

Haines Borough
Borough Assembly Meeting #221
April 10, 2012
MINUTES

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **SCOTT** 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 Stephanie **SCOTT** and Assembly Members Jerry **LAPP**, Norman **SMITH**, Steve **VICK**, Debra **SCHNABEL**, Joanne **WATERMAN**, and Daymond **HOFFMAN**. Absent: None.

Staff Present: Mark **EARNEST**/Borough Manager, Jamie **HEINZ**/Deputy Clerk, Brian **LEMCKE**/Director of Public Facilities, Jila **STUART**/Chief Fiscal Officer, Tanya **CARLSON**, and Gary **LOWE**/Chief of Police, Darsie **CULBECK**/Special Projects Consultant.

Visitors Present: Krista **KIELSMEIER**/CVN, Darsie **CULBECK** Bill and Libby **KURZ**, Anne **BOYCE**, Paul **SWIFT**, Annette **SMITH**, Krista **KIELSMEIER**, Laurie **DADOURIAN**, George **FIGDOR** and others.

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

Motion: **LAPP** moved to "approve the Agenda/Consent Agenda," and it was amended to add Mayoral Appointments as C2 under Other New Business. The motion carried unanimously.

* 4. **APPROVAL OF MINUTES** – Regular: March 13, 2012, March 27, 2012

5. **PUBLIC COMMENTS**

A. **SMITH** gave a report of the Chilkat Center Advisory Board. She reported that the stage floor had been repainted and the project was an entirely volunteer effort which was completed before the Thodos Dance Chicago event. She also reported that the next scheduled concert was Blue Highway on June 11. She explained that a website had been created, www.chilkatcenter.org, to get people interested in renting the facility, learning about upcoming events, and to make donations. Finally, she explained that the Board was working on creating a 'Friends of the Chilkat Center' organization.

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

Mayor **SCOTT** commended the Museum Director and staff for temporarily repairing a museum window that had been broken in the middle of the night to prevent predators from entering the museum.

She also announced that it was National Public Safety Telecommunications awareness week and thanked the current dispatchers for their compassionate work.

SCOTT announced that it was also National Volunteer Appreciation week and joined the Assembly in announcing the names of the appointed members to the various committees, boards and commissions, thanking them for their volunteer service.

7. **PUBLIC HEARINGS**

A. **Commercial Tour Permit** – Avanim Adventures

Motion: **VICK** moved to "Postpone this item until the applicant calls in," and it carried unanimously.

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

BOYCE explained that Paul Swift had donated many volunteer hours to resurrect and maintain this trail, which was a former army trail. She also explained that the trail is valuable because of the ability to get into the alpine terrain in a relatively short period of time because it is so close to town. She expressed concern for the condition of the trail in heavy snow years with pointing out that melting goes through July and hikers go around wet spots and degrade the trail. She had questions regarding the number of tours and intent for expansion. Additionally, she asked for pledge for commitment to help maintain the trail.

DADOURIAN agreed with Anne Boyce and said proposals from large groups should not be taken lightly. She pointed out that the ridge is relatively narrow, reiterated that the trail is maintained by volunteers, and suggested allowing commercial use would need heavy regulation. She suggested that there be no campfires, that cook stoves be required, that human waste be packed out, and bear canisters be required for food.

FIGDOR suggested that application was incomplete and recommended tabling the topic until Alaska Department of Natural Resources issues a permit. He pointed out that Juneau has a plan and suggested that the borough make a similar plan for recreational trail use in the borough to make it clear which areas are okay for commercial use and what areas are reserved for locals.

HOFFMAN recognized and appreciated the comments. He explained that he has a lot of experience with forest fires as well as over-use and adverse effects on eco-systems. He also explained that the permit requested is for a wilderness experience for a few individuals for several days with the highest regards for leave no trace in whatever setting. He added that he would be honored to assist/contribute with trail maintenance and that he would be happy to resubmit next year, recognizing and respecting the process.

CULBECK isn't familiar with the tour company and would be in favor of this one tour happening. He pointed out that problems can be mitigated as International Wilderness Leadership School Instructors are trained in this.

Mayor **SCOTT** closed public hearing at 7:24pm.

Motion: VICK moved to "Authorize the borough clerk to process the Avanim Adventures application and, if everything is in order, issue a 2012 commercial tour permit," and it was amended to read "Authorize the borough clerk to process the Avanim Adventures application and, if everything is in order, issue a 2012 commercial tour permit requiring camp cook stoves, bear canisters, and leave no trace principals be utilized and for no more than four nights and thirteen people capacity, and requiring any reapplication in 2013 be a public hearing before the assembly." The motion as amended carried unanimously.

The credentials of the Avanim Adventures staff, requiring camp cook stoves, bear canisters and leave no trace principals, the Haines Borough being prepared with sustainable trails, the reapplication process being a public process, and development of a plan for commercial and recreational use of local trails were topics discussed.

Motion: WATERMAN moved to "Task the Parks and Recreation Advisory Committee with developing a plan for commercial and recreational use of local trails," and the motion carried unanimously.

B. Ordinance 12-03-283 - Second Hearing

An Ordinance of the Haines Borough amending the Port of Haines Terminal Tariff No. 3 to simplify calculation of dockage fees at the Port Chilkoot Dock.

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

Motion: LAPP moved to "adopt Ordinance 12-03-283," and it carried unanimously. There was no discussion.

8. STAFF/FACILITY REPORTS

A. Borough Manager - 3/27 Report

In addition to his written report, **EARNEST** explained that May is National Bicycle Month and will ask the Mayor to make a proclamation. Also, he reported that the Community Center RFQ committee met, and through the selection process narrowed to one firm, McCool, Carlson and Greene, and explained that he will be inviting the firm to Haines to attend the committee of the whole meeting on 4/17. **EARNEST** announced that the Director of Public Facilities has agreed to remain until September 2012 and also that he had contracted with an Interim Harbormaster. **EARNEST** explained that he would be out of the office from April 23 through April 27 to take his son to Reno to attend an application process for schooling. Additionally, **EARNEST** reported that he and **CULBECK** would be meeting with people in the private sector who are interested in the junk car program.

SCHNABEL asked if the ordinance for the junk car tax was ready for committee and which committee to assign it to. It was decided that it was ready and that it should be reviewed by the finance committee.

- * **B. Public Library - Staff Report of 2/2012, Board Meeting Minutes 2-22-12**
- * **C. Sheldon Museum - Staff Report of 2/2012, Board Meeting Minutes 1-10-12, 2-8-12**
- * **D. Chief Fiscal Officer - 2009 - 2011 Sales Tax Comparison**

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

A. Assembly Committees

***1. Committee of the Whole**

2. Commerce Committee - SCHNABEL explained that transfer stations and other issues relating to solid waste management were discussed at their meeting on 4/4.

3. Finance & Budget

4. Personnel & Labor Relations

5. Government Affairs & Services - VICK explained that filling assembly vacancies

was discussed and the committee recommended amending code to require a majority of the seated assembly to appoint candidate to fill a vacancy. He asked that an ordinance be prepared for the next meeting.

- * **B. Planning Commission** – *Approved Minutes 12/8/11, 1/19/12, 2/9/12*
- * **C. School Board**
- * **D. Advisory Boards**
 - 1. **Tourism Advisory Board** – *Approved Minutes 1/19/12, 2/23/12*
- * **E. Service Area Boards**
 - 1. **Riverview Drive RMSA Board** – *Annual Report and FY13 Budget Request*
 - 2. **Letnikof Estates RMSA Board** – *Annual Report*
- * **F. Ad Hoc Boards & Committees**

10. **UNFINISHED BUSINESS** - None

11. **NEW BUSINESS**

A. **Resolutions**

1. **Resolution 12-04-348**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a construction contract with North Pacific Erectors for the High School Gymnasium Floor Replacement Project for an amount not to exceed \$328,399.

There were no public comments.

Motion: WATERMAN moved to “adopt Resolution 12-04-348,” and it carried unanimously in a roll call vote. There was no discussion.

2. **Resolution 12-04-349**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a contract with Southeast Road Builders, Inc. to provide D-1 and Pit Run materials to the Borough.

There were no public comments.

Motion: WATERMAN moved to “adopt Resolution 12-04-349,” and it carried unanimously in a roll call vote. There was no discussion

3. **Resolution 12-04-350**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a contract with Northern Construction, Inc. to provide Maintenance Sand materials to the Borough.

There were no public comments.

Motion: LAPP moved to “adopt Resolution 12-04-350,” and it carried unanimously in a roll call vote.

WATERMAN asked where material coming from.

Motion: WATERMAN moved to “postpone this item to the April 24 meeting and ask staff to find out where the material is coming from and ensuring it is legal,” and it carried unanimously.

4. **Resolution 12-04-351**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a professional services agreement with Northern Economics to provide consulting services in support of the Haines Port Development Plan – Phase I.

There were no public comments.

Motion: LAPP moved to “adopt Resolution 12-04-351,” and the motion carried unanimously in a roll call vote.

SCHNABEL verified that the cost associated with the contract was \$43,550.

B. **Ordinances for Introduction**

1. **Ordinance 12-04-284**

An Ordinance of the Haines Borough Assembly amending Haines Borough Code Chapter 18.100 Sections 18.100.035 and 18.100.050(A) to revise procedures for plats.

Motion: WATERMAN moved to “introduce Ordinance 12-04-284 and set a first public hearing for 4/24/12,”

and it was amended to remove section 18.100.035(D) from the ordinance. All motions were seconded and carried unanimously.

SCOTT explained that the language added to section 18.100.035(D) duplicated language elsewhere in the title and was not necessary.

2. Ordinance 12-04-285

An Ordinance of the Haines Borough Assembly repealing Haines Borough Code Chapter 2.54 Department of Economic Development and amending Section 2.84.160 to remove the Economic Development Director from the list of department directors eligible for Executive Leave.

Motion: WATERMAN moved to "introduce Ordinance 12-04-285 and set a first public hearing for 4/24/12," and it carried 5-1 with **LAPP** opposed.

SCHNABEL considered how this ordinance is attached to the appropriation of sales tax. **SCOTT** pointed out that in her research she determined that sales tax would not be affected.

C. Other New Business

1. Major vs. Minor Maintenance – School District

Motion: LAPP moved to "Refer this matter to the Government Affairs and Services Committee," and it was amended to be referred to a joint Finance Committee and Government Affairs and Services Committee meeting. All motions were seconded. The motion carried unanimously

SCHNABEL understands a financial amount would determine the difference between major or minor maintenance. **EARNEST** suggested it be referred to both committees.

2. Mayoral Appointment (this item was added during approval of the agenda)

Motion: WATERMAN moved to "Confirm the appointment of Ron Jackson from the Parks and Recreation Advisory Committee to the Community Center RFQ Committee," and the motion carried unanimously.

12. CORRESPONDENCE/REQUESTS

A. Fireworks Liability – EARNEST pointed out that the deadline to obtain the necessary coast guard permits was April 25. **CARLSON** explained the coast guard permits are necessary because the fireworks are set off over the water.

13. SET MEETING DATES –

A. Joint Government Affairs & Services and Finance 4/26, 6:30pm, Major vs. Minor Maintenance

B. Finance 4/26, 5:30pm, Vehicle Tax

C. Communications Sub-Committee 4/16, 3:30pm

14. ASSEMBLY COMMENTS

SCOTT appreciated the board packets from the RMSA's.

SCHNABEL asked about the timeframe associated with adopting an ordinance to be included as a ballot measure.

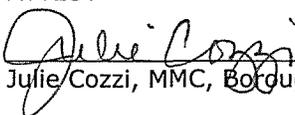
15. PUBLIC COMMENTS

CULBECK explained that there are management plans created by the state for trails.

16. ADJOURNMENT – 8:34 p.m.

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

ATTEST


Julie Cozzi, MMC, Borough Clerk


Stephanie Scott, Mayor

