



**Northwest Arctic Borough Assembly  
Special Meeting Minutes**  
Friday, December 16, 2016 – 9:00 A.M.  
Seattle Waterfront – Harbor Room  
Seattle, Washington

**CALL TO ORDER**

President Carl Weisner called the meeting to order at 9:01 A.M.

**INVOCATION/MOMENT OF SILENCE**

Member Loon provided invocation.

**ROLL CALL**

Members Present:

Elmer Armstrong Jr.	Walter Sampson	Hannah Loon	Austin Swan Sr.
Nathan Hadley Jr.	Larry Westlake Sr.	Delores Carr	Tanya Ballot
Miles Cleveland Sr.	<i>Lucy Nelson</i>	Carl Weisner	

Introduction of Staff and Guests

Clement Richards Sr.	Matt Mead	Angie Sturm	Sandy Shroyer-Beaver
Patrick Savok	Brad Reich	Eugene Smith	Dr. Ann Marie O'Brien
John Baker	Katherine Keith	Cory Mulder	Wendy Chamberlain
Andy Baker	Helena Hildreth	<i>Craig McConnell</i>	Ingemar Mathiasson
Margaret Hansen	Angela Washington	<i>Millie Hawley</i>	Chris Hatch
<i>Shady Grove Oliver</i>	<i>Clinton Bennet</i>	Tillie Ticket	Christina Westlake
Kathy Christy	<i>Stanley Hawley</i>	Stella Atoruk	

**Quorum established to conduct business.**

*(Telephonic)*

**Member Carr motion to excuse Elder Representative Hawley, seconded by Member Sampson. Motion passed unanimously by roll call vote.**

President Weisner mentioned a few items to cover. Congratulations to Noatak for winning the mix six championship. President Weisner provided a summary of what have been discussed while attending the Assembly Retreat. He would like to ensure there is ample time for public discussion.

## AGENDA APPROVAL

Agenda presented for approval.

**Member Westlake moved, seconded by Member Swan to the agenda as presented. Motion passed unanimously by roll call vote.**

## RESOLUTIONS

1. **Resolution 16-60** *a resolution of the Northwest Arctic Borough Assembly authorizing execution of a construction manager contract for the pre-construction, design and construction activities for the Kivalina McQueen School.*

Dr. Ann Marie O'Brien appreciates the opportunity to provide information, accurate and additional information for this resolution. She expressed her concern to the statements are distressing and inaccurate. *Craig McConnell raised concern to those on phone and radio; can barely hear you, please speak into the microphones. Millie Hawley echoes Craig's comments; also, identify yourself when speaking.*

Kathy Christy, Capital Projects Manager of Northwest Arctic Borough School District provided additional information for Assembly to review; the timeline of the Kivalina School since 2008 since she had started with NWABSD. All activity have been on hold, too many unanswered questions of the Department of Education holding the grant agreement. She also provided the process of building schools in the region.

Member Carr raised concern to NWABSD to the procurement method, can you restate that? *Craig McConnell raised concern as to what Christy said; the Assembly can't arbitrarily access the Department of Education monies and hire a contractor is that correct? They would have to go through a process so all management companies can have an opportunity to compete for that project.*

Member Hadley asks Kathy to explain to the audience how the Joint Construction Maintenance Committee was formed with the entities involved. Member Westlake also provided a summary of how the committee was established.

Member Loon raised to working with DEED although funding is limited; how can we work together so Kivalina can get the best.

Dr. Ann Marie O'Brien advises that the first week of December they met with DEED, currently we have a meeting for December 12<sup>th</sup> although all weren't available. A joint maintenance committee is scheduled for January 12<sup>th</sup>, all parties have been confirmed. Dr.

Ann Marie O'Brien respectfully request the Assembly to table these matters until the joint construction meet so the Assembly can have accurate information. Right now she believes there is a lot of confusion.

Katherine Keith informed all that they have been asked by Borough Administration to provide a letter from DEED to move forward. She has been working with Deputy Commissioner Santa whom is new; she is trying to help Borough. As Kathy provided an update, the reason DEED hasn't provided the project agreement because it's not fully funded; need seven million dollars. DEED has confirmation of receiving Resolution 16-50; she assures nothing wrong to the Assembly. Construction of the school will be out to bid; we are talking of different things.

Member Cleveland raised concern to calling for question on the motion; is that proper? Member Carr object. Legal Mead recommend further discussion to carry on.

School Board Member Washington provided a summary of a conference she recently attended. She expressed the importance of having a voice at this table.

President Weisner appreciate your position; agree the School Board and Assembly should work together hand in hand.

Member Sampson appreciate your view points; it's good discussion. He wants Kivalina to have ownership of the school; not Borough or School. Borough needs to find matching funds to move ahead for the school. . He expressed the importance of understanding what is being discussed. That is why the Assembly had advised Administration to move forward to find additional monies.

Member Ballot expressed she got on the Assembly to help the region as a whole. She would like to ensure all procedures and processes are done correctly. Member Ballot expressed her concern to the Special Meeting here in Seattle.

Member Hadley supports local hire but have to follow process; if this was set years ago then we are going against our own word.

School Board Member Hansen express concern as to where the monies will come from? Concerned about the location of this meeting and raised questions regarding the meeting Keith canceled.

Katherine Keith mentioned DEED requested a meeting for 12<sup>th</sup> of December, although the Assembly is here. Meeting date will be set; Borough Administration requested a letter in

writing answering some of the specifics about what needs to happen. She mentioned Borough have complete authority of what they are doing.

Resident Christina Westlake mentioned she is fortunate to be here. She is concern about miscommunication on this issue. This offends her; the timeframe presented is out of date. Christina expressed her concern to Kathy sliding right into the positions. The villages want a change, instead of same ole. She had been a member of the School Board, this is the first time she saw her. There is your intimate local knowledge there.

Member Westlake respects the presentations; reminds him of what had happened in the past. He summarized the process of when the schools were being built. We have two years left to start building the school, need the road to do that. If we work together as we go, that is not impossible. Think about the children, the elders; let's move forward. We want to work together for the Kivalina people.

Member Carr apologize to Kathy Cristy; hope you didn't feel disrespected. This is the first day face to face; this should have been day one. School District and Borough have a process that wasn't followed. That is why she asked about the procurement method; although she did sit on the committee when with NANA. We have a problem; Assembly came down here for a Retreat, a lot of work to do. She wrote an email to request to cancel the meeting; focus on the Retreat that is need, although need another one. Dood had been approached by a resident of a letter that was sent to DEED from Administration which she didn't see. She don't have any ill will against Remote Solutions, people have put a lot of effort for Kivalina. She is concerned about first face to face, should have been taken place in Joint Maintenance. Assembly should know what is being done. We have processes in place, also the School District. We have wrong public notices sent out. This is a multi-million project, we need to work together. If you have a comment you want to share, open meetings act; privilege of being heard.

President Weisner mentioned that Legal Mead has to catch a flight.

Dr. Ann Marie O'Brien asks Legal Mead please explain the resolution; she expressed that Resolution 16-60 clarify the Assembly approving the use of CM/GC method of procurement for the Kivalina McQueen School and the Assembly approving an exemption from competitive bidding requirements; which are different things.

Although Legal deferred to Administration which will be abled answered by Administration due to flight departure.

Member Loon mentioned that we shouldn't be away from constituents; we are separated

here at the Assembly. There are Lobbyist and Contractors trying to talk to us into doing that; to the people in the villages you know your Assembly members. Send us your thoughts; we need to slow down. She also requested to cancel this meeting, this should be in Kotzebue. No hard feelings to Administration and Remote; Administration should listen to the Assembly. And not do your own thing, thank you.

*Craig McConnell, NWABSD raised concern of this resolution. He summarized the process of the joint construction committee process. Craig strongly oppose to this; concerned about the location of this meeting. He mentioned that Remote has no experience in this field.*

Dr. Ann Marie O'Brien assures that it is offensive for Keith to say nothing has been done to move this forward; an indication for someone hasn't been listening for ongoing work. Very unprofessional; also, getting a letter from DEED by end of the meeting is very troubling. There is an idea if we don't start the school within two years we will lose the money; which isn't true. Department of Education understands the timeframe of the Kivalina Road; as is the Borough, you have a timeframe with DEED and DOT. The road has a five year phase, the school may begin a little before completion of that. Would like to use monies to transport; please consider, we need information and not be told I'm getting a letter. Contributes to the confusion; openly the distrust. We need issues clarified; the Joint Maintenance Committee reports to the Assembly and the School District reports to the School Board.

*Vice President Nelson thank Craig for comments, appreciate all other also that spoke your mind. She was elected by constituents back in 2011; background in Finance and as an Assembly member it is her job to make decisions on factual information; job to protect the code, follow procurement policy and not violate law. At the last meeting they directed the Administration to work with other agencies which was ignored; worries her. We have to have a fair process; as public officials we have to conduct ourselves which don't injure the reputation of the Borough. For the public to see division to be seen only hurt the Borough. She is against the resolution. Thank you.*

Member Armstrong glad here together and good to hear all the comments. President Weisner reaches out to Millie Hawley for comment.

*Stanley Hawley, Native Village of Kivalina Administrator expressed that they respectively asks Borough to give an advance notice of this kind so they can be make preparations beforehand and need more information so they can take a position on these proposals. He just learned that this is the third meeting and that tells him that the meetings should be involved. Seems like the Borough is under the impression that this Road project is dependent of the School which isn't the case. We will continue with or without the School.*

*Would like the Native Village of Kivalina can be included in the relay of information. Due to the process that have taken place; all information has been shared. They don't support this proposal as listed in Resolution 16-60. Thank you.*

Kathy Cristy, NWABSD mentioned that in the process of the summary of what have been done, people of Kivalina have been involved. They like the Noatak School and would like similar design. She would like to clarify with Katherine; on the resolution, assembly use the method which is clear talking of the process talked earlier. The last statement; states the Assembly exclude the bidding requirement. She isn't clear of what that means, contradicts of what was said earlier.

Eugene Smith raised concern that we are arguing over the same thing; would like Kivalina to get a School and Road. When Ann Marie mentioned we have a two year window; once came into the agreement to come up with a match. He isn't sure where Craig came up with the money. Currently, we don't have a dime in this project; trying to activate and get moving using a match money on the Road. When he got on he realized that Kivalina had been studied since the sixties; would like them on board and move forward. The whole goal is to get something built out there so they have somewhere to go. Let us do our job, all he is asking to move forward. Didn't get a chance to talk about Noatak whom needs a road; are we going to fight over that too? He understands Millie, fighting don't make sense. On this resolution there is no dollar value, you assume it will be a million and there isn't a dime on it.

Tillie Ticket, NWABSD mentioned that she has some Kivalina blood too. She was privileged to attend openings of schools, which was exciting. She is looking forward going to the Kivalina School; we need to focus on that and not say who will do what. We need to work together; that is how the Noatak and Kobuk Schools were done.

Member Swan mentioned he made his decision; it will be yes. He has a granddaughter whom wanted to be a student leader although was turned down. Her Mom told her, start your own. He is hoping the Assembly with take their vote to another level, we need it. If the school gets built with the Road then fine, but we need the Road. He is for the resolution. Thank you.

Margaret Hansen, NWABSD mentioned she attended the meeting in Anchorage and she happened to be in Anchorage. When asked what is the rush? Where is the money coming from? It was like a secret; there is confusion. Why the urgency? You can see why we are so confused. She likes Kivalina's comments, they need to be involved. Thank you.

Sandy Shroyer-Beaver, NWABSD appreciates the comments and we all agree we want the

Road and School. We heard a lot of comments, we got to work together, we are stronger as a team; we are stronger as a team. Honestly, from her perspective that the Assembly has a black eye from the Administration whom started from day one. They didn't know, they could have been informed when this Special Meeting. The Assembly voted down unanimously in Anchorage advising to take to the Joint Maintenance meeting, when got back to Kotzebue we got a notice that there is Joint Maintenance meeting within twenty-four hours. The next morning, we get another notice there is another joint maintenance committee meeting, get a third one in a couple hours. We ask for this information and get ninety pages of documents; we were going through and trying to read before one. With our attorney we went through some of this, we asked at the Retreat, have your reviewed the questions and got answers from your attorney. After that happen, after the vote failed due to tie. Then there is meeting number three, on the advertisement it said Special meeting to be held in Seattle and on the bottom it said in Kotzebue. It's important we want to be here. We need to be at the table; it's like you don't care about any other perspectives, we want the best for our kids. We want local hire and it's our job. She asks you don't vote for this resolution; it's not an informed decision on your behalf, School District haven't been involved and Kivalina saying they would like to hear about it also. Thank you.

President Weisner ensured if anyone from Kivalina would like to comment.

Ella Leavitt mentioned we been having so many meetings regarding the new site; from what she have been attending there is discussions on funding for the Road either to the evacuation site. That is her understanding; during Mayor Joule's tenure they were seeking funding for the Road. She see and understand we don't have a representative from City of Kivalina, Native Village of Kivalina or School Board Member there to give advice or comment of what have been happening at the local level. How do we get from point A to point B before the new school site is built? Thank you, happy holidays.

Dr. Ann Marie O'Brien appreciates the opportunity to be hear although a difficult journey to take. There are factual information that you will have access to on upcoming Joint Maintenance meeting on January 12<sup>th</sup>. On behalf of the School Board we encourage the Borough to support the long standing process of the Joint Maintenance Committee elected officials representing the Borough, NANA and School District.

President Weisner mentioned that this has been challenging as a President; his responsibility he feels is to keep everyone united. This resolution has put Administration on one side, School District on one side and Assembly in the middle. Perquisite he had directed to the Administration to work with the Maintenance Committee, unfortunate haven't been there. Listening to everyone's position he is voting against it; but still want Kivalina to get a school right away, although another way.

**Member Swan motion to approve Resolution 16-60; seconded by Member Sampson. Motion failed by roll call vote, six no and five yes.**

Eugene mentioned that it's frustrating that we have a five year frame for the bonding, we don't have monies as for the matching is concerned. What are we going to do, get a loan? Is that the next step?

Member Dood calls point of order, vote has been taken and comments have been taken.

### **OTHER BUSINESS**

No other business conducted.

### **ADJOURNMENT**

**Member Carr moved to adjourn; with no other business to conduct, the meeting adjourned at 11:40 A.M.**