

Haines Borough
Borough Assembly Meeting #258
December 10, 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 Jerry **LAPP**, Debra **SCHNABEL**, George **CAMPBELL**, Joanne **WATERMAN**, Dave **BERRY**, and Diana **LAPHAM**.

Staff Present: Julie **COZZI**/Interim Borough Manager, Carlos **JIMENEZ**/Director of Public Facilities, Simon **FORD**/Interim Police Chief, Krista **KIELSMEIER**/Administrative Assistant, Joe **PARNELL**/Assistant Harbor Master, Xi **CUI**/Planning and Zoning Technician, Darsie **CULBECK**/Executive Assistant to the Borough Manager, and Michelle **WEBB**/Interim Clerk.

Visitors Present: Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, Rob **GOLDBERG**, Jack **WENNER**, James **ALBOROUGH**, Heather and Chip **LENDE**, Mr. and Mrs. **TUENGE**, Mrs. **GREY**, Don **TURNER III**, Greg **PODSIKI**, Nelle **JURGELEIT-GREENE**, Nick **TRIMBLE**, Sean **GAFFNEY**, Ray **STASKA**, Bonnie **HEDRICK**, Chris **BROOKS**, Mr. **DWYER**, Len **FELDMAN**, Mr. **CHURCHILL**, Heather **SHADE**, Neil **EINSBRUCH**, Fred **EINSBRUCH** (via telephone), Dave **KAMMERER**, Tom **MORPHET**, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA

The following Items were on the published consent agenda:

Consent Agenda:

- 8B – Fire Department Report
- 8C – Library Director Report
- 8D – Chilkat Center for the Arts Director Report
- 9A – Planning Commission Minutes
- 9B – Tourism Advisory Board Minutes
- 9C – Library Board Minutes
- 9D1 – Commerce Committee Minutes and Records of Decision
- 11A1 – Adoption of Resolution 13-12-521
- 11A2 – Adoption of Resolution 13-12-522
- 11A3 – Adoption of Resolution 13-12-523
- 11A4 – Adoption of Resolution 13-12-524
- 11B1 – Introduction of Ordinance 13-12-357
- 11B2 – Introduction of Ordinance 13-12-358
- 11B3 – Introduction of Ordinance 13-12-359
- 11B4 – Introduction of Ordinance 13-12-360
- 11B5 – Introduction of Ordinance 13-12-361
- 11C1 – Board Appointments
- 11C2 – 2014 Assembly Meeting/Agenda Preparation Schedule
- 11C3 – Adoption and Referral of the Haines Borough Organizational Chart
- 12A1 – Correspondence from the Haines Borough to Sen. Mark Begich
- 12A2 – Correspondence to the Assembly from Residents for a Better Haines
- 12A3 – Communication from Jack Wenner to the Assembly
- 12A4 – Correspondence from Thom Ely to the Assembly
- 15A – Report on Alaska Municipal League Conference

Motion: **LAPP** moved to “approve the agenda/consent agenda,” and it was amended to add to the consent agenda two letters of support for grants for the Chilkat Center, remove items 11A2 and 11C3 from the consent agenda, and remove the Clean Harbor presentation from the agenda. The motion as amended carried unanimously.

4. APPROVAL OF MINUTES – None

5. PUBLIC COMMENTS

MORPHET urged the assembly to take more time to review Borough Manager applicants before making a decision.

KURZ said he is opposed to the manager form of government but is very in favor of hiring David Sosa as borough manager.

6. MAYOR'S COMMENTS/REPORT

Mayor **SCOTT** said many are concerned about the recent suicides. She contacted mental health and will be looking into training opportunities for the community.

She read aloud her written report.

7. PUBLIC HEARINGS

A. Rehearing on Appeal of a Planning Commission Decision

Fred Einspruch – After the Fact Fee

The borough manager issued an enforcement order to property owner Fred Einspruch requiring the payment of a \$250 after-the-fact fee for constructing a carport without a land-use permit, as required by borough code. Einspruch appealed to the planning commission and on October 10. The planning commission voted to deny the appeal and thereby not recommending the assembly waive the fee (HBC 18.30.070(D)). HBC 18.30.060 allows for an appeal to the assembly of a planning commission decision. Mr. Einspruch submitted an appeal to the borough clerk on 10/17. On 11/12, the assembly voted to rehear the matter. This hearing was scheduled for this meeting as required by HBC 18.30.060(A).

EINSPRUCH said he constructed a ready-to-assemble carport. On August 9, 2013, he applied for a building/land-use permit. He was informed the application was incomplete and he provided everything on August 20. On August 27, he was assessed a \$250 after the fact fee. He appealed to the planning commission and, since he was out of town, asked the commission to postpone his hearing to a later meeting. The borough attorney informed them code does not allow them to postpone hearings, so this agenda item happened while he was out of town. He believes this violated his due process. That's all he is asking for. He wants to be treated fairly like his neighbors.

CAMPBELL asked if this is a de novo or on the record hearing, and the mayor clarified it is on the record. He also disclosed that he had ex parte contact. **EINSPRUCH** said he had no problem with that. He asked for a de novo hearing, and **SCOTT** stated the request for a de novo hearing has been denied. **EINSPRUCH** expressed concern his actual action did not fit the fine. He stressed again that he believes his right to due process was unreasonably denied; he was not provided an opportunity to speak to the planning commission.

CUI reviewed the sequence of events for the assembly and referenced materials in the record on appeal.

The public was allowed an opportunity to comment, but there were none.

SCOTT gave a definition for the term *on the record*, and **LAPP** clarified the planning commission could not make any further comments during this hearing than what is on the record. **CAMPBELL** said the building permit on the record says the application is complete and was signed on August 20 by Julie Cozzi for Mark Earnest. The applicant was notified on the same date. If that's true, the applicant had six days to build the carport after the application was signed as complete and issued. **WATERMAN** stated it was her understanding the permit is processed following application signature. **CUI** confirmed that. **CAMPBELL** said a reasonable person would read that as the applicant was notified, and therefore a reasonable person could assume to proceed. **WATERMAN** asked if the appellant had received a copy of the permit and **CUI** answered no. He did not know about or have possession of the permit. The process was not yet complete; the site inspection was pending.

Motion: **WATERMAN** moved to "to uphold the planning commission's decision to deny the Fred Einspruch appeal of the manager's decision," and the motion carried 5-1 with **CAMPBELL** opposed.

CAMPBELL said the fact that he didn't have copy or notification was not in the record previously and therefore cannot be considered. **SCOTT** asked if the application had turned into a permit when it was signed. **CUI** stated it did not have a permit number and therefore was not an issued permit. **LAPP** asked if the document was signed, did the permit come into effect that date? **COZZI** said no, the applicant is notified the application is complete and under review. The manager approves the final inspection. She has always considered that

when the letter goes out, that stands as the permit. The wording on this document has been reviewed and is being revised because of this confusion. **LAPP** followed up that this has been standard procedure that an applicant cannot begin work until the permit letter is received. **BERRY** added the letter states a permit effective date and assigns a permit number. **COZZI** read the pertinent section of code regarding this form and process. **SCOTT** recommended people reference R10 in the packet. That code supersedes. **LAPP** appreciated this is being looked at, and he would like applicants to be informed about the importance of waiting until they get an actual permit with date and number before starting work.

B. Ordinance 13-10-353 – Second Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.30.070 to make changes to fees and penalties.

Mayor **SCOTT** opened and closed the public hearing at 7:15pm. There were no public comments.

Motion: **WATERMAN** moved to “adopt Ordinance 13-10-353,” and the motion carried unanimously in a roll call vote.

C. Ordinance 13-10-354 – Second Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.70.030 to define recreational zone and adding Haines Borough Code Title 12 Section 12.50 to prohibit motorized use in the Chilkat River Beaches Recreational Zone.

Mayor **SCOTT** opened the public hearing at 7:17pm.

Many citizens spoke in favor of the ordinance, including the **LENDEs, STASKA, JURGELEIT-GREENE, PODSIKI, ALBOROUGH, FELDMAN, HEDRICK, GRAVEL, CHURCHILL, GREY,** the **TUENGES, DWYER,** and others.

KURZ, BROOKS, and **TRIMBLE** spoke against this ordinance.

Hearing no further comments, the mayor closed the hearing at 7:51pm.

Motion: **LAPHAM** moved to “adopt Ordinance 13-10-354,” and it was amended to correct the legal description as recommended by the planning and zoning technician. The motion as amended carried 4-2 in a roll call vote with **CAMPBELL** and **LAPP** opposed.

In discussion, **LAPHAM** said she has received many comments on this matter. She does not believe this ordinance will disenfranchise those who enjoy motorized recreation. It is mentioned in the Comprehensive Plan to upgrade this area and connect it to the Fair Grounds. She would like to see that move forward. She doesn’t believe this area is suitable for ATV use. **CAMPBELL** said this is about the grassland, not the land below mean high tide. An ATV can still ride in the tidal area and we wouldn’t be able to prosecute those who break this law. This should be tabled and work with ADF&G. **SCHNABEL** said it could also be postponed to a later meeting. **LAPP** agrees this area is not good for motorized use, but disagrees with this ordinance. He doesn’t like the tool this ordinance creates and there should be a different way to prohibit use on this beach. **BERRY** first thought this would limit rights, but is now in support.

D. Ordinance 13-11-355 - First Hearing

A Non-Code Ordinance approving the conveyance to the State of Alaska, Department of Natural Resources (“DNR”) of Lot 7, Block B Excursion Inlet South Subdivision Plat No. 81-58 Juneau Recording District First Judicial District State of Alaska.

Mayor **SCOTT** opened and closed the public hearing at 8:09pm. There were no public comments.

Motion: **WATERMAN** moved to “advance Ordinance 13-11-355 to a second public hearing on 1/14/14,” and the motion carried unanimously.

CAMPBELL expressed concern about not having enough information to go on. **COZZI** offered to repeat some of the information from the previous meeting presented by Jila Stuart, Finance Director. The borough attorney is negotiating with the state. This has to do with a property foreclosure and subsequent sale. The state became involved and argues the property belongs

to them. **COZZI** explained the attorney prepared a memo that could be shared in executive session if there are questions. **SCHNABEL** asked what makes this matter confidential. **CAMPBELL** asked if it could be tabled and he was informed it cannot due to the timing of the negotiations.

Motion: **CAMPBELL** moved to "go into executive session regarding negotiations with the state on this property, as allowed by state and local law since discussion of the negotiations in open session could jeopardize the finances of the borough," and the interim borough manager was invited to attend. The motion carried unanimously.

Present: Mayor Scott; Assembly Members Lapp, Waterman, Campbell, Berry, Schnabel, and Lapham; and Interim Borough Manager Julie Cozzi. The executive session ended at approximately 8:25 pm.

*There was no objection to moving the SEABA hearing (11C5) to this point in the agenda because **BERRY** had to leave the meeting early. (See that portion of the minutes under Other New Business.)*

BERRY left the meeting at 9:05 pm.

E. Ordinance 13-11-356 - First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.60.055 to remove the review of membership applications by the committee, board or commission when filling vacancies.

Mayor **SCOTT** opened the public hearing at 9:06pm.

TURNER spoke as a member of the planning commission. He doesn't understand the push for this. **SCOTT** explained this ordinance was a great conversation starter. The problem is in the process, not in the code. She feels the mayor's involvement is very "rubber stampy". Something needs to be done to provide documentation to follow or take the mayor and assembly out of the process. A revised ordinance will come back to the assembly.

Hearing no further comments, the hearing was closed at 9:10pm.

Motion: **LAPP** moved to "table Ordinance 13-11-356 indefinitely," and the motion carried unanimously.

8. STAFF/FACILITY REPORTS

A. Interim Borough Manager

In addition to the written report, **COZZI** mentioned the E-911 surcharge ordinance will be brought to the assembly in the near future. There is some concern in the community about this charge. Juneau has a \$1.90 fee, and Haines is discussing a .75 cent charge. **CULBECK** mentioned AT&T told him money collected goes by the resident address, not the local prefix. **SCHNABEL** asked about the process of taxing this on to phone lines. **COZZI** answered the phone companies do the work in this process and most other places have their own E-911 surcharges that affect those people who have outside numbers. **SCHNABEL** wondered if the areawide tax for emergency dispatch could be used for this project. **WATERMAN** asked that this discussion be held at a different time. **CAMPBELL** asked about the state assessor audit. **COZZI** said there is a report pending from the contract assessor.

***B. Fire Department** – Staff Report of October 2013

***C. Library Director** – Report of October 16, 2013

***D. Chilkat Center for the Arts** – Report of November 2013

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

* **A. Planning Commission** – Minutes of 10/10/13

* **B. Tourism Advisory Board** – Minutes of 8/30/13 and 9/30/13

* **C. Library Board of Trustees** – Minutes of 9/18/13

D. Assembly Standing Committee Reports

* **1. Commerce Committee Minutes and Records of Decision**

10. UNFINISHED BUSINESS – None

11. NEW BUSINESS

A. Resolutions

***1. Resolution 13-12-521**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to renew for 2014 the Public Water System Compliance Monitoring Program (CMP) contract with Analytica Group, LLC, for testing Lily Lake and Piedad water for the quoted price of \$13,000.

The motion adopted by approval of the consent agenda: "adopt Resolution 13-12-521."

2. Resolution 13-12-522

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a purchase agreement with GCSIT Solutions for replacement network servers for the quoted price of \$35,521.

There were no public comments.

Motion: **WATERMAN** moved to "adopt Resolution 13-12-522," and the motion carried unanimously

SCHNABEL wanted to clarify the monies that would be used to purchase the servers.

Motion: At 9:28 pm, **LAPP** moved to "continue going through the agenda," and it carried unanimously.

*** 3. Resolution 13-12-523**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Key Mechanical for an amount not to exceed \$18,000 to replace the coil in the harbor ice house.

The motion adopted by approval of the consent agenda: "adopt Resolution 13-12-523."

*** 4. Resolution 13-12-524**

A Resolution of the Haines Borough Assembly certifying that the municipality did experience significant effects during the program base year from fisheries business activities that occurred within the FMA 17: Northern Southeast Fisheries Management Area.

The motion adopted by approval of the consent agenda: "adopt Resolution 13-12-524."

5. Resolution 13-12-525

A Resolution of the Haines Borough Assembly adopting the Borough's FY 2015 state legislative priorities.

There were no public comments.

Motion: **WATERMAN** moved to "adopt Resolution 13-12-525," and it was amended to add "waste" to the word "water" in item 1; add "3. Adequate funding for both operation and capital needs of the Alaska Marine Highway" to Section 2; and change the title of the resolution to "A Resolution of the Haines Borough assembly adopting the Alaska Capital Project Submission and Information System priorities (CAPSIS) and legislative priorities." The motion as amended carried unanimously.

CAMPBELL asked if Mosquito Lake School should be a part of the priorities, and **CULBECK** responded that we are asking for reimbursement through the Department of Education. **CAMPBELL** would like the pricing and values included in the resolution. **SCOTT** explained the priorities will be entered into the CAPSIS database and decisions will be made regarding cost estimates and project descriptions. **CAMPBELL** would like the priorities to come in August of September so they can be taken to the state earlier.

6. Resolution 13-12-526

A Resolution of the Haines Borough Assembly adopting the Borough's FY 2014 federal priorities.

There were no public comments.

Motion: **WATERMAN** moved to "adopt Resolution 13-12-526," and the motion carried unanimously.

LAPP wondered why one item is labeled as 'Scenic Byway' rather than 'Haines Highway realignment'. **SCHNABEL** understands the highway realignment is a state project.

Scenic Byways is a federal program. **CAMPBELL** said the borough would like \$10 million for the harbor project, so he doesn't understand why we include smaller priorities. He moved to take scenic byways from the list, but it was unsuccessful for lack of a second.

B. Ordinances for Introduction

***1. Ordinance 13-12-357**

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 motion adopted by approval of the consent agenda: "introduce Ordinance 13-12-357 and set a first public hearing for 1/14/14."

***2. Ordinance 13-12-358**

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.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-12-358 and set a first public hearing for 1/14/14."

***3. Ordinance 13-12-359**

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).

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-12-359 and set a first public hearing for 1/14/14."

***4. Ordinance 13-12-360**

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.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-12-360 and set a first public hearing for 1/14/14."

***5. Ordinance 13-12-361**

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 fees for permits relating to animal husbandry.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-12-361 and set a first public hearing for 1/14/14."

C. Other New Business

***1. Board Appointments**

Appointment applications and reapplications were received for seats on the Historic Dalton Trail RMSA, Library Board of Trustees, Chilkat Center Advisory Board, and the Public Safety Commission. Each board recommended the appointments. The mayor sought assembly confirmation. The motion adopted by approval of the consent agenda: "confirm the mayor's appointment of: Carol Meismer and Robert Venables to the Historic Dalton Trail RMSA for terms ending 11/2016; Meredith Pochardt, Anne Marie Palmieri, and Cecily Stern to the Library Board of Trustees for terms ending 11/2016; Joe Parnell, Tara Bicknell, and Kyle Gray to the Chilkat Center Advisory Board for terms ending 11/2016, 11/2016, and 11/2015 respectively; Bob Duis, Jim Stanford, and Kay Clements to the Public Safety Commission for terms ending 11/2016, 11/2016, and 11/2015 respectively."

***2. 2014 Assembly Meeting/Agenda Preparation Schedule**

This schedule was recommended by the clerk's office. It establishes the assembly regular meeting schedule for 2014 and the agenda & packet deadlines. Special meetings may still be scheduled, as needed. The motion adopted by approval of the consent agenda: "approve the 2014 Haines Borough Assembly Meeting Agenda Preparation Calendar."

3. Adoption of the Haines Borough Organizational Chart

The last organization chart to be officially adopted by the assembly is dated June 2011. Ordinarily, the charts have been adopted as part of the annual budget, however this was not done for the past two years. The Interim Manager recently updated the chart to reflect the current structure. The changes in the structure since 2011 have been approved over time by the assembly, but the overall chart was in need of official adoption since that step was missed. It was also recommended the Personnel Committee review this chart for possible additional changes.

Motion: **LAPP** moved to "adopt the actual Haines Borough Organization Chart reflecting the current structure, and then refer it to the Personnel Committee for review," and the motion passed unanimously.

SCHNABEL has always been confused about the assembly adopting the organizational chart that she believes is the manager's purview. She supports moving it into committee to discuss this at length. **CAMPBELL** asked that the Clerk work for the assembly not the manager, as was discussed recently at AML. **SCOTT** explained that would require a Charter amendment. The borough officers DO work for the assembly but are supervised by the manager.

4. Solid Waste Survey Proposal

Assembly Member Schnabel sought assembly support, endorsement, and financial support of a Solid Waste Survey.

Motion: **WATERMAN** moved to "endorse, sponsor, and finance solid waste survey per the 12/3/13 memo," and the motion carried unanimously.

WATERMAN thanked **SCHNABEL** for her survey and using her education in this way. **SCOTT** noted **SCHNABEL** will not benefit academically or financially from the adoption of this proposal. **CAMPBELL** applauded the survey, and appreciates the time and low price tag. **SCHNABEL** is hoping the manager would help direct existing staff to help with project. A number of assembly members have volunteered their time. **CAMPBELL** suggested an avenue be offered to those respondents who are not computer savvy.

5. Appeal of Ski Tour Allocation from Manager – Southeast Alaska Backcountry

Adventures (This was moved ahead of Item 7E in the order of business but is recorded here.)

Note: the former borough manager Mark Earnest issued 2013 Heliskiing Allocations on 10/15/13, which were distributed to the Commercial Skiing Tour permit applicants on 10/22. On 11/5/13, SEABA submitted an appeal to the assembly of the allocations per HBC 5.18.080(C)(4). The assembly's options following the hearing were 1)modify the manager's 2014 allocations, 2)revoke manager's 2014 allocations, 3)rescind manager's 2014 allocations, 4)affirm the manager's 2014 allocations, or 5)enter its own 2014 allocations.

CAMPBELL disclosed some possible bias because he does business with SEABA, but he believes he can be non-biased about this matter. Both **TRIMBLE** (SEABA) and **GAFFNEY** (AMG) waived concern about bias. **TRIMBLE** drew attention to the appeal letter from Scott Sundberg, SEABA's General Manager. He read a section citing the fine paid last April for this incident. He believes the reduction of skier days is a double penalty and is a very heavy financial burden. The requested skier days are based on 60% fly time. A skier day equals approximately \$1750. We risk turning away customers already booked, who will not return to Haines and contribute to the economy. SEABA was the only company to go to the pre-allocation meeting and speak on behalf of their request for these days. Giving away skier days to a company that is not viable (AMG) is unfair. Also, he doesn't believe there are enough skier days available for the companies that are operating. He asked the borough to rethink and revise skier day allocations.

COZZI referred to the memo written by former manager Mark Earnest and that this followed a similar action in a previous year.

GAFFNEY said the recent changes in code will streamline the allocation process. When new code came out so close to the start of the season last year, it caused a harmful financial and usability effect with such short notice. He believes the new August application

timeframe will remedy that. AMG gave up user days because they weren't able to use them because of the allocation process delaying contracts. That is still impacting the current season and AMG would be happy to give 50 days to SEABA that they cannot use this year. However, he sees this as temporary and believes they will be able to use them in the future. AMG is looking forward to growing this part of their business in the future. They would like the allocation to go smoothly and will support organizations that may need days in the future.

SCOTT noted that transfer between companies is allowed through the manager. **TRIMBLE** is concerned how the industry can grow with this limitation of skier days. They are already maxed out. He would like to see the assembly look at a code revision in the future. He added the FAA manifest is the most accurate way to report use. **KURZ** thinks the assembly should encourage growth in this industry and believes this should be opened up. **SCHNABEL** said she is unwilling to revoke the manager's decisions for the reasons given. Precedent has been set. However, she has no problem with additional user days through transfers from other companies. Consistency is important. **CAMPBELL** thinks the allocation process is flawed. He interprets code to say each company is allowed up to 2600 skier days. **SCOTT** requested the discussion be kept to the appeal. **LAPP** observed Alaska Heliskiing did not request a reinstatement the previous year. He encourages the transfer of 50 skier days as offered by AMG. He agrees SEABA should not be fined a second time. **WATERMAN** said the permittees have a requirement to also abide by state and federal laws. SEABA's appeal goes beyond the number of skier days into the whole allocation process, and that is different. She would like to uphold the manager's decision.

Motion: **SCHNABEL** moved to "uphold the manager's 2014 skier day allocation recommend the borough manager approve the transfer of 50 days as proposed from AMG to SEABA," and the motion carried 5-1 in a roll call vote with **CAMPBELL** opposed.

LAPP reiterated he believes SEABA is being fined twice for the same violation. **CAMPBELL** said other tour activities do not face the same management. **SCOTT** pointed out SEABA did not use all the days allocated last year. **SCHNABEL** and **LAPHAM** both noted this was likely due to weather conditions unsuitable for operating. **TRIMBLE** said there were only 3 days of usable flight time in April. **SCHNABEL** recognized and appreciated AMG's willingness to work with other companies.

6. Discuss Borough Manager Applicants

Motion: **CAMPBELL** moved to "go into executive session as allowed by AS 44.62.310(c)(2) to discuss the interviews of David Sosa and Susan Jensen. This matter qualified for executive session because this discussion contained subjects that tended to prejudice the reputation and character of any person. These applicants were provided with an opportunity to request a public discussion. The assembly requested Interim Borough Manager Julie Cozzi attend for at least part of it." The motion carried 4-1 with **SCHNABEL** opposed. (She believed the discussion should take place in open session.)

Present: Mayor Scott; Assembly Members Lapp, Waterman, Campbell, Berry, Schnabel, and Lapham; and Interim Borough Manager Julie Cozzi. The executive session ended at approximately 10:50pm.

Motion: **CAMPBELL** moved to "send Susan Jensen a very nice thank you letter and discontinue our interview process with her," and it passed unanimously with no discussion.

Motion: **WATERMAN** moved to "ask the interim manager and the mayor to call the additional references that Mr. Sosa provided, and also ask for a community interface scenario that can be provided for research; the information is to be brought back to the assembly at a special meeting on the 17th at 5:30; and communicate with Mr. Sosa that we will have an answer for him by the 18th." The motion carried unanimously.

12. CORRESPONDENCE/REQUESTS

A. Correspondence

- * **1. Correspondence from the Haines Borough to Sen. Mark Begich** regarding the Harbor Breakwater

- * **2. Correspondence to the Assembly from Residents for a Better Haines** regarding maritime development
- * **3. Communication from Jack Wenner to the Assembly** regarding his work with State of Alaska Department of Transportation Re: Juneau Access Road
- * **4. Correspondence from Thom Ely to the Assembly** regarding Heli Map Committee.

13. SET MEETING DATES

- A. Joint School Board and Borough Assembly Meeting** - 6:30 pm on January 7, 2014 [This meeting was subsequently postponed to a later date.]
- B. Personnel Committee** - Topic: Review of organizational chart. The committee chair will work with Clerk to set a date in late January
- C. Special Assembly Meeting** - 5:30 pm, December 17 - Topic: Consideration of Manager Hire (Dave Sosa)

14. PUBLIC COMMENTS

WENNER was in favor of the best ferry system. However, there are a lot of people who are in favor of the East side road idea. He thinks he can persuade people but is leaving soon. He encouraged the assembly to hold up their end.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

- ***A. Report on Alaska Municipal League Conference** (no comments)

SCHNABEL said she saw the CVN ad regarding logging on University land. She would like to take a very proactive stance with input into the process before it becomes an issue.

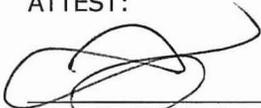
SCOTT reminded members about the borough employee Holiday Party and also expressed appreciation the assembly is showing action on large projects within the borough.

COZZI thanked the assembly for their support and said she encourages input.

16. ADJOURNMENT - 11:01pm

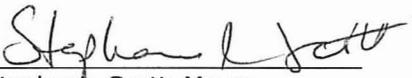
Motion: **LAPP** moved to "adjourn the meeting," and the motion carried unanimously.

ATTEST:



Michelle Webb, Interim Clerk




Stephanie Scott, Mayor