


Haines Borough
Borough Assembly Meeting #55
October 6, 2004
MINUTES

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Deputy Mayor Jerry **LAPP** called the meeting to order at 6:30 p.m. in the Assembly Chambers of the Public Safety Building and led the pledge to the flag.

2. **ROLL CALL Present:** Assembly Members, Norm **SMITH**, Jerry **LAPP**, Douglas **OLERUD**, Stephanie **SCOTT**, and Lucy **HARRELL**. Absent: Mayor Mike **CASE** and Assembly Member Debra **SCHNABEL**.

Staff Present: Robert **VENABLES**/Economic Development Director and Acting Manager, Julie **COZZI**/Borough Clerk, and Marva **CRECELIUS**/AP Clerk.

Visitors Present: Tod **SEBENS**/KHNS, Bonnie **HEDRICK**/CVN, Walter **CLAYTON**, and Herb **VANCLEVE**.

3. **APPROVAL OF AGENDA & CONSENT AGENDA:**

M/S **OLERUD/HARRELL** Motion to approve the Consent Agenda.

SCOTT requested that *Solar Aquatics* be added to OLD BUSINESS.

There was no objection to the changes, and the motion to approve the amended consent agenda carried unanimously.

4. **APPROVAL OF MINUTES:**

*September 15, 2004 Regular and September 29, 2004 Special

5. **PUBLIC COMMENTS:** None

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

Deputy Mayor **LAPP** suggested the assembly meetings be held on the second and fourth Tuesdays of each month.

M/S **HARRELL/SCOTT** Motion to change the regular assembly meeting days to the second and fourth Tuesdays of every month effective October 26, 2004.

The motion carried unanimously with a roll call vote.

LAPP spoke briefly about the Bartlett Hospital effort to get funding for a heliport at the hospital and added that critical care patients could be transported more quickly from the outlying communities, including Haines. The hospital is soliciting letters of support to go to the City and Borough of Juneau.

M/S **OLERUD/SCOTT** Motion for the Acting Manager to write a letter of support for a heliport at Bartlett Hospital.

The motion carried unanimously.

7. PUBLIC HEARINGS:

A. Ordinance 04-09-084 - (first hearing)

An ordinance of the Haines Borough, Alaska, adding Chapter 2.105 to establish a parks and recreation department and advisory board and amending Chapter 2.104 to show the relationship between the Community Youth Development Program and the parks and recreation advisory board and deleting sections 2.102.020-050 pertaining to the Community Youth Development Board.

Deputy Mayor **LAPP** opened the public hearing at 6:38 pm.

CLAYTON said he has participated in the Government Services Committee meetings and in efforts to research parks and recreation programs in other Alaska communities. He said the main impetus for creating a parks and recreation program in Haines is to save the swimming pool. The committee is looking for a good model to use that will also link the Community Youth Development program. Once a structure has been developed, other activities including trail hiking, could be added. In a recent meeting, over 30 different activities were identified.

The deputy mayor closed the public hearing at 6:42pm.

M/S **SCOTT/SMITH** Motion to set Ordinance 04-09-084 for its second public hearing on October 26.

SCOTT distributed a draft of proposed amendments to the ordinance as originally introduced. She explained the committee pared it down and clarified the advisory board's responsibilities. Also included was text to show the utmost importance of the Oslund Park and the Swimming Pool. Section 2.60.010 makes it clear that the advisory board would report to the mayor, manager, and the assembly.

M/S **SCOTT/SMITH** Motion to amend the ordinance as recommended and presented by the Government Services/Affairs Committee.

The amendment motion carried unanimously.

The main motion, as amended, carried 4-1 in a roll call vote with **OLERUD** opposed.

B. Ordinance 04-09-081 - (second hearing)

An ordinance of the Haines Borough, Alaska, amending the FY05 advertising budget and appropriating an additional \$18,685 to market the Haines Borough as a tourist destination.

The deputy mayor opened the public hearing at 7:16 pm.

VANCLEVE is a member of the Convention and Visitors Bureau and spoke in favor of the ordinance. He said it is his

understanding the money should have been in the original budget but was omitted.

The deputy mayor closed the public hearing at 7:17 pm.

M/S **HARRELL/SMITH** Motion to adopt ordinance 04-09-081.

M/S **SCOTT/OLERUD** Motion to amend the ordinance by increasing the appropriation by \$34K to fund the production of 80,000 copies of a revised Haines Vacation Planner designed for circulation over two years (2005 and 2006), and to set the ordinance for a third public hearing on October 26.

HARRELL said the expense is not unexpected. **SCOTT** agreed but said it significantly changes the original ordinance and should be advertised for the public's sake.

The amendment motion carried unanimously and the main motion became moot.

C. Ordinance 04-09-082 - (second hearing)

An ordinance of the Haines Borough amending Haines Borough code Title 2 to allow absentee voting by electronic transmission.

The deputy mayor opened and closed the public hearing at 6:50 pm; there were no comments.

M/S **OLERUD/SMITH** Motion to adopt 04-09-082.

The main motion carried unanimously with a roll call vote.

D. Ordinance 04-09-083 - (first hearing)

An ordinance of the Haines Borough amending Haines Borough Code 3.70.040(D) to include the Haines Animal Rescue Kennel Property in the list of tax-exempted properties.

The deputy mayor opened and closed the public hearing at 6:53 pm; there were no comments.

M/S **OLERUD/HARRELL** Motion to set 04-09-082 for its second public hearing on October 26.

The motion carried unanimously.

8. STAFF REPORTS:

A. Acting Manager - VENABLES summarized the written report presented by Mayor Mike Case and him covering the following subjects:

- Bob Caldwell's Resignation
- Audit
- SEARHC Drainage Problem
- Assessor Training
- Realignment of Financial Duties

- Possible Buyer for Chilkat Center
- Final Report - Lutak Dock Project
- Snow Plowing - Library and Administration Building
- Union Steward
- Borough Charter - Unconstitutional Provision
- Porcupine Road Survey
- Acting Borough Manager
- Fish Tax Revenue

VENABLES also announced the Ice House grant has been awarded by the feds and is the culmination of much effort.

Regarding the Charter zoning provision, **SCOTT** suggested the issue be referred to the Government Services/Affairs Committee to work on wording a possible question for a special election ballot. She spoke in favor of making an effort to include the zoning provision question on the same special election ballot in December as the school bond issue.

Pertaining to a Chilkat Center purchase, **LAPP** said he would like to see an actual purchase request from a potential buyer when it is available. Also, he does not believe the Borough can sell the property and thinks it would have to revert back to Alaska Indian Arts. He asked **VENABLES** to research it and ask for a proposal when the buyer is ready.

9. COMMITTEE/COMMISSION REPORTS:

- A. Commerce Committee** - None
- B. Finance & Budget** - Written report

SCOTT said the committee met and have assigned themselves the task of looking to see where a Parks and Recreation Department could be funded. She added that the amendment for Ordinance 04-09-081 is an outcome of the committee meeting.

- C. Personnel & Labor Relations**
- D. Government Services** - None
- E. Government Affairs** - None
- F. Planning Commission** - None

10. OLD BUSINESS:

- A. SOLAR AQUATICS** -added by **SCOTT** during approval of the agenda.

SCOTT said she spoke with Mayor Case, and he has a fundamental concern with looking at only one treatment system and wonders if there could be "skeletons in the Solar Aquatic closet." **SCOTT** added that Gershon Cohen would like a follow-up opportunity to address the assembly to answer the concerns. **LAPP** said the mayor is hoping to tour a Solar Aquatic plant in Vermont while on vacation. **SCOTT** explained that particular plant was not built by the company in question. It was generally agreed that a

Committee-of-the-Whole could be scheduled for 10/26/04 prior to the regular assembly meeting.

11. STRATEGIC PLAN UPDATES - None

12. NEW BUSINESS:

A. Resolutions - None

B. Ordinances for Introduction

1. Ordinance 04-09-085

An ordinance of the Haines Borough amending Haines Borough code section 18.20.020 to clarify the definitions for mobile home and modular home.

M/S **SCOTT/SMITH** Motion to introduce Ordinance 04-09-085 and set it for a first public hearing on 10/26/04.

OLERUD said the language is still confusing, in his opinion. **LAPP** asked **VANCLEVE** to enlighten the assembly regarding the Planning Commission's intent. **VANCLEVE** said the existing code would allow the possibility of starting out as a mobile home and then becoming classified as a modular home. The Commission attempted to clarify the wheels and chassis issues. **OLERUD** said it is his understanding that a lot of modular homes have a steel chassis that remains with the home. He does not believe the proposed code amendment would make it any easier for staff to make permitting decisions. **SCOTT** said she found on the Internet that the term "mobile home" was officially done away with by the government in 1980. The term in use now is "manufactured home." She suggested a definition that includes the word *integral* where wheels are concerned. **OLERUD** said to him a modular home also denotes more than one unit. He liked **SCOTT**'s idea for including the word *integral*, and suggested referring the rewording task to the Government Services/Affairs Committee. **VANCLEVE** said he believes **SCOTT**'s definition is more concise and embodies the intent of the Planning Commission. **LAPP** suggested introducing the ordinance and amending it as needed. **SCOTT** offered to visit with the Planning Commission at their on 10/14/04 meeting to discuss it with them.

M/S **SCOTT/OLERUD** Motion to amend the ordinance to define *mobile home* as being a factory-assembled residence in which a chassis and wheels is an integral part of the structure, and to define *modular home* as a factory-assembled residence built in units or sections transported to a permanent site and erected on a foundation. It excludes mobile homes.

VANCLEVE said there would be a problem with saying chassis AND wheels in the mobile home definition, because some don't have wheels. **SCOTT** and **OLERUD** agreed to striking "and wheels" from the motion.

The amendment motion without the words "and wheels" carried unanimously.

The main motion carried unanimously.

C. Other New Business

1. Liquidating (resale of) Foreclosed Property

SMITH asked why foreclosed property never seems to come up for sale in the Haines Borough like other communities. There is a current list of property due for foreclosure, and he wondered if the borough has a written policy. He believes that foreclosed property after a certain time should be put up for sale. He suggested consideration to increasing existing penalties and fees. **LAPP** said the borough may be dictated by another policy or law, and there may be some State time lapse requirements when dealing with liquidation of foreclosed property. **SMITH** said the borough needs to be more stringent about enforcing regulations. "The phone company doesn't let you go for years before shutting you off. Raising the interest charge might encourage people to pay." **OLERUD** noted that the borough collected approximately \$35K in 2003 for penalties and interest, so the current system seems to be working well enough. **SCOTT** suggested asking the acting manager to research the current regulations and timelines for foreclosure and report back to the assembly at the next meeting. She agreed with **SMITH** about considering raising penalties and interest to reflect today's administration costs to deal with delinquent accounts. **SMITH** reiterated that if people consistently delay paying their taxes perhaps the current consequences are not enough of an incentive. **VENABLES** directed the assembly's attention to his memo outlining three types of properties possibly available for revenue generation or potential resale: 1) Delinquent properties have (since the 1970s) always paid in full, generating a large amount of penalty and fee revenue, 2) the Borough currently has three parcels of administratively foreclosed properties, due to a breach of contract that can be resold, and 3) raw land that the Borough can subdivide and sell to the public. **VENABLES** agreed to provide information on the current process for foreclosure and reselling of foreclosed properties on hand. He also offered to work with the Planning Commission toward a land-development plan for borough-owned properties that may be sold to the public and added to the tax rolls.

13. SET COMMITTEE MEETING DATES

A committee-of-the-whole meeting was scheduled for 10/26/04 at 5:45pm to have a follow-up Solar Aquatics presentation by Gershon Gohen.

The Government Services/Affairs Committee will meet on 10/25/04 at 3:00 pm to work on possible Charter amendment ballot language.

14. ANNOUNCEMENTS/ASSEMBLY COMMENTS

HARRELL said she has enjoyed working with the assembly. She offered congratulations to **VANCLEVE** on his election to Seat B.

SCOTT congratulated **VENABLES** on the Ice House grant.

LAPP thanked **HARRELL** and **OLERUD** for their work on the assembly and expressed that he enjoyed working with them.

15. ADJOURNMENT - 7:42 pm

Jerry Lapp, Deputy Mayor

ATTEST:

Julie Cozzi, Borough Clerk