



Northwest Arctic Borough Assembly
Regular Meeting Minutes
Tuesday, October 24, 2023 – 9:00 A.M.
Assembly Chambers – Kotzebue, AK

CALL TO ORDER

Member Hadley called the meeting to order at 9:00 A.M.

INVOCATION/MOMENT OF SILENCE

Member Loon provided an invocation.

SAFETY MOMENT

Member Loon in Inupiaq; mentioned it's very slippery outside, those of you walking. Be cautious when on ice, anywhere on the river; check thickness of ice before subsisting.

Member Sampson in Inupiaq; Fall time again, that time of year; ice is dangerous. We need to talk to our children and grandchildren of how dangerous of thin ice. Let your family know where you are and plan to go.

ROLL CALL/MEMBER EXCUSAL

Assembly Members present at the time of roll call:

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

Introduction of Staff and Guests

Fritz Westlake	<i>Clara Jones</i>	<i>Angie Sturm</i>	Chris Hatch
Ellen Coffin	Tess Baldwin	Elizabeth Ferguson	<i>Anna Crary</i>
Gem Belamour	Hiram Walker	Joe Evans	Stella Atoruk

A quorum is present to conduct business.

APPROVAL OF AGENDA

Agenda presented for approval for October 24, 2023. Acting Mayor let the Assembly know that ICC is scheduled to arrive on the first flight, how would you like to handle that.

Member Sampson request to accommodate when arrive. Member Loon requests to add Zoom under other business.

Member Sampson motioned to approve as amended; Member Cleveland seconded; passed unanimously by roll call vote.

REORGANIZATION OF ASSEMBLY

Legal Crary suggests she temporary nominate herself to chair the nomination in reorganization process, ask Assembly for unanimous consent. President Hadley motioned she has unanimous consent; Member Sampson stated no objection.

Legal Crary open nominations for President of Assembly. Member Lincoln Carr nominate Nathan Hadley Jr. as President, seconded by Member Swan.

Member Hadley accepts nomination of Assembly President. Member Sampson motion to close nomination, ask for unanimous consent for Nathan; seconded by Member Cleveland.

Legal Cray opened nomination for Vice President. Member Lincoln Carr nominated Elmer Armstrong Jr. Member McConnell nominated Walter Sampson.

Member Cleveland motion to close nominations, seconded by Member Magdanz. Clerk Atoruk and Public Safety Director Hatch tallied results of Vice President with the following Member Sampson with eight and Member Armstrong with three votes.

President Hadley thanks the Assembly for voting him again; humble to be in the position.

APPROVAL OF PREVIOUS MEETING MINUTES

None presented, Clerk Atoruk request table until next meeting.

Member Cleveland motion to table, seconded by Member Barr; passed unanimously by roll call vote.

COMMUNICATION AND APPEARANCE

ICC Update, Kelly Eningowuk Executive Director

BOARDS, COMMISSIONS & COMMITTEES

Budget, Audit & Finance Assembly President Hadley provided a summary of the previous day's meeting, a good meeting.

Financial Report Borough Treasurer Sturm provided a summary of financial ending September 30, 2023. Member Loon state we are nearing the years where the PILT is lesser amounts. She requests in sequential amount for 2024-2027; been enjoying, thank you Teck for services provided for the villages.

Member Loon encourages and friendly reminder to close out your projects. Vice President Sampson requested the bond payment schedule. Member McConnell raised concern of Sulianich; in the packet it appears budget is \$1.5 M then revenue to date is roughly \$150,000. Although heard not accurate; hope to get clear explanation of what happened with Sulianich finances.

PUBLIC HEARING, ENACTMENT OF ORDINANCES & EMERGENCY ORDINANCES

None presented.

ASSEMBLY REPORTS

Vice President Sampson mentioned he sits on Rural CAP Board, nonprofit organization which formed back in 1964; in the beginning concentrated on subsistence issues. During AFN he also got appointed to Alaska Veterans Association Board which consist of twelve regions. Hope to expand the programs VA has, try to use tribal entities; use to help veterans in Alaska. Couple of his comrades passed on without knowing what is available; but their heirs can get headstones.

Vice President Sampson expressed the importance of our Rural Bush Alaska are being discriminated by Veterans.

Member Loon mentioned they were invited to Red Dog Site visit, visited underground facilities. Able to visit cc camp; good to see young people working. Thank you.

Member Lincoln Carr mentioned she attended the informative visit to Red Dog, increased living conditions up there. Thank you for being part of the tour, appreciate what Teck is doing.

President Hadley mentioned he attended the tour also, as we've heard Finance Director Sturm the finances will drastically decline. He believes a lot of services will be cut, like the water and sewer services. Hopefully Borough can look for partners to possibly continue low costs for our people. Expressed the importance of health and safe water.

MAYOR'S REPORT

Public Safety Director Hatch provided a summary of recent activities; now have six officers, five of which are trained. Now have a new VPSO coordinator, moving in February. Him and family will be living in Noatak, full time. Hazard mitigation planning, half of the communities signed the MOA; encourage you to reach out to your local leadership to complete so can be eligible for FEMA funding.

Member McConnell asked how many VPSO's are in the villages today. Also, the coordinator that has been mentioned; is he the seventh or is he the sixth? When off duty is the village without coverage. Whatever it costs to get VPSO in every village, it is worth it. Member Loon asked how many VPSO or VPO are on the field right now.

Member Magdanz asked what villages stations are covered right now? Are they rotating as needed? He requested a winter trail update as soon as people start traveling. Member Sheldon requested local hire; aggressive advertisement like at career fairs. For hazard litigation, can we get examples that can be included in the plan.

Vice President Sampson raised concern of local hire; one, those that would like to apply that have a record, secondly when hired they don't have regional support. To change, we must change; encourage administration to coordinate an effort to have wellness program in communities to support VPSO at village level. Jointly with local organizations.

Member Armstrong remember lobbying to increase the pay, the State has a system to where it applies to the whole state. Suggested further detailed discussion to do ourselves, possibly at the next retreat. Member McConnell expressed the importance of public safety; would like to have the best VPSO program in the State.

Member Loon asked about FEMA, how much of a task is it to apply? Including erosion you've said, what task by each village? Member Cleveland suggested each community to have an ordinance to support the VPSO Program.

Planning Administrator Belamour provided an update on recent activities. Noah Naylor recently got rehired as Planning Director on October 9th although on leave today. BLM mentioned that the Ambler Draft EIS has been posted on the website; comment period started October 20th, 90-day comment period until December 19th.

Member Magdanz asked if Borough intend to submit comments for the Ambler SEIS. He would like to have further discussion before comments are submitted.

Public Services Director Jones provided a summary of recent activities. Village travel is scheduled with NANA and Northern Contractors, on 11th of October the Elder Boiler Maintenance Project will be posted. So far have received about two hundred applications. Sent all the DOT brush cutting for the airports although haven't received Selawik, Noorvik, Kiana and Deering; she will follow up.

Member Cleveland asked if Director Jones can assist Mack Henry with his application. Member Magdanz requested clarification of eligibility guidelines, elders 60 +, do they have to own the home? Or rent? Or just apply? What information do you have to have to submit a successful application. Applications available at the NANA offices? Everyone that applies you will get services and not competitive?

Member Lincoln Carr asked what is the new deadline? Are the applications available in Kotzebue office?

Energy Coordinator Mathiasson provided an update of department. Prices continue to rise in the villages on electricity; four villages are over a dollar per kilowatt-hour. The sustainable energy conference coming up, in Anchorage; governor put together an energy task force. Sending out starlinks to all government (City and Tribe) with Covid left over funds, ongoing project.

President Hadley asked Mr. Mathiasson if the conference is in May. He suggests this Assembly should support, look forward to additional information on the energy conference. Member McConnell thank you for report. Regarding the solar farms; congratulations for good work and implementing the IPP. As the solar farms are built, it does not necessarily reduce the electricity cost to the resident. Savings go to AVEC, and saving to IPP; not directly to the resident, correct?

Somehow, we shall make it to where the resident is benefiting. Another point, directly to AVEC; when you reduce the cost, you'll be saving AVEC what they buy from IPP. Due to phone difficulties, Mr. McConnell couldn't understand Mr. Mathissoon clearly. Member McConnell would like to have the IPP set up to benefit the residents because AVEC will charge more.

Member Magdanz asked Energy Coordinator Mathiasson if we are stuck unless we can get rates below \$.23 then State of Alaska will penalize us. Member Loon expressed the importance of visuals presentations, possibly power point; suggest AVEC on next agenda so they can understand. President Hadley said he worries about water lines freezing when power outages.

Vice President Sampson suggest flow charts, to see where residents are benefiting from the solar panel system verses what AVEC is benefiting from. Member McConnell ensures we are maximizing benefits for our residents. Regarding the cost of fuel, in the report it has prices; after working at the school, he saw price differences of fuel. As a Borough we must do better to consolidate orders to bring prices down.

TIME & PLACE OF NEXT MEETING

November 27, 2023, work session and regular meeting on November 28, 2023.

Fifteen-minute break observed at 10:53 A.M., reconvened at 11:10 A.M.

INTRODUCTION OF ORDINANCES

None presented.

RESOLUTIONS

1. **Resolution 23-56** *a resolution of the Northwest Arctic Borough Assembly adding Noah Naylor and Ellen Coffin as authorized signatories for borough checks.*

Acting Mayor Westlake summarized resolution, recommend do pass.

Member Loon motion to approve Resolution 23-56, seconded by Member Barr; motion passed unanimously by roll call vote, although Member McConnell stepped away.

2. **Resolution 23-57** *a resolution of the Northwest Arctic Borough Assembly approving a Village Improvement Fund Application from the City of Kotzebue to purchase a car crusher to facilitate community car disposal, and for related purposes.*

Acting Mayor Westlake summarized resolution, we accept and recommend do pass.

Member McConnell raised concern of City taking over the fee to empty oil from vehicles. Also, hopefully the landfill will get taken care of, along with the pile on side.

Vice President Sampson mentioned Tech Center has some programs regarding mechanical work, maybe an option. If there are villages that would like to get rid of their old cars and opportunity with barges; would City be able to take that charge as well. Member Loon asked if this include KIC? These one hundred cars on the proposal; are those around town are those on the KIC property?

Member Lincoln Carr asked if she need to declare conflict of interest because she sits on KIC Board. Member Swan raised concern of rust and dust, health issues. Member Sheldon recommend Zender Group to provide technical funding to look at landfills. Member Loon recommend working with KIC or Tribal for additional resources, not only City to carry.

Vice President Sampson motion to approve Resolution 23-57, seconded by Member Magdanz; motion passed unanimously by roll call vote.

3. **Resolution 23-58** *a resolution of the Northwest Arctic Borough Assembly approving a Village Improvement Fund Application from the Native Village of Kivalina for a Wellness Program.*

Acting Mayor Westlake summarized resolution, we accept and recommend do pass.

Vice President Sampson motion to approve Resolution 23-58, seconded by Member Barr; motion passed unanimously by roll call vote.

4. **Resolution 23-59** *a resolution of the Northwest Arctic Borough Assembly approving submission of an application for a Department of Energy Office of Clean Energy*

Demonstrations Grant for the Community of Ambler, and for related purposes.
Acting Mayor Westlake summarized resolution, we accept and recommend do pass.

Vice President Sampson motion to approve Resolution 23-59, seconded by Member Lincoln Carr; motion passed unanimously by roll call vote.

5. **Resolution 23-60** *a resolution of the Northwest Arctic Borough Assembly supporting Teck American's ongoing work towards exploration of the Aktigiruaq and Anarraaq deposits near the Red Dog Mine.*

Mayor Moto summarized resolution, we accept and recommend do pass. Member Magdanz asked if there was a difference between the two resolutions from yesterday and yesterday. Glad to see to make sure our voice is heard, in full support of.

Vice President Sampson motion to approve Resolution 23-60, seconded by Member Loon; motion passed unanimously by roll call vote.

6. **Resolution 23-61** *a resolution of the Northwest Arctic Borough Assembly approving the unincorporated Community of Noatak for participation in the FY24 Community Assistance Program.*

Acting Mayor Westlake summarized resolution, we accept and recommend do pass.

Vice President Sampson motion to approve Resolution 23-61, seconded by Member Barr; motion passed unanimously by roll call vote.

OTHER BUSINESS

Zoom communication. Member Loon mentioned used to use although no longer. Expressed the importance of seeing slides, would have been nice to see where the proposed mines are. Thank you, administration, what is future of zoom use.

Vice President Sampson raised concern of photograph of general area. Zoom has had issues and stops our discussion process, there are other options. *Member Lincoln Carr appreciate Zoom when not in person. She suggests thru President and Administration she suggest starlink, make doable. Even discussed at administration verses service and monthly fee. Member Swan echo her comments, starlink have a business version too.*

EXECUTIVE SESSION

No executive session was held.

AUDIENCE COMMENTS

Tessa Baldwin, City Manager and Joe Evans, City Attorney provided to Assembly an update of Cape Blossom along with Veterans. A public services announcement has been posted, road to landfill through base road is closed due to safety concerns. A refuse truck fall off the side of the road.

City of Kotzebue has taken the lead on the Cape Blossom and Port Project for several years now, she believes its really a regional project. They are asking all local regional organizations to come together and discuss a regional project; the City of Kotzebue is running into challenges of what they can and cannot do because it's outside of their jurisdiction. Manager Baldwin stated as this project is developing, they are requesting cooperation and ensuring that when they come together as a region that it's taken

seriously as a regional project. A Cape Blossom Regional Committee has been established, which Borough has two seats on. Previously it was Clay Nordlum but await to hear who will sit on staff administration side; NANA, KIC, and City on the committee.

City Manager Baldwin mentioned that they don't have funding to maintain the road, they are operating on reserve. They are requesting additional cooperation from all local regional organizations to continue dialogue. For your information, DOT will be here tomorrow night; on Thursday they are facilitating a conversation as to what the road maintenance and operations will look like between the Northwest Arctic Borough and City of Kotzebue.

City Attorney Evans provided an overview of the maintenance agreement. He mentioned back in 2017 as a condition of funding of phase one; DOT required Borough and City to sign maintenance agreements which stipulated once took ownership of the road then responsible for maintenance. That is what DOT has done with Shore, Third and Fifth Avenue as Assembly knows the Cape Blossom Road is approximately twelve miles in length. Which two point seven within the city limits and nine miles within Borough limits.

As discussion with DOT on Thursday is how do you expect us to maintain; also, when does it become ours (meaning City and Borough). Phase two of the road is for bridge over Sadie Creek is approximately fifteen to twenty million dollars. Who will be responsible for bridge inspection and maintenance. As the Assembly knows; it took City of Kotzebue about fifteen years to cobble twenty million of forty-three million for phase one. STIP in 2017 put in roughly twenty-three million dollars, that is when they required us to sign the maintenance agreements.

City Attorney Evans stated they closed the road this past summer when the culverts collapsed although DOT mentioned federal highway monies were used. Discussion of opening and closing of the road too. Also, once get south of city limits there is no cell service. They have approximately twenty-four questions for DOT. Also, phase two of the road are posted on the DOT website. Formal RFP will be out later this month or next month; estimate fifty million to complete. Math doesn't pencil out for him; is there additional funding for phase two.

City Manager Baldwin raised concern between all regional entities is the match funding for second phase. Previously had a gravel source for match funding for phase one, which hasn't been verified as how much remains. Also, how much is the match to be; assume a lot more than phase one.

Member Sheldon mentioned he is somewhat familiar with STIP process; do you have state liaison here? Another avenue he recommends tribal transportation program, when they apply for tribal funding, they use a formula of inventory. Noorvik has more roads than Kotzebue because of the road up to the gravel source. He asked where will be the meeting be held at?

Vice President Sampson asked the back road which was built through Kotzebue IRA; who has responsibility on that? What about the road that goes from the airport to the radar site. Has the city then taken responsibility of that road system? There were people living

in that federal area. If they treat Dempsey one way and these people differently, there is an issue. What has Kotzebue received under 14 c3 if any? Was there any road, anywhere they get under 14 c3. Any thought to city of Kotzebue acquires the road under that section.

Member Loon thank City for coming forward, suggest under communication and appearance. On our next agenda possibly, seems like Borough as a lot of responsibility to cover nine miles. Friendly reminder to Mayor, President, and Legal for Assembly to meeting with DOT, NAB and KIC. Thank you.

Member McConnell stated the gravel that was used for phase one came from Nome although got to be cheaper than getting it from this region rather than freight it. Possibly Kivalina gravel, monies kept in our region and possibly cheaper for City.

City Attorney Evans mentioned Veteran Chester Ballot had gone on an Honored flight to Washington DC and back on this Saturday; Alaska Airlines sponsors two flights a year. He invites any Veterans or folks that evening when he gets back to welcome Chester and his daughter. There is a Veterans Day Luncheon on November 11, 2023; welcome. Day before is 248th birthday of United States Marine.

Member McConnell asked about the property across the street from NAPA, what the Veterans own; what is happening with that? Vice President Sampson raised concern of how National Park Service got title of the property that is National Guard property.

ASSEMBLY COMMENTS

Member Magdanz mentioned good meeting. Condolences to those that lost loved ones. Stay safe out there with this nasty wet weather.

Member Lincoln Carr stated something needs to be done with audio. Appreciate the presentation by City today. Will be out of town another week or so, appreciate able to call.

Member Armstrong thanked City of Kotzebue and NANA for coming to the meeting; still have issues to take care of. Working together can be done. Still working on making improvements like with public safety, have coverage in all the villages. Look forward to working with the new Assembly. Should discuss retreat soon, so we all can understand our role. Look forward to working with you all.

Member Swan enjoyed the meeting. Good work by Assembly and staff. Glad to move forward with these issues, humbling working together. Congratulations to Nathan and Walter for accepting positions, look forward to working another year. Thank you.

Member McConnell stated he is happy to see Noatak participate in the CUAP program, which has been in place for ten years. Thank City for coming forward with an update on the Cape Blossom Project; the whole idea is to reduce the cost of living for this area. Cautious you with AC and Crowley to make profit; he doesn't believe that will drive prices down without competition. Nome and Kotzebue have the same freight charges although we pay higher prices; because Nome has competition to force lower prices. Just building a road won't do it.

Member Loon expressed her gratitude to Assembly and staff for the meeting today. Lot of work to do; only through partnering with others we can do so much. Safe travel to all.

Member Barr echoes everyone's comments about a good meeting, and appreciates work being done by the administration. Still have a lot of work, look forward to working with the new assembly. How are we going to decrease operating expenses until find a new tax base. Look forward to continuing working on goals from last retreat.

Member Cleveland echo Member McConnell's comments, what is that purpose of the Cap Blossom Road; now we are discussing who is going to maintain. Now to pay more money to keep this open for resident of Kotzebue while he can't go airport in Ambler without a vehicle. The roads need to be open for medivac, that need to be considered. Good meeting, thank you staff for keeping Assembly up to date.

Member Sheldon stated when involved with City they used to approach legislature, possibly do research, and pass it on to city governments. Monies available through application process; eligible items like heavy equipment and buildings. Possibly have VIC match, have city apply. Echo Member Loon's comment regarding partnerships within the tribes, DOT, and ANTHC; to lower cost of water and sewer or roads. DOT opens an application process every three years; Native Village of Selawik had obtained monies. Although a lot of turnovers, he recommends having the website updated every month with notices, road conditions and travel conditions. Thank you.

Vice President Sampson in Inupiaq. First, thank you for the good meeting. Welcome Raven and Craig to Assembly, had good discussions. Sometimes we have our differences, sometimes not too well, even if we get to that point. We need to make sure those differences get in the way of decision making to address the needs of the people. Believe heading in right direction; over time Red Dog monies declining. We also have eighteen million to pay back for the schools although some need renovations or expansion. Need to get a strong position for Ambler Mining District, so we can say if benefit; we've been split in decision. At some point bring to leadership, to NWALT based on what villages want. Thank you.

President Hadley gives condolences to friends and relatives; hard to go through change. Humble this year to be selected as Assembly President, continue to do his best; don't pick sides and listen to all. Hope to develop our area; with Kotzebue being the hub. Sometimes we don't see what is happening like KEA taking lead with solar paneling and Borough working hard on IPP. A few years ago, NWALT had KEA as a priority. Thank you, City of Kotzebue, for coming forward, thank you Elizabeth for attending the meeting. Thank staff for their work.

MAYORS COMMENTS

Acting Mayor Westlake thank you for the good meeting. Appreciate discussions today. Look forward to the new website on November 2, 2023; everything will be updated. President Hadley stated that Marie Greene text him and let him know that Kelly isn't coming and to put on next agenda.

ADJOURNMENT

Member Loon motion to adjourn, seconded by Member Barr at 12:33 P.M.



