

**CALL TO ORDER**

Mayor Alvin D. Osterback called the Aleutians East Borough Assembly meeting to order by teleconference in each community on March 10, 2022 at 3:01 p.m.

**ROLL CALL**

Mayor Alvin D. Osterback

Brenda Wilson	Present
Carol Foster	Present
Chris Babcock	Present
Denise Mobeck	Present
Josephine Shangin	Present
Paul Gronholdt	Present
Warren WilsonP	Present

**Advisory Members:**

Dailey Schaack, Cold Bay	Present
Samantha McNeley, Nelson Lagoon	Present
Tom Hoblet, False Pass	Absent

A quorum was present.

**Staff Present:**

Anne Bailey, Administrator  
Talia Jean-Louis, Assistant Administrator  
Ernie Weiss, Natural Resources Director  
Charlotte Levy, Natural Resources Assistant Director  
Glennora Dushkin, Administrative Clerk  
Laura Tanis, Communications Director  
Beverly Ann Rosete, Borough Clerk  
Jacki Brandell, Accounting Clerk  
Emil Mobeck, Maintenance Director

***ADOPTION OF THE AGENDA***

CAROL moves to approve the agenda. PAUL made a motion to amend it with the following:

The Agenda will have 2 additions in New Business:

- Personnel
- Mail

Hearing none, the Agenda will stand as amended.

***COMMUNITY ROLL CALL AND PUBLIC COMMENTS ON AGENDA ITEMS***

The communities of King Cove, Sand Point, Akutan, Cold Bay, False Pass, Nelson Lagoon and the Anchorage office were participating by teleconference. Also broadcast on KSDP radio.

**PUBLIC COMMENTS:**

Mayor Osterback wanted to let the Assembly know that the AEB received a request from the Close Up for funding to send both the junior and senior to Close Up this year. This is not a rule of funding as we did not send them last year. Mayor Osterback said AEB will be funding as we have the budget for it.

CAROL asked how much the request is for? Mayor Osterback said each year we budget \$20,000.

**CONFLICT OF INTEREST**

Mayor Osterback asked for any potential **Conflict of Interests** to discuss. There were no conflicts on agenda items.

**MINUTES**

February 10, 2022, Assembly Meeting Minutes

**MOTION**

CAROL moved to accept the February 10, 2021 Assembly Meeting Minutes and second by BRENDA.

Hearing no more it will stand as WRITEN.

**FINANCIAL REPORT**

January 2022 Financial Report

**MOTION**

CHRIS made a motion to approve the January 2022 financial and second by DENISE.

(MAYOR Osterback made a roll call to check the quorum)

ROLL: Chris, Carol, Josy, Paul, and Denise

DENISE made a motion to Recess the meeting until tomorrow March 11, 2022 3:00pm due to the poor phone line connections, CAROL second.

**MEETING WAS RECESSED UNTIL MARCH 11, 2022 AT 3:00 PM**

**MEETING RECONVENED at 3:01 pm March 11, 2022**

Administrator Bailey said we are 7 month into fiscal year, currently tracking along as usual. In June, AEB Raw fish tax were estimated to be \$2,950,000. As of January which reflects December financial we are in 99.6% of what we anticipated.

**ROLL CALL**

Yeas: Brenda, Denise, Carol, Chris, Paul

Nay: None

**MOTION CARRIED**

**INVESTMENT REPORT**

APCM January 2022 Investment Report in the packet

**CONSENT AGENDA**

Resolution 22-31, A resolution of the Aleutians East Borough Assembly approving the survey for ASLS 2018-24 Bear Lake Survey

**MOTION**

CAROL made a motion to approve and second by DENISE

Natural Resources Director Weiss said this will give final Borough approval on AK State Land Survey. It creates 2 tracts one with 1211 acres and one with 5 acres around northeast corner of Bear Lake.

Resolution 22-31 Stand as approved

**PUBLIC HEARING**

Ordinance 22-09, An Ordinance Authorizing the Mayor to negotiate and execute a sublease within the Cold bay Terminal for Air transportation Services

**MOTION**

CHRIS made a motion to approve Ordinance 22-09 and second by BRENDA

Administrator Bailey said this ordinance authorizes Mayor to into sublease with the Aleutian Airways for a portion of the Cold Bay Terminal Building and adjacent apron the purpose of providing Air Transportation. The essential terms and conditions are included in the packet. The term and rental rate will be finalized during negotiations.

**ROLL CALL**

Yeas: Brenda, Paul, Carol, Denise, Chris

Nay: None

MOTION CARRIED

**ORDINANCES**

Ordinance 22-10, An Emergency Ordinance of AEB Assembly Issuing a Declaration of Disaster emergency on response to Covid-19.

**MOTION**

CHRIS made a motion to accept the Introduction Ordinance 22-10 and second by DENISE

PAUL move to amend the expiration date of Ordinance 22-10 from May 8 to May 9, seconded by CAROL

Administrator Bailey said this is an emergency ordinance and the current ordinance we are on will expire soon. There is one change on 3<sup>rd</sup> page under section 6 to change the date to May 9, to stay within the 60 days.

**ROLL CALL**

Yeas: Carol, Chris, Denise, Paul, Brenda, Advisory: Samantha, Dailey  
Nay: None

**MOTION CARRIED**

*RESOLUTIONS*

Resolution 22-32, Authorizing the payment of F&W Construction LLC's Notice of Claim and the reappropriation of \$300,000 from the Cold Bay Clinic line-item E 20-520-209-850 to Cold Bay Terminal Project line-item E 20-500-209-603

**MOTION**

DENISE made a motion to approve Resolution 22-32 and second by CHRIS

Administrator Bailey said the Borough had entered into a contract with F&W to complete the Cold Bay Terminal expansion project and the Borough agreed to pay. F&W issued a Notice of Claim in the amount of \$207,124.45 as a result of delayed arrival of owner transportation. DOWL analyzed the claim and appears everything is substantiated, therefor Administration recommends payment of claim.

PAUL ask what is the status on the renovation of the Eastern Aleutian Tribes Clinic in Cold Bay. Administrator Bailey said the EATS is in the process of getting a building permit and AEB was not asked to financially assist on the project.

CHRIS said he doesn't want AEB to have a contention between EATS and Cold Bay in taking some of the raised money and wanted to make sure everything is legal. Administrator Bailey said the AEB received letters from both EATS and City of Cold Bay telling us they are no longer interested in building a new clinic. AEB has a copy of the MOA for the construction that outlines the roles and responsibilities and has been terminated. This permanent fund earnings that has been appropriated for this project over the years can be re-appropriated.

DAILEY wanted to clarify if we AEB can re-appropriate the funding. Mayor Osterback said yes, since it is it a Borough funding, we can move it around. 2<sup>nd</sup> question was that she thought the AEB used Covid Fund for the terminal. Administrator Bailey said that part of it we used CARES Act fund, other funds are appropriated via resolutions.

PAUL asked if Anne can repeat how much the amount for this project. Administrator Bailey said about \$ 1,818,000.

**ROLL CALL**

Yeas: Brenda, Chris, Carol, Paul, Denise, Advisory: Dailey, Samantha  
Nay: NONE

**MOTION CARRIED**

Resolution 22-33, Approving certain unincorporated communities and their respective native village council and/or incorporated nonprofit entity for participation in the FY23 Community Assistance Program  
**MOTION**

CAROL made a motion to approve Resolution 22-33 and second by JOSY

Administrator Bailey said this is something the AEB does every year because the Native Village of Nelson Lagoon is unincorporated. The Borough has to approve this funds and then transferred from the Borough to the Native Village of Nelson Lagoon.

**ROLL CALL**

Yeas: Denise, Carol, Brenda, Paul, Josy, Chris, Advisory: Dailey, Samantha  
Nay: None

**MOTION CARRIED**

Resolution 22-34, Approving the projects and initiatives identified on the Borough Strategic Plan  
**MOTION**

BRENDA made a motion to approve Resolution 22-34 and second by DENISE

Administrator Bailey said that last Dec. 9, 2021, AEB conducted a Planning Work Session with Assembly members and staff to identify projects and initiatives for the upcoming year. This Strategic Plan is from March 2022 to February 2023 which breaks out the projects that goes out with project leads. A link to the full layout was in the packet.

**ROLL CALL**

Yeas: Denise, Carol, Brenda, Paul, Josy, Chris, Advisory: Dailey, Samantha  
Nay: None

**MOTION CARRIED**

*OLD BUSINESS*

- Fuel Delivery Update

The Delta Western delivers fuel to the communities of Cold Bay, False Pass, King Cove, Sand Point and Trident in Akutan. The community of Akutan gets fuel from Crowley and Nelson Lagoon gets a bulk fuel delivery from Crowley once a year during the spring. Fuel delivery by Delta Western is not on a schedule but is on demand.

- Alaska Marine Highway System

Administrator Bailey says that Mark Hickey has contacted DOT Deputy Commissioner Carpenter regarding the ferry. The Deputy Commissioner has confirmed that the new Tusty will be able to service all the communities that it serves today. Therefore, the new ferry will be able to dock at all the Borough communities currently able to handle the Tusty.

- **Work Session Formatting**

Administrator Bailey say the Administration proposed the new work session to just focus on the more important issues to be discussed rather than going to all the Agenda Items. Assembly members can suggest potential work session topics to the Clerk. Topic suggestions must be received at least ten working days prior to an Assembly meeting. The Administrator will maintain a list of work session topics suggestions received.

Paul, asked that if there are any changes it will come to the Assembly for a vote. Mayor Osterback said yes.

Warren commented that there's not an issue with work session formatting since the Assembly talk about priority issue as needed in the session anyway.

Mayor Osterback asked Ernie if he can send the link of Board of Fisheries sign up to all the Assembly and be posted in our Facebook

#### **NEW BUSINESS**

- **Strategic Plan – 4th Quarter Update**

Administrator Bailey said that this is for the 4<sup>th</sup> quarter of the 2021-2022 plan. This is the final summary of what we've done for the year. There are 14 items that we've completed. A lot has been accomplished with the help of every staff.

- **Assembly Per Diem Discussion**

Acting Finance Director Brandell said this is for informational purposes only. The Assembly travels to attend to Aleutians East Borough Assembly meetings, and others such as SWAMC or AML. Currently, the per diem rate of \$200 per day is in place. As the cost of lodging and meals have increased regionally and nationally, the flat rate may not be sufficient. The finance department was asked to look into the per diem rate, and provide information on what an increase may look like. A detailed report was in the packet.

WARREN asked if the Borough can buy life insurance through the airline for Assembly and staff travels just in case something inevitable happens. Mayor Osterback said he believes that under Borough's policy that air travel should be covered. Administrator Bailey said we do have a non-owned aviation aircraft liabilities coverage for charter and helicopters but I can check back what the coverage entails.

JOSY asked if there is an option if Assembly wants the per diem to be direct deposited or still be a printed check. Administrator said, that it depends on what the Assembly requested. They can email their preference in the office.

- **Personnel**

PAUL said that discussing Personnel is always complicated and the way the Title 49 and State laws and Borough code to have an executive session to do it properly. So my attempt is to make a motion to have an Executive Session soon. Administrator Bailey said the Executive Session has to be in person and will look in to the date to have it. Paul said he research in having an executive session in zoom and it is allowed.

CHRIS agree with Paul to have this as soon as possible.

Mayor Osterback back commented that he'll have to check if the Borough can do an Executive Session over the phone and not in person.

WARREN commented the sooner the Executive Session is the better.

PAUL made motion to have an executive session and seconded BRENDA

**MOTION**

Yeas: Chris, Carol, Warren, Josy, Paul, Brenda, Denise, Advisory: Dailey, Samantha

Nay: None

- Mail

JOSY is concerned about the mail situation in Akutan. Not only there is no permanent Post Master but getting the mail actually here. The Borough bike has been broke down and there is no way to actually move the mail. Mayor Osterback commented that when the Borough was providing services for the Maritime, it was part of the Borough's business that we are proving at that time. AEB do not provide vehicles to move mail.

*REPORTS AND UPDATES*

**Administrator's Report in packet. Highlights below:**

**COLD BAY Terminal:**

Substantial completion site visit was completed on February 11-12. Remaining electrical work has been completed. Remaining concrete sidewalk poured. Waiting for bathroom soap dispenser replacement. Contractor vacated Cold Bay School shop. Reviewing delay change order and final pay application. The next step for the terminal is to purchase sitting and some concession and vending machine.

Daily said that they are still having a parking problem. Bailey said we are going to take a look at it on spring/summer time and see if there is something we can do on the parking lot.

**Cold Bay School:**

The Aleutians East Borough and Gould Construction are finalizing the Acceptance of Assignment, Assignment of Agreement and the Bill of Sale. The documents will be delivered to and approved by the State of Alaska Aviation Leasing Department. Once the sale is finalized the Borough will terminate the utilities and cancel the insurance for the facility

**King Cove Road Update:**

Congress has returned from its President's Day recess and will begin to finalize the federal budget by March 11, the current deadline for expiration of the pending Continuing Resolution. Meanwhile the Department of Interior continues to plan its visit to King Cove now scheduled for mid-April. Secretary of Interior Debra Haaland, Dept. Secretary Tommy Beaudreau, and possibly acting National Director of US Fish and Wildlife are scheduled to make this trip. This trip has been scheduled so that Sen. Murkowski can accompany the DOI group. This trip will be very important, and we hope it will lead to a favorable resolution of the Secretary's view of the proposed King Cove Land Exchange

**9<sup>th</sup> Circuit Appeal:**

There is no change to report on the status of our case. A decision on this case is still pending.

**Special Use Permit:**

As reported last month, the State DOT/PF filed an administrative appeal on October 14, 2021 before the US Fish and Wildlife Service. No response has been received to this appeal yet.

**Sand Point and Akutan Harbor float:**

Administration, the Mayor and Moffatt & Nichol (M&N) attended a RAISE debriefing meeting. After the debrief meeting, reviewing the Notice of Federal Opportunity (NOFO) and discussions with M&N, Administration has determined that it is not in the Borough's best interest to reapply for the RAISE grant in 2022. On March 8, 2022, Administration, the Mayor and M&N will be attending a debriefing meeting to review the PIDP grant application. The NOFO has been released and this seems like a better suited grant opportunity for these projects. Administration requested proposals from Moffatt and Nichol for grant writing services for the PIDP grant.

**Financial Software:**

RFP was posted and yesterday was the deadline but did not receive any. It was reissued and is due on March 23, 2022.

**Other Items:**

**Harbor Bond Debt Reimbursement.**

On February 28, 2022, Nils Andreassen, Mark Hickey and I met with Senators Bishops staff to discuss Harbor Bond Debt Reimbursement. Administration has submitted letters to Bishop and Hoffman regarding this issue. On March 5, 2022, I am planning on testifying to the House Finance Committee on the FY23 budget in which harbor bond debt reimbursement will be highlighted.

**Akun Dock and Break Water Project;**

Per the Army Corps of Engineers, the scheduled for this project is as follows: a. July 15, 2023 – Release of draft feasibility study for public comment and concurrent review b. March 7, 2024 – Alaska District submits final feasibility report and c. July 16, 2024 – Signed Chief's Report. The first payment was already made.

**Assistant Administrator Report in packet. Highlights below:**

Attended a few meetings listed in the packet.

Emil and I are working on the following bridge inspection reports. Inspections are every two years per federal law with the Aleutians scheduled for inspection September of 2022. Currently, there still remains work from the prior 2-year report including but not limited to; installation of signs, general brush/debris cleaning, and proper height adjustment to the guardrail. The Cold Bay Dock Bridge will require more extensive repairs as it was found to have structural damage with fair to poor conditions.

**Beazley Breach Solutions:**

Two additional training were assigned that focus on social engineering and password security.

**ICE Services:**

We have agreed to renew our contract with ICE services. March 16<sup>th</sup> I will be meeting to discuss the details of renewal as well as better hacking and security measures. In addition to, ICE Services will



also be upgrading three computers in Sand Point to new Windows 10 devices for security and support purposes.

**Mail Tracking Form:**

Mail system form was a little stagnant, and encourages people to mail in the form.

Mayor Osterback commented that there are other communities in the Borough experiencing the same problem with the mail delivery system. Ravn purchased Beech 1900, and waiting for the FAA certification and will start using it to try to catch up with the mail.

Administrator Bailey added that the Cold Bay Dock is on our strategic plan, an RFP for reconnaissance and feasibility study has been drafted.

**Communications Director Report in packet. Highlights below:**

A draft of an RFP for a professional photographer was sent to Anne. This would be for a photographer/videographer to visit the communities this summer to get updated high-resolution images of infrastructure, fishermen, residents, etc.

I continue to meet with Planeteria Media for the website design. They plan to have a test run of the site on March 17<sup>th</sup>. Hopefully, it will be finalized approximately a month later.

I'm working on another In the Loop newsletter with an article focusing on mail delivery and delay problems.

I'll also have another article about a third officer who joined the Sand Point Police Department. This goes along with one of the strategic plan initiative of Community Alignment.

Another project I'm starting on is a White Paper on the Akun – Akutan Breakwater. This will be helpful to know how this project started and what the status is of it, as of now.

**Natural Resources Director Report in packet. Highlights below:**

Alaska Board of Fisheries:

Preparations for the Statewide Shellfish meeting remain the focus for the Natural Resources Department and the local fisheries organizations. Proposal 282 would basically cut June and July fishing in half in the Dolgoi Area and the Shumagin Islands Section, compared to the current schedule. This action would impact all Area M fishermen.

The 7-member Board of Fish still stands at 6 members; any action by the Board requires 4 votes for passage.

Paul said asked if this is allowing the remote testimony. Natural Resources Director Weiss, said on this one the person needs to be in person to testify and not allowing phone testimony.

North Pacific Fishery Management Council:

The NPFMC and advisory groups will meet in-person at the Anchorage Hilton beginning April 4 with a limited agenda. Of interest will be a discussion of Bristol Bay red King crab management. Two Council members are up for reappointment this year.

List of meetings attended and upcoming meetings are included in the packet

**Assistant Natural Resources Director Report in packet. Highlights below:**

**Electronic Monitoring - WGOA3/EFP:**

I am working on the final financial and programmatic reports for NFWF for the WGOA2 grant, which are due March 31st and will be available to the Assembly at the next meeting. NFWF has notified me that due to staffing issues they were delayed in providing a grant agreement for WGOA3. In collaboration with fixed-gear fishermen participants and NMFS FMA division. Developing a sampling design for the "fixed-gear" portion of the project. Data collection will likely start in April 2022. I continue to write a white paper on split-offload deliveries to tenders. I have been working closely with NMFS and other PIs to develop a flow-of-data for non-WGOA vessels delivering to tenders and plants within the WGOA project.

**WGOA Data Portal:**

We were unable to contract Joe Sullivan through Intertidal, and will be contacting with him directly and reimbursed via Intertidal Agency. The project has been extended through May 2022, which should provide enough time to finish the legal work and final reporting.

**Mariculture:**

I am working on the NFWF final report and should have it available for the April meeting.

**AFSC Cod Tagging Project:**

We have received confirmation that AFSC will provide enough funding at this time to cover the cost of field work and AFSC staff time. AEB has purchased the necessary supplies, and will be contracting directly with the tag specialist Dr. Julie Nielsen. We are preparing for field work that will include the same tagging and biological sampling as 2020, with the addition of 40 Lotek satellite tags, stress test sampling, and piloting a stereo-camera system as a tool to observe behavior and for quantitative assessment. The RFP for vessel charter services closed on February 25th. The charter is expected to occur sometime between March 14-23. There was only one applicant, F/V Decision and will be awarded the contract.

**Salmon Issues:**

The NRD is working closely with AEB Administration, the Area M seiners and others. I am also working on a cost-benefit analysis.

**Maintenance Director**

**Ongoing Maintenance Projects:**

I went to Nelson Lagoon and took a lot of pictures. Little bit of work is needed but ready to move into. Visited King Cove as well, fixed up the fuel tank stand, and now working on the materials list for the remodel and repair of the office building. Also working on our bridge inspection report and getting ready for the next inspection. Talia and I are going through how these items are going to get completed. Evolution pools was in Sand Point and inspected the pool and we will be getting a report on what needs to happen with the leaks.

**Other Borough Related Items:**

The Cold Bay terminal addition has been complete. Working with Engineers on quotes to replace the piping in the King Cove School. I completed my internet training for the month of phishy emails. At beazley breach solutions.

**Upcoming Projects:**

Finishing up with the King Cove school contractors on their scope of work. Getting quotes on materials needed for the King Cove office remodel. Working on next fiscal year budget for travel and work that will need to get done this coming summer and fall, and what projects we can do with what funding we have.

**ASSEMBLY COMMENTS**

CAROL commented that the Cold Bay terminal looks nice and we should check on the vending machine. She thank Roxann for all her years of service for the AEB.

DAILEY thanked Anne for the Cold Bay Dock. It is very important to have that dock for fuel and coastal for food.

Paul made a catch report, Chignik is the best with very few boats, and their catch is being tendered to Kodiak. It is not too exciting for Shumagin or King Cove, Sanak and Unalaska. Kodiak price is .48 last I heard.

DENISE commented that all staff should be able to go to board of fish if they wish to. Also she wanted to have a copy of the request for donation from the Close-Up Groups.

**PUBLIC COMMENTS**


None.

**NEXT MEETING DATE**

Regular Assembly Meeting April 14, 2022.

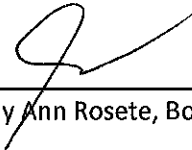
**ADJOURNMENT**

CAROL moved to adjourn. Hearing no more, the meeting adjourned at 4:56 p.m.



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Mayor Alvin D. Osterback

Date: 4/15/2022



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Beverly Ann Rosete, Borough Clerk