

Haines Borough
Borough Assembly Meeting #238
January 8, 2013
MINUTES

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **SCOTT** 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 Stephanie **SCOTT**, and Assembly Members Debra **SCHNABEL**, Jerry **LAPP**, Norman **SMITH**, Joanne **WATERMAN**, and Steve **VICK**. **Absent:** Dave **BERRY** (Note: Mr. Berry initially connected briefly via telephone but was disconnected prior to the first vote and for the duration of the meeting.)

Staff Present: Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Jila **STUART**/Chief Fiscal Officer, Michelle **WEBB**/Deputy Clerk, Carlos **JIMENEZ**/Director Of Public Facilities, Tanya **CARLSON**/Tourism Director, and Jerrie **CLARKE**/Museum Director.

Visitors Present: Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, Annette **SMITH**, Lorraine **DUDZIK**, Paul **NELSON**, and others.

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

The following Items were on the published consent agenda:

- 4 - Approve 12/11/12 Assembly Meeting Minutes
- 8B - Accept Library Report
- 8C - Accept Fire Dept Report
- 8D - Accept Museum Report
- 8E - Accept Tourism Dept Report
- 9A - Accept TAB Minutes
- 9B - Accept Library Board Minutes
- 9C - Accept Planning Commission Minutes
- 9D - Accept Museum Board Minutes
- 9E - Accept FSA #1 Board Minutes
- 11A1 - Adopt Resolution 13-01-429
- 11A2 - Adopt Resolution 13-01-430
- 11A3 - Adopt Resolution 13-01-431
- 11A4 - Adopt Resolution 13-01-432
- 11B1 - Introduce Ordinance 13-01-311
- 11C1 - Confirm Board Appointments
- 11C2 - Refer Golder Report to Committee
- 11C5 - Accept Port Study Report
- 11C6 - Non-objection to American Legion Liquor License Renewal

Motion: **LAPP** moved to "approve the agenda/consent agenda," and it was amended to remove items 11A3, 11A4, and 11C5 from the consent agenda and add New Business item 11C7: *Lynn Canal Fish & Game Advisory Committee Election Procedures*. The agenda, as amended, was approved unanimously.

* 4. **APPROVAL OF MINUTES** - December 11, 2012 Regular

5. **PUBLIC COMMENTS**

DUDZIK, representing the Chilkat Center Advisory Board, read a Board resolution requesting the borough's Tourism Department actively promote the Chilkat Center for conventions, conferences, retreats, concerts, etc. She thanked the borough for all of the repairs done to the facility.

6. **MAYOR'S COMMENTS/REPORT** - January 8, 2013 Report

A. **Special Meeting to prepare questions for the January 22 meeting of the House Transportation Committee?**

Mayor **SCOTT** said she was advised by committee chair Representative Peggy Wilson that this committee has a much better chance of moving this issue forward. There's a lot of sympathy and curiosity and concern. She asked for questions to be submitted to her for the committee meeting. The mayor would like the assembly to meet in special session to prepare the questions together.

Regarding the Strategic Plan, many of the goals have been met. One of the remaining items is the matter of changing how assembly members are currently elected. Rather than voting for a specific

seat, it would be electing from a slate of candidates. She hopes the Government Affairs & Services Committee will consider taking it up. Craig, Ketchikan, and Pelican are three communities who elect from a slate of candidates.

7. PUBLIC HEARINGS

A. Ordinance 12-11-310 – Second Hearing

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

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

Motion: LAPP moved to "adopt Ordinance 12-11-310," and the motion carried unanimously in a roll call vote.

LAPP said the Finance Committee discussed this thoroughly and their recommendation is to adopt.

8. STAFF/FACILITY REPORTS

A. Borough Manager – 1/8/13

EARNEST summarized his written report.

SMITH asked the timeframe for the manager's decision for approval of the three heliskiing applications. **EARNEST** explained the process outlined in code calls for the clerk to make the decision, and there is no prescribed timeframe.

The E-911 and radio projects were discussed. The street addresses will be updated, as well.

***B. Library – November 2012 Report**

***C. Fire Dept – November 2012 Report**

***D. Museum – November 2012 Report**

***E. Tourism Dept – Response to Inquiry re. Vacation Planner Recycling**

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

***A. Tourism Advisory Board – Minutes of 11/14/12 Meeting**

***B. Library Board of Trustees – Minutes of 11/14/12 Meeting**

***C. Planning Commission – Minutes of 11/8/12 Meeting**

***D. Museum Board of Trustees – Minutes of 11/13/12 Meeting**

***E. Fire Service Area #1 Board – Minutes of 11/30 and 12/18/12 Meetings**

F. Assembly Standing Committee Reports

LAPP said the Finance Committee met just prior to this meeting and recommends the assembly give consideration during the next assembly meeting to asking the school district to fund the cost of the Mosquito Lake School sprinkler system repairs. Additionally, the committee talked about looking into putting some of the traffic violations into the borough's own code book because it could affect the borough's portion of collected fines. The possibility of a heating fuel sales tax holiday is also being discussed by the committee.

VICK said the Government Affairs & Services (GAS) Committee met with the Parks and Recreation Advisory Committee to discuss their request for an ex officio seat on the committee to be filled by a DNR employee. The GAS endorsed that recommendation and that ordinance was introduced during this meeting as part of the consent agenda.

10. UNFINISHED BUSINESS

A. Ordinance 12-07-299

An Ordinance of the Haines Borough Assembly approving the sale to the State of Alaska, Department of Transportation and Public Facilities ("ADOT&PF") of Parcel 3, Parcel E-4 and Parcel TCE-4 as described and identified by ADOT&PF for the Haines Ferry Terminal Improvements project (state project #68433).

This was introduced on 7/24 and had a first public hearing on 7/31 and a second hearing on 8/28. At that time, the negotiations were still ongoing, so the assembly postponed adoption. The negotiations are now complete.

Motion: WATERMAN moved to "adopt Ordinance 12-07-299," and it was amended to change the sale price from \$302,000 to \$338,400. The motion, as amended, carried unanimously in a roll call vote.

During the discussion, **EARNEST** reviewed the three parcels involved in this transaction. **SMITH** asked where the money will go. **EARNEST** said the land sale, parcel 3, will be revenue to the permanent land fund. The other two are easements, and the revenue would most likely go to the port enterprise fund. A budget amendment ordinance will come to the assembly. **WATERMAN** asked for a

monetary breakdown of the three parcels, and **EARNEST** said that itemization will be included in the budget amendment. **SCHNABEL** asked what relationship this has, if any, to the Alaska Class Ferry plans. **WATERMAN** said it does not relate to that but rather to the sink hole. The state is going to abandon the cells and put in a rip-rap slope. They are installing new dolphins and catwalks to tie up the ships. **EARNEST** said this is a 10 million dollar project.

11. NEW BUSINESS

A. Resolutions

*** 1. Resolution 13-01-429**

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 II construction project for an amount not to exceed \$43,606.45.

The motion adopted by approval of the consent agenda: "adopt Resolution 13-01-429."

*** 2. Resolution 13-01-430**

A Resolution of the Haines Borough assembly authorizing the Borough Manager to contract with All Wire Electric in the amount of \$13,800 for the purchase and installation of lights at the Haines wastewater treatment plant.

The motion adopted by approval of the consent agenda: "adopt Resolution 13-01-430."

3. Resolution 13-01-431

A Resolution of the Haines Borough assembly authorizing the Borough Manager to purchase security cameras from Action Security, Inc. for \$18,075 as part of a grant for installation of chain link security fencing, gates and cameras at the Lutak Dock and cameras at the Port Chilkoot Dock.

There were no public comments.

Motion: **WATERMAN** moved to "adopt Resolution 13-01-431," and the motion carried unanimously.

During the discussion, **WATERMAN** asked who will install the security cameras. **JIMENEZ** said he solicited quotes and the low bidder was All Wire Electric of Anchorage. **SMITH** asked who will be viewing the cameras. **JIMENEZ** explained the grant will also pay for two laptops to monitor the cameras. Instead of live-monitoring, recordings will be made and reviewed. To satisfy the grantor, the borough is required to install a security camera at each port, and this recommended model will operate in subzero temperatures.

4. Resolution 13-01-432

A Resolution of the Haines Borough assembly supporting restoration of U.S. Department of Transportation funding for reconstruction of the Haines Road and Alaska Highway, otherwise known as the Northwest Highway System or Shakwak Program.

There were no public comments.

Motion: **WATERMAN** moved to "adopt Resolution 13-01-432," and the motion carried unanimously.

During the discussion, Mayor **SCOTT** said the Yukon is working with the Alaska Delegation to get this funding restored. It is important for commerce and tourism. **SMITH** said without the ferry, the road doesn't work, and without the road, the ferry doesn't work. **EARNEST** said this is very important. Both Carlisle and Linden are involved with the conversations, as well, since they haul so many trucks. He added a considerable amount of fish is transported by truck.

B. Ordinances for Introduction

*** 1. Ordinance 13-01-311**

An Ordinance of the Haines Borough Assembly amending Borough Code Title 2, Section 2.105.020 to add an ex officio seat to the Parks and Recreation Advisory Committee to be filled by an Alaska Department of Natural Resources Employee.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-01-311 and set a first public hearing on 1/22/13."

C. Other New Business

*** 1. Board Appointments**

Note: (re)appointment requests were received for seats on the Museum Board, Riverview Drive RMSA Board, and the Chilkat Center Advisory Board, and the boards recommended the reappointments. The mayor sought assembly confirmation. The motion adopted by approval of the consent agenda: "confirm the mayor's reappointments of Dave Pahl to the Museum Board of

Trustees and Riverview Drive RMSA Board and Annette Smith to the Chilkat Center Advisory Board for new three-year terms ending 11/30/2015."

*** 2. Golder Associates Report**

Note: following funding authorization on 11/15/11, the Haines Borough contracted with Golder Associates to review sockeye salmon declines in Chilkat and Chilkoot Lakes. A draft report was prepared and Golder was awaiting comments from the Gillnetters Association and the Borough prior to finalizing it. The mayor recommended referral to the Commerce Committee to review the report and respond to public comments. The motion adopted by approval of the consent agenda: "refer to the Commerce Committee for review of the Golder Associates Report and response to comments."

3. Klehini Bridge Project Postponement - Comments

Note: the ADOT&PF was accepting comments until 1/21/13 on the proposed Klehini Bridge replacement which includes transfer of ownership of the new bridge to the borough. The assembly had an opportunity to discuss the project and develop comments, if desired.

The mayor distributed a letter she wrote containing her comments on this project. If the assembly approves, she will send it.

Motion: WATERMAN moved to "confirm the draft Klehini Bridge replacement comment letter for transmittal," and it carried unanimously.

WATERMAN suggested including a statement that the salmon spawning habitat is noted in the borough's comprehensive plan as being very important, and the mayor agreed to cite it in the letter. **EARNEST** noted the construction permits will include requirements related to the habitat. Cost of the project is about 8.5 million dollars and the bridge is projected to have a 75-year life. **SMITH** said the existing bridge was part of the old Mendenhall Bridge that was recycled decades ago. **SCHNABEL** said this is the only access to the Tsirku River Landing and, as such, is important to local commerce. **EARNEST** said the new bridge will be constructed parallel to the existing bridge so there expected to be no disruption to service.

4. Establish Ad Hoc Committee – FY14 Nonprofit Funding

Note: the mayor wanted to establish an ad hoc nonprofit funding committee for the FY14 budget process, and sought assembly confirmation. Her recommendation was that the committee be composed of a member of the assembly, the borough finance director, the mayor, and a member of the public with expertise in grant review.

Motion: VICK moved to "confirm creation of an ad hoc FY14 nonprofit funding committee with the composition and scope of work as recommended by the mayor in her December 31, 2012 memo," and the motion failed 2-3 with **SMITH, LAPP,** and **SCHNABEL** opposed.

During the discussion, **VICK** said he's willing to try this even though he's not sure it is the right solution. **SCOTT** said the committee will recommend to the assembly the process of allocating funds to nonprofits. **SCHNABEL** feels very strongly this is redundant and not necessary.

5. Port Development Study - Final Report with Recommendations

Note: working with the Haines Port Development Steering Committee (HPDSC), Northern Economics completed a port study including a market analysis and a port comparison. The final report included recommendations, and the HPDSC submitting it for assembly approval.

Motion: SCHNABEL moved to "accept the Northern Economics Port Study Report with the Recommendations," and the motion carried unanimously.

During the discussion, Mayor **SCOTT** expressed concern with some of the recommendations. **WATERMAN** said Northern Economics completed their contract and this is just to acknowledge that. **VICK** agreed the assembly is accepting that the report is done and that they have made recommendations---not necessarily agreeing with all of the recommendations. **EARNEST** explained this is just the first part of the overall effort. It is the preamble to a port master plan. They have discovered through this process that there is a tremendous amount of interest in Haines. He reminded that the Haines Port Development Steering Committee's work is long term. **SCHNABEL** said she didn't read the recommendations as negatively as the mayor seems to have. **SMITH** said he looks at it as a port facility brochure, but it seems to mainly focus one way--coming from the north through Haines.

*** 6. Liquor License Renewal – American Legion**

The Alaska Alcohol Beverage Control Board notified the borough of a pending liquor license

renewal for the American Legion. The Board, prior to its final approval, gave the local government an opportunity to make a statement, if so desired. Since this was a preexisting liquor license, assembly action was optional. By approval of this item on the consent agenda, the assembly chose not to take action and therefore had no objection.

7. STIP Amendment 4 - Comments

Note: the ADOT&PF was accepting public comment on proposed Amendment #4 to the 2013-2015 STIP until 1/7/13. The mayor was unsuccessful in her efforts to get an extension to the deadline. However, the assembly still had the option of preparing comments during this meeting that would still be considered even though they would not be a part of the official comment record. The manager thoroughly reviewed the proposed amendment and prepared a report for the assembly. He planned to submit his comments by the deadline.

During the discussion, the mayor said one of the changes is the elimination of the section of the Haines Highway from 14-mile to 21-mile, an area that includes the troublesome slide area at 19-mile. In her comments, she asked ADOT to put it back in. **EARNEST** explained the project is in three parts: 1) 21-mile to 25.3-mile that includes the Chilkat (Wells) Bridge, 2) 14-mile to 21-mile, and 3) 3.5-mile to 14-mile. In STIP Amendment 3, it was a design-construction project. Now, Amendment 4 makes the project design only.

7. Lynn Canal Fish & Game Advisory Committee Election Procedures

This was added during approval of the agenda.

SCHNABEL said there are nine positions on this particular committee. For decades, the committee's election procedure has been to fill the room with advocates in favor of or opposed to different candidates. She would like to see a process for public nominations. The assembly has no jurisdiction over this committee but they could make suggestions for a different procedure.

Motion: SCHNABEL moved to "ask the mayor to write a letter to the Upper Lynn Canal Fish and Game Advisory Committee to recommend they review their local election procedures to seat the advisory committee members and consider suggestions for a different process," and the motion carried unanimously.

12. CORRESPONDENCE/REQUESTS - None

13. SET MEETING DATES

- A. Special Assembly Meeting - Tuesday, 1/15, 6:30pm - Purpose:** review a set of questions regarding proposed changes to the Alaska Class Ferry Project. The questions will be sent to the chair of the House Transportation Committee for that committee's January 22nd meeting (Note: the committee meeting date changed to January 17).
- B. Finance Committee - Monday, 1/21, 5:00pm - Topics:** 1) examine the idea of putting some traffic violations into the borough code book (this could affect the borough's portion of collected fines), 2) consider possibility of a heating fuel sales tax holiday, and 3) nonprofit funding procedure.
- C. Government Affairs & Services Committee - This committee will meet at the call of the Chair when the mayor has the information ready - Purpose:** Discuss using a slate of candidates on the ballot when electing assembly members.
- D. Commerce Committee - Tuesday, 1/15, 5:30pm - Purpose:** Review the Golder Report and comments.

14. PUBLIC COMMENTS

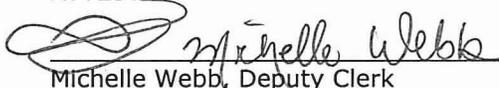
NELSON thanked the assembly members for their time and efforts. He asked if the public may submit comments about the manager evaluation. **SCOTT** said there is no procedure apart from normal public comments. If he wishes to submit written comments for the January 22 assembly meeting, they need to be in to the clerk by January 16, 10:00 am.

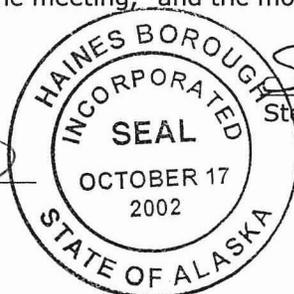
15. ANNOUNCEMENTS/ASSEMBLY COMMENTS - None

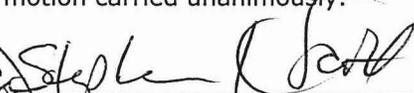
16. ADJOURNMENT - 8:30pm

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

ATTEST:


Michelle Webb, Deputy Clerk




Stephanie Scott, Mayor