

# ASSEMBLY MEETING MINUTES

## MARCH 3, 2008

- I. **Call to Order:** The regular Assembly Meeting of March 3, 2008 was called to order by Shelby Boothe, the presiding officer at 7:34 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: Borough Manager Dave Soulak and Clerk, Tami Johnson.

- III. **Consent Agenda:** BY GENERAL CONSENSUS THE BOROUGH ASSEMBLY MOVED TO APPROVE THE CONSENT AGENDA.

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 4, 2008 – Regular Assembly Meeting  
CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE THE MINUTES OF FEBRUARY 4, 2008, AS PRESENTED AND IT WAS SECONDED BY BILL HESTER. MOTION PASSED UNANIMOUSLY.
  
2. Finance Report – Check Register – February 2008: BILL HESTER MADE A MOTION TO APPROVE THE FINANCE REPORT

AND CHECK REGISTER FOR FEBRUARY 2008. MOTION WAS SECONDED BY J.C. TUDOR AND IT PASSED UNANIMOUSLY.

- IV. Approval of Agenda:** CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. SECONDED BY J.C. TUDOR. Carvel Zimin Jr. made a motion to add to the agenda to add Executive Session after VI. To discuss legal matters. Shelby Boothe wanted to add under New Business IX. Item E. Letter to Dan Salmon Family as requested by the Mayor. QUESTION WAS CALLED MOTION PASSED AS AMENDED, UNANIMOUSLY.

**V. Persons to be Heard**

Jack Walsh – After the last meeting with the Borough Assembly he went before the Bristol Bay Borough School District board and talked about the library remodel a little bit more and got their approval to go forward. The board recognized that the project would have to be completed before June of 2010. Most construction will occur the summer of 2009. I really appreciate your support. We will be getting together with the Borough staff to make sure we do the bidding process right.

**VI. Communications and Appearance Requests:**

None

**VII. Executive Session**

CARVEL ZIMIN, JR. MADE A MOTION TO GO INTO EXECUTIVE SESSION AT 7:42 P.M. TO DISCUSS LEGAL MATTERS AND WAS SECONDED BY J.C. TUDOR AND MOTION PASSED UNANIMOUSLY.

SHELBY BOOTHE RECONVENED THE MEETING AT 8:25 P.M. FROM EXECUTIVE SESSION WITH THE SAME MEMBERS IN ATTENDANCE WITH NO ACTION TAKEN.

**VIII. Hearings, Ordinances and Resolutions:**

A. Ordinance No. 2008-02, An Ordinance Establishing the Tariff for the Port Of Bristol Bay, Third Reading and Public Hearing. Shelby Boothe opened up the floor for public hearing. There were no comments from the public so the public hearing was closed. CARVEL ZIMIN, JR. MADE A MOTION TO ADOPT ORDINANCE

NO. 2008-02 AND SECONDED BY J.C. TUDOR. A short discussion followed. Joe Harris pointed out to the Assembly that the only changes were made to page 19. First was under weather delays, secondly, for dockage fees from 2001-5000 and 5001 – Over, no increases. CARVEL ZIMIN, JR. MADE A MOTION TO MAKE AN AMENDMENT, ON PAGE 19, SECTION 060 UNDER DELAYS, LAST PARAGRAPH LAST SENTENCE, TO STRIKE, PORT ADMINISTRATOR AND INSERT BOROUGH MANAGER OR HIS DESIGNATED REPRESENTATIVE. BILL HESTER SECONDED THE MOTION. MOTION PASSED 4-1. A short discussion followed. Shelby Boothe asked if there were any other comments concerning the Port Tariff? QUESTION WAS CALLED AND IT PASSED UNANIMOUSLY.

B. Ordinance No. 2008-03, FY 2009 Budget, Introduction and First Reading  
Shelby Boothe stated that it says here on the Agenda: Introduction and First Reading, but what we do here tonight is set the workshops and when we introduce the Budget. What we need to do is set-up our workshops and public hearings. A short discussion followed. Workshops were scheduled for March 12, at 1:00 p.m. and March 26, at 1:00 p.m. to be held in the Borough Assembly Chambers. Introduction and first reading will be at the April 7, 2008 meeting. April 14, 2008 the second and public hearing in South Naknek will be held, with the final hearing and mill rate set at the May 5, 2008 meeting.

C. Resolution No. 2008-01, A Resolution in Support of Value-Added Fish Processing: CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE RESOLUTION NO. 2008-01 SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

## **IX. Old Business**

A. Bristol Bay Christian Learning Center – Land Swap: Shelby Boothe stated that, “Unfortunately, the attorneys opinion we had requested at the last meeting was rendered without all the information he needed to make an opinion. Therefore, unfortunately I recommend that we postpone this until the April meeting because he didn’t have the facts.” Carvel Zimin, Jr. also wanted to add that the attorney recommend that we don’t get tied into that date in case we run past that date. Shelby Boothe stated that when he has a revised opinion we can have a special meeting. We realize some people are on a time schedule and we would like to resolve this, we thought we would resolve this tonight, but unfortunately we were not able to. Mr. Boothe allowed Rhonda Olsen to speak and her question was, “What facts were in question?” Shelby Boothe stated,

“The facts in question are, the ownership of Mr. Bradford’s lot that he currently lives on, how he acquired that, was not accurately portrayed to the attorney.” A short discussion followed. J.C. TUDOR MADE A MOTION TO POSTPONE UNTIL FUTHER NOTICE, SECONDED BY CARVEL ZIMIN, JR. MOTION PASSED UNANIMOUSLY.

B. Wastewater ERU’s: Dave Soulak stated he had picked up one major user and some residential users and will be ready for an introduction on this for next months meeting.

C. Center of Attention: BILL HESTER MADE A MOTION TO GET IT ON THE MARKET TO SELL AS SOON AS POSSIBLE FOR THE APPRAISED VALUE OF \$100,000.00. J.C. TUDOR SECONDED THE MOTION. Discussion followed. BILL HESTER MADE AN AMENDMENT TO THE MOTION TO INSERT OR BEST OFFER. Motion failed for lack of a second. Question was called: 1 Aye and 4 opposed. Motion failed.

D. Maintenance Contract Johnson Control – Pool, Allen Bradley – Baler: Dave Soulak informed the Assembly that in their packet were proposals from both Johnson Control and Allen Bradley for the work at the landfill and at the pool. We have had a lot of problems at the landfill with the brown outs and motors burning out and other problems along with it. Over at the pool we have had a problem with the heating system and also in next years budget is an inclusion for a new filter. What I would like to do is have the Assembly adopt the two contracts so we can bring them in to do the work ASAP. So when July comes along, they can get over to the swimming pool and take care of the problems. A short discussion followed. EDDIE CLARK MADE A MOTION TO ACCEPT THE PROPOSALS SECONDED BY J.C. TUDOR. Bill Hester made remark to scratch Johnson Control and put in Control Contractors for written accuracy. QUESTION WAS CALLED MOTION PASSED UNANIMOUSLY.

E. Budget Hearing Dates and Workshops – rescheduled time for Saturday’s workshops: Shelby Boothe stated this has already been taken care of previously in the meeting.

F. Boys & Girls Club – Request: J.C. TUDOR MADE A MOTION TO APPROVE \$15,000.00 FOR THE BOYS & GIRLS CLUB. SECONDED BY CARVEL ZIMIN, JR. A short discussion followed. QUESTION WAS CALLED 4 AYES AND 1 OPPOSED. MOTION PASSED

**X. New Business**

A. Volunteers – Tax Break: Bill Hester spoke as a volunteer for the fire department, one of the problems is getting new recruits. We are down to 8 in Naknek, 3 in South Naknek and 1 in King Salmon. We are going to try and do our ISO rating. In Naknek we will give it every effort, and like Chief Skinner said it will be like an Olympic program, we will train hard and when it comes time to do it we will do it and hopefully we can keep our ISO rating down to an 8B. King Salmon 1 firefighter, it's not going to happen. Come July 25, whenever the cut off date is, their insurance according to the ISO program, is going to go from 8B to a 10, so people, entities, commercial businesses, people getting fire insurance that follow the ISO recommendations, which most of them do, they will see a 20%-30% increase in their fire insurance, reason being for lack of volunteers. We are hoping to get more volunteers with this incentive. J.C. Tudor stated he would rather give them more money than a tax break, due to not all volunteers own a home. Bill Hester stated that any and all suggestions were welcome. Fire Chief Nathan Skinner was asked to speak before the Assembly. He informed the assembly that many incentives have been tried and failed. He is at a loss as to what else to offer. It is getting so slim, there was a fire call out Saturday night at the school and there was himself, his wife and Gordon. It's a good thing the school has a sprinkler system now, because if it had been serious the three of them would not be able to contain it. Whatever we can do, we can try it, advertise it and see what happens. We have tried a lot of different things. Shelby Boothe stated that there are a lot of EMS people who are no longer on the squad, and asked Nate if he had ever done a survey and asked the people why they no longer are volunteers and what would it take to have them become volunteers again? Nate Skinner replied that yes he had and there were a lot of different reasons. Shelby asked if it were financial, and Nate replied, financial reasons were never mentioned. Bill Hester mentioned that this has been a problem for quite some time, long before Chief Skinner and he walked into it with the brick wall on volunteerism here. J.C. Tudor stated that the population is declining. A short discussion followed. **EDDIE CLARK, MADE A MOTION TO RAISE THE STIPEND FROM \$25.00 TO \$65.00 J.C. TUDOR SECONDED.** Bill Hester and Carvel Zimin, Jr. abstained from voting due to conflict. **QUESTION WAS CALLED MOTION PASSED UNANIMOUSLY.**

B. Investment of Funds: Dave Soulak pointed out that the Borough has is an investment policy and the investment committee is the Borough Manager, Finance Director and two elected officials. I would like to get the investment committee going again to give some guidance on some of the investments. Shelby Boothe pointed out, that on the investment policy it states an elected official will serve without compensation. Shelby Boothe volunteered and Eddie Clark volunteered. Shelby Boothe instructed the Borough Manager to call a meeting at his convenience. A short discussion followed.

C. Redline Taxi – Taxi Cab Renewal: CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE AND J.C. TUDOR SECONDED. MOTION PASSED UNANIMOUSLY.

D. N.E.A. Pipeline: Dave Soulak stated that the Borough and N.E.A. had entered into an agreement whereby they could dock at our dock for nothing and pump all their fuel across our dock and in return we would be able to get waste heat to the swimming pool when it was available and also waste heat to the EMS building and the Camai Center. Right now talking to Joe, \$60,000.00 a year is what the fuel cost coming across out dock. In discussing this with the attorney, there is no date set for how long this can go on, and it really can't go on forever. Maybe this is something the Assembly can review with N.E.A. A short discussion followed. Shelby Boothe stated that the only facility that is receiving free waste heat is the swimming pool, when it's available. The clinic and the ambulance barn pay an annual fee. Shelby Boothe also stated that his understanding is that N.E.A. has been upgrading its equipment and they might not have all the options to create waste heat that they used to enjoy in the past. If you'll notice the fuel bill for the swimming pool is quite high. The pool is the first facility to be dropped off the system, the waste heat system and that is by contract. We knew that when we put it in. That is why we don't pay an annual fee because they can't guarantee that we'll have heat. The original deal on the pool even though it's not reflected in the contract, if you go back a long time ago and look at it, was the Borough was going to buy a bulk fuel tank and put it in N.E.A.'s tank farm and the Borough was going to get fuel at N.E.A.'s landed costs. That was supposed to happen back in the early 90's, 93 or 94. The Borough never bought their fuel tank and put it in N.E.A.'s tank farm and that's where we are today. The services that the Borough provides N.E.A. comes to about \$60,000.00 a year. If we're trading \$60,000.00 in revenue, for maybe waste heat at the pool, if it's available. Bill Hester stated that what we need to do is get out there and buy a tank. Shelby Boothe stated that the Borough Manager found that the contract between the Borough and N.E.A. didn't have an expiration date on it. A short discussion followed.

E. Letter to the Dan Salmon Family: Shelby Boothe stated that the Mayor had requested the Borough write a letter.

**XI. Assembly Member Comments**

Eddie Clark asked about if anything new on dogs? Dave Soulak reported that stools and tanks have been ordered and they are getting ready to finish it off.

Bill Hester stated he would like to give kudos to the public works department for this winter. It has been a pretty tough winter and they have continued on, business as usual and have done a good job.

Carvel Zimin, Jr. stated that there is a Pebble Partnership meeting coming up which is informational. Shelby Boothe stated that Harold Allen and Pat Shryock were going to attend.

Shelby Boothe stated there is a minerals management meeting coming up in Anchorage, starting March 16 or 17, John Walsh our lobbyist sent it to him. The mayor is on a panel, along with the Lake & Penn Mayor and Aleutians East. They are going to talk about Aleutian Basin Oil Leasing. This is a follow up on a meeting they had last year that he had attended and was very informative. Without objection I would like to attend.

Carvel Zimin, Jr. wished to add to his comment that SAVEC lost its \$195,000.00 funding. The House finance dropped it out. I happened to be in Juneau last week on somebody else's dime and plugged it. We plugged the bridge again and basically said we felt like we got thrown under the bus, by the administration having their stance toward earmarks and it affects us in rural Alaska and also the way that DOT wants 100% of funding identified before you can get the funding in the STIP. The other one was port funding we went and plugged that again and hopefully we'll get some traction with Lyman. It was a good meeting.

Eddie Clark mentioned SAVEC losing \$195,000.00 in their budget and it is quite a facility. Letters in support should be sent to Lyman Hoffman. Eddie had spent all day at the facility and most of the class attendees were Borough employees. Shelby Boothe stated that the training done here saved a lot of money, not having to send the employees to Anchorage.

## **XII. Adjournment**

THE MEETING WAS ADJOURNED AT 9:39 P.M. BY GENERAL CONSENSUS.

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Daniel J. O'Hara, Mayor

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Tami M. Johnson, Clerk