

CALL TO ORDER

Mayor Alvin D. Osterback called the Aleutians East Borough Special Assembly Meeting to order by teleconference in each community on October 16, 2023 at 3:00 p.m.

ROLL CALL

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

Advisory Members:

Samantha McNeley, Nelson Lagoon	Present
Tom Hoblet, False Pass	Excused

Quorum was present.

Staff Present:

Anne Bailey, Administrator
Talia Jean-Louis, Assistant Administrator
Ernie Weiss, Natural Resources Director
Charlotte Levy, Natural Resources Assist. Director
Beverly Ann Rosete, Borough Clerk
Jacki Brandell, Finance Director
Seward Brandell, Accounting Clerk

ADOPTION OF THE AGENDA

WARREN move to Adopt the Agenda, seconded by CHRIS

Hearing no objections, 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.

CONFLICT OF INTEREST

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

CERTIFICATION OF THE OCTOBER 3, 2023 REGULAR ELECTION

MOTION

CHRIS moved to approve the October 3, 2023 Regular Election Results, seconded by JIM

Borough Clerk reviewed the election report said that the election went well except for getting the election materials out of King Cove due to Post office delays. The Canvass Committee met on October 13, 2023 10:00am at the Borough building to canvass all absentee, By Mail only and eligible question ballots. The following are the Results of the October 3, 2023 Regular Election:

- Mayor: Alvin D. Osterback
- Assembly Seat A: Warren Wilson
- Assembly Seat F: Josephin Shangin
- School Board Seat C: Hillary Smith
- School Board Seat D: Carla Chebetnoy

ROLL CALL

Yeas: Chris, Jim, Paul, Warren Advisory: Samantha
Nay: None

MOTION CARRIED

SWEARING IN NEWLY ELECTED OFFICIALS

MINUTES

September 14, 2023 Regular Assembly Meeting Minutes

MOTION

CHRIS moved to accept the September 14, 2023 Assembly Meeting Minutes, seconded by WARREN

Hearing no correction, Minutes will stand as presented.

ROLL CALL

Yeas: Warren, Chris, Jim, Paul Advisory: Samantha
Nay: None

MOTION CARRIED

September 20, 2023 Special Assembly Meeting Minutes

JIM moved to accept the September 20, 2023 Meeting Minutes, second by CHRIS
Hearing no correction, Minutes will stand as presented.

ROLL CALL

Yeas: Paul, Jim, Chris, Warren Advisory: Samantha
Nay: None

MOTION CARRIED

FINANCIAL REPORT
August 2023 Financials

MOTION

CHRIS made a motion to approve the August 2023 Financials Report and second by JIM

Administrator Bailey said this is the 2nd month into the fiscal year. for Fish Tax Revenue, we brought in \$545K for the month of August which is 4.8% higher than the 5-year average. Everything else is tracking along good.

CHRIS asked what was the line-item Engineering under Administration consists of? Administrator Bailey responded, that is the work we do at DOWL , to do Engineering work for us. CHRIS proceeded to ask about the line-item insurance on page 4, Bailey responded, yes, that is for insurance that is paid upfront. Chris asked about the per diem line item on page 8 of the financials. Administrator Bailey responded it is for a Cod Tagging grant. Natural Resources Assistant Director added that reallocation will be done and once the budget amendment goes through it won't look over budget.

ROLL CALL

Yeas: Paul, Chris, Warren, Jim Advisory: Samantha

Nay: None

MOTION CARRIED

INVESTMENT REPORT

APCM August 2023 Investment Report

Administrator Bailey commented as of October 16, balance of Investment is \$44M.

CONSENT AGENDA

PUBLIC HEARINGS

ORDINANCES

RESOLUTIONS

OLD BUSINESS

- Sand Point School Memorandum

Administrator Bailey said this is an overview of all the works that has been done since 2022 to the present. On September this year, a lot of activity began with Living Waters, NuFlow (subcontractor) and DOWL arrived in Sand Point to complete the initial scope of work in the amount of \$114,590. The crew began working on the pool and determined that the surge tank and the drain boxes needed to be repaired, that flush meters needed to be installed in the locker room and a flow meter needed to be installed. There is a summary of all the items that were approved in the packet. Administration approved Living Waters to extend their time at the site to complete the pool work in the amount of \$23,046. The Borough also contracted DOWL in the amount of \$62,000 to provide project management in Sand Point while the work was being conducted. The pool is still

leaking at a rate of 2 ½ inches per evening approximately 5K gallons of water. They identified where the water is going, which is a plus. We are working with the pool manager, DOWL and we will initiate more conversation with the contractors to figure out what's going on. We are currently keeping track of the water loss on a daily basis. We are trying to figure out what is occurring and hopefully figure that out soon and give an update on *how much we spent to date and which source of grant funding was used.*

PAUL commented that we've been doing it for a year, trying to fix the pool. Suggested to cut the seal, cut the cement, dig a hole and find where the leak is. Said that the solution is to dig a hole.

CHRIS asked Anne or Talia where the pool was leaking from? Administrator Bailey responded that they are not sure. The liner, the gutters, the lines were done. We fixed the pump room, and we are just trying to narrow it down. We've touch every base that we can and hopefully can pinpoint it.

CHRIS commented that we are losing water in the pool over a period of time. Asked Paul to clarify why he is suggesting digging a hole. PAUL responded between the pump house, which is close to the pool, the plumbing is probably leaking there, we just have to dig and find it. It won't tell you where the leak is, but we just have to follow the line and we'll find it.

CHRIS asked PAUL if he was talking about the return line filtration? PAUL answered, the supply line from the pump house to the pool. The logical thing to do is to get a cement cutter and find that line.

WARREN commented that he appreciates the work being done to get to the bottom of the problem with the pool. Everybody is trying and we should give ourselves a room to be able to works through this.

BRENDA pointed out a typo in the pool memorandum. Said that everything was being done at a time we could do it and there not a lot of pool contractors in Alaska. We are going to work on the pool to make it functional.

CHRIS agrees that we certainly have to fix the pool that it will last a long time. He appreciates what the administration is doing and hopefully gets to the bottom of this and rectify this.

Mayor Osterback commented that he is as frustrated as everyone else but we will keep pushing forward and have it fixed.

PAUL Asked about the report from Joe Sullivan. Natural Resources Assistant Director Levy responded that we just got the agreement for representation which he goes through for conflict-of-interest purposes. We responded and had that in place. Now he will provide a scope as well as timeline and a budget to get that analysis over to us.

NEW BUSINESS

- Akutan Trident Plan Land Ownership Information

Natural Resources Director Weiss said that there are 40 acres of land that Trident owned in Akutan. Brief history, William Lagen inherited from his parents who got it from his grandparents who bought 2 whaling companies. There are 3 general areas identified as USS 1143, 1144 and 1145. 1145 is where the majority of Trident Plant is on. A document showing William Lagen leased these areas to Trident in 1977. In 1984 William S. Lagen acquires a 50-year lease of Alaska Tidelands Survey 1208 for an annual payment of \$2550.00 until the year 2039. Alaska Tideland Surveys connected to Trident plant: ATS 1208, ATS 1310, ATS 1489 & ATS 1514. In 1994 Trident and the Akutan Corporation exchange lands --

Trident conveys 7020 square feet for church/gym to Akutan Corporation, and Akutan Corporation conveys 4.49 acres adjacent to USS 1145 to Trident. In 1998 William S. Lagen conveys USS 1145 to Akutan Limited Partnership (80%) & Ness Limited Partnership (20%). In 2001 William S. Lagen conveys USS 1144 to Trident. In 2004 William S. Lagen conveys USS 1143 to Trident. In 2016 Akutan Limited Partnership and Ness Limited Partnership convey USS 1145 to Trident Seafoods.

PAUL added that Mr. Lagen patented all the land out there and when he moved from fisherman's terminal to Lake Washington, now Bellevue, up to this day his grandson still owns a lot of property down town Bellevue.

REPORTS AND UPDATES

Administrator's Report in packet. Highlights below:

King Cove Road Update: USFWS initially scheduled its first Government to Government (G2G) consultation session in King Cove on September 25th, however due to volcanic eruption, Air travel was cancelled. The in-person G2G session was changed to a virtual session on Thursday, September 28 between the USFWS office in Anchorage and the King Cove Clinic along with a few outlying virtual connections. Testimonies were given at the G2G meeting from King Cove Corporation shareholders, Agdaagux and Belkofski tribal members, local government & school officials, health care providers, and local businesspeople emphasizing the health, safety, & quality of life reasons that the Land Exchange must be finally approved and allow for the remaining twelve miles of road to connect King Cove to Cold Bay to be completed. There will be biweekly meetings to discuss and monitor the SEIS process.

Sand Point Pool: Living Waters/NuFlow/DOWL arrived in Sand Point during the week of September 18, 2023 to complete the initial scope of work in the amount of \$114,590 (billed to the ARPA line-item). The crew began working on the pool and determined that the surge tank and the drain boxes needed to be repaired and four flush meters were needed for the locker rooms. The list of work that was done is included in the report.

Cold Bay Terminal: Gould Construction has responded to the work order that was issued for the Cold Bay Terminal Repairs. The Borough is in the process on working with Gould on finetuning the scope of work and the cost for the project. Repairs to the Cold Bay Terminal have been identified. A work order has been drafted. The cargo door has been damaged. The Borough is working with Door Systems of Alaska on repairs.

Cold Bay Clinic: The 65% design has been drafted and is being reviewed. DOWL is prepping the bid documents, which should be released soon.

Fall Pass School: There was a surge from the electricity. We already have Wired AK under contract to do electrical work. Wired Ak and DOWL are working with the city electrician to figure out what was the problem and hopefully Wired Ak can go out in False Pass and address this issue.

Assistant Administrator's Report in packet. Highlights below:

Healthy & Equitable Communities (HEC) Grant: The Borough is partnering with Eastern Aleutian Tribes to implement the purchase and installation of a 2-Body Morgue for the City of False Pass and the Village Nelson Lagoon. On October 10, 2023 the Borough submitted its quarterly report to the State of Alaska, the Alaska Department of Health. They approved the purchase of the morgue. I have reached out to vendors of funeral supply, and they are in the process of building the morgue itself. Upon the completion of the morgues being built, the Borough will be notified and given an ETA on shipping. From there, we will move to the next phase of the project with the assistance of DOWL and Eastern Aleutian Tribes to schedule the installation in the clinics.

Alaska Department of Education & Early Development (DEED) Grant: September 1, 2023 Capital Improvement Project (CIP) applications and a Supplemental Funding Request requesting an additional \$3,842,852 for the project were successfully submitted to the Department of Education & Early Development (DEED). Still waiting to hear back from them.

Councilman-Hunsaker: September 20, 2023 the Borough received the final maintenance plan and O&M manual package. Both these files should be considered working/ongoing documents that the Borough and school should regularly use, review, and update.

LONG Boiler Update: LONG has successfully completed boiler repair & maintenance in Cold Bay Terminal, King Cove School and False Pass. During LONG's visit on September 18th in Sand Point, there were two components on the burner for Boiler 1 that were found to be bad during startup. Boiler 1 is operating at this time, but these parts do need to be replaced. A proposal was submitted and accepted for the repair. As of now, LONG is waiting on the parts for the boiler. LONG is now tentatively scheduled for boiler maintenance and repair for Akutan School on October 23rd due to the recent volcano and parts delay. Once they receive the parts, LONG will provide a better ETA.

ICE Services Server Update: Our servers are on the end of their life span and on August 30th, the Borough signed an agreement with ICE Services for two servers: A Dell Power Edge T550 which will be installed in the Anchorage Office and will have the Sand Point Office connected to it and A Dell Power Edge T150 which will be installed in the King Cove Office. ICE Service's have received the T150 server for the King Cove Office and they anticipate the T550 for the Anchorage & Sand Point Office to arrive October 11th. It will take about two days to prepare the equipment and install it on-site which will allow them to start copying over data. ICE is tentatively scheduling the migration for October 20, 2023.

Maintenance Connection: October 17th-19th, 2023 I am scheduled to be in Sand Point to train staff personnel as well as the new Head of Maintenance at the Sand Point School on how to utilize the Maintenance Connection site. Administration continues to utilize Maintenance Connection created by SERCC where the Borough can perform tasks such as processing maintenance request, creating work orders, setting up preventive schedules, creating purchase orders, and reordering inventory.

List of meetings attended is included in the packet.

PAUL commented that there are 2 independent boiler people in town and would be good to keep in touch with them, especially if there are already in town.

CHRIS asked Talia about what kind of morgues we are going to install in EATS? Is this something that has to be built by engineers or is it prebuilt and just needed to be plugged in? Assistant Administrator Jean-Louis responded, this is prebuilt and just needed to be plug in. Their biggest issue is the breaker box, they wanted to make sure there is enough energy to support it.

Natural Resources Director Report in packet. Highlights below:

Alaska Board of Fisheries: There is new leadership at the Board, the chair is John Wood and Vice chair is Tom Carpenter. The Agenda Change Requests that we were concerned with AC2 and ACR3 were rejected by votes of 1-6 which is great. We extract important public comments, the Mayor's letter, and Seiners comments that put on a good argument which helped a lot. Out of 13, they only accepted 4 ACRs.

North Pacific Fishery Management Council: The Council elected APICDA's Angel Drobnika as Chair their first day of the October meeting. It was also former Aleut Enterprise President Rudy Tsukada's first meeting. Agenda item C4 on Chum salmon bycatch in the Bering Sea pollock fishery garnered over 50 testifiers to the Council. My testimony urging the Council to consider the importance of pollock to AEB communities was accompanied by this AEB community slide show. The Council C4 motion moved the analysis to initial review. The Council also adopted D1 LKTKS protocols. The Council will be under new restrictions under the Fiscal Responsibility Act. An EIS will now be limited to 150 pages and the time limit on an EIS is now 2 years. The December meeting will include final groundfish specs, an opportunity to comment on the Secretarial amendment on Cook Inlet Salmon and a review of GOA Pacific cod allocation. I am hoping for the Assembly to put together a resolution for thanks for John Jensen for his 20 years in Board of Fish.

Unanga Listening Session on Environmental Justice: I attended this session on October 9th along with representatives of tribal entities and municipalities of our region. The session was based on a grant from the Department of Energy with a focus on the need to address regional environmental injustices and inequities, including the government responsibility to address concerns regarding Amchitka Island, but also other regional concerns. The purpose of the session was to receive input to assist a working group in the development of a forward-thinking, comprehensive plan to address environmental and energy justice across the Aleutian and Pribilof Islands and lower Alaska Peninsula. The mandate for all federal agencies to address some of these issues stems from President Biden's April 2023 Executive Order 14096 on Environmental Justice. I thanked APIA and the Aleut Corp for the invite to this valuable session and I signed up to participate in the working group moving forward.

Crab Disaster Spend Plan: ADFG released the initial draft spend plan for funds appropriated to address both the 2021/22 and 2022/23 Bristol Bay red king crab and Bering Sea snow crab fisheries disaster determinations. The comment deadline on the draft plan was extended from October 10 to October 20 in response to broad fishery stakeholder requests. The crab communities of Akutan, King Cove, Aleutians East Borough, St. Paul and Unalaska met with ADFG Commissioner October 8th to request an increase for communities (to come from the draft amount for research). An oversight by the ADFG named King Cove as a community within the Lake & Pen Borough, but that mistake will be addressed in the next draft. Senators Sullivan and Murkowski were able to include a "look back" provision to allow NOAA to accept and approve inclusion of lost raw fish tax revenue in a spend plan for disasters requested prior to passage of the new law last December. The law now allows recovery of fish tax revenue for municipalities without commitment to special fisheries related projects. There are now 11 fishery disasters pending before the Secretary of Commerce.

Port Moller Lot 2 Lease: The lease of Lot 2 of the Port Moller Subdistrict, approved under AEB Resolution 23-52 and Ordinance 23-04 was signed and fully executed September 26th.

PAUL asked Ernie if we should ask the Commissioner if he wants a group intervening with the State's behalf regarding the Kuskokwin River Management State vs Federal, if that is appropriate for Assembly to do. Natural Resources director responded that he was happy to see that none of the AFN resolutions are attacking our fisheries and will be hesitant to stick his nose between the Commissioner and a Native group but it will be up to the Assembly and the Mayor.

BRENDA agreed that it is not appropriate to do that.

Assistant Natural Resources Director Report in packet. Highlights below:

Electronic Monitoring - WGOA3/EFP: B season pollock is finally picking up and expected to last until the 17th. We had an unexpected issue with a vessel changing markets and operating outside of the plants that participate in the pollock portal, forcing us to manually update as-sea discards for fish tickets. We will meet with Chordata to discuss how to handle the plant going forward. Myself and Chelsae Raddell of AGDB are working to finalize the NFWF proposal. After extensive discussion with NMFS, the grant will cover all observer costs as well as WGOA data review. The final proposal will be included in my next report, and is due October 16th. We also submitted a joint letter to the NPFMC agenda item C2 Observer ADP, to request that 2024 coverage levels for partial coverage trawl remain at the current 33% coverage level.

Salmon: I assisted the Seiners Association with developing a June post-season report that outlines program and harvest results. The report is now available under PC27 for the BOF work session and there is a link in the packet. I am currently reviewing the final 2023 ADFG harvest numbers to develop an internal analysis of historical harvest trends. I will be meeting with ADFG biologist Matt Keyes this week to discuss the data, and how to improve reporting metrics.

AFSC Cod Tagging Project: In reviewing the financials for this grant, PSMFC noticed a discrepancy in calculation of the de minimis indirect cost rate budget that was approved. Per federal guidelines, only 10% of up to the

first \$25,000 of any contract or subaward can be claimed for indirect - however, the original budget included 10% for the full amount of each contract/subaward - leaving approximately \$66K for reallocation. I met with the project team and discussed the plan with PSMFC. We are working on a budget/scope amendment to reallocate those funds and complete a reimbursement amendment to reflect the changes. This grant is currently undergoing a required single audit and I am working with the auditors/finance department as needed. *The project team will be hosting our first Pacific Cod workshop November 28-29th at the AFSC in Seattle. This workshop is aimed at bringing together all Pacific Cod researchers in the north Pacific to find collaborations and leverage data and field opportunities.* Tag Update from Kingfisher Marine: There have been 52 recoveries so far, including 5 conventional tags. So we have heard from 47 of 54 tags. Of the 7 remaining tags, 5 are set to pop up next June, while 2 of the Sept 15 tags have not reported. Of the 47 PSATs, ten fish migrated to the EBS. Those were all from the 3 western-most stations. We released 19 tags (including the 4 micropats) at those stations, so that means a little more than 50% migrated out of WGOA from Shumagins or west. Everybody else pretty much stayed in their release management areas.

North Pacific Fisheries Management Council: Trawl performance standard workshop: OLE hosted a workshop on 10/2 to solicit feedback from stakeholders on how to make the current trawl performance standard "enforceable." The standard is in place to ensure pelagic trawl nets do not contact bottom, and the current standard is a haul with > 20 crab, results in a violation. There was significant confusion about the Council directive, whether it was to make the current standard enforceable or whether it was to find a new standard altogether. This stemmed from a review of the standard in the BSRKC analysis, so there was additional confusion as to why the GOA was included at all. In tandem, there will be a discussion regarding trawl gear definition with concern about the term "pelagic" if there is any contact with the bottom. A link to the full report is in the packet.

Oceana Bottom Trawl Closures: The NGO Oceana held a workshop to present their proposal to close a significant portion of the GOA to bottom trawling, except for certain existing areas of trawling. The rationale for closures was to protect habitat (seamounts, coral, cobble), and used data based on minimal in situ observations and extrapolated using NOAA habitat suitability models. The proposal lacked any consultation or discussion of socioeconomic impacts to stakeholders or fishing communities. Trawl tracks used for "open" areas were limited to AIS data from 2015-2019, which disregards much of the AK peninsula fleet which is exempt from AIS use and closes some historical fishing areas in WGOA. It also did not account for rapidly changing ocean conditions and fish distributions and would likely be dependent on the outcome of a trawl definition analysis. The link to the full proposal is in the packet.

Other: I attended my first NPRB meeting in Anchorage. It was a 2 day meeting, and I had an opportunity to review, comment and recommend several proposals to the Board for consideration. On 9/26 I met with David Bryan, fisheries scientist with AFSC conservation engineering to discuss potential research projects including the cooperative pollock survey. We are scheduled to meet again in Seattle during GFPT in November.

Mayor Osterback asked if the cod tagged in the Bering ever come back to the Gulf? Natural Resources Assistant Director Levy says yes, they do, but it is a little bit tricky because Bering Sea is a huge foraging area, it is much harder to tag fish that are trying to come back down to the Western Gulf. It is possible and has happened.

PAUL asked what was the tip of the arrow represent on the Cod Tagging chart that was included in the report. Levy responded, the red boxed represents where they were tagged and released, the arrow represents where is the pop-up location. PAUL proceeded to ask if Charlotte was personally involved in just 3 cod tagging between Sand point and False Pass. Levy responded no, she was personally involve in releasing the tag in the entire area. The grant that we got is to expand the tagging throughout the Gulf. PAUL Asked what is the total number of tags over the period of time? Levy responded, just in 2023, we had 19 tags release on 3 areas. Typically it is 5 per site but we got 4 free tags from Wildlife Computer to test out a new type of tag. There was about 70 tags total in the Western Gulf alone in the past 3 years. PAUL asked if there are no plans to tag cod in

the Bearing Sea side. Levy responded that there has been a lot of shift recently and we got money from a grant to release tags in the Bering Sea summer survey but it didn't happen because of many complications. Just recently we've been talking to a longliner who wants to volunteer to possible re allocate the summer survey tags to actually do a winter survey.

Finance Director Report in packet. Highlights below:

Audit- Despite Shisaldin covering the region in ash, the auditors were able to fly in and perform the field work. The field work went well and there were just a few more entries to post. Since then the lease entries for GASB 87 are completed and posted. Now the balances of the transfers between the funds can be determined so the financial statements can be drafted. There were a few more follow-up sample requests in the last few weeks, which have all been uploaded to their portal.

Caselle – Caselle is working on mapping the BDS data. The chart of accounts alignment is still in the process. Should be able to get these sent to Caselle shortly.

Financial Work Session – The financial work session occurred since my last report. It was a long day with a lot of information presented, and I am thankful for the engaging conversations.

Financial Policies and Procedures – As the financial work session and audit are now past, I look forward to having more time to focus on the policies and procedures. Since the last meeting the payroll policies and processes were finalized. Investment reconciliations and reimbursement request polices is what remains of the the target goals for FY23-24. A large portion of the investment policies is already drafted and new worksheets have been compiled.

Routine tasks- During the past month, the Division of Retirement and Benefits began the process for a routine audit of the Public Employee's Retirement System. Information and documents were compiled for this audit. It is the end of the first quarter for the fiscal year, and the financials are near complete for September.

Mayor Osterback commented that he appreciates all the hard work of staff.

ASSEMBLY COMMENTS

PAUL asked if there are any plans to talk to fish processors during the Fish Expo. Mayor Osterback responded that Ernie set up a meeting with the staff, processor and fishermen, but we did not put individual meeting request to each processor.

Natural Resources Director added that the big 3 processors will have representatives at our meeting on Nov. 10th.

PUBLIC COMMENTS

NEXT MEETING DATE

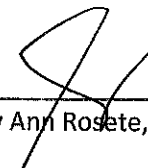
Special Assembly Meeting November 16, 2023

ADJOURNMENT

JIM moved to adjourn seconded by BRENDA. Hearing no more, the meeting adjourned at 4:20 p.m.



Mayor Alvin D. Osterback



Beverly Ann Rosete, Borough Clerk

Date: NOV. 16, 2023

