

UNAPPROVED

Assembly Meeting Minutes
April 3, 2006

- I. Call to Order: The regular Assembly Meeting of April 3, 2006 was called to order at 7:30 p.m. by Mayor Michael S. Swain, Sr. The meeting was held in the Assembly Chambers of the Borough Building, Naknek, Alaska.
- II. Roll Call: Present: Assembly Members Shelby Boothe, Eddie Clark, Russell Phelps, Mel Coghill, Jr. and Carvel Zimin, Jr. No one was absent.

Also present: Mayor Michael S. Swain, Sr., Borough Clerk Betty Bonin and Borough Manager Fred Pike.

- III. Consent Agenda:
- A. Non-Action Agenda Items: CARVEL ZIMIN, JR. MOVED TO APPROVE NON-ACTION AGENDA ITEMS AND IT WAS SECONDED BY MEL COGHILL, JR. MOTION PASSED UNANIMOUSLY.
1. Mayor
 2. Manager
 3. Police Department
 4. Fire/EMS Coordinator
 5. Lobbyist
 6. Pool
 7. Library-Carvel Zimin, Jr. stated he had concerns about moving the Library and Added to the list 7) Cost of moving Library and 8) Noise from the Gym. Mayor Swain explained how this came up at the budget workshop. Assembly decided to tour the facilities when we go to South Naknek for the Budget Public Hearing.
 8. Public Works Department
 9. Port Department
 10. Planning & Zoning
 11. Treasurer
 12. Health Commission
 13. Other Reports
- B. Action Items:
1. Assembly Meeting Minutes of March 6, 2006: SHELBY BOOTHE MADE A

MOTION TO APPROVE THE MINUTES OF MARCH 6, 2006 AS PRESENTED. EDDIE CLARK SECONDED THE MOTION AND IT PASSED UNANIMIOUSLY.

2. Finance Report – Check Register – March 2006: Carvel Zimin, Jr. asked how the tax situation was coming along? Lotta Hines stated we sold one boat at the auction. There are still about 20 that we have not had any response from but Warrants have been issued and they will be coming in when they come for the season. Letters have been sent out certified and with return receipts to 9 real property owners and we will start the foreclosure process on those properties.

Shelby Boothe commended Lotta Hines for doing a good job and collecting those delinquent taxes.

CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE THE CHECK REGISTER FOR MARCH 2006. RUSSELL PHELPS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

3. Resolutions:

a. Resolution No. 2006-03 – CIP Update: CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE RESOLUTION NO. 2006-03 AND IT WAS SECONDED BY MEL COGHILL, JR. There was a light discussion. SHELBY BOOTHE MADE A MOTION TO INTERCHANGE ITEMS 4 & 6 MAKING ITEM 4: NEW GRADER AND ITEM 6: NAKNEK PHASE IIIA DONNA G SUBDIVISION TO LANDFILL, AND IIB NAKNEK AIRPORT LAKEVIEW ACRES. EDDIE CLARK SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

b. Resolution No. 2006-05 – Maintain the Port of Bristol Bay and all facilities therein: SHELBY BOOTHE MADE A MOTION TO ADOPT RESOLUTION NO. 2006-05 AND IT WAS SECONDED BY MEL COGHILL, JR. MOTION PASSED UNANIMOUSLY.

- IV. Approval of Agenda: Mayor Swain stated there were a couple of items to add to the agenda. Under Communications: K. – Donation Request from Naknek Village Council
L. - Jodie McDonnell-Letter of support for Fred Pike
Under New Business, Item F: Proposal from Western Federal Lands
G: OCS Oil & Gas Lease Program
Under Old Business: Item: C – Step Classification; SHELBY BOOTHE MADE A MOTION TO APPROVE THE AGENDA AS AMENDED. EDDIE CLARK SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

- V. Persons to be Heard:

Richard Hebhardt – The School District is not addressed in business tonight. He wanted To let the Assembly know that the consideration the Assembly has given to the School District is appreciated. He is working with the Department of Education on the cash

contribution. He has talked to the Department of Education regarding the Sprinkler System and it remains the same. If local share can't be met, the funds expire May 2008. If they are met, the project has to be completed by May 2008.

Lotta Hines – you are lucky to have a manager like Fred Pike. He knows the community and has an open door policy. He's very good and easy to work with. She would like to see his contract renewed.

Ken Pulice – he's seen a wonderful change in the Borough with Fred Pike as manager. He suggested the Assembly make use of his abilities. He is in support of keeping Fred Pike as the Borough Manager.

Yvonne Kopy – she felt Fred Pike is doing a good job and would like to keep him as our Borough Manager.

VI. Communications and Appearance Requests

- A. Municipal Harbor Facility Grant Program Letter to Legislatures: Shelby Boothe asked if we've heard anything back from Senator Lyman Hoffman & Representative Moses? Fred Pike stated that he has not received a reply.
- B. Commissioner Barton, Naknek River Bridge Project Letter: There was a light discussion.
- C. Alaska Court System Lease
- D. BBAHC Letter-Marilynn Thorsen-Re: Smoking Ban
- E. Appointment Letter – Yvonne Kopy to Alaska Fire Standards Council – Eddie Clark asked why Yvonne Kopy was appointed rather than our Fire Chief Nate Skinner. Yvonne Kopy stated this was for setting the credential standards for Firefighter's training, the seat was non-firefighter related in communities under 2400 in population. Fred Pike stated it has been easier for Nate since Yvonne has been appointed.
- F. Letter to Nora Braman-Knox-FAA well located in old housing area in King Salmon
- G. Donation Request Letter – Alaska Disabled Veterans Sports Program (ADVSP), Inc. – Mayor Swain stated that he has empathy for these outfits but we have to keep our support locally.
- H. Donation Request Letter – Ron Bowers, Candidate for District 37 State Representative – Mayor Swain didn't think the Borough should be contributing to candidates and doesn't know if it's even legal for a Borough to do so.
- I. Port Project Support Resolutions from Lake & Peninsula Borough, Kokhanok Village Council and Ugashik Traditional Village – Shelby Boothe stated these

were good letters and well written.

- J. Appearance Request – Dan O’Hara – Oil & Gas: Dan O’Hara was present and introduced Terzah Poe & Greg Natty from Shell Oil. Terzah Poe passed out packets of information for the Assembly. Greg Natty high lighted on various information within the packet. Some of the benefits would be jobs, taxes, revenue sharing and enhanced search, Rescue and spill response and possible equity participation.

Terzah Poe stated the 60 day comment period closes April 11, 2006. They gather information from the comment period and put it all together. They have received many letters of support. MMS has received over 500 letters as positive feedback.

Mayor Swain stated the Borough has gone on record of supporting **Onshore** drilling. He personally supports onshore drilling. He is surprised there were so many corporations in support of offshore drilling. Our fish swim through that water.

Greg Natty stated that discharge regulations are getting stricter. Drilling fluids are a question. Nothing but water based fluid can be discharged. Fuel can be barged to Bristol Bay with less “middle men”.

Carvel Zimin, Jr. stated he would like to have a guarantee for cheaper fuel. Greg Natty stated there is no guarantee and the earliest sale would be 2010 with earliest drilling in 2012.

Dan O’Hara stated that Bristol Bay Native Corporation is still in support of offshore and has been since 1988.

There was a discussion on where the hub would be, lower energy costs, SAVEC and large airport access.

Carvel Zimin, Jr. stated in our comments we should consider 1) economic 2) State and local taxes and 3) tighter regulations on discharge.

Terzah Poe stated there are still several comment periods before the actual sale.

Greg Natty recommended the Assembly have a workshop with EPA and get a lot of their questions answered.

Dan O’Hara, Terzah Poe and Greg Natty thanked the Assembly for listening to them.

- K. Naknek Native Village Council – Mayor Swain thought that Staff can come up with some type of donation.
- L. Jodie McDonnell – Letter of Support for Fred Pike

VII. Hearings, Ordinances and Resolutions:

A. Ordinance No. 2006-04 – FY07 Budget – Introduction and First Reading:
MEL COGHILL, JR. MOVED TO INTRODUCE ORDINANCE NO. 2006-04 AND TO SET FOR PUBLIC HEARING IN SOUTH NAKNEK ON APRIL 17, 2006 AT 6:00 P.M. CARVEL ZIMIN, JR. SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

Shelby Boothe asked Lotta Hines what the total in the “red” was. Lotta Hines replied, “509,586 for all departments; \$252,696 for Waste Water Loan Payment; and our in-kind contribution for the School Sprinkler System \$413,391, which totals to \$1,175,873”.

VIII. Old Business:

A. Bristol Bay Borough Manager’s Contract: CARVEL ZIMIN, JR. MADE A MOTION TO EXTEND FRED PIKE’S CONTRACT FOR EIGHTEEN MONTHS AT A WAGE OF \$80,000 PER YEAR. MEL COGHILL, JR. SECONDED THE MOTION.

Carvel Zimin, Jr. stated he thought Fred Pike is doing an outstanding job. He’s brought on a welcomed changed to the Borough. Mel Coghill, Jr. agreed and felt Fred Pike was doing a good job.

Shelby Boothe thinks 18 months is too long and he doesn’t support the wage of \$80,000 per year. Fred is doing a good job in some areas and not so good in other areas. A drug policy has been passed and it’s not being followed, new employees have come in and made drastic changes without talking to employees about it. We’ve had to pay about \$80,000 on the old clinic contract that the Assembly was not aware of and there is favoritism with certain employees. He has advocated working with Village Councils since they can get grants and that isn’t happening. We need a change in leadership.

Eddie Clark stated there are comments going around already about who is going to replace Mitch. We need to do background checks on new employees. We tried to warn him about the old bookkeeper and favoritism is bad. I saw the letter Fred wrote against Pebble Beach, they have discussed dogs and nothing is being done, he won’t enforce the drug policy. The moral is the worst it’s ever been right now. There is also a cell phone incident going on right now and he couldn’t get a bid on the wells. He does not want to try it again.

Russell Phelps is in favor of keeping a local resident in the manager’s position. The pros outweigh the cons and he felt Fred was going a good job.

Mayor Swain stated he didn’t like contracts to start with. He would like personnel to feel secure in their positions. He agrees with some things and disagrees with others. He supports continuing a contract with the manager.

Fred Pike stated your comments are true. He has not drug tested all employees 100% for drugs and 50% for alcohol, but a baseline has been done. All employees have been tested this past year. He feels it's a waste of money when we can be purchasing equipment with that money.

ROLL CALL VOTE: SHELBY BOOTE-NO; EDDIE CLARK-NO; RUSSELL PHELPS-YES; MEL COGHILL, JR. – YES; CARVEL ZIMIN, JR. – YES. MOTION PASSED 3-2.

B. King Salmon Visitor's Center Sub-Lease: Fred Pike stated the amount of the lease would cost \$8881.98 per year retro to 1-1-06 for each entity. CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE THE SUB-LEASE FOR \$8881.98 per year. MEL COGHILL, JR. SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

C. Step Classification – Eddie Clark - EDDIE CLARK MADE A MOTION TO MOVE THE DEPARTMENTAL ASSISTANT FROM HI TO HK. CARVEL ZIMIN, JR. SECONDED THE MOTION. Shelby Boothe excused himself from voting since There is a conflict. MOTION PASSED 4 TO 0 WITH SHELBY BOOTHE ABSTAINING.

EDDIE CLARK MADE A MOTION TO CHANGE DISPATCHERS FROM HD TO HE ON THE STEP CLASSIFICATION AND SHELBY BOOTHE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

EDDIE CLARK MADE A MOTION TO CHANGE THE DISPATCHER SUPERVISOR'S CLASSIFICATION FOR HI TO HK. MOTION WAS SECONDED BY SHELBY BOOTHE. Mel Coghill, Jr. excused himself from voting since his wife was involved. MOTION PASSED 4 TO 0 WITH MEL COGHILL, JR. ABSTAINING.

Eddie Clark stated he may have a conflict on this next one since he is related through marriage. Mel Coghill, Jr. also stated he was related through marriage. Mayor Swain Asked the remaining Assembly members if they anyone objected to Eddie and Mel voting on the next issue. No one objected, they will be allowed to vote.

EDDIE CLARK MADE A MOTION TO MOVE THE LEAD LIBRARY PERSON FROM STEP HG TO HI. MEL COGHILL, JR. SECONDED THE MOTION. Eddie Clark felt this person is doing a good job. Mel Coghill, Jr. stated it was absurd to leave this position where it is at. Shelby Boothe concurs. MOTION PASSED UNANIMOUSLY.

SHELBY BOOTHE MADE A MOTION TO CHANGE PORT FOREMAN TO DOCK FOREMAN. EDDIE CLARK SECONDED THE MOTION. Russell Phelps thinks Port Foreman should stay the same since that person oversees the whole port operation. MOTION FAILED 4-1 WITH ONLY SHELBY BOOTHE IN FAVOR OF THE TITLE CHANGE.

MEL COGHILL, JR. MADE A MOTION TO MOVE POLICE OFFICERS FROM STEP HM TO HN. CARVEL ZIMIN, JR. SECONDED THE MOTION. Fred Pike

stated according to the AML Survey the Police Officer wages are above average within the State. MOTION PASSED 4-1 WITH RUSSELL PHELPS BEING OPPOSED.

SHELBY BOOTHE MADE A MOTION TO CHANGE THE TITLE OF PUBLIC WORKS LEAD PERSON TO PUBLIC WORKS FOREMAN. MEL COGHILL, JR. SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Manager Fred Pike asked when these changes would be effective? Mayor Swain wants the dollar differences in the wages before the South Naknek meeting on April 17, 2006. Mayor Swain has 30 days to consider these changes.

IX. New Business:

A. Waste Lab Supervisor Proposals: Manager Fred Pike stated he received two Proposals: One from Chris Dankmeyer with Bristol Bay Area Health Corporation in The amount of \$4500 per year and the other from David Wetzel from Admiralty Environmental in the amount of \$14,120.

SHELBY BOOTHE MADE A MOTION TO ACCEPT THE PROPOSAL FROM CHRIS DANKMEYER WITH BRISTOL BAY AREA HEALTH CORPORATION IN THE AMOUNT OF \$4500. RUSSELL PHELPS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

B. Liquor License-Crystal Creek Lodge: Betty Bonin stated she found this posted on the Borough Bulletin Board. Mayor Swain explained the process of Liquor License applications. Unless we get it from the ABC Board for approval, we don't have to do anything.

C. Gaming Permit Application – Chamber of Commerce: SHELBY BOOTHE MADE A MOTION TO APPROVE THE GAMEING PERMIT APPLICATION FOR THE CHAMBER OF COMMERCE. EDDIE CLARK SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

D. Gaming Permit Application – Anchorage West Little League: SHELBY BOOTHE MOVED TO APPROVE THE GAMING PERMIT APPLICATION FOR ANCHORAGE WEST LITTLE LEAGUE. RUSSELL PHELPS SECONDED THE MOTION. There was discussion about rippies and raffles and keeping it locally. MOTION PASSED 3-2 WITH MEL COGHILL, JR. AND SHELBY BOOTHE VOTING AGAINST IT.

E. South Naknek Public Hearing (FY07) Budget: Previously determined this Meeting would be April 17, 2006 at 6:00 p.m.

F. Western Federal Lands Highway Division: In Pete Fields memo he stated, "In the 2005 SAFETEA-LU bill Section 1702 High Priority Projects there were \$3,000,000 of funds made available for the Improvement to Lake Camp Road in Bristol Bay Borough, No. 3693. There is a ratio of 90.97 federal to a 9.03 local match. The high

Priority projects are subject to the 20% rule until 2009. For each year of the bill 2005 through 2009 approximately \$513,000 will be available for this project. The local match will be approximately \$52,000 each year.”

Mayor Swain would like the manager to find out if we can purchase a grader with some of those funds.

CARVEL ZIMIN, JR. MADE A MOTION TO POSTPONE THIS MATTER AND DIRECT THE MANGER TO SEE IF WE CAN GET DOT FUNDS FOR A GRADER. SHELBY BOOTHE SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

G. OCS Gas & Oil Lease Program: There was a light discussion. The Assembly decided they should send a resolution prior to the deadline of April 11, 2006. The resolution should state the Borough is in support of the process with the preference of ONSHORE drilling, economical effect, request more information on revenue sharing and require tighter regulations on discharge. Since our need meeting won't be until after the comment period, a resolution will be send as soon as possible. The next Resolution number will be 2006-05.

SHELBY BOOTHE MADE A MOTION TO ADOPT RESOLUTION NO. 2006-05 AND IT WAS SECONDED BY EDDIE CLARK. MOTION PASSED UNANIMOUSLY.

MAYOR SWAIN REMINDED EVERYONE OF THE BOARD OF EQUALIZATION MEETING TO BE HELD ON APRIL 27, 2006.

X. Assembly Member Comments:

Shelby Boothe – even if he disagrees with the manager at times, he will work to the best of his ability with him.

Eddie Clark – Agrees with Shelby. He hopes Fred will work with them also.

Russell Phelps – good to bring it all out in public. We're here as the public. He appreciates the job Fred has done. The drug policy should be upheld.

Mel Coghill, Jr. – Keep up the good work. Thanked Shell Oil for coming out and keeping them informed.

Carvel Zimin, Jr. – agrees with what everyone said. He appreciates the openness. felt that Fred is doing a good job. Appreciates Shell oil again for coming out.

Mike Swain – his attempts were to avoid cross fire. It requires 3 to override him.

Carvel Zimin, Jr – just noticed the Benefit cost share letter. Fred Pike stated that should be zero.

XI. Adjournment: The meeting adjourned at 10:45 p.m.

Michael S. Swain, Sr., Mayor

ATTEST:

Betty J. Bonin, Borough Clerk