



Northwest Arctic Borough

163 Lagoon Street
P.O. Box 1110 Kotzebue, Alaska 99752
(907) 442-2500 Fax (907) 442-2930
www.nwabor.org

Northwest Arctic Borough Assembly
Regular Telephonic Meeting Minutes
Wednesday, October 28, 2020 – 9:00 A.M.
Assembly Chambers – Kotzebue, AK

CALL TO ORDER

President Hadley called the meeting to order at 9:00 A.M.

INVOCATION/MOMENT OF SILENCE

Member Cleveland provided the invocation.

SAFETY MOMENT

Member Armstrong encouraged everyone about outdoor safety when the water is still trying to freeze up and gun safety for the young ones while hunting.

Member Carr also reminded everyone of ice safety especially for the children.

ROLL CALL/MEMBER EXCUSAL

Assembly Members present at the time of roll call:

Elmer Armstrong Jr.	Tanya Ballot	Delores Barr	Austin Swan
Miles Cleveland	Sandy Shroyer Beaver	Hannah Loon	Walter Sampson
Dood Carr	Nathan Hadley Jr.	Elia Nay	

Introduction of Staff and Guests

Lucy S. Nelson	Matt Mead	Angie Sturm	Marie Greene, VIC
Tony Giardini, Trilogy	Joe Dollemolle	Helena Hildreth	Fritz Westlake
Nate Kotch Jr.	Aucha Kameroff	Marlene Moto Karl	Martha Hensley
Elaine Sanders, Trilogy Metals		Verna Westlake, Teck AK, Red Dog	
Tahayla Baker, Youth Representative		Matt Mead, Borough Attorney	

A quorum was present to conduct business.

APPROVAL OF AGENDA

Member Shroyer Beaver motioned to approve the agenda as presented; *Member Sampson* seconded. A roll call was conducted and the motion passed unanimously.



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REORGANIZATION

Mr. Matt Mead, Borough Attorney, explained the practice of nominating and voting for a Chair and Vice Chair of the Assembly.

Member Carr nominated Member Hadley for President; Member Sampson motioned to close the nominations, Member Shroyer Beaver seconded to close the nominations. Member Hadley is reelected as the President of the Northwest Arctic Borough Assembly.

Mr. Mead opened the floor for Vice President. Member Armstrong nominated Member Sampson; Member Shroyer Beaver nominated Member Carr. Member Swan motioned to close the nominations, Member Ballot seconded to close the nominations.

Mr. Mead directed the clerks to pass out paper for voting and to expect text messages from members who will voting via their phone.

President Hadley reminded everyone of the Borough mandate that is in place to have up to ten people in the room at a time so the Borough have been holding telephonic meetings only.

Borough Clerk Helena Hildreth reported the results for Vice President. Member Sampson received six votes and Member Carr received five votes. President Hadley congratulated Member Sampson as the incoming Vice President of the Assembly.

APPROVAL OF PREVIOUS MEETING MINUTES

Regular meeting minutes of September 22, 2020 and Special meeting minutes of October 12, 2020, as presented.

Member Sampson motioned to approve the September 22, 2020 Regular minutes as presented, Member Cleveland seconded; a roll call was conducted and the motion passed unanimously.

COMMUNICATIONS AND APPEARANCES

1. Tony Giardini, and Elaine Sanders, Trilogy Metals

Mr. Tony Giardini, Trilogy Metals, gave an update on a brief summary of the legal action against the Ambler Road Project. He added that a second lawsuit was on behalf of the coalition of Alaska Native American Tribes and Alaska Native Corporations (ANC), including the Kobuk Traditional Council. Mr. Giardini gave a brief review of the specifics of the lawsuit. They are presently working directly with AIDEA (Alaska Industrial Development Export Authority) to reach a memorandum of understanding or funding



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agreement on the first phase of the development of the Ambler Road Project, which involves detailed engineering. They are engaged with AIDEA on a tolling arrangement associated with the industrial road and they will be meeting in November to approve a budget for the 2021 field season.

Member Sampson asked what the delay may cause and Mr. Giardini commented they anticipate that both of the law suits will be combined and that the field season schedule will not be impacted. Member Nay asked what other tribal entities or ANC's are involved in the lawsuit and Mr. Giardini highlighted the plaintiffs. Member Sandy Shroyer commended the Kobuk Traditional Council for their efforts if this is what they choose to do and she added that they should hire everyone who is qualified to work. Member Loon commented about the close ties the Upper Kobuk people have with other closer villages such as Huslia, Allakaket, etc. and their concerns for each other. Member Carr thanked Mr. Giardini for his presentation and recommended that he get with the local entities here and utilize our Alaska Technical Center for training our people and practice good measures for local hire. Member Cleveland commented that the decisions we make today will affect our children and grandchildren. Member Nay asked what plans does Ambler Metals have in terms of outreach with councils and communities and Mr. Giardini replied that there will be significant outreach to the communities and the team is based in Alaska with an office in Anchorage, AK. Member Sampson recommended that our legal counsel review the lawsuit case and from there take a look at the impacts to our government. Mr. Mead commented that he would be happy to provide updates to the assembly regarding the lawsuit. Member Ballot asked if there has been any studies to the impact on our subsistence resources. Mr. Giardini commented that they will forward the documentation from environmental impact studies that was completed. Member Cleveland thanked Trilogy for employing people from their area as they are feeling the impact of the closure this year.

2. Joe DolleMolle, District Ranger for the National Park Service

Mr. DolleMolle gave an introduction of himself and his duties as a District Ranger within the National Park Service for the Northwest Arctic. He provided an update of who is eligible to hunt in the parks within the Northwest Arctic Borough.

A ten minute break was taken at 10:55 am.

The meeting reconvened from break at 11:12 am.



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BOARDS, COMMISSIONS & COMMITTEES

1. Budget, Audit and Finance Committee

Member Shroyer Beaver reported the committee met and they reviewed the resolutions, ordinances and recommended them for approval by the full assembly.

President Hadley added that the Assembly reviewed the letters of interest for vacant seat District 4 Seat J. The Assembly voted for Ms. Elia Nay, Kotzebue resident, to fill in the vacancy until 10/21. Ms. Nay provided a brief introduction of herself and is happy to be onboard with the Assembly.

2. Financial Report

Ms. Angie Sturm, Borough Treasurer, provided a summary of Expenditures and Revenue Financials in month ending September 30, 2020.

PUBLIC HEARINGS, ENACTMENT OF ORDINANCES & EMEGENCY ORDINANCES

1. Ordinance 20-08 an ordinance of the Northwest Arctic Borough Assembly amending the Borough Code for the Frank R. Ferguson Scholarship Program, and for related purposes.

Mayor Nelson summarized Ordinance 20-08, recommending approval.

Member Sampson motioned to approve Ordinance 20-08 for enactment, seconded by Member Shroyer Beaver. A roll call was conducted and the motion passed by a majority with Member Carr voting NO.

2. Ordinance 20-09 an ordinance of the Northwest Arctic Borough Assembly amending the Borough Revenue and Finance Code.

Mayor Nelson summarized Ordinance 20-09, recommending approval.

Member Carr motioned to approve Ordinance 20-09 for enactment, seconded by Member Sampson. A roll call was conducted and the motion passed unanimously.

ASSEMBLY REPORTS

Member Carr reported that she and President Hadley have been attending the weekly COVID19 taskforce. She reminded everyone that the City supersedes the Borough's mandates but the villages can exercise tighter restraints. She also commented that she attended the Planning Commission meeting and they also heard Mr. Joe Dollemolle's presentation.



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Member Swan provided a brief update on the Kivalina Evacuation Road and that was why he was absent for a bit from the meeting as he was participated in the inspection of the road. It is one of the better roads that was built because of the type of material source and they plan to conduct an official ceremony next summer after some more work is done on the bridge.

MAYORS REPORT

Mayor Nelson reported that they held a staff meeting to discuss the changes to the COVID19 policy and they also held a Director's meeting to review changes that affect daily operations. She also has been working on the annual report and that they are close to finalizing the draft report. She welcomed new hires, Jerrin McConnell, Maintenance Technician; Clay Nordlum, Planning Coordinator; and Eva Harvey, Planning Director. Mayor Nelson reported she continues to attend the Incident Command meetings and extended the Hunker down Response Order to protect all residents that will expire in two weeks. She continues to attend the Unified Command meetings on a weekly basis and they review cases that are rising and/or other issues from residents or organizations. She attended the Northwest Arctic Leadership Team (NWALT) meeting and met with Ms. Alyse Galvin, Congressional Delegate candidate, to listen to her campaign platform. She attended the Arctic Mining District Negotiating Committee (AMDNC) at the end of September to discuss opportunities such as the permitting process, rights of way research, etc. Lastly, she attended the Community and Economic Development regarding the Economic relief program to discuss options of relief package and roll out of applications on the website which was open on October 19. Mayor Nelson also attended the Energy Steering Committee via Zoom and discussed energy data and project updates, and the Independent Power Producers (IPP).

Member Armstrong thanked Mayor Nelson for the CARES Act Relief funds for the residents and also asked what the balance was and Mayor Nelson provided an update on what was received from the CARES Act Relief funds and the current balance. Member Armstrong also requested on the status of the reporting for the VIC project funds. Mr. Kotch, Public Services Director, provided a brief update on the VIF reporting received from the village project awards.

TIME & PLACE OF NEXT MEETING

Mayor Nelson recommended November 23-24, 2020 as the 4th Monday and Tuesday of the month for the next Regular meeting of the Assembly.

Member Sampson motioned, Member Loon seconded to approve the November 23-24, 2020 Regular Meeting. A roll call was conducted and the motion passed unanimously.



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**A fifteen minute break was taken at 10:55 am.
The meeting reconvened from break at 11:12 am.**

INTRODUCTION OF ORDINANCES

1. **Ordinance 20-04am01** an ordinance of the Northwest Arctic Borough Assembly to amend the adopted line-item budget for fiscal year 2021.

Mayor Nelson summarized Ordinance 20-04am01, recommending approval.

Member Carr motioned to approve Ordinance 20-4am01 for first reading, seconded by Member Sampson. A roll call was conducted and the motion passed unanimously.

2. **Ordinance 20-10** an ordinance of the Northwest Arctic Borough Assembly amending section 2.04 of the Borough Code.

Mayor Nelson summarized Ordinance 20-10, recommending approval.

Member Loon motioned to approve Ordinance 20-10 for first reading, seconded by Member Carr. A roll call was conducted and the motion passed unanimously.

3. **Ordinance 20-11** an ordinance of the Northwest Arctic Borough Assembly to amend Chapter 8.08.030(e) of the Northwest Arctic Borough Code, and for related purposes.

Mayor Nelson summarized Ordinance 20-11, recommending approval.

Member Cleveland motioned to approve Ordinance 20-11 for first reading, seconded by Member Armstrong. A roll call was conducted and the motion passed by a majority with Member Loon voting NO.

RESOLUTIONS

1. **Resolution 20-52am01** a resolution of the Northwest Arctic Borough Assembly confirming authorized signatories for Borough Checks.

Mayor Nelson summarized Resolution 20-52am01, recommending approval.

Member Carr motioned to approve Resolution 20-52am01, seconded by Member Loon. A roll call was conducted and the motion passed unanimously.



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2. **Resolution 20-71** a resolution of the Northwest Arctic Borough Assembly authorizing the participation of its employees in the Public Employee's Deferred Compensation Plan of Alaska and the payment of the required contribution pursuant to as 39.45 ET SEQ, and for related purposes.

Mayor Nelson summarized Resolution 20-71, recommending approval.

Member Sampson motioned to approve Resolution 20-71, seconded by Member Ballot. A roll call was conducted and the motion passed unanimously.

3. **Resolution 20-72** a resolution of the Northwest Arctic Borough Assembly confirming the Mayor's appointments to the Northwest Arctic Borough Planning Commission.

Mayor Nelson summarized Resolution 20-72, recommending approval.

Member Sampson motioned to approve Resolution 20-72, seconded by Member Carr. A roll call was conducted and the motion passed unanimously.

4. **Resolution 20-73** a resolution of the Northwest Arctic Borough Assembly confirming the Mayor's appointment of Norman Monroe to the Northwest Arctic Borough Public Safety Commission.

Mayor Nelson summarized Resolution 20-73, recommending approval.

Member Shroyer Beaver motioned to approve Resolution 20-73, seconded by Member Sampson. A roll call was conducted and the motion passed unanimously.

5. **Resolution 20-74** a resolution of the Northwest Arctic Borough Assembly establishing the FY21 Borough Investment Allocation, setting appropriate performance benchmarks, and for related purposes.

Mayor Nelson summarized Resolution 20-74, recommend do pass.

Member Sampson motioned to approve Resolution 20-74, seconded by Member Carr. A roll call was conducted and the motion passed unanimously.

6. **Resolution 20-75** a resolution of the Northwest Arctic Borough Assembly confirming the appointment of Kayden Ticket as Youth Advisory Representative to the assembly.



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Mayor Nelson summarized Resolution 20-75, recommend do pass.

Member Carr motioned to approve Resolution 20-75, seconded by Member Armstrong. A roll call was conducted and the motion passed unanimously.

7. **Resolution 20-76** a resolution of the Northwest Arctic Borough Assembly approving an assembly donation under the FY21 budget for Kotzebue Broadcasting, Inc.

Mayor Nelson summarized Resolution 20-76 and recommended do pass.

Member Sampson motioned to approve Resolution 20-76, seconded by Member Loon. A roll call was conducted and the motion passed unanimously.

8. **Resolution 20-77** a resolution of the Northwest Arctic Borough Assembly approving the purchase of a vehicle and for related purposes.

Mayor Nelson summarized Resolution 20-77 and recommended do pass.

Member Carr motioned to approve Resolution 20-77, seconded by Member Sampson. A roll call was conducted and the motion passed unanimously.

9. **Resolution 20-78** a resolution of the Northwest Arctic Borough Assembly approving CARES Act expenditures for Public Safety Facility Improvements, school district assistance, homeless assistance, and for related purposes.

Mayor Nelson summarized Resolution 20-78 and recommended do pass.

Member Shroyer Beaver motioned to approve Resolution 20-78, seconded by Member Carr. A roll call was conducted and the motion passed by a majority with Member Nay abstaining from action.

OATH OF OFFICE

Mr. Kayden Ticket, incoming Youth Representative, introduced himself to the Assembly and commented that he is ready to serve as the Youth Advisory. Ms. Helena Hildreth, Borough Clerk, conducted the Oath of Office for Kayden Ticket.

AUDIENCE COMMENTS

Senator Donny Olsen, Candidate for Senate, provided a brief update from his Senate office and he has recommended through a letter to Commissioner Crumb that all incoming



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passengers comply with the mandatory test. He encouraged everyone to get out to vote at the upcoming November 3, 2020 as there are important seats to vote for the President, Vice President, Senate and Representatives seats.

Ms. Marie Greene, Village Improvement Commissioner Chair, commented that the next VIC meeting will be November 4-5, 2020. She provided an update of the number of applications received and the importance of having representation from every village. She thanked Commissioner's Lee Ballot and Tanya Ballot for their service and active participation on the Village Improvement Commission.

Ms. Marlene Moto Karl, Deering resident, commented about the lifted quarantine and the Post Office closure. She also raised concerns about the newly elected officials and the city code. Legal Counsel Mr. Matt Mead commented they will give her a call after the meeting regarding the concerns she raised.

ASSEMBLY COMMENTS

Member Nay commented that she looks forward to her new role on the Assembly. She is ready to hear the concerns and needs of the borough and is will be reviewing the Borough Code.

Member Ballot welcomed Member Nay and the Youth Representative to the Assembly. She encouraged the staff and the assembly to continue work together as we are facing challenging times and the importance of being strong mentally, physically and emotionally. She will continue to be a voice on the Village Improvement Commission and now the Assembly.

Member Barr thanked everyone for a great meeting and thanked Administration for preparing for this meeting. She enjoyed the presentation on the hunters and she feels we have work to do on this issue. Lastly, she welcomed incoming members on the Assembly.

Member Cleveland welcomed new Member Nay and looks forward to working with her. He expressed his condolences to those who recently lost their loved ones. He welcomed new members on the Public Safety Commission and Planning Commission. He is requesting that we continue to hear updates from our State Senator and Representative on issues that affect us. He requested that we continue to support development in our region as the Red Dog Mine won't be here too much longer to help support our communities.

Member Armstrong thanked everyone for a good meeting and the presenters for the information they provided. He welcomed the new members on the Assembly and is



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looking forward to working with them. He also thanked the Administration for providing relief and he encouraged the communities to stay current on the reporting requirements for the Village Improvement Fund. He encouraged ice safety and to also practice fire safety.

Member Swan commented about the Kivalina road project and to make plans for the new school and they are moving forward.

Member Loon thanked Mayor Nelson working closely with the department's budget for FY21.

Member Carr encouraged everyone to practice safety measures and to wear masks while out in public. She also encouraged ice safety and to remind the kids to stay off the ice.

Member Sampson welcomed incoming Member Ms. Elia Nay to the Assembly and Kayden Ticket and Tahayla Baker as the Youth Representatives for the Assembly. He thanked President Hadley for accepting the lead role on the Assembly. He thanked Mayor Nelson and staff for their work and to the Assembly members for their confidence they have in him to serve as the Vice President. He encouraged everyone to vote and make their voice known. We will come together during this pandemic and help each other out.

President Hadley thanked the Mayor and staff for assisting our residents with the relief funds. He thanked the administration for their good work in preparing for this meeting.

MAYORS COMMENTS

Youth Representative Kayden Ticket thanked the Assembly for accepting and is looking forward to be a voice for the Youth. Also to be sure and check on each other's and be safe. Mayor Nelson congratulated him onboard as the Youth Representative serving with the Assembly.

Mayor Nelson congratulated Member Nay for being selected to serve the remaining term for outgoing member Reggie Joule. She congratulated Member Sampson and President Hadley for their roles on the Assembly as President and Vice President. She thanked the Assembly and the administration for working together and they will continue to work on the document submittal process. She thanked Mr. DolleMolle and Mr. Giardini for their good presentations. Mayor Nelson reminded everyone that the borough office will be closed on November 9, 2020 in observance of the Veteran's Day Holiday. She encouraged the voters to come out to vote on November 3, 2020 and that the Early Voting is open until November 2, 2020. She thanked Senator Olson for his active participation on mandatory



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testing at our hub in Kotzebue and she also thanked Ms. Marlene Moto Karl for her concerns she brought up.

ADJOURNMENT

Member Carr motioned, Member Loon seconded to adjourn. With no other business to discuss the meeting adjourned at 1:26 P.M.

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