



Northwest Arctic Borough Assembly
 Regular Meeting Minutes
 Tuesday, November 28, 2017 – 9:00 A.M.
 Assembly Chambers – Kotzebue, AK

CALL TO ORDER

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

INVOCATION

Member Cleveland provided the invocation.

SAFETY MOMENT

Member Westlake remind the travelers going to Kiana there is open water. Member Swan mentioned a lot of high water this fall. Member Carr raised concern to kids chasing caribou while hunters are shooting; be aware of where your children are riding. President Weisner raised concern to harassment, bullying and all forms to take corrective action. Member Loon summarized a written letter regarding caribou harassment both in Inupiaq and English. Hunters need to be selective, not to hunt the cows; need to have respect and take what one needs. Dickie Moto mentioned that Public Services have snow tracks for safety while walking through town.

ROLL CALL/MEMBER EXCUSAL

Assembly Members present at the time of roll call:

Elmer Armstrong Jr.	Kirk Oviok Jr.	Dood Carr	Larry Westlake Sr.
Hannah Loon	Sandy Shroyer Beaver	Miles Cleveland	Austin Swan Sr.
Nathan Hadley Jr.	Lucy Nelson	Carl Weisner	

Introduction of Staff and Guests

Nate Kotch	Shield Downey Jr.	Matt Mead	Gregory Finstad
Chuck Greene	Corey Mulder	Walter Sampson	Toby Drake
Mildred Stalker	Noah Naylor	Clara Jones	Chris Hatch
Dickie Moto	<i>Clement Richards Sr.</i>	<i>Carolina Behe</i>	Hiram Walker
Grant Hildreth	Marie Greene	Nelson Walker	<i>Joshua Melton</i>
Patrick Savok	Helena Hildreth	Stella Atoruk	

A quorum was present to conduct business.

APPROVAL OF AGENDA

Agenda presented for approval for November 28, 2017. Member Loon request to add Gregory Finstad under communications and appearances. President Weisner request to

add Walter Sampson under boards and commissions. Acting Mayor Kotch request to add under other business; ex officio for VIF. President Weisner request to also add Retreat date and location; also, add a letter from City of Kotzebue regarding E911 System and ICC update.

Member Carr raised concern to see if Mr. Drake will do a presentation.

Member Carr motioned, Member Cleveland seconded to approve the agenda as amended. The motion passed unanimously.

APPROVAL OF PREVIOUS MEETING MINUTES

October 9, 2017 Special Meeting minutes and October 24, 2017 regular meeting minutes presented for approval.

Member Swan motioned, Member Carr seconded to approve the minutes as a block; motion passed unanimously.

COMMUNICATIONS AND APPEARANCES

President Weisner mentioned that City of Kotzebue came forward yesterday regarding the E911 system which is obsolete; had discussions yesterday and City is requesting to postpone the request until further information is gathered.

Carolina Behe, ICC summarized her report which has been submitted. President Weisner thank her for all of ICC work; look forward to the meeting in Utqiagvik soon.

BOARDS, COMMISSIONS & COMMITTEES

Walter Sampson, Rural CAP liaison provided a summary of Rural CAP services that are available throughout the State; provided a card with what services they provide. Currently working on a rural infrastructure project, infrastructure for homeless people and veterans. Hopefully NWALT can initiate the project that can go through Rural CAP; City can donate a parcel of land, IRA can pitch in their part and Borough pitch in also. For Veterans Affairs; they had a couple representatives that came up to recruit Veterans in Selawik. Had scheduled Noorvik although due to weather wasn't able to which has been rescheduled.

Member Carr thank Walter for his commitment for the Veterans; hope families' help their Veterans fill out the paperwork. President Weisner expressed his gratitude to Walter. Member Loon raised concern to who is the contact persons in the villages.

Walter requested the dates of the NWALT team so he can provide information he have received. Elder Representative Downey thank Walter for the Veterans; he mentioned VFW in Anchorage and would be good to have a representative here in Kotzebue. Member Shroyer Beaver raised concern to Rural CAP; is that based on income or how do you select for that? Also, for the Veterans benefits; is that based on income to be eligible for certain things? How do we notify people? Do they apply?

COMMUNICATIONS AND APPEARANCES

Gregory Finstad, University of Alaska Fairbanks Reindeer Research Director provided a presentation regarding the diseases in Reindeer and Caribou. He would like to do research although if there isn't any interest then he wouldn't; that is why he is here to see if Borough is interested. His contact is gfinstad@alaska.edu or google Reindeer Research Program; if there is interest then they can go for grant funds although request letters of support from individual communities.

Member Westlake thanked Greg for the presentation; he mentioned the caribou decline and never did get a statement of what is happening. He supports the research on the food we eat. Member Loon thank Member Hadley for attending the Reindeer conference in Nome; growing up in Reindeer families that yesterday she learned the assumption of reindeer and caribou mixing. Important to have good understanding and knowledge of biology. Member Carr verified with Greg on what he needs; she raised concern to the process of the Assembly of how we are going to decide on this and fully supports this. President Weisner verified of what is the next step which will be the grant application as Greg stated. Member Hadley thank Mr. Finstad for coming; he requested more information on the foot rot disease. He also brought sausage from the University Reindeer for the Assembly to sample.

BOARDS, COMMISSIONS & COMMITTEES

Madam Chair Nelson provided a summary of the Budget, Audit and Finance meeting held the previous day. President Weisner thank Madam Chair for thorough report.

President Weisner provided a summary of the Joint Construction Committee met regarding the Kivalina School to meet an April 28, 2018 letter to DEED which has been drafted. The letter will outline a plan for the match for the school although would like to be held like the Kasayulie Case.

Madam Chair Loon provided a summary of the Subsistence Protection Committee held the previous day. Will work on a letter of support for Gregory Finstad.

President Weisner summarized his written report regarding the ICC trip on Wildlife Management Summit in Ontario, Canada. He apologize to not inviting Mr. Willie Goodwin whom also attended the Summit.

Member Carr raised concern to the President Weisner traveling internationally and we have these issues are currently happening; if we allow things to what has happened this backyard then we are in jeopardy.

President Weisner also summarized the AML; proud that the negotiation team had held a panel regarding the Teck agreement. Mr. Mead mentioned that there had been interest and to give others some opportunities on developing projects. Vice President Nelson raised concern regarding the risks either settling or not; we are not to brag.

Break taken at 10:15 A.M.
Reconvene at 10:22 A.M.

PUBLIC HEARINGS, ENACTMENT OF ORDINANCES & EMERGENCY ORDINANCES

1. **Ordinance 17-13** *an ordinance of the Northwest Arctic Borough Assembly amending chapter 7.10 of the Borough Code to include gravel extraction under the scope of mining activities subject to the severance tax, and for related purposes.*

President Weisner raised concern with Legal Mr. Mead regarding BAF tabling this the previous day; which can table until more information is submitted from Jonathan King. Pat Savok provided a text sent from Lance Miller of NANA; severance tax would be detrimental since cost have gone up. More research is needed. President Weisner provided a brief history. Toby Drake, Drake Construction President mentioned he is glad this is going to be tabled until more information is gathered. Vice President Nelson mentioned she doesn't support this although would like to hear feedback; what are plans for these taxes? There are so many unanswered questions. Member Carr thank Toby for attending; she also wouldn't support due to so many questions; believe to quit tabling and deal with the issue. Member Shroyer Beaver mentioned that this needs to be voted on; she wouldn't be in favor of supporting this. Member Hadley also don't support this; would affect the villages like Deering. President Weisner look forward to Jonathan King's finding; he expressed the importance of finding additional revenue potential and adverse impacts since we are responsible for education and public safety. Member Armstrong mentioned he don't support this because of the village projects that are making roads and upcoming projects will affect.

Member Carr motion to table Ordinance 17-13, seconded by Vice President Nelson. Member Carr rescind her motion to table and bring to vote today. Member Carr motion to enact Ordinance 17-13; seconded by Member Cleveland. Motion failed unanimously.

Mayor Richards thank Member Carr for putting to act; we have a sin tax and this will be factored in any location in the Region. He encourage the Assembly to support this; although he supports the Assembly.

Member Shroyer Beaver raised concern the percentage charged instead of dollar amounts; she also raised concern to the taxes going to the consumers. President Weisner verified with Mr. Drake if the projects are federal agencies? And they would pay for it? How would it trickle down to the residents of the community? Mr. Drake also had these concerns; the only ones that will be taxed would be the private sector. President Weisner verified with Legal Mead on private sector. Then with Mr. Drake regarding the Cape Blossom Road from Kotzebue to Sadie Creek? Mr. Drake mentioned they stock pile some gravel that will go on the road; the actual construction of the road is yet to be bid. President Weisner raised concern as to whom who be responsible of the taxes although would be passed on to the government agency. Member Carr echoes Vice President Nelson comments regarding unanswered questions; that is why she voted it down. Mr. Drake mentioned that the aggregate resource is unique; goes in a circle that goes to a project within the region.

2. **Ordinance 17-15** *an ordinance of the Northwest Arctic Borough Assembly amending the Borough Personnel Code and for related purposes.*

Acting Mayor Kotch recommends do pass, as also recommended by BAF committee.

Member Westlake motion to approve Ordinance 17-15, seconded by Member Loon for second reading. Motion passed unanimously.

3. **Ordinance 17-16** *an ordinance of the Northwest Arctic Borough Assembly amending Title Six of the Borough Code and for related purposes.*

Acting Mayor Kotch mentioned that this bring us under compliance with Federal grants; recommend do pass. Member Shroyer Beaver verified if oral have been removed.

Member Loon motion approve Ordinance 17-16, seconded by Member Shroyer Beaver; motion passed unanimously.

4. **Ordinance 17-08am01** *an ordinance of the Northwest Arctic Borough Assembly approving and adopting an amended line-item budget for Fiscal Year 2018.*

Acting Mayor Kotch summarized Ordinance 17-08am01. Vice President Nelson mentioned that BAF had tabled this ordinance until a breakdown of incumbencies were provided; were comfortable during the work session and recommend do pass.

Member Armstrong motion to approve Ordinance 17-08am01 for second reading, seconded by Member Hadley. Motion passed unanimously.

ASSEMBLY REPORTS

Vice President Nelson provided a summary of attending Alaska Municipal League Newly Elected portion; felt appropriate since haven't attend about five years. She expressed the importance of governing bodies; act as a body and not individually, do homework, seek community input, education on issues and opinions on those you serve, ethical responsibility, act impartially and no favoritism for the best interest of our Borough. Also, had reviewed Title 29; had mentioned a clerk had gotten sued for not posting notices and don't want that to happen here. She expressed the importance of open meeting act; especially when there are four of you talking of Borough business. She also expressed the importance of parliamentary training, appreciate for Assembly for sending her.

Member Carr thank Vice President for her report. She mentioned that last year was her first AML conference, this is a good learning session when you serve in government; really appreciate the topics. She summarized her written report; she also thank the Assembly for sending her.

Member Loon mentioned she also attended the AML meeting; heard about tribal court in the Southwest Interior. AML encourages anyone from the Village level to participate; they are familiar of the offices are in dire need of infrastructure. Thank you Administration for sending us.

Member Westlake mentioned he attended the Miners Conference earlier in November; had seen some positive issues at the session. Rosie Barr of Calista did a presentation regarding 7i; they talked about good jobs. State supports training; should seriously look into putting a group into training. Had positive discussions regarding the Teck agreement; he mentioned Bornite drilling which is currently trying to find the edge. Pebble is starting up again, looking at revenue sharing which have been drafted. We have to know what is happening with federal and state mining; if you abide like Red Dog then we should be supportive.

President Weisner added that Governor Walker and Lt. Governor Mallot mentioned to connect with Representative Westlake and Senator Olsen to encourage to come to agreement on the budget. He also mentioned to the three members that are catching the flight, we'd still have a quorum if you decide to leave.

MAYORS REPORT

Acting Mayor Kotch mentioned that Mayor's report has been submitted; Mayor Richards apologize for absence due to medical condition. He thanks the staff for submitting the reports and work done at Borough; echoes Assembly comments regarding AML. Also, echo President Weisner comments regarding the budget. Look forward to going home Friday; thank you for participating.

TIME & PLACE OF NEXT MEETING

President Weisner verified with Administration if we would have material for a December meeting? Retreat date will be discussed. Acting Mayor Kotch recommends to forgo a December meeting; dates for Retreat we are looking at second week of January. President Weisner mentioned it will be at call of the Chair.

INTRODUCTION OF ORDINANCES

1. **Ordinance 17-17** *an ordinance of the Northwest Arctic Borough Assembly to amend Chapter 10.06 of the Borough Code relating to the Public Safety Commission.*

Acting Mayor Kotch mentioned it would re-establish the Commission; recommend do pass for first reading. Member Carr mentioned she didn't support this the day before because the representatives that are already holding jobs which Legal had revised after work session.

Member Armstrong motion to enact Ordinance 17-17, seconded by Member Loon; motion passed unanimously.

RESOLUTIONS

1. **Resolution 17-41** *a resolution of the Northwest Arctic Borough Assembly authorizing execution of a lease with Kotzebue Properties for heavy equipment storage, and for related purposes.*

Acting Mayor Kotch recommend do pass; to store heavy equipment for the winter. President Weisner verified the amount; also, thank NANA. Member Carr mentioned she had raised concern as to who can use the equipment and has access.

Member Carr motion approve Resolution 17-41, seconded by Member Cleveland; motion passed unanimously.

2. **Resolution 17-42** *a resolution of the Northwest Arctic Borough Assembly approving a professional services agreement with Wendy Chamberlain DBA Legislative Consultants in Alaska for lobbying, and for related purposes.*

Acting Mayor Kotch summarize the resolution; recommend do pass. President Weisner thank Ms. Chamberlain for her work. Member Carr appreciate Wendy's involvement, thank her for great work and look forward to another year.

Member Shroyer Beaver motion approve Resolution 17-42, seconded by Member Carr; motion passed unanimously.

3. **Resolution 17-43** *a resolution of the Northwest Arctic Borough Assembly approving a professional services agreement with Golden Eye Media Alaska.*

Acting Mayor Kotch summarized the resolution; recommend do pass.

Member Armstrong motion approve Resolution 17-43, seconded by Member Cleveland; motion passed unanimously.

OTHER BUSINESS

Retreat date; Acting Mayor Kotch mentioned January 8, 2018 although up to the Assembly to select the location. Member Shroyer Beaver raised concern to how many days. President Weisner verified if a facilitator has been selected and a location along with cost comparison between Anchorage and Kotzebue.

Red Dog Mine visit; request an update for the site visit.

Member Loon request to have a cost comparison to Las Vegas, thank you.

President Weisner mentioned that he selected Member Hadley to sit on VIF ex officio seat. Acting Mayor Kotch mentioned that he will be the one selected if that is what Assembly wants.

EXECUTIVE SESSION

None held.

AUDIENCE COMMENTS

Joshua Melton of Noorvik raised concern to Walter regarding housing; there are people living in tents and substandard housing which is his main concern. Also, concern about Public Safety for Elder Abuse although ICWA Program can help but they are learning, hoping to get help for the villages. He mentioned that Noorvik IRA have been trying to help out the students attending ATC, they are receiving a stipend while attending training. Student calling for help. Joshua says he has a lot to say although not enough time; thank you for your time.

ASSEMBLY COMMENTS

Member Hadley thank the staff, for those that fill in while Mayor is out, thank you to clerks and also, thank you to the presenters. He mentioned that he is now on the Reindeer Herding Association; he encourage staff to stay in contact with villages for letters of support for Greg's work.

Member Westlake mentioned good meeting, thank you.

Member Cleveland mentioned important meetings coming up on the Road, as far as interior; they are beginning to realize what is happening and now are interested. Glad they are understanding to wanting the road to be built.

Elder Representative Downey commends the Assembly for good work, thank you to staff and presenters.

Member Armstrong good meeting, thank the administration; continue to move forward. Thank you for the audience.

Member Loon thank administration, clerk and staff, making meetings easy. Thank Mayor and staff; special thank you to Ingemar for group. Thank you to Nelson for showing a good model on water and sewer connection. Thank you to Toby for attending, see you again.

Member Swan thank Nathan and Pat for stepping up; added that Kathy at AML decide to finish her term. He had requested to be on the search committee for her replacement.

Member Oviok mentioned good meeting; men and women of integrity. Hopefully with NANA dividends the residents of Selawik will pay off the debt. Thank you to President, Acting Mayor and Assembly for working together on resolutions and ordinances. Thank you. President Weisner added that Member Oviok was talking about delinquency in paying their electric bills; Assembly had asked Administration to provide additional information to find ways to help resolve this important matter.

Member Carr asked Austin to pass on to AML staff that we appreciate their work. Would like to ensure when Retreat is planned that topics are important like what taxes are going to be used for. Hopefully better line of communication so Assembly will know what is happening. She expressed the importance of accountability; if staff can't show up full time than should put them on part time. We need to get a grip on this spending; we need to be cautious. Really appreciate Lucy's input; we are fortunate to have something to look forward. Thank you Carl for good meeting, appreciate the presenters. Again with NWALT, need to revitalize because it's where all the organizations work together. Whether it's us or other entities, not another task force; we need to get together. Thank you.

Member Shroyer Beaver thank you for discussions on finances; thanks to Mrs. Sturm for her persistence. She supports the letter of support for the reindeer. Concerned regarding the HR policies without going into detail; shall apply to everyone. When talking utility bills; it's not that they are just not paying their bills they have to pay what is there. More of a regional issue, we don't talk about jobs, social ills, bulk fuel and dividends. She commends Kiana for shopping at liquor store when have utility bills. As for the VIF, we need to make sure we set up infrastructure; will they be sustainable, we can't set them up to fail. We don't want to do the work for them; unfortunately there is a core group in each village. Raised concern to severance tax; at some point it may come back. On the native allotments, if it's restricted than you won't be charged tax; need to know the pros and cons of the ordinance, she won't vote on something like to because you want today and not keep tabling. Merry Christmas and Happy New Year.

Vice President Nelson thank Joshua for calling in; the issues that this body need to hear. She expressed the importance of the BAF Chair; feel it's her role to protect the assets of the Borough. She would like to discuss this during the Retreat; spending our fund balance in a year or two instead of rashen we have to protect that. Appreciate Toby coming; glad we tabled the ordinance, people are struggling. We need to make good decisions. She thank Greg for his presentation on reindeer; she had seen infected caribou and she supports his efforts. Thank the administration, Assembly for coming to the table and debating. Good meeting.

President Weisner advises the Assembly to email him with the Retreat discussion subjects and Vice President and he will work on.

MAYORS COMMENTS

Mayor Richards mentioned Administration will work with City of Kotzebue to move forward with E911 system. As for Ordinance 17-13 we will revisit that issue as more information is

gathered. Thank the Assembly for comments and voicing concerns, thank you to Joshua for calling in. Look forward to being home soon.

Acting Mayor Kotch thank the staff for support and commitment for the Borough. Also, thank you to the Assembly for leadership and commitment as you set goals for Administration. Again thank you to the staff.

ADJOURNMENT

Member Carr motion to adjourn, seconded by Member Shroyer Beaver to adjourn at 11:53 A.M.