

Dillingham City Chaos

Description

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Dillingham Dysfunction

Hick Alaska is alive and well in Dillingham, where everybody knows everybody and community governance can quickly descend to the lowest common denominator. Who you are, who you are related to, and your place on the totem pole can result in melodrama when one group decides to divert local government for its own special interests.

It can happen anywhere in the state and nobody should be surprised that a place 350 miles southwest of Anchorage with about 2,250 residents is host to on-going soap opera.

[1] Dillingham Community Profile

Integrity in local government requires adhering to the **AK Open Meetings Act**. When elected officials have secret meetings, collude to hire their friends into scarce local government jobs regardless of the **Merit Principle**

in the **Alaska Constitution**, or manipulate allocation of government resources, attorneys start hovering.

Article XII Section 6 Merit Principle

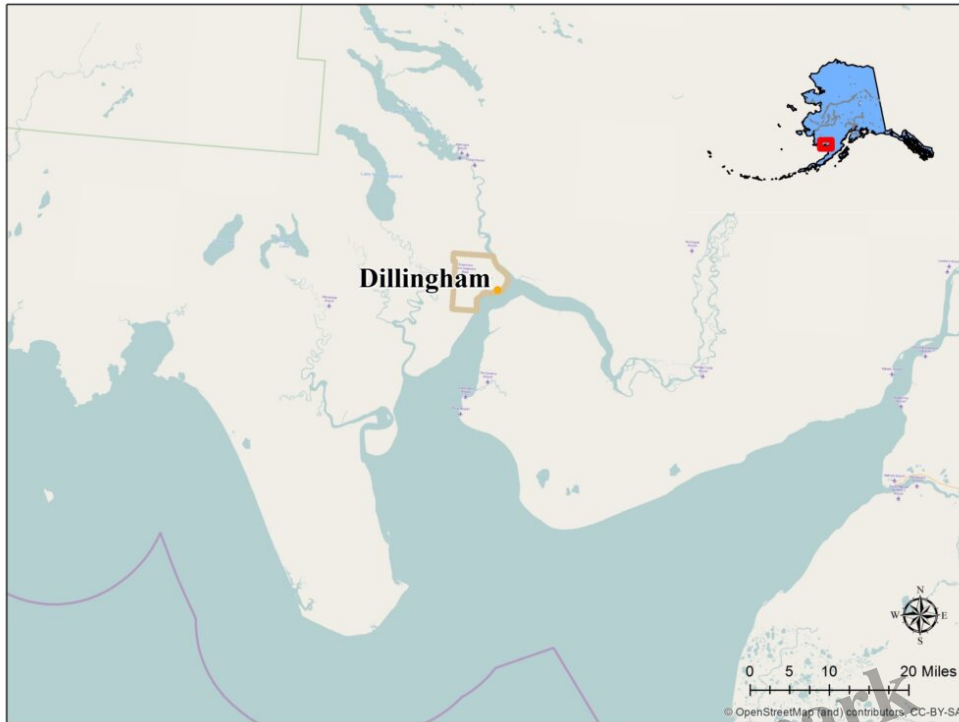
The legislature shall establish a system under which the merit principle will govern the employment of persons by the State.



The State of Alaska's Open Meetings Act (OMA) (AS 44.62.310-.312) requires that all meetings of a public entity's governing body be open to the public and that the body provide reasonable notice of its meetings. OMA is intended to ensure that decisions made and actions taken are public knowledge and represent the will of the public that the governing body serves.

[2] AK Division of Community & Regional Affairs Local Government Desk





Whistleblower Under Attack

Former **Dillingham City Council** Member **Aksel Buholm** has been out of town for extensive medical treatment and now fears facing a lynch mob led by acting city manager, **Dan Decker**, upon his return. His wife was notified that papers will be served by the local police and **AK State Troopers**. There has been bad blood since Decker muscled himself from City Clerk into the Acting City Manager position without the city following normal procedures. Buholm did not run for re-election to the council but has been outspoken about his concerns since leaving. Decker has since been reportedly meeting with a group of council members after regular meetings, and maneuvering people into positions to support his hopeful confirmation in the job—including returning a previously passed over Police Chief to that position.

From a public letter by Buholm:

*In February 2024 the Council did not support **Kim Johnson** as the City Manager and began holding secret meetings between Council Members **Kaleb Westfall**, **Michael Bennett**, **Steven Carrier** and Acting City Manager **Dan Decker**. Their meetings have been setting the tone for Council Actions that are preplanned with noted and publicly recorded in their meetings with outcomes already determined with who will say what, who will make motions and seconds on such motions and how to sway the other Council Members. It has been reported to me by Kim Johnson that Westfall, Bennett, and Carrier were meeting in the parking lot of city hall well after the City Council meetings were over. She stated that one evening after a late-night visit, she drove past city hall on her way home to see these three in the parking lot of City Hall around 1:00 AM.*

My wife was planning director and has had some issues with Decker and his leadership in the past. The Planning Director is part of the Administration. My wife was constructively discharged from her

employment with the city in May of 2024.

[3]Tyranny of the Powerful in Rural Alaska, DONN LISTON,10/15/2023

Buholm Alleges Violation of State Laws

Buholm explains: *This started back in March 2023 when I was on the City Council when Acting City Manager, **Lori Goodell**, attempted to appoint Sgt **Tracey O'Malley** as the Chief of Police for the City of Dillingham. Goodell was terminated from her seat as the Acting City Manager in the early Summer of 2023 and was immediately replaced with Kim Johnson, who gave up her seat as a City Council Member to head the call for assistance. My term as City Council expired in November 2023.*

[3] Letter to the community from Aksel Buholm, June 19, 2024.

When I was down there on the council, we had some corruption going on with some of the other officials, explained Boholm. Two years ago, we fired the acting city manager and put Kim Johnson into the position. My wife was working as the planning director.

It was quite hard just to have a regular conversation with my wife about her day, continued Buholm. There was stuff she was privileged to that she couldn't talk to me about, and stuff I was privileged to that I couldn't talk to her about. It created tension in the household; she was really good at her job there for two years, with promotions and pay increases and merits and all that good stuff.

Buholm Elected Not to Run Again.

Local News Report:

*Dillingham has a new acting city manager. The city council has voted unanimously to appoint former city clerk **Daniel Decker** after the city's previous acting city manager, Kimberly Johnson, did not renew her contract, which ended on March 15.*

[4] Dillingham City Council appoints Dan Decker as acting city manager, KDLG Radio, March 14, 2024

Buholm Says Johnson was Pushed Out

City clerk Decker got in as acting manager with the help of three of the council members, said Buholm. They were having meetings in violation of code. There was harassment and intimidation toward my wife by Decker.

Once made acting Manager, Decker brought Sgt Omalley back although there had previously been a community outcry in a public meeting against hiring her.

Buholm:

As for the Chief of Police hiring, a special meeting was held on March 29, 2024 just to hire Tracy O'Mally, resolution 2024-21. This meeting sparked a huge crowd draw from the community as at the time, Craig Maines was already the acting chief and had been for the last 2 years. He had real life experience as a supervisor, familiar with the current state of the Police Department, was working to correct issues while implementing changes, and had been attending training to better himself as the chief of police. Many community members were in the audience as well as on-line in as they wanted

their voices heard, either for or against this resolution.

Confrontation in the Community



Dan Decker

Decker was bullying my wife, explained Buholm. I was out of town on physical therapy for extended amounts of time. I got to come home for about a week just to take a break because I haven't been home in nine weeks of physical therapy. I seen Decker at the post office, and when I walked by him, I said, "Hey, Dickhead, Dan!"

He turned around immediately and said: "I've had about enough of your bullshit."

At that point, I don't know what bullshit that was. I was walking away from him. And I turned around. And when he was trying to walk out the door, he grabbed his phone. I asked him, "What are you going to do? Take a video of me?" Then he gets on the phone with somebody and I asked him: "Are you calling your Nazi police chief?" And I go about my business and return to Anchorage. Then I find out there's restraining orders coming. Today I was served restraining orders from the state troopers, and the city of Dillingham police officer. They violated the law by trespassing onto my native allotment to serve me. When I saw him at the post office I had said that half-jokingly but also, you know, sticking up for my wife a little bit because yeah, she resigned from the city of Dillingham because of his abuse. I believe he's demonstrated an abuse of power as acting city manager.

Pending Legal Actions

I have also received a piece of paper that states I have used a city computer inappropriately and Chief O'Malley was the investigator,

continued Buholm. *I do not have access to any city computer and this is an extension of harassment and intimidation against me and my family. I did post items of interest on the social media Facebook, but it was notice of items that I had requested and the city has never gotten back to me on. I believe these charges are huge abuse of power and waste of city resources by both Decker and O'Malley.*

Several charges against me state that I am impersonating a Public Official. I was voted in as a City Council Member in the past and was issued a city email account to conduct official business as a council member. After my term was completed and I chose not to run again, it was City Clerk Decker's responsibility to discontinue that email account; which he failed to do. That email address was on my mobile phone, and if it were discontinued, I would not have had access to it.

These are all retaliatory acts by people who are trying to cover their own violations of law and regulations, according to Buholm.

Under the city code you cannot have a acting city manager more than 365 days, and they have yet to advertise for the vacant position. They've also yet to advertise for a city clerk, although they've put in two acting clerks since elevating Decker. They're not following the process. I've always been about the process. When you follow code no corners are cut. Nobody gets mad and nobody is harmed by following code.

I've talked to the Senate, emailed the ombudsman, the Attorney General, the Economic Development Corporation and this community is now facing a crisis, concluded Buholm.

References:

[1] DillinghamCommunity Profile

<https://www.dillinghamak.us/community/page/history-and-facts>

[2] AK Division of Community & Regional Affairs Local Government Desk

<https://www.commerce.alaska.gov/web/dcra/LocalGovernmentResourceDesk/LocalGovernmentElectedOff>

[3] **Tyranny of the Powerful in Rural Alaska, DONN LISTON**, 10/15/2023

<https://donnliston.net/2023/10/tyranny-of-the-powerful-in-rural-alaska/>

[4] Letter to the Community, Aksel Buholm, June 19, 2024

Aksel Buholm
PO Box 95
Dillingham, AK 99576
907-843-1401

June 19, 2024

I have noted several items at the City of Dillingham that violate many items of the open meetings act, planning of council members behind closed doors, and items that should be reported. These items have been noted over the last year. I feel that these items have to be reported and it would be in the best interest of the community members of Dillingham if a full investigation is started for the actions of the City Council members. I am also requesting assistance and direction, as what I am disclosing is a matter of public concern.

This started back in March 2023 when I was on the City Council when Acting City Manager, Lori Goodell, attempted to appoint Sergeant Tracey O'Malley as the Chief of Police for the City of Dillingham. Lori Goodell was terminated from her seat as the Acting City Manager in the early Summer of 2023 and was immediately replaced with Kim Johnson, who gave up her seat as a City Council Member to head the call for assistance. My term as City Council expired in November 2023, which I did not wish to run again.

In February 2024 the Council did not support Kim Johnson as the City Manager and items such as secret meetings between Council Members Westfall, Bennett, Carrier and Acting City Manager Dan Decker. Their meetings have been setting the tone for Council Actions that are preplanned with noted and publicly recorded in their meetings with outcomes already determined with who will say what, who will make motions and seconds on such motions and how to sway the other Council Members. It has been reported to me by Kim Johnson that Dan Decker, Kaleb Westfall, Michael Bennett, and Steven Carrier were meeting in the parking lot of city hall well after the City Council meetings were over. She stated that one evening after a late-night visit, she drove past city hall on her way home to see these four in the parking lot of City Hall around 1:00 AM. I have also been informed by my wife that she had to verbally warn Dan Decker, Michael Bennett, Kaleb Westfall, and Steven Carrier while she was Acting City Manager in Kim's absence that they were in a meeting behind closed doors that they were violating the Open Meetings Act by doing as much. She did that she would inform Kim of this upon her return. My wife has had some issues with Dan Decker and his leadership that she did file with the AK OSHA, Whistleblower Program for retaliation, over what she believed to be a building violation against health and safety issues, but I do not know the specific details of this as she has hired an attorney and is working with him for the whistle blower and retaliation issue as she was removed from City Hall and relocated to the Boat Harbor Office. The Planning Director is part of the Administration so why was the Department relocated, clearly in due to retaliation against my wife in her efforts to complete her work by code and an open honest way. With the negative workplace environment and intimidation, my wife did end her employment the city in May of 2024.

The violations of Dillingham Municipal Code are far beyond just myself or my wife as they are public acts that clearly violate code, which include the unlawful way of the current hiring practices. An example would include the recent hiring Chief of Police Tracey O'Malley, as well as Dan's appointment as Acting City Manager in the March 14, 2024 City Council meeting, this was completed by way of resolution. The

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following week, Dan held a special meeting on March 19, 2024, introducing resolutions 2024-18 (Accepting the year end audit for FY22), 2024-19 (Appointing Dan Decker as Acting City Manager), 2024-20 (Appointing Jon Sorenson as Acting City Clerk), and 2024-21 (Approval of Appointment of Tracy O'Mally as Chief of Police) and the GCI Unicom Land Easement Discussion. The above listed items were items that could have waited for the following regular scheduled meeting and were items that were not pressing to hold a Special Meeting. Dan's urge to push through the people that he wanted in specific positions to support him has not gone unnoticed in this community by the people. These moves went against all ethical behavior as to place people that would not question him or to be found as a financial gain. I have been told that the placement of Jon Sorensen as City Clerk was not even mentioned or discussed with the Finance Director, Anita Fuller, which is where Jon was working as a part time purchasing officer for the city. This is concerning as I have heard many people question Jon's ability to even complete the tasks of his purchasing officer duties and being able to complete simple tasks at city. Jon has since been replaced by Abigail Flynn who was hired originally as a part time records management staff. How do we know these people's qualifications or if they are able to complete these complex jobs with huge responsibilities, we don't.

Dan is again placing people without going through the public process with proper advertising and getting the word out that these decisions are being made. The meetings are quietly being posted without additional efforts to notify the general public.

As for the Chief of Police hiring, a special meeting was held on March 29, 2024 just to hire Tracy O'Mally, resolution 2024-21. This meeting sparked a huge crowd draw from the community as at the time, Craig Maines was already the acting chief and had been for the last 2 years. He had real life experience as a supervisor, familiar with the current state of the Police Department, was working to correct issues while implementing changes, and had been attending training to better himself as the chief of police. Many community members were in the audience as well as on-line in as they wanted their voices heard, either for or against this resolution. Mayor Ruby allowed a back-and-forth interview of sorts to occur between both Craig and Tracy in the public meeting, each brought others to speak on their behalf and why they should be awarded the position. It wasn't until Krissy Messer asked the Council why he has not been given a proper interview for the position even though he has applied; that was the realization point that Council Member Bert Luckhurst asked to grant him a proper interview. It was then decided that they should both be interviewed and a community-based group of people be involved in the hiring process. In reviewing the Meeting Minutes of this meeting, they are no where near what had occurred in the meeting itself. Many guest speakers were not mentioned, the back and forth between Acting Police Chief and Sargent O'Mally is not noted, facts of the night are not mentioned or recorded accurately on record. It should also be noted in the following meeting, Mayor Ruby offered apologies for not stopping what had actually occurred the March 19th Council meeting.

I was asked at a later time to participate in this, which I did as a Community Member At Large. The one question I never did get an answer too was where was the other qualified candidates that applied and why were they not also offered to be interviewed. I did ask this of Dan, but he stated they were not being considered or had taken other jobs. As I could tell, no active search was occurring for a Chief of Police, just going through the older applications that had been submitted over a year prior. The moral at the Police Station was very tumultuous during this attempt to forcibly place Tracey as the chief without due process, as most of the police officers were present, however not able to speak due to code, only one officer spoke, and now he himself has been terminated from the police station within a week or so

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of this meeting. It is evident by the outstanding number of Police Officers that has left the Police Station and currently having minimal staff on duty to keep the jail open that appointing Tracey was a horrible placement as chief of police.

As for the City Manager's position itself, Dan has positioned himself to hold this position until he himself can be appointed as Deputy City Manager. I do not believe that Dan Decker has any interest to returning as the City Clerk after his acting role is over once they complete the City Manager hire. Dan is bullying is employees because none of them know where to turn for help because of code, cannot talk to any council members or the mayor, and there is no safety net for the employees in this kind of situation. In previous communication with Michael Bennett sometime in March or April, I asked if they were going to advertise for a City Manager. Michael replied that they had up to one year since Dan had signed a contract and that he and Kaleb, and Steven had already talked and have someone that they are going to put in the position, Travis Roenfranz (Steven Carriers current supervisor) at the local fish cannery, Silver Bay Seafoods (previously Peter Pan Seafoods). Again, these are clear indications of violations that have not been addressed and this community needs assistance.

No for the blaring violation of coving up hiring people at a pay scale that is outside of the City Managers or Acting City Managers approval then to cover it up. The March 29 meeting minutes have never been disclosed or ratified by the City Council, which should have been completed in the April 11, 2024 meeting, but they have only approved the April 14 and March 19 meeting minutes.

Also, during the April 11, 2024 city council meeting an agenda change occurred which moved items within the agenda to approve the increase of purchasing parameters by the city without just cause of getting approval from the City Council. The proposed salary schedule was moved prior to this resolution as Tracy O'Mally, Chief of Police and Phil Baumgartner, Public Works Director that were hired above the set bounds of the either the Acting City Manager or the City Manager. Dan Decker hired both of these individuals above his approved spending authority, however with this agenda amendment was successful in covering this fact from any potential audit findings at a later date and an Acting City Manager who is successfully covering his actions without anyone noticing. These are in the fine details of the meeting minutes of the May 2, 2024 packet that does reflect this agenda change, however is not documented in the minutes of this amendment.

During the April 11, 2024 meeting, with the pay scale, it became retroactive to Tracey O'Mally's hire date by way of motion, however this is not denoted anywhere in the minutes. This would cover the fact that Dan hired both Tracey O'Malley and Phil Baumgartner over and above his ability to do so. The meeting minutes do not reflect any of the discussion where Anita Fuller, Finance Director was asked if this would be best for the city, which of course it would be as if she didn't agree to this an audit finding would be discovered for the way business has been conducted. Now having said this with retroactive pay, it would affect ALL current staff as it was retroactive until her hire date, which appear to be April 30, 2024 – however those meeting minutes were never ratified by the City Council as I have mentioned above. All of the City Council meetings are recorded on zoom and stored for writing meeting minutes which are transcribed over the following days, these need to be reviewed as the minutes being accepted by City Council are not all inclusive and have major disparities.

Having disclosed the above, this is where I now get more detailed of the abuse of power and wasting city resources comes in. For me personally I have been in Anchorage attending medical treatment for a total of 9 weeks, ending on Saturday June 1, 2024, then returned to Dillingham for a one; before returning to

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Anchorage for another 3 straight weeks of medical appointments. During my one week at home, I went to the Post Office, where I see Dan Decker. I walked past Dan, and said "Dickhead Dan, how are you?" as I was walking away from the entrance and I see him to start advancing towards me and stated "Hey Aksel I'm tired of your bullshit". I stopped and turned around and said "What bullshit?" at this point Dan was about 6-8 feet away from me and he grabs his phone and I then asked him, "What are you going to do? Take a video of me?" He then calls someone; I don't know who it is but then I asked him "Are you calling your Nazi Police?". That was the interaction between Dan Decker and myself at the Post Office. I never threatened him or attempted to grab or use any verbal terms physical harm to him.

This interaction has now compiled several charges against me, filed by Dan Decker and investigated by Tracey O'Malley. My wife reported that the Police had called her asking to come out to our house on Thursday June 13, 2024 around 10:50pm. She stated that I wasn't there and is in Anchorage. They stated they had papers to give me and asked to come onto my property. She then again informed them that I was not there and was in Anchorage and for them to call me directly on my cell phone as she did not want to get into the middle of any of my business. Apparently there has been a restraining order against me from Dan Decker and his wife, which I have never met. I would like to make it clear that I do not know Dan's wife or even what she looks like, I have never had any contact with her that I know of so am curious why this would be. I have also received a piece of paper that states I have used a city computer inappropriately and Chief O'Malley was the investigator. I do not have access to a city computer and this is an extension of harassment and intimidation against me and my family. I did post items of interest on the social media Facebook, but it was notice of items that I had requested and the city has never gotten back to me on. I believe these charges are huge abuse of power and waste of city resources by both Dan Decker and Tracey O'Malley. I do need assistance with this as their actions against me are attempting to smear me and my wife because of her claim of retaliation and utilizing the resources provided to her through the whistleblower act, and my general believes of open and fair meetings.

These are the corresponding case numbers:

- 3DI-24-00091CR, DP24001006
- 3DI-24-00085CR, DP24000951
- 3DI-24-00090CR, No Agency Case Number

Each of the above charges include multiple charges against me. As a clarifying point, there are several charges against me that state I am impersonating a Public Official. I was voted in as a City Council Member in the past and was issued a city email account to conduct official business as a council member. After my term was completed and I chose not to run again, and it was Dan Deckers responsibility as the Dillingham City Clerk to discontinue that email; which he failed to do. That email address was on my mobile phone, and if it were discontinued, I would not have had access to it. I did not know the email account was still active and did not realize that I was sending email from that account as I thought it was closed. I use my cell phone to send emails, not a computer so didn't think to look at any of the accounts listed. With the history of me publicly stating that I did not want to promote Tracey O'Malley to Chief of Police, twice before, I believe she is targeting me for purposes of revenge with the many charges.

My suspicions can be verified by a FOIA for telephone calls, texts messages, and GPS Coordinates, or any mobile device that Dan Decker may have used to have communication or meetings with Steven Carrier,

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Kaleb Westfall, Michael Bennett from his start of employment in 2023 until present date. As you will see by one of the attachments, I am not given this opportunity to request information as I have yet to hear back on my own request of information from the City of Dillingham.

Due to the many items listed, I do believe that the City of Dillingham is doing wrong and being led by someone who is gravely abusing position and authority to extend the harassment and intimidations and to hide mistakes by coercing and plotting with specific members of the city council.

I am including many documents for you to review that really do validate what I have stated here. Since I am still away from Dillingham for medical reasons, I am apprehensive to return to Dillingham as these trumped-up charges by both the Chief of Police and the Acting City Manager will most likely continue. I am nervous for additional false charges and unwarranted arrests against me, as they both seem to be working in tandem in targeting me. I do hope to hear back from you soon.

Aksel Buholm

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[5] Dillingham City Council appoints Dan Decker as acting city manager, KDLG Radio, March 14, 2024
<https://www.kdlg.org/politics/2024-03-21/the-dillingham-city-council-appoints-dan-decker-as-acting-city-manager>

Category

1. Uncategorized

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