


Haines Borough
Borough Assembly Meeting #244
AGENDA

April 23, 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 – Fire Department Report
- 9A – Tourism Advisory Board Minutes
- 11A1 – Adoption of Resolution 13-04-456
- 11A2 – Adoption of Resolution 13-04-xxx
- 11B1 – Introduction of Ordinance 13-04-xxx
- 11C1 – Liquor License Transfer
- 11C2 – Revised Budget Schedule

*** 4. APPROVAL OF MINUTES – April 9, 2013 Regular**

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

6. MAYOR'S COMMENTS/REPORT

- A. **Proclamation establishing the month of May 2013 as Haines Borough Bike Month**
- B. **PND Engineers Slump Update**
- C. **PND Engineers Portage Cove Harbor Geotech Report**

7. PUBLIC HEARINGS

- A. **Ordinance 13-03-316** – Second Hearing
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.

*This is a housekeeping ordinance amending borough code to match the referenced state law. It was introduced on 3/26 and had a first public hearing on 4/9. **Motion:** Adopt Ordinance 13-03-316.*

- B. **Ordinance 13-03-317** – Second Hearing
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.

*This is a housekeeping ordinance amending borough code to reflect actual practice. It was introduced on 3/26 and had a first public hearing on 4/9. **Motion:** Adopt Ordinance 13-03-317.*

- C. **Ordinance 13-03-318** – Second Hearing
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.

*This is a housekeeping ordinance amending borough code to replace an incorrect name. It was introduced on 3/26 and had a first public hearing on 4/9. **Motion:** Adopt Ordinance 13-03-318.*

7. PUBLIC HEARINGS ---continued---

D. **Ordinance 13-03-319** – Second Hearing

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 intention of this ordinance is to codify practice not to introduce new practice. AS 14.14.060(c) says unless otherwise provided by municipal ordinance, the school board shall submit the school budget for the following school year to the assembly by May 1, and within 30 days after receipt of the budget the assembly shall determine the total amount of money to be made available from local sources for school purposes. However, the assembly does not adopt the annual budget until sometime the first half of June (by the 15th at the latest), and therefore does not finally determine the school appropriation until then. It was introduced on 3/26 and had a first hearing on 4/9. **Motion:** Adopt Ordinance 13-03-319.*

E. **Ordinance 13-03-320** – Second Hearing

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

*Four properties have gone through the foreclosure process and the court has conveyed all rights, titles, and interest to the Haines Borough. HBC 3.74.220 requires the borough assembly to determine by ordinance whether foreclosed property deeded to the borough should be retained for a public purpose or sold. HBC 14.20.040 says the assembly may classify lands for sale with the advice of the planning commission. During a public meeting on 3/14/13, the planning commission considered all four properties and made the decision to recommend the properties be sold. It was introduced on 3/26 and had a first public hearing on 4/9. **Motion:** Adopt Ordinance 13-03-320.*

F. **Ordinance 13-03-321** – Second Hearing

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

*This ordinance is sponsored by Assembly Member Lapp and supported by the Haines Volunteer Fire Dept. It was introduced on 3/26 and had a first public hearing on 4/9. **Motion:** Adopt Ordinance 13-03-321.*

G. **Ordinance 13-04-322** – First Hearing

An Ordinance of the Haines Borough amending Borough Code Title 3, Section 3.72.100 to change the assessment appeal deadline to be in compliance with state law.

*This is a housekeeping ordinance amending borough code to change the assessment appeal deadline to be in compliance with state law. The borough is required to follow the thirty-day deadline set forth in AS 29.45.190(b) rather than the May 1st deadline in HBC 3.72.100(b). This was introduced on 4/9. **Motion:** Advance Ordinance 13-04-322 to a second public hearing on 5/14/13.*

8. STAFF/FACILITY REPORTS

A. **Borough Manager** – 4/23/13 Report

*B. **Haines Fire Department** – March 2013 Report

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

*A. **Tourism Advisory Board** – Minutes of 2/20/13

B. **Assembly Standing Committee Reports**

10. UNFINISHED BUSINESS

A. **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). On 3/26, the assembly postponed consideration of the approval motion until this meeting to provide the borough's finance director with an opportunity to research the question of a nonprofit having ancillary revenue-generating sales. Debate may resume on the following motion: "approve the request from Great Bear Foundation for sales tax exemption status, and authorize the borough clerk to issue an exemption certificate." However, the finance director has asked for additional time to research this matter. **Suggested Motion:** Postpone this request to the May 28, 2013 meeting to allow additional time to research the pending report from the finance director.*

11. NEW BUSINESS

A. Resolutions

* 1. **Resolution 13-04-456**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to lease an easement within a borough-owned Right of Way to Albert Sacks.

*This resolution is recommended by the planning commission. **Motion:** Adopt Resolution 13-04-456.*

* 2. **Resolution 13-04-457**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract change order with Southeast Road Builders, Inc. for the Barnett Drive Bolted Steel Water Tank project for an amount not to exceed \$115,686.43.

*This resolution is recommended by the borough manager. **Motion:** Adopt Resolution 13-04-457.*

B. Ordinances for Introduction

* 1. **Ordinance 13-04-323**

An Ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY13 Budget.

*This ordinance is recommended by the finance committee and the borough manager. **Motion:** Introduce Ordinance 13-04-323 and set a first public hearing for 5/14/13.*

2. **Ordinance 13-04-324**

An Ordinance of the Haines Borough, Alaska, providing for the establishment and adoption of the budget of the Haines Borough for the Period July 1, 2013 through June 30, 2014 (Fiscal Year 2014).

*This ordinance is recommended by the borough manager. **Motion:** Introduce Ordinance 13-04-324 and set a first public hearing for 5/14/13.*

C. Other New Business

* 1. **Liquor License Transfer**

The Alaska Alcohol Beverage Control 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.

* 2. **Revised Budget Schedule**

The Mayor has added additional Committee of the Whole (C.O.W.) Budget meetings as an outcome of the 4/16/13 Budget C.O.W.

3. **Early Retirement Incentive Program**

*The mayor has requested this topic in response to Assembly Member Vick's request for the opportunity to discuss possible policy statements for assembly consideration for an early retirement incentive program and relating to budget issues. **Motion:** Direct the manager to research the impact on borough finances and the Fiscal Year 2014 budget of an employee early retirement incentive program and report findings to the assembly before the adoption of the FY 14 budget.*

12. SET MEETING DATES

A. Personnel Committee - Topic: Police Department Organization

13. PUBLIC COMMENTS

14. ANNOUNCEMENTS/ASSEMBLY COMMENTS

15. ADJOURNMENT