

Haines Borough
Borough Assembly Meeting #262
AGENDA



January 28, 2014 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

Stephanie Scott,
Mayor

Dave Berry Jr.,
Assembly Member

Diana Lapham,
Assembly Member

Debra Schnabel,
Assembly Member

Joanne Waterman,
Assembly Member

George Campbell,
Assembly Member

Jerry Lapp,
Assembly Member

TBD,
Borough Manager

Julie Cozzi,
Interim Manager

Michelle Webb,
Interim 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 – Library Director's Report
- 9A – Library Board Minutes
- 11A1 – Adoption of Resolution 14-01-531
- 11B1 – Introduction of Ordinance 14-01-366
- 12A – Request for Letter of Support – DIPAC Funding

- *4. APPROVAL OF MINUTES – 10/22/13 Regular Meeting and 1/7/14 Special Meeting
5. PUBLIC COMMENTS [Any topics not scheduled for public hearing]
6. MAYOR'S COMMENTS/REPORT
 - A. Alaska Power & Telephone (AP&T) Rate Increase
 - B. Clean Harbor Presentation
7. PUBLIC HEARINGS
 - A. Ordinance 13-07-339 – Second Hearing
An Ordinance of the Haines Borough amending Borough Code Section 5.18.080 to change the procedure for amending the Commercial Ski Tour Areas Map.
*This ordinance was proposed by Mayor Scott. It was introduced on 7/23/13 and referred to the Government Affairs & Services (GAS) Committee. It returned to the assembly on 10/22, when it was amended with a substitute ordinance and scheduled for a first public hearing. On 11/12, following the hearing, the ordinance was once again referred to the GAS Committee. The committee proposed amendments that were adopted at the 1/14/14 meeting, and the ordinance was scheduled for a second hearing. **Motion:** Adopt Ordinance 13-07-339.*
 - B. Ordinance 13-12-357 – Second Hearing
An Ordinance of the Haines Borough authorizing renewal of a lease of the Human Resources Building with Chilkat Valley Preschool for the purpose of providing preschool 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 2014. Borough Charter states the leasing of borough property must be approved by the assembly by ordinance. This ordinance was introduced on 12/10 and had a first hearing on 1/14. **Motion:** Adopt Ordinance 13-12-357.*
 - C. Ordinance 13-12-358 – Second Hearing
An Ordinance of the Haines Borough amending Borough Code Section 18.80.030 to add setback regulations to the General Use zone and to correct a typographical error to make it consistent with the Section 18.20.020 definition of setback.
*This ordinance is recommended by the planning commission. This ordinance was introduced on 12/10 and had a first hearing on 1/14. **Motion:** Adopt Ordinance 13-12-358.*

7. PUBLIC HEARINGS --- continued

D. **Ordinance 13-12-359** – Second Hearing

An Ordinance of the Haines Borough amending Borough Code Section 18.100.092 to remove the biennial state inspection requirement for wastewater disposal systems to make this code section consistent with Section 18.60.010(i).

*This ordinance is recommended by the planning commission. This ordinance was introduced on 12/10 and had a first hearing on 1/14. **Motion:** Adopt Ordinance 13-12-359.*

E. **Ordinance 13-12-360** – Second Hearing

An Ordinance of the Haines Borough amending Borough Code Title 18 Sub-Section 18.30.010(A)(2)(c) to change the filing period for Construction Declaration forms.

*This ordinance is recommended by the planning commission. This ordinance was introduced on 12/10 and had a first hearing on 1/14. **Motion:** Adopt Ordinance 13-12-360.*

F. **Ordinance 13-12-361** – Second Hearing

An Ordinance of the Haines Borough amending Borough Code Title 18 Section 18.20.020 to revise the definition of "Agriculture, personal use" and Section 18.30.070 to reduce the fee for permits relating to animal husbandry.

*This ordinance is recommended by the planning commission. This ordinance was introduced on 12/10 and had a first hearing on 1/14. **Motion:** Adopt Ordinance 13-12-361.*

G. **Ordinance 14-01-363** - First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Sections 2.50.030, 2.56.011, 2.60.055, 2.98.040, 2.100.040, 2.104.040, 2.105.040, 7.04.080, 16.08.010, and 18.30.040 to revise the procedure for filling board, committee, and commission vacancies.

*This ordinance is recommended by the interim clerk, the interim manager, and the mayor. It was introduced on 1/14. **Motion:** Advance Ordinance 14-01-363 to a second public hearing on 2/11/14.*

H. **Ordinance 14-01-365** - First Hearing

An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY14 Budget.

*This ordinance is recommended by the interim manager. It was introduced on 1/14. **Motion:** Advance Ordinance 14-01-365 to a second public hearing on 2/11/14.*

8. STAFF/FACILITY REPORTS

A. Interim Borough Manager – 1/14/14 Report

*B. Haines Borough Public Library – Director's Report of 11/26/2013

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

*A. Library Board – Minutes of 11/26/13

B. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A. Resolutions

*1. **Resolution 14-01-531**

A Resolution of the Haines Borough Assembly expressing support for Governor Parnell's proposal to appropriate \$3 billion from the Constitutional budget reserve into the Alaska Retirement Trust Funds in 2015.

*This resolution was delayed so the assembly's concern about conflicts of interest could be researched. The mayor has determined that there is no conflict for any assembly members and her memo is attached. This resolution is recommended by the interim manager. **Motion:** Adopt Resolution 14-01-531.*

11. NEW BUSINESS ---continued

B. Ordinances for Introduction

*1. Ordinance 14-01-366

A non code ordinance of the Haines Borough approving the sale to Aspen Management, LLC of Lots 6 and 7 Primary School Subdivision plat No. 2008-21, Haines Recording District, First Judicial District, State of Alaska.

*This ordinance with accompanying documents was prepared by the borough attorney and is recommended by the interim borough manager. **Motion:** Introduce Ordinance 14-01-366 and set a first public hearing for 2/11/14.*

C. Other New Business

1. Confirm Chief of Police Hire

*The Interim Borough Manager will be prepared to recommend a hire for the position of Chief of Police. The Public Safety Commission has provided a recommendation for consideration by the manager. The hiring decision is awaiting the background and reference check reports that are expected by January 28. This is a department head position hired by the manager but it must be confirmed by the assembly. **Motion:** Confirm the manager's decision to hire _____ as Chief of Police for the Haines Borough.*

2. Tanani Bay Sewer Outfall System

*The borough has received another request from the developer for the borough to take over responsibility of the Tanani Bay sewer outfall system. This is a longstanding developer concern, and staff has conducted several meetings with him. The interim manager requests referral of this matter to the Government Affairs & Services Committee believing a committee meeting would be the best venue for the developer and staff to provide history, concerns, and recommendations. **Motion:** Refer the topic of responsibility for the Tanani Bay sewer outfall system to the Government Affairs & Services Committee.*

3. Harbor Breakwater Decision

The Port and Harbor Advisory Committee recommends a wave barrier design for the South Portage Cove Harbor to the Haines Borough Assembly.

Suggested Motion: Accept the PHAC recommendation of a partially penetrating wave barrier design.

4. Executive Session – Update on Manager Contract Negotiations

*On 12/17/13 the Haines Borough Assembly directed Interim Manager Julie Cozzi to negotiate a contract with David Sosa for the position of Borough Manager. **Motion:** "Go into executive session as allowed by AS 44.62.310(b)(2) to discuss the contract negotiations of David Sosa; this matter qualifies for executive session because it contains 'matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity'; this applicant has been provided with an opportunity to request a public discussion; and the assembly requests Interim Borough Manager Julie Cozzi to join the assembly in this session."*

12. CORRESPONDENCE/REQUESTS

- *A. **Request for Letter of Support:** Port and Harbor Advisory Committee request for funds from Douglas Island Pink and Chum (DIPAC).

13. SET MEETING DATES

A. **Government Affairs and Services Committee** – Regarding Tanani Bay Sewer System and to discuss Ordinance 14-01-364 - Contracting Exception.

B. **Board of Equalization Training** – Proposed date - March 3rd - State of Alaska Assessor, Steve Van Sant, has contacted the Haines Borough to inquire about the scheduling of Board of Equalization training.

C. **Joint School Board and Borough Assembly Meeting** – Tuesday, March 4th - Annual meeting mandated by Charter Sec. 7.04 to discuss and coordinate financial planning, capital improvement needs, the six-year capital improvement plan, and other matters of mutual concern. The School District Superintendent and the Mayor have suggested this date.

D. **Committee-of-the-Whole** - Topic: Pre-budget workshop with manager and department heads.

E. **Committee-of-the-Whole** - Topic: Set local assembly legislative priorities for FY15.

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT