

CALL TO ORDER

Mayor Alvin D. Osterback called the Aleutians East Borough Assembly meeting to order by teleconference in each community on October 14, 2021 at 3:00 p.m.

ROLL CALL

Mayor Alvin D. Osterback	Present
Chris Babcock	Present
Carol Foster	Present
Warren Wilson	Present
Josephine Shangin	Absent – excused
Paul Gronholdt	Present
Brenda Wilson	Absent
Denise Mobeck	Present

Advisory Members:

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

A quorum was present.

Staff Present:

Roxann Newman, Finance Director  
Jacki Brandell, Finance Assistant  
Tina Anderson, Clerk (last regular meeting)  
Anne Bailey, Administrator  
Talia Jean-Louis, Assistant Administrator  
Ernie Weiss, Natural Resources Director  
Charlotte Levy, Assistant Natural Resources Director  
Glennora Dushkin, Administrative Assistant  
Laura Tanis, Communications Director  
Emil Mobeck, Maintenance Director

Adoption of the Agenda:

PAUL moves to amend the agenda to add the Cold Bay Clinic under New Business second by WARREN. Hearing no objections, the agenda is approved as amended.

Community Roll Call and Public Comments on Agenda Items:

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

There were no public comments.

Conflict of Interests:

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

Minutes, September 9, 2021:

**MOTION**

CHRIS moved to approve the September 9, 2021 Assembly Meeting Minutes and second by CAROL.

Mayor Osterback has one correction to minutes under Mayor's comments. Change "Alaska Airlines runs about 654,000 deplanements and they moved less than 6,000 in Cold Bay total" to "Alaska Airlines used to move roughly 64,000 deplanements a year at Dutch Harbor and left that market, they were moving less than 6,000 deplanements in Cold Bay." the numbers were wrong in the original statement.

Hearing no more **MOTION CARRIED.**

June, July and August, 2021 Financial Reports:

**MOTION**

WARREN moved to approve June, July and August financial reports and second by DENISE.

June, 2021 Financial Report *Unaudited*:

Administrator Bailey said the unaudited June 2021 financials show where we are at for fiscal year 2021-year end. Estimated revenue for FY21 is \$7,113,000; expenditures \$6,155,000; helicopter operation transfer \$768,000 and terminal surplus \$178,000; leaving \$358,000 surplus for FY21. A Large part of this was due to the COVID-19 fund; \$137,000 of covid funds covered payroll; \$65,000 in legal fees for covid related items; \$2,700 for telephone cost then some costs associated with postponed projects. There was very little travel in FY21 due to COVID-19 which created less expenditures then in the past. There was also a \$700,000 surplus in raw fish tax over what we anticipated.

July, 2021 Financial Report:

All accounts have been updated to reflect what was passed through the budget on May 27, 2021. Everything for July 2021 is tracking along as scheduled.

WARREN asked what happens with the revenue that come in higher than we projected, if they carry over from FY21 to FY22. Administrator Bailey said that is a cash account and it is not reflected in the financials. The financials are what we expect to expend and receive in the fiscal year.

CHRIS asked what is the Subdepartment 210 AEB Hovercraft Proceeds. Administrator Bailey said that is from the sale of the Hovercraft and it is unspent proceeds.

PAUL asked if we will be affected by the Legislator not having their budget passed yet. Administrator Bailey said she understands the budget has been passed and essentially the only thing she anticipates to be affected is the School Bond Dept Reimbursement.

August, 2021 Financial Report:

Administrator Bailey said we received \$959,000 that reflect the July fish tax. This is about 156% over our five-year average for what we typically receive in July. Other than that, everything is tracking along.

CHRIS asked if we received our money from Ravn after they went bankrupt. Administrator Bailey said that the issue has been resolved and we are up-to-date with payments.

**ROLL CALL**

Yeas: Warren, Paul, Chris, Denise, Carol. Advisory: Dailey.

Nays: None.

Yeas: 5

Nays: 0

**MOTION CARRIED**

August Investment Reports:  
In the packet.

**CONSENT AGENDA.**

None.

**ORDINANCES**

Introduction Ordinance 22-03, Amending Title 2, Chapters 2.04 and 2.16 Sections 2.04.020, 2.04.060 and 2.16.010 of the Aleutians East Borough Code of Ordinances:

CHRIS move to accept Introduction Ordinance 22-03 and set for Public Hearing. Second by DENISE.

Administrator Bailey said this ordinance is for common law principle and public trust issues. It is about dual office holding, a common law doctrine, prohibits the same person from holding incompatible offices, which prevents the same person from holding multiple positions of public trust. No Borough department heads are eligible to run for or serve on the Borough Assembly or the School Board while employed by the Borough as a department head and no Borough department heads are eligible to run for or serve as Borough Mayor.

**ROLL CALL.**

Yeas: Carol, Chris, Warren, Denise, Paul. Advisory: Dailey.

Nays: None.

Yeas: 5

Nays: 0

**MOTION CARRIED**

Emergency Ordinance 22-04, Assembly issuing a Declaration of Disaster Emergency in response to Covid-19:

CAROL moved to approve Emergency Ordinance 22-04 second by DENISE.

Administrator Bailey said with rise of cases, we want to bring this ordinance back to the Assembly so that if a staff member or Assembly Member is unable to go to the designated

meeting location, they would still be able to participate from home for the Assembly Meetings and that this is not intended to close the offices to the public.

**ROLL CALL.**

Yeas: Carol, Chris, Warren, Denise, Paul. Advisory: Dailey.  
Nays: None.

Yeas: 5  
Nays: 0

**MOTION CARRIED**

**RESOLUTIONS**

Resolution 22-16, Assembly amending the AEB Employee Handbook.

**MOTION**

CHRIS moved to approve Resolution 22-16 and second by CAROL.

Administrator Bailey said the Employee Handbook was initially reviewed by the Alaska Municipal League Joint Insurance Association and was subsequently reviewed and rewritten by the Borough Administration and the Borough Attorney. The Borough Attorney and Administration included a Grievance Policy and Procedures of the handbook and made some minor adjustments to the Section 6.14 Use of Borough Vehicles, Heavy Equipment and Other Equipment Owned, Leased or Rented by the Borough. There is a clerical error that will be changed in the handbook to change "permanent employee" to "regular employee" before the final copy is distributed.

**ROLL CALL**

Yeas: Carol, Paul, Warren, Denise, Chris. Advisory: Dailey.  
Nays: None.

Yeas: 5  
Nays: 0

**MOTION CARRIED**

Resolution 22-17, Assembly supporting five proposed plans of the Alaska Redistricting Board.

**MOTION**

CHRIS moved to approve Resolution 22-17 and second by DENISE.

Natural Resources Director, Ernie Weiss, amended the resolution to delete the BE IT FURTHER RESOLVED and change the NOW THEREFORE BE IT RESOLVED to: "NOW THEREFORE BE IT RESOLVED, the Aleutians East Borough Assembly supports all the proposed redistricting plans that keep the Aleutians East Borough together intact in the one house district."

**ROLL CALL on amended resolution**

Yeas: Denise, Chris, Paul, Carol, Warren. Advisory: Dailey.  
Nay: None.

Yeas: 5  
Nays: 0

**MOTION CARRIED**

Resolution 22-18, Assembly authorize Mayor to negotiate and execute agreement with RME to provide ongoing litigation services for Izembek Land Exchange/King Cove Road in an amount not to exceed \$76,375.

**MOTION**

CHRIS moved to approve Resolution 22-18 and second by CAROL.

Administrator Bailey said RME is requesting authority and funding to provide ongoing litigation services for the Izembek Land Exchange/King Cove Road.

PAUL asked between now and December how much do we anticipate to spend if this resolution passes. Administrator Bailey said she's not sure and that we do not pay in advance, we get monthly invoices for services provided.

**ROLL CALL**

Yeas: Denise, Chris, Paul, Carol, Warren, Advisory: Dailey.

Nays: None.

Yeas: 5

Nays: 0

**MOTION CARRIED**

**OLD BUSINESS**

None.

**NEW BUSINESS**

Cold Bay Clinic:

PAUL asked who approved the agreement between the Borough, City of Cold Bay and Eastern Aleutian Tribes and asked if we should have received a resolution from the City of Cold Bay for their withdrawal of the MOU. Mayor Osterback said the clinic project in Cold Bay started around 2012 and all three entities: AEB, EAT and City of Cold Bay had a MOU and if any one decided to withdraw the MOU would be in null and both EAT and the City of Cold Bay pulled their part of the agreement. Administrator Bailey added that the MOU had a termination clause where if one entity wanted to withdraw, the MOU would end and that we did receive letter from both the City of Cold Bay and EAT in August and September stating that they are no longer interested in constructing a new facility but would rather renovate the existing structure. EAT has COVID-19 funds that would pay for the renovation to the clinic.

CHRIS asked if the funds EAT donated to the construction of the new clinic will go back to them. Administrator Bailey said we never fully received the money, but it was in our budget and that we would pay for the costs and then bill them for it.

**REPORTS AND UPDATES**

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

CARES Act Funding Update:

We received about \$3.7M, spent around \$2.8M and have \$884,000 remaining and those funds are going towards the Cold Bay Terminal expansion. We also have \$325,000 in ARPA Funds that has been deposited in the AMLIP Portfolio and the funds can be used until the end of 2024. No plans for it yet, but will provide recommendations soon.

**Cold Bay Terminal Expansion:**

Still on track. The barge still has not left Homer with the supplies due to weather and mechanical issues. F&W plans to mobilize to Cold Bay in mid-October. Tenants in the terminal have been notified about the project and F&W plans to have a meeting as soon as they get to Cold Bay to inform the tenants of everything that will happen.

**Cold Bay Clinic:**

Both the City of Cold Bay and EAT terminated the MOU. The Borough clinic funds will need to be reappropriated.

**King Cove School:**

Kuchar made it to King Cove and completed their mechanical scope and will start the architectural scope of work. Plumbing and piping issues have been identified and Emil is working on that.

**King Cove Road Update:**

9<sup>th</sup> Circuit Appeal, a decision on this case is pending. Oral argument was completed on August 4<sup>th</sup> and follow-up letters regarding the Secretary of Interior's visit to King Cove were filed as ordered by the Court and at this point there is no set timing of the Court to rule on this case. Secretary Haaland's visit to King Cove was postponed due to COVID-19 and they are planning to come out in late November or early December. On October 4, 2021, the State DOT/PF filed an administrative appeal before the US Fish and Wildlife Services. The State did not ask for or need any member of the King cove Group to cosign the appeal letter, the letter is not yet available.

**Akun Dock and Break Water:**

Scheduled to originally go out September 14<sup>th</sup> and 15<sup>th</sup> with the Army Corp but travel was cancelled due to COVID. The Corp has to have an onsite visit and hold a public meeting with the community to get their input on the project.

**Strategic Planning:**

On October 4<sup>th</sup> staff started a kick off meeting. Planning on hosting the in person meeting in December.

**Other Items:**

Prepping the Financial Work Sessions. Working on the FY21. Updating policies and procedures.

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

**Learning:**

Asking questions, taking notes and becoming familiar with the six communities.

**Strategic Planning:**

Met with John Gregoire to learn the Navigation Portal for the AEB Strategic planning.

**Ice Services:**

Working on building security through ICE Services. Met with ICE about upgrading internet in the King Cove office.

**Beazley Breach Solutions:**

Great resource for Cyber learning. There are ten trainings, all running from 10-20 minutes long.

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

**Annual Report:**

Mailed out the reports to the communities last month, included info about projects the Borough is working on.

**Website Design:**

Planeteria Media was selected as the website designer. Met with Planeteria a few times to talk about various sections on the website that could be changed. More meetings to come.

**Fish News:**

Last Fish News went out on October 5, 2021, with two articles written by Ernie Weiss. One about the Alaska's Young Fishermen's Summit, which will now be held virtually due to COVID. The Borough will pay for AYFS registration for eligible applicants, applications can be submitted to Tina Anderson no later than 4:00 pm on October 15<sup>th</sup>. The second article contained information about the NPFMC online meetings.

**In the Loop:**

The most recent In the Loop announced the preliminary results from the Borough's regular election. The next one will have the final results. Also working on a story about our newly-hired Assistant Borough Administrator, Talia.

**AK Assn. of Harbormasters & Port Administrators Conference:**

Updating a PowerPoint presentation for Mayor Osterback for the conference to include the Nelson Lagoon and Cold Bay Dock as well as what's occurring in the Sand Point and Akutan harbors.

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

**Alaska Board of Fisheries:**

Our cycle for the BOF was supposed to be this year but was bumped because of covid so the cod and salmon meetings won't be until 2022/2023. There are two ACRs from Chignik that concern us, they are 6 and 7, which would further restrict salmon fishing in the Dolgoi area and the Shumagin Island section. Comments can be submitted until the meeting on October 20<sup>th</sup> and 21<sup>st</sup>.

**North Pacific Fishery Management Council:**

The Council met for one day on October 6<sup>th</sup> to address BSAI crab and set OFLs and ABCs and get this info to the ADFG in a timely manner for the crab season. The big item on the Council agenda is C4, the BSAI CV Trawl P. cod LAAP which garnered 175 written comments.

**Alaska Redistricting Board:**

People could go to the meet the maps zoom session to see which map you really want to advocate for and there will be a few more Statewide teleconference sessions.

**Seafood Raffle:**

Still doing the raffle with the donated crab, canned salmon, frozen salmon and shatterpack cod. Please don't forget to submit applications to Tina October 15<sup>th</sup> at 4:00 if you would like to attend the Alaska's Young Fishermen's Summit. The raffle tickets will be drawn at our next Assembly Meeting on November 10<sup>th</sup>. Tickets can be bought at all Borough offices. Pretty good fish tax summer.

Ernie says thank you Tina for all your work, certainly has been helpful from when I was an Assembly Member to now a Staff Member.

PAUL had question about the southside tanner crab fishing for Kodiak, Chignik, south peninsula and Dutch Harbor on when we should expect an official announcement. Ernie said we expect early November. There is a proposal to change how the Kodiak, Chignik and south peninsula quotas are set in the March BOF meeting.

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

Electric Monitoring – WGOA2/EFP:

The B season for the 610 pollock is ending on October 15<sup>th</sup>, 2021. Data review so far shows a marked improvement in the logbook accuracy and timeliness of logbook submissions. NPFMC is scheduled to take up the Preliminary Analysis of Trawl EM during the January meeting that will be held in Seattle, WA. We submitted a pre-proposal application for the Saltonstall-Kennedy grant and it is a no match grant.

WGOA Data Portal:

Processing Plants have been really cooperative. Feedback portal is working really well. This grant will be closing out this year.

Mariculture:

The NFWF Grant will be closing out this year. The final field work may not get done due to the many things that have to align which isn't happening, may have to give some of the money back.

AFSC Cod Tagging Projects:

In the process of finalizing the budget for the 2022 field work. The Borough has our match figured out but waiting for AFSC still needs to submit their funds. Had tags pop up in the Bering Strait.

Salmon Issues:

The NRD department held a fishermen's meeting to discuss BOF strategy and how to best respond to the ACR's submitted. Discussing with ADFG Research staff regarding research projects the department is interested in and/or will be conducting and how AEB may be involved.

**Maintenance Director Report:**

Cold Bay Terminal:

Working with Anne, Talia, DOWL and ACI with the addition in Cold Bay.

Sand Point School:

Had issues at the Sand Point school, losing water since the last earthquake.

King Cove School:

Working on sending out water samples to see what minerals are in the water at the King Cove School to see what minerals are in the water ruining the pipes.



Strategic Update:

Finishing all reports on Borough owned facility and creating a priority list. Doing winterizing now with summer equipment.

PAUL asked about the water/pipe problem in the King Cove School. Emil said we are looking at all possible problems and working quickly.

DAILEY asked for a timeframe on when we will be working on the Cold Bay Terminal. Emil said barge hasn't left Seward yet and deferred to Anne. Anne said next week hoping they will be there.

ASSEMBLY COMMENTS

Mayor Osterback said he would like to congratulate the new Mayor of King Cove, Warren Wilson.

CHRIS commented Tina I remember working with you when the Borough had LEDC and that you will definitely be missed

BRENDA commented I will miss you horribly and not to change your phone number.

DAILEY commented ditto ditto ditto on missing you, you've been a big help.

PUBLIC COMMENTS

Administrator Bailey commented saying thank you Tina for all your hard work with the Borough and that you will be missed.

Natural Resources Assistant Director, Charlotte Levy, commented I will miss you so much Tina.

Communications Director, Laura Tanis, commented I wanted to echo the other comments and thank you for the help over the years and that we will miss you.

NEXT MEETING DATE

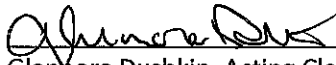
Certification of Elections Monday, October 18, 2021 at 10:00am.

Regular Assembly Meeting Wednesday, November 10, 2021 at 3:00pm.

ADJOURNMENT

DENISE moved to adjourn and second by CAROL. Hearing no more, the meeting adjourned at 4:36 p.m.

  
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Mayor Alvin D. Osterback

  
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Glenora Dushkin, Acting Clerk

Date: 11/10/2021

