

# Sharp Land Tiff in Nenana Being Resolved By Meetings

NENANA (Special) — What could have developed into a bitter dispute over trespass and damage to native-allotment land here is now going to be settled peacefully, it appears.

Both the Native Council of

Nenana, headed by Chief Alfred Ketzler, and the City of Nenana, Mayor Jack Coghill, have said they will work together to solve a problem of "apparent" trespass by construction company bulldozers and heavy equipment.

Cooperation in the Nenana dispute could set a precedent in working together for Alaska small towns where there are dual governments—a city council and a village council.

A section of land above the  
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# Nenana Dispute . .

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Nenana railroad bridge, where the old Episcopal St. Mark's Mission once stood, was bulldozed out this summer by construction company Caterpillars to provide a landing slip for docking riverboat barges.

The riverfront land cleared out by the bulldozers was federal land with Native Townsite allotments filed on it, according to O'Dean Williamson, BIA Realty Officer in Fairbanks.

## Tempers Flared

Tempers in Nenana flared after the bulldozers, with no apparent permission from any occupants or owners, went in and cleared out a landing slip and road for bringing heavy equipment and materials off barges.

A small pathway leading back through the woods to the river across the land had been widened into a road by the company bulldozers, brush and small trees had been cleared from the riverbank making erosion, always a serious threat at Nenana, inevitable, according to the council.

Nenana Council Secretary Richard Ketzler phoned Williamson in Fairbanks and said that Nenana people were "highly concerned" over the roads and landing slip dozed out on lots claimed by Glen Evans, Nat Williams, Al John and Matthew Titus.

Heavy equipment had been parked on the lots and another small road leading down to where Nenana people had boats parked on the river had been completely closed by the bulldozers.

## Checked

After receiving complaints from Nenana, Williamson said he checked with the barge line apparently involved in part of the trespass.

Bud Hagberg of Weaver Brothers, Inc. said their company had been contracted by construction companies working on the new Nenana bridge.

Their towboat, the M.V. Rampart, was merely shuttling barges across the river to the landing slip.

To choose a site, construction company officials had earlier gone to Nenana's Mayor, Jack Coghill, to ask where the Rampart could bring barges in.

Coghill suggested the site on land once owned by the St. Mark's Mission, according to reports. Coghill later said he suggested the site because Glen Evans, deceased Nenana resident who had filed on the land years before, had in the past given permission for boats to land their barges there.

Weaver Brothers cannot use the \$2 million boat docks at Nenana, owned by the Alaska Railroad, without paying a high docking fee.

Later, the Nenana Native Council complained that Coghill had given permission without the authority to do so.

## Complicated

While it appears the trespass controversy will be settled in Nenana without hard feelings, what could have happened if the dispute had gone to legal involvement is questionable.

According to Williamson, the land had been deeded by the Episcopal Church in Alaska to the U.S. Government. Held in "public domain" by the Bureau of Land Management, the lots were open to filing by Nenana Natives, who can file under the U.S. Native Township Act.

Evans, John, Titus and Williams filed on the lots involved, but title has not yet been handed down by the BLM Townsite Trustee for Alaska.

If the dispute had hardened, some real legal complications could have resulted.

Although the land was occupied and used somewhat by the would-be owners, legal title had not actually been transferred yet.

## Unofficial

Williamson said that because title had not yet been transferred, the BIA's involvement at this point was only "unofficial," to protect the interests of Nenana natives if the dispute developed.

Personally, he said, he was in favor of a peaceful settlement to the problem with all parties working together.

George Gustafson, BLM Townsite Trustee who actually now is the "legal owner" of the lots involved, has indicated that he, too, would like to see the problem cleared by cooperation and talking.

## Precedent

"If these parties can work together now, Al Ketzler representing the Native Council and Jack Coghill representing the city," Williamson told the Tundra Times, "it will be a big step forward in cooperation between city and village councils in small towns."

"In many Alaska towns you have a system of dual-government. There is a city council and a village council. Both have overlapping powers and there is no clear-cut line of distinction between what each can and cannot do. It results in a lot of confusion."

During an August 15 trip to Nenana, Coghill told Williamson he would try to get the contractors to re-open the closed road, so that Nenana natives could get down to where their boats were parked.

Ketzler and Coghill both agreed to work together to iron out any problems resulting from the bulldozer work.

Two construction companies are involved in the Nenana bridge project, Manson-Osbourne and Ghemm Co.

"I think the real problem here," Williamson said, "is that these people who did the excavating for the landing slip didn't thoroughly check to see just who owned the land they were clearing out."

"Often, in the haste of big construction projects, there isn't time to do this. It could be just a matter of consideration for the rights of others, though."