



Haines Borough
Borough Assembly Meeting #152
April 14, 2009
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. ROLL CALL Present: Mayor Jan HILL and Assembly Members Scott ROSSMAN, Jerry LAPP, Doug OLERUD, Pete LAPHAM, Steve VICK, and Norm SMITH.

Staff Present: Tom BOLEN/Borough Manager, Julie COZZI/Borough Clerk, Jila STUART/Chief Fiscal Officer, Stephanie SCOTT/ESC Coordinator, Lori STEPANSKY/Tourism Director, and Gary LOWE/Chief of Police.

Visitors Present: Ann PETERSON/CVN, Tara BICKNELL/KHNS, Duck and Karen HESS, Roger MAYNARD, Bill and Libby KURZ, Janet KURZ, Mike CASE, Gary HESS, Duck and Karen HESS, Sherrie GOLL, Deborah DAVIS, Ronald MINER, Scott SUNDBERG, Nick and Kamla TRIMBLE, Tom WAYES, Anne BOYCE, Tim MCDONOUGH, James STUDLEY, Marnie HARTMAN, Nelle JURGELEIT-GREENE, Matthew BORISH, James SHOOK, Kent MCBRIDE, Paul SWIFT, Kerry and Joyce TOWN, Jack WENNER, Scott CAREY, Christie TENGS, Karl HEINZ, Danny GONCE, Leonard DUBBER, Wayne HIRSCH, Joe POOR, Brad STEVENS, John NORTON, Greg SCHLACTER, Ann MYREN, Richard LONG, Heather LENDE, John HUNT, Bud STEWART, Donnie TURNER, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA

Motion by SMITH: Remove Item 11B4 (the emergency heliskiing ordinance) from the Agenda. It was seconded by VICK for the sake of discussion.

SMITH said this is a hot topic and threatens to divide the community and the assembly. ROSSMAN disagreed and said it is an important topic to discuss.

The motion failed 1-5 with LAPP, OLERUD, ROSSMAN, VICK, and LAPP opposed.

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

* 4. APPROVAL OF MINUTES - 3/24/09 Regular, 3/31/09 Joint School Board

Mayor HILL introduced Cassandra McEwen, the newest police officer. She asked the borough clerk to administer the oath of office. McEwen was welcomed with applause by those present.

5. PUBLIC COMMENTS

D.HESS spoke in favor of emergency Ordinance 09-04-205. Because of good weather, this company has a chance to have more clients and have a better than normal season. He noted that on a recent flight to Seattle, he and his wife overheard a skier from Whistler, B.C. talking about the Chilkat Valley and calling it the greatest skiing in the world.

G.HESS is also in favor of the emergency ordinance. He believes it will bring more money into the community, and the operators should be allowed to complete their season. On a different topic, he expressed concern that the school district failed to apply for school maintenance grant monies.

CAREY spoke against the emergency ordinance. He does not believe it qualifies as an emergency; there is no public health threat or public safety issue. The ordinance seems more about subverting the public process and smacks of backdoor politics. In his opinion, it makes tour permits meaningless, and he thinks this is illegal.

N.TRIMBLE, SEABA principal, clarified that the company is not requesting an extension of the season. They are asking for 50 skier days for themselves. He said it has been an incredible season with a great influx of skiers. The company has come to the borough asking for the ability to get more business. It's not a permanent thing. They are just trying to get the clients in. He asked for approval.

DAVIS expressed love for Haines. She said heliskiing has a positive impact on the local economy, and it's putting Haines on the map internationally. She believes there are very few businesses that are not positively affected by this shoulder season activity.

MCDONOUGH says he does not believe the situation constitutes an emergency. In his opinion, it opens a big door for abuse. He asked the assembly to carefully reflect on the borough code.

K.HESS informed the assembly that many of the additional clients are displaced skiers from Valdez because of the volcano eruption. That situation brought business to Haines. She believes this should be a pro-business decision, not anti-business. SEABA is just asking to add more clients, and this would put more money into the sales tax coffers and more money into the local businesses.

GOLL does not believe it's an emergency and also thinks it subverts the public process. She believes this is bad mismanagement on the part of the operators, and they should not

be able to come to the borough to be bailed out. She thinks this would set a bad precedent; once a law is made, it needs to be respected.

SCHLACTER, Vice President for the Haines Chamber of Commerce, spoke in support of Ordinance 09-04-205. There are a number of operators in Girdwood and Valdez that cannot operate because of the volcano. Also, Europe is turning their ski resorts into bike resorts because they're not getting snow. Haines should not turn away this additional business.

STEWART also spoke in favor of the ordinance. He added that he would like the operators to be able to ski every year from the time there is snow on the ground until the snow goes away. He believes it's wrong to cut the business out from under them. He added that it's a very clean industry that is not at all destructive to the environment.

BOYCE spoke against the ordinance saying it is an abuse of the emergency ordinance power. She agreed with **GOLL** and **CAREY**. She is one that voted in favor of regulated helicopter use.

CASE agreed with **STEWART**. He went to the borough code regarding emergency ordinances and found it to be a little ambiguous. There are about three things that the code says an emergency ordinance cannot be used for, and this is not one of them. He believes this situation could be considered an emergency; the skiers that spent a lot of money to go to the other locations in Alaska kind of have an emergency.

POOR, former head of the Juneau Chamber of Commerce, said people want to come here to spend money and it's nuts to turn them away. "An economic development manager for Haines will have a nightmare with some of these attitudes."

MAYNARD believes limiting the heliski operators' business is no different than restricting the person that sells firewood to only 75% of their potential. He said these are people contributing significantly to the local economy by paying fuel taxes, permit fees, meals, lodging, etc. He added that if the clients are sent away early, his reaction will show in how he votes this year.

SHOOK said the borough must start promoting tourism. These are people who want to come to Haines and spend money. Taxes are going up, and the borough should encourage visitors. He acknowledged that there are some people who don't care if tourism dies.

HEINZ, President of the Haines Chamber of Commerce, read a letter on behalf of the Board of Directors asking the assembly to adopt the emergency ordinance. It is imperative for the local economy. He noted that he is also appearing as a concerned citizen.

J.TOWN spoke in favor of the heliski ordinance. She said the message is getting out there that Haines is the place to be when it comes to skiing. "We shouldn't turn people away."

TENGS said it is a matter of life and death to her business to have the skiers here. She really hopes the borough assembly doesn't "blow it."

STUDLEY said there are some businesses that are really hurting because of lack of commerce. The borough needs to help the businesses to thrive, including the heliski industry. This activity can bring a lot of money into this community. He asked the assembly to support a way that business can grow.

NORTON spoke to a different issue. He would like to see the \$50,000 in energy grant funds go to exploration of other lake-based energy options for the area.

GONCE spoke in support of the heliskiing industry and added that there are many cases where industry regulates itself, and he believes this one can. The operators are trying diligently to do what's right by coming to the assembly with this.

LONG supports the emergency ordinance. He worked elbow to elbow this year with "these people" who are spending a bunch of money and loving Haines. He noted that he has never seen a business that is regulated as much as this one. It's not a lucrative industry---it's dependent on weather, there are long hours, and there is a lot of hard work just to make ends meet and build the business. The borough should not limit their growth but support the industry to its full potential.

HIRSCH also supports the heliskiing ordinance. He added that he, too, is concerned that the school superintendent failed to put in a request for maintenance grant funding, and now the borough wants to raise taxes on top of it.

Hearing no other public comments, the mayor thanked the audience for the courtesy she observed.

6. MAYOR'S COMMENTS/REPORT

Mayor **HILL** said Haines citizens are passionate. When contentious issues come up, sometimes people get worked up and respect goes out the window. However, she expects common courtesy and

respect. She noted that in the last couple of days, she has had 42 phone messages and many emails pertaining to the emergency ordinance. The messages and calls are never a problem, because she wants to be accessible and wants all citizens to feel free to contact her. However, she draws the line when citizens are disrespectful. She informed that email becomes part of the public record and, had she authored some of the emails she received, she would be embarrassed for herself. She keeps those messages. It's okay to disagree; checks and balances are important, but she will always demand respect. She said citizens need to think twice before making disparaging comments about not trusting the elected officials and accusing them of "making end runs around code" or being stupid if they make certain decisions, etc. She said she would never say those things to any person. She will treat the citizens with respect and asks the same in return. She has never closed her door to anyone or hung up the phone or deleted an email because she disagrees with the sentiments. The audience applauded the mayor's comments.

The mayor went on to say that the assembly has rules to follow, as well. The code allows members to speak two times to an issue for a total of ten minutes, and she plans to enforce the rules.

HILL thanked everyone for coming to the meeting and making comments.

Motion by **ROSSMAN**: Suspend the rules in order to address the emergency ordinance 09-04-205 at this time out of respect for those present in the room. It was seconded by **LAPP**.

VICK said he is against this motion because he needs a little more time to mull over the issue; he is not ready to vote. His preference is to leave the agenda as is.

The motion failed 2-4 with **SMITH**, **LAPHAM**, **OLERUD**, and **VICK** opposed.

7. PUBLIC HEARINGS

A. Community Development Block Grant (CDBG)

Mayor **HILL** opened the public hearing at 7:24pm.

SCOTT expressed appreciation to Haines Assisted Living, Inc. for working toward a state-of-the-art building. **STUDLEY** said the project is going well, and Dawson Construction is two months ahead of schedule. He noted that the CDBG funds are spent.

Hearing no further comments, the mayor closed the public hearing at 7:25pm. There were no comments by the Borough Assembly.

B. Ordinance 09-03-200 - Second hearing

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

Mayor **HILL** opened and closed the public hearing at 7:27pm; there were no public comments.

Motion by **LAPHAM**: Adopt Ordinance 09-03-200. It was seconded by **ROSSMAN**.

OLERUD said he reviewed the Administration Building remodel plan, and it involves more than he expected.

Motion to Amend by **OLERUD**: Amend Ordinance 09-03-200 by removing the \$75K for the Administration Building remodel. It was seconded by **LAPP**.

BOLEN said he was actually going to request withdrawal and has no objection. It may be revisited later.

The amendment motion carried unanimously.

The main motion carried unanimously in a roll call vote.

C. Ordinance 09-03-201 - First hearing

An ordinance of the Haines Borough amending borough code Title 18 Chapter 100 to update and clarify subdivision regulations.

Mayor **HILL** opened and closed the public hearing at 7:30pm; there were no public comments.

Motion by **LAPHAM**: Advance Ordinance 09-03-201 to a second public hearing on April 28, 2009. It was seconded by **LAPP**. The motion carried unanimously.

8. STAFF REPORTS

A. Borough Manager

The manager summarized his written report that provided an update on various projects, activities, and departmental issues.

OLERUD reported that the Waterfront Improvement Committee met and unanimously approved Concept 3 for the PC Dock plan. In fact, everyone was very excited to see the project moving forward. **BOLEN** said the Tourism Advisory Board also made a unanimous recommendation for Concept 3. He briefly described the concept for the assembly and audience and noted that there is ample grant and head tax funding to pay for the project. The Planning Commission did not forward a recommendation to the assembly on this. **OLERUD** asked the manager to explain the Planning Commission's concern. **BOLEN** said one commissioner thought it was ludicrous to spend money on tourism-related infrastructure period and the other was opposed to losing a place to push snow. **SMITH** asked if the

facilities will be available for the public. **BOLEN** said most definitely during the summer season. Off season, the plan is to have them closed so they don't have to be heated.

Motion by **LAPP**: Move forward with Concept 3 for the Port Chilkoot Dock improvement. It was seconded by **VICK**. It carried unanimously.

- * 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 on 4/7 to talk about the Delta Western property exchange request, and they do not recommend it. The committee is concerned about inheriting contamination problems and the potential for the State to change the configuration of that intersection. Additionally, the total acreage is disparate. The borough is better off keeping the Lutak uplands property.

- 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 reviewed the March 2009 municipal energy bill with the assembly.

- * N. Service Area Boards

10. **OLD BUSINESS** - None

11. **NEW BUSINESS**

A. Resolutions

1. Resolution 09-04-160

A Resolution of the Haines Borough Assembly endorsing the Haines Borough's application to have the Historic Dalton Trail placed onto the National Historic Trail Register, and for related purposes.

Motion by **ROSSMAN**: Adopt Resolution 09-04-160. It was seconded by **LAPP**.

LAPHAM asked if this designation would prevent commercial use of that corridor such as logging or mining. **ROSSMAN** responded that he understands it won't and will open up grant funding opportunities for road improvements. **HILL** said the borough will monitor it during the application process. **BOLEN** agreed and said it will be researched. If there are any implications, he will bring them to the assembly's attention.

The motion carried unanimously in a roll call vote.

2. Resolution 09-04-161

A resolution of the Haines Borough Assembly accepting a grant from the State of Alaska Division of Homeland Security and Emergency Management (DHS&EM) and for related purposes.

Motion by **LAPP**: Adopt Resolution 09-04-161. It was seconded by **LAPHAM**. The motion carried unanimously in a roll call vote.

B. Ordinances for Introduction

1. Ordinance 09-04-202

An ordinance of the Haines Borough amending borough code Title 18 Section 18.70.040 Zoning Use Chart, to add guest house and multiple single family residence uses to the zoning use chart.

Motion by **OLERUD**: Introduce Ordinance 09-04-202 and set a first public hearing for April 28, 2009. It was seconded by **LAPP**. The motion carried unanimously.

2. Ordinance 09-04-203

An ordinance of the Haines Borough amending borough code Title 18 Section 18.80.030 Setbacks and Height, to clarify from where structure height is measured.

Motion by **LAPP**: Introduce Ordinance 09-04-203 and set a first public hearing for April 28, 2009. It was seconded by **LAPHAM**. The motion carried unanimously.

3. Ordinance 09-04-204

An ordinance of the Haines Borough amending borough code Title 18 Section 18.80.030 Setbacks and Height, to address road and utility easements within property lines.

Motion by **LAPP**: Introduce Ordinance 09-04-204 and set a first public hearing for April 28, 2009. It was seconded by **ROSSMAN**. The motion carried unanimously.

4. Ordinance 09-04-205

An emergency ordinance of the Haines Borough authorizing additional skier and photographer days for the 2009 heliski season.

Motion by **LAPHAM**: Adopt Emergency Ordinance 09-04-205. It was seconded by **LAPP**.

The mayor asked the manager to explain how the ordinance came about. **BOLEN** explained that earlier in the week, the borough received a request from one of the heliski operators for additional skier days. Discussions with the mayor and some of the assembly members, revealed a desire to figure out a way to address the request. This need for additional skier days was not a result of anything but the great weather and the fact that all the skier days had been used up. Historically, when a heliski operator has booked a group for a ten-day period, it is common to have half of those days end up as "down days" because of bad weather. This year weather has been great and fewer days have been down. He understands that some people are philosophically against heliskiing. This situation has happened through no fault or mismanagement of the operators. He believes it is good for the economy, and if there is a way to grant these extra skier days, the borough ought to try. When he went to Title 5, there was no provision to do this outside of a new ordinance which would take 6 weeks minimum. He also briefly thought that the operators might voluntarily exceed the days and pay the resulting fines but that was obviously not a desirable option. He then discovered the citation about the emergency ordinance and, in his view, and the view of others in the legal profession, it seemed to be the preferred---indeed the only---way to move forward. The code regarding emergency ordinances is worded vaguely enough to allow the assembly to make the determination whether there is an emergency or not. There are half a dozen recent instances where municipalities have passed emergency ordinances. A recent one was Juneau when they adopted one in order to reduce the sales tax on power bills due to the avalanche. That was clearly not a public health or safety issue. The emergency ordinance provision is for those times when the assembly decides that it is important to act quickly. As former mayor **CASE** said during public comments, the code provides specific examples of what an emergency ordinance cannot be used for. An emergency ordinance is to be used to remedy a situation that requires a timely decision. He believes this is

appropriate and is not a subversion of the public process. It is actually a part of the public process for special situations. It's up to the elected officials to decide whether or not this situation is special enough.

SMITH asked what legal counsel he referred to. **BOLEN** said he took the liberty of contacting the attorney the assembly is planning to hire. That attorney provided the alternative ordinance. **ROSSMAN** said he feels uncomfortable with this process but also sees the economic benefit to the community. In his election campaign, he made it clear that he was in favor of more heliskiing and more skier days. He believes the attorney has made it clear that the definition of emergency is up to the assembly. He is not convinced that 400 additional days are needed, however.

Motion to Amend by **ROSSMAN**: Replace with the attorney-proposed version of the ordinance and amend Section 6 to reduce 400 skier days to 100 skier days. It was seconded by **OLERUD**.

LAPHAM said he would rather go with 200 days to make sure the operators have enough to finish the season. He does not want to risk having them come to the assembly a second time to ask for more. **BOLEN** explained that there are people who come to ski and there are photographers that bring film crews. "Skier day" means one client getting into the helicopter.

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

Motion to Amend by **LAPHAM**: Increase the 100 skier days to 200 skier days. It was seconded by **LAPP**.

LAPP clarified that this ordinance will not allow more time or more helicopters. It will just allow the operators to have more clients in their helicopters. The borough doesn't tell other businesses how many people they can put in their boat, bus, etc.

The amendment motion carried unanimously.

VICK asked **TRIMBLE** when SEABA realized it was running out of skier days. **TRIMBLE** responded that their season is planned out months ahead of time. Certain natural occurrences this year are causing them to get requests for bookings this late in the season, especially from Europe and Valdez. He doesn't want to turn business away and has told the prospective clients that he'll try. There are only a couple weeks left in the season. 97% of SEABA's clientele returns. Once people experience Haines, they

want to come back. SEABA is looking at new business for next year. **BOLEN** said his interpretation of this is that the emergency is that there is no ability to make a decision in a timely fashion without this ordinance. The code needs to provide the assembly with a way to address a situation like this. There is no ability to make a decision today without using this mechanism, because no other currently exists. It's the only way to address it. **ROSSMAN** said this will definitely need to be addressed during the summer. He noted for the audience's benefit that an emergency ordinance requires five votes to pass instead of the usual four. **OLERUD** said he has had a lot of calls and visits from citizens representing both sides of the issue. He is looking at the number of struggling businesses and also the borough's budget. He's not suggesting that more heliskiers are going to solve the economic situation but to turn away money when the borough spends thousands trying to attract visitors makes no sense. He's in favor of this ordinance, and he hopes the borough can get some more people coming to Haines.

SMITH said he thinks the main issue is the lack of a method to address this particular situation. He has a problem with the procedure and doesn't believe it classifies as an emergency. He is concerned that it will set a dangerous precedent and is wrong. There was a lengthy process to formulate the existing heliski regulations. Helicopters are an intrusive thing everywhere they go. In his opinion, the procedure is wrong, and he does not support it.

VICK said he supports the heliskiers and wants to see the skier days increase. However, he feels uncomfortable with the process and is grappling with how to vote on it. He believes in the intent of this but doesn't believe it is necessarily the right way to go about it. It's putting him in the position of being a bad guy.

ROSSMAN explained that this is not a permanent ordinance. It's meant to be temporary. **HILL** assured **VICK** and **SMITH** if there had been any other way to do this in a timely manner, they would have, but there is no other way to do this. The situation is not necessarily an emergency---it's the ordinance that is the emergency. This room is packed with citizens so she believes there has been public input and comment in addition to the many phone calls and emails. **She** does not believe it will set a precedent. The assembly needs to spend the next few months to fix the

things that are wrong in the code. There has never been a desire to circumvent the public process. The assembly needs to work on the code and its policies. This is a one-time fix to get through this season, but the assembly has a lot of work to do to avoid this situation in the future. **LAPHAM** agreed with the mayor and said this will not open the floodgates. In 2000, some local citizens did their protesting of cruise ships down by the docks and definitely did not put out the welcome mat. The ships did not return the next year. He doesn't want the assembly to pull the welcome mat out from under the heliskiers. The borough is shooting itself in the foot if this gets denied. It's not the way he would like to see this done, and he is committed to making sure the code gets addressed. "This won't happen again if the assembly works together to fix it for the future." **LAPP** said he looked for a different way to address this problem without an emergency ordinance. Unfortunately, the assembly failed to include in the code a provision for extending the days in situations like this. **VICK** asked what the other tour operators have to do to get an increase to their capacity. **COZZI** explained that the other tour operators can increase up to 24% without assembly approval. For more than that, they can come to the assembly and have it approved without an ordinance or even more than one meeting. She added that there was only one heliski operator when the code limit of 1000 skier days was adopted in 2005, and that operator consistently used all of the days. The following year, the assembly approved a second operator but did not increase the skier days.

The main motion carried 5-1 in a roll call vote with **SMITH** opposed.

C. Other New Business

1. Sales Tax Exemption Request

Motion by **OLERUD**: Grant sales tax exemption status to the Alaska Chilkoot Bear Foundation. It was seconded by **VICK**.

LAPHAM asked what the organization needs to buy or sell. **McDONOUGH** said office supplies along with fundraising items like t-shirts. Additionally, they plan to purchase concrete and lumber for signage.

The motion carried unanimously.

2. Borough Attorney Appointment

Motion by **OLERUD**: Appoint Michael Gatti as the Borough Attorney and authorize the borough manager to negotiate a contract for

legal services with Wohlforth, Johnson, Brecht, Cartledge, & Brooking. It was seconded by **LAPP**. The motion carried unanimously in a roll call vote.

3. Harbormaster Hire

Motion by **LAPP**: Authorize the borough manager to hire Christian Racich to be the harbormaster. It was seconded by **LAPHAM**. The motion carried unanimously in a roll call vote.

4. Library Totem Pole Project

Motion by **ROSSMAN**: Authorize the Library Board of Trustees to negotiate a contract with Jim Heaton to carve a totem pole for the library. It was seconded by **VICK**.

PALMIERI, Vice Chair for the Library Board, explained that the pole project is funded by grant monies and is not coming out of the library operating budget. The Chilkoot Indian Association identified carving as a life skill and the totem pole will allow a master carver and an additional carver to teach the skill to 3 or 4 youths or young adults.

The motion carried unanimously in a roll call vote.

5. 2009 Cruise Visitor Shuttle

Motion by **LAPHAM**: Authorize the borough manager to negotiate a contract with Southeast Backcountry Adventures to provide the 2009 cruise visitor shuttle service. It was seconded by **ROSSMAN**.

BOLEN will investigate whether or not this service can be funded with head tax monies.

The motion carried unanimously in a roll call vote.

6. Public Works Maintenance Materials - D-1, Sand, & Pit-Run

Motion by **OLERUD**: Authorize the borough manager to negotiate a contract with Southeast Road Builders to provide the 2009 D-1, Sand, and Pit-Run for use by Public Works not to exceed the amounts bid. It was seconded by **ROSSMAN**. The motion carried unanimously in a roll call vote.

7. A.E. Rogers Contract Amendment

Motion by **LAPHAM**: Authorize the borough manager to amend the A.E. Rogers contract to add \$3,630 to the price and to extend the contract term by 90 days. It was seconded by **ROSSMAN**. The motion carried unanimously in a roll call vote.

8. Advisory Board Appointments

Motion by **LAPHAM**: Confirm the mayor's appointment of Chris Schelb to the Planning Commission. It was seconded by **LAPP**. The motion carried unanimously.

12. CORRESPONDENCE

A. Borough Hiring Practices - Complaint from Brian Clay

The assembly made no comments.

13. SET MEETING DATES

The Commerce Committee will start working on revisions to Title 5 after the FY10 budget process is completed.

ROSSMAN wants action on the Scott McClintock Excursion Inlet survey issue. He wondered if the Commerce Committee should get involved. His suggestion is to contract with another surveyor to start over. **BOLEN** said the current budget would have to include money out of the lands fund for that purpose. He promised to try to get an estimate of the cost for redoing the survey. Legal proceedings against McClintock should take place concurrently.

The Union Negotiating Team will meet as soon as the manager receives word from the Union.

14. PUBLIC COMMENTS - None

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

Mayor **HILL** announced that the M/S Ryndam will dock in Haines on 5/25 and the borough leadership has been invited to participate in an environmental tour of the ship. The mayor asked the assembly members to let her know if they want to be included.

16. ADJOURNMENT - 9:52pm

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

ATTEST:

Janice Hill, Mayor

Julie Cozzi, Borough Clerk