


Haines Borough
Borough Assembly Meeting #240
AGENDA

March 5, 2013 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

Stephanie Scott,
Mayor

Dave Berry Jr.,
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

2. ROLL CALL

3. 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:

- 4 – Approve Assembly Meeting Minutes
- 8B – Chilkat Center Report
- 8C – Museum Report
- 8D – Library Report
- 8E – Fire Dept. Report
- 8F – Finance Report
- 8G – Clerk Report
- 9A – Planning Commission Minutes
- 9B – Museum Board Minutes
- 9C – Fire Service Area #1 Board Minutes
- 9D – Library Board Minutes
- 9E – Tourism Advisory Board Minutes
- 11A1 – Adoption of Resolution 13-02-440
- 11A2 – Adoption of Resolution 13-02-441
- 11A3 – Adoption of Resolution 13-02-442
- 11A4 – Adoption of Resolution 13-02-443
- 11B1 – Introduction of Ordinance 13-02-314
- 11B2 – Introduction of Ordinance 13-02-315
- 11C1 – Advisory Board Appointments
- 11C2 – Liquor License Renewals
- 11C3 – Amend Previously-adopted Resolution 13-01-439
- 11C6- Advance Ordinance 13-01-311 to Second Public Meeting
- 11C7- Advance Ordinance 13-01-312 to First Public Meeting
- 11C8 - Advance Ordinance 13-01-313 to First Public Meeting

*** 4. APPROVAL OF MINUTES – January 22, 2013 Regular, February 6, 2013 Special, and February 26, 2013**

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

6. MAYOR'S COMMENTS/REPORT

7. PUBLIC HEARINGS - None

8. STAFF/FACILITY REPORTS

- A. Borough Manager – 2/26/13 Report
- *B. Chilkat Center – Facility Report of January 2013
- *C. Sheldon Museum – Staff Report of December 2012 and January 2013
- *D. Public Library – Staff Report of December 2012
- *E. Fire Dept. – Staff Report of January 2013
- *F. Finance Dept. – FY13 First & Second Quarter General Fund Financial Report
- *G. Borough Clerk – 2/26/13 Report

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

- *A. Planning Commission – Minutes of 12/6/12, 12/13/12, and 1/17/13
- *B. Museum Board of Trustees – Minutes of 12/11/12 and 1/22/13
- *C. FSA #1 Board – Minutes of 12/28/12
- *D. Library Board of Trustees – Minutes of 12/11/12
- *E. Tourism Advisory Board – Minutes of 12/11/12
- F. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS - None

11. NEW BUSINESS

A. Resolutions

* 1. Resolution 13-02-440

A Resolution of the Haines Borough Assembly setting the date of the 2013 Board of Equalization for April 29.

*Code says the BOE must be the 2nd Monday in May unless changed by assembly resolution. The contract assessor requests a different date this year due to scheduling. The public will still have the required minimum 30-day appeal period following mailing of the assessment notices. **Motion:** Adopt Resolution 13-02-440.*

* 2. Resolution 13-02-441

A Resolution of the Haines Borough Assembly approving certain unincorporated communities and their respective nonprofit entity for participation in the FY14 community revenue sharing program.

*This resolution makes the Haines Volunteer Fire Department and the Klehini Valley Volunteer Fire department eligible to receive community revenue sharing from the state of Alaska on behalf of their unincorporated communities for FY14. **Motion:** Adopt Resolution 13-02-441.*

* 3. Resolution 13-02-442

A Resolution of the Haines Borough Assembly supporting the Haines Borough Coordinated Transportation Plan 2013 edition.

*An approved plan allows the Mobility Manager program to continue. This program enhances the "Care-A-Van", operated by Southeast Senior Services, which is an arm of Catholic Community Services. The program offers a unique public transportation opportunity benefitting seniors and other qualified residents. The previous resolution (12-01-329) was adopted on 1/24/12. **Motion:** Adopt Resolution 13-02-442.*

* 4. Resolution 13-02-443

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract change order with PND Engineers, Inc. for the South Portage Cove Expansion Geotechnical Investigation for an amount not to exceed \$110,856 and to conclude on March 15, 2013.

*On 8/14/12, the assembly authorized the manager to contract with PND Engineers for completion of South Portage Cove Harbor Expansion geotechnical investigation, but poor weather conditions caused project delays. A change order is needed for the additional costs and a report completion date extension. **Motion:** Adopt Resolution 13-02-443.*

5. Resolution 13-02-444

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute contract change order #2 with North Pacific Erectors, Inc. for the High School Gym Floor Replacement and Bleachers project for an amount not to exceed \$11,864.

*The hinge plates for the existing door frames in the school entryway were failing, and this additional work was added to the High School Gym Floor Replacement project because it was believed to fall within the scope of the legislative grant award. The work has been done and the bill needs to be paid. The funds will come out of borough deferred maintenance funds, because this portion of the project has been determined to be ineligible for this grant funding. **Motion:** Adopt Resolution 13-02-444.*

B. Ordinances for Introduction

* 1. Ordinance 13-02-314

An Ordinance of the Haines Borough amending Borough Code Title 10, Chapter 10.06 to require proof of vehicle insurance and Section 10.50.020 to allow for a fine of \$500.

*During its meeting on 1/8/13, the Finance Committee talked about looking into putting some of the traffic violations into the borough's own code book because it could affect the borough's portion of collected fines. At a follow-up meeting, the committee decided to start with putting into code an uninsured motorist fine. This is supported by Chief Lowe who made code amendment recommendations that staff put into ordinance form for the assembly's consideration. **Motion:** Introduce Ordinance 13-02-314 and set a first public hearing for 3/12/13.*

11. **NEW BUSINESS** ---continued---

B. **Ordinances for Introduction** ---continued---

* 2. **Ordinance 13-02-315**

An Ordinance of the Haines Borough Amending Borough Code Title 14, Section 14.16.160 to Clarify the Responsibility for Negotiated Leases in a Manager Form of Government.

*The mayor brought this to the clerk's attention as a section of code that may need to be "cleaned up" to clarify that, subject to assembly authorization, it is the manager who is responsible for negotiating leases. **Motion:** Introduce Ordinance 13-02-315 and set a first public hearing for 3/12/13.*

C. **Other New Business**

* 1. **Board Appointments**

Appointment requests have been received for seats on the public safety commission. The mayor plans to make the appointments and seeks assembly confirmation. Additionally, although one member of the fire service area #1 board was appointed in 2009, he was the only member until Nov. 2012 when the board finally had a quorum of members and was therefore unable to serve until then. The mayor wishes to reconfirm that appointment with a term date of Nov. 2013.

Motion: Confirm the mayor's appointment of Diane Sly (term 11/2014), Mike Case (term 11/2015), and Al Gilliam (term 11/2013) to the Public Safety Commission; and reconfirm the appointment of Alan Heinrich (term 11/2013) to the Fire Service Area #1 Board.

* 2. **Liquor License Renewals**

The Alaska Alcohol Beverage Control Board has notified the Borough of pending liquor license renewals for the Harbor Bar & Lighthouse Restaurant, Outfitter Liquor Store, Haines Brewing Company, and Mountain Market. The Board, prior to its final approval, is giving the local government an opportunity to make a statement, if so desired. Since this is a preexisting liquor license, assembly action is optional.

* 3. **Amend a Previously Adopted Resolution – 13-01-439 (Federal Priorities for 2013)**

*On 1/22/2013, the assembly adopted Resolution 13-01-439 setting the federal priorities for 2013. Since that time, the borough manager has been informed of drastic funding changes to the Tribal Transportation Program (formerly known as IRR), and believes it should be added to the borough's list of federal priorities. Roberts Rules of Order allows a motion to amend something previously adopted. **Motion:** Amend Resolution 13-01-439 adopted at the 1/22/13 meeting by inserting "Tribal Transportation Program" as item number 8.*

4. **Draft Letter from Southeast Mayors re. Alaska Class Ferries** – Discussion Item

Lt. Gov. Treadwell encouraged Southeast region mayors to work together to comment on the changes proposed for the Alaska Class ferries. Mayor Scott drafted one proposed letter, and the Mayor of Sitka drafted another version.

5. **Community Non-Profit Funding**

*The mayor requests the assembly clarify its intentions regarding funding for community non-profits in FY14. She has outlined some suggestions for assembly consideration as a way of moving forward. **Motion #1:** Affirm a commitment to fund non-profits insofar as able given fiscal constraints. If Motion #1 passes, **Motion #2:** Assign the development of an application form and scoring matrix to the _____ committee with a presentation to come to the assembly on 3/12/13.*

* 6. **Ordinance 13-01-311**

An Ordinance of the Haines Borough Assembly amending Borough Code Title 2, Section 2.105.020 to add an ex officio seat to the Parks and Recreation Advisory Committee to be filled by an Alaska Department of Natural Resources Employee.

*The parks and recreation advisory committee (PRAC) met with the government affairs & services (GAS) committee on 12/18 to discuss PRAC's request to add an ex officio seat to the committee to be filled by an AK-DNR employee. The GAS recommends assembly consideration of this code change. This was introduced on 1/8/13 and had a first public hearing on 1/22. **Motion:** Advance Ordinance 13-01-312 to a second public hearing on 3/12/13.*

11. **NEW BUSINESS** ---continued---

C. **Other New Business** ---continued---

*7. **Ordinance 13-01-312**

An Ordinance of the Haines Borough amending Borough Code Sections 2.06.035 and 2.990.010 to clarify the local financial disclosure reporting process.

Subsequent to voter ratification of local financial disclosure reporting, the clerk's office developed a form and instructions. As a result of working with the new code, the clerk has recommended amendments to bring more clarity to the procedure. The ordinance was introduced on 1/22.

Motion: Advance Ordinance 13-01-312 to a second public hearing on 3/12/13.

*8. **Ordinance 13-01-313**

An Ordinance of the Haines Borough Assembly authorizing renewal of a lease of the Human Resources Building to Chilkat Valley Preschool for the purpose of providing educational services.

*The preschool has leased the Human Resources Building on a year-to-year basis since the year 2000, and they have requested a renewed lease for calendar year 2013. Borough Charter states the leasing of borough property must be approved by the assembly by ordinance. The ordinance was introduced on 1/22. **Motion:** Advance Ordinance 13-01-313 to a second public hearing on 3/12/13.*

9. **Matters Concerning the Police Department**

The mayor requested this agenda item

12. **SET MEETING DATES**

A. BOE Training, Tuesday, April 2, 6:00pm

13. **PUBLIC COMMENTS**

14. **ANNOUNCEMENTS/ASSEMBLY COMMENTS**

15. **ADJOURNMENT**