

Haines Borough
Borough Assembly Meeting #316
June 14, 2016
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**, Ron **JACKSON**, Tresham **GREGG**, Mike **CASE**, and, via telephone, George **CAMPBELL** and Margaret **FRIEDENAUER**.

Staff Present: Brad **RYAN**/Interim Borough Manager, Julie **COZZI**/Borough Clerk, Dean **OLSEN**/Assessor, Tina **OLSEN**/Accounts Receivable, Jila **STUART**/Finance Director, and Patty **BROWN**/Library Director.

Visitors Present: Karen **GARCIA**/CVN, Jillian **ROGERS**/KHNS, Bill **SEWARD**/incoming borough manager, Cary **SEWARD**, Lee **HEINMILLER**, Bill **MCCORD**, Sue **WATERHOUSE**, Don **TURNER** Jr., Evelynna **VIGNOLA**, Joe **PARNELL**, Debra **SCHNABEL**, Paul **NELSON**, and others.

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

The following Items were on the published consent agenda indicated by an asterisk (*):

- 4 – Approve Assembly Meeting Minutes
- 8B – Accept Chilkat Center Report
- 8C – Accept Fire Department Report
- 9A – Accept PRAC Minutes and Meeting Summary
- 9B – Accept PHAC Minutes and Meeting Summary
- 11A2 – Adopt Resolution 16-06-679
- 11A3 – Adopt Resolution 16-06-680

Motion: **LAPHAM** moved to "approve the agenda/consent agenda," and it was amended to remove Items 9A and 11A2 from the consent agenda," and the motion, as amended, carried unanimously.

*4. **APPROVAL OF MINUTES** – 5/24/16

The motion adopted by approval of the consent agenda: "approve minutes of the 5/24/16 borough assembly meeting."

5. **PUBLIC COMMENTS**

VIGNOLA – Expressed concerns about the harbor project, specifically the wave barrier and parking lot.

NELSON – Believes the assembly should give serious consideration to getting a different attorney.

PARNELL – Said he is very concerned about a steel wall in the new harbor, and he believes the truth has been misrepresented. A cost-benefit analysis should have been done. Also, he believes Lutak Dock is a disaster that needs to be dealt with.

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

Mayor **HILL** 1) reported the Beer Fest was fairly uneventful; 2) said the Bike Race is coming up, and there are 1,200 participants signed up; 3) introduced Bill and Cary Seward, the new manager and his wife; 4) thanked Brad **RYAN** for the great job he has done as interim manager; and 5) announced the first mobile commercial business committee meeting is scheduled for Friday, 6/24, 5:30pm.

CASE recognized the great work Chilkoot Indian Association has done on the trail system they are building. The trails are ADA-compliant and provide great access for the tribal elders to get to the berry patches. Visitors and other residents will benefit from the trails, as well.

7. **PUBLIC HEARINGS**

A. **Ordinance 16-04-434** – Third Hearing

An Ordinance of the Haines Borough, Alaska, providing for the establishment and adoption of the operating budget, capital budget, and capital improvement plan of the Haines Borough for the period July 1, 2016 through June 30, 2017.

Mayor **HILL** opened the public hearing at 6:46 pm.

SCHNABEL – Said she would like to see the borough allocate money for development and maintenance of the Mt. Ripinski and Mt. Riley trails. Some areas are being damaged. She noted a lot of people would likely volunteer to do the work if the borough provides the materials.

Hearing no further comments, the mayor closed the public hearing at 6:48 pm.

Motion: **LAPHAM** moved to "adopt Ordinance 16-04-434," and the motion carried 5-1 in a roll call vote with **CAMPBELL** opposed.

B. Ordinance 15-06-413 – First Hearing

An Ordinance of the Haines Borough amending various provisions of the Haines Borough Code to designate certain violations of Borough law as minor offenses and to establish a fine schedule for certain offenses and to provide for other penalties for violations.

Mayor **HILL** opened the public hearing at 6:55 pm.

NELSON – Said under Section 1.24.010 general penalties, he understood the daily fines would be removed and put into specific instances.

Hearing no further comments, the mayor closed the public hearing at 6:56 pm.

Motion: **LAPHAM** moved to "adopt Ordinance 15-06-413," and the motion carried 5-1 in a roll call vote with **CAMPBELL** opposed.

C. Ordinance 16-05-435 – First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 to add a new Chapter 2.51 establishing a Code Review Commission.

Mayor **HILL** opened the public hearing at 7:02 pm.

NELSON – Spoke in support of the ordinance.

VIGNOLA – Said she initially thought a group like this would be overkill, but she imagines it will start with minor offenses and keep on going after that.

Hearing no further comments, the mayor closed the public hearing at 7:04 pm.

Note: This ordinance was introduced on 5/24/16, and the assembly already scheduled the second hearing for 6/28/16. The interim manager referred the ordinance to the borough attorney for review, and staff prepared a substitute ordinance based on the attorney's suggestions and comments.

Motion: **LAPHAM** moved to "amend Ordinance 16-05-435 by substituting it in its entirety with the substitute ordinance proposed by the borough attorney and staff."

Amendment Motion: **LAPHAM** moved to "amend the substitute ordinance, as follow:

1. Replace the word commission with the word committee everywhere it appears in the ordinance,
2. Strike subsection 2.51.040(B) in its entirety, and
3. Strike the phrase "local attorneys" from subsection 2.51.040(A) #3."

Motion to Postpone: **JACKSON** moved to "postpone the matter to the 6/28/16 meeting," and the motion carried unanimously. Both pending motions will move to the next meeting.

D. Ordinance 16-05-436 – First Hearing

An Ordinance of the Haines Borough adopting a revised fee schedule for harbor facility usage to revise the boat launch ramp use fees.

Mayor **HILL** opened and closed the public hearing at 7:27 pm; there were no public comments.

Note: Since the assembly already scheduled the second hearing for 6/14/16, no motion was needed now unless the second hearing date needed to change or some other action was desired.

8. STAFF/FACILITY REPORTS

A. Interim Manager – 6/14/16 Report

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

Motion: **CAMPBELL** moved to "authorize the borough manager to execute a contract with Southeast Road Builders for the Allen Road asphalt patch for an amount not to exceed \$40,000," and the motion carried unanimously in a roll call vote.

***B. Chilkat Center – Facility Report of May 2016**

***C. Fire Department – Report of May 2016**

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES

- A. **Parks & Recreation Advisory Committee** – 4/20/16 Minutes and 5/18/16 Meeting Summary
 - *B. **Port & Harbor Advisory Committee** – 4/28/16 & 5/5/16 Minutes and 5/26/16 Meeting Summary
 - C. **Assembly Board Liaison Reports**
 - LAPHAM – Tourism Advisory Board, Museum Board of Trustees
 - D. **Assembly Standing Committee Reports**
 - LAPHAM – Finance Committee – June 7, Sales Tax Exemption and Nonprofit Business Registration
 - CAMPBELL – Commerce Committee – June 9, Economic Incentive Proposal
10. **UNFINISHED BUSINESS** - None
11. **NEW BUSINESS**
- A. **Resolutions**
 - 1. **Resolution 16-06-678**

A Resolution of the Haines Borough Assembly approving in response to an application from Alaska Indian Arts, Inc., as recommended by the borough assessor, a community purpose property tax exemption for the Parade Grounds property at Fort Seward, and requiring an updated plat within one year of exemption approval.

HEINMILLER – Explained the nuances of the property and the various things that make the property serve a community purpose. A new plat will be recorded to accurately show the various commercial-related areas. One acre of the total area has been taxable over the years.

Motion: CASE moved to “adopt Resolution 16-06-678.”

Motion to Postpone: FRIEDENAUER moved to “postpone this until more information is available.” And the motion **FAILED** 2-4 with LAPHAM CASE GREGG, and JACKSON opposed.

The motion to adopt carried 5-1 with CAMPBELL opposed.
 - 2. **Resolution 16-06-679**

A Resolution of the Haines Borough Assembly establishing investment objectives for the Haines Permanent Fund, and adopting investment asset allocation goals and performance benchmarks.

No public comments.

Motion: LAPHAM moved to “adopt Resolution 16-06-679.”

Motion to Postpone: CAMPBELL moved to “postpone until we can have a meeting as soon as possible with our investment folks,” and the motion **FAILED** with LAPHAM, CASE, FRIEDENAUER opposed and Mayor HILL breaking the tie in the negative.

Motion to Amend: JACKSON moved to “strike 5th WHEREAS clause in Resolution 16-06-679,” and the motion to amend carried 5-1 with LAPHAM opposed.

The motion to adopt, as amended, carried 5-1 in a roll call vote with CAMPBELL opposed.
 - *3. **Resolution 16-06-680**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Southeast Road Builders for the Bjornstad Street Culvert Replacement project for an amount not to exceed \$54,000.

The motion adopted by approval of the consent agenda: “adopt Resolution 16-06-680.”
 - B. **Ordinances for Introduction** - None
 - C. **Other New Business** - None
12. **CORRESPONDENCE/REQUESTS**
- A. **Request for Repeal of 1% Tourism/Economic Development Sales Tax – D.Churchill**

Note: Churchill asked that this be referred to the Finance Committee the Matter of Repealing the % Tourism/Economic Development Sales Tax.
13. **SET MEETING DATES**
- A. **Finance Committee – Monday, 6/27, 5:00pm** – Topic: 1% sales tax repeal request
14. **PUBLIC COMMENTS**

SCHNABEL – 1) Said Public Works Superintendent Ralph Borders is retiring this summer, and she acknowledged the difference he has made in the community; 2) thanked **RYAN** for his job as interim manager; and 3) believes **GREGG** should have disclosed a conflict of interest during the AIA CPE Resolution.

VIGNOLA – Said the harbor plan is not good because of the giant parking lot and wave barrier.

HEINMILLER – Said the issue of dedicated sales tax is cloudy, and all aspects should be considered at the same time.

B.SEWARD – Said it is an honor to be selected as the next borough manager. The community has been quite welcoming, and he and his wife are glad to be here.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

FRIEDENAUER, LAPHAM, and CAMPBELL – Thanked **RYAN** for the job he has done as interim manager.

JACKSON – Said he has met people from all over the world when hiking. He would like to see the borough work more on trail development.

16. ADJOURNMENT – 8:57 p.m.

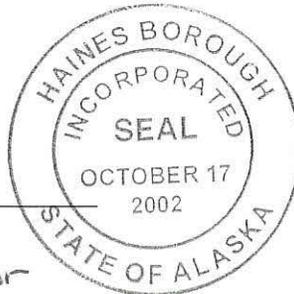
Motion: **LAPHAM** moved to "adjourn the meeting," and the motion carried unanimously.

ATTEST:

Julie Cozzi

Julie Cozzi, MMC, Borough Clerk

Deputy Clerk for
J. Cozzi



Janice Hill
Janice Hill, Mayor