

May 27, 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

David Sosa,
Borough Manager

Julie Cozzi, MMC
Borough Clerk

Krista Kielsmeier
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 – Museum Report
- 8C – Library Report
- 9A – Library Board Minutes
- 11A1 – Resolution 14-05-563
- 11A2 – Resolution 14-05-564
- 11A3 – Resolution 14-05-565
- 11A4 – Resolution 14-05-566
- 11B1 – Ordinance 14-05-381
- 11B2 – Ordinance 14-05-382
- 11B3 – Ordinance 14-05-383
- 11C1 – Notification of Nelson Abatement Appeal
- 11C3 – Preschool Letter of Support
- 11C4 – Letter to F&G re. Crabbing
- 11C5 – Confirm Tourism Director Hire

- * 4. APPROVAL OF MINUTES – 5/13/14 Regular
5. PUBLIC COMMENTS [Any topics not scheduled for public hearing]
6. MAYOR'S COMMENTS/REPORT
7. PUBLIC HEARINGS

A. Ordinance 14-04-373 - Third Public Hearing

An Ordinance of the Haines Borough repealing Chapter 2.68 of the Haines Borough Code and reenacting Chapter 2.68 as Title 11 with amendments to certain borough election and election contest procedures.

This ordinance was introduced on 4/8 and had a first public hearing on 4/22. Following the second hearing on 5/13, and with a motion to adopt and an amendment motion both on the table, the assembly postponed the ordinance for a third public hearing on 5/27. The clerk was asked to perform a consistency review and report back. As a result, the clerk has drafted another memo recommending amendments.

After the public hearing, assembly debate should resume with the following motions already on the table:

Main Motion: "Adopt Ordinance 14-04-373."

Amendment Motion: "Amend by making the changes proposed in the 5/13 clerk memo except in both 11.52.010(A) & 11.52.030(A) strike the phrase "any action" and replace with "misconduct, fraud, or corruption."

B. Ordinance 14-04-377 – Second Public Hearing

An Ordinance of the Haines Borough, providing for the additions or amendment of specific line items to the FY14 budget.

*This ordinance is recommended by the borough manager. It was introduced on 4/22 and had a first public hearing on 5/13. **Motion:** Adopt Ordinance 14-04-377.*

7. PUBLIC HEARINGS ---continued---

C. Ordinance 14-05-378 – Second Public Hearing

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, 2014 through June 30, 2015.

*This ordinance is recommended by the borough manager. On 5/13, it was introduced and had a first public hearing. **Motion:** Adopt Ordinance 14-05-378.*

D. Ordinance 14-05-379 – First Public Hearing

An Ordinance of the Haines Borough authorizing the Borough Manager to negotiate and execute a new lease with Goat Lake Hydro, Inc., a subsidiary of Alaska Power & Telephone, for the specified parcel of Borough property for the Goat Lake Hydro plant at Lutak.

*The Comprehensive Plan, Objective 15M(4) recommends the borough "support and protect energy production at existing hydro facilities including Lutak Hydro (AP&T). This ordinance allows the manager to negotiate a new rent amount and secure a replacement lease for this hydro facility. This was introduced on 5/13. **Motion:** Advance Ordinance 14-05-379 to a second public hearing on 6/10/14.*

E. Ordinance 14-05-380 – First Public Hearing

An Ordinance of the Haines Borough amending Borough Code Title 3 Section 3.24.050 to increase the cap for stock investments for the Permanent Fund from 25% to 50%.

*This amendment was recommended by the finance committee on 3/10/14 and introduced on 5/13. **Motion:** Advance Ordinance 14-05-380 to a second public hearing on 6/10/14.*

8. STAFF/FACILITY REPORTS

A. Borough Manager – 5/27/14 Report

* B. Sheldon Museum – Staff Report of April 2014

* C. Public Library – Staff Report of April 2014

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

* A. Library Board – Minutes of 3/19/14

B. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A. Resolutions

* 1. Resolution 14-05-563

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with MRV Architects for an amount not-to-exceed \$15,435 for Haines Borough Administration Building Roof Renovation Design.

*This resolution is recommended by the Director of Public Facilities. **Motion:** Adopt Resolution 14-05-563.*

* 2. Resolution 14-05-564

A Resolution of the Haines Borough Assembly accepting a grant offer entitled Asbestos Cement Pipe Replacement (MMG #39542) of up to \$551,250 from the State of Alaska, Department of Environmental Conservation.

*This resolution is recommended by the Director of Public Facilities. **Motion:** Adopt Resolution 14-05-564.*

* 3. Resolution 14-05-565

A Resolution of the Haines Borough Assembly approving certain unincorporated communities and their respective nonprofit entity for participation in the FY15 Community Revenue Sharing Program.

*This resolution is recommended by the Chief Fiscal Officer. **Motion:** Adopt Resolution 14-05-565.*

* 4. Resolution 14-05-566

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Carson Dorn, Inc. for an amount not-to-exceed \$35,700 for Piedad Springs Water Treatment Design.

*This resolution is recommended by the Director of Public Facilities. **Motion:** Adopt Resolution 14-05-566.*

11. NEW BUSINESS ---continued---

B. Ordinances for Introduction

* 1. **Ordinance 14-05-381**

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Chapter 2.104 to clarify management of the Chilkat Center for the Performing Arts.

*This ordinance is recommended by the borough manager. **Motion:** Introduce Ordinance 14-05-381 and set a first public hearing for 6/10/14.*

* 2. **Ordinance 14-05-382**

An Ordinance of the Haines Borough authorizing a new lease of the Chilkat Center with Lynn Canal Broadcasting for the purpose of operating a non-profit, public FM broadcasting facility.

*This ordinance is recommended by the borough manager. **Motion:** Introduce Ordinance 14-05-382 and set a first public hearing for 6/10/14.*

* 3. **Ordinance 14-05-383**

An Ordinance of the Haines Borough amending Haines Borough Code Title 18, Chapter 18.90 to allow the placement of off-premises business signs on private property.

*This ordinance is recommended by the mayor and the planning & zoning technician to address the issue of off-premises signs in town. This would allow them of a limited size on private property. **Motion:** Introduce Ordinance 14-05-383 and set a first public hearing for 6/10/14.*

C. Other New Business

* 1. **Appeal of Nuisance Abatement Order**

*The borough issued a Title 8 abatement order to Paul Nelson. He appealed in writing, and the clerk determined it to be filed timely. Per 8.12.130, the clerk is presenting this appeal to the assembly and with the assembly's direction, the clerk will schedule the appeal hearing. There is no other action to be taken at this time. **Motion:** Accept the appeal as timely-filed and direct the borough clerk to schedule a date, time, and place for the hearing by the assembly, such date to be no later than July 13, 2014 (60 days from date of appeal).*

2. **Municipal (Muni-Plex) Building** - Discussion

This discussion was requested On 5/13/14 by Assembly Member Waterman.

* 3. **Chilkat Valley Preschool Request for Letter of Support**

*The Chilkat Valley Preschool plans to seek grant funding and has requested a general letter of support from the borough. **Motion:** Authorize a letter of borough support be drafted and given to Chilkat Valley Preschool for use in applying for grant funding.*

* 4. **ADF&G Letter re. Crabbing in Upper Lynn Canal**

*On 5/13/14, the mayor offered to draft a letter to ADF&G expressing the assembly's concerns about the management of the crab fishery in the Upper Lynn Canal. She seeks assembly approval of the letter. **Motion:** Approve the letter to ADF&G as drafted regarding crab resource management in the Upper Lynn Canal.*

* 5. **Confirmation of Tourism Director Hire**

*This is a department head position hired by the manager but it must be confirmed by the assembly. **Motion:** Confirm the borough manager's decision to hire Leslie Ross as Tourism Director.*

6. **Executive Session – Update on Administrative Appeal of Temporary Heliport CUP**

Motion: Move into executive session as allowed by AS 44.62.310(c)(2) and Haines Borough Charter Section 18.03 to discuss litigation strategies the borough attorney regarding an administrative appeal of an assembly decision to issue a temporary conditional use permit to Big Salmon Ventures; this matter qualifies for executive session as attorney-client privilege; the borough manager and borough attorney are requested to attend.

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT