

  
**Haines Borough**  
**Borough Assembly Meeting #64**  
**December 28, 2004**  
**MINUTES**

**Adopted**

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **CASE** 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**, Debra **SCHNABEL**, Scott **ROSSMAN**, Jerry **LAPP**, and Stephanie **SCOTT** (via teleconference).

**Absent:** Herb **VANCLEVE** (vacation).

**Staff Present:** Julie **COZZI**/Borough Clerk and Addison **FIELD**/Museum Director.

**Visitors Present:** Tod **SEBENS**/KHNS, Bonnie **HEDRICK**/CVN, Christy **TENGs**, John **FLORESKE**, Ben **KIRKPATRICK**, Kerry **COHEN**, Megan **SHERMAN**, and others.

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

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

The motion to approve the consent agenda carried unanimously.

4. **APPROVAL OF MINUTES:**

\*December 14, 2004 Regular and December 20, 2004 Canvass

5. **PUBLIC COMMENTS:**

**TENGs** asked the assembly to keep in mind, as they address heliskiing regulations, the difficulty of being a wintertime business in Haines.

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

**CASE** said he sees no urgent reason to assign committees at this time and recommended waiting for full assembly attendance before discussing it.

7. **PUBLIC HEARINGS:**

A. **Ordinance 04-12-090** - (first hearing)

An ordinance of the Haines Borough amending Haines Borough code section 7.08.040(c) changing the structure of the Board of Directors for Mud Bay Fire Service Area (FSA) #4.

The mayor opened the public hearing at 6:37pm.

**KIRKPATRICK**, chairman of the FSA #4 Board, reported on the results of today's board meeting. The board is recommending that for the remaining six months of FY05, property owners living more than 40 minutes away from fire department response should be able to apply for up to a 25% tax differentiation.

The mayor closed the public hearing at 6:39pm.

M/S **SCOTT/LAPP** Motion to send Ordinance 04-12-090 forward for a second public hearing on January 11, 2005.

**SCHNABEL**, referring to item 2 page 2 of the ordinance, recommended changing the word *residents* to *property owners*. Additionally, she asked about owners of property where fire hose assistance will never reach. **KIRKPATRICK** said the board discussed the different scenarios and decided to go with just the 25% for the time being. **SCHNABEL** asked about the *case by case* basis. Again, **KIRKPATRICK** said the board decided to stick with the 25% and not consider 50% at this time. **SCHNABEL** asked that time and distance criteria be established. **SCOTT** said she has been impressed with the area residents and their commitment to fire service. She said the reason NOT to write in standards is the assumption that the fire department can become more efficient over time and increased efficiency may reduce the response time. She does not recommend standards be written into ordinance. **SMITH** suggested striking item 3 on page 2 altogether. "If the ordinance is passed, exemptions up to 50% would not be correct. It should be changed to %25 prior to adoption." **CASE** asked for **KIRKPATRICK** to comment. He said it says *up to 50%*. The board may want to readdress it after the first six months experience and opt for the 50% in some cases. He also suggested a future area-wide meeting of all fire service area boards to talk about the overall issue of differential tax. **LAPP** suggested going ahead and amending the current ordinance to 25% and changing it back to 50% in the future, if needed. **CASE** asked how the tax office would be notified of a differential tax grant. **KIRKPATRICK** said the property owner seeking exemption would make an application annually to the borough clerk, and it would go through the typical tax exemption/differential process. **SCOTT** said she would like the ordinance to remain as it is right now to remain consistent with the other fire service areas. She agreed with **KIRKPATRICK** that an area-wide meeting of fire service area boards should be convened.

M/S **SMITH/LAPP** Motion to change the annual tax to say *property owners* rather than *residents* and to change the differential from *up to 50%* to *up to 25%* for those properties more than 40 minutes away from fire department response for the time period of six months from the date of the ordinance.

**SCOTT** asked for the motion to be divided. **CASE** said he believes the change of *residents* to *property owners* can be handled administratively. There was no objection. Therefore the only motion on the table is to change the differential from *up to 50%* to *up to 25%* for those properties more than 40 minutes away.

**SCOTT** said she does not see that the existing text is a problem. **KIRKPATRICK** said the FSA #4 Board came up with

guidelines at the meeting today. The ordinance leaves it up to the board. The board also wants it to be "primary residents" only. **CASE** clarified that the board's intent right now is to grant 25% reductions to some and 0% reductions for the rest. **SCHNABEL** questioned **KIRKPATRICK** about the "primary residents" limitation. **KIRKPATRICK** said the board would determine internal policy for determining tax differentiation. One of those guidelines would be that no one with raw land would qualify for a tax differentiation. **CASE** asked **SMITH** to clarify his motion. **SMITH** said he just wants a 25% differential across the board for the next six months to "make it fair." **ROSSMAN** asked about the Klehini Valley Fire District. **LAPP** said Klehini began with differentials but as they worked through the service, they did away with differentials. **ROSSMAN** said the criteria should be whether or not the truck and hose gets to the property within 40 minutes, period. **SCOTT** said the FSA #4 Board should be allowed to do their job. The standards don't have to be a part of the ordinance. **SCHNABEL** spoke against **SMITH's** ordinance saying that a differential across the board would not adequately fund the FSA.

The motion was withdrawn by **SMITH** with **LAPP's** concurrence.

M/S **SCOTT/SMITH** Motion to amend the ordinance to say that requests for exemption applicable to the period from January 1, 2005 through June 30, 2005 may be applied for between the effective date of the ordinance and February 15, 2005.

**SCOTT** said this amendment allows the residents to take advantage of the differential provision in #3 and it automatically causes it to sunset.

The amendment motion carried 4-1 with **SCHNABEL** opposed.

**SCHNABEL** said she has not become convinced that the FSA #4 Board supports the ordinance that is before the assembly. She agreed with **SCOTT** that the assembly should not undermine the FSA Board, but she would like more explanation. She is concerned that non-resident property owners are not well-represented by the Board. There are many inaccessible properties within FSA #4, and there needs to be a mechanism for addressing them. **LAPP** said he is concerned that the Haines Volunteer Fire Department is going to have to okay those exemptions. It should be included in the code. There should be a mechanism where the provider of the fire service weighs in on it. **SCOTT** noted the fire department has been well-represented at the board meetings and all of the time/distance information has come from them. It is understood that they will be involved with decisions.

The motion carried unanimously. The second hearing will be on 1/11/04.

**8. STAFF REPORTS:**

Manager - on vacation - submitted a written report

**9. COMMITTEE/COMMISSION REPORTS:**

**A. Commerce Committee** - None

**B. Finance & Budget** - None

**C. Personnel & Labor Relations** - None

**CASE** said the personnel committee should meet soon to decide the make up of the negotiating team and the criteria for evaluating the borough manager.

**D. Government Services/Affairs** - Written

**SCOTT** said the committee has decided to introduce a helicopter regulations ordinance at the next assembly meeting. She asked the assembly to study the SUD regulations and code definitions that she provided for them. The committee decided it may be a good idea to have a committee-of-the-whole meeting after the ordinance is introduced to make it easier to get input from the public.

**E. Planning Commission** - None

**10. OLD BUSINESS:** - None

**11. STRATEGIC PLAN UPDATES:** - None

**12. NEW BUSINESS:**

**A. Resolutions** - None

**B. Ordinances for Introduction** - None

**C. Other New Business**

**1. Assembly Standing Committees and Assignments**

**CASE** chose to reserve this issue until the next assembly meeting when the assembly will be in full attendance.

**2. Potential Tax Relief for New Businesses**

**CASE** pointed out that Stan Jones did not request tax relief, and no one applied on his behalf. **SCHNABEL** said she would be interested in having the Commerce committee discuss the merits of providing a rebate to businesses that meet a certain criteria like the creation of new jobs, and also enable retroactive application for a rebate. She said she is leery of blue sky promises. **CASE** assigned it to the Commerce Committee, and there was no objection, at that point. **ROSSMAN** requested it be made clear that it shouldn't be a rebate of sales tax but should be business property tax only. **SMITH** objected to the commerce committee assignment and said it should not be assigned prior to the committees being finalized. **CASE** agreed and the assignment was postponed.

**3. Consideration of a Financial Disclosure "opt-out" at a Future Election**

**SCOTT** suggested the topic could be put on an agenda in early summer. **CASE** said an ordinance could be introduced and adopted at any time and ready for ratification of the voters. There was no objection to that. This topic will be referred to the Government Services committee when committee assignments are finalized.

**4. Appointment of Assembly Members to the Collective Bargaining Contract Negotiating Team**

**CASE** said he would like new members on the team. The team make-up can be decided in committee.

**13. SET COMMITTEE MEETING DATES**

**A. Schedule Committee-of-the Whole Meeting to Identify Community Funding Priorities for Washington D.C. Lobbyist**

**SMITH** asked if the lobbyist should just concentrate on the boat harbor. **CASE** said the lobbyist is paid a fixed price to lobby for the borough period, and there are other projects we may request lobby time for.

**SMITH** requested that the discussion take place during the committee-of-the-whole meeting regarding appointing assembly members to the collective bargaining team. There was no objection.

**SCOTT** asked for the meeting to be scheduled the week of January 10. **SCHNABEL** suggested 6:00 p.m on January 11 for both topics and to limit the discussion to one half hour. The clerk will provide copies of the current bargaining agreement to the assembly members in preparation for the meeting.

**B. Other meetings**

The Government Services/Affairs Committee will meet on Monday, January 10 at 4:00 p.m. to work on the helicopter regulation ordinance.

The Finance Committee meetings will continue to be the first and third Mondays at 1:00 p.m. January's will be on the 3<sup>rd</sup> and the 17<sup>th</sup>.

**14. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**SMITH** said he is not convinced the second and fourth Tuesdays are working for assembly meetings. He said it may be just his perception but things seem to be getting lost and not being addressed and he wondered if it is because of the change in meeting days. He would like to know the status of various

issues and projects. **SMITH** added he doesn't understand why the roads were not plowed yesterday. **CASE** said it was a borough holiday. **SMITH** said there is no way the fire trucks would have been able to get through. **CASE** said the assembly could direct the manager to authorize overtime plowing of the main roads.

**SCHNABEL** concurred with **SMITH's** comments saying the follow-through and communication could use some improvement. However, she acknowledged the large volume of work for the small number of staff. She also commented on the Rasmuson Foundation holiday greeting card that showcased the Haines Borough library building and the Foundation's continued appreciation of the community's support and usage of the library.

**ROSSMAN** said he understands there is \$200K in the budget appropriated in a previous year for building a new public works shop. The preconstruction groundwork has apparently been done, and the public works superintendent would like to begin building in spring 2005. **ROSSMAN** would like to see it move forward.

**SCOTT** requested a policy that the assembly would actually get to see documents prior to being asked to approve, support, or sign them.

**LAPP** reported he heard on the news that the borough had committed 20 acres of land to the garbage shredder. **CASE** said the information is incorrect, and the borough has not committed anything including money and land.

**15. ADJOURNMENT - 7:50pm**

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Mike Case, Mayor

ATTEST:

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Julie Cozzi, Borough Clerk