

  
**Haines Borough**  
**Borough Assembly Meeting #102**  
**October 10, 2006**  
**MINUTES**

**Approved**

1. **CALL TO ORDER/PLEDGE TO THE FLAG** Mayor **SHIELDS** 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:** Mayor Fred **SHIELDS** and Assembly Members Norm **SMITH**, Jerry **LAPP**, Scott **ROSSMAN**, Luck **DUNBAR**, and Deborah **VOGT**. **Absent:** Stephanie **SCOTT**.

**Staff Present:** Robert **VENABLES**/Borough Manager and Julie **COZZI**/Borough Clerk.

**Visitors Present:** Jessie **BADGER**, Dave **AMMON**, Pete and Diana **LAPHAM**, Douglas **OLERUD**, Jeff **SHIELDS**, John **HUNT**/KHNS, Richard **FOLTA**, Tim **MCDONOUGH**, Don **TURNER III**, Leigh **HORNER**, Sheri **GOLL**, and Sally **McGUIRE**.

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

Mayor **SHIELDS** - Remove Public Hearing Item 7B - SEABA Heliski Permit; and 11C(3) - Excursion Inlet MOU. Add Old Business Item 10A - Police Vehicle Purchase and New Business Item 11C4 - Executive Session McGraw Lawsuit. There was no objection.

**Motion** by **LAPP**: Approve the Agenda/Consent Agenda. It was seconded by **VOGT**. The motion carried unanimously.

4. **APPROVAL OF MINUTES\*** 9/26/06 Regular

5. **PUBLIC COMMENTS**

**FOLTA** spoke concerning the human-bear situation in the Chilkoot River Corridor (CRC). He and his wife, residents near the area, are witnessing what he believes to be a growing crisis due in part to over-anxious photographers and an under-funded bear monitor program. In his opinion, all the land owners, including private, borough, state, and federal are liable. The former Chilkoot River Corridor working group identified the problems, but there are no funds to work on the solution. He referenced three documents that he had provided to the assembly including a resolution draft. He recommends the formation of a structured, non-profit foundation to solicit funding and work on the problem. There is money out there but a catalyst is needed to acquire it. If a foundation is formed, he would like the borough assembly to designate an ex-officio member. He asked the assembly to help the foundation get off the ground. He believes the CRC is a "golden goose," that it is headed for a train wreck.

**VOGT** asked why the foundation hasn't gone forward on its own. **FOLTA** said more foundations fail than succeed, and he is trying to get a ground swell going. At this point, it is just a proposal.

**MCGUIRE** expressed support for **FOLTA's** proposal. She said that there are many ideas but no funds. "Somebody's going to get killed. We need to be proactive in dealing with a major public safety crisis; it's a mess."

**McDONOUGH** asked the borough to support the formation of the proposed foundation adding that it's difficult to get a single agency or group to take the lead on this issue.

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

**SHIELDS** said that he plans to be on the radio every two weeks on Monday morning at 8:45am to talk about borough issues.

The mayor congratulated Lapham, Olerud, and Vogt for their successful election campaigns. He also thanked the other candidates for running. He noted that the annual Alaska Municipal League Conference will take place in Juneau in mid-November. Assembly members Lapham, Lapp, and Vogt will attend. Because of the AML Conference and Thanksgiving, there will be only one assembly meeting in November, and it will take place on the 21<sup>st</sup>.

#### **7. PUBLIC HEARINGS**

##### **A. Ordinance 06-08-149 - Second Public Hearing**

**An ordinance of the Haines Borough amending Haines Borough code Title 2 Article IX, Sections 2.68.250 through 2.68.320, to enable earlier submission of applications for absentee voting and to simplify the absentee voting code.**

Mayor **SHIELDS** opened and closed the public hearing at 6:47pm; there were no public comments.

**Motion** by **LAPP**: Motion to adopt Ordinance 06-08-149. It was seconded by **VOGT**. The motioned carried unanimously in a roll call vote.

#### **8. STAFF REPORTS**

##### **A. Borough Manager**

**VENABLES** summarized his written report including the following topics:

- **School Project Update**
- **Boat Harbor Expansion Update (WRDA)**
- **Pool Upgrades/Repairs and the Pool Use Agreement**
- **Klukwan Fire Service Agreement**

- **Other Project Updates**

**VENABLES** said he is considering attending the upcoming harbormaster conference. It would be an excellent opportunity for him to gain a better understanding of the harbor responsibilities and recruit from the available pool. **SMITH** suggested that the acting assistant harbormaster should go, as well. **DUNBAR** asked who is running the harbor right now. **VENABLES** said Elli Braaten applied for the assistant harbormaster position. Since she had done it before, he hired her in a special emergency hire to cover things at the harbor. He is currently reviewing the assistant harbormaster applications and will be making a hiring decision soon. The borough is also currently soliciting harbormaster applications and plans to recruit from the Northwest Region. **ROSSMAN** said he does not believe both Braaten and **VENABLES** should attend the conference. **VENABLES** said he will attend by himself, and there was no objection from the assembly.

**VOGT** asked for an update on the ice house, aesthetics aside, and **SMITH** asked if there will be a demonstration this season. **VENABLES** said a demonstration could happen now, but he would like to defer it until next April because that is the point where the one-year warranty will begin. Within the next two weeks, there will either be a demonstration or it will be deferred until next spring. **SHIELDS** noted that it is not something that is turned on and off; once it is plugged in, it runs. In the wintertime, ice is not made, but the building is kept chilled.

- B. Borough Clerk
- C. Chief Fiscal Officer
- D. Chief of Police
- E. Museum
- F. Library
- G. Chilkat Center

9. **COMMITTEE/COMMISSION/BOARD REPORTS**

A. **Commerce Committee**

**ROSSMAN** said the committee met prior to this meeting to review the proposed Excursion Inlet/Ocean Beauty Memorandum of Understanding. There were too many questions to address in the allotted time, so there will be a meeting to continue the discussion.

- B. **Finance & Budget**
- C. **Personnel**
- D. **Government Affairs & Services**
- E. **Planning Commission**

- F. School Board
- G. Chilkat Center Advisory Board
- H. Parks & Recreation Advisory Board
- I. Tourism Advisory Board
- J. Boat Harbor Advisory Committee
- K. Public Safety Commission

**10. OLD BUSINESS**

**A. Reconsider the Police Vehicle Bid Award**

**Motion** by **SMITH** (member of the prevailing side): Reconsider the failed 9/26/06 motion to award the police vehicle. It was seconded by **VOGT** for the sake of discussion.

**SHIELDS** summarized the police chief's rationale for recommending a sedan over an SUV. **ROSSMAN** wondered why a new vehicle is needed and added that he has a hard time understanding why every police officer has to take a vehicle home with them. **VOGT** agreed with **ROSSMAN**. **SHIELDS** said if the assembly likes the current system (24-hour coverage and dispatch) that it means there would be a police officer on duty and another police officer on call. **VENABLES** explained that the police department has an aging fleet. When a vehicle moves out of that department, it goes to another department and the borough gets several more years use out of it. He noted that the police vehicle replacement schedule is lined out in the current six-year CIP, and this new vehicle is on the FY07 CIP list. **SMITH** said the rationale originally behind the vehicle replacement schedule was that the vehicles were not being maintained. Public Works did not have time to work on them, and they were being neglected. This is a CIP item that should have been considered by the assembly at budget time. At this point, the assembly should approve this vehicle. The vehicle it will replace is being rotated out of the police department because it has lived out its useful life there. However, it will still belong to the borough to be used elsewhere. **LAPP** agreed that this vehicle should be approved and the fundamental questions revisited during the next budget time.

The motion to reconsider carried 4-1 with **ROSSMAN** opposed.

**Motion** by **LAPP**: Approve the purchase of a patrol vehicle as bid by Seekins Ford. It was seconded by **VOGT**.

**VOGT** said she was convinced by **SMITH's** logic. The assembly approved the current CIP as a part of the FY07 budget.

The motion carried 4-1 with **ROSSMAN** opposed.

**11. NEW BUSINESS****A. Resolutions - NONE****B. Ordinances for Introduction - None****C. Other New Business****1. Award 2006 Snow Removal Contracts**

**Motion** by **LAPP**: Authorize the manager to negotiate contracts with the following businesses to provide 2006 snow removal services for the amounts stated in each bid:

- Southeast Road Builders - Cathedral View/Piedad Subdivision, and Public Schools;
- Turner Construction - Tanani Bay Subdivision, River Road/Chilkat Trails Road, Chilkat Center, and Letnikof Estates RMSA; and
- Alaska Marine Trucking - Lutak Dock.

It was seconded by **DUNBAR**. The motion carried unanimously in a roll call vote.

**2. ABC Board Notice of Liquor License Application**

**Motion** by **ROSSMAN**: Issue a notice of non-objection to the Stuart's liquor license request. The motion was seconded by **LAPP**.

The assembly allowed **HORNER** to speak. She believes there are glaring discrepancies in the petition that was submitted by the license applicants. **GOLL** agreed and said that Haines is over quota for its beer and wine licenses. The restaurant seeking the license is on a very quiet little alley where children play. **SHIELDS** suggested that the state could be asked for more information, and the assembly did not object. The borough manager will request more information including over-quota clarification from the state. **SMITH** said he finds it to be an awkward situation and wondered why the applicants are not present to speak to it.

The motion failed unanimously. The mayor directed the manager to send a letter to the state's Alcoholic Beverage Control Board requesting more information. He also asked **GOLL** and **HORNER** to provide their documentation to the borough clerk.

**3. Executive Session - McGraw Lawsuit**

**Motion** by **VOGT**: Go into executive session to discuss the McGraw lawsuit and memorandum of decision; it qualifies because it is an adjudicatory issue. It was seconded by **LAPP**. The motion carried unanimously.

**VOGT** was recused from the executive session and from any voting because of her membership on the RFP

selection committee. The executive session convened at 7:32pm and ended at 7:52pm.

**Motion** by **LAPP**: Accept the memorandum of decision as drafted by the attorney. It was seconded by **DUNBAR**. The motion carried 4-0 with **VOGT** recused.

**12. SET COMMITTEE MEETING DATES**

A committee-of-the-whole meeting was scheduled for Monday, 10/16/06 at 5:00pm to review the six borough attorney/legal services proposals received. Staff will make a summary of the proposals available by Friday, 10/13, and the full copies will be available for loan from the clerk's office immediately.

At 4:00pm on Monday, 10/16/06, the Commerce Committee will meet to continue consideration of the Excursion Inlet/Ocean Beauty Memorandum of Understanding.

**13. PUBLIC COMMENTS**

**HUNT** commended the assembly on their efforts to stick with the list of approved capital improvement projects.

**14. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**SMITH** said the Denali Commission is accepting grants for solid waste disposal, especially recycling, and it could be a great opportunity for the borough to get up to \$50,000 to support the Haines Friends of Recycling (HFR). The mayor asked the manager to inform HFR of the grants and encourage them to apply.

The mayor asked if the assembly would like the **FOLTA** proposal regarding the Chilkoot River Corridor to go to committee. **VOGT** suggested that it be addressed at the first meeting of the new assembly. **SMITH** said it should be on the full assembly agenda rather than committee because time is of the essence. He noted that it is a world-class attraction and is in the borough assembly's hands to do something. **SHIELDS** said this will indeed be a new business item on the 10/24 agenda, and there was no objection.

**15. ADJOURNMENT - 8:06pm**

**Motion** by **LAPP**: Adjourn the meeting. It was seconded by **ROSSMAN**. The motion carried unanimously.

ATTEST:

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Fred Shields, Mayor

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Julie Cozzi, Borough Clerk