

Haines Borough  
Borough Assembly Meeting #252  
August 27, 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**, Jerry **LAPP** (via teleconference), Norman **SMITH**, Dave **BERRY**, Joanne **WATERMAN**, and Steve **VICK**.  
**Staff Present:** Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Phil **BENNER**/Harbormaster, Carlos **JIMENEZ**/Director of Public Facilities, Tanya **CARLSON**/Tourism Director, Simon **FORD**/Interim Police Chief, and Michelle **WEBB**/Deputy Clerk.  
**Visitors Present:** Karen **GARCIA**/CVN, Tom **MORPHET**/CVN, Margaret **FRIEDENAUER**/KHNS, George **CAMPBELL**, Fred **EINSPRUCH**, Heather **LENDE**, Bill **KURZ**, Janet **KURZ**, Dick **SOMERVILLE**/PND, Nels **SULTAN**/PND, Sean **GAFFNEY**, and others.

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

The following Items were on the published consent agenda:

- 4 - Approve Assembly Meeting Minutes
- 8B - Chilkat Center Report
- 8C - Fire Department Report
- 8D - Museum Report
- 8E - CFO Report
- 9A - Planning Commission Minutes
- 9B - Museum Board Minutes
- 11A1 - Adoption of Resolution 13-08-489
- 11A2 - Adoption of Resolution 13-08-490
- 11A3 - Adoption of Resolution 13-08-491
- 11A4 - Adoption of Resolution 13-08-492
- 11B1 - Introduction of Ordinance 13-08-348

**Motion:** **WATERMAN** moved to "approve the agenda/consent agenda," and the motion carried unanimously.

\*4. **APPROVAL OF MINUTES** - August 13/14 Regular

5. **PUBLIC COMMENTS** - None

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

A. **Herbicide Spraying**

**SCOTT** said she wanted the assembly to see the letter Petersburg sent to the state. She would like to know if the assembly would like to pursue the same path, and the attorney will be tasked with a draft ordinance. **VICK** said he would like that, and there was no objection to it.

The mayor briefly recounted the meeting earlier today with the Governor. The topics discussed were ferries, fisheries, sewer plant, and the highway reconstruction project.

7. **PUBLIC HEARINGS**

A. **Ordinance 13-07-334** - Second Hearing

**An Ordinance of the Haines Borough amending Borough Code Title 2, Section 2.68.510 to change runoff election procedures in cases of candidates receiving less than 40% votes.**

Mayor **SCOTT** opened and closed the public hearing at 6:35pm; there were no public comments.

**Motion:** **WATERMAN** moved to "adopt Ordinance 13-07-334," and the motion was amended to substitute the ordinance in its entirety, replacing in Subsection A the words '*calculated as the number of votes cast divided by the number of vacancies*' with the words '*determined by the number of voters voting*', and holding it over for a third public hearing on 9/10/13 rather than adopting it. The main motion as amended carried unanimously.

During the discussion, **SCHNABEL** said she has no problem with the proposed substitute ordinance. However, she believes the determination for the 40% should be the number of voters voting rather than the number of votes cast. She believes the intention of the Charter is that 40% of the people voting should determine the winning candidates.

**COZZI** noted the number of people stepping into the voting booths does not necessarily mean each one voted for everything on the ballot. The mayor suggested if there is interest in this amendment, it could be approved and a third public hearing scheduled to provide time to review this issue. **VICK** agreed with the intent and also the holding over to a third hearing to give time to work more on the wording.

**B. Ordinance 13-07-336 – Second Hearing**  
**An Ordinance of the Haines Borough amending Borough Code Section 2.10.010 to limit the length of borough assembly meetings.**

Mayor **SCOTT** opened the public hearing at 6:47pm.

**CAMPBELL** suggested the assembly meetings be considered one single meeting even if separated into more than one session as recently happened. Mayor **SCOTT** explained that is indeed the way it is now.

**EINSPRUCH** believes this ordinance is completely unnecessarily. Each assembly member has the ability to motion for recess or adjournment at any time. It would be better to adopt the custom or practice of recessing meetings by a certain time.

Hearing no further comments, the mayor closed the public hearing at 6:48pm.

**Motion:** **BERRY** moved to "adopt Ordinance 13-07-336." The motion carried 4-2 in a roll call vote with **SCHNABEL** and **WATERMAN** opposed.

During the discussion, **SCHNABEL** believes the ordinance is unnecessary. **LAPP** said it seems in the past that no one has been willing to recess. This will be a reminder that it can be done. **VICK** agreed with both sentiments. He likes it in the code, because people are a bit reluctant to say "I'm tired and want to go home..."

**C. Ordinance 13-07-337 – Second Hearing**  
**An Ordinance of the Haines Borough approving the conveyance by quitclaim deed of Tract B of Alaska Tideland Survey ("ATS") 1464 to the State of Alaska, Department of Transportation and Public Facilities ("ADOT&PF") for the Haines Ferry Terminal Improvements project (State Project #68433); amending Haines Borough Ordinance No. 12-07-299 to authorize the conveyance of Parcel 3 (Tract C of ATS 1464) to ADOT&PF by quitclaim deed rather than warranty deed; and approving a right of entry upon and the sale to DOT&PF of Parcel E-5, a perpetual easement containing 3,484.8 sq. ft., more or less, located in Tract A of ATS 1464 for ADOT&PF to establish, construct and maintain a retaining wall for the Lutak Dock.**

Mayor **SCOTT** opened the public hearing at 6:53pm.

**EINSPRUCH** spoke against this ordinance. They can have this easement if they give the borough an easement for overnight parking.

Hearing no further comments, the mayor closed the public hearing at 6:55pm.

**Motion:** **BERRY** moved to "adopt Ordinance 13-07-337," and the motion carried unanimously in a roll call vote.

During the discussion, **BERRY** asked the manager what the issue of safety for the dock would be without the retaining wall. **EARNEST** said it was originally designed to be an armored slope but there were complications, so it was redesigned. This was determined to be the best solution. E-5 was originally a temporary easement. **WATERMAN** reiterated she is an employee of the Alaska Marine Highway System (AMHS) and in no way represents the state, Alaska Department of Transportation, or AMHS as an assembly member. **VICK** said he appreciates the need for overnight parking, but trying to negotiate a policy of no parking with an easement exchange is not appropriate. **EARNEST** said they cannot include negotiation of this because it involves federal highway funds. The two issues are separate and will be dealt with separately. Mayor **SCOTT** said she believes this is not a problem, to-date, and the conversations have been positive. **EARNEST** said the borough will be paid fair market value for the property.

**D. Ordinance 13-07-338 – Second Hearing**  
**An Ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY13 budget.**

Mayor **SCOTT** opened and closed the public hearing at 7:02pm; there were no public comments.

**Motion:** **BERRY** moved to "adopt Ordinance 13-07-338," and the motion carried unanimously in a roll call vote.

- E. Ordinance 13-08-340 – First Hearing**  
**An Ordinance of the Haines Borough amending Borough Code Section 3.70.030 to extend the application deadline for senior and disabled veterans property tax exemptions and to remove the provision for late applications.**

Mayor **SCOTT** opened and closed the public hearing at 7:04pm; there were no public comments.

**Motion:** **WATERMAN** moved to "advance Ordinance 13-08-340 to a second public hearing on 9/10/13," and it was amended to change the deadline from March 30 to March 31 since that is the PFD application deadline. The motion as amended carried unanimously.

- F. Ordinance 13-08-341 – First Hearing**  
**An Ordinance of the Haines Borough amending Borough Code Section 18.90.060(I) to add a size limitation for small informational signs.**

Mayor **SCOTT** opened and closed the public hearing at 7:07pm; there were no public comments.

**Motion:** **BERRY** moved to "advance Ordinance 13-08-341 to a second public hearing on 9/10/13," and the motion carried unanimously.

- G. Ordinance 13-08-342 – First Hearing**  
**An Ordinance of the Haines Borough amending Borough Code Section 18.60.010(I) to remove the requirement for a wastewater disposal system to be inspected every two years by the Alaska Department of Environmental Conservation.**

Mayor **SCOTT** opened and closed the public hearing at 7:09pm; there were no public comments.

**Motion:** **WATERMAN** moved to "advance Ordinance 13-08-342 to a second public hearing on 9/10/13," and the motion carried unanimously.

**EARNEST** said if waste water system inspection are a state requirement, removing it from borough code would not affect that. **SCHNABEL** and **BERRY** would like more information.

- H. Ordinance 13-08-343 – First Hearing**  
**An Ordinance of the Haines Borough amending Borough Code Section 18.80.030(B) to add setback regulations to the General Use Zone.**

Mayor **SCOTT** opened the public hearing at 7:15pm.

**CAMPBELL** spoke against this. He does not believe the borough successfully enforces the existing setback requirements.

**GAFFNEY** spoke against it, as well. He believes it will stifle development, because it would affect things such as parking. Developing a business is a challenge, as it is.

**EINSPRUCH** said Haines has the least parking problem of all of the places he has lived.

Hearing no further comments, the mayor closed the public hearing at 7:18pm.

**Motion:** **WATERMAN** moved to "advance Ordinance 13-08-343 to a second public hearing on 9/10/13," and the motion carried 5-1 with **BERRY** opposed.

**WATERMAN** does not believe it is too restrictive, because zero setbacks are allowed except for industrial development. **SCHNABEL** said 50 feet seems excessive. **WATERMAN** said it refers to an industrial area. **VICK** agreed with **WATERMAN**. It's acceptable to expect industrial uses to have a setback requirement next to a residential area. There's a quality of life issue there. **BERRY** wondered why he would build a residence if he bought property next to an industrial area. **SCOTT** noted this is the general use zone and it would be difficult to know whether or not something industrial was planned. **VICK** said if a gravel pit was put in on the lot line of your residence, you might be upset. **SCHNABEL** said the General Use zone was intended to have no restrictions. When this borough wants to decide to introduce zoning restrictions in the General Use zone, then it will be important to be very conscious. **SCOTT** agreed this is not a matter to be taken lightly, and it can have more than two public hearings. **VICK** would like to see this continue on through the process to encourage discussion. There are restrictions on wetlands, for example, even in the General Use zone. It's not uncommon or burdensome. It's just new. **WATERMAN** said as it grows out there, planning and zoning is going to happen. What's going to be the first step? Actually, the first step was the requirement for a construction declaration form. **VICK** would like to hear more from the planning commission what they mean by public safety reasons for recommending this ordinance. **EARNEST** said the planning commission vote for this was unanimous. Ensuring there

would be space for emergency vehicles and to protect property interests were two of the reasons stated. He noted the ordinance has an effective date of January 1, 2014, if it is adopted. **WATERMAN** suggested the planning commission could look at some allowances such as the ability to use a parking area for the 50-foot setback. She said she hoped staff would bring up these questions and concerns to the planning commission.

**I. Ordinance 13-08-344** – First Hearing

**An Ordinance of the Haines Borough amending Borough Code Section 18.20.020 to define temporary use dwellings.**

Mayor **SCOTT** opened the public hearing at 7:34pm.

**EINSPRUCH** does not understand the distinction between the townsite and his property. Technically, he is in the townsite but he has no water or sewer service. He sees this as unfair.

**GAFFNEY** questioned the logic of this being an areawide ordinance. Usually, things like this are put in things like covenants. It is hard for him to see the benefit. **SCOTT** clarified this only applies to the zones within the townsite service area.

**LENDE** wondered why this came up. Who is going to enforce this? Yurts are not unattractive.

Hearing no further comments, the mayor closed the public hearing at 7:38pm.

**Motion:** **WATERMAN** moved to "advance Ordinance 13-08-344 to a second public hearing on 9/10/13," and the motion failed 1-5 with **SMITH, LAPP, BERRY, SCHNABEL,** and **VICK** opposed.

During the discussion, **WATERMAN** understands where this is coming from. This is for temporary use applications. They are trying to define more what a temporary use is. **VICK** moved to amend by removing "yurt" from the definition but there was no second. **SCHNABEL** doesn't believe this is needed. Staff needs to be perfectly clear about what is temporary. It's the use, not the thing. **SMITH** said the borough is trying to prevent these temporary use dwellings from becoming permanent. There are a lot of situations that just continue. He can think of three different people living in buses. That is not being enforced. He doesn't agree with people being allowed to live in temporary things. **SCHNABEL** said the borough seems to be impotent about the issue of trailers being used as commercial buildings. It is an issue of enforcement. She reiterated that temporary is a usage question. **SMITH** moved to amend the ordinance to add school buses to the list in the definition, after wall tents but there was no second.

**SCHNABEL** called for the question and it carried 5-1 with **SMITH** opposed.

**J. Ordinance 13-08-346** – First Hearing

**An Ordinance of the Haines Borough authorizing the borough manager to enter into a loan agreement in the amount of up to \$787,500 with the Alaska Department of Environmental Conservation for the Muncaster Road Asbestos Cement Pipe Replacement project.**

Mayor **SCOTT** opened and closed the public hearing at 7:50pm; there were no public comments.

**Motion:** **BERRY** moved to "advance Ordinance 13-08-346 to a second public hearing on 9/10/13," and the motion carried unanimously.

**EARNEST** said this is to match the municipal matching grant appropriation. **JIMENEZ** said this is Highland Estates project that includes other roads in addition to Muncaster. **EARNEST** said explained the borough's loan agreement has to match the ADEC grant name.

**K. Ordinance 13-08-347** – First Hearing

**An Ordinance of the Haines Borough amending Haines Borough Code Chapter 2.72.080 to specify what categories of personnel records are available to the public.**

Mayor **SCOTT** opened the public hearing at 7:54pm.

**MORPHET** believes this ordinance would also make job applications confidential. Additionally, evaluations would not be public. His attorney disagrees with the borough attorney's opinion that the Chilkat Valley News attorney memo was taken out of context. He doesn't understand the effort to do this.

**FREIDENAUER** said law is a lot of opinion. This may have to be a test case. The media is not looking for rank and file annual evaluations. Additionally, employment contracts should not have a confidentiality clause for evaluations.

**LENDE** said as a library board member, the board always assumed the library director's evaluation was public. She assumes it would be in the best interest of the public. It seems it's always been a good thing.

**BENNER** said he thinks there's going to be a problem with the union employees. There's a difference between union and at-will.

**EINSBRUCH** does not understand the purpose of this ordinance. High-level officials are subject to public scrutiny. The public is not even sure evaluations are even being performed. The public should be able to actually observe what's really going on. There should be relatively few things that are secret. More open public access to records is good.

**CAMPBELL** believes the assembly members are the only ones evaluated, and the borough attorneys are often wrong.

Hearing no further comments, the mayor closed the public hearing at 8:03pm.

**Motion:** **LAPP** moved to "advance Ordinance 13-08-347 to a second public hearing on 9/10/13," and it was seconded by **BERRY**.

**SCHNABEL** asked to hear from the manager the reason this is being moved forward. **EARNEST** said he had a conversation with the mayor about possibly having the attorney on the phone to respond to legal questions during a committee of the whole meeting. **EARNEST** explained the practical problem of open evaluations. There would be a dampening effect on the directness of an evaluation or critique. If there are corrective measures that need to occur, and those issues aren't addressed and the behavior becomes worse, then there will not be an evaluation that justifies the termination, if it is challenged. Also, it is a matter of fairness to the employee. If there are deficiencies, there would be a tendency for the public to grab those deficiencies and use them in a damaging way. What if 90% of the employee's performance is acceptable but 10% needs improvement? It would be wrong for the public to use that 10% as a hammer. Employees should not be subjected to unfair criticism. The evaluations need to be meaningful and direct, without the words being softened. **BERRY** said as a person who manages people in the community this is almost identical to what the Chilkoot Indian Association does because it follows federal law. Their personnel records are not open to public inspection, period. **VICK** asked about the applicability to union members. **EARNEST** responded that would be a question for the borough attorney. **SCHNABEL** would like to see this go to the personnel committee.

**Motion:** **SCHNABEL** moved to "refer Ordinance 13-08-347 to the Personnel Committee," and the motion carried 4-2 with **VICK** and **WATERMAN** opposed.

**SCHNABEL** said if there are in fact legal exclusions, they should be in the code. She has an understanding of the manager's concerns about employee evaluations, but applicants for positions have a different relationship with the borough than the employees. She would like to hear the reason for those not being public. **EARNEST** noted this is not *applicants*. It's referring to applications of people who become employees.

## 8. STAFF/FACILITY REPORTS

### A. Borough Manager – 8/27/13 Report

#### 1. PND Presentation – Boat Harbor Design Options

**SOMERVILLE** and **SULTAN** from PND Engineers made a presentation of the harbor protection alternatives and entertained assembly questions.

**SMITH** asked for an update on the primary school property sale. **EARNEST** explained the assembly has only classified the property for sale. The actual process to sell is quite involved.

**SCHNABEL** questioned proposed contract assessor plan. She thought the plan presented during the budget was to have this settled by now. **EARNEST** said the plan, and what was put in the budget, is to proceed with contract assessment services. He wants a contract assessor to have some opportunity this year before deep snow to work with staff. Proposals are currently being sought.

- \* B. Chilkat Center – Facility Report of July 2013
- \* C. Fire Department – Staff Report of July 2013
- \* D. Sheldon Museum – Staff Report of July/August 2013
- \* E. Finance Department – CFO Permanent Fund Report

## 9\* COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

- \* A. Planning Commission – Minutes of 7/11/13
- B. Museum Board – Minutes of 7/18/13
- C. Assembly Standing Committee Reports – None

## 10. UNFINISHED BUSINESS

**11. NEW BUSINESS****A. Resolutions****\* 1. Resolution 13-08-489**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Kendall Ford in the amount of \$51,690 for the purchase of two Ford Interceptor SUVs.

*The motion adopted by approval of the consent agenda: "adopt Resolution 13-08-489."*

**\* 2. Resolution 13-08-490**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Arctic Sales, Inc. in the amount of \$13,125 for the purchase of LED street lights.

*The motion adopted by approval of the consent agenda: "adopt Resolution 13-08-490."*

**\*3. Resolution 13-08-491**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with NC Machinery in the amount of \$219,792 for the purchase and delivery of a CAT 950H wheel loader.

*The motion adopted by approval of the consent agenda: "adopt Resolution 13-08-491."*

**\*4. Resolution 13-08-492**

A Resolution of the Haines Borough Assembly accepting a grant offer entitled Barnett Water Tank Replacement (MMG# 39541) of up to \$675,500 from the State of Alaska, Department of Environmental Conservation.

*The motion adopted by approval of the consent agenda: "adopt Resolution 13-08-492."*

**B. Ordinances for Introduction****\* 1. Ordinance 13-08-348**

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

*The motion adopted by approval of the consent agenda: "introduce Ordinance 13-08-348 and set a first public hearing for 9/10/13."*

**C. Other New Business****1. ATVs on Chilkat River Beaches - Discussion**

*The mayor requested this discussion item and offered a possible motion might be to direct the planning commission to explore avenues to designate this area for non-motorized recreational use only.*

**Motion: SMITH** moved to "refer this issue to the Planning Commission, as soon as possible," and it carried 4-2 with **BERRY** and **LAPP** opposed.

During the discussion, **BERRY** said it is important that "Chilkat Inlet Beaches" be well-defined. This will be step-one. If someone complains about ATV use in another area, will the assembly then prohibit their use there? It will be so much easier next time for uses to be prohibited in certain areas. **SCOTT** explained the limitation of this area to non-motorized use is only a recommendation in the state's plan. There is currently no authority within the borough code for that recommendation to be enforced. **LAPP** said it is difficult, if not impossible, to find a place close to town to ride an ATV. He would rather see reckless operators be regulated and cited. **SMITH** said everyone is suffering from growth issues. The planning commission should deal with this. **LENDE** explained the common understanding since 2001 was that ATVs would not be allowed in that area. Lately, some people have been driving recklessly, doing donuts with their ATVs. There is really no legal access because of salmon-spawning streams. Chief **FORD** said he would be reluctant to classify "donuts" with an ATV as reckless. An officer has to witness reckless activity, and it has to do with endangerment of property or people. The police department is more than willing to enforce the law.

**Motion: VICK** moved to "extend this meeting beyond 9:30pm to complete the meeting agenda," and it carried unanimously.

2. **Alaska Department of Transportation and Public Facilities Request for Scoping Comments: Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project**

*The Planning Commission discussed this project at its August 8, 2013 meeting. There was a motion in support of the project, but some concern regarding a toad pond that is scheduled for destruction.*

**Motion:** **WATERMAN** moved to "authorize submittal of the draft borough comments to the Alaska Department of Transportation & Public Facilities on behalf of the Haines Borough Assembly regarding the Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project," and the motion carried 5-1 with **SCHNABEL** opposed.

3. **Requested Tourism Impact Study - Discussion**

*The tourism advisory board (TAB) has requested a study of tourism impacts, and a proposal was submitted by the McDowell Group. The tourism director has asked for an assembly discussion of the TAB's request. It may lead to assembly action.*

**SCHNABEL** is intrigued and would like to know the cost benefit of this. It seems a \$30,000 study to tell what is already known is a puzzle. It is already known tourism is important for the community and the reason the borough continues to fund it. **CARLSON** said the Tourism Advisory Board (TAB) has been discussing this since March. A lot comes down to not being able to get a firm breakout of what visitors are spending and what taxes are being collected, along with the indirect benefits such as food, fuel, etc. In some ways, a winter study is more important because there is more unknown. A study will also help know the obstacles and the needed infrastructure. **VICK** agreed it might be interesting, but wondered how actionable it would be. What provides the most return on investment? Cruise ships? Events? Something else? **SMITH** believes a lot of this information exists and just needs to be compiled. He is interested in the economic impact the Heliskiing industry has on Haines and thinks this is a good thing to do now and again every ten years. **VICK** would like to know what the study would produce before approving it. **BERRY** said this proposal involves only a preliminary investigation and is a good start. It will produce more questions. Mayor **SCOTT** wants a more targeted analysis. The traffic between Haines and Skagway is an issue, and an economic feasibility study would show if it makes business sense. She would support an analysis of winter tourism and the linkage between the two communities. She would be interested in meeting with the TAB to hone the idea of this study and determine what the question(s).

**Motion:** **SCHNABEL** moved "to, for all who can attend, continue this discussion at the Tourism Advisory Board meeting on Friday, August 30, at 9:30am, and it carried unanimously.

For public notification purposes, a straw poll showed it is likely fewer than three assembly members will be able to attend.

4. **Method for Recruitment of New Manager**

*This is an outcome of the 8/19 Committee-of-the-Whole meeting. Staff was asked to gather some information about professional recruitment. One proposal was received in time for the published packet.*

**LAPP** is concerned about the cost in the proposal. **SMITH** said the average term of a manager in Alaska is about two years. He is opposed to the idea of a professional service. He doesn't believe the borough will gain anything by going that way. **BERRY** also expressed concerns with the total cost, and **EARNEST** agreed. **VICK** sees benefits to both professional and in-house. He wondered what happens if someone doesn't last two years, and the borough ends up paying severance. **SMITH** said the borough just spent \$20,000 to upgrade the borough's website. The borough should use its existing tools. Utilize Alaska Municipal League and Southeast Conference. Mayor **SCOTT** said she was informed the pool of municipal managers has shrunk significantly, and the borough will have to look very hard. **SMITH** believes staff will do the job well until the assembly fills the space. **VICK** observed even with the police chief search, the borough is not getting a lot of response. If the manager pool is that thin right now, the borough may need some advertising help. **SCOTT** said **EARNEST** suggested trying it the traditional way and if it becomes necessary go with a professional service. **WATERMAN** said at the Committee of the Whole meeting, staff took notes of the things that are a priority for the assembly. A job notice should be prepared accordingly.

**Motion:** VICK moved to "direct the manager to advertise his job using a traditional recruitment method," and it carried 5-0 with SCHNABEL abstaining. No reason was given for the abstention and, although abstaining is not allowed by code, it was not challenged.

12. **CORRESPONDENCE/REQUESTS** - None

13. **SET MEETING DATES**

A. **Personnel Committee** - Monday, 9/9, 11am - Topic: Ordinance re. personnel records disclosure.

14. **PUBLIC COMMENTS** - None

15. **ANNOUNCEMENTS/ASSEMBLY COMMENTS**

SCHNABEL said she attended the recent ADOT/AMHS ferry presentation. The attendance was very low. She also met with Governor Parnell today and chatted with him about the "lack of transparency" in his department. He feels very frustrated about that, himself.

BERRY and WATERMAN will be absent from the September 24 meeting.

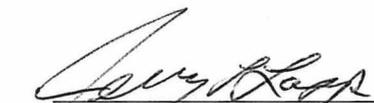
16. **ADJOURNMENT** - 10:09pm

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

ATTEST:

  
Julie Cozzi, MMC, Borough Clerk



  
Jerry Lapp, Deputy Mayor