



**Northwest Arctic Borough Assembly
Regular Meeting Minutes**
Tuesday, July 25, 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.

MOMENT OF SILENCE/INVOCATION

Moment of silence held for those that lost loved ones.

SAFETY MOMENT

Member Carr mentioned the swimming hole right by the bump out by Rotmans; hope that parents let kids know that it's not safe to be in that area. There were seven kids floating out there and a boat had to check on them; boats do travel fast. Keep an eye out for the kids.

Member Loon expressed the safety of boating; families berry picking, she expressed the importance of children that follow to make sure they don't cry in case a bear think it may be their cub. Take enough gas, tarp, gun and rope in case of a rainy day; used to use willow to build shelter from rain. Keep guns locked and empty if you have children with you.

President Weisner appreciates the safety acknowledgement for children. Expressed the importance of depression; seasonal defective disorder. This effects everyone in different ways and it may be hard to tell if someone is going through. Encourage patience and a listening ear to someone that may need that support.

ROLL CALL

Assembly Members present at the time of roll call:

| | | | |
|-------------------|-----------------------|-----------------|----------------|
| Nathan Hadley Jr. | Tanya Ballot | Dood Carr | Larry Westlake |
| Hannah Loon | <i>Walter Sampson</i> | Miles Cleveland | Austin Swan |
| Lucy Nelson | Carl Weisner | | |

Introduction of Staff and Guests

| | | | |
|--------------------|-------------------|-------------------|--------------------------|
| Clement Richards | Matt Mead | Shield Downey Jr. | Angie Sturm |
| Patrick Savok | Chris Hatch | Chuck Greene | Nate Kotch |
| Noah Naylor | Paulette Schuerch | Wil Anderson | Dean Westlake |
| Clara Jones | Helena Hildreth | Silvano Viveiros | Rodney Johnson |
| Elizabeth Cravalho | Jackson Snyder | Don Fancher Jr. | <i>Marlene Moto-Karl</i> |
| Stella Atoruk | | | |

Excused
Elmer Armstrong Jr.

(telephonic)

Member Sampson motion to excuse Member Armstrong, seconded by Member Swan. Motion passed unanimously. A quorum was present to conduct business.

APPROVAL OF AGENDA

Agenda presented for approval for July 25, 2017. President Weisner request to add Sgt. Rodney Johnson, Alaska State Troopers and Representative Westlake under communication and appearance. Member Hadley request to add Executive Session regarding confidential information. Member Loon request to add Resolution 17-28.

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

APPROVAL OF PREVIOUS MEETING MINUTES

Minutes presented for June 27, 2017 for approval.

Member Ballot motioned to approve previous meeting minutes, seconded by Member Cleveland. Motion passed unanimously.

COMMUNICATION AND APPEARANCES

Sgt. Rodney Johnson, Alaska State Troopers provided an update. He mentioned there were two retirees in Selawik and have been granted two Troopers whom been welcomed. Currently have a couple positions vacant, although one will be filled by November. Still one Trooper recovering from an injury. Although one of our Troopers are transferring to Bethel area so we will have another vacant seat. Have been working well with VPSO Coordinator Hatch. Sgt. Johnson mentioned he checked on getting another call in number for anonymous reports; although wasn't able to. Encourage for anyone to call with all the information they know; although maybe tough to testify against.

Member Carr raised concern if there is a Drug Enforcement Trooper; whom works with the whole region along with Pt. Hope, Trooper Ted Nordgaarden at the Kotzebue station. Member Loon appreciate the report; do you have any problems transporting from community safety wise? Do you walk/ride the boardwalks in Selawik? She also raised concern to getting support from State for transportation needs in all the villages? President Weisner mentioned that yesterday Assembly heard about DMV moving to the Trooper office, can you provide an update. Member Sampson thank Trooper Johnson for the report; do you plan to have the hired individual to the villages to give out ID cards or written test? Member Ballot thank Trooper Johnson for update; the two new Troopers have been well received in Selawik.

Mayor Richards thank Trooper Johnson for keeping community informed.

Representative Westlake mentioned that Member Sampson raised a good issue; currently working on it in Juneau. He mentioned that he gets the Assembly packet which is very helpful in Juneau and know what the priorities are. Mr. Westlake provided a summary of his presentation yesterday; operating budget have been in discussion regarding the dividend. Thursday morning is the start of the third special session regarding eight hundred billion dollars' worth of projects. He also mentioned House Bill 211; if you're from out of State then you're required to have Big Game Guide with you which is sitting in the Senate House. Mr. Westlake provides updates to KOTZ Radio and KBRW; although the station maybe short staffed.

Member Loon thank you, happy to see Bill 211. Those of us that work with the Subsistence division there is also a regulation that prohibits non-federally recognized people to hunt on federal lands in Northwest Alaska. Good luck on third session.

Member Sampson thank Representative Westlake for the report; he encourages you to work with the Borough so can go out to the villages so people understand the issue to caribou hunting. He believe we need to prepare and support what you're trying to do.

Member Sampson mentioned that this is critical and important; if State is unable to manage that resource then Title 8 will kick into the process from Federal side. Member Carr thank Dean for work in Juneau; although Jim Dau is retired she really respects his knowledge. Member Sampson requests to be involved in assisting Representative Westlake traveling to the villages. Member Loon raised concern regarding the bad news for municipalities which receive monies received from State.

Representative Westlake mentioned as you may have heard we have been discussing taxes. State may set limits on how many students per school. This has been a lean year and next year maybe leaner.

Elizabeth Cravalho mentioned that NANA Board is meeting this week; tomorrow she will be working with Wayne Hall and meet with Administration regarding the VIF visits.

Will Anderson, Sulianich Chairperson thanked Borough for continued support of the Art Gallery. The commission have been learning the process; looking at ways to expand the market. Have been seeking master artist from other areas to elevate the quality of the local artist by learning from them.

Member Carr thank Will for work done at Sulianich; really great to see the art working coming back. When she have visitors she always make sure she bring them there; pass on to Vika that it's good to see.

President Weisner raised concern to a vacant position on the Commission; who do they contact?

Jackson Snyder and Don Fancher, Arctic Circle Search and Rescue mentioned that they have a lease for two building to put up although they need insurance to build.

President Weisner raised concern regarding the amount on an annual basis. Member Loon thank you for coming forward; Search and Rescue also help the surrounding villages. She suggests to include a budget or quotes for future deliberations.

Member Sampson raised concern regarding State and Federal Law to find a minimum payment cost for 501 c3 non-profit entity; possibly have Legal look into.

Member Carr mentioned that this may fall under the VIF? Mayor Richards echoes her suggestion.

Mr. Jackson thank Borough for providing a place to come when a search is needed and for housing equipment. He mentioned that there a number of people that they would like to thank; at the end once the building are up they will do letters of thank you. Mr. Fancher mentioned once the building is up then our building will be free.

President Weisner raised concern regarding the boat; are you getting all support needed to get it operational.

Member Carr raised concern to when is the Kotzebue VIF meeting?

BOARDS, COMMISSIONS & COMMITTEES

Chairperson Nelson provided a summary of the Budget, Audit and Finance held previous day. President Weisner verified if BAF reviewed Resolution 17-28. Member Loon also mentioned that Representative Westlake provided an update also.

Chairperson Swan also provided a summary of the Regulation and taxation of tobacco and marijuana meeting held the previous day. President Weisner verified with Mrs. Sturm the amount Borough have received from the tobacco tax which is approximately \$400K. President Weisner raised concern to what the funds were allocated for? Was it toward energy/heating assistance? Vice President Nelson mentioned it would be more appropriate to gear toward prevention of or health and safety; we have a lot of people that come for medical assistance. President Weisner suggests the committee look at tax credits also; essential the consumer will be paying three taxes. Member Loon requests some funds go the active wellness programs.

President Weisner raised concern to the next Regulation and Taxation of Alcohol with Chairperson Dood Carr; which have been discussed with Legal Mead.

PUBLIC HEARINGS, ENACTMENT OF ORDINANCES & EMERGENCY ORDINANCES

None presented.

ASSEMBLY REPORT

President Weisner mentioned he attended a NWALT meeting in Anchorage along with Administration. He also attended the VIF meeting in Noorvik and Kiana, good turnout. Unable to attend Noatak and Kivalina; although look forward to the other villages.

Member Swan thank Mayor and VIF people that attended the Kivalina meeting; had a fair turnout. Sorry to say a lot of friction between the two councils; really adamant on this funding. He feels like the City if for the whole community, don't feel like need to involve the tribal council in the committee selections; this would eliminate the friction in the community.

Member Loon mentioned that Ann Marie O'Brien and she were invited to the Inupiaq Language Commission on July 14th; disappointed that Borough wasn't invited to give a presentation. We should be aware and attend the Regional Elders Council; respectively asking Borough to attend since Maniilaq and other entities were there.

Liz Cravalho informed the Assembly they work on scheduling the meetings, she will let Borough know the date; probably in November.

Member Sampson mentioned that Veteran's organizations were in Kotzebue to meet with any from the community. They have created a one pager for Veterans' fill out to see what services are available for them. Hopefully in September they will go to Noorvik and Selawik to expedite the enrollment; he will be heavily involved in that.

Vice President Nelson mentioned she met with Lt. Mallot along with local leaders beginning of the month; he really empowers this governing board. Very good meeting.

President Weisner mentioned to the Assembly, if you see an event happening please reach out to him and he will get support from the Borough.

Member Carr raised concern regarding any meetings in Kotzebue; there are number of us that live here, she would appreciate if the Assembly President or Mayor send an email because it shows we are not interested, we need to get more involved.

Member Sampson request to be excused at 10:17 A.M.

Member Loon request to be involved in VIF meeting in Selawik and Upper Kobuk; she mentioned she is happy to translate too.

MAYOR'S REPORT

Mayor Richards summarized his written report. Vice President Nelson mentioned she was happy to see the response plans; always talking up comprehensive plans which she is hoping they are updated as well. President Weisner request to hear on the Kobuk Fuel spill from Public Services.

TIME AND PLACE OF NEXT MEETING

President Weisner he have August 21-22, 2017 for the next meeting.

Break taken at 10:22 A.M.

Reconvene at 10:39 A.M.

EXECUTIVE SESSION

President Weisner request to go into Executive Session so Joannides can catch her flight.

Member Hadley motion to go into Executive Session regarding confidential information; seconded by Member Carr. Motion passed unanimously.

INTRODUCTION OF ORDINANCES

1. **Ordinance 17-09** *an ordinance of the Northwest Arctic Borough Assembly establishing the FY18 Village Improvement Fund Budget.*

Mayor Richards recommend do pass to select a commissioner and alternate to work with the Assembly and Administration to get the funding released to the communities. Member Swan mentioned that we need to stay in focus for intended purposes. President Weisner mentioned that it is designed for all villages including Kotzebue.

Member Carr motion to approve Ordinance 17-09 for first reading, seconded by Member Hadley. Motion passed unanimously.

2. **Ordinance 17-10** *an ordinance of the Northwest Arctic Borough Assembly revising the Borough Code to outline the responsibilities of the Acting Mayor, and for related purposes.*

Mayor Richards recommend do pass, difficult for staff to move forward when he is not available. Vice President Nelson raised concern regarding the chain of command, usually in the absence of the Mayor and if the Chief of Staff is in charge. President Weisner raised concern that it don't remove the Assembly ability to provide a Mayor pro tempore if needed.

Member Loon motion to approve Ordinance 17-10 for first reading, seconded by Member Cleveland. Motion passed unanimously.

3. **Ordinance 17-11** *an ordinance of the Northwest Arctic Borough Assembly establishing a Public Safety Department and for related purposes.*

Mayor Richards mentioned that this would separate the departments so specific to each response and needs in the Region. Vice President Nelson mentioned they have discussed duplication of effort although didn't involve any monetary distribution and just a change of title. Member Loon stated it's for three departments so can work together. President Weisner verified if a new budget was needed which it doesn't.

Member Carr motion to enact Ordinance 17-11 for first reading, seconded by Member Westlake. Motion passed unanimously.

RESOLUTIONS

1. **Resolution 17-25** *a resolution of the Northwest Arctic Borough Assembly approving finalization of a land exchange with Kikiktagruk Inupiat Corporation, and for related purposes.*

Mr. Naylor mentioned that this will finalize this project which started in 2002; where the dorm had been built in exchange for the barge landing next to Tech Center.

Member Loon motion to approve Resolution 17-25, seconded by Member Swan. Motion passed unanimously.

2. **Resolution 17-26** *a resolution of the Northwest Arctic Borough Assembly approving no-cost extensions for two Shell Grant-funded professional services agreements, and for related purposes.*

Mayor Richards recommend do pass; Mr. Naylor summarize Resolution 17-26 which don't have additional monies for two projects.

Member Ballot motion to approve Resolution 17-26, seconded by Member Cleveland. Motion passed unanimously.

3. **Resolution 17-27** *a resolution of the Northwest Arctic Borough Assembly approving engagement of BDO USA LLP to conduct the FY17 Audit, and for related purposes.*

Mayor Richards recommend do pass, yearly audit required.

Member Hadley motion to approve Resolution 17-27, seconded by Vice President Nelson. Motion passed unanimously by roll call vote.

4. **Resolution 17-28** *a resolution of the Northwest Arctic Borough Assembly establishing the FY18 Borough Investment allocation, setting appropriate performance benchmarks, and for related purposes.*

Mayor Richards mentioned he wasn't able to attend BAF committee for this resolution, although he recommend do pass. Vice President Nelson summarize the resolution, felt that 55% was very conservative.

Vice President Nelson motion to approve Resolution 17-28, seconded by Member Carr. Motion passed unanimously.

EXECUTIVE SESSION

Chairperson Hadley mentioned that Borough had received information regarding one public official; the Ethics Committee of three Assembly Members of Hadley, Westlake and Cleveland. An independent council had been hired and had her investigate the alleged or potential unethical violations. On July 24 and 25th the committee made a number of recommendations to the Assembly; after voting eight to two to adopt Ethics Committee recommendations. The Assembly issued confidential directives to the individual who was subject to the investigation; the official agree to the confidential directives. In addition the Assembly will adopt and implement drug and alcohol testing and use policies applicable to the Borough employee and Assembly members. Assembly shall also draft and or amend the policies related to use of Borough policy and finances.

AUDIENCE COMMENTS

Silvano Viveiros, Fire Chief mentioned that Dickie Moto received many calls regarding possible spill up river which involved a certain piece of equipment which involved an accident. DEC had been notified, Public Services went for a site visit. There had been a spill at Bornite; which happened a week and half earlier and had a strong odor yet. This had been turned over to DEC and haven't receive any other correspondence.

Elder Representative Downey raised concern Borough having a policy in reference different companies working on different projects, do they have the equipment in their projects. Would be nice if Borough has a policy on site instead of waiting for it to happen. Member Loon raised concern to fifty gallon drum? Was it being transported to or from Kobuk?

Willie Towksjhea, Kotzebue resident raised concern regarding an Elder calling in about National Geographic advisements about Alaska; encourage others to move to Alaska, buy land and say that it's their land. He brought up before, Kotzebue needs our own grocery store; overpriced items especially hooks, motors and nets. Need to be proud of who we are. The Korean people make more than our people, selling us junk food and make profit from it. The food is not right for our children.

Member Carr thank Willie for his comments; she had discussed with the past KIC president regarding the AC building. Maybe it's time for constituents talk to the KIC Board regarding leasing out to other larger stores.

Member Loon thank Willie for talking from your heart; he is requesting a cooperative store owned by local people which is needed.

ASSEMBLY COMMENTS

Member Ballot mentioned good couple day meeting. Life is precious, every single life is precious; depression is real. Reach out to somebody and get help, there is people there

for that. Thank Mayor and Administration for continued work; personally thank Mayor for Culture Camp donation for Selawik. Thank you.

Member Loon thanked you for good meeting. She acknowledge Ethics Committee for the work you've been doing, your wisdom and thank you to Mayor for working with Assembly. Will go forward and think positive. She also amend her comment regarding Representative Westlake came in during the work session. Member Loon encourages the public to attend the Monday meetings to review resolutions and ordinances.

Member Swan thank Ethics Committee working very hard for closure of what we've been doing. Thank Mayor and Staff for being patient with them; we won't forget our constituents. Also, have applied for the LEPC seat and hopefully get in. Thank you.

Member Cleveland appreciates Member Loon's comments; time we work together to make things right and go forward. Sometimes it hurts to do something you don't want to do but it's for the good and important to all. Earlier we heard a request regarding Search & Rescue building then heard on taxation of tobacco and marijuana; can be a start for them, just an idea.

Member Carr thank all the guests, welcome the new employees. Thank you for all the work on the VIF; something we are very fortunate where came to an agreement. Along with calls from constituents, again ask Mayor and office for accountability in the work place. People to be at work, you get paid full time be there full time which she had been requested to raise. Another note, clarify on her vote no earlier for a public sensor verses private.

Member Westlake thank Mr. President and to those that acknowledge the Ethics Committee; hard and long meetings and here to do our job to go by code and policies to guide us. Happy to update policies by next meeting. Also, he warned that the Squirrel River is under flashed flood warning; careful when out boating.

Member Hadley welcome new staff. Reminder to villages that revenue sharing won't exist anymore. Hopefully will see a resolution soon from Borough stating continued revenue sharing from this Borough.

Elder Representative Downey thank Assembly and Staff; important job and changes always going on with resolutions and policies. Remember who you represent, your people; majority of them are Inupiaq and most of you are Inupiaq Representatives.

Vice President Nelson thank Mr. President, thank Willie for speaking from your heart; we all want good things in our communities. Reminder to constituents we have petitions due on August 18th for this governance and School District; come and join us, be vocal and be heard. Appreciative of the moving forward of the VIF and Sustainable Fund and general funds; investing is a choice so can continue to provide service. Thank Coast Guard, Alaska State Troopers and Search and Rescue for always coming and provide information; life is precious. Also, with policies, a lot of grey areas that impact people; glad to see moving forward. Be safe, wear floatation devices; although they say kids don't float but adults too, wear devices. Thank you, appreciate all your involvement.

President Weisner mentioned he look forward meeting with those involved in the VIF; thank you to staff and look forward to all the meetings in the remaining villages.

MAYOR'S COMMENTS

Mayor Richards summarized the General Election happening in October; encourage you to sign up through the Clerk's office. Currently just have one petition turned in. Good meetings, appreciate the hard work with the Assembly. Continue to look forward working with the Assembly and the Villages on the VIF; residents are happy for the funds available. Work with the Administration and inform the residents of the account. If traveling, take extra gas and let someone know where you're going and how long you plan on being out. Thank you to the Assembly for working with the Administration, hopefully you'll be available to help spread the word and inform the villages.

ADJOURNMENT

Member Carr motion to adjourn at 12:26 P.M; motion withdrawn.

Marlene Moto-Karl raised concern on people vandalizing camps in Deering area. She said they shouldn't go where they shouldn't and its berry picking time, clean up after yourselves.

Mayor Richards mentioned he will work with VPSO Coordinator Hatch to address the issue.

ADJOURNMENT

Member Carr motion to adjourn at 12:34 P.M; motion passed unanimously.

