


Haines Borough
Borough Assembly Meeting #208
August 23, 2011
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 Joanne **WATERMAN**, Daymond **HOFFMAN**, Jerry **LAPP**, Scott **ROSSMAN**, and Steve **VICK**.

Staff Present: Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Gary **LOWE**/Chief of Police, Jerrie **CLARKE**/Museum Director, and Tanya **CARLSON**/Tourism Director.

Visitors Present: Krista **KIELSMEIER**/CVN, Tara **BICKNELL**/KHNS, Barbara **SHEINBERG**, Joe **POOR**, Stephanie **SCOTT**, Zbigniew "Ned" **ROZBICKI**, Sue **WATERHOUSE**, Deborah **VOGT**, Sally **MCGUIRE**, Chuck **MITTMAN**, Brad **RYAN**, Jack **WENNER**, Roger **MAYNARD**, Marnie **HARTMAN**, and others.

3. **APPROVAL OF AGENDA & CONSENT AGENDA** (Items with the *asterisk are on the consent agenda)

Motion: **LAPP** moved to "approve the Agenda/Consent Agenda," and it was amended to remove 11A1 and 11A2 from the consent agenda. The motion carried unanimously.

During discussion, **VICK** said the two recall resolutions are a public issue, and the assembly members should have an opportunity to comment in public. He's not trying to stop the resolutions.

* 4. **APPROVAL OF MINUTES** – Regular: 8/9/11

5. **PUBLIC COMMENTS**

SCOTT commented on the manager's proposal to establish a steering committee for developing the Lutak port facility. She hopes the borough will consider broadening the scope of that effort beyond the Yukon and find a way to cooperate with Skagway rather than compete. The goal should be to make the pie bigger rather than compete for a bigger slice of the existing pie.

ERNY said he would be happy to see a recreation center question on the ballot. He is concerned that the question be clearly written for the voters. Regardless of where the money comes from, it needs to be clear to the people what the taxpayer obligation would be.

ROZBICKI read a written statement that was submitted to the clerk for the record. He said the Chamber of Commerce Board has repeatedly asked the borough manager to produce a detailed borough facility inventory with no result. This document is critical to the comprehensive plan process. It's difficult to plan for the future without knowing the current conditions.

POOR read a written letter to be added to the meeting record by the clerk. It pertained to the demolition of the old school building and his proposal to renovate the building for use as a vocational education facility. He is concerned about the assembly's decision to proceed with tearing it down, and asked for a 90-day hold. He added that the borough could still proceed with a request for bids in the mean time.

MCGUIRE thanked the assembly for removing the recall resolutions from the consent agenda, and said it is too important an issue to be "rubber-stamped." Action on the resolutions should be postponed until the attorney has responded to Deborah Vogt's memo opposing the recall. The people of Haines have a right to question the legality of the recall effort even if it means a special election.

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

Mayor **HILL** reported on the AML Mid-Session Summit and Alaska Conference of Mayors she recently attended in Sitka. She will make a copy of the resulting AML policies document available for review at the borough office. Additionally, she thanked Chief **LOWE** for addressing the community issue of underage drinking by arranging for a special town hall meeting on August 31 at the Chilkat Center. This will include a round-table discussion about this matter of vital concern to Haines. The mayor hopes this will get the community's attention.

7. **PUBLIC HEARINGS**

A. **Ordinance 11-07-272**

An Ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY12 Budget.

Mayor opened and closed the public hearing at 6:51 pm; there were no public comments.

Motion: LAPP moved to “adopt Ordinance 11-07-272,” and it was amended as follows:

(7) To appropriate \$125,000 of matching funds for a US DOT FHWA Scenic By-ways grant for acquisition and development of Picture Point:				
		Current FY12 Budget	Proposed FY12 Budget	Fund Balance Increase / (Decrease) *
23-98-00-8255	Op. Transfer from Econ. Dev.	0	\$100,000 62,500	\$(100,000) 62,500
34-98-00-82XX	Op. Transfer from CPV Tax	0	25,000 62,500	(25,000) 62,500
Total matching funds appropriated				\$(125,000)

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:

- Picture Point Scenic Wayside
- 2012 Draft Statewide Transportation Improvement Program
- Haines Port Development Steering Committee (HPDSC)
- Coastal Marine Water Quality MOU with Takshanuk Watershed Council and ADEC

Regarding the HPDSC, **EARNEST** said last spring, when the Haines and Skagway Assemblies met jointly, a major topic of discussion was the need to collaborate on port development. He is currently working on a request for qualifications for consulting services to coordinate this important effort. There is a tremendous amount of work that must be done prior to seeking funding. In terms of committee composition, a minimal number of participants is desirable in the beginning but can grow from there. This ad-hoc committee would exist for the duration of the effort clear through construction. **VICK** agreed that the joint meeting was about collaboration, not competition. **ROSSMAN** disagreed that Haines shouldn't compete. He believes it is a competitive thing. Unless we take the initiative and look at it that way, Haines will lose out.

EARNEST said the facility inventory list is being worked on and is one of the main components of the comprehensive plan. **SHEINBERG** said there is a developing inventory list of facilities. She said it will likely be a big list with many needs. A challenge will be stepping back and prioritizing. She went on to report on the overall progress of the comprehensive plan update, and announced that the next planning commission work session will be August 24 at 6:00 p.m. in the assembly chambers.

RYAN briefly explained the Coastal Marine Water Quality program. It's an AK-DEC program that funds local communities who have beaches frequented by swimmers. It allows for testing the waters to make sure they are safe for swimming. There are two Haines beaches involved in the program: Portage Cove and Lutak Inlet on the other side of the bridge. **EARNEST** asked if there was any objection to the MOU, and there was none.

EARNEST said he has several requests for qualifications in the works for consultant services for projects including a borough junk/impound vehicle facility, future community center effort, and a comprehensive borough land assessment to get land developed and identified for sale.

WATERMAN asked if any part of the MRV report on the old school building is presentable and could be made available to the assembly. **EARNEST** said it's about half complete and he has put a halt to additional work. He'll make the incomplete analysis available. He pointed out that the programming needs of the community can be a conversation separate from the fate of the old building. **LAPP** asked how soon the demolition can take place. **EARNEST** said the Alaska Department of Education requires the borough to solicit bids for a minimum of two weeks. **ROSSMAN** and **VICK** all expressed a desire to have the building torn down so something else can go up. **HOFFMAN** said his thoughts go both ways. If the building does go down, it should be a priority to develop a plan for a community center. **WATERMAN** has no problem going forward with the ideas for a community center or recreation center or a vocational center. However, if the borough stalls for 90 days as requested by **POOR**, it will sit through another winter and deteriorate further. The time to develop uses for that building has passed. She added she has had conversations with people who were teachers in that building when it had heat and electricity, and they are glad it's being torn down. She loves the ideas,

but doesn't love the building anymore. **VICK** said the borough should not delay the RFP. **HOFFMAN** doesn't want the momentum of ideas to go away. **LAPP** appreciates what **POOR** is trying to do and wishes he had come forward last spring rather than coming at the last minute. **EARNEST** said there will be many opportunities in the future for the public to be involved in the development of a facility to meet community needs.

B. Borough Clerk

Using her computer and a video projector, **COZZI** demonstrated recent enhancements to the online borough code including better selection, printing, and search features.

- * 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 & Labor Relations
- D. Government Affairs & Services

VICK said the committee met on 8/16 and spent most of the time talking about economic development even though it was advertised as a discussion about dedicated sales taxes. He would like to schedule another meeting to continue the economic development discussion. Regarding dedicated sales taxes, he asked if the Finance Committee would consider taking up that topic.

Planning Commission

- * E. School Board
- * F. Chilkat Center Advisory Board
- * H. Parks & Recreation Advisory Board
- I. Tourism Advisory Board

CARLSON said her department has been actively working to identify the most effective methods and avenues for advertising. A helpful tool has been Google Analytics, because it provides information about the visitor website hits including where they're coming from and how the people heard about Haines. For example, of the hits originating from Europe, Germany has the highest number, and many German tourists are ending up in Haines because of the direct flights from Germany to Whitehorse. Additionally, there are a couple of ads that have produced very few hits, so dollars typically budgeted for those ads will be diverted to other marketing avenues that will hopefully produce better results.

- * J. Boat Harbor Advisory Committee
- * K. Public Safety Commission
- * L. Service Area Boards
- * M. Ad-Hoc Boards & Committees

10. UNFINISHED BUSINESS - None

11. NEW BUSINESS

A. Resolutions

1. Resolution 11-08-298

A Resolution of the Haines Borough Assembly placing a question on the October 4, 2011 ballot to ask the voters if they wish to recall Assembly Member Joanne Waterman, pursuant to a properly certified recall petition.

Motion: **VICK** moved to "adopt Resolution 11-08-298," and the motion carried unanimously in a roll call vote.

During discussion, **COZZI** clarified that state law governs the recall process, and she was required to report to the assembly that the petitions were found to be sufficient. She chose to do that by memo. The law also requires that the governing body "shall" put the recall questions on the ballot but does not specify the method. Since resolutions are a typical method for doing that, she prepared them for the assembly. The reason they started out on the consent agenda is because the idea of assembly members being faced with voting "yes" to put their own recall

questions on the ballot was very unsettling. She wanted to spare them the potential awkwardness and proposed the consent agenda idea to the manager and mayor. They agreed knowing that they could easily be removed if the assembly so desired. **VICK** explained he pulled them off the consent agenda only because he thought the assembly members would like an opportunity to speak to it. **ROSSMAN** said he was involved in the tax cap initiative and doesn't remember the assembly voting to put that matter on the ballot. **COZZI** explained that was a citizen's initiative and has a different process in state law.

2. **Resolution 11-08-299**

A Resolution of the Haines Borough Assembly placing a question on the October 4, 2011 ballot to ask the voters if they wish to recall Assembly Member Daymond Hoffman, pursuant to a properly certified recall petition.

Motion: **VICK** moved to "adopt Resolution 11-08-299," and the motion carried unanimously in a roll call vote. There was no discussion (it had occurred during the prior resolution).

3. **Resolution 11-08-300**

A Resolution of the Haines Borough Assembly placing an advisory question on the October 4, 2011 General Election ballot regarding the funding of a community center and recreation facility.

Motion: **VICK** moved to "adopt Resolution 11-08-300."

During discussion, assembly members expressed support for a community or recreation center but were concerned that the ballot question wording was not clear enough for the voters. It would be like asking them to buy into something that lacks specific information. However, they made a strong point that they don't want the idea of a community center to wither away just because an advisory question won't be on the ballot. In the recent community survey, a majority of those surveyed ranked a recreation center high on the list of community needs. The manager suggested a way to keep the idea going would be to consider hiring a consultant to coordinate the effort. He said there are people in the state with the necessary expertise who have worked on just this type of project. The first step would be to issue a request for qualifications to see who's out there. Following that, negotiations and discussions about fees and project scope could take place. Certainly the assembly would be involved and make funding decisions. The request for qualifications does not commit the borough to anything.

Motion: **VICK** moved to "table Resolution 11-08-300," and the motion carried unanimously.

Motion: **HOFFMAN** moved to "direct manager to solicit requests for qualifications for scoping, programming, feasibility, and preliminary design for a community center with cost estimates to potentially include consolidation of other borough facilities," and the motion carried unanimously.

4. **Resolution 11-08-301**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with L & B Projects to replace the carpeting in the Sheldon Museum for \$41,428.00.

Motion: **LAPP** moved to "adopt Resolution 11-08-301," and the motion carried unanimously in a roll call vote. There was no discussion.

5. **Resolution 11-08-302**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to negotiate a contract with Office Supply Centre to purchase a Kyocera copier for an amount not to exceed \$14,180 CA.

Motion: **WATERMAN** moved to "adopt Resolution 11-08-302," and the motion carried unanimously in a roll call vote.

During a very brief discussion, **VICK** put in another plug for tablets to be purchased for assembly use to save on paper packets.

B. Ordinances for Introduction - None

C. Other New Business

1. **Sales Tax Exemption Request – Ugly's of Haines, Inc.**

[Note: Chuck Mitman filed a request for sales tax exemption on behalf of Ugly's of Haines, Inc., a 501(c)4 organization. Per HBC 3.80.050(13), a sales tax exemption may be granted for "sales, services, and rentals to a buyer or made by a seller, organized and administered solely by the

exempt organization that has obtained exemption certificate 501(c)3, 501(c)4, 501(c)8, or 501(c)19 from the Internal Revenue Service and an exemption certificate from the borough clerk, upon prior approval of the assembly; provided, this exemption applies to sellers only if the income from the exempt sale is exempt from federal income taxation." The borough has granted sales tax exemption certificates to other non-profit organizations.]

Motion: LAPP moved to "approve the request from Uglys of Haines, Inc. for sales tax exemption status, and authorize the borough clerk to issue an exemption certificate," and the motion carried unanimously in a roll call vote.

WATERMAN said she totally supports this. The group does a lot of tireless community work.

12. **CORRESPONDENCE** – None

13. **SET MEETING DATES**

5:30pm, 8/30, Government Affairs & Services Committee Meeting – Topic: Economic Development

EARNEST said there may be a need for a special assembly meeting that evening to seek approval for a possible project change order.

14. **PUBLIC COMMENTS**

ROZBICKI reiterated his request for the borough manager to produce the promised borough facility inventory.

SCOTT announced that the Alaska Rural Energy Conference will take place in Juneau September 27-29 and, in the past, the borough has sent representatives. She suggested that because of the close proximity, the borough should consider helping some school students attend to learn more about Alaska energy.

15. **ANNOUNCEMENTS/ASSEMBLY COMMENTS**

WATERMAN encouraged the other members to get their edits/notes on the Title 16 draft to the harbormaster, as soon as possible.

16. **ADJOURNMENT** – 9:05 p.m.

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

Janice Hill, Borough Mayor

ATTEST:

Julie Cozzi, MMC, Borough Clerk