

CBJ DOCKS & HARBORS BOARD
REGULAR MEETING MINUTES

For Thursday, October 28, 2004

I. Call To Order.

Chairman Mr. Knapp called the Regular Board Meeting to order at 7:00 p.m. in the CBJ Assembly Chambers.

II. Roll.

The following Members were present: Mr. Dore, Mr. Etheridge, Mr. Fisk, Mr. Kueffner, Mr. Preston, Mr. Simpson, Mr. White and Mr. Knapp.

The following Member was absent: Mr. Clough.

Also present were the following: Mr. John Stone--Port Director, Mr. Krieber -- Port Engineer, and Mr. McCall – Harbormaster.

Mr. Knapp also welcomed Mr. Johan Dybdahl our new -- CBJ Assembly Liaison.

III. Approval of Agenda.

1. Mr. Stone requested to add a Special Order of Business Item right after the Approval of the Agenda. This is a Legislative Memoriam for Joseph Graham.
2. Also under Item IV. Board By-Laws Amendment there should be a Public Participation line added after the motion.
3. He also requested under Items for Action, to add an Item #E. DeHart's Marina Purchase.
4. Also under XIV. Committee Administrative Matters the location for the Operations Committee Meeting will be at the CBJ Meeting Room #224 instead of at the Aurora Harbor Office.
5. Mr. Preston requested under VIII Items for Action, that the Item #B be split into two sections named Regulations for Management of Inactive Vessels, and Requirements for Insurance for Vessels. These would be Item B-1 and B-2.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO APPROVE THE AGENDA AS AMENDED. The motion passed without objection.

IV. Special Order of Business.

1. Legislative Memoriam for Joseph Graham.

Mr. Knapp introduced Mr. Bruce Weyhrauch our State Representative.

Mr. Weyhrauch gave a short presentation about Mr. Graham our previous Port Director. Mr. Graham passed away in March 2004. He is still missed by many in our local community. He was well known and liked by many local business people and by many boaters as well.

This Memoriam Certificate will be placed in our local Port and Harbor Offices in his memory.

V. Board By-Laws Amendment.

1. Rules for Public Participation at Docks and Harbors Board Meetings.

Mr. Stone gave a short presentation on this topic.

Discussion followed with Mr. Kueffner, Mr. Dybdahl, Mr. Knapp, Mr. Etheridge, and Mr. Preston.

MOTION by Mr. Etheridge: MOVE TO AMMEND THE BY-LAWS OF THE DOCKS AND HARBORS BOARD TO INCORPORATE RULES FOR PUBLIC PARTICIPATION AT ITS MEETINGS AS APPROVED BY THE OPERATIONS COMMITTEE AT ITS OCTOBER 12, 2004 MEETING. Mr. Preston seconded the motion. The motion passed 7 to 1 with Mr. Kueffner voting no.

VI. Public Participation on Non-Agenda Items (not to exceed five minutes per person or twenty minutes total).

1. Becky Bear – PO Box 32333, Juneau, AK 99803 – 789-0117 – Co-Owner Alaska Personal Tours.

Ms. Bear referred to her letter attached to tonight's Packet. She wanted to stress that the Board Members need to look closely at the Regulations at the Port for Loading Zone Permittees. These Regulations do not allow for Tour Sales that are sold on the internet. We need to update our Rules and Regulations to current conditions.

Discussion followed with Mr. Fisk, Mr. Kueffner, Mr. Knapp, and Mr. Simpson.

Mr. Simpson asked to refer this topic to the next Operations Committee Meeting for further review.

2. Marc Walker – PO Box 35703, Juneau, AK 99803 – 463-4638

Mr. Walker said that he felt that the current Caretakers permanent dwelling at Echo Cove is unsightly. He would like to see the Caretaker Position opened up for others and posted just like a job position with certain rules and requirements for the position.

Discussion followed with Mr. Etheridge, Mr. Knapp, and Mr. McCall.

This Caretaker Position is not a paid position and currently helping to control vandalism as well as garbage and dumping problems at Echo Cove.

This topic will be further discussed at the next Operations Committee Meeting. Staff is currently in the process of formulating rules and regulations in the form of a Contract to be signed by both the Caretaker and us.

VII. Approval of Previous Meeting Minutes.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO APPROVE THE MINUTES FROM THE REGULAR BOARD MEETING OF SEPTEMBER 23, 2004.
The minutes were approved as presented.

VIII. Items for Action.

A. Regulations for Port Fee Changes.

Mr. Stone gave a short presentation on this topic.

MOTION by Mr. Preston: MOVE TO FORWARD THE PROPOSED REGULATIONS ESTABLISHING PORT FEES AS APPROVED BY THE FINANCE COMMITTEE AT ITS OCTOBER 13, 2004 MEETING, TO HOLD A PUBLIC HEARING ON THE PROPOSED REGULATIONS AT ITS DECEMBER 2, 2004 MEETING AND TO TAKE ACTION ON THE PROPOSED REGULATIONS IMMEDIATELY FOLLOWING THE PUBLIC HEARING. Mr. Fisk seconded the motion.

Discussion followed with Mr. Preston, Mr. Kueffner, Mr. White, and Mr. Simpson.

The motion passed without objection.

B. Regulations for Inactive Vessel Management and Vessel Insurance Requirements.

1. Inactive Vessel Management Regulations.

Mr. Stone gave a short presentation on this topic.

Public Participation

1. Greg Hayes – Live-Aboard Aurora Harbor K-Float

Mr. Hayes said that there does not seem to be any wait list for vessels under 32' in length. In addition, he is curious on how vessels will be monitored for the requirement for vacating the Harbor 3 times a year and if it will be handled consistently and done fairly for all Patrons.

2. Eric Goldsberry – Live-Aboard Harris Harbor

Mr. Goldsberry said he was pleased that the Board is looking as having a special area available for inactive vessels.

Discussion followed with Mr. McCall, Mr. Preston, Mr. Dore, Mr. Etheridge, Mr. Simpson, and Mr. Knapp.

VIII. Items for Action (cont'd).

Public Participation (cont'd)

3. Brian DeRaimer – Owner of a Houseboat

Mr. DeRaimer said that he is glad to see the new inactive vessels areas are being proposed. He is hoping to be able to bring his houseboat back into the harbors again.

MOTION by Mr. Etheridge: MOVE TO PROPOSE REGULATIONS FOR THE MANAGEMENT OF INACTIVE VESSELS AS APPROVED BY THE OPERATIONS COMMITTEE AT ITS OCTOBER 27, 2004 MEETING. Mr. Kueffner seconded the motion.

Discussion followed with Mr. Preston, Mr. White, Mr. Stone, and Mr. Kueffner.

The motion passed without objection.

2. Vessel Insurance Requirements.

Mr. Stone gave a short presentation on this topic.

Discussion followed with Mr. Simpson, Mr. Fisk, Mr. Etheridge, and Mr. Kueffner.

Public Participation

1. Pete Frank - Live-Aboard Aurora Harbor

Mr. Frank said that Patrons in the Harbors have told him that in order for them to get Insurance on their vessels it will require a Marine Survey. Since we have a Board Member who is a Marine Surveyor, is this why this new insurance requirement was presented? In addition, if this \$100.00 amount per year is put into a fund, after several years and the Patron decides to sell the boat shouldn't he get back his money plus interest? Wouldn't that be fairer to the Patrons?

Also on the inactive vessel issue, he felt that we should not be "booting" people out of the Harbors. This will tend to cause all sorts of problems. For example, possible sinking of vessels, intoxicated people falling into the water needing assistance, and possible fire and medical issues. It will be hard to get rescue people out to these boats if they are anchored out instead of being tied to a dock in a Harbor.

Discussion followed with Mr. Preston, Mr. Kueffner, Mr. Fisk, and Mr. Stone.

VIII. Items for Action (cont'd).

Public Participation (Cont'd)

2. Greg Hayes – Live-Aboard Aurora Harbor K-Float

Mr. Hayes said that we should clarify on the insurance requirement that this is based on insurance liability.

Discussion followed with Mr. Preston.

3. Pamela Credo-Hayes – Live-Aboard Aurora Harbor K-Float

Ms. Credo-Hayes asked about vessels that are too old for insurance. Would the alternate fee be applicable then? The answer was yes, however vessels 40 years old have carried insurance.

Discussion followed with Mr. Etheridge.

MOTION by Mr. Etheridge: MOVE TO PROPOSE INSURANCE REQUIREMENTS FOR ALL VESSELS AS APPROVED BY THE OPERATIONS COMMITTEE AT ITS OCTOBER 27, 2004 MEETING. Mr. Kueffner seconded the motion.

Discussion followed with Mr. Preston, Mr. Knapp, Mr. Etheridge, and Mr. Fisk.

The motion passed without objection.

C. Boat Harbor Fine Schedule.

Mr. Stone gave a short presentation on this topic.

Discussion followed with Mr. Fisk, Mr. Preston, and Mr. Kueffner.

MOTION by Mr. Etheridge: MOVE TO RECOMMEND THAT THE ASSEMBLY AMEND THE BOAT HARBOR FINE SCHEDULE ORDINANCE AS RECOMMENDED BY THE OPERATIONS COMMITTEE AT ITS OCTOBER 12, 2004 MEETING. Mr. Dore seconded the motion.

The motion passed without objection.

D. Echo Cove Restroom Ordinance.

Mr. Kriebler gave a short presentation on this topic.

Discussion followed with Mr. Preston, Mr. White, Mr. Simpson, and Mr. Fisk.

VIII. Items for Action (cont'd).

D. Echo Cove Restroom Ordinance (cont'd).

MOTION by Mr. Fisk: ASK UNANIMOUS CONSENT TO FORWARD TO THE ASSEMBLY THE ECHO COVE RESTROOM ORDINANCE AND ASK THAT FUNDS IN THE AMOUNT OF \$50,000 BE USED FROM THE HARBORS RESTROOM CAPITAL ACCOUNT.

The motion passed without objection.

Mr. Etheridge gave a short report on the Caretaker Situation at Echo Cove. He added that Staff is in the process of drafting a legal document to be signed by both the Caretaker and us listing rules and requirements for this position. This position is currently on a voluntary basis with no monetary compensation.

Discussion followed with Mr. Preston, Mr. McCall, Mr. Etheridge, and Mr. Kueffner.

E. Possible Purchase of DeHart's Marina.

Mr. Krieber gave a short presentation on this topic. He said that for a 1/3rd down payment of the negotiated purchase price, Mr. Deems would carry a note for the remaining 2/3rds balance over a period of 10 years.

Discussion followed with Mr. Simpson, Mr. Etheridge, Mr. Dybdahl, Mr. Knapp, and Mr. Fisk.

The Assembly would have to approve the purchase and we would have to show the projected income from the facility to be able to make the payments that are necessary for the purchase.

Mr. Knapp would like to have Mr. Simpson—CIP/Planning Committee Chairman, Mr. Stone—Port Director, Mr. Wanamaker—Assembly Lands Committee Chairman, and himself meet with the Assembly and explain the possible purchase plan for Dehart's Marina. Then we could tell the Assembly Members what we would like to do and get their approval before we meet with Mr. Deems to negotiate a price.

There was no objection to Mr. Knapp's plan regarding the DeHart's Marina Purchase.

IX. Items for Information/Discussion.

There were none.

CBJ DOCKS & HARBORS BOARD
REGULAR MEETING MINUTES
October 28, 2004
Page 7

X. Committee, Member and Staff Reports.

A. Finance Committee Meeting – October 13, 2004

Mr. Preston said he had 2 agenda items at his last meeting. One was to go over the suggested new Port Fees and the other was to look at the process of reviewing Harbors and Port Rates.

The next meeting on November 18, 2004, they will be looking at Revenues and raising harbor rates.

Then at the December 16, 2004, meeting they will be adopting the recommendations to bring to the Full Board Meeting on December 30, 2004.

B. Operations Committee Meeting – October 12th, and 27th, 2004.

Mr. Etheridge said that most items have already been covered tonight. He added that they had approved the Harbormaster's List of Winter Maintenance Projects.

C. CIP/Planning Committee Meeting – October 26, 2004.

Mr. Etheridge said we have already covered the Echo Cove Restroom Ordinance tonight.

He added that we need to get on the Assembly's CIP List for money for our local CIP Projects. This list should be turned in by December 1, 2004.

He said the Committee was given an update on the Power Project in Aurora. In the Harris Harbor Project, they are hoping to have the bids out in January, 2005.

On the Douglas Breakwater, Mr. Krieber reported that he was unable to come up with any RFP's for that Project.

Discussion followed with Mr. Knapp, Mr. Etheridge, Mr. Fisk, Mr. Simpson, Mr. McCall, Mr. Krieber, and Mr. Kueffner.

MOTION by Mr. Fisk: MOVE TO RECIND A DIRECTIVE TO STAFF FOR RFP'S FOR ANCHORING A BARGE AT DOUGLAS HARBOR. Mr. Etheridge seconded the motion.

The motion passed 7 to 1 with Mr. Simpson voting no.

Mr. Knapp called for a short break at 9:40 p.m.

Mr. Knapp called the meeting back to order at 9:47 p.m.

XI. Capital Improvement Project Report.

Mr. Krieber had nothing further to add at this time.

Mr. Simpson added that the State has oil money and we should develop a list of CIP Projects. He also said that we would have a reasonable chance of getting funds for our needs this year.

Mr. Fisk added that we should present this as money needed to update the Harbors.

Mr. Knapp added some more insight on the topic.

XII. Harbormaster's Report.

Mr. McCall gave a short presentation on Projects that have been accomplished this month. He handed out a Harbormaster's Report at the beginning of the Board Meeting to the Board Members.

He congratulated Mr. Stone on his presentation of the two Resolutions at the Harbormaster's and Port Director's Conference in Nome this past week. The Association Members were very receptive of the Resolutions and approved them with some minor wording changes.

XIII. Port Director's Report.

Mr. Stone gave a brief report. He said the Harris appeal is in the process. The Wireless Company is also in the works. The two Resolutions (Electrical and Harbor Funding) were approved at the Ports & Harbor's Conference and now they will be processed through the Legislators. The Association Members wanted to make sure that the funding is to go only to the Municipalities that had accepted the Harbors from the State.

Mr. Dybdahl – Board Liaison

Mr. Dybdahl said he would like to see the Projects and things we start to do, get done if possible.

XIV. Committee Administrative Matters.

A. Meeting Calendar for November 2004.

Operations Committee Meeting

November 17, 2004 – 5:00 p.m. – CBJ Meeting Room #224

Regular Board Special Meeting

November 18, 2004 – 5:00 p.m. to 5:30 p.m. – CBJ Assembly Chambers

CBJ DOCKS & HARBORS BOARD
REGULAR MEETING MINUTES
October 28, 2004
Page 9

XIV. Committee Administrative Matters (cont'd).

Finance Committee Meeting

November 18, 2004 – 5:30 p.m. to 8:00 p.m. – CBJ Assembly Chambers

CIP/Planning Committee Meeting

November 23, 2004 – 5:00 p.m. – CBJ Assembly Chambers

Regular Board Meeting (November Meeting)

December 2, 2004 – 7:00 p.m. – CBJ Assembly Chambers

XV. Adjournment.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO ADJOURN THE MEETING.

The motion passed without objection.

The meeting was adjourned at 10:12 p.m.