

ASSEMBLY MEETING MINUTES
AUGUST 6, 2007

I. Call to Order: The regular Assembly Meeting of August 6, 2007 was called to order at 7:33 p.m. by Mayor Daniel J. O'Hara. The meeting was held in the Assembly Chambers of the Borough Building, Naknek, Alaska.

II. Roll Call: Present: Shelby Boothe, Eddie Clark, Russell Phelps and Bill Hester. Absent without excuse: Carvel Zimin, Jr.

Also present: Mayor Daniel J. O'Hara, Borough Clerk Betty Bonin, Borough Manager Dave Soulak.

III. Consent Agenda: EDDIE CLARK MOVED TO APPROVE THE CONSENT AGENDA AND IT WAS SECONDED BY RUSSELL PHELPS.

A. Non-Action Agenda

1. Mayor
2. Manager
3. Police Department
4. Fire/EMS Coordinator
5. Lobbyist
6. Pool
7. Library
8. Public Works Department
9. Port Department
10. Planning & Zoning
11. Treasurer – Shelby Boothe inquired about what funds were left as of 6-30-07? Lotta Hines stated she can only tell what the report says. Auditors will move funds to various accounts. Shelby Boothe stated on Page 3 it showed we had \$776,000 “to the good”, is that correct? Lotta Hines stated that was correct. Shelby Boothe stated according to the report, we collected \$800,000 plus in property taxes, is that what we collected in one month? Lotta Hines stated that was what was invoiced. Shelby Boothe stated he would rather have a report to show what we have collected. Lotta Hines stated she can run a cash accrual report to show the Assembly Members how much money we have. Shelby Boothe stated he would appreciate that.

Bill Hester stated he noticed overtime 6006. He is surprised how much overtime has been spent already. Lotta Hines stated the largest portion this time is the Dock. Shelby Boothe stated if the Borough has already spent 65% of the budget on overtime in one month, there is something wrong. You don't have enough people working for you if you have to use that much overtime. Management needs to address this.

Shelby Boothe commented on the grant report. Looks like there is \$305,000 for three grants for community mapping? Yvonne Kopy stated the project is not done yet, but getting close to being done. Shelby Boothe suggested asking P&Z where they should spend those funds. Yvonne Kopy thought that was a good idea.

12. Other Reports – Russell Phelps asked if we informed Crowley they can't tie up to our Dock? Dave Soulak stated until they paid their bill, they are banned from our Dock.

Russell Phelps asked if Quality Asphalt signed that agreement? Dave Soulak stated they did not, but they will be back next year with a bigger project.

MOTION PASSED UNANIMOUSLY ON NON-ACTION CONSENT
AGENDA.

B. Action Items

1. Minutes of June 4, 2007 – Regular Assembly Meeting- EDDIE CLARK MADE A MOTION TO APPROVE THE MINUTES OF JUNE 4, 2007 AS PRESENTED. BILL HESTER SECONDED AND THE MOTION PASSED UNANIMOUSLY.

2. Finance Report – Check Register – June & July, 2007: SHEBLY BOOTHE MADE MOTION TO APPROVE THE FINANCE REPORT AND CHECK REGISTER FOR JUNE & JULY. BILL HESTER SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

IV. Approval of Agenda:

SHELBY BOOTHE MADE A MOTION TO APPROVE THE AGENDA AND IT WAS SECONDED BY BILL HESTER. Shelby Boothe would like to add to New Business, Item F: Waiver for Port employee Ben Hester. Shelby Boothe stated this is needed since his Dad Bill Hester is on the Assembly. Bill Hester abstained from voting. MOTION PASSED UNANIMOUSLY.

V. Persons to be Heard: None

VI. Communications and Appearance Requests:

A. Letter from the Secretary of the Interior re: Payments in Lieu of Taxes Program (PILT): Eddie Clark stated we were short by \$6000 from we used to get. How do they Come up with that dollar amount? Dave Soulak will research it.

B. Letter from SAVEC: Eddie Clark thanks the Assembly for supporting this Facility.

C. Letter from BBEDC re: Infrastructure Matching Grant Award: We should also write a letter to King Salmon Village Council thanking them for \$1 million dollars.

VII. Hearings, Ordinances and Resolutions:

A. Ordinance No. 2007-06, Amending Title 19 Marine Facilities of the Bristol Bay Borough Code by adding a new section 19.04.040 Establishing a Port Reserve Account – Public Hearing and Second Reading: Mayor Dan O’Hara stated this was the second Reading and public hearing and opened it for public comments. Hearing no comments, The Public hearing was closed. This was basically a “housekeeping” ordinance and Will be codified into the Code Book. SHELBY BOOTHE MADE A MOTION TO ADOPT ORDINANCE NO. 2007-06 AND IT WAS SECONDED BY BILL HESTER. MOTION PASSED UNANIMOUSLY.

B. Ordinance No. 2007-07, Amending Chapter 9.04 Public Landfills, Section 9.04.025 Prohibitions – Specified – Public Hearing and Second Reading: There was a light discussion about this ordinance. The Assembly thought it was tabled at the last meeting. Russell Phelps would like to see a flat fee for disposal with a cap since everyone should be treated equally. The Assembly suggested Dave contact our attorney since he works with other firms on these matters. The Assembly didn’t like raw sewage or raw fish listed on this ordinance. The Assembly agreed to table this ordinance, have a workshop prior to the next meeting and bring it back on September 4, 2007. SHELBY BOOTHE MADE A MOTION TO TABLE ORDINANCE NO. 2007-07 UNTIL SEPTEMBER 4, 2007. BILL HESTER SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

C. Ordinance No. 2007-08, Amending chapter 3.12 Property Tax-Delinquent Taxes, Liens and Foreclosures of the Bristol Bay Borough Code by adding a new Section 3.12.280(F) Enforcement of Personal Property Tax Liens – Introduction and First Reading: SHELBY BOOTHE MADE A MOTION TO INTRODUCE ORDINANCE NO. 2007-08 AND TO SET FOR PUBLIC HEARING ON SEPTEMBER 4, 2007. RUSSELL PHELPS SECONDED THE MOTION AND IT PASSED UNANIMOUSLY.

D. Resolution No. 2007-11, Bristol Bay Borough adoption of a clean elections Systems in Alaska: Betty Bonin stated the Legislature encouraged all Boroughs and cities to adopt this Resolution. Assembly agreed and said it was a good idea. SHELBY BOOTHE MADE A MOTION TO ADOPT RESOLUTION NO. 2007-11 AND IT WAS SECONDED BY BILL HESTER. MOTION PASSED UNANIMOUSLY.

E. Resolution No. 2007-12 – Providing for the General Election of October 2, 2007,

Prescribing rules for the conduct thereof, appointing an election supervisor and providing for Public Notice: BILL HESTER MOVED TO ADOPT RESOLUTION NO. 2007-12 AND IT WAS SECONDED BY RUSSELL PHELPS. MOTION PASSED UNANIMOUSLY.

F. Resolution No. 2007-13 Adopting to participate in the AML/JIA loss control Incentive program for Bristol Bay Borough: BILL HESTER MOVED TO ADOPT RESOLUTION NO. 2007-13 AND IT WAS SECONDED BY SHELBY BOOTHE. MOTION PASSED UNANIMOUSLY.

G. Resolution No. 2007-14 – Adopting the National Incident Management System (NIMS): SHELBY BOOTHE MADE A MOTION TO ADOPT RESOLUTION NO. 2007-14 AND IT WAS SECONDED BY BILL HESTER. MOTION PASSED UNANIMOUSLY.

VIII. Old Business:

A. Port/Dock Expansion: Yvonne Kopy stated we got the \$1 million dollars and she has submitted a grant for matching funds. Working with Shirley Kelly for EDA funding. Shirley's projection for a Notice of Award won't be until June or July 2008.

There was light discussion about funding. Russell Phelps suggested we do a resolution Dedicating \$1 million dollars to the Port Expansion. Assembly agreed and it will be On September's agenda.

B. Chris Thomas/taxes on house – Light discussion. According to our attorney his request was not timely.

IX. New Business:

A. 2007 Salmon Season – Limit: Mayor Dan O'Hara stated that fishermen suffered Due to limits this season since the canneries can't keep up. He sat down with Mitch Kink and got a good formula to follow. The processors can tell you how much fish they can handle before the season even hits. We need to sit down with the formula in November when the 2008 projections come out and give it to the Governor. At that time, we will request the Governor to request foreign processors in here prior to the season.

Mayor Dan O'Hara stated he was going to write a letter to Bristol Bay Times and Anchorage Times about our season and how fishermen were limited. He will show it to the Assembly before he sends it off. The canneries say they handle the fish, but they say that so no foreign buyers don't come in here.

B. School District Surplus Request: The Assembly requested the Manager to See what happened to the old truck that was supposedly wrecked. It's driving around Now and looks pretty good. No one saw any bid notices on it. Dave will check it out And put it on the September agenda.

C. Naknek Sewer Expansion Design Completion Fee Proposal: Manager Dave Soulak stated we had funds left until June 30, 2008. He wanted the Assembly to think about spending \$95,520.00 for Naknek Sewer Expansion Design from Donna G Subdivision to Landfill and to Lakeview Acres.

D. Planning & Zoning Vacancy: Mayor Dan O'Hara stated he would like to advertise to see if anyone was interested on serving on the Planning & Zoning Commission. Marv Smith has resigned. Mayor O'Hara suggested writing Marv Smith a letter thanking him for his service.

Betty Bonin would also like to advertise or anyone interested on serving on the Ethics Board. There is only one member that is currently and that board is suppose to consist of three members.

The Assembly agreed those openings should be posted.

E. Port Tariff Increase: Joe Harris, Port Administrator was present. Before next the next Tariff comes out, he would like to increase the tariff rates. The rates have not changed since 1997 and everything has gone up since then. He would like to increase everything except for containers a flat 10%. Three years ago, the Dock's fuel budget was \$16,000 and this year it's over \$30,000. He would like input from the Assembly prior to the next tariff.

** F. Employment Waiver for Ben Hester: SHELBY BOOTHE MADE A MOTION GRANT AN EMPLOYEMENT WAIVER FOR BEN HESTER. EDDIE CLARK SECONDED THE MOTION. Bill Hester declared a conflict since this was his son. MOTION PASSED WITH BILL HESTER ABSTAINING.

X. Assembly Member Comments:

There was a light discussion about having a workshop regarding the landfill ordinance. Dave Soulak would like to hold off until he talked to our attorney Tim Verrett then set a date. The Assembly agreed.

Russell Phelps – glad to see the Borough take a stand on the fisheries. A lot of people Have asked him about it and he thinks the Borough should do something. It will enhance The Borough as a whole.

Russell Phelps – Good to see Manager back and appreciates his work. He's also glad To see BBEDC grant come through.

Eddie Clark – asked Slim Morstad what the Naknek River escapement was at the end of the season? Slim stated it was 2.9 million.

Shelby Boothe commended Slim on managing the Naknek river. Fishermen were fishing every tide.

Shelby Boothe – would like to “sock” some money away and build up the reserves again.

Russell Phelps asked what was new on Rapids Camp Road? Shelby Boothe stated Federal Lands was working with the Village Council. There is a possibility construction will begin by September 1st by Glacier Equipment. Their equipment should be on the Barge heading here. Steven Angasan is the Village Council’s Road person.

Dan O’Hara thanked Shelby Boothe for keeping him informed while Dave was gone this summer.

Shelby Boothe – he met with a lady from the Court System. She told him the State has money to help remodel facilities.

Dan O’Hara – appreciated the Police Department presence in Naknek and South Naknek this summer.

- XI. Adjournment: EDDIE CLARK MOVED FOR ADJOURNMENT AT 9:23 P.M. AND IT WAS SECONDED BY RUSSELL PHELPS. MOTION PASSED UNANIMOUSLY.

Daniel J. O’Hara, Mayor

ATTEST:

Betty J. Bonin, CMC, Borough Clerk

**Added to Agenda at the meeting