



Northwest Arctic Borough Assembly
Regular Meeting Minutes
Tuesday, March 26, 2024 – 9:00 A.M.
Assembly Chambers – Kotzebue, AK

CALL TO ORDER

Vice President Sampson called the meeting to order at 9:00 A.M.

INVOCATION/MOMENT OF SILENCE

Member Swan provided an invocation.

SAFETY MOMENT

Member Armstrong mentioned we've had a lot of rain and wet snow, water under the snow. Be sure and let someone know if traveling brings enough gear.

Member Sheldon mentioned Noorvik Selma Newlin Tournament coming up, lot of traffic on snow machine trail. Also, the snow machine race next weekend; lot of traffic between Noorvik, Kiana and Selawik. Be careful, thank you.

ROLL CALL/MEMBER EXCUSAL

Assembly Members present at the time of roll call:

<i>Austin Swan Sr.</i>	Dood Lincoln Carr	Craig McConnell	<i>Raven Sheldon</i>
<i>Miles Cleveland Sr.</i>	Derek Haviland-Lie	Delores Barr	Elmer Armstrong Jr.
Reid Magdanz	Walter Sampson	<i>Nathan Hadley Jr.</i>	

Introduction of Staff and Guests

Dickie Moto Sr.	Clara Jones	Angie Sturm	Fritz Westlake
Noah Naylor	<i>Matt Mead</i>	Tess Baldwin	Chris Hatch
<i>Ingemar Mathiasson</i>	Josephine Howarth	Hiram Walker	Stella Atoruk

A quorum is present to conduct business.

APPROVAL OF AGENDA

Agenda presented for approval for March 26, 2024.

Member Armstrong motioned to approve as amended; Member Lincoln Carr seconded; passed unanimously by roll call vote.

APPROVAL OF PREVIOUS MEETING MINUTES

February 27, 2024, minutes presented for approval.

Member Magdanz motion to approve, seconded by Member Lincoln Carr; passed unanimously by roll call vote.

COMMUNICATION AND APPEARANCE

Swan Lake Loop Update, AHFC Initiative Project and Cape Blossom Road Update, City of Kotzebue Manager Tessa Baldwin provided an update of recent activities; had declared disaster to State level. Up to sixty-three homes without running water and forty-three homes without sewer. To date there are seven homes without either running water and three without sewer. Thankful to Mayor Moto and

staff for helping cover some associated costs and to the State of Alaska. Looking at about a million on the disaster itself; possibly 892K in contract services and the rest in materials.

Thankful to the State and Borough. Second portion, the replacement of the loop holds where the hospital is; like Swan Lake Loop. Approximately 30M to replace these two, planning and design may take up to a year.

Member Lincoln Carr thanked City, and everyone involved; contributed to the needs of drinking water, please pass it on to your crews. Member Magdanz echo gratitude, not fun working in the cold. In terms of replacement, are there funding sources for the \$30M or is it going to hunt for funding when that comes along. Member McConnell is surprised with the amount spent already; did he hear the amount wrong? He compliments the City for taking ownership of what happened. Also, glad local contractors were hired; some money still here in the community, positive of this that the lines will get replaced sooner than later. Vice President Sampson mentioned climate is making it hard; can change quickly.

Vice President Sampson requested an update on Cape Blossom. City Manager Baldwin stated they need cooperation; the city has long taken the lead and there have been other infrastructure needs on the priority list. They had gotten a \$2.45M grant through the Port Infrastructure Development Program through the US Department of Transportation. She expressed the importance of having everyone at the table; coming to the point where City has no opportunity to focus on what this project has the intention for. Inviting everyone back to the table on this project, still have local match for phase two. Doing best they can on that project.

Member McConnell echo Manager Baldwin comments once built it will benefit the entire region. Each morning before AC opens, they have staff gather groceries to send out on airline. We need to come to the table and participate and share costs. Member Lincoln Carr mentioned she was disappointed when she learned that NWALT priority wasn't the road. She asks Mayor to bring it back to NWALT, we need this port. Hope it picks up momentum to finish.

Vice President Sampson mentioned this the beginning of the project, barging is becoming a problem in our area. We need to seek other ways and means for transportation within this region. Member McConnell mentioned we were just awarded \$55M in installing heat pumps and solar arrays in our villages which will drive costs down. This road will add to that, drive costs down but we need to finish; lots of parts and pieces. We need competition, in comparison of Nome; same freight costs and we pay higher rates. End user is important too. Vice President Sampson raised concern of what can we do to reduce cost of transportation, bringing in products to our area. Suggest having a dialogue with the new store owners; don't know what rates they will have.

City Manager Baldwin mentioned AHFC and State of Alaska had allocated five million dollars to build housing for State workers; requesting six housing units for State workers and two million dollars for affordable housing units for up to three

units. After the Borough work session yesterday had conclusion of City of Kotzebue will work with AHFC; she expresses gratitude and will keep you informed.

Mayor Moto mentioned for Cape Blossom Project phase one the Assembly approved five million with reimbursement from State of Alaska, to date we've received the full amount. Possibly think of phase two with partnership with City, how can we support sooner than later. Possibly invite DOT Ryan Anderson; hopefully benefit our area. Member Magdanz expressed the importance of finishing the port if the road isn't done then can't talk of the port. Two meetings ago, had discussed possibly the Tribe can access funds for the bridge over Sadie Creek in particular. What is the status of that? Is it still a possibility for local match.

Member Magdanz recommending assisting the Tribe on the grant application if there is way to save. Sounds like a good investment. Vice President Sampson expressed the importance of follow through with what is happening to this point.

BOARDS, COMMISSIONS & COMMITTEES

Budget, Audit & Finance BAF Chair Magdanz provided a summary of the previous day. He will work with administration on getting grant reporting included on financials; looking at spend down of grants as well as general fund. Also, heard from the School District facing nine million budget holes in a sixty-seven million budget: looking at serious cuts. As you also know, State funding got vetoed by one vote. Haven't had an increase these past eight years. Resolution 24-08 recommend do not pass, further discussion recommended.

Vice President Sampson remind the Assembly when this Borough was authorized to bond up to one hundred million for new infrastructures in this region. Over time things change, deteriorate, things cost to repair. Suggested further discussions on how to address this. Member McConnell stated that on the School District request; so much are computer based and computers become outdated. Member Lincoln Carr echoed earlier comment about appreciating yesterday's discussion; the questions and answers thank you again. **Financial Report** Hopefully we are all aware of Red Dog closure for 2031, may have reserves to go a little longer; currently seeking permits to explore other sections to determine whether to extract the zinc. Borough Treasurer Sturm provided a summary of the financial report ending February 29, 2024.

Member Magdanz let the listening audience know of budget, audit, and finance/work sessions previous day, can attend if interested. We had a budget retreat early February, went into budget in depth along with financial forecast from Red Dog. We can't say enough, even with best case scenario by end of this decade Borough will see dramatic decline in revenue. Important for the Assembly and our residents to understand the revenue source is different; we need to save now, putting monies away.

Member Armstrong know just heard from City of Kotzebue, eventually will help them, and heard from legislatures failed all school district for funding. Help School District, help port road, getting mixed feeling about saving money and cutting there. We will sacrifice. Member McConnell mentioned the gap with current monies and any future mines; our intent to save much as we can. As an Assembly we need to prioritize services for residents, our focus for the next month.

President Hadley mentioned he would hate to see the CUAP go away, hope Borough would seek partners. Important for safe water and sewer; continue lobbying for needs. Vice President Sampson mentioned 2027 is when our revenue is scheduled to decline, look at ways to create opportunity for residents.

Member McConnell stated our representatives in the State legislature; we have a Senator and two representatives, Donny, Neil and Thomas. Very important when any funding issues arise, they need to vote in our favor; right now, not happening. Just had a major vote in the legislature, if passed would have an increase of \$680 for education funding for all students throughout the State. Our school is looking at a \$6M gap; remind our legislatures represent us not the governor.

Vice President Sampson mentioned you've brought a critical issue to the Assembly; when we don't agree and believe that happens at State too.

Break observed at 10:14 A.M.; reconvened at 10:30 A.M.

PUBLIC HEARING, ENACTMENT OF ORDINANCES & EMERGENCY ORDINANCES

1. **Ordinance 24-05** *an ordinance of the Northwest Arctic Borough Assembly amending Chapter 12.08 of the Borough Code to update the Public Safety Commission Code, and for related purposes.*

Mayor Moto summarized Ordinance 24-05, recommend do pass.

Member Lincoln Carr motion to enact Ordinance 24-05, seconded by Member Haviland Lie; motion passed by unanimously by roll call vote.

ASSEMBLY REPORTS

Member Magdanz mentioned the Federal budget has been passed a couple week ago; alert the community know that Senator Murkowski's portal for submitting funding request for next year budget through her office closes end of this week.

Member Haviland Lie stated he attended the Joint Maintenance Construction Committee meeting recently, Member Armstrong couldn't attend, and he was asked to sit in. One of the main things was School District presented their priority list although will be adjusted to easier, quicker at top of the list.

Member Barr mentioned she attended the JMCC meeting too, first one; interesting and look forward to future meetings.

MAYOR'S REPORT

Mayor Moto stated has been busy with grant for shelter cabins and warm storages for Selawik and Buckland; to point phase one for Selawik and phase two RFP to complete. Met with Shelter Cabin guys, loading up material today and pull cabin to Calhan. Thankful for another round of funding from Murkowski's office for warm storages, approximately \$2.6M priority for Noorvik. Looking at \$500K for firetruck for Noorvik through the CAP system. Ambler has a grant to build a warm storage/search and rescue; the EDC will help administer. Also, Kiana is working on funding combined warm storage facility.

Community and Economic Development Director Westlake provided an update on Selawik warm storage. Member McConnell stated he requested pictures a few months ago; to date haven't seen from Public Services Director Hatch of building projects. So, they can have some concept of what is funded and provided for residents. Thank you.

Energy Coordinator Mathiasson provided an update of Energy department, next Energy Steering Committee is scheduled April 25-26, 2024, in Kotzebue. Discussing the OCED grant for building out of solar arrays and IPPs. Also, the next Alaska Sustainable Energy Conference in Anchorage this May 23, 2024.

Mayor Moto asked Director Westlake and Coordinator Mathiasson for phase two this department will work seek funding for Kotzebue for heat pumps. With this \$53M grant Kotzebue wasn't included. Member Haviland Lie stated when announced the grant; there were a few Assembly members raised concern of Kotzebue included. And said yes, now being told sorry not. Vice President Sampson asked what need to be done to correct? Member Magdanz requested clarification; Kotzebue portion of the OCED grant is battery for KEA. That is what he understood after their KEA Board meeting; remind Borough to keep them in communication cause would be significant load. Member Lincoln Carr stated all excited when announced and she specifically asked if include Kotzebue, ere regardless of not at this time. She would like to see Kotzebue be covered, possibly single house dwelling; suggest looking at residential homes. Member Armstrong mentioned this is stated in prior minutes, no disrespect to the comments.

Member McConnell thank Member Armstrong for clarification; he understands the misunderstanding. Thank you Ingemar for ongoing work; also, for moving the conference to April, will be able to attend. For clarification on the grant funded projects that are under construction right now; for example, Selawik was funded a small solar array. How is that inter-twined, in addition to in combination? On Noatak, it states 131 gallons of fuel was avoided and \$866 saved; what period does that represent? For the public's understanding, the model is when solar arrays are built in villages, they are owned by IPP which can be IRA or City. AVEC buys the energy the solar arrays produce, and the money goes to IPP. If he remembered Noatak had earned \$120K up to that point in a previous meeting; if it's Noatak, how did they earn if their solar array wasn't functional. Mathiasson stated it was Shungnak that earned that amount. The last piece is to get back to the residents so they can feel the benefits.

Member Sheldon mentioned in December they heard updates in Selawik, Public Safety Director Hatch provided an update of trail staking. The water and sewer funding for the villages have a scoring ranking system because it was low. Are there any updates on the scoring to seek for federal grants and state funding.

Member Armstrong believed State was going to do away from scoring. Member Haviland Lie mentioned he asked at their last city council meeting; he heard that at AML too, found out the score won't be held against you if scored poorly. Member McConnell summarized the best practice scoring. Fortunate to have VIF Project Manager Walker to have on staff working with expertise in water and sewer along with history with ANTHC.

Vice President Sampson echo Member McConnell's comments, see pictures and should apply to documents instead of here say. We are questioning some issues, he hears it as hear say; document to have clarity and no misunderstanding of spending. Member McConnell asked Energy Coordinator Mathiasson a timeline of grant monies to be spent this summer with heat pumps being installed in homes.

Member McConnell mentioned with the funding requirements is that all the items purchased need to be American made, which is a good thing. Are there companies in

Unities States that make this technology that we can buy? Or we are completely reliant on outside companies.

Public Safety Director Hatch provided a summary of recent activities; some questions on fire and search and rescue warm storage, where are we on them? Preparation was set for this summer, foundation work getting done in Selawik. He apologized for the pictures; he doesn't remember the request. He thanks Saima Chase for her years of service and wishes her the best at the Tribe.

Member Armstrong asked how many villages tribal justice in place must where jurisdiction would be an issue. Some tribes have tribal justice in place, asking because he believes you would need to go the tribe first; there is Tribal and there is State. Member Magdanz mentioned he doesn't understand why commissioner chasing jurisdiction. Speaking of basketball tournaments, he went to Kiana and was glad to see a VPSO there. Appreciate update on recruiting strategy, also whole heartly most successful to retain them. See had couple house freeze up this winter which are expensive; can we winterize or someone to watch. What is the solution to not replumbing two or three houses every year.

Member Haviland Lie also attended the NANA meeting this past weekend, might have helped if he was on the same place as First Lady Rose. Applaud you on recruiting efforts, met the VPSO; just talking with him he is enjoying his job. Member Magdanz asked about trail marking, with it coming up again; have you been in contact with Kobuk 440. Particularly between Kiana and Ambler. Member Lincoln Carr asked what material; are we utilizing Pex? Effective when have a freeze up. How much more expensive than what is being used now. Member Armstrong knows Noorvik's building is being repaired from water damage. An incident occurred the morning before, no VPSO's in town then heard State Troopers in town; crime don't take a day off.

Vice President Sampson inform Director Hatch no reason to apologize to this body; you've tried, tried to address public safety in this region. Believe need to take a step back; what can we do to fully fund a VPSO Program, if Troopers can be hired to become permanent with all the benefits why can't we go in that direction. Instead of hiring possibly six why not hire full-time.

Member McConnell said he had served on the Public Safety Commission; in comparison we are better off than one at the time. Agree with his strategy. Good luck to Saima. Glad Jimmy Brown is running search and rescue. On request to pictures, he is a construction guy although gets confused. On the monthly packet it states that Selawik has been waiting for AVEC, just call and they will prioritize. Also, under the fire department Noorvik is slated to get a fire truck although will need a building. Focus should be on life safety and building safety; smoke detectors can be expensive.

Member Cleveland expressed the importance of informing the villages that the VPSO are not there to fix the problems, spread the word out. President Hadley mentioned State Troopers have nice apartments in Kotzebue, he asks where Borough is with interior for our VPSO buildings. Believe need to focus on the upgrades, so they will be comfortable.

Member McConnell echo comments from yesterday, with the buildings being renovated he suggested to build new ones; lesson learned. *Member Swan stated that Public Safety issues in our area are some that don't necessarily need to be where they are.*
Break taken at 12:08 P.M. reconvened at 12:41 P.M.

Public Services Director Jones provided a summary of recent department activities. Member Lincoln Carr asked about Kotzebue, when and if the boiler program. The deadline passed, right? Member Magdanz asked about the timeline of that program; looking forward to future, what is the goal schedule wise? Vice President Sampson asked if the certified contractor was resolved. Member McConnell reminded all that this is good project until heat pumps installed in the villages which may be the primary source and won't need much maintenance.

Planning Director Naylor also provided a summary of recent activities. Currently advertising for Planning Commission, send your letters into the Mayor's office. Vice President Sampson asked where we are at with Borough lands. Member Magdanz asked for an update on ice roads, are we planning on building them this Spring and when can we expect them. Member Armstrong asked if there is language in the agreement to start in March? He suggested starting in December/January/February cause it's colder then.

Member McConnell asked about the Kivalina Road to retrieve water, did that get built and being used? At some point the school and village will run out of water; next year be sure and get the road done. He suggested having a permanent pipeline built from Willik to the edge of road, like Kotzebue water treatment plant from Devils Lake. To the Assembly, Borough owns all school district property except Tech Center, which used to be owned by State of Alaska. Currently, school district owns Tech Center; KIC owns half of June Nelson parking lot and at some point, follow through with trade so Borough can take ownership of Tech Center. He is suggesting making the trade with KIC so they get what they want, docking purpose and we get full ownership of the parking lot at JNES. Vice President Sampson request what can Borough do to clarify, we might end up with additional property. Member McConnell stated he met with DOT, they own property throughout the State in different communities; are there properties owned by State of Alaska that we can take possession of and make use.

President Hadley requested excusal at 1:02 P.M. to attend another meeting. Member Lincoln Carr asked the Planning Director to ask the State about the property pass KIC camp because non-KIC shareholders go. Vice President Sampson verified if South Camp. Director Naylor stated that Kotzebue IRA will apply for the bridge grant for Cape Blossom.

TIME & PLACE OF NEXT MEETING

Vice President Sampson stated next meeting is scheduled for April 22-23, 2024. Mayor Moto asked if a day for financials should have been as discussed. Member McConnell requesting a day for prioritizing services and proposed cuts to budget with both Assembly and administration. Member Armstrong echo comments for meaningful discussion.

Member Magdanz verified if we extend to 24th or do we do all day Monday BAF meeting; code question do the meeting be on Tuesday?

INTRODUCTION OF ORDINANCES

1. **Ordinance 24-06** *an ordinance of the Northwest Arctic Borough Assembly adopting Chapter 12.24 of the Borough Code to establish background check requirements for Law Enforcement Officers, and for related purposes.*

Public Safety Director Hatch summarized Ordinance 24-06, recommend do pass.

Member Lincoln Carr motion to approve Ordinance 24-06, seconded by Member Barr; motion passed by unanimously by roll call vote.

RESOLUTIONS

1. **Resolution 24-07** *a resolution of the Northwest Arctic Borough Assembly approving a firearms procedure manual for the Village Public Safety Officer Program, and for related purposes.*

Public Safety Director Hatch summarized Resolution 24-07, recommend do pass.

Member Magdanz raised concern of guidance of use of force, procedures for de-escalation and when use of force is justified. Is there a reason it isn't in this manual, how are we making sure it's implements through the officers. The OPM in the back are officers down and not reference docs. Also, on use of force questions part of training and regular training the VPSO getting.

Member Armstrong motioned to approve Resolution 24-07, seconded by Member Lincoln Carr; motion passed unanimously by roll call vote.

2. **Resolution 24-08** *a resolution of the Northwest Arctic Borough Assembly approving an expenditure of \$750,000 utilizing local assistance and tribal consistency funds to replace the Selawik School Fire Protection System, and for related purposes.*

Mayor Moto mentioned after the work session yesterday the School District will present a different request, recommend no pass. Member Magdanz mentioned a similar request will be made in the future. Member Armstrong let the listening audience know the school district will change the language and put RFP out. Member McConnell stated the Assembly supports the school district in the need for fire alarm system for Selawik and Noorvik; next request will have smoke alarms for every classroom and to specify a non-proprietary fire alarm system so any technician can work on it. Member Haviland Lie informed the listening audience that the school district is working on another request.

Member Sheldon do support the panels although more information is needed.

Member Armstrong motioned to approve Resolution 24-08, seconded by Member Lincoln Carr; motion failed unanimously by roll call vote.

3. **Resolution 24-09** *a resolution of the Northwest Arctic Borough Assembly approving amendment of a professional services agreement with Deerstone Consulting LLC to provide administration and technical services for the Borough Energy Department, and for related purposes.*

CED Director Westlake summarized the resolution, recommend do pass.

Member Armstrong motioned to approve Resolution 24-09, seconded by Member Lincoln Carr; motion passed unanimously by roll call vote.

OTHER BUSINESS

No other business was presented.

EXECUTIVE SESSION

No executive session was held.

AUDIENCE COMMENTS

None presented.

ASSEMBLY COMMENTS

Member Sheldon mentioned he had asked Legislative Consultants regarding State and Federal funding time of deadlines of funding cycles. He recommends the Borough to continue to provide technical assistance to municipalities in the villages on the capsis and federal funding; not sure what was submitted for this year's infrastructure. Give the State and Federal our needs. Good discussions, thank everyone for input.

Member Swan mentioned good meeting. We are making a good effort moving forward. Appreciate discussion, some lengthy. Have a good afternoon.

Member Cleveland in Inupiaq; thank you all for being at the meeting and discussing, understanding by the Assembly. After the NANA meeting, we heard to educate our young people and then agreeable but where will the money come from. Thank you.

Member Haviland Lie thanked you for the last couple days of meeting, disappointed that Kotzebue wasn't included in the \$55M grant received for heat pumps in the region. Understand that Kotzebue is bigger and has more resources than the villages do but administration is a Borough village as well; we are just as entitled to these projects as well. Too many times Kotzebue get left out, we are as much as residents as everyone else. Thank you, President Sampson and Member Magdanz, for yesterday. Thank you, Mayor and staff. Spring is here, hopefully can get out ice fishing. Condolences to Wesley family in Noatak, Henry family here in Kotzebue and those that lost loved ones.

Member Armstrong sends condolences that lost loved ones. Recognize the teams that went to State that represent the Borough. Good meeting, discussions; thanks to administration believe need to invite our representative some time. Because the legislature failed to pass school funding, need to help with the shortages. Thank you.

Member Barr echo comments about good meetings, appreciate all work getting done. Rough terrain ahead of us, set our differences aside – agree to disagree, and get somewhere. Look forward to the next meeting, mainly budget discussion to prioritize essential services. Express condolences to those that lost loved ones. Safe Spring.

Member Magdanz thanks the staff for working with the Assembly, impresses him with the team and efforts. Good job on basketball teams representing us down in the State. In terms of school, last quarter; days longer. Treat everyone with kindness and stay respectful. Disappointed with failure of legislature to override school funding, hope representatives working on solutions for the schools. Thank you.

Member McConnell thanked the staff for their work, for getting reports for Assembly. On school funding package which Governor vetoed, and the legislature failed to override by one vote: back breaking decision but not over. Right now, working on the new package looks different over all but the same amount although our legislature needs to vote right way. As residence we need to let the representatives know they represent us. A wonderful thing happened recently, Spencer Woods from Shungnak, our resident who wrestled since a kid and qualified for the US Olympic Team. We shall encourage use his story to encourage our young to pursue your dreams, anything is possible.

Member Lincoln Carr mentioned everyone is talking about this school funding; it's our State representative Thomas Baker's who could have made a difference with this vote for rural Alaska. She encourages your to lobby for our children, kids from our region they did a good job at State basketball. Thank you, Mayor, and administration, for budget cuts; you've made a big stride. Staff is short, as far as funding; VPSO funding is pushed hard.

We as Borough and State of Alaska have failed our villages with Public Safety. Condolences to those that lost loved ones, praying for you all. Thank you, Assembly. **Vice President Sampson** in Inupiaq; first, thank Mayor and staff for good work. The past couple days had detailed discussion on issues that administration works on; we did what we could to provide with our duties. He respects your viewpoints, whether good or bad. Member McConnell brought up a good point, we are lacking celebrating accomplishments; Spencer is a good example, believe we should celebrate as a region; another good model. Thank you for a good meeting, appreciate your time and effort.

MAYORS COMMENTS

Mayor Moto sends condolences to those that lost loved ones also. Thank you to the staff, last couple days working with Assembly. Planning Director Naylor encourages you to listen to Spencer's interviews, after each match he talks of Shungnak. So humble, wonderful interviews.

Mayor Moto mentioned that because of grant reporting Kotzebue wasn't included. With help from Director Westlake and Energy Coordinator Mathiasson, along with support from the Assembly we will continue to improve our residents. Thank you.

ADJOURNMENT

Member Lincoln Carr motion to adjourn, seconded by Vice President Sampson at 1:49 P.M.

A handwritten signature in blue ink, appearing to read "Stella Atamb". The signature is written in a cursive, flowing style.