



Northwest Arctic Borough Assembly
Regular Meeting Minutes
Tuesday, August 22, 2023 – 9:00 A.M.
Assembly Chambers – Kotzebue, AK

CALL TO ORDER

Assembly Member Sampson called the meeting to order at 9:05 A.M.

INVOCATION/MOMENT OF SILENCE

Member Loon provided an invocation.

SAFETY MOMENT

Member Sampson raised concerns of boat safety; let someone know where you plan to be, how long expected to be out. Have a safe Fall boating season.

ROLL CALL/MEMBER EXCUSAL

Assembly Members present at the time of roll call:

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|-----------------------------|--------------------------|-----------------------|---------------------|
| <i>Austin Swan Sr.</i> | <i>Dood Lincoln Carr</i> | <i>Walter Sampson</i> | <i>Reid Magdanz</i> |
| <i>Miles Cleveland Sr.</i> | <i>Hannah Loon</i> | <i>Delores Barr</i> | <i>Tanya Ballot</i> |
| <i>Sandy Shroyer Beaver</i> | <i>Nathan Hadley Jr.</i> | | |

Excused

Elmer Armstrong Jr.

Introduction of Staff and Guests

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|-------------------------|------------------------|---------------------------|-----------------------|
| <i>Dickie Moto Sr.</i> | <i>Matt Mead</i> | <i>Angie Sturm</i> | <i>Clara Jones</i> |
| <i>Jeff San Juan</i> | <i>Fritz Westlake</i> | <i>Ingemar Mathiasson</i> | <i>Clay Norldum</i> |
| <i>Chris Hatch</i> | <i>Craig McConnell</i> | <i>Liz Hensley</i> | <i>Greta Schuerch</i> |
| <i>Shayne Schaeffer</i> | <i>Ruth Iten</i> | <i>Sandra Kowalski</i> | <i>Lance Miller</i> |
| <i>Desiree Hagen</i> | | | |

A quorum is present to conduct business. *President Hadley* motion to excuse Member Armstrong, seconded by Member Loon; motion passed unanimously.

APPROVAL OF AGENDA

Agenda presented for approval for August 22, 2023. Request to add Resolution 23-48 and AML discussion under other business. Member Magdanz requested update on transporters for this Fall under other business.

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

APPROVAL OF PREVIOUS MEETING MINUTES

July 25, 2023, regular meeting minutes presented for approval.

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

COMMUNICATION AND APPEARANCE

Ambler Access Project Update, Jeff San Juan provided an update through teleconference. Provided a quick update of recent activities; two things related to the project. First, fuel season which is currently undertaking and secondly BLM supplemental environmental impact statement.

Thankful for NANA and Borough for hosting them this past June, the subsistence advisory committee along with work force development members were able to visit Red Dog.

Member Sampson mentioned to Mr. San Juan that once BLM has gone through process of analysis it would be beneficial for all organizations for Triology and AIDEA to give a report of studies done; critical to be in person not by telephone. He suggests Mr. San Juan to keep in touch with Mayor's office and President of Assembly to set up a meeting to discuss BLM findings.

Member Magdanz thank you for update. First, private access; looking for update, told many years that this will be private industrial access only road. Still waiting to see legal proposal is, not the permit; what is update on work advancing making us confident of staying a private road. And stay private as long as the Region wants.

Member Magdanz mentioned glad working with NANA. The Ambler Access Project doesn't connect to villages; Ambler is probably 40-50 miles away. Where are discussions at for the other two villages to get connected. How will it happen? Public DOT Road to Ambler? Is that something AIDEA would do?

Member Sampson mentioned regarding any road systems in the Region that we are looking at other than; any other additional road system is worked through Department of Transportation State of Alaska.

Took a short break due to technical difficulties.

Assembly Member Sampson stated about the EIS, Mayor, Legal and President Hadley to review what the report looks like; staff and legal counsel come together so Assembly can review.

Member Loon raised concern of ten-day comment period, for us to comment usually Planning Department assist and comment together. Assembly Sampson expressing the importance of coming from this body.

Member Cleveland asked if there was a report regarding the three folks that went up to Bornite to check out the possible cultural siting. Assembly Member Sampson

stated that any historical cultural sites on any selected lands are federally protected. He thanked Mr. San Juan for report and hope to meet soon in person, work with President Hadley, Mayor Moto and Legal to when for discussions on EIS; although one step further, critical to get major organizations NANA, Borough and Maniilaq to discuss issues. Be clear what our positions are.

NANA Resource Update, Lance Miller and Liz Cravalho provided updates on Red Dog Mine life extension, Upper Kobuk, and Ambler Access.

Assembly Member Sampson reminded all that this meeting is on KOTZ Radio and requested a copy of the presentation for the Assembly.

Member Loon thank you for the report on the projects, will you be giving reports during informal meetings; will it be addressed. Member Lincoln Carr thank you for report, grateful on KOTZ; important to get information out. Reminder that Red Dog monies went statewide; hope people are familiar with how the monies were spent.

President Hadley thank you for presentation, he suggests a study of how many shareholders moved out after hired at Red Dog; his children moved due to overcrowding. The villages are overcrowded today, adults living with their parents.

Assembly Member Lincoln Carr shared a comment from a lifetime resident of Kotzebue through text; just an idea to think about future; tax to help our people's kids. Need a mining tax for capital gain for our people; they are sure over the next couple years it will be challenge for Borough and next Mayor.

Legal Mead confirmed with NANA if Paalaaq and adjacent deposits aren't enough of stand alone without underground state claims. Assembly Member Sampson thank you for presentation, good to get a perspective regarding what Red Dog has done for us and continue to do for a short period of time. Three communities on the left side of the map; Ambler, Shungnak and Kobuk. To the north, dark blue which is State lands with potential resources within that area. Outside that is light blue, state property. If you go East, Bettles and Allakaket a lot of State land as well; quick perspective regarding what this Borough has reeked from Red Dog since PILT agreement; Borough has received up to date \$260M from there.

What have we used? It's the responsibility of the State of Alaska to deal with infrastructure for schools because of the fact the State wasn't renewing some of the schools. Borough went through bonding process to constructing new schools, which has been ten new ones just from source of Red Dog, we've been blessed. The 7 (i) that was brought to the table; only keep 30 and 70 goes to other regions. We also receive from other regions. Our children are dependent on our leadership

of this region and the grandchildren be dependent of our children.

Member Sampson provided history of Red Dog Mine. It wasn't NANA that wanted to develop what we have in this Region; it was the shareholders that wanted it. Remember this governance represents everybody of the region not just shareholders. They pay the taxes for the residence of this region; what are we going to do, our people don't have monies to pay property taxes. Appreciate the presentation by San Juan and NANA.

President Hadley mentioned the recent budget retreat, 2027 the monies will go down; along with VIF. Keeping up with the lobbyist on what State is doing. Currently, we are supporting the EIS process, public is welcome to voice out your opinion.

Break observed, reconvened at 10:55 A.M.

BOARDS, COMMISSIONS & COMMITTEES

The Budget, Audit and Finance Chair Lincoln Carr provided a summary of the meeting held the previous day. Thank you, all Assembly member, for attending.

Finance Treasurer Sturm provided a summary of financials ending July 31, 2023. If the listening audience have questions, she encouraged you to call in prior to regular meeting.

Member Lincoln Carr shared comment to Mrs. Sturm, appreciate the platform to see everything. Thank you.

Finance Treasurer Sturm shared what happened at the budget retreat, as it relates to what Lance presented as the Mine prepare for closure in 2031 without the extension.

PUBLIC HEARING, ENACTMENT OF ORDINANCES & EMERGENCY ORDINANCES

Non presented.

ASSEMBLY REPORTS

Member Lincoln Carr comment to Mayor Moto and Assembly about the retreat; very informative realization meeting for Assembly and Administration to be on the same page. Appreciated the session and coming to that.

Member Magdanz echo about the budget retreat. Good time to make reports after hearing presentations, very likely revenue gap around 2030 before any new project in production. Reality that 2030 possibly half or less than half budget, including using saving account; still look at merging department or cutting. Start making decisions now or force them too later.

President Hadley mentioned he sits on AML Board as the AML Treasurer, also Mayor Moto sits on the board. Had a meeting recently, taxation is on the table; income tax to the

people which would hurt rural communities. Monies from oil aren't there anymore and will affect the permanent fund dividends.

Member Sampson stated that 2027 is when we will feel the decrease from the PILT agreement; Borough must think of what we are going to do, how are we going to operate this governance. Think about our children of the future, thank you.

Member Lincoln Carr stated by NANA through 7 (i) paid out to \$1.48B to ANCSA corporations to keep many alive and operate; they also must make plans for when these monies dwindle.

Member Loon also attended the budget retreat; FY25-27 through FY30; still have time to come together. Thank you to Teck for supporting community infrastructure.

MAYOR'S REPORT

Community and Economic Development Director Westlake summarized his report; the next meeting is scheduled for September 1, 2023, in assembly chambers. Thank you for all applications for scholarship, next deadline January 15, 2024, next semester. Congratulations for getting Noatak Solar project going, couple years of hard work; currently producing power.

Energy Coordinator Mathiasson summarized his written report.

Member Lincoln Carr asked since the Noatak Solar Panels have been up, if there has been any vandalism on either that or any other panels throughout the Region. If there have been, are cameras being installed?

Public Services Director Jones provided a summary of the department activities. Mayor Moto mentioned that we've been the pass thru for Department of Transportation Airport to cut grass and willows around the Region. DOT is scheduled to visit the Kivalina Road, inspect it; they have the knowledge.

Member Lincoln Carr raised concern of the shelter cabins; on the financials she would like to see if paid full time or per project. Thankful for grants for the cabins.

Public Safety Director Hatch summarized his written report. Completed the strategic plan, thankful for the team working on this the past couple years.

Member Magdanz is glad to hear a template on trail staking; he got comments last year about some village trails that weren't stalked by 440 time. Hopefully all the main trails well staked early in the season this year.

Member Lincoln Carr stated she's grateful for strategic plan, look forward to taking place.

Planning Director Nordlum summarized his written report; RPO's still soliciting for members. Have been working house numbers for the villages, working with McClintock; scheduled a meeting with them next week to follow up. Had a planning meeting last week, a couple resolutions, Shungnak waste heat and right of way and Kivalina playground.

Member Lincoln Carr asked over the few months ago if McClintock comes up, possibly do surveys for residents at a discount rate.

Member Magdanz raised concern of shipping dates for the subsistence and commercial nets; possibly next year move application deadlines earlier or have the nets on hand. Possibly get early July, so they have during season.

Member Loon thank Member Magdanz for bringing that up, she attempted to go Selawik twice to set. A resident let her know that they received a net for different kinds of fish, along another resident got the wrong size too. Reminder to those that order fish nets to be very mindful; talk to the person, how many mesh size do you want. Thank you.

Member Lincoln Carr asked about the grant program, believe it was for subsistence but what she hears is use for commercial fishing? Request clarification and on the website.

Mayor Moto mentioned he traveled to a few villages with Senator Sullivan; Kiana, Shungnak and Kobuk which have the same needs, public safety is always number one or two. He mentioned the villages support the Ambler Access Road. Also, went to Husila, Hughs and Allakaket; hard to see when traveling there with Senator Sullivan. They don't have NANA or Borough; they work on their needs which support the Ambler Access Road.

President Hadley asked Mayor Moto about the village that was part of the litigation pulled out against the Ambler Road.

Member Sampson thank Public Safety Director Hatch for his report and hopefully the strategic plan will be used as a model for the other departments.

TIME & PLACE OF NEXT MEETING

Member Lincoln Carr requests to delay this further down the agenda under other business regarding the AML infrastructure and tax conference.

INTRODUCTION OF ORDINANCES

None presented.

RESOLUTIONS

1. **Resolution 23-46** *a resolution of the Northwest Arctic Borough Assembly approving an Assembly donation under the FY24 budget for the Chukchi Consortium Library.*

Mayor Moto summarized, recommend do pass. Legal Mead stated that Mrs. Sturm learned that \$50,000.00 was approved in FY23 although no donation request to follow wasn't paid out.

Member Loon requested to make a friendly amendment to change amount from \$25,000.00 to \$50,000.00, seconded by Member Lincoln Carr. Motion passed by majority with Member Sampson voting no.

Member Lincoln Carr informed the listening audience that they had though discussion

yesterday, no conflict of interest from Hannah and Reid which was clarified through the attorney.

Member Sampson justified his no vote; remind you we have ten other villages as well, if they come in with request we will treat equally.

Member Magdanz requested point of order, can the Deputy Clerk Schaeffer read results. To amend to \$50,000.00 right.

Member Magdanz motion to approve Resolution 23-46, seconded by Member Lincoln Carr; motion passed by majority with Member Sampson no vote, roll call which include amendment.

2. **Resolution 23-47** *a resolution of the Northwest Arctic Borough Assembly to approve the FY2024-2029 Public Safety Department Strategic Plan, and for related purposes.*

Member Loon motion to approve Resolution 23-47, seconded by Member Lincoln Carr; motion passed unanimously by roll call vote.

3. **Resolution 23-48** *a resolution of the Northwest Arctic Borough Assembly approving a lease agreement with the City of Kivalina for a community playground and basketball court, and related purposes.*

Member Lincoln Carr raised concern of length of it and should the village move to a new site, requested clarification.

Member Swan motion to approve Resolution 23-48, seconded by Member Magdanz; motion passed unanimously by roll call vote.

OTHER BUSINESS

Alaska Municipal League Symposium scheduled for fourth week for September, conflicts with next Assembly meeting; recommend move to 18-19th for September meeting.

Assembly Member Sampson expressed the importance of seeking revenue sources.

Member Lincoln Carr motion to change the September meeting to September 18-19, 2023, as recommended by Mayor Moto, seconded by Member Magdanz; motion passed unanimously by roll call vote.

Update on transporters; have heard there are concerns about transport operations. Look like hunters are hanging out at Fish and Wildlife and Coast Guard hangers. Asking Administration to provide an update on what they are doing, what land are they taxing into. Member Lincoln Carr stated that the hunters haven't been welcome although pay a lot of monies to come up this way, best is to work with them. Would like the community to see them receptive; see if someone can work with them.

Member Sampson mentioned he knew of two guides that would give out their meat. *Member Barr stated that there is no lodging when residents need to come in to go to hospital due to the large number of hunters at the hotel.*

Member Magdanz requested clarification to Planning Director Nordlum that the hunters out of Borough to North Slope side; Noatak preserve is closed, correct? going past Noatak

preserves? On other side? Member Lincoln Carr stated that anyone can call in with a tail number; thank you. Member Sampson raised concern about what is happening to the meat.

President Hadley informed the listening audience about North Slope and Northwest Arctic Borough has been involved with meeting regarding Unit 23; North Slope has a resolution regarding caribou migration, and he would like this Borough to pass one like that. He encourages Tribal Governments to participate during public comments.

EXECUTIVE SESSION

No executive session was held.

AUDIENCE COMMENTS

Ruth Iten thanks the Assembly for work you do in the Region, thankful to sit through the meeting; understand how difficult it may be and appreciate it. Here for the No Ambler Road group update, same as Ambler Access; like back in February. Provided a copy of petition, which is online too.

Member Lincoln Carr appreciates Mrs. Iten for sitting in, thankful you sat through although had discussions yesterday. Of the 463 residents, are all in the region? What roads such as Dalton have bridges over spawning areas, do you have any idea how they've been affected since built.

Member Sampson asked if there is an organization structure that is in place; show who sits to represent this organization. About the membership, people outside the organization like to challenge statements made. Publicly people will challenge. Subsistence is way of life, we have people that deal with different issues; migration areas, what is the organization doing to address the critical issue with subsistence. Look how many hunters are up on North side of the ranges, migration is an issue.

Member Lincoln Carr stated a couple members requested Mrs. Iten's document. *President Hadley thank Mrs. Iten for update, how does Borough handle a petition moving forward. What is the process for this?* Member Loon thank you for coming forward, asking Legal if she can submit her report to AIDEA during the comment period.

Member Sampson let Mrs. Iten know if she would like to comment in the future to present something, give the President a call or in writing.

ASSEMBLY COMMENTS

Member Swan thank you for all the presentations, we have a huge responsibility for our people. We need to prepare, keep working on that. Thank you.

Member Cleveland mentioned good meetings although phone/zoom issues. About the Ambler Road, he believes the Assembly needs to step up along with NWALT. He suggests a committee on this body to focus on the road, be part of the discussions.

Member Ballot mentioned good meetings, a lot of information, thankful for presentations. Hope people understand we have responsibilities, we do things to improve our living

conditions; we are elected to do so. Good luck to college students going back to school. Condolences to those that lost loved ones, prayers, and thoughts with you. Everyone be safe as it's gathering time, put food away for the winter. Thank you.

Member Barr good meeting, appreciate all presentations, so much information and so many challenges. Not one right answer, we try our best to make decisions. Best of luck to all students, first day back in school. Be safe as you gather food for the winter.

Member Magdanz echo those comments, appreciate presenters. Had a dialogue yesterday too regarding Ambler Access; like Member Swan said we have our best interest for our people. He encourages residents to let them know your opinion. Good discussion and meeting; some serious stuff ahead of us. Find a path forward. Thank you.

Member Loon mentioned good meetings, discussions on Ambler Mining Road and update from NANA. Call in during audience comments. Thank you. Condolences to those that lost loved ones. Good to see children getting ready for school. Have a safe Fall.

Member Shroyer Beaver thank you for meetings. Appreciate hearing from Ruth and the group, also if anyone wants to speak to Assembly. Always welcome to make comments, pros, and cons. Welcome back teachers and staff at school; let's do what we can to support our teachers and get kids to school. Have a good school year. Thank you.

Member Lincoln Carr relayed President Hadley's request to Clerk Schaeffer to provide an overview of closing of election filing. Condolences to those that lost loved ones. Congratulate teachers hired, back and welcome to new ones. Thank presentations by Ambler Access, NANA which are beneficial for all; issue to be thoroughly researched. Appreciate Mrs. Iten's presentation, that is why she asks questions on the roads.

She reminded all that thru Teck; Cominco paid out \$1.48B to State of Alaska, Alaska Native Corporations from this mine. We need to do our homework on Ambler Access along with other entities, support each other and work together. Thank City of Kotzebue, yes sad to have musk ox in town and had to be put down. Regarding Public Safety and VPSO Program, yes, we failed from State of Alaska, and we as Borough failed to provide safety to village residents. We need to work together.

Deputy Clerk Schaeffer provided a summary of candidates for the October election.

President Hadley thanks Member Sampson and Lincoln Carr for running the meeting. He mentioned he asked AML to continue to support the VPSO Program. Thank Mrs. Iten for coming forward on audience comments, if you'd like to present in future meetings, you can contact Borough by 15th of each month. Hard decisions are coming up, we as the Assembly want to represent all constituents. Sometimes research takes time. Thank Mayor for traveling with Senator Sullivan. Thank you to clerks for information received.

Member Sampson thank you for good meeting; we all respect each other's viewpoints which can lead to good discussions. Thank the Mayor and staff for the good meeting. Thank you to Public Safety Director Hatch for the strategic plan, know you will make a headway. Issue regards the EIS that BLM has finalized, more likely it'll come soon so

Mayor can work with Legal. When and comment on final EIS, give directions on where we go from there to address the critical issue for the Upper Kobuk area. We heard from Red Dog, moving down over time; based on consultant we met, 2027 is when start seeing cut on PILT agreement. Eleven villages we represent in this area work with the villages in critical need. State revenue resources not continuing, means that government that represent we need to find help. Asking President, Mayor and Legal to have dialogue regarding a multi-discussion with Maniilaq, NANA and Borough together to address Ambler Mining area. Fall time is here, people boating and hunting; let someone know your plans. Look out after each other, part of culture shares your gather and shall reinforce. Thank you for the good meeting.

MAYORS COMMENTS

Mayor Moto mentioned good meetings and good discussions. Will follow through on notes, ready to go back to work.

ADJOURNMENT

Member Loon motion to adjourn, seconded by Member Lincoln Carr at 1:20 P.M.

A handwritten signature in black ink, appearing to read "Stella Atouk", with a stylized, cursive script.