


Haines Borough
Borough Assembly Meeting #146
December 16, 2008
MINUTES

Approved

1. CALL TO ORDER/PLEDGE TO THE FLAG Mayor **HILL** called the meeting to order at 6:32 p.m. in the Assembly Chambers and led the pledge to the flag.

2. ROLL CALL **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, Julie **COZZI**/Borough Clerk, Jila **STUART**/Chief Fiscal Officer, Stephanie **SCOTT**/ESC Coordinator, and Gary **LOWE**/Chief of Police.

Visitors Present: Vince **HANSEN**, Bill and Libby **KURZ**, Janet **KURZ**, Sean **GAFFNEY**, Danny **GONCE**, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA

Remove Item 11(10)A(2) Census 2010 Resolution [Mayor Hill]

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

*4. APPROVAL OF MINUTES - 12/9/08 Regular

5. PUBLIC COMMENTS - None

6. MAYOR'S COMMENTS/REPORT

The mayor announced that she will be out of town during the holidays from December 20-30.

7. PUBLIC HEARINGS

A. Ordinance 08-11-190

An ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY09 budget.

The mayor opened and closed the public hearing at 6:37pm.

Motion by **VICK**: Adopt Ordinance 08-11-190. It was seconded by **SMITH**.

Regarding the \$500K forest receipts monies, **ROSSMAN** asked if the manager could look into setting a portion of that money aside for road maintenance. No objection was raised.

Motion to Amend by **OLERUD**: Amend Ordinance 08-11-190 by accepting the substitute ordinance as proposed by the manager and chief fiscal officer. It was seconded by **VICK**. The amendment motion carried unanimously.

The main motion carried unanimously in a roll call vote.

B. Ordinance 08-11-191

An ordinance of the Haines Borough amending Borough Code Title 2 Chapter 2.38, Borough Assessor, to clarify the Department of Lands and Assessment.

The mayor opened and closed the public hearing at 6:41pm.

Motion by LAPHAM: Adopt Ordinance 08-11-191. It was seconded by **ROSSMAN**. It carried unanimously in a roll call vote.

C. Ordinance 08-11-192

An ordinance of the Haines Borough amending Borough Code Title 2 Chapter 2.58, Department of Public Works, to create a Department of Public Facilities and Capital Projects.

The mayor opened and closed the public hearing at 6:44pm.

Motion by LAPP: Adopt Ordinance 08-11-192. It was seconded by **VICK**. The motion carried unanimously in a roll call.

D. Ordinance 08-11-193

An ordinance of the Haines Borough amending Borough Code Title 3 Section 3.72.060, Assessment Review, to stipulate a complete property assessment cycle every four years.

The mayor opened and closed the public hearing at 6:45pm

Motion by VICK: Adopt Ordinance 08-11-193. It was seconded by **LAPP**.

ROSSMAN asked when the first four-year cycle would start considering the borough is currently in the middle of a total reassessment project. **BOLEN** explained it will commence following the current project which is expected to wrap up in one year.

The motion carried unanimously in a roll call vote.

8. STAFF REPORTS

A. Borough Manager

BOLEN described the potential candidate for the Director of Public Facilities position---Paul Winkler---as being a licensed mechanical engineer and a project manager. He noted some of the challenges involved in getting an individual of this caliber to accept this job. He asked for the assembly's direction. **LAPP** asked if this person would be on contract. **BOLEN** said it was advertised as a full-time, permanent employee. **ROSSMAN** asked if it might save the borough money in engineering costs. **LAPHAM** pointed out that the borough paid the state \$100K to administer the Third Avenue project. That is an example of how a position like this might save money. He added that it is very important to have a borough representative on the ground during construction projects.

VICK expressed support for getting an individual onboard as soon as possible. **OLERUD** said, keeping in mind the borough's current and upcoming projects and looking at the proposed candidate's resume, he's not sure how much help a mechanical engineer would be. **BOLEN** said he's more concerned with a person in that position understanding the construction process including the contractual part. He assured them that he will bring any potential candidate to the assembly prior to any hire offer. At this point, he's just presenting the current potential candidates and needs a sense of direction. **ROSSMAN** agreed with **LAPHAM** that it is critical to have someone on the ground watching after the borough's interests. **LAPHAM** observed that the borough is facing a lot of important projects, and an individual like this is needed. At the same time, once the projects and money dry up, this position might have to go away. **SMITH** said he has no problem with this and wants to do it. **OLERUD** said if the salary range is changed and readvertised, more qualified people might apply. **BOLEN** said there is a timing issue, but he is not opposed to readvertising. **VICK** suggested that if this top candidate does not accept an offer, then it could be readvertised. **SMITH** reiterated that the assembly should go for it now, because it has been long enough. It is his understanding that a working engineer makes at least \$150K a year. **OLERUD** believes there is a very qualified local who might apply if the advertised salary is higher.

Motion by **ROSSMAN**: Authorize the manager to pursue Paul Winkler for the Director of Public Facilities position and, if not successful, the position will be readvertised at an increased salary. It was seconded by **LAPP**. The motion carried 5-1 in a roll call vote with **OLERUD** opposed.

BOLEN asked if the assembly would like to bring the cruise ship dock to its maximum capacity. **SMITH** said the borough bonded itself to try to make that happen, and it's not being utilized to its fullest capacity. There was a time when there were four ships a week. He understands that the cruise companies want to have more attractions and make more money. The ships make their money on the shore excursions and they get a big profit in Skagway. Haines has more of a nature draw. **LAPP** said the manager should look at ways to increase the cruise ship traffic. **LAPHAM** agreed and believes the tourism director is a great resource. **VICK** said he is concerned about the current economy and has heard that the cruise ship bookings are way down for 2009. **OLERUD** said the cruise ship companies are worried about the DEC regulations. It would be cheaper for them to build their own ports along

the Canadian coast. **LAPHAM** suggested that the assembly direct the manager to make an effort to get more cruise ships to come, and no objection was raised. **BOLEN** suggested one idea related to the DEC regulations---a shoreside wastewater disposal/treatment facility.

BOLEN said the assembly will have to make some quick decisions with regards to the federal stimulus package. The whole issue of harbor expansion has been well debated, and the borough may be able to get this thing if there is willingness to compromise. He gave as an example the added project costs due to the unexpected soft clay problem. One idea is to go for a smaller harbor, if necessary. In the next 30 days, the borough will have to work very hard on this to make it happen.

BOLEN said he has continued to meet with Alaska Mountain Guides on the primary school proposal. It appears that there is a complication and the negotiations may be back to square one. He hopes to bring a proposal to the assembly at the January 13 meeting.

OLERUD asked **BOLEN** what he ended up submitting on the *needs form* for the gas line project. **BOLEN** said he submitted Lutak Dock expansion and improvement to the tune of \$17million over 5 years. He explained that it was a simple form asking for pretty much place-holder projects. The borough will have opportunities in the future to provide much more detailed information.

OLERUD brought up the per-job rates for the Chilkat Trails and River Road snow removal contract. He thought the borough was only going to add these additional roads to the Little Diggers contract if they would do it for less than public works could do it. **ROSSMAN** said he also misunderstood the amounts when he agreed to the contract. He thought it would be \$200K for BOTH roads rather than each. **BOLEN** reminded them that the main reason for the added contract work was to avoid a protest that would force a rebid of all snow removal projects.

LAPP asked if the borough is going to take over snow removal of Raven Road. **BOLEN** said he has asked the planning commission to take a look at what criteria is used to decide which roads get plowed and which ones don't. **OLERUD** thought that during the last annexation, the borough decided it would only plow roads built to specifications and if officially accepted as a borough road. **BOLEN** does not believe Raven Road is built to specs and it may not have been accepted by the borough.

There was a brief discussion about the plat in Excursion Inlet and the problems with the McClintock survey. **BOLEN** is looking into the matter.

- * 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

LAPHAM reported that the Commerce Committee met briefly just prior to this assembly meeting to discuss heliskiing and helicopter use. GPS monitoring may not be not be feasible, and enforcement is very difficult. The committee discussed possibly increasing fines, conducting impromptu fly-overs, pre-season meetings with the pilots to go over maps, and even placing the burden of the fine on the helicopter companies rather than the tour operators. **OLERUD** said he believes the fines should be raised, and there must be evidence that would stand up in court. The borough needs to be able to find out where and when the landings are taking place. **VICK** agreed that enforcement is difficult. He likes the idea of putting some of the responsibility on the pilots, because they will likely self-enforce. **ROSSMAN** suggested that the helicopter paths might be viewed on a computer like Wings flights are. **LAPHAM** said that would only show that aircraft is present without identifying a specific one. **GAFFNEY** was allowed to speak. He said that the federal government gave the air service companies something called Capstone that monitors flights. It's real time and cannot be turned off. He encouraged the committee to look into it.

- 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

SCOTT provided the assembly with the ESC's temporary website

and summarized the recently-submitted Borough Conservation Plan. It's up to the assembly to decide what to do with it. She commended borough staff on their ongoing attempts to conserve energy. **ROSSMAN** said he likes the monthly municipal bill reports and specifically noted the high fuel expense at the Chilkat Center. **STUART** confirmed that the Chilkat Center does use a lot of fuel, and the tank there holds 1,000 or more gallons. **VICK** said the Chilkat Center leaks in many places. **SMITH** said the price of gasoline and diesel have significantly dropped everywhere but Haines. **BOLEN** explained that fuel companies use one of two pricing methods. One method is a blended price---mixing together two known quantities of fuel at two different prices. The other is if say 10K gallons were purchased, then the fuel company would wait until they have sold 10K gallons before dropping the price. **SCOTT** said Delta Western has a very large holding capacity. It could be to the community's disadvantage if they are able to hold a lot of high-priced fuel.

10. OLD BUSINESS - None

11. NEW BUSINESS

A. Resolutions

1. Resolution 08-12-146

A resolution of the Borough Assembly authorizing the temporary suspension of consumer sales tax on energy efficiency and renewable energy products and services purchased and paid for at the Energy Fair, February 28, 2009, within the Haines Borough.

Motion by **VICK**: Adopt Resolution 08-12-146. It was seconded by **ROSSMAN**. The motion carried unanimously in a roll call vote.

2. Resolution 08-12-147 - removed during agenda approval

A resolution of the Borough Assembly affirming support and partnership with the 2010 Census.

B. Ordinances for Introduction - NONE

C. Other New Business

1. Advisory Board Appointments

Motion by **LAPP**: Confirm the mayor's appointments to the Tourism Advisory Board and the Boat Harbor Advisory Committee. It was seconded by **LAPHAM**. The motion carried unanimously.

2. Haines Borough Street Improvements Phase I Contract Award

Motion by **LAPP**: Authorize the manager to negotiate a contract with the low-bidder, Southeast Road Builders, for the Haines Street Improvements Phase I project in an amount not to exceed \$1,058,157. It was seconded by **LAPHAM**. The motion carried unanimously in a roll call vote.

3. 2009 Legislative Priorities

Motion by **LAPP**: Approve the 2009 List of Legislative Priorities. It was seconded **SMITH**.

OLERUD said he does not believe it is appropriate to approve something that is not in the packet or online for the assembly and the public to look at. **SMITH** agreed. The manager apologized saying that he had fully intended to have copies at the meeting, and he offered to retrieve copies of it from his office.

A brief recess was called at 7:57pm. The meeting reconvened at 8:07pm.

The manager distributed the lists. **OLERUD** suggested incorporating some of the projects/amounts from the newly-released governor's budget into the borough's priorities list. **BOLEN** suggested that perhaps a cover letter expressing gratitude could be submitted with the existing list. **OLERUD** said the borough should consider paring down the list, because people other than Representative Thomas will see it, including Senator Kookesh. **LAPHAM** agreed with **OLERUD** that items should be combined. **ROSSMAN** said he supports adopting this list as is. **OLERUD** recommended talking with Representative Thomas this week to find out what type of support the borough might provide to him and Senator Kookesh to make sure things happen. Mayor **HILL** agreed. The manager said he plans to speak to Representative Thomas before submitting the list and will bring another version it to the assembly on January 13 if Thomas recommends changes.

The motion carried 4-2 with **LAPHAM** and **OLERUD** opposed.

12. CORRESPONDENCE

13. SET MEETING DATES - None

14. PUBLIC COMMENTS

HANSEN thanked the assembly for its continued support of the Haines Assisted Living project. He reported that construction is ahead of schedule, and the officials were encouraged to visit the site.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

LAPP suggested that the manager look into the possibility of another RFP for attorney services. He expressed dissatisfaction with the current situation. There was no objection by the other assembly members.

16. ADJOURNMENT - 8:24pm

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



Jan Hill, Mayor

ATTEST:



Julie Cozzi, Borough Clerk

