

Haines Borough  
Borough Assembly Meeting #98  
July 11, 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, Luck DUNBAR, Jerry LAPP, Scott ROSSMAN, and Deborah VOGT. **Absent:** Assembly Member Stephanie SCOTT.

**Staff Present:** Robert VENABLES/Borough Manager, Julie COZZI/Borough Clerk, Jila STUART/Chief Fiscal Officer, and Connie STASKA/Administrative Assistant-Sales Tax.

**Visitors Present:** Christijan DRAPER/KHNS, Tom MORPHET/CVN, and Bonnie HEDRICK.

3. APPROVAL OF AGENDA & CONSENT AGENDA

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

4. APPROVAL OF MINUTES\* June 27, 2006 Regular

5. PUBLIC COMMENTS

HEDRICK read a written statement regarding the 2007 vacation planner RFP. She protested the inclusion of advertising in the planner and objected to what she felt was the borough competing with the Chilkat Valley News.

6. MAYOR'S COMMENTS/REPORT

The mayor said he had a conversation with the school architects and PND about some of the concerns the borough has had. The most recent bid document was submitted essentially on time and within budget, but he promised to keep the pressure on.

He also mentioned that spoke with some of the staff members in Senator Murkowski's Washington D.C. office regarding Fort Seward restoration and the Harbor Expansion project.

**7. PUBLIC HEARINGS**

**A. Ordinance 06-06-145 - First Hearing**

**An ordinance of the Haines Borough amending Haines Borough code Title 18 Section 18.30.040 to require solicitation for Planning Commission applicants to occur annually.**

Mayor **SHIELDS** opened and closed the public hearing at 6:43pm; there were no public comments.

**Motion by LAPP:** Send Ordinance 06-06-145 to a second public hearing on August 8, 2006. It was seconded by **VOGT**. The motion carried unanimously.

**B. Ordinance 06-06-146 - First Hearing**

**An ordinance of the Haines Borough amending Haines Borough code Title 18 Section 18.30.010 to equalize the penalties for failure to comply with building permit and construction declaration requirements.**

Mayor **SHIELDS** opened and closed the public hearing at 6:45pm; there were no public comments.

**Motion by VOGT:** Send Ordinance 06-06-146 to a second public hearing on August 8, 2006. It was seconded by **LAPP**. The motion carried unanimously.

**C. Ordinance 06-06-147 - First Hearing**

**An ordinance of the Haines Borough amending Haines Borough code Title 3 Section 3.70.050 to clarify the tax assessment method for vessels.**

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

**Motion by LAPP:** Send Ordinance 06-06-147 to a second public hearing on August 8, 2006. It was seconded by **ROSSMAN**.

**SHIELDS** said this ordinance is recommended by the Finance Committee. **LAPP** said it was brought to the committee's attention that this ordinance will clarify the existing tax assessment. There are possible future changes to consider, but the committee recommends adoption of this ordinance as is. **SMITH** asked if there is still a rate difference between the townsite and those outside of the townsite. **SHIELDS** said the issue will be looked at next year. This ordinance is a step in the direction of making it right. **LAPP** added that the finance committee is planning to look at the personal property tax, as well.

The motion carried unanimously.

8. STAFF REPORTS

A. Borough Manager

VENABLES summarized his written report including the following topics:

- Harbor Expansion Update
- School Project Update
- Construction Projects
- Ferry Service
- Miscellaneous

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

1. Resolution 06-07-090

A resolution of the Haines Borough Assembly, Haines, Alaska, authorizing an easement within borough-owned land to Mark and Jane Sebens for access and utilities.

Motion by LAPP: Adopt Resolution 06-07-090. It was seconded by ROSSMAN.

VENABLES said the assembly recently authorized an easement for Stan Jones with the understanding that he will make certain specified improvements. He would like the assembly to authorize the manager to convey the easement and negotiate with them to put in a cul-de-sac in exchange for the easement conveyance. ROSSMAN

suggested the Sebens should give the borough an easement in exchange for this easement. He asked the manager to look into it. The other assembly members concurred.

The motion carried unanimously in a roll call vote.

#### **B. Ordinances for Introduction**

##### **1. Ordinance 06-07-148**

**An ordinance of the Haines Borough amending Haines Borough Code Title 18 Sections 18.60.010 and 18.100.20 to add the special conditions permit for a subdivision as one of the permits subject to general approval criteria.**

**Motion by VOGT:** Introduce Ordinance 06-07-148 and set a first public hearing for August 8, 2006. It was seconded by **ROSSMAN**. The motion carried unanimously.

#### **C. Other New Business**

##### **1. Planning Commission Request - AK DOT Letter re. Juneau Access**

**Motion by VOGT:** Send a letter to the Department of Transportation asking them to bring the Juneau access project to the Haines Borough Planning Commission. It was seconded by **SMITH**.

**VOGT** said the planning commission basically wants the Department of Transportation (DOT) to follow the law and bring the issue to them before they commence construction, as they did the Juneau planning commission. The Juneau Assembly is considering their planning commission's recommendation tonight at a special meeting, and she wondered if the Haines assembly should wait to hear that outcome. **LAPP** said a letter to DOT should include "approval by the assembly" in addition to the planning commission approval. **SHIELDS** said the assembly should continue this topic to the August 8 meeting. **VOGT** said she would like to see the letter go forward now, because it just points out the law, and it is appropriate for them to go to the Haines planning commission. Survey work is currently being done on land located within the Haines Borough. **SMITH** said the Haines Borough needs to be included in the loop. **SHIELDS** said the addition to the letter will be made as suggested by **LAPP**.

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

**2. Appeal Hearing re. Sales Tax Assessment - Executive Session**

**Motion** by **LAPP**: Go into Executive Session to conduct the sales tax assessment hearing because the matter would tend to prejudice the reputation or character of the taxpayer. (That taxpayer requested the hearing and waived the right to demand a public discussion.) The motion was seconded by **SMITH**. The motion carried unanimously.

**DUNBAR** recused himself from participation because of a conflict of interest. He was excused.

The mayor called a recess at 7:18pm. The Executive Session convened at 7:32pm.

The assembly was in Executive Session until 7:43pm when the regular session reconvened.

**Motion** by **ROSSMAN**: Recess the hearing until the call of the chair. It was seconded by **VOGT**. It carried unanimously.

**12. SET COMMITTEE MEETING DATES - None**

**13. PUBLIC COMMENTS- None**

**14. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**SMITH** expressed concern about the cleanliness of Main Street. He also requested that Public Works water FAA Road because it is very dusty right now especially since the recent application of D-1.

**VOGT** asked what has happened to the idea of having a facilities maintenance person for the Borough. **SHIELDS** said the borough will wait for another budget cycle.

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

**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