



**Northwest Arctic Borough Assembly  
Regular Meeting Minutes**  
Tuesday, August 22, 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 Sampson provided the invocation.

**SAFETY MOMENT**

Member Sampson commented about the muskox seen on the coast at Sisaulik and he reminded everyone to be sure and bring along a firearm or a noise maker to ward them off.

Member Swan reminded everyone that bears are out along the coast and make sure you have safety equipment and radios.

President Weisner reminded everyone to be sure and wear safety glasses as he got spray foam squirted into his eyes.

**ROLL CALL**

Assembly Members present at the time of roll call:

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

Assembly Members absent at the time of roll call:

Elmer Armstrong Jr (excused)

Introduction of Staff and Guests

Clement Richards	Matt Mead	Stephanie Joannides	Chuck Greene
Patrick Savok	Noah Naylor	Angie Sturm	Chris Hatch

Clara Jones                      Fritz Westlake                      Nate Kotch                      Dicki Moto  
Stella Atoruk                      Helena Hildreth                      Sophie Foster                      Paulette Schuerch  
Shield Downey, Elder Representative (telephonic)

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

### **APPROVAL OF AGENDA**

President Weisner requested to add Ordinance 17-12 to Item 12 to Item M.

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

### **APPROVAL OF PREVIOUS MEETING MINUTES**

1. July 25, 2017 Regular Meeting Minutes

**Member Westlake motioned, Member Ballot seconded to approve the July 25, 2017 Regular Meeting minutes as presented. A roll call was conducted and the motion passed unanimously.**

### **BOARDS, COMMISSIONS & COMMITTEES**

BAF Madam Chair Nelson reported all members were present at the BAF meeting with exception of Member Elmer Armstrong Jr. who was absent. The committee added and reviewed Ordinance 17-12, heard a Financial Report and reviewed a memo by Ms. Angie Sturm, discussed APCM (Alaska Permanent Capital Management) regarding purchase plans for initial investment, reviewed Ordinance 17-09 and Ordinance 17-12 for enactment by the full assembly. The committee also reviewed Resolutions 17-29, 17-30, 17-34 for passage.

Mr. Mead provided a brief update on the Regulation & Taxation of Tobacco and Marijuana. He reported that Mr. Jonathan King is currently obtaining information on the revenue numbers update with respect to the sales/excise tax. He requested a Committee meeting be called for this update at the next Regular Meeting.

### **EXCUSAL**

**Member Loon motioned, Member Sampson seconded to excuse Member Elmer Armstrong Jr.'s excusal request due to work conflict. A roll call was conducted and the motioned passed unanimously.**

**A ten minute recess was taken at 10:25 am.  
The meeting reconvened at 10:36 am.**

## **PUBLIC HEARINGS, ENACTMENT OF ORDINANCES & EMERGENCY 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 so that we can conduct the outreach for the communities in regards to the VIF plans.

Mr. Nathan Kotch, Governmental Affairs, provided a brief update for the VIF budget.

President Weisner thanked TEK for the agreement and to NANA, as the mine is located on NANA land.

Member Carr thanked everyone for their hard work with the community travels and looks forward to getting the commissioners on board and moving forward.

Member Cleveland asked about equal distribution to every community. Mr. Kotch commented that in the agreement with TEK it states that the commission itself would determine which projects would go forward. Mr. Mead added that the agreement states fair distribution of funds.

Member Loon expressed her concern that we are just now giving informed decisions to select the commissioners and she asked why we need a grant writer and the cost of operations presents a concern. She believed that when the commissioners are selected, they should be the ones to select the formula and how we determine the distribution. Mr. Kotch explained the budget further.

Member Westlake referred to the ordinance and agreement from TEK and that it should be our guidance for the assembly. He recommended that we complete the selection of the commission so that we can move forward with needed projects for the villages.

Member Carr reminded everyone about the negotiations with TEK and the agreement required was accountability. She requested feedback from the people in the villages where the meetings were held.

Member Sampson referred to Ordinance 17-07 adopted by the assembly is clear that it gave guidance to the village fund and how it should be operated.

Member Swan commented that the governments that do not operate efficiently like they should, lack funding with their operations; and, it is our responsibility to assist them as much as we can.

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

Member Ballot commented that she looks forward to the meeting in Selawik and she encouraged the villages who have not selected their commissioners to do so, so that the process can get going.

Member Loon commented that she observed a lot of processes listening to the report at the work session meeting when we should have followed with the ordinance.

Ms. Paulette Schuerch, VIF Coordinator, provided a brief overview of her recent travels and meetings with the communities concerning the VIF.

Member Hadley commented that when he was at the recent AML meeting in Haines, AK, AML director Ms. Kathy Wasserman recognized the Northwest Arctic Borough with their successful efforts with the PILT.

Member Westlake encouraged the villages to select their commissioners as soon as possible.

Member Swan reminded everyone to be careful as we are getting our priorities before the selection of the commission is complete.

Mayor Richards recommended that a deadline date should be required for selection of the commission. He is requesting the end of September.

Member Carr suggested that if the commissioners were selected by our next assembly meeting, it would be beneficial if they attend our next assembly meeting.

Member Westlake supports the mayor's input for the deadline at the end of September. He commented on local hire and importance of it for our people because we have a lot of talent out there in our borough.

Ms. Diana Ramoth, Selawik resident, commented telephonically in regards to the formation of the VIF fund.

Member Westlake thanked the mayor for the good work he is doing and the importance of getting the communities together.

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

**Member Swan motioned, Member Carr seconded to approve Ordinance 17-09 for enactment. A roll call was conducted and the motion passed by a majority with Members Loon, Sampson, Cleveland and Swan voting NO.**

**A 10 minute break was taken at 10:25 am.  
The meeting reconvened at 10:37 am.**

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

Mr. Mead, Legal Counsel, summarizes that Ordinance 17-10 addresses appointing an Acting Mayor during periods of temporary absence for the mayor and there is a separate provision addressing longer term absences. In addition, a requirement that on appointment of the acting mayor, the mayor is required to notify the assembly president who can work with the clerk to notify the other assembly members.

**Member Swan motioned, Member Cleveland seconded to approve Ordinance 17-10 for enactment. A roll call was conducted and the motion passed unanimously with Member Nelson absent during action.**

**President Weisner requested to suspend the rules and act upon Resolution 17-32 and 17-33 to accommodate Ms. Joannides travels back home.**

## **RESOLUTIONS**

1. **Resolution 17-32** *a resolution of the Northwest Arctic Borough Assembly approving the adoption of a vehicle use policy, and for related purposes.*

Ms. Stephanie Joannides, Special Counsel, provided a brief summary of the borough vehicle use and the drafted updated policy.

Member Cleveland asked about using the borough vehicle while not on borough business. Ms. Joannides referred to the updated policy that states the vehicle can only be used while on borough business. Mr. Matt Mead added that this policy would limit use only to borough business use.

**Member Carr motioned, Member Ballot seconded to approve Resolution 17-32. A roll call was conducted and the motion passed by a majority with Assembly members Cleveland, Sampson and Swan voting NO.**

## RESOLUTIONS CONT

### **2. Resolution 17-33 a resolution of the Northwest Arctic Borough Assembly adopting a drug and alcohol policy.**

Ms. Stephanie Joannides, Special Counsel, provided a brief summary on the drug and alcohol policy. Mr. Matt Mead added they are in discussions with the City of Kotzebue Police Department regarding a memorandum of agreement for breathalyzers and a third party contact for any testing's to be conducted.

Mr. Mead alluded to a copy of the updated policy that was handed out.

**Member Carr motioned, Member Ballot seconded to approve Resolution 17-33. A roll call was conducted and the motion passed unanimously.**

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

Mayor Richards recommend do pass as it is important to support the communities and the Public Safety Department. Mr. Chris Hatch, VPSO Coordinator reported that this ordinance separates the Search and Rescue and Fire Department programs from the Public Safety Department and it is to focus specifically on safety issues. He also provided a brief overview of recent activities in the villages that have experienced vandalism.

Member Loon suggested that the department purchase a boat trailer and fencing around the public safety equipment. Member Hadley commented that the State has six public safety lobbyists and he would gladly give him the names so he can contact them.

Member Westlake asked about VPO training. Mr. Hatch commented that there has been changes as to how the State will be conducting the training and he added that in the past he believes it would be quite similar and that he is unable to provide details at this time.

**Member Cleveland motioned, Member Carr seconded to approve Ordinance 17-11 for enactment. A roll call was conducted and the motion passed unanimously.**

## INTRODUCTION OF ORDINANCES

1. **Ordinance 17-12 an ordinance of the Northwest Arctic Borough Assembly amending chapter 6.16 of the borough code to increase the administrative approval threshold for contracts.**

Mayor Richards recommend do pass and this would restore us back to the contract level and would greatly help the administration to move forward with contracts already committed to.

## INTRODUCTION OF ORDINANCES CONT

**Member Swan motioned, Member Carr seconded to approve Ordinance 17-12 for first reading. A roll call was conducted and the motion passed by a majority with Members Westlake, Sampson and Ballot voting NO.**

## ASSEMBLY REPORTS

President Weisner reported that he participated in the Northwest Arctic Leadership Team (NWALT) meeting and discussed topics such as lobbying for our regional priorities, the importance of having a Department of Motor Vehicles (DMV) office location in Kotzebue, the extermination of bed bugs on a community level with the assistance from the borough; and finally, a concern about our seniors outside the City of Kotzebue boundaries who are not receiving a tax break. He also participated with the VIF Community meetings to seven of the nine villages.

Member Hadley briefly provided an update on the Alaska Municipal League Summer Conference he recently attended in Haines, AK along with Members Armstrong and Cleveland. They attended the Alaska Municipal Management Association and Alaska Conference of Mayors meetings. The Director of AML Ms. Kathy Wasserman recognized the Northwest Arctic Borough for their successful efforts with the PILT and the establishment of the Village Improvement Fund (VIF). She also recommended that one of the members sit on the committee and she appointed Member Hadley. Member Hadley commented that he would relay her appointment to the full assembly. He commented to the group how well our organizations in our borough work together on priorities for our communities. Finally, the issues AML focuses on is taxation, Permanent Fund Dividends and revenue sharing.

Member Sampson attended a meeting with Sullivan's office in regards to Veterans Affairs and how they were assisting veterans in our region. They are doing a pilot project visiting Selawik and Noorvik at the end of September and then onto other villages later.

## MAYORS REPORT

Mayor Richards reported he attended the NWALT meeting, he traveled to the villages to introduce the VIF fund and met with NANA and TEK to discuss the message that was brought onto the village level. He reported Chief of Staff Mr. Patrick Savok attended the Coast Guard meeting which was well attended by Maniilaq, Native Village of Kotzebue, National Park Service and Alaska State Troopers. They discussed how they were going to enforce their presence here and he reminded two openings of the Youth Representative seat. He encouraged the assembly members to turn in available dates to take a tour of the Red Dog Mine with potential dates set for October 25-29, 2017 or November 17-19, 2017. President Weisner commented that it is important for the Assembly Members to get to Red Dog to see firsthand their operations and the residents who work there and share our support for their efforts and our strategic partnership.

## MAYORS REPORT CONT

Member Carr requested that Member Ballot attend the Red Dog Mine tour due to her participation in the TEK negotiations.

### RESOLUTIONS

1. **Resolution 17-29** a resolution of the Northwest Arctic Borough Assembly adding Nathan Kotch and Carl Weisner as authorized signatories for borough checks and confirming pre-existing designees.

Mayor Richards recommends do pass as it will assist accounting and would alleviate some of the issues when some of the check signers are absent.

Madam Chair Nelson reported BAF Committee reviewed Resolution 17-29 and recommend due pass by the full assembly.

**Member Carr motioned, Member Westlake seconded to approve Resolution 17-29. A roll call was conducted and the motion passed unanimously.**

2. **Resolution 17-30** a resolution of the Northwest Arctic Borough Assembly approving a cost-share agreement with AVEC to assist with construction of a fence around Noorvik's 23 kw Utility Solar-PV Array, and for related purposes.

Mayor Richards recommend do pass as this would help Noorvik with their fencing and security issues due to vandalism.

President Weisner reported that the solar array was provided through a grant and thanked to Mr. Ingemar Mathiasson for his efforts on this. He also thanked AVEC for the cost-share agreement with the borough to assist with this.

**Member Westlake motioned, Member Sampson seconded to approve Resolution 17-30. A roll call was conducted and the motion passed unanimously.**

3. **Resolution 17-31** a resolution of the Northwest Arctic Borough Assembly authorizing execution of a cooperating agency agreement with the Bureau of Land Management for the Ambler Mining District, and for related purposes.

Mayor Richards recommend do pass. Mr. Patrick Savok reported that this gives us a seat at the table as a cooperating agency for the Environmental Impact Statement of the Ambler Mining District in all the policy making as this will give us a seat at the table for the development of that area.

**Member Sampson motioned, Member Carr seconded to approve Resolution 17-31. A roll call was conducted and the motion passed unanimously.**

## RESOLUTIONS CONT

4. **Resolution 17-34** a resolution of the Northwest Arctic Borough Assembly to approve a professional services agreement amendment with Paulette Schuerch. Mayor Richards recommend do pass and this is additional funds for her to finish the work with the VIF.

**Member Carr motioned, Member Ballot seconded to approve Resolution 17-34. A roll call was conducted and the motion passed by a majority with Assembly members Sampson, Swan and Cleveland voting NO.**

## EXECUTIVE SESSION

Mayor Richards requested to enter into Executive Session to discuss a Confidential Personnel issue.

**Member Carr motioned, Member Loon seconded to go into Executive Session regarding a confidential personnel issue. A roll call was conducted and the motion passed unanimously.**

**The Assembly entered into Executive at 11:40 am.  
The meeting reconvened at 11:58 am.**

**President Weisner reported the Executive Session has adjourned and there is no direction provided.**

## ASSEMBLY COMMENTS

Member Ballot thanked everyone for good meeting again and she reported that she did not submit her name to run again for assembly. She will be assisting her community get prepared for the VIF Program to assist with needed projects in her community. Member Ballot commented that it is good to that a Youth Representative will have a seat on the assembly and she encouraged the younger generation to step up the plate as they are our future leaders in our communities. Lastly, she thanked Mayor Richards and staff for all the work they have done with the VIF Program within the last month. She also encouraged parents to support their college kids as they leave to further their education and she applauded the students also for their endeavors.

Member Loon thanked Mayor Richards and staff for putting out a good meeting today.

Member Carr thanked the administration for getting the entry way completed and thanked Mr. Joey Russell and Mr. Kevin Nanini for their work on it. She also thanked the Ethics

## **ASSEMBLY COMMENTS CONT**

Committee and the policies we put into place. She encouraged members who have not attended the Newly Elected Offices training during AML to attend as it was very beneficial to her when she came onto the assembly. Lastly, she reminded the members to give them their available dates for the tour of the Red Dog Mine and she looks forward to it.

Member Westlake encouraged everyone to be safe during the caribou hunting season and he mentioned that the hunters to abide by the Elder's Hunting Success Initiative as it has good points and guidelines in it; such as migration, safety and sharing issues.

Member Swan thanked the Mayor and administration, the Public Services Department, for assisting the Kivalina with the water issue.

Member Cleveland raised a concern about the village fund but it is being ironed out. He commented that the best time to AML/NEO is right after elections.

Member Sampson thanked everyone for a good meeting and the dialogue that went along with it. He raised issues based on his thoughts and his concern is that the village fund is theirs and let them deal with it their way. He was disappointed at the vandalism occurring in the villages and that the equipment should be used instead for safety purposes.

Member Nelson commented about the bad interference through the phone as she participated telephonically in the meeting. She now understand what our constituents have experienced while calling in to participate in our borough meetings. She appreciates everyone's comments and that the borough has a huge responsibility and we have made decisions the last several years that will impact everyone in the borough. Lastly, she reminded everyone to exercise their right to vote on October 3, 2017.

President Weisner thanked everyone for their meaningful participation and wished everyone to be safe.

## **MAYORS COMMENTS**

Mayor Richards thanked everyone for the questions and concerns with the VIF Program and he encouraged the villages to submit the names to serve on the commission so that the assembly can approve the selection and then we can start the process. He reminded everyone safety during hunting season and also the borough has the spot checks available for use.

## **AUDIENCE COMMENTS**

Ms. Marlene Moto-Karl commented about the upcoming elections on the local level and would like the city ordinance be followed by elected officials. She encouraged voters who have relocated to change their addresses. Ms. Moto-Karl also reminded everyone

## **AUDIENCE COMMENTS CONT**

running for public office to serve not with special interests, but do it with everyone's interest involved.

Mr. Roy Foxglove, Selawik Resident, thanked the borough for their efforts with the VIF Program, and stated that the village of Selawik has a lot of priorities that are in need. They are working to make their village better and safe. He requested funding for infrastructure for family members and he has been working on Selawik's comprehensive plan. He is looking forward to working with Ms. Paulette Schuerch, VIF Community Coordinator, on their priorities when she meets with the community.

## **ADJOURNMENT**

With no other business to discuss, the meeting adjourned at 11:59 P.M.

A handwritten signature in blue ink, appearing to read "Sella Abouk", is located in the lower right quadrant of the page.