

Haines Borough
Borough Assembly Meeting #181
June 22, 2010



Approved

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

2. **ROLL CALL**

Present: Mayor Jan **HILL**, Assembly Members Jerry **LAPP**, Daymond **HOFFMAN**, Norm **SMITH**, Scott **ROSSMAN**, Joanne **WATERMAN** and Steve **VICK**.

Staff Present: Mark **EARNEST**/Borough Manager, Jamie **HEINZ**/Deputy Clerk, Jila **STUART**/Chief Fiscal Officer, Brad **MAYNARD**/Director of Public Facilities, Jerrie **CLARKE**/Museum Director and Gary **LOWE**/Chief of Police.

Visitors Present: Thomas **MORPHET**/CVN, Bill **KURZ**, Les **HOSTETLER**, Kimberly **STRONG**, Evangeline **WILLARD-HOY**, Brian **WILLARD**, Kelly **LOWE**, Helen **MOONEY**, Stanley **MAZAIKAS**, and others.

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

11C2 - Reconsideration of Ordinance 10-04-226 (FY 11 Budget) was added to the agenda at **ROSSMAN**'s request.

Motion: **LAPP** moved to "approve the Agenda/Consent Agenda, as amended" and the motion carried unanimously.

* 4. **APPROVAL OF MINUTES** - Regular: 6/8

5. **PUBLIC COMMENTS**

MAZAIKAS requested a public hearing for consideration of an ordinance amending liability insurance amounts for taxi and tour operations.

HOSTETLER spoke as a volunteer of the Southeast Alaska State Fair and gave a status report on the Southeast Alaska State Fair's progress with funding appropriation. He also explained that the Southeast Alaska State Fair Board has requested additional funds for the project from the Rasmuson Foundation.

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

Mayor **HILL** said she is enjoying her time on Wednesdays greeting the cruise ships.

She also spoke about the well attended Alaska Pipeline Meeting and explained that she was pleased with the information presented and questions asked by those attending the meeting.

Thanked Jerrie **CLARKE** for being the designated as leader of the centennial committee and commended Jila **STUART** for her work on the banners.

HILL encouraged the public to plan on a float for the Fourth of July parade; since the fireworks were doubled, it would be great if the parade was doubled as well. She explained that the Fourth of July festivities will be the kickoff for centennial celebrations.

7. **PUBLIC HEARINGS**

A. **Commercial Taxi/Tour Permit - New for 2010**

Transportation originating in the Haines Borough - Jilkaat Kwaan Cultural Tours, LLC

Motion: **LAPP** moved to "authorize the borough clerk to process the Jilkaat Kwaan Cultural Tours, LLC application and, if everything is in order, issue a 2010 commercial tour permit."

The mayor opened the public hearing at 6:40pm.

STRONG thanked the assembly for making the motion and said that she felt the tour would make a good addition to the tours available to the cruise ship passengers.

Closed the public hearing at 6:42

During discussion, the assembly asked that the names of the principals of the company would be ascertained prior to permit issuance.

The motion carried unanimously in a roll call vote.

B. Ordinance 10-05-232 – Third Public Hearing

An ordinance of the Haines Borough amending Haines Borough Code Title 8, Section 8.16.025(A) to permit fireworks use at Borough port facilities by licensed pyrotechnicians under contract to the Borough.

The mayor opened and closed the public hearing at 6:45pm; there were no comments.

Motion: **ROSSMAN** moved to “adopt Ordinance 10-05-232,” and the motion carried 5-1 with **SMITH** opposed.

During Discussion **LOWE** explained that the fire chief will present a safety plan and the fire and police departments will enforce the plan as well as the laws. He pointed out that this location will be safer because of the ability to block off the portion of the dock where the fireworks will be set off.

8. STAFF REPORTS

A. Borough Manager

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

- Emerson Field Property Acquisition
- Haines Borough Street Improvements – Phase 2
- Portage Cove Harbor Improvements Project – Remaining Construction Items
- Lily Lake Water Line Replacement Project
- Contract Assessor RFP
- Borough Capital Project Update

In addition to his written report, **EARNEST** gave a status of the school building demolition project, the Excursion Inlet surveying project and successor leases with Delta Western.

He also explained that the stock piled gravel is for a project DOT is working on for the Borough.

LAPP pointed out that a contract with the dump is terming and will need to be addressed in the near future.

VICK said that he was pleased with the look of the town for the Kluane Chilkat International Bike Race.

MAYNARD gave a Safe Routes to School update, explaining that the DOT is working with AP&T to have the flashing lights moved to Haines Highway and that the project clerk is working on designating pathways. He said that there would be another meeting in a week following up on the pathways.

HILL thanked the Chief of Police for the lights for bicycles.

LOWE explained that bicycles with motors on them were legal and didn't require licenses if they were less than 50cc. He explained that all bikes have to follow rules of the road.

- * 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 10-06-211**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a professional services contract with Haines Animal Rescue Kennel to provide animal control services for an amount not to exceed \$47,344.

Motion: **ROSSMAN** moved to "adopt Resolution 10-06-211," and the motion carried unanimously in a roll call vote.

During discussion, it was noted that this is an annual contract and the budget would need to be amended to account for the increase. It was asked if the community funding appropriation could be used to offset the increase. **MOONEY** explained that the appropriation was granted for a specific project and that the increase in the contract amount is for wages for positions outlined by borough code.

2. **Resolution 10-06-212**

A Resolution of the Haines Borough Assembly accepting a grant offer entitled Lily Lake Water Line Replacement (MMG# 39539) of up to \$1,085,000 from the State of Alaska, Department of Environmental Conservation.

Motion: **LAPP** moved to "adopt Resolution 10-06-212," and the motion carried unanimously in a roll call vote.

B. **Ordinances for Introduction** - None

C. **Other New Business** -

1. **Reconsideration of Resolution 10-06-209 – Bear Trails LID**

A resolution of the Haines Borough Assembly declaring the intention to create Bear Creek Trails Local Improvement District for the purpose of providing municipal water service including fire hydrants.

Motion: **LAPP** moved to "reconsider the 6/8 motion to adopt Resolution 10-06-209," and the motion carried unanimously.

The effect of the passage of this motion puts the motion to "Adopt Resolution 10-06-209" on the floor and opens it for discussion.

EARNEST explained the code requirement for public notice had not been met with the language in the resolution. He also expressed concerns regarding a misinterpretation of the code resulting in the petitioners being told that borough would be paying 50% of the costs; he explained that it was necessary to get corrected information to the petitioners. **EARNEST** also explained that he would like additional time to look into the scope of the project as there was a potential to cover three times the number of properties with twice the pipe which would be a cost savings of the overall project.

The motion failed with **WATERMAN, LAPP, SMITH, ROSSMAN, VICK** and **HOFFMAN** opposed.

2. **Reconsideration of Ordinance 10-04-226 – FY11 Budget Ordinance**

An ordinance of the Haines Borough providing for the establishment and adoption of the budget of the Haines Borough for the period July 1, 2010 through June 30, 2011.

Motion: **VICK** moved to "reconsider the 6/8 motion to adopt Ordinance 10-04-226," and the motion carried unanimously.

The effect of the passage of this motion puts the motion to "adopt Ordinance 10-04-226" on the floor and opens it for discussion.

Amendment Motion: **VICK** moved to "amend Ordinance 10-04-226 by funding the Southeast Alaska State Fair's \$175,000 appropriation for the renovation of Harriett Hall as follows: \$87,500 from the tourism/economic development fund, \$87,500 general fund," and

ROSSMAN expressed concern that there is no contingency on the appropriated funding -- wants it to be restricted so that the work has to be bid out. **EARNEST** pointed out it would be up to the non-profit's procurement process. **HOFFMAN** said that without the requirement to bid out, they can line up some in-kind work. **ROSSMAN** pointed out that the borough never spends this amount of money without going through the bidding process and feels that is the fair way. **LAPP** pointed out that code says the borough spends public funds. **HOSTETLER** explained that the fair has every intention of putting the project out to bid and will retain the capability of receiving in-kind services. He reiterated the Fair's plan to seek the remaining needed funding and agreed that it is public money and the borough should have access to all invoices. He expressed concern with being held to borough requirements because of the requirement to pay Davis Bacon wages. **VICK** asked if the fair would be willing to continue status reports on the project. **HOSTETLER** said they would and explained that the work wouldn't be done until August. He also explained that they intend on using local contractors.

The motion carried with **ROSSMAN** and **WATERMAN** opposed.

Main Motion: To "adopt Ordinance 10-04-226 as amended," carried with **ROSSMAN** opposed.

12. CORRESPONDENCE - None

13. SET MEETING DATES - None

14. PUBLIC COMMENTS - None

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

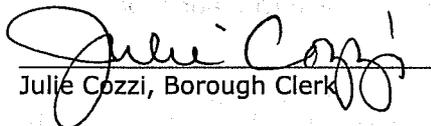
VICK reminded the Assembly that he would be leaving July 5th and gone for the month July and half of August. He also pointed out a spreadsheet in ESC coordinator's report tracking locations and energy reductions. He commended the Museum for significant decreases.

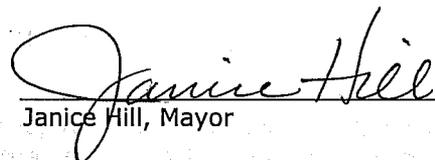
CLARKE explained that they noticed big drop after the T8 lights were installed.

16. ADJOURNMENT - 7:37 p.m.

Motion: **LAPP** moved to "adjourn the meeting," and the motion carried unanimously.

ATTEST:


Julie Cozzi, Borough Clerk


Janice Hill, Mayor