivalent) \_\_\_\_\_  
ID # or SSN


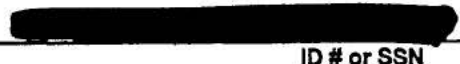



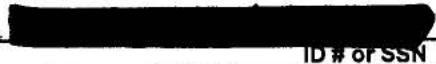
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	<u>LAURENCE A. SEEGER</u>
Signature	Printed Name
<u>MILE 275 RICH HWY DELTA JCT AK</u>	
Residence Address (or equivalent)	ID # or SSN

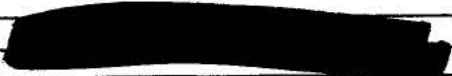
	<u>MATTHEW J. WENGER</u>
Signature	Printed Name
<u>MILE 275 RICH HWY DELTA JCT AK</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Audrey E. Dias</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy Delta Jct AK</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>John S. Herz</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy Delta AK</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Amanda E. Winston</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy Delta Jct</u>	
Residence Address (or equivalent)	ID # or SSN


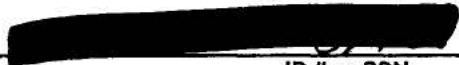
	<u>STEVEN A. SELVAGGIO</u>
Signature	Printed Name



<u>MI 275 RICH HWY DELTA JCT AK</u>	
Residence Address (or equivalent)	ID # or SSN



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	<u>ALICIA N GREENLEAF</u>
Signature	Printed Name
<u>Mi Post 275 Richardson Hwy Delta</u>	
Residence Address (or equivalent)	ID # or SSN


	<u>Shanae K Winston</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>David M. Selvaggio</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Janelle Hudgin</u>
Signature	Printed Name
<u>Mi 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Daniel Winston</u>
Signature	Printed Name
<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN



	<u>Amy Wheeler</u>
Signature	Printed Name

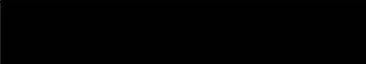

<u>Mile 275 Richardson Hwy</u>	
Residence Address (or equivalent)	ID # or SSN


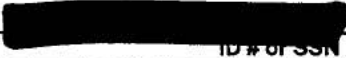
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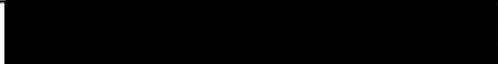
	<u>Laura F Bailey</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	


	<u>Diane Folaron</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	

	<u>Bethany E. Crier</u> Printed Name
<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	

	<u>MICHAEL D. FREDERICK</u> Printed Name
<u>Mile 275 RICHARDSON Hwy</u> Residence Address (or equivalent)	

	<u>Abigail E. Keller</u> Printed Name
<u>Mile 275 Richardson HWY</u> Residence Address (or equivalent)	


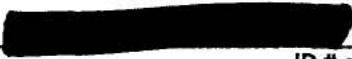
	<u>Josephine R. Selvaggio</u> Printed Name
---	---



<u>Mile 275 Richardson Hwy</u> Residence Address (or equivalent)	
---	--


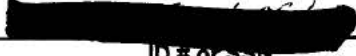
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	<u>Nathaniel DiGloria</u>
Signature	Printed Name
<u>P.O. Box 1229 Delta Jet, AK 99737</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Christopher O Greenleaf</u>
Signature	Printed Name
<u>P.O. Box 1229 Delta Jet, AK 99737</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>John R Greenleaf</u>
Signature	Printed Name
<u>P.O. Box 1229 Delta Jet AK 99737</u>	
Residence Address (or equivalent)	ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN



_____ Signature	_____ Printed Name
--------------------	-----------------------



_____ Residence Address (or equivalent)	_____ ID # or SSN
--	----------------------

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	<u>GUNNAR HALLGREN</u>
Signature	Printed Name
<u>1699 Harper Ave.</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>FRANCES E HALLGREN</u>
Signature	Printed Name
<u>1699 HARPER AVE. D5 AK</u>	
Residence Address (or equivalent)	ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN


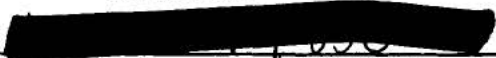
_____ Signature	_____ Printed Name
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_____ Residence Address (or equivalent)	_____ ID # or SSN
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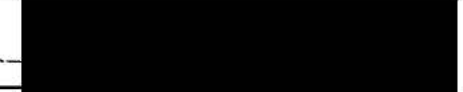
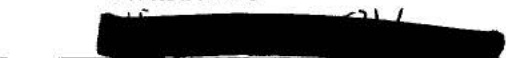
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	Stephen R McCombs
Signature	Printed Name
1924 Southada Rd.	
Residence Address (or equivalent)	ID # or SSN

	Cheryl A. Cooper
Signature	Printed Name
1954 Davenport Rd	
Residence Address (or equivalent)	ID # or SSN

	Whitney Tillard
Signature	Printed Name
2583 Venus R Delta	
Residence Address (or equivalent)	ID # or SSN

	Janet Reiter
Signature	Printed Name
3567 Nistler Rd	
Residence Address (or equivalent)	ID # or SSN

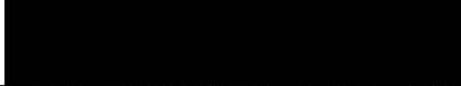

	Frank V. Whiteside
Signature	Printed Name
2543 CHEVA ST	
Residence Address (or equivalent)	ID # or SSN


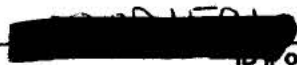
Signature	Printed Name
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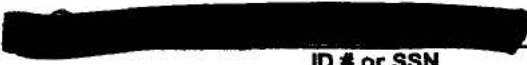
Residence Address (or equivalent)	ID # or SSN
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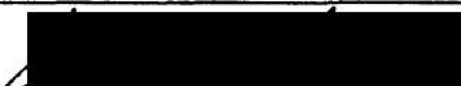
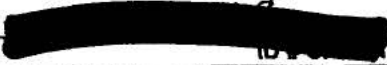
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	<i>William D Ward</i>
Signature	Printed Name
<i>Mile 5, Sawmill Cr. Rd.</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>BRENDA J. BUENE</i>
Signature	Printed Name
<i>1418.4 Alaska Hwy Delta Jet AK</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>HARVEY J BURKE</i>
Signature	Printed Name
<i>1418.4 AK Hwy Delta Jet AK</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>Marcia E. Ward</i>
Signature	Printed Name
<i>Mile 5 Sawmill Cr Rd</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>ANDREW T. GARDNER</i>
Signature	Printed Name
<i>MILE 14 2012 AK HWAY</i>	
Residence Address (or equivalent)	ID # or SSN



Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN



Use additional pages as necessary.



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	Eula J. Nistler
Signature	Printed Name
6072 Nistler Rd, Delta Jct, AK.	
Residence Address (or equivalent)	ID # or SSN

	ROBERT E. WEBB
Signature	Printed Name
H.C. 2, Box 5360	
Residence Address (or equivalent)	ID # or SSN

	Paul Miller
Signature	Printed Name
274.9 Robinson	
Residence Address (or equivalent)	ID # or SSN

	Cindy Blake
Signature	Printed Name
5779 Tanana Loop Rd	
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN



Signature	Printed Name
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Residence Address (or equivalent)	ID # or SSN
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	<i>Judy Jean Dewar</i>
Signature	Printed Name
<i>2404 Highway St. Delta, Pa</i>	
Residence Address (or equivalent)	SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN


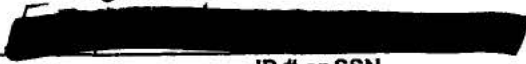
Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN



Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Use additional pages as necessary.

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	Sheryl L. Mills
Signature	Printed Name
4972 Tamarac Way	
Residence Address (or equivalent)	ID # or SSN

	DEREK W MILLS SR
Signature	Printed Name
4972 Tamarac Way	
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN



Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

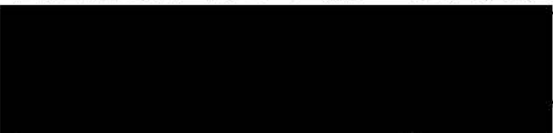
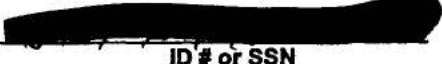
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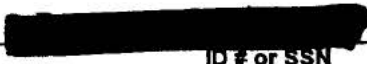
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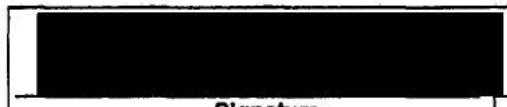

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	<u>Louis E. Heinbckel</u> Printed Name
<u>1805 Harper Av. Delta Jct. AK.</u> Residence Address (or equivalent)	 ID # or SSN

	<u>GLEN E. WRIGHT</u> Printed Name
<u>1841 SANDRA ST. DELTA JCT, AK.</u> Residence Address (or equivalent)	 ID # or SSN

	<u>James C. Harris</u> Printed Name
<u>Corner Deborah &amp; Clearwater</u> Residence Address (or equivalent)	 ID # or SSN

	<u>Sherry Heinbckel</u> Printed Name
<u>1805 Harper Ave Delta Jct AK</u> Residence Address (or equivalent)	 ID # or SSN



	<u>Gloria Schoening</u> Printed Name
<u>Mile 1410 Alaska Hwy</u> Residence Address (or equivalent)	 ID # or SSN



	<u>FOUR NEE</u> Printed Name
---	---------------------------------

3. We have reviewed the complete petition for incorporation, including all exhibits and we understand its terms.

**IMPORTANT: review the first page of this exhibit for instructions and affirmations before signing.**

WE, THE UNDERSIGNED, hereby petition for the incorporation of the borough described in the complete petition. Further, we swear or affirm as set out in page one of this exhibit.

	LARRY L. FETT
Signature	Printed Name
MILE 1417.3 ALASKA HIGHWAY	
Residence Address (or equivalent)	ID # or SSN

	MARIE J FETT
Signature	Printed Name
MILE 1417- AK HIGHWAY	
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN


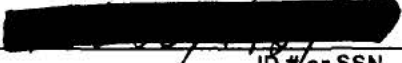
Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
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Residence Address (or equivalent)	ID # or SSN
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**IMPORTANT: review the first page of this exhibit for instructions and affirmations before signing.**

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	<i>Rex Whigley</i>
Signature	Printed Name
<i>HC67 Box 5790 Delta NJ</i>	
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN


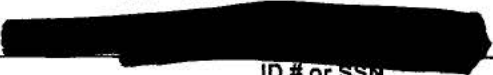
Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN



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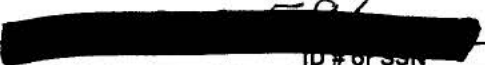
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	<i>Doreen Ueck</i>
Signature	Printed Name
<i>2282 M. 1-ton Rd Edin</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>Maribeth Miller</i>
Signature	Printed Name
<i>2072 Tanana Loop Extension</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>Emily Walton</i>
Signature	Printed Name
<i>mile 273.5</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>ED LARSON</i>
Signature	Printed Name
<i>3054 - CLEARWATER LK</i>	
Residence Address (or equivalent)	ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN


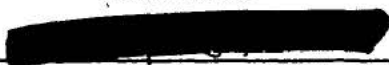
_____ Signature	_____ Printed Name
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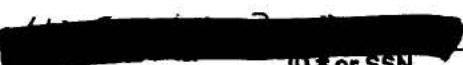
_____ Residence Address (or equivalent)	_____ ID # or SSN
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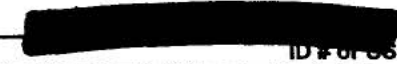
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WE, THE UNDERSIGNED, hereby petition for the incorporation of the borough described in the complete petition. Further, we swear or affirm as set out in page one of this exhibit.

	<u>Bette E. Nistler</u>
<u>HC 60 Box 3330</u> <u>6369 Nistler Rd</u>	
Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

	<u>DEAN A WALDO</u>
<u>Nistler Rd.</u>	
Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

	<u>JESSE SACHSCHENIG</u>
<u>HC 60 Box 2050 mi 1415 AK HWY</u>	
Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN


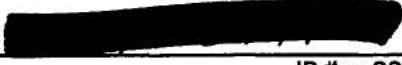
_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN



_____ Signature	_____ Printed Name
--------------------	-----------------------

3. We have reviewed the complete petition for incorporation, including all exhibits and we understand its terms.

**IMPORTANT: Review the first page of this exhibit for instructions and affirmations before signing.**

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	<i>Mark Selvaggio</i>
Signature	Printed Name
<i>275 Rich Hwy</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>Amy M Miller</i>
Signature	Printed Name
<i>Mail 275 Rich Hwy Delta Jct x1k</i>	
Residence Address (or equivalent)	ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

_____ Signature	_____ Printed Name
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_____ Residence Address (or equivalent)	_____ ID # or SSN
--	----------------------



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WE, THE UNDERSIGNED, hereby petition for the incorporation of the borough described in the complete petition. Further, we swear or affirm as set out in page one of this exhibit.

	DAVID M Burchaw
Signature	Printed Name
3846 Tanana Loop Extension	
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN



Signature	Printed Name


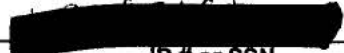
Residence Address (or equivalent)	ID # or SSN



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WE, THE UNDERSIGNED, hereby petition for the incorporation of the borough described in the complete petition. Further, we swear or affirm as set out in page one of this exhibit.

	<i>Randal Smith</i>
Signature	Printed Name
<i>P.O. Box 934 Mile 1408 Delta, IA AK 99737</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>Laura Alcin</i>
Signature	Printed Name
<i>POB 1030 Delta 3409 Jack Warren</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>Selma Alcin Jr</i>
Signature	Printed Name
<i>POB 1030 Delta Jan, 3409 Jack Warren 99737</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>Rose Edgren</i>
Signature	Printed Name
<i>1710 Forest Drive PO Box 1286 Delta IA AL 99737 ADL</i>	
Residence Address (or equivalent)	ID # or SSN



	<i>Leah Sorenson</i>
Signature	Printed Name
<i>PO Box 62 One mile Tanana Loop Delta 99737</i>	
Residence Address (or equivalent)	ID # or SSN



_____ Signature	_____ Printed Name
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_____ Residence Address (or equivalent)	_____ ID # or SSN
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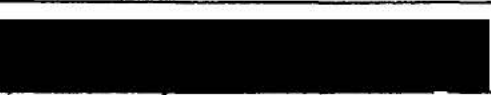

WE, THE UNDERSIGNED, hereby petition for the incorporation of the borough described in the complete petition. Further, we swear or affirm as set out in page one of this exhibit.

	Ed Richards
Signature	Printed Name
3584 Sunset Dr.	
Residence Address (or equivalent)	ID # or SSN

	Ann Richards
Signature	Printed Name
3584 Sunset Dr.	
Residence Address (or equivalent)	ID # or SSN

	Dwight D Nissen
Signature	Printed Name
158 Ice Hole Drive	
Residence Address (or equivalent)	ID # or SSN

	Robert P. Geese
Signature	Printed Name
4194 Nistler Rd. Delta	
Residence Address (or equivalent)	ID # or SSN

	Sanize Nissen
Signature	Printed Name
158 Ice hole Dr	
Residence Address (or equivalent)	ID # or SSN



Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

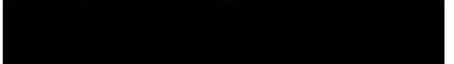
Use additional pages as necessary.


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WE, THE UNDERSIGNED, hereby petition for the incorporation of the borough described in the complete petition. Further, we swear or affirm as set out in page one of this exhibit.

	<u>Michael A. Schultz</u>
Signature	Printed Name
<u>Mile 1403 Alaska Hwy Delta Jet, AK</u>	
Residence Address (or equivalent) 99737	ID # or SSN

	<u>Andrew Schultz</u>
Signature	Printed Name
<u>Mile 1403 Alaska Hwy Delta Jet AK</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Michael Adam Schille</u>
Signature	Printed Name
<u>Mile 1 Rapesad Way Delta Jet AK</u>	
Residence Address (or equivalent)	ID # or SSN



	<u>Scott W. Schultz</u>
Signature	Printed Name
<u>11889 Rapesadway</u>	
Residence Address (or equivalent)	ID # or SSN


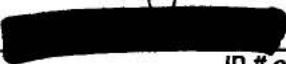
	<u>Diane Schultz</u>
Signature	Printed Name
<u>Mile 1403.5 Ak. Hwy. Delta Jet.</u>	
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name

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	<i>Nick HERMAN</i>
Signature	Printed Name
<i>P.O. Box 377 Delta NJ</i>	
Residence Address (or equivalent)	ID # or SSN

	<i>Bryce Wrigley</i>
Signature	Printed Name
<i>2821 Harris Rd. Delta NJ</i>	
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN


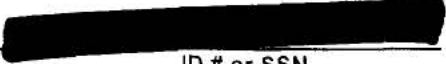
Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN



Signature	Printed Name
Residence Address (or equivalent)	ID # or SSN

Use additional pages as necessary.

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	<u>Mary Hunt</u>
Signature	Printed Name
<u>1414 S AK Hwy Delta AK</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>Nancy King</u>
Signature	Printed Name
<u>HC 62 Bx 5940 Delta AK</u>	
Residence Address (or equivalent)	ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN


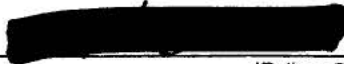
_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN



_____ Signature	_____ Printed Name
_____ Residence Address (or equivalent)	_____ ID # or SSN

Use additional pages as necessary.

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WE, THE UNDERSIGNED, hereby petition for the incorporation of the borough described in the complete petition. Further, we swear or affirm as set out in page one of this exhibit.

	<u>Dennis Green</u>
Signature	Printed Name
<u>HC 60, Box 3490, Delta, AK 99737</u>	
Residence Address (or equivalent)	ID # or SSN

	<u>WILLIAM L. LAPPART</u>
Signature	Printed Name
<u>Box 45 DELTA Jct. AK 99737-0045</u>	
Residence Address (or equivalent)	ID # or SSN

_____	_____
Signature	Printed Name
_____	_____
Residence Address (or equivalent)	ID # or SSN

_____	_____
Signature	Printed Name
_____	_____
Residence Address (or equivalent)	ID # or SSN

_____	_____
Signature	Printed Name
_____	_____
Residence Address (or equivalent)	ID # or SSN

_____	_____
Signature	Printed Name
_____	_____
Residence Address (or equivalent)	ID # or SSN

Use additional pages as necessary.

Residence Address (or equivalent)	ID # or SSN
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_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>

_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>

_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>

_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>

_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>

_____	_____
<b>Signature</b>	<b>Printed Name</b>
_____	_____
<b>Residence Address (or equivalent)</b>	<b>ID # or SSN</b>

Use additional pages as necessary.

## **EXHIBIT B-1**

### **WRITTEN METES AND BOUNDS LEGAL DESCRIPTION OF THE BOUNDARIES OF THE AREA PROPOSED FOR BOROUGH INCORPORATION**

**The legal boundaries are as follows:**

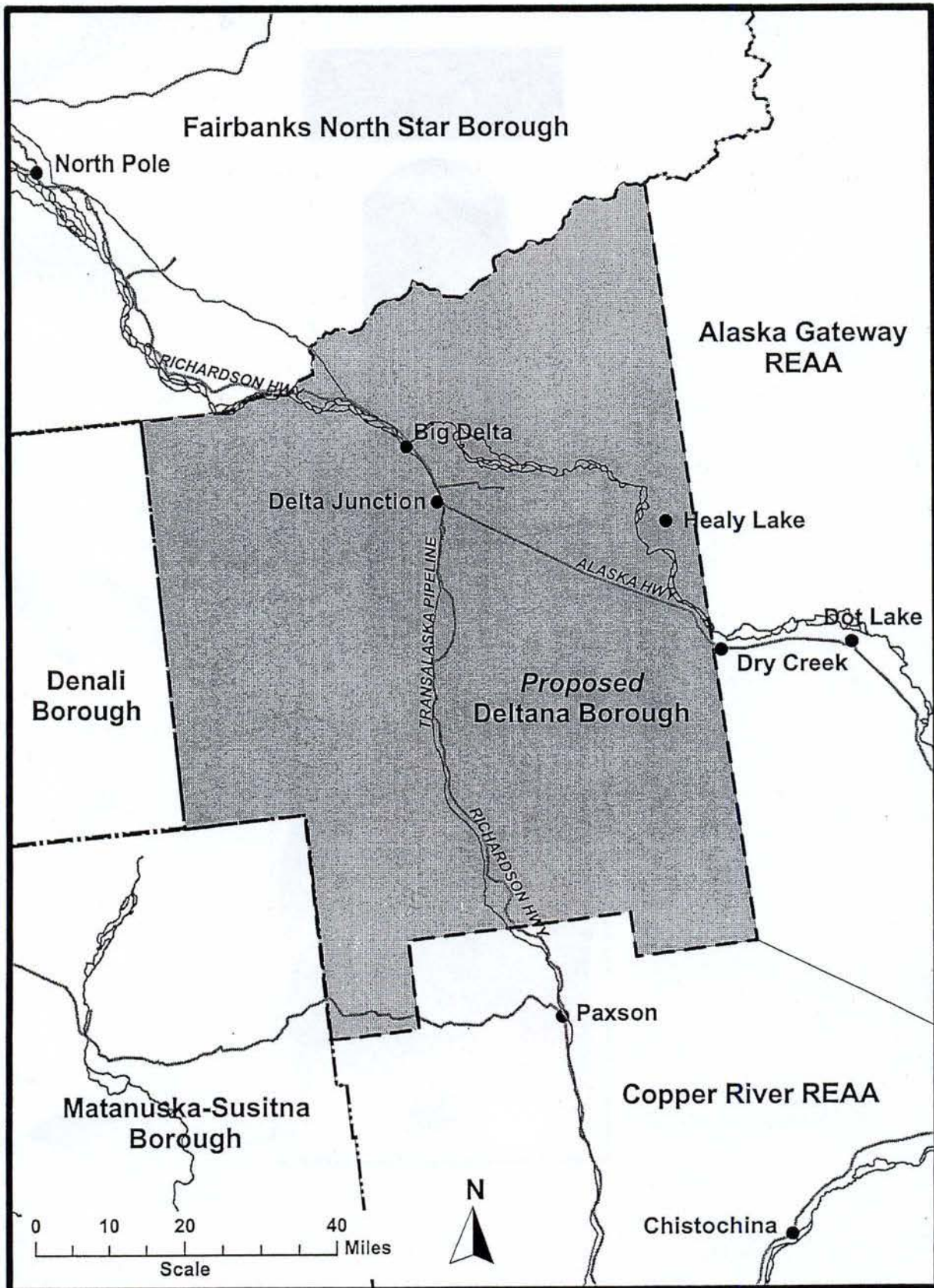
**Beginning at the intersection of the centerline of the Alaska Highway with the right bank of the Johnson River; thence north to the intersection with the eastern boundary of the Fairbanks North Star Borough; thence southerly, and westerly along the eastern and southern boundary of the Fairbanks North Star Borough to the intersection with the 147° west longitude (the eastern boundary of the Denali Borough); thence south along 147° west longitude (the eastern boundary of the Denali Borough) to the intersection with the northern boundary of the Matanuska-Susitna Borough; thence easterly and southerly along the Matanuska-Susitna Borough boundary to the intersection with the adjoining boundaries of the Doyon Limited Corporation and the Ahtna Corporation; thence easterly along the southeastern boundary of the Doyon Limited Corporation to the southern face of Mount Kimball (a point due south of the intersection of the centerline of the Alaska Highway with the right bank of the Johnson River); thence north to the point of beginning, containing an estimated 5,892 square miles, more or less.**

## **EXHIBIT B-2**

### **MAP OF THE AREA PROPOSED FOR BOROUGH INCORPORATION**

**See attached map.**

# Boundaries of Proposed Deltana Borough



## EXHIBIT B-3

### WRITTEN METES AND BOUNDS LEGAL DESCRIPTION OF THE BOUNDARIES OF EACH EXISTING MUNICIPAL GOVERNMENT LOCATED WHOLLY OR PARTIALLY WITHIN THE AREA PROPOSED FOR BOROUGH INCORPORATION

The written metes and bounds legal description for the City of Delta Junction is as follows.

The point of beginning will be the North East Corner of Section 6, T 10 S, Range 11 E, proceeding West Two (2) miles to the corner of Sections 35 and 36 of T 9 S, R 10 E, and Sections 1 & 2 of T 10 S, R 10 E, thence, one (1) mile north to the North East corner of Section 35, T 9 S, R 10 E, thence, West approximately two (2) miles to the Delta River, thence in a Southerly direction along the East, or right, bank of the Delta River to the North West corner of PLO 255, thence, in an Easterly direction approximately two and three-quarters (2-3/4) miles to the North East corner of PLO 255, thence, East an additional one-quarter (1/4) mile to Section Line dividing Section 29 and 30, T 10 S, R 11 E, thence North approximately four and one-eighth (4-1/8) miles to the point of beginning.

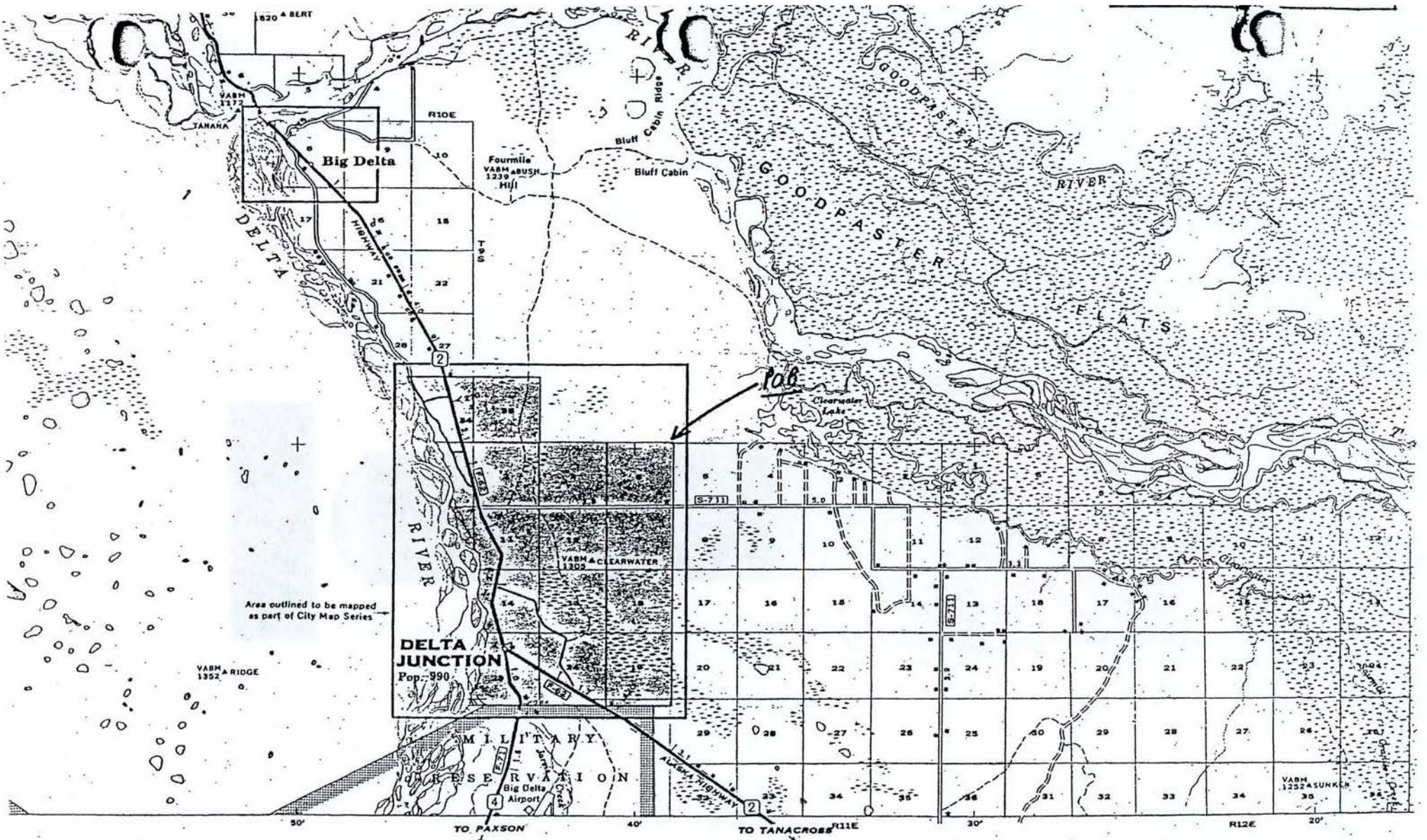
The area contains approximately thirteen and one-half (13 ½) sections and thirteen and one-half (13 ½) square miles.

EXHIBIT B-4

Formatted

MAP SHOWING THE BOUNDARIES OF EACH EXISTING MUNICIPAL  
GOVERNMENT LOCATED WHOLLY OR PARTIALLY WITHIN THE AREA  
PROPOSED FOR BOROUGH INCORPORATION.

**See Attached map of the City of Delta Junction.**



MT HAYES SHEET 2

QUADRANGLE LOCATION



See General Highway Map Index  
For Legend Information.

INDEX TO MAP SHEETS

LIVENOOD	CIRCLE	CHARLEY RIVER

Highway data and adjacent culture compiled from road inventory reports dated 1968 and aerial

## EXHIBIT C

### INFORMATION RELATING TO PUBLIC NOTICE AND SERVICE OF THE PETITION

This exhibit provides information relevant to the provision of public notice of the incorporation proceedings. It includes information about media serving the area proposed for incorporation, municipal governments within and adjacent to the area proposed for incorporation, places for posting public notices relating to the proposed incorporation, locations where petition documents will be made available for review by the public, and individuals and organizations that the petitioner believes warrant, as a courtesy, notice of the incorporation proceedings.

#### MEDIA

The following is the name, mailing address, telephone, facsimile number, and electronic-mail address of the newspaper(s) serving the are proposed for incorporation:

Newspapers:

Delta Wind P. O. Box 986 Delta Junction, AK 99737	895-5115 email: <a href="mailto:deltawind@wildak.net">deltawind@wildak.net</a>	fax # 895-5116
Fairbanks Daily News-Miner 200 N. Cushman St. Fairbanks, AK 99701	456-6661 email: <a href="mailto:classifieds@newsminer.com">classifieds@newsminer.com</a>	fax # 452-5054 (classifieds)

The following is the name, mailing address, telephone, facsimile number, and electronic-mail address of the radio station(s) serving the are proposed for incorporation:

Radio Stations: Delta School P. O. Box 527 Delta Junction, AK 99737	95.5 email: <a href="mailto:mpelto@dgsd.k12.ak.us">mpelto@dgsd.k12.ak.us</a>	895-5469 or 895-4460 fax # 895-5329
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KUAC/UAF Public Radio            91.7            474-7491            fax # 474-5064  
Box 755620  
Fairbanks, AK 99755            email: [tammy@kuac.org](mailto:tammy@kuac.org)

Armed Forces Network            93.5  
(Contact Mgt. Rich Garrett 873-6100)

**LOCATIONS WHERE THE PETITION DOCUMENTS WILL BE MADE AVAILABLE FOR PUBLIC REVIEW**

The petitioner must make a full set of petition documents, including public notices, responsive briefs, the reply brief, and department reports, available for review by the public at one or more central and convenient locations. The petition documents must be available for review from the date of the first publication of notice of the filing of the petition through the last date on which the petition may be subject to action by the Local Boundary Commission. The petition documents must be available for review during normal working hours, and the petitioner must accommodate specific requests for public review of the petition documents at reasonable times in the evening and on weekend days.

Listed below are the locations where the petition documents will be available for review, the name of a person at each location to contact regarding the documents, the mailing address, telephone number, facsimile number, electronic-mail address, and the days and hours when the location is normally open to the public:

Location: Delta Junction City Hall, at the corner of Deborah Street and the Richardson Highway.

Contact person: Pat White, City Clerk, City of Delta Junction

Mailing address: PO Box 229, Delta Junction Alaska 99737

Telephone number: 907 895 4656

Facsimile number: 907 895 4375

Electronic-mail address: [city@ci.delta-junction.ak.us](mailto:city@ci.delta-junction.ak.us)

Days and hours of operation: 8 a.m. - 5 p.m., Monday-Friday

Location: City Library, at the corner of Deborah Street and the Richardson Highway.

Contact person: Joyce McCombs

Mailing address: PO Box 229, Delta Junction Alaska 99737

Telephone number: 907 895 4656

Facsimile number: 907 895 4375

E-mail address: deltalibrary@wildak.net

Days and hours of operation: 8 a.m. - 5 p.m., Monday-Friday

### **PLACES RECOMMENDED FOR POSTING OF NOTICES RELATING TO THIS PROPOSAL**

The following three or more prominent locations readily accessible to the public and in or near the area proposed for incorporation are recommended for posting of notices concerning this incorporation proposal.

1. IGA Store-Main Store in Delta Junction
2. US Post Office
3. Delta Building Supply

### **MUNICIPALITIES ADJACENT TO THE PROPOSED BOROUGH**

The following is a list of cities and organized boroughs whose boundaries extend within 20 miles of the proposed boundaries of the area petitioned for incorporation.

- City of Delta Junction
- Denali Borough
- Matanuska-Susitna Borough
- Fairbanks North Star Borough

**INDIVIDUALS AND ENTITIES THAT MAY HAVE A PARTICULAR INTEREST IN THIS INCORPORATION PROPOSAL.**

The following is a list of names and addresses of parties whose potential interest is the incorporation proceedings may, as a courtesy, warrant specific notice of the filing of this petition:

Teck-Pogo, Inc. 455-8325 fax # 455-8326  
3520 International St.  
Fairbanks, AK 99737 email: [khanneman@teckalaska.com](mailto:khanneman@teckalaska.com)

Lt. Col. Robert Cornelius 873-4206  
Garrison Commander  
P. O. Box 31269  
Ft. Greely, Alaska 99731 email: [robert.cornelius@us.army.mil](mailto:robert.cornelius@us.army.mil)

Steven H. Haagenson, CEO 458-5866 fax # 458-5951  
GVEA  
P. O. Box 71249  
Fairbanks, AK 99707 email: [shhaagenson@gvea.com](mailto:shhaagenson@gvea.com)

Delta/Greely School District 895-4658 fax # 895-4246  
P. O. Box 527  
Delta Junction, AK 99737 email: [dodb@dgsd.k12.ak.us](mailto:dodb@dgsd.k12.ak.us)

Alyeska Pipeline Service Co. 278-1611  
P. O. Box 196660  
Anchorage, AK 99519-6660 email: [alyeskamail@alyeskapipeline.com](mailto:alyeskamail@alyeskapipeline.com)

Healy Lake Tribal Council  
Attn: Ben Saylor First Chief  
PO Box 667  
Delta Junction, Alaska 99737 907 876-5018 or 876-5023

Tanana Chiefs Conference 907 452 8251 459-3850(fax)  
Attn: Buddy Brown, Chair  
122 First Avenue #600  
Fairbanks, Alaska 99701

## EXHIBIT D-1

### SIX-YEAR OPERATING REVENUE PROJECTION

Projected principal revenues for the proposed borough during each of the first six full fiscal years are shown below.

Revenues						
Education Revenues	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
State Aid for Schools (AS 14 17 410(b)(1))	NA	NA	\$9,611,194	\$8,789,028	\$8,423,565	\$8,263,846
Federal Impact Aid for Schools (90% portion deducted from basic need in determining State aid per AS 14 17 410(b)(1))	NA	NA	\$4,061	\$4,061	\$4,061	\$4,061
Federal Impact Aid for Schools (10% portion)	NA	NA	\$451	\$451	\$451	\$451
Quality Schools (AS 14 17 480)	NA	NA	\$31,174	\$31,174	\$31,174	\$31,174
<b>Subtotal</b>	NA	NA	<b>\$9,646,880</b>	<b>\$8,824,714</b>	<b>\$8,459,251</b>	<b>\$8,299,532</b>
Taxes/Federal & State Monies						
Fuel Tax	\$296,640	\$305,539	\$314,705	\$324,147	\$333,871	\$343,887
Power Tax	\$288,400	\$297,052	\$305,964	\$315,142	\$324,597	\$334,335
Payment in Lieu of Taxes	\$500,000	\$1,000,000	\$2,180,000	\$2,000,000	\$2,000,000	\$2,000,000
Organization Grant	\$300,000	\$200,000	\$100,000	-	-	-
Federal PILT	\$267,000	\$267,000	\$267,000	\$267,000	\$267,000	\$267,000
<b>Subtotal</b>	<b>\$1,652,040</b>	<b>\$2,069,591</b>	<b>\$3,167,669</b>	<b>\$2,906,289</b>	<b>\$2,925,468</b>	<b>\$2,945,222</b>
Other Revenue Sources						
Fire Service & Subscriptions	\$15,450	\$15,914	\$16,391	\$16,883	\$17,389	\$17,911
Ambulance Services	\$41,200	\$42,436	\$43,709	\$45,020	\$46,371	\$47,762
Community Services	\$5,150	\$5,305	\$5,464	\$5,628	\$5,796	\$5,970
Conference Room	\$515	\$530	\$546	\$563	\$580	\$597
Library Revenue	\$6,489	\$6,684	\$6,884	\$7,091	\$7,303	\$7,523
Cemetery Revenue	\$2,060	\$2,122	\$2,185	\$2,251	\$2,319	\$2,388
Copies	\$309	\$318	\$328	\$338	\$348	\$358
Faxes	\$103	\$106	\$109	\$113	\$116	\$119
Pop Sales	\$103	\$106	\$109	\$113	\$116	\$119
Interest Income Revenue	\$8,240	\$8,487	\$8,742	\$9,004	\$9,274	\$9,552
Landfill Revenue	\$209,090	\$215,363	\$221,824	\$228,478	\$235,333	\$242,393
Airport Tie Downs	\$3,914	\$4,031	\$4,152	\$4,277	\$4,405	\$4,537
Park Revenue	\$25,853	\$26,629	\$27,427	\$28,250	\$29,098	\$29,971
Passports	\$3,090	\$3,183	\$3,278	\$3,377	\$3,478	\$3,582
Address Street Mapping	\$3,090	\$3,183	\$3,278	\$3,377	\$3,478	\$3,582
E911 Revenues	\$45,320	\$46,680	\$48,080	\$49,522	\$51,008	\$52,538
<b>Subtotal</b>	<b>\$369,976</b>	<b>\$381,077</b>	<b>\$392,506</b>	<b>\$404,285</b>	<b>\$416,412</b>	<b>\$428,902</b>
<b>Total Revenues</b>	<b>\$2,022,016</b>	<b>\$2,450,668</b>	<b>\$13,207,055</b>	<b>\$12,135,288</b>	<b>\$11,801,131</b>	<b>\$11,673,656</b>

### Assumptions-Comments

- (1) The Deltana Borough will be incorporated in FY 2007.
- (2) The Borough will assume responsibility for education at the beginning of FY 2009.
- (3) The Borough will not make any local contribution under AS 14.17.410(c).
- (4) The Borough's local contribution under AS 14.17.410(b)(2) for the first year of operation of the schools (FY 2009) will be zero.
- (5) The Borough's local contribution under AS 14.17.410(b)(2) for the second year of operation of the schools (FY 2010) will be equivalent of a two-mill tax levy on the full and true value of the taxable real and personal property in the Borough as of January 1, 2008. The January 1, 2008 value of taxable property is assumed to be \$411,083,000.
- (6) The Borough's local contribution under AS 14.17.410(b)(2) for the third year of operation of the schools (FY 2011) will be equivalent of a three-mill tax levy on the full and true value of the taxable real and personal property in the borough school district as of January 1, 2009. The January 1, 2009 value of taxable property is assumed to be \$395,876,314.
- (7) The Borough's local contribution under AS 14.17.410(b)(2) for the fourth year of operation of the schools (FY 2012) will be equivalent of a four-mill tax levy on the full and true value of the taxable real and personal property in the borough school district as of January 1, 2010. The January 1, 2010 value of taxable property is assumed to be \$336,837,000.

(8) The revenue tables assume HB 217 passes and therefore exempts AS 43.56 properties from the property values used to determine the local contribution towards education. A copy of HB 217 is included in this petition as Exhibit L.

(9) The tables reflect a 3% annual increase in residential, commercial and industrial properties (with the exception of TechPogo properties).

(10) It assumes TechPogo property values will be \$260 million in 2008 and decline in a straight line in value to \$71 million in 2015.

## EXHIBIT D-2

### SIX-YEAR OPERATING EXPENDITURE PROJECTION

Projected principal operating expenses for the proposed borough during each of the first six full fiscal years are shown below.

Educational Expenditures	Expenditures					
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Education (Source State Aid)	NA	NA	\$9,611,194	\$8,789,028	\$8,423,565	\$8,263,846
Education (Source Required Local Contribution for Schools (AS 14 17 410(b)(2))	NA	NA	\$0	\$822,166	\$1,187,629	\$1,347,348
Education (Source Federal Impact Aid for Schools)	NA	NA	\$4,512	\$4,512	\$4,512	\$4,512
Education (Source Quality Schools)	NA	NA	\$31,174	\$31,174	\$31,174	\$31,174
<b>Subtotal</b>	NA	NA	\$9,646,880	\$9,646,880	\$9,646,880	\$9,646,880
<b>Non-Educational Expenditures</b>						
Administration	\$194,548	\$201,884	\$209,441	\$217,224	\$225,241	\$233,498
Cemetery	\$12,037	\$12,398	\$12,770	\$13,153	\$13,547	\$13,954
Community Center	\$19,973	\$20,572	\$21,189	\$21,825	\$22,479	\$23,154
Rescue Squad	\$59,976	\$61,775	\$63,628	\$65,537	\$67,503	\$69,528
Fire Department	\$63,042	\$64,933	\$66,881	\$68,888	\$70,955	\$73,083
911 Activities	\$26,607	\$27,405	\$28,227	\$29,074	\$29,946	\$30,845
Library	\$141,091	\$145,324	\$149,684	\$154,174	\$158,800	\$163,564
Facility Maintenance	\$38,755	\$39,917	\$41,115	\$42,348	\$43,619	\$44,927
Parks & Recreation	\$33,893	\$34,910	\$35,957	\$37,036	\$38,147	\$39,291
Land Sales	\$11,452	\$11,795	\$12,149	\$12,513	\$12,889	\$13,275
Landfill	\$320,285	\$329,893	\$339,790	\$349,984	\$360,483	\$371,298
Streets	\$153,161	\$157,756	\$162,489	\$167,363	\$172,384	\$177,556
Runway Maintenance	\$10,609	\$10,927	\$11,255	\$11,593	\$11,941	\$12,299
Hockey Rink	\$13,074	\$13,466	\$13,870	\$14,286	\$14,715	\$15,156
Planning Department	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
E 911 Activity	\$18,582	\$19,140	\$19,714	\$20,305	\$20,914	\$21,542
<b>Subtotal</b>	\$1,167,085	\$1,202,095	\$1,238,159	\$1,275,303	\$1,313,563	\$1,352,970
<b>Total Expenditures</b>	\$1,167,085	\$1,202,095	\$10,885,039	\$10,922,183	\$10,960,443	\$10,999,850
<b>Total Revenues</b>	\$2,022,016	\$2,450,668	\$13,207,055	\$12,135,288	\$11,801,131	\$11,673,656
<b>Annual Surplus (Deficit)</b>	\$854,931	\$1,248,573	\$2,322,016	\$1,213,105	\$840,688	\$673,806
<b>Cumulative Surplus (Deficit)</b>	\$854,931	\$2,103,504	\$4,425,520	\$5,638,625	\$6,479,313	\$7,153,119

## EXHIBIT D-3 THREE-YEAR CAPITAL BUDGET PROJECTION

Projected principal revenues and expenses capital expenditures for the proposed borough during each of the first three full fiscal years are shown below.

THREE-YEAR CAPITAL REVENUE PROJECTIONS			
Capital Revenues	1st year	2nd year	3 <sup>rd</sup> year

THREE-YEAR CAPITAL EXPENSE PROJECTIONS			
Capital Expense	1st year	2nd year	3 <sup>rd</sup> year

**No capital budget is projected.**



## **EXHIBIT E**

### **TRANSITION PLAN**

The Charter takes effect upon the date of incorporation, which is the day that the results of the incorporation election are certified. Seats for the initial Assembly members will be designated as follows: Seats A and B shall be one-year seats; Seats C and D shall be two-year seats; Seats E, F and G shall be three-year seats.

All ordinances, resolutions, regulations, orders and rules in effect in the former City of Delta Junction shall continue in full force and effect to the extent that they are consistent with the Charter, until repealed or amended in accordance with the Charter.

In the event of conflict between the ordinances, resolutions and regulations of the former City of Delta Junction and the Delta-Greely Regional Educational Attendance Area (REAA), affecting the orderly transition of government, the Borough Mayor shall designate in writing which governs. The designation is effective immediately and shall be communicated to the Assembly. The designation is approved unless the Assembly, within twenty-one days, adopts by resolution a contrary designation.

Not later than 18 months following the date of incorporation, the assembly shall enact a code of ordinances. Enactment of this Deltana Code shall repeal all ordinances of the former governments not included in the code. Repeal is not retroactive and does not affect pending court action.

Except as otherwise provided in the Charter, all rights, titles, actions, suits, franchises, contracts, and liabilities and all civil, criminal or administrative proceedings shall continue unaffected by the ratification of the Charter. The new government shall be the legal successor to the former governments for this purpose.

Any bond of a former government authorized but not issued on the date of ratification or authorized at the election, remains authorized and may be issued at the discretion of the Assembly without additional ratification, subject to the procedures provided by law.

All boards and commissions of the former governments shall continue to function until altered in accordance with the Charter.

Not later than 60 days following the effective date of incorporation, the Mayor shall submit to the Assembly a plan of organization of the executive branch. The plan shall provide for elimination of unnecessary duplication. The proposed plan will address the immediate dissolution of the City of Delta Junction and the immediate assumption areawide responsibility for cemetery, landfill, roads, airport, parks and recreation, community buildings, library, planning and volunteer fire, EMS, search and rescue, and ambulance services. The proposed plan shall become law twenty days after submitted unless sooner adopted with or without amendment or rejected by the assembly. If the proposed plan is rejected, the Mayor shall submit an alternate plan to the Assembly within fifteen days of the rejection. If, prior to 20 days following submittal by the Mayor of an alternate plan, no such plan of organization has been adopted by the Assembly the alternate proposal submitted by the Mayor becomes law.

Upon ratification of the Charter, employees of the former City of Delta Junction shall become employees of the new government for a probationary period of 180 days. Employment of the former City of Delta Junction employees beyond that time period shall be determined by the new government. Transitional or holdover employees may be terminated for cause during the 180-day period. At-will employees will continue to serve at the pleasure of the Assembly. Any employees whose positions are eliminated by the plans of organization described shall be eligible for reassignment to available positions for which they are qualified in the order of their seniority based on date of hire by the City of Delta Junction or by the new government. The vested rights of current employees under pension plans, retirement plans and other benefits, whether under personnel rules or under other legal or contractual provisions, shall not be diminished by

ratification of the Charter. Participation by the new government in State-administered employee retirement systems shall continue for the former City employees of the City of Delta Junction for the first 180 days of the new government. At a time prior to the 180<sup>th</sup> day, the Assembly shall determine if the new government will participate in the Alaska Public Employees Retirement System. Employees of the REAA school district shall be covered by AS 29.05.130 and AS 29.05.140. The new government shall succeed to all assets and liabilities of the City of Delta Junction and the Delta-Greely REAA.

The assumption of school powers shall comply with AS 29.05.130 Integration of Special Districts and Service Areas and AS 29.05.140 Transition. There shall be a school board election to be conducted by the Deltana Borough at a date prior to the assumption of educational powers to ensure a seamless transition of education services.

This transition plan was developed in consultation with officials of municipal governments, regional educational attendance areas, and other relevant entities within the area proposed for incorporation. The Delta City Council appointed a nine-member charter commission composed of members throughout the proposed borough area. Members represent, or are standing members of community groups such as the Delta/Ft. Greely REAA, Delta Chamber of Commerce, the agriculture community, Deltana Corporation, the City Council, and Delta Regional Economic Development Council. All charter commission meetings are public and notice of meeting times and places have been placed on the City Website and in the local newspaper. All information provided to charter commission members is available to the public. Additionally, charter commission minutes are available at the meeting and on the City Website.

The transition plan was developed with a clear understanding of the importance of HB 217 becoming law in early 2006. This legislation has important political and economic implication to the viability of this petition. Moreover, the petition assumes the proposal

to become law in 2006. Lastly, the petitioner expects the outcome of the proposal will be known before the LBC conducts public hearings on the Deltana proposal.

## **EXHIBIT F**

### **COMPOSITION, FORM OF REPRESENTATION, AND APPORTIONMENT OF THE ASSEMBLY**

**Assembly composition.** The assembly of the proposed borough will be comprised of seven members.

**Form of representation.** Members of the assembly will be elected at large.

## EXHIBIT G

### VOTING RIGHTS INFORMATION

Information relevant to consideration of the petition in terms of the federal Voting Rights Act is provided below. This information includes the following:

1. Purpose and effect of incorporation as it pertains to voting.

Answer: The purpose of incorporation of a borough is to provide basic services such as education, planning and taxation. State law allows a region to determine whether to organize as a borough through a general election. This petition is asking for such an election.

2. Extent to which the incorporation excludes minorities while including other similarly situated persons.

Answer: Incorporation does not exclude minorities while including other similarly situated persons. The boundaries of the proposed borough are identical to those of the existing Delta-Greely regional educational attendance area.

3. Whether the electoral system of the proposed borough fails fairly to reflect minority voting strength.

The electoral system of the borough does not fail to reflect minority voting strength. Again, the boundaries of the proposed borough are identical to those of the existing Delta-Greely regional educational attendance area.

4. Participation by minorities in the development of the incorporation proposal.

All charter commission meeting were open to the public. All documents produced throughout the process are available to the public.

5. Designation of Alaska Native for U.S. Department of Justice contact.

Ben Saylor, Tribal Chief-Healy Lake Healy Lake, Alaska 907-876-5023

6. Statement concerning the minorities' understanding of English in written and spoken forms.

Minorities in the proposed Deltana borough have a fluent understanding of English in written and spoken forms.

## EXHIBIT H

### BRIEF

This brief is designed to address the following borough incorporation standards:

- 1. The proposed incorporation promotes equal rights, opportunities, protection, and obligations among all Alaskans in accordance with Article I, sec. 1 of the Constitution of the State of Alaska.**

This petition promotes equal rights, opportunities, protection and obligations among all Alaskans in accordance with Article I, section 1 of the State Constitution. This is accomplished by the provision of basic government services such as education, planning and taxation. The Deltana Borough government decisions will be made by a democratically elected assembly and school board. Local residents will meet their civic obligations by paying for local services in a similar fashion to other city and borough residents.

- 2. The proposed incorporation promotes maximum local self-government with a minimum of local government units in accordance with Article X, sec. 1 of the Constitution of the State of Alaska.**

The proposed Deltana Borough promotes maximum local self-government with a minimum of local government units by creating one local government to provide services previously provided by three separate government entities. The proposal requires the unification of the existing City of Delta Junction, including assumption of the mandatory borough powers of taxation, education and planning. The new borough will also assume the assets and liabilities of the Delta-Greely REAA and take on platting and planning powers in the area outside the City of Delta Junction.



**3. The boundaries of the proposed borough maximize the area and population while maintaining common interests in accordance with Article X, sec. 3 of the Constitution of the State of Alaska.**

The boundaries of the proposed borough maximize the area and population while maintaining common interests as listed in Article X, section 3 of the State Constitution. The distinction between the region and its neighboring communities is covered in other sections of the brief.

**4. The borough incorporation proposal serves other constitutional principles relating to boroughs set out in Article X of the Constitution of the State of Alaska.**

The proposed borough incorporation will serve other constitution principles related to boroughs set out in Article X of the State Constitution including but not limited to:

- (a) The establishment of a home rule local government as provided in Article X, section 11 of Alaska's Constitution (Home Rule Powers).
- (b) The establishment of an Assembly as provided for under Article X, section 4 of Alaska's Constitution

**5. The social, cultural, and economic characteristics and activities of the people in the proposed borough are interrelated and integrated as required by AS 29.05.031(a)(1) and 3 AAC 110.045(a)**

AS 29.05.031(a)(1) requires the population of the area is interrelated and integrated as to its social, cultural, and economic activities, and is large and stable enough to support borough government. 3 AAC 110.045(a) states that the social, cultural, and economic characteristics and activities of the people in a proposed borough must be interrelated and integrated.

This petition addresses these standards as follows:

### Regional History.

The Deltana region covers approximately 5,892 square miles. Delta Junction, located approximately 95 miles southeast of Fairbanks, was developed along the east bank of the Delta River, south of its junction with the Tanana River.

In 1903, an overland trail was cut from Valdez to Fairbanks, and a roadhouse was established a short time later at the junction of the Delta and Tanana Rivers. In 1904, the U.S. Army Signal Corps built the McCarthy Telegraph Station. Rika's Roadhouse was built in 1910. Ongoing mining activity just north of Delta Junction in the Tenderfoot area, and the Chisana Gold Strike of 1913, brought many prospectors and other travelers through the area. It became known as Buffalo Center in 1927, for the American bison that were transplanted there in the 1920s.

In 1942, construction of the Alaska Highway began, and a military base (later Ft. Greely) was completed 5 miles to the south. In 1946, a dairy farm was established; beef cattle were imported by homesteaders in 1953.

Between 1974 and 1977 construction of the Trans-Alaska brought a dramatic upswing to the population and economy. In 1978, the State began Delta Agricultural Project I, creating 22 farms averaging 2,700 acres each. In 1982, the Delta II project formed 15 additional farms, averaging more than 1,600 acres each. Tracts of 2,000 to 3,600 acres were sold by lottery, and State loans were made available to purchase and clear the land.

### Compatibility of urban and rural areas within the proposed borough/Compatibility of the economy lifestyles, industrial and/or commercial activities.

The Deltana area is best described as a series of rural road communities. There is no urban area of the Deltana region. The various lifestyles of farming, military and government activities, tourism, construction and recently mining have been compatible

and positively integrated. The variety of long-term skilled employment opportunities is a positive economic feature that reflects a strong vibrant community.

#### Regional Communications Media/Transportation

Regional communications are provided by the local bi-weekly newspaper, *Delta Wind*, the local public radio station, and the Ft. Greely radio station. Exhibit C of the petition lists three radio stations.

All four media outlets serve the proposed borough area. The City of Delta Junction uses the local newspaper and public radio station, along with a website, to communicate with area residents. The proposed borough would also use these communication systems. Additionally, the area receives the Fairbanks News-Miner newspaper on a daily basis and, via a relay dish system, Fairbanks television programming. Cable TV is also available either through private cable dish or private provider.

With the exception of Healy Lake, all regional residents are linked by a modern, mostly paved road system. Whitestone lack year around road access but is accessible by boat during the summer months. There are two air taxi services located in the Deltana region (M+M Charters and Golden Eagle Outfitters). There currently are no scheduled flights between Tok or Fairbanks and the Deltana region. There are no water transportation systems within the area other than the private vessels used to travel to and from Whitestone. There is private bus service in the region with Fairbanks as the main destination.

#### Extent and accommodation of spoken language differences throughout the proposed borough.

The principle language of the region is English. For the approximately 1,000 Slavic residents, Russian is a primary or, in some cases, a secondary language. New residents have access to language and tutoring classes through the public school system, and English language classes and other programs provided by Catholic Social Services. The younger immigrants have become more fluent in English because of exposure through public school and work in local service industries that require the use of English.

**6. 3 AAC 110.045(b) requires that there are multiple *bona fide* communities, as defined by 3 AAC 110.990(5) and determined under 3 AAC 110.920, in the proposed borough, unless a specific and persuasive showing is made that a sufficient level of interrelationship exists with fewer than two communities.**

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Communities

The Deltana area is composed of two distinct communities: Delta Junction and Healy Lake, and possibly one more, Whitestone. The City of Delta Junction, with an estimated 2005 population of 1,000 residents, was incorporated as a fourth-class city in 1960 and contains 13.5 square miles. The city government was reclassified to a second-class city in 1972. The city provides the following powers: cemetery, landfill, roads, airport, parks and recreation, community buildings, library, planning and volunteer fire, EMS and ambulance services. The first six services are provided to all residents of the Deltana region. The latter two are provided only to city residents. The Deltana Volunteer Fire Department, which serves Deltana residents outside city limits, has a mutual aid agreement with the City volunteer fire, EMS and ambulance department.

The Ft. Greely Army Base is part of a 615,680-acre military reservation with a current population of approximately 2,000 residents (source: City of Delta Junction U.S. Army spokesman). It is located adjacent to the City of Delta Junction. Ft. Greely is interrelated

and integrated socially and culturally with the Deltana region. Residents on Ft. Greely participate socially and economically in the region by serving on local boards and commissions such as the school board and chamber of commerce and by purchasing goods and services from regional vendors.

The Whitestone community is located northwest of Delta Junction on the western side of the Delta River. The community has over 200 residents and is represented by the Whitestone Community Association in its work with State agencies and other organizations. The Department Commerce and Community Development certified the Whitestone Community Association as an unincorporated community for purposes of revenue sharing for FY04. The community's permanent residents reside in close geographical proximity. The community is connected by a series of public and private roads. Neither public access nor the right to reside in the community is restricted. The community is not dependent upon an adjacent community for its existence.

Healy Lake is a small village of approximately 34 residents located in the eastern section of the proposed borough. Healy Lake residents receive education services through the Delta/Greely School District. Other public services are provided through the local tribe and the regional non-profit agency Tanana Chiefs Conference.

As noted, there are two sub-areas, Big Delta and the general Deltana area. Both areas are represented by the Deltana Corporation, a regional non-profit that periodically provides limited services and serves as an advocacy group for sub-regional needs.

**7. The communications media and the land, water, and air transportation facilities throughout the proposed borough allow for the level of communications and exchange necessary to develop an integrated borough government as required by AS 29.05.031(a)(4) and 3 AAC 110.045(c).**

The regional communications media in the area is provided by the local bi-weekly newspaper, *Delta Wind*, the local public radio station, and the Ft. Greely radio station. A booster system is used in Healy Lake to increase television and radio reception. (source: Ben Saylor, Healy Lake) Additionally, all communities have access to phone and internet services. All four media outlets serve the proposed borough area. The City of Delta Junction uses the local newspaper and public radio station, along with a website, to communicate with area residents. The proposed borough would also use these communication systems. Additionally, the area receives the Fairbanks News- Miner newspaper on a daily basis and, via a relay dish system, Fairbanks television programming.

**8. All communities within the proposed borough are either connected to the seat of the proposed borough by a public roadway, regularly scheduled airline flights on at least a weekly basis, a charter flight service based in the proposed borough, or sufficient electronic media communications as required by 3 AAC 110.045(d). Alternatively, a specific and persuasive showing is made that communications and exchange patterns are sufficient to operate an integrated borough government.**

With the exception of Healy Lake, all regional residents are linked by a modern, mostly paved road system. Whitestone lacks year round road access, but is accessible by boat during the summer months. There are two air taxi services located in the Deltana region (M+M Charters and Golden Eagle Outfitters). There currently are no scheduled flights between Tok or Fairbanks and the Deltana region. There are no water transportation systems within the area other than the private vessels used to travel to and from Whitestone. There is an airstrip in Healy Lake. Mail delivery is usually twice a week. (source: Ben Saylor, Healy Lake.) There is private bus service in the region with Fairbanks as the main destination.

**9. The population of the proposed borough is sufficiently large and stable to support the proposed borough government as required by AS 29.05.031(a)(1) and 3 AAC 110.050(a).**

The population of the proposed borough area meets the standards listed in AS 29.05.031(a)(1) and 3 AAC 110.050(a). The 2005 population estimates are based on local sources and extrapolated 2004 DLWD data. The five sub-census districts in the proposed borough area total roughly 5,760: Big Delta Census District – 800; City of Delta Junction – 1,000; Deltana CDP – 1,800; Ft. Greely – 2,000; other (not specified, but including Healy Lake CDP at 33) – 160.

2000 census data reflect a long duration of residency. For example, the 2000 Big Delta CDP shows a population of 749 with over 667 having resided in the area for over five years. Other sub-areas, with the exception of Ft. Greely, are similar. Ft. Greely's mission has changed from a cold weather testing station to the primary test and operational site for the Ground-based Missile Defense (GMD) program. Historical patterns reflect a steady population growth with the strong influx of new Slavic residents along with new families attracted to work on Ft. Greely and the Pogo mining project.

Additionally, the proposed Deltana borough will result in a more manageable population base, number of communities and geographic than the Upper Tanana Model Borough. The Upper Tanana model borough would be too large for meaningful and effective public participation and would result in a decreased quality and cost efficiency of administrative and public services.

**10. The population of the proposed borough includes at least 1,000 permanent residents as required by 3 AAC 110.050(b). Alternatively, a specific and persuasive showing is made that the population of the**

**proposed borough is sufficiently large and stable enough to support the proposed borough government.**

The current population of the proposed borough area is approximately 5,760 residents.

**11. The economy of the proposed borough includes the human and financial resources necessary to provide essential borough services on an efficient, cost-effective level as required by AS 29.05.031(a)(3) and 3 AAC 110.055.**

#### Human and Financial Resources

The area includes the human and financial resources necessary to provide essential services in an efficient, cost-effective manner. The proposed borough would essentially provide the same services that the City of Delta Junction and the Delta-Greely REAA currently provide, but as one government. The City of Delta Junction has been in existence since 1960. The Delta-Greely REAA and the regional SOS system have provided educational services for over 30 years. Both entities have attracted top caliber staff and elected officials over the years.

The area can generate the funds needed to provide local government services. There are approximately \$25 million worth of annual taxable sales in the region. In January 2006, real and personal property will be worth over \$600 million.

#### Regional Economy

The overall economy of the region appears healthy. U.S. Army sources anticipate continued construction in the next 3-5 years at Ft. Greely followed by an increase of operational-stage employment. The area is also projected to be the home of a U.S. Army Stryker brigade, which will expand the military's year-round mission as well. The area's support industries for mining, agriculture, military, and construction are projected

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to grow as well. (Source: Delta/Greely School District School Enrollment Projections August 2002; Karl Hanneman, Alaska Regional Manager Tech Pogo 2004-2005; Ron Pierce, Ft. Greely Public Relations Officer 2004-2005; Dan Beck, Delta-Greely REAA, Superintendent of Schools 2005).

A system of paved roads connects to a series of privately developed subdivisions with access to cost-competitive utilities and on-site water and sewer systems. According to the 2000 census (prior to the current increase in employment opportunities) the region's median family income was \$51,702. The 2004 DOLWD data shows total industry (private and public) average wages to be \$46,484 per employee in the proposed borough region. Furthermore, these figures contrast with the Alaska Gateway region where average wages paid for 2003 were \$25,726 per employee.

***FY 2004 Employment and Wage Data-Delta-Greely/Alaska Gateway***

<b>AREA</b>	<b>WAGE TYPE</b>	<b>ESTABLISHMENTS</b>	<b>AVERAGE MONTHLY EMPLOYMENT</b>	<b>WAGES PAID</b>
Delta-Greely	Govt.	19	346	\$17,931,104
Delta-Greely	Private	112	823	\$36,408,916
Delta-Greely	Total	131	1,169	\$54,340,020
Alaska Gateway	Govt.	47	357	\$11,149,649
Alaska Gateway	Private	61	372	\$7,605,042
Alaska Gateway	Total	108	729	\$18,754,691

**Source: DLWD**

The data reflects a key distinction in the economic bases of the two regions. There is a stronger federal government presence in the Deltana region as opposed to a more indirect, but federally-funded non-profit service base in the Alaska Gateway region.

Additionally, the fact that the make-up of the private economy is strikingly different reflects the strong social, economic and community differences between the two areas. Deltana's economic base and social composition will continue to change with the commencement of Tech Pogo's operation at its mining site. Moreover, the long-term development and operation at the Groundbased Mid-Course Defense system will substantially increase the number of federally- funded projects operated by private corporations. Both projects will indirectly impact both the private service industry and quasi-government services such as education, medical, and social services.

**12. The boundaries of the proposed borough conform generally to natural geography and must include all land and water necessary to provide the full development of essential borough services on an efficient, cost-effective level as required by AS 29.05.031(a)(2) and 3 AAC 110.060(a). Also, in accordance with 3 AAC 110.660(d), the area proposed for incorporation is contiguous and would not create enclaves. Alternatively, a specific and persuasive showing has been made that such noncontiguous areas or enclaves are in the best interests of the State.**

#### Boundaries

The boundaries of the proposed borough conform generally to natural geography. The southern boundary roughly follows the receding slopes of the Alaska Range. The western boundary is somewhat distinguished by the eastern slopes of the Alaska Range. The northwest and northern portion of the proposed borough is less hilly and lower in elevation than the southeast portion of the Fairbanks North Star Borough. The central part of the Deltana region is located in the Tanana Subregion of the Yukon River system. The western boundary generally follows the foothills of the southeast slopes of the Mertie Mountains.

Land Status

As noted in the land status summary below, the proposed borough boundaries include all land and water necessary to provide the full development of essential borough services on an efficient, cost-effective level. The region's land use and ownership patterns are unique from its neighbors to the east (Alaska Gateway REAA) and to the northwest (Fairbanks North Star Borough). The area's land use and ownership is dominated by private lands. Various forms of farming are the major land use in the region. The military is one of the largest landowners in the region. This contrasts with the Alaska Gateway REAA, which is home to seven Native village corporations and sizable regional corporation land holdings.

FEDERAL – WILD AND SCENIC RIVERS:	26,240 ACRES
FEDERAL – BUREAU OF LAND MANAGEMENT:	437,120 ACRES
FEDERAL – MILITARY:	615,680 ACRES
NATIVE CORPORATION:	101,120 ACRES
STATE:	2,330,240 ACRES
STATE AND NATIVE CORPORATION:	1,920 ACRES
PRIVATE AND MUNICIPAL	258,560 ACRES
<i>TOTAL</i>	<i>3,770,880 ACRES</i>

Source: Department of Natural Resources

According to Department of Natural Resources staff there are 167,353 acres of land classified as vacant, unappropriated, unreserved (VUU). Per AS 29.65.030, a general grant land entitlement of a borough shall be 10% of the total VUU lands within its boundaries. Consequently, the proposed Deltana Borough would receive an entitlement of 16,735 acres.

**13. The proposed borough boundaries comply with the model borough boundaries adopted by the Commission under 3 AAC 110.060(b). Alternatively, a specific and persuasive showing is made that the proposed borough boundaries are more appropriate under the standards for borough incorporation.**

The proposed borough boundaries do not conform to the Upper Tanana Model Borough boundaries. Nor do they extend beyond the model borough boundaries. The area does conform to the existing REAA boundaries. Delta is a distinct region socially, culturally and economically and is distinguished from its neighbors both to the northwest (Fairbanks North Star Borough) and, in particular, to the east (the Alaska Gateway REAA). As discussed below and elsewhere in the brief, the proposed borough boundaries are more appropriate under the standards for incorporation than the model borough boundaries. The following justifications are presented in favor of adopting the proposed borough boundaries over the model borough boundaries:

**Educational Services**

Educational services are provided by two separate school districts, one in Delta Junction which serves the Deltana region and one in Tok which serves the Alaska Gateway region. The one rare exception was in the mid-1970s under the State Operated School system (SOS) when the two districts temporarily "shared" a superintendent for a brief period. (source: Lou Heinbockel, retired Delta Junction educator). Generally speaking, however, there is no collaboration or coordination of service delivery between the school districts.

**State Services**

The State provides the Deltana region with public safety and highway maintenance services based in Delta Junction. In contrast, the State provides the Alaska Gateway region with public safety and highway services based in Tok. Separate Fish and Game

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advisory groups exist in Delta Junction and Tok respectively. Social services programs in the Deltana area are provided by a combination of private and non-profit local organizations. Similar services in the Alaska Gateway region are primarily provided by Tanana Chiefs Conference and other providers.

In short, there are no overlapping or coordinated regional government services provided for the Deltana and adjoining Alaska Gateway regions. There has not been any independent or joint effort in recent years to coordinate or provide services in both areas with the rare exception of limited private medical services in Tok by a Delta based medical clinic.

### Economy

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The Deltana economy depends on local government, mining, agriculture, the military and, to a lesser extent, employment linked to TAPS (Source: Department Labor and Workforce Development). The Alaska Gateway region economy does not share any of these key economic components. The Alaska Gateway region lacks any military, mining or TAPS presence, and is more reliant on tourism than the Deltana region.

Additionally, the two rural road communities lack any meaningful economic interaction or reliance upon each other. Tok is generally viewed as the headquarters for Alaska Gateway region communities for some private and public services. Delta Junction is viewed as the headquarters for the Deltana region for similar purposes. Again, there is no recorded evidence of any meaningful reliance or use by Deltana or Tok residents of the other respective region's public or private goods or services. (source: various local Deltana businesses).

### Cultural Distinctions

Lastly, there are no significant cultural interactions between the two regions. The two regions' social, civic and other related organizations are not connected nor linked administratively nor functionally. They are based and operate only within their own distinct region.

The cultural and community contrasts between the two regions is evident in a number of categories. One example is the strong Alaska native population in the Alaska Gateway REAA where 28% of the total population of 2,369 is American Native/Alaska Native. American Indians/Alaska Natives comprise roughly 2% (81 residents) of the Delta area population. According to the Delta-Greely School District, in December 2004, Alaska Natives represented less than .5% of the school population. The Delta area only has one predominantly Native community, Healy Lake (Population 34). In recent years the Deltana region has not had a strong Native population nor strong Native village or regional non-profit service organizations.

This cultural distinction is not the sole distinction between the two regions. Obviously, the community of Healy Lake is predominantly Alaska native. Moreover, the Alaska Gateway REAA community of Dry Creek, immediately to the east of the proposed Deltana Borough, is characterized as a non-native community. Social cultural make up composition is but one defining factor in a region. Other characteristics such education services, transportation hubs and economic ties are also relevant. Healy Lake has cultural ties to the other Upper Tanana villages. However, Healy Lake residents, primarily because of their close proximity to the Delta area, frequently travel to Delta for goods and services. Most regional long-term family ties are either in the Deltana area or in the Fairbanks area.

Additionally, the Deltana region contains a large vibrant Slavic population of over 1,000 people. These relatively new residents are a combination of Slavic immigrants and religious refugees. Although there are clear distinctions between the new Slavic

residents and other residents in the Deltana region in terms of language, citizenship status and job skills, these differences are in a state of change. A substantial number of the Slavic school age students are enrolled in the public school system, (The Delta-Greely school population for 2004-2005 was 1,255 including 416 students attending the Cyber School program. Roughly 350 students in the school district were of Slavic descent. Source: Dan Beck, Delta/Greely School District Supt.) English language classes and similar social service programs are provided through Catholic Social Services and other organizations.

Slavic adults as well as other Delta residents have been trained at the Delta Mining Center with the expectation of employment at the Pogo mining site. Lastly, most of the Slavic residents are seeking U.S. citizenship. Many Slavic community members are employed in the service industries of banking, food service and retail stores. Slavic families continue to be throughout the region. This strong presence of a Slavic community is in contrast with the Alaska Gateway region in which there is only one documented Slavic family (source: Delta Catholic Social Services staff, Vera Gorban).

**14. The proposed borough boundaries conform to existing regional educational attendance area boundaries as required by 3 AAC 110.060(c). Alternatively, evidence is provided that will allow the Local Boundary Commission, after consultation with the Commissioner of the Department of Education and Early Development, to determine that an area of different size is better suited to the public interest in a full balance of the standards for incorporation of a borough.**

The boundaries of the proposed borough conform to the existing regional educational attendance boundaries. The Delta-Greely REAA boundaries reflect the distinct regional nature of the proposed borough.

**15. The petition does not propose boundaries overlapping the boundaries of an existing organized borough or unified municipality.**

The proposed boundaries do not overlap the boundaries of an existing organized borough or unified municipality.

**16. The proposed borough will have the ability to extend services to the area proposed for incorporation in a practical and effective manner as required by 3 AAC 110.900.**

The borough will assume and provide basic services such as education, limited road maintenance, library, fire department, and recreation in a seamless fashion as spelled out in the transition plan. The proposed borough will have the financial ability, human resources and the other needed municipal tools to extend services to borough residents in a practical and effective manner.

**17. In accordance with 3 AAC 110.910, incorporation of the proposed borough will not deny any person the enjoyment of any civil or political right because of race, color, creed, sex, or national origin.**

The petition does not in any fashion deny any person the enjoyment of any civil or political right because of race, color, creed, sex, or national origin.

**18. Incorporation of the proposed borough is in the best interests of the State as required by AS 29.05.100(a) and 3 AAC 110.065, and as determined under 3 AAC 110.980.**

The broad policy benefit to public statewide is evident by the fact that borough resident will shoulder a portion of the cost of local services that are presently provided at no expense be the state. The borough boundaries will serve the



balanced interests of citizens in the area proposed for change by increasing opportunities for local control and benefit from local services and powers. The boundaries will also best serve the affected local government.

The establishment of a borough that will provide services and require a local contribution for a portion of the cost of service reflects the underlying principle of maximum local self-government. The establishment of one local government in the region promotes a minimum number of local government units. The assumption of education services and planning will relieve the State of being sole providers of such services in the region and in case of planning for those areas in the proposed region, but outside of the existing City of Delta Junction.

## **EXHIBIT I**

### **PROPOSED CHARTER**

This exhibit presents the proposed home rule Charter for the borough. The proposed Charter, as may be amended on a reasonable basis by the Local Boundary Commission following a public hearing on this petition, is adopted if voters approve incorporation of the home rule borough.

# Deltana Borough Charter

## ARTICLE I GOVERNMENTAL STRUCTURE, NAME, FORM OF GOVERNMENT, BOUNDARIES, POWERS AND INTERGOVERNMENTAL RELATIONS

<b>Section 1.01</b>	<b>Governmental Structure and Name</b>	page 1
<b>Section 1.02</b>	<b>Form of Government</b>	page 1
<b>Section 1.03</b>	<b>Boundaries</b>	page 1
<b>Section 1.04</b>	<b>Powers</b>	page 1
<b>Section 1.05</b>	<b>Intergovernmental Relations</b>	page 2

## ARTICLE II THE ASSEMBLY

<b>Section 2.01</b>	<b>Powers</b>	page 2
<b>Section 2.02</b>	<b>Form of Representation</b>	page 2
<b>Section 2.03</b>	<b>Composition, Terms and Election of Assembly Members</b>	page 2
<b>Section 2.04</b>	<b>Qualifications</b>	page 2
<b>Section 2.05</b>	<b>Vacancies and Forfeiture of Office</b>	page 3
<b>Section 2.06</b>	<b>Organization and Rules of Assembly</b>	page 3
<b>Section 2.07</b>	<b>Officers</b>	page 3
<b>Section 2.08</b>	<b>Investigations</b>	page 4

## ARTICLE III LEGISLATION

<b>Section 3.01</b>	<b>Acts Required to be by Ordinance</b>	page 4
<b>Section 3.02</b>	<b>Ordinance Procedure</b>	page 4
<b>Section 3.03</b>	<b>Emergency Ordinance</b>	page 5
<b>Section 3.04</b>	<b>Code of Regulation</b>	page 5

## ARTICLE IV EXECUTIVE

<b>Section 4.01</b>	<b>The Mayor</b>	page 5
<b>Section 4.02</b>	<b>Administrative Procedures in Borough Code</b>	page 6
<b>Section 4.03</b>	<b>Boards</b>	page 7

## ARTICLE V ELECTIONS

<b>Section 5.01</b>	<b>Regular Elections</b>	page 7
<b>Section 5.02</b>	<b>Special Elections</b>	page 7
<b>Section 5.03</b>	<b>Notice</b>	page 7
<b>Section 5.04</b>	<b>Election Procedures</b>	page 8
<b>Section 5.05</b>	<b>Qualifications of Voters</b>	page 8
<b>Section 5.06</b>	<b>Recall</b>	page 8

## ARTICLE VI INITIATIVE AND REFERENDUM

<b>Section 6.01</b>	<b>Reservation of Powers</b>	page 8
<b>Section 6.02</b>	<b>Application for Petition</b>	page 8
<b>Section 6.03</b>	<b>Contents of Petition</b>	page 9
<b>Section 6.04</b>	<b>Signature Requirements</b>	page 10
<b>Section 6.05</b>	<b>Sufficiency of Petition</b>	page 11
<b>Section 6.06</b>	<b>Protest</b>	page 11
<b>Section 6.07</b>	<b>New Petition</b>	page 11
<b>Section 6.08</b>	<b>Initiative Election</b>	page 11
<b>Section 6.09</b>	<b>Referendum Election</b>	page 12
<b>Section 6.10</b>	<b>Effect</b>	page 13

## ARTICLE VII PLANNING

<b>Section 7.01</b>	<b>Planning</b>	page 13
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## ARTICLE VIII EDUCATION

<b>Section 8.01</b>	<b>Public School System</b>	page 14
<b>Section 8.02</b>	<b>School Board</b>	page 14
<b>Section 8.03</b>	<b>Budget</b>	page 14
<b>Section 8.04</b>	<b>Joint Conference</b>	page 15
<b>Section 8.05</b>	<b>Administrative Procedures</b>	page 15

## ARTICLE IX FINANCES

<b>Section 9.01</b>	<b>Annual Budget and Capital Improvements Program</b>	page 15
<b>Section 9.02</b>	<b>Altering and Transferring Appropriations</b>	page 16
<b>Section 9.03</b>	<b>Enterprise Funds</b>	page 16
<b>Section 9.04</b>	<b>Emergency and Supplemental Appropriations</b>	page 17
<b>Section 9.05</b>	<b>Lapse of Appropriations</b>	page 17
<b>Section 9.06</b>	<b>Administration of the Budget</b>	page 17
<b>Section 9.07</b>	<b>Competitive Bidding and Contract Approval</b>	page 17
<b>Section 9.08</b>	<b>Audits</b>	page 18
<b>Section 9.09</b>	<b>Permanent Fund</b>	page 18
<b>Section 9.10</b>	<b>Finances</b>	page 18

## ARTICLE X TAXATION

<b>Section 10.01</b>	<b>Sales Tax, Property Tax, Severance Tax and Other Forms of Tax</b>	page 18
<b>Section 10.02</b>	<b>Tax Procedures</b>	page 19
<b>Section 10.03</b>	<b>Private Interests Taxable</b>	page 19
<b>Section 10.04</b>	<b>Mineral Severance and Processing Tax</b>	page 19

## **ARTICLE XI BORROWING**

<b>Section 11.01</b>	<b>Borough Debt</b>	page 20
<b>Section 11.02</b>	<b>Limitations</b>	page 20
<b>Section 11.03</b>	<b>Notice of Bond Election</b>	page 21
<b>Section 11.04</b>	<b>Actions Challenging the Validity of Obligations</b>	page 21
<b>Section 11.05</b>	<b>Proceeds From Sale of Obligations</b>	page 21

## **ARTICLE XII SERVICE AREAS**

<b>Section 12.01</b>	<b>Creation, Operation and Abolition of Service Areas</b>	page 22
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## **ARTICLE XIII LOCAL IMPROVEMENT DISTRICTS**

<b>Section 13.01</b>	<b>Districts</b>	page 22
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## **ARTICLE XIV UTILITIES**

<b>Section 14.01</b>	<b>Designating Utilities</b>	page 22
<b>Section 14.02</b>	<b>Operating Standards</b>	page 22
<b>Section 14.03</b>	<b>Management</b>	page 22
<b>Section 14.04</b>	<b>Accounting</b>	page 23
<b>Section 14.05</b>	<b>Selling or Leasing</b>	page 23

## **ARTICLE XV CHARTER AMENDMENT**

<b>Section 15.01</b>	<b>Vote Required</b>	page 23
<b>Section 15.02</b>	<b>Procedure</b>	page 23
<b>Section 15.03</b>	<b>New Charter</b>	page 23
<b>Section 15.04</b>	<b>Ballot Form</b>	page 24

## ARTICLE XVI GENERAL PROVISION

<b>Section 16.01</b>	<b>Public Meetings</b>	page 24
<b>Section 16.02</b>	<b>Public Records</b>	page 24
<b>Section 16.03</b>	<b>Oaths of Office</b>	page 25
<b>Section 16.04</b>	<b>Continuation in Office</b>	page 25
<b>Section 16.05</b>	<b>Interpretation</b>	page 25
<b>Section 16.06</b>	<b>Definitions</b>	page 25

## ARTICLE XVII TRANSITION

<b>Section 17.01</b>	<b>Effective Date</b>	page 27
<b>Section 17.02</b>	<b>Unification Election</b>	page 27
<b>Section 17.03</b>	<b>Initial Terms of Assembly and School Board Members</b>	page 27
<b>Section 17.04</b>	<b>Prior Law Preserved</b>	page 27
<b>Section 17.05</b>	<b>Conflict in Prior Law</b>	page 27
<b>Section 17.06</b>	<b>Code of Ordinances</b>	page 28
<b>Section 17.07</b>	<b>Existing Rights and Liabilities Preserved</b>	page 28
<b>Section 17.08</b>	<b>Prior Organizations</b>	page 28
<b>Section 17.09</b>	<b>Organization of the Executive Branch</b>	page 28
<b>Section 17.10</b>	<b>Employees of Former City of Delta Junction</b>	page 29
<b>Section 17.11</b>	<b>Assets and Liabilities</b>	page 29

# **Deltana Borough Charter**

## **PREAMBLE**

We, the people of the Deltana Borough, exercising the powers of home-rule granted by the Constitution of the State of Alaska, in order to provide for local government responsive to the will and values of the people, and to the continuing needs of communities within the Deltana Borough, hereby establish this Deltana Borough Home Rule Charter.

## **ARTICLE I. GOVERNMENT STRUCTURE, NAME, FORM OF GOVERNMENT, BOUNDARIES, POWERS, AND INTERGOVERNMENTAL RELATIONS**

### **Section 1.01**

#### **Governmental Structure and Name**

The Deltana Borough is a municipal corporation, unified home-rule Borough known as the Deltana Borough. Whenever it's deemed in the public interest to do so, the Deltana Borough may use the name Deltana Home Rule Borough or Borough.

### **Section 1.02**

#### **Form of Government**

There shall be a Borough Administrator appointed by the Assembly with the concurrence of the Mayor.

### **Section 1.03**

#### **Boundaries**

The boundaries of the Borough shall be those of the current Delta-Greely School District as those boundaries are hereafter legally modified. The Borough seat shall be located within the former corporate boundaries of the City of Delta Junction as those boundaries existed at the time of incorporation of the Borough.

### **Section 1.04**

#### **Powers**

The Borough may exercise all powers of a home-rule Borough not prohibited by law or this Charter. All powers of the Borough shall be exercised in the manner prescribed by this Charter or applicable laws or, if the manner is not thus prescribed, then in a manner as the Assembly may prescribe.



**Section 1.05**

**Intergovernmental Relations**

The Borough may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by agreement with any one or more local governments, the State, the United States, or any agency or instrumentality of those governments.

**ARTICLE II. THE ASSEMBLY**

**Section 2.01**

**Powers**

The Borough Assembly is the sole legislative body of the Borough.

**Section 2.02**

**Form of Representation**

Assembly Members shall be elected at-large by the qualified voters of the Borough.

**Section 2.03**

**Composition, Terms, and Election of Assembly Members**

The Borough Assembly shall be composed of seven members, elected to staggered terms. Except for the first Assembly elected, the term of an Assembly member is three years.

Although the Mayor serves as presiding officer and may vote in the case of a tie, the Mayor is not a member of the Assembly.

**Section 2.04**

**Qualifications**

A candidate for the office of Assembly Member shall be a qualified voter of the Borough and a resident for at least one year immediately preceding the election. No Assembly Member may hold any other compensated Borough office or employment, or elected partisan political office, while serving on the Assembly, unless otherwise provided by an ordinance ratified by the voters of the Borough. No Assembly Member may represent a client before any Borough department or agency.

## **Section 2.05**

### **Vacancies and Forfeiture of Office**

The Assembly shall, by ordinance, provide procedures for filling of vacancies. An elected Borough official shall forfeit office if the official 1) is convicted of a felony, 2) fails to comply with all qualifications prescribed by this Charter or applicable law, 3) knowingly violates any prohibitions of this Charter, 4) fails to attend three consecutive regular meetings of the Assembly without being excused by the Assembly, 5) fails to take office within thirty days after election or appointment, or 6) establishes residency outside the Borough.

## **Section 2.06**

### **Organization and Rules of Assembly**

(A) Chair. The Mayor shall serve as the presiding officer of the Assembly but is not a member of the Assembly. A Deputy Mayor, chosen by the Assembly Members from among the Assembly Members, shall preside when the Mayor is absent.

(B) Meetings. The Assembly shall meet in regular session as determined by ordinance. The Mayor or three other Assembly Members may call special meetings. The Assembly, by ordinance, shall determine its own rules and order of business, including provisions for reasonable notice of regular and special meetings.

(C) Journal. The Assembly shall maintain a journal of its proceedings as a public record.

(D) Votes. Voting shall be by roll call, show of hands or other public method as defined by ordinance. The votes of all Assembly Members shall be recorded in the journal.

(E) Quorum. A majority of Assembly Members constitutes a quorum; however, a smaller number may meet in public and reschedule a meeting that a quorum will be compelled to attend, as prescribed by ordinance.

## **Section 2.07**

### **Officers**

The Assembly may appoint officers who serve at the pleasure of the Assembly, advising and assisting the Assembly and Mayor, and whose duties of office are prescribed by the Deltana Borough Code. Officers of the Borough may

include, but not be limited to, the following: (A) Borough Administrator, (B) Borough Clerk, (C) Borough Attorney, and (D) Chief Fiscal Officer.

## **Section 2.08**

### **Investigations**

The Assembly may, by ordinance, create boards and commissions pursuant to this section for the purpose of inquiries and investigations. The Assembly shall appoint the members of such boards and commissions.

## **ARTICLE III. LEGISLATION**

## **Section 3.01**

### **Acts Required to be by Ordinance**

In addition to other actions that require an ordinance, the Assembly shall use ordinances to take the following actions: (1) adopt or amend an administrative code; (2) grant, renew or extend a franchise; (3) provide for a fine or other penalty or establish a rule or regulation for the violation of which a fine or other penalty is imposed; (4) adopt, amend or repeal the comprehensive plan, land use and subdivision regulations, building and housing codes or similar land use control measures; (5) sell, convey, or lease—or authorize the sale, conveyance, or lease—of any interest in lands or other real property of the Borough, in accordance with requirements of the comprehensive plan; (6) exempt contractors from compliance with general requirements relating to payment and performance bonds in the construction or repair of Borough public works projects within the limitations set out in Alaska Statute; (7) establish, alter, or abolish Borough departments; (8) establish, alter, consolidate, or abolish service areas; (9) make appropriations, including supplemental appropriations or transfer appropriations; (10) regulate the rate charged by a Deltana Borough utility; or (11) exercise a power.

## **Section 3.02**

### **Ordinance Procedure**

*Introduction and Enactment of Ordinances* shall include (A) Introduction. An ordinance shall be introduced in writing in the form required by the Borough Code. An ordinance may be introduced by an Assembly Member or the Borough Mayor at a regular or special meeting of the Assembly. (B) Notice and Hearing. Upon approval of four Assembly Members, the Borough Clerk shall publish a notice containing the text or a summary of the ordinance, the time and place for a public hearing, and where copies of the ordinance are available. The public hearing shall be held seven or more days following publication of the notice. (C)

Enactment. A simple majority vote of the total membership of the Assembly may pass an ordinance. An ordinance takes effect upon adoption or at a later date specified in the ordinance. An adopted ordinance must be placed in the form required by Deltana Borough Code. Unless vetoed by the Mayor, ordinances shall be signed by the Mayor and attested to by the Borough Clerk.

### **Section 3.03**

#### **Emergency Ordinance**

To meet a public emergency affecting life, health, welfare, or property, the Assembly may introduce and adopt emergency ordinances at the same meeting.

A reasonable attempt shall be made to notify the Mayor and all Assembly Members immediately upon introduction of an emergency ordinance.

An emergency ordinance shall contain a finding that an emergency exists and shall state the facts constituting the emergency.

An emergency ordinance is adopted upon the affirmative vote of all members present, or by five of the seven members of the total membership, whichever is less. An emergency ordinance is repealed by resolution or automatically expires in sixty days.

### **Section 3.04**

#### **Code of Regulation**

(A) Adoption by Reference. The Assembly, by ordinance, may adopt by reference a standard code of regulations or a portion of the Alaska Statutes. The matter adopted by reference shall be made available to the public in a manner prescribed by ordinance.

(B) Codification. The Assembly shall provide for indexing and codification of all permanent ordinances adopted by the Assembly. Following preparation of the initial Deltana Borough Code, all proposed permanent ordinances shall be adopted as amendments or additions to the code.

## **ARTICLE IV. EXECUTIVE**

### **Section 4.01**

#### **The Mayor**

(A) Terms. The Mayor is elected at-large for a three-year term.

(B) Qualifications. A candidate for the office of Mayor shall be a: (1) qualified voter of the Borough and (2) resident of the Borough for at least one-year immediately preceding his election.

(C) Residency. If the person holding the office of Mayor establishes residency outside the Borough, the person shall immediately forfeit the position.

(D) Compensation. The compensation of the Mayor shall be fixed by the Assembly and may not be reduced during his term office without his consent.

(E) Powers of the Mayor.

Executive - The executive powers of the Deltana Borough are vested in the Mayor. The Mayor presides at Assembly meetings, acts as ceremonial head of the Deltana Borough and is responsible for additional duties and powers prescribed by this Charter or the Deltana Borough Code. The Mayor may participate in all Assembly meeting discussions, presiding over the meetings. The Mayor shall only vote only in the case of a tie.

Representative - The Mayor shall execute official documents of the Deltana Borough on the authorization of the Assembly.

Veto - The Mayor may veto an ordinance, resolution or other action of the Assembly and may strike or reduce appropriation items. A vetoed ordinance, resolution or other action of the Assembly, or stricken or reduced appropriation must be returned to the Assembly with a written explanation prior to or at the next regularly scheduled Assembly meeting. The Assembly, by at least 5 votes of the total membership, may override a veto or restore a stricken or reduced appropriation within twenty-one days after the matter is returned to the Assembly. The Mayor's failure to sign a legislative measure shall not constitute a veto.

## **Section 4.02**

### **Administrative Procedures in Borough Code**

The Assembly, by ordinance, shall adopt provisions regarding: (A) The methods of appointment and dismissal of Borough officers and other personnel; (B) The powers, duties, and limitations of Borough officers and the Assembly in regard to personnel matters; (C) The identity, function, and responsibility of each executive department and agency; (D) Rules of practice and procedure governing

administrative proceedings; (E) Personnel policy and rules regarding employee evaluations for promotions and raises according to merit.

### **Section 4.03**

#### **Boards**

(A) Types of boards. The Assembly, by ordinance, may provide for advisory, regulatory, administrative, appellate or quasi-judicial boards or commissions. For boards with regulatory, appellate or quasi-judicial functions the ordinance shall also specify the method of appointment, approval and dismissal.

(B) Membership. The Mayor appoints the members of boards and commissions, unless otherwise specifically provided in this Charter or by ordinance. Appointments are subject to confirmation by the Assembly. Persons appointed by the Mayor serve at the pleasure of the Mayor.

(C) Advisory Role. Boards and commissions may make recommendations to the Assembly, the Mayor, the Borough Administrator, and heads of executive departments on matters specified in the ordinance creating the board or commission.

## **ARTICLE V. ELECTIONS**

### **Section 5.01**

#### **Regular Elections**

A regular election shall be held annually on the first Tuesday in October, unless otherwise specified by ordinance.

### **Section 5.02**

#### **Special Elections**

The Assembly, by ordinance or resolution, may call special elections and submit questions to voters.

### **Section 5.03**

#### **Notice**

Not more than six weeks and at least three weeks before an election, the Borough Clerk shall publish in full every ordinance, charter amendment, and other question, which is to be submitted to the voters for approval at that election.

## **Section 5.04**

### **Election Procedures**

All Borough elections shall be nonpartisan. The Assembly, by ordinance, shall establish procedures for regular and special Borough elections, including provisions for absentee voting. If no candidate receives more than 40 percent of the votes cast for that office, the seat will be filled by the winner of a runoff election between the two candidates receiving the most votes. In case of a tie vote for Borough office, the Assembly shall determine the successful candidate by lot.

## **Section 5.05**

### **Qualifications of Voters**

To vote in any Borough election, a person must be registered to vote in Alaska State elections at a residence address within the Deltana Borough at least 30 days before the election in which the person seeks to vote.

## **Section 5.06**

### **Recall**

An elected official may be recalled by the voters in the manner provided by Alaska Statutes, which among other provisions states that the Borough Clerk may allow petitions only on the basis of misconduct in office, incompetence, or failure to perform prescribed duties. A petition to place the recall of the elected official before voters shall be signed by a number of qualified voters as required by law.

## **ARTICLE VI. INITIATIVE AND REFERENDUM**

## **Section 6.01**

### **Reservation of Powers**

The powers of initiative and referendum are reserved to the residents of the Deltana Borough, except the powers do not extend to matters restricted by Article XI, Section 7 of the State Constitution.

## **Section 6.02**

### **Application for Petition**

(A) An initiative or referendum is proposed by filing an application with the Borough Clerk containing the ordinance or resolution to be initiated or the ordinance or resolution to be referred and the name and address of a contact person and an alternate to whom all correspondence relating to the petition may

be sent. An application shall be signed by at least 10 voters who will sponsor the petition. An additional sponsor may be added at any time before the petition is filed by submitting the name of the sponsor to the Borough Clerk. Within two weeks the Borough Clerk shall certify the application if the Borough Clerk finds that it is in proper form and, for an initiative petition, that the matter: (1) is not restricted by AK 20.26.180; (2) includes only a single subject; (3) relates to a legislative rather than to an administrative matter; and (4) would be enforceable as a matter of law.

(B) A decision by the Borough Clerk on an application for petition is subject to judicial review.

### **Section 6.03**

#### **Contents of Petition**

(A) Within two weeks after certification of an application for an initiative or referendum petition, a petition shall be prepared by the Borough Clerk. Each copy of the petition must contain:

- (1) a summary of the ordinance or resolution to be initiated or the ordinance or resolution to be referred;
- (2) the complete ordinance or resolution sought to be initiated or referred as submitted by the sponsors;
- (3) the date on which the petition is issued by the Borough Clerk;
- (4) notice that signatures must be secured within 90 days after the date the petition is issued;
- (5) spaces for each signature, the printed name of each signer, the date each signature is affixed, and the residence and mailing addresses of each signer;
- (6) a statement, with space for the sponsor's sworn signature and date of signing, that the sponsor personally circulated the petition, that all signatures were affixed in the presence of the sponsor, and that the sponsor believes the signatures to be those of the persons whose names they purport to be; and
- (7) space for indicating the total number of signatures on the petition.

(B) If a petition consists of more than one page, each page must contain the summary of the ordinance or resolution to be initiated or the ordinance or resolution to be referred.



(C) The Borough Clerk shall notify the contact person in writing when the petition is available. The contact person is responsible for notifying sponsors. Copies of the petition shall be provided by the Borough Clerk to each sponsor who appears in the Borough Clerk's office and requests a petition, and the Borough Clerk shall mail the petition to each sponsor who requests that the petition be mailed.

## **Section 6.04**

### **Signature Requirements**

(A) The signatures on an initiative or referendum petition shall be secured within 90 days after the Borough Clerk issues the petition. The statement provided under Section 6.03(a)(6) of this Charter shall be signed and dated by the sponsor. Signatures shall be in ink or indelible pencil.

(B) The Borough Clerk shall determine the number of signatures required on a petition and inform the contact person in writing. Except as provided in (e) of this section, a petition shall be signed by a number of voters based on the number of votes cast at the last regular election held before the date written notice is given to the contact person that the petition is available, equal to 25 percent of the votes cast.

(C) Illegible signatures shall be rejected by the Borough Clerk unless accompanied by a legible printed name. Signatures not accompanied by a legible printed name. Signatures not accompanied by a legible residence address shall be rejected.

(D) A petition signer may withdraw the signer's signature on written application to the Borough Clerk before certification of the petition.

(E) If the ordinance or resolution that is the subject of an initiative or referendum petition affects only an area that is less than the entire area of the Deltana Borough, only voters residing in the affected may sign the petition. The Borough Clerk shall determine the number of signatures required on the petition and inform the contact person in writing. The petition shall be signed by a number of voters based on the number of votes cast in that area at the last regular election held before the date written notice is given to the contact person that the petition is available equal to 25 percent of the votes cast.

## **Section 6.05**

### **Sufficiency of Petition**

(A) All copies of an initiative or referendum petition shall be assembled and filed as a single instrument. Within 10 days after the date the petition is filed, the Borough Clerk shall:

- (1) certify on the petition whether it is sufficient; and
- (2) if the petition is insufficient, identify the insufficiency and notify the contact person by certified mail.

(B) A petition that is insufficient may be supplemented with additional signatures obtained and filed before the 11th day after the date on which the petition is rejected.

(C) A petition that is insufficient shall be rejected and filed as a public record unless it is supplemented under (b) of this section. Within 10 days after a supplementary filing the Borough Clerk shall re-certify the petition. If it is still insufficient, the petition is rejected and filed as a public record.

## **Section 6.06**

### **Protest**

If the Borough Clerk certifies that an initiative or referendum petition is insufficient, a signer of the petition may file a protest with the Mayor within seven days after the certification. The Mayor shall present the protest at the next regular meeting of the Assembly. The Assembly shall hear and decide the protest.

## **Section 6.07**

### **New Petition**

Failure to secure sufficient signatures does not preclude the filing of a new initiative or referendum petition. However, a new petition on substantially the same matter may not be filed sooner than six months after a petition is rejected as insufficient.

## **Section 6.08**

### **Initiative Election**

(A) Unless substantially the same measure is adopted, when a petition seeks an initiative vote, the Borough Clerk shall submit the matter to the voters at the next regular election or, if already scheduled, special election occurring not sooner than 60 days after certification of the petition. If no election is scheduled

to occur within 75 days after the certification of a petition and the Assembly determines it is in the best interest of the Deltana Borough, the Assembly may by ordinance order a special election to be held on the matter before the next election that is already scheduled, but not sooner than 60 days after certification of the petition.

(B) If the Assembly adopts substantially the same measure, the petition is void, and the matter initiated may not be placed before the voters.

(C) The ordinance or resolution initiated shall be published in full in the notice of the election, but may be summarized on the ballot to indicate clearly the proposal submitted.

(D) If a majority vote favors the ordinance or resolution, it becomes effective upon certification of the election, unless a different effective date is provided in the ordinance or resolution.

## **Section 6.09**

### **Referendum Election**

(A) Unless the ordinance or resolution is repealed, when a petition seeks a referendum vote, the Borough Clerk shall submit the matter to the voters at the next regular election or, if already scheduled, special election occurring not sooner than 60 days after certification of the petition. If no election is scheduled to occur within 75 days after certification of a petition and the Assembly determines it is in the best interest of the Deltana Borough, the Assembly may by ordinance order a special election to be held on the matter before the next election that is already scheduled, but not sooner than 60 days after certification of the petition.

(B) If a petition is certified before the effective date of the matter referred, the ordinance or resolution against which the petition is filed shall be suspended pending the referendum vote. During the period of suspension, the Assembly may not enact an ordinance or resolution substantially similar to the suspended measure.

(C) If the Assembly repeals the ordinance or resolution before the referendum election, the petition is void and the matter referred shall not be placed before the voters.

(D) If a majority vote favors the repeal of the matter referred, it is repealed. Otherwise, the matter referred remains in effect or, if it has been suspended, becomes effective on certification of the election.

## **Section 6.10**

### **Effect**

(A) The effect of an ordinance or resolution may not be modified or negated with two years after its effective date if adopted in an initiative election or if adopted after a petition that contains substantially the same measure has been filed.

(B) If an ordinance or resolution is repealed in a referendum election or by the Assembly after a petition that contains substantially the same measure has been filed, substantially similar legislation may not be enacted by the Assembly for a period of two years.

(C) If an initiative or referendum measure fails to receive voter approval, a new petition application for substantially the same measure may not be filed sooner than six months after the election results are.

## **ARTICLE VII. PLANNING**

### **Section 7.01**

#### **Planning**

There shall be a Planning Commission consisting of five members appointed by the Mayor and confirmed by the Assembly. The powers and duties of the Planning Commission, and the terms, qualifications and compensation of its members shall be provided by ordinance. Until such time as the Assembly determines the necessity of a Planning Commission, the Assembly shall serve as such. The Assembly, by ordinance, shall adopt and implement, and from time to time modify, a comprehensive plan setting forth goals, objectives, and policies governing the future development of the Borough. There shall be a platting authority constituted as provided by the Assembly. The Assembly, by ordinance, shall provide for the regulation of the subdivision of land within the Borough.

## **ARTICLE VIII. EDUCATION**

### **Section 8.01**

#### **Public School System**

There shall be a system of public education for the Borough, conducted in the manner provided by law. The system of public education shall be operated by a school board of seven members.

### **Section 8.02**

#### **School Board**

(A) Qualifications. A school board member shall be a qualified Borough voter and a resident of the Borough. No school board member may hold any compensated school district employment while serving on the school board.

(B) Term. Except for the initial school board, which shall be elected in accordance with Section 17.03 of this Charter, the term of a school board member is three years.

(C) Election. Each school board member shall be elected at-large by the qualified voters.

(D) Additional Procedures. The Assembly may, by ordinance, adopt additional procedures pertaining to the nomination and election of school board members.

(E) Vacancies. The office of a school board member shall become vacant upon death, resignation, or removal from office in any manner authorized by law or by this Charter or by forfeiture of office as prescribed by law or the policies of the school board.

### **Section 8.03**

#### **Budget**

The superintendent of schools shall submit an annual budget to the school board at such time as the board may direct, but in no case at a date later than that prescribed by State law. The proposed school budget shall be a public record available for public inspection and distribution from the time of its submission to the board. The board shall hold public hearings on the budget before approval and submission to the Assembly for final action.

## **Section 8.04**

### **Joint Conference**

The Assembly and school board may meet jointly at public meetings to deliberate upon matters of mutual interest.

## **Section 8.05**

### **Administrative Procedures**

The Borough Assembly shall, by ordinance, establish procedures for administration of school district finances and buildings. The procedures shall allow for the greatest possible autonomy of the school board within the limitations of this Charter.

## **ARTICLE IX. FINANCES**

## **Section 9.01**

### **Annual Budget and Capital Improvements Program**

The operating budget shall be a complete and balanced financial plan for all operations of the Borough, showing all reserves, estimated revenues from all sources, and the proposed expenditures for all purposes in the upcoming fiscal year. It shall also include a comparative statement of actual expenditures and revenues for the preceding year and a projection of actual expenditure and revenues for the current year.

The capital budget shall be the portion of the annual budget detailing the planned capital improvements for the upcoming fiscal year and their source of funding.

The capital improvements program (CIP) shall be a plan detailing expected capital improvements for the next six fiscal years, the predicted costs, and proposed method of financing them.

Upon adoption by ordinance, the operating budget, capital budget, and CIP shall be the appropriations that govern all spending by the Borough.

(A) Fiscal year. The fiscal year of the Borough shall begin on the first day of July and end on the last day of June of the following year.

(B) Submission and presentation. No later than April 1 of each fiscal year, the Borough Administrator shall present to the Assembly the six-year CIP and the

proposed operating and capital budget for the following fiscal year. The presentation shall include a written explanation of the budget and CIP focusing on the work to be done and the financial policies that will direct the funding of that work.

(C) Hearing and Assembly action. The Assembly shall hold at least two public hearings on the proposed six-year CIP and proposed operating and capital budget no later than June 1 of each fiscal year. At least ten days prior to each hearing, the Assembly shall publish per Section 1.06 of this Charter. Copies of the proposed budget shall be made available to the public at no cost.

(D) Assembly action and executive certification of budget. The Assembly, by ordinance, shall adopt a budget not later than June 15. If it fails to do so, the budget submitted by the Borough Administrator shall be deemed adopted by the Assembly as the annual budget. The Assembly, by ordinance, may provide for additional procedures regarding submission.

The Borough Administrator shall certify the annual budget and CIP, making them part of the public record.

## **Section 9.02**

### **Altering and Transferring Appropriations**

If the Borough Administrator determines that revenues will be insufficient to meet the amount appropriated, he shall report to the Assembly, and the Assembly, by ordinance and according to the Deltana Borough Code, may reduce as necessary any appropriation except for debt service.

The Borough Administrator may transfer part or all of any unencumbered balance to another classification within a department, office, or agency.

The Borough Administrator may transfer balances from one department to another only with the approval of the Assembly through a re-appropriation.

## **Section 9.03**

### **Enterprise Funds**

Revenues from a Borough enterprise activity shall be used for the direct operating expenses and other expenses of the enterprise, such as debt retirement and providing for the establishment of an enterprise fund replacement reserve account for major maintenance and repairs. Any other use of enterprise fund revenues shall be made as authorized by ordinance or by budgetary action. If any general funds are used for enterprise fund projects, the amount will be repaid by

enterprise activity according to procedures set forth in the Deltana Borough Code.

#### **Section 9.04**

##### **Emergency and Supplemental Appropriations**

Surplus revenues may be used to fund supplemental appropriations and emergency appropriations, in accordance with the Deltana Borough Code.

#### **Section 9.05**

##### **Lapse of Appropriations**

All unencumbered appropriations of the general fund or special revenue fund shall lapse at the close of the fiscal year to the general fund or special revenue fund, respectively. An appropriation for capital improvement, or to meet requirements of federal or State grants, shall not lapse until the project is complete or abandoned.

#### **Section 9.06**

##### **Administration of the Budget**

(A) Centralized Accounting. Except as otherwise provided by ordinance, the Assembly shall provide for centralized accounting for all functions of the Borough. Except as otherwise provided by ordinance, the Assembly shall provide for centralized purchasing and specifically designate the officers who shall write checks and place orders.

(B) Appropriations. All payments must be authorized by appropriation. No payment may be made and no obligation incurred against any appropriation unless the Borough Administrator ascertains that sufficient funds are or will be made available.

(C) Payments. The Assembly shall, by ordinance, establish bylaws and procedures for making payments and recovering amounts expended without authorization.

#### **Section 9.07**

##### **Competitive Bidding and Contract Approval**

The Assembly, by ordinance, shall establish procedures for competitive bidding for the sale of Borough property and the purchase of goods and services.

Property sold by competitive bid shall be sold to the qualified responsive bidder offering the highest price. Except for employment contracts with officers and other employees of the Borough and contracts for professional services,



goods and services purchased by competitive bid shall be purchased from the qualified responsive bidder offering the lowest price.

**Section 9.08**

**Audits**

The Assembly shall provide for an annual independent audit of the accounts of the Borough. The audit shall be performed by a certified public accountant designated by the Assembly.

**Section 9.09**

**Permanent Fund**

(A) Establishment and Purpose. There shall be established a Deltana Borough Permanent Fund to hold investments from sources identified by ordinance of the Borough Assembly. The Permanent Fund shall be maintained in perpetuity as a separate fund, apart from all other funds and accounts of the Borough.

(B) Principal. The principal of the Fund shall be invested in such types of income producing investments specifically designated by ordinance. Any use of principal other than reinvestment in the Fund shall be made by ordinance ratified by the voters of the Borough.

(C) Interest income. Only interest and dividends on the fund shall be spent. After a portion or all of the dividend and interest is returned to the fund principal as inflation proofing, surplus may be used for Borough expenses.

**Section 9.10**

**Finances**

To the greatest extent permitted by law, the new government shall have the power, but may not be required, to adopt by ordinance municipal budgets, taxes, levies, and appropriations for periods of time greater than the next fiscal year, but not to exceed three (3) fiscal years.

**ARTICLE X. TAXATION**

**Section 10.01**

**Sales Tax, Property Tax, Severance Tax and Other Forms of Tax**

A sales tax, a property tax, a severance tax or other forms of taxation shall not go into effect or change in rate thereof prior to a popular vote in which the majority of voters approve the tax.

**Section 10.02**

**Tax Procedures**

The Assembly shall, by ordinance, prescribe the procedures for tax assessment and collection.

No lien authorized by this Charter or by law precludes the Borough from exercising any other lawful remedy for the collection of taxes.

**Section 10.03**

**Private Interests Taxable**

If a property tax is authorized by the voters, private leaseholds, contracts, or other interests in land or property owned or held by the United States, the State, or political subdivisions, shall be taxable to the extent of the fair market value of the private interest.

**Section 10.04**

**Mineral Severance and Processing Tax**

(A) The Borough is authorized to levy a severance tax of on minerals mined within the boundaries of the Borough, calculated on the gross value of such minerals.

(B) The Borough is authorized to levy a mineral processing tax on minerals processed within the boundaries of the Borough, calculated on the gross value of such minerals. Any mineral processing tax due to the Borough shall be subject to a credit for severance tax actually paid to the Borough for the same minerals.

(C) "Minerals" means all valuable minerals such as gold, silver, copper, lead, zinc, and platinum, but shall not include sand, gravel, or other construction materials, oil or gas.

(D) The Borough Assembly may enter into agreements for payments in lieu of taxes. During the term of an agreement for payments in lieu of taxes, the agreement shall exempt the taxpayer and the taxpayer's property from taxes otherwise payable to the Borough except as provided in the agreement.

## **ARTICLE XI. BORROWING**

### **Section 11.01**

#### **Borough Debt**

The Borough may borrow money for any public purpose, and issue evidence of indebtedness for obligations, which include:

- (A) General obligation bonds;
- (B) Special assessment bonds;
- (C) Revenue bonds;
- (D) Refunding bonds;
- (E) Bond anticipation notes; and
- (F) Revenue anticipation notes.

### **Section 11.02**

#### **Limitations**

(A) General obligations of the Borough. No general obligation bonded indebtedness may be incurred unless authorized by the Assembly for capital improvements and ratified by a majority vote of those in the Borough voting on the question, except that refunding bonds may be issued without an election and bond anticipation notes may be issued once the bond issue has been ratified.

(B) General obligations of the Borough in service areas. No obligation by pledge of taxes to be levied in a service area may be issued unless authorized by the Assembly for capital improvements and ratified by a majority vote among voters within the service area. Additionally, obligations for a service area may be secured by a pledge of the full faith and credit of the Borough if the Assembly authorizes and the area wide voters ratify the obligation.

(C) Time limit on notes. Tax or revenue anticipation notes shall be repaid within twelve months from their date of issuance. If the taxes or revenues anticipated are not received within this time, the Assembly may renew the notes for a period not to exceed six months.

(D) Limitations of sale. The Assembly, by ordinance, shall provide for the form and manner of sale of bonds and notes including reasonable limitation upon the sale of bonds and notes to financial consultants of the Borough.

### **Section 11.03**

#### **Notice of Bond Election**

(A) Before holding any election required by this article, the Assembly shall have a notice of election published once a week for three consecutive weeks. The first publication shall be at least 20 days prior to the date of election. For elections ratifying the issuance of general obligation bonds of the Borough or obligations within service areas to be secured by a pledge of the full faith and credit of the Borough, the notice shall contain:

- (1) the amount of the bonds, purposes of issuance, length of time for the bonds to mature, and the maximum interest rate the bonds will bear;
- (2) the amount of the estimated annual debt service on the proposed bonds;
- (3) the amount of the current total general obligation debt;
- (4) the amount of the current year's debt service on the outstanding general obligation bonds; and
- (5) the current total assessed valuation within the Borough.

(B) For bonds secured by a pledge of taxes to be levied in a service area, the notice shall contain the same information listed above, but in regard to the service area.

### **Section 11.04**

#### **Actions Challenging the Validity of Obligations**

Minor errors in the published notice shall not invalidate any subsequent election. Challenges to the sufficiency of any notice must be made no later than 30 days after the ordinance becomes effective.

An action challenging the validity of obligations of the Borough or of an election or tax levy with respect to an obligation may be instituted only within thirty days after the adoption of the ordinance or resolution or certification of the election results, as the case may be.

### **Section 11.05**

#### **Proceeds From Sale of Obligations**

Proceeds derived from the sale of obligations shall be used solely for the purposes for which the obligations were issued, or for payment of principal or interest or other charges with respect to the obligations.

## **ARTICLE XII. SERVICE AREAS**

### **Section 12.01**

#### **Creation, Operation and Abolition of Service Areas**

Subject to limitations in State law, the Assembly, by ordinance, shall provide for the creation, operation, alteration, and abolition of service areas. A service area may be established to meet a need, improve safety, increase economic operating efficiency, and provide other reasonable benefits to residents of that area. Only the area in which the service shall be provided shall comprise the service area.

## **ARTICLE XIII. LOCAL IMPROVEMENT DISTRICTS**

### **Section 13.01**

#### **Creation, Operation and Abolition of Local Improvement Districts**

Subject to limitations in State law, the Assembly, by ordinance, shall provide for the creation, operation, alteration, and abolition of local improvement districts. A local improvement district may be established to meet a need, improve safety, increase economic operating efficiency, and provide other reasonable benefits to residents of that area. Only the area in which the local improvements shall be provided shall comprise the local improvement district.

## **ARTICLE XIV. UTILITIES**

### **Section 14.01**

#### **Designating Utilities**

The Assembly may, by ordinance ratified by the voters area-wide, designate utilities as Borough utilities.

### **Section 14.02**

#### **Operating Standards**

Borough utilities shall be operated in a business-like manner in accordance with general standards for utilities providing the same types of service.

### **Section 14.03**

#### **Management**

Borough utilities may be operated and administered in the manner provided by the Assembly or by one or more utility boards. The Assembly shall

prescribe, by ordinance, the rules and procedures for the convenient management, operation, regulation, and use of Borough utilities.

#### **Section 14.04**

##### **Accounting**

Each Borough utility shall have a separate budget within the annual Borough budget. The accounts of each utility shall be kept separately and classified in accordance with uniform accounting standards prescribed for public utilities providing the same types of service.

#### **Section 14.05**

##### **Selling or Leasing**

The Assembly may, by ordinance, sell or lease any utility service.

### **ARTICLE XV. CHARTER AMENDMENT**

#### **Section 15.01**

##### **Vote Required**

The Deltana Borough electorate may amend this Charter by ratifying an amendment at a regular or special election.

#### **Section 15.02**

##### **Procedure**

Amendments to this Charter may be proposed by ordinance approved by the Assembly, a final report of a charter commission established in the manner provided by law, or initiative petition. Proposed amendments shall be submitted to the voters at the next regular or special election occurring more than forty-five days after the adoption of the ordinance, a final report of a charter commission, or certification of the initiative petition.

If the proposed amendment is approved by a majority of the voters, it becomes effective at the time set in the amendment; or, if no time is set, it takes effect thirty days after certification of the results of the election.

#### **Section 15.03**

##### **New Charter**

A new charter may be proposed and approved in the same manner as an amendment.

## **Section 15.04**

### **Ballot Form**

When an amendment to this Charter is proposed for adoption by the voters, the ballot proposition shall contain any current wording that is proposed to be changed as well as any proposed wording that will replace it. As much surrounding language shall be included as needed to provide a context for understanding the change in the provision.

## **ARTICLE XVI. GENERAL PROVISION**

## **Section 16.01**

### **Public Meetings**

(A) Except as provided for in this Charter, all meetings of the Assembly, the school board, the planning commission and other boards and commissions shall be held in public. The Assembly, by ordinance, shall adopt procedures for reasonable public notice of all meetings. At each such meeting, the public shall have reasonable opportunity to be heard.

(B) An executive session may be held only to discuss matters permitted by Alaska Statutes, and even then with due regard for the public's right to know and be self-governed. The general matter for consideration in executive session shall be expressed in the motion calling for the session. No official action may be taken in executive session except to give direction to an attorney or labor negotiator regarding handling of a specific legal matter or pending labor negotiation.

(C) Except in emergency, the Assembly, school board, and all Borough boards and commissions may take no official action between the hours of midnight and 7:00 a.m. local time. Action taken in violation of this provision is void.

## **Section 16.02**

### **Public Records**

(A) It is the policy of the Borough, including the school district, to disclose all records and to provide access to records, except as provided otherwise. Requests for disclosure shall be handled in a timely, reasonable, and responsive manner, without infringing on the rights of any person or other entity, and without impairing the functioning of the Borough.

(B) All Borough records are open to the public unless authorized to be confidential by a valid Alaska or federal statute or regulation, this Charter, or by privilege, exemption, or principle recognized by the courts, or by an agency protective order authorized by law.

### **Section 16.03**

#### **Oaths of Office**

Borough officers, before taking office, shall take and subscribe to the following affirmation: I solemnly affirm that I will support the Constitution of the United States, the Constitution of the State of Alaska and the Deltana Borough Charter, and that I will faithfully perform the duties of \_\_\_\_\_ to the best of my ability.

### **Section 16.04**

#### **Continuation in Office**

Each elected Borough officer whose term has expired shall continue to serve until his successor qualifies and takes office.

### **Section 16.05**

#### **Interpretation**

(A) Titles and subtitles are for identification and ease of reference only and shall not be construed as interpretations of charter provisions.

(B) Words in the present tense include the past and future tenses, and words in the future tense include the present tense. Words in the singular number include the plural, and words in the plural number include the singular. Words of any gender may, when the sense so indicates, refer to any other gender.

(C) References in this Charter to particular powers, duties and procedures of Borough officers and agencies may not be construed as implied limitations on other Borough activities not prohibited by law.

### **Section 16.06**

#### **Definitions**

(A) "Appropriation" means a unit of funding provided for by the Assembly in the Borough budget. An appropriation may be specific as to particular expenditures or general as to an entire department or agency, as the Assembly deems appropriate.



(B) “Emergency” means an unforeseen occurrence or condition, which results or apparently will result in an insufficiency of services or facilities substantial enough to endanger the public health, safety or welfare.

(C) “Initiative” means the initiation of Borough legislation and its enactment or rejection by the Borough electorate in the event the proposed measure is not enacted by the Assembly.

(D) “Interest in lands” means any estate in real property or improvements thereon excluding revocable permits or licenses, rights-of-way, or easements that the Assembly finds to be without substantial value to the Borough.

(E) “Law” means this Charter, the ordinances and resolutions preserved by this Charter, or enacted pursuant to it, and those portions of the statutes of the State of Alaska and the Constitutions of the State of Alaska and of the United States that are valid limitations on the exercise of legislative power by home rule governments.

(F) “Borough” means the “Deltana Borough” created upon ratification of this Charter.

(G) “Publish” means publication at least one time in a newspaper of general circulation within the Borough; and posting, for at least ten days, in all U.S. post offices within the Borough, on the Internet, and at least eight other public places within the Borough; unless otherwise specified by another provision of this Charter or by ordinance.

(H) “Referendum” means the right of the voters of the Deltana Borough to have an act, which was passed by the legislative body, be submitted for electorate approval or rejection.

(I) “Resident” means a person whose habitual, physical dwelling place is within the Borough and who intends to maintain his dwelling place in the Borough.

(J) “Supermajority vote” means an affirmative vote by at least five (5) of the total membership of the voting body.

(K) “Utility” or “Borough Utility” means a utility designed under Section 14.01 of this Charter.

## **ARTICLE XVII. TRANSITION**

### **Section 17.01**

#### **Effective Date**

This Charter takes effect upon the incorporation of the Deltana Borough. In accordance with AS 29.05.140(d), upon incorporation of the Deltana Borough, a unified home-rule Borough, the Charter operates to dissolve the City of Delta Junction.

### **Section 17.02**

#### **Unification Election**

The election for ratification of this Charter and for incorporation of the Deltana Borough shall be held in accordance with Alaska Statutes.

### **Section 17.03**

#### **Initial Terms of Assembly and School Board Members**

For purposes of the election of the initial Assembly Members and school board members: Seats A and B shall be designated as one-year seats; Seats C and D shall be designated as two-year seats; Seats E, F and G shall be designated as three-year seats.

### **Section 17.04**

#### **Prior Law Preserved**

All ordinances, resolutions, regulations, orders and rules in effect in the former City of Delta Junction shall continue in full force and effect to the extent that they are consistent with this Charter, until repealed or amended in accordance with this Charter.

### **Section 17.05**

#### **Conflict in Prior Law**

In the event of conflict between the ordinances, resolutions and regulations of the former City of Delta Junction and resolutions and regulations of the Delta-Greely Regional Educational Attendance Area, affecting the orderly transition of government, the Mayor shall designate in writing which governs. The designation is effective immediately and shall be communicated to the Assembly and school board. The designation is approved unless the Assembly, within twenty-one days, adopts by resolution a contrary designation.

## **Section 17.06**

### **Code of Ordinances**

Not later than 18 months following the date of consolidation, the Assembly shall enact a code of ordinances. Enactment of the Deltana Borough Code shall repeal all ordinances of the former City of Delta Junction not included in the code. Repeal is not retroactive and does not affect any pending court action.

## **Section 17.07**

### **Existing Rights and Liabilities Preserved**

Except as otherwise provided in this Charter, all rights, titles, actions, suits, franchises, contracts, and liabilities and all civil, criminal or administrative proceedings shall continue unaffected by the ratification of this Charter. The Deltana Borough shall be the legal successor to the City of Delta Junction and the Delta-Greely Regional Educational Attendance Area for this purpose.

Any bond of the City of Delta Junction authorized but un-issued on the date of ratification of this Charter remains authorized and may be issued at the discretion of the Assembly without additional ratification, subject to the procedures provided by law.

## **Section 17.08**

### **Prior Organizations**

All boards and commissions of the former City of Delta Junction or the Delta-Greely Regional Educational Attendance Area shall continue to function until altered in accordance with this Charter.

## **Section 17.09**

### **Organization of the Executive Branch**

Not later than 60 days following the effective date of unification, the Mayor shall submit to the Assembly a plan of organization of the executive branch. The plan shall provide for elimination of unnecessary duplication. The proposed plan shall become law twenty days after submitted unless sooner adopted, with or without amendment, or rejected by the Assembly. If the proposed plan is rejected, the Mayor shall submit an alternate plan to the Assembly within fifteen days of the rejection. If, prior to 20 days following submittal by the Mayor of an alternate plan, the Assembly has adopted no such plan of organization the alternate proposal submitted by the Mayor becomes law.

Prior governing bodies shall retain their function and serve until the new Assembly is sworn in.

## **Section 17.10**

### **Employees of Former City of Delta Junction**

(A) Upon ratification of this Charter, employees of the former City of Delta Junction shall become employees of the Deltana Borough, subject to a probationary period of 180 days. The Deltana Borough shall determine employment beyond that time period for former City of Delta Junction employees. Transitional or holdover employees may be terminated for cause during the 180-day period. At-will employees will serve at the pleasure of the Assembly.

(B) Any employees whose positions are eliminated by the plans of organization described in Section 17.09 shall be eligible for reassignment to available positions for which they are qualified. Such assignment shall be made in the order of seniority based on date of hire by the City of Delta Junction or the Deltana Borough.

(C) The vested rights of current employees under pension plans, retirement plans and other benefits, whether under personnel rules or under other legal or contractual provisions, shall not be diminished by ratification of this Charter.

(D) Participation by the Deltana Borough in State-administered employee retirement systems shall continue for the former employees of the City of Delta Junction for the first 180 days following the incorporation of the Deltana Borough. At a time prior to the 180<sup>th</sup> day the Assembly shall determine if the new government will participate in the Alaska Public Employees' Retirement System.

(E) Employees of the Delta-Greely Regional Educational Attendance Area shall be covered by AS 29.05.130, and AS 29.05.140.

## **Section 17.11**

### **Assets and Liabilities**

The new government shall succeed to all assets and liabilities of the City of Delta Junction and the Delta-Greely Regional Educational Attendance Area, including an agreement between Teck-Pogo, Inc., and the City of Delta Junction for payments by Teck-Pogo, Inc., to the City and the Borough as the City's successor, which agreement shall be an agreement for payments in lieu of taxes to which the provisions of Section 10.04(D) of this Charter apply. The assumption of school

**powers shall comply with A.S. 29.05.130, Integration of Special Districts and Service Areas, and A.S. 29.05.140, Transition.**

Deltana Borough Charter  
Delta Junction, Alaska  
November 16, 2005

Director's Office  
PO Box 110017  
Juneau, Alaska 99811-0017  
907-465-4611 907-465-3203 FAX  
elections@gov.state.ak.us



Region III Office  
Fairbanks Regional Office Bldg.  
675 7<sup>th</sup> Avenue, Ste H3  
Fairbanks, AK 99701-4592  
907-451-2835 907-451-2832 FAX

# EXHIBIT J

STATE OF ALASKA  
Division of Elections  
Office of the Lieutenant Governor

December 7, 2004

Lamar Cotton  
13001 Galveston Circle  
Anchorage, AK 99516


Dear Lamar:

Per your request, below is the number of votes cast in the three Delta area precincts during the 2004 General election:

06-546 Deltana	528
12-010 Big Delta	438
12-020 Delta Junction	350

Please let me know if you have any questions.

Sincerely,

  
Shelly Growden  
Election Supervisor, Region III

## **EXHIBIT K**

# **CITY OF DELTA JUNCTION-TECH POGO PILT AGREEMENT**

**AGREEMENT FOR PAYMENT IN LIEU OF TAXES**

The City,

CITY OF DELTA JUNCTION, ALASKA  
P.O. Box 229  
Delta Junction, Alaska 99737

and the Taxpayer,

TECK-POGO, INC.  
3520 International Street  
Fairbanks, Alaska 99701

recite and declare that:

**RECITALS**

A. The City is a second class, general city organized and existing under the laws of the State of Alaska.

B. The Taxpayer is an Alaska domestic corporation, qualified to do business in Alaska, is manager of the Pogo Joint Venture, established pursuant to that Earn-In and Joint Venture Agreement between Teck Resources Inc., Teck Corporation, Sumitomo Metal Mining America Inc. and SC Minerals America Inc. dated as of December 16, 1997, as amended (the "Pogo Joint Venture"), and enters this Agreement in its capacity as Manager of the Pogo Joint Venture.

C. The Deltana Home Rule Borough ("the Borough") is a proposed home rule borough, whose boundaries are proposed to be the present current Delta/Greely School District.

D. The Taxpayer is constructing Pogo Mine approximately 37 miles northwest of the City, outside the boundaries of the City but within the boundaries of the Borough.

E. The City would benefit from payments from the Taxpayer to compensate the City, in part, for the impact of development and operation of Pogo Mine on the City, even though Pogo Mine is outside the city limits of the City.

F. The Borough would benefit from payment of fair, stable, predictable taxes from the Taxpayer, and the Borough's incorporation effort would be assisted by demonstrating that the Borough will have a substantial economic base.

G. The Taxpayer will benefit from fair, stable, predictable taxes through the predicted life of the Pogo Mine.



H. The City and the Taxpayer acknowledge as their mutual understanding and as part of the consideration for this Agreement that an obligation exists on the part of citizens and business generally in the Borough to support local government services by payment of reasonable taxes.

I. The City and the Taxpayer further agree that the Taxpayer shall not become the sole taxpayer in the Borough.

NOW, THEREFORE, in consideration of those Recitals and for other good and sufficient consideration, receipt of which is acknowledged, the City and the Taxpayer agree:

1. Parties to Agreement. The parties to this agreement are the City and the Taxpayer. The parties acknowledge and agree that this agreement is made in contemplation of the incorporation of the Borough, and that this agreement is intended to be binding upon the Borough, and that the failure of incorporation of the Borough will terminate this agreement, as provided in Paragraph 11 below. No other person or entity is intended to be a party to this agreement, or to receive rights or privileges under this agreement.
2. Term of Agreement. This agreement shall have a term of ten (10) years commencing at date of adoption by the City, unless terminated earlier under Paragraph 11, and subject to certain extended obligations of the Taxpayer under Paragraph 6.
3. Payments to the City. The Taxpayer shall make the following payments to the City, at the dates and in the amounts set out below.
  - 3.1. On the later to occur of July 1, 2005 or adoption by the City under Paragraph 8, the Taxpayer shall pay to the City the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00). The payment under this subparagraph shall be unrestricted and without condition, and shall be and remain the property of the City without regard to subsequent events.
  - 3.2. If the Borough has not yet been incorporated on July 1, 2006, then on that date the Taxpayer shall pay to the City the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00). One-half of the payment under this subparagraph shall be unrestricted and without condition, and shall be and remain the property of the City without regard to subsequent conditions. The other half of the payment under this subparagraph shall be placed in an escrow account, on the following terms and conditions:
    - 3.2.1. The escrowed funds shall be held in one or more interest-bearing accounts with a third party escrow agent.



distribution from escrow pursuant to subparagraph 3.2.2, if applicable.

4.2. If the Borough has been incorporated on or before July 1, 2007, then the payment otherwise made to the City under Paragraph 3.3 shall be paid to the Borough, except that no escrow shall be established and instead all monies paid by the Taxpayer shall be unrestricted and without condition, and shall be and remain the property of the Borough without regard to subsequent events. If the Borough has not been incorporated on or before July 1, 2007, then it shall not receive any direct payment under this subparagraph, and instead shall receive a distribution of all escrowed funds pursuant to subparagraph 3.2.2 and 3.3.2, if applicable.

4.3. If the Borough has been incorporated on or before December 31, 2008, then the Borough shall receive a distribution of all escrowed funds pursuant to subparagraph 3.2.2 and 3.3.2, and the Taxpayer shall pay to the Borough in 2008 and in subsequent years the PILT described in Paragraph 5 of this agreement. If the Borough has not been incorporated on or before December 31, 2008, then the Taxpayer shall have no obligation to pay monies to the Borough in that year or any subsequent year, and this agreement shall terminate as provided in Paragraph 11.3.

4.3.1. One-half of the annual PILT shall be paid by the Taxpayer on July 1 of each year; the balance shall be paid on October 1 of each year.

4.3.2. A failure to make timely payments required by this Paragraph shall be a breach of this agreement. Past due payments shall be subject to interest and late fees at rates set by the City or the Borough. A payment more than sixty (60) days delinquent shall be grounds for termination of this agreement under Paragraph 15.

5. Calculation of Payments in Lieu of Taxes. PILT payable under this agreement shall be calculated under this Paragraph.

5.1. The Initial Assessed Value of the Pogo Mine shall be determined as the total cost of capital improvements for real property, personal property and fixtures expended by the Taxpayer, but not less than Two Hundred Sixty Million and 00/100 Dollars (\$260,000,000.00).

5.2. The Annual Assessed Value of the Pogo Mine shall be calculated as the Initial Assessed Value, depreciated using straightline depreciation methodology over a term of ten (10) years, plus, in years after 2006, the total cost of additional capital improvements to real property, personal property and fixtures made in any subsequent tax

year, also depreciated using straightline depreciation methodology over a term of ten (10) years.

5.3. The PILT obligation of the Taxpayer in any year shall be calculated in each year as the greater of

5.3.1. The product of the Annual Assessed Value multiplied by ten (10) mills; or

5.3.2. The sum of Two Million and 00/100 Dollars (\$2,000,000.00).

5.4. The Taxpayer agrees that its books and records shall be open and available to the Borough or its designated agent for inspection and copying so that the Borough may determine in any year the capital improvements made to real property, personal property and fixtures at the Pogo Mine in the preceding calendar year.

6. Payments under General Obligation Bond Issued by Borough. In addition to the payments due under other paragraphs of this agreement, in the event that the Borough voters approve and the Borough, directly or through a bond bank, issues general obligation bonds, the Taxpayer shall be obligated for payments under those general obligation bonds in amounts calculated under this Paragraph.

6.1. The Taxpayer shall pay as debt service on any general obligation bonds issued, directly or through the municipal bond bank, sums in addition to the PILT described in Paragraphs 4 and 5. Those sums shall be calculated by multiplying the Effective Mill Rate paid by the taxpayers of the Borough by the Annual Assessed Value calculated under Paragraph 5.2 for the year in which the general obligation bonds are issued, subject to the Maximum Bond Payment described below.

6.2. "Effective Mill Rate" is the sum of all New Taxes paid by the citizens of and visitors to the Deltana Borough, excluding the Taxpayer, divided by the then current total assessed value of all real property located in the Borough, excluding the Taxpayer's property and excluding oil and gas property subject to taxation under AS 43.56.

6.2.1. "New Taxes" are the taxes paid by citizens of and visitors to the Deltana Borough, including new sales, use and energy taxes, user fees, as well as traditional property taxes, where those taxes are imposed by reason of issuance of, or as debt service for, general obligation bonds by the Borough.

6.2.2. The New Taxes paid by the citizens of the Deltana Borough shall include draws made by the Borough from savings accounts, permanent funds and

reserves, reflecting revenues earned by the City or the Borough in previous years from any source. New Taxes shall not include state or federal grants or revenues received after the date of Borough formation except as provided in Paragraph 6.2.3.

- 6.2.3. To the extent that a tax burden has been imposed on the citizens of and visitors to the Deltana Borough under Paragraph 6.2.1, New Taxes in the discretion of the Borough shall include federal payments in lieu of taxes payable under 31 USC §6901, to the lesser of half of those federal PILT payments or \$175,000.
- 6.3. The Taxpayer shall pay annually as debt service on general obligation bonds issued by the Borough the lesser of
  - 6.3.1. The product of the Effective Mill Rate determined under subparagraph 6.2 and the Annual Assessed Value existing at the date of issuance of the general obligation bonds; or
  - 6.3.2. The Bond Payment Limit calculated under subparagraph 6.4.
- 6.4. The Taxpayer shall not be required to pay monies for bonded indebtedness under this Paragraph in excess of the Bond Payment Limit. The Bond Payment Limit is the greater of
  - 6.4.1. Three Hundred Fifty Thousand and 00/100 Dollars (\$350,000.00); or
  - 6.4.2. If the Annual Assessed Value of the Pogo Mine at any time during the term of this agreement exceeds the Initial Assessed Value, then the Bond Payment Limit shall be calculated as One and 35/100ths mills (0.00135%) multiplied by the Annual Assessed Value of the Pogo Mine.
- 6.5. Payments under this Paragraph shall be due at the dates provided in the general obligation bonds or enabling ordinances.
- 6.6. In the first year following imposition of a general obligation bond levy under this Paragraph, the Taxpayer agrees that the parties will proceed by estimates as to the Effective Mill Rate, and that adjustments for actual revenues paid by citizens and visitors to the Borough and the Effective Mill Rate under subparagraph 6.3 will be made in subsequent years.
- 6.7. The obligation of the Taxpayer to make payments under this paragraph shall survive the Term of this agreement,

and shall extend for five (5) additional years following expiration of the Term.

- 6.8. A failure to timely make payments required by this Paragraph shall be a breach of this agreement. Past due payments shall be subject to interest and late fees at rates set by the Borough. A payment more than sixty (60) days delinquent shall be grounds for termination of this agreement under Paragraph 15.
7. Other Tax Obligations of the Taxpayer. During the term of this agreement, no property tax, mineral severance tax, sales tax, value added tax, mineral processing tax or other levy of any kind or type shall be imposed by the Borough on the Taxpayer, except as narrowly and specifically provided in this agreement.
- 7.1. The Taxpayer shall be obligated for sales, energy and use taxes purchased by the Taxpayer in the Borough, except that no sales, use, energy or use taxes shall be levied on sales made where delivery of goods or services is at the Taxpayer's mine property.
- 7.2. The Taxpayer shall be liable for special assessments and service district taxes to which the Taxpayer agrees in writing. In the event that State of Alaska ceases to maintain the public portion of Shaw Creek Road from the Richardson Highway to the Taxpayer's gate, the Taxpayer shall maintain the public section as reasonably necessary to service local residents and the Taxpayer.
- 7.3. Nothing contained in this agreement is intended to limit the authority of the Borough to levy taxes in the special circumstances described in AS 29.47.200.
- 7.4. Nothing in this agreement limits the authority or right of the State of Alaska or the United States to levy taxes on the Taxpayer.
8. Adoption by the Taxpayer. The Taxpayer shall duly adopt this agreement by corporate resolution. A copy of the authorizing resolution and suitable evidence of its due adoption shall be provided to the City.
9. Adoption by the City. The City shall duly adopt this agreement as a municipal ordinance, enacted in accordance with Alaska law and municipal ordinances. A copy of the adopting ordinance and suitable evidence of its due adoption shall be furnished to the Taxpayer.
10. Adoption by the Borough. The Borough shall adopt this agreement as a part of the obligations of the City to be assumed by the Borough upon incorporation of the Borough. The assumption of this agreement shall be a part of the incorporation question presented to the voters in the incorporation election. It is the express intent of the

parties that to the greatest extent permitted by law, upon incorporation of the Borough, this agreement shall be binding upon the Borough as an existing obligation of the City.

11. Effect of Failure of Incorporation of Borough. While the Taxpayer and the City have every expectation that the voters will approve the incorporation of the Borough, the Taxpayer and the City recognize there is a risk that the incorporation election or elections will fail. The parties contract for that risk under this Paragraph.
  - 11.1. If the incorporation of the Borough is not approved by the voters in an incorporation election on or before July 1, 2006, then the payment to the City under Paragraph 3.2 shall be made and distributed as provided in that Paragraph.
  - 11.2. If the incorporation of the Borough is not approved by the voters in an incorporation election on or before July 1, 2007, then the payment to the City under Paragraph 3.3 shall be made and distributed as provided in that Paragraph.
  - 11.3. If the incorporation of the Borough is not approved by the voters in an incorporation election on or before December 31, 2008, then the term of this agreement shall expire, this agreement shall be terminated and, except as provided with regard to payments to the City under Paragraph 3, no party shall have further rights under this agreement.
  - 11.4. If the incorporation of the Borough is rejected by the voters of the Borough, this agreement shall remain in force and effect, subject to the deadline for incorporation in subparagraph 11.3, provided that under AS 29.06.360(d) a new proposed charter is submitted to the voters at a borough election within one (1) year of the date of the election at which incorporation failed.
12. Deadline for Adoption by the City. The City shall adopt this agreement on or before November 15, 2005 or the Taxpayer, at its option, may withdraw from this agreement.
13. Deadline for Adoption by the Taxpayer. The Taxpayer shall adopt this agreement on or before November 15, 2005 or the City, at its option, may withdraw from this agreement.
14. Breach by City or Borough; Remedies. If the City or the Borough materially breaches this agreement, the Taxpayer shall be entitled to seek equitable relief, including an injunction, damages, and such other relief as may be available under Alaska law.
15. Breach by Taxpayer; Remedies. If the Taxpayer breaches this agreement, including a failure to timely make payments required under this agreement, then the City or the Borough,

as the case may be, shall be entitled to seek equitable relief, including an injunction, damages, and such other relief as may be available under Alaska law, including, without limitation, termination of this agreement for cause.

16. Other Terms and Conditions.

16.1. If the laws or Constitution of the State of Alaska are amended in a way that adversely and materially impacts the economic utility of this agreement in a way that was not contemplated by the parties, then upon sixty (60) days notice to other party, a party may petition the court to have this agreement declared terminated. However, it shall be a breach of this agreement for either party to actively seek such a change of law or the Constitution. At any time during the pendency of such court proceeding, either party may ask the court to provide for the court-supervised escrow of payments made by or required to be made by the Taxpayer under this agreement.

16.2. In the event that any term or provision of this agreement is found by a court to be illegal or unenforceable, the court shall then assess whether the impact of that decision adversely and materially impacts the economic utility of this agreement in a way that was not contemplated by the parties.

16.2.1. If the court concludes that the decision is not adverse to the intent of the parties, or that the value of the agreement to the parties is not materially impaired, then the agreement shall be and remain enforceable except for the offending term or provision.

16.2.2. If the court concludes that the decision is adverse to the intent of the parties, or that the value of the agreement to the parties is materially impaired, then the agreement shall be declared terminated.

16.2.3. In the event section 7 of this Agreement is found by a court to be illegal or unenforceable, and a final judgment is entered to that effect, and a stay is not entered pending an appeal, the Taxpayer may any time thereafter, at its sole election, terminate this agreement upon sixty (60) days notice.

16.3. This agreement and the relationship of the City, the Borough, and the Taxpayer shall be governed by and construed in accordance with the laws of the State of Alaska. Any disputes arising under this agreement shall be adjudicated in the Superior Court for the State of Alaska, Fourth Judicial District, at Delta Junction,



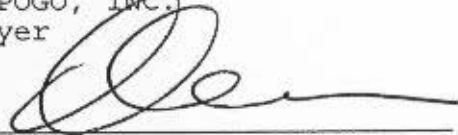
Alaska. If the Superior Court does not then sit at Delta Junction, Alaska, then venue shall be in Fairbanks, Alaska.

- 16.4. No assignment of this agreement by any party shall be made or be effective without the prior, written consent of the other, except that:
  - 16.4.1. The assignment to the Borough contemplated by this agreement is excepted from this requirement; and
  - 16.4.2. The assignment by the Taxpayer of its rights and responsibilities to any parent, affiliate or subsidiary is excepted from this requirement.
  - 16.4.3. The assignment by the Taxpayer of its rights and responsibilities to an entity who is also assigned the Taxpayer's rights to the Pogo Mine, is qualified to assume or acquire all permits and authorizations necessary to operate the Pogo Mine, and has committed in writing to be bound by this agreement to the same extent and upon the same terms as the Taxpayer.
- 16.5. This agreement represents the complete agreement of the parties. This agreement supersedes all contracts, arrangements, discussions, commitments and offers of any kind or nature, oral or written, made by the parties at any time prior to the date of this agreement.
- 16.6. The headings in this agreement are for reference purposes only and shall not affect the meaning or interpretation of this agreement or any provision of this agreement.
- 16.7. This agreement may not be modified, altered or amended, and no rights under this agreement may be waived, except by a written amendment signed by the then-current parties.
- 16.8. Any specific right or remedy set forth in this agreement, legal or equitable, shall not be exclusive but shall be cumulative to all other rights and remedies allowable by this agreement or by law.
- 16.9. The failure by any party to exercise any of its rights under this agreement in the event of a breach of this agreement shall not be deemed a waiver of those rights nor a waiver of any subsequent breach.
- 16.10. This Agreement is entered into as a compromise of all legal rights of the parties concerning present or future rights of the Borough to impose taxes of any

kind on the Taxpayer. The Parties are aware of the consideration during the 2005-2006 Legislature of HB 280 and other related legislation, and the parties agree that this Agreement is intended to compromise and waive and replace, during the term of this Agreement, any legal rights or immunities whatsoever relating to taxes which they may presently have or which they may acquire in the future under that or similar legislation, whether or not such rights or immunities would result in greater or lesser taxes imposed on Taxpayer by the Borough than are provided for in this Agreement.

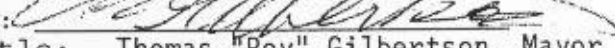
DATED this 14 day of OCTOBER, 2005.

TECK-POGO, INC.  
Taxpayer

By:   
Rick Zimmer, Vice President

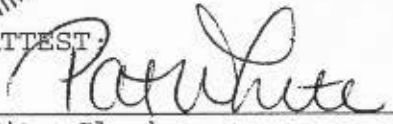
DATED this 15th day of November, 2005.

CITY OF DELTA JUNCTION, ALASKA

By:   
Title: Thomas "Roy" Gilbertson, Mayor



ATTEST:

  
City Clerk

## EXHIBIT L

### HOUSE BILL 217

01 "An Act relating to the determination of full and true value of taxable  
municipal  
02 property for purposes of calculating funding for education and certain other  
programs."  
03 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
04 \* **Section 1.** AS 14.17.510(a) is amended to read:  
05 (a) To determine the amount of required local contribution under  
06 AS 14.17.410(b)(2) and to aid the department and the legislature in  
planning, the  
07 Department of Commerce, Community, and Economic Development, in  
consultation  
08 with the assessor for each district in a city or borough, shall determine  
the full and true  
09 value of the taxable real and personal property in each district in a  
city or borough. If  
10 there is no local assessor or current local assessment for a city or  
borough school  
11 district, then the Department of Commerce, Community, and Economic  
Development  
12 shall make the determination of full and true value from information  
available. In  
13 making the determination, the Department of Commerce, Community, and  
Economic  
14 Development shall be guided by AS 29.45.110. However, the full and true  
value of  
01 taxable real and personal property in any area detached shall be excluded  
from  
02 the determination of the full and true value of the municipality from  
which the  
03 property was detached for the two years immediately preceding the  
effective date  
04 of the detachment. Also, in making the determination for a municipality  
that is a  
05 school district, or for a city that is within a borough school district,  
the assessed  
06 value of property taxable under AS 43.56 shall be excluded if a tax is  
not levied  
07 under AS 29.45.080 by the municipality that is the school district. The  
08 determination of full and true value shall be made by October 1 and sent  
by certified  
09 mail, return receipt requested, on or before that date to the president  
of the school  
10 board in each city or borough school district. Duplicate copies shall be  
sent to the  
11 commissioner. The governing body of a city or borough that is a school  
district may  
12 obtain judicial review of the determination. The superior court may  
modify the  
13 determination of the Department of Commerce, Community, and Economic  
14 Development only upon a finding of abuse of discretion or upon a finding  
that there is  
15 no substantial evidence to support the determination.



partially within the area proposed for borough incorporation was provided by Local Boundary Commission staff.

- (d) In Exhibit B-4, the map boundaries of each existing municipal government located wholly or partially within the area proposed for borough incorporation was provided by Local Boundary Commission staff.
- (e) The estimate stated in Section 8 of the total area of land and water included in the area proposed for incorporation was provided by: Local Boundary Commission staff, Dan Bockhorst.
- (f) In Section 9, the estimate of the population of the area proposed for incorporation was provided by Lamar Cotten.
- (g) In Exhibit C, the information relating to public notice and service of the petition was prepared by Pat White, City Clerk City of Delta Junction.
- (h) In Section 11-A, the assessed or estimated taxable value of real property within the boundaries of the proposed borough was provided by Steve Van Sant, State Assessor.
- (i) In Section 11-B, the assessed or estimated taxable value of personal property within the boundaries of the proposed borough was provided by Steve Van Sant, State Assessor.
- (j) In Section 11-C, the assessed or estimated total taxable value of real and personal property within the boundaries of the proposed borough was provided by Steve Van Sant, State Assessor.

- (k) In Section 11-F, the type and rate of taxes project to be levied by the proposed borough was provided by Deltana Charter Commission.
- (l) In Section 11-G, the projected sales tax rates and value of taxable sales in the area encompassed by the proposed borough was provided by Deltana Charter Commission.
- (m) In Exhibit D-1, the projected principal revenues for the proposed borough during each of the first three full fiscal years was prepared by Lamar Cotten.
- (n) In Exhibit D-2, the projected principal operating expenses for the proposed borough during each of the first three full fiscal years was prepared by Lamar Cotten.
- (o) In Section 14, the list of powers and functions proposed to be exercised by the proposed borough was provided by Deltana Charter Commission.
- (p) The transition plan in Exhibit E was prepared by Deltana Charter Commission.
- (q) In Exhibit F, the proposed composition and apportionment of the Assembly was prepared by Deltana Charter Commission.
- (r) In Exhibit G, the information concerning the Federal Voting Rights Act was provided by Lamar Cotten.
- (s) The supporting brief in Exhibit H was prepared by Lamar Cotten.
- (t) Exhibit I, the proposed Charter, was prepared by Deltana Charter Commission

- (u) In Exhibit J, the statement of the number of ballots cast inside of home rule and first class cities in the area proposed for incorporation and the statement of the number of ballots cast in the remainder of the area proposed for incorporation was provided by Shelly Growden, of the State of Alaska, Division of Elections.

Mike Schultz Ch. Borough Charter Commission  
Petitioner's Representative

SUBSCRIBED AND SWORN TO before me on November 16, 2005.



Patricia E. White

Notary Public in and for Alaska  
My Commission expires: 8-19-06

**ADDITIONAL INFORMATION NOT PART OF THE FORMAL  
PETITION TO INCORPORATE A BOROUGH**

In addition to the information required for the petition, the petitioner is providing supplemental information which will be useful in the analysis and consideration of the incorporation proposal. These materials include:

- (a) the current operating budget for the City of Delta Junction and the Delta Greely REAA.
- (b) planning documents covering the area proposed for incorporation, including the Delta/Greely School District School Enrollment Projections August 2002; final EIS for the Pogo Mine; and the November 2004 "Delta Junction (Alaska) Region Comprehensive Economic Development Strategy, .
- (c) photographs of the area proposed for incorporation including school district facilities, cemetery, landfill, roads, airport, parks and recreation, community buildings, library, and volunteer fire, EMS and ambulance facilities.