I. **Call to Order:** The Regular Assembly meeting of October 3, 2011, was called to order by the Mayor Daniel O’Hara at 7:01 p.m. The meeting was held in the Assembly Chambers of the Borough Building in Naknek, Alaska.

II. **Roll Call:** Present: Shelby Boothe, Eddie Clark, Randy Robertson, Abe Williams, Carvel Zimin Jr. and the Mayor Daniel J. O’Hara. Absent: None. Also Present: Marv Smith, Borough Manager and Tani Schoneman, Borough Clerk.

III. **Consent Agenda:**
A. Non-Action Agenda
   1. Mayor
   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:
  12. Other Report

B. Action Items
   1. Minutes of September 6, 2011 – Regular Assembly Meeting: SHELBY BOOTHE MADE A MOTION TO APPROVE THE MINUTES AND SECONDED BY EDDIE CLARK. There was brief discussion regarding the Police Department Building. Shelby feels we should address this
matter with the Air Force to see if they will abide by their original contract and directed the Borough Manager to investigate the matter beginning tomorrow. MOTION PASSED UNANIMOUSLY.

2. Check Register August 2011: CARVEL ZIMIN JR. MADE A MOTION TO APPROVE THE AUGUST 2011 CHECK REGISTER AND SECONDED BY ABE WILLIAMS. MOTION PASSED UNANIMOUSLY.

IV. Approval of the Agenda
Items G RFP Dog Control, H Wood Lot, and I Helicopter Pad added under Unfinished Business. Executive Session moved to New Business as Item C, original item C to become item D, and added item E Letter from the Assessor regarding 2011 Full Value Determination. ABE WILLIAMS MADE A MOTION TO APPROVE THE AGENDA AS AMENDED AND SECONDED BY CARVEL ZIMIN JR. MOTION PASSED UNANIMOUSLY.

V. Persons to be Heard
Dave Lax spoke regarding Western Federal Lands ear mark grant. Gave praise to former Port Foreman Joe Harris and new Port Foreman Robert McDermott, but does not feel the Borough should be in the “construction business” and project should have gone out for bid. Carvel would like our attorney to research a timeline to make sure the Borough has done nothing wrong. Abe Williams, Eddie Clark, Randy Robertson and Dan O’Harra all made brief comments. Roylene Gottschalk spoke on behalf of the Naknek Native Village Council and wants this matter to be discussed on a Federal Level with attorney’s present.

VI. Communications and Appearance Requests
A. Letter from Dave Lax
B. Letter from United States Department of State, Seattle Passport Agency
C. Letter from Naknek Electric Association
D. Letter from Debra Bradford regarding Dog Pound/Shelter: Assembly requesting that the Manager put out an R.F.P. and give direction.
E. Settlement between EPA and Trident
F. Letter from South Naknek Holiday Fund requesting donation. SHELBY BOOTHE MADE A MOTION TO DONATE $1000.00 TO THE SOUTH
NAKNEK HOLIDAY FUND AND SECONDED BY ABE WILLIAMS. CARVEL ZIMIN JR. ABSTAINED FROM ANY DISCUSSION AND VOTING ON THIS MATTER. MOTION PASSED AYES 4 NAYS 0 ABSTAIN 1.

VII. **Hearings, Ordinances and Resolutions**

A. Resolution No. 2011-24, Supporting Camai Community Health Center’s Application – Affordable Care Act Capital Development-Bldg. Capacity Grant ABE WILLIAMS MADE A MOTION TO APPROVE RESOLUTION NO. 2011-24, SUPPORTING CAMAI COMMUNITY HEALTH CENTER’S APPLICATION – AFFORDABLE CARE ACT CAPITAL DEVELOPMENT-BLDG. CAPACITY GRANT, AND SECONDED BY SHELBY BOOTHE. MOTION PASSED UNANIMOUSLY.

B. Rapid’s Camp Lodge, Inc. Bed Tax Appeal Public Hearing: There was brief discussion from Bristol Bay Borough Finance Director Brant Mursch and brief discussion from Rapids Camp Lodge Attorney Mr. Herrig.

VIII. **Unfinished Business**

A. South Naknek Cemetery: There was a public hearing in South Naknek regarding location. The Borough is purchasing land for the Cemetery from Mr. Allfs.

B. Ethics Committee Appointment: The Mayor read a letter from Tim McDermott requesting to be on the Ethics Committee, and therefore appointed him to the committee.

C. Lake Camp Road Improvements: The Manager spoke on the Community Planner’s behalf answering questions and having brief discussion. ABE WILLIAMS MADE A MOTION TO HAVE THE BRISTOL BAY BOROUGH TURNS THE FUNDS BACK OVER TO WESTERN FEDERAL LANDS TO THEN TRANSER THE MONEY THROUGH B.I.A. TO THE NAKNEK NATIVE VILLAGE COUNCIL AND SECONDED BY EDDIE CLARK. SHELBY BOOTHE ABSTAINED FROM ANY DISCUSSION AND VOTING ON THIS MATTER. MOTION PASSED AYES 3 NAYS 1 ABSTAIN 1.
D. Additional Holiday or Ticket to Anchorage: SHELBY BOOTHE MADE A MOTION TO TAKE THIS ITEM OFF THE TABLE AND SECONDED BY EDDIE CLARK. MOTION PASSED UNANIMOUSLY. After brief discussion there will not be an additional Holiday/Ticket to Anchorage given.

E. Letter to Alaska Sportsman’s Bear Trail Lodge Bed Tax Appeal – The Borough is waiting for their response to our letter.

F. Ethics Committee: Need another applicant

G. Wood Lot: Eddie Clark would like us to have a wood lot and use the materials coming off the dock, and why don’t we? Put next to Sally Hermmann’s property? Shelby would like it to be kept at the Landfill.

H. Helicopter Pad: Needs to be FAA approved etc.

IX. **New Business**

A. Bristol Bay Elders Action Group Gaming Permit: CARVEL ZIMIN JR. MADE A MOTION TO APPROVE THE BRISTOL BAY ELDERS ACTION GROUP GAMING PERMIT AND SECONDED BY RANDY ROBERTSON. MOTION PASSED UNANIMOUSLY.

B. Fire Dept. Lease Agreement & Insurance for Chevy Suburban: The Borough Assembly is not taking any action on this matter at this time.

C. Executive Session Personnel Matters: CARVEL ZIMIN JR. MADE A MOTION TO GO INTO EXECUTIVE SESSION AT 8:38 PM AND SECONDED BY ABE WILLIAMS. The Borough Assembly reconvened at 9:07 pm. NO ACTION TAKEN.

D. Borough Manager’s Resignation and Waiver Request: SHELBY BOOTHE MADE A MOTION TO ADJUST THE BOROUGH MANAGER MARV SMITH’S RESIGNATION TO BECOME EFFECTIVE NOVEMBER 1, 2011 AND WAIVE SIX DAYS OF THE SIXTY DAY NOTIFICATION REQUEST AND SECONDED BY ABE WILLIAMS. MOTION PASSED UNANIMOUSLY.
E. Full Value Determination: The Assembly is not going to appeal this matter.

X. **Date and Time of Next Month’s Meeting:** November 10, 2011 at 7:00 pm.

XI. **Manager’s Comments:** Marv stated that his reason for retiring is that he is 60 years old is going to live six months in Alabama and six months in Alaska. Thank you for my time spent here.

XII. **Assembly Member Comments:** Ribbon cutting ceremony for the Port coming soon. Shelby Boothe thanked Marv for his services. Canvas Board has to meet on Monday, October 10, 2011 at 7:00 pm. Meeting’s at Fish Expo, do together as a group.

XIII. **Adjournment**
BY GENERAL CONSENSUS THE MEETING WAS ADJOURNED AT 9:21 P.M.

________________________________
Daniel J. O’Hara, Mayor

ATTEST

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Tani R.W. Schoneman, Clerk