

Aleutians East Borough Minutes
November 17, 2014

CALL TO ORDER

Mayor Mack called the Assembly meeting to order on November 17, 2014 at 7:00 p.m. at the Anchorage office and by teleconference in each community.

ROLL CALL

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

Advisory Members:

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

A quorum was present.

Staff Present:

- Rick Gifford, Administrator
- Roxann Newman, Finance Director
- Tina Anderson, Clerk
- Laura Tanis, Communications Director
- Anne Bailey, Assistant Administrator
- Charlotte Levy, Administrative Assistant
- Ernie Weiss, Resource Director
- Jacki Brandell, Finance Assistant
- James Brown, Maintenance Director

Adoption of Agenda:

MOTION

Paul moved to adopt the agenda with the addition of Resolution 15-11, authorizing the mayor to enter into a cooperative agreement with the Nelson Lagoon Tribal Council for the Community Development Block Grant Program grant application entitled: Nelson Lagoon Erosion Project. Second by Joe. Hearing no objections MOTION PASSED.

Community Roll Call and Public Comment on Agenda Items:

All communities are present except Nelson Lagoon.

AEBSD Superintendent, Mike Seifert, said initially the playground equipment funding request was \$200,000. The AEBSD received a bid for replacement playground equipment significantly less than the initial request, they wrote a grant for \$20,000 and the number before the Assembly now is \$138,000. There are some in-kind donations as well and may be lower yet if we receive freight shipped free by Trident Seafoods. He noted the letter from AMLJIA stating that the playground is not safe and would appreciate a sincere and thoughtful approach to this problem by the Assembly.

Minutes, October 20, 2014:

Corrections:

Addition: Newly elected Assembly Member, Warren Wilson's name to be added to Roll Call.

Change: Omitting words in parenthesis and adding the words underlined: *Diane Wildes also did not agree on how (the) Mayor Mack (Borough) disposed of material at the hovercraft site.*

MOTION

Warren moved to approve the October 20, 2014 Minutes with the corrections and second by Brenda.

Hearing no objections, MOTION PASSED.

Financial Reports, October 2014:

MOTION

Brenda moved to approve the October Financial Report and second by Warren.

ROLL CALL

Ken-yes, Warren-yes, Joe-yes, Paul-yes, Brenda-yes. Advisory: Harold-yes. MOTION PASSED.

October Investment Report:

In packet.

PUBLIC HEARING

Community Development Block Grant (CDBG) Program:

The Assistant Administrator Anne Bailey reviewed saying, the Aleutians East Borough is interested in pursuing a Community Development Block Grant (CDBG) proposal this year.

The CDBG funding is intended to principally benefit low and moderate income persons by providing resources to communities for Community Development projects, Planning projects, or Special Economic Development projects which encourage community self-

sufficiency or reduce economic conditions which are detrimental to health and safety. CDBG may also provide funding to assist in the creation or retention of jobs. The State of Alaska intends to select projects for funding that provide a substantial or direct benefit to low and moderate income persons, prevent or eliminate slums or blights or meet urgent community development needs which pose a serious and immediate threat to public health and safety.

Projects that are not eligible include equipment, government buildings, regular government operations, maintenance, operation or political activities. The project maximum funding is \$850,000 and must have a matching local contribution of at least 25%.

Also, updated low moderate income (LMI) percentages by community have been provided for this program. Currently, the only Borough Communities that qualify for this program are the City of Akutan, which is 100% LMI and Nelson Lagoon, an unincorporated community which also is 100% LMI. The Borough no longer qualifies, however, the Borough can apply as an applicant as long as a council or corporation is a co-applicant for instance the Nelson Lagoon Village Council. This is a requirement since Nelson Lagoon is an unincorporated community.

Project Example: The Village of Nelson Lagoon is being impacted by erosion which needs to be addressed via mitigation measures. Nelson Lagoon meets the Low and Moderate income criteria; the Nelson Lagoon Erosion Project falls under the project requirements and it provides a substantial or direct benefit to low and income persons. Since the Village of Nelson Lagoon is an unincorporated community, the Aleutians East Borough can be the applicant and the Nelson Lagoon Traditional Council can be the co-applicant for this project. The Nelson Lagoon Erosion Project meets all of the criteria for the CDBG program and could be selected as a FFY 2014 CDBG proposed project.

In this public hearing, the Borough would like to solicit proposal suggestions for this grant opportunity and receive any other comments from the public.

Mayor Mack opened for PUBLIC HEARING.

Marvin Mack, from the public, asked if the tribes in the qualifying communities could submit a grant proposal. Bailey answered yes.

Hearing no more PUBLIC HEARING closed.

RESOLUTIONS

Resolution 15-09, a resolution urging Congress to exempt vessels less than 79' and fishing vessels from NPDES permits for discharges incidental to the normal operation of the vessel:

MOTION

Brenda moved to approve and second by Ken.

DISCUSSION

Paul said SWAMC unanimously passed the same resolution. His understanding is, during the Congressional lame-duck session, it will be a priority for Senator Begich prior to his

departure from the Senate. A lot of communities are also supporting a similar resolution and have not heard of anyone opposing the exemption.

ROLL CALL

Brenda-yes, Paul-yes, Joe-yes, Warren-yes, Ken-yes. Advisory: Harold-yes. MOTION PASSED.

Resolution 15-10, a resolution of the Aleutians East Borough Assembly authorizing participation in the Community Development Block Grant Program and submitting a grant application entitled: Nelson Lagoon Erosion Property:

MOTION

Brenda moved to approve Resolution 15-10 and second by Warren.

DISCUSSION

Bailey said the grant application is for Nelson Lagoon erosion project. Nelson Lagoon has been impacted by erosion at an accelerated rate. The grant would focus on the Nelson Lagoon body water side, placing Geotextile containers on approximately 2000 linear feet to protect the community homes and public infrastructure. There is an AEB cash match of \$108,000 for the project and Nelson Lagoon Corporation/Tribal Council is considering a cash match for equipment.

Warren asked whether APICDA was contributing to the project. Bailey said she only requested a letter of support from APICDA. At this time, it doesn't affect their infrastructure. She added that HDR has had conversations with Dept. of Transportation regarding the airport and that this is just a start. We've done around six studies and this is the first action to take steps on the issue.

ROLL CALL

Joe-yes, Warren-yes, Paul-yes, Ken-yes, Brenda-yes. Advisory: Harold-yes. MOTION PASSED.

Resolution 15-11, a resolution of the Aleutians East Borough Assembly authorizing the mayor to enter into a cooperative agreement with the Nelson Lagoon Tribal Council for the Community Development Block Grant Program grant application entitled: Nelson Lagoon Erosion Project:

MOTION

Brenda moved to approve Resolution 15-11 and second by Ken.

DISCUSSION

No further discussion.

ROLL CALL

Paul-yes, Brenda-yes, Ken-yes, Joe-yes, Warren-yes. Advisory: Harold-yes. MOTION PASSED.

OLD BUSINESS

AEBSD Playground equipment funding request:

Motion tabled at last meeting:

Alvin moved to authorize up to \$200,000 for playground equipment replacement. Second by Carol.

MOTION

Brenda moved to REMOVE FROM THE TABLE and second by Warren. Hearing no objections MOTION PASSED.

DISCUSSION

Mayor Mack said the funding request for Sand Point School playground equipment is now on the floor. The Mayor said a description on the amount of money needed for playground equipment has been submitted by the Superintendent.

Superintendent Seifert said the \$138,000 is the highest possible confirmed amount, which could be reduced by \$38,000 if Trident provides free freight. If not, then \$138,000 is total cost.

Paul said he personally inspected all the separate items of equipment at the playground thoroughly. He felt two wooden playground apparatus need to be removed. He added that a four foot guard rail fence on slide needs to be replaced. After inspecting the metal on other apparatus closely, he felt paint would get by fairly well for a while. Other than the two apparatus he felt the rest could last longer.

Warren voiced his concern about equipment safety saying it only takes one accident. The Sand Point School has been there since 1983-84, so feels the equipment is due for an update.

Superintendent Seifert believes the equipment is around 25 years old. Brenda reviewed the letter from Alaska Municipal League Joint Insurance Association (AMLJIA) Risk Control Specialist saying they inspected the equipment, which has head and neck entrapment hazards as well as sharp points and corners that may cut or puncture a child's skin. They recommended the equipment be removed to eliminate these hazards.

The Administrator suggested addressing at budget time. At this time, not sure where we would come up with the funding. The Superintendent found one grant and if we have more time, we may be able to research some other grant opportunities available for school ground equipment.

Paul said budget cycle is important, difficult to add to budget at middle of fiscal year. Also, feels it would be difficult putting equipment together in the winter. He supports trying to fit it into next fiscal year budget instead of taking away from something else on present budget.

Joe said at the last meeting there was discussion about access to ball court. The Superintendent said the basketball court is next to the playground and cannot be used at this time per recommendation from AMLJIA and AEBSA attorney.

Ken said insurance carrier suggests it is a liability and understands the budgetary constraints. If the equipment is taken down, it could allow the basketball court be used, then suggested working it into the budget this spring. He commented that the Superintendent put together a wonderful playground package.

Mayor Mack asked if some of the equipment could be used. Superintendent Seifert said the legal codes for safe playgrounds have dramatically changed over the years so equipment is outdated and most cannot be put in today.

Paul asked who is responsible to maintain playground equipment. The Administrator said typically if AEB was putting in a school it would include the cost of a playground and minor maintenance would be the responsibility of the school district. Replacement would probably be AEB responsibility due to the cost of the equipment.

Mayor Mack asked the Maintenance Director if this could fall under the reimbursable program. Maintenance Director said the state has a ranking system so is not sure where playground equipment would rank. If reimbursed, we would receive 70%. At this time, he is still waiting for the King Cove and Sand Point paving projects ranking for reimbursement.

Mayor Mack said the options are approving motion and try to find money to purchase or wait until budgetary time and incorporate it into fiscal year FY16 budget and purchase in the summer. If AMLJIA feels it is unsafe he suggested removing equipment.

Warren supports addressing during budgetary time.

Ken feels it is a great package, and supports working it into the budget.

Paul said if in next year budget to be adopted late May, maybe equipment could be ordered after budget approval and invoiced by supplier after new fiscal year begins in July.

AMENDMENT

Brenda moved to amend the motion by adding, for FY16 to the motion and second by Paul.

ROLL CALL ON AMENDMENT

Warren-yes, Ken-yes, Paul-yes, Brenda-yes, Joe-yes. Advisory: Harold-yes. MOTION PASSED.

ROLL CALL ON MAIN MOTION

Joe-yes, Brenda-yes, Ken-yes, Warren-yes, Paul-yes. Advisory: Harold-yes. MOTION PASSED.

NEW BUSINESS None

REPORTS AND UPDATES

In packet.

ASSEMBLY COMMENTS

None.

PUBLIC COMMENTS

Paul Schaack, resident of the Borough, congratulated Mayor Mack and the Assembly members re-elected and elected, wishing them all the best. He requested information on the Commercial Recreation Operator Land Use Permit. Bailey will get back to Schaack.

Diane Wildes, from the public, voiced her disapproval on how the Borough has been spending money and suggested thinking about other projects needed like the Cold Bay dock repairs. She voiced her disapproval about amount of money spent on transportation link using hovercraft and helicopter operation to/from Akun airport. She voiced her disapproval about the King Cove road (NE Corner) being built when there is no longer a hovercraft there. She voiced her concern about 4-wheeler and truck access damaging native corporation lands. She voiced her disapproval on how the hovercraft landing area, clean up was handled. She felt the clean-up/lumber removal should have been put out to bid.

Marvin Mack, resident of the Borough, commented that AEB has lots of projects going on and the Borough is doing a good job.

Henry Mack, resident of the Borough and City of King Cove Mayor, said with assistance of the Borough, APICDA, King Cove Corporation, and Peter Pan, the city of King Cove now has a drug dog on the police force. He hopes this will start the process of getting families back together. He thanked the Assembly for their support.

Shannon Wildes, from the public, encouraged the School District to look at a three phase project for the Sand Point playground. She worked with KB Architect that incorporated the cultural standards of the community into the playground equipment using a 3 or 5 year plan rather than just purchasing very nice playground equipment.

Henry Mack, resident of the Borough and City of King Cove Mayor, commented that he has been involved with the King Cove road since the early 90s. He said no Borough money has been put into the road to the NE Corner. Administrator added construction was done by state and federal money.

