


Haines Borough
Borough Assembly Meeting #236
AGENDA

November 27, 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

2. ROLL CALL

3. APPROVAL OF AGENDA & CONSENT AGENDA

[The following Consent Agenda items are indicated by an asterisk () on the agenda 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 11/6/12 Minutes
- 8B – Chilkat Center Report
- 8C – Museum Report
- 8D – Volunteer Fire Department Report
- 8E – Library Report
- 9A – Museum Board Minutes
- 9B – Tourism Board Minutes
- 9C – Parks & Rec Board Minutes
- 9D – Planning Commission Minutes
- 9F – Library Board of Trustees Minutes
- 11A1 – Adopt Resolution 12-11-418
- 11A2 – Adopt Resolution 12-11-419
- 11A3 – Adopt Resolution 12-11-420
- 11A4 – Adopt Resolution 12-11-421
- 11A5 – Adopt Resolution 12-11-422
- 11A6 – Adopt Resolution 12-11-423
- 11B1 – Introduce Ordinance 12-11-310
- 11C3 – Board Appointments
- 11C4 – Approve 2013 Assembly Meeting/Agenda Schedule
- 11C5 – Approve Christmas Pool Rates
- 11C6 – Approve Ring of Fire Letters

*** 4. APPROVAL OF MINUTES – November 6, 2012 Regular Meeting**

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

6. MAYOR'S COMMENTS/REPORT

A. Assembly Committee and Board Liaison Appointments

7. PUBLIC HEARINGS

A. Ordinance 12-10-308 – Second Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 3 to establish a Vehicle Retirement Program Fund, to levy a motor vehicle registration tax, and to exempt from property taxes all vehicles subject to the registration tax.

*This ordinance was introduced on 10/23 and had a first public hearing on 11/6. The finance committee reviewed it on 10/30 and recommended revising the tax rate schedule to a flat \$22 biannual fee regardless of vehicle class. The assembly amended the ordinance to that affect. **Motion:** Adopt Ordinance 12-10-308.*

B. Ordinance 12-11-309 – First Hearing

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 the borough, Chilkoot Bear Foundation, and 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. This ordinance was introduced on 11/6. **Motion:** Advance Ordinance 12-11-309 to a second public hearing on 12/11/12.*

8. STAFF/FACILITY REPORTS

- A. Borough Manager – 11/27/12 Report
- *B. Chilkat Center – Facility Report for October 2012
- *C. Museum – Staff Activity Reports of September and October 2012
- *D. Haines Volunteer Fire Department – October 2012 Monthly Report
- *E. Library – October 2012 Monthly Report

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

- *A. Museum Board of Trustees – Minutes of 9/20/12 and 10/23/12 Meetings
- *B. Tourism Advisory Board – Minutes of 9/27/12 and 10/15/12 Meetings
- *C. Parks & Recreation Advisory Board – Minutes of 9/5/12 and 10/4/12 Meetings
- *D. Planning Commission – Minutes of 10/11/12 Meeting
- E. Assembly Standing Committee Reports
- *F. Library Board of Trustees – Minutes of 10/16/12 Meeting

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 ordinance was introduced on 8/28 and had public hearings on 9/11 and 10/23. It was postponed to 11/6 in order to consider additional amendments, at which time the ordinance was adopted, as amended. However, at the end of that meeting the adoption motion was reconsidered because of another possible amendment that had come to light. Adoption was once again postponed, this time to 11/27. The following motion is on the table, and the assembly will simply resume debate.

Motion: "Adopt Ordinance 12-08-302."

11. NEW BUSINESS

A. Resolutions

*** 1. Resolution 12-11-418**

A Resolution of the Haines Borough assembly adopting an alternative method for the FY13 Shared Fisheries Business Tax Program and certifying that this allocation method fairly represents the distribution of significant effects of fisheries business activity in FMA 17: Northern Southeast.

*This is part of the annual application process for receiving fish tax revenue from the State of Alaska. **Motion:** Adopt Resolution 12-11-418.*

*** 2. Resolution 12-11-419**

A Resolution of the Haines Borough Assembly authorizing the filing of a lawsuit for the foreclosure of municipal real property tax liens.

*This authorizes the borough to file a lawsuit for real property foreclosures for the year 2010. **Motion:** Adopt Resolution 12-11-419.*

*** 3. Resolution 12-11-420**

A Resolution of the Haines Borough Assembly supporting the Haines Highway Reconstruction and Chilkat Bridge Replacement MP 3.5-25.3 project with the Chilkat River Bridge designed and constructed to the highest possible industrial standard.

*This is recommended by the borough manager. **Motion:** Adopt Resolution 12-11-420.*

*** 4. Resolution 12-11-421**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order for Kendall Ford of Wasilla to purchase a pickup for the Police Department for an amount not to exceed \$26,167.

*This is recommended by the borough manager. **Motion:** Adopt Resolution 12-11-421.*

*** 5. Resolution 12-11-422**

A Resolution of the Haines Borough Assembly authorizing Pacific Rim Mechanical to install the replacement boiler at the Public Safety Building for an amount not to exceed \$85,000.

*This is recommended by the borough manager. **Motion:** Adopt Resolution 12-11-422.*

11A. NEW BUSINESS/Resolutions ---continued---

* 6. **Resolution 12-11-423**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to purchase a new float for Excursion Inlet for \$19,450 plus \$3,500 shipping for a total of \$22,950.

*This is recommended by the borough manager. **Motion:** Adopt Resolution 12-11-423.*

B. **Ordinances for Introduction**

* 1. **Ordinance 12-11-310**

An Ordinance of the Haines Borough Assembly providing for the addition or amendment of specific line items to the FY13 budget.

*The manager recommends this. The Finance Committee will meet prior to this meeting to review the ordinance, and they will have a recommendation. **Motion:** Introduce Ordinance 12-11-310 and set a first public hearing for 12/11/12.*

C. **Other New Business**

1. **Request for Reconsideration – Ordinance 12-10-306**

Ordinance 12-10-306 was unanimously adopted on 11/6 after being amended by two different conceptual motions. As directed, the clerk has prepared the ordinance for codification and would appreciate confirmation that it conforms to the assembly's intent. To allow for this, the clerk respectfully requests reconsideration of the motion to adopt. Followed by discussion and any necessary amendments, the motion to adopt may once again be voted on.

2. **Schedule for Manager Evaluation and Contract Review**

Mayor Scott has prepared a proposed schedule (and an alternate) for the manager evaluation and contract review stipulated in the 11/6/12 assembly motion to "extend the manager's contract for an additional year pending a satisfactory evaluation by the assembly, and refer the content of the contract to the committee of the whole for review." She requests assembly action to establish an agreed-upon schedule.

* 3. **Board Appointments and Committee Assignments**

*(Re)appointment requests have been received for seats on the Tourism Advisory Board (TAB) and Parks and Recreation Advisory Board (PRAC). The boards reviewed the requests and submitted recommendations. The mayor wishes to make the appointments and seeks assembly confirmation. All terms end November 2015. **Motion:** Confirm the mayor's reappointment of Jeff Butcher and appointment of Rhonda Hinson to the Tourism Advisory Board and appointment of Daymond Hoffman to the Parks & Recreation Advisory Board.*

* 4. **2013 Assembly Meeting/Agenda Preparation Schedule**

*This schedule is recommended by the clerk's office. It establishes the assembly regular meeting schedule for 2013 and clarifies the agenda & packet deadlines. Special meetings may still be scheduled, as needed. **Motion:** Approve the 2013 Haines Borough Assembly Meeting and Agenda Schedule.*

* 5. **Swimming Pool Fee Schedule – Christmas Rates**

Motion: Approve the special Christmas pool pass prices for the quarterly, 10-punch, and 20-punch until 12/31/2012, and authorize a donation of 10 pool pass gift certificates to the Salvation Army for the "Giving Tree."

* 6. **Ring of Fire – Draft White Paper and Letters of Request for Assistance with BLM Plan**

*The Ring of Fire is the title of the Bureau of Land Management (BLM) planning document for federal lands in our area. Several significant delays have caused an impact on the area available for heliskiing. The delay with the document has impacted the 2013 heliski season as these BLM areas remain shut out for heli-skiing use pending the finalization of this plan in Washington, D.C. Attached are drafted letters from Mr. Gilman, the Haines Borough lobbyist to Representative Don Young, Senator Lisa Murkowski, and Senator Mark Begich to request their help requesting the BLM finalize the Ring of Fire document. **Motion:** Approve the proposed draft white paper and letters of request for assistance.*

12. **SET MEETING DATES**

13. **PUBLIC COMMENTS**

14. **ANNOUNCEMENTS/ASSEMBLY COMMENTS**

15. ADJOURNMENT