

**HAINES BOROUGH ASSEMBLY MINUTES  
REGULAR MEETING #29  
OCTOBER 14, 2003 - 6:00 p.m.**

1. **Call To Order**: Mayor Mike **CASE** called the meeting to order at 6:00 p.m. in the Assembly Chambers of the Municipal Building.
2. **Pledge To Flag**: Led by Mayor **CASE**.
3. **ROLL CALL Present**: Mayor Mike **CASE** and Assembly Members Chip **LENDE**, Jerry **LAPP**, Stephanie **SCOTT**, Lucy **HARRELL**, Douglas **OLERUD**, and Debra **SCHNABEL**.

**Staff Present**: J u l i e **COZZI**/Borough Clerk, Robert **VENABLES**/Economic Development Director, and Gregg **RICHMOND**/Acting CFO. The Manager was at a homeland security training in Anchorage.

**Visitors Present**: John **SCHNABEL**, Todd **SEBENS**/KHNS, Ramona **MARTIN**, Vince **HANSEN**, Mike **ARMOUR**, Burl **SHELDON**, Steve **WILLIAMS**/CVN, Mike **STUART**, and Marlena **MOORING**.

4. **APPROVAL OF AGENDA/CONSENT AGENDA**:

M/S **SCOTT/LAPP** Motion to approve the Consent Agenda.

The motion carried unanimously.

5. **Minutes Of Previous Meetings**: October 1, 2003 Regular Meeting

6. **Canvass of October 7, 2003 Regular Election** -

In a memo to the Mayor and Assembly, the Clerk reported that there were 38 Absentee-in-Person ballots that would not feed through the Accu-vote machine, 2 Absentee-by-Personal Representative ballots, 7 Absentee-by-Mail Ballots received since Election Day which were mailed on or before that date, and 16 questioned ballots.

The Clerk recommended that all of the absentee ballots be counted, because each one was cast by a qualified Haines Borough voter. Of the 16 questioned ballots, 4 were cast by voters NOT registered in the Haines Borough as verified with the State Division of Elections. The Clerk recommended that those four *not* be counted.

M/S **LAPP/LENDE** Motion to accept the recommendations of the Borough Clerk regarding the counting of absentee and questioned ballots.

The motion carried unanimously.

Canvassing convened at 6:08 p.m.

Mayor **CASE**, **HARRELL**, and **COZZI** opened the envelopes containing all absentee and questioned ballots. **CASE**, with **LAPP** as witness, counted the ballots. Two teams tallied - **LENDE & HARRELL** and **SCHNABEL & SCOTT**. There was a brief recess for the Clerk to add the results of the canvass count to the Election Day results and to prepare the certification document. The Clerk presented the results to the Mayor who read them to the Assembly. The official report of election results will be recorded with the minutes of this meeting.

M/S **LAPP/SCOTT** Motion to certify the election results as read by the Mayor.

The motion carried unanimously.

#### **6. Audience Participation/Appearance Requests:**

Mayor **CASE** opened the audience participation portion of the meeting at 6:32.

##### **John SCHNABEL re. Porcupine Road**

Mr. **SCHNABEL** gave a brief history regarding his efforts to improve the road. He requested that the Assembly reallocate the \$50,000 funding that had been previously appropriated by the former Borough and authorize a survey to be done. He said that he believes development of this road is very important to the local tourism industry. **HARRELL** asked if the funding was appropriated out of the Borough's *Lands* fund, and **LAPP** said he believed it was. Mayor **CASE** explained to the Assembly that Mr. **SCHNABEL** has had discussions with the Manager who is researching the issue, and a report will be forthcoming. Assembly Member **SCHNABEL** expressed concern that the Borough be clear on any future obligations. Mayor **CASE** pointed out that a permit is necessary to build the road and details will come out with that process. **VENABLES** clarified that the Army Corps of Engineers will give the permit, and it is insistent on having a survey done prior to issuing one. "Ideally, the survey would occur prior to snowfall so that the permitting process can take place during the winter months." **SCOTT** asked who the road belongs to, and Mayor **CASE** said that the State owns it. **VENABLES** pointed out that the State is in the process of transferring that road to the Haines Borough. It is a road service area. "The thought was for the Borough to construct the road, then have the property owners in the subdivision pay for the maintenance. Mayor **CASE** reiterated that the Manager will provide a report stating what has transpired and what needs to be done.

##### **Burl SHELDON regarding Big Brothers/Big Sisters**

He announced that he is the manager of the new Haines program and explained that he discussed with the Manager his request to use an office in the Borough facility known as the Human Resources Building. "It is a non-profit program and would, in my opinion,

fall in to the category of health and human services." He said he would like to be a tenant there and "pay only the fair share of the utilities which has been the Borough's policy." Mayor **CASE** told the Assembly that the Manager is recommending that it happen. "It has been done before; Center for Community was allowed to have the same arrangements." The Assembly had no objections.

**7. Mayor's Comments/Report:**

• **Appointment of Planning Commissioners**

The Mayor announced that Herb **VANCLEVE** and Lee **HEINMILLER** are being reappointed, and he is appointing Harriett **BROUILLETTE** to replace Joanne **WATERMAN** and Bill **STACY** to replace Georgiana **HOTCH**. He will swear them in at the next regular Planning Commission meeting.

M/S **OLERUD/LAPP** Motion to approve the appointments.

The motion passed unanimously.

• **New Assembly Members**

Swearing in of newly-elected Assembly Members will occur during the November 5, 2003 regular meeting.

• **Proclamation - National Disability Employment Awareness Month, October.** The Mayor read the proclamation to the Assembly.

**8. Public Hearings:**

**Ordinance 03-08-025 (second public hearing)**

**An Ordinance Of The Haines Borough Clarifying The Requirements For A Commercial Passenger Vehicle Permit.**

Mayor **CASE** opened and closed the public hearing at 7:15pm. There was no public comment.

M/S **LAPP/OLERUD** Motion to adopt the ordinance.

The motion carried unanimously.

**9. Reports Of Borough Officers/Department Heads:**

Written monthly reports from each Borough Department Head were included in the meeting packets.

Additionally, **RICHMOND**/Acting CFO reported that the upcoming Borough finance audit will include five sales tax audits of local businesses, and he invited the Assembly to give suggestions for selecting the recipients of those audits. Random selection will occur, but there will be some weight applied to size of business. **LENDE** said that "the larger retail

operations in the Borough all have computer-assisted point of sale tax systems. The businesses that don't have those systems might need more scrutiny than the larger ones." **HARRELL** asked if any thought had been given to looking at any of the businesses that are in arrears. **RICHMOND** said that that was not planned. The process for random selection is that "the businesses will be pretty much just drawn out of a hat. Others would be taken out of a pool of weighted businesses." **SCOTT** asked what is triggering the audits. **RICHMOND** explained that this is a response to the Assembly's request expressed during the budgeting process. Also, the reasons for sales tax audits have to do primarily with educating people regarding compliance. **SCOTT** asked if the Borough ever offers assistance to the business community. **RICHMOND** said that our tax clerks are very responsive and exceptionally helpful.

10. Bids/Proposals Received: None

11. Expenditure/Grant Approval Request(s): None

12. Reports Of Standing Committees/Commissions:

Mayor **CASE** reported that a Committee of the Whole met on October 8 to continue reviewing the combined Borough Code and has progressed well into Title 2.

13. Reports Of Special Committees: None

14. Consideration Of Resolutions, Petitions And Memorials: None

15. Consideration Of Ordinances Proposed For Introduction:

Ordinance 03-10-032

An ordinance of the Haines Borough appropriating a \$20,200 grant from the US Department of Interior, Fish & Wildlife Service, for ongoing restoration of Sawmill Creek and to budget the in-kind required match of \$20,500.

M/S **SCOTT/LENDE** to introduce Ordinance 03-10-032.

**SCOTT** said she wanted the text of the ordinance to clearly show where the match is coming from. **VENABLES** agreed that it is not as clear as it should be and will work with the Clerk to revise it prior to a hearing. He explained this is just a pass-through grant and there is no cash outlay at all; it is all in-kind donations.

The motion carried unanimously.

M/S **OLERUD/LENDE** Motion to set Ordinance 03-10-032 for its first public hearing on 11/5.

Motion carried unanimously.

**16. Correspondence:**

A written request from Mike **WARD** for a letter of non-objection was considered. He has purchased the Harbor Bar and Lighthouse Restaurant from Ramona **MARTIN** and has applied to the State for a transfer of the liquor license. The Assembly agreed to such a letter, and Administration staff will write it. **MARTIN** requested that the letter be sent as soon as possible to expedite the transfer so that she can retire.

**17. Old Business:**

- **Ordinance 03-08-028**

**An Ordinance Of The Haines Borough Providing For An Exception To The Harbor Stall Waiting List When Justified In The Public Interest.**

Mayor **CASE** explained that rules of Parliamentary Procedure require this ordinance to be reintroduced at a future meeting since it has been on the table for more than one meeting.

- **Request for New Commercial Tour Permit by John Venables Educational Travel & Tours - Alaska**

Mayor **CASE** said that Mr. **VENABLES** has elected to withdraw this permit application.

**18. New Business: NONE**

**19. Set Committee Meeting Dates:**

**Committee of the Whole, Wednesday, Oct. 22, 2003, at 6:30 p.m.**  
The purpose is for continued Code review.

**20. Assembly Member Comments:**

The Mayor and the Assembly Members took the opportunity to present outgoing member, **LENDE**, with a gift: a *Baseball Desk Reference* book. Additionally, many expressed gratitude and respect for his work and leadership in local government.

**21. Adjournment:**

M/S **LENDE/LAPP** Motion to adjourn.

Motion carried unanimously.

The meeting was adjourned at 8:09 p.m.

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Mike Case, Borough Mayor

ATTEST:

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Julie Cozzi, Borough Clerk

S E A L: