

**HAINES BOROUGH ASSEMBLY  
REGULAR MEETING MINUTES  
MAY 7, 2003**

1. **CALL TO ORDER:** Mayor **CASE** called the meeting to order at 6:30 p.m. in the Assembly Chambers of the Municipal Building.
2. **PLEDGE TO FLAG:** Led by the Mayor.
3. **ROLL CALL: Present:** Mayor Mike **CASE**; Assembly Members Chip **LENDE**, Douglas **OLERUD**, Lucy **HARRELL**, Debra **SCHNABEL** and Stephanie **SCOTT**.

**Absent:** Assembly Member Jerry **LAPP**

M/S **OLERUD/SCOTT** Motion to excuse Assembly Member **LAPP**.

Motion carried unanimously.

**Staff Present:** Tim **TROLL**/Borough Manager, Susan **JOHNSTON**/Borough Clerk, Cynthia **JONES**/Museum Curator, Michelle **GLASS**/Tourism Director.

**Visitors Present:** Doug **FINE**/KHNS, Adrian **BOCHART**, Heather **LENDE**, Lewellen **COBB**, Tim **JUNE**, Orion **FALVEY** and others.

4. **APPROVAL OF AGENDA/CONSENT AGENDA:** All items listed with an asterisk (\*) are considered to be routine by the Borough Assembly and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an Assembly Member or citizen so requests, in which event the Assembly, by a majority vote, may remove the item from the Consent Agenda and consider it in its normal agenda sequence.

The Mayor made the following change to the Agenda:

Add 6. A. Adrian **BOCHART**/Skateboard Park under Audience Participation

Add 13. C. Resolution 03-05-023

Remove 16. A. Plastic Bag Ordinance

M/S **OLERUD/SCOTT** Motion to approve the amended agenda.

Motion carried unanimously.

- \* 5. **MINUTES OF PREVIOUS MEETINGS:** April 16, 2003

**6. AUDIENCE PARTICIPATION/APPEARANCE REQUESTS:**

A. Adrian **BOCHART**/Skateboard Park

Ms. **BOCHART** and two skateboard enthusiasts gave a presentation to the Assembly showing their plan to use the concrete pad at Oslund Park for a temporary skateboard park. They showed how they would build the various ramps and jumps and gave a brief history of their project. The concrete area, originally designed as a skating rink, has a drain in it which is clogged. The group asked if the Borough would see if the drain can be cleared should the Assembly allow them to use this area for their sport. When asked about liability, they responded that they looked into it and found that there has never been one lawsuit against a skateboard park in the U.S. and insurance rates for the owners have not increased due to the existence of a skateboard park on their property. They said they would put up a sign saying "skate at your own risk". They said the ramps would be taken down and stored during the winter until an enclosed structure can be built either on this or another site. They mentioned the possibility of the old water reservoirs for Fort Seward as a site. The Mayor said he will have the Public Works Department look at the drains.

**LENDE** stated that there are no activities in Haines for this age group (15 - 20) and he felt the Borough should support their efforts. If done well, there could even be competitions held in Haines eventually.

Another young man came later in the meeting with a scale model of the proposed park and answered more questions. **SCOTT** mentioned her concern that the adjacent property owners be notified of the possibility of the skateboard park being located at Oslund Park because of the noise factor. There may have to be a time limit on use of the park so as not to disturb the people staying at the Eagle's Nest Motel. **SCHNABEL** suggested the Planning Commission look at the proposal as well and that perhaps it is a change of use requiring a permit. **OLERUD** said it is recreation, which is what the area is already being used for - not a change of use. He also stated that there are noise ordinances in place.

B. Tim **JUNE**/State Sales Tax

Mr. **JUNE** urged the Assembly to take a stand against the State Sales Tax proposal and explained the resultant loss of tax revenue in Haines should it pass.

**6. AUDIENCE PARTICIPATION/APPEARANCE REQUESTS:**

B. Tim **JUNE**/State Sales Tax

The Manager has written a letter objecting to the sales tax, but a resolution could also be written.

M/S LENDE/SCOTT Motion to write a resolution opposing the Statewide Sales Tax.

Motion carried unanimously.

C. Lewellen **COBB**

Mr. **COBB** spoke against Ordinance No. 03-05-013 up for public hearing at this meeting. He stated that he felt its passage would drive people out of Haines. He asked the Assembly to consider the people who have spent their lives in Alaska. He stated that exempted tax is money that stays in Haines.

**7. MAYOR'S COMMENTS/REPORT:**

A. Mayor's Absence

The Mayor's wife, Pauline, is doing well with her cancer treatments. They will take 6 ½ weeks. The Mayor will travel back and forth between Anchorage and Haines until she can come home. He thanked everyone for their well wishes.

**8. PUBLIC HEARINGS:**

A. ORDINANCE 03-05-013  
(First Public Hearing)

AN ORDINANCE OF THE HAINES BOROUGH TO AMEND OLD CITY OF HAINES CODE SECTION 3.28.030, REQUIRED EXEMPTIONS, § 6, REQUIRING SENIOR CITIZENS TO MEET THE ELIGIBILITY REQUIREMENTS FOR THE ALASKA PERMANENT FUND DIVIDEND IN ORDER TO QUALIFY FOR PROPERTY TAX EXEMPTION UNDER § 6 AND TO ESTABLISH PROCEDURES AND DEADLINES FOR FILING AN APPLICATION FOR TAX EXEMPTION.

The Mayor opened the hearing to the public at 7:00 p.m.

Hearing no comment, he closed the public hearing.

M/S OLERUD/HARRELL Motion to set Ordinance 03-05-013 for second public hearing May 21, 2003.

Motion carried unanimously.

**8. PUBLIC HEARINGS:**

- B. ORDINANCE 03-05-014  
(First Public Hearing)

AN ORDINANCE OF THE HAINES BOROUGH REPEALING OLD BOROUGH CODE SECTION 3.40.031, LEVY OF TOUR TAXES, PURSUANT TO A VOTE OF THE PEOPLE AT THE MARCH 25, 2003 SPECIAL ELECTION.

The Mayor opened the hearing to the public at 7:02 p.m.

Hearing no comment, he closed the public hearing.

M/S OLERUD/HARRELL Motion to set Ordinance 03-05-014 for second public hearing May 21, 2003.

Motion carried unanimously.

**9. REPORTS OF CITY OFFICERS/DEPARTMENT HEADS:**

- A. Borough Manager

- 1) Boat Harbor Expansion Project

There was a memo in the packets from Robert **VENABLES** on his Washington D.C. trip and contacts with the Congressional delegation and lobbyist, Brad **GILMAN**.

- 2) Items of a General Nature

The Manager reported that he will be leaving for Dillingham on May 14<sup>th</sup>, returning June 1<sup>st</sup>. He will stay in touch by e-mail and phone.

- 3) CCWSS Issue - The Manager stated that he has been spending quite a lot of time familiarizing himself with this issue. There are two hearings coming up: June 5<sup>th</sup> and June 23<sup>rd</sup>. There is a large discovery request to answer received today. They moved to dismiss the request for CCWSS to expand into the Borough's service area and to require the Borough to purchase a specific amount of their water. It is hoped this will pass on May 16<sup>th</sup>.

- B. Borough Clerk - NONE      C. Borough CFO - NONE

**9. REPORTS OF CITY OFFICERS/DEPARTMENT HEADS: (cont.)**

D. Economic Development/Tourism

1) Shuttle RFP

The Tourism Director explained that the Tourism Department wanted to be sure that there was a shuttle available for cruise ship passengers to get them into town where they could shop and visit the museum and other attractions. In the past it has been provided free by Arne **OLSSON**, but he will not be offering it this year. The RFP was based on one written in 2000. The responses to the RFP will be brought back to the Assembly at their next meeting.

E. Police Chief - NONE

F. Library - NONE

G. Museum - NONE

H. Public Works - NONE I. Water/Sewer - NONE

J. Fire/EMS - WRITTEN K. Harbors - NONE

**10. BIDS/PROPOSALS RECEIVED:**

A. People Mover

The Tourism Director Michelle **GLASS** provided the Assembly with a report on responses to her request for proposals on the people mover vehicle. She recommended the Borough purchase the gas-powered 6-passenger vehicle for \$9,551. This vehicle is to be purchased with an \$11,000 grant acquired last year by Marco **PIGNALBERI**. Michelle fielded a few questions about her recommendation.

M/S LLENDE/OLERUD Motion to purchase the gasoline-powered 6-passenger club car from Alaska Golf Carts for \$9,551.00.

Motion carried unanimously on a roll call vote.

**11. REPORTS OF STANDING COMMITTEES/COMMISSIONS:**

A. C.O.W. Budget

**LENDE** reported that few changes were made to the budget during the last C.O.W. Animal Control was raised from \$20,000 to 30,000. The Borough will go out to RFP for this service.

**11. REPORTS OF STANDING COMMITTEES/COMMISSIONS: (cont.)**

B. Government Services

**HARRELL** reported that the committee discussed the flood plain ordinance proposed by the Planning department. Having an ordinance on the books is required if locals are to qualify to get flood insurance. The Committee felt it was the responsibility of the Planning Commission to study the ordinance and make a recommendation, so it was sent back to them for review.

C. Commerce

The Commerce Committee met to discuss a comprehensive economic development strategy. They came up with a list of projects: Boat Harbor Expansion, Fish Processing Facility, Assisted Living Facility, Road Development, Regional Port Authority, Port Chilkoot Dock Improvements, Marine Industrial Park, Community Convention Center, Downtown Development, Value-added Timber and Small Business Incubators.

**HARRELL** has been meeting in Juneau with potential operators of an assisted living facility. So far no one will commit, but they are looking at it closely. They hope to operate it as a private, non-profit facility.

At the request of **SCOTT**, **OLERUD** explained what he meant by "Downtown Development", i.e. developing a "look" for the area, provide ease access, fix it up and clean it up in the downtown area to make it more attractive for visitors and locals alike.

D. Personnel/Labor Relations

The Personnel/Labor Relations Committee met and interviewed four candidates for the Borough Clerk's job. The committee, after deliberation, recommended the Borough hire Julie **COZZI** to replace Susan **JOHNSTON** in the Clerk's position.

M/S **LENDE/HARRELL** Motion to offer the position of Borough Clerk to Julie **COZZI**.

Motion carried unanimously.

**12. REPORTS OF SPECIAL COMMITTEES: NONE**

**13. CONSIDERATION OF RESOLUTIONS, PETITIONS AND MEMORIALS:**

A. RESOLUTION NO. 03-05-021

A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY SUPPORTING THE SOUTHEAST ALASKA INTERTIE PROJECT AND THE INTERTIE WORK OF SOUTHEAST CONFERENCE.

M/S HARRELL/OLERUD Motion to adopt Resolution 03-05-021.

Assembly Member **HARRELL** spoke in favor of this Resolution stating the benefits of using hydro power and becoming less reliant on diesel fuels for power.

Motion carried unanimously on a roll call vote.

B. RESOLUTION NO. 03-05-022

A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY, CHANGING SIGNERS ON THE BOROUGH'S BANK ACCOUNTS BY DELETING VINCE HANSEN AND ADDING TIM TROLL.

M/S OLERUD/LENDE Motion to adopt Resolution 03-05-022.

Motion carried unanimously on a roll call vote.

C. RESOLUTION NO. 03-05-023

A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY EXPRESSING ITS APPRECIATION OF VINCE HANSEN FOR HIS GENEROUS EXPENDITURE OF TIME AND EFFORT AS INTERIM BOROUGH MANAGER AND AWARDING HIM A BONUS TO SHOW THAT APPRECIATION.

M/S OLERUD/HARRELL Motion to adopt Resolution 03-05-023.

Motion carried unanimously on a roll call vote.

**14. CONSIDERATION OF ORDINANCES PROPOSED FOR INTRODUCTION:**

A. ORDINANCE 03-06-015

AN ORDINANCE OF THE HAINES BOROUGH TO APPROPRIATE FUNDS TO INCREASE THE LUTAK DOCK REHABILITATION PROJECT CIP FUND BUDGET MATCH BY \$36,000.

M/S OLERUD/HARRELL Motion to introduce Ordinance No. 03-06-015 and set it for first public hearing on May 21, 2003.

Motion carried unanimously.

**14. CONSIDERATION OF ORDINANCES PROPOSED FOR INTRODUCTION:**

B. ORDINANCE NO. 03-06-016

AN ORDINANCE OF THE HAINES BOROUGH TO APPROPRIATE \$12,000 TO THE FY 02/03 BUDGET FOR FIRE SUPPRESSION SYSTEM REPAIRS AT THE CHILKAT CENTER FACILITY.

M/S OLERUD/LENDE Motion to introduce Ordinance No. 03-06-016 and set it for first public hearing on May 21, 2003.

Motion carried unanimously.

C. ORDINANCE NO. 03-06-017

AN ORDINANCE OF THE HAINES BOROUGH TO APPROPRIATE \$40,000 TO THE GENERAL GOVERNMENT BOROUGH ASSEMBLY BUDGET FOR A SCHOOL FACILITY CONDITION SURVEY.

M/S OLERUD/HARRELL Motion to introduce Ordinance No. 03-06-017 and set it for first public hearing on May 21, 2003.

**LENDE** asked how long the grant would be available that the school superintendent is hoping to apply for after the condition survey is complete. Superintendent **WILSON** stated that the Borough should apply during the first three years of the program. Grants are guaranteed during the first three years of this program if the municipality will bond for their share. He stated that getting the condition survey done, assessing the condition of the buildings and having an architect do a conceptual estimate for a new building shouldn't take the entire \$40,000.

Motion carried unanimously.

Due to time constraints, the Clerk asked permission of the Assembly to advertise the public hearings for the budget ordinance ahead of the meetings when the hearings will be scheduled. The Assembly concurred.

**15. CORRESPONDENCE: NONE**

**16. OLD BUSINESS: NONE**

**17. NEW BUSINESS:**

A. Plastic Bags

The Mayor mentioned that there is an article in the Anchorage newspaper about plastic bags.

**17. NEW BUSINESS:**

A. Plastic Bags

**LENDE** said that when the committee meets to discuss the proposed ordinance on plastic bags, he would like them to also discuss the ordinances on burning plastics and other toxic substances, as well as the litter ordinances.

**HARRELL** stated that if an ordinance was to be considered banning the sale and use of plastic bags, there will have to be a place for people to dispose of non-complying plastic bags at no charge - perhaps at Haines Friends of Recycling.

**SCHNABEL** stated that she wants to work with Haines Sanitation, Acme Transfer, Haines Friends of Recycling and local retailers before bringing the ordinance to the committee. It will be Government Affairs and will be set at the first meeting in June.

**18. SET COMMITTEE MEETING DATES: NONE**

**19. ASSEMBLY MEMBER COMMENTS:**

A. **SCOTT** mentioned that the newspaper article on the Clerk's retirement failed to mention several long-term Borough employees. Only long-term City employees were mentioned.

B. Mayor **CASE** reported that he has invited the Coast Guard to bring a vessel to Haines for the Fourth of July celebrations so that they may be honored by the community. They will be honor guards in the parade, with one or more of them being Grand Marshals of the parade. They will also participate in the boat race during the festivities

C. **SCOTT** said the Playground build next week will be great. One of her classes is going to film the project and give the tape to the museum to document the build for the future.

**20. ADJOURNMENT**

M/S OLERUD/SCOTT Motion to adjourn.

Motion carried unanimously

The meeting was adjourned at 8:10 p.m.

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Mike Case, Borough Mayor

ATTEST:

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Susan V. Johnston, CMC, Borough Clerk

S E A L: