


Haines Borough
Borough Assembly Meeting #212
October 25, 2011
MINUTES

Approved

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

Present: Mayor Jan **HILL** (via teleconference) and Assembly Members Jerry **LAPP**, 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, and Jila **STUART**/Chief Fiscal Officer.

Visitors Present: Krista **KIELSMEIER**/CVN, Gregory V. **FERGUSON**, Stephanie **SCOTT**, Debra **SCHNABEL**, Joe **POOR**, Norman **HUGHES**, Brenda **JONES**, Paul **SWANSTROM**, Scott **HANSEN**, and others.

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

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

- * 3. **APPROVAL OF MINUTES** – Regular: 10/11/11 Election Canvass: 10/11/11

4. **PUBLIC COMMENTS**

SCHNABEL gave the borough clerk a copy of her written comments for the meeting record. spoke regarding the RFQ in the manager's report for a community center, and she asked for it to be placed on a future agenda. The borough should wait for the comprehensive plan before making decisions like this. She firmly believes with the list of capital needs in this community, it would be wise to complete and consult the comprehensive plan, prioritize the capital needs, and determine where a new community center would fit in the big picture.

HUGHES spoke regarding Parks governance and designating Picture Point as a park. Parks in Haines are in a sad state, and they end up as places to camp and party. He hopes these proposed codes will be an improvement.

JONES, representing the Chamber of Commerce, said their mission is to promote economic development. They look for ways to promote positive change in the community, and they need a healthy and sustainable business environment. She thanked everyone for taking their time to serve the community as elected officials.

5. **2011 BOROUGH ELECTION – Certification of Results**

Motion: **VICK** moved to "certify the election results," and the motion carried unanimously.

COZZI announced that no notice of election contest was received by the 5:00 p.m. deadline, so certification can take place. There was no discussion.

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

HILL apologized for her physical absence from the meeting. She was offered and accepted appointment to a Centers for Disease Control Board and is currently in Atlanta for the first meeting.

She thanked her supporters and the Haines community and said she enjoyed serving and representing the people. She said she will be paying attention and plans to still be involved. She congratulated the newly-elected officials and thanked **ROSSMAN** for his service on the assembly and his common-sense attitude.

LAPP thanked **HILL** and **ROSSMAN** for their service.

7. **PUBLIC HEARINGS**

A. **Ordinance 11-06-270** – fourth hearing

An ordinance of the Haines Borough Alaska amending Haines Borough Code Title 18, Section 18.90.050 and 18.90.070 to allow the placement of off-premises signs as a conditional use.

Deputy Mayor **LAPP** opened and closed the public hearing at 6:45 pm; there were no public comments.

Motion: **HOFFMAN** moved to "refer Ordinance 11-06-270 to the Government Affairs & Services Committee," and the motion carried unanimously.

During discussion, **VICK** said he is happy to facilitate this at the committee level. **LAPP** suggested inviting the planning commissioners to the committee meeting.

8. STAFF/FACILITY REPORTS

A. Borough Manager

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

- Picture Point Park Ordinance
- Haines Port Development Request for Qualifications
- Special Projects Coordinator Request for Qualifications
- Haines Community Center Request for Qualifications
- Old School Building Demolition
- Junk Vehicle Plan
- RFP/RFQ Update

EARNEST said the borough received 5 qualification statements (2 of which wish to be considered as one team), and he announced the firms. All of them are well-respected large companies, and he is pleased the RFQ resulted in such a strong response.

He explained the borough code's requirement that the borough proceed with abating a declared nuisance followed by an attempt to recoup the costs. This step is always meant to be a last resort. **VICK** said the assembly will have to be aware that it may be distasteful to the community---the idea of paying to clean up someone's property with no guarantee of cost recovery.

- * **B. Borough Clerk**
- * **C. Chief Fiscal Officer**
- * **D. Chief of Police**
- * **E. Museum**
- * **F. Library**
- * **G. Chilkat Center**

9. COMMITTEE/COMMISSION/BOARD REPORTS AND MINUTES

A. Commerce Committee

B. Finance & Budget

LAPP said the committee met prior to this meeting and discussed the budget amendment ordinance. He planned to provide a recommendation during that agenda item.

C. Personnel & Labor Relations

D. Government Affairs & Services

VICK said the committee met with KHNS, CCAB, PRAC at the Chilkat Center to discuss facility usage. They also discussed the management agreement and may recommend renegotiating it.

- * **E. Planning Commission**
- * **F. School Board**
- * **G. Chilkat Center Advisory Board**
- * **H. Parks & 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 - None

11. NEW BUSINESS

A. Resolutions

1. Resolution 11-10-312

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute non-exclusive agreements on an as-needed basis with Darsie Culbeck, James Kallenberg, Burl Sheldon, and Agnew::Beck Consulting to provide professional services for project assistance, including but not limited to project coordination, management, and administration and grant writing.

Motion: **HOFFMAN** moved to “adopt Resolution 11-10-312,” and the motion carried 4-1 in a roll call vote with **ROSSMAN** opposed.

During discussion, **EARNEST** said this is something that is not new to the borough and has been very helpful to have someone to take on specific projects. As long as the work is being done satisfactorily and the costs are reasonable, the manager may call on them to perform services. Anything over \$10K would be brought to the assembly for approval. **LAPP** said it’s a pool to draw from as needed. **EARNEST** said the manager’s discretion is important, because he has a very limited budget to work with. He has to weigh out the experience, the cost per hour, and the benefit of the task. **VICK** and **WATERMAN** would like the manager to inform the assembly even for those where approval is not needed. **EARNEST** said his job is to direct the borough’s finances in a way that is best for accomplishing the will of the assembly and community. He supports the notification process. If this doesn’t work, he can go in a different direction. Each project agreement would have a limited time period. **HOFFMAN** believes the assembly should extend some professional courtesy to the manager. If there’s a distrust, maybe that should be expressed. He doesn’t believe there is anything below the table. **COZZI** explained this is similar to the borough having PND and Carson Dorn on retainer for engineering projects.

B. Ordinances for Introduction

1. Ordinance 11-10-273

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

Motion: **HOFFMAN** moved to “introduce Ordinance 11-10-273 and set a first public hearing for 11/15/11, and it was amended as a divided question to change #5 as follows:

(5) To appropriate funds for the removal, processing, and storage of junk vehicles from private property and to recognize revenues from the property owner:				
		Current FY12 Budget	Proposed FY12 Budget	Fund Balance Increase / (Decrease)*
01-01-09-4600	Miscellaneous Revenue	0	\$25,000	\$25,000
01-05-00-7312	Professional & Contractual Svc	0	\$30,000	(30,000)
Net for vehicle removal				(5,000)

LAPP said the Finance Committee recommends the ordinance. Regarding #5, **STUART** explained there are different collection methods. She and the manager will collaborate on an explanatory memo for the assembly and the public. **ROSSMAN** believes the number should be \$30K and not \$5K to be realistic. The proposed ordinance expects revenue and that may never happen. **WATERMAN** asked where the money is coming from before it’s actually revenue, and **EARNEST** said it would be a General Fund expense.

The motion carried unanimously, and the ordinance, as amended, was advanced to a first public hearing.

2. Ordinance 11-10-274

An Ordinance of the Haines Borough adding Haines Borough Code Title 12 Chapter 12.40 to establish a public park at Picture Point.

Motion: **WATERMAN** moved to “introduce Ordinance 11-10-274 and set a first public hearing for 11/15/11,” and the motion carried unanimously.

EARNEST explained the template of the ordinance was drafted by PND Engineers and reviewed by the borough attorney.

3. Ordinance 11-10-275

An Ordinance of the Haines Borough adding Haines Borough Code Title 12 Chapter 12.30 to generally provide for the governance of borough parks.

Motion: **WATERMAN** moved to “introduce Ordinance 11-10-275 and set a first public hearing for 11/15/11,” and the motion carried unanimously.

During a brief discussion, the assembly expressed a general support for the idea. **EARNEST** said he has a couple of minor amendments he will bring to the assembly at the next meeting.

4. **Ordinance 11-10-276**

An Ordinance of the Haines Borough amending Haines Borough Code Title 14 Chapter 14.24 to clarify and simplify the methods for disposal of borough personal property.

Motion: **VICK** moved to "introduce Ordinance 11-10-276 and set a first public hearing for 11/15/11," and the motion carried unanimously.

EARNEST said this simplifies the process and addresses the issue of value.

C. **Other New Business**

1. **Initial Appointments to Port Development Steering Committee**

[Note: Five responsive letters of interest to serve on the Port Development Steering Committee were received in response to an invitation for letters. The mayor recommended the initial appointments and sought assembly confirmation. Additional appointments are anticipated.]

Motion: **HOFFMAN** moved to "confirm the mayor's appointments of the following to the Haines Port Development Steering Committee: Darwin Green (Constantine Metal Resources), Roger Maynard (Planning Commission), Fred Gray (Delta Western), Michael Ganey (Alaska Marine Trucking), and Scott Hansen (Chilkoot Indian Association)," and it was seconded. The motion was amended to strike the words "Planning Commission" following Roger Maynard's name, and the motion carried unanimously.

During discussion, **WATERMAN** asked why appointments are being made now rather than waiting for all the letters of interest. **EARNEST** said the first group would be to go over the qualification statements that have been received. By the next assembly meeting, hopefully there would be additional names submitted. **WATERMAN** said the planning did not discuss who they want to be the commission's representative on the steering committee. If Roger Maynard wants to fill an individual seat, she is okay with that. **EARNEST** said anyone still interested should submit letters of interest. It's an open process.

12. **CORRESPONDENCE**

A. **Cost Considerations of HPSC** – Scott

B. **Report of Action** – Haines Alcohol Task Force

13. **SET MEETING DATES**

Thursday, 11/3, 6:00pm – Committee of the Whole Work Session
Purpose: Discuss assembly procedures

The Government Affairs & Services Committee will meet at the call of the Chair to discuss management of Chilkat Center and the borough's signage code

14. **PUBLIC COMMENTS**

SCOTT said she would like to see some of the professional & contractual services line items broken out more in the budget.

HUGHES said it would be nice to know which seats are now filled on the Haines Port Steering Committee. He also asked the assembly if they would put the Boat Harbor Advisory Committee's proposed Title 16 amendments on an agenda in the near future.

15. **ANNOUNCEMENTS/ASSEMBLY COMMENTS**

WATERMAN asked the Chief what the Alcohol Task Force is asking for, and he said a public letter of support. **VICK** suggested a possible donation of \$1,000, too. **WATERMAN** wondered if that money could out of the medical service area fund. Staff will come back with a recommendation and a resolution possibly at the next meeting. **WATERMAN** thanked **ROSSMAN** for his time on the assembly and said she will miss him.

16. **ADJOURNMENT** – 8:27 p.m.

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

ATTEST

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk