


Haines Borough
Borough Assembly Meeting #234
AGENDA

October 23, 2012 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

Stephanie Scott,
Mayor

Daymond Hoffman,
Seat A
Assembly Member

Steve Vick,
Seat B
Assembly Member

Debra Schnabel,
Seat C
Assembly Member

Joanne Waterman,
Seat D
Assembly Member

Norman Smith,
Seat E
Assembly Member

Jerry Lapp,
Seat F
Assembly Member

Mark Earnest,
Borough Manager

Julie Cozzi,
Borough Clerk

Michelle Webb,
Deputy Clerk

1. CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL

2. APPROVAL OF AGENDA & CONSENT AGENDA

[The following Consent Agenda items are indicated by an asterisk () and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an assembly member or other person so requests, in which event the asterisk will be removed and that item will be considered by the assembly on the regular agenda.]*

Consent Agenda:

- 3 – Approve Assembly Meeting Minutes
- 8B – Fire Department Report
- 9A – Tourism Advisory Board Minutes and Request
- 9B – Planning Commission Meeting Minutes
- 11A1 – Adopt Resolution 12-10-409
- 11A2 – Adopt Resolution 12-10-410
- 11A3 – Adopt Resolution 12-10-411
- 11A4 – Adopt Resolution 12-10-412
- 11A6 – Adopt Resolution 12-10-414
- 11A7 – Adopt Resolution 12-10-415
- 11B1 – Introduce Ordinance 12-10-307
- 11B2 – Introduce Ordinance 12-10-308
- 11B2 – Introduce Ordinance 12-10-309
- 11C1 – Confirm Hire – Director of Public Facilities

*** 3. APPROVAL OF MINUTES – 10/9/12 Regular Meeting; 10/9/12 Election Canvass**

4. PUBLIC COMMENTS [Any topics not scheduled for public hearing]

5. 2012 BOROUGH ELECTION – Certification of Results

6. MAYOR'S COMMENTS/REPORT – 10/23 Report

A. Discussion of Local Dungeness Subsistence and Commercial Crab Fishery

Forrest Bowers of the Alaska Department of Fish and Game will make a presentation. This agenda item was requested by assembly member Smith.

7. PUBLIC HEARINGS

A. Ordinance 12-08-302 – Second Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 16, Sections 16.28.010 and 16.28.030 to prohibit verbal abuse, physical assault and threats against borough and harbor staff, physical assault and threats against members of the public while within the harbor, and refusing to comply with lawful directives by the harbormaster, and giving the harbormaster the authority to suspend or revoke the privilege of using borough port and harbor facilities.

*This was introduced on 8/28 and the first hearing was 9/11. The port and harbor advisory committee was asked to review it prior to the second hearing, and they did so on 10/11. They recommend a substitute ordinance that includes the following changes: 1) prohibits using port/harbor refuse containers for non-harbor or port-related trash, 2) defines "verbal abuse" and 3) clarifies the appeal procedure language. The assembly has the option of scheduling a third hearing. **Motion:** Adopt Ordinance 12-08-302.*

B. Ordinance 12-09-304 – Second Hearing

An ordinance of the Haines Borough Assembly amending Haines Borough Code Title 3, Section 3.70.040(D) to remove from the list of community purpose-exempted properties the parcels owned by Lynn Canal Human Resources, Inc.

*This is recommended by the state assessor and Lynn Canal Counseling was notified of the revocation of tax exempt status by the borough assistant assessor on 9/19/12. This ordinance was introduced on 9/25 and had a first public hearing on 10/9. **Motion:** Adopt Ordinance 12-09-304.*

7. PUBLIC HEARINGS ---continued---

C. **Ordinance 12-10-305** – First Hearing

An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 3, Chapter 3.25 to clarify the purpose of the Medical Services Fund.

*A code amendment is needed to allow for the funding annually provided to Lynn Canal Counseling from the Medical Services Fund. While researching the matter, the clerk found no evidence the post-consolidation assembly intended to limit the medical services funds to ambulance service. This was introduced on 10/9. **Motion:** Advance Ordinance 12-10-305 to a second public hearing on 11/6/12.*

D. **Ordinance 12-10-306** – First Hearing

An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 5 to increase the fine for violations of business permits up to \$1,000 per violation per day, to amend the approved commercial ski tour area map and to adopt a fee for allocated skier days.

*The manager recommends a combination of policy and code changes for the 2013 heliskiing season, and his recommendations were "approved" by on 9/11. Some changes require code amendments. The current draft was introduced on 10/9. The manager proposes a substitute ordinance that makes the user day fee effective in 2014 and adds a section requiring annual permit application/skier day allocation requests be submitted by August 31. **Motion:** Advance Ordinance 12-10-306 to a second public hearing on 11/6/12.*

8. **STAFF/FACILITY REPORTS**

A. **Borough Manager - October 23, 2012**

Attachments:

- 1. Federal Involvement Priorities for the Haines Borough*
- 2. Alaska Wood Heat Energy Conference Report from Darsie Culbeck*
- 3. Draft Trip Report Policy*
- 4. Prophecy Platinum Agreement with Kluane First Nation*

* B. **Fire Department – Activity Report for September 2012**

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

* A. **Tourism Advisory Board – August 23, 2012 meeting and Mayor's response to request**

* B. **Planning Commission Minutes – August 9, 2012 and September 13, 2012**

10. **UNFINISHED BUSINESS - None**

11. **NEW BUSINESS**

A. **Resolutions**

* 1. **Resolution 12-10-409**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Little Diggers to provide 2012-2013 snow removal services for Cathedral/Piedad Area & Riverview RMSA.

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-409.*

* 2. **Resolution 12-10-410**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Alaska Marine Trucking to provide 2012-2013 snow removal services for the Lutak Dock.

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-410.*

* 3. **Resolution 12-10-411**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Turner Construction to provide 2012-2013 snow removal services for Letnikof Estates RMSA & Tanani Bay Subdivision.

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-411.*

* 4. **Resolution 12-10-412**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Southeast Road Builders to provide 2012-2013 snow removal services for the Chilkat Center & Townsite Public Schools.

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-412.*

11A. NEW BUSINESS/Resolutions ---continued---

5. **Resolution 12-10-413**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Alaska Power & Telephone to provide 16 new LED streetlights in the amount of \$ 12,246.29.

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-413.*

* 6. **Resolution 12-10-414**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into an agreement with Roadrunner Fence Co. for installation of chain link security fencing and gates at Lutak Dock in the amount of \$128,500.

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-414*

* 7. **Resolution 12-10-415**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into an agreement with PND Engineers, Inc. for the South Portage Cove Expansion Offshore Bathymetry and Onshore Topography Surveys in the amount of \$97,393.

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-415*

B. Ordinances for Introduction

* 1. **Ordinance 12-10-307**

An Ordinance of the Haines Borough Assembly amending the Port of Haines Terminal Tariff No. 3 to increase water rates at Haines port facilities, increase dockage rates at the Port Chilkoot Dock, and move text from one tariff page to another.

*On 9/11, the assembly adopted Ordinance 12-07-297 revising the water-sewer rates. It included an increase in the commercial bulk water rate. The Port Tariff must be revised to provide for that rate change, and the assembly authorizes tariff revisions by non-code ordinance. Additionally, the port and harbor advisory committee met jointly with the tourism advisory board on 10/11 to discuss possible increases to the Port Chilkoot Dock dockage rates. They recommend a \$0.25 per foot incremental increase over a five-year period. This rate increase does not include the Port Chilkoot Dock Lightering Float. The two groups recommend tabling that particular discussion until March 2013. **Motion:** Introduce Ordinance 12-10-307 and set a first public hearing for 11/6/12.*

* 2. **Ordinance 12-10-308**

An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Title 3 to Establish a Junk and Abandoned Vehicle Disposal Fund, to Levy a Motor Vehicle Registration Tax, and Exempt from Property Taxes All Vehicle Subject to the Registration Tax.

*This resolution is recommended by the Borough Manager. **Motion:** Introduce Ordinance 12-10-308 and set a first public hearing for 11/6/12.*

C. Other New Business

* 1. **Confirm Hire – Director of Public Facilities**

*Borough Charter 5.03(B) says all department head appointments are subject to assembly confirmation. **Motion:** Confirm the hire of Carlos Jimenez as the new Director of Public Facilities.*

2. **Disposition of the Federal Priorities Sub-Committee**

On 8/28 the assembly established a 2013 Federal Priorities Steering Committee. The mayor was ready on 10/9 to appoint Allen Turner (chamber of commerce), Royal Henderson (school board), Robert Venables (planning commission), and Jerry Lapp (assembly) and sought assembly confirmation. The motion to confirm failed 3-2 with Waterman and Smith opposed (Schnabel left the meeting prior to that vote). The mayor scheduled a C.O.W. for 6pm on 10/23 to discuss the situation of having a committee with no appointees and has suggested a couple of options. A related memo included in the 10/23 manager's report may help guide the discussion.

12. CORRESPONDENCE/REQUESTS

A. Request for Assembly C.O.W. to Review Heliskiing Map – SEABA, Inc.

13. SET MEETING DATES

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT