

Haines Borough
Borough Assembly Meeting #242
March 26, 2013
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 Debra **SCHNABEL**, Dave **BERRY**, Joanne **WATERMAN**, Jerry **LAPP**, Norman **SMITH**, and Steve **VICK**.

Staff Present: Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Jila **STUART**/Finance Director, Michelle **WEBB**/Deputy Clerk, Gary **LOWE**/Chief of Police, Carlos **JIMENEZ**/Director of Public Facilities, Darsie **CULBECK**/Executive Assistant to the Manager, Simon **FORD**/Police Sergeant, and Jerrie **CLARKE**/Museum Director.

Visitors Present: Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, Dave **KAMMERER**, Dean **LARI**, Bill and Michelle **DIGGENS**, Ronnie **HAUSER**, Daniel **HAUSER**, John **WINGE**, Don **TURNER III**, Leonard **DUBBER**, Michele **WING**, Shannon **DONAHUE**, Linda **KERSTEAD**, Jerry **ERNY**, Michael **ERNY**, John **FLORESKE**, Bill **ROSTAD**, Jackie **MAZEIKAS**, Kelly **LOWE**, Jim **SHOOK**, Dave **DISBROW**, Pam **RANGLES**, Dan **EGOLF**, and others.

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

The following Items were on the published consent agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Finance Director Report
- 8C – Museum Staff Report
- 8D – Library Staff Report
- 9B – Historic Dalton Trail RMSA Board Minutes
- 9C – Museum Board Minutes
- 9D – KVVFD/FSA3 Board Minutes
- 9E – FSA1 Board Minutes
- 9F – Riverview RMSA Board Minutes
- 9G – Library Board Minutes
- 11A1 – Adoption of Resolution 13-03-449
- 11A2 – Adoption of Resolution 13-03-450
- 11B1 – Introduction of Ordinance 13-03-316
- 11B2 – Introduction of Ordinance 13-03-317
- 11B3 – Introduction of Ordinance 13-03-318
- 11B4 – Introduction of Ordinance 13-03-319
- 11B5 – Introduction of Ordinance 13-03-320
- 11C1 – Advisory Board Appointment
- 11C3 – Amend Previously Adopted Resolution 11-11-317

Motion: **LAPP** moved to "approve the agenda/consent agenda," and it was amended to remove items 11B2 and 11B3 from the consent agenda and to move item 11C6 up in the meeting to follow public hearings. The agenda, as amended, was approved 4-2 with **VICK** and **SCHNABEL** opposed.

* 4. **APPROVAL OF MINUTES** – 3/12/13 Regular

5. **PUBLIC COMMENTS**

MAZEIKAS extended an invitation for people to participate in the upcoming *Choose Respect* march. This annual event brings awareness of domestic violence and sexual assault.

TURNER III said he was shocked with the increases to his tax assessment. He questioned the value the borough has gotten in return for the amount of the assessment contract. He acknowledged there are many who saw decreases in valuations, as well. The borough needs a staff assessor who keeps up with the assessments so people aren't put in this position again.

SHOOK said his assessment on his land went up 141% and he will feel it because he is on a fixed income. His main issue is how this was done. There is a lot of upset in the community now. The lack of communication is a sign of disrespect for the citizens.

J.ERNY speaking for **M.ERNY**, **J.FLORESKE**, and **B.ROSTAD** and himself, read a written statement

expressing concern about the assessments. The statement was given to the clerk for the record. They believe the assessments were capricious and haphazard. Communication and transparency matter a lot. Many would have appreciated a warning. He suggested a solution could be to roll the existing tax assessment back to the 2012 values. The residents should not have to fight to be treated fairly.

Regarding the police department, **ERNY** said the chief does not rule with his ego and is approachable.

LARI said you cannot deal with dishonesty behind the badge. Everything else is workable, but lying is unacceptable. Performance within the department is not the issue. It's the dishonesty.

KERSTEAD said it's hard for a group of people to agree on anything but the most reasonable people would agree the assembly's actions should not be based on emotion. At the special meeting, she observed a lot of emotion and not a lot of thoughtful discussion. She believes the chief was treated unfairly. Right now, Haines has a police department that is the best in the past decade. Haines has a chief with integrity who is willing to do what is right even at great personal cost. She asked the assembly to please not treat this with personal emotions. This assembly should move to offer the chief and family a public apology.

KAMMERER disagreed the chief has integrity. The evidence to the contrary is there; it is verifiable.

WINGE said the whole community has been emotional and upset about the police department and assessments. He thinks the chief has integrity even though there have been mistakes made. It's up to the elected officials to take care of these problems.

R.HAUSER said the chief works around the community. He cleans driveways, takes people firewood, etc. after work. The chief shouldn't be beat on and beat on. He said the Election is coming. If the assembly can't do the job, he will vote for someone else.

D.HAUSER attended the special meeting on the 15th and still doesn't know what's going on. During that meeting, the assembly directed the manager to take corrective action, not punitive.

B.KURZ said during the special meeting the great discussion was about whether the chief should have made comments about an employee during a public meeting yet the assembly made comments about their employee in public. He wondered if that means they are guilty, too.

WING spoke in support of the chief. He has helped her when she was in a very tough spot. That is what a public servant should do. There's not one person in this assembly chambers who would want to be treated unfairly. She asked the assembly to keep that in mind in whatever it does.

6. MAYOR'S COMMENTS/REPORT

The mayor assured the proper procedures have been followed by the administration in regards to the police department. The government has an interesting relationship with the employees. All of the employees are supervised by the borough manager and he has the authority to make personnel decisions. The only things the assembly can do is fire and hire certain employees. That's all.

Marge Ward and Lola Vogel both recently turned 90 and she was honored to attend both celebrations.

7. PUBLIC HEARINGS

A. Commercial Tour Permit – New for 2013

Note: Shannon Donahue, Executive Director of Great Bear Foundation, applied for a new 2013 Commercial Tour Permit. This tour proposed to offer small group, low-impact, custom wildlife-viewing and natural history tours, bear ecology field courses, guided nature walks, and educational workshops on bear safety in the Haines area, primarily along the Chilkoot River Corridor.

Mayor **SCOTT** opened the public hearing at 7:10pm.

DONAHUE explained her organization and the proposed tours. Minimizing impacts of tourism on the wildlife and habitat is one of the goals. The organization has an ecologically sensitive and low impact approach. She shares concern about the congestion in the Chilkoot River Corridor. She has no intention of competing for business and her plan is to charge comparable tour fees. Her proposal should enhance existing tours rather than add additional problems.

DISBROW wondered why additional bear-watching is necessary.

RANGLES, President of the Alaska Chilkoot Bear Foundation, said denying this permit application is not going to address the congestion problems. She supports this proposed operation. Code does allow the assembly to set tour permit limits and she would like to see them have that discussion.

EGOLF supports **DONAHUE** but cannot agree that it would help to add another operator to the situation, because that area is not being managed. Being asked to compete with out of state nonprofits is unfair.

J.ERNY spoke in support of the permit. The assembly should not be stifling business.

MACKOWIAK said this discussion is interesting. As we promote bear viewing and the commercialization, and he's not opposed to that, it's interesting those that are involved wish to limit the numbers.

Motion: **VICK** moved to "authorize the borough clerk to process the Great Bear Foundation application and, if everything is in order, issue a 2013 commercial tour permit," and the motion failed 3-3 in a roll call vote with **BERRY**, **SCHNABEL**, and **SMITH** opposed and Mayor **SCOTT** breaking the tie in the negative.

During the discussion, **BERRY** said he called the Eagle Foundation and Museum and, although they don't have to charge sales tax, they choose to in order to not have unfair business advantage. **SMITH** said he is sad the bears cannot speak for themselves. He asked **RANGLES** why she endorsed this but at the same time says things should be limited. **RANGLES** said one reason is the excellence **DONAHUE** brought to her work as bear monitor and second is the proposal is for a very small tour. Yes, she believes there's a lot of congestion out there and would like to see State Parks find a way to deal with it. On the other hand, **DONAHUE** helps people behave in ways out there that helps them have a better experience. **VICK** agreed that this meeting would not be the time to discuss limits, although that discussion is important. There are very successful bear viewing areas that have limits on them. With this tour, it's small impact and focused on the independent traveler. More staff out there will help monitor the area and improve it. **SCHNABEL** said State Parks is apparently coming to town soon to discuss that area. She is very respectful of the marketplace and competition. Also, in areas that have capacity limits, there has to be some type of management. She's hoping the borough can work with Parks. **RANGLES** said it is tentatively scheduled for April 30th. **SCHNABEL** asked that the carrying capacity of that area be looked at. **SMITH** said he's seen all these tours start off small. He is concerned the tour is ahead of the plan and he cannot support it at this time. **WATERMAN** asked how many permits there are out there. **COZZI** said less than 7 but it's not so much the number of permits as it is capacity...numbers of vehicles and available seats. She also noted code requires assembly approval for capacity increases of greater than 25%.

B. Ordinance 13-01-312 – Second Hearing

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.

Mayor **SCOTT** opened and closed the public hearing at 7:34pm; there were no public comments.

Motion: **LAPP** moved to "adopt Ordinance 13-01-312," and the motion carried unanimously in a roll call vote. There was no discussion.

C. Ordinance 13-01-313 – Second Hearing

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.

Mayor **SCOTT** opened and closed the public hearing at 7:36pm; there were no public comments.

Motion: **WATERMAN** moved to "adopt Ordinance 13-01-313," and the motion carried unanimously in a roll call vote. There was no discussion.

D. Ordinance 13-02-314 – Second Hearing

An Ordinance of the Haines Borough Assembly 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.

Mayor **SCOTT** opened and closed the public hearing at 7:39pm; there were no public comments.

Motion: **BERRY** moved to "adopt Ordinance 13-02-314," and the motion carried unanimously in a roll call vote. There was no discussion.

E. Ordinance 13-02-315 – Second Hearing

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

Mayor **SCOTT** opened and closed the public hearing at 7:42pm; there were no public comments.

Motion: **WATERMAN** moved to "adopt Ordinance 13-02-315," and the motion carried unanimously in a roll call vote. There was no discussion.

11C6. Matters Concerning the Police Department --- moved to this point during approval of the agenda.

Note: this agenda item included a review of the manager's performance evaluation of Chief Gary Lowe.

Motion: WATERMAN moved to "go into executive session as allowed by AS 44.62.310(c)(2) and Haines Borough Charter Section 18.03 to review the manager's evaluation of the police chief; this matter qualifies for executive session because this is a personnel matter and a public discussion may tend to prejudice the character and reputations of those involved; Mark Earnest and Gary Lowe are requested to attend," and the motion carried unanimously.

Chief **LOWE** exercised his right under state law to demand the discussion take place in open session. Therefore, the executive session did not take place.

SCHNABEL asked if the other assembly members had read the evaluation documents provided earlier in the day by the manager. **SMITH** asked if it's appropriate for the manager's letter to be read or if the assembly is just discussing the evaluation. Mayor **SCOTT** responded it is just a discussion of the evaluation. **SCHNABEL** said she hopes people realize everyone is trying to do the right thing. Sometimes it's hard to figure out what that is. She has never faced the opportunity to discuss an evaluation publicly, but if the assembly is to address the issues, they have to talk about them in as impersonal terms as possible. She wants to ensure the chief recognizes that she will do her best to characterize what the issue is. She asked her fellows to help her if she doesn't see it correctly. All evaluations are subjective and the manager has done his best to do as objective an evaluation as possible. She perceives the issues as leadership and communication and that significant improvement is needed in order to retain. Some things are more important than others. The leadership attributes are lacking and it creates problems with how to move forward. She knows the chief does not agree with that assessment. Mayor **SCOTT** cautioned the importance of not implicating staff in this discussion. The issues are in the department and not necessarily external to the department. **BERRY** said in the normal world, if there is an item lacking on a performance evaluation, the employee is given an opportunity to come up with a formal plan to make things better. **SCHNABEL** noted the assembly asked for a plan of improvement to be presented at this meeting and it was submitted. Mayor **SCOTT** said the manager's investigation lead him to put the chief on administrative leave at the present time. **VICK** said this is a difficult conversation. He agrees evaluations are subjective but there was an investigation that included different perspectives which causes this to be less subjective. The results of that investigation make it appear to be a systemic problem. **WATERMAN** appreciates the seriousness of doing a public evaluation. It makes the words more measured. She agreed the issue may be systemic. Mayor **SCOTT** said she has not been a party in this investigation but has observed it taking place and that a great deal of thought has gone into it. She has confidence in the manager's recommendation. If the assembly does not, they may authorize an independent investigation. The community deserves a full investigation in a matter of this weight. **SMITH** noted the chief has read this evaluation and signed it as of today. He doesn't like doing this, but there is unhappy staff and the pot is boiling. He doesn't believe there is much room for improvement, at this point. **BERRY** said although the chief signed the evaluation, he did note he did not agree with it. **SCHNABEL** asked if it would be appropriate to ask the chief what he doesn't agree with. Chief **LOWE** said he does not agree with the assessment that his interpersonal skills are lacking to an unrecoverable extent. During the March 15 special assembly meeting, some staff supported him. That's not an indication the entire department is in disarray. Some of the things in the evaluation are very vague. He is aware there was a complaint but he has never seen it. He was told about it and he addressed it as well as he could. The staff members have talked with him and said they appreciate his acknowledgement of his mistakes and that he wants to make corrective action on himself. There is not a great evil that he has done. Sometimes he has to tell people no and sometimes they don't like that. He recognizes he has made mistakes in communication. He loves this community and wants to be here. If it makes people comfortable to have an independent investigator, he welcomes that. He offered the consultant idea to help everyone be satisfied that he has nothing to hide.

VICK said the assembly has a report and recommendation from the manager and has heard from the chief. Does the assembly have confidence in the manager's recommendation? He's never known the manager to overreact. **BERRY** said the assembly has had in the last several meetings overwhelming public support for the chief. If there was ever a situation that could benefit from an independent investigation, this is it. **LAPP** said after reading the evaluation, the chief has a lot of really good attributes. There is one where he is falling behind and that's personnel. He's not sure that's enough grounds to let someone go. He's having a tough time with this. There are so many good qualities in this police chief.

Motion: VICK moved to "ASAP have an independent investigation into the complaints against the police chief and his abilities to perform his duties and supervise the police department," and it was amended to replace

'have an independent' with 'hire a hearing officer to facilitate an internal.' The motion, as amended, carried unanimously. Therefore, the adopted motion reads: "ASAP hire a hearing officer to facilitate an internal investigation into the complaints against the police chief and his abilities to perform his duties and supervise the police department."

During the discussion, **SCHNABEL** asked if "complaints" includes both the single formal complaint and the informal complaints that reflect the culture of the police department. Mayor **SCOTT** said an independent investigation would achieve a sense of fairness since it would be someone with no ties to this community. **SCHNABEL** said if the goal is to gain confidence and trust in the manager's evaluation and also the need for fairness, she believes the assembly can conduct their own investigation. The assembly has the right and the capability to verify it for themselves. Mayor **SCOTT** said in the interest of fairness, she will not object to either an independent investigator or an assembly investigation. The price of being fair is money well-spent if it will resolve the issue. **VICK** agreed it is money well-spent and there are still questions that need answers. This is a stressful issue. He wants at least a third-party facilitator. **WATERMAN** supports an internal hearing with a facilitator. If there's further proof needed, she's willing to support it. The last time there was a personnel-related hearing, an associate of the borough attorney facilitated.

Motion: **SCHNABEL** moved to extend the police chief's administrative leave until a time following the hearing," and the motion carried 5-1 with **BERRY** opposed.

8. STAFF/FACILITY REPORTS

A. Borough Manager – 3/26/13

EARNEST summarized his written report.

- * B. Finance Director – 2009-2012 Sales Tax Report
- * C. Sheldon Museum – February 2013 Staff Report
- * D. Public Library – February 2013 Staff Report
- E. Contractor Assessor – Report of 2013 Assessment Methodology

EARNEST said there is a process, and it is being followed. He recognizes that for a lot of people the assessment increase is substantial. It has been a long time coming. Following an audit by the state assessor a few years ago, the borough assembly made a decision to address deficiencies in the borough's property assessments by appropriating funds for a contract assessor. The borough entered into a three-year contract but that contract assessment firm was let go because there were serious problems. The state assessor recommended this current contractor, Jim Canary. The main goal is to get it right. Taxpayers can file an appeal and bring their questions. Mr. Canary will sit down with each and every person. He is enthusiastic to meet with everyone. **EARNEST** went on to ask people to please work with the borough to go through this process. At the end of the day, the borough has to be at the level state law requires.

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

A. Planning Commission – Minutes of 2/14/13 and Request re. Downtown Revitalization Committee

Motion: **VICK** moved to "create the ad hoc Downtown Revitalization Committee as described by the planning commission," and the motion carried unanimously.

SCHNABEL believes this is a step in the right direction. However, in the final analysis, the appropriate way to do this would be a local improvement district (LID) so that those in that area are the ones responsible for the projects. The clerk's office will advertise for letters of interest.

- * B. Historic Dalton Trail RMSA Board – Minutes of 3/9/13
- * C. Museum Board of Trustees – Minutes of 2/20/13
- * D. KVVFD/Fire Service Area #3 Board – Minutes of 3/2/13
- * E. Fire Service Area #1 Board – Minutes of 2/18/13
- * F. Riverview Dr. RMSA Board – Minutes of 3/9/13
- * G. Library Board of Trustees – Minutes of 1/25/13
- H. Assembly Standing Committee Reports

WATERMAN said the personnel committee met on 3/20/13. The manager was asked to keep the assembly informed as personnel matters and complaints arise by setting up a system for notifying the assembly and reminding them of the protocol---the guidelines that complaints are under. They also talked about having future discussions involving borough officers---clarifying procedures for dealing with situations that come up with officers---and researching a possible change to the charter to clarify the overseeing of those by the manager rather than the assembly.

10. UNFINISHED BUSINESS - None**11. NEW BUSINESS****A. Resolutions***** 1. Resolution 13-03-449**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Wolverine Ready Mix, Inc. in the amount of \$16,800 for concrete barriers at Lutak Dock.

The motion adopted by approval of the consent agenda: "adopt Resolution 13-03-449."

*** 2. Resolution 13-03-450**

A Resolution of the Haines Borough Assembly requesting the restoration of a specific funding source for Revenue Sharing.

The motion adopted by approval of the consent agenda: "adopt Resolution 13-03-450."

B. Ordinances for Introduction*** 1. Ordinance 13-03-316**

An Ordinance of the Haines Borough amending Haines Borough Code Section 3.60.160(D) to clarify the wage and bonding requirements for public construction projects and to change the project amount that is subject to minimum wage rates to match the state's increase from \$2,000 to \$25,000.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-03-316 and set a first public hearing for 4/9/13."

2. Ordinance 13-03-317

An Ordinance of the Haines Borough amending Borough Code Title 2, Section 2.10.200(B) to remove the requirement for assembly approval in order for a member to participate by teleconference.

Motion: SCHNABEL moved to "introduce Ordinance 13-03-317 and set a first public hearing for 4/9/13," and it was amended to insert 'unless prior arrangements are made' at the end of section B. The motion as amended carried unanimously.

During the discussion, SCHNABEL wondered how absolute the cost responsibility is. Sometimes, an assembly member is out of town on borough business. Mayor SCOTT said if the travel is for pleasure, then the participant should probably pay the cost to phone in. SCHNABEL believes it's in the borough's best interest to ensure a quorum. EARNEST said the administration wants to get this resolved. There are various scenarios to consider. Mayor SCOTT said her preference is that everyone attends in person but understands there are times when that cannot happen.

3. Ordinance 13-03-318

An Ordinance of the Haines Borough amending Borough Code Title 3, Chapter 3.33 to correct the name of the Port Chilkoot Dock Enterprise Fund.

Motion: SCHNABEL moved to "introduce Ordinance 13-03-318 and set a first public hearing for 4/9/13," and it was amended to change 'boat harbor' to 'Port Chilkoot Dock' in section 3.33.030. The motion as amended carried unanimously.

*** 4. Ordinance 13-03-319**

An Ordinance of the Haines Borough amending Borough Code Title 3, Section 3.04.010 to stipulate school district budget submittal and appropriation dates.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-03-319 and set a first public hearing for 4/9/13."

*** 5. Ordinance 13-03-320**

An Ordinance of the Haines Borough determining whether foreclosed properties deeded to the borough shall be retained for a public purpose or sold.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-03-320 and set a first public hearing for 4/9/13."

6. Ordinance 13-03-321

An Ordinance of the Haines Borough amending Borough Code Title 7, Section 7.08.010 to discontinue the Fire Service Area #1 Board.

Motion: WATERMAN moved to "introduce Ordinance 13-03-321 and set a first public hearing for 4/9/13," and the motion carried unanimously.

AHRENS explained it has never been necessary to have an active Fire Service Area (FSA) #1 Board. The Haines Volunteer Fire Department works directly under the borough manager. They present a budget to the manager who then presents it to the assembly. The FSA #1 Board has been struggling to understand their agenda because it really duplicates what the fire department does. Mayor **SCOTT** said she delivered this ordinance to the board members. She also met with Alan Heinrich, chair of the board, and he supports this action.

C. Other New Business

* 1. Board Appointments

Note: an application was received for a seat on the Museum Board of Trustees, and that board recommended the appointment. The mayor planned to appoint the applicant and sought assembly confirmation. Motion adopted by approval of the consent agenda: "confirm the mayor's appointment of Jan Hill to the Museum Board of Trustees for an initial term ending 11/30/2013."

2. Sales Tax Exemption Request – Great Bear Foundation

Note: Great Bear Foundation, a 501(c)3 organization, applied for sales tax exemption status as allowed by HBC 3.80.050(13). The borough has granted sales tax exemption certificates to other non-profit organizations.

Motion: VICK moved to "approve the request from Great Bear Foundation for sales tax exemption status, and authorize the borough clerk to issue an exemption certificate," and the motion carried unanimously. 5/11/13 mb

SCHNABEL brought up the question of revenue-generating commercial sales by a tax-exempt nonprofit. She doesn't believe that is allowed by the IRS, and sales tax has to be charged on those sales. **STUART** said she would like to look into the matter of ancillary sales and report back to the assembly.

Motion to Postpone: LAPP moved to "postpone the motion to the April 23 meeting pending a report from the finance director," and the motion carried unanimously.

* 3. Amend a Previously Adopted Resolution – 11-11-317 re. HPDSC

Note: on 11/15/2011, the assembly adopted Resolution 11-11-317 establishing an eight-member Haines Port Development Steering Committee (HPDSC). On 3/6/13, the HPDSC voted to ask the assembly to create a ninth committee seat, increasing the number of seats for persons with a working knowledge of port facilities to five. If created, they requested appointment of Larry Beck to the newly created seat on the board. Robert's Rules of Order allows a motion to amend something previously adopted. The motion adopted by approval of the consent agenda: "Amend Resolution 11-11-317 adopted at the 11/15/11 meeting by replacing the number "4" with the number "5" in Section 1 and appointing Larry Beck to the newly created seat."

4. Borough Land Negotiated Sale: Human Resources Building Property - CIA

Note: Chilkoot Indian Association (CIA) expressed interest in acquiring the Human Resources Building (HRB) for renovations and/or restoration of the structure. CIA indicated they may have access to federal and perhaps other funding sources for this purpose. First constructed in 1905, with major renovations in 1955 and 1976, the HRB currently houses the Chilkat Valley Preschool. HBC 14.20.100 says upon direction of the assembly by motion, the land manager may commence negotiations for the sale, or exchange or other disposal of borough land.

Motion: LAPP moved to "direct the Manager to commence negotiations with the Chilkoot Indian Association for the sale, or exchange or other disposal of the Human Resources Building and land," and the motion carried unanimously.

Mayor **SCOTT** ruled **BERRY** had no conflict of interest even though he is CIA tribal administrator because this would not mean personal gain to him. There was no objection to that ruling.

5. AMHS Parking Policy

Motion: VICK moved to "authorize the mayor and manager to work with AMHS officials to provide options for overnight & long-term parking at the Haines ferry terminal," and the motion carried unanimously.

6. Matters Concerning the Police Department

Note: During approval of the agenda, this item was moved up to follow Item 7 public hearings.

7. Police Department Draft Plan of Improvement

Note: on 3/5/12, the assembly passed a motion directing that by March 26, 2013 the police chief

would provide to the assembly through the manager a schedule of staff meetings and team building activities for all police department employees and any other plans for improvement within the department.

Motion: **VICK** moved to "postpone the topic indefinitely," and the motion carried unanimously.

Mayor **SCOTT** clarified the subject can still come back to the assembly at some point in the future.

12. CORRESPONDENCE/REQUESTS - None

13. SET MEETING DATES

A. Finance Committee Meeting – Monday, 4/8, 5:30pm – Topics: 1) funding for Mosquito Lake School Fire Suppression Repair and 2) review proposed FY13 Budget Amendments.

14. PUBLIC COMMENTS

DONAHUE said she welcomes assembly input on her tour permit application. **BERRY** said his only issue is sales tax. **DONAHUE** reiterated there is no problem with paying sales tax to the borough; she's more than willing to charge her customers sales tax.

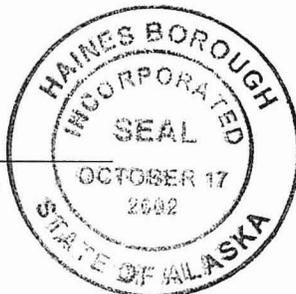
15. ANNOUNCEMENTS/ASSEMBLY COMMENTS - None

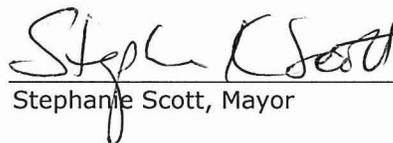
16. ADJOURNMENT – 9:29pm

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

ATTEST:


Julie Cozzi, MMC, Borough Clerk




Stephanie Scott, Mayor