


Haines Borough
Borough Assembly Meeting #143
October 28, 2008
MINUTES

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG** Mayor **HILL** called the meeting to order at 6:30 p.m. in the Assembly Chambers and led the pledge to the flag.

2. **OATHS OF OFFICE** followed by **ROLL CALL**

In the clerk's absence, Connie Staska administered the oaths of office to newly-elected officials Jan Hill, Scott Rossman, and Jerry Lapp. Staska then called the roll.

Present: Mayor Jan **HILL** and Assembly Members Norm **SMITH**, Scott **ROSSMAN**, Doug **OLERUD**, Jerry **LAPP**, Steve **VICK**, and Pete **LAPHAM**.

Staff Present: Tom **BOLEN**/Borough Manager, Connie **STASKA**/Administrative Assistant (acting in the borough clerk's absence), Gary **LOWE**/Chief of Police, John **WURST**/Assessor, and Stephanie **SCOTT**/Energy & Sustainability Coordinator.

Visitors Present: Jessica **EDWARDS**/CVN, Mike **CASE**, Greg **STUCKEY**, Darsie **CULBECK**, Corey **WALL**, Paul **VOELCKERS**, Sean **GAFFNEY**, Daymond **HOFFMAN**, Jacklynn **RUGGIRELLO**, William **PRISCIANDARO**, Ray **BRIGGS**, Carol **WALDO**, Ken **WALDO**, Roger **SCHNABEL**, Janet and Bill **KURZ**, Michael **BYERS**, Donnie **TURNER**, Darsie **CULBECK**, and others.

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

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

*4. **APPROVAL OF MINUTES** - 10/14 Regular

5. **PUBLIC COMMENTS**

B.KURZ supports the Chief of Police and believes he's doing a great job.

J.KURZ said she was recently appointed head of the Elks' Drug Awareness Program. She will meet with the Police Chief and school staff and plans to work hard to help educate the children, 5th grade and up. She added that it is a community problem, and she hopes the assembly will support the efforts.

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

HILL said she plans to be in the office on Tuesday and Thursday afternoons but she is fairly flexible. She said she wants to be accessible and people may call her at her home to schedule office appointments.

HILL will attend the Alaska Municipal League Conference in Ketchikan along with the borough manager.

The mayor said she plans to maintain the current committee and board liaison appointments but encouraged the assembly members to contact her to request changes, if desired. She plans to appoint **ROSSMAN** to the Finance Committee. Final announcements will be made at the November 18th meeting.

7. PUBLIC HEARINGS - NONE

8. STAFF REPORTS

A. Borough Manager

BOLEN summarized his written report including the following topics:

- Travel/Leave
- Legislative Priorities
- Lobbyist Report
- Projects & Maintenance Updates
 - Chilkat Center 2nd floor bridge
 - Museum Fire Suppression
 - Haines Streets Phases I & II
 - Barnett Drive Pump Station
 - American Bald Eagle Foundation
 - Portage Cove Boat Harbor
 - School asbestos abatement
- Department Activities

Regarding assessment, **BOLEN** offered that if the assembly desires, staff can draft an ordinance to modify the code to include provisions to perform reassessment of real property every three years as opposed to doing it by resolution, as previously suggested. He believes an ordinance would be more appropriate for this issue. **LAPHAM** asked if every three years is realistic. **WURST** recommended four. **ROSSMAN** asked if there is enough staff to handle it. **WURST** responded that staffing is adequate with a 4-year cycle. **ROSSMAN** asked if the current temporary staff would be needed permanently, and **WURST** said no. The assembly requested a draft ordinance for the next meeting specifying a 4-year assessment cycle.

BOLEN said the roof problem with the new Public Works shop is ongoing, and he is still attempting to make contact with the building supplier. Unfortunately, the attorney may have to be used to get their attention. **ROSSMAN** asked if the building is in good enough shape for the winter. **BOLEN** does not believe it will affect the building in any way although the winter weather could cause further damage to the overhang. He believes the problem stems from a bad design, and he recommends removing the overhang and capping it off.

The building's not going to leak or fall down. **ROSSMAN** thought that a waste oil burner was going to be put in the new shop building. **BOLEN** agreed that it would be good and said he will follow-up on it. **VICK** said that the borough might need to devise a system for preventing other liquids, like coolant, from being mixed in with the waste oil. **BOLEN** agreed. **OLERUD** took exception to the manager's statement in his letter to the EPA that decisions made during the 2002 Consolidation resulted in reductions to staff levels in all departments. He does not believe there were ANY reductions in staff and, in fact, they have increased since 2002. The wastewater department definitely had no loss of staff. **BOLEN** apologized and said he will attempt in the future to make sure his correspondence is based on facts.

Regarding the potential land swap with Delta Western, **LAPHAM** asked for the timeframe. **BOLEN** said the Lutak uplands lease expires in early 2010. Making the land swap happen within the remaining lease period will be complicated.

BOLEN said that the school entrance is too dark, and there are safety and security concerns. He is pursuing temporary lighting and marking devices with the police department.

The manager said that there have been several citizen complaints about the property photos being on the borough's GIS website. In deference to those concerned about privacy issues, he instructed the Assessor to disconnect that capability and may set up a computer station at the borough offices for public use that would contain photo-viewing capability.

ROSSMAN said unless something has changed, the State of Alaska gave the borough a portion of the paved parking lot at the ferry terminal in exchange for the sink hole area. That portion is just sitting there with a fence around it. He asked the manager to look into it. **BOLEN** said he was unaware of it and will find out what's going on.

*** B. Borough Clerk**

C. Chief Fiscal Officer

STUART summarized the finance report in the meeting packet. **ROSSMAN** asked how the permanent fund is doing. **STUART** responded that the fund is mostly invested in fixed income and not too affected. 10% is in corporate bonds where there is more risk. 20% is in S&P which has taken a hit. Equity investments have lost about 20% which translates to a \$200K loss on paper.

- * D. Chief of Police
- * E. Museum
- * F. Library
- * G. Chilkat Center

9. COMMITTEE/COMMISSION/BOARD REPORTS

A. Commerce Committee

LAPHAM said he is still working on the issue of GPS and heliskiing and will report back to the assembly very soon.

The mayor called a brief recess at 7:25pm. The meeting reconvened 10 minutes later.

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

* L. Waterfront Improvement Committee

M. Energy & Sustainability Commission (ESC)

SCOTT provided an overview of municipal energy usage and made a slide presentation. **LAPP** recommended going back to 2005 for comparisons. **OLERUD** asked if the new school's electricity is being tracked. **SMITH** commended the ESC. **SCOTT** said she will continue to publish the municipality's energy costs. **STUART** said that the borough knows how much it costs to heat the pool but not the cost of showers, etc.

10. OLD BUSINESS

A. MRV Presentation re. Downtown Planning

VOELCKERS and **WALL** gave a short presentation regarding downtown planning and making the downtown, cruise ship dock, and harbor more cohesive. **VICK** said he would like an inventory of the borough facilities and infrastructure to be included. Also, he would like the process to include advertised public hearings in order to get citizen input. **ROSSMAN** said ALL businesses on Main Street need to be given an opportunity to weigh in. **VOELCKERS** said MRV does not want to impose ideas but rather act as a facilitator along with making recommendations. It's important to plan for the future including making the traffic flow more systematic. **BOLEN** said that in order to hire some expertise to assist with this planning, the assembly needs to determine the scope of work. He offered that the borough can also issue an

RFP to solicit engineering work. He said he was hoping to define the project at this meeting. **VICK** said that MRV is familiar with Haines, and he recommends bypassing the RFP process for this. **VOELCKERS** said a master plan does not need to be decided at this meeting. He suggested that a sub-committee could work with the manager. **VICK** said such a committee should be comprised of people representing different aspects of the community. **LAPHAM** said he would like first to see a broad spectrum of ideas. **ROSSMAN** suggested that rather than form a new committee this issue could be referred to ALL of the existing committees and boards for input. The manager was directed to meet with MRV the following day to start the process.

11. NEW BUSINESS

A. Resolutions

1. Resolution 08-10-139

A resolution of the Haines Borough Assembly authorizing and designating certain persons to sign and endorse checks pertaining to certain bank accounts.

Motion by **LAPP**: Adopt Resolution 08-10-139. It was seconded by **SMITH**. The motion carried unanimously in a roll call vote.

2. Resolution 08-10-140

A resolution of the Haines Borough authorizing the mayor, deputy mayor, chief fiscal officer, borough manager, and borough clerk as signatories for the borough's security cash accounts and investments.

Motion by **LAPHAM**: Adopt Resolution 08-10-140. It was seconded by **VICK**. The motion carried unanimously in a roll call vote.

3. Resolution 08-10-141

A resolution of the Haines Borough Assembly adopting an alternative allocation method for the fiscal year 2009 Shared Fisheries Business Tax Program and certifying that this allocation method fairly represents the distribution of significant effects of fisheries business activity in the Northern Southeast Fisheries Management Area.

Motion by **LAPHAM**: Adopt Resolution 08-10-141. It was seconded by **LAPP**. The motion carried unanimously in a roll call vote.

4. Resolution 08-10-143

A resolution of the Haines Borough Assembly supporting the exemption of state disclosure requirements for municipal officers and candidates.

Motion by **LAPP**: Adopt Resolution 08-10-143. It was seconded by **VICK**.

ROSSMAN believes this issue was settled by the voters during the election and does not support this resolution. The motion carried 5-1 in a roll call vote with **ROSSMAN** opposed.

5. Resolution 08-10-142

A resolution of the Haines Borough Assembly urging the Alaska Legislature to repeal laws that deprive boroughs of state services, revenues, or assistance; or impose penalties because of incorporation.

Motion by **LAPP**: Adopt Resolution 08-10-142. It was seconded by **LAPHAM**. The motion carried unanimously in a roll call vote.

6. Resolution 08-10-144

A resolution of the Haines Borough Assembly amending Resolution No. 08-06-123 regarding the Energy and Sustainability Commission and Coordinator.

Motion by **VICK**: Adopt Resolution 08-10-144. It was seconded by **OLERUD**.

SMITH said it is absurd, in his opinion, to exclude the leased buildings from energy efficiency requirements. **VICK** said it is necessary to exempt the Energy Coordinator from being required to get data from the lessees. She doesn't have the authority, but the lease agreements could possibly be modified to include conservation requirements when they come up for renewal. **OLERUD** said the borough cannot impose restrictions on energy usage. **BOLEN** sees this as an operations issue. It is out of line to expect information on a monthly basis.

The motion carried unanimously in a roll call vote.

B. Ordinances for Introduction - None

C. Other New Business

1. Advisory Board Appointments

Motion by **VICK**: Confirm the following mayoral appointments to the Library Board of Trustees:

Heather Lende - reappointment, new term to expire 11/2011
James Alborough - reappointment, new term to expire 11/2011
Dick Flegel - appointment to complete term expiring 11/2009
Joanne Ross Cunningham - appointment to term expiring 11/2011

The motion was seconded by **ROSSMAN** and carried unanimously.

2. Haines Coastal Management Plan Enhancement Project Update

Chilkat Environmental provided a presentation on the draft documents. They are accepting written comments through 11/24/08.

3. Proposal to Purchase Primary School Property

GAFFNEY said that Alaska Mountain Guides (AMG) has adjusted

their original purchase proposal because of issues with a leaky oil tank and the cost for asbestos abatement. AMG's intent is to enter into a "win-win" arrangement with the borough. They would initially concentrate on improving curb appeal and working on a few rooms for use right away. In their proposal, they tried to use a variety of comparable commercial properties to represent a fair market value. **ROSSMAN** noted a wide discrepancy in the proposal amount and the value assessment. **BOLEN** said the value is indeed more than the bid amount, but the borough could wait a long time to get another proposal. **GAFFNEY** said that the asbestos abatement cost must be considered. It is still an unknown cost but is projected at \$40K. Also, the roof leaks and will have to be replaced. **K.WALDO** was allowed to speak, and he said that the AMG use of that property would be a positive asset for the community. **TURNER** was allowed to add that it would cost \$200K to tear down the building. It is a positive thing to get the money rather than spend it. He said that he would not like to see AMG turn into a non-profit so that the property is taken back off the tax rolls. **BOLEN** said that if AMG becomes an accredited school, it may become a concern. **GAFFNEY** said they pursued vocational education but are more than comfortable to have the purchase stipulate that they cannot become a non-profit.

Motion by **ROSSMAN**: Direct the manager to enter into negotiations with Alaska Mountain Guides to purchase the Primary School Property and bring it back to the assembly for consideration. It was seconded by **LAPP**. The motion carried 5-1 in a roll call vote with **SMITH** opposed.

4. 2008 Snow Removal Contracts

BOLEN recommended removing Areas B & C from the School contract. Those areas involve the former school properties, and public works will maintain them, as needed. There was a tie for the main school campus (Area A) between Little Diggers and Southeast Road Builders (SERB). He recommends award to SERB. No bids were received for the Lutak Dock. He recommends negotiation with AML since it has had the contract in previous years and is the primary user. The manager requested assembly input regarding snow removal for the Four Winds RMSA since the bid is way over budget. The assembly will review this issue at a future meeting.

Motion by **LAPHAM**: Award the following contracts for 2009 snow removal services as recommended by the manager:

Cathedral View/Piedad Areas - Waldo Enterprises
Tanani Bay - Waldo Enterprises
Letnikof RMSA - Waldo Enterprises

Riverview Drive RMSA - Waldo Enterprises
Eagle Vista Subdivision - Waldo Enterprises
Public Schools Area A - Southeast Road Builders
Little Diggers & Landscaping - Chilkat Center

The motion was seconded by **LAPP**, and it carried unanimously in a roll call vote.

5. Forest Receipts (Secure Schools) Funds

STUART explained the Forest Receipts funding structure and requirements. She recommends allocating 15% of Title III receipts to Title II, because qualified uses of Title II funds are not as limited.

Motion by **OLERUD**: Allocate 15% of Title III receipts to Title II. It was seconded by **LAPP**. The motion carried unanimously in a roll call vote.

12. CORRESPONDENCE - NONE

13. SET MEETING DATES

The next assembly meeting is November 18th.

13. PUBLIC COMMENTS

TURNER requested that the snow removal RFPs be put out earlier next year---perhaps September.

BYER offered to work with the assembly to plan for the use of the Forest Receipt Title I monies.

14. ANNOUNCEMENTS/ASSEMBLY COMMENTS

LAPHAM recommends a new entryway for the borough offices. **BOLEN** said it is currently being discussed.

ROSSMAN recommends that the borough accept credit card payments for property taxes. **OLERUD** said the transaction fees could be substantial.

15. ADJOURNMENT - 9:50pm

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

ATTEST:

Jan Hill, Mayor

Julie Cozzi, Borough Clerk