

  
**Haines Borough**  
**Borough Assembly Meeting #128**  
**February 26, 2008**  
**MINUTES**

**Approved**

1. **CALL TO ORDER/PLEDGE TO THE FLAG** Mayor **SHIELDS** called the meeting to order at 7:07 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**, Doug **OLERUD**, Steve **VICK**, Deborah **VOGT**, and Pete **LAPHAM**. **Absent:** Doug **OLERUD** and Norm **SMITH**

**Motion** by **VOGT**: Excuse Assembly Member **OLERUD**'s absence from this meeting. It was seconded by **LAPP**. The motion carried unanimously.

No motion was made to excuse **SMITH** and his absence was recorded as unexcused.

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

**Visitors Present:** Jessica **EDWARDS**/CVN, Don **TURNER III**, Daymond **HOFFMAN**, Greg **STUCKEY**, John **WINGE**, David **VOTH**, Rodney and Rhonda **HINSON**, Kevin **BOTTJEN**, Marnie **HARTMAN**, and others.

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

The following changes to the Consent agenda were requested:

- Add Item 11C5 to confirm Greg Brask's appointment to the Planning Commission.
- Move Item 11C4 (Elementary School Proposals) to Item 6A on the agenda.

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

- \*4. **APPROVAL OF MINUTES** - 2/12/08 Regular

5. **PUBLIC COMMENTS**

**SEWARD** spoke on behalf of Takshanuk Watershed Council (TWC). TWC has recently made requests to the State for operating funding, and she asked the assembly for a letter of support for their requests. The group has the support of Representative Thomas and Senator Kookesh. Funding passed last year's legislation but was line-item vetoed by the Governor. She explained that TWC is an environmental group that works with developers. **VENABLES** briefly explained that TWC have been "pro-development" and has gotten behind middle ground projects. **LAPHAM** asked if TWC is working against the tour companies operating in the rivers. **SEWARD** said that TWC has taken a hands-off position concerning the jet boat tours,

and they do not want to be involved in community divisiveness. They are all about education.

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

**SHIELDS** said he is co-chair of the Chilkat Bald Eagle Preserve Advisory Council, a council appointed by the Governor. During the council's last meeting, they discussed the situation in the Chilkoot River Corridor. The mayor is writing a letter to the Governor requesting that her administration intervene in this serious situation since none of the state agencies have been willing to come up with a solution.

The mayor congratulated Christine Hansen on her acceptance into the U.S. Naval Academy.

**SHIELDS** said during a recent teleconference, a local caller made allegations that Representative Thomas does not bother to communicate with the borough regarding legislative priorities. The mayor refuted that claim and gave a chronology of communications between the borough and Thomas to develop and approve the 2008 legislative priorities list during the public process.

**6A. Elementary School Building** (Previously 11C4 but moved up during approval of the agenda.

**BOTTJEN** summarized the proposal submitted by The Salvation Army. **SHIELDS** asked how they would propose to heat the facility. **BOTTJEN** said there are many grants available for groups like theirs that would help fund utilities and operations. He suggested checking out the Salvation Army Red Shield website for a visual of the proposed facility use.

**HARTMAN** said her proposal is for a Chilkat Valley Wellness Center. She represents a group that plans to organize themselves as a nonprofit. They are in the beginning stages and are open to a collaborative use of the building. The group sees a need for the community to have a place to go for maintaining health and wellness especially during the winter months.

**WINGE** said he would like to see the elementary school building sold and put on the tax rolls. The owner should be responsible for the maintenance. That would benefit the borough more in the long run.

**HOFFMAN** said he would like to see a plan for the whole area. Most larger cities in the country have a central park, and a planned community use for these properties could be important for the social aspects of Haines.

**VENABLES** said there is no reason to rush into a decision. The school district is not yet out of the building. This public process will likely generate more interest in the facility. Unless the assembly wants to fast-track it, he recommends delaying decisions until after the budget process. He added that Representative Thomas has been asked to try to get some planning funds.

**Motion** by **LAPHAM**: Send this back to the borough manager and staff to gather more information on the proposals and other options. The motion was seconded by **VICK**.

**VENABLES** said he will look at what other communities have done with public areas, including Wrangell and Petersburg. **VOGT** suggested a citizen's task force similar to the energy task force. **LAPHAM** said he would like staff to prepare some pros and cons for selling the building.

**TURNER** was allowed to speak. He wondered if there should be some type of condition survey on the building and what it would take for ADA-approved public occupancy. **VENABLES** will review the survey that the School District had done. **VOGT** asked if the Chilkat Center assessment could be combined with an assessment of the Elementary Building. **VENABLES** said he is trying to fast-track the Chilkat Center assessment. He offered to commit to a monthly update. **LAPP** asked if there will be a proposal for the building to be used as a municipal building, and **VENABLES** said it is possible. **LAPP** suggested that if The Salvation Army proposal was to be accepted, that perhaps their existing property should be given to the borough in a trade.

The motion carried unanimously.

## **7. PUBLIC HEARINGS**

### **A. Ordinance 08-01-175 - third hearing**

**An ordinance of the Haines Borough scheduling a land sale of borough-owned real property, identifying property to be sold, and establishing the method of sale.**

The mayor opened the public hearing at 7:42pm.

**SEWARD** asked if the Boulder Creek parcels are adjacent to the gravel pit. **LAPP** said no.

Hearing no further comments, the mayor closed the public hearing at 7:44pm.

**Motion** by **VOGT**: Adopt Ordinance 08-01-175. It was seconded by **LAPP**. The motion carried unanimously.

**B. Ordinance 08-02-176 - first hearing**

An ordinance of the Haines Borough amending Title 7 to clarify that when a service area has an insufficient or inactive board the borough assembly will function in that capacity. Additionally, this ordinance clarifies the service area board appointment process.

The mayor opened and closed the public hearing at 7:45pm; there were no public comments.

**Motion** by **LAPP**: Advance Ordinance 08-02-176 to a second public hearing for March 11, 2008. It was seconded by **VOGT**. The motion carried unanimously.

**8. STAFF REPORTS****A. Borough Manager**

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

- **Tsirku River Ice Bridge Replacement Grant**
- **Harbor Master Plan**
- **Legislative Update**
- **Water Tank Project**
- **Other Projects inc. Road Paving and Other Water-Sewer**
- **Wood Heat Feasibility**
- **Borough Attorney's Firm Changes Name**

- \* **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**

**LAPHAM** asked if the planning commission recommends a particular sidewalk type. **VOGT** said the impetus for the sidewalk discussion was that the Chilkoot Indian Association has access to sidewalk construction funds. The planning commissioners generally agreed that a glorified shoulder with soft gutter is preferable to a cement sidewalk. There is also concern for the safety of children walking to school along roads with no sidewalks. **SHIELDS** said **VENABLES** asked the state maintenance foreman to plow back further on the highway since some of the students

walk there, and they agreed to do that. **STUCKEY** explained the sidewalk concept that would make snow removal easier. He added that the CIA is looking at flashing light signage to notify drivers to exercise caution because children may be present. **VENABLES** acknowledged that the CIA is working with the borough on road and sidewalk repairs and improvements. **STUCKEY** said the first phase is some repair work in the Main Street area before the new road work is tackled.

- \* 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
- L. Waterfront Improvement Committee

**SHIELDS** reported on the February 22<sup>nd</sup> Waterfront Improvement Committee (WIC) meeting. He said that Takshanuk Watershed Council attended. He asked the WIC to design a boardwalk that is low maintenance, long lasting, takes a snow load, and has an inviting appearance that makes people want to walk on it. **VOGT** said the Tourism Advisory Board also discussed the topic at their meeting earlier in the day. They would like winter use and maintenance to be addressed so that pedestrians and bicyclists could use it year-round. They also discussed the importance of integrating the visitor's pavilion with the boardwalk and any other waterfront plan.

10. OLD BUSINESS - None

11. NEW BUSINESS

- A. Resolutions - None
- B. Ordinances for Introduction

1. Ordinance 08-02-177

An ordinance of the Haines Borough amending Title 18 to remove the outdated requirement for final subdivision plats to contain a septic system statement.

Motion by **LAPHAM**: Introduce Ordinance 08-02-177 and set a first public hearing for March 11, 2008. It was seconded by **LAPP**. The motion carried unanimously.

2. Ordinance 08-02-178

An ordinance of the Haines Borough amending the official zoning map to change two parcels of property to a multiple residential zone.

Motion by **VOGT**: Introduce Ordinance 08-02-178 and set a first public hearing for March 11, 2008. It was seconded by **VICK**. The motion carried unanimously.

**C. Other New Business****\* 1. Liquor License Renewals - Fogcutter Bar & 33-Mile Roadhouse****2. Public Safety Commission Concerns**

Rhonda **HINSON** said there needs to be a way to give the public a means for providing input into the police department and she believes the Public Safety Commission is the only option.

**VICK** asked **VOTH** for his opinion of the Public Safety Commission's role. **VOTH**, a member of the PSC, said he understands it to be an advisory group to the assembly. He believes they are there to take public comments, add recommended solutions, and then present them to the assembly.

**3. Permanent Fund Investments**

**VOGT** said she believes Bob Storer gave a very good roadmap during the preceding committee-of-the-whole meeting regarding Permanent Fund investment strategies. The mayor asked the borough manager to bring a summary of Storer's recommendations to the next meeting. **VENABLES** said that Smith Barney has asked for an opportunity to make a presentation to the assembly. **SHIELDS** said at the March 11<sup>th</sup> meeting, the assembly will discuss the next step to take. He asked the manager to call Alaska Capital Management to express the assembly's concern about the high percentage of mortgage-backed securities in the borough's portfolio. **VOGT** explained that the Chief Fiscal Officer already phoned them to ask about the investment shift, and they defended the strategy. **VENABLES** offered to phone Smith Barney for their opinion, and the mayor agreed.

**4. Former Elementary School Property (See Item 6A)****5. Appointment to the Planning Commission**

**Motion** by **LAPP**: Confirm Greg Brask's appointment to the Planning Commission. It was seconded by **VOGT**. The motion carried unanimously.

There was a brief discussion regarding Kathleen Menke's removal from the planning commission by the mayor. The assembly agreed that the mayor's interpretation of the Charter (§5.06B - *Persons appointed by the mayor serve at the pleasure of the mayor*) is correct, and the assembly does not need to confirm his decision to remove Menke from the commission.

**12. SET COMMITTEE MEETING DATES**

- A.** The Board of Equalization (BOE) will occur on Monday, May 12, 6:00pm per HBC 3.72.110B.
- B.** The assembly will have BOE training with State Assessor Steve Van Sant on Tuesday, April 15, at 5:30pm.

**SHIELDS** said the manager and mayor will both be gone on March 25 for Southeast Conference meetings in Juneau. He suggested one meeting in March. The meeting on the 11<sup>th</sup> will also include a joint meeting with the school board and will be held in the Haines Borough Public Library.

**13. PUBLIC COMMENTS** - None

**14. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**SHIELDS** asked **STUCKEY** to convey to Chris Schelb his appreciation for Schelb's application for appointment to the planning commission.

**VOGT** expressed her displeasure at how the assembly's medical insurance participation has played out. She had no clue that it would be mandatory. **SHIELDS** said that borough staff is not to blame; the borough has been given conflicting information. **VENABLES** noted that there will be an open enrollment period in June, and the borough may also look at coverage options from other sources.

**LAPHAM** said he was not impressed with the letter the Public Safety Commission (PSC) submitted to the assembly. He believes it amounts to "mud-slinging" and is not convinced that the PSC is fulfilling the purpose outlined in code.

**15. ADJOURNMENT** - 8:41pm

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

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Fred Shields, Mayor

ATTEST:

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Julie Cozzi, Borough Clerk