

ASSEMBLY MEETING MINUTES

MARCH 2, 2009

- I. Call to Order:** The regular Assembly Meeting of March 2, 2009, was called to order by Shelby Boothe, the presiding officer at 7:30 p.m. The meeting was held in the Assembly Chambers of the Borough Building, Naknek, Alaska.
- II. Roll Call:** Present: Eddie Clark, J.C. Tudor, Bill Hester, Carvel Zimin, Jr. and Shelby Boothe.
Excused Absence: Mayor Daniel J. O'Hara
Also Present: Marv Smith, Borough Manager and Tami Johnson, Borough Clerk.
- III. Consent Agenda:** CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE THE CONSENT AGENDA AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.
- A. Non-Action Agenda
1. Mayor
 2. Manager
 3. Police Department
 4. Fire Department
 5. Lobbyist
 6. Pool
 7. Library
 8. Public Works Department
 9. Port Department
 10. Planning & Zoning
 11. Treasurer
 12. Other Reports
- B. Action Items
1. Minutes of February 2, 2009 – Regular Assembly Meeting:

CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE THE MINUTES OF FEBRUARY 2, 2009 AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

2. Minutes of February 9, 2009 – Special Assembly Meeting: Shelby Boothe stated that these minutes have not been completed yet and they will be in the packet for next month.

3. Finance Report – Check Register – January 2009: J.C. TUDOR MADE A MOTION TO APPROVE THE CHECK REGISTER FOR JANUARY 2009 AND SECONDED BY CARVEL ZIMIN, JR. MOTION PASSED UNANIMOUSLY.

IV. Approval of Agenda

Shelby Boothe stated that there are some additions, which are: VII. , Item E., F., G., H., Resolution No. 2009-10, 11, 12 & 13. CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE THE AGENDA AS AMENDED AND SECONDED BY EDDIE CLARK. MOTION PASSED UNANIMOUSLY.

V. Persons to be Heard

Isabel Babiak wanted to give a brief update on the trail project. In May of 2008 she came before the Assembly asking for a Resolution in support of the Fitness Trail/Bike Path and since that time there has been lots of progress on the Sockeye run trail. She has been accepted into the National Service Rivers Trails and Conservation Assistance Program. They are helping plan the trail for sources of funding. We have had a community workshop this past October, which many of you attended, and there was a lot of input from the community. We have just received word that the Department of Natural Resources has approved a \$50,000.00 grant for the trail construction and this is to be matched by the Borough; Isabel thinks that this could be given in material and labor. Isabel stated that they had received \$15,000.00 from the Park Service for interpretive signs to put along the trail. We are also going to have the children from our community make the artwork for the signs, the first week in April. The community can vote on their favorites and she would like to see everyone participate. We are also in the process of applying for A Safe Routes to School grant, which is about another \$100,000 for construction. We have also applied for an American Seafoods community grant for \$9,000.00, with cost of geotech fabric that goes under the trail. She just wanted to let everyone know what kind of progress she has made and thanked everyone for their support and time.

VI. Communications and Appearance Requests

- A. Thank You from Sockeye Swim Team
- B. Thank You from The Elks
- C. Thank You letter from Marissa Stamberg
- D. Letter from Senator Lisa Murkowski

E. Naknek Kvichak Fish & Game Advisory Committee meeting minutes and Resolution #2009-01

VII. Hearings, Ordinances and Resolutions

A. Ordinance No. 2009-01, An Ordinance of the Bristol Bay Borough Establishing the Tariff for the Port of Bristol Bay: Third Reading and Public Hearing: Shelby Boothe opened up the floor for public comment, hearing none, the public comment was closed. CARVEL ZIMIN, JR. MADE A MOTION TO ADOPT ORDINANCE NO. 2009-01 AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

B. Ordinance Non. 2009-02, An Ordinance of the Bristol Bay Borough Amending Ordinance No. 2008-03; Second Reading and Public Hearing: Shelby Boothe opened up the floor for public comment, hearing none it was closed. CARVEL ZIMIN, JR. MADE A MOTION TO ADOPT ORDINANCE NO. 2009-02 AND SECONDED BY J.C. TUDOR. Bill Hester asked why workmen's comp. was split up? Marv informed Bill that the auditors had requested it be done that way. Eddie Clark asked how we come up with the state fish tax and revenue sharing? There was a short discussion. MOTION PASSED UNANIMOUSLY.

C. Resolution No. 2009-08, Amending the Bristol Bay Borough Public Employees Retirement System (PERS) Plan to Include the Finance Officer Position: J.C. TUDOR MADE A MOTION TO APPROVE RESOLUTION NO. 2009-08 AND SECONDED BY BILL HESTER. MOTION PASSED UNANIMOUSLY.

D. Resolution No. 2009-09, Expressing Conditional Support for the Proposed Mineral Management Service (MMS) Draft 5-Year Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 2010-2015 for the North Aleutian Basin for the Expressed Purpose of Obtaining Detailed Information from the Environmental Impact Statement (EIS): BILL HESTER MADE A MOTION TO APPROVE RESOLUTION NO. 2009-09 AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

*E. Resolution No. 2009-10, of Support Requesting State of Alaska add the Expansion of the Port of Bristol Bay Phase II and Fisherman's Small Boat Harbor to the State Transportation Improvement Program (STIP)

*F. Resolution No. 2009-11, of Support Requesting the State of Alaska Add the Replacement of the Three Bridges on the Alaska Peninsula Highway to the State Transportation Improvement Program (STIP)

*G. Resolution No. 2009-12, of Support Requesting the State of Alaska Add the Widening and Paving the Road Shoulders of the Alaska Peninsula Highway to the State Transportation Improvement Program (STIP)

*H. Resolution No. 2009-13, of Support Requesting the State of Alaska Add the Extension of the South Naknek Runway to the State Transportation Improvement Program (STIP)

*BILL HESTER MADE A MOTION TO APPROVE RESOLUTION NO. *2009-10,* 2009-11, *2009-12,*2009-13 AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

VIII. Old Business

A. Budget Workshops – Set Dates and Times: A short discussion followed agreeing on March 11, 2009 at 1:00 p.m. and March 25th at 1:00 p.m., April 8, 2009, at 6:00 p.m. in South Naknek. The Board of Equalization on the 23rd of April and the final hearing and budget adoption and the Mill levy will be set at the regular Assembly meeting on May 4th.

B. Port of Bristol Bay – Phase II Funding: Marv Smith stated that we've got the 2nd bid and have not opened it. In his best estimation, we still need \$3.1 million before we can start that project. If we start hacking items it lowers the contribution or match. Marv stated that he, Shelby Boothe and Carvel Zimin, Jr. are heading to Juneau on the 17th-19th to try to convince our Legislators that this project is serious. April 7th is when the next bid opening is scheduled for. There was a short discussion. Eddie Clark mentioned having a luncheon/workshop with BBEDC members and all three of the Village Council presidents. The Assembly directed the Manager to write a letter to the Denali Commission requesting \$700,000.

IX. New Business

A. Nick Zorich – Presentation on Fish Waste By-Product: Mr. Zorich introduced himself and his company which he previously had talked at the fish conference about. Tonight with him are Doug Drum of Indian Valley Meats and Richard Magoon the inventor and manufacturer of the machine. Mr. Zorich stated that their purpose is to give us some ideas that can put to use the products or by-products of our fish processing to a good use. We could provide jobs year round to residents, increase salaries and cost of living. It could also help produce products that could be used for human consumption. This is not fish meal. Mr. Zorich gave an in depth presentation to the Assembly. Bill Hester stated that, what Mr. Zorich is doing is introducing us to the product and idea. Mr. Richard Magoon gave a presentation on the machine and what it is capable of putting out and the costs associated with it. Mr. Doug Drum stated his output of fish jerky from the machine and the demand for product. The Assembly thanked them for their presentation and informed everyone that if they wished to talk more after the meeting, they were more than welcome.

B. Fisheries Economic Development Consulting Services – Greg Fisk: Mr. Fisk was on line via teleconference. He stated he had done a bunch of work for BBEDC for about 6 ½ years ago. He has been doing fisheries consulting for many, many years. He stated that for about a year he has been talking to John Walsh about our dock project. Greg is familiar with our area. John informed Mr. Fisk that perhaps he could assist the Borough in helping move some of our projects forward. Mr. Fisk stated he would like to help us by coming on board. There was a short discussion.

C. Create New Position – Accounts Payable/Payroll Administrator: Marv stated that this position had been previously merged with the clerk position and the workload needs to be separated and we need to fill this position. There was a short discussion. CARVEL ZIMIN, JR. MADE A MOTION TO ADD THE NEW POSITION ACCOUNTS PAYABLE/PAYROLL

CLERK ASPRESENTED AND SECONDED BY J.C. TUDOR. 3-YES AND 1-NO. MOTION PASSED.

D. Nicholas Monsen Memorial Scholarship Fund Permit Renewal: J.C. TUDOR MADE A MOTION TO APPROVE AND SECONDED BY CARVEL ZIMIN, JR. MOTION PASSED UNANIMOUSLY.

E. Native Youth Olympics Donation: J.C. TUDOR MADE A MOTION TO DONATE \$500.00 TO NYO AND SECONDED BY CARVEL ZIMIN, JR. There was a short discussion. QUESTION WAS CALLED; 2-YES AND 2-NO SHELBY BOOTHE BROKE THE TIE WITH A YES VOTE MOTION PASSED.

F. Police Department Console: Nate Skinner stated that we received a Federal grant through the State funding most of the console project. Basically in order to proceed we need some direction on the contracting portion of this. Not only for us but for the grant purposes as well. Nate gave a brief overview of what the was going on. Instead of following our standard procedure of anything over \$100,000.00 has to go out for RFP, to go ahead with #1. We're not really sole sourcing, there are four different entities working on this, and #2 the company that we'll be using is the only company in Alaska that can do the stuff we need to do. There was a short discussion. J.C. TUDOR MOVED TO ALLOW THE BOROUGH MANAGER TO WAVE THE COMPETITIVE SEALED BIDDING REQUIREMENTS SET FORTH IN BRISTOL BAY BOROUGH CODE 17.02 AS ALLOWED FOR BY 17.02.010 PARAGRAPH D SPECIFICALLY FOR THE DISPATCH RADIO CONSOLE PROJECT AND SECONDED BY BILL HESTER. There was a short discussion and this was in the best interest of the Borough. MOTION PASSED UNANIMOUSLY.

G. PERS State Audit Finding #3 – Volunteer Fire Fighter Payment Status Change: Marv stated that this was one of the findings from the audit. There was a short discussion. J.C. TUDOR MADE A MOTION TO ADD 2.07 TO THE POLICIES AND PROCEDURES MANUAL PARAGRAPH C AND D AND SECONDED BY CARVEL ZIMIN, JR. MOTION PASSED UNANIMOUSLY.

H. Lease – Paug Vik: Marv stated that this is the interim lease which is at the “Y” at Lake Camp. This is 14C3 which is eventually going to be conveyed to the Borough. CARVEL ZIMIN, JR. MADE A MOTION TO ENTER INTO THE INTERIM LEASE WITH PAUG VIK AND SECONDED BY J.C. TUDOR. Short discussion followed. MOTION PASSED UNANIMOUSLY.

X. Assembly Member Comments

Eddie Clark – Dogs, we need to work on this again someday, there seems to be more and more around town. Perhaps give it back to the cop shop.

XI. Adjournment

BY GENERAL CONCENSUS THE MEETING WAS ADJOURNED AT 9:42 P.M.

Daniel J. O'Hara, Mayor

ATTEST:

Tami Johnson, Clerk