

CALL TO ORDER

Mayor Alvin D. Osterback called the Aleutians East Borough Regular Assembly Meeting to order by videoconference in each community on April 11, 2024 at 3:00 p.m.

ROLL CALL

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

Advisory Members:

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

Quorum was present.

Staff Present:

Anne Bailey, Administrator
Talia Jean-Louis, Assistant Administrator
Glennora Dushkin, Administrative Assistant
Ernie Weiss, Natural Resources Director
Charlotte Levy, Fishery Analyst
Beverly Ann Rosete, Borough Clerk
Jacki Brandell, Finance Director
Seward Brandell, Accounting Clerk
Others: Joseph Levesque
Ken Mack

ADOPTION OF THE AGENDA

Paul moved to Adopt the Agenda, second by Warren

Paul made a motion move item 12 to item to item 5, second by Warren.

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 videoconference. 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.

OLD BUSINESS

- Aleutians East Borough Assembly Eligibility

Attorney Joe Levesque said that through the clerk we have contacted Assembly member Dailey Schaack a couple of times. Attached to the memo dated February 27 is an email from Dailey Schaack and it is her 1st attempt to let the Assembly know what her situation was. In that email she stated that she was staying with her daughter in Wasilla. She hasn't changed her residency, she still resides in Cold Bay and has a house in Nelson Lagoon. Right now, she is helping her daughter up and she has a lot of medical issues that she could not take care of inside the region. She still has her voter's registration in Cold Bay and her Post Office box. And she said she loves being in the Assembly and hopes to continue. And if she decides to moves somewhere else she would let the Assembly know. That was her 1st justification. She moved July 2023. Dailey Schaack is sick and not able to attend this meeting and so the clerk sent her a list of those question that the Assembly mandated by ordinance to go through the determination. The Clerk sent Dailey Schaack the 9 questions and Attorney Joe Levesque read the questions and her responses.

1. Residential Property Ownership and Occupation: Where the assembly member or a member of their household owns residential property that they occupy within the borough. R: Own a home in Nelson Lagoon
2. Leasing or Renting Nontransient Residential Property: Where and for what term the assembly member leases or rents and resides at nontransient residential property within the borough. R: No
3. Residence on a Vessel: Whether and where the assembly member who lives aboard a vessel rents transient or permanent moorage within the borough. R: No
4. Duration and Location of Residency: The location and amount of time the assembly member resides at residential property owned or rented by them within the borough. R: not sure yet 3 summer months for sure
5. Mailing Address: The address to which the assembly member's mail, other than advertising, is sent directly by the sender within the borough. R: PO box 24 cold bay Alaska 99571
6. Ownership and Usage of Motor Vehicles and Goods: The physical location of motor vehicles and other goods owned by the assembly member or members of their household and regularly used by the assembly member within the borough. R: No
7. Social Activities and Club Memberships: The places the assembly member participates in activities of social clubs or other groups within the borough. R: None
8. School Attendance of Household Children: The places where children of the household of the assembly member attend school within the borough. R: None
9. Other Relevant Factors: Any other relevant factors that may contribute to determining the assembly member's residency status within the borough R: None

So, this is what the Assembly has before them today. Just going through the ordinance 2.04.048, Declaration of Vacancy

- A. An Assembly seat becomes vacant for any reason set out in AS 29.20.170 upon a declaration of vacancy by the Assembly by resolution.

Attorney Joe Levesque continued to read AS 29.20.170. He said with that, the Assembly needs to determine whether the seat is vacant.

Jim asked how long it takes for a person to be absent to lose their voting right in the Borough.

Mayor Osterback responded that our code says that if you are unexcused for 3 consecutive meetings.

Attorney Joe Levesque added that even though the ordinance says that you are no longer eligible to vote then the Assembly can remove her. But warned the Assembly not to rely solely on that ground because of some recent Alaska Supreme Court decisions. He thinks that the determination needs to be step by step and thinks that the Assembly has to go through the list of questions and other factors to reach its decision. The most important thing about this is the Assembly members are all cognizant that whatever we do sets a precedence, and in the future will serve as a road map on how Assembly manages its seats.

Paul asked if they have to vote on the 9 items? Attorney Joe Levesque responded, no, through those items the Assembly has to make a decision. At the end of the day what the Assembly has to make a determination whether to declare that seat vacant, basically because she is not living in the community and so what are her connections to the community besides having a house in Nelson Lagoon and even at the last meeting when someone asked her when she was going to return and she says she didn't know. Those are the responses the Assembly has been given and so the Assembly needs to decide now if it wants to declare the seat vacant or not. Paul made a follow up question, if the list can be turned into a yes or no question just like the permanent fund application, so it will be easier, and the Assembly would not have to make the decision. Attorney Joe Levesque responded that we can look at that in the future but right now this is the ordinance before the Assembly, and these are the relevant factors that the Assembly should consider in deciding whether or not to declare that seat vacant. Paul said *taking away from the Assembly making this decision is a better way. Having a clear cut of how long you can be away from your residence whether it's 6 months or 4 months would be a preferable way rather than having the Assembly interpret what the correct answer.* Attorney Joe Levesque responded that it is the State law and also embedded in the Borough code, it is the governing body who needs to make that decision.

Mayor Osterback asked Attorney Joe Levesque and Anne if the Assembly can decide to bring this issue up at the next meeting and if the staff can rewrite the questions and send them out. Attorney Joe Levesque responded he could not see any reason why the Assembly couldn't do that, if they want to delay a decision and look at the questions in a slightly different way, they can do that.

Brenda asked if they moved on with this is the seat going to open up at the next election since there is still 1 year left of that term. Attorney Joe Levesque responded, normally if the election is too far out, there will be an appointment until the next election.

Paul asked when is her term up. Mayor Osterback responded, 2025. Paul continued if the Assembly declared the seat open, the election will be for a 1year term. Attorney Joe Levesque agreed.

Josy commented that Assembly member Dailey stated last meeting that she is planning to move back in May and if we postpone it until then, is that still going to be the question, when she is back home. She said at least 3 month maybe longer. This will still be discussed in the future if we have this issue again, so getting the questions clarified to make it clear cut as to the Assembly doesn't have to have this discussion every time but waiting until next month. She said she is moving back home in May but did not know when.

Jim commented what do we want as a Borough to have as a rule.

Mayor Osterback asked if our current code specify how much time an Assembly is supposed to spend in the Borough. Attorney Joe Levesque, says no, it does not say how much time you spend inside the

Borough, it only says if you move or relocate your residence outside the Borough for a certain amount of time then you may no longer be eligible to retain your seat. Administrator Bailey added the Borough code 2.04.048 C says, Assembly member no longer physically resides in the Borough if it is shown that the Assembly member has established a place of residence outside the Borough and has resided *outside the Borough for 90 or more consecutive or nonconsecutive days during the immediately preceding 6-month period* without first having obtained a determination by the Assembly that unusual circumstances exist that justify both the temporary establishment of such a residence and the physical presence of the person outside the Borough.

Mayor Osterback reiterated, 90 days in a 6month period, you could be removed.

Attorney Joe Levesque added, yes, according to the Borough Code and State Law.

Paul asked how many votes we need to make decision if there are 5 Assembly present. Attorney Joe Levesque said 2/3 of the present Assembly. We need 3 votes out of 5 to decide.

Jim commented that she's been gone 300 days without getting prior approval. We are trying to figure out our rules whether we like each other. The decision will be tough either way.

Warren commented on the intentions of elected officials here to where they're going to live most of the year versus 3 months out of a year and the ability to get to the meeting station in Anchorage office. He knows that she wanted to represent her area at Nelson Lagoon and that is where her home is right now but when she is not going to be able to live in the area anymore, he knows she wants the position, but we need the representation here. The Borough office has a lot of business to take care of and if she is living in Wasilla how would she know what is going on Nelson Lagoon or Cold Bay.

Paul wants to clarify the correct motion to make. Attorney Joe Levesque responded to make a motion to declare that seat vacant due to Assembly member having relocated out of the jurisdiction for over 90 consecutive days.

Warren made a **motion** to declare seat G vacant due to the Assembly Member not being present in the Borough for more the 90 consecutive days. Josy second it.

Administrator Bailey asked Warren if he would be ok to change it to a motion to give direction to prepare a resolution for the May meeting. Warren responded yes, Josy concurred.

MOTION

Assembly has given direction to Administration to draft a resolution stating the seat G vacant due to the Assembly member being gone for 90 consecutive days without first having obtain a determination from the Assembly.

ROLL CALL

Yeas: Brenda, Paul, Josy, Jim, Warren Advisory: Tom

Nay: None

Motion Carried

MINUTES

March 14, 2024 Regular Assembly Meeting Minutes

MOTION

Josy moved to accept the March 14, 2024 Assembly Meeting Minutes, second by Warren

Hearing no correction, Minutes will stand as presented.

MOTION CARRIED

FINANCIAL REPORT

February 2024 Financials

MOTION

Brenda made a motion to approve the February 2024 Financials Report and second by Jim

Administrator Bailey said 7 month on our Fiscal year. A few things to highlight is the Interest Revenue is doing great, we bring in \$112K for the month of February 2024 so we well exceeded our initial expectation. However, the Raw Fish Tax we did bring in \$220K, \$214K from February and \$6K was from smaller processors from January processing. The \$214K is about 59% of the 5-year average which is way less than what we typically receive at this time. Overall, our general fund is doing well, we are 80.96% and that is largely due to State Shared Raw Fish tax which is about \$741K over what we anticipated and that is based on the prior raw fish tax revenue from the State. As for expenditures we are tracking along as we should.

ROLL CALL

Yeas: Brenda, Jim, Josy, Paul, Warren Advisory: Tom

Nay: None

MOTION CARRIED

INVESTMENT REPORT

APCM February 2024 Investment Report

CONSENT AGENDA

- **Resolution 24-35**, Honoring the King Cove High School Boys Basketball Team T-Jacks as the 2024 Boys ASAA 1A Basketball State Champions

MOTION

Josy made a motion to bring the Consent Agenda to the floor, second by Jim

Natural Resources Director Weiss said the King Cove Boys Basketball team (T-Jacks) went undefeated for the first time in school history in the 2023/2024 season with an overall season record of 23 wins and no losses, and the King Cove T-Jacks won the Aleutian Chain Regional Basketball tournament in New Stuyahok, Alaska earning the team the number three seed in the 1A Boys Basketball State Tournament at the UAA Alaska Airlines Center in Anchorage, Alaska. The Aleutians East Borough is proud of the accomplishments of the 2023/2024 King Cove T-Jacks Boys Basketball Team Jager-Sean

Brandell, Leighym Brandell, Ashten Gould, Michael Gould, Seyler Gould, Logan Iyapana, Brennen Larsen, Jersey Mack, Thomas Mack, Noah Roberts, Nick Standish, Robert Thompson, Riley Wilson and Head Coach Ken Barbour. Natural Resources Director added that the Coaches Association voted Ken Barbour as Coach of the Year, Player of the Year is Jager-Sean Brandell and made it to the all-state team. Also, Arriana Wilson also made it to the girls all-state team.

ROLL CALL

Yeas: Josy, Jim, Paul, Warren, Brenda Advisory: Tom

Nay: None

MOTION CARRIED

PUBLIC HEARINGS

Ordinance 24-04, Authorizing the Mayor to negotiate and execute a sublease within the Cold Bay Terminal for volcanic hazard mitigation

MOTION

Warren made a motion to approved Ordinance 24-04, second by Josy

Administrator bailey said the Alaska Volcano Observatory (AVO) currently has equipment located in the Cold Bay Terminal to monitor volcanic activity throughout the state and mitigate impacts from volcanic eruptions. In 2020, the Borough and AVO were working on formalizing an agreement for their equipment in the Cold Bay Terminal and then COVID occurred, and the discussion halted. In February 2024, AVO contacted the Borough and expressed a desire to enter into an agreement for a portion of the Cold Bay Terminal Building for the purpose of providing volcanic hazard mitigation services. AVO has equipment located in the terminal and they are facing a telecommunication problem and would like to request permission to install additional equipment in the terminal to resolve it. Administration recommends approving AVO's request now to allow them to install their new system prior to May 2024 and in conjunction initiate a Sublease with them. A sublease has been drafted that includes a term of one year that will automatically renew from year to year thereafter. The Administrative Charge for the use of the facility is \$2,320. A draft of the sublease is included in the packet.

Paul asked how much are we going to charge them. Administrator bailey responded, \$2,320 for the 1st year and that will gradually increase over time. This covers the small space they occupy in the 2nd floor and electrical cost. Paul clarified that they do not have their own meter and we pay for electrical, and they reimburse us. Administrator Bailey said correct.

ROLL CALL

Yeas: Paul, Warren, Jim, Brenda, Josy, Advisory: Tom

Nay: None

MOTION CARRIED

ORDINANCES

None

RESOLUTIONS

Resolution 24-36, Authorizing the Mayor to execute Amendment No. 3 with DOWL and increase the contract ceiling amount for the term contract to \$50,000 for professional engineering, project management and construction management services for the Aleutians East Borough

MOTION

Brenda made a motion to approved Resolution 24-36, second by Josy

Administrator Bailey said In August 2020, the Aleutians East Borough (Borough) entered into a contract with DOWL for professional engineering, project management and construction management services. The Period of Performance for the contract was from September 1, 2020 through June 30, 2022, with the option to renew for an additional three (3) one-year periods, by mutual consent of both parties. In May 2022, Amendment No. 1 was executed exercising the first one-year renewal option, effective July 1, 2022 ending June 30, 2023. Everything else in the contract remained the same. In April 2023, Amendment No. 2 was executed exercising the second one-year renewal option, effective July 1, 2023 ending June 30, 2024. Everything else in the contract remained the same. Borough Administration would like to exercise the third one-year renewal option, which would go into effect July 1, 2024 ending June 30, 2025. Administration would also like to increase the contract ceiling from \$25,000 to \$50,000 for the AEB Term Contract. Other projects for major maintenance projects will be mutually agreed upon per project.

Paul asked if a contract floor would be more appropriate rather than contract ceiling because it can go beyond \$50K. Administrator Bailey said technically we can, but we try not to do that. This year unfortunately we go over for the 1st time since we hired DOWL, yes, it is a contract ceiling technically we can't go over it. It is considered a contract ceiling, that is the term we use on our all-professional contracts. Paul asked what is the total amount we are paying DOWL with this new term. Administrator Bailey responded hopefully we don't go over \$50K.

Jim asked what is DOWL's role in out maintenance projects, they are engineering company. Administrator Bailey responded DOWL provides engineering services and project management for us. They have been kind of our in-house engineering management entity for about 10 years now.

Warren commented that DOWL do survey on a project, inspect buildings but this does not include any of the construction of the project itself. Proceeded to ask how much money did we spend on DOWL to evaluate the pool as it went along. Administrator Bailey responded, she will have to go back and break that out specifically but that has been charge to the term contract, except for 1 visit. With the term contract, DOWL helped with situating the boiler, making sure we are putting in the right equipment or the electrical issue in False Pass, so they help us with those aspects and keep un in line. A separate project that we hired them for was the Sand Point School DEED project to do the 35% design and 65% design project management.

Warren added that he understand what DOWL do and wanted to just make a comment that they are not included in the construction part of the projects.

JIM asked if DOWL collects the workers and if administration does not have to be involve. Administrator Bailey day, we are still very much involve.

ROLL CALL

Yeas: Jim, Brenda, Warren, Paul, Josy Advisory: Tom
Nay: None

MOTION CARRIED

Resolution 24-37, Authorizing UIC Nappairit, LLC to proceed with early release work for the Cold Bay Clinic in an amount not to exceed \$42,000

MOTION

Josy made a motion to approved Resolution 24-37, second by Warren

Administrator Bailey said The Aleutians East Borough is in the process of renovating the Cold Bay Clinic. DOWL has completed the 35% and 65% design and UIC Nappairit has been contracted to assist with Pre-Construction Services for the remainder of the architectural and engineering design phase. During the pre-construction phase, it has been determined that a new generator will need to be purchased, which has an approximate 42-week lead time. Therefore, the Borough is seeking authorization from the Assembly to authorize UIC an early work package for the procurement of these long-lead materials to minimize scheduling impacts and expedite project completion. The estimated cost for the purchase and shipment of the generator is \$41,860. If approved, the Borough will use funds from the Borough's Healthy & Equitable Communities (HEC) grant for this purchase. The HEC funds need to be used and this purchase has been approved by the State of Alaska.

Paul asked if there is an existing generator. Administrator Bailey responded, yes but it does not work, so we do need to replace it. Paul asked if the CAT generator was suggested by the contractor. Administrator Bailey said yes, that has been vetted by UIC, DOWL and our subcontractor that specializes in generators and mechanical work.

ROLL CALL

Yeas: Brenda, Josy, Warren, Paul, Jim Advisory: Tom
Nay: None

MOTION CARRIED

Resolution 24-38, Relating to the disposal of surplus, obsolete, or unneeded supplies

MOTION

Brenda made a motion to approved Resolution 24-38, second by Josy

Administrator Bailey said this is relating to the disposal of surplus, obsolete, or unneeded supplies. According to our code we need to come before the assembly to sell surplus obsolete and unneeded item. Before you is a Datawell Wave Buoy that is located in Akutan Hanger. This was used during the Hover Craft operation. This has not been used in years , we have been approached by Datawell because they are interested in purchasing the buoy from us. There will be no need for the buoy. We are in the process of determining the cost of this buoy but with the Assembly's permission we would like to move forward with this and determine a reasonable cost that we should sell it for.

ROLL CALL

Yeas: Warren, Jim, Josy, Paul, Brenda Advisory: Tom
Nay: None

MOTION CARRIED

NEW BUSINESS

None

REPORTS AND UPDATES

Administrator's Report in packet. Highlights below:

King Cove Access Project: Progress on the SEIS has been moving at a slow pace since the March 4, 2024 meeting with US Fish & Wildlife, DOI staff and members of the King Cove Group. Currently it's revolving around a discrepancy between the amount of Federal lands that would be needed for the road alignment and corridor. They are believing that we should have 206 acres but DOT and others believe 500 acres would be needed to build this for the land exchange and the road. There is a little bit of hold up and there were a lot of meetings to discuss this and hopefully a decision will be made soon. The King Cove Group has contacted the State of Alaska requesting them to be formally involved in the SEIS process as a cooperating agency to help address the land issues and to actively participate in the process since DOI may expect State Land to be part of the exchange process. Also, Senator Murkowski's senior staff continue to be actively engaged in this process and have suggested we find the necessary compromise positions on these matters to keep moving forward. Senator Murkowski senior staff is continuously engage in the process, they do attend all the meetings and keep the Senator updated on what is currently occurring and help out in the conversations. Finally, the King Cove Corporation is also hosting a community workshop in King Cove early next week requesting residents to review the land exchange maps and record comments about their personal knowledge and concerns regarding subsistence resources, locations, and concerns per the land exchange and eventual road location. There is some concern that the SEIS will not be finished by December 2024.

School Maintenance Items:

False Pass School Electrical Work: Additional work still needs to be completed and Wired AK and DOWL and the Borough are trying to figure out some final details regarding the plain old telephone line prior to going back out to False Pass. We having a hard time finding the old telephone line but with Glennora's help we are able to speak someone form ACS and they will be doing a line locate next week. Once that phone line is located then we can complete the work for the fire alarm dialer system.

False Pass Water Heater and Air Handling Unit Work: Additional work needs to be conducted on the AHU. This will be tied into the annual visit for the boiler and HVAC system.

Akutan School Work: Kuchar Construction has been selected to conduct the repair work at the Akutan School. The contract has been sent out and once that is executed they will begin their work.

Sand Point Sewer Lines: The sewer lines in the school need to be repaired this summer. DOWL is working with the School District to get photos, measurements of the pipe and a determination of elbows and bends. Once the information is gathered a proposal request will be sent to the term contractors.

Annual Boiler and HVAC Maintenance: The Boiler and HVAC Annual Maintenance Proposal is being finalized, which also includes this automation system. Essentially as part of our 80/20 maintenance plan Once it is completed it will be sent to the term contractors. We anticipate to have the inspections conducted on a lump sum basis and any additional work on a time and materials basis.

Sand Point Swimming Pool: The pool manager is in the process of filling the pool. She and Eric are working on some additional items prior to opening the facility.

Sand Point School DEED Grant: The DEED project is underway. DOWL/ECI are in the process of working on the 65% and the Construction Manager – General Contractor Solicitation. We have submitted a supplemental

funding request because the cost of the project keeps escalating. On March 21, 2024, the State of Alaska contacted the Borough and School District with a potential funding opportunity. DEED is partnering with AML on a Climate Pollution Reduction Grant (CPRG) with the US Department of Environmental Agency to identify projects that meet the CPRG requirement of emissions reduction (such as HVAC controls, boilers, weatherization). DEED has identified portions for the Sand Point School Major Maintenance project that DEED would include in the CPRG application. The eligible costs that have been identified for this grant are the scope of work for the roof, insulation, siding, HVAC and power upgrades at \$3,842,819. Administration has provided DEED with the letter of commitment and other information they requested. If funded, the grant awards would be available on October 1, 2024, and the funds would be dispersed as expenditure reimbursements.

Tom commented that on the south wall of the False Pass School building there was water coming in from the windows and there is probably black mold.

Akun Feasibility Study: On April 4, 2024, the Army Corps announced that they team has completed the Akutan Harbor Navigational Improvements Feasibility Study. The team transmitted the Study's Final report Package to the Corps' Pacific Ocean Division Headquarters. The Regional Integration Team will conduct a final Policy & Legal Compliance Review and begin its work on the Chief of Engineers Report for Congressional Authorization, anticipated for July 16, 2024.

Other Items: On April 4, 2024, I presented at the Alaska Infrastructure Development Symposium. The focus was Port and Harbor Grants and the lessons learned regarding the application and negotiation portions of the projects.

Next meeting will be on May 9, 2024 and the budget will be introduced.

Brenda commented that they visited Akutan and thanked the people for being so helpful and so nice.

Paul commented that the 1st reading of the budget will be on May 9 and the Legislature are still rustling with the school funding, is there a direct report from the Aeb Superintendent on how that all fits in. Administrator Bailey responded, there will be some information from the State during the meeting. The Superintendent is invited to attend the meeting but he also provided some information that will be included in the packet.

Assistant Administrator's Report in packet. Highlights below:

Energy Efficiency and Conservation Block Grant Program (EECBG): The Aleutians East Borough is applying for the Department of Energy EECBG grant to implement energy retrofits for the King Cove school. On March 30, 2022, the U.S. Department of Energy (DOE) announced \$3.16 billion in new funding through the Weatherization Assistance Program (WAP) – DOE's most extensive residential energy retrofit program. Retrofitting existing buildings presents an opportunity to improve the energy performance and operational costs of building assets, including heating, cooling, and ventilation (HVAC) systems and equipment, lighting and control systems, and the building envelope while improving occupant control (such as with grid-interactive technologies). On March 28, 2024, through the advice of the EECBG fellowship, I switched from a grant to an equipment rebate voucher to use the \$75,000 allocated to replace the lighting with LED lighting. The Administration is working with DOWL and ECI to complete and submit the application by the April 30, 2024 deadline.

Healthy & Equitable Communities (HEC) Grant: On March 26, 2024, the Borough submitted a prior approval letter to the State of Alaska Department of Health to request the purchase of a generator for the Cold Bay Clinic. The Borough's request was immediately approved and deemed necessary as it would keep the clinic operational during potential power outages. On April 10, 2023, the Borough will submit its quarterly report to the State of Alaska, the Alaska Department of Health, notifying them of the pending approval of Resolution 24-

37 Authorizing UIC Nappairit, LLC to proceed with early release work for the Cold Bay Clinic in an amount not to exceed \$42,000.

Sand Point School Sewer Pipes: Eric with DOWL is actively working with Drayton. We've received images and they are working to draft a scope of work to replace the problematic pipes.

King Cove School: On March 28, 2024, King Cove PD dispatch received a call that the King Cove school woodshop was on fire. The woodshop had a fire sprinkler system that activated, keeping the fire down and preventing it from spreading. The sprinkler head discharged some water, and the wall adjacent to the eye wash and shower station was damaged. The valves and the entire shower system will need to be replaced. On March 29, 2024, the Borough submitted a claim to ALMJIA for the fire loss and is waiting for further instructions.

Akutan Generator: On March 12, 2024, the Borough was notified that the generator for the Akutan hangar had malfunctioned and had completely stopped working. Due to the generator's issues, the heat restoration and hangar door controller repair work will be postponed until the generator runs again.

Cold Bay Signs: On January 19, 2024, the Department of Transportation and Public Facilities submitted a notice of load posting for the Cold Bay Dock/Bridge. Some of the piles have decayed, reducing the structure's capacity, so load posting signage is required. The Borough has engaged Warling Lites to manufacture and deliver the signs for the Cold Bay bridge. On February 29, 2024, the signs were successfully shipped and delivered to Cold Bay and will be installed once the weather permits. Upon completion, I will submit photos showing the installed signs and return the memo to the Department of Transportation and Public Facilities (DOT).

Paul asked what the new weight capacity for the Cold Bay Dock is. Assistant Administrator Jean-Loius said 23 tons. Paul asked for an update about the morgue that is going to Nelson Lagoon. Assistant Administrator Jean-Loius responded that we are still working on to get that delivered to the correct location.

Natural Resources Director Report in packet. Highlights below:

North Pacific Fishery Management Council: The NPFMC is currently meeting through April 9th at the Anchorage Hilton. Agenda item C2 Chum salmon bycatch has garnered most of the attention and impacted the schedule. My comment letter on C2 was just one of 323 on-time public comments under that agenda item. I testified to the Advisory Panel (at 8:46:40 mark) and plan to testify to the Council regarding AEB reliance on pollock deliveries. Kylie Thompson has a good testimony as well. AP motion passed 21-0 added a new alternative. One of the buzz phrases AYK folks are now using is a 'conservation corridor' for chum, to include the inshore BS pollock fishery and the Area M salmon fishery. Agenda items that were postponed due to lack of time: D1 Amendment 80 Program review, and D3 setting 5-year research priorities.

Alaska Boards of Fisheries and Game: The Joint Boards of Fisheries and Game met for 2 days March 25-26 to consider 20 proposals on Advisory Committees and the proposal process. They passed 5 proposals to clarify AC provisions and 1 proposal to designate seats on the East Prince of Wales AC for 5 smaller communities. The Joint Board is trying to standardize the proposal form for both boards, possibly to include a question "Have you reached out to groups that may disagree with this proposal?" The Joint Board meets every 5 years on stuff related advisory committee and a process to develop proposals. One board member asked a question how they could consolidate AC's False Pass, Nelson Lagoon, King Cove and Sand Point into one. One board wants to see us as 1 voice rather than 4. The deadline for the Board of Fish proposals for the Statewide Shellfish was yesterday, 3 crab proposals were submitted from our area. For the Board of Game proposals, deadline is May 1st. The new coordinator is Natalie Romo in Dillingham.

Fishery Management Appointments and Nominations: On April Fool's Day, Governor Dunleavy announced appointments of two Board of Fish and two Board of Game members, all subject to legislative confirmation. Marit Carlson-Van Dort was reappointed to the Board of Fisheries; she has served on the Board since 2019. Also appointed to the Board of Fish was Curtis Chamberlain, an attorney for Calista Corporation. for Fishery Council appointments to the Secretary of Commerce. Governor Dunleavy nominated Brian Ritchie, current AP chair for the recreational sector seat currently held by Andy

Mezirow. He also nominated both John Moller and John Jensen for the seat currently held by Jensen, and alternates for each seat. Washington Governor Inslee nominated in priority order for the Washington seat on the NPFMC: 1) Becca Robbins-Gisclair of Ocean Conservancy, 2) Jamie Goen of Alaska Bering Sea Crabbers, 3) Elaine Harvey of the Columbia River Intertribal Fish Commission, and 4) Anne Vanderhoeven of Arctic Storm. Anne currently holds the seat.

Alaska Legislature: I testified to the House Fisheries Committee (at 28:00 mark) during the recent April 4th hearing on HB 294 Electronic Monitoring on Vessels. Charlotte had previously submitted a letter outlining concerns and I just highlighted the letter. All public comments for the hearing, written and oral, was opposed to HB 294.

AFA Pollock Fishery: More information from Joe Sullivan was included in the report.

Shannon Carroll from Trident provided some information that North Pacific Council has audio recordings all the way from the December 1999 meeting.

Link to Alaska Salmon Research Task Force and Silver bat Seafoods and Peter pan Joint press release is also included in the packet.

Finance Director Report

Audit: FY23 officially completed and submitted to the Federal Clearing House (FAC). Currently have a few months to re-focus and plan for the upcoming year end.

Caselle: I have received a rough draft of the accounts and met with the technician from Caselle. We reviewed initial questions that arose from the conversion and discussed the best way to proceed with the set-up of accounts. I have since then completed the changes and submitted the excel form to Caselle. If the input doesn't require any other modifications, we will be put into the queue for the next phase of implementation. The next phase will be the prelive.

Financial Policies and Procedures – One of the tasks on this year's strategic plan is general procedures for grants. We do have a few grants that are from federal sources and require compliance with uniform guidance. I have been doing a lot of reading and research to ensure I fully understand the guidance. The uniform guidance is not the easiest document to read through and is time consuming. As many grants come with different requirements, I would like for the policies and procedures to be useful in meeting those requirements or at least give simplified direction in what resource will provide direct guidance.

Routine tasks: The daily and weekly tasks are on track and March is nearly closed out as we wait for the last of the receivable documentation. Once the month is closed, we can begin to prepare the quarterly reports needed.

Jim asked if we switched from BDS to Caselle. Finance Director Brandell responded we are currently using the BDS but Caselle is doing the conversion, building the program according to our needs and setting it all up. Jim asked how long it took from beginning to end. Finance Director Brandell said, it takes a long process, the first phase is the longest process.

Mayor Osterback asked if Jacki know when the actual transfer will take place. Finance Director Brandell responded that as soon as she hears back that we are in the next que it's going to be 60-90 days from the pre-live phase. This will be around the year end time.

ASSEMBLY COMMENTS

Josy congratulated TJacks for their ASAA win.

Paul commented that our fisheries are in tough shape. What's going to happen with King Cove Peter Pan and Trident False Pass is still up in the air. And the prices are down all around and hopefully some of these things will get resolved in the short term.

Tom commented he talked to APICDA about Trident Facility in False Pass.

Mayor Osterback commented that he worked with Ernie and Anne and keep on looking at Fishery and what's going on around here. Hopefully all of the fleet that was Peper Pan get markets.

Warren commented fortunately for the drift fleet, we have a market, sounds like the Silver Bay will take them. But we are really confused with the King Cove plant as they won't answer calls anymore. We are going to have a meeting with Silver Bay and King Cove Administration to talk about the King Cove facility. There is a lot of confusion about the leak report versus their press release, and what their plans are. We tried to talk to Silver Bay and asked them a few questions, but they said they can't answer anything. The City of King Cove and their infrastructure for the water, sewer, landfill and hydro are trying to be done.

Mayor Osterback commented that hopefully everything comes out for the better.

PUBLIC COMMENTS

Ken Mack commented that he received an email from Rob Gillam stating that if there are any concerns regarding King Cove Peter Pan that we have to go to Silver Bay. He found out through Silver Bay that there is only one person you can talk to right now and she and Rob Gillam did the deal. Their plan right now is not to open it, although they have concerns of how they are going to work this summer without any fuel. The only fuel available for the King Cove tenders and Peter Pan tenders and the Silver Bay tenders and Silver Bay fleet is 140K gallons in King Cove and if they get some from the Trident Plant False Pass. He is asking the Borough to get a delegation together and the Tribes to ask the Congress to get some money to open that. Somebody must do it. There is still a lot of uncertainty even in Dillingham. It's always been the Silver Bay and Bristol Bay, they don't buy a setnet fish, but now they will have to go to a bunch of meetings and change their model to take in all these setnetters. There are a lot setnetters in Naknek and Dillingham that Peter Pan has and they vowed to take over these people. And they said they will help those people in King Cove and Sand Point. He knows the next move to do. He thinks if we get a delegation and tribes together and go after the Congress to get some money somehow.

Mayor Osterback commented that he has been talking to some Peper Pan boats here in Sand Point. He keeps on watching this issue every day and been talking to different people but by the time you find out something, another things pops up and the whole thing changes again. It seems like it's moving fairly quickly and changing all the time. But then we can't get a hold of anyone from the seafood processor. It's too bad that we don't have the old PMA type of system in place because trying to figure out who actually has a market or who is looking for a market, it's almost impossible to figure out because there is no entity to work with anymore.

Ken Mack added that Trident is not taking anymore boat, it does not matter if you are local or outsider, they put limits. The most important thing is that when you talk to any of the fisherman in Sand Point is Silver Bay is never heard from them yet. He talked to the guy who is in-charge of the tender work and they want to know how many setnetters wants to fish.

Paul commented that we should invite the processors to give us an update on the status of the season at our May 9 meeting.

Ken Mack added the sooner we can talk to the processors the better. Cora Campbell and Rob Gillam are the only 2 people that did this deal, even Troy he told his fishermen the next day that King Cove is going to open but he didn't know the deal. They have control if they want to open it. There were 2 stipulations there, one was the ammonia pipe that got caught during the fire and the new generator.

Mayor Osterback said we will invite the processors to talk and give us an update on our next meeting.


Tom commented that Peter Pan has nothing to do with the meal farm, fuel farm and that the corporation has stipulation on that land.

Jim asked who has the power over the King Cove Plant. Ken Mack responded that according to Rob Gillan we have to talk to Cora Campbell.

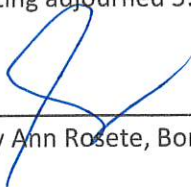
NEXT MEETING DATE May 9, 2024

ADJOURNMENT

Paul moved to adjourn the meeting. Hearing no more, the meeting adjourned 5:02 p.m.



Mayor Alvin D. Osterback



Beverly Ann Rosete, Borough Clerk

Date: 5/10/2024