
Haines Borough
Borough Assembly Meeting #168
December 8, 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 Janice **HILL** and Assembly Members Jerry **LAPP**, Joanne **WATERMAN**, Daymond **HOFFMAN**, Norman **SMITH**, Scott **ROSSMAN**, and Steve **VICK**.

Staff Present: Julie **COZZI**/Borough Clerk/Acting Manager, Gary **LOWE**/Chief of Police, Jila **STUART**/Chief Fiscal Officer, and Brad **MAYNARD**/Director of Public Facilities.

Visitors Present: Matt **HAWTHORNE**/CVN, Carolyn **WEISHAHN**, Pam **RANGLES**, Thom **ELY**, Roger **MAYNARD**, Don **TURNER III**, Jack **HODNICK**, Jack **WENNER**, Kip **KERMOIAN**, Patty **KERMOIAN**, Libby and Bill **KURZ**, Joe **POOR**, Scott **CAREY**, Eric **HOLLE**, Joe **ORDONEZ**, Sean **BROWNELL**, Nick **TRIMBLE**, Heidi **ROBICHAUD**, Sue **LIBENSON**, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA

Motion: **LAPP** moved to "approve the Agenda/Consent Agenda." There was no discussion, and the motion carried unanimously.

*** 4. APPROVAL OF MINUTES – 11/23 Regular; 12/1 Special**

5. PUBLIC COMMENTS

Several citizens spoke for and against the Ordinance 09-12-220 concerning heli-skiing.

WEISHAHN briefly summarized her written comments that included appreciation for the proposed new reporting requirements but disagreement with the other changes. **CAREY** echoed **WEISHAHN**'s comments. **HOLLE** agreed and said he would like to see a different kind of process that involves a review by all players. **K. KERMOIAN** joined in with the others' sentiments.

POOR sees benefit for Haines in increased tourism and advised against micro-managing this industry.

ELY is in favor of compromise and conciliation. He would like to see closer tracking and fines for violations and suggested an end-of-season lottery system for skier day allotments.

TRIMBLE said his company is trying to step forward and do the right thing and be allowed to grow as a company. They brought the new reporting ideas to the Commerce Committee.

B. KURZ agreed that private enterprise needs to be allowed to grow.

P. KERMOIAN is against the ordinance, as written, and mentioned the former 3rd class borough helicopter advisory vote.

R. MAYNARD is concerned about over-regulating private enterprise and likes the idea of increasing skier days.

ORDONEZ read his written comments against the proposed ordinance. He is opposed to noise pollution and erosion of lifestyle values. **ROBICHAUD** also spoke against it.

BROWNELL said the ordinance seems to be designed to give both parties something, and he expressed encouragement that if it is approached from both sides, progress may be made.

6. MAYOR'S REPORT/COMMENTS

HILL announced that the new Manager will be on the job January 11th. She extended a luncheon invitation to the assembly from Southeast Senior Services and encouraged attendance.

7. PUBLIC HEARINGS – None

8. STAFF REPORTS

A. Borough Manager

Former Interim Borough Manager, Bob Ward, had summated a written report prior to his departure. There was no discussion.

- * 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 and Labor Relations
- 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
- * N. Service Area Boards

10. **OLD BUSINESS** - None

11. **NEW BUSINESS**

A. Resolutions

1. Resolution 09-12-178

A resolution of the Haines Borough Assembly urging State of Alaska Representatives to support H.R. 2256, the "Preserving the American Historical Record" Act and requesting that once the Act is adopted, the funds be redistributed to local municipalities to meet the mandates of Alaska Statute 23.20.380.

Motion: WATERMAN moved to "adopt Resolution 09-12-178." There was no discussion, and the motion carried unanimously in a roll call vote.

B. Ordinances for Introduction

1. Ordinance 09-12-220

An ordinance of the Haines Borough amending Haines Borough code Title 5 section 5.18.080 to amend the heli-ski reporting requirements, add a preseason meeting requirement, and add a provision for additional skier days.

Motion: LAPP moved to "introduce Ordinance 09-12-220 and set a first public hearing for the next regular assembly meeting."

Discussion included reasons for the proposed ordinance amendments and the importance of the public process. It was stated that the borough is regulating permits, not airspace. Stipulations can be added to a permit.

Motion: WATERMAN moved to amend the proposed ordinance to maintain the original text in A(1)(b), A(8), and A(9); replace "the skiing activities" with "all landings and drop-offs of skiers and photographers" in A(7); change "1,000" to "1,200" in C(1); and strike C(1)(c). VICK moved to amend the amendment motion to add back in a C(1)(c) that allows a permittee to request, in writing, additional skier days from the assembly with approval being possible in one meeting.

After further discussion about the importance of public process, the amendment to the amendment motion, amendment motion, and main motion each carried unanimously.

C. Other New Business

*** 1. Liquor License Renewals**

The assembly had no objection to the following license renewal applications:

Hotel Halsingland
Mosey's Cantina

2. Advisory Board Appointments

Motion: **VICK** moved to "confirm the mayor's appointments to various boards and commissions," and the motion carried unanimously.

The following appointments were made:

Steve Vick – Chilkat Bald Eagle Preserve Advisory Council,
Libby Kurz - Fire Service Area #1 Board,
Bill Rostad - Boat Harbor Advisory Committee, and
Eric Holle – Energy Sustainability Commission.

3. PND Contract Amendment – Street Improvements, Phase 2

Motion: **ROSSMAN** moved to "authorize the manager to negotiate a contract amendment with PND Engineers to provide additional Street Improvements Phase 2 surveying and design services for an amount not to exceed \$31,340." The motion carried unanimously in a roll call vote.

4. PND Contract Amendment – PC Dock Waterfront Development, Concept 7

Motion: **LAPP** moved to "authorize the manager to negotiate a contract amendment with PND Engineers to prepare a Compensatory Mitigation Plan and provide design services for an amount not to exceed \$37,080."

After brief discussion about planning commission parking concerns, **B.MAYNARD** explained that the primary focus now is dealing with the permitting and rights-of-way issues. He explained the reason for the current parking plan and said we are under strict DOT guidelines.

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

5. Crystal Cathedrals Water & Sewer System (CCWSS)

Motion: **ROSSMAN** moved to "authorize the Crystal Cathedrals Water & Sewer System acquisition funding plan as presented by the Chief Fiscal Officer in the 12/8 memo to the assembly," and the motion carried unanimously in a roll call vote.

6. Grant Writer/Administrator – Job Description

Motion: **VICK** moved to "accept the grant writer/administrator job description as presented by the manager." Following a brief discussion about the new manager's grant-writing skills, the motion carried unanimously.

7. Request for Title III Forest Receipts Monies - Takshanuk Watershed Council

Motion: **VICK** moved to "authorize the appropriation of \$34,337 of the Title III Forest Receipts to Takshanuk Watershed Council to fund a forest ecology after-school program for the first six months of 2010."

Discussion included an explanation by **RANGLES** that the program is expanding, and the funds are also needed for a one-time expense of video editing equipment. The idea of trail rebuilding being worked into the program came up.

The motion carried unanimously in a roll call vote.

8. 2010 Federal and State Legislative Priorities – discussion item

After a very brief discussion, the assembly decided to schedule a committee-of-the-whole to deal with this issue with the goal of adopted a final list at the January 12, 2010 meeting.

9. Coeur Alaska/Kensington Mine - Local Hiring – discussion item

The mayor said Coeur Alaska with most likely make presentations in Haines in the near future, and she encouraged people to periodically check coeuralaska.com for job listing updates. The assembly discussed the best ways to communicate the borough's concern that people in the outlying communities need to have job opportunities with the Kensington Mine project if at all

possible, including housing options at the mine site. Some believe the company has been promising local and regional jobs for 20 years in exchange for support, and it's time to follow through. Some cautioned that the borough needs to tread carefully.

Motion: VICK moved to suspend the rules to move Item 14. Public Comments to this point in the agenda, ahead of the Executive Session, and the motion carried unanimously.

B. KURZ said he still maintains that the grant-writer position should not take money shifted from the Economic Development position. There were no other public comments.

10. EXECUTIVE SESSION – The Assembly, upon motion, will move into executive session to discuss a matter the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough (Cohen, et al. v. Haines Borough). AS 44.62.310(c)(1)

A discussion occurred regarding **HOFFMAN's** potential conflict. He chose to recuse himself from the executive session because of possible negative public perception if he attended.

Motion: WATERMAN moved to "go into executive session to discuss a matter the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough (Cohen, et al. v. Haines Borough) as provided by Alaska Statute 44.62.310(c)(1)." The motion carried unanimously.

Present: Mayor Hill, and Assembly Members Lapp, Waterman, Vick, Rossman, and Smith, and Borough Clerk/Acting Manager Cozzi. The executive session convened at 9:05pm and ended at 9:12pm. After the meeting reconvened, the assembly took no action as a result of the executive session.

12. CORRESPONDENCE

No discussion.

13. SET MEETING DATES

A. Second Assembly Meeting in December

The assembly decided to have a second December meeting on Tuesday, 12/29, at 6:30pm. Additionally, a committee-of-the-whole meeting was scheduled for 5:30pm ahead of the meeting to discuss the legislative priorities.

14. PUBLIC COMMENTS – moved ahead of the Executive Session

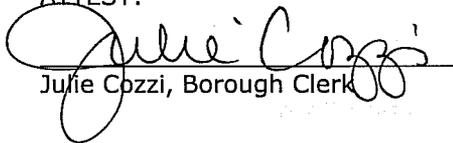
15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

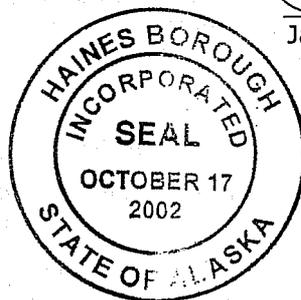
WATERMAN said she is happy to be on the assembly and thanked her fellow members for their hard work.

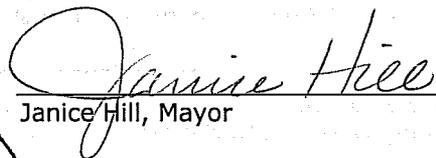
16. ADJOURNMENT – 9:20 p.m.

Motion: WATERMAN moved to adjourn the meeting, and the motion carried unanimously.

ATTEST:


Julie Cozzi, Borough Clerk




Janice Hill, Mayor