

Aleutians East Borough Minutes  
December 12, 2013

CALL TO ORDER

Mayor Mack called the December 12, 2013 Assembly meeting to order at 4:30 p.m. by teleconference in each community.

ROLL CALL

Mayor Stanley Mack	Present
Paul Gronholdt	Present
Carol Foster	Present
Marvin Mack	Present
Alvin D. Osterback	Present
Ken McHugh	Present
Joe Bereskin, Sr.	Present
Brenda Wilson	Present

Advisory Members:

Nikki Hoblet, False Pass	Present
Harold Kremer III, Cold Bay	Present
Justine Gundersen, Nelson Lagoon	Absent-Excused

A quorum was present.

Staff Present:

Rick Gifford, Administrator  
Roxann Newman, Finance Director  
Anne Bailey, Community Development Coordinator  
Tina Anderson, Clerk  
Laura Tanis, Communications  
Joe Levesque, AEB Attorney

Adoption of Agenda:

MOTION

Paul moved to approve the agenda with the changes below and second by Brenda:

Remove Resolution 14-13 from the agenda to be placed on agenda next month.  
Remove Ordinances 14-04 and 14-05 from Consent Agenda to be placed in New Business.

ROLL CALL

Joe-yes, Paul-yes, Marvin-yes, Carol-yes, Ken-yes, Alvin-yes, Brenda-yes. Advisory: Nikki-yes, Harold-yes. MOTION PASSED.

Community Roll Call and Public Comments on Agenda Items:

The communities of Sand Point, King Cove, Cold Bay, False Pass were present. There were no Public Comments.

November 6, 2013 Minutes:

MOTION

Brenda moved to approve the November 6, 2013 Minutes and second by Ken. Hearing no objection, MOTION PASSED.

November Financial Report:

MOTION

Brenda moved to approve the November Financial Report and second by Paul. Finance Director said departments are running between 30-40% of the budgeted amount.

ROLL CALL

Paul-yes, Carol-yes, Joe-yes, Alvin-yes, Marvin-yes, Ken-yes, Brenda-yes.

Investment Reports:

Report in packet.

Consent Agenda:

- Resolution 14-11, Adopting an alternative allocation method for the FY14 Shared Fisheries Business Tax Program for FMA 2.
- Resolution 14-12, Adopting an alternative allocation method for the FY14 Shared Fisheries Business Tax Program for FMA 3.
- Introduction Ordinance 14-03, Amending AEB Code Title 1, General Provisions.
- Introduction Ordinance 14-06, Amending AEB Code Title 45, Powers and Functions.

MOTION

Joe moved to approve the Consent Agenda and second by Brenda.

ROLL CALL

Ken-yes, Brenda-yes, Alvin-yes, Carol-yes, Marvin-yes, Joe-yes, Paul-yes. Advisory: Nikki-yes, Harold-yes. MOTION PASSED.

NEW BUSINESS

Approval of Maritime Helicopters Inc. Contract:

MOTION

Brenda moved to approve contract with Maritime Helicopters Inc. and second by Ken.

The Administrator said at the Assembly meeting last month a draft contract was before the Assembly and resolution approved with 2 additional one year terms. The contract was negotiated without any major changes. Attorney recommended that it be ratified before the Assembly.

Alvin said in a prior discussion the hovercraft was going to be removed and stored in King Cove but now it will stay in Akutan. The Administrator said it was determined that there is enough room in hangar for the hovercraft and helicopter to be out of the weather. The Administrator said the last day for Hoverlink will be February 22, seven days are needed for winterizing the hovercraft. The helicopter will arrive February 5th so about a ten day overlap of services. Paul asked if any other contract changes, the Administrator said no, just details on operation.

ROLL CALL

Ken-yes, Brenda-yes, Alvin-yes, Joe-abstain, Marvin-yes, Paul-yes, Carol-yes. Advisory: Nikki-yes, Harold-yes. MOTION PASSED.

Introduction Ordinance 14-04, Amending AEB Code Title 2, Administration:  
MOTION

Paul moved to introduce Ordinance 14-04 and set for Public Hearing with one change to Chapter 2.16.030(A), Election and Term of Mayor, to reduce the amount of time required to serving as Mayor from *no less than three consecutive years* to *no less than one consecutive year*. Second by Brenda.

ROLL CALL

Paul-yes, Joe-yes, Carol-yes, Brenda-yes, Ken-yes, Marvin-yes, Alvin-yes. Advisory: Nikki-yes, Harold-yes. MOTION PASSED.

Introduction Ordinance 14-05, Amending AEB Code Title 40, Planning, Platting and Land Use:  
MOTION

Paul moved to introduce Ordinance 14-05 in packet and set for Public Hearing with the following minor changes recommended:

1. **Chapter 40.20.010 (A)(1) Commercial Recreation Operator Land Use Permit Required.**  
Revise Chapter 40.20.010 (A)(1) to require Commercial Recreation Operator Land Use Permits to be required as of January 1, 2015.
2. **Chapter 40.20.020 (A)(1) Sand, Gravel and Rock Land Use Permit Required.**  
Revise Chapter 40.20.020 (A)(1) to require Sand, Gravel and Rock Land Use Permits to be required as of January 1, 2015.
3. **Chapter 40.20.030 (A)(1) Research Land Use Permit Required.**

Revise Chapter 40.20.030 (A)(1) to require Research Land Use Permits to be required as of January 1, 2015.

**4. Chapter 40.20.040 (A)(1) Mineral & Coal Exploration & Small Mining Operations Land Use Permit Required.**

Revise Chapter 40.20.040 (A)(1) to require Mineral & Coal Exploration & Small Mining Operations Land Use Permits to be required as of January 1, 2015.

**5. Chapter 40.20.050 (A)(1) Offshore & Direct Marketing Seafood Processing Land Use Permit Required.**

Revise Chapter 40.20.050 (A)(1) to require Offshore & Direct Marketing Seafood Processing Land Use Permits to be required as of January 1, 2015.

**6. Chapter 40.20.060 (A)(1) Onshore Seafood Processing Land Use Permit Required.**

Revise Chapter 40.20.060 (A)(1) to require Onshore Seafood Processing Land Use Permits to be required as of January 1, 2015.

[Note that Large Mines and Oil and Gas Land Use Permits have been required since 2006; therefore, the any changes in the permit application requirements will be effective immediately upon Assembly approval in January 2014, since these operators have had several years of notice that a permit is required].

**7. Chapter 40.20.070 (E) Large Mining Operations Land Use Permit Required.**

Revise Chapter 40.20.070 (E) to increase the minimum Large Mining Operations Permit Fee Fund balance for large mining operations from \$10,000 to \$12,500.

There was a discussion regarding the Nelson Lagoon boundaries. It was suggested that the proposed action item to update Nelson Lagoon boundaries be introduced at the next Assembly meeting.

**ROLL CALL**

Brenda-yes, Joe-yes, Paul-yes, Carol-yes, Marvin-yes, Ken-yes, Alvin-yes. Advisory: Nikki-yes, Harold-yes. **MOTION PASSED.**

**REPORTS AND UPDATES**

In packet

**ASSEMBLY COMMENTS**

Paul said the Resource Director is attending NPFMC at this time. Resource Director instrumental in organizing a reception for the chairman.

Public Comments  
none

Executive Session:

Appeal of KRI, Inc., regarding its Claim for Equitable Adjustment which is before the Armed Services Board of Contract Appeals. The purpose of the Executive Session is to discuss litigation tactics and strategies in the above referenced case which arises out of the False Pass Harbor Project.

MOTION

Brenda moved to go into Executive Session and second by Ken. The Assembly went into Executive Session at 4:10 p.m.

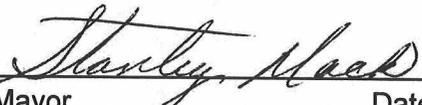
The Assembly came out of Executive Session at 4:45 p.m. No action taken.

NEXT MEETING

By teleconference Thursday, January 9, date subject to change.

ADJOURNMENT

Ken moved to adjourn and seconded by Alvin. Hearing no more the meeting adjourned at 4:48 p.m.

  
\_\_\_\_\_  
Mayor Date

  
\_\_\_\_\_  
Clerk Date

4/10/14