


Haines Borough
Borough Assembly Meeting #108
February 20, 2007
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 Jerry **LAPP**, Doug **OLERUD**, Pete **LAPHAM**, Deborah **VOGT**, Scott **ROSSMAN**, and Luck **DUNBAR**.

Staff Present: Robert **VENABLES**/Borough Manager.

Visitors Present: Matt **HAWTHORNE**/CVN, Dave **AMMON**, Jody **FOX**, Karen and Don (Duck) **HESS**, Stephen **SMITH**, Joe **ORDONEZ**, Mike **DENKER**, Ken **KLINGER**, Jan **HILL**, Greg **STUCKEY**, Patti **CAMPBELL**, Roger **SCHNABEL**, Jim **STUDLEY**, Roc **AHRENS**, and others.

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

SHIELDS requested that Item 11C(1) be added to the consent agenda. 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*** 1/23/07 Regular

5. **PUBLIC COMMENTS**

CAMPBELL (Haines Cable TV owner) made a request for the borough to clear the alleyways for utilities. She noted that cable TV carries the emergency broadcast system.

SMITH representing "Haines People for Peace" said the group is concerned about the cost of the war and its affect on Haines. The group has a website.

SCHNABEL said an individual gave disparaging remarks about him and his company at a recent borough assembly meeting, and he objected to that behavior being allowed. He defended his company's business practices and added that he does not care what the borough does about Third Avenue. The assembly should make any decisions in the best interests of the borough. The sub-surface conditions of Third Avenue are unknown and variable. He believes the State of Alaska will be a good partner for the borough in this project, and they will warranty the work.

K. **HESS** referenced HBC 5.18.010(c) regarding commercial tours and said the permit exemptions should include flightseeing. She said the language is vague and should be clarified. She

added that Title 5 should probably be tightened up if at all possible and offered to provide information or work on a committee. **SHIELDS** offered to use **HESS** as a resource and said the assembly plans to make comprehensive changes to the title. **VOGT** said she plans to bring the issue to the Tourism Advisory Board (TAB). **SHIELDS** said if the TAB wants to independently review the title and get the dialogue going, it would be welcome.

STUDLEY distributed the draft updated emergency operations plan put together by the Haines Emergency Local Planning (HELP) Committee with grant funding. There are very few changes to the document that was originally adopted. Guidelines are laid out under Alaska Statute and Haines Borough Code. The plan will need assembly review and eventual adoption by resolution. **AHRENS** pointed out the plan's new layout with tabs and sections and added that future updates will be easier with the new format. He added that the final plan will have more tabs. The mayor asked if there are items to particularly notice as the plan is reviewed. **STUDLEY** said the borough manager's spending limits are increased for emergency procurements. Also there are some questions about the manager's and the mayor's roles. The HELP attempted to separate what is directly related to borough personnel (manager) and what is directly related to the general public (mayor). This plan would be used tomorrow if there was an incident.

STUCKEY said the Chilkoot Indian Association would like the borough to adopt a resolution supporting the tribe in their attempts to acquire the tank farm.

6. MAYOR'S COMMENTS/REPORT

SHIELDS said two of the assembly committee chairmen have recently be approached about having committee meetings. The unwritten policy has been that committee tasks/assignments come from the chair or the assembly as a body. He asked the assembly to think it over for later discussion. If a committee chair is approached and they want to have a meeting, should they just have one or should it come first to the body.

The mayor said the borough's Washington, D.C. lobbyist, Brad Gilman, believes the Haines Borough could get funding for inventory and assessment of alternative energy sources such as hydro, wind, solar, tidal, and geothermal.

The projected end of the Tongass timber receipts program will have a significant impact on borough revenues. The hope is that it will be continued but, just in case, the assembly

will take a two budget approach (with and without the timber funds) this year.

The mayor said he will be traveling to Washington D.C. with the manager April 23-24 to visit the Alaska delegation and the lobbyist. Assembly Member Olerud expressed interest in accompanying them. The assembly had no objection.

7. PUBLIC HEARINGS

A. Ordinance 07-01-151 - Second Hearing

An ordinance of the Haines Borough amending Haines Borough Code Title 12 Section 12.16.030(a) to make it consistent with Title 10.44.110 allowing conditional parking in alleyways.

Mayor **SHIELDS** opened and closed the public hearing at 7:06pm; there were no public comments.

Motion by **OLERUD**: Adopt Ordinance 07-01-151. It was seconded by **ROSSMAN**. The motion carried unanimously in a roll call vote.

B. Ordinance 07-01-152 - First Hearing

An ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.110.010 to add the most recent Coastal Management Plan (CMP) revision date.

Mayor **SHIELDS** opened and closed the public hearing at 7:08pm; there were no public comments.

Motion by **LAPHAM**: Advance Ordinance 07-01-152 to a second public hearing on 3/13/07. It was seconded by **OLERUD**.

There was some discussion as to the significance of the 9/5/06 revision date. Clarification will be provided for the second public hearing.

The motion carried unanimously.

C. Application for New Commercial "Tour"

Joe Ordonez of Rainbow Glacier Adventures, has asked for a public hearing before the assembly per Title 5 of the Haines Borough code in order to add new tour activities to his Commercial Tour Permit which he will seek to renew. He wishes to include kayaking/canoeing and hiking along with his previously permitted tours.

Mayor **SHIELDS** opened the public hearing at 7:12pm.

ORDONEZ explained that he is a local business that specializes in small groups, hires locally, and uses local businesses.

HESS spoke in support of the tour expansion.

Mayor **SHIELDS** closed the public hearing at 7:14pm.

Motion by **OLERUD**: Approve the new tour activities as requested by Rainbow Glacier Adventures and authorize the clerk to process the permit application. It was seconded by **ROSSMAN**.

VOGT asked about the parking situation at Battery Point. **ROSSMAN** said that parking area will be expanded by June.

The motion carried unanimously.

8. STAFF REPORTS

A. Borough Manager

The manager summarized his written report that included the following topics:

- **Marine Highway**
- **Solar Aquatics**
- **Secure School Funding**
- **Third Avenue**
- **School Update**
- **2007 Legislative Priorities**

The assembly discussed the draft list of legislative priorities provided by the manager.

Motion by **OLERUD**: Adopt the Haines Borough 2007 Legislative Priorities. It was seconded by **DUNBAR**.

The assembly discussed various items on the list. **ROSSMAN** suggested the addition of the overdue "emergency state road repairs" to the list of Regional Projects. There was no objection.

The motion carried unanimously.

VENABLES said that at this point, USDA has removed the Solar Aquatics project from their list. If the assembly is still interested in it, a new application must be filed.

Motion by **OLERUD**: Borough Manager will inform USDA that the Haines Borough is no longer pursuing a Solar Aquatic sewer system. It was seconded by **ROSSMAN**.

VOGT said the USDA really wants to see an improvement to the borough's current system. If it's just a question of resubmitting the application and getting some engineering work done on it (Richard Folta has apparently volunteered to perform that work at no charge), then she believes the effort should continue. **OLERUD** said the borough does not have the funds for a full-scale change to the sewer system, so borough resources should be withdrawn from this project and directed to other priorities.

The motion carried 5-1 with **VOGT** opposed.

VENABLES gave a status report on the Third Avenue Reconstruction project. He said the state is starting to back away from administering the project, because they are seeing it as problematic. He will keep the assembly apprised as he continues to meet with them.

- 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

A. Peak Oil Update and Energy Task Force

DENKER submitted a proposed mission statement and goals. He said the main objective is planning and preparation for changes on the horizon. He hopes that all interested members of the community could be on the task force or a sub-committee. He would like to see a central location established for reports and topic resources.

Motion by **LAPHAM**: Accept the mission statement with goals and advertise for task force members. It was seconded by **VOGT**. The motion carried unanimously.

11. NEW BUSINESS

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

*1. Appoint Board Members

Reappoint Annette Smith to the Chilkat Center Advisory Board; reappoint Dennis Miles to the Fire Service Area #3 Board; and make the following appointments to the Letnikof Estates Road Maintenance Service Area Board:

reappoint Scott Sundberg and appoint Gary Murray and Shawn McNamara.

2. Appoint Union Negotiating Team

Motion by **LAPP**: Approve a Union Negotiating Team made up of Mayor Shields, Robert Venables, Pete Lapham, and Doug Olerud. It was seconded by **ROSSMAN**. The motion carried unanimously.

3. Dave Ammon Dock Presentation

AMMON said he has a background as a shipbuilder and ship owner. His company manufactured hydraulic cranes and financed six seismic vessels. He believes the Lutak Dock is the best facility north of Vancouver and will be used for many projects including the gas pipeline. He walked the assembly through a series of handouts showing the dock properties and the history of land ownership dating to pre-statehood when it was owned by the army. He recommended that the Alaska Marine Highway System move 130 feet to the southeast.

SHIELDS thanked **AMMON** and said he has never seen such a presentation by a citizen volunteer. **VOGT** also thanked him for his efforts to bring this to the assembly's attention but suggested that a marine expert should do an appraisal. **ROSSMAN** said a property trade gives value to the borough. The piece with the big hole has been useless for the last three years and perhaps a bill should be given to the state for that loss. **OLERUD** said this information should be provided to the planning commission, as well, to keep them in the loop.

12. SET COMMITTEE MEETING DATES

The Personnel Committee will meet on Friday, 2/23 at 10am.

The negotiating team will meet on Thursday, 3/1 at 3:30pm.

AK-DOT would like to meet with the assembly soon. The assembly suggested 3/1 at 5:00pm.

The assembly will meet as a Committee-of-the-Whole at 5pm on 3/13 to have a Permanent Fund investment presentation by Bob Bartholomew. This will be followed by a 6:30pm joint meeting with the school board. The regular assembly meeting will convene following the joint meeting (approximately 7:30pm). All three meetings will take place in the high school open area.

13. PUBLIC COMMENTS

K. **HESS** said that the Title 5 taxi language needs to be improved. The City and Borough of Juneau regulates taxi

fares, and she believes the Haines Borough should consider the same thing. She also made comments concerning the Washington State-proposed tax on cargo containers and its potential impact on the Haines Borough. Rep. Thomas has publicly opposed it.

AMMON requested reimbursement of his actual costs for preparing the handouts for his Lutak Dock presentation. **OLERUD** said he is opposed in principle but does not object to this one-time reimbursement. **VOGT** said prior approval should be required in the future. There was no objection to this one-time reimbursement.

14. ANNOUNCEMENTS/ASSEMBLY COMMENTS

OLERUD said the committee chairs should be free to decide that a committee meeting is needed when relevant topics come up but the meeting dates should only be scheduled during assembly meetings.

The borough manager will meet with the Chilkoot Indian Association regarding the tank farm prior to the 3/13 assembly meeting.

The mayor said the updated emergency plan will be an agenda topic for the 3/13/07 meeting, so he asked the assembly to review it and be prepared to discuss it. A resolution to adopt it will be considered at the 3/27/07 meeting.

15. ADJOURNMENT - 8:53pm

Motion by **LAPHAM**: Adjourn the meeting. It was seconded by **DUNBAR**. The motion carried unanimously.

Fred Shields, Mayor

ATTEST:

Julie Cozzi, Borough Clerk