



DRAFT  
**Northwest Arctic Borough Assembly  
Regular Meeting Minutes**  
Tuesday, April 25, 2017 – 9:00 A.M.  
Assembly Chambers – Kotzebue, AK

**CALL TO ORDER**

President Carl Weisner called the meeting to order at 9:03 A.M.

**INVOCATION**

Member Cleveland provided the invocation.

**SAFETY MOMENT**

Member Loon encouraged everyone to keep hydrated when you are doing outdoor activities. She also encouraged everyone to take their trash back to town and to teach our children these best practices in respects to our land.

Member Sampson thanked those from AIDEA, Red Dog, NANA and former Mayor Reggie Joule for their attendance at this meeting. He advised all residents to be cautious during this time of the year during this hunting and gathering season. He encouraged the elders to be cognizant of giving advice to our young people regarding safety issues.

Member Austin Swan encouraged everyone to watch out for overflow when traveling with snow machine.

**ROLL CALL**

Assembly Members present at the time of roll call:

Elmer Armstrong Jr.	Lucy Nelson	Hannah Loon	Tanya Ballot
Hannah Loon	Walter Sampson	Carl Weisner	Austin Swan
Larry Westlake	Nathan Hadley Jr.	Miles Cleveland	Dood Carr

Introduction of Staff and Guests

Clement Richards	Matt Mead	Shield Downey Jr.	Sarah Espelin
Patrick Savok	Noah Naylor	Zach Stevenson	Angie Sturm
Clara Jones	Millie Stalker	Janine Bedford	Shawn Gilman
Stella Atoruk	Helena Hildreth	Patrick Savok	Chris Hatch
Reggie Joule	Lance Miller	Corey Mulder	Lena McClellan
Kaam Sahely	Mary Ellen Tuttell	Joy Huntington	Amber Frizzell
Henri Letint	Jeff San Juan	Wayne Westlake (telephonic)	

**A quorum was present to conduct business.**

## **APPROVAL OF AGENDA**

President Weisner requested to add current status on the Ambler Mining District Industrial Access Road to Item G. He also requested to add brief discussions of NWALT and Sulainich to Item G. Member Westlake requested to add Resolution 17-11 to Item N and also a JCMC report to Item H.

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

## **APPROVAL OF PREVIOUS MEETING MINUTES**

1. April 11, 2017 Special Meeting Minutes
2. March 28, 2017 Regular Meeting Minutes

**Member Swan motioned, Member Sampson seconded to approve the April 11, 2017 Special Meeting and the March 28, 2017 Regular Meeting minutes as presented. A roll call was conducted and the motion passed unanimously.**

## **COMMUNICATION AND APPEARANCES**

1. Uqaqti Consulting Ms. Joy Huntington and AIDEA Ms. MaryEllen Tuttell provided a brief update of the Ambler Mining District Industrial Access Road. They also highlighted the permitting process moving forward and specifically the borough's role in this process.

Member Loon asked Mayor Richards what personnel or committees' would be monitoring these activities. President Weisner replied that we will get this issue addressed as there are multiple committees that can oversee this process.

Member Sampson requested that we update the EIS resolution that was approved a few years ago.

Member Loon asked about the NEPA/EAS process and how would climate change effect it. She also requested a flowchart for communications during this process. And, lastly would the Borough be receiving revenue during this process. Ms. Tuttell replied that the Park Service and the Bureau of Land Management would be addressing the climate change issue. These two processes would evaluate how the resources and the project itself would be affected by climate change. She does not believe the borough would obtain revenue during the process.

Member Cleveland requested our people in the upper Kobuk provide input as they are the ones who will be the most impacted. Would it be accessible for subsistence activities and who is going to access this road? He also asked if a road is possible in between the three villages.

Ms. Tuttell replied that AIDEA's mission is to focus on the major infrastructure to assist with resource development in the area. She commented that the tribal or borough transportation program would be the avenue to road connectivity between local communities. She added that AIDEA is focused more on the big picture for resource development to create jobs and to help reduce the cost of living.

President Weisner asked if this road would become similar to the Dalton Highway, an industrial access road and then now a public highway. He also commented about considering some potential ownership so that the borough can have a greater role. Ms. Tuttell replied that AIDEA is requesting a limited right of way just for industrial and permitted use. She added that no federal funds are proposed to be used and AIDEA is proposing to do this as a public private partnership.

Member Westlake spoke on the life of the road and commented the map is only a small portion of our land and the road can possibly be extended for mineral potential and extraction.

Member Sampson thanked AIDEA for their presentation and that the dialogues will be the start of the discussion as we go through this process of planning to address these issues in our communities.

Member Cleveland asked about public access permits for our residents and potential subsistence use of resources. Mr. Jeff San Juan reported that we would need to come up with policies and procedures such as obtaining permits for addressing the access and control of this road.

Elder Representative Mr. Shield Downey commented he is sure this road will go through. He added that our people need to get educated and be assured of jobs and protection of our resources. He would like to be assured that there is no influx of people and is concerned about our subsistence resources getting depleted once this road is accessible.

## **BOARDS, COMMISSIONS & COMMITTEES**

BAF Madam Chair Nelson reported that she has requested the President to reappoint her seat she currently sits on as a Sulainich Art center commission board member. She will ask Mr. Will Anderson to provide a Sulianich report at the next Assembly meeting. Madam Chair Nelson gave a brief report on the BAF Committee meeting that was held on April 24, 2017 at the Assembly chambers. The committee reviewed all agenda items and approved Resolutions 17-09 and 17-10 that were recommended for due passage by the full assembly. The committee reviewed an enactment of ordinances Ordinance 17-03 regarding the Payment in Lieu of Taxes agreement and recommended due pass. They reviewed Ordinance 17-04 for first reading and recommended for due passage by the full assembly. The committee also discussed the budget audit and finance retreat to discuss the negotiation results and she welcomed Ms. Sarah Espelin, Espelin & Associates, and LLC to the Borough to assist with accounting affairs in the Finance Department.

**A ten minute recess was taken at 9:57 am.  
The meeting reconvened at 10:12 am.**

Mayor Richards commented due to conflicting schedules an NWALT meeting date was not obtained yet. Mr. Matt Mead provided a brief update on a potential investment with Delong Mountain Transportation System.

Member Carr requested that at this time of budget constraints we need to set a date and plan for an NWALT meeting.

Joint Construction and Maintenance Committee Co-Chair Larry Westlake provided a brief review of the Committee meeting that was held on April 24, 2017. He reported that the committee reviewed the 5% that was taken out of the funds for artwork for the ATC Magnet School and the dorm. He reported that the committee has selected Mr. Kevin Smith and Mr. Brian Adams to conduct the artwork for this project.

He reported that Ms. Kathy Christy provided a capital projects report. Ms. Christy reported that the 20% or 10 million match which the borough will start appropriating with a deadline in 2018. Member Westlake reported on future maintenance and renovation of the Ambler School. President Weisner added the resolution from the JCMC for the assembly is to consider who would delegate the authority of the construction of the Kivalina School.

Member Swan commented that they will be scheduling a meeting with AVEC and the City to meet because AVEC does not want to relocate out of Kivalina.

## **PUBLIC HEARINGS, ENACTMENT OF ORDINANCES & EMERGENCY ORDINANCES**

1. **Ordinance 17-03** an ordinance of the Northwest Arctic Borough Assembly approving a payment in lieu of taxes agreement for the Red Dog Mine with Teck Alaska Incorporated, and for related purposes.

Mr. Kaam Sahely, provided an overview of the payment in lieu of taxes agreement and a memorandum of commitment agreement with Teck Alaska Incorporated.

Mr. Henri Letint, Teck Alaska General Manager, commented that this is a win win proposal and it took a lot of discussions and we put a lot of effort into this. He commented that he appreciates the work of the negotiating team members and it is very important that we do not jeopardize the longevity of the mine. Lastly, he commented that he is very pleased where we are at today and is looking forward to a good outcome of this for the benefit of the region.

Former Mayor Reggie Joule shared his perspective on this agreement and congratulated the Assembly and the negotiating team for their hard work during this process.

Ms. Sophie Foster, Kotzebue resident, commented about her son who recently passed the Military Bootcamp and she encouraged our young people to get educated about the military also. She added that she hears a lot of bickering amongst the assembly members on a borough level.

Mr. Lance Miller, NANA, congratulated on behalf of NANA and Mr. Wayne Westlake, for the enactment of this ordinance.

Member Carr thanked the negotiating team for their good work as it is the constituents who will benefit from our service. She also thanked the assembly for all the work that has gone into this.

Member Sampson commented about the history and leadership in the involvement and establishment of the Red Dog Mine. This is a good model for future potential development. He thanked Mr. Letint for being present at the meeting and said it is an honor to be part of this process as we look to the future of this region.

Member Cleveland commented on the importance of helping our people in the communities and we are finally getting something to help them. He thanked former assembly men who also helped with this process.

Member Swan thanked Mr. Sahely for assisting since the inception of this process. He also thanked the Mayor and the negotiation team for what they have done.

Member Loon commented that we are happy today and the borough will go through planning sessions for the villages as they will be able to enjoy the fruits from the mining industry. She thanked the Mayor, Assembly and the negotiation team for their assistance during this process.

Member Armstrong thanked the Mayor, Assembly and the Negotiating team for their work during this process. He is pleased that with this ordinance so we can help the cities get out of their budgetary crisis.

Member Ballot thanked everyone for their help during this process. She commentated that we are doing this for our Youth and to assist them in helping them lead their own lives.

Mayor Richards thanked everyone involved for doing an excellent job and that the work begins now. He looks forward to working with the communities and thanked the staff for their dedication through this negotiation process. He recognized former Mayor Reggie Joule for initiating this process and thanked the assembly for working with the administration.

Ms. Lena McClellan, Borough Resident, thanked the Mayor and the borough's Search and Rescue team during the time of her loss. She thanked the young men who took her son home. She is thankful that our young people are being taught good values.

**Member Sampson motioned, Member Carr seconded to approve Ordinance 17-03 for enactment. A roll call was conducted and the motion passed unanimously.**

### **MAYORS REPORT**

Mayor Richards commented that his report is in the packet and is brief. Member Nelson asked about the Planning Commission permits that have been expired and if they have been completed. Mr. Noah Naylor, Planning Director, commented there's a start and expiration date for each permit.

Member Loon asked about the Community Revenue Sharing payment to Shungnak and what the status is. Mayor Richards reported they have not received their application yet for us to process the paycheck. Mayor Richards reported that he was just informed they just received the application.

Ms. Angie Sturm, Borough Treasurer, welcomed Ms. Sarah Espelin, as the contract accountant, who will assist the Finance Department tackle a bunch of projects, one of them is the software conversion.

### **TIME AND PLACE OF NEXT MEETING**

President Weisner reported that he would work with Mayor Richards for the time and place of the next Assembly meeting and budget retreat.

### **INTRODUCTION OF ORDINANCES**

1. **Ordinance 17-04** *an ordinance of the Northwest Arctic Borough amending the Northwest Arctic Borough Code's Financial Contingency Reserve Requirements, and for related purposes.*

Mayor Richards recommend due pass as this goes along with the other ordinance in regards to the financial contingency reserve. Mr. Matt Mead reported that this is a code ordinance that amends the financial contingency reserve section.

**Member Loon motioned, Member Carr seconded to approve Ordinance 17-04 for first reading with the enactment set at the next Regular Meeting. A roll call was conducted and the motion passed unanimously.**

## RESOLUTIONS

1. **Resolution 17-09** *a resolution of the Northwest Arctic Borough Assembly to approve the purchase of equipment for the VPSO Program and for related purposes.*

Mr. Chris Hatch, VPSO Coordinator, provided an overview of the purchase of the equipment which was obtained through a federal grant.

**Member Carr motioned, Member Nelson seconded to approve Resolution 17-09. A roll call was conducted and the motion passed unanimously.**

2. **Resolution 17-10** *a resolution of the Northwest Arctic Borough Assembly adding Clara Jones as an authorized signatory for Borough Checks.*

Mayor Richards recommend due pass.

**Member Westlake motioned, Member Sampson seconded to approve Resolution 17-10. A roll call was conducted and the motion passed unanimously.**

3. **Resolution 17-11** *a resolution of the Northwest Arctic Borough Assembly confirming Shield Downey Jr. as the Elder Representative for a one year term.*

Member Loon asked why the voting rights as the Elder is an Ex-officio member is not stated in the resolution. Mr. Mead replied that an Ex-officio member does not have voting rights.

Member Sampson asked for clarity of the roles and responsibilities of the Elder Representative.

**Member Westlake motioned, Member Loon seconded to approve Resolution 17-11. A roll call was conducted and the motion passed by a majority with Assembly members Loon, Ballot, Carr, Cleveland, and Sampson voting NO.**

## AUDIENCE COMMENTS

No audience comments.

## ASSEMBLY COMMENTS

Member Ballot commented this is a good meeting with good progress and success. She requested a Youth Representative to be sit on the Assembly as they are our future. She also commented on the AST Trooper replacement in Selawik to be actively and positively involved in community events.

Member Armstrong thanked everyone for a good meeting and thanked Teck, NANA, AIDEA for their attendance in the meeting. He thanked the assembly for their work and to continue to move forward for our constituents.

Member Loon thanked everyone for a good meeting and we are still learning every day and thanked Teck, DOWL, NANA and AIDEA for their attendance.

Member Swan thanked everyone who leave their homes to come to work for our people.

Member Sampson reported on the Federal RAC Council seat he recently got interviewed for. He added that it's important that we get involved with the federal board process as it will impact our way of life for the people in the region.

Member Hadley touched on safety for everyone during spring hunting. He thanked the negotiating team and Ms. Corey Mulder, Golden Eye Media, for their attendance at the meeting.

Member Westlake wished everyone a good spring and use safety measures when using propane.

Member Carr commented on the bed bug issue in our region. She requested that information on this be inserted on our website for people in our region. She commented that when we discuss and select the Elder Representative seat that the assembly should have some input as to the selection of this appointment. Lastly, she thanked the negotiating team, Mayor and assembly for their good work in this process of the PILT agreement. She encouraged the constituents to call in during the assembly meetings if they have concerns of any kind or regarding borough business.

Member Nelson commented that sustainability is key for any organization and it's important to make the right decisions for our constituents. She thanked those who called in and those who attended this meeting.

Mr. Shield Downey Jr. thanked the Assembly for voting him in as the Elder Representative on the Assembly for a year. He congratulated the Assembly for the passage of Ordinance 17-03. He requested that no taxes be made on our residents as we do not have infrastructure to support it.

Mayor Richards thanked the Assembly and the negotiating team for their hard work and working together. He congratulated Ms. Stella Atoruk on recently receiving her Certified Municipal Clerk designation. He also welcomed Ms. Elizabeth Ferguson who has transferred to the Public Services department as Grants Implementation Assistant and also the new incoming Receptionist Macey Kenworthy to the Borough as well.

## **ADJOURNMENT**

Member Loon motioned to adjourn the meeting. With no other business to discuss the meeting adjourned at 12:09 P.M.