

  
**Haines Borough**  
**Borough Assembly Meeting #200**  
**April 26, 2011**  
**MINUTES**

**Draft**

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **HILL** called the meeting to order at 6:55 p.m. at the Sheldon Museum and led the pledge to the flag.

2. **ROLL CALL**

**Present:** Mayor Jan **HILL**, and Assembly Members Jerry **LAPP**, Scott **ROSSMAN**, Joanne **WATERMAN**, Steve **VICK**, Greg **GOODMAN**, and Daymond **HOFFMAN**. **Absent:** None.

**Staff Present:** Mark **EARNEST**/Borough Manager, Julie **COZZI**, MMC/Borough Clerk, Jila **STUART**/Chief Fiscal Officer, Ed **BARRETT**/Harbormaster, Jerrie **CLARKE**/Museum Director, Tanya **CARLSON**/Tourism Director, and Gary **LOWE**/Chief of Police.

**Visitors Present:** Krista **KIELSMEIER**/CVN, Roger **MAYNARD**/Haines News, Tara **BICKNELL**/KHNS, Debra **SCHNABEL**, Joe **ORDONEZ**, Kelly **LOWE**, Paul **NELSON**, Glenda **GILBERT**, Dave **PARKS**, Thom **ELY**, Parker **SCHNABEL**, Joe and Holly **PARNELL**, Noble and Julie **ANDERSON**, Frankie **PERRY**, Laura **DUDZIK**, Bart **HENDERSON**, Mike **DENKER**, Shane **HORTON**, Ned **ROZBICKI**, and others.

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

**Motion:** **LAPP** moved to "approve the Agenda/Consent Agenda," amended to remove 11C4, and the motion carried unanimously.

\* 4. **APPROVAL OF MINUTES** – Regular: 4/12/11

5. **PUBLIC COMMENTS**

**CLARKE** welcomed the officials to the Museum and said she has wanted to have an assembly meeting at the Museum since she became Director four years ago. She briefly explained the Museum's current activities and encouraged everyone to look around. Use of the museum building is provided at no charge to non-profit organizations. Many groups and individuals utilize the facility for various events and activities, including school groups.

**DUDZIK** spoke in support of keeping the Chilkat Center and asked the assembly to upgrade the property and make the much-needed repairs. She hopes that facility will be included in the Comprehensive Plan. It could be utilized much more in the future and deserves to be maintained.

**NELSON** asked who the assembly thinks it represents and read aloud the oath of office the elected officials take. All political power and government should start with the people, and he asked the assembly to listen to them when making decisions.

**DENKER** supports the proposed bike month proclamation. Regarding closing off a portion of Main Street for the first cruise ship, he believes it's a great idea. It should be a pedestrians-only area and could have flower planters, picnic tables, local musicians, etc.

**ELY** asked the assembly and manager to pay closer attention to enforcing borough code. It's a disservice to the citizens not to be more responsive to infractions. There seems to be a lackadaisical attitude.

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

The mayor thanked the museum board and staff for hosting this meeting and also providing food.

**HILL** said the Washington D.C. trip was worthwhile and the discussions were optimistic. She is encouraged even in these tough times. The manager will provide more information during his report.

Wearing a bicycle helmet for emphasis, the mayor read a proclamation establishing May 2011 as Haines Borough Bike Month. She presented it to **EARNEST** who is part of a bicycle enthusiasts club.

7. **PUBLIC HEARINGS**

A. **Commercial Tour Permit – New Activity** – Rainbow Glacier Adventures

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

**ORDONEZ** said Holly Parnell will be the lead guide, and Parker Schnabel is at this meeting representing the Gold Nugget Mine. The timing is good for this Porcupine tour and he asked for assembly approval.

**P. SCHNABEL** said it is a good time to get into the gold tour business with the popularity of Gold Rush Alaska.

Hearing no further comments, the mayor closed the public hearing at 7:14pm.

**Motion:** **ROSSMAN** moved to "authorize the addition of the new Porcupine Gold Tour to the list of permitted Rainbow Glacier Adventures tour activities effective with the 2011 permit," and the motion carried unanimously in a roll call vote.

**B. Ordinance 11-02-255** – fourth hearing

**An Ordinance of the Haines Borough Assembly amending the Port of Haines Terminal Tariff No. 3 to increase demurrage, dockage and wharfage rates and to allow for special use agreements at the Port Chilkoot Dock lightering facility.**

The mayor opened the public hearing at 7:16pm.

**PARKS** spoke against the ordinance saying it will ensure that almost everything in Haines will cost more. He doesn't understand how raising the rates to be the highest in Southeast will attract new business.

**NELSON** said the Skagway rates are far below Haines, and he asked the assembly not to adopt the ordinance. The borough should help the cost of living go down.

**ROZBICKI** appreciated the work the assembly does and asked them to do their best to do more with less. If Haines is trying to be competitive with its deep water port, then the rates need to be competitive. He asked them to reevaluate whether it is in the best interest of the community to adopt this ordinance.

Hearing no further comments, the mayor closed the public hearing at 7:20pm.

**Motion:** **VICK** moved to "adopt Ordinance 11-02-255," and the motion carried 4-2 in a roll call vote with **ROSSMAN** and **LAPP** opposed.

During discussion, **ROSSMAN** asked if it is possible to amend the ordinance later following a commerce committee discussion to consider logs and garbage. [yes] He also doesn't understand why the rates have to be ramped up over the next five years and would like to see them frozen at the 2011 amount.

**C. Ordinance 11-03-259** – second hearing

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 changing relief from the building separation requirement from a variance to a conditional use permit and requiring elevation drawings to be submitted with land use permit applications.**

The mayor opened and closed the public hearing at 7:23pm; there were no public comments.

**Motion:** **WATERMAN** moved to "adopt Ordinance 11-03-259," and the motion carried unanimously in a roll call vote. There was no discussion.

**D. Ordinance 11-02-254** – second hearing

**An Ordinance of the Haines Borough Assembly amending Haines Borough Code Section 3.70.050 to clarify mobile home registration requirements.**

The mayor opened and closed the public hearing at 7:24pm; there were no public comments

**Motion:** **LAPP** moved to "adopt Ordinance 11-02-254," and it was amended to change *misdemeanor* to *violation* in 3.70.050(B)(3). The motion carried unanimously in a roll call vote. There was no discussion.

**8. STAFF REPORTS**

**A. Borough Manager**

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

- Washington D.C. Trip
- Secure Schools and Communities Self-Determination Act
- Payment in Lieu of Taxes
- Lynn Canal – Icy Straits Resource Advisory Committee Status
- FY12 Proposed Manager's Budget Update
- Lutak Dock Tariff

Additionally, **EARNEST** would like to get some input/ideas on playground funding sources, such as industry contributions, e.g. cruise ships.

- \* B. Borough Clerk
- C. Chief Fiscal Officer

**STUART** summarized her written quarterly report of the Haines Borough Permanent Fund.

- \* D. Chief of Police
- \* E. Museum
- \* F. Library
- \* G. Chilkat Center

#### 9. COMMITTEE/COMMISSION/BOARD REPORTS

- A. Commerce Committee
- B. Finance & Budget
- C. Personnel & 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. Service Area Boards
- \* M. Ad-Hoc Boards & Committees

#### 10. UNFINISHED BUSINESS

##### A. Resolution 11-04-269

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a special docking and moorage services agreement with Haines-Skagway Fast Ferry, LLC for the 2011 summer tourism season.**

**Motion:** **LAPP** moved to "adopt Resolution 11-04-269," and the motion carried 5-1 in a roll call vote with **GOODMAN** opposed.

During discussion, **HENDERSON** said the Fast Ferry would rather be in the boat harbor, but there is not enough room. They would like to pay the boat harbor rates as opposed to the lightering float rates since it is the will of the harbormaster to put them there. They can't afford to pay the lightering float rates. **BARRETT** concurred and said it seems entirely fair to have them pay the harbor rates.

#### 11. NEW BUSINESS

##### A. Resolutions

##### 1. Resolution 11-04-271

**A Resolution of the Haines Borough Assembly approving certain unincorporated communities and their respective native village council and/or incorporated nonprofit entity for participation in the FY 12 Community Revenue Sharing Program.**

**Motion:** **WATERMAN** moved to "adopt Resolution 11-04-271," and the motion carried unanimously in a roll call vote.

During discussion, **ROSSMAN** asked if Excursion Inlet could qualify for the program, and **STUART** explained that they currently don't qualify because at least 25 year-round residents are required.

##### 2. Resolution 11-04-272

**A Resolution of the Haines Borough Assembly authorizing the manager to execute a change order with Stickler Construction Company for the Haines Senior Center Roof Maintenance and Replacement project.**

**Motion:** **WATERMAN** moved to "adopt Resolution 11-04-272," and the motion carried 5-1 in a roll call vote with **WATERMAN** opposed.

During discussion, the assembly talked about the merits of snap down versus screw down.

**3. Resolution 11-04-273**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a contract with Southeast Road Builders, Inc. to provide D-1, Maintenance Sand, and Pit Run materials to the Borough.**

**Motion:** WATERMAN moved to "adopt Resolution 11-04-273," and the motion carried unanimously in a roll call vote. There was no discussion.

**4. Resolution 11-04-274**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Boiler Room Custom Metal Work for \$21,378 plus freight for the fabrication of two kiosk signs for the Haines Contextual Signage Project.**

**Motion:** LAPP moved to "adopt Resolution 11-04-274," and the motion carried 4-2 in a roll call vote with ROSSMAN and GOODMAN opposed.

During discussion, D.SCHNABEL explained this is a professional services contract that does not require a bid process, and this firm was recommended by MRV Architects. ROSSMAN believes the signage work should be given to locals so the money stays here. SCHNABEL acknowledged it would be great if there were local people who could take on a project of this complexity. There is a lot involved, and MRV first planted the seed that we need to take care of signage. GOODMAN believes the cost is outlandish. EARNEST explained that this is what it costs to do a signage program, and the assembly appropriated \$80K in last year's budget, partly out of cruise ship monies. SCHNABEL said there is no local ability to produce the recommended steel alloy signs that will last for 15 to 20 years. Wood signs don't last longer than 5 or 6 years. This is a long term investment. EARNEST stressed that the focus is to get cruise passengers to find their way into town to spend money. HOFFMAN agrees it is a lot of money, but in the big picture, this signage program will get Haines closer to where it should be. Right now, Haines is way behind other communities. Additionally, good signage will help the smaller independent businesses who are not connected to the cruise ships. ROSSMAN stressed he is not against the sign project. MRV works for the borough and should be directed to design signs that could be produced here. VICK said there are laws that prohibit the borough from allowing only local proposals. Signs are badly needed to help the community's economic development. This is a long term solution that will strategically place signs designed by those who understand signage and pedestrian flow. GOODMAN agreed with ROSSMAN, and said the borough should have at least asked if there is anyone in the community who can do the signs. SCHNABEL said the community's needs are becoming more sophisticated, and the needed standards cannot presently be met locally. This is a program of professional production, not just making a few simple signs. The borough went to MRV to ask for help with downtown revitalization. VICK said this is needed as soon as possible, and the proposed signs will get done this summer. WATERMAN acknowledged she is not a sign expert. The borough has staff for a reason, and she is more than willing to trust that they have done the best job for the community. If the work can be done in Haines, they will pursue it. ROSSMAN noted the big *Welcome to Haines* sign is wood and has been in place as long as he can remember. SCHNABEL added that the original cost of that sign was \$28K. EARNEST said he really believes these unique signs are worth the investment. There will be other signs that the borough will try to locally produce.

**B. Ordinances for Introduction**

**1. Ordinance 11-04-260**

**An Ordinance of the Haines Borough amending Haines Borough Code Chapter 2.105 to re-establish the Parks and Recreation Advisory Board as the Parks and Recreation Advisory Committee and to clarify the Committee's purpose.**

**Motion:** LAPP moved to "introduce Ordinance 11-04-260 and set a first public hearing for 5/10/11," and it was amended to add the word "activities" to the duties outlined in 2.105.050(A) in the draft ordinance. The motion carried unanimously.

During discussion, the assembly talked about what appears to be a need in Haines to make recreation more of a priority. There are the obvious health and quality of life benefits and a potential economic benefit, as well. The Comprehensive Plan should have a recreation component. EARNEST wholeheartedly supports this and looks forward to working with the committee. He sees a lot of community support. He explained that the current code language was not appropriate for an advisory committee and can understand why it was frustrating for the former board members.

**2. Ordinance 11-04-261**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 3 to authorize enterprise funds for the Lutak Dock and the Portage Cove Dock.**

**Motion:** LAPP moved to "introduce Ordinance 11-04-261 and set a first public hearing for 5/10/11," and the motion carried unanimously. There was no discussion.

**3. Ordinance 11-04-262**

**An Ordinance of the Haines Borough amending Haines Borough Code Sections 18.70.030(B)(3) and 18.70.030(B)(4) to prohibit heliports in the Mud Bay Planning/Zoning District.**

**Motion:** WATERMAN moved to "introduce Ordinance 11-04-262 and set a first public hearing for 5/10/11," and the motion carried 5-1 with LAPP opposed. There was no discussion.

**4. Ordinance 11-04-263**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 13, Sewer System, Section 13.08.230 to add a summertime sprinkler allowance for metered residential customers.**

**Motion:** LAPP moved to "introduce Ordinance 11-04-263 and set a first public hearing for 5/10/11," and the motion carried unanimously. There was no discussion.

WATERMAN thanked the staff for getting this ordinance before the assembly.

**C. Other New Business**

**1. Request to Forgive Water Charges - Horton**

**Motion:** LAPP moved to "grant Shane Horton's request to forgive the overage on his March billing making it equal to the February billing," and the motion failed 1-5 with WATERMAN, VICK, HOFFMAN, ROSSMAN, and GOODMAN opposed.

During discussion, HOFFMAN asked if others have had to pay, and EARNEST responded that there have been five similar situations with no forgiveness for the water portion. Horton received a \$3,081 credit for the sewer portion since it was determined that the water did not go into the sewer system. He was offered five months to pay with no interest. There was no borough liability or involvement in the excess water use. It was clarified that in this case a "no" vote would uphold the manager's decision not to forgive the excess water charges.

**2. Insurance Requirements for Commercial Passenger Vehicles**

During a brief discussion, EARNEST requested this matter go to Commerce Committee and staff will continue the research. It was agreed.

**3. First Cruise Ship Party - Discussion Item**

During discussion, the assembly examined various ideas such as closing off a section of town for pedestrians-only on the first cruise day, May 25. There would not have to necessarily be a BBQ or other food. It could become an annual event. DOT would need to grant permission for a portion of Main Street to be closed, and the manager said he could begin that process with the assembly's authorization. The manager was directed to proceed, and he will look into various options and ideas.

**4. EXECUTIVE SESSION – Borough Manager's Evaluation Follow-up**

This item was removed during approval of the agenda.

**12. CORRESPONDENCE –**

**A. Comments re. Chilkat Center Maintenance** – Haines Arts Council (no discussion)

**B. Comments re. Chilkat Center Maintenance** – Moyer (no discussion)

**13. SET MEETING DATES**

A Commerce Committee meeting was scheduled for 5/10/11, 5:30pm to discuss insurance requirements for Commercial Passenger Vehicles.

**14. PUBLIC COMMENTS**

ROZBICKI commended the assembly for their support of reviving the Parks and Recreation Advisory Committee. He would also like to see the Energy Sustainability Commission reestablished.

ELY expressed appreciation for the proclamation establishing May 2011 as Haines Borough Bike Month.

**CLARKE** thanked the borough for taking on the responsibility for maintaining the borough's facilities. Brad Maynard has provided advice and assistance for the Museum building.

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**LAPP** attended the first Lynn Canal/Icy Straits Resource Advisory Committee (RAC) meeting in Juneau. There is over a million dollars available to be spent on projects within the Tongass National Forest, and Excursion Inlet projects could qualify. New construction would not qualify, but roads and structures already in existence could be eligible along with education and trails. The proposals are due by 5/18/11. On a different topic, he proposes the assembly adopt an ordinance allowing 4-wheelers to operate on the roads. It would be more fuel efficient.

**VICK** thanked the mayor for adding the discussion items to the agenda. He also said he would like to see things spruced up again for summer, including taking the Video 144 window boards down and making the outer wall of the demolished school look better...possibly a giant mural by local artists.

**16. ADJOURNMENT – 9:02 p.m.**

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

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Janice Hill, Borough Mayor

ATTEST:

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Julie Cozzi, MMC, Borough Clerk