

  
**Haines Borough**  
**Borough Assembly Meeting #226**  
**June 26, 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 Joanne **WATERMAN**, Jerry **LAPP**, Norman **SMITH**, Steve **VICK**, Debra **SCHNABEL**, and Daymond **HOFFMAN**.

**Staff Present:** Jamie **HEINZ**/Deputy Clerk, Jila **STUART**/Chief Fiscal Officer, Brian **LEMCKE**/Director of Public Facilities, Phil **BENNER**/Harbormaster, Gary **LOWE**/Chief of Police, Darsie **CULBECK**/Special Projects Consultant, Phil **BENNER**/Harbormaster, and Meredith **POCHARDT**/CYD Director.

**Visitors Present:** Tom **MORPHET**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, Michael **BYER**, Annette **SMITH**, Jack **WENNER**, Anne Marie **PALMIERI**, John **HIRSCH**, Gerard **GARLAND**, 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 Harbor Garbage Surcharge Fees as Other New Business Item 11C9. The amended motion carried unanimously.

\* **4. APPROVAL OF MINUTES** – None

**5. PUBLIC COMMENTS**

**KURZ** attended AP&T's teleconference regarding the Connelly Lake Hydroelectric Project and encouraged attendance at the in-person meeting at the ANB hall.

**A. SMITH** Explained that the Chilkat Center Advisory Board has discussed and endorses **LEMCKE's** recommendation to temporarily fix the Chilkat Center roof with a metal roof.

**WENNER** spoke in favor of the Connelly Lake Hydroelectric Project.

**MORPHET** said downtown merchants are sponsoring a band on the dock and downtown to lure passengers to the downtown area.

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

Mayor **SCOTT** explained the opportunities for public to be heard and explained options that the Assembly has for discussion. She also highlighted the Kluane Chilkat International Bike Race as an economic benefit to the community, and the Fisherman's BBQ which is loved by many visitors and serves us well as far as advertising the community.

In addition, **SCOTT** explained that Tlingit-Haida Regional Electrical Authority has submitted a Federal Energy Regulatory Commission application for a Walker Lake Hydroelectric Project. She also said that after a conversation with Deputy Commissioner Neussl, the Alaska Marine Highway System's "Day Boat" service schedule for the Lynn Canal will be restored next year.

Mayor **SCOTT** presented flowers to **HEINZ**, thanking for her service to the borough.

**7. PUBLIC HEARINGS**

**A. Classification/Disposition of the Former Primary School Property**

Mayor **SCOTT** opened the public hearing at 6:41pm.

**GARLAND** is in favor of borough retaining the property and not designating for sale in the future because future needs are unknown at this time. He said many envision a campus downtown where public functions can be held. He pointed out a danger of selling would subject the property to a speculation buyer purchasing it and holding it undeveloped for a long time or building a large chain store, putting local merchants out of business

**KURZ** echoed **GARLAND's** statements.

**WENNER** said the Planning Commission didn't want to sell immediately.

**PALMIERI** said as a Project Manager for Department of Environmental Conservation she has been working with the borough on petroleum contamination in the soil and is available for questions.

**CULBECK** also spoke in favor of retaining land suggesting that the community could have something there to be proud of in the near future.

**STUART** explained that Lands Department funds were used to purchase the current school property and that there were discussions that this property would be sold to reimburse the Lands budget.

**HIRSCH** added that the property is a great place for a center of town and that many commercial properties are currently unused putting another piece of property out there would be a short sighted decision.

Hearing no further comments, the mayor closed the public hearing at 6:52pm.

**Motion: SCHNABEL** moved to "postpone disposition/reclassification indefinitely," and it was seconded. The motion carried 5-1 with **LAPP** opposed.

During the discussion, **SCHNABEL** said as a follow up to the reconsideration motion she felt it was counterproductive to sell and pointed out that postponing indefinitely allowed for the possibility of bringing it back in the future. **VICK** agreed. He said he has heard ideas from the public and past assembly members and would like to see the best use of the property. **HOFFMAN** said the decision should be community driven as the property has been community property, and with input from more stakeholders, the vision for the property can be consolidated. **LAPP** reiterated that purchasing the Schafer property took something off the tax rolls and some property should be put back on the rolls so the tax payers aren't disenfranchised. He suggested property could be sold in Excursion Inlet or Highland Estates.

**B. Ordinance 12-05-293 – Second Hearing**

**An Ordinance of the Haines Borough Assembly providing for the addition or amendment of specific line items to the FY12 budget.**

Mayor **SCOTT** opened and closed the public hearing at 7:00pm; there were no public comments.

**Motion: WATERMAN** moved to "adopt Ordinance 12-05-293," and it was seconded. The motion carried unanimously. There was no discussion.

**8. STAFF/FACILITY REPORTS**

- \* A. **Borough Manager – 6/26 Report**
- \* B. **Chilkat Center – May 2012 facility report**
- \* C. **Public Library – May 2012 staff report & board meeting minutes**

At this point in the meeting, Mayor **SCOTT** gave the floor to **LEMCKE** who gave an update on the Chilkat Center Roof; he explained the pros and cons of asphalt shingle versus metal roofing and determined that the metal roofing would accommodate damming and ventilation better. He plans on publishing the RFP soon and his goal is to have it in place by September.

**LEMCKE** also explained that there was a fire at the new Public Works Shop. He said it appears the fire flashed and burned out and was smoldering once the staff arrived. He also explained that the fire chief and firefighter looked at it and are talking with insurance and that the damage is about \$50,000 which falls under threshold of investigator. He said he is planning on preparing a scope of work and gathering proposals.

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

**A. Assembly Committees**

1. **Committee of the Whole**
2. **Commerce Committee**

**SCHNABEL** said the committee is discussing needs and impacts of a severance tax package on resources as a way of generating funding and that they are looking to the Yakutat codes for guidance.

3. **Finance & Budget**
4. **Personnel & Labor Relations**
5. **Government Affairs & Services**

**VICK** said the committee discussed the proposed ballot measure for localizing financial disclosure laws and have recommended a substitute ordinance. Additionally, they have proposed an ordinance that would establish local financial disclosure laws.

**B. Planning Commission** – *Approved minutes: 4/19, 5/10*

\* **C. School Board**

**D. Advisory Boards**

\* **1. Parks & Rec Advisory Committee** – *Approved Minute: 4/6*

\* **2. Tourism Advisory Board** – *Approved Minute: 4/25*

\* **E. Service Area Boards**

\* **F. Ad Hoc Boards & Committees**

**10. UNFINISHED BUSINESS** - None

**11. NEW BUSINESS**

**A. Resolutions**

**1. Resolution 12-06-372**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a professional services contract with Haines Animal Rescue Kennel to provide animal control services during FY13 for an amount not to exceed \$47,340.**

There were no public comments.

**VICK** recused himself from since he is the Executive Director of Haines Animal Rescue Kennel.

**Motion: LAPP** moved to “adopt Resolution 12-06-372,” and it was seconded. The motion carried unanimously in a roll call vote with **VICK** recused. There was no discussion

**2. Resolution 12-06-373**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with McCool Carlson Green in the amount of \$38,885 to provide consulting services in support of the Haines Community Facility Master Plan – Phase I.**

There were no public comments.

**Motion: WATERMAN** moved to “adopt Resolution 12-06-373,” and it was seconded. The motion carried unanimously in a roll call vote.

During the discussion, **SCHNABEL** clarified that \$75,000 was budgeted for developing a facilities master plan. She added that facilities master plan and the community center plan are two planning processes and it was important to recognize that the facilities master plan needs to be done prior to developing plans for a community center. She pointed out that the proposed solution is going to cost \$166,000 and that the Assembly needed to be prepared to be appropriate additional funding. **VICK** pointed out that in the facilities master plan every facility would be looked at, a repair plan and a timeline formulated.

**3. Resolution 12-06-374**

**A Resolution of the Haines Borough Assembly accepting a Fiscal Year 2013 Designated Legislative Grant in the amount of \$950,000 for the purpose of Letnikof Cove Harbor Improvements and authorizing the borough manager to enter into a grant agreement with the Department of Commerce, Community, and Economic Development.**

There were no public comments.

**Motion: LAPP** moved to “adopt Resolution 12-06-374,” and it was seconded. The motion carried unanimously in a roll call vote.

During the discussion, **SMITH** asked Harbormaster the scope and details of the project. **BENNER** explained that the Project includes refurbishing the deck and cleats on the existing float, replacing the gangway with the salvaged gangway from the Port Chilkoot Dock, replacing the gangway landing float, extending the outside float and resetting the outside steel piles.

**4. Resolution 12-06-375**

**A Resolution of the Haines Borough Assembly accepting a Fiscal Year 2013 Designated Legislative Grant in the amount of \$4,500,000 for the purpose of Haines Boat Harbor and Breakwater Improvements and authorizing the borough manager to enter into a**

grant agreement with the Department of Commerce, Community, and Economic Development.

There were no public comments.

**Motion: VICK** moved to "adopt Resolution 12-06-375," and it was seconded. The motion carried unanimously in a roll call vote.

#### **5. Resolution 12-06-376**

**A Resolution of the Haines Borough Assembly accepting a Fiscal Year 2013 Designated Legislative Grant in the amount of \$7,173 for the purpose of Public Library Technology Improvements, Upgrades, and Replacements and authorizing the borough manager to enter into a grant agreement with the Department of Commerce, Community, and Economic Development.**

There were no public comments.

**Motion: HOFFMAN** moved to "adopt Resolution 12-06-376," and it was seconded. The motion carried unanimously in a roll call vote. There was no discussion.

#### **B. Ordinances for Introduction**

##### **1. Ordinance 12-06-294**

**An Ordinance of the Haines Borough, Providing for the Addition or Amendment of Specific Line Items to the FY13 Budget.**

**Motion: LAPP** moved to "introduce Ordinance 12-06-294 and schedule a first public hearing for 7/10/12," and it was seconded. The motion carried unanimously in a roll call vote.

During the discussion, **SMITH** asked that the Excursion Inlet community be made aware of the \$25,000 appropriation for the dock extension. **SCHNABEL** asked that the Finance Committee discuss funding possibilities for the Public Safety Building boiler replacement at their next meeting. **LEMCKE** explained that the grant administrator approved a time extension and that he is going to look at other options.

#### **C. Other New Business**

##### **1. Ordinance 12-05-290**

**An Ordinance of the Haines Borough Assembly placing on the October 2, 2012 Election ballot the question of exemption from the Alaska Public Official Financial Disclosure law (AS 39.50).**

**Motion: HOFFMAN** moved to "advance Ordinance 12-05-290 to a second public hearing on 7/10/12," and it was amended to substitute the committee substitute dated 6/19/12. The amended motion carried unanimously.

During the discussion, **VICK** explained they looked at the question and changed it to lead with a positive statement.

**Secondary Amendment: VICK** moved to "modify the explanation of what a yes vote would accomplish so the ballot question would read A YES vote would ratify the Haines Borough financial disclosure requirements established by Ordinance 08-09-189 and, at the same time, exempt Haines Borough elected/appointed officials and candidates from the Alaska financial disclosure requirements," and it was seconded. The motion carried unanimously.

##### **2. Alaska Clean Harbor Certification Program**

**BENNER** said that the Port and Harbor Advisory Committee asked the Assembly to ratify Haines' participation in the Alaska Clean Harbor initiative. He explained that participation starts year long process of what we will do including improving waste solutions and set up basic processes like tarps to catch zincs and sand. He added that a representative will come in September to assist with start-up. **BENNER** pointed out that Seward is the only harbor in the state that is a certified clean harbor and Haines would be the first in southeast. He added that he believes that certification could be done for less than \$10,000.

**Motion: LAPP** moved that "the Haines Borough participate in the Alaska Clean Harbor Certification Program," and the motion carried unanimously.

**SCHNABEL** asked if an appropriation would be necessary in the future. **BENNER** said he believed the funding could come from already adopted harbor budget.

### **3. Consider Directing the Manager to Explore the Purchase of the Elks Lodge**

**Motion:** **VICK** moved to "direct the manager to explore the purchase of the Elks Lodge," and the motion carried 4-2 with **SMITH** and **LAPP** opposed.

During discussion, **SMITH** suggested a timeframe be associated. **SCHNABEL** said she was supportive because intuitively it makes sense, but would like to see or hear a more rationale for the acquisition for the property. **BYER** explained that expansion to the west side impinged on area for recess and, if building on, toward the Elks Lodge would be logical and possession of the property provided many possibilities.

**Motion:** **SCHNABEL** moved to "suspend the rules and allow for a more freeform discussion," and the motion carried 4-2 with **VICK** and **LAPP** opposed.

Additional discussion took place regarding the need for classrooms in the next five to ten years, the poor quality of the building on the property, and the assessed value of the property.

**Motion:** **VICK** moved to "reinstate the rules," and the motion carried unanimously.

**VICK** said more information is needed about the property and school, including numbers to look at. **HOFFMAN** said a purpose needs to be defined and suggested that there was no harm in looking in to it. **WATERMAN** agreed and suggested the School Board come back with more concrete idea.

### **4. AK-DOT Offer Letter – Lutak Dock**

**Motion:** **SCHNABEL** moved to "forward the proposal to the planning commission for discussion as per code," and the motion failed with **VICK**, **HOFFMAN**, **LAPP** and **SMITH** opposed.

**SCHNABEL** explained that she believed that the state had made a proposal and per Code, it would be appropriate for the Planning Commission to review it and make a recommendation. **SMITH** said it seemed like planned acquisition by the state and would like to see our assessor or state assessor prepare a figure for comparison. **SCOTT** pointed out that the independent appraisal was reviewed by the Department of Transportation's appraiser and the value was increased. **WATERMAN** explained the plans for improving the ferry terminal and the state's need to purchase the land. She also provided clarification on the state's proposal regarding lots and easements. **WATERMAN** also said she believes the negotiation hasn't been satisfied yet and suggested there was a possibility for a land exchange. **CULBECK** pointed out that when it goes to the Planning Commission it is done, but at the manager's level, it can still be negotiated.

**Motion:** **VICK** moved to "authorize the borough manager to begin negotiations with the ADOT&PF for the sale, or exchange or other disposal of borough land consisting of Parcel Nos. 3, E-4, and TCE-4, as referenced in the ADOT&PF project drawings," and it carried 5-1 with **SMITH** opposed.

### **5. Consider Confirming ad hoc Communications Subcommittee Recommendation for Communications Training**

**Motion:** **HOFFMAN** moved to "accept the recommendation for a communications training as proposed by the Communications Subcommittee," and it carried unanimously.

During the discussion, **SCOTT** explained that individualized and collective work will take place.

### **6. Accept the Wood Heat Feasibility Study Report**

**Motion:** **WATERMAN** moved to "accept the Wood Heat Feasibility Study prepared by Alaska Energy Engineering as presented on June 15, 2012," and it carried unanimously.

**SCOTT** explained that accepting the study meant accepting the conclusions in the executive summary and that acceptance is required by the grant utilized to pay for the study. She also explained that in order to be considered for funding from Alaska Renewable Energy Fund, this study is the first phase. **SMITH** questioned where the balance of the funding goes and asked if we could also study Liquid Natural Gas. **SCOTT** explained that the grant was to study wood.

### **\* 7. Haines Borough Letter to Captain Neussl Regarding Concerns Over Day Boat**

The Haines, Skagway, and Juneau mayors have been meeting regarding concerns with the summer ferry schedule. Skagway sent a letter, and the mayor wanted the Haines Borough to send a similar one. She drafted it for assembly confirmation, and if there was no objection, she planned to sign and mail it. The motion adopted by approval of the consent agenda was to confirm the mayor's draft letter to Captain Neussl of the Alaska Marine Highway System.

**\* 8. Advisory Board Appointments**

Two people have applied for appointment to the two Library Board vacancies, and after review, the Board recommends they both be appointed. The Mayor plans to follow that recommendation and seeks assembly confirmation. The motion adopted by approval of the consent agenda was to confirm the mayor's appointments of Meredith Pochardt and Stacey Gala to the Library Board of Trustees.

**9. Harbor Garbage Surcharge**

This item was added at approval of the agenda.

**SCHNABEL** explained that the cost of waste at the harbor had increased significantly in the past year and suggested a temporary \$45 surcharge for all stall and permanent open moorage accounts and \$1/day surcharge for all transient moorage accounts to have the users carry the burden while harbor staff implements new processes. She said she realizes costs go up, but doesn't think borough should subsidize the waste removal. She suggested that the topic go on the next agenda for ample notification.

**12. CORRESPONDENCE/REQUESTS - None**

**13. SET MEETING DATES**

A. FINANCE – Tuesday, 7/10, 5:45pm – Purpose: FY13 Budget Amendment

**14. PUBLIC COMMENTS**

**KURZ** suggested a land swap at the Lutak Dock because more horizontal space would make the Dock better.

**WENNER** thanked staff for the new audience chairs.

**FRIEDENOUR** said she understands what the harbor staff has to go through while gillnetters get ready to fish. She explained that Juneau utilized cameras to find illegal dumpers. She pointed out that it is easy to not be a harbor user and dump waste. She also pointed out that on Tuesdays, harbor users are out fishing.

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**SMITH** said he visited the new website and enjoyed clicking through it. He said he would like to see pictures of the assembly members and a page for assembly committee assignments.

**WATERMAN** also said she likes the new website. She also suggested conversations regarding a plan for transitioning street lights to LED.

**LAPP** reminded everyone to watch the fireworks on the 4<sup>th</sup>. He also explained that he didn't want more land taken off of the tax rolls until a plan was in place to sell some.

**VICK** thanked **HEINZ** for her service, and reminded everyone with dogs to keep them contained on the 4<sup>th</sup> and 5<sup>th</sup> because the fireworks caused these days to be the biggest day for doggie runaways.

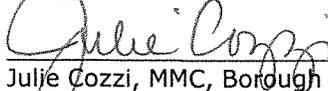
**HOFFMAN** agreed with **LAPP**, that a plan was needed with regard to borough owned land and suggested the topic be on a future agenda.

**SCOTT** said that there had been improper utilization of the stump dump on Mud Bay Road and that staff was keeping an eye on that area.

**16. ADJOURNMENT – 9:05 p.m.**

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

ATTEST

  
Julie Cozzi, MMC, Borough Clerk



  
Stephanie Scott, Mayor