

CALL TO ORDER

Mayor Alvin D. Osterback called the Aleutians East Borough Assembly meeting to order by teleconference in each community on July 13, 2023 at 3:20 p.m.

ROLL CALL

Mayor Alvin D. Osterback	Present
Chris Babcock	Present
Dailey Schaack	Present
Warren Wilson	Present
Josephine Shangin	Present
Paul Gronholdt	Present
Brenda Wilson	Present
Jim Smith	Absent – excused

Advisory Members:

Samantha McNeley	Present
Tom Hoblet	Present

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, Deputy Clerk  
Laura Tanis, Communications Director  
Jacki Brandell, Finance Director  
Seward Brandell, Finance Clerk

*ADOPTION OF THE AGENDA*

CHRIS made a motion to adopt the Agenda, seconded by JOSY,.  
Hearing no changes or additions, the agenda will stand as written.

*COMMUNITY ROLL CALL AND PUBLIC COMMENT 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.

There were no public comments.

*CONFLICT OF INTEREST*

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

*PRESENTATION*

- **Akutan Harbor Navigational Improvements Study by Army Corps of Engineers**

David Williams, Matthew, Lauren, and Kelly.

David said the Army Corps has received a Letter of Intent that had to go through several iterations to find the right program for it and found a budget to study under the Tribal Partnership Program, this is because Akutan itself is 98% Alaska Native. The issue for this is the airport for Akutan is on Akun Island. The current helicopter transportation method is expensive and inefficient. The main objective is to provide safe and reliable access to Akutan and to improve key service operations. A big focus is to avoid impact to the only Salmon Sockeye stream located on the west side of the Akun Island near the airport. There is at least one known Archeological District in the Project Area. The Surf Bay Archeological District would be impacted by both the harbor construction as well as the uplands development expected with the project. There is potential blasting and pile driving.

PAUL asked if the Army Corps could define LSF. David said that is Local Service Facilities, which would include anything that is required to make the harbor operational.

PAUL said 58' boat is designed for something else, and if a 64' would work better.

Administrator Bailey clarified that the cost reflected in the presentation is 2023 values and will most likely increase in 2032.

*MINUTES*

**May 18, 2023** Special Assembly Meeting Minutes

**MOTION**

WARREN moved to approve the May 18, 2023 Assembly Meeting Minutes and second by DAILEY.

TOM said his comment was missing on the minutes. Deputy Clerk will make the correction.

Hearing no more **MOTION CARRIED.**

*FINANCIAL REPORT*

- **April 2023**
- **May 2023**

BRENDA makes a motion to approve both April and May Financials second by JOSY

Administrator Bailey said the April Financials are about 83.3% of our fiscal year and the May Financials are 91.6%. We have exceeded what we expected in revenues, which is good news, then we exceeded a few line-item budgets.

**ROLL CALL**

Yeas: Josy, Brenda, Chris, Warren, Paul, Dailey. Advisory: Samantha, Tom.

Nay: None

**MOTION CARRIED**

*INVESTMENT REPORT*

April 2023

May 2023

APCM Investment Reports in the packet.

*CONSENT AGENDA*

None

*PUBLIC HEARING*

None

**ORDINANCES**

None

**RESOLUTIONS**

**Resolution 24-01**, Authorizing the Mayor to Negotiate and Execute a Memorandum of Agreement between the Aleutians East Borough and the City of King Cove Regarding Maintenance of the King Cove Access Road During Fiscal Year 2024

**MOTION**

BRENDA moved to approve Resolution 24-01 and second by CHRIS.

Administrator Bailey said during fiscal years 2017-2023 the Borough and the City agreed the City would accept maintenance services for the King Cove Access Road. The Borough authorized the City to use a Borough owned grader and excavator for the Road and to use the equipment for City roads. The Borough does wish to have the City continue maintenance for fiscal year 2024 and monies are available for the \$99,000 agreement.

**ROLL CALL**

Yeas: Dailey, Paul, Warren, Chris, Brenda Advisory Tom, Samantha

Nay: None

**MOTION CARRIED**

**Resolution 24-02**, Authorizing the Mayor to Negotiate and Execute a Memorandum of Agreement Between the Aleutians East Borough and the City of King Cove Regarding the Reimbursement of Expenses Associated with the King Cove Access Project for Fiscal Year 2024

**MOTION**

BRENDA moved to approve Resolution 24-02 and second by DAILEY.

Administrator Bailey said we have entered into an agreement with the City for numerous years and this would continue that agreement to help offset expenses that are related to the road for fiscal year 2024 appropriated up to \$100,000.

PAUL said sometime in the future, the Assembly should review the road situation to see how it affects our decisions as we move forward.

**ROLL CALL**

Yeas: Paul, Brenda, Dailey, Warren, Chris Advisory: Samantha, Tom

Nay: None

**MOTION CARRIED**

**Resolution 24-03**, Asking Governor Dunleavy to Veto Any Legislation that Comes Forward that Overrides a State Board or Commission

**MOTION**

BRENDA moved to approve Resolution 24-03 and second by CHRIS

Natural Resources Director Weiss thanked the Assembly for approving Resolution 23-51 opposing SB 128 and HB 180 which would have overrode the Board of Fish acts. This Resolution 24-03 asks the governor to veto any legislation that comes forward to override a State board or commission. This will act as a template for AML or any other body that may want to pass it as well.

Mayor Alvin said this came about when we had the Legislative body looking to override the Board of Fish. I was at an AML meeting and brought this up and we talked about how this could happen to any Board. if they can do this to the Board of Fish, they can do it to any other Board or Commission.

WARREN said thank you for the efforts on this resolution and it could be a blueprint for what happened this spring to kind of deter the activist from trying to shut down the State process where there is tons of money spent on hiring people to do these jobs and collect data and pass it through the Board of Fish and all the efforts we do to go to a meeting to be shut down by one political activist is not right and I just want to thank you.

PAUL said I do not have any objection of passing this, but it might be easier to get it through the process if we stick to Fish and Game, it's a big organization and the legislator of course could say no to anything. Mayor Alvin said a lot of people don't have to do anything with fisheries, but if there are a limited number of business in a community, and someone is a friend of a legislator in that community they can change the law so they can have more of the same business and now that is regulated.

**ROLL CALL**

Yeas: Brenda, Chris, Warren, Paul, Dailey. Advisory: Tom, Samantha

Nays: None

**MOTION CARRIED**

**Resolution 24-04**, Allocates \$20,388 of the Aleutians East Borough's Local Assistance and Tribal Consistency Fund (LATCF) Monies to the Alaska Municipal League's Alaska Public Lands Fellowship

**MOTION**

WARREN moved to approve Resolution 24-04 and second by BRENDA

Administrator Bailey said in September 2022 the treasure launched these LATCF funds for eligible Borough's and County's. We are slotted to receive \$2.38M funds. In October 2022, we received the first tranche. In June 2023 AML contacted all the recipients regarding contributing a portion of the funds for public lands. Nils with AML does recommend allocating the funds and we would prefer to give it directly to AML directly so it is used for Alaska land issues rather than NACo where it would be more national.

PAUL asked if we can give it anywhere or why is it just AML.

Administrator Bailey said AML advocates on behalf of the Borough and all State communities and thinks that AML would advocate on land issues that could be for the Borough and this money would be contributed to them to advocate on our behalf with NACo, which is more of a national item and they don't focus on Alaska specifically.

Mayor Alvin said if we split it with AML and NACo, then the money could be distributed and used anywhere in the nation. By directing it to AML, it would be used for issues in Alaska.

Administrator Bailey said another option is we don't allocate this money at all and we just keep it.

**ROLL CALL**

Yeas: Chris, Brenda, Dailey, Paul, Warren Advisory: Samantha, Tom.

Nays: None

**MOTION CARRIED**

*OLD BUSINESS*

None

*NEW BUSINESS*

- Strategic Plan Quarter 1 Update

Administrator Bailey said the staff and everyone has completed quite a few of our strategic initiative and moving into the next quarter. This is still a useful tool; it's helping direct us on where we need to go with major projects.

#### **REPORTS AND UPDATES**

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

King Cove Road Update: Still a question of the next steps with the 9<sup>th</sup> Circuit decision which returns the case to the Alaska Federal District Court. There are still a few options which include to file a new complaint. The second is the State of Alaska, the State attorney Lynch said he is reluctant to recommend the state file it's appeal. The Third is the Department of Interior notice of intent process.

School Updates: DOWL, ECI and others have gone to Sand Point.

- Sand Point School: At lot of work has been done in the last six months.
- Sand Point Boilers: Parts are arriving and the boiler should arrive in Sand Point soon.
- False Pass Boilers: There was such a long lead time that we are still waiting on a few components.

Cold Bay Dock: It was hit by a vessel on June 2<sup>nd</sup>. We are working with Frosty Fuels and the City on addressing this. We issued a claim to AMLJIA. We have engaged Moffat and Nichol to assist us on determining if there is any structural damage on our part.

Other Items: We buy coverage of insurance with AMLJIA and we bond the airport operations liability that we have to have. We also got cyber liability.

PAUL asked which boat hit the dock. Administrator Bailey said she cannot share at the moment as it is still being investigated.

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

Healthy and Equitable Communities Grant: The Borough is partnering with EAT to purchase and install morgues in False Pass and Nelson Lagoon. This is a reimbursement grant with the State of Alaska.

Energy Efficiency and Conservation Block Grant Program: This would be to retrofit energy for the Sand Point school. Not much progress to share.

Sand Point School Update: Councilmen Hunsaker conducted a site visit on June 12 and 13 and provided a high-level summary of their visit.

Kuchar Construction: finalized their work on June 1. They fixed the door, floor and addressed the mold issue. We will be using the DEED grant to further address the mold issue.

DEED Grant:

Boiler Update: LONG does anticipate to do their inspection in August for the winter.

Maintenance Connection: working on the bridge inspections, looking for quotes for paint job at the False Pass school, morgues for False Pass and Nelson Lagoon, and also working on the back stairs and landing for Akutan school.

CHRIS asked if the grant for the morgues can also be used to get a grant for Cold Bay. Administrator Bailey said the HRSA grant will be covering a morgue for the Cold Bay clinic.

PAUL said he missed the date on when the pool will be open. Assistant Administrator Jean-Louis said we are still working on it and made a lot of progress.

PAUL asked if there is a lawsuit or potential lawsuit between the pool contractors. Administrator Bailey said the contractor we hired is not paying their subcontractors. Our attorney had to get involved, and the subcontractors are trying to put a lien on our property, but being we are a government, they cannot. We are working as quickly as we can to not go into litigation because it would have to be in Canada.

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

White Papers:

- Sand Point Harbor: recently completed a whitepaper, which provides a history of the project. This will change as developments occur.
- Cold Bay Clinic: this project has a very long history and I am documenting the history and funding for this project.
- King Cove Access Project – Updating: this was initially completed in 2018, but since there have been numerous developments over the years.

In the Loop – New Ambulance for King Cove: This is a new ambulance for King Cove, the current one is close to 30 years old and this new one will be a great addition to King Cove.

Media Coverage – King Cove Land Exchange: Included in my report are some links for this.

Other Items: working on the annual report.

Mayor Alvin said Communications Director Tanis is doing a lot of whitepapers to keep history of what the Borough has accomplished. Once all the information is together, we bring it back to the Assembly for their stamp and it becomes part of the record for the Borough. Over the long-term it will be great for the Borough.

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

Salmon Season: has not been great with low harvest numbers and prices. The June season was below average. The escapement in Chignik and Nelson Lagoon have been great.

Port Moller Lot 2 Lease Agreement: We are looking for the guys to find an insurance carrier that will cover them.

Opportunity to Comment: big number for Bristol Bay red king crab and snow crab disaster for 2023. I submitted a comment letter to ADFG on the Chignik salmon fisheries disaster hoping that historical SW fishermen could be apart of that.

DAILEY said the escapement in Nelson Lagoon is good, but they are small fish, and it is going back and forth between female and male fish and asked if that has to do with early return. Natural Resources Director Weiss said that question was asked at a Nelson Lagoon AC meeting and it sounds like it is the years return.

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

Electronic Monitoring – WGOA3/EFP: in my report

Fixed-Gear EM Project: in my report

Board of Fisheries Trip: Abby with SilverBay and myself hosted a tour with the Board of Fisheries members, Tom Carpenter and Mike Wood in Sand Point and King Cove.

June Salmon: Bang-up season with everyone using the portal.

AFSC Cod Tagging Project: we originally had 20 tags, 10 of those were slated for the western golf. I went out in Sand Point to get five out, and now will be going out in King Cove to get the other five out, then will head back to Anchorage.

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

Audit: we have closed out fiscal year 2023.

Caselle: all of the documents Caselle has requested for the preset-up phase have been uploaded reviewed. They are pushing the project to the next phase.

Financial Policies and Procedures: I have finished the policies and procedures for the accounts payable and check signing and we now have a dual control process with the proper internal controls.

Routine Tasks: a majority of the routine tasks are completed for the June data. Waiting on a few things to come in to start working on the quarterly report.

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**EXECUTIVE SESSION**

- The Borough Assembly may move into Executive Session for a discussion of the status of Trident’s move from Akutan to Unalaska. The discussion will include strategies, in the best interest of the Aleutians East Borough, regarding the effect the move will have on the Borough. A matter, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity. AS 44.62.310(c)(1)

**MOTION**

Brenda moved to go into Executive Session to discuss the status of Trident’s move from Akutan to Unalaska and allow in attendance the Advisory Members, Mayor Alvin Osterback; Glennora Dushkin,

Deputy Clerk; Anne Bailey, Administrator; Talia Jean-Louis, Assistant Administrator; Ernie Weiss, Natural Resource Director; Charlotte Levy, Assistant Natural Resources Director; Jacki Brandell, Finance Director; Laura Tanis, Communications Director; Joe Levesque, Borough Attorney. Second by Chris.

Hearing no objection **MOTION CARRIED**

Recessed from Regular Meeting and reconvened into Executive Session at 5:40 p.m.

The Assembly came out of Executive Session at 6:31 p.m. The Executive Session was on the status of Trident's move from Akutan to Unalaska. **NO ACTION WAS TAKEN**

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**ASSEMBLY COMMENTS**

**PUBLIC COMMENTS**

**NEXT MEETING DATE**

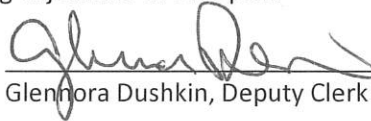
- Regular Assembly Meeting August 17, 2023.

**ADJOURNMENT**

Brenda moved to adjourn. Hearing no more, the meeting adjourned at 6:34 p.m.



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Mayor Alvin D. Osterback



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Glennora Dushkin, Deputy Clerk

Date: 8/27/23

