ASSEMBLY MEETING MINUTES
FEBRUARY 4, 2013

I. Call to Order: Called to Order at 7:01 p.m. by Mayor Dan O’Hara

II. Roll Call: Present; Shelby Boothe, Eddie Clark, Randy Robertson, Carvel Zimin Jr., Tani Schoneman, Borough Clerk
Absent; Charlie Durand

III. Consent Agenda
A. Non-Action Agenda
1. Mayor: Mayor spoke briefly about board training session and how they will conduct meetings and the arrival of new Manager.
2. Manager
3. Police Department
4. Fire Department
5. Lobbyist
6. Pool
7. Library
8. Public Works Department
9. Port Department
10. Planning & Zoning
11. Treasurer-Finance Department: Eddie questioned overtime at the Landfill but didn’t ask the Public Works Director for an explanation.
12. Other Reports

B. Action Items
1. Check Register for December 2012: CARVEL ZIMIN JR. MOVED TO APPROVE AND SECONDED BY RANDY ROBERSTON, MOTION PASSED UNANIMOUSLY.
2. Minutes of January 7, 2013: CARVEL ZIMIN JR. MOVED TO APPROVE AND SECONDED BY SHELBY BOOTHE, Shelby stated for the record that at the last meeting a certain individual who was in the audience got up and said that someone would be leaving town as soon as
he got out of jail and that person is out of jail but is still in town. MOTION PASSED UNANIMOUSLY.

IV. Approval of the Agenda: CARVEL ZIMIN JR. MOVED TO ADD ITEMS VIII. D. AND E., ITEM XI. K. AND SECONDED BY RANDY ROBERTSON, MOTION PASSED UNANIMOUSLY. CARVEL ZIMIN JR. MOVED TO APPROVE AS AMENDED AND SECONDED BY EDDIE CLARK, MOTION PASSED UNANIMOUSLY.

V. Persons To Be Heard: None

VI. Communications and Appearance Requests
A. Letter from National Park Service Ref: Isabel Babiak/Fitness Trail & Bike Path: No Comments Made.

VII. Hearings, Ordinances and Resolutions
A. Ordinance No. 2013-01; Port Tariff: An Ordinance Establishing The Tariff For The Port Of Bristol Bay. Third Reading, Public Hearing and Adoption Port Foreman Robert McDermott gave a brief synopsis of the final edition of the Tariff, SHELBY BOOTHE MOVED TO ADOPT AND SECONDED BY CARVEL ZIMIN JR., MOTION PASSED UNANIMOUSLY.
B. Ordinance No. 2013-02; Budget Amendment: An Ordinance Proposing The Amendment of Bristol Bay Borough Ordinance 2012-05, FY 2012/2013 Budget Be It Enacted By The Bristol Bay Borough. Second Reading and Public Hearing Roylene Gottschalk Public Works Director spoke regarding the funding needed for the Emergency Response Equipment for Waster Water should the sewer system fail, the total cost for this equipment is $432,000.00. David Scott Finance Director stated for clarification that this should be on page 5 of the Budget Adjustment under Waste Water 360-000-6500 Capital Outlay Line Item. CARVEL ZIMIN JR. MOVED TO AMEND THE PROPOSED AMENDMENT TO THE BOROUGH ORDINANCE 2012-05 FY 2012/2013 BUDGET AND ADD LINE ITEM ON PAGE FIVE UNDER WASTE WATER 360-000-6500 WITH THE AMENDED AMOUNT OF $432,000.00 AND SECONDED BY SHELBY BOOTHE, the net effect of the budget will be adjusted, MOTION PASSED UNANIMOUSLY.
C. Ordinance No. 2013-03; An Ordinance Amending Sections 1.04.010, 1.12.050 Adding Section 1.04.060 Of The Bristol Bay Borough Code, As Attached. Second
Reading and Public Hearing

MOTION MADE AND SECONDED TO DIRECT THE BOROUGH ATTORNEY TO COMPLETE REVIEW, discussion and clarification made by the Borough Clerk as to what the Borough Attorney would like to do, MOTION THEN WITHDRAWN. CARVEL ZIMIN JR. MOVED TO TABLE ORDINANCE 2013-03 AND SECONDED BY SHELBY BOOTHE, MOTION PASSED UNANIMOUSLY.

VIII. Unfinished Business

A. Naknek River Subdivision Ordinance No. 2007 Language Review: At the last meeting the Attorney was directed to give a legal opinion as to whether or not the covenants were in force or not, but he has been out of the office. SHELBY BOOTHE MOVED TO DIRECT THE BOROUGH ATTORNEY TO REVIEW THE NAKNEK RIVER SUBDIVISION AND THE PROPER PROCEDURE FOR GETTING RID OF ALL OF THE COVENANTS AND/OR DISOLVING IT OR TAKING SOME COVENANTS OFF AND KEEPING SOME COVENANTS ON, THE PROPER PROCEDURE FORMING A HOMEOWNERS ASSOCIATION, AND WHAT IS THE PROPER PROCEDURE TO DISPOSE OF THE LAND SALE TRUST FUND MONEY AND SECONDED BY CARVEL ZIMIN JR., MOTION PASSED UNANIMOUSLY.

B. Nicholas Monsen Memorial Scholarship Fund Gaming Permit Revision: SHELBY BOOTHE MOVED TO APPROVE AND SECONDED BY RANDY ROBERTSON, MOTION PASSED UNANIMOUSLY.

C. Kelly Lucas Appeal: Set Hearing Date for Board Of Adjustment: SHELBY BOOTHE MOVED TO SET THE HEARING DATE FOR TUESDAY, MARCH 5, 2013 AT 1:00 P.M. AND SECONDED BY RANDY ROBERTSON.

D. BBB School District Energy Efficiency Revolving Loan Fund: Jim Dube answered questions from the Assembly; CARVEL ZIMIN JR. MOVED TO MOVE FORWARD WITH THE SCHOOL PROPOSAL TO DEALING WITH THE ENERGY AUDIT UPGRADES FOR THE SCHOOL DISTRICT USING THE ALASKA ENERGY EFFICIENCY REVOLVING LOAN FUND FOR THE AMOUNT OF $1,741,408.00, AND SECONDED BY EDDIE CLARK; this motion we understand is putting an RFQ out for the Energy Audit, for the requests to come back to us. Shelby Boothe stated he didn’t know enough about this to make a decision on the issue and would abstain from voting, the Mayor told him abstaining would go with the majority vote. Carvel reinforced his motion by stating that the School Board passed a resolution, a School Board member spoke in favor of the process that we’re
going forward with, the Finance Director David Scott recommended that we go forward with this. MOTION PASSED 3 AYES 1 ABSTAINED FROM VOTING.

E. Tax Foreclosures: SHELBY BOOTHE MOVED TO DIRECT THE NEW MANAGER TO CONTACT THE BOROUGH ATTORNEY FOR PROPER VERBAGE ON RETAINING THE PROPERTY BY THE PORT SO WE CAN DO THE PROPER RESOLUTION AND SECONDED BY CARVEL ZIMIN JR. Tanya Hansen Tax Clerk asked for direction on the other 9 properties as well and the Assembly wants the new Borough Manager to deal with that issue with the Borough Attorney. MOTION PASSED UNANIMOUSLY.

IX. New Business

A. Former Manager Patrick Jordan’s Moving Expenses: CARVEL ZIMIN JR. MOVED TO APPROVE THE FORMER MANAGERS MOVING EXPENSES OF $9,248.40 AND SECONDED BY EDDIE CLARK; CARVEL ZIMIN JR. THEN MOVED TO AMEND TO PRORATE IT AT 50% OR HALF OF $9,248.40 AND SECONDED BY RANDY ROBERTSON; Carvel stated that this motion if it passes would be cutting the moving expenses in half while he was only here for one year and he should’ve been here for two. VOTING ON MAIN MOTION 2 AYES, 2 NAYES, AND THE MAYOR BROKE THE TIE WITH A VOTE OF 1 AYE; VOTING ON THE AMENDMENT 2 AYES, 2 NAYES, AND THE MAYOR BROKE THE TIE WITH A VOTE OF 1 AYE.

B. Sockeye Swim League Donation Request: Lucinda Hall gave a power point presentation; SHELBY BOOTHE MOVED TO DONATE $10,000.00 TO SOCKEYE SWIM LEAGUE AND SECONDED BY RANDY ROBERTSON, MOTION PASSED UNANIMOUSLY.

C. Vaulted Latrines at the King Salmon Airport & King Salmon Sea Plane Area, D.O.T. Judy Chapman: Let D.O.T. deal with it. The Borough doesn’t want to maintain the vaulted latrines.

D. KAKN Advertising Request: EDDIE CLARK MOVED TO SUPPORT ANGEL BASKETBALL KAKN FOR $500.00 AND SECONDED BY CARVEL ZIMIN JR., MOTION PASSED UNANIMOUSLY.

E. Board of Fisheries Conference Area M/Support Letters, who is going: People selected to go are Richard Wilson, Pete Caruso, Russell Phelps, Victoria Briggs, and Eddie Clark. CARVEL ZIMIN JR. MOVED TO SPEND $10,000.00 TO SEND THOSE FIVE PEOPLE TO THE BOARD OF FISH MEETING AND SECONDED BY SHELBY BOOTHE, MOTION PASSED 3 AYES, 1 ABSTAINED.
F. NEA’s hot water line to School/Pool; Eddie spoke regarding the temperature going out from NEA and in to the School. He wants the Borough to look into writing a grant for funds. Pete Caruso former Maintenance Director for the School District answered some questions. Eddie would like to form a committee when the new Manager arrives and meet with NEA.

G. Police Blotter – Advertise in the BB Times: Rodney Enevoldsen Chief of Police spoke to this matter, he is very agreeable to posting this. Carvel spoke about putting it out on Face Book in some fashion. Eddie feels it would be a natural deterrent in stopping reducing crime. Not a pay item, it is free. EDDIE CLARK MOVED TO HAVE A POLICE BLOTTER ENTERED IN THE BRISTOL BAY TIMES AND SECONDED BY CARVEL ZIMIN JR., MOTION PASSED 3 AYES, 1 NAYE.

H. King Ko Inn Beverage Dispensary-Tourism License Renewal: Rodney Enevoldsen Chief of Police discussed having some staff problems, people have been cited into court, bar staff not checking I.D.’s. CARVEL ZIMIN JR. MOVED TO RECOMMEND TO TAKE NO ACTION AND SECONDED BY RANDY ROBERTSON, MOTION PASSED UNANIMOUSLY.

I. Letter from Eddie Clark requesting support for Vince Webster & Tom Kluberton: CARVEL ZIMIN JR. MOVED TO SUPPORT EDDIE CLARKS LETTER TO RECOMMENDING SUPPORT FOR VINCE WEBSTER AND TOM KLUBERTON TO BE REAPPOINTED TO THE BOARD OF FISH AND SECONDED BY EDDIE CLARK, 2 separate letters one for each individual, MOTION PASSED UNANIMOUSLY.


K. Hiring an Acting Manager: CARVEL ZIMIN JR. MOVED TO APPOINT MAYOR DAN O’HARA AS ACTING MANAGER UNTIL THE NEW MANAGER ARRIVES AND SECONDED BY EDDIE CLARK, MOTION PASSED UNANIMOUSLY.

X. Executive Session: Legal/Personnel: The Assembly went into Executive Session at 9:59 p.m. and reconvened at 10:24 p.m. with no action taken.

XI. Date and Time of Next Month’s Meeting: March 4, 2013

XII. Manager’s Comments: None
XIII. Assembly Member Comments: Eddie thanked everyone for his issues being dealt with and reminded everyone that Winterfest was coming up.

XIV. Adjournment: CARVEL ZIMIN JR. MOVED TO ADJOURN AT 10:35 P.M. AND SECONDED BY EDDIE CLARK, MOTION PASSED UNANIMOUSLY.

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Daniel J. O’Hara, Mayor

ATTEST:

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Tani R. W. Schoneman, Borough Clerk