

**Haines Borough**  
**Borough Assembly Meeting #323**  
**September 27, 2016**  
**MINUTES**

**Approved**

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **HILL** 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 Jan **HILL**, and Assembly Members Diana **LAPHAM**, Tresham **GREGG**, and attending via telephone, Ron **JACKSON**, Margaret **FRIEDENAUER**, Mike **CASE**, and George **CAMPBELL** (via telephone).

**Staff Present:** Julie **COZZI**/Borough Clerk, Jila **STUART**/Finance Director, and Helen **ALTEN**/Museum Director.

**Visitors Present:** John **STANG**/CVN, Emily **FILES**/KHNS, Debra **SCHNABEL**, Don **TURNER** Jr., Sean **GAFFNEY**, Mike **DENKER**, Paul **NELSON**, Leonard **DUBBER**, Kyle **GRAY**, Tom **MORPHET**, Fred **EINSPRUCH**, Dave **KAMMERER**, Carol **TUYNMAN**, Robert **VENABLES**, Evelynna **VIGNOLA**, and others.

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

The following Items were on the published consent agenda indicated by an asterisk (\*):

- 4 – Approve Assembly Meeting Minutes
- 8B – Accept Finance Director Report
- 8C – Accept Chilkat Center Report
- 9A – Accept Planning Commission Minutes and Meeting Summary
- 11B1 – Introduce Ordinance 16-09-444 and Schedule Public Hearings

**Motion:** **LAPHAM** moved to “approve the agenda/consent agenda,” and the motion carried unanimously.

\*4. **APPROVAL OF MINUTES** – 9/13/16

*The motion adopted by approval of the consent agenda: “approve minutes of the 9/13/16 borough assembly meeting.”*

5. **PUBLIC COMMENTS**

**EINSPRUCH** – Spoke of several concerns about the harbor expansion plan. It is not well-defined and there is general public discontent. The project should be reengineered.

**NELSON** – Asked the assembly to put his request for a hearing on the agenda as soon as possible to avoid litigation.

**VIGNOLA** – Believes the government did a good job of stifling the public process by cancelling the joint meeting regarding the harbor uplands. She believes the assembly all knows things about phase I being done incorrectly and therefore the vote should happen again. She mentioned she likes the plan submitted by Jack Wenner in the packet.

**DUBBER** – Asked the assembly to deal with the Paul Nelson issues without further litigation. He believes the assembly is in grave error and needs to get back to local common sense.

**VENABLES** – 1) Said the harbor reminds him of a situation when he was first hired by the borough. The borough was able to build an ice house to help the fishermen. We’re able to find funds but able to eventually do it. Two enemies of the harbor plan. Then addressed the assembly with his Southeast Conference hat on as the energy and transportation coordinator. He congratulated the mayor for being elected first vice-president for Southeast Conference. Next year, when they have their annual conference in Haines, she will be installed as president.

6. **MAYOR’S COMMENTS/REPORT**

The mayor reported on her recent attendance at Southeast Conference in Petersburg. As many as 250 people will be coming to Haines next year for the 2017 annual conference. She hopes the restaurants will be open in the fall to accommodate the attendees. While in Petersburg, she connected with the Juneau and Skagway mayors, and the three of them agreed to get together on a regular basis. Hazel Englund’s 100<sup>th</sup> birthday celebration was a great event. Hazel was born and raised in Haines. The mayor, Robert Venables, and Bart Henderson met at the Chamber of Commerce office to talk about the ferry system and the Juneau Access project. **FRIEDENAUER** requested the Juneau Access resolution from two years ago can be provided to the Governor.

## **7. PUBLIC HEARINGS**

### **A. Ordinance 16-08-442 – Second Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 2 to add an additional assembly comment period to the order of business for borough assembly meetings.**

Mayor **HILL** opened and closed the public hearing at 6:50 pm; there were no public comments.

**Motion: LAPHAM** moved to “adopt Ordinance 16-08-441,” and the motion carried unanimously in a roll call vote. 5-0 (**CAMPBELL** absent)

**CAMPBELL** joined the meeting at 6:52PM.

### **B. Ordinance 16-09-443 – First Hearing**

**An Ordinance of the Haines Borough amending minor typographical errors and omissions in the previously adopted Minor Offense Ordinance.**

Mayor **HILL** opened and closed the public hearing at 6:52 pm; there were no public comments.

No assembly discussion.

*Note: Since the assembly already scheduled the second hearing for 10/11/16, no motion was needed now unless the second hearing date needed to change or some other action was desired.*

## **8. STAFF/FACILITY REPORTS**

### **A. Borough Manager – 9/27/16 Report**

The manager was not present. He was attending the ICMA conference in Kansas City.

### **\*B. Finance Director – Report of Permanent Fund Principal & Earnings Reserve**

### **\*C. Chilkat Center – Facility Report of August 2016**

## **9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES**

### **\*A. Planning Commission – Minutes of 8/11/16 & Summary of 9/8/16 Meeting**

#### **B. Assembly Board Liaison Reports**

#### **C. Assembly Standing Committee Reports**

- 1. Finance Committee – LAPHAM** asked for direction on behalf of staff regarding the timing and criteria for nonprofit funding applications. **FRIEDENAUER** suggested going by last year’s application process to save staff time.

**Motion: FRIEDENAUER** moved to “direct the borough manager to utilize the same application process as last year for the nonprofit funding grants,” and the motion carried unanimously.

The mayor will appoint the application review committee, and any interested assembly members should notify her by the end of the week.

#### **2. Commerce Committee – Report of 9/15/16 Meeting**

**FRIEDENAUER** highlighted the report in the packet. Two issues: Chilkoot Tours. Setting the number of permits in September for the following. They do not recommend setting a number of permits. However, they do recommend the tour operators provide a copy to the borough the reports they submit post-season to DNR. Beginning this year...voluntarily. Next year, TAB could incorporate a requirement in code. 2) Solid Waste – recommend creating a solid waste working group. This would help it to be community-driven. Kind of like the minor offenses group. Feb 1<sup>st</sup>. Needs assembly buy-in on this recommendation.

**Motion: FRIEDENAUER:** moved to “create a working group to address the issue of solid waste management in the borough,” and the motion carried unanimously.

There was no objection to the working group submitting recommendations to the Commerce Committee by March 1, 2017. **FRIEDENAUER** suggested the group could include representatives from Haines Friends of Recycling, Community Waste Solutions, Chamber of Commerce, and possibly Takshanuk Watershed Council. Additionally, a Public Facilities staff member and 3-4 community members could be part of the group. Whether to have an assembly member or Commerce Committee member is something to decide, as well. **CASE** suggested Paul Nelson could be appointed because of his expertise in this area. [Clerk’s note: the group makeup was not yet clearly defined in order to advertise.]

**10. UNFINISHED BUSINESS** - None

**11. NEW BUSINESS**

**A. Resolutions** - None

**B. Ordinances for Introduction**

**\*1. Ordinance 16-09-444**

**An Ordinance of the Haines Borough determining whether recently foreclosed properties deeded to the borough shall be retained for a public purpose or sold.**

*The motion adopted by approval of the consent agenda: "Introduce Ordinance 16-09-444 and schedule a first public hearing for 10/11/16 and a second hearing for 10/25/16."*

**C. Other New Business**

**1. Confirm Appointments to the Code Review Commission**

*Note: Mayor Hill received 12 applications for appointment to the newly-created Code Review Commission. After thorough consideration, and in an effort to appoint a board with a diverse membership, she selected seven individuals and sought assembly confirmation of these appointments.*

**Motion:** **LAPHAM** moved to "confirm the mayor's appointments to the Code Review Commission, as follows:

Seat	Name	Initial Term Length	End Date
A	Mike Denker	Three Years	11/30/19
B	Carolann Wooton	One Year	11/30/17
C	Don Turner Jr.	Two Years	11/30/18
D	Daniel Humphrey	Three Years	11/30/19
E	Jerry Lapp	One Year	11/30/17
F	Deborah Vogt	Two Years	11/30/18
G	Cynthia "CJ" Jones	Three Years	11/30/19

**FRIEDENAUER** was pleased to see so many applications. She was surprised certain ones were not selected, but hopefully those not appointed will still be involved.

The motion carried unanimously.

The mayor wants to appoint an assembly liaison to this commission. She asked interested members to contact her by the end of this week. If there is more than one, she will randomly choose.

**2. Sales Tax Exemption Request – Boy Scout Troop 173 (Elim Church)**

*Note: This 501(c)3 organization applied for exemption status as allowed by HBC 3.80.050(13).*

**Motion:** **LAPHAM** moved to "approve the request from Boy Scout Troop 173 (Elim Church) for sales tax exemption status, and authorize the borough clerk to issue an exemption certificate," and the motion carried unanimously in a roll call vote.

**JACKSON** is glad this will be talked about very soon in the Finance Committee. **LAPHAM** asked **GAFFNEY** if this group is part of the Boy Scout camp...the same as the other two approved groups last meeting. **CASE** said two other Boy Scout groups being approved would make this one approvable. They're either exempt or they are not. **GAFFNEY** said the Great Alaska Council is tax exempt in Haines. Because of budget constraints, they can't do the administrative stuff, so AMG has stepped in to do that. These are groups who would ordinarily benefit from the Great Alaska Council exemption. Since AMG is helping out, these groups need this exemption separately. AMG has asked them not to abuse the exemption status. They are Boy Scouts and above board. **GREGG** asked if there is something the Boy Scouts can do while they are here to benefit the community.

**12. CORRESPONDENCE/REQUESTS**

**A. Harbor Project Support** – Haines Chamber of Commerce

**Note:** a response from the mayor and manager was included in the packet.

**13. SET MEETING DATES**

No meetings were scheduled. Commerce and Government Affairs & Services Committees will have meetings scheduled soon at the call of the chair.

Regarding the assembly seat on Heliskiing Map Amendment Committee, interested members should let her know by end of the week.

**14. PUBLIC COMMENTS**

**DENKER** – Said code does say there is sales tax exemption criteria in code..albeit limited. He also cautioned to be careful not to discriminate against out of town. Watch constitutional rights.

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**Mayor HILL** – Thanked all applicants for the Code Review Commission and really hopes they will all participate, as much as possible.

**LAPHAM** – Said she is really pleased with the makeup of the Code Review Commission, and there are new faces. She stands by her vote on the harbor and will continue to work hard to move it forward.

**CASE** – Said there have been some allegations that assembly members are difficult to contact or are putting up roadblocks. Please contact him via phone, text, or email. He believes he is speaking for the other assembly members that they want to hear from the public.

**FRIEDENAUER** – 1) Thanked the Chamber of Commerce for the harbor letter in the packet, 2) said she is in favor of the joint harbor uplands design meeting being postponed, 3) *[in response to Dubber's public comments earlier in the meeting]* said she has engaged Paul Nelson about his issues. She noted he is the one who first approached the borough with his attorney, and the assembly had to do what's best for the borough in that situation. His issues have been addressed in several letters from the manager and mayor, and there is nothing to settle. The borough is responding with him well and with the whole community in mind.

**CAMPBELL** – Apologized for calling in late to the meeting; there were phone difficulties.

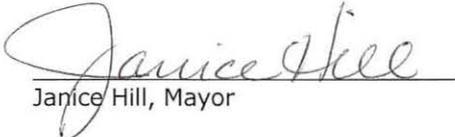
**JACKSON** – Said he is on jury duty for the next 90 days.

**16. ADJOURNMENT** – 7:38 p.m.

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

ATTEST:

  
Julie Cozzi, MMC, Borough Clerk

  
Janice Hill, Mayor

