

  
**Haines Borough**  
**Borough Assembly Meeting #284**  
**January 27, 2015**  
**MINUTES**

**Approved**

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Deputy Mayor **LAPHAM** called the meeting to order at 6:33 p.m. in the Assembly Chambers and led the pledge to the flag.

2. **ROLL CALL**

**Present:** Mayor Jan **HILL** (via telephone), Deputy Mayor Diana **LAPHAM**, and Assembly Members Joanne **WATERMAN**, Ron **JACKSON**, Mike **CASE**, and George **CAMPBELL**. Absent: Dave **BERRY**.

**Staff Present:** David **SOSA**/Borough Manager (via telephone), Krista **KIELSMEIER**/Deputy Clerk, Bill **MUSSER**/Chief of Police, Carlos **JIMENEZ**/Director of Public Facilities, Jila **STUART**/Finance Director, Helen **ALTEN**/Museum Director, Tracy **CUI**/Planning and Zoning Technician, Patricia **BROWN**/Library Director, and Warren **JOHNSON**/IT Consultant.

**Visitors Present:** Charolett **BAKER** (via telephone), Karen **GARCIA**/CVN, Tom **MORPHET**/CVN, Margaret **FRIEDENAUER**/KHNS, Debra **SCHNABEL**, Jack **WENNER**, Jolanta **RYAN**, Susan **MCCARTNEY**, Alissa **HENRY**, Mike **DENKER**, Glenda **GILBERT**, Renee **HOFFMAN**, Melissa **GANEY**, and others.

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

The following Items were on the published consent agenda:

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Finance Director Report
- 9A – Planning Commission Minutes
- 9B – Tourism Advisory Board Minutes
- 11A1 – Resolution 15-01-609
- 11A2 – Resolution 15-01-610
- 11B2 – Ordinance 15-01-397
- 11B3 – Ordinance 15-01-398

**Motion:** **CASE** moved to “approve the agenda/consent agenda,” and it was amended to remove items 11A2 and 11B3 from the consent agenda. The motion to approve the agenda, as amended, carried unanimously.

\*4. **APPROVAL OF MINUTES** – 1/13/15 Regular Meeting

5. **PUBLIC COMMENTS**

**SCHNABEL** – Encouraged introduction of Ordinance 15-01-396.

**MORPHET** – Provided update on proposed sauna project at Haines pool.

**HENRY** – Supported extending Chilkat Valley Preschool lease.

6. **MAYOR’S COMMENTS/REPORT**

Mayor **HILL** reported she was in Juneau with the Borough Manager to speak with legislators regarding local funding priorities, and she will continue the effort in February at the Alaska Municipal League winter session and Conference of Mayors. She also thanked the Chilkat Snowburners for presenting the Borough a trophy for support of the Alcan 200 snowmachine race.

7. **PUBLIC HEARINGS**

A. **Appeal of Administrative Foreclosure Action** – Charolett Baker

*Note: On September 25, 2014, the borough issued Notices of Breach of Contract for Lots 7 & 8, Four Winds Subdivision. Each lot involves a separate contract. Subsequently, the landowner’s mother, Charolett Baker, presented documentation of legal power of attorney and appealed to the lands manager. A hearing regarding both contracts was held on December 1, 2014. Following that hearing, on December 10, 2014, the lands manager issued a decision to foreclose on and terminate both contracts. As provided for in HBC 14.20.110(F), Ms. Baker timely exercised a right of appeal to the borough assembly. Following this hearing, the assembly may uphold or reverse the land manager’s decision.*

**BAKER** and **SOSA** presented and then answered questions from the assembly.

An 8-minute recess was given.

**Motion:** WATERMAN moved to "have this go back to staff and have them work a manageable plan with Ms. Baker in what they can agree with in a timely manner," and it was amended "to not cease the appeal process but direct this back to staff to work with Ms. Baker to come to a payment agreement." The motion, as amended, carried unanimously in a roll call vote.

**B. Ordinance 14-12-393** – Second Hearing

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.70.040 to allow vacation rentals in a light industrial/commercial zone with a conditional use permit.**

Deputy Mayor LAPHAM opened and closed the public hearing at 7:21 p.m.; there were no public comments.

**Motion:** CASE moved to "adopt Ordinance 14-12-393," and the motion carried unanimously in a roll call vote.

**C. Ordinance 14-12-394** – Second Hearing

**An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Chapter 2.98 to reflect the Public Library's designation as a Borough Department.**

Deputy Mayor LAPHAM opened and closed the public hearing at 7:24 p.m.; there were no public comments.

**Motion:** WATERMAN moved to "adopt Ordinance 14-12-394," and the motion carried unanimously in a roll call vote.

**8. STAFF/FACILITY REPORTS**

**A. Borough Manager** – 1/27/15 Report

SOSA summarized his written report. Additional topics addressed included a concern from CASE regarding the Borough phone system and residents having difficulty contacting the correct staff members. SOSA said updates to the Borough answering machine and website would help make staff more accessible.

\* **B. Finance Officer** – Permanent Fund Report – period ending 12/31/14

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

\* **A. Planning Commission** – Minutes of 12/18/14

\* **B. Tourism Advisory Board** – Minutes of 9/23/14 and 11/20/14

**C. Assembly Standing Committee Reports**

**1. Finance Committee** – Report of 1/19/15 Meeting

WATERMAN referred assembly members to the minutes from the meeting.

**10. UNFINISHED BUSINESS** - None

**11. NEW BUSINESS**

**A. Resolutions**

\***1. Resolution 15-01-609**

**A Resolution of the Haines Borough Assembly supporting full funding for the State of Alaska Harbor Facility Grant Program in the FY 2016 state capital budget.**

*The motion adopted by approval of the consent agenda: "adopt Resolution 15-01-609."*

**2. Resolution 15-01-610**

**A Resolution of the Haines Borough Assembly supporting the addition of port and harbor employees to the list of employees covered by AS 12.55.135.**

**Failed Motion:** CAMPBELL moved to "send Resolution 15-01-610 to our Public Safety committee group and have them review it and bring it back with their recommendations." The motion failed 3-2 with CASE and JACKSON opposed.

**Failed Motion:** WATERMAN moved to "adopt Resolution 15-01-610 with the first 'whereas' struck because it does not apply to this resolution." The motion failed 3-2 in a roll call vote with CAMPBELL and LAPHAM opposed.

**B. Ordinances for Introduction**

**1. Ordinance 15-01-396**

**An Ordinance of the Haines Borough authorizing a one-year extension of a lease of the Human Resources Building by Chilkat Valley Preschool for the purpose of providing preschool educational services.**

*Note: The preschool (CVP) has leased the Human Resources Building on a year-to-year basis since the year 2000, and the current lease was authorized by the assembly on 2/11/14 for a period ending 6/30/15. The CVP requested a one-year extension for a new term date of 6/30/16. The manager proposed an amended lease with changes to the term and rent sections. Borough Charter (Section 3.03(8)) states the leasing of borough property must be approved by the assembly by ordinance.*

**Motion:** WATERMAN moved to "introduce Ordinance 15-01-396 and set a first public hearing for 2/10/15," and the motion carried unanimously.

**\* 2. Ordinance 15-01-397**

**An Ordinance of the Haines Borough determining whether a foreclosed property deeded to the borough shall be retained for a public purpose or sold.**

*The motion adopted by approval of the consent agenda: "introduce Ordinance 15-01-397 and schedule a first public hearing for 2/10/15."*

**3. Ordinance 15-01-398**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Subsection 18.60.020(H) to clarify the criteria for temporary residence permits.**

**Motion:** CAMPBELL moved to "introduce Ordinance 15-01-398 and set a first public hearing for 2/10/15," and the motion carried unanimously.

**4. Ordinance 15-01-399**

**An Ordinance of the Haines Borough adopting a new water-sewer rate schedule to set rates, fees and charges for water and sewer services.**

**Motion:** WATERMAN moved to "introduce Ordinance 15-01-399 and set a first public hearing for 2/10/15," and the motion carried unanimously.

**C. Other New Business**

**1. Board Appointments**

*Note: Three appointment applications were received for two vacancies on the planning commission. One application was subsequently withdrawn. The commission met with the remaining applicants and recommends appointment of both individuals. The mayor agreed and sought assembly confirmation.*

**Motion:** CAMPBELL moved to "confirm the mayor's appointments of Brenda Josephson and Rob Miller to the planning commission for terms ending 11/30/17," and the motion carried unanimously in a roll call vote.

**12. CORRESPONDENCE/REQUESTS - None**

**13. SET MEETING DATES**

**A. Annual Joint Assembly/School Board Meeting:** Wednesday, 2/11, 6:30 p.m., Location: TBD

**14. PUBLIC COMMENTS - None**

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**CASE** – Thanked the Public Works department for grading work on East Fair Drive.

**CAMPBELL** – Thanked Public Works for fixing potholes on FAA Road. He also thanked **MORPHET** for his efforts on the sauna project and **LAPHAM** and organizers for their leadership with the Alcan 200.

**LAPHAM** – Commented on the learning experience from presiding over the past two meetings and said she looks forward to **HILL**'s return.

**JACKSON** – Proposed the Borough submit a comment regarding the state's "Baby Brown" Timber Sale, specifically to address road maintenance and the highway's Scenic Byway status.

**Motion: JACKSON** moved to "ask the manager to finalize a letter of comments to the Haines State Forest regarding those two topics and some more that might come in," and the motion carried unanimously.

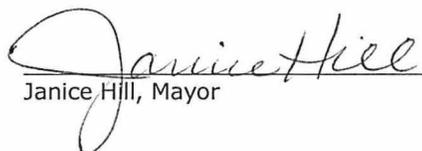
**16. ADJOURNMENT** - 7:58 p.m.

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

ATTEST:

  
Julie Cozzi, MMC, Borough Clerk



  
Janice Hill, Mayor