

ASSEMBLY MEETING MINUTES
APRIL 6, 2009

I. Call to Order: The regular Assembly meeting of April 6, 2009, was called to order by the Mayor, Daniel J. O'Hara at 7:32 p.m. The meeting was held in the Assembly Chambers of the Borough Building, Naknek, Alaska.

II. Roll Call: Present: Shelby Boothe, Eddie Clark, J.C. Tudor, Bill Hester and Carvel Zimin, Jr.

Also Present: Mayor Daniel J. O'Hara, Marv Smith, the Borough Manager and Tami Johnson, Clerk.

III. Consent Agenda: SHELBY BOOTHE MADE A MOTION TO APPROVE THE CONSENT AGENDA AND SECONDED BY J.C. TUDOR. Shelby Boothe had a question concerning the treasurer report Payment in Lieu of Taxes, for some reason, we have \$225 thousand and change budgeted for that which is twice as much as we have ever collected. Shelby understands that this gone up, but we have only collected \$59,000 this year. How did it get up to 225 thousand as a budgeted item and we've only collected 59 thousand, is there two payments? Maybe at the next meeting the treasurer can find this out for us. 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 9, 2009 – Special Assembly Meeting: J.C. TUDOR MADE A MOTION TO APPROVE THE MINUTES OF FEBRUARY 9, 2009 AND SECONDED BY BILL HESTER. MOTION PASSED UNANIMOUSLY.

2. Minutes of March 2, 2009 – Regular Assembly Meeting: SHELBY BOOTHE MADE A MOTION TO APPROVE THE MINUTES OF MARCH 2, 2009 AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

3. Finance Report – Check Register – February and March 2009: CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE THE CHECK REGISTER FOR FEBRUARY, 2009 AND MARCH, 2009 AND SECONDED BY J.C. TUDOR. J.C. Tudor stated that this is much improved over what we've had in times past. MOTION PASSED UNANIMOUSLY.

IV. Approval of Agenda

Eddie Clark wanted to add under New Business: K. Trident Seafoods Donation. Shelby Boothe mentioned under New Business: L. Dillingham Meeting – 4-13-09 Dept. of the Interior. CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE THE AGENDA AS AMENDED AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

V. Persons to be Heard

Rhonda Olsen stated she is a resident of Naknek and thanked the Assembly for the opportunity to share some thoughts with them and read the following into the minutes: It appears that the current management of our Borough is not only actively trying to determine what the people of this community think, but is also encouraging the people to be part of finding solutions to the major problems we face as residents. A joint effort between citizens and leaders always brings about a greater level of success when first, the problems are clearly identified and then a realistic workable solution is found and put into action.

Recently, my husband and I, while engaged in a casual conversation with an Assembly member, were encouraged by the positive attitude he had to “clean up our town” in reference to drugs and alcohol abuse. This problem is close to our hearts as we have seen the effects of drugs and alcohol in our own family.

Also, in our short eight years here, we have seen many tragedies in our community due to the influence of drugs and alcohol. I personally have seen the added burden to law enforcement and medical services, especially during our summer months, due to alcohol and drug abuse. I certainly appreciate the efforts of our government to make the Bristol Bay Borough a safe and nurturing community for families all year round. I would like to read a short portion about the government’s responsibility from our third grade Social Studies workbook:

The word “government” comes from a Latin word. That Latin word means “pilot.” A pilot is a person who keeps a ship or an airplane going the right way. A pilot sees that the ship or plane is fixed if something goes wrong with it. If a ship or airplane did not have a pilot, it would not get where it needed to go. Government should be like a pilot of a ship or airplane. Government should keep the country going the right way. Government should have a plan to follow just like the pilot has a chart or now a GPS to keep him going the right way. Government should get its plan from God’s Word. All laws should be good laws built on God’s commandments or rules.

My challenge to you, as our government representatives, and to our community of families who may read this appeal, is to accept responsibility for any inappropriate actions, seek a Godly solution, and then move forward to enjoy a healthy community who recognizes where our help comes from.

If your airplane needs fixing, who do you call upon? An expert. If your computer needs fixing, who do you call upon? An expert. If your boat is in need of repair, who do you call upon? An expert. Psalm 121:1 & 2 says, “I will lift up my eyes to the hills, from whence comes my Help? My help comes from the Lord, who made heaven and Earth.”

I humbly ask that you will take the lead for change and encourage each resident through prayer and deed, to look to God for solutions of our communities’ problems, solutions. He’s the expert needed to fix the things that He has made. I pray that you will act from

personal experience of God's power and settle for nothing less than a community full of changed hearts. It's the heart that needs to change to fix our problems. It can be done, I have witnessed it personally. Mrs. Olsen thanked the Assembly for their time.

Fred Pike stated he had a copy of the budget that he got at one of the workshops he attended last week. It seems that in a time when the rest of the State or the State of Alaska, people are crying for transparency in government, this body has turned in the other direction and is making this budget document more opaque. There is over \$600,000.00 in the budget that is supposed to be a bare bones budget that is set out for community support and capital outlay and there's no detail as to how all this money is to be spent. Fred thinks that the people of this community should ask questions at the next meeting when it's a public hearing, to find out where this money is being spent because we don't know. There's a capital project that's going on and he doesn't know if it's going to be completed in this fiscal year, but there's nothing in this document that reflects any money being spent on that capital project, that he assumes going past the 30th of June. Fred asks everyone to be aware of the money that's being addressed in this budget and where that money is being spent, he hopes those questions can be answered at the next public hearing. J.C. Tudor agrees with Fred that indeed we need the details of the budget and have some work to do. Fred stated that to start out with a \$455,000.00 deficit is not good business.

VI. Communications and Appearance Requests

- A. Thank You from Paug Vik Inc.
- B. Thank You from Winterfest
- C. Letter from Lisa Murkowski
- D. Letter from Governor Sarah Palin
- F. Eldon Davidson – SAVEC: He came here to thank the Borough for their generous contributions that have been given in the past and hopefully in the future as well. He wanted to give an update as to what has been done with the money. Eldon stated that they are building the infrastructure of the Southwest Alaska Vocational Education Center to look at distance education down the road. They have already invested in an online course in driver's education. He stated that SAVEC has one of the most modern classroom technology centers in the State, which is drawing a lot of attention. One of the things they pride themselves on is they focus on industry. They focus on meeting the industries needs. One of the products is CH2M Hill project. This started in a coffee shop discussion and the idea was born and it was a highly successful

program where 40 people were trained last year. There were 31-32 that went to work and 28 of them as of November are still at work. That brought in \$1.6 million dollars in revenue to this region. The states investment was only \$165,000.00, that was almost ten dollars in revenue for every one dollar spent. CH2M Hill has been a wonderful partner and also the Bristol Bay Native Corporation and Bristol Bay Native Association, he can list them Bristol Bay Economic Development Corporation on down. He is very proud that the CH2M Hill program was so successful it made the Alaska Contractor's front cover and talked about the graduating class. This one program is the only one being done in the state and has gained so much state attention and is so popular of a program they have received 111 applications for 20 slots. That doesn't count the number of people who inquired from all over the state. One of the things that CH2M Hill wanted to do was work closer with the military as well. We did make that connection, it has taken a year, this June we will be doing a special program for the Army, the Reserves, the National Guard and the Air Guard at SAVEC. People are transitioning back into the work place from those branches. The first priority will be given to the people from Bristol Bay or Southwest Alaska area. The second focus will be on rural areas. This will bring a lot of attention to the state. It is a very noble thing to do for the people who have served in any of these branches. We are asking the Borough to attend the graduation and have invited the Governor. The class will start June 8, and the graduation will be on a Friday night, maybe June 26th. Eldon wanted to introduce a couple of staff members who have worked very diligently, Marjorie Payton-Hewlett and also Annette Wilson, without these two people, there is no way with a staff of four that we could even begin to pull off what we do. They operate on passion and really love what they do and it shows.

E Trevor O'Hara – CH2M Hill: Trevor stated he works in Anchorage, originally from here, grew up here in Naknek. As Eldon mentioned he has been part of a program that has been very successful the last year. Today we started our third class, this will be the first class for 2009 and we are targeting general maintenance technicians. Anyone who successfully completes the class within the next three weeks we will be placing them on our job site. Trevor wanted to go back a couple of years and why we started this program. He is from the area so has a strong interest in the people around here and knows what they can offer, they have a good work ethic. The company put the responsibility on him to introduce our company to this area and we're not going to hide the fact that we are pretty interested in being part of the offshore oil and gas development out there. We are looking to create a work force from Southwest Alaska that can be up

on our jobs at the North Slope and build transferrable skills in order to come back in 2011 and beyond when they start that activity. One of the things that was driving Trevor about this program was that if you look back in the 1970's when Prudhoe Bay started up. Some of the native corporations in some of the local areas, they weren't proactive enough to start developing their own workforce and what he doesn't want to see in the Bristol Bay region is that we are also left behind in that area. So what this program is in essence is doing is that we are trying to build leaders for this future work that will be happening out there. One of the things he wanted to touch on tonight though is this is a serious cost for a company. We have had help from the Department of Labor, \$165,000.00. We have had help from some native corporations that have helped some students get from their home locations to the training class if they need that assistance. The rest of the financial responsibility is on CH2M Hill and we're looking for financial partners of our own right now to help with operational costs. What he is asking the Borough Assembly tonight for, not considering donating anything to CH2M Hill, but greater support to SAVEC. What we're looking for in this type of industry is more areas that have the equipment and able to be fully equipped in taking on these types of classes that this industry wants to hold. Obviously this is a first of its kind of program but we've also seen that in this short amount of time in these three weeks is a great way for us to rub off the rough edges on these guys and give our job site a real quality product. We started out wanting to introduce our company to the Bristol Bay area and what we've found is that we're actually putting out a product here that the rest of the industry is taking notice of and again that's what Trevor wanted to bring the attention back to here. Trevor's goal is that SAVEC be a fully equipped training center, so far CH2M Hill has had to provide all the scaffolding and hands on equipment and this is a training center and it should have an arsenal of tools and material to attract the attention of additional industry partners. Just in the one year of classes that we've had, the amount of revenue that has come back to this community, we're looking for SAVEC to be a real major player in the next few years here and one of the ways that can happen is if we're able to help SAVEC financially and get them on their feet with additional material that they're going to need. He does not have a dollar figure and leaves that up to the Assembly. There was a short discussion with the Assembly.

VII. Hearings, Ordinances and Resolutions

A. Ordinance No. 2009-04, an Ordinance of Bristol Bay Borough Providing for the Establishment and Adoption of the Budget for Fiscal Year 2009-2010: Introduction and First Reading: CARVEL ZIMIN, JR. MADE A MOTION TO INTRODUCE ORDINANCE NO. 2009-04 WITH SECOND READING AND PUBLIC NOTICE IN SOUTH NAKNEK ON APRIL 8, 2009 AND FINAL AND PUBLIC HEARING ON MAY 4, 2009 AND SECONDED BY J.C. TUDOR. Bill Hester asked for details and wants to see on the budget as Mr. Pike pointed out. J.C. Tudor asked for details in departments for salaries. MOTION PASSED UNANIMOUSLY.

B. Ordinance No. 2009-05, an Ordinance Establishing a Fisherman's Dock Located at L & M Equipment Inc., Bulkhead near Leader Creek in Naknek, Alaska for the 2009 Fishing Season- June 15th, 2009 through August 15th, 2009: Introduction and First Reading: CARVEL ZIMIN, JR. MADE A MOTION TO INTRODUCE ORDINANCE NO. 2009-05, there was no second, MOTION FAILED FOR LACK OF A SECOND.

C. Resolution No. 2009-14, Supporting the Legislative Amendments Proposed in HB-74 and SB-4 to Restore Certain Checks and Balances to the Alaska Coastal Management Program (ACMO) that favor the Meaningful Participation of Local Communities and Coastal Districts in the Project Review Process: Marv Smith explained that these 2 bills were in the House to reinstitute regulations requiring DEC to be involved with air and water and gives us an opportunity as districts to write and have meaningful policies concerning the coastal management program and increases our ability to have influence on how subsistence lifestyles are maintained on coastal zones of our Borough. CARVEL ZIMIN, JR. MADE A MOTION TO SUPPORT RESOLUTION NO. 2009-14 AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

D. Resolution No. 2009-15, Supporting HB-117 Requiring the Board of Fisheries to Hold Meetings in the Particular Regions of the State when the Proposals of its Agenda Relate to those Areas: CARVEL ZIMIN, JR. MADE A MOTION TO PASS RESOLUTION NO. 2009-15 AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

E. Resolution No. 2009-16, FY 2010 Community Revenue Sharing Program:
SHELBY BOOTHE MADE A MOTION TO APPROVE RESOLUTION NO. 2009-16
AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

VIII. Old Business

A. Restoration Advisory Board Meeting: 4-21-09: Marv Smith wanted to remind everyone of the upcoming meeting and encourages all Assembly members, Planning & Zoning Commissioners and all citizens of the Borough to attend.

B. Port of Bristol Bay Update: Marv Smith stated that the 2nd bid is on the streets and we did extend it. There was a lengthy discussion. Eddie Clark wanted to remind the people that we still need 3.1 million. Shelby Boothe stated that the government says the unemployment rate in Bristol Bay Borough was less than 4% and we don't qualify for EDA money anymore. Bill Hester asked if we had a contingency plan? There was a short discussion. Marv stated that he had a conversation with DOT deputy commissioner, Frank Richards and he was favorable in supporting this and we are doing everything we can.

IX. New Business

A. Donation Request from Bristol Bay Booster Club: Paula Singley handed out a brief summary of what they are and their plans. She stated that this is brand new and they are here to support the Bristol Bay School. She is the treasurer, Kirby Tretikoff is the president, Lori King is the secretary and Yvonne Phelps is the vice president. They are here tonight asking for a donation to help support their club. They want to help the school and make sure all the kids have every opportunity for whatever activity they choose. The school is making major cutbacks and she also knows the sports, fine arts and academic programs are all lacking in funds. Their goal is to take over everything from the school so we can take care of the travelling for the sports, or government. Paula gave a brief overview of their budget and what was needed. The projected goal for their club for next year is \$167,000.00 They will be doing a lot of fundraising. Paula asked that instead of giving it to the school if they could give it to the booster club? There was a short discussion. Dan O'Hara asked if the Booster Club was non profit? Yes. Dan asked the booster club to get some refined numbers and come back to us.

B. Donation Request from Naknek Men's Basketball Team: Bill Hester stated that they will have to wait on this. Shelby Boothe stated that March 10-15 has come and gone so this is kind of late.

C. Proposed Changes to Naknek River Subdivision Ordinances: J.C. Tudor recused himself due to conflict of interest. Marv Smith stated that Planning & Zoning went over this and he explained the changes that were suggested. Shelby Boothe stated that this would be an Ordinance change so needs to be put into an amendment and be properly introduced and go before the public for a hearing. **BILL HESTER MADE A MOTION TO POSTPONE THIS UNTIL THE INTRODUCTION AT THE MAY MEETING AND SECONDED BY SHELBY BOOTHE.** Carvel Zimin, Jr. stated that this a good move in the right direction because this would do away with a lot of the conflicts that were popping up by the fine letters of the law. This was an Ordinance in 1983 and 26 years later and we don't have all the lots sold and the intent of the lottery was to sell all the lots and if you have a lot of restrictions you won't be able to get rid of them so this is a good step forward in that regard. Eddie Clark wanted to ask Tom Ferrazzi of the Planning & Zoning commission and wanted to make sure this was what they were recommending. Tom said yes. **MOTION PASSED UNANIMOUSLY.**

D. Contract with North Pacific Rim Housing for Fundware Conversion: Marv Smith stated that he, John Dixon and Shelby Boothe stopped in and had a meeting with them. There was an invoice in their packet requesting an additional \$16,000.00 for their contract. Marv found out at the meeting that he didn't know, was the previous manager and previous finance director had negotiated this contract, that there was never any intent to convert accounts receivable from Quickbooks into Fundware. Marv stated he was very upset when he found this out and he wanted to share this with you tonight. There was a short discussion. John Dixon gave a brief overview of what will have to be done. Shelby Boothe stated we had been told that we had payed all that we were going to pay. He was as flabbergasted as Marv when he heard this. The Manager was instructed to make an offer to North Pacific Rim Housing and try to re-negotiate.

E. King Salmon Visitors Center Lease Renewal: Marv Smith stated this was a basic housekeeping order. **CARVEL ZIMIN, JR. MADE A MOTION TO APPROVE THE KING SALMON VISITORS CENTER LEASE RENEWAL AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.**

F. Memorandum of Agreement – Bristol Bay Borough & Camai – EMS Housing: Marv Smith stated that Camai is interested in taking over managing the EMS housing for us. Marv recommend that we do this because they want to support us and this may be in our best interest. It is challenging trying to manage this from over here, and they are right there everyday. Nate Skinner was asked to speak to the Assembly about this. Nate stated that this is kinda sorta his idea and he is okay with this. It is himself and Tami that try to manage this and it's hard to manage from over here. They can call us anytime they need help. They are right there and see all the goings on and will know who should be there. There was a brief discussion. **CARVEL ZIMIN, JR. MADE A MOTION TO ENTER INTO A MEMORANDUM OF AGREEMENT FOR OPERATIONAL MANAGEMENT OF THE BUNKHOUSE BETWEEN BRISTOL BAY BOROUGH AND CAMAI COMMUNITY HEALTH CENTER AS PRESENTED AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.**

G. Job Description – Parks & Recreation/Pool Manager: Marv Smith stated that previous management had both people at the pool same pay scale same salary, one is actually a supervisor. What this does is put the delineation between management and pool assistant. Eddie Clark excused himself from this discussion and did not vote. **CARVEL ZIMIN, JR MADE A MOTION TO APPROVE THIS JOB DESCRIPTION FOR PARKS AND RECREATION/POOL MANAGER TO HI AND JOB DESCRIPTION POOL ASSISTANT STEP CLASS HG AND SECONDED BY BILL HESTER. MOTION PASSED UNANIMOUSLY.**

H. Job Description – Pool Assistant: Discussed and motion made above.

I. Job Description – Fire Fighter/EMT 1 Position: Marv Smith stated that what this does is take the present fire fighter and takes the responsibility of dog catcher out and puts him in as an EMT and an hourly classification instead of salaried. Bill Hester asked about the dog catcher. This will come up again. **CARVEL ZIMIN, JR. MADE A MOTION TO CHANGE THE JOB DESCRIPTION FIRE FIGHTER/EMT 1 STEP CLASSIFICATION HH AND SECONDED BY J.C. TUDOR.** There was a short discussion. **MOTION PASSED UNANIMOUSLY.**

J. Surplus Equipment: Marv Smith stated there is a 1983 GMC fire vehicle, there's a 1993 Ford F-350 and a 1994 GMC Blazer. **BILL HESTER MADE A MOTION TO**

SURPLUS THE EQUIPMENT LISTER PER BOROUGH CODE AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

K. Trident Donations: Eddie Clark stated that he has asked Trident what they do with their over limit fish? Do we collect taxes on it? Eddie stated he was talking with John Heins and John stated they have approximately \$80,000.00 and he would like to do something for the community. He really wanted to do something for Camai, like an x-ray machine because theirs is so obsolete. That would be \$35,000 and \$25,000 match with Pebble and that leaves \$45,000 left for suggestions from the Borough. They need to know within the next couple days. Shelby Boothe stated maybe suggest \$25,000 to go towards a new fire chief vehicle and \$20,000 to the Booster Club.

L. Secretary of the Interior – Dillingham on 4-13-09 Dan O’Hara stated that it would be good for 7-8 people to go over on a plane. 3:00 at the Dillingham school.

X. Executive Session – to Discuss Personnel

CARVEL ZIMIN, JR. MADE A MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL AT 9:39 P.M. AND SECONDED BY J.C. TUDOR. MOTION PASSED UNANIMOUSLY.

THE MEETING WAS CALLED BACK TO ORDER AT 10:30 P.M. WITH THE SAME MEMBERS IN ATTENDANCE NO ACTION TAKEN.

XI. Assembly Member Comments

Carvel Zimin, Jr. stated that The Denali Commission has cancelled the meeting that was going to be held here May 19th & 20th. They couldn’t get enough people to fit this into their schedules. They might have a one day meeting in Anchorage on May 11th.

Eddie Clark wanted to thank everyone for pushing to have the fish board in the region. It might be nice if the Borough posted signs advertising for the RAB meeting encouraging everyone to show up. Also the South Naknek School and maybe running it by the Bristol Bay Christian School, maybe they would take it over.

Shelby Boothe asked who would like to go over to Dillingham? He and Eddie want to go. J.C. Tudor will check. Carvel will check on his schedule. The million dollars that we need to cut out of the budget, he thinks it should come from all the budgets.

XII. Adjournment

SHELBY BOOTHE MADE A MOTION TO ADJOURN AT 10:35 P.M. AND
SECONDED BY J.C. TUDOR.

Daniel J. O'Hara, Mayor

Tami Johnson, Clerk