

Haines Borough
Borough Assembly Meeting #95
May 23, 2006
MINUTES

Approved

1. CALL TO ORDER/PLEDGE TO THE FLAG Mayor SHIELDS called the meeting to order at 8:32 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, Stephanie SCOTT, Jerry LAPP, Scott ROSSMAN, Luck DUNBAR, and Deborah VOGT.

Staff Present: Robert VENABLES/Borough Manager, Julie COZZI/Borough Clerk, and Dan COLEMAN/Library Director.

Visitors Present: Bonnie HEDRICK/CVN, Don TURNER III, David AMMON, Denny TEAL, Dan EGOLF, Charlie JONES, Heather LENDE, Liz HEYWOOD, Cindy (CJ) JONES, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA

The mayor added Item 11C5/Committee Appointment to the agenda. There was no objection.

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

4. APPROVAL OF MINUTES* May 3, 2006 Special and May 9, 2006 Regular

5. PUBLIC COMMENTS

AMMON commented on a recent Fannie Mae press release.

TEAL is asking the borough to allow her to correct her breach of land sales contract by accepting her proposal to reconcile it by October 31, 2006.

HEYWOOD asked the assembly to consider funding the library at least at the current budget level. The proposed budget is approximately \$6,000 lower.

There were no additional public comments.

Motion by SCOTT/DUNBAR Motion to accept the Teal proposal to correct the land sales contract breach.

SCOTT said there are deadlines in the proposal that the Teals have to adhere to, and she does not believe the borough can fail by offering them this opportunity. VOGT said she sees this as a way for the borough to come out on top and believes the Teals will follow through this time. SMITH said the

borough is setting a precedent here, and he is not sure it is a good thing. He hopes it doesn't continue.

The motion carried unanimously.

6. MAYOR'S COMMENTS/REPORT

The mayor said that Senator Lisa Murkowski will be in Haines on Tuesday the 30th and RSVPs must be received from the assembly as soon as possible for the noon lunch at the American Bald Eagle Foundation.

6. PUBLIC HEARINGS

A. Ordinance 05-09-122 - second hearing

An ordinance of the Haines Borough amending Haines Borough Code 3.70.040(D) to include the Chilkat Valley Historical Society Charles Anway Property in the list of tax-exempted properties.

Mayor **SHIELDS** opened the public hearing at 8:40pm.

JONES spoke in favor of the ordinance and thanked the assembly for their consideration.

The Mayor closed the public hearing at 8:41pm.

Motion by LAPP: Adopt Ordinance 05-09-122. It was seconded by **SCOTT**.

VOGT said a tax exemption request affects her like a liquor license non-objection request affects **SCOTT**. She declared that she will never vote for a tax exemption.

The motion carried 5-1 in a roll call vote with **VOGT** opposed.

B. Ordinance 06-04-141 - second hearing

An ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY06 Budget.

Mayor **SHIELDS** opened and closed the public hearing at 8:42pm; there were no comments.

Motion by LAPP: Adopt Ordinance 06-04-141. It was seconded by **SMITH**. The motion carried unanimously in a roll call vote.

C. Ordinance 06-05-142 - second hearing

An ordinance of the Haines Borough, Alaska, providing for the establishment and adoption of the budget of the Haines Borough for the period July 1, 2006 through June 30, 2007.

Mayor **SHIELDS** opened the public hearing at 8:43pm.

LENDE spoke in favor of increasing the library budget.

The public hearing was closed at 8:43pm.

Motion by **SCOTT**: Advance Ordinance 06-05-142 to a third public hearing so that the mill rates will be available prior to adoption. It was seconded by **LAPP**. The motion carried unanimously.

D. Ordinance 06-05-143 - first hearing

An ordinance of the Haines Borough, Alaska, amending Haines Borough Code Title 3 Section 3.80.090(D)(2) to change the sales tax quarterly return due date from the tenth day to the twentieth day of the month.

Mayor **SHIELDS** opened and closed the public hearing at 8:45pm; there were no comments.

Motion by **SCOTT**: Advance Ordinance 06-05-143 to a second public hearing on June 13, 2006. It was seconded by **LAPP**. The motion carried unanimously.

E. Ordinance 06-05-144 - first hearing

An ordinance of the Haines Borough, Alaska, amending Haines Borough code title 8 section 8.08.020 to require annual written burn permits within the townsite service area, and to stipulate prohibited burnables.

Mayor **SHIELDS** opened the public hearing at 8:46pm.

SCHNABEL said in the past she has worked for Haines Sanitation as a consultant, but she is here to speak to this issue as a private citizen. She finds the ordinance lacking in intent and is unclear as to what behavior the assembly is trying to engender in the public. She is not sure she would like to see that method of trash disposal encouraged. She asked the purpose of allowing for an annual permit. In her opinion, burning in the townsite should be classified as an unusual event. An annual permit would basically give the public cart blanche permission to burn. **SHIELDS** said the Government Affairs and Services Committee met and heard from the police and fire departments. The purpose of the ordinance is not so much to encourage this behavior but to control it more.

The public hearing was closed at 8:50pm.

Motion by **SCOTT**: Advance Ordinance 06-05-144 to a second public hearing on June 13, 2006. It was seconded by **VOGT**.

SMITH explained that this ordinance came about because of a request from Tom Hall of Haines Sanitation. **VOGT** said the impression she got from the Police Chief is that

people don't necessarily know the rules. The current procedure is that a person calls in and says they are going to burn. This ordinance would require a permit applicant to read the rules and sign off on them before being issued the permit. The fact that it is an annual permit just means that a person only needs to sign off on the rules once-a-year. They would still be required to notify the police department each and every time they wanted to burn.

The motion carried unanimously.

8. STAFF REPORTS

A. Borough Manager - The manager summarized his written report that included the following topics:

- School Project
- Harbor Expansion Project
- Gas Pipeline
- Senator Murkowski Visit to Haines
- Miscellaneous Projects

ROSSMAN asked the status of the storm damage funding. **VENABLES** said the review process completes May 31st.

- 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**
- 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 - None

11. NEW BUSINESS

- A. Resolutions** - None
- B. Ordinances for Introduction** - None
- C. Other New Business**

1. Award Contract for Tree Removal - School Site

ROSSMAN recused himself from participation in the agenda item because of a conflict of interest since he is the contractor under consideration.

Motion by **SCOTT**: Award the school construction site tree removal contract to The Stump Company per the submittal bid. It was seconded by **DUNBAR**. The motion carried unanimously (5-0) in a roll call vote.

2. Authorization for Borough Manager to Amend the School Project Pre-Construction Services Contract to Allow for Water-Sewer Construction Services

Motion by **VOGT**: Authorize the Manager to enter into an amendment to the Borough's contract with Dawson Construction allowing Dawson to subcontract for water and sewer lines using a competitive bid process for the School Project in advance of the time that pre-construction services are completed. It was seconded by **LAPP**. The motion carried unanimously in a roll call vote.

3. Liquor License Renewal Notification

Motion by **ROSSMAN**: Make a statement of non-objection for the renewal of the Harbor Package Store liquor license. It was seconded by **LAPP**.

SCOTT said a recent high school survey showed that 35% of youth are provided alcohol by parents and 51% provided by friends. The Haines Borough has 16 alcohol outlets for a 2,245 population---14 year-round and 2 seasonal. Alcohol is a poison and the youth have ready access or exposure to it. For example, the only restroom for the Lighthouse Restaurant is in the Liquor Store. **ROSSMAN** wondered how much of it is a parenting problem as opposed to an accessibility problem. **SMITH** said he agrees with **ROSSMAN** but also agrees with **SCOTT**. Government tries to be all things to all people. The assembly wants to encourage economics and commerce; liquor sales generate money. He wondered if the borough should consider imposing a tax on alcohol. **VOGT** said she believes it is appropriate for the assembly to consider a tax, but as far as liquor license renewals, it's important to hear from the public.

The motion carried 4-2 with **SCOTT** and **SMITH** opposed.

4. Award Contracts for D-1, Sand, and Pit Run Gravel

Motion by **LAPP**: Award the D-1, Sand, and Pit Run Gravel contracts to Southeast Road Builders. It was seconded by

ROSSMAN. The motion carried unanimously in a roll call vote.

5. **Committee Appointment** (added during agenda approval)
The mayor said he wants to replace **DUNBAR** with **VOGT** on the School Project Oversight & Planning Committee, and h seeks assembly confirmation.

Motion by **ROSSMAN**: Confirm appointment of **VOGT** to the School Oversight & Planning Committee in place of **DUNBAR**. It was seconded by **SMITH**. The motion carried unanimously.

12. SET COMMITTEE MEETING DATES

The Board of Equalization will resume on Tuesday, June 6, 2006 at 4:00pm with a dinner break from 6:00 to 6:30pm.

The next regular assembly meeting will convene on June 13 and include the sales tax appeal hearing as an executive session.

13. PUBLIC COMMENTS

AMMOND asked that the amendment to the preconstruction services contract be cognizant of the administrative code requirements to put a general announcement in the newspaper in order to try to entice outside contractors.

14. ANNOUNCEMENTS/ASSEMBLY COMMENTS

SCOTT wondered about the assembly passing an ordinance that would require the bars to close earlier. It would be a step in the direction of being a community that pays more attention to the availability of alcohol. Currently the bars are only closed 3 hours out of 24. It would be important to ask the bar owners for their comments. **SMITH** said the reduction in the bar hours could certainly be substantiated by police calls resulting from late night drinking.

VOGT asked the mayor to consider a meeting to review the assembly's responsibility for managing the borough officers.

SMITH acknowledged Debra Schnabel's letter regarding the Lookout Park restoration. He believes the park looks better than the original and is quite beautiful.

15. ADJOURNMENT - 9:30pm

Motion by **SMITH**: Adjourn the meeting. It was seconded by **SCOTT**. The motion carried unanimously.

ATTEST:

Fred Shields, Mayor

Julie Cozzi, Borough Clerk