


Haines Borough
Borough Assembly Meeting #209
September 13, 2011
MINUTES

Draft

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Deputy Mayor **LAPP** 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: Deputy Mayor Jerry **LAPP** and other Assembly Members Joanne **WATERMAN**, Daymond **HOFFMAN**, Scott **ROSSMAN**, and Steve **VICK**.

Staff Present: Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Gary **LOWE**/Chief of Police, Brian **LEMCKE**/Director of Public Facilities, Patricia **BROWN**/Library Director, and Tanya **CARLSON**/Tourism Director.

Visitors Present: Krista **KIELSMEIER**/CVN, Tara **BICKNELL**/KHNS, Karen **HESS**, Jim **SHOOK**, Stephanie **SCOTT**, Fred **EINSPRUCH**, Ross **SILKMAN**, Joyce **TOWN**, Sue **WATERHOUSE**, Jack **WENNER**, Norm **HUGHES**, Roger **MAYNARD**, and others.

Motion: **WATERMAN** moved to "excuse Mayor Hill from this meeting," and it carried unanimously.

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

Motion: **VICK** moved to "approve the Agenda/Consent Agenda," and it was amended to remove the Parks & Recreation Advisory Committee report item from the consent agenda. The motion carried unanimously.

* 4. **APPROVAL OF MINUTES** – Regular: 8/23/11 Special: 8/30/11

5. **PUBLIC COMMENTS**

EINSPRUCH brought up the following definition in HBC 18.20.020:

"Junkyard" means a lot or portion thereof which is used for the purpose of the outdoor storage, handling, dismantling, wrecking, keeping or sale of more than two unregistered, discarded, wrecked or abandoned: motor vehicles, airplanes, appliances or boats. It may also include building materials, machinery, equipment, or parts thereof, including scrap metals, wood, lumber, plastic, fiber or other tangible materials allowed to accumulate to the point of meeting the definition of nuisance in Chapter 8.12.

He said there are ugly and hazardous situations that meet this definition, and he is asking for aggressive enforcement of the borough code. He is alerting the borough assembly that there are many illegal junkyards that need to be abated. They are detrimental to the neighborhoods they are in.

SILKMAN provided an update on the renovation of Harriett Hall. Phase I is for the most part complete, and they have moved on to Phase II that includes storage space, IT upgrades, and new furnishings. A pricing plan is in place for renting the Hall, and it's being used by various groups.

SHOOK asked the assembly to postpone the ATV ordinance, if possible, until the next meeting. He has spoken with Chief **LOWE** about getting a workgroup together on the subject. He asked the assembly to think about a borough-wide curfew on ATV use from 9am to 9pm.

WENNER has been looking at the remaining portion of the old school building. He asked that any bids on the surplus gym floor be rejected and also delay the demolition of the building.

HUGHES brought up the Boat Harbor Advisory Committee's work on Title 16. The committee has received NO comments or edits from the assembly. A committee meeting needs to be scheduled to deal with the edits that came up during the assembly's committee of the whole meeting. He asked them to please send them to the harbormaster as soon as possible for consideration.

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

Deputy Mayor **LAPP** reported the Mayor is attending the Southeast Conference Annual Meeting in Ketchikan. He agrees with **EINSPRUCH**'s comments about junkyards.

7. **PUBLIC HEARINGS** - None

8. **STAFF REPORTS**

A. **Borough Manager**

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

- Yukon Meetings
- Wood Heat Projects
- RFP/RFQ Update
- MRV Report
- PC Dock Improvements, Phase II

EARNEST has offered the Director of Public Facilities position to **LEMCKE** at a salary of \$80K and asked for the assembly's confirmation. That position was budgeted at \$86K. While serving as Interim Director, he has proven that he is capable of doing the job. The manager interviewed two others and the borough received many applications.

Motion: VICK moved to "confirm the hire of Brian Lemcke for the Director of Public Facilities position at a salary of \$80K," and the motion carried unanimously in a roll call vote.

EARNEST explained that the assembly's confirmation was an important and required step that was missed when Tanya Carlson was hired as Tourism Director. He asked for this to be taken care of, albeit after the fact and now that her 6-month probation period is accomplished.

Motion: WATERMAN moved to "confirm the hire of Tanya Carlson in the position of Tourism Director," and the motion carried unanimously in a roll call vote.

EARNEST asked for the assembly's direction in moving forward on the two wood heat-related grants. The grantors are asking the borough what its intentions are, and he believes it makes sense to come up with a plan for the community. The grant funds are primarily for feasibility, and a strategy needs to be mapped out. Does the assembly wish to continue to pursue wood heat feasibility? **WATERMAN** asked for clarification on the required match. **EARNEST** said the only borough match requirement he could find was \$2,566.69. The assembly has appropriated Economic Development funds to be used for this type of thing. Any future work on wood heat feasibility will go out for a new RFP. The granting authorities want a commitment from the borough that we want to move forward on this.

Motion: WATERMAN moved that "the borough provide the \$2,566.69 as the match for the AEA *Haines Central Wood Heat Feasibility Study* grant with the funds to be paid out of the Economic Development Fund," and the motion carried unanimously.

EARNEST said he agrees the borough needs to deal with the junkyard problem. Junk vehicles and scrap metal is one need, and impounded vehicles are another. There is also a problem with other junk and garbage that is stuffed inside the vehicles, etc. There are liability issues, regulations, fluids, etc. It's more than just building a fence. He is working with the Chief of Police on this matter.

VICK asked about the scope of work for the Chilkat Center roof repair. **EARNEST** said this RFP document became more challenging as he began working on it. The challenge is to come up with proposals for high, medium, and low solutions. Looking at some lower cost short term fixes while keeping in mind that at some point the big picture must be addressed...all of the roof, the ventilation, weather barrier, insulation, etc. If that is not addressed, it will continue to be a problem. He understands the borough must look at mitigating the problem now. There is an obligation to provide a good safe work environment, but it's also incumbent on the borough to get a real understanding of what the larger fix entails and how much. That information will have to be added to the larger picture of the borough facilities. He noted the mold sampling was done two weeks ago and results are expected soon.

HOFFMAN asked what **LEMCKE** thinks of the remaining portion of the old school. **LEMCKE** responded he will work toward what the assembly directs, but his own opinion is that it's time for the building to go down. He has talked to many people and has reviewed the various surveys. Also, the reason a new school building was needed is that the old building was no longer viable. Those buildings have been vacant for about five years and continue to deteriorate. It's time for it to go down and he can back up his opinion. There are a lot of issues that people tend not to think about or understand.

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

VICK said the Government Affairs & Services Committee met again a couple weeks ago and discussed economic development. A lot of ideas came out. One question was "what should government's role be in economic development?" Tax incentives and fewer regulations were two of the ideas. He would like another committee meeting to continue the discussion.

- *E. Planning Commission
- *F. School Board
- *G. Chilkat Center Advisory Board
- H. Parks & Recreation Advisory Committee

HOFFMAN said he would like to help facilitate an initial meeting for the new Parks and Recreation Advisory Committee.

- *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. **Ordinance 11-06-269**

An ordinance of the Haines Borough Alaska amending Haines Borough Code Chapter 10.34 to authorize the use of ATVs on streets and highways within the borough and allowing use of snow machines on highway shoulders within the borough.

Motion: **WATERMAN** moved to "advance Ordinance 11-06-269 to a third public hearing on 10/11/11," and the motion carried unanimously.

During discussion, **SHOOK** was asked to have his committee meet with Chief **LOWE** prior to the third public hearing to do further work on the document. It was clarified that the staff-prepared substitute ordinance draft should be the one to work from.

11. **NEW BUSINESS**

A. Resolutions

1. **Resolution 11-09-304**

A Resolution of the Haines Borough Assembly appointing election officials for the regular election to be held October 4, 2011, and establishing the wages.

Motion: **WATERMAN** moved to "adopt Resolution 11-09-304," and the motion carried unanimously in a roll call vote. There was no discussion.

2. **Resolution 11-09-305**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to negotiate a contract with Gary's Truck Sales of Anchorage to purchase a used dump truck for an amount not to exceed \$21,500.

Motion: **HOFFMAN** moved to "adopt Resolution 11-09-305," and the motion carried unanimously in a roll call vote.

During discussion, **LEMCKE** said he had the truck checked out by a mechanic. It was owned by the Municipality of Anchorage, and the price is very reasonable.

- B. Ordinances for Introduction - None
- C. Other New Business

1. **Surplus Equipment**

Note: There were several pieces of borough equipment that needed to be disposed of and they were on a list for the assembly's consideration. Disposal of borough personal property is governed by HBC 14.24.030. (Note: This does not include lost, stolen, abandoned or otherwise unclaimed property in the police department's possession which requires a different disposal process outlined in HBC 2.40.090-170.) At this meeting, the assembly was asked to consider if

it would be in the public's best interest to authorize the Chief Fiscal Officer (CFO) to sell, trade, or otherwise dispose of these specific items as an exception to holding a public auction. This would enable sale by "sealed bid," which is the method proposed by the CFO and Director of Public Facilities. These items had to be officially declared as surplus/obsolete by the assembly.

Motion: **ROSSMAN** moved to "declare the items listed on the *2011 Surplus and Obsolete Items* list as surplus and obsolete, and authorize the Chief Fiscal Officer to solicit sealed bids for their disposal," and the motion carried unanimously in a roll call vote. There was no discussion.

2. FSA #1 Differential Tax Request

Note: The code provides that a fire service area (FSA) resident may submit a tax differential request to the FSA board, and one was received. The FSA #1 board is currently inactive, so the assembly assumes the responsibility. This resident was granted the tax reduction for the past four years.

Motion: **ROSSMAN** moved to "approve the 25% fire service area tax differential for the Irene Alexakos property at Rutzebeck Lake for 2012," and the motion carried unanimously in a roll call vote.

During a brief discussion, it was noted there may be others that would qualify but this property owner is the only one who has ever submitted a request. It is limited to those property owners who live more than a 40-minute fire response time away.

12. CORRESPONDENCE

A. Comments re. School Demolition – Poor, Wenner

VICK said both the former and current Public Facilities Directors share the opinion that the building needs to go away. **HOFFMAN** said **WENNER** has a good point that it is still an asset and, short of having plans for a new one, is what we have. Lack of gym space has hurt the CYD program. However, if there is momentum to get something built, he doesn't want to slow it down. **ROSSMAN** thinks the building has gone beyond asset status and become a liability. He wants to stay on schedule with the RFP. **HOFFMAN** reiterated he's not trying to stop any forward movement. **VICK** said there is no heat in the building. **LAPP** said the heating system was removed. There are no restroom facilities and no electricity. **WENNER** said he believes the building's potential was written off because the information was that it would be too expensive to renovate. He sees it as a building with a basketball court. He proposes not to heat it in the coldest months. During the other months, he believes it could be electrically-heated a few hours each night at a low cost. He has little faith in the MRV estimate and believes people have been locked out of the building just to justify demolishing it. **WATERMAN** said there are a lot of different opinions. She has heard from several of the past educators that there have always been problems with this part of the building. She doesn't have enough information to convince her to postpone again. As for leaving the doors open to the public, she's not sure she can put the borough in that position of liability. It's not just the gym; it's the rest of the building. She loves the ideas of a vocational educational facility and a recreation center. Good ideas, but she is not convinced this building is the right one for them. These types of projects are not easily funded by grants, so it would be by bonding. The new school won't be paid for until 2025. Is the community ready to put out for another bond? She believes the timing is not good. **VICK** said the idea of even replacing it will probably take a few years with concerted effort and lots of agreement. He wondered if everything but the gym could be demolished. **LAPP** and **WATERMAN** believe not. **VICK** said there might be an interim period where at least the gym could be used if it's even feasible. The manager was asked if the building could be taken down during the winter if the assembly decided to delay contract award for a while. **EARNEST** believes so. He responded to **WENNER**'s comments about keeping the gym open for public use saying the borough has liability with the idea of an unsupervised public-assessable facility. He reiterated that it is essentially a "box," and there are no restroom facilities. He is opposed to having a borough building with no control over its use. **LAPP** suggested the discussion can continue at the next meeting when the bids are considered.

13. SET MEETING DATES

October 11, 5:45pm – October 4th Borough Election Canvass

September 20, 5:00pm - Government Affairs & Services Committee – Economic Development

September 20, 6:00pm - Parks and Recreation Advisory Committee – Initial Organizational Meeting

14. PUBLIC COMMENTS

WENNER explained he is not proposing a “swinging door” at the old school building. Use would be supervised by volunteers, and he envisions the doors to the other parts of the building being locked. A porta-potty could be located in a corner inside. He’s just asking for demolition to be delayed so the gym can be re-electrified.

EINSPRUCH believes the thinking behind saving the gym was that it’s more expensive to build a new gym than renovate an old one, and that logic hasn’t changed. The fundamental question is whether the community wants a community center and, if so, this shell of a gym could be a starting point. He doesn’t see a probably with it sitting another winter and he doesn’t believe there is any danger of vandalism.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

EARNEST announced he will be in Whitehorse with the mayor on the September 23 for a series of meetings with Yukon officials. Following that he will travel to Anchorage for medical appointments but will be back in time to attend the meeting on the 27th.

HOFFMAN said he went to Whitehorse last weekend and took the little train ride by the river. The commentator said the Whitehorse population is expected to double in the next ten years because of resource extraction. **EARNEST** added there are five mineral investigations in the Tok area alone, and very promising preliminary results are coming back. During the Yukon meetings, the mayor and he will be talking about the Lutak port opportunities.

16. ADJOURNMENT – 7:54 p.m.

Motion: **VICK** moved to “adjourn the meeting,” and the motion carried unanimously.

Jerry Lapp, Deputy Mayor

ATTEST:

Julie Cozzi, MMC, Borough Clerk