



Northwest Arctic Borough Assembly
Regular Meeting Minutes
Tuesday, April 3, 2018 – 9:00 A.M.
Assembly Chambers – Kotzebue, AK

CALL TO ORDER

President Carl Weisner called the meeting to order at 9:02 A.M.

INVOCATION

Member Cleveland provided the invocation.

SAFETY MOMENT

Mayor Richards mentioned that its springtime again, be careful of falling ice from buildings; he had a good friend loose a daughter due to falling snow and ice. Use precautions, use ice cleats if needed.

Member Oviok mentioned to keep cautious of ice and snow mixed together on the roads, kids keep safe.

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

Clement Richards Sr.	Shield Downey Jr.	Matt Mead	Patrick Savok
Chuck Greene	Grant Hildreth	Silvano Viverios	Greta Schuerch
Craig McConnell	Clara Jones	Chris Cox	Nate Kotch
Elmer Brown	Josephine Howarth	Charlie Nelson	Brad Reeve
Jackson Snyder	Elizabeth Ferguson	Jason Jessup	John Nichols
Margret Hansen	Hiram Walker	<i>Roy Foxglove</i>	<i>Tanya Ballot</i>
<i>Marlene Moto-Karl</i>	Angie Sturm	<i>Mary Berry</i>	Helena Hildreth

A quorum was present to conduct business.

Mayor welcome Mrs. Howarth as the HR Manager.

APPROVAL OF AGENDA

Agenda presented for approval for April 3, 2018. Vice President Nelson raised concern to when to request the executive session now or when on the agenda. President Weisner would like to add Joint North Slope Borough and Northwest Arctic Borough meeting, Red Dog visit, ICC meeting and Mining Conference here in Kotzebue under communications.

Member Carr motioned, Member Westlake seconded to approve the agenda as amended. The motion passed unanimously by roll call.

APPROVAL OF PREVIOUS MEETING MINUTES

January 30, 2018 regular meeting minutes presented for approval.

Member Carr motioned, Member Hadley seconded to approve the minutes as presented; motion passed unanimously by roll call.

COMMUNICATIONS AND APPEARANCES

Joint Borough Meeting, Northwest Arctic Borough and North Slope Borough usually meet every other year per code. President Weisner request to Mayor Richards to have the administration work with North Slope regarding some issues to follow up on.

ICC meeting in Barrow this summer; contact the Clerk if you'd like to attend. Member Cleveland is the liaison for this board.

Mining Conference in Kotzebue is scheduled and meaningful for the Assembly to attend, April 30th until May 2, 2018. If you'd like to attend please contact the clerk. Member Cleveland mentioned that someone from Doyon should be invited. Member Dood mentioned that it would be interesting for VIF, where they talk about economics.

Red Dog visit; following the agreement due to scheduling challenges the Assembly haven't been able to visit Red Dog. President Weisner raised concern to Mayor Richards regarding the set-up of this on site visit. Member Carr mentioned that on the mining conference agenda has a tour of Red Dog, can we coincide with that?

Ms. Greta Schuerch provided a brief update of the Legislative update. Currently in session; have been challenges with finding dates for the resource development. Member Cleveland thought they shall go to Red Dog before the conference. President Weisner suggests that the Administration schedule and contact Assembly with possible dates.

BOARDS, COMMISSIONS & COMMITTEES

Taxation of Alcohol, Tobacco and Marijuana. Chair Swan attended telephonically and request Member Loon to chair and summarize. Co-Chair Loon summarized the previous day meeting. Member Carr mentioned that during the meeting there were some comments from locals that there are constituents that would like to apply for license to open a marijuana store here. Committee recommend do pass for Ordinance 18-05.

Budget, Audit & Finance. Chair Nelson provided an update of the committee meeting held the previous day. Of the ordinances didn't recommend do pass they were further discussed during the work session because felt the topics were the same.

Joint Maintenance Construction Committee. President Weisner mentioned they met telephonically and some in person recently in Anchorage regarding Kivalina. The DOT and Governor's Administration only have monies at this time; available for the STIF for the road. Communication; Kivalina IRA would like to be involved on all things. Member Carr added

that the meeting was informative; such as this would be good to have the whole Assembly included to see that this project moves forward.

Mr. McConnell added he attended on behalf of the School District; DOT mentioned she is preparing the grant application. He also added a video had been made by an IT person to see what is projected, he recommends the Assembly to look at. Mr. McConnell stated that at the meeting they were unsure of who'd maintain the road. President Weisner mentioned he learned that City of Kotzebue had a similar situation with the front street.

Member Loon raised concern to Remote Solutions, what is the relationship with overall picture of road/school construction? President Weisner raised concern to what can Borough do until the grant application is in process. He also mentioned that this shall be an ongoing discussion. Member Loon expressed her gratitude to Mr. McConnell.

COMMUNICATIONS AND APPEARANCES

None presented.

PUBLIC HEARINGS, ENACTMENT OF ORDINANCES & EMERGENCY ORDINANCES

None presented.

ASSEMBLY REPORTS

Member Westlake mentioned Miles and he attended the Mining Convention in Fairbanks recently; good conference. Scoping for the Ambler Mining Road had ended January 31st although haven't gotten anything from this area. Road would be approximately two hundred miles; one lane road and have ore in containers. He provided a summary of the conference.

Member Cleveland mentioned it was good to attend the mining conference; would be good if the Assembly were to attend. Would be good to have a joint meeting with Doyon; it would be good to move forward to have something for our grandkids.

Member Swan mentioned in January he attended the Municipal Bond Board meeting in Anchorage along with Mayor and President; have witness the approval of bond of twelve point seven to match for Kivalina School. In February he attended the Kivalina he attended the evacuation road meeting in Anchorage; discussed funding and for better communications between entities. He stated the school is now fully funded.

President Weisner informed the Assembly that he attended the VIC meeting as an observer; in a policy building stage.

MAYORS REPORT

Mayor Richards summarized his written report along with Mr. Kotch. President Weisner add that there is an eighteen month to two year lean time once the application have been filed; important to know that the pre-work. Member Carr raised concern to the lobby trip, although

she didn't attend she has been listed. Will have a joint meeting with Kivalina IRA and City soon.

TIME & PLACE OF NEXT MEETING

Next meeting scheduled for April 23-24, 2018 although it may coincide with other events. Vice President raised concern to if a meeting is needed, if so can wait until May. Member Carr recommend to schedule and although it's a busy time; the Assembly needs to be aware of what is happening. Member Loon echoes Member Carr's comments; feel like she have been disconnected. She expressed the travel is out of Region and hardly in villages; constituents raised concern to happenings.

Break observed
Reconvene meeting

President Weisner mentioned he just learned about the Arctic Encounter Meeting in Seattle on April 18-20, 2018 which is important to have representation there. For those that are interested please contact the Clerk.

INTRODUCTION OF ORDINANCES

1. **Ordinance 18-02** *an ordinance of the Northwest Arctic Borough Assembly adopting Chapter 10.20 of the Borough Code establishing the Borough Community Utility Assistance Program, and for related purposes.*

Mayor Richards's recommends do pass; we've heard this number of times by ANTHC. Legal Mead summarized Ordinance 18-02; expressed if approved then would have be reviewed on an annual basis and agreements. Mr. Nichols, Mr. Cox and Mr. McConnell provided a summary of the presentation which benefits all communities of the Borough.

Vice President raised concern to a plan and how to reduce delinquency rate for existing customers; also, how will it be enforced. Member Carr raised concern to Kiana, how they can't purchase alcohol if their water and sewer bill is paid; possibly City of Kotzebue can look into. Member Armstrong raised concern to if ANTHC went to each community to see if they would like to participate in this? Member Westlake suggest preventive maintenance be done by local people; on the job training is important. He also raised concern to changing the copper tubing to plastic. Would like to have solar panels at the lift station; think shall work with alternative energy. Vice President Nelson request detailed information for the listening audience for the village operators.

President Weisner raised concern to whom would be employer of the operator. Member Carr raised concern to villages set monies aside, to have on reserve for emergencies. Member Hadley raised concern to timeline to get into effect if passed today? Member Loon raised concern to customer billing in each village, will they all have the same system? Member Hadley mentioned he raised concern to his comparison from

Kotzebue donations to village needs; happy with the school district and ANTHC relationship. Elder Representative Downey expressed he is happy to hear discussions on training of IRA and city governments. Vice President Nelson informed the Assembly that the original budget presented doesn't included which will be voted on shortly. Member Carr expressed her gratitude for training for the operators here in Kotzebue; grateful to see Kotzebue included. Thank you to Administration and all those involved for your work. Vice President Nelson mentioned that we shall look into NWALT partners; on an annual basis we shall look at all entities. Member Loon expressed she is in support of this ordinance; good investment for the villages, worthwhile project.

Resident Roy Foxglove of Selawik raised concern to the water and sewer, really need in all the households. He raised concern to if they have a wood stove to help with the water and sewer services. They would be able to combine school kids or summer jobs to train, help our children to get training.

Native Village of Selawik Administrator Tanya Ballot thank Mayor and administration for support thus far in efforts for water and sewer; some residents have been four to seven months without. She strongly encourage the Assembly to support this ordinance; she expressed the importance of health and safety. She would support this, if another entity managing then so be it for Selawik and entire region. If so then she charge Mayor and Administration to have numbers at the next meeting; also, to Assembly to charge you and stand by your vision and make sure it gets done.

Marlene Moto-Karl of Deering called regarding the presentation; raised concern to if Mr. John is with ARUC that is where they send their payments. Although they have trouble with water, have to pack their own and some people don't have transportation. She also raised concern to having monies available when they would like to put restraining orders on people. Marlene also mentioned that National Geographic needs to get a filming fee for filming in our area, they don't benefit from them.

Member Loon request to declare City of Selawik a disaster, there are families that need water delivered and honey buckets to be taken out. Some residents don't have transportation.

Member Hadley motion to enact Ordinance 18-02, seconded by Member Carr for second reading. Motion passed unanimously by roll call vote.

2. **Ordinance 18-03** *an ordinance of the Northwest Arctic Borough Assembly establishing the FY19 Village Improvement Fund budget.*

Mayor Richards recommends not to approve until the Capital Project, VIF Coordinator and VIF Grant writer salaries are in the budget. Vice President Nelson verified if this is not funded on the regular budget discussed, clarification please. On the budget Ordinance 18-04; you have VIF employees, you want to move that to that budget? President Weisner raised concern if it isn't passed. Member Carr verified that it's for the positions to move forward, that is what they are asked for although not in support from the general fund. She verified with Administration that it won't come from the general fund; she also clarified the voting process for this ordinance.

Member Shroyer Beaver raised concern to the original intent when the agreement was made. Remember we have a lot of asks this year. Member Shroyer mentioned that the commissions can have the meetings here at Borough, along with no catering; need to start pinching. Member Carr echoes Member Shroyer Beaver comments; need to do what we believe is needed. Member Cleveland stated from the beginning that there was a misunderstanding from the beginning; believe got out of line, now the residents need to present their wishes.

Member Hadley mentioned that he learned that one of the villages will be asking for the amount equal amount to the salaries presented. Member Carr mentioned that this is perfect example of confusion and understanding at the formation of the VIF; there wasn't an agreement of a million per village. Concerned of the positions at Borough; especially when they come from the general fund. Member Westlake mentioned he would like to have the minutes of the VIC; to see what is happening, spending and no progress here.

Mr. Hildreth mentioned that the commission have met three times and developing of criteria and scoring. Mentioned the next meeting is April 21-23rd. Member Shroyer Beaver would like to hear all the Assembly members; where do you think it shall come from. Member Hadley raised concern to Mr. Hildreth; attending the commission meeting, what is their direction of the funding. Mr. Hildreth would like to have a work session with the Assembly at some point. Member Swan mentioned that the villages have a need for these monies, he believe Borough shall pay for the coordinators to help the villages. Member Shroyer raised concern to why the commission want to meet with Assembly, regarding budget or projects? She would like to see what the commission is doing; what was the intent of this program.

Member Loon mentioned that she is confused with what is presented; shall be given back to clarify or having a work session with VIF commission. Member Hadley raised concern to Legal on what happens if Assembly votes down. Vice President mentioned that if needed then the village member can leave tomorrow if needed.

Vice President Nelson motion to enact Ordinance 18-03, seconded by Member Cleveland to have the employees paid from the VIF. Motion passed by majority with Member Loon voting no; Member Carr mentioned yes with the understanding of further discussion.

Break taken
Reconvene at 12:30 P.M.

3. **Ordinance 18-04** *an ordinance of the Northwest Arctic Borough Assembly providing for the establishment and adoption of the line-item budget for Fiscal Year 2019.*

Mayor Richards recommend do pass. Member Carr support the motion to have further discussion. Mrs. Sturm provided a summary of the FY'19 budget. Vice President Nelson informed the approval of Ordinance 18-02, it will impact the budget; although we need to consider the school district line item and Kivalina EA because the VIF was transferred.

President Weisner motion to increase the Title Nine monitoring for NANA Trespass Program to \$75K from \$50K. Member Carr raised concern to a letter to support this from NANA. Member Westlake second the motion to increase the amount. Member Shroyer Beaver verified whom request the increase; she verified with President if it's upon himself to increase because of history. She verified if equipment would be purchased; believe Planning Director met with Mr. Schaeffer of NANA. Member Westlake supports the amendment. Member Carr echoes Member Shroyer Beaver comments about a letter of support. Member Shroyer would like to see back up for support. Member Carr verified with Finance if she has the numbers for salaries. Member Shroyer Beaver mentioned that the budget can be amended at some point. Passed by majority with Member Carr voting no.

President Weisner suggests for search & rescue first responders has to use their own gas when preparing for search; although he'd like to have monies aside which Mayor stated is included.

Vice President Nelson raised concern to an investment contribution which isn't in compliance with ordinance 17-04; would like Legal to discuss. Member Carr verified the timeline of access the funds.

Mayor Richards request to add to Assembly donations; additional \$20K for KOTZ radio.

Member Armstrong motion to amend the Assembly department to increase number of Assembly members that would like to attend AML or Lobbying; seconded by Member Carr to increase travel for the whole Assembly to attend. Member Shroyer Beaver

verified if the Assembly is overspent on budget. She believe that the whole Assembly wouldn't need to attend newly elected section; hate to continually increase budget when we have other items that we'd have to consider. President Weisner takes the responsibility for not following through of keeping track of monies spent. Member Carr echoes Member Armstrong's comments; we need constant communication between Administration and Assembly. Motion passed by majority with Vice President Nelson voting no.

Mayor Richards recommends to increase donation to KOTZ; which is \$20K and we'd like to continue to support. Member Carr raised concern to if Borough receive a letter to increase? She mentioned that it's a large amount to KOTZ; concerned about weather reporting which is important for our residents. She'd like to see NWALT to support this. President Weisner expressed the importance of reports for Assembly to see. Mr. Reeve provided a brief summary of managing KOTZ as a volunteer; critical tool of communications. Member Carr raised concern to if any other entities contributed? She also raised concern to the bottom line number to keep the doors open; was NWALT contacted? Member Armstrong amend line item Assembly donation to include \$20K for KOTZ Radio, seconded by Member Loon; passed by majority with Member Carr voting no.

Vice President Nelson motion to approve Ordinance 18-04 with clear direction regarding the salary schedule effective July 1 however applied to new employees coming in and also cap of cost of living adjustment for the existing employees for first reading; seconded by Member Westlake. Motion passed unanimously by roll call vote.

4. **Ordinance 18-05** *an ordinance of the Northwest Arctic Borough Assembly amending Title Seven of the Borough Code to adopt a marijuana excise tax and for related purposes.*

Mayor Richards recommend do pass. Mr. Wayne Hogue, Kotzebue resident raised concern to adding tax onto another heavily tax; hard to compete with black market. He raised concern to what the Committee is thinking; are they thinking manufacture level or retail level, what kind numbers are they considering. President Weisner mentioned that the committee is still in the discussion stage. Mr. Hogue mentioned that this wouldn't be viable with another layer of tax. Member Carr thank him for coming; she supports this because of medicinal but not necessity of life. Member Armstrong recommend to change the tax rate, President Weisner mentioned it can be changed between readings. In response to Member Carr, Mr. Hogue raised concern to just taxing medicinal sales. He believe this would help the region and its problems.

Member Carr motion to enact Ordinance 18-05 for first reading; seconded by Member Loon. Motion passed unanimously by roll call vote with President Weisner understanding more work to do.

5. **Ordinance 17-08-am-02** *an ordinance of the Northwest Arctic Borough Assembly approving and adopting a second amended line-item budget for fiscal year 2018.*

Mayor recommends do pass.

Member Loon motion to enact Ordinance 17-08am02, seconded by Member Swan. Motion passed unanimously by roll call vote.

6. **Ordinance 17-09-am-01** *an ordinance of the Northwest Arctic Borough Assembly establishing the amended FY18 Village Improvement Fund budget.*

Mrs. Sturm summarized Ordinance 17-09am01.

Member Swan motion to enact Ordinance 17-09am01, seconded by Member Cleveland. Motion passed unanimously by roll call vote.

RESOLUTIONS

1. **Resolution 18-03** *a resolution of the Northwest Arctic Borough Assembly approving the purchase of a vehicle for the VPSO Program and for related purposes.*

Mayor Richards recommends do pass, along with BAF recommends do pass. Member Armstrong verified what type of vehicle the program has.

Member Carr motion to approve Resolution 18-03, seconded by Member Cleveland; motion passed unanimously by roll call vote.

Mayor mentioned Ordinance 18-02 and 18-04 have been passed, shall we clean that up here or at second reading. Vice President Nelson mentioned it shall be added when motioned. Mr. Kotch clarified if they would need to vote on the amendment.

OTHER BUSINESS

None listed.

EXECUTIVE SESSION

None held.

AUDIENCE COMMENTS

Resident Marlene Moto-Karl of Deering called regarding the film making projects in the area; have to clean up after them and have poor hunting season. She also raised concern to Search & Rescue, what number to call? Need to have it publically posted, when needed they had to scrounge around for gas.

Resident Mary Berry of Selawik called to comment on Hannah Loon's comments, Selawik is in dire need of water. Shouldn't FEMA or Maniilaq get involved with the kids getting sick? We live in United States and have access to people that can help; thank you for doing a good job in the Region. She would like to have FEMA and Maniilaq involved.

ASSEMBLY COMMENTS

Elder Representative Downey mentioned good meeting; although subside the ANTHC issue hope it works out. Thank you for caring for our people and adopting the ordinances.

Member Carr believe Borough, Administration, ANTHC and School District has done a good deed for the constituents; shall be grateful for the agreement. Thank you to Mary for calling, thank you for Hannah for requesting; Selawik can't wait until due to health reason. Appreciate to get calls. See that ice road is open although use cautious; they did testing but we have had warm weather. Thank you Assembly for moving forward on the budget; agreeing to move forward. Communications have to improve, excited for VIF to do things for the Region.

Member Loon thank Assembly for going forward on ANTHC; would like to declare disaster to where someone can deliver clean water and ice to island side and airport side. Also, to dump the honey buckets out before spring comes. When it comes to illness, we shall respond.

President Weisner apologize for trunk it earlier; Mayor has monies aside for disaster relief or otherwise. If something in the budget between now and the next reading is another discussion.

Member Shroyer Beaver mentioned good discussion on budget; never easy to cut items although haven't discussed the school district request. She appreciate everyone agreed to the ANTHC proposal; another hand the school will have cuts. Believe we may need to go back to volunteer; a lot of people are getting tired. Get youth involved, need more volunteers. Hopefully will be able to revisit that request again. Apologized to President, just the type of person she is.

Member Oviok thank President and Mayor, thankful for the ordinances that passed. Good to have the relationship with ANTHC. Checking to see about a letter of recommendation for a snow machine for Selawik Search & Rescue, he brought a letter of support for them. Have a good spring.

Member Cleveland mentioned good meeting. As this body makes the decision on what to do; when we work together let's keep it that way.

Member Armstrong mentioned good meeting; let's continue to work together to improve the lives in each of the communities. Hopefully keep the ball rolling. Thank you.

Member Swan appreciate all the work of the staff and Assembly; good meeting. Thank you.

Member Westlake mentioned good meeting; good discussions. Glad to have a refresher when we look at the code; abide by the code that is how we work. Thank you.

Member Hadley thank Mayor and administration; thank Helena for filling in for Stella. Thank Angie for your work. Also, thank you to Mayor for working with the Assembly. Glad to have unanimous voting on Ordinance 18-02; glad all the communities will benefit. Thank you Assembly.

Member Carr added that School District presented a good slideshow of the projects that they do. She mentioned that health and welfare of all residents is what she had in mind; we have more requests than we can fund.

Vice President Nelson encourage constituents to start planning for elections coming up; four seats on the Assembly. She mentioned it takes planning to get elected; lot of work, encourage to be part of this organization. Let your voice be heard, Mayor's seat is also open. We are one vote when elected. Thank the organizations that came forward on Ordinance 18-02; huge amount although think of the health and safety of our people. Code is on line if you'd like to get familiar with. Thank you Teck, School District, ANTHC, Maniilaq and this body; thank you for all that you do.

President Weisner mentioned covered a lot of ground today, thank you for your leadership; thank you Administration for your work. Thank you for the community for your input. Look forward to second reading of the ordinances later this month.

MAYORS COMMENTS

Mayor Richards thank the Assembly, we may have differences; we have healthy discussions. Commend you for passing Ordinance 18-02; so communities' can better themselves. Like Vice President mentioned, Election coming up. Don't be shy, step forward. Commend audience that come in. Send condolences to Don Olsen for Mom passing and those that lost loved ones. Not easy going through budgets, we all have a passion for what we want to support. We always get criticism for one or another; be strong. For those of you traveling, check out a SPOT; let someone know where you're going. Plan and take extra gas. Thank Assembly for the support for Mayor and staff, look forward working with each and every one of you. Thank you.

President Weisner suggest to send flowers to Mr. Olsen from the Assembly, condolences.

ADJOURNMENT

Member Westlake motion to adjourn, seconded by Member Carr to adjourn at 2:20 P.M.