

**Haines Borough  
Borough Assembly Meeting #328  
January 10, 2017  
MINUTES**

**Approved**

1. **CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL:** Mayor **HILL** called the meeting to order at 6:30 p.m. in the Assembly Chambers and led the pledge to the flag.

**Present:** Mayor Jan **HILL**, and Assembly Members Tresham **GREGG**, Ron **JACKSON**, Margaret **FRIEDENAUER**, Mike **CASE**, Tom **MORPHET**, and Heather **LENDE**.

**Staff Present:** Julie **COZZI**/Borough Clerk, Alekka **FULLERTON**/Deputy Clerk, Brad **RYAN**/Director of Public Facilities, Jila **STUART**/Finance Director, Krista **KIELSMEIER**/ Executive Assistant, Shawn **BELL**/Harbormaster, Helen **ALTEN**/Museum Director, Tina **OLSEN**/Accounting Clerk, Leslie **ROSS**/Tourism Director and Tammy **PIPER**/Visitor Information Coordinator.

**Visitors Present:** Suzanne **ASHE**/CVN, Emily **FILES**/KHNS, Don **TURNER Jr.**, Diana **LAPHAM**, Mike **DENKER**, Jerry **ERNY**, Andrew **GRAY**, Paul **NELSON**, Bill **ROSTAD**, Brad **BADGER**, Evelyn **VIGNOLA**, Debra **SCHNABEL**, Don **TURNER III**, Dwight **DOWNER**, Ryan **COOK**, JR **CHURCHILL**, Charlie **DEWITT**, Terry **PARDEE**, CJ **JONES**, Carol **TUYNMAN**, Toni **DEWITT**, Thom **ELY**, Ryan **JOHNSON** and others.

2. **APPROVAL OF AGENDA & CONSENT AGENDA**

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

11A3 – Adopt Resolution 17-01-702

11B4 – Introduce Ordinance 17-01-449

11C3 – Statement of non-objection to pending liquor license renewals

**Motion:** **CASE** moved to “approve the agenda/consent agenda,” and it was amended to renumber Item 12A as 9F and to remove Items 3, 11B3, and 11C1 from the consent agenda. The motion, as amended, carried unanimously.

3. **APPROVAL OF MINUTES** – 12/13/16 Regular and amended to include 1/3/17 Special.

**Motion:** **JACKSON** moved to “approve the minutes of the 1/3/17 and 12/13/16 meetings with the following corrections made to 12/13:

Bottom of Page 1- Magistrate’s report- remove statement “by far” and remove “and said Haines has more cases...”

Page 4 – Item 3- Change word from “reviewed” to “revised”

Page 4- Item 4- Remove “and Seward”

Page 5 Item 7- Change Morphet description, omitting “lengthy”

Page 5 Item 7- Change rationale for executive session to “...tend to prejudice the reputation and character of others”.

The minutes as corrected passed unanimously.

4. **PUBLIC COMMENTS**

**HALLET** – Reiterated his appeal from the previous meeting; denial of appeal is illogical and inconsistent. He believes his appeal was not moot for stated reasons and asked for reconsideration.

**DENKER**- Suggested changes to Resolution 17-01-703.

**ROSS** – Said agenda items 11B1 and 11B2 are in conflict and should both be referred to an assembly committee to move forward.

**TUYNMAN** – Said she has been meeting with people on the East Coast about our Harbor projects. She has many new ideas for economic, tourist and pedestrian access.

5. **ASSEMBLY COMMENTS**

**CASE** –Apologized to Mr. Hallett for being rude to him during his appeal on 12/13/16.

6. **MAYOR’S REPORT/COMMENTS**

A. The HEDC report will be given at the 1/24/17 meeting.

B. The Code Review Commission initial meeting will be 6:00pm, January 17, Assembly Chambers.

**Motion:** **CASE** moved to “appoint the Deputy Clerk Alekka **FULLERTON** to serve as Acting Borough Clerk while Borough Clerk Julie **COZZI** is absent 1/20-2/8; acting clerk shall have full authority to act as

Borough Clerk." The motion passed unanimously.

**7. PUBLIC HEARINGS** – None

**8. STAFF/FACILITY REPORTS**

**A. Director of Public Facilities Report** - Memo provided in response to the following 11/1/16 motion: "develop a comprehensive public process and input plan in determining how to use excess grant funding for the Portage Cove Small Boat Harbor expansion and in planning and designing the elements of future phases of the project with a draft of the plan to come to the assembly no later than the first meeting in January.". **RYAN** wanted to avoid dedicating estimated funds now and requested a series of public meetings once the amount of excess funds is known.

**Motion: FRIEDENAUER** moved to "amend the 11/1/16 motion to change the plan deadline from January 2017 to January 2018." The motion passed unanimously.

**Motion: LENDE** moved to "direct the Planning Commission to develop a comprehensive public process and input plan for the Portage Cove Small Boat Harbor expansion and planning and designing the elements for future phases of the project with a draft of the plan to come to the Assembly no later than the first meeting in May." The motion passed unanimously.

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

**A. Parks & Recreation Advisory Committee** – 11/16/16 Minutes & 12/5/16 Action Request  
**JACKSON** read the Action request and asked that an entire picture be created instead of user group by user group.

**B. Mobile Commercial Business Committee** – Final Report of December 16, 2016

**C. Port and Harbor Advisory Committee** - Minutes of 11/17/16 & 10/25/16 Action Request

**D. Assembly Board Liaison Reports-**

i. Museum Board - **GREGG**

ii. Library Board - **LENDE**

**E. Assembly Standing Committee Reports**

i. **Personnel Committee** – **JACKSON** - Unanimously recommends Brad Ryan as Interim Manager.

**F. Senior Village Loan Request** [12A on published agenda but renumbered during agenda approval]

**Motion: FRIEDENAUER** moved to "refer this request to the finance committee to draft an ordinance to adopt a loan agreement for the Senior Village."

**Primary Amendment- FRIEDENAUER** moved to reword the motion to read "refer the request to the finance committee for consideration," and the motion passed unanimously.

The main motion, as amended, passed unanimously.

**10. UNFINISHED BUSINESS**

**A. Ordinance 16-01-429**

**An Ordinance of the Haines Borough amending Haines Borough Code Section 18.30.040 to adjust code to match the actual planning commission meeting start time and to revise the review process for capital improvements and borough projects.**

*Note: a version was introduced on 1/26/16, and hearings were held on 2/9 & 3/8. Following the second hearing, it was substituted with a draft proposed by staff. It was subsequently referred back to the planning commission (PC) for review. On 10/13, the PC voted to recommend a revision, and on 10/25, the assembly considered a new draft. Adoption was postponed pending more information from the PC. On 11/10, the PC reviewed the assembly's new comments & the pending primary amendment. They support a change from \$100K to \$25K. However, they proposed replacing "other public facility" in the first sentence with "other borough projects" rather than "other public structures" as proposed in the amendment motion. Motions already on the table:*

**Motion:** adopt the substitute Ord. 16-01-429 proposed by the Planning Commission.

**Primary Amendment:** "change \$100,000 to \$25,000 and replace "other public facility" with "other public structures."

**Secondary Amendment :** **MORPHET** moved to change "other public facility" to "other Borough Construction Projects"; the motion passed 4-2 with **CASE** and **JACKSON** opposed.

The primary amendment motion, as amended, passed unanimously.

The main motion, as amended, passed unanimously in a roll call vote.

## **11. NEW BUSINESS**

### **A. Resolutions**

#### **1. Resolution 16-12-700**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Wolverine Supply for the 2016 Wastewater Treatment Plant Upgrade project for an amount not to exceed \$1,933,900.**

Public Comment: None.

**Motion: CASE** moved to "adopt Resolution 16-12-700."

**Primary Amendment: LENDE** moved to "amend the resolution to correct the amount to \$1,978,900," and the motion passed unanimously.

The main motion, as amended, passed unanimously in a roll call vote.

#### **2. Resolution 17-01-701**

**A Resolution of the Haines Borough Assembly directing the Borough Manager to allocate a minimum of \$420,457 from the Portage Cove Harbor Expansion project funds for Upland Development.**

**Public Comments:** The following individuals spoke:

**In Opposition:**

**TURNER JR  
DOWNER  
C.DEWITT  
PARDEE  
TURNER III  
ERNY  
COOK  
ROSTAD  
CHURCHILL  
JONES**

**In Favor:**

**TUYNMAN  
SCHNABEL**

**Questions:**

**GRAY  
T.DEWITT**

**Motion: LENDE** moved to "adopt Resolution 17-01-701," and the motion carried 5:1 in a roll call vote with CASE opposed.

#### **\*3. Resolution 17-01-702**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with S.E. Underwater Services in the amount of \$30,800 for the installation of 90 harbor anodes.**

*The motion adopted by approval of the consent agenda: "adopt Resolution 17-01-702."*

#### **4. Resolution 17-01-703**

**A Resolution of the Haines Borough Assembly directing the borough manager to postpone consideration of the heliski map committee and manager's recommendations until the summer of 2017 when a new committee will be established after reports from ADF&G are available and code revisions have been considered.**

**Public Comments:**

**JOHNSON (Alaska Helisking)** - Spoke in opposition. The current map contains several mistakes that need to be corrected. The operators need terrain to ski safely and need Haines borough to support winter tourism.

**ROSS** - Agreed there are several mapping errors that need to be corrected to make landing zones safer.

**SCHNABEL** - Said the Chamber of Commerce supports map changes based on safety.

**ELY** - Believes the process is flawed. It doesn't mean the information isn't valuable; it just needs to be reconsidered.

**Motion:** JACKSON moved to "adopt Resolution 17-01-703," and it was amended to change "constitution" to "composition. The motion, as amended, passed unanimously in a roll call vote.

**Motion:** FRIEDENAUER moved to "extend this meeting to finish the agenda," and the motion passed 5-1 with CASE opposed.

## **B. Ordinances for Introduction**

### **1. Ordinance 16-10-445**

**An Ordinance of the Haines Borough amending Borough Code Subsection 5.18.080(I)(b) to clarify the membership makeup of heliski map amendment committees.**

**Motion:** JACKSON moved to refer this Ordinance to the Commerce committee for further review; the motion passed unanimously.

### **2. Ordinance 17-01-447**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 5 Subsection 5.18.080(I) to eliminate reference to a heliski map advisory committee in order to shift to the Borough Assembly the responsibilities for reviewing map amendment proposals.**

**Motion:** JACKSON moved to refer this Ordinance to the Commerce committee for further review; the motion passed unanimously.

### **3. Ordinance 17-01-448**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 12 to designate Haines Borough parks and establish definitions and regulations.**

**Motion:** JACKSON moved to "introduce Ordinance 17-01-448 and set a first public hearing for 1/24/17 and a second public hearing for 2/14/17."

**Primary Amendment:** JACKSON moved to "add 'Overlook Park' to the list of parks; add the word 'Uplands' to 'Picture Point Park' and separate 'Library Totem Park' from 'Tanani Point Park' and create two different descriptions." The motion passed unanimously.

The main motion, as amended, passed unanimously.

### **\*4. Ordinance 17-01-449**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Subsection 18.30.040(C) to clarify the publishing of planning commission agendas and packet. The motion adopted by approval of the consent agenda: "introduce Ordinance 17-01-449 and set a first public hearing for 1/24/17 and a second public hearing for 2/14/17."**

## **C. Other New Business**

### **1. Board Appointments**

*Note: (re)appointment applications were received for various advisory board seats. The mayor planned to make the appointments and sought assembly confirmation.*

**Motion:** LENDE moved to "confirm the mayor's recommended appointments."

**Primary Amendment:** LENDE moved to "amend the motion to remove Joe Parnell from the Chilkat Center Advisory Board and Diana Lapham from the Port and Harbor Advisory Committee.

**Motion:** JACKSON moved to "divide the primary amendment question," and the motion passed unanimously.

**Vote on Divided Question:** [The following are as restated by the mayor]

- Should Joe Parnell be appointed to the Chilkat Center Advisory Board? The motion passed 5-1 with LENDE opposed.*
- Should Diana Lapham be appointed to the Port and Harbor Advisory Committee? The motion FAILED 2-4 with LENDE, GREGG, JACKSON, and FRIEDENAUER opposed.*

The main motion, as amended to remove Diana Lapham, passed 5-1 with LENDE opposed.

### **2. Sales Tax Exemption Request – Haines Volunteer Fire Department**



**Motion:** **LENDE** moved to "approve the request from Haines Volunteer Fire Department 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.

**\*3. Liquor License Renewals**

*Note: the Alaska Alcohol Beverage Control Board notified the borough of pending liquor license renewals for Haines Brewing Company (brewery license) and Outfitter Liquor Store (package store license). The Board, prior to its final approval, gave the local government an opportunity to make a statement, if so desired. Since these are pre-existing liquor licenses, assembly action was optional.*

**4. Interim Manager Appointment**

*Note: during a special meeting on 1/3/17, the borough assembly interviewed Brad Ryan and Dave Palmer for appointment to the position of interim borough manager. The assembly passed a motion that the appointment would be made during this meeting.*

**Motion:** **FRIEDENAUER** moved to "appoint Brad Ryan as Interim Borough Manager until a regular borough manager is appointed," and the motion carried 4-3 in a roll call vote with **MORPHET**, **LENDE**, and **GREGG** opposed and the Mayor breaking the tie in the affirmative.

**Motion:** **FRIEDENAUER** moved to "have the Acting Manager negotiate the contract with the Interim Manager with a start date of January 11, 2017 and a 20% increase in compensation." The motion passed unanimously.

The Assembly asked the Mayor to send a thank you letter to Dave Palmer for applying.

**12. CORRESPONDENCE/REQUESTS**

**A. Senior Village Loan Request** [this item was changed to Item 9F during agenda approval.]

**13. SET MEETING DATES**

- A. Finance Committee** - January 19, 2017 at 6:30 pm Topic: Senior Village Proposal
- B. Commerce Committee** - TBD Topic: Heliski Map Committee Makeup
- C. Committee of the Whole** - January 31, 2017 at 6:30 pm Topic: FY18 Budget

**14. PUBLIC COMMENTS**

**TURNER JR** - Having a hard time respecting some of the assembly members.

**SCHNABEL** - Questioned if Darsie Culbeck is an appropriate appointment to the HDT RMSA Board?

**DENKER** - Believes the assembly did not follow the charter which proscribes that "The manager is selected solely on the basis of professional qualifications."

**KIELSMEIER** - Said qualifications are relative. For example, **RYAN** is more highly educated than Dave Palmer who has also been retired for 7 years.

**VIGNOLA** - Believes the harbor is going to be great. Nobody lost.

**ALTEN** - Said she is optimistic about Haines.

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**LENDE** - Expressed optimism about the future. She asked about LED street lights, the police blotter, and the possibility of a police department "Year of Kindness" in 2018 similar to Juneau in 2016.

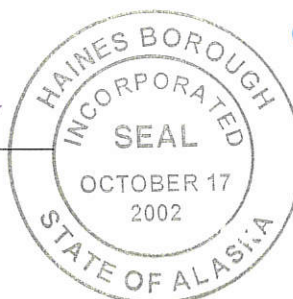
**MORPHET** - Believes he has been witnessing an erosion of Public Records accessibility for the public. Also, the assembly needs to set clear expectations for the Manager.

**16. ADJOURNMENT - 10:56 p.m.**

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

ATTEST:

  
Alekka Fullerton, Acting Clerk



  
Janice Hill, Mayor