
Haines Borough
Borough Assembly Meeting #268
April 22, 2014
Minutes

Approved

1. CALL TO ORDER/PLEDGE TO THE FLAG: Mayor **SCOTT** called the meeting to order at 6:30pm in the Assembly Chambers and led the pledge to the flag.

2. ROLL CALL

Present: Mayor Stephanie **SCOTT**, and Assembly Members Jerry **LAPP**, Debra **SCHNABEL**, Dave **BERRY**, George **CAMPBELL**, Diana **LAPHAM**, and Joanne **WATERMAN**.

Staff Present: David **SOSA**/Borough Manager, Michelle **WEBB**/Deputy Clerk, Darsie **CULBECK**/Executive Assistant, Carlos **JIMENEZ**/Director of Public Facilities, Bill **MUSSER**/Police Chief, Phil **BENNER**/Harbormaster, Helen **ALTEN**/Museum Director, and others.

Visitors Present: Karen **GARCIA**/CVN, Karen **HESS**, Sean **GAFFNEY**, Bill **KURZ**, Scott **SUNDBERG**, Jim **STUDLEY**, Carol **TUYNMAN**, Dana **HALLETT**, Della **BROUILLETTE**, Kyle **GRAY**, Jack **WENNER**, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA

The following Items were on the published consent agenda:

- 4 – Approval of Assembly Meeting Minutes
- 8B – Chilkat Center Report
- 8C – Fire Department Report
- 9A – Sheldon Museum Board of Directors Minutes
- 9B – Parks and Recreation Advisory Committee Minutes
- 11A2 – Adoption of Resolution 14-04-553
- 11A4 – Adoption of Resolution 14-04-555
- 11B1 – Introduction of Ordinance 14-04-377

Motion: **BERRY** moved to approve the agenda and the consent agenda. It was amended to: add 11C4 – CIA Pellet Letter to Washington D.C. to the agenda, remove 11A4 from the consent agenda, and add 11A1 to the consent agenda. The motion carried unanimously.

* **4. APPROVAL OF MINUTES** – 4/8/14 Regular Meeting

5. PUBLIC COMMENTS [Any topics not scheduled for public hearing]

TUYNMAN - Tourism Director position.

HALLETT – Removal of wrecked vehicle at 7-Mile Haines Highway

SUNDBERG – Heliport Monitoring and Winter Tourism Study

6. MAYOR'S COMMENTS/REPORT

SCOTT handed out community clean-up bags to promote the annual community clean-up event. The bags have been supplied by Haines Borough as a joint venture with the Chamber of Commerce. The mayor also summarized her written report.

7. PUBLIC HEARINGS

A. Ordinance 14-02-370 - Second Public Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 3 to remove Haines Senior Assisted Living Inc. Property from the list of community purpose exemptions because it has been determined to be a required exemption under HBC 3.70.030(A)(3).

Mayor **SCOTT** opened and closed the public hearing at 6:49pm; there were no public comments.

Motion: **WATERMAN** moved to "postpone Ordinance 14-02-370 to the 5/13/14 borough assembly meeting." The motion carried unanimously.

B. Ordinance 14-03-372 - Second Public Hearing

An Ordinance of the Haines Borough amending Borough Code Title 3 section 3.60.080 to update the Borough Manager's purchasing authorization limits.

Mayor **SCOTT** opened and closed the public hearing at 6:57pm; there were no public comments.

Motion: **BERRY** moved to "adopt Ordinance 14-03-372." The motion carried unanimously.

C. Ordinance 14-04-373 - First Public Hearing

An Ordinance of the Haines Borough repealing Chapter 2.68 of the Haines Borough Code and reenacting Chapter 2.68 as Title 11 with amendments to certain borough election and election contest procedures.

Mayor **SCOTT** opened the public hearing at 7:00pm.

HALLETT - thankful for election reform and offered several written recommendations.

Hearing no further public comments, Mayor **SCOTT** closed the public hearing at 7:07pm.

Motion: **BERRY** moved to "advance Ordinance 14-04-373 to a second public hearing on 5/13/14," and it was amended to strike 11.24.010(A)(2)(d)(4) and renumber. The motion, as amended, carried unanimously.

D. Ordinance 14-04-374 - First Public Hearing

An Ordinance of the Haines Borough amending the Port of Haines Terminal Tariff No. 3 to provide for a 5% annual increase to the lightering facility flat fee and to clarify terms of facility use.

Mayor **SCOTT** opened the public hearing at 7:12pm.

HESS - hopeful this ordinance clarifies terms of use.

Hearing no further public comments, Mayor **SCOTT** closed the public hearing at 7:13pm.

Motion: **BERRY** moved to "advance Ordinance 14-04-374 to a second public hearing on 5/13/14," and the motion carried unanimously.

E. Ordinance 14-04-375 - First Public Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.08.030 and 2.16.020 to modify the starting date of assembly member's and mayor's regular terms of office.

Mayor **SCOTT** opened and closed the public hearing at 7:21pm; there were no public comments.

Motion: **LAPP** moved to "advance Ordinance 14-04-375 to a second public hearing on 5/13/14," and the motion carried unanimously.

F. Ordinance 14-04-376 - First Public Hearing

A non code ordinance of the Haines Borough approving the sale to Aspen Management LLC of lots 6 and 7 Primary School Subdivision plat No. 2008-21, Haines Recording District, First Judicial District, State of Alaska.

Mayor **SCOTT** opened the public hearing at 7:29pm.

CULBECK - wrong version of agreement provided in meeting packet.

A recess was taken for a few minutes to enable assembly members to access the revised agreement on the borough website.

Hearing no further comments, Mayor **SCOTT** closed the public hearing at 7:45pm. There were no other public comments.

Motion: **LAPP** moved to "advance Ordinance 14-04-376 to a second public hearing at a special meeting on 4/29/14," and the motion carried unanimously.

8. STAFF/FACILITY REPORTS

A. Borough Manager – 4/22/14 Report

SOSA summarized his written report and entertained questions.

***B. Chilkat Center for the Arts – Facility Report of March 2014**

***C. Fire Department – Report of March 2014**

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

***A. Sheldon Museum Board of Directors – Minutes of 3/20/14**

***B. Parks and Recreation Advisory Committee – Minutes of 3/31/14**

C. Assembly Standing Committee Reports

SCHNABEL reported on the Commerce Committee meeting at which the solid waste survey, Upper Lynn Canal crabbing, and business licensing were discussed.

Motion: **SCHNABEL** moved to "direct the manager to review the borough's business licensing process; align all businesses, regardless of type; and administer uniformly," and the motion carried unanimously.

10. UNFINISHED BUSINESS

A. Heliport Study

Motion on the Table: "Direct the borough manager to formally monitor the physical, social, and economic impacts of locating a heliport on the subject property, from Feb. 1-28, 2015, and report the assessment to the assembly by April 15, 2015."

Motion to Amend: **CAMPBELL** moved to amend the main motion to read "authorize the manager to solicit bids for an FAA Noise Impact Study with background noise contours, and an on-ground monitoring study of the specific model type aircraft as well as background noise monitoring for comparison," and the motion carried unanimously.

The main motion, as amended, carried 5-1 with **WATERMAN** opposed.

11. NEW BUSINESS

A. Resolutions

*** 1. Resolution 14-04-552**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a contract with Meridian Systems for the Haines Borough Library Building Controls Conversion project for an amount not-to-exceed \$45,455.

The motion adopted by approval of the consent agenda: "adopt Resolution 14-04-552."

***2. Resolution 14-04-553**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Murray and Associates, P.C. in the amount of \$16,604 for construction services for the Haines School fans replacement project.

The motion adopted by approval of the consent agenda: "adopt Resolution 14-04-553."

3. Resolution 14-04-554

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to pay for the operation and maintenance of a sauna at the Haines pool if the sauna is purchased with private funds.

There was no public comment.

Motion: WATERMAN moved to "adopt Resolution 14-04-554," and it was amended to strike the fifth WHEREAS clause. The main motion, as amended, carried 5-1 with **CAMPBELL** opposed.

4. Resolution 14-04-555

A Resolution of the Haines Borough Assembly supporting waived port fees for the adopted "Alaska BackRoads" marketing concept for both Celebrity and Princess committed cruise ship dockings in FY 15.

GAFFNEY and **PIPER** spoke in favor.

Motion: LAPHAM moved to "adopt Resolution 14-04-555," and the motion carried unanimously.

5. Resolution 14-01-530

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a Cooperative Road Agreement with the Chilkoot Indian Association.

There was no public comment.

Motion: BERRY moved to "adopt Resolution 14-01-530," and it was amended to substitute the proposed memorandum of understanding in its entirety with the substitute agreement recommended by the borough attorney. The motion, as amended, carried unanimously.

*Note: A concern was raised about **BERRY** possibly having a conflict of interest since he is tribal administrator for the CIA. The mayor ruled there was no conflict. Several miscellaneous corrections are needed prior to finalizing the agreement, and it was noted **BERRY** would send an email containing them to staff to forward to the attorney.*

B. Ordinances for Introduction

***1. Ordinance 14-04-377**

An Ordinance of the Haines Borough, providing for the additions or amendment of specific line items to the FY14 budget.

The motion adopted by approval of the consent agenda: "Introduce Ordinance 14-04-377 and set a first public hearing for 5/13/14."

C. Other New Business

1. Board Appointments

Motion: WATERMAN moved to "confirm the mayor's appointment of Jon Hirsh and Ron Jackson to the Parks and Recreation Advisory Committee for terms ending 11/2017, and Rich Chappell to the Parks and Recreation Advisory Committee for a term ending 11/2015," and the motion carried unanimously.

2. Alaska Power Company Rate Intervention

Motion: WATERMAN moved to "go into executive session as allowed by AS 44.62.310(c)(2) regarding pending litigation - Alaska Power Company (APC) Rate Intervention; this matter qualifies for executive session because it is being held to provide direction to the borough attorney regarding the handling of this specific legal matter; and the assembly requests the borough manager and the borough attorney join the assembly in this session." The motion carried 5-1 with **CAMPBELL** opposed.

Present: Mayor Scott; Assembly Members Lapp, Waterman, Lapham, Berry, Schnabel, and Campbell; Borough Manager Dave Sosa, and Borough Attorney Brooks Chandler (via teleconference). The executive session convened at 9:14pm and ended at 10:06pm.

No action was taken following the executive session.

Motion: SCHNABEL to "postpone the Medical Service Area Fund topic (under Correspondence) to the 5/13/14 meeting," and the motion carried unanimously.

3. Haines Borough Energy Round Table Proposal

Note: Mayor Scott has proposed a Haines Borough Energy Round Table meeting to discuss optimal energy rates.

Motion: WATERMAN moved to "accept the mayor's concept of a Haines Borough Energy Round Table and authorize invitations to the proposed participants," and the motion carried unanimously.

4. CIA Pellet Mill Support (added during agenda approval)

Motion: WATERMAN moved to "accept the draft letter of borough support for the Chilkoot Indian Association pellet mill request that will be taken to Washington DC," and the motion carried unanimously.

Note: A concern was raised about BERRY possibly having a conflict of interest since he is tribal administrator for the CIA. The mayor ruled there was no conflict.

12. CORRESPONDENCE/REQUESTS

A. Letter - Medical Service Area Fund - R. Ahrens

13. SET MEETING DATES

A. Governmental Affairs and Services Committee – On 1/9/14 the planning commission requested a policy be developed to allow exemptions and/or deferral to participate in local improvement districts (LIDs). This item was postponed to April. The committee chair will set a meeting date.

B. A Finance Committee meeting will be set by the chair.

14. PUBLIC COMMENTS

There were no public comments.

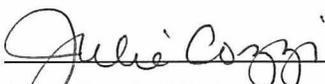
15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

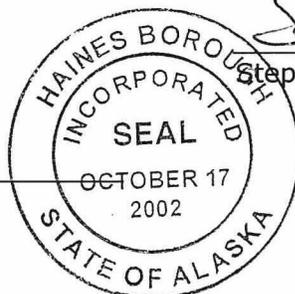
There were no assembly comments.

16. ADJOURNMENT – 10:13pm

Motion: CAMPBELL moved to "adjourn the meeting," and the motion carried with no objection.

ATTEST:


Julie Cozzi, MMC, Borough Clerk




Stephanie Scott, Mayor