


Haines Borough
Borough Assembly Meeting #271
AGENDA

June 10, 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 – Accept Library Report
- 8C – Accept Museum Report
- 9A – Accept TAB Meeting Minutes
- 9B – Accept Museum Board Meeting Minutes
- 11A1 – Adopt Resolution 14-06-567
- 11C1 – Confirm FY15 ad hoc Non-Profit Scoring Committee
- 11C2 – Authorize Winter Recreation Area Letter of Support
- 11C3 – Authorize Letter of Interest to Sponsor Freeride World Tour Event

- *4. **APPROVAL OF MINUTES – 5/27/14 Regular**
5. **PUBLIC COMMENTS** [Any topics not scheduled for public hearing]
6. **MAYOR’S COMMENTS/REPORT**
7. **PUBLIC HEARINGS**

A. Appeal of a Nuisance Abatement Order – Paul A.L. Nelson

On May 5, 2014, the borough issued a nuisance abatement order to Paul Nelson regarding solid waste disposal on his property in Skyline Estates Subdivision. As is his right under HBC 8.12.130, he submitted an appeal of that order and it was determined to be timely-filed. On 5/27, the clerk gave the appeal to the assembly and with the assembly’s direction the clerk scheduled this date, time, and place for the hearing.

As is typical for an appeal hearing, it will begin with presentations by Mr. Nelson and the staff, and then proceed with any public testimony since this is a public hearing.

Enforcement of the nuisance notice and order of abatement has been stayed pending final disposition of this appeal. At the hearing, Mr. Nelson may appear in person or by agent or attorney. The mayor as presiding officer of the assembly may administer oaths and compel the attendance of witnesses. Following the hearing, the assembly may, in whole or part, reverse, affirm, or modify the appealed abatement order. Written findings that formalize the reasons for the assembly’s decision will be drafted for assembly approval by resolution at the next meeting.

NOTE: Per HBC 8.12.130(E), only those matters or issues specifically raised by the appellant shall be considered at the hearing on the appeal. Mr. Nelson’s written appeal raised no issues.

B. Ordinance 14-05-379 – Second 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 and had a first public hearing on 5/27. **Motion:** Adopt Ordinance 14-05-379.*

7. PUBLIC HEARINGS ---continued---

- C. **Ordinance 14-05-380** – Second 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. The first public hearing was 5/27. **Motion:** Adopt Ordinance 14-05-380.*
- D. **Ordinance 14-05-381** – First Public Hearing
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. It was introduced on 5/27. **Motion:** Advance Ordinance 14-05-381 to a second public hearing on 6/24/14.*
- E. **Ordinance 14-05-382** – First Public Hearing
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. It was introduced on 5/27. **Motion:** Advance Ordinance 14-05-382 to a second public hearing on 6/24/14.*
- F. **Ordinance 14-05-383** – First Public Hearing
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. It was introduced on 5/27. **Motion:** Advance Ordinance 14-05-383 to a second public hearing on 6/24/14.*

8. STAFF/FACILITY REPORTS

- A. **Borough Manager** – 6/10/14 Report
* B. **Haines Public Library** – Staff Report of April 2014
* C. **Sheldon Museum** – Staff Report of May 2014

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

- * A. **Tourism Advisory Board** – Minutes of 3/20/14
* B. **Museum Board** – Minutes of 4/30/14
C. **Assembly Standing Committee Reports**

10. UNFINISHED BUSINESS

- A. **Ordinance 14-02-370**
An Ordinance of the Haines Borough amending Haines Borough Code Title 3 to remove Haines Senior Assisted Living Inc. Property from the list of community purpose exemptions because it has been determined to be a required exemption under HBC 3.70.030(A)(3).
*This ordinance was introduced on 3/25/14, and public hearings were held on 3/25/14 and 4/22/14. The assembly requested input from the state assessor's office, and adoption of this ordinance was postponed to a future meeting pending receipt of this additional information. The state assessor has issued an opinion. **Motion:** Adopt Ordinance 14-02-370.*

11. NEW BUSINESS

- A. **Resolutions**
- * 1. **Resolution 14-06-567**
A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a contract with Southeast Road Builders, Inc. to provide D-1, Sand, and Pit Run materials to the Borough for 2014-15.
*This resolution is recommended by the Director of Public Facilities. **Motion:** Adopt Resolution 14-06-567.*
- B. **Ordinances for Introduction** - None

11. NEW BUSINESS ---continued---

C. Other New Business

* 1. **Appoint FY15 ad hoc Non-Profit Scoring Committee**

*The mayor seeks confirmation of the FY15 committee members. A scoring matrix has been developed to assist the committee in reviewing the non-profit funding requests that will soon be solicited. **Motion:** Confirm the appointment of an ad-hoc committee to score applications for FY15 funds received from non-profit entities and to make recommendation for funding levels to the Assembly.*

* 2. **Haines Memorial Recreation Park**

*Jim Stanford plans to seek grant funding the creation of a Haines Memorial Winter Recreation Area within the Alaska Chilkat Bald Eagle Preserve, and he has asked the borough for a letter of support for the grant application. On 4/8/14, the planning commission passed a motion recommending it. **Motion:** Authorize a letter of borough support for a grant application for a winter recreation area in the Eagle Preserve.*

* 3. **Freeride World Tour Hosting**

*Freeride World Tour (FWT) has been an annual event for the last 20 years and is held in various parts of the world. This is their first time holding the event in Alaska and they have chosen Haines as their host community. This is a very exciting opportunity and the Tourism Advisory Board strongly encourages the assembly to consider and support the sponsorship of this event. **Motion:** Authorize the Mayor to write a letter of interest to FWT expressing the borough's willingness to host but with a requirement for additional details prior to any commitment being made.*

4. **Job Description - Community & Economic Development Director**

*This new position was proposed in the FY15 manager's budget. The budget was adopted on 5/27, and it included an annual salary of \$62,000 for this position. Also on 5/27, the assembly adopted a revised organization chart including a new department and reporting structure for community and economic development. Before recruitment can begin for this new department director position, a job description has to be finalized. On 5/13, the assembly referred this to the Personnel Committee. That committee met on 5/21 to review a draft job description provided by the borough manager and recommended revisions. **Motion:** Approve the draft job description for the Community & Economic Development Director position.*

5. **Preliminary Proposal to Explore the Impacts on the Haines Community of Developing the Palmer Deposit**

*The Takshanuk Watershed Council is eager to help the community examine the impacts of the development of the Palmer Deposit in a non-positional, science-based forum. Mayor Scott and Assembly Member Schnabel request assembly concurrence to continue to develop this proposal. **Motion:** Concur with continued development of a proposal for a non-positional, science-based forum to explore the impacts on the Haines Community of developing the Palmer Deposit: social, economic, environmental, and transportation.*

6. **Executive Session – Borough Manager Review of First 60 Days**

Motion: Move into executive session as allowed by AS 44.62.310(c)(2) and Haines Borough Charter Section 18.03 to review the manager's first sixty days; this matter qualifies for executive session because this is a personnel matter and a public discussion may tend to prejudice the character and reputations of those involved; the borough manager is requested to attend.

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT