

  
**Haines Borough**  
**Borough Assembly Meeting #235**  
**AGENDA**

**November 6, 2012 - 6:30 p.m.**

**Location: Assembly Chambers, Public Safety Bldg.**

**Stephanie Scott,**  
Mayor

**Dave Berry Jr.,**  
Seat A  
Assembly Member

**Steve Vick,**  
Seat B  
Assembly Member

**Debra Schnabel,**  
Seat C  
Assembly Member

**Joanne Waterman,**  
Seat D  
Assembly Member

**Norman Smith,**  
Seat E  
Assembly Member

**Jerry Lapp,**  
Seat F  
Assembly Member

**Mark Earnest,**  
Borough Manager

**Julie Cozzi,**  
Borough Clerk

**Michelle Webb,**  
Deputy Clerk

**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 10/23/12 Assembly Meeting Minutes
- 8B – Library Staff Report
- 9A – Library Board Minutes
- 11A1 – Adopt Resolution 12-11-416
- 11A2 – Adopt Resolution 12-11-417
- 11B1 – Introduce Ordinance 12-11-309
- 11C1 – Library Board Appointments
- 11C2 – Letter re. State Trooper in Haines

**3. APPROVAL OF MINUTES – Regular: 10/23/12**

**4. PUBLIC COMMENTS** [Any topics not scheduled for public hearing]

**5. 2012 BOROUGH ELECTION - Oaths of Office/Assembly Seats A and D**

**6. MAYOR'S COMMENTS/REPORT – 11/6 Report**

**A. Presentation of Award: Haines Harbor Employee of the Year – Mark Allen**

**7. PUBLIC HEARINGS**

**A. Ordinance 12-10-305 – Second Hearing**

**An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 3, Chapter 3.25 to clarify the purpose of the Medical Services Fund.**

*A code amendment is needed to allow for the funding being provided to Lynn Canal Counseling from the Medical Services Fund. While researching the matter, the clerk found no evidence the post-consolidation assembly intended to limit the medical services funds to ambulance service. This was introduced on 10/9 and had a first public hearing on 10/23. **Motion:** Adopt Ordinance 12-10-305.*

**B. Ordinance 12-10-306 – Second Hearing**

**Amending Haines Borough Code Title 5 to increase the fine for violations of business permits up to \$1,000 per violation per day, to amend the approved commercial ski tour area map, to adopt a fee for allocated skier days, and to require a system for receiving and responding to complaints.**

*The manager recommends a combination of policy and code changes for the 2013 heliskiing season, and his recommendations were "approved" by on 9/11. Some changes require code amendments. This was introduced on 10/9 and had a first public hearing on 10/23. **Motion:** Adopt Ordinance 12-10-306.*

**C. Ordinance 12-10-308 – First Hearing**

**An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Title 3 to Establish a Junk and Abandoned Vehicle Disposal Fund, to Levy a Motor Vehicle Registration Tax, and Exempt from Property Taxes All Vehicle Subject to the Registration Tax.**

*This ordinance was introduced on 10/23. The finance committee reviewed it on 10/30 and recommends revising the tax rate schedule to a flat \$22 biannual fee regardless of vehicle class. Staff is preparing an amendment. **Motion:** Advance Ordinance 12-10-308 to a second public hearing on 11/27/12.*

**8. STAFF/FACILITY REPORTS**

**A. Borough Manager – November 6, 2012 Report**

**\* B. Library – Staff Activity Report of September 2012**

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

**\* A. Library Board of Trustees – Minutes of September 12, 2012 Meeting**

**B. Assembly Standing Committee Reports**

10. UNFINISHED BUSINESS

A. Ordinance 12-08-302

An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 16, Sections 16.28.010 and 16.28.030 to prohibit verbal abuse, physical assault and threats against borough and harbor staff, physical assault and threats against members of the public while within the harbor, and refusing to comply with lawful directives by the harbormaster, and giving the harbormaster the authority to suspend or revoke the privilege of using borough port and harbor facilities.

*This was introduced on 8/28 and the first hearing was 9/11. Following the second public hearing on 10/23, the assembly postponed the matter to this meeting as a result of discussion concerning the timeframe for suspension or revocation appeal hearings. The agenda item was postponed with the following motions on the table. The assembly will resume discussion of the primary amendment.*

**Main Motion:** WATERMAN moved to "adopt Ordinance 12-08-302," and it was seconded.

**Primary Amendment:** WATERMAN moved to amend the ordinance draft by replacing it in its entirety with the substitute ordinance recommended by the Port and Harbor Advisory Committee, and the motion was seconded.

B. Borough Manager Contract

*On 10/9, a motion to extend the manager's contract was made and, after discussion, was postponed to this meeting. **Motion on the Table:** Extend the manager's contract for an additional year.*

C. Manager Transition Plan and Options for Hiring Process

*This item was on the 10/9 agenda and was postponed to this meeting. The personnel committee met on 9/21 to discuss the manager transition plan and hiring process and recommends a "traditional" recruitment method. **Motion #1:** Use a traditional recruitment method to hire the next borough manager. **Motion #2:** Refer development of a selection matrix to the Personnel Committee.*

11. NEW BUSINESS

A. Resolutions

\* 1. Resolution 12-11-416

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract change order with Southeast Road Builders, Inc. for the Haines Street Improvements Phase 3 project for an amount not to exceed \$83,583.32.

*This is recommended by the Borough Manager. **Motion:** Adopt Resolution 12-11-416.*

\* 2. Resolution 12-11-417

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract change order with Southeast Road Builders, Inc. for the Fourth, Lynnview Water System Upgrades project for an amount not to exceed \$50,367.74.

*This is recommended by the Borough Manager. **Motion:** Adopt Resolution 12-11-417.*

B. Ordinances for Introduction

\* 1. Ordinance 12-11-309

An Ordinance of the Haines Borough Assembly amending Borough Code Title 5, Section 8.20.010 to remove certified landfill material from the list of items not considered a bear attraction nuisance.

*The topic of bear attractants was recently revisited in a meeting attended by several interested groups including Community Waste Solutions. Those in attendance agreed it would be important to have some type of deterrent at the landfill. Therefore, a recommendation was made to strike "certified landfill material" from the list of items exempt from the bear attraction nuisance code.*

**Motion:** Introduce Ordinance 12-11-309 and set a first public hearing for 11/27/12.

C. Other New Business

\* 1. Library Board of Trustees Appointments

*The terms for three Library Board seats are up this year, and those members have requested reappointment, and the Board recommends this. The mayor intends to reappoint and seeks assembly confirmation. **Motion:** Confirm the mayor's reappointment of Dick Flegel, Stacey Gala, and Lorraine Dudzik to the Library Board of Trustees.*

\* 2. Need for Alaska State Trooper in Haines

*A letter has been drafted to make a formal inquiry with state officials regarding the staffing of an Alaska State Trooper in Haines, and assembly concurrence is sought.*

12. SET MEETING DATES

13. PUBLIC COMMENTS

14. ANNOUNCEMENTS/ASSEMBLY COMMENTS

15. ADJOURNMENT