

**Haines Borough**  
**Borough Assembly Meeting #479**  
**AGENDA**

**November 28, 2023 -6:30pm**

**Location: In Assembly Chambers and on ZOOM**

**Thomas Morphet**  
Mayor

**Natalie Dawson**  
Assembly Member

**Gabe Thomas**  
Assembly Member

**Kevin Forster**  
Assembly Member

**Debra Schnabel**  
Assembly Member

**Ben Aultman-Moore**  
Assembly Member

**Craig Loomis**  
Assembly Member

**Annette Kreitzer**  
Borough Manager

**Alekka Fullerton**  
Borough Clerk

**Kiersten Long**  
Deputy Clerk

**Haines Borough ZOOM information** (You must download Zoom first)

Webinar ID: 854 2070 8745

Passcode: 934413

- 1. CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL**
- 2. 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:

3 - Approve Minutes from 11/14/23 Regular Assembly Meeting

11A1 – Supporting Coordinated Transportation Plan

11A2 – Apply for Care-a-van Grant

11A3 – Apply for Shared Fisheries Business Tax proceeds of \$285.15

11A5 – Supporting State Funding Increase for Harbors

11C3 – Adoption of 2024 Assembly Agenda Preparation Schedule

- \*3. APPROVAL OF MINUTES** -Approve Minutes of 11/14/23 Regular Assembly Meeting

- 4. PUBLIC COMMENTS** – [For any topics not scheduled for public hearing. Individual comments are limited to 3 minutes unless another yields 3 minutes to the speaker in advance] *Note: during this section of the agenda, the assembly will listen and take notes. No official action will be taken at this time.*

**5. ASSEMBLY COMMENTS**

**6. MAYOR’S REPORT AND COMMENTS**

**7. PUBLIC HEARINGS**

**A. Rehearing on Appeal of a Planning Commission Decision  
Glacier Construction Inc., dba Southeast Road Builders –  
Conditional Use Permit for Resource Extraction**

*On 10/23/23, the planning commission approved a conditional use permit (#23-87) for Glacier Construction Inc, dba Southeast Road Builders for resource extraction in the Waterfront Industrial Zone located at C-LTR-04-0090/0700/0010 (Site A) and C-LTR-04-1000/2940/0900/0800 (Site B). HBC 18.30.060 allows for an appeal to the assembly of a PC decision, and four appeals were timely submitted to the clerk (although one appeal was submitted after the assembly’s 11/14/23 packet was published). One appeal was presented (by Gershon Cohen) to the assembly at their 11/14/23 meeting, and the assembly voted to rehear the PC’s entire decision regarding CUP #23-87. The appeal hearing is scheduled for this meeting, as required by HBC 18.30.060(A).*

*The evidence considered shall be limited to a review of the record, and the burden of proof shall be solely on the parties (appellants) challenging the commission’s decision. “The Record” in these appeals is determined to be: all documentary or oral statements and any material objects that were provided to the PC in this matter. The evidence is limited to that same record, although further argument may be allowed. Argument is defined as “reasons given for or against a matter under discussion that is intended to convince or persuade the listener.” The Appellate record*

## 7. PUBLIC HEARINGS

### A. **Rehearing on Appeal of a Planning Commission Decision** **Glacier Construction Inc., dba Southeast Road Builders –** **Conditional Use Permit for Resource Extraction - Continued**

*consists of written arguments submitted by the appellants. Oral arguments are acceptable during these hearings. As typical for appeal hearings, each one will begin with presentations by the appellant, permit-holder, and the borough manager, and then proceed with any public testimony. Assembly deliberations will follow public testimony.*

**Assembly Action Needed:** *The assembly hearing an appeal from a PC conditional use decision is acting in a quasi-judicial capacity. Therefore, a supermajority is required, per Charter 5.06(D) for action. The assembly may confirm the commission's decision, reverse the commission's decision, change (or add) conditions which the commission placed on approval, or remand the decision to the PC for rehearing. The assembly must make its decision at this meeting keeping in mind that "in all decisions the burden of proof shall be on the party challenging the decision of the planning commission."*

*The assembly may deliberate in open session or in executive session. Written findings that formalize the reasons for the decision will be drafted for assembly approval at the next meeting.*

### B. **Ordinance 23-10-660** – Second Hearing **An ordinance of the Haines Borough adopting the restated Port of Haines Terminal Tariff No. 3.** **Motion: Adopt Ordinance 23-10-660**

### C. **Ordinance 23-10-661** – Second Hearing **An Ordinance of the Haines Borough amending Haines Borough Code Title 2 to clarify the Assembly Agenda.**

## 8. STAFF/FACILITY REPORTS

- A. **Borough Manager Report** – None
- B. **CFO Report** – FY24 First Quarter Financial Report

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

- A. **Ports and Harbors Advisory Committee 10-5-23 Approved Minutes**
- B. **Tourism Advisory Board 9-13-23 Approved Minutes**
- C. **Commerce Committee 10-17-23 Approved Minutes**

## 10. UNFINISHED BUSINESS

- A. **Executive Session for Consideration of Community Builder Award Nominations.** *Pursuant to Resolution 23-09-1060, the Assembly shall meet in executive session to consider the nominations for the 2023 Community Builder Award. **Proposed Motion:** Move into executive session as allowed by AS 44.62.310(c)(2) to discuss the qualifications, reputation and character of nominees. *At the end of the executive session, the assembly should come back into regular session to vote on the winner of the 2023 Community Builder Award. Pursuant to Resolution 23-09-1060, the winner must be determined by at least 5 votes of the Assembly.**

## 11. NEW BUSINESS

- A. **Resolutions** (Individual comments are limited to 3 minutes unless another yields 3 minutes to the speaker in advance)

- \*1. **Resolution 23-11-1075**  
**A resolution of the Borough Assembly supporting the Haines Borough Coordinated Transportation Plan, 2023 Edition.**  
**Motion: Adopt Resolution 23-11-1075**

## 11. NEW BUSINESS

### A. Resolutions - *Continued*

- \*2. **Resolution 23-11-1076**  
A resolution of the Borough Assembly authorizing the Borough Manager to execute a contract with Catholic Community Services, CCS, for the Haines Care-A-Van Transportation Services for an amount not-to-exceed \$100,029.00.  
**Motion:** Adopt Resolution 23-11-1076
- \*3. **Resolution 23-11-1077**  
A Resolution of the Haines Borough Assembly Certifying that the Haines Borough Did Suffer Significant Effects During the Program Base Year from Fisheries Business Activities that Occurred within the FMA 17: Northern Southeast Fisheries Management Area.  
**Motion:** Adopt Resolution 23-11-1077
4. **Resolution 23-11-1078**  
A Resolution of the Haines Borough Assembly authorizing the Borough Manager to purchase a 2024 Chevrolet Tahoe for the Police Department for the amount of \$85,000.  
**Motion:** Adopt Resolution 23-11-1078
- \*5. **Resolution 23-11-1079**  
A Resolution of the Haines Borough Assembly in Support of Raising the Maximum Available Alaska Department of Transportation Harbor Facility Grant to \$7,500,000 for Eligible Projects on an Annual Basis.  
**Motion:** Adopt Resolution 23-11-1079
6. **Resolution 23-11-1080**  
A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with AP Triton for the Operational Audit- Fire Department Strategic Planning project for an estimated amount of \$41,966.  
**Motion:** Adopt Resolution 23-11-1080

### B. Ordinances for Introduction

1. **Ordinance 23-11-663**  
An Ordinance of the Haines Borough, Providing for the Addition or Amendment of Specific Line Items to the FY24 Budget.  
**Motion:** Introduce Ordinances 23-11-663 and schedule it for its first public hearing 12/12/23 and its second public hearing 1/9/24.

### C. Other New Business

1. **Comprehensive Plan Update** - *Verbal*
2. **Lutak Dock Replacement Update** - *Verbal*
- \*3. **2024 Assembly Meeting/Agenda Preparation Schedule**  
**Motion:** Adopt the 2024 Haines Borough Assembly Meeting Agenda Preparation Calendar.
4. **Boards and Commissions: Confirmation of Property Tax Assessment Ad Hoc Advisory Board.** **Motion:** Confirm the Mayor's appointments to the Property Tax Assessment Ad Hoc Advisory Board.

**11. NEW BUSINESS**

**C. Other New Business - Continued**

- 5. Amend Previously Adopted Resolution 23-06-1048 Sale of Surplus Vehicles.** *The Manager requests that the Resolution be amended to allow for the sale of the 2005 Ford Ambulance to SEREMS for reallocation to another Alaska Community, namely Coffman Cove, and to allow the Manager to evaluate the other vehicles for potential transfer to other Borough Departments.*  
**Motion:** Amend previously adopted Resolution 23-06-1048 to allow the Manager to sell the Ambulance to a Non-Profit and to evaluate the other vehicles for retention.

**12. CORRESPONDENCE**

**13. SET MEETING DATES**

**A. Commercial Fisheries Board re: Letnikof**

**14. PUBLIC COMMENT**

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS/DIRECTION TO OFFICERS**

**16. ADJOURNMENT**