

Haines Borough
Borough Assembly Meeting #189
November 9, 2010

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 Jerry **LAPP**, Daymond **HOFFMAN**, Greg **GOODMAN**, Scott **ROSSMAN**, Joanne **WATERMAN**, and Steve **VICK**.

Staff Present: Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Brad **MAYNARD**/Director of Public Facilities, Gary **LOWE**/Chief of Police, Jila **STUART**/Chief Fiscal Officer, Ed **BARRETT**/Harbormaster, Patricia **BROWN**/Library Director, and Stephanie **SCOTT**/Energy Coordinator.

Visitors Present: Krista **KIELSMEIER**/CVN, Libby & Bill **KURZ**, Janet **KURZ**, Fred **GRAY**, Don and Karen **HESS**, Evangeline **WILLARD-HOY**, Roger **MAYNARD**, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA

Motion: **LAPP** moved to "approve the Agenda/Consent Agenda," and it was amended to remove Item 11C1 from the Agenda and remove Item 9G from the Consent Agenda. The motion carried unanimously.

*** 4. APPROVAL OF MINUTES – Regular: 10/12 and 10/26**

5. PUBLIC COMMENTS

SCOTT made a few comments about Item 10A. The Borough needs formal policies for energy efficiency and conservation. The Energy Sustainability Commission hopes the assembly will adopt the guidelines and work with that group to establish a program allowing employees to benefit from efforts to conserve and also to dedicate a portion of the borough's budget to energy conservation efforts.

6. MAYOR'S REPORT/COMMENTS

Mayor **HILL** said she and **VICK** recently spent a rewarding time with the sixth grade class. They invited the class to attend a future assembly meeting. Next week is the Alaska Municipal League Conference in Juneau. She suggested moving the 11/23 assembly back one week to 11/30, and there was no objection. The Heliskiing Work Group had its first meeting, and it went well. She is very encouraged that it will result in a good product. The group plans to meet fairly frequently over the next two months.

7. PUBLIC HEARINGS

A. Ordinance 10-10-242 – second Hearing

An ordinance of the Haines Borough amending Haines Borough Code Title 5, to enlarge the waiting period for persons who have had a commercial tour permit suspended or revoked from one year to two years and to apply the two year waiting period to persons whose application for a commercial tour permit has been denied and to revise the commercial tour permit application fees.

The mayor opened and closed the public hearing at 6:40pm; there were no public comments.

Motion: **LAPP** moved to "adopt Ordinance 10-10-242." The ordinance was amended to "substitute a new draft" proposed by the borough attorney and again amended to advance the ordinance to a 3rd public hearing on 11/30/10" The motion carried unanimously.

During discussion, the assembly expressed concerns with making the code too tight. The way this ordinance is currently worded, a reputable person would not be able to apply for a new permit for two years if their first good faith attempt failed for some reason. They should be able to come back with a new idea. Staff will work with the borough attorney to adjust the wording.

B. Ordinance 10-05-229 – first hearing

An ordinance of the Haines Borough amending Haines Borough Code, Title 2, Section 2.68, to amend and clarify the Borough's Election procedures.

The mayor opened and closed the public hearing at 7:09pm; there were no public comments.

Motion: **VICK** moved to "advance Ordinance 10-10-244 to a second public hearing on 11/30/10." The ordinance was amended to "substitute a new draft" proposed by the borough clerk." The motion carried unanimously.

C. Ordinance 10-10-244 – first hearing

An ordinance of the Haines Borough amending Haines Borough Code, Title 3 to add Chapter 3.100 to levy a fuel transfer tax.

The mayor opened the public hearing at 7:12pm;

GRAY expressed frustration that the borough has taken so long to address the lease. He believes this is a punitive tax. There are many things that leave Haines to be sold elsewhere, so everyone should be taxed to make it a level playing field. He believes this tax would basically shut down their export business. It is important for the borough, because it spreads out Delta Western's overhead costs.

Hearing no further comments, the Mayor closed the public hearing at 7:17pm.

Motion: **WATERMAN** moved to "advance Ordinance 10-10-244 to a second public hearing on 11/30/10," and the motion carried 5-1 with **GOODMAN** opposed.

During discussion, a concern was expressed that this tax would translate into higher fuel prices for the public. The manager said he hired Northern Economics to prepare a survey of related taxes in other communities. It's important to look at the costs for the dock and set aside a fund for major maintenance of that facility. It could be based on user fees or left to the general public to deal with in the next generation or two. He prefers a balanced approach that addresses those needs today. The borough is not currently even covering its current operations. He will be meeting with the president of Delta Western, and she is planning to attend the 11/30 assembly meeting.

D. Ordinance 10-10-245 – first hearing

An ordinance of the Haines Borough amending the Port of Haines Terminal Tariff No. 3 to increase wharfage rates for fluid transport.

The mayor opened and closed the public hearing at 7:22pm; there were no public comments.

Motion: **WATERMAN** moved to "advance Ordinance 10-10-245 to a second public hearing on 11/30/10," and the motion carried 4-2 with **ROSSMAN** and **GOODMAN** opposed.

During discussion, **EARNEST** explained there would be three revenue sources for the dock: tariff, supplemental rent and, if adopted, the new transfer tax. The transfer tax would be exempt in Haines where sales tax applies and is less than the sales tax rate. There is a certain impact when the fuel is moving through the community. The supplemental rent is not a part of these two ordinances; it is being dealt with separately as part of the lease.

E. Ordinance 10-10-246 – first hearing

An ordinance of the Haines Borough amending Haines Borough Code 2.08.040 and 2.16.070 to revise the compensation amounts for the assembly members and mayor.

The mayor opened and closed the public hearing at 7:25pm; there were no public comments.

Motion: **WATERMAN** moved to "advance Ordinance 10-10-246 to a second public hearing on 11/30/10," and the motion carried 4-2 with **ROSSMAN** and **GOODMAN** opposed.

During discussion, the assembly expressed concern that the ordinance does not address compensation for consecutive meetings. Staff will prepare an amendment for the next meeting.

8. STAFF REPORTS

A. Borough Manager

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

- Crystal Cathedrals Update
- Commercial Ski Tour and Commercial Recreation Zoning Ordinances
- Fuel Transfer and Port Tariff Ordinances
- Comprehensive Plan Update
- Delta Western Lease Update
- Picture Point Negotiations
- Positions: Tourism Director, Assistant Assessor, and System Administrator
- Assembly Health Insurance
- Emerson Field Discussion

*** B. Borough Clerk**

C. Chief Fiscal Officer

STUART distributed and summarized a Preliminary Revenue & Expenditures report by Fund and by Category.

- * **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**
 - * **1. Records of Decision re. Rezoning Ordinance**

* **F. School Board**

- G. Chilkat Center Advisory Board** (this item was removed from the consent agenda)

VICK noted the letter from the Chilkat Center Advisory Board regarding the failing roof and other issues. He wondered if the Borough could get a grant for the repairs. **EARNEST** explained that staff is putting together a borough-wide facility assessment plan that will be part of the comprehensive plan. Borough-wide, there are many facility needs, and this assessment plan will enable the borough to prioritize the projects. He explained that traditional funding levels have decreased significantly in recent years. It will take the right appeal to private foundations and other entities, and the borough will probably have to pony up some money to show commitment to this facility. He believes it's a tall mountain to climb, but the borough needs to try. He will report back to the assembly with a cost estimate to repair the roof.

- * **H. Parks & Recreation Advisory Board**
- * **I. Tourism Advisory Board**
- * **J. Boat Harbor Advisory Committee**
- * **K. Public Safety Commission**
- * **L. Service Area Boards**
- * **M. Ad-Hoc Boards & Committees**

10. OLD BUSINESS

A. ESC Recommendations for an Energy Conservation Guide for Borough Employees

SCOTT spoke in favor of the Guide prepared by the Energy Sustainability Commission. She opined that the Borough needs to adopt this as policy to provide incentive for the borough employees to conserve energy; policies have more teeth than guidelines. There should be ability for management to comment on conservation efforts in an employee's performance evaluation.

EARNEST agrees with everything in the Guide, but believes the information should be treated as guidelines rather than policies. Education efforts would continue and, the employees would be encouraged to follow the guide. The assembly discussed a possible resolution that would address the guidelines and the assembly's support of them. Additionally, they would like education efforts to continue both for the employees and the general public. **SCOTT** agreed to convert the proposed Energy Conservation Guide into an informational pamphlet, and **EARNEST** will bring a resolution to the 11/30 assembly meeting.

11. NEW BUSINESS

- A. Resolutions - None**
- B. Ordinances for Introduction**
 - 1. Ordinance 10-11-247**

An ordinance of the Haines Borough amending Haines Borough Code, Title 18, Sections 18.100.030, 18.100.035, 18.100.085 and 18.20.020 to clarify the utility requirements and procedures pertaining to short plats.

Motion: **LAPP** moved to "introduce Ordinance 10-11-247 and set a first public hearing for 11/30/10," and the motion carried unanimously. There was no discussion.

2. Ordinance 10-11-248

An ordinance of the Haines Borough adopting a new water-sewer rate schedule to set rates, fees and charges for water and sewer services.

Motion: LAPP moved to "introduce Ordinance 10-11-248 and set a first public hearing for 11/30/10," and the motion carried unanimously.

During discussion, **STUART** explained the proposed rate increases.

C. Other New Business -

*** 1. Advisory Board Appointments**

This item was removed during approval of the agenda.

12. CORRESPONDENCE

- **Comments re. Ord. 10-10-243 (tour permit fees & waiting period) - Hedden**
- **Comments re. Ord. 10-10-243 (comm. Skiing) - Ely**

There was no discussion.

13. SET MEETING DATES

The Commerce Committee will meet at 5:30pm on 11/30/10 to discuss the proposed port tariff change, the proposed fluid transport tax, and the Delta Western Lutak Uplands lease.

14. PUBLIC COMMENTS - None

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

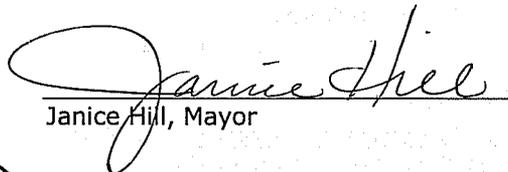
HOFFMAN referred to the most recent D.C. lobbyist report regarding a genetically altered salmon. It was agreed by all that a resolution opposing it should be on the 11/30 agenda. He also said he would like to have a discussion on the possibility of a deputy manager or an executive assistant to help out the manager.

GOODMAN would like the assembly to consider disbanding the Public Safety Commission.

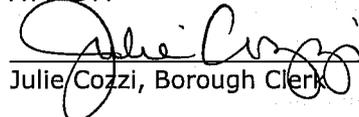
LAPP observed that if the assembly meetings were shorter, the Borough could save more energy.

16. ADJOURNMENT - 9:16 p.m.

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


Janice Hill, Mayor

ATTEST:


Julie Cozzi, Borough Clerk

