

  
**Haines Borough**  
**Borough Assembly Meeting #303**  
**November 10, 2015**  
**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 Jan **HILL**, and Assembly Members Diana **LAPHAM**, George **CAMPBELL**, Mike **CASE**, Margaret **FRIEDENAUER**, Tresham **GREGG**, and Ron **JACKSON**.

**Staff Present:** David **SOSA**/Borough Manager, Julie **COZZI**/Borough Clerk, Helen **ALTEN**/Museum Director, Leslie **ROSS**/Tourism Director, and Brad **RYAN**/Director of Public Facilities.

**Visitors Present:** Karen **GARCIA**/CVN, Jillian **ROGERS**/KHNS, Carol **TUYNMAN**, Brenda **JOSEPHSON**, Paul **NELSON**, Mike **DENKER**, Dana **HALLETT**, Renee **HOFFMAN**, Thom **ELY**, Meredith **POCHARDT**, Bill **MCCORD**, Don **TURNER** Jr., Evelynna **VIGNOLA**, Sean **GAFFNEY**, Joe **PARNELL**, Allyssa **HENRY**, Susan **TANDY**, Lexie **DEWITT**, Henry **WONG**, Darsie **CULBECK**, Melissa **ARONSEN**, and others.

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

The following Items were on the published consent agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Finance Director Memo
- 9A – Accept Planning Commission Minutes
- 12A – Correspondence – Senior Center Management

**Motion:** **CASE** moved to “approve the agenda/consent agenda,” and it was amended to add after item 11C2 a discussion regarding referring to committee the topic of public process for boards; move item 14 (Public Comments) ahead of the Executive Session; add following the board process item a discussion of hiring an interim manager; and remove the planning commission minutes from the consent agenda. The motion to approve the agenda/consent agenda, as amended, carried unanimously.

\* 4. **APPROVAL OF MINUTES** – 10/27/15 Regular

*The motion adopted by approval of the consent agenda: “approve minutes of the 10/27/15 borough assembly regular meeting.”*

5. **PUBLIC COMMENTS**

**ELY** said the issue of heliskiing land management has been rehashed over and over again. Goat populations are on the decline in this area.

**NELSON** asked the assembly to please consider local hire for the interim and permanent managers.

**HENRY** expressed disappointment with the scoring results for the funding grant for the Chilkat Valley Preschool. If the borough has money for studies, there is money for essential organizations. The impact of this loss of funds will be significant, and there is a lot of community support for the preschool.

**POCHARDT** referenced the letter from Takshanuk Watershed Council (TWC) in the packet regarding the Title III money. She asked the assembly to reconsider giving the funds earmarked for an Excursion Inlet bridge to TWC instead. TWC would be happy to research other funding sources for that bridge. The grant funding scoring process seems too subjective.

**DEWITT** said the Chilkat Valley Preschool provides education and jobs. Please support the children who are Haines’ future.

**TUYNMAN** is thrilled about all of the young people living in Haines, and it is a giving and beautiful community. She agreed the manager should be a local hire, because this is a unique community. Please look at finding more money for the nonprofits.

**VIGNOLA** said she is amazed and disconcerted about all of the changes. She also encouraged a local hire for borough manager.

**PARNELL** expressed several concerns about the harbor, including the waitlist, finances, and the expansion project.

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

Mayor **HILL** commented on the following: 1) Marine Corps 240<sup>th</sup> Birthday today; there was a celebration at the museum, 2) the manager and she met with Captain Neussl of AMHS. ADOT still plans to come to Haines for a public meeting about the AMHS, and she is still encouraging public letters to be brought to the borough office, 3) next week is the Alaska Municipal League conference, and the two new assembly members will attend the Newly Elected Officials training, 4) she thanked veterans for their service (in light of Veteran's Day), and 5) she announced her assembly committee and liaison appointments. They can be adjusted, if necessary.

<b>2015-16 Assembly Standing Committee, Liaison, and other Committee Appointments</b>						
	<b>Finance</b>	<b>Commerce</b>	<b>Personnel</b>	<b>Government Affairs &amp; Services</b>	<b>Liaisons</b>	<b>Other Appointments</b>
<b>Margaret Friedenauer</b>		X	X		PHAC, PSC	MOCRC
<b>Mike Case</b>	X	X	X		PC	MOCRC
<b>Ron Jackson</b>	X		X	x	PRAC	MOCRC
<b>Diana Lapham</b>	X		X	X	LAB, TAB	Deputy Mayor, Eagle Preserve Advisory Council
<b>George Campbell</b>		X		X	MBT	
<b>Tresham Gregg</b>	X	X		X	CCAB	

CCAB = Chilkat Center Advisory Board  
LAB = Library Advisory Board  
MBT = Museum Board of Trustees  
PC = Planning Commission  
PHAC = Port & Harbor Advisory Committee

PRAC = Parks & Recreation Advisory Committee  
PSC = Public Safety Commission  
TAB = Tourism Advisory Board  
MOCRC = Minor Offenses Code Review Committee (ad hoc)

**7. PUBLIC HEARINGS**

**A. Ordinance 15-09-422 – Second Hearing**

**An Ordinance of the Haines Borough amending the Port of Haines Terminal Tariff No. 3 to extend the rate table and to allow for a cruise ship docking discount incentive.**

Mayor **HILL** opened and closed the public hearing at 7:02 p.m.; there were no public comments.

**Motion:** **LAPHAM** moved to "adopt Ordinance 15-09-422," and it was amended by striking 'of at least 700 feet in length' and after the word 'docking' adding the text 'at the Port Chilkoot Dock.' The motion, as amended, carried 5-1 in a roll call vote with **JACKSON** opposed.

**B. Ordinance 15-10-423 – Second Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.60.010(I) and 18.100.092(A) to be consistent with the State Department Of Environmental Conservation (DEC) on-site wastewater regulations.**

Mayor **HILL** opened and closed the public hearing at 7:16 p.m.; there were no public comments.

**Motion:** **LAPHAM** moved to "adopt Ordinance 15-10-423," and the motion carried unanimously in a roll call vote.

**Primary Amendment Motion:** **CAMPBELL** moved to amend by removing the first strikethrough and replace with 'plans meeting DEC approval' and replace the second bolded-underlined language with 'as required by DEC regulations', and the motion **FAILED** 3-4 with **FRIEDENAUER, LAPHAM, and JACKSON** opposed and Mayor **HILL** breaking the tie in the negative.

**Motion to Refer:** **JACKSON** moved to "refer **CAMPBELL**'s recommendations to the planning commission," and the motion **FAILED** with **JACKSON, FRIEDENAUER, LAPHAM, and CASE** opposed.

8. **STAFF/FACILITY REPORTS**

A. **Borough Manager – 11/10/15 Report**

The manager summarized his written report and responded to a few questions from the assembly.

\*B. **Finance Director – FY16 First Quarter General Fund Financial Report**

9. **COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES**

A. **Planning Commission – Minutes of 9/10/15**

**CAMPBELL** is concerned with the delay in minutes coming to the assembly. The assembly discussed the issue of communication with the various boards and the need for improvement.

**Motion: FRIEDENAUER** moved to “refer the issue of aligning committee meeting processes with code and state law to the Government Affairs & Services Committee and to bring recommendations to the assembly no later than the first meeting in March,” and the motion carried unanimously.

B. **Assembly Board Liaison Reports**

**JACKSON** – Public Safety Commission

**LAPHAM** – Tourism Advisory Committee

C. **Assembly Standing Committee Reports**

1. **Commerce Committee – 10/21/15 re. Economic Development Position**

**CAMPBELL** explained the committee’s recommendation included in the written report in the packet.

2. **GAS Committee – JACKSON** reported the committee met concerning Legislative Priorities and also met with the minor offenses group.

10. **UNFINISHED BUSINESS**

11. **NEW BUSINESS**

A. **Resolutions**

1. **Resolution 15-11-649**

**A Resolution of the Haines Borough Assembly authorizing the allocation of FY16 Budgeted Funds to Non-profit Organizations.**

**HENRY** – Please find some other creative funding for the nonprofits.

**Motion:** **LAPHAM** moved to “adopt Resolution 15-11-649,” and the motion without amendment carried 5-1 in a roll call vote with **CAMPBELL** opposed.

**Amendment Motion:** **JACKSON** moved to “transfer \$7,500 of the \$272K Title III receipts to the Takshanuk Watershed Council for their educational program and move \$3901.50 from the current TWC funding recommendation to the Chilkat Valley Preschool,” and the motion **FAILED** with **LAPHAM, CASE, CAMPBELL,** and **FRIEDENAUER** opposed.

B. **Ordinances for Introduction – None**

C. **Other New Business**

1. **Letter of Support for State Parks Assuming Management Responsibility for the Chilkoot River Corridor Right of Way**

*This is in response to a request from the Tourism Advisory Board included in the 10/27/15 assembly meeting packet.*

**Motion:** **CASE** moved to “authorize the letter to be sent to State Parks.”

**Motion to Refer:** **CAMPBELL** moved to refer this to the Commerce Committee,” and the motion carried 4-2 with **CASE** and **LAPHAM** opposed.

2. **Skier Day Limit** – Discussion Item

*Following the skier day allocation appeal on 10/27, assembly member Campbell requested this item be placed on this agenda.*

**CAMPBELL** suggested managing for sales or booking limits, because managing by skier days is subjective. He would like to see this fleshed out by the end of the 2016 heliskiing season so it could take effect for the 2017 season. He made a motion to have the commerce committee look into it, but it died for lack of a second.

(At 9:27pm) **Motion: FRIEDENAUER** moved to “complete the agenda,” and the motion carried unanimously.

3. **Public Process for Boards – Referral to Committee** – Discussion Item (added during agenda approval but actually addressed during item 9A.)

4. **Hiring an Interim Manager** – Discussion Item (added during agenda approval)

**Motion: CAMPBELL** moved that “staff develop an advertisement for an interim manager for the Haines Borough,” and the motion carried unanimously.

**Motion: FRIEDENAUER** moved to “ask staff to investigate adding a search for a borough manager to the current search for a police chief,” and the motion carried 4-2 with **CASE** and **GREGG** opposed.

14. **PUBLIC COMMENTS** – Moved to this location during approval of the agenda

**WONG** expressed concerns with the issue of managing the Senior Center.

**JOSEPHSON** clarified she is supportive of wastewater ordinance. Earlier, she was addressing a specific question that had come up.

**TURNER** believes it is wrong to expect the clerk to attend all of the meetings. If needed, he suggested the ordinance be amended to allow the clerk to assign others to attend them.

**NELSON** said the manager should not be rewarded because he has quit his contract with the borough and violated his oath of office.

**TUYNMAN** explained that nonprofits create an attractive community environment whether or not there is a direct economic impact.

**CULBECK** agreed and said location-neutral people look at pools, preschools, etc. when deciding where to live. They are economic drivers.

**HALLETT** thanked the assembly for referring the matter of board processes to the Government Affairs & Services Committee. He agreed it is not the clerk’s responsibility to attend every meeting.

**VIGNOLA** is thankful for an additional Army Corps of Engineers hoop to jump through for the harbor expansion project.

11C5. **Executive Session – Borough Manager Resignation**

**Motion: LAPHAM** moved to “move into executive session as allowed by AS 44.62.310(c)(2) and Haines Borough Charter Section 18.03 to discuss the Borough Manager’s resignation; this matter qualifies for executive session because it involves contract negotiations and a discussion of job performance that could prejudice character if held in an open meeting; David Sosa is asked to attend.” The motion carried 5-1 with **CASE** opposed.

Present: Mayor Hill; Assembly Members Lapham, Jackson, Campbell, Friedenauer, Case, and Gregg; and Borough Manager David Sosa. The executive session convened at 9:51pm and ended at 10:25pm

**Motion: CAMPBELL** moved that “the assembly accepts the manager’s resignation with 30 days notice without prejudice (effective 12/4/15),” and the motion carried unanimously.

**Motion: CASE** moved to “approve the letter written by the mayor that will be sent to Mr. Sosa and also go into his file,” and the motion carried unanimously.

**12. CORRESPONDENCE/REQUESTS**

**\* A. Citizen Comment re. Senior Center Management – D. Ward**

**13. SET MEETING DATES**

There was a discussion about whether or not a special assembly meeting would be needed to address the recruitment of both an interim and a replacement manager.

**Motion:** **FRIEDENAUER** moved to “direct the manager to advertise for an interim and explore other solutions to meet the immediate needs for management,” and the motion carried unanimously.

**14. PUBLIC COMMENTS** - moved ahead of exec session during approval of the agenda.

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**GREGG** believes the assembly should reconsider the lobbyist idea before putting out an RFP. There should be a more creative solution.

**LAPHAM** said a lobbyist teaming up with the mayor will be important. The borough has two critical projects in need of state funding.

**CASE** knows lobbyists are very effective although that fact galls him.

**JACKSON** wondered who supervises and directs the lobbyist.

**16. ADJOURNMENT** – 11:03 p.m.

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

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Janice Hill, Mayor

ATTEST:

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Julie Cozzi, MMC, Borough Clerk