


Haines Borough
Borough Assembly Meeting #120
September 25, 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 and led the pledge to the flag.
2. **ROLL CALL** **Present:** Mayor Fred **SHIELDS** and Assembly Members Jerry **LAPP**, Pete **LAPHAM**, Doug **OLERUD**, Scott **ROSSMAN**, Deborah **VOGT**, and Donnie **TURNER**.

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

Visitors Present: Tom **MORPHET**/CVN, Mike **DENKER**, and John **NORTON**.

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

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

4. **APPROVAL OF MINUTES*** 9/11/07 Regular
5. **PUBLIC COMMENTS** - None
6. **MAYOR'S COMMENTS/REPORT**

Mayor **SHIELDS** reported on the recent Southeast Conference annual meeting in Skagway. He said the Foraker Group held a forum on the first morning, and the **VENABLES** gave a very nice presentation regarding the boat harbor. He and the manager also sat down with the USDA representative, and he believes our harbor expansion project has been well represented including our need for funding.

The mayor met with the AMHS Deputy Commissioner and is concerned because this individual does not seem to have a clear understanding of the current situation. Also, the Department of Transportation commissioner has said publicly that the ferry system is a waste of money. **SHIELDS** said that the issue needs to be brought to the governor's attention. He noted that there is a group who is trying to get a private ferry system going for the Upper Lynn Canal, but he's not certain that is the best way to go. If you form a private agency, you take away the state's obligation to provide transportation for its citizens.

At Southeast Conference, the mayor learned some interesting statistics including the fact that last year Haines was the only community within Southeast Alaska to see a population

increase. The median age for Haines also increased from 40 in 2001 to 45 in 2006.

SHIELDS announced that former City of Haines mayor Frank Wallace passed away September 24, and he plans to issue a proclamation to be read on October 9th.

7. PUBLIC HEARINGS

A. Ordinance 07-09-167 - second hearing

An ordinance of the Haines Borough amending Title 10 Chapter 44 to increase parking fines to match the recently increased parking fines in the Alaska Administrative Code (13 AAC 02.340).

The mayor opened and closed the public hearing at 6:49pm; there were no comments.

Motion by LAPP: Adopt Ordinance 07-09-167. It was seconded by **LAPHAM**. The motion carried 5 to 1 in a roll call vote with **ROSSMAN** opposed.

B. Ordinance 07-09-168 - first hearing

An ordinance of the Haines Borough allowing the mayor and assembly to enroll in the borough's medical insurance plan with the borough paying the premiums.

The mayor opened and closed the public hearing at 6:50pm; there were no comments.

Motion by LAPP: Advance Ordinance 07-09-168 to a second public hearing on October 9, 2007. It was seconded by **VOGT**.

ROSSMAN said he has been against this but has begun to consider that it may possibly have merit.

The motion carried unanimously.

8. STAFF REPORTS

A. Borough Manager

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

- **Southeast Conference**
- **Union Street & Third Avenue**
- **Pool Update**
- **Chilkoot River Corridor**
- **Safety Training**
- **Harbor Project Update**

Regarding the pool repairs, the mayor echoed the manager's report that community member Dwight Downer has recently contributed a lot of volunteer time to repair new leaks discovered during the filling of the pool. He added that

the surge tank's days are probably numbered and could cost up to \$100,000 to replace. That may possibly be the next major pool upgrade when funding is identified.

The assembly had a brief discussion about the bear problems in the Chilkoot River Corridor. **VOGT** said the fish weir seems to be the main problem, and Fish & Game is responsible for it. **OLERUD** disagreed that the weir is the main cause and said it was there for over twenty years before there was a bear problem. The bears use to get fish up at the glory hole but now there are none for them to get. **TURNER** doesn't believe it is necessarily a bear problem; it is a people problem. **SHIELDS** said it has been suggested that the borough could ask for management authority and likely get it, because no one else seems to want it. **VOGT** wondered if people knew that they would be fined then perhaps they would stop leaving out their coolers and other things that attract the bears. **SHIELDS** noted that the bears are all over town this summer getting into cherry trees, etc. and may return to those same spots next summer since they have found good sources for food.

- 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. Right-of-Way Improvement Authorization

LAPHAM said he spoke with Strawbridge who would still like to use at least a portion of the borough's right-of-way for his driveway. **TURNER** said the planning commission discussed the issue of platted rights-of-way in rugged areas and plans to work to develop driveway standards.

This would provide a mechanism for property owners to have legal access to their land without having to adhere to impractical road standards.

Motion by **ROSSMAN**: Authorize the manager to permit the Strawbridge request to build a driveway on a portion of the borough's right-of-way. It was seconded by **LAPP**. The motion carried unanimously.

11. NEW BUSINESS

A. Resolutions

B. Ordinances for Introduction

1. Ordinance 07-09-169

An ordinance of the Haines Borough amending Title 2 to change certain payday and predisciplinary hearing requirements.

Motion by **LAPHAM**: Introduce Ordinance 07-09-169 and set it for its first public hearing on October 9, 2007. It was seconded by **LAPP**. The motion carried unanimously.

C. Other New Business

1. Energy Task Force - Update and Request for Staff Support

SHIELDS asked **DENKER** to speak. **DENKER** provided an progress update for the task force. He said about 475 hours of volunteer effort has been logged to-date excluding research and other time spent outside of meetings. Per the task force mission statement, the final report to the assembly is due by December 31, 2007. The group is requesting assembly approval of a part-time staff support person (less than 20 hours per week for approximately 12 weeks) for a wage of \$13 to \$15 per hour. He suggested that a contract individual might be most appropriate for this. **TURNER** asked how much money is being asked for. **VENABLES** estimated no more than \$5,000. **VOGT** said she would be in favor of borough assistance to bring this group's task to a useful close. **ROSSMAN** asked if it would be better to give the task force a \$5,000 grant as opposed to putting someone on the borough's payroll. **LAPP** wondered if a current borough contractor could be utilized for this project. **VENABLES** said it would likely be at a much higher hourly rate. **VOGT** suggested that the borough should at least explore a contract situation. **VENABLES** recommended putting out a notice to receive proposals from a contractor or applications for a temporary employee.

Motion by **LAPHAM**: Authorize the borough manager to work with Mike Denker, Energy Task Force Chair, to explore the best way to

bring the project to a successful close on December 31, 2007 provided the cost is less than \$5,000. It was seconded by **TURNER**. The motion carried 5 to 1 in a roll call vote with **OLERUD** opposed.

2. Award Professional Engineering Services Contract

Motion by **LAPHAM**: Authorize the manager to enter into an agreement with both proposers. It was seconded by **ROSSMAN**. The motion carried unanimously in a roll call vote.

3. Dawson Construction Contract Amendment - Change Order #5

Motion by **LAPP**: Approve Change Order #5. It was seconded by **LAPHAM**. The motion carried unanimously in a roll call vote.

4. Executive Session - Legal Matter (Button vs. Haines Borough)

Motion by **LAPP**: Go into Executive Session to discuss a confidential legal matter that qualifies because of attorney-client privilege: a settlement proposal in Button vs. Haines Borough. It was seconded by **LAPHAM**. The motion carried unanimously.

The executive session began 7:47pm and ended at 7:59pm.

Motion by **VOGT**: Accept the settlement offer proposed by attorney Robert Spitzfaden on behalf of his client, Dave Button, as a resolution to the Alaska Supreme Court case, Button vs. Haines Borough. It was seconded by **LAPP**. The motion failed unanimously in a roll call vote.

12. SET COMMITTEE MEETING DATES - NONE

13. PUBLIC COMMENTS - NONE

14. ANNOUNCEMENTS/ASSEMBLY COMMENTS

LAPHAM asked to be excused from the October 9th assembly meeting.

15. ADJOURNMENT - 8:02pm

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

Fred Shields, Mayor

ATTEST:

Julie Cozzi, Borough Clerk