  
**Haines Borough**  
**Borough Assembly Meeting #284**  
**AGENDA**

**January 27, 2015 - 6:30 p.m.**

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

**Jan Hill,**  
Mayor

**Dave Berry Jr.,**  
Assembly Member

**Diana Lapham,**  
Assembly Member

**Mike Case**  
Assembly Member

**Joanne Waterman,**  
Assembly Member

**George Campbell,**  
Assembly Member

**Ron Jackson,**  
Assembly Member

**David Sosa, MPA**  
Borough Manager

**Julie Cozzi, MMC**  
Borough Clerk

**Krista Kielsmeier**  
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 (\*) 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 Assembly Meeting Minutes
  - 8B – Finance Director Report
  - 9A – Planning Commission Minutes
  - 9B – Tourism Advisory Board Minutes
  - 11A1 – Resolution 15-01-609
  - 11A2 – Resolution 15-01-610
  - 11B2 – Ordinance 15-01-397
  - 11B3 – Ordinance 15-01-398
- \* 4. **APPROVAL OF MINUTES – 1/13/15 Regular**
5. **PUBLIC COMMENTS** [Any topics not scheduled for public hearing]
6. **MAYOR’S COMMENTS/REPORT**
7. **PUBLIC HEARINGS**
  - A. **Appeal of Administrative Foreclosure Action** – Charolett Baker  
*On 9/25/14, the borough issued Notices of Breach of Contract for Lots 7 & 8, Four Winds Subdivision. Each lot involves a separate contract. Subsequently, the landowner’s mother, Charolett Baker, presented documentation of legal power of attorney and appealed to the lands manager. A hearing was held on 12/1/14. Following that hearing, the lands manager issued a decision to foreclose on and terminate both contracts. As provided for in HBC 14.20.110(F), Ms. Baker timely-exercised a right of appeal to the borough assembly. Following this hearing, the assembly may uphold or reverse the land manager’s decision. The motion must include rationale for the assembly’s decision.*
  - B. **Ordinance 14-12-393** – Second Hearing  
**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.70.040 to allow vacation rentals in a light industrial/commercial zone with a conditional use permit.**  
*This ordinance is recommended by the planning commission and the borough manager. It was introduced on 12/16/14 and had a first hearing on 1/13/15. **Motion:** Adopt Ordinance 14-12-393.*
  - C. **Ordinance 14-12-394** – Second Hearing  
**An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Chapter 2.98 to reflect the Public Library’s designation as a Borough Department.**  
*This ordinance is recommended by the borough manager and the library board. It was introduced on 12/16/14 and had a first hearing on 1/13/15. **Motion:** Adopt Ordinance 14-12-394.*
8. **STAFF/FACILITY REPORTS**
  - A. **Borough Manager – 1/27/15 Report**
  - \* B. **Finance Officer – Permanent Fund Report – period ending 12/31/14**
9. **COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES**
  - \* A. **Planning Commission – Minutes of 12/18/14**
  - \* B. **Tourism Advisory Board – Minutes of 9/23/14 and 11/20/14**
  - C. **Assembly Standing Committee Reports**
    1. **Finance Committee – Report of 1/19/15 Meeting**

## 10. UNFINISHED BUSINESS

## 11. NEW BUSINESS

### A. Resolutions

\* 1. **Resolution 15-01-609**

**A Resolution of the Haines Borough Assembly supporting full funding for the State of Alaska Harbor Facility Grant Program in the FY 2016 state capital budget.**

*A resolution requested by the Haines Harbormaster on behalf of the Alaska Association of Harbormasters and Port Administrators (AAHPA). **Motion:** Adopt Resolution 15-01-609.*

\* 2. **Resolution 15-01-610**

**A Resolution of the Haines Borough Assembly supporting the addition of port and harbor employees to the list of employees covered by AS 12.55.135.**

*A resolution requested by the Haines Harbormaster on behalf of the Alaska Association of Harbormasters and Port Administrators (AAHPA). **Motion:** Adopt Resolution 15-01-610.*

### B. Ordinances for Introduction

1. **Ordinance 15-01-396**

**An Ordinance of the Haines Borough authorizing a one-year extension of a lease of the Human Resources Building by Chilkat Valley Preschool for the purpose of providing preschool educational services.**

*The preschool (CVP) has leased the Human Resources Building on a year-to-year basis since the year 2000, and the current lease was authorized by the assembly on 2/11/14 for a period ending 6/30/15. The CVP has requested a one-year extension for a new term date of 6/30/16. The manager proposes an amended lease with changes to the term and rent sections. Borough Charter (Sec. 3.03(8)) states the leasing of borough property must be approved by the assembly by ordinance. **Motion:** Introduce Ordinance 15-01-396 and set a first public hearing for 2/10/15.*

\* 2. **Ordinance 15-01-397**

**An Ordinance of the Haines Borough determining whether a foreclosed property deeded to the borough shall be retained for a public purpose or sold.**

*This ordinance is recommended by the planning commission and staff. **Motion:** Introduce Ordinance 15-01-397 and set a first public hearing for 2/10/15.*

\* 3. **Ordinance 15-01-398**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Subsection 18.60.020(H) to clarify the criteria for temporary residence permits.**

*This ordinance is recommended by the planning commission and staff. **Motion:** Introduce Ordinance 15-01-398 and set a first public hearing for 2/10/15.*

4. **Ordinance 15-01-399**

**An Ordinance of the Haines Borough adopting a new water-sewer rate schedule to set rates, fees and charges for water and sewer services.**

*This ordinance is recommended by the Government Affairs & Services Committee and staff. **Motion:** Introduce Ordinance 15-01-399 and set a first public hearing for 2/10/15.*

### C. Other New Business

1. **Board Appointments**

*Three appointment applications were received for two vacancies on the planning commission. One application was subsequently withdrawn. The commission met with the remaining applicants and recommends appointment of both individuals. The mayor is prepared to make those appointments and seeks assembly confirmation. **Motion:** Confirm the mayor's appointments of Brenda Josephson and Rob Miller to the planning commission for terms ending 11/30/17.*

## 12. CORRESPONDENCE/REQUESTS

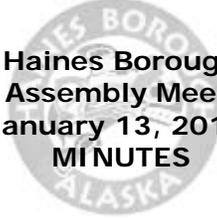
## 13. SET MEETING DATES

A. Annual Joint Assembly/School Board Meeting – Wed., 2/11/15, 6:30pm, Location: TBD

## 14. PUBLIC COMMENTS

## 15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

## 16. ADJOURNMENT

  
**Haines Borough**  
**Borough Assembly Meeting #283**  
**January 13, 2015**  
**MINUTES**

Draft

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Deputy Mayor **LAPHAM** called the meeting to order at 6:29 p.m. in the Assembly Chambers and led the pledge to the flag.

2. **ROLL CALL**

**Present:** Deputy Mayor Diana **LAPHAM**, and Assembly Members Joanne **WATERMAN**, Ron **JACKSON**, Mike **CASE**, Dave **BERRY**, and George **CAMPBELL**. Absent: Mayor Jan **HILL**.

**Staff Present:** David **SOSA**/Borough Manager, Julie **COZZI**/Borough Clerk, Krista **KIELSMEIER**/Deputy Clerk, Jason **RETTINGER**/ Police Officer, Carlos **JIMENEZ**/Director of Public Facilities, Albert **GIDDINGS**/CYD Director, Phil **BENNER**/Harbormaster, Helen **ALTEN**/Museum Director, and Jila **STUART**/Finance Director.

**Visitors Present:** Karen **GARCIA**/CVN, Emily **FILES**/KHNS, Tim **DOGGETT** and Jeremy **STEPHENS** of AKDOT&PF, Debra **SCHNABEL**, Fred **GRAY**, Dana **HALLETT**, Mike **DENKER**, Kathryn **CHENEY**, Susan **MCCARTNEY**, Greg **RASMUSSEN**, Zach **JACOBSON**, Bill **MANDEVILLE**, and others.

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

The following Items were on the published consent agenda:

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Chilkat Center Report
- 8C – Museum Report
- 8D – Fire Dept Report
- 9A – Public Safety Commission Minutes
- 9B – Museum Board Minutes
- 9C – Port and Harbor Advisory Committee Minutes
- 9D1 – Government Affairs and Services Committee Report
- 11A1 – Adopt Resolution 15-01-607
- 11A2 – Adopt Resolution 15-01-608
- 11C1 – Liquor License Premises Extension

**Motion:** **WATERMAN** moved to “approve the agenda/consent agenda,” and it was amended to remove items 4, 11A1, and 11C4 from the consent agenda. The motion to approve the agenda, as amended, carried unanimously.

4. **APPROVAL OF MINUTES** – 12/16/14 Regular Meeting

**Motion:** **CAMPBELL** moved to “approve the minutes of the 12/16/14 meeting,” and the minutes were amended by unanimous motion to replace **CASE**’s comments under item 15-Assembly Comments to the following:

*“**CASE** raised the issue of stolen property recovered and held by the Haines Police Department and not yet returned to the owners. He also commented on Community Policing.”.*

The main motion carried unanimously.

5. **PUBLIC COMMENTS**

**RASMUSSEN**, **JACOBSON**, **HALLETT**, **DENKER**, and **MCCARTNEY** – Oppose selling the Mosquito Lake facility at this time.

**DENKER** (additional topic) – Board vacancy appointment process (he submitted written comments for the record).

6. **MAYOR’S COMMENTS/REPORT**

**LAPHAM** noted this is her very first meeting as presiding officer and asked for forbearance as she learns.

7. **PUBLIC HEARINGS**

A. **Ordinance 14-12-393** – First Hearing

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.70.040 to allow vacation rentals in a light industrial/commercial zone with a conditional use permit.**

Deputy Mayor **LAPHAM** opened and closed the public hearing at 6:55 p.m.; there were no public comments.

**Motion:** **BERRY** moved to "advance Ordinance 14-12-393 to a second public hearing on 1/27/15," and the motion carried unanimously.

**B. Ordinance 14-12-394 – First Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Chapter 2.98 to reflect the Public Library's designation as a Borough Department.**

Deputy Mayor **LAPHAM** opened and closed the public hearing at 6:57 p.m.; there were no public comments.

**Motion:** **BERRY** moved to "advance Ordinance 14-12-394 to a second public hearing on 1/27/15," and the motion carried unanimously.

**C. Ordinance 14-12-395 – First Hearing**

**An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY15 budget.**

Deputy Mayor **LAPHAM** opened and closed the public hearing at 6:57 p.m.; there were no public comments.

**Motion:** **BERRY** moved to "advance Ordinance 14-12-395 to a second public hearing on 2/24/15," and the motion carried unanimously.

## **8. STAFF/FACILITY REPORTS**

**A. Borough Manager – 1/13/15 Report**

**SOSA** summarized his written report. Additional topics addressed included enforcement of the political signage ordinance, strategic planning, Mosquito Lake facility, Chilkat Valley Preschool lease, and the E-911 system.

\* **B. Chilkat Center – Facility Reports of November and December 2014**

\* **C. Sheldon Museum – Report of November 2014 (annual report attached to Manager's Rpt)**

\* **D. Fire Department – Report of December 2014**

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

\* **A. Public Safety Commission – Minutes of 11/3/14**

\* **B. Museum Board of Trustees – Minutes of 11/17/14**

\* **C. Port and Harbor Advisory Committee – Minutes of 12/22/14**

**D. Assembly Standing Committee Reports**

**1. Government Affairs and Services Committee – Report of 1/7/15 Meeting**

**BERRY** summarized the committee's report. He added the committee discussed the need for a Committee of the Whole meeting to decide who to send to Washington DC to represent the borough's interests.

## **10. UNFINISHED BUSINESS**

**A. Resolution 14-12-604**

**A Resolution of the Haines Borough Assembly adopting the borough's 2015 federal priorities.**

*Note: this resolution was postponed to this meeting following discussion on 12/16/14. It was simultaneously referred to the Government Affairs & Services Committee for more discussion prior to coming to the assembly. That committee met on 1/7/15 and recommended amendments. The main motion was already on the table: "adopt Resolution 14-12-604).*

**Motion:** **CAMPBELL** moved to "amend the resolution as proposed by the GAS committee to switch numbers one and two" and the amendment motion carried unanimously.

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

## **11. NEW BUSINESS**

**A. Resolutions**

1. **Resolution 15-01-607**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to apply to the State of Alaska, Department of Environmental Conservation (ADEC) for a loan from the Alaska Drinking Water Fund for the project entitled AC Pipe Replacement 2015.**

No public comments were made.

**Motion:** BERRY moved to "adopt Resolution 15-01-607," and the motion carried unanimously in a roll call vote.

\*2. **Resolution 15-01-608**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to apply to the State of Alaska, Department of Environmental Conservation (ADEC) for a loan from the Alaska Clean Water Fund for projects entitled Sewer Treatment Plant Health and Safety Upgrades and Sewer Plant Roof Replacement.**

*The motion adopted by approval of the consent agenda: "adopt Resolution 15-01-608."*

**B. Ordinances for Introduction - None**

**C. Other New Business**

1. **Liquor License Premises Extension - Mountain Market**

*Note: the Alaska Alcohol Beverage Control (ABC) Board notified the borough of a pending liquor license premises extension request from Mountain Market. The business is constructing an addition it would like to use as beer and wine storage. The ABC Board's final decision is pending local government review.*

**Motion:** BERRY moved that "the assembly does not object to the ABC Board's approval of the liquor license premises extension for Mountain Market," and the motion carried unanimously.

2. **Confirmation of Community & Economic Development Director Hire**

*Note: this is a department head position hired by the manager but requiring confirmation by the assembly per charter section 5.05(B).*

**Motion:** CAMPBELL moved to "confirm the borough manager's decision to hire Bill Mandeville as Community & Economic Development Director," and the motion carried unanimously in a roll call vote.

3. **Additional Work at Lutak Dock by ADOT&PF & Request for Additional Temp Construction Easement**

*Note: the ADOT&PF is currently making major infrastructure improvements to the Haines Ferry Terminal. As part of that process, the assembly adopted Ordinance 12-07-299 authorizing a temporary construction permit on a portion of borough property among other things. As a result of the borough's recent investigations and dock replacement planning efforts, the ADOT&PF now requests the borough consider complete removal of cell #5, alterations of cells #6 & #7, and replacement of the uplands in this region with rubble mound slopes. They are offering to do this at no cost.*

**Motion:** CAMPBELL moved to "concur with the additional Lutak Dock work as proposed by the ADOT&PF; and authorize the borough manager to enter into an additional temporary construction easement (140 feet or as needed) and to proceed with good faith negotiations of updated agreements and other documents, as may be necessary," and the motion carried unanimously in a roll call vote.

4. **Executive Session – UPDATE ON CUP LAWSUIT**

**Motion:** WATERMAN moved to "go into executive session as allowed by AS 44.62.310(c)(1) and Haines Borough Charter Section 18.03 to receive an update from the borough attorney on the heliport CUP lawsuit; this matter qualifies for executive session because a public discussion may adversely affect the finances of the borough and/or the borough's legal position; the borough manager and borough clerk and borough attorney are requested to attend." The motion was subsequently amended to invite the borough clerk to attend. The motion as amended carried unanimously.

Present: Deputy Mayor Lapham; Assembly Members Jackson, Waterman, Case, Berry, and Campbell; Borough Attorney Brooks Chandler (via telephone); Borough Manager Dave Sosa; and Borough Clerk Julie Cozzi. The executive session convened at 8:07pm and ended at 9:12pm.

Following the executive session, WATERMAN stated the assembly provided direction to the borough attorney concerning the lawsuit negotiations.

**12. CORRESPONDENCE/REQUESTS - None**

**13. SET MEETING DATES**

**A. Finance Committee:** Monday, 1/19, 1:00 p.m., Assembly Chambers, Topics: 1) Budget Amendment Ordinance and 2) Community Purpose Exemptions

**B. Committee of the Whole:** The mayor will determine a meeting date upon her return. Topics: 1) Strategic Planning and 2) Borough representation for meetings in Washington DC.

**14. PUBLIC COMMENTS**

**SCHNABEL** (new Chamber of Commerce director) – Chamber working with the borough.

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**CAMPBELL** – Alcan 200 this weekend

**LAPHAM** – Museum meeting, Valentine's Day fundraiser

**WATERMAN** – Chamber of Commerce new direction.

**16. ADJOURNMENT – 9:25 p.m.**

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

ATTEST:

\_\_\_\_\_  
Janice Hill, Mayor

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 15-539

Assembly Meeting Date: 1/27/15

Business Item Description:	Attachments:
Subject: Baker-Degtoff Appeal of Administrative Foreclosure Action	1. 1/5/15 Appeal Letter 2. 12/10/14 Lands Manager Decision 3. 9/25/14 Notices of Breach of Contract 4. Power of Attorney 5. HBC 14.20.110
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 8/26/2014	

**Full Title/Motion:**

Following the hearing, the assembly may uphold or reverse the land manager's decision. The motion must include rationale for the assembly's decision.

**Administrative Recommendation:**

Uphold administrative foreclosure action

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ none	\$	\$	

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives:

Consistent:  Yes  No

**Summary Statement:**

On September 25, 2014, the borough issued Notices of Breach of Contract for Lots 7 & 8, Four Winds Subdivision. Each lot involves a separate contract. Subsequently, the landowner's mother, Charolett Baker, presented documentation of legal power of attorney and appealed to the lands manager (borough manager). A hearing regarding both contracts was held on December 1, 2014. Following that hearing, on December 10, 2014, the lands manager issued a decision to foreclose on and terminate both contracts. As provided for in HBC 14.20.110(F), Ms. Baker timely-exercised a right of appeal to the borough assembly. This is not a public hearing.

Note: the appellant has the right to appeal the assembly's decision to Superior Court.

**Referral:**

Referred to: \_\_\_\_\_ Referral Date: \_\_\_\_\_

Recommendation: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

**Assembly Action:**

Meeting Date(s): 1/27/15 Public Hearing Date(s): \_\_\_\_\_

Postponed to Date: \_\_\_\_\_

**AN APPEAL TO THE HAINES BOROUGH ASSEMBLY  
RE LOT 7 AND 8, FOUR WINDS SUBDIVISION**

January 5, 2015

TO: Haines Borough Assembly  
Dave Berry, Jr.  
George Campbell  
Mike Case  
Joanne Waterman  
Diane Lapham  
Ron Jackson

RE: Lots 7 and 8, Four Winds Subdivision

The above-cited properties are owned by my son, Nick Degtoff and myself, Charolett Baker, respectively. As you will read in the following, the last year and three-quarters has been a very trying time and, because of it, we have each been unable to keep up with land payments, as well as property taxes. However, it is our expectation that we shall have a “turnaround” come spring when current circumstances will be overcome.

Nick has lived in the Haines area for over 15 years. In that time, he purchased his first piece of property—Lot 11 Four Winds Drive—and built a home. He also established his business, Fabulous Firewood, and provided firewood to many in the community. Perhaps some of you were his customers. He later purchased Lot 7 with the idea that it would be an inheritance for his young son, Nicholas, and he had already purchased lumber for building a cabin on it for additional rental income. Sadly, he had to close his business in 2012 because of a serious illness, emphysema and COPD, which debilitated him and necessitated his use of oxygen. Worse yet, after months of depression and in a state of intoxication on April 19, 2013, he attempted suicide with a small one-shot rifle in his home. Fortunately, at the last split-second he fired into the ceiling instead of his temple. Unfortunately, he did this in front of his wife and five-year-old child. The next day, he was taken to the Lemon Creek Correctional Center in Juneau. (Had this happened in Florida where I live, he would have been taken to a hospital’s mental health department for a three-day evaluation period. Instead, Alaska’s answer is to take such a person to prison.) Today, after many postponements of a trial and an excessive sentence because of Alaska’s political emphasis on domestic violence—even though his wife has testified that he never struck her—he is finally in a halfway house in Juneau and the expectation is that he will be released in a matter of months and able to return to Haines. Bear in mind that he had never been in trouble, i.e., he had been a law-abiding citizen.

Regarding Lot 8 Four Winds Subdivision, aka the Mountain Greenery Chalet ([www.mountaingreenerychalet.com](http://www.mountaingreenerychalet.com)), I began making land payments on the 3.8 acres in August 2001 and Nick completed building the two-bedroom/two bath home in 2008. In addition to my enjoying it sometimes as I often did, Nick intended it to be a vacation rental home so that I could have some additional income since I always worked for nonprofits in Washington, D.C. and did not have any form

of pension upon retirement except for my social security benefits. Up until that fateful night in April 2013, we were able to rent out the chalet throughout most of the year—to skiers in the late winter/early spring, as well as vacations from as far away as Australia, several countries in Europe, many of the lower 48 states, several areas of Alaska and the Yukon. We also rented to the Discovery Channel group for three years in a row. These rentals enabled additional revenue to both Nick and me. And the Haines Borough has the record of sales tax revenues over those years. However, all rentals had to stop after the incident because Nick had been the manager who maintained the chalet. I therefore had to turn down many requests to rent the chalet.

I was at least able to rent the chalet to a few visitors this past summer after having found someone who was willing to clean the chalet in between guests, including the Fairbanks Environmental Services group who had rented the chalet a couple years earlier when they were working on a project in Haines.

With the anticipation of Nick returning to Haines by spring, I am optimistic that we can resume rental of the chalet on a regular basis and, hence, resume regular payments on both Lot 7 and Lot 8, as well as remit sales tax revenue to the Borough. In the meantime, I am striving to catch up on the land payments for both Lot 7 and 8, having paid \$500 each last month.

Two other factors to consider by the Assembly are:

- 1) There is an outstanding Promissory Note in the amount of \$181,500 filed and recorded in the Haines Alaska Recording District dated March 22, 2010. The recording # is 2010-000123-0. This is made out to Charlotte Perret, a personal friend who has known Nick and me for 30 years and who provided the funds with which the chalet was built. The amount owed to her is in fact greater than the Haines Borough's current assessment of \$176,000.
- 2) Soon after Nick was taken to Juneau, I contracted with Coldwell Bank through Glenda Gilbert to sell the chalet. There still has been no serious buyer in over two years, which suggests that it would also be difficult for the Borough to sell because of its rural location.

I therefore appeal to the Haines Borough Assembly to please allot us at least six more months before foreclosure action is initiated. It would be heartbreaking to lose both properties just when we are seemingly "getting back on our feet" after the tragic happenings of the last two years.

Respectfully submitted,



Charolett Baker

cc: Mr. David Sosa  
Ms. Jila Stuart

**HAINES BOROUGH  
LAND MANAGERS DECISION  
IN REGARD TO LAND SALES CONTRACT**

Contract for the Sale of Real Property issued to **Nicholas Clay Degtoff** and dated June 26, 2008 issued to and recorded as document # 2008-0003000-0 on 7/7/2008 in the Haines Recording District for the following described property:

**Lot 7, Four Winds Subdivision, According to Plat #97-14,  
Haines Recording District, First Judicial District.**

**Containing 1.53 acres, more or less.**

**Legal Authority**

Haines Borough Code Section 14.20.110:

- (A) The following administrative foreclosure procedure may be utilized by the borough whenever a land purchaser has breached a contract for purchase of land. This procedure is applicable both to contracts originally written with the state and assigned by the state to the borough and also to contracts written directly by the borough.
- (B) If a contract for sale of land has been breached, the land manager may issue a decision to foreclose and terminate the contract at any time 31 days after giving notice of the breach to the purchaser. The land manager shall first attempt to give notice by delivery of certified mail, return receipt requested, to the address of record of the purchaser. In cases where the certified mail notice is returned to the borough unclaimed, and after reasonably diligent effort a new address for the purchaser cannot be found, the land manager shall publish a notice four times during four consecutive calendar weeks, once in each week, in a newspaper in general circulation in the Haines Borough.
- (C) A breach caused by the failure to make payments required by the contract may be cured at any time within 30 days after the last notice of breach is given by the methods set forth in subsection (B) of this section, by the purchaser's paying the entire sum in default, together with a fee of \$50.00 or five percent of the sum in default, whichever is larger. If there are material facts in dispute between the borough and the purchaser, the purchaser may submit (within 30 days after the purchaser's receipt of the notice of the breach) a written request for a hearing before the land manager.
- (D) On a determination by the land manager that there has been a breach of the contract based on the administrative record and the evidence presented at a hearing (if any), the land manager shall issue a decision foreclosing the interest of the purchaser and terminating the contract. The obligation to make payments under the contract continues through the date of the decision to foreclose by the land manager.
- (E) The land manager shall deliver the decision to foreclose and terminate personally to the purchaser or send it by certified mail, return receipt requested, to the last known address of the purchaser. If the breach is a failure to make payments required by the contract, the decision shall include a note to the purchaser that if, within 30 days, the purchaser pays the borough the full amount of the unpaid contract price, including all accrued interest and any fees assessed under this section, the borough shall issue to the purchaser a deed to the land. If full payment is not made within 30 days, or the

breach is for other than failure to make payment, the decision forecloses and terminates all legal and equitable rights the purchaser has in the land.

- (F) The purchaser may appeal the land manager's decision to the assembly if the purchaser files written notice of appeal with the clerk and the land manager within 30 days after the date of the land manager's decision.
- (G) The decision of the assembly may be appealed to the superior court in accordance with the Alaska Rules of Appellate Procedure.

### **Findings**

On September 25, 2014, the payment record of the contract indicated that the account was delinquent and that a total of \$2,981.20 was the current amount due on the contract at that time. The Borough Finance Director mailed notice of Breach of Contract by Certified Mail on September 25, 2014. The Certified Mail was claimed at the address of record. On November 10, 2014 the Land Manager received an email from Charolett Baker regarding the breach notice. The letter states that Ms. Baker has legal Power of Attorney for Mr. Degtoff who is her son. The letter was taken to be a written request for a hearing before the Land Manager as authorized by HBC 14.20.110 (C). Ms. Baker followed up with a faxed Power of Attorney document. An administrative hearing was set for 11:00AM December 1. The Land Manager and the Finance Director were present. Charolett Baker attended via phone. Evidence was presented that showed Escrow account #52 79695 0 to be in arrears with the monthly installment payments made through December 2012. The Land Manager did not find sufficient evidence regarding the dispute of materials facts.

### **Decision**

It is the decision of the Land Manager of the Haines Borough that the Contract for the Sale of Real Property, be terminated under the provisions of Haines Borough Code Section 14.20.110.

**If full payment is not made within thirty (30) days of the receipt of notice of this decision, this decision forecloses and terminates all legal and equitable rights the purchaser has in the land.** The amount necessary to make full payment including all principal, interest, penalties and fees may be obtained from the Escrow Department of First National Bank Alaska (800) 856-4362 or the Lands Manager Office (907) 766-2231.



David Sosa  
Haines Borough Land Manager

Dated this 10<sup>th</sup> day of December 2014.

**HAINES BOROUGH  
LAND MANAGERS DECISION  
IN REGARD TO LAND SALES CONTRACT**

Contract for the Sale of Real Property issued to **Charolett Baker** and dated October 17, 2001 issued to and recorded in Book 38 Pages 145-156 of the Juneau Recording District for the following described property:

**Lot 8, Four Winds Subdivision, Haines Recording District, First Judicial District.**

**Containing 3.84 acres, more or less.**

**Legal Authority**

Haines Borough Code Section 14.20.110:

- (A) The following administrative foreclosure procedure may be utilized by the borough whenever a land purchaser has breached a contract for purchase of land. This procedure is applicable both to contracts originally written with the state and assigned by the state to the borough and also to contracts written directly by the borough.
- (B) If a contract for sale of land has been breached, the land manager may issue a decision to foreclose and terminate the contract at any time 31 days after giving notice of the breach to the purchaser. The land manager shall first attempt to give notice by delivery of certified mail, return receipt requested, to the address of record of the purchaser. In cases where the certified mail notice is returned to the borough unclaimed, and after reasonably diligent effort a new address for the purchaser cannot be found, the land manager shall publish a notice four times during four consecutive calendar weeks, once in each week, in a newspaper in general circulation in the Haines Borough.
- (C) A breach caused by the failure to make payments required by the contract may be cured at any time within 30 days after the last notice of breach is given by the methods set forth in subsection (B) of this section, by the purchaser's paying the entire sum in default, together with a fee of \$50.00 or five percent of the sum in default, whichever is larger. If there are material facts in dispute between the borough and the purchaser, the purchaser may submit (within 30 days after the purchaser's receipt of the notice of the breach) a written request for a hearing before the land manager.
- (D) On a determination by the land manager that there has been a breach of the contract based on the administrative record and the evidence presented at a hearing (if any), the land manager shall issue a decision foreclosing the interest of the purchaser and terminating the contract. The obligation to make payments under the contract continues through the date of the decision to foreclose by the land manager.
- (E) The land manager shall deliver the decision to foreclose and terminate personally to the purchaser or send it by certified mail, return receipt requested, to the last known address of the purchaser. If the breach is a failure to make payments required by the contract, the decision shall include a note to the purchaser that if, within 30 days, the purchaser pays the borough the full amount of the unpaid contract price, including all accrued interest and any fees assessed under this section, the borough shall issue to the purchaser a deed to the land. If full payment is not made within 30 days, or the

breach is for other than failure to make payment, the decision forecloses and terminates all legal and equitable rights the purchaser has in the land.

- (F) The purchaser may appeal the land manager's decision to the assembly if the purchaser files written notice of appeal with the clerk and the land manager within 30 days after the date of the land manager's decision.
- (G) The decision of the assembly may be appealed to the superior court in accordance with the Alaska Rules of Appellate Procedure.

### Findings

On September 25, 2014, the payment record of the contract indicated that the account was delinquent and that a total of \$3,257.43 was the current amount due on the contract at that time. The Borough Finance Director mailed notice of Breach of Contract by Certified Mail on September 25, 2014. The Certified Mail was claimed at the address of record. On November 10, 2014 the Land Manager received an email from Charolett Baker regarding the breach notice which was taken to be a written request for a hearing before the Land Manager as authorized by HBC 14.20.110 (C). An administrative hearing was set for 11:00AM December 1. The Land Manager and the Finance Director were present. Charolett Baker attended via phone. Evidence was presented that showed Escrow account #52 63428 4 to be in arrears with the monthly installment payments made through September 2013. The Land Manager did not find sufficient evidence regarding the dispute of materials facts.

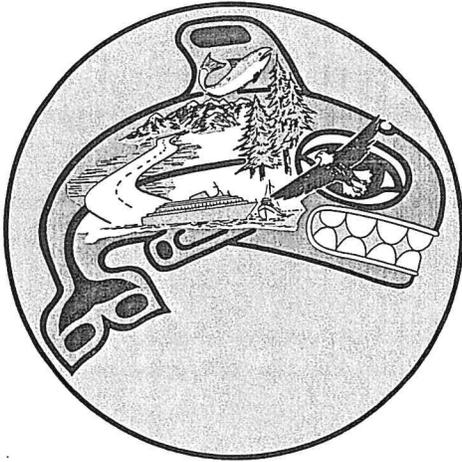
### Decision

It is the decision of the Land Manager of the Haines Borough that the Contract for the Sale of Real Property, be terminated under the provisions of Haines Borough Code Section 14.20.110.

**If full payment is not made within thirty (30) days of the receipt of notice of this decision, this decision forecloses and terminates all legal and equitable rights the purchaser has in the land.** The amount necessary to make full payment including all principal, interest, penalties and fees may be obtained from the Escrow Department of First National Bank Alaska (800) 856-4362 or the Lands Manager Office (907) 766-2231.

  
\_\_\_\_\_  
David Sosa  
Haines Borough Land Manager

Dated this 10<sup>th</sup> day of December 2014.



**HAINES BOROUGH, ALASKA**  
**P.O. BOX 1209 • HAINES, ALASKA 99827**  
**Administration 907.766.2231 • (fax) 907.766.2716**

Tourism 907.766.2234 • (fax) 907.766.3155  
Police Dept. 907.766.2121 • (fax) 907.766.2128  
Fire Dept. 907.766.2155 • (fax) 907.766.3373

September 25, 2014

Nicholas C. Degtoff  
HC 60, Box 2710  
Haines, AK 99827

Re: Notice of Breach of Contract  
Escrow Account #52 79695 0

Dear Mr. Degtoff:

According to our records, you are in breach of Contract for Sale of Real Property for the purchase of real property as described below:

Lot 7, Four Winds Subdivision, 1.53 Acres, Haines Recording District,  
First Judicial District

You are receiving this notice because you have failed to make payments as required by the contract. Our records show that the following amounts must be paid in order to bring this account current:

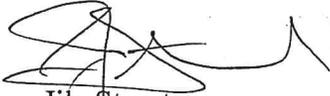
Principal Due	1,498.17
Interest Due	1,341.07
Default Fee	<u>141.96</u>
Total Currently Due	\$2,981.20

You must pay the total interest and principal due of **\$2,839.24 to the Escrow Account** within 30 days as well as the default fee of **\$141.96 directly to the Haines Borough** office at the address given above in order to cure the breach of contract.

If you fail to make full payment within this prescribed time, the Borough shall find it necessary to terminate your contract and foreclose on the property. As per your contract Section 14, any payments made shall be forfeited and retained by the Borough as liquidated damages.

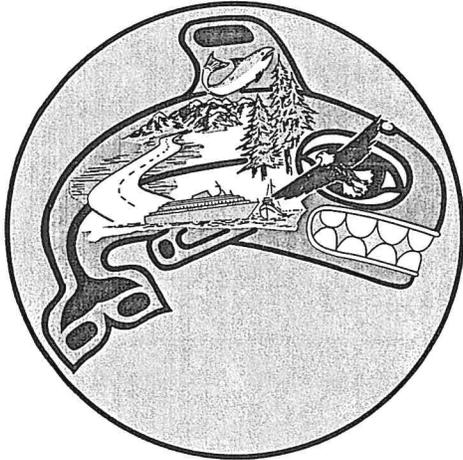
I have included a copy of the Haines Borough's code which outlines the procedure for administrative foreclosures for your reference. If you have any questions concerning the status of your account, please contact this office at the above address.

Sincerely,

A handwritten signature in black ink, appearing to read "Jila Stuart", with a stylized flourish at the end.

Jila Stuart  
Finance Director

Enclosure



**HAINES BOROUGH, ALASKA**  
**P.O. BOX 1209 • HAINES, ALASKA 99827**  
**Administration 907.766.2231 • (fax) 907.766.2716**  
Tourism 907.766.2234 • (fax) 907.766.3155  
Police Dept. 907.766.2121 • (fax) 907.766.2128  
Fire Dept. 907.766.2155 • (fax) 907.766.3373

September 25, 2014

Charolett Baker  
6370 Samoa Drive  
Sarasota, FL 34231-5633

Re: Notice of Breach of Contract  
Escrow Account #52 63428 4

Dear Ms. Baker:

According to our records, you are in breach of Contract for Sale of Real Property for the purchase of real property as described below:

Lot 8, Four Winds Subdivision, Haines Recording District,  
First Judicial District

You are receiving this notice because you have failed to make payments as required by the contract. Our records show that the following amounts must be paid in order to bring this account current:

Principal Due	2,244.96
Interest Due	857.35
Default Fee	<u>155.12</u>
Total Currently Due	\$3,257.43

You must pay the total interest and principal due of **\$3,102.31 to the Escrow Account** within 30 days as well as the default fee of **\$155.12 directly to the Haines Borough** office at the address given above in order to cure the breach of contract.

If you fail to make full payment within this prescribed time, the Borough shall find it necessary to terminate your contract and foreclose on the property. As per your contract Section 14, any payments made shall be forfeited and retained by the Borough as liquidated damages.

I have included a copy of the Haines Borough's code which outlines the procedure for administrative foreclosures for your reference. If you have any questions concerning the status of your account, please contact this office at the above address.

Sincerely,



Jila Stuart  
Finance Director

Enclosure

**POWER OF ATTORNEY  
FOR MANAGEMENT OF  
PERSONAL AND PROPERTY AFFAIRS**

I, Nicholas Clay Degtoff, a resident of Alaska, do hereby appoint  
my mother, Charolett Baker, as my "Attorney in Fact."

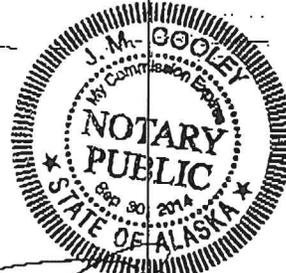
I intend this power of attorney to create a durable power of  
attorney. This power of attorney will be effective immediately upon  
its execution and shall not be affected by my subsequent incapacity.

I give my attorney in fact the powers of attorney with the  
understanding that they will be exercised for my benefit, in my behalf,  
and solely in a fiduciary capacity.

This durable power of attorney is executed by me on this  
03TH day of December, 2013 in TURNER, Alaska.  
JANUARY, 2014

Signed:

*Nicholas Clay Degtoff*  
Nicholas Clay Degtoff



*J. M. GOOLEY*  
COMMISSION EXPIRES  
SEP. 30, 2014

Witnessed by:

*Betty Jo Degtoff*

Printed Name:

Betty Jo Degtoff

**14.20.110 Administrative foreclosure procedure for land disposed of under a contract of sale.**

---

- A. The following administrative foreclosure procedure may be utilized by the borough whenever a land purchaser has breached a contract for purchase of land. This procedure is applicable both to contracts originally written with the state and assigned by the state to the borough and also to contracts written directly by the borough.
- B. If a contract for sale of land has been breached, the land manager may issue a decision to foreclose and terminate the contract at any time 31 days after giving notice of the breach to the purchaser. The land manager shall first attempt to give notice by delivery of certified mail, return receipt requested, to the address of record of the purchaser. In cases where the certified mail notice is returned to the borough unclaimed, and after reasonably diligent effort a new address for the purchaser cannot be found, the land manager shall publish a notice four times during four consecutive calendar weeks, once in each week, in a newspaper in general circulation in the Haines Borough.
- C. A breach caused by the failure to make payments required by the contract may be cured at any time within 30 days after the last notice of breach is given by the methods set forth in subsection (B) of this section, by the purchaser's paying the entire sum in default, together with a fee of \$50.00 or five percent of the sum in default, whichever is larger. If there are material facts in dispute between the borough and the purchaser, the purchaser may submit (within 30 days after the purchaser's receipt of the notice of the breach) a written request for a hearing before the land manager.
- D. On a determination by the land manager that there has been a breach of the contract based on the administrative record and the evidence presented at a hearing (if any), the land manager shall issue a decision foreclosing the interest of the purchaser and terminating the contract. The obligation to make payments under the contract continues through the date of the decision to foreclose by the land manager.
- E. The land manager shall deliver the decision to foreclose and terminate personally to the purchaser or send it by certified mail, return receipt requested, to the last known address of the purchaser. If the breach is a failure to make payments required by the contract, the decision shall include a note to the purchaser that if, within 30 days, the purchaser pays the borough the full amount of the unpaid contract price, including all accrued interest and any fees assessed under this section, the borough shall issue to the purchaser a deed to the land. If full payment is not made within 30 days, or the breach is for other than failure to make payment, the decision forecloses and terminates all legal and equitable rights the purchaser has in the land.
- F. The purchaser may appeal the land manager's decision to the assembly if the purchaser files written notice of appeal with the clerk and the land manager within 30 days after the date of the land manager's

decision.

G. The decision of the assembly may be appealed to the superior court in accordance with the Alaska Rules of Appellate Procedure.



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 14-525  
Assembly Meeting Date: 1/27/15

Business Item Description:	Attachments:
Subject: Allowing Vacation Rentals in a Light Industrial/Commercial Zone with a Conditional Use Permit	1. Ordinance 14-12-393 - Draft 2. 10/9/14 Planning Commission Recommendation
Originator: Planning Commission	
Originating Department:	
Date Submitted: 10/9/2014	

Full Title/Motion:
Motion: Adopt Ordinance 14-12-393.

Administrative Recommendation:
The borough manager recommends this ordinance. It has been reviewed & vetted by other staff members.

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ none	\$ n/a	\$ n/a	n/a

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives: Page 60; Goal 5 Page 199	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
The planning commission reviewed the zoning code in response to a citizen's appeal regarding a vacation rental in a Light Industrial/Commercial Zone. That use was prohibited, but the commission recommends a code amendment to allow the use with a conditional use permit. Subsequently, borough staff reviewed the proposed amendment prior to bringing it to the assembly. Staff found no conflicts with other regulations and has no concerns. Therefore, the borough manager supports the planning commission's recommendation.

Referral:	
Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:	
Meeting Date(s): 12/16/14, 1/13 and 1/27/15	Public Hearing Date(s): 1/13 and 1/27/15 Postponed to Date:

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.70.040 to allow vacation rentals in a light industrial/commercial zone with a conditional use permit.**

**BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:**

Section 1. Classification. This ordinance is of a general and permanent nature and if adopted with or without amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance will become effective immediately upon adoption.

Section 4. Amendment of Section 18.70.040. The Vacation Rentals portion of the Zoning Use Chart in Section 18.70.040 of the Haines Borough Code is hereby amended to read, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
**STRIKETHROUGH** ITEMS ARE TO BE DELETED

**18.70.040 Zoning use chart.**

ZONING USE CHART TOWNSITE PLANNING/ZONING DISTRICT UBR = Use-By-Right    CU = Conditional Use NA = Not Allowed    GFA = Gross Floor Area												
 = Permit Required				 = Permit Not Required								
Under General Classification, uses in UPPER CASE are primary and uses in lower case are secondary.												
GENERAL CLASSIFICATION →	INDUSTRIAL USES			COMMERCIAL/ Residential Uses			RESIDENTIAL USES ONLY	RESIDENTIAL/ Commercial Uses				RECREATIONAL USE
Specific Zoning Districts →	Heavy Industrial	Light Industrial/ Commercial	Water front Industrial	Commercial	Water front	Significant Structures Area	Single Residential	Multiple Residential	Rural Residential	Rural Mixed Use	Multiple Use	Recreational
USES ↓	I/H	I/L/C	I/W	C	W	SSA	SR	MR	RR	RMU	MU	REC
Vacation Rental	NA	<del>NA</del> <u>CU</u>	NA	UBR	UBR	UBR	CU	UBR	UBR	UBR	UBR	NA

Haines Borough  
Ordinance No. 14-12-393  
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

---

Janice Hill, Mayor

ATTEST:

---

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 12/16/14  
Date of First Public Hearing: 01/13/15  
Date of Second Public Hearing: 01/27/15



HAINES BOROUGH, ALASKA **Draft**

ORDINANCE No. xx-xx-xxx

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH  
CODE SECTION 18.70.040 TO ALLOW VACATION RENTAL AS A  
CONDITIONAL USE IN LIGHT INDUSTRIAL/COMMERCIAL ZONE.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 4. Purpose. This ordinance amends Section 18.70.040 to allow vacation rental as a conditional use in light industrial/commercial zone.

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
~~STRIKETHROUGH~~ ITEMS ARE DELETED

18.70.040 Zoning use chart

ZONING USE CHART

TOWNSITE PLANNING/ZONING DISTRICT

UBR = Use-By-Right CU = Conditional Use

NA = Not Allowed GFA = Gross Floor Area

  = Permit Required

  = Permit Not Required

Under General Classification, uses in UPPER CASE are primary and uses in lower case are secondary.

GENERAL CLASSIFICATION →	INDUSTRIAL USES			COMMERCIAL/ Residential Uses			RESIDENTIAL USES ONLY	RESIDENTIAL/ Commercial Uses			RECREATIONAL USE	
	Specific Zoning Districts →	Heavy Industrial	Light Industrial/ Commercial	Waterfront Industrial	Commercial	Waterfront	Significant Structures Area	Single Residential	Multiple Residential	Rural Residential	Rural Mixed Use	Multiple Use
USES ↓	I/H	I/L/C	I/W	C	W	SSA	SR	MR	RR	RMU	MU	REC
Vacation Rental	NA	NA <u>CU</u>	NA	UBR	UBR	UBR	CU	UBR	UBR	UBR	UBR	NA



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 14-526Assembly Meeting Date: 1/27/15

Business Item Description:	Attachments:
Subject: Amend Code to Reflect Library's Designation as a Borough Department	1. Ordinance 14-12-394 - Draft
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 12/4/2014	

**Full Title/Motion:**

Motion: Adopt Ordinance 14-12-394.

**Administrative Recommendation:**

The borough manager recommends this ordinance. It has been reviewed &amp; vetted by other staff members.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ none	\$ n/a	\$ n/a	n/a

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives:

Consistent:  Yes  No**Summary Statement:**

In the past couple of years, the library has transitioned from a "component unit" to a borough department. Staff advised the borough code be amended to reflect this change. The borough clerk prepared an initial draft that was also reviewed by the borough attorney. The library director, library board, and the borough manager all considered the draft, and it was revised. The ordinance now referred to the assembly is recommended by all those involved in its preparation.

**Referral:**

Referred to:

Referral Date:

Recommendation:

Meeting Date:

**Assembly Action:**

Meeting Date(s): 12/16/14, 1/13 and 1/27/15

Public Hearing Date(s): 1/13 and 1/27/15

Postponed to Date:

**An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Chapter 2.98 to reflect the Public Library's designation as a Borough Department.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Chapter 2.98. Chapter 2.98 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
**STRIKETHROUGH** ITEMS ARE DELETED

Chapter 2.98  
PUBLIC LIBRARY

Sections:

~~2.98.010 Haines Borough Public Library~~ **Department established.**

**2.98.020 Library director.**

**2.98.030 Duties and responsibilities of department.**

**2.98.040 Library advisory board established.**

~~2.98.020~~**050** Library board of trustees **Board composition and terms.**

~~2.98.030~~**060** Organization of the board of trustees **Board structure.**

~~2.98.040~~ Board vacancies — Filling vacancies

~~2.98.050~~ Duties and responsibilities of the board of trustees.

~~2.98.010 Haines Borough Public Library~~ **Department established.**

~~The Haines Borough Public Library, including a building owned and staffed by the Haines Borough, and its other assets, is operated and administered in its entirety by a library board of trustees.~~ **There is established a library department which shall manage and operate the borough public library. The department shall have jurisdiction over all equipment, collections, and persons within and using the borough's library facilities.**

**2.98.020 Library director.**

**A. The library director shall be the head of the library department. The library director is appointed by the manager with the approval of both the library board and assembly. The director may be terminated by the manager only for just cause.**

**B. The library director shall carry out the duties and responsibilities of the public library department under the supervision of the library board and control of the borough manager.**

**C. The library director shall select personnel to serve as employees of the department, but all such appointments and the number thereof, shall require prior approval by the manager.**

D. The library director shall approve departmental expenditures in accordance with sub-section HBC 2.98.030(D) of this code.

**2.98.030 Duties and responsibilities of department.**

**The library department, through the library director, shall have the duty and responsibility:**

**A. To plan, manage, improve, operate and maintain the library facility;**

**B. To enforce policies, rules and regulations adopted by the board relating to equipment, collections, and persons within the jurisdiction of the department;**

**C. To recommend rules and regulations to the board to facilitate the planning, management, operation and maintenance of the borough's library facility;**

**D. To make recommendations to the board with regard to the annual budget and capital improvement plan of the library department; and**

**E. To perform related duties, as assigned.**

**2.98.040 Library advisory board established.**

**There is established an advisory board known as the library advisory board which shall have the following duties and responsibilities:**

**A. The board is authorized to adopt policies, rules and regulations regarding the planning, management, operation and maintenance of the borough's public library.**

**B. The board shall review the performance of the library director on an annual basis and provide the results of that review to the borough manager and review applications for library director, interview candidates with a hiring committee, and make a recommendation for hire to the borough manager.**

**C. The board shall approve a proposed budget, appropriation request, and capital improvement plan on an annual basis and cause same to be timely delivered to the manager and review, investigate and make recommendations on any further matter referred by the borough assembly or manager.**

~~2.98.020~~**050 Library board of trustees Board composition and terms.**

The library board of trustees **library advisory board** shall consist of nine members who shall serve staggered terms of three years. **The board shall organize itself and function according to the provisions of Chapter HBC 2.60. All appointments to the board shall be made according to the provisions of HBC 2.60.030.** ~~Board members shall not receive compensation for services rendered as trustees.~~ The library director shall be an ex officio member of the board. **Members shall serve until their successors have been confirmed by the assembly. There shall be no pay for board membership.**

~~2.98.030~~**060 Organization of the board of trustees. Board structure**

A. The board shall, **by majority vote**, elect from its members a chairperson, a vice-chairperson, a secretary, and a treasurer ~~who shall hold their offices for one year.~~

**1. The chairperson shall preside at board meetings, set meeting agendas, and attest to approved minutes. The chairperson shall vote in the same manner and with the same restrictions as other board members and shall be counted for quorum purposes.**

**2. In the absence of the chairperson, the vice-chairperson shall assume the chairperson's duties.**

~~B. The board shall operate under the bylaws of the Haines Borough Public Library~~

~~C. Board meetings shall be held as often as required. Once approved by the board, a copy of the board meeting minutes shall be delivered to the borough clerk for inclusion in the assembly's next meeting packets.~~

**B. The library director, or the library director's designee, shall give notice of board meetings to each board member, attend board meetings, assure minutes of the meetings are taken, and serve as staff resource to the board. The library director shall not vote on any matter before the board.**

~~2.98.040 Board vacancies — Filling vacancies.~~

~~A member's position on the board shall be deemed vacated if the member fails to attend three consecutive meetings without being excused by the board. All appointments to the board shall be made according to the provisions of HBC 2.60.055.~~

~~2.98.050 Duties and responsibilities of the board of trustees.~~

~~The library board of trustees shall:~~

~~A. Have general responsibility for and authority over all of the physical, fiscal, and human resources of the library (including collections, buildings, grounds and staff), within the limits of funds appropriated by the borough assembly and available from other sources;~~

~~B. Submit to the borough manager a detailed and itemized estimate of probable revenues and expenditures for the next fiscal year~~

~~C. Make rules and regulations for the administration and control of the library;~~

~~D. Have authority to allocate borough-appropriated funds for library staffing within the scope of the collective bargaining agreement with the Local 71 Union;~~

~~E. When the position of library director is vacant and has been properly advertised, review all applications received. The library board of trustees shall make a recommendation for hire to the mayor. The mayor manager shall review the board's recommendation for hire and request confirmation by the borough assembly. The library director, serving at the direction of the board of trustees, will have the administrative responsibilities of the operation and maintenance of the library and management of the collection. The board of trustees working through its director shall be responsible for administering the personnel policies of the Haines Borough with respect to its staff.~~

Section 5. Transition from Board of Trustees to Library Advisory Board. Upon adoption of this ordinance, all current members of the library board of trustees are confirmed as members of the Library Advisory Board with terms of office identical to those held while serving as a member of the library board of trustees.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Janice Hill, Mayor

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 12/16/14  
Date of First Public Hearing: 01/13/15  
Date of Second Public Hearing: 01/27/15



# MANAGER'S REPORT

DATE: January 27, 2015  
TO: Mayor and Borough Assembly  
FROM: David B. Sosa, Borough Manager

## **BOROUGH ADMINISTRATION MISSION**

*Under the guidance and direction of the Borough Assembly, the mission of the Haines Borough Administration is to deliver critical and desired services; to protect the safety and well-being of the community; and to create conditions for a vibrant, sustainable economy that enhances and safeguards quality of life*

## **Manager's Comments:**

FY 2016 Budget Preparation: The Manager met with staff on 15 and 22 January and provided written Budget Planning Guidance. The Finance Officer has sent worksheets out to Department Heads and we have started the internal process of determining requirements for the next FY. Key planning considerations are an expectation of reduced State Revenue Sharing and reductions in state support for Capital Projects. As mentioned in the last Manager's Report, it is critical that we define our priorities, demonstrate financial responsibility, and set a course of continued success for the future. It is also vital that we understand where we can accept risk so that we can focus on the areas of greatest concern. The staff is working hard to define the answers to these questions at our level so that I can provide a Manager's Budget that is workable and grounded in the reality of our current environment.

At 7 PM on Thursday 22 January, our Governor provided a State of the Budget report to the Legislature outlining the challenges the State faces but also highlighting the opportunities represented by taking clear and decisive action to meet our fiscal challenges. As I posted in my last Manager's report, Haines has much strength and has sufficient reserves to meet operating expenses but, as with the State, we will need to make clear choices about our priorities and understand and accept the need to take risk in certain areas. We are well positioned to take advantage of opportunity. What is essential is that we find the ability to agree about a path.

Budget Amendment: In the last Assembly meeting and at the GASC a Budget Amendment was discussed and there were concerns expressed with my request for dedicated funds for the Lutak Dock study and improvements. Several Assembly Members mentioned that members of the public were concerned about how the money would be spent and about accountability. I am concerned about the same things and that is why I included this item in the Budget Amendment. Code allows the Manager to spend up to \$25,000 without

Assembly approval provided the monies are within a fund or department. The Lutak improvements can be considered as Lutak Dock improvements and Economic Development improvements making it possible for the Manager to access money from a variety of areas. This strikes me as a concern for transparency and accountability and I decided to seek a separate fund to support studies, engineering design, and analysis so that it would be easier for the Staff, the Assembly and the public to account for how the money is spent. The other tool for transparency I incorporated is the Manager's Advisory Group which consists of 9 community members with a broad range of experience to assist the manager in determining a path forward. Part of this includes advising the Manager on how to allocate and spend funds. One additional idea proposed by Ms. Debra Schnabel is for us to provide a better sense of how the funds would be allocated. An initial breakdown follows:

Travel & Per Diem:	\$10,000.00
Engineering and Design:	\$20,000.00
Professional & Contractual Services:	\$25,000.00
Communication & Outreach:	\$ 5,000.00
Administration & Finance:	\$ 5,000.00
Material & Equipment:	\$ 2,500.00
Supplies & Postage:	\$ 500.00
Contingency:	\$ 15,000.00
Total:	\$ 83,000.00

The initial request of \$100,000 represented a "best guess" at that time of potential expenses. The numbers provided above are a start and are based on information that the Advisory Group has obtained through meeting over the last 2 months.

My base argument is that we have a problem, the problem needs to be addressed, and failure to address the problem can result in catastrophic failure of the structure. To identify a way forward in time to prevent structural failure requires planning, coordination, and the resources to accomplish the planning and coordination. A key resource for this project, or any project, is access to funding. Passing this budget amendment provides access to funding that is more transparent and has greater oversight than the safeguards already in our Code.

Mosquito Lake Facility Update: During the Planning Commission Meeting on 15 January I rescinded my request for the building to be made available for sale with the intent of bringing the subject up to the Planning Commission in 6 months. This will allow community groups who are interested in identifying viable opportunities for the facility to reopen the time to produce plans. In a separate meeting I also agreed to consider renting the facility to groups. Any rents collected would need to cover utility costs and staff costs to opening and closing the facility. Agreements for use would also need to ensure that any liability is borne by the using group and that any damage to equipment and/or facilities are covered by the using group. I have asked the Facilities Director determine a rate that would ensure these conditions can be met.

Chilkat Valley Preschool: The item of the continued lease of the Human Resources building is on the agenda for 27 January. I negotiated an arrangement with the representatives of the Chilkat Valley Preschool which, I feel, meets the requirements of both organizations.

Water Sewer Rate Discussion: On 7 January the Borough Staff presented information relating to proposed water sewer rate increases to the Government Affairs and Services Committee. This Assembly Packet contains information from the Finance Officer that covers the details of the proposed increase. These numbers demonstrate that with the increases the funds will be able to meet operating expenses and also set aside a small reserve for repair and replacement. These numbers do not include addressing needed repairs and the staff continues to work on options for essential repairs. Depending on how these essential repairs are funded, there may be a need in the near future to increase rates again.

Political Campaign Signs: During the last Assembly Meeting I mentioned the continued presence of political campaign signs and reinforced that this is against Borough Code. I have instructed the planning department to send notices out to owners of properties where we are observing violations. The notices will make them aware that they are violating code and request that they take the signs down. Once sufficient time has passed for owners to address the situation I will direct staff to begin issuing citations for continued violations.

Hopper List: The "Hopper List" has been posted to the Borough web site and is available at this link: <http://www.hainesalaska.gov/administration/staff-working-list-assembly-timelines>

Citizen Complaint: On Monday, 12 January I received an official complaint from a local alleging improper treatment by our Police Officers. I met with our officers and directed an investigation. The results of the investigation demonstrated that our officers acted within the guidelines of training and policy and in the interests of public safety. I found no evidence that would substantiate Mr. Wilson's allegation. Moreover there was ample evidence documenting appropriate process and procedure was followed. I sent a certified letter to the complainant containing documentation supporting the results of the investigation and this certified receipt was returned to the borough.

HELP Committee: The HELP Committee will meet on 30 January during which we will review options for developing a revised Hazard Mitigation Plan.

Community Purpose Exemption: I sent out the DRAFT ordinance and a DRAFT Policy to those community groups impacted by the ordinance and policy and representatives of several organizations were on hand during the Finance Committee meeting of Monday 19 January. The Committee had several questions so I met again with representatives of community organizations on Wed, 21 January and discussed additional revisions to the policy. I will work with staff to incorporate these into a revised document for presentation to the Assembly.

CAPSIS Development: The CAPSIS development meetings have continued and take place each Mon and Fri at 9:00 am. To date we have finalized entries for WWTP, Lutak, and the Small Boat Harbor Expansion. On 28 January the Mayor and I will head to Juneau and meet with Rep. Kito and Sen. Egan to review our Legislative Priorities

Harbormaster Resignation: On Thursday 15 January Mr. Phil Benner gave notice that he would be departing on 28 February citing personal reasons. I will be working with Mr. Benner to develop a transition plan and to post notices in relevant publications to support a thorough search for qualified candidates. Mr. Benner provided the following statement:

*"It was with deep regret that I submitted my resignation to the Borough Manager last week. I enjoy working with the team that the borough has put together to work through these times of change and growth. I believe the Borough has a strong staff and assembly right now to work through the challenges ahead.*

*Robin and I have extended family here in Haines and we are saddened to leave but due to personal reasons we will have to move closer to some needed services."*

**Library Break-in:** On Thursday 15 January Officer Dryden informed me that the Library had been broken into and a substantial amount for cash had been stolen. Borough Maintenance repaired damage to a door and I have directed Library Staff to review procedures for handling and securing cash and valuables. An investigation is underway

**Facilities & Public Works:** See attached report

**Finance:** NSTR

**Lands & Planning:**

**Assessing:** NSTR

**Planning:**

- On 01/21/2015, P&Z Tech was notified that her 2015 American Institute of Certified Planners (AICP) Exam application was approved. She is going to take the exam in May.
- P&Z Tech is working on drafting warning letters to enforce political sign regulations.
- P&Z Tech is working with the Public Works to identify a Borough-owned property that can be potentially developed as a gravel pit. A cost-benefit analysis will be conducted.
- P&Z Tech is going to work with IT, and Assessor Olsen to develop a terms of use page for the online parcel viewer that users would have to acknowledge before proceeding to the site.

**Library:** NSTR

**Museum:** NSTR

**Ports & Harbor:**

- Provided PND inputs for the 35% complete SPCH breakwater and dredging documents.
- Working with IT and Finance on new computer and fuel system software install.
- Updating information for transition to next Harbormaster.
- Working on funding for harbor expansion project and Lutak upgrades through state and federal authorities.

**Public Safety:**

- Chief Musser is scheduled to return from training in Sitka over the weekend.

## **Community & Economic Development**

The Interim Director attended the Alaska Basic Economic Development Conference (Jan 13-16) put on by University of Alaska. This was most beneficial as most of the presenters were from Alaskan organizations and introduced the material focusing on Alaskan issues or funding. Included classes were:

- Economic & Community Strategic Planning
- Small Business & Entrepreneurship Development
- Managing Economic Development Organizations
- Business Retention & Expansion
- Social Media and Econ Dev
- Marketing & Attraction
- Economic Development Ethics
- Real Estate Development & Reuse
- Community and Neighborhood Development
- Econ Dev. Finance

Organizing Picture Point Grants, the Picture Point Acquisition Grant should be finished this next reporting quarter as Southeast Road builders finished the contracted work in the parking area.

The Interim Director will be attending the Juneau Economic Development Corp. "Innovations Summit" next week, meeting the new Com. & Econ. Dev Director, Bill Mandeville there to introduce him to regional and state partners as well as an introduction to Regional Economics in Southeast.

Great News....almost confirmed. Two hard working entrepreneurial enterprises have won the Haa'Aani Paths to Prosperity award! This is wonderful – out of the top 12 businesses submitted from Southeast the two winners are both from Haines! Each receive \$40,000 seed money to grow their business. Port Chilkoot Distillery and Fairweather Ski Works.

## **Tourism:**

The department continues to prepare for the Freeride World Tour. Many of the preparation needs that were on the Tourism Department are now with Holly Irwin working for FWT and SEABA. The Tourism Dept. will be canvassing the local businesses to make sure all are aware of the dates and encourage businesses to be open. The department is also setting up bulk mailing of Visitor Planners, preparing for the summer season, and meeting with the new TAB to address needs for the summer.



# Memo

## Public Facilities

Date: January 22, 2015

To: David Sosa, Haines Borough Manager

From: Carlos Jimenez, Director of Public Facilities

Re: Project/Facilities Update

### **Pool**

Ongoing maintenance and repairs continue at the facility. Recently, the floor in the mechanical area under the pool was coated with an epoxy-based paint.

### **Public Safety Building EOC**

Work toward the installation of the Emergency Operations Center began on January 19. A new thermal-paned window has been installed following some sheetrock and rot repair. New cabinetry and work stations will be installed to house equipment related to EOC operations. This area is in the Fire/EMS training area on the second floor.

### **Facility Management Program**

Staff has been populating the system with data in preparation for Borough-wide use in February. Staff training in the system will occur January 22.

### **School Roof Project**

Bid-ready documents are being prepared for roof repair work to take place in the spring/summer of 2015. The areas to be repaired were outlined in a 2013 roof assessment performed by JYL Architects out of Juneau.

### **Sledding Hill**

Work has started with the removal of some trees at this site. Weather conditions may slow the progress with the saturation of the ground on the site.

### **Senior Center Pellet Boiler**

Staff has been communicating with other Alaska municipalities that use bio-mass boilers to learn the successes and challenges that they have been facing.

# HAINES BOROUGH

Account Statement - Period Ending December 31, 2014



ALASKA PERMANENT  
CAPITAL MANAGEMENT  
Registered Investment Adviser

## ACCOUNT ACTIVITY

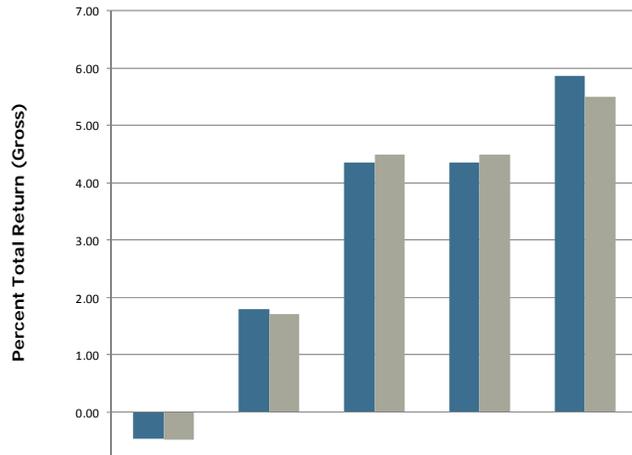
Portfolio Value on 11-30-14	8,584,705
Contributions	0
Withdrawals	0
Change in Market Value	-71,602
Interest	13,671
Dividends	17,630
<hr/>	
Portfolio Value on 12-31-14	8,544,404

## MANAGEMENT TEAM

Director of Client Relations:	Laura Bruce, CFP®, ChFC Laura@apcm.net
Your Portfolio Manager:	Bert Wagnon Jason Roth
Contact Phone Number:	907/272 -7575

## INVESTMENT PERFORMANCE

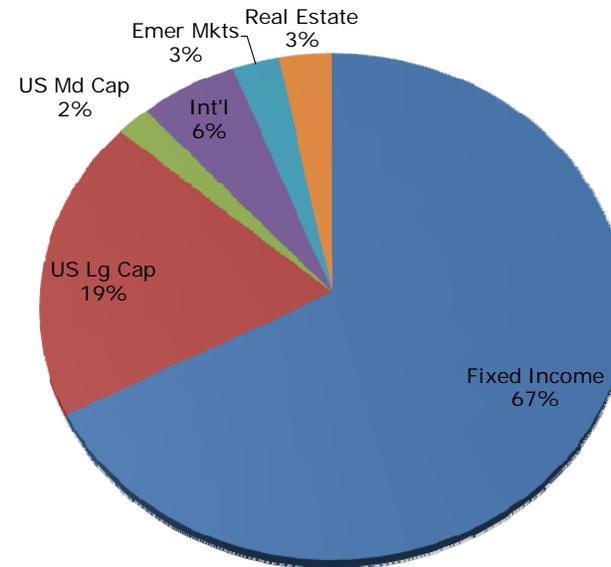
Current Account Benchmark:  
Equity Blend



	Current Month	Current Quarter	Year to Date	Latest 1 Year	Inception to Date
Portfolio	-0.47	1.80	4.36	4.36	5.87
Benchmark	-0.48	1.71	4.49	4.49	5.51

Performance is Annualized for Periods Greater than One Year

## PORTFOLIO COMPOSITION



Alaska Permanent Capital Management Co.  
**PORTFOLIO SUMMARY AND TARGET**  
**HAINES BOROUGH**  
*December 31, 2014*

Asset Class & Target	Market Value	% Assets	Range
<b>FIXED INCOME (70%)</b>			
US Fixed Income (70.0%)	5,687,794	66.6	60% to 80%
Cash (0.0%)	45,369	0.5	na
<b>Subtotal:</b>	<b>5,733,163</b>	<b>67.1</b>	
<b>EQUITY (30%)</b>			
US Large Cap (17.0%)	1,650,692	19.3	10% to 25%
US Mid Cap (2.0%)	170,140	2.0	0% to 5%
Developed International Equity (6.0%)	489,826	5.7	0% to 10%
Emerging Markets (2.0%)	236,118	2.8	0% to 5%
Real Estate (3.0%)	264,465	3.1	0% to 5%
<b>Subtotal:</b>	<b>2,811,241</b>	<b>32.9</b>	
<b>TOTAL PORTFOLIO</b>	<b>8,544,404</b>	<b>100</b>	

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**HAINES BOROUGH**  
December 31, 2014

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
<b>U.S. TREASURY</b>									
450,000	US TREASURY NOTES 0.250% Due 02-28-15	100.01	450,035	100.03	450,121	5.27	1,125	382	0.08
500,000	US TREASURY NOTES 0.625% Due 05-31-17	99.59	497,949	99.43	497,150	5.82	3,125	275	0.86
150,000	US TREASURY NOTES 1.875% Due 09-30-17	103.03	154,541	102.34	153,504	1.80	2,812	719	1.01
275,000	US TREASURY NOTES 2.750% Due 02-15-19	95.63	262,970	105.20	289,308	3.39	7,562	2,856	1.45
150,000	US TREASURY NOTES 1.625% Due 07-31-19	100.25	150,375	100.16	150,234	1.76	2,437	1,020	1.59
300,000	US TREASURY NOTES 1.375% Due 05-31-20	97.81	293,424	98.14	294,423	3.45	4,125	363	1.74
200,000	US TREASURY NOTES 2.625% Due 11-15-20	104.45	208,910	104.38	208,766	2.44	5,250	682	1.83
425,000	U S TREASURY NOTES 2.125% Due 08-15-21	99.09	421,141	101.18	430,015	5.03	9,031	3,411	1.93
125,000	US TREASURY NOTES 1.625% Due 11-15-22	98.63	123,283	97.01	121,260	1.42	2,031	264	2.04
300,000	US TREASURY NOTES 2.500% Due 08-15-23	97.96	293,883	103.21	309,633	3.62	7,500	2,833	2.09
225,000	US TREASURY NOTES 2.375% Due 08-15-24	100.23	225,510	101.85	229,167	2.68	5,344	2,018	2.16
	Accrued Interest				14,823	0.17			
			3,082,021		3,148,404	36.85		14,823	
<b>AGENCIES</b>									
275,000	FHLB 4.875% Due 05-17-17	101.65	279,546	109.23	300,396	3.52	13,406	1,639	0.94
150,000	FNMA* 0.800% Due 02-28-18	98.26	147,390	100.04	150,067	1.76	1,200	410	0.78
	Accrued Interest				2,049	0.02			
			426,936		452,512	5.30		2,049	
<b>FNMA &amp; FHLMC</b>									
41,219	FHLMC 4.00% POOL G14203 4.000% Due 04-01-26	104.56	43,100	106.81	44,027	0.52	1,649	137	1.93
	Accrued Interest				137	0.00			
			43,100		44,165	0.52		137	

\* Callable Security.

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**HAINES BOROUGH**  
*December 31, 2014*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
<b>CMO's</b>									
255	FNMA SERIES G15 A 0.000% Due 06-25-21 Accrued Interest	80.25	205	97.67	249	0.00	NA	0	1.17
					0	0.00		0	
			205		249	0.00			
<b>CORPORATE BONDS</b>									
100,000	JP MORGAN CHASE & CO 4.750% Due 03-01-15	90.72	90,717	100.57	100,572	1.18	4,750	1,583	1.27
150,000	HSBC FINANCE CORP 5.500% Due 01-19-16	97.27	145,909	104.55	156,826	1.84	8,250	3,712	1.12
125,000	BRITISH COLUMBIA PROV OF 2.100% Due 05-18-16	99.98	124,976	102.09	127,617	1.49	2,625	314	0.57
100,000	BANK AMER CORP 5.625% Due 10-14-16	106.53	106,527	107.09	107,089	1.25	5,625	1,203	1.58
100,000	CONOCOPHILLIPS CANADA 5.625% Due 10-15-16	94.17	94,168	107.95	107,954	1.26	5,625	1,187	1.12
100,000	STATOIL ASA 3.125% Due 08-17-17	107.07	107,066	104.47	104,475	1.22	3,125	1,163	1.38
100,000	INTERNATIONAL BUSINESS MACHS 5.700% Due 09-14-17	114.87	114,874	111.44	111,444	1.30	5,700	1,694	1.37
100,000	EXELON GENERATION CO LLC 6.200% Due 10-01-17	114.97	114,966	111.12	111,122	1.30	6,200	1,550	2.02
100,000	UNITED PARCEL SERVICE 5.500% Due 01-15-18	121.23	121,230	111.55	111,547	1.31	5,500	2,536	1.59
150,000	WACHOVIA CORP GLOBAL MEDIUM 5.750% Due 02-01-18	99.57	149,358	111.98	167,967	1.97	8,625	3,594	1.74
100,000	BERKSHIRE HATHAWAY FINANCE 5.400% Due 05-15-18	117.86	117,857	111.98	111,981	1.31	5,400	690	1.73
81,000	GLAXOSMITHKLINE CAP INC 5.650% Due 05-15-18	89.74	72,693	112.65	91,248	1.07	4,576	585	1.77
125,000	JOHNSON & JOHNSON 5.150% Due 07-15-18	99.79	124,742	112.24	140,305	1.64	6,437	2,968	1.58
150,000	GOLDMAN SACHS GROUP INC. 7.500% Due 02-15-19	116.51	174,771	118.95	178,419	2.09	11,250	4,250	2.62
100,000	PROCTER & GAMBLE CO. 4.700% Due 02-15-19	99.82	99,824	111.35	111,352	1.30	4,700	1,776	1.83
150,000	MORGAN STANLEY 5.500% Due 07-28-21 Accrued Interest	114.98	172,473	113.49	170,232	1.99	8,250	3,506	3.21
					32,312	0.38			
			1,932,152		2,042,463	23.90		32,312	

\* Callable Security.

Alaska Permanent Capital Management Co.  
**PORTFOLIO APPRAISAL**  
**HAINES BOROUGH**  
*December 31, 2014*

Quantity	Security	Average Cost	Total Average Cost	Price	Market Value	Pct. Assets	Annual Income	Accrued Interest	Yield to Maturity
<b>DOMESTIC LARGE CAP EQUITY FUNDS/ETF</b>									
8,031	SPDR S&P 500 ETF	117.17	940,991	205.54	1,650,692	19.32	NA		
<b>DOMESTIC MID CAP EQUITY FUNDS/ETF</b>									
1,175	ISHARES CORE S&P MIDCAP 400 ETF	143.34	168,421	144.80	170,140	1.99	NA		
<b>INTERNATIONAL EQUITY FUNDS/ETF</b>									
12,931	VANGUARD FTSE DEVELOPED MARKETS ETF	31.58	408,309	37.88	489,826	5.73	NA		
<b>EMERGING MARKET FUNDS/ETF</b>									
5,900	VANGUARD FTSE EMERGING MARKETS ETF	43.92	259,147	40.02	236,118	2.76	NA		
<b>REAL ESTATE</b>									
3,265	VANGUARD REIT ETF	75.77	247,401	81.00	264,465	3.10	NA		
<b>CASH AND EQUIVALENTS</b>									
	DIVIDEND ACCRUAL		9,115		9,115	0.11			
	FEDERATED TREASURY OBLIGATION		36,255		36,255	0.42			
			45,369		45,369	0.53			
<b>TOTAL PORTFOLIO</b>			<b>7,554,053</b>		<b>8,544,404</b>	<b>100</b>	<b>226,564</b>	<b>49,321</b>	

\* Callable Security.



**Haines Borough  
Planning Commission Meeting  
December 18, 2014  
MINUTES**

**Approved**

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Goldberg** called the meeting to order at 6:30 p.m. in Assembly Chambers and led the pledge to the flag.
2. **ROLL CALL** – **Present:** Chairman Rob **Goldberg**, Commissioners Lee **Heinmiller**, Andy **Hedden** (called in), Robert **Venables**, Heather **Lende**, and Don **Turner III**.  
**Staff Present:** Jan **Hill**/Mayor, David **Sosa**/Manager, Krista **Kielsmeier**/Deputy Clerk, and Carlos **Jimenez**/Public Facilities Director.  
**Also Present:** Glenda **Gilbert**, Mike **Case**, Roger **Schnabel**, and Brenda **Jones**.
3. **APPROVAL OF AGENDA**  
**Motion:** **Venables** moved to “approve the agenda.” **Turner** seconded it. The motion carried unanimously.
4. **APPROVAL OF MINUTES** – November 13, 2014 Regular Meeting Minutes  
**Motion:** **Heinmiller** moved to “approve the November 13, 2014 regular meeting minutes.” **Lende** seconded it. The motion carried unanimously.
5. **PUBLIC COMMENTS** – None
6. **CHAIRMAN’S REPORT** – None
7. **STAFF REPORTS**
  - A. **Planning & Zoning Staff Report**
8. **PUBLIC HEARINGS** – None
9. **UNFINISHED BUSINESS** – None
10. **NEW BUSINESS**
  - A. **Historic District/Building Review** – None
  - B. **Haines Borough Code Amendments**
    1. **Temporary Residence in HBC 18.60.020(H)**  
**Venables** restated his objection. He would like to see more exceptions that will allow property owners to temporarily occupy an RV or mobile home on private properties as a conditional use.  
**Motion:** **Turner** moved to “recommend the Assembly adopt the proposed ordinance.” **Lende** seconded it. The motion carried 5 – 1 with **Venables** opposed.
  - C. **Project Updates** – None
  - D. **Other New Business**
    1. **Classification of Borough Lands for Sale – 3-MLR-00-0110**

**Motion: Venables** moved to “recommend the Assembly classify the property for sale again.” **Turner** seconded it. The motion carried unanimously.

## 2. History of Vacation of Rights-of-Way within Tlingit Park

**Goldberg** said that the plat shows a portion of Front Street was vacated.

**Heinmiller** said Planning and Zoning Technician Tracy Cui might be able to produce a map with these changes to Beach Road. It will be helpful for the future planning.

## 3. Consideration of Vacating One Portion of Mathias Avenue Right-of-Way

**Jimenez** said Norm Smith applied for water service years ago, and the permit was not granted. There are problems with that line because of the grade. Staff have been communicating with the adjacent property owners on trying to acquire utility easement. Carol Waldo declined, but Marvin Smith agreed to grant the Borough a 15’ wide utility easement by gaining the ownership of the same square footage of right-of-way on Mathias as compensation.

**Motion: Venables** moved to “support the staff’s recommendation.” **Lende** seconded it. The motion carried unanimously.

## 4. Planning Commission Seat F Re-appointment

**Motion: Heinmiller** moved to “recommend for the mayor to re-appoint Commissioner Don Turner III to serve Seat F for a three-year term ending November 2017.” **Venables** seconded it. The motion carried unanimously.

## 5. Planning Commission Chair and Vice-Chair Appointments

**Goldberg** said he would be willing to accept nomination for chair.

**Motion: Heinmiller** moved to “appoint Goldberg as Planning Commission Chair.” **Turner** seconded it. The motion carried unanimously.

**Motion: Goldberg** nominated Heinmiller as Planning Commission Vice-Chair. **Turner** seconded it. The motion carried unanimously.

## 6. 2015 Regular Planning Commission Meeting Agenda Preparation Calendar

The commission reviewed and agreed to the calendar.

## 11. COMMISSION COMMENTS

**Turner** volunteered to be the representative on the Lutak Dock “strategic-doing” committee.

**Lende** and **Turner** will get together with Borough Assessor Dean Olsen to conduct site visits to identify Borough-owned properties for sale.

## 12. CORRESPONDENCE

### A. Zoning Clarification of Property C-208-TL-0400

**Goldberg** said there has been a dispute about what the zoning classification is for this property. Schnabel’s property and two adjoining properties have two zoning designations – rural mixed use and multiple residential. **Goldberg** suggested the commission initiate a rezoning of these properties.

**Venables** did not understand why a staff administrative error would constitute a zoning change.

**Goldberg** said this error is from before consolidation. There would be a public process.

**Case** said there was a depiction that was improperly portrayed by drawing it wrong and coloring it in wrong.

**Goldberg** said someone in 2001 or before decided that there were two different uses happening on those three properties. This map is not detailed enough to see exactly where the line is. The gravel pit was put in the multiple residential zone where resource extraction is not allowed.

**Jimenez** said there was no problem with the gravel pit, which has been grandfathered in.

**Schnabel** said he did go through the public process in 2001. Respectfully, he does not want to go through that again.

**Schnabel** said he would like the commission to direct staff. He has been confused about what he can or cannot do on his property.

**Turner** said he believed this can be fixed administratively.

**Goldberg** said he will speak with Cui to correct the zoning map.

13. **SET MEETING DATES** – The next regular Planning Commission meeting was scheduled for 6:30 p.m. on Thursday, January 8, 2015.
14. **ADJOURNMENT**– 7:24 p.m.

# Tourism Advisory Board Meeting Agenda / Meeting Minutes

---

**September 23, 2014**

**Meeting Call to Order:** Barb Mulford – President –am

**Roll Call: Present** Barb Mulford, Michael Marks, Rhonda Hinson, Karen Hess, Judy Heinmiller, Jeff Butcher

**Absent** Scott Sundberg

**Also Present** Tourism Director Leslie Ross, Mayor Stephanie Scott, Assembly members Diana Lapham, Dave Barry, George Campbell, Sean Gaffney, Joe Ordonez, Gabe Long

**Approval of excused / unexcused absences:** Scott Sundberg awaiting excuse

**Approval of Agenda:** Hess motions to approve, Butcher Seconds. All approve

**\*Approval of Minutes:** Marks motion to approve, Butcher second. All approve

## **Public Comments:**

Joe Ordonez, addresses PC dock parking stating that large vans cannot fit in the small parking places. He proposes allowing small bus/van parking in the bus area or make spots larger on parking side. Karen states that she parks her van at the bus parking and does not believe it is prohibited in code. Ross will look into code and PC dock rules. Is there enough space on a Wednesday for large van to use the bus parking? Hess thinks yes. Ross will be checking into painting lines wider, putting up bus signs. Hess recommends addressing this in the next preseason meeting for pc dock.

Egolf questions the flipping of the permit parking signs up after Wednesdays. Ross says she is now on it.

## **Chair Report:**

Mulford brings up the Princess Ship scheduled in Skagway for Thursday it is now reschedule to Friday. This means fast ferry will run one day longer, PC bathrooms will also stay open.

## **New Business:**

### **Chilkoot Corridor**

Mulford reads over talking points submitted by Ross for management ideas. Ross reminds that these are ideas for discussion, not anything to be in code. Mulford addresses that there are no defined areas for vehicles to pull off, vans, busses, trailers, etc. causing issues with stopping, congestion with tour operators and visitors. Hess questions the borough having jurisdiction of the Chilkoot. Mulford lists all the government entities involved. Tour Operator, Tim Holmes brings up that DOT has stated they are only responsible for maintenance not enforcement. DNR is responsible for enforcement. Mulford asks who can give tickets, Gaffney and Ross respond Troopers and Parks Ranger. Egolf says there is no cooperative agreement with Parks and DOT like the Eagle Preserve. Parks Ranger can enforce if commissioned. Bear monitors are only there to help traffic and

safety. Discussion continues that TAB should focus on Code of Conduct, regulating, and encouraging enforcement. Ross suggests the only way Borough can enforce is through reported violations to code. Mulford promotes tourism working in harmony with residents and prevent residents complaining to borough. Egolf questions the number of actual complaints to borough and brings up placing phone numbers on tour vehicles. Egolf questions the purpose of the TAB and why is the TAB be involved in this process – reads the mission statement stating it outside the purpose of the TAB to regulate but to promote tourism. Butcher states that it is up to the TAB to address tourism issues with the borough and the TAB should weigh in. Hess says it is okay for TAB to go outside the written purpose to be an advisory board for tourism issues within the borough. Egolf state this is outside of our area and we should change our purpose. Mulford states that this is important area for Tourism and is within our area to discuss and helps ensuring a quality destination for our visitors. Dave Barry suggests that the Assembly would be grateful if the TAB would come up with a Chilkoot Code of Conduct. Gaffney asks for existing paperwork, existing Code of Conduct. Gaffney states that we should enforce and follow the existing code before creating new ones. Discussion follows that if the Borough permit has an attachment for Chilkoot operators, Gaffney and Egolf say yes, Ordonez states it does not. Ross does not know of this attachment existing.

Mulford brings up Assemblyman Campbell’s talking points. Stating complaints or no, we should not wait till this gets any worse. Stating there is a need to grow and change as the area using the area changes. Egolf states that before 2000 there was more impact and the Chilkoot working group and Tourism planning committee came up with plans and suggests a working group should come up with regulations. Ross states that there are a slew of complaints coming into her office, these are not formal presented complaints but still valid.

Butcher questions how tours work out in Chilkoot. The Corridor map is brought up again. Gaffney states that we need to use the current paperwork, the current maps, current plans, he states we need to focus on these rules before creating new ones. Gaffney states that Parks improvements will address a lot of these issues.

Lapham states that in the last meeting Mike Eberhardt said that Parks issues their permits based on the regulations of the borough and puts the borough in responsible for parking and management. She does not want to see it go to concession or regulated like heli-skiing. We need to address residents complaining. Egolf states that he addressed many complaints from Buck. Mulford, interrupts repeating that we are going over the same issues and Egolf states the TAB does not have authority. Mulford states the TAB is available to advise the Assembly and the assembly has the authority to issue or not issue tour permits.

Ross, addresses that the Commerce Committee directed the TAB to come up with a plan. They are not here to make rules but to advise the Commerce Committee.

Ordonez states that this is very reactive to the complaints and the moratorium. We should wait to see what happens with the bear viewing platforms are put in and how this could address these issues and that the borough needs to wait before regulating. Recommends the TAB recommends that the borough steps back. Hess agrees that we are trying to get ahead of something that is already in progress. Wait to make recommendations until the changes take place. Mulford goes over Tourism Director’s suggestions to a Chilkoot Code of Conduct. Holmes asks if Ross and borough can send complaints to the tour operator.

Mayor Scott explains the balance of complaining to the borough and that complainers come in sideways, not wanting to be public, not wanting to have their name out there. The complaints coming through are taken as complaints at how the borough is managing. We have to allow these sideways complaints.

Egolf states that changes suggested and banning activities would put him out of business Mulford states that residents want the borough to address complaints.

Lapham says we are off topic and that she has never said “banning”. She does not want to listen about complaints but wants to know when the start date is on the Chilkoot plan, and how will it impact , will it be done in one shot. Gaffney states that it is in progress, they do not have a date but intend to do it all at once, it will impact tours. Ross state she heard they were on hold because of DOT.

Holmes and Long share concerns are the parking at the lake and does not want a GPS tracker on his bus. He is scared we are moving that direction but thinks tour operators are managing great, that the problems are the resident’s visitors. We need an agreement on the road. Richard Long, local guide, states that he sees the tour operators as the “custodians of the road” gives an example of how Nature Tour guides keep people in check and safe. Others will follow the example of the guides.

Butcher asks why is this on the agenda, we should be dealing with permits, parking, management and enforce Code of Conduct. Should we look not at complaints but permitting? The questions we should be asking are should we set limits, should we work on parking.

Lapham asks that TAB to recommend for the Assembly to look into signage and enforcement.

Hess, makes a motion:

*That the TAB does not give any new recommendations for changes, that we follow the current code of conduct and ask the borough to enforce as much as possible the rules that are already there..*

Rhonda Hinson seconds. Motion. All in favor

Butcher states we need to support the current State Parks plan and promote it. Heinmiller states to encourage them to finish this project as soon as possible with as little impact as possible. Heinmiller says we should remind the public of the code of conduct.

*Second motion: recommend to the Assembly that the borough support the State Parks Conceptual site plan and lobby to make this plan happen and work with the current operators to make as little impact as possible on their tours. Second Heinmiller.*

Mulford discusses point of contact in the borough to bridge between Parks, Operators, and Borough.

*Motion. All in favor.*

Mayor states that enforcement takes money. Just for us to keep this in mind when asking the borough to enforce the code of conduct.. Heinmiller, states enforcement can easily just be a consequence does not need a staff member.

## *Old Business:*

### *Title V*

Mulford introduces the discussion of removing heli-skiing out of Title V so it does not bog down processes when dealing with other parts of Title V. Ross says that in her discussion with Borough Clerk, Cozzi, she stated we cannot remove it because title V is permitting and heli-skiing is permitted. We could give it its own chapter of permitting. Then you have Commercial Tour Permits and Commercial Heliski Permits. There is also the option to state that heliskiing is not a tour, then it can be moved from Title V.

Mulford questions how you could state it is not a tour. Hess says that it does not happen on Borough property. Lapham says that the Chilkoot also is not on borough land.

Heinmiller says if we give it its own chapter, can we then talk about small issues without bringing up heliskiing. Lapham suggests that to simplify by putting heliskiing into its own chapter and then deal with Title V.

Assembly man George Campbell asks why is fishing & hunting tours exempt of tour permit. Gaffney clarifies if fishing is 6 or less it is not a tour. Campbell asks how many people are in helicopters. Egolf states DNR permits fishing, hunting and tours – they are all considered tours – for an example.

Ross reads code. Chapter 5.18 Commercial Tour Permits. We would have to word heliski different to move it

Assemblyman Barry recommends that heliskiing be put in a separate chapter.

*Motion: Hess makes a motion to give Heliskiing its own chapter within Title V.*

Heinmiller. Second All in Favor

Assemblyman Campbell encourages the TAB to take Heliskiing out of Title V. Lapham encourages that this not be taken on by TAB or at this meeting. Allow the assembly to take on the task of making heliskiing a tour or not tour. Ross states it has to stay in Title V as long as it is permitted.

Marks reminds the TAB that we need to address the van pickup at Port Chilkoot Dock.

## *Directors Update:*

### *Last Ship*

Last cruise ship done, Port Chilkoot bathrooms will stay open through Fridays Skagway ship day.

### *People Mover Cart*

Ross asks tour operators to consider a business sponsored people mover cart. Ross asks for personal accountability in that all users must checkout unit. Someone brings up Head Tax could pay for it.

Hess asks Mayor Scott if the people mover cart would qualify under Head Tax funding. Mayor Scott states she believes it is and will check into it but encourages personal accountability.

The age and use of the cart is discussed. Egolf brings up how important this is to the cruise ships and the passengers. Discussion of responsibility on cruise ship days and off ship days.

Campbell suggests TAB asks the Assembly for funding from a new cart. Mulford suggests Ross look into the Head Tax rules and ask if we can use this funding for a cart.

Updates: ATIA, Economic Development Director offered to Culbeck but he did not take job

*Freeride World Tour* will be discussed at tonight's Assembly meeting regarding changing the wording of code to allow an organization to apply for an out of bounds permit at any time. Along with other adjustments and creating a permit application. Ross discusses how this discussion was taken out of context by residents and is now a big concern to many.

Hess brings up concern with Economic Development Director overseeing Tourism Director and concern that this did not come by the TAB to discuss. Mulford states that she did not pass on information but that she did not know about it either. Hess brings up that she does not think the Economic Development Position is necessary. Mayor Scott recommends that they address the manager and assembly with their concerns for the FY16 budget. Mulford suggests Hess and she meet with the manager to see how they can take part in this. Hess also brings up that directors should not be in the union. Campbell brings up the 1% tax supports Econ. Dev. As well. Hess and Campbell suggest that the Econ Dir does not need to oversee Tourism. Lapham reminds that Ross is under probation and in the union and to be cautious about these statements and may not be appropriate.

**Board Comments:** Butcher asks that the TAB should focus on marketing and not so much policy. Addressing the need more conferences and meetings and that in the future he would like the TAB to consider looking at marketing and promotion of tourism, numbers and stats instead of just policy. Ross states that Linda Moyer will be on this winter for 20 hours and will focus on meetings and small conferences. Heinmiller states there is a need for website updates. Butcher asks that a marketing update be put on the agenda for future.

Discussion on whether to approve Scott Sunbergs absence.

**Set Next Meeting Date:** Thursday, October 16<sup>th</sup> – 9:30 am

Assembly Chambers, Safety Building

Motion to adjourn, seconded; all in favor. Meeting ended at 12:02 pm.

# Tourism Advisory Board Meeting Agenda / Meeting Minutes

---

**November 20, 2014 – 9:30 am (Assembly Chambers)**

**Meeting Call to Order:** Barb Mulford – President –9:40 am

**Roll Call: Present** Barb Mulford, Rhonda Hinson, Jeff Butcher (called in) and Scott Sundberg

**Absent** Michael Marks, Karen Hess and Judy Heinmiller

**Also Present** Interim Tourism Director Tammy Piper, Assembly member Diana Lapham, Sean Gaffney, and Tom Kain

**Approval of excused / unexcused absences:** Sundberg motioned to approve Michael Marks, Karen Hess and Judy Heinmiller’s absences, Hinson seconded; all in favor.

**Approval of Agenda:** Sundberg moved to approve the agenda, Hinson seconded; all in favor of agenda.

**\*Approval of Minutes:** None

**Public Comments:** Mulford acknowledged audience members.

**Chair Report:**

**ATIA Feedback**

Mulford covered Tourism Director Ross’ report on attending ATIA; covered meeting with Sitka representatives who will keep the Backroads momentum going forward and reported Un-Cruise Alaska will not be in Haines in 2015 but possibly in 2016.

**Operators conducting business without proper licensing/permitting**

Mulford reported a visitor visiting Alaska booked a tour for Juneau through Dolly Varden Tours that had been canceled due to weather but had not received a reimbursement. The visitor contacted the Chamber because the address for Dolly Varden Tours was a Haines PO Box and he has also contacted the Better Business Bureau. Mulford contacted the Haines Borough verifying if Dolly Varden Tours has a business license in Haines, Borough Clerk suggests Mulford contact the Attorney General, whom forwarded official documents to the visitor to file a complaint and suggested they file a civil lawsuit. Mulford questioned the AG’s office on how can someone operate a business in the State of Alaska and fly under the radar and not get caught if they don’t have a business license.

Mulford stated she heard a comment on the Eagle Festival, that there was a lack of open restaurants, a concern which also came up at the Chamber meeting because of the Freeride World Tour coming up and also expanding our visitor market with conferences and conventions but do we have the amenities to accommodate them. Sundberg suggests Tourism Director to prep businesses on events confirming status. There was discussion. Hinson stated we are trying to promote Haines year-round and how can we when we don’t have places to eat in the winter.

## ***New Business:***

### ***Board Vacancies***

Mulford stated receiving a letter from Michael to renew his seat and Judy is not renewing her seat but we did get an application from Sean Gaffney for a seat so we need to take action to fill the board seats.

Sundberg, makes motion:

*Re-approve Michael Marks's request to continue on the board and to except Sean Gaffney's application for the vacant seat.*

Hinson seconds, all in favor

### ***Informal Economic Impact Study-updates***

Mulford stated Tourism Director Ross needed this information to present to the Borough Assembly to hope for incentives to entice new/more cruise lines to dock in our port. Gaffney stated he didn't know the status of this but there were two types of challenges in getting this information; people tendencies to disclose that type of financial information and if it would be truly confidential and the second challenge was the type of information that was coming back to her, variations from whole seasons to days of the week and how collate the information into a accurate and meaningful way. Gaffney stated the goal was to show the revenue/sales tax that is generated by cruise traffic specifically relative to the other days you consider base line. Gaffney stated incentives are gives and those have a direct cost to borough so showing the larger financial gain in direct revenue on those ships days is presented to the assembly. Gaffney feels this should be approached again but in a more stream lined way and disclosure papers would give confidence to businesses to provide this information so we could get the assembly and community support. There was discussion. Mulford stated let's keep this on the agenda and revisit this again.

### ***GLCVB Sensitivity Training***

Mulford covers Director's report on this topic. Mulford questioned who must take this training; Piper stated that Director was hoping to get businesses that are in the tourism industry, no training has happened as of today but possibly after the conference she will move forward with this item.

## ***Old Business:***

### ***Title V/Chilkoot Corridor***

Mulford stated that at the last meeting that the board walked away with three recommendations to pass onto the assembly but that never happened because I don't take notes so I will look at the minutes than move those recommendations to the mayor than to the assembly for the last meeting of the year. Sundberg makes a motion to postpone sending anything to the assembly involving Title V in 2014 because he is not sure what those recommendations were since he missed that meeting. Piper read some of the recommendations and motions that got passed and minutes will get resent to everyone for clarification on those motions. Mulford stated it looks like the Title V and Chilkoot Corridor got wrapped into the same topic. Mulford stated there is a motion on the table; Sundberg withdrew the motion because most of the recommendations have to do with the Corridor and the recommendations have been approved by the board already but Title V sill needs more work. Lapham stated she recommends clarification and definition on either moving heli-skiing in its own paragraph or chapter so you wouldn't have to open everything back up and define everything again. Mulford stated for the recommendation to move forward we have to take Title V and show the mayor what it is that we are doing than it can be part of the assembly's packets for a recommendation.

### *Freeride World Tour*

Mulford covers Director's report stating out of bound request will be presented at next assembly meeting with approval by manager contingent on stated stipulations. Mulford questioned if the board had done a letter of support for this event. There was discussion.

Sundberg makes motion:

*Draft a new letter to support the event on Telemark Ridge with the addressed concerns listed for out of bounds,* Hinson seconds motion, all in favor. Mulford stated she would draft a letter sending it to TAB for review and input.

### *Ship Pop-Up Displays*

Mulford stated the only reason I put this on here was I received my bill from the Borough and paid it but I just wanted to get feedback was it a good investment of money/time spent. Gaffney believed they were not effective. Mulford tabled discussion for next meeting. Gaffney stated they were general and not well displayed and to get the best sense if they were effective would be from the shore excursion desk.

### *Backroads Alaska*

Mulford stated she addressed this in the ATIA discussion to continue our relationship with Sitka, cruise lines executives and continuing the brand and the web site.

### *Picture Point Design Committee*

Mulford stated wanting to table this discussion for next meeting because Judy was the TAB representative and we need someone on the committee from TAB.

### *Juneau Access Improvement Project*

Mulford stated that she has been reminded that TAB is an advisory board and the assembly from the Borough has already sent their comments on this project but does TAB want to discuss this because tourism is a portion of it. Sundberg stated we should let it lye and Hinson stated we may want to individually send our comments to the email posted. There was discussion.

### *Directors Update:*

Mulford read Tourism Director's report on her attendance of the Alaska Media Roadshow, stepping into the Interim Economic Director position but will handle big ticket items in the Tourism Dept., working on purchasing a new people mover cart, starting work on 2016 budget, working with parks and ski club to promote new grooming equipment and marketing trails, attending Whitehorse forum on influx of Chinese tourists, Gay and Lesbian CVB conference, LA Adventure Travel Show and new this year the Vancouver Outdoor Adventure Expo.

### *Board Comments:*

Mulford stated Ross wanted members aware of the Lutak Dock workshops coming up in December. Lapham stated it is important that TAB have a representative, there will be one representation from each standing committee, Mulford will contact Hess to see if she can attend. Lapham stated to the Mayor that she is happy to stay on the TAB board as assembly liaison but it may change. TAB board will ask to maintain current liaison.

### *Set Next Meeting Date: January –notification will be sent to set date and time*

Assembly Chambers, Safety Building

Sundberg motioned to adjourn, Hinson seconded; all in favor, meeting ended at 11:15 am.

January 19, 2015

Assembly Chambers

1:00 pm

<b>Issue: Composition of Committee</b>	
Discussion: There was a discussion about whether or not the chart in the December packet which outlined committee assignments was in error in placing George Campbell on the Committee. The issue was raised that perhaps he was intended to be on Commerce as he was last year. The members present decided to go with the chart presented in December until changes are made –if necessary. Members present were Joanne Waterman, Ron Jackson, George Campbell. Staff present were Dave Sosa and Jila Stuart. Others present included Deborah Vogt, Debra Schnabel, Vince Hansen, Meredith Pochardt, Jessica Edwards, Margaret Friedenauer and Karen Garcia.	
Recommended Action: None	Who:
	When:

<b>Issue: Finance Committee Chair</b>	
Discussion:  Joanne Waterman put her name forward as willing to serve. This was endorsed by Mr. Jackson and Mr. Campbell.	
Recommended Action: Install Joanne Waterman as Committee Chair	Who:
	When:

<b>Issue: Community Purpose Exemption</b>
---

Haines Borough Assembly Committee Meeting  
Committee: Finance

Discussion:

The Chair asked D. Sosa to give a brief synopsis of the issue. He reviewed the process that resulted in the two documents (proposed ordinance and draft policy) which were being reviewed at the meeting. Input was taken from other municipal codes, the Borough attorney, the Borough Manager, and the Clerk. He stated a goal of introducing an ordinance at the first meeting in February.

Deborah Vogt of Haines Sr. Citizens addressed two concerns about the draft documents. (1) she felt the language which says that income cannot exceed expenses is too restrictive and may not allow for a necessary operating or repair/replacement reserve for the organizations. The Manager expressed a desire to work on the language in order to allow for some reserve. (2) She was concerned about language in the policy which stated the facility must be “available to the entire community.” She felt this may restrict the CPE for organizations designed to serve seniors. Staff will look at proposed policy and code to see if they are more restrictive than Alaska Statute. Staff will continue to work with the CPE working group to address concerns and make further recommendations.

Debra Schnabel said new code and policy regarding CPE does not need to be designed to re-create the existing exemptions. It is an opportunity to take a fresh look.

R. Jackson likes the new proposed code in concept because it sets criteria.

G. Campbell raised the idea of not having all organizations re-apply every year. He is concerned about administrative burden on staff. Staff will make estimate of number of applications and estimated time to process.

Recommended Action:

Staff will continue to work with the CPE working group to address concerns and make further recommendations. Staff will make estimate of number of applications and estimated time to process.

Who:

When:

Issue: **Ordinance #14-12-395 FY15 Budget Amendment**

Haines Borough Assembly Committee Meeting  
Committee: Finance

Discussion:

The CFO reviewed the proposed amendment as written. Joanne Waterman asked about the \$100,000 appropriation for Lutak Dock and specifically wanted to know more about the plans involving travel. D. Sosa said he expected two people to travel to two locations in order to learn more about other docks and possible options. He estimated the total cost for travel to be no more than several thousand dollars. D. Sosa also said that some of the funds may be spent on updating the Northern Economics study to look at the maritime services industry and some may be spent on design.

G.Campbell asked about use of harbor dumpster by non-harbor users. D. Sosa gave update and said Borough plans to get more aggressive with citations.

D. Schnabel hopes the Boat Haul-out revenue and expenditures will be tracked over time.

D. Sosa presented a proposal for a noise study. The Manager will request an amendment to the ordinance at the next meeting to include up to \$52,000 for a rate study but he is still negotiating price.

Recommended Action: None

Who:

When:



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 15-540

Assembly Meeting Date: 1/27/15

Business Item Description:	Attachments:
Subject: Support for Full Funding for the Alaska Harbor Facility Grant Program	1. Resolution 15-01-609 2. Letter from the AAHPA President with Resolution
Originator: Harbormaster (and AAHPA President)	
Originating Department: Ports and Harbors	
Date Submitted: 1/8/15	

**Full Title/Motion:**  
Motion: Adopt Resolution 15-01-609.

**Administrative Recommendation:**  
The borough manager recommends adoption.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ Match if grant recvd	\$ 0	\$ 0	State assist with maintenance costs

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives: Goal 4, Page 144	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

**Summary Statement:**

A similar resolution was recently adopted by the Alaska Association of Harbormasters and Port Administrators (AAHPA), and the Haines harbormaster brought this forward for consideration by the assembly with the support of the mayor and manager. This resolution recommends full funding for the State of Alaska's Harbor Facility Grant Program. During the past 6 years this successful 50/50 grant program has helped more than 20 municipalities around Alaska upgrade or rebuild their harbors that were turned over to them by the State of Alaska in 2005-2006. The state's continued support of this program is critical for sustaining Alaska's maritime infrastructure.

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 1/27/15	Public Hearing Date(s):
	Postponed to Date:

**A Resolution of the Haines Borough Assembly supporting full funding for the State Of Alaska Harbor Facility Grant Program in the FY 2016 state capital budget.**

**WHEREAS**, the Haines Borough recognizes the majority of the public boat harbors in Alaska were constructed by the State during the 1960s and 1970s; and

**WHEREAS**, these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

**WHEREAS**, the State of Alaska over the past 30 years has transferred ownership of most of these state-owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

**WHEREAS**, the municipalities took over the important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer; and

**WHEREAS**, consequently, when local municipal harbor masters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

**WHEREAS**, in response to this financial burden, the Governor and the Alaska Legislature passed legislation to create the Harbor Facility Grant program, AS 29.60.800; and

**WHEREAS**, the Haines Borough is pleased with the Department of Transportation and Public Facilities administrative process to review, score and rank applicants to the Harbor Facility Grant Program, since state funds may be limited; and

**WHEREAS**, for each harbor facility grant application, municipalities have committed to invest 100-percent of the design and permitting costs and 50-percent of the construction cost; and

**WHEREAS**, completion of harbor facility projects is dependent on the 50-percent match from the State of Alaska's Harbor Facility Grant Program; and

**WHEREAS**, during the last eight years the Municipal Harbor Facility Grant Program has been fully funded only twice; and

**WHEREAS**, during the last eight years the backlog of projects necessary to repair and replace these former State-owned harbors has increased to over \$90,000,000,

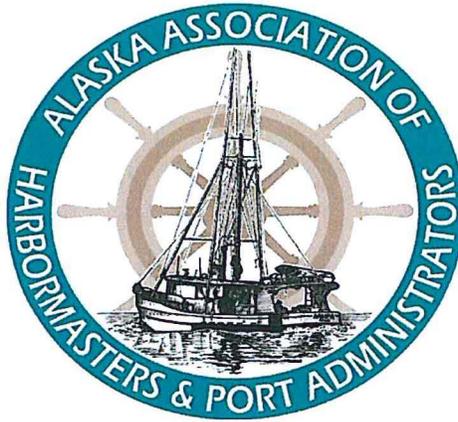
**NOW, THEREFORE, BE IT RESOLVED**, that the Haines Borough Assembly urges full funding in the amount of \$14,262,722 by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program in the FY 2016 State Capital Budget in order to ensure enhanced safety and economic.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Janice Hill, Mayor

Attest:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk



Mayor Jan Hill  
P.O. Box 1209  
Haines, AK 99827

Attached are two resolutions of support unanimously approved by the Alaska Association of Harbormasters and Port Administrators (AAHPA) at our recent conference. The first resolution recommends full funding for the State of Alaska's Harbor Facility Grant Program. During the past 6 years this successful 50/50 grant program has helped more than 20 municipalities around Alaska upgrade or rebuild their harbors that were turned over to them by the State of Alaska in 2005-6. This year the municipalities of the Aleutians East Borough, the City and Borough of Sitka, the City of Seward, the City of Ketchikan, the City of Coffman Cove and the Municipality of Anchorage have offered to contribute \$14,262,722 in local match funding for FY 2016 towards seven harbor projects of significant importance locally and for Alaska. Your continued support of this program is critical for sustaining Alaska's maritime infrastructure.

The second resolution was submitted by Sitka Ports and Harbors and also received unanimous support from AAHPA members. Port and Harbor employees would be included in State of Alaska Statue AS 12.55.135 along with peace officers, fire fighters, correctional officers, etc. Harbormasters and their staffs from around the state shared stories of abuse, both verbal and physical endured over the past years. We would appreciate your support for both of these resolutions.

If you have any questions, feel free to contact me at 907-766-2448, or [pbenner@haines.ak.us](mailto:pbenner@haines.ak.us) or your local port/harbor representative.

Sincerely,

Phillip P. Benner  
President

Alaska Association of Harbormaster's and Port Administrator's

# Alaska Association of Harbormasters and Port Administrators



## RESOLUTION NO. 2014-01

**A RESOLUTION OF THE ALASKA ASSOCIATION OF HARBORMASTERS AND PORT ADMINISTRATORS IN SUPPORT OF FULL FUNDING FOR THE STATE OF ALASKA HARBOR FACILITY GRANT PROGRAM IN THE FY 2016 STATE CAPITAL BUDGET.**

**Whereas**, the Alaska Association of Harbormasters and Port Administrators recognizes the majority of the public boat harbors in Alaska where constructed by the State during the 1960s and 1970s; and

**Whereas**, these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

**Whereas**, these harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan communities; and

**Whereas**, the State of Alaska over the past nearly 30 years has transferred ownership of most of these State owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

**Whereas**, the municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the state's failure to keep up with deferred maintenance; and

**Whereas**, consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

**Whereas**, in response to this financial burden, the Governor and the Alaska Legislature passed legislation, supported by the Alaska Association of Harbormasters and Port Administrators, to create the Harbor Facility Grant program, AS 29.60.800; and

**Whereas**, the Alaska Association of Harbormasters and Port Administrators, is pleased with the Department of Transportation and Public Facilities administrative process to review, score and rank applicants to the Harbor Facility Grant Program, since state funds may be limited; and

**Whereas**, for each harbor facility grant application, these municipalities have committed to invest 100% of the design and permitting costs and 50% of the construction cost; and

**Whereas**, the municipalities of the Aleutians East Borough, the City and Borough of Sitka, and the City of Seward, City of Ketchikan, City of Coffman Cove, and Municipality of Anchorage have offered to contribute \$14,262,722 in local match funding for FY2016 towards seven harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

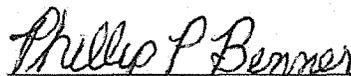
**Whereas**, completion of these harbor facility projects is all dependent on the 50% match from the State of Alaska's Harbor Facility Grant Program; and

**Whereas**, during the last eight years the Municipal Harbor Facility Grant Program has been fully funded only twice; and

**Whereas**, during the last eight years the backlog of projects necessary to repair and replace these former State owned harbors has increased to over \$90,000,000.

**Now therefore be it resolved** that the Membership of the Alaska Association of Harbormasters and Port Administrators urges full funding in the amount of \$14,262,722 by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program in the FY 2016 State Capital Budget in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

Passed and approved by a duly constituted quorum of the Alaska Association of Harbormasters and Port Administrators on this 15th day of October, 2014.

  
\_\_\_\_\_  
Phillip Benner, President

ATTEST:



\_\_\_\_\_  
Kim Elliot, Executive Secretary



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 15-541Assembly Meeting Date: 1/27/15

Business Item Description:	Attachments:
Subject: Support Including Harbor Employees in AS 12.55.135 w/ other uniformed/emerg professionals	1. Resolution 15-01-610 2. Letter from the AAHPA President with Resolution
Originator: Harbormaster (and AAHPA President)	
Originating Department: Ports and Harbors	
Date Submitted: 12/29/14	

**Full Title/Motion:**

Motion: Adopt Resolution 15-01-610.

**Administrative Recommendation:**

The borough manager recommends adoption.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$0	\$0	\$0	n/a

**Comprehensive Plan Consistency Review:**Comp Plan Goals/Objectives:  
Goal 4, Page 144Consistent:  Yes  No**Summary Statement:**

A similar resolution was recently adopted by the Alaska Association of Harbormasters and Port Administrators (AAHPA), and the Haines harbormaster brought this forward for consideration by the assembly with the support of the mayor and manager. The idea of this resolution was submitted to the AAHPA by Sitka Ports and Harbors and received unanimous support from the members. Port and Harbor employees routinely perform enforcement and emergency response duties commensurate with those performed by peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals. This resolution asks the state to include port and harbor employees in AS 12.55.135. This state statute establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified professionals.

**Referral:**

Referred to:

Referral Date:

Recommendation:

Meeting Date:

**Assembly Action:**

Meeting Date(s): 1/27/15

Public Hearing Date(s):

Postponed to Date:

**A Resolution of the Haines Borough Assembly supporting the addition of port and harbor employees to the list of employees covered by AS 12.55.135.**

**WHEREAS**, the Haines Borough through the State of Alaska, Department of Environmental Conservation (ADEC) has requested Municipal Matching Grant funding for Haines Sewer Treatment Plant Health and Safety Upgrades; and

**WHEREAS**, State of Alaska statute AS 12.55.135 establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

**WHEREAS**, port and harbor employees in communities throughout the State of Alaska routinely perform enforcement and emergency response duties commensurate with those performed by peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

**WHEREAS**, defendants convicted of assaulting or harassing port and harbor employees in several recent cases have received sentences well below the minimums established in AS 12.55.135 for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

**WHEREAS**, the Alaska Association of Harbormaster and Port Administrators desires to strengthen the deterrent to unlawfully assault or harass port and harbor employees throughout the State of Alaska,

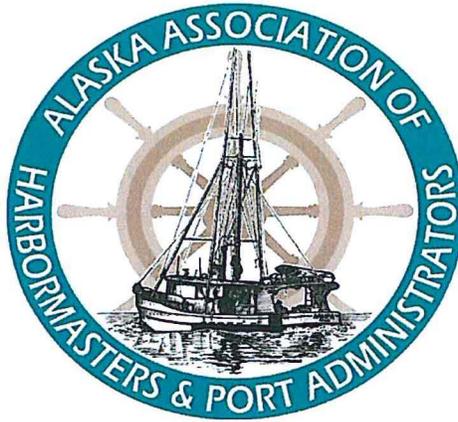
**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly supports the addition of port and harbor employees to the list of employees covered by State of Alaska statute AS 12.55.135 (Sentences of Imprisonment for Misdemeanors) which establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, firefighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Janice Hill, Mayor

Attest:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk



Mayor Jan Hill  
P.O. Box 1209  
Haines, AK 99827

Attached are two resolutions of support unanimously approved by the Alaska Association of Harbormasters and Port Administrators (AAHPA) at our recent conference. The first resolution recommends full funding for the State of Alaska's Harbor Facility Grant Program. During the past 6 years this successful 50/50 grant program has helped more than 20 municipalities around Alaska upgrade or rebuild their harbors that were turned over to them by the State of Alaska in 2005-6. This year the municipalities of the Aleutians East Borough, the City and Borough of Sitka, the City of Seward, the City of Ketchikan, the City of Coffman Cove and the Municipality of Anchorage have offered to contribute \$14,262,722 in local match funding for FY 2016 towards seven harbor projects of significant importance locally and for Alaska. Your continued support of this program is critical for sustaining Alaska's maritime infrastructure.

The second resolution was submitted by Sitka Ports and Harbors and also received unanimous support from AAHPA members. Port and Harbor employees would be included in State of Alaska Statue AS 12.55.135 along with peace officers, fire fighters, correctional officers, etc. Harbormasters and their staffs from around the state shared stories of abuse, both verbal and physical endured over the past years. We would appreciate your support for both of these resolutions.

If you have any questions, feel free to contact me at 907-766-2448, or [pbenner@haines.ak.us](mailto:pbenner@haines.ak.us) or your local port/harbor representative.

Sincerely,

Phillip P. Benner  
President

Alaska Association of Harbormaster's and Port Administrator's

# Alaska Association of Harbormasters and Port Administrators



## RESOLUTION NO. 2014-02

### **A RESOLUTION OF THE ALASKA ASSOCIATION OF HARBORMASTERS AND PORT ADMINISTRATORS IN SUPPORT OF THE ADDITION OF PORT AND HARBOR EMPLOYEES TO THE LIST OF EMPLOYEES COVERED BY AS 12.55.135.**

**Whereas**, State of Alaska statute AS 12.55.135. Sentences of Imprisonment for Misdemeanors establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

**Whereas**, port and harbor employees in communities throughout the State of Alaska routinely perform enforcement and emergency response duties commensurate with those performed by peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

**Whereas**, defendants convicted of assaulting or harassing port and harbor employees in several recent cases have received sentences well below the minimums established in AS 12.55.135 for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

**Whereas**, the Alaska Association of Harbormaster and Port Administrators desires to strengthen the deterrent to unlawfully assault or harass port and harbor employees throughout the State of Alaska.

**Now therefore be it resolved** that the Membership of the Alaska Association of Harbormaster and Port Administrators supports the addition of port and harbor employees to the list of employees covered by State of Alaska statute AS 12.55.135. Sentences of Imprisonment for Misdemeanors, which establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters,

correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals.

Passed and approved by a duly constituted quorum of the Alaska Association of Harbormasters and Port Administrators on this 15th day of October, 2014.

*Phillip P. Benner*

Phillip Benner, President

ATTEST:

*Kim Elliot*

Kim Elliot, Executive Secretary



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 15-542  
Assembly Meeting Date: 1/27/15

Business Item Description:	Attachments:
Subject: Authorize One-Year Extension of HRB Lease to the Chilkat Valley Preschool, ending 6/30/2016.	1. Ordinance 15-01-396 2. Proposed Lease (containing amendments to the rent and term sections) 3. Letter from CVP Requesting a One-Year Extension 4. Existing lease
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 1/16/15	

**Full Title/Motion:**  
Motion: Introduce Ordinance 15-01-396 and schedule a first public hearing for 2/10/15.

**Administrative Recommendation:**  
The borough manager recommends adoption.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	TBD

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives: Objective 17E(7), Page 294 Objective 18A(3), Page 299	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

**Summary Statement:**

The Chilkat Valley Preschool (CVP) has leased the Human Resources Building on a year-to-year basis since the year 2000, and the current lease was authorized by the assembly on 2/11/14 for a period ending 6/30/15. The CVP has requested a one-year extension for a new term date of 6/30/16. The manager proposes an amended lease with changes to the term and rent sections. The lease would under no circumstances be renewed beyond 6/30/16. Borough Charter states the leasing of borough property must be approved by the assembly by ordinance.

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 1/27/15	Public Hearing Date(s):
	Postponed to Date:

**An Ordinance of the Haines Borough authorizing a one-year extension of a lease of the Human Resources Building by Chilkat Valley Preschool for the purpose of providing preschool educational services.**

**WHEREAS**, HBC 14.16.060 provides that “[t]he lease of any borough land may be made to any state or federal agency, nonprofit organization, or political subdivision of the state for less than the appraised value, and for a consideration to be determined by the assembly to be in the best interests of the borough”; and

**WHEREAS**, the nonprofit organization known as Chilkat Valley Preschool (CVP) has been leasing the downstairs portion of the borough’s Human Resources Building situated on Lots 8 and 9, Block 13, Haines Townsite Subdivision to provide a preschool program; and

**WHEREAS**, CVP has leased this property on a year-to-year basis since the Haines City Council first granted the lease on September 20, 2000; and

**WHEREAS**, the existing lease was effective February 25, 2014 with a termination date of June 30, 2015; and

**WHEREAS**, on December 22, 2014, CVP made written request for a one-year extension of the lease termination date, through June 30, 2016; and

**WHEREAS**, knowing the borough desires to dispose of the Human Resources Building, CVP is aggressively pursuing relocation to another facility but is concerned the accommodations may not be complete prior to the 2015-2016 school year and wishes the program to continue with minimal disruption; and

**WHEREAS**, Borough Charter 3.03(8) stipulates that the leasing of borough property must be granted by the assembly by ordinance,

**NOW THEREFORE BE IT ENACTED**, by the Haines Borough Assembly, that it is hereby determined to be for a public purpose and in the public interest of the Haines Borough to extend through June 30, 2016 the existing lease of the Human Resources Building lease with the Chilkat Valley Preschool for the purpose of providing preschool educational services.

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

Attest:

\_\_\_\_\_  
Janice Hill, Mayor

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 01/27/15  
Date of First Public Hearing: \_\_\_/\_\_\_/\_\_\_  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_

---

---

**In-Kind Lease Agreement**

---

---

LEASE AGREEMENT made as of the \_\_\_\_\_ day of February, 2015

BY and BETWEEN the Lessor: **Haines Borough**

and the Lessee: **Chilkat Valley Preschool**

The Lessor and the Lessee agree as set forth below.

WITNESSETH:

That for and in consideration of the agreements hereinafter mentioned to be kept and performed by the Lessee, Lessor does hereby lease unto said Lessee the main floor of the building known as the Human Resources Building, situated on Lots 8 and 9, Block 13, Haines Townsite Subdivision, and such area as necessary to carry out the preschool program.

TO HAVE AND TO HOLD the above described premises, with the rights, privileges, easements and appurtenances thereunto belonging or in any way appertaining, unto Lessee for a **term commencing on the 1<sup>st</sup> day of July, 2015 and terminating on the 30<sup>st</sup> day of June, 2016**, and yielding possession thereof as hereinafter provided with both parties in agreement that there is no option to renew this lease and under no circumstances will the lease be renewed.

1. **RENT:** No charge for rent from 1 July 2015 through 31 December 2015. From 1 January 2016 through 30 June 2016 monthly rent will be \$500.00. The monthly rent from 1 January 2016 through 30 Jun 2016 will be waived if the Lessee provides the Lessor a certified copy of a lease or a document of sale (hereafter referred to as the "Document") demonstrating that a structure suitable for use as a preschool has been obtained. The Document must be provided before the 15<sup>th</sup> day of December 2015 to be eligible to waive the rent for January 2016 and beyond. Thereafter, the Lessee has until 4:00 PM on the 15<sup>th</sup> of each month to provide the Lessor a certified copy of the Document in order for rents in succeeding months to be waived. The Lessee will have no ability to receive already paid rents back from the Lessor. Should the Lessee's arrangements for lease or purchase fall through, the Lessee shall owe the Lessor all back rents for months in which rent was waived.
2. **USE:** Preschool
3. **ALTERATIONS AND REPAIRS:** Lessee shall not make any alteration or repair of the said premises, or any part thereof, without first obtaining the written consent of Lessor. Lessee shall, at its sole cost and expense, repair all damage to the leased premises caused by the Lessee's use of the premises. Lessee shall keep and maintain the leased premises in good condition and repair, normal wear and tear excepted.
4. **LIENS:** Lessee shall not cause the demised premises to be encumbered by any liens, and shall, whenever and as often as any such liens may be recorded against said property, purporting to be for labor or materials furnished or to be furnished to the Lessee, take steps to discharge such liens within a reasonable time after the date of filing. Lessor shall not be liable for any labor or materials furnished or to be furnished to the Lessee upon credit.
5. **UTILITIES:** Lessee shall pay for all heat, lights, power, water, sewer and phone services supplied to the property used by them.
6. **INDEMNIFICATION:** Lessee shall defend, indemnify and save harmless Lessor from and against any and all losses, damages, liabilities, expenses, claims and demands of whatsoever

character, direct or indirect, arising out of or in any way connected with, this lease of the demised premises or use or occupancy thereof by Lessee.

7. **INSURANCE**: Lessor shall provide and maintain fire insurance on the leased building. Lessee shall provide the necessary insurance on its personal property on the premises and liability insurance of not less than \$500,000 bodily injury, \$100,000 property damage and \$5,000 medical payments. Proof of such insurance shall be provided to Lessor by Lessee's insurance company upon execution of this lease and upon any renewal of said policies. Lessee shall provide lessor written notice thirty days in advance of any cancellation of insurance coverage.
8. **ENTRY BY LESSOR**: Lessee shall permit Lessor and its agents to enter the premises at all reasonable times for the purposes of access to areas in the leased building not covered in this lease and for the purpose of inspecting the same or making repairs.
9. **SUBLETTING AND ASSIGNMENT**: Lessee shall not assign this lease, or any interest thereof, without the written consent of Lessor.
10. **COMPLIANCE WITH LAW**: Lessee shall, at their sole cost and expense, comply with all the requirements of the Haines Borough, State of Alaska and Federal laws, regulations, statutes or ordinances pertaining to said premises and their use, including all regulations prohibiting smoking in public buildings.
11. **DESTRUCTION OF PREMISES**: In the event of damage or destruction of the leased premises from any cause, the Lessor shall have the option to repair the same. In the event Lessor does not elect to make such repairs, this lease may be terminated at the option of either party. A total destruction of the premises shall terminate the lease. Lessor shall give notice of its election to repair within ten days from the date of the damage or destruction.
12. **REMEDIES OF LESSOR ON DEFAULT**: In the event of any breach of this lease by Lessee, then Lessor shall have the right of re-entry subject to the Landlord and Tenant Act provisions.
13. **OCCUPANCY**: Lessee shall have the right of occupancy as of the signing of this lease.
14. **TERMINATION**: The Lessee may terminate this lease upon giving thirty days written notice to the Lessor if the use of the premises by the Lessee ceases for any reason. In such a case, upon quitting the premises, the Lessee shall remove all personal and business property from the premises and shall leave the premises in good condition, normal wear and tear excepted. The Lessor may terminate this lease upon giving the Lessee thirty days written notice.
15. **ENTIRE AGREEMENT**: This lease sets forth the entire understanding of the parties, and no modifications may be made hereto except by written addendum signed by the parties. This lease binds the heirs, personal representatives, successors and legal assigns of all the parties hereto.

IN WITNESS WHEREOF, the parties have executed this lease as of the day, month and year first above written.

This Lease Agreement entered into as of the day and year first written above.

LESSOR

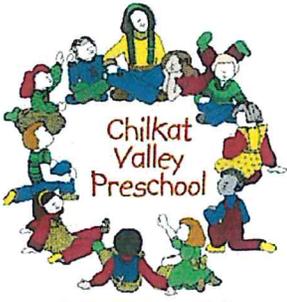
LESSEE

\_\_\_\_\_  
David B. Sosa, Borough Manager  
Haines Borough

\_\_\_\_\_  
Alissa Henry, Board President  
Chilkat Valley Preschool

Attest:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk



A program dedicated to the fullest development of the whole child.

**20013 - 2014  
BOARD OF  
DIRECTORS**

Alissa Henry  
*President*

Melissa Ganey  
*Vice President*

Katherine Lee  
*Treasurer*

Jolanta Ryan  
*Secretary*

Susie McCartney  
Lexie Dewitt  
Emily McMahan

**STAFF**

Janet Hayes  
*Lead Teacher*

Josie Allen  
*Assistant Teacher*

Meghan Elliott  
*Assistant Teacher*

Courtney Hunt  
*Assistant Teacher*

Renee Hoffman  
*Manager*

# Chilkat Valley Preschool

PO Box 1165 Haines AK 99827

(907) 766-3213

[cvpreschool@aptalaska.net](mailto:cvpreschool@aptalaska.net)

[www.chilkayvalleypreschool.org](http://www.chilkayvalleypreschool.org)

RECEIVED Haines Borough

JAN 22 2015

Clerk's Office

Haines Borough  
RE: Chilkat Valley Preschool Lease Extension  
Attn: Julie Cozzi, Dave Sosa,

This letter is a request for a lease extension of the Human Resources building, from July 1, 2015 – July 1, 2016. In February 2014 the assembly made it clear the HR building was not a permanent solution for the home of the CVP and that they wanted to see a plan to move the CVP to a more sustainable location. Following up on the advice of the assembly the CVP board of directors continued to implement our plan to raise sufficient funding to secure a safe and economical location for the CVP. The current lease is expiring on June 30, 2015. We are asking for an extension to allow CVP to continue operating our Preschool program for the families of Haines without disruption, should we be unable to complete the purchase and remodel of the new facility by August 30<sup>th</sup> 2015.

Since May 1<sup>st</sup> 2014 CVP has been securing funding for a new facility. The show of community support has been amazing as we have raised \$100,000 in local funds over the last 6 months. We expect to raise an additional \$40,000 by this spring and are submitting grants to various foundations that will be awarded in July and December of 2015. Before we can move forward to purchase our new building we need to raise at least \$200,000. We are confident that we will raise the required amount to purchase the building in the next 6 months; however this lease extension is essential as it will guarantee that we will have a building to operate the Preschool program in for start to the 2015-2016 school year should we be unable to complete the remodel in time.

The CVP board of directors feels that it is important to remember that the Haines Borough School district is constantly worrying about the drop in enrolment yet the CVP has a record enrollment this year serving 25 families. Quality programs like the CVP are what keeps young families in Haines and without these programs families will be more likely to look to other communities to raise their families. The value of early childhood education is well documented and the CVP board feels like they have demonstrated a commitment that should be matched by the Haines Borough. Early childhood education is the key to the success of our community. As the White House education webpage states "Expanding access to high quality early childhood education is among the smartest investments we can make."

We are very eager to vacate the Human Resource building and will do so as soon as we can. We appreciate all your time and effort in assisting us with our mission to be a provider of quality early childhood education for our community. If you have any questions or need more information please

Sincerely,  
*Renee Hoffman*  
Renee Hoffman  
Chilkat Valley Preschool

RECEIVED Haines Borough

JAN 22 2015

Clerk's Office

RECEIVED

MAR 04 2014

HAINES BOROUGH

**Haines Borough  
Human Resource Building**

---

---

**In-Kind Lease Agreement**

---

---

LEASE AGREEMENT made as of the 25 day of February, 2014

BY and BETWEEN the Lessor: **Haines Borough**

and the Lessee: **Chilkat Valley Preschool**

The Lessor and the Lessee agree as set forth below.

WITNESSETH:

That for and in consideration of the agreements hereinafter mentioned to be kept and performed by the Lessee, Lessor does hereby lease unto said Lessee the main floor of the building known as the Human Resources Building, situated on Lots 8 and 9, Block 13, Haines Townsite Subdivision, and such area as necessary to carry out the preschool program.

TO HAVE AND TO HOLD the above described premises, with the rights, privileges, easements and appurtenances thereunto belonging or in any way appertaining, unto Lessee for a **term commencing on the 1<sup>st</sup> day of January, 2014 and terminating on the 30<sup>st</sup> day of June, 2015**, and yielding possession thereof as hereinafter provided subject to an option to renew.

1. **RENT**: No charge for rent.
2. **USE**: Preschool
3. **ALTERATIONS AND REPAIRS**: Lessee shall not make any alteration or repair of the said premises, or any part thereof, without first obtaining the written consent of Lessor. Lessee shall, at its sole cost and expense, repair all damage to the leased premises caused by the Lessee's use of the premises. Lessee shall keep and maintain the leased premises in good condition and repair, normal wear and tear excepted.
4. **LIENS**: Lessee shall not cause the demised premises to be encumbered by any liens, and shall, whenever and as often as any such liens may be recorded against said property, purporting to be for labor or materials furnished or to be furnished to the Lessee, take steps to discharge such liens within a reasonable time after the date of filing. Lessor shall not be liable for any labor or materials furnished or to be furnished to the Lessee upon credit.
5. **UTILITIES**: Lessee shall pay for all heat, lights, power, water, sewer and phone services supplied to the property used by them.
6. **INDEMNIFICATION**: Lessee shall defend, indemnify and save harmless Lessor from and against any and all losses, damages, liabilities, expenses, claims and demands of whatsoever character, direct or indirect, arising out of or in any way connected with, this lease of the demised premises or use or occupancy thereof by Lessee.
7. **INSURANCE**: Lessor shall provide and maintain fire insurance on the leased building. Lessee shall provide the necessary insurance on its personal property on the premises and liability insurance of not less than \$500,000 bodily injury, \$100,000 property damage and \$5,000 medical payments. Proof of such insurance shall be provided to Lessor by Lessee's insurance company upon execution of this lease and upon any renewal of said policies. Lessee shall provide lessor written notice thirty days in advance of any cancellation of insurance coverage.

8. **ENTRY BY LESSOR:** Lessee shall permit Lessor and its agents to enter the premises at all reasonable times for the purposes of access to areas in the leased building not covered in this lease and for the purpose of inspecting the same or making repairs.
9. **SUBLETTING AND ASSIGNMENT:** Lessee shall not assign this lease, or any interest thereof, without the written consent of Lessor.
10. **COMPLIANCE WITH LAW:** Lessee shall, at their sole cost and expense, comply with all the requirements of the Haines Borough, State of Alaska and Federal laws, regulations, statutes or ordinances pertaining to said premises and their use, including all regulations prohibiting smoking in public buildings.
11. **DESTRUCTION OF PREMISES:** In the event of damage or destruction of the leased premises from any cause, the Lessor shall have the option to repair the same. In the event Lessor does not elect to make such repairs, this lease may be terminated at the option of either party. A total destruction of the premises shall terminate the lease. Lessor shall give notice of its election to repair within ten days from the date of the damage or destruction.
12. **REMEDIES OF LESSOR ON DEFAULT:** In the event of any breach of this lease by Lessee, then Lessor shall have the right of re-entry subject to the Landlord and Tenant Act provisions.
13. **OCCUPANCY:** Lessee shall have the right of occupancy as of the signing of this lease.
14. **TERMINATION:** The Lessee may terminate this lease upon giving thirty days written notice to the Lessor if the use of the premises by the Lessee ceases for any reason. In such a case, upon quitting the premises, the Lessee shall remove all personal and business property from the premises and shall leave the premises in good condition, normal wear and tear excepted.
15. **ENTIRE AGREEMENT:** This lease sets forth the entire understanding of the parties, and no modifications may be made hereto except by written addendum signed by the parties. This lease binds the heirs, personal representatives, successors and legal assigns of all the parties hereto.

IN WITNESS WHEREOF, the parties have executed this lease as of the day, month and year first above written.

This Lease Agreement entered into as of the day and year first written above.

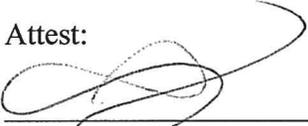
LESSOR

  
\_\_\_\_\_  
Julie Cozzi, Interim Borough Manager  
Haines Borough

LESSEE

  
\_\_\_\_\_  
Alissa Henry, Board President  
Chilkat Valley Preschool

Attest:

  
\_\_\_\_\_  
Michelle L. Webb, Interim Clerk





**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 15-538

Assembly Meeting Date: 1/27/15

Business Item Description:	Attachments:
Subject: Foreclosed Property Recently Deeded Back to the Borough - Classify for Sale	1. Ordinance 15-01-397 - Draft 2. Planning Commission Recommendation 3. Property Valuation and Map 4. Court Deed 5. HBC 3.74.220 and HBC 14.20.040
Originator: Lands Manager	
Originating Department: Lands-Assessment	
Date Submitted: 12/18/2014	

**Full Title/Motion:**  
Motion: Introduce Ordinance 15-01-397 and schedule a first public hearing for 2/10/15.

**Administrative Recommendation:**  
The borough manager recommends this ordinance. It has been reviewed & vetted by other staff members.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ Cost of Advertising	\$ n/a	\$ n/a	Property Back on the Tax Roll

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives: Page 60; Goal 5 Page 199	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

**Summary Statement:**

One property recently went through the foreclosure process and the court has conveyed all rights, titles, and interest to the Haines Borough. HBC 3.74.220 requires the borough assembly to determine by ordinance whether foreclosed property deeded to the borough should be retained for a public purpose or sold. HBC 14.20.040 says the assembly may classify lands for sale with the advice of the planning commission. During a public meeting on 12/18/14, the planning commission considered the property and made the decision to recommend it be sold.

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 1/27/15	Public Hearing Date(s):
	Postponed to Date:

HAINES BOROUGH  
ORDINANCE No. 15-01-397

Draft

**An Ordinance of the Haines Borough determining whether a foreclosed property deeded to the borough shall be retained for a public purpose or sold.**

**WHEREAS**, a delinquent property tax lien resulted in foreclosure of the following parcel within the Haines Borough (First Judicial District, State of Alaska):

3-MLR-00-0110 – Portion NE ¼, NW ¼, Section 26, Township 28 South, Range 55 East, Copper River Meridian, Haines Recording District (5.94 Acres) - John Stefanski, last owner of record; and

**WHEREAS**, on November 4, 2014, the Court of the State of Alaska issued a judgment finalizing the foreclosure and conveying all rights, titles, and interest in the real property by “clerk’s deed” to the Haines Borough; and

**WHEREAS**, the parcel is now Haines Borough property, and HBC 14.20.040 provides that borough lands may be classified for sale by the assembly with the advice of the planning commission to discuss any such classification and designation before making any recommendations to the assembly; and

**WHEREAS**, following discussion of the parcel during a public meeting on December 18, 2014, the planning commission decided to recommend the parcel be sold; and

**WHEREAS**, HBC 3.74.220 requires the borough assembly determine by ordinance whether foreclosed property deeded to the borough shall be retained for a public purpose; and

**WHEREAS**, foreclosed properties conveyed to the borough and not required for a public purpose may be sold provided the borough assembly, by ordinance, determines that a public need for the properties does not exist,

**NOW, THEREFORE BE IT RESOLVED** the Haines Borough Assembly determines the aforementioned parcel is not required for a public purpose and may be sold according to HBC 14.20.

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 4. Purpose. To determine whether foreclosed properties deeded to the borough shall be retained for a public purpose.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Attest:

\_\_\_\_\_  
Janice Hill, Mayor

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 01/27/15  
Date of First Public Hearing: \_\_\_/\_\_\_/\_\_\_  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_





## Memo

Date: 12/12/2014  
To: Planning Commission  
Cc: Xi Cui, Planning & Zoning Tech III  
From: Dean Olsen, Assessor  
Re: Foreclosed Property account # 3-MLR-00-0110 (Formerly owned by John Stefanski)

The subject property has a legal description of, *A PORTION--NE 1/4, NW 1/4, SEC. 26, T28S, R55E, CRM, 5.94 Acres*. Located at approximately 26 mile Haines Highway, this parcel has limited building sites for construction of a residential building. Approximately two thirds of the land is very wet which restricts usability; however, the land that appears to be suitable for construction of a residence is very close to the Haines Highway which provides good access directly to a potential building site.

Currently, the subject property has an assessed value of \$44,500. The market value of vacant land in this area has been on the decline since the last noticeable increase in 2008. An updated assessed value of vacant land in this neighborhood that will be used for the 2015 tax roll is not available at this time. Haines Borough Staff recommends classifying this property for sale.

Below is a "Google Earth" street view of the subject property. Let me know if I can be of further assistance.

Dean Olsen  
Assessor,  
Haines Borough Land Department



Subject property located at approximately 26 mile Haines Highway.



Classification of Borough Lands for Sale  
Property ID: 3-MLR-00-0110

Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Charles Cacciola, AK. Bar. No. 1306045  
AK Bar No. 1205019  
BOYD, CHANDLER & FALCONER, LLP  
911 W. 8<sup>th</sup> Avenue, Suite 302  
Anchorage, AK 99501  
(907) 272-8401

Attorneys for Haines Borough

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FIRST JUDICIAL DISTRICT AT JUNEAU

In the Matter of 2008 through )  
2010 Delinquent Real Property )  
Taxes Owed to the Borough of ) Case No. 1JU-13-00527 CI  
Haines, Alaska )

**CLERK'S DEED**

Upon this Court's Judgment and Decree of Foreclosure of Real Property Tax  
Liens entered in Case No. 1JU-13-00527 CI,

**IT IS HEREBY ORDERED** that all rights, title, and interest of the former owner  
of the below-listed property is hereby conveyed, to the Borough of Haines, Alaska, P.O.  
Box 1209, Haines, Alaska 99827:

Portion NE ¼, NW ¼, Section 26, Township 28 South, Range 55 East,  
Copper River Meridian

as specified by Book 32, Page 965-966, Haines Recording District, First Judicial District,  
Alaska.

Dated this 4 day of November, 2014.

By: Sharon Heideveldt  
Clerk of Court

CLERK'S DEED  
ITMO 2008-2010 Delinquent Real Property Taxes, 1JU-13-00527 CI  
Page 1 of 1

Certification of Distribution  
Boyd, Chandler Via \_\_\_\_\_  
& Falconer Via mail  
Via \_\_\_\_\_  
Via \_\_\_\_\_



BOYD, CHANDLER & FALCONER, LLP  
ATTORNEYS AT LAW  
911 WEST EIGHTH AVENUE, SUITE 302  
ANCHORAGE, ALASKA 99501  
TELEPHONE: (907) 272-8401  
FACSIMILE: (907) 274-3698

LODGED 10/1/14 BY ST INITIALS  
DATE

### **HBC 3.74.220 Disposition and sale of foreclosed property.**

A. The borough shall determine by ordinance whether foreclosed property deeded to the borough shall be retained for a public purpose. The ordinance shall contain the legal description of the property, the address or a general description of the property sufficient to provide the public with notice of its location, and the name of the last record owner of the property as the name appears on the assessment rolls.

B. Tax-foreclosed property conveyed to the borough by tax foreclosure and not required for a public purpose may be sold. Before the sale of tax-foreclosed property held for a public purpose, the borough, by ordinance, shall determine that a public need does not exist. The ordinance shall contain the information required under subsection (A) of this section.

C. The assessor shall send a copy of the published notice of hearing of an ordinance to consider a determination required under subsections (A) or (B) of this section by certified mail to the former record owner of the property that is the subject of the ordinance. The notice shall be mailed within five days after its first publication and shall be sufficient if mailed to the last record owner of the property as the name appears on the assessment rolls.

D. The provisions of subsection (C) of this section do not apply with respect to property that has been held by the borough for a period of more than 10 years after the close of the redemption period.

### **3.74.230 Repurchase by record owner.**

A. The record owner at the time of tax foreclosure of property acquired by the borough, or the assigns of that record owner, may, within 10 years and before the sale or contract of sale of the tax-foreclosed property by the borough, repurchase the property. The borough shall sell the property to the record owner or assigns for the full amount applicable to the property under the judgment and decree, plus:

1. Interest at the rate established in HBC [3.74.040\(A\)](#), from the date of entry of the judgment of foreclosure to the date of repurchase;
2. Delinquent taxes assessed and levied as though it had continued in private ownership; and
3. Costs of foreclosure and sale.

B. After adoption of an ordinance providing for the retention of tax-foreclosed property by the borough for a public purpose, the right of the former record owner under subsection (A) of this section to repurchase the property ceases.

### **3.74.240 Proceeds of tax sale.**

A. If foreclosed property lies within the townsite service area, on the sale of such property, the borough shall divide the proceeds less cost of collection between the borough general fund and

the townsite service area fund having unpaid taxes against the property. The division shall be in proportion to the respective municipal taxes against the property at the time of foreclosure.

B. If tax-foreclosed property that has been held by the borough for less than 10 years after the close of the redemption period and never designated for a public purpose is sold at a tax-foreclosure sale, the former record owner is entitled to the portion of the proceeds of the sale that exceeds the amount of unpaid taxes, penalties, interest, and costs to the borough of foreclosing and selling the property, and the amount equal to taxes that would have been assessed and levied after foreclosure if the property had continued in private ownership. If the proceeds of the sale of tax-foreclosed property exceed the total of unpaid and delinquent taxes, penalty, interest, and costs, the borough shall provide the former owner of the property written notice advising of the amount of the excess and the manner in which a claim for the balance of the proceeds may be submitted. Notice is sufficient under this subsection if mailed to the former record owner at the last address of record of the former record owner. On presentation of a proper claim, the borough shall remit the excess to the former record owner. A claim for the excess filed after six months of the date of sale is forever barred.

#### **14.20.040 Classification of lands for sale.**

A. Borough lands may be classified for sale by the assembly with the advice of the planning commission.

B. No land which the borough owns or has an interest in shall be sold until it has first been classified for sale and a use designated.

C. The assembly may require that there be no use of any land, or interest in land, other than permitted by its designation, unless the written approval of the assembly is obtained.

D. Public meetings shall be held by the planning commission to discuss any such classification and designation before making any recommendation to the assembly. All adjacent property owners of the parcel to be classified shall be notified, in writing, of the public meetings.

E. Designation of a use of any land shall not conflict with any existing valid zoning regulations and shall be in keeping with the borough comprehensive plan.

F. The borough does not warrant by its classification, designation or sale of land that the land is suited for the use authorized under said classification, designation or sale and no guaranty is given or implied that it shall be profitable to employ the land to said use.



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 15-537

Assembly Meeting Date: 1/27/15

Business Item Description:	Attachments:
Subject: Clarify the Criteria for Temporary Residence Permits	1. Ordinance 15-01-398 - Draft 2. 12/18/14 Planning Commission Recommendation
Originator: Planning Commission	
Originating Department:	
Date Submitted: 12/18/2014	

**Full Title/Motion:**  
Motion: Introduce Ordinance 15-01-398 and schedule a first public hearing for 2/10/15.

**Administrative Recommendation:**  
The borough manager recommends this ordinance. It has been reviewed & vetted by other staff members.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ none	\$ n/a	\$ n/a	n/a

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives: Page 60; Goal 5 Page 199	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

**Summary Statement:**

The current code requires property owners to apply for a temporary residence permit if desiring to occupy a trailer, mobile home or RV on their properties even for one day. This is not currently enforced and if attempted at this point, could create an untenable situation for the Borough. Staff drafted an ordinance to take to the planning commission (PC) with the purpose of clarifying the criteria for temporary residence permits, Over the course of four different PC meetings and several staff redrafts, the ordinance was developed into the version the PC now recommends to the borough assembly. Subsequent to the PC's recommendation, borough staff conducted a thorough review of the proposed amendments and found no conflicts with other regulations. Therefore, the borough manager supports the planning commission's recommendation.

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 1/27/15	Public Hearing Date(s):
	Postponed to Date:

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Subsection 18.60.020(H) to clarify the criteria for temporary residence permits.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Subsection 18.60.020(H). Subsection 18.60.020(H) of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
~~STRIKETHROUGH~~ ITEMS ARE DELETED

**HBC 18.60.020 Specific approval criteria.**

The following uses are subject to the preceding general criteria and these additional specific approval criteria:

...

H. Temporary Residence. Persons desiring to place a temporary residence, or a trailer or mobile home outside of a mobile home or RV park **in the townsite service area** for a temporary or interim occupancy **over 15 days**, shall apply for a temporary residence permit. ~~Permits for seven days or less will be at no charge and will not require connection to or payment for public water and sewer. Temporary residences remaining over 30 days will require a land use permit and where applicable, the standard monthly water and sewer charges will be levied, except by prior arrangement with the borough.~~ **The intent of a temporary residence permit is to allow a temporary structure for residential use. This means one trailer, RV or mobile home may be occupied during construction of a permanent residence. A temporary residence permit may be granted if all the following requirements are met:**

**1. A valid land use permit for the permanent residence must be in effect during the entire time that the temporary dwelling is located on the site;**

**2. A trailer, RV or mobile home used as a temporary dwelling during the construction of a permanent residence must be located on the same lot or parcel;**

**3. The temporary dwelling must be transported to a sanitary dump station as needed to empty gray water and toilet waste tanks, be connected to public water and sewer if applicable, or be serviced by an approved DEC on-site wastewater system;**

**4. The temporary dwelling must meet the same setbacks applicable to permanent structures;**

**5. Temporary residence permits may be granted for a period of one year. One six-month extension of the temporary residence/trailer permit may be granted by the planning commission as long as the developer is complying with all requirements;** ~~Any temporary residence, trailer, recreational vehicle or mobile home being occupied by a person must be connected to public water and sewer and may be required to connect to the local electrical~~

~~service. Garbage disposal facilities are required. A minimum of one off-street parking space will be required for a temporary residence.~~

6. The area surrounding the temporary residence/trailer shall be kept in a clean and sanitary condition.

**Exception: a temporary residence may be occupied on private property located outside of a mobile home or RV park while remodeling or repairing the interior of an existing permanent residence. Any applicable requirements under this subsection shall apply.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Janice Hill, Mayor

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 01/27/15  
Date of First Public Hearing: \_\_\_/\_\_\_/\_\_\_  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_

Haines Borough  
**BOROUGH ASSEMBLY**  
**ACTION REQUEST**

DATE: December 18, 2014

TO: Haines Borough Assembly

FROM: Haines Borough Planning Commission

Re: Temporary Residence in HBC 18.60.020(H)

PLANNING COMMISSION ACTION:

M/S Turner moved to “recommend the Assembly adopt the proposed draft ordinance to amend Haines Borough Code 18.60.020(H)”. The motion carried 5-1 with Venables opposed.

RATIONALE:

The current code requires property owners to apply for a temporary residence permit if desiring to occupy a trailer, mobile home or RV on their properties even for one day. This is not currently enforced and if attempted at this point, could create an untenable situation for the Borough. Staff drafted an ordinance with the purpose of clarifying the terms of temporary residence permits, and presented it to the commission at the August 14, 2014 meeting.

During the discussion, the commissioners realized there are other problems in this section of code, such as a requirement on utility connections, and clarification on the time limit of temporary residence permits. Also, the commissioners discussed the intent of a temporary residence permit. They believe it mainly applies to the property owners who live in an RV/trailer/mobile home while building their permanent residences, but it seems to also apply to the seasonal workers/summer residents who live in an RV/trailer/mobile home for a few months. Questions were brought up if temporary residence permits shall be only permitted for construction purposes. Staff revised the ordinance based on the comments from the commission, and presented it to the commission at the September 11, 2014 meeting.

During the discussion, several commissioners spoke out against allowing temporary residence permits to be granted for vacation purposes on private property within the townsite service area. People who desire to live in RVs can choose to stay in RV parks. Lende stated it will be an economic problem if the Borough allows temporary dwellings to be occupied on vacant private properties, which will cause low occupancy of designated RV parks. Hedden spoke in favor of Lende’s idea. He said this is a planning

issue. In order to protect the integrity of neighborhoods, he believes it is the right thing to disallow that.

At the November 11, 2014 meeting, staff pointed out there are special circumstances that should be reconsidered. For instance, a temporary residence shall be allowed on private property located outside of a mobile home or RV park while remodeling or repairing the interior of an existing permanent residence.

During the discussion, the commissioners agreed these circumstances need to be addressed. Staff revised the ordinance again, and presented it to the commission at the December 18, 2014 meeting. All commissioners spoke in favor of the revised ordinance except Venables. He stated he would like to see more exceptions that will allow property owners to temporarily occupy an RV or mobile home on private properties as a conditional use.

**PLANNING COMMISSION REQUEST:** for the Borough Assembly to amend HBC 18.60.020(H) to read:

H. Temporary Residence. Persons desiring to place a temporary residence, or a trailer or mobile home outside of a mobile home or RV park **in the townsite service area** for a temporary or interim occupancy **over 15 days**, shall apply for a temporary residence permit. ~~Permits for seven days or less will be at no charge and will not require connection to or payment for public water and sewer. Temporary residences remaining over 30 days will require a land use permit and where applicable, the standard monthly water and sewer charges will be levied, except by prior arrangement with the borough.~~ **The intent of a temporary residence permit is to allow a temporary structure for residential use. This means one trailer, RV or mobile home may be occupied during construction of a permanent residence. A temporary residence permit may be granted if all the following requirements are met:**

**1. A valid land use permit for the permanent residence must be in effect during the entire time that the temporary dwelling is located on the site;**

**2. A trailer, RV or mobile home used as a temporary dwelling during the construction of a permanent residence must be located on the same lot or parcel;**

**3. The temporary dwelling must be transported to a sanitary dump station as needed to empty gray water and toilet waste tanks, be connected to public water and sewer if applicable, or be serviced by an approved DEC on-site wastewater system;**

**4. The temporary dwelling must meet the same setbacks applicable to permanent structures;**

**5.** Temporary residence permits may be granted for a period of one year. One six-month extension of the temporary residence/trailer permit may be granted by the planning commission as long as the developer is complying with all requirements; ~~Any temporary residence, trailer, recreational vehicle or mobile home being occupied by a person must be connected to public water and sewer and may be required to connect to the local electrical service. Garbage disposal facilities are required. A minimum of one off-street parking space will be required for a temporary residence.~~

**6.** The area surrounding the temporary residence/trailer shall be kept in a clean and sanitary condition.



HAINES BOROUGH, ALASKA  
ORDINANCE No. xx-xx-xxx

Draft

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE  
TITLE 18 SECTION 18.60.020(H) TO CLARIFY THE TERMS OF TEMPORARY RESIDENCES**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 4. Purpose. This ordinance amends Title 18 Section 18.60.020(H) to clarify the terms of temporary residences.

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
~~STRIKETHROUGH~~ ITEMS ARE DELETED

**HBC 18.60.020 Specific approval criteria.**

The following uses are subject to the preceding general criteria and these additional specific approval criteria:

...

H. Temporary Residence. Persons desiring to place a temporary residence, or a trailer or mobile home outside of a mobile home or RV park **in the townsite service area** for a temporary or interim occupancy **over 15 days**, shall apply for a temporary residence permit. ~~Permits for seven days or less will be at no charge and will not require connection to or payment for public water and sewer. Temporary residences remaining over 30 days will require a land use permit and where applicable, the standard monthly water and sewer charges will be levied, except by prior arrangement with the borough.~~ **The intent of a temporary residence permit is to allow a temporary structure for residential use. This means one trailer, RV or mobile home may be occupied during construction of a permanent residence. A temporary residence permit may be granted if all the following requirements are met:**

**1. A valid land use permit for the permanent residence must be in effect during the entire time that the temporary dwelling is located on the site;**

**2. A trailer, RV or mobile home used as a temporary dwelling during the construction of a permanent residence must be located on the same lot or parcel;**

**3. The temporary dwelling must be transported to a sanitary dump station as needed to empty gray water and toilet waste tanks, be connected to public water and sewer if applicable, or be serviced by an approved DEC on-site wastewater system;**

**4. The temporary dwelling must meet the same setbacks applicable to permanent structures;**

**5. Temporary residence permits may be granted for a period of one year. One six-month extension of the temporary residence/trailer permit may be granted by the planning commission as long as the developer is complying with all requirements. Any temporary residence, trailer, recreational vehicle or mobile home being occupied by a person must be connected to public water and sewer and may be required to connect to the local electrical service. Garbage disposal facilities are required. A minimum of one off street parking space will be required for a temporary residence.**

**6. The area surrounding the temporary residence/trailer shall be kept in a clean and sanitary condition.**

**Exception: a temporary residence may be occupied on private property located outside of a mobile home or RV park while remodeling or repairing the interior of an existing permanent residence. Any applicable requirements under this subsection shall apply.**



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 15-543

Assembly Meeting Date: 1/27/15

Business Item Description:	Attachments:
Subject: Water-Sewer Rate Adjustments and Schedule Readoption	1. Ordinance 15-01-399 - Draft 2. 1/22/15 Memo from the Finance Director 3. GAS Committee Recommendation 4. Document showing proposed changes compared with existing rates 5. Water Fund 3-year Budget Projection 6. Sewer Fund 3-year Budget Projection
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 1/19/15	

**Full Title/Motion:**  
Motion: Introduce Ordinance 15-01-399 and schedule a first public hearing for 2/10/15.

**Administrative Recommendation:**  
The borough manager recommends adoption.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	TBD

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives: Objective 15A, Page 252	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

**Summary Statement:**

The proposed rate schedule is the result of several months of meetings and data collection. A staff working group made up of the manager, finance director, facility director, and water & sewer operator developed the proposal which was reviewed and recommended by the Government Affairs & Services Committee earlier this month.

The current rate structure does not allow the utilities to cover current operating costs or contribute to a repair and replacement reserve. Much of the infrastructure is nearing the end of its useful life. Additionally, in FY14, the sewer fund failed to meet its rate covenant per the borough's loan agreement with the Alaska Municipal Bond Bank.

**Referral:**

Referred to: Government Affairs & Services Committee Referral Date:  
 Recommendation: Increase rates over 3 years to come into compliance Meeting Date:

**Assembly Action:**

Meeting Date(s): 1/27/15	Public Hearing Date(s): Postponed to Date:
--------------------------	---

**An ordinance of the Haines Borough adopting a new water-sewer rate schedule to set rates, fees and charges for water and sewer services.**

**WHEREAS**, the Haines water and sewer systems are operated and maintained by the Haines Borough; and

**WHEREAS**, the Borough Assembly establishes rates and fees for Haines Borough water and sewer services; and

**WHEREAS**, Haines Borough Code, section 2.12.020(J), requires regulation of the rate charged by a public utility to be done by ordinance; and

**NOW THEREFORE BE IT ENACTED**, by the Haines Borough Assembly, that the following water-sewer schedule is hereby adopted by ordinance.

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective on May 1, 2015.

Section 4. Repealer. This ordinance repeals all water-sewer rate schedules adopted prior to the adoption of this ordinance.

Section 5. Purpose. To readopt the water-sewer rate schedule and set new rates, fees and charges for water and sewer services.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Janice Hill, Mayor

ATTEST:

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 01/27/15  
Date of First Public Hearing: \_\_\_/\_\_\_/\_\_\_  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_

**Haines Borough – Water-Sewer Rate Schedule**  
(See HBC Title 13 for regulations and more information)

**DRAFT**

Effective Date:	05/01/2015		07/01/2016		07/01/2017	
	WATER	SEWER	WATER	SEWER	WATER	SEWER
<b>Unmetered Residential Service</b>						
Base/Service Charge	\$22.05	\$37.65	\$23.31	\$39.47	\$24.60	\$41.21
Minimum Usage Charge	\$12.95	\$10.00	\$13.69	\$10.48	\$14.45	\$10.94
Residential Flat Rate	\$35.00	\$47.65	\$37.00	\$49.95	\$39.05	\$52.15
<b>Total Monthly Flat Rate for Water-Sewer Service:</b>	<b>\$82.65</b>		<b>\$86.95</b>		<b>\$91.20</b>	
<b>¾" Metered Commercial Service</b>						
Base/Service Charge	\$20.60	\$36.10	\$21.86	\$37.92	\$23.15	\$39.66
Minimum Usage Charge	\$12.10	\$9.60	\$12.84	\$10.08	\$13.60	\$10.54
¾" Commercial Rate	\$32.70	\$45.70	\$34.70	\$48.00	\$36.75	\$50.20
<b>Total Monthly Rate for ¾" Water-Sewer Service*:</b>	<b>\$78.40</b>		<b>\$82.70</b>		<b>\$86.95</b>	
<b>1" Metered Commercial Service*</b>						
Base/Service Charge	\$30.90	\$36.10	\$32.79	\$37.92	\$34.73	\$39.66
Minimum Usage Charge	\$12.10	\$9.60	\$12.84	\$10.08	\$13.60	\$10.54
1" Commercial Rate	\$43.00	\$45.70	\$45.63	\$48.00	\$48.33	\$50.20
<b>Total Monthly Rate for Water-Sewer Service*:</b>	<b>\$88.70</b>		<b>\$93.63</b>		<b>\$98.53</b>	
<b>1½" Metered Commercial Service*</b>						
Base/Service Charge	\$41.20	\$36.10	\$43.72	\$37.92	\$46.30	\$39.66
Minimum Usage Charge	\$12.10	\$9.60	\$12.84	\$10.08	\$13.60	\$10.54
1½" Commercial Rate	\$53.30	\$45.70	\$56.56	\$48.00	\$59.90	\$50.20
<b>Total Monthly Rate for Water-Sewer Service*:</b>	<b>\$99.00</b>		<b>\$104.56</b>		<b>\$110.10</b>	
<b>2" Metered Commercial Service*</b>						
Base/Service Charge	\$51.50	\$36.10	\$54.65	\$37.92	\$57.88	\$39.66
Minimum Usage Charge	\$12.10	\$9.60	\$12.84	\$10.08	\$13.60	\$10.54
2" Commercial Rate	\$63.60	\$45.70	\$67.49	\$48.00	\$71.48	\$50.20
<b>Total Monthly Rate for Water-Sewer Service*:</b>	<b>\$104.18</b>		<b>\$115.49</b>		<b>\$121.68</b>	
<b>3" Metered Commercial Service*</b>						
Base/Service Charge	\$82.40	\$36.10	\$87.44	\$37.92	\$92.60	\$39.66
Minimum Usage Charge	\$12.10	\$9.60	\$12.84	\$10.08	\$13.60	\$10.54
3" Commercial Rate	\$94.50	\$45.70	\$100.28	\$48.00	\$106.20	\$50.20
<b>Total Monthly Rate for Water-Sewer Service*:</b>	<b>\$140.20</b>		<b>\$148.28</b>		<b>\$156.40</b>	

\*Includes the first 5,000 gallons of water used per month

Effective Date:	05/01/2015		07/01/2016		07/01/2017	
Extra Gallonage Charge:	<u>WATER</u>	<u>SEWER</u>	<u>WATER</u>	<u>SEWER</u>	<u>WATER</u>	<u>SEWER</u>
Each 1,000 gals or fraction thereof used after the minimum usage charge	<b>\$2.33</b>	<b>\$6.38</b>	<b>\$2.44</b>	<b>\$6.69</b>	<b>\$2.55</b>	<b>\$7.00</b>
Note: If a commercial service includes residential dwellings, an additional 5,000 gals is allowed for each dwelling, covered by the residential flat rate charge as defined in HBC 13.04.240.						

**Monthly Surcharge for Crystal Cathedrals Special Assessment District**

	WATER	SEWER
Commercial / Residential Surcharge	<b>\$10.05</b>	<b>\$6.15</b>
<b>Total Combined Surcharge for Water-Sewer Service:</b>	<b>\$16.20</b>	

**Application Fees**

Water and/or Sewer Connection fee (non-refundable service charge)	\$50.00
Subdivision application for five or more services (nonrefundable service charge)	\$150.00
Other Agency Permit Fee (nonrefundable)	Actual Cost of the Permit plus \$50 administrative charge

**Hook-Up Fees**

	WATER	SEWER
Minimum Hook-Up Fee (upon completion applicant will be billed for costs in excess of the minimum)	\$750.00	\$650.00
Inspection Fee per Hook-Up	\$100.00	\$100.00
Additional Water Main Extension Inspection Fee ~ First 100 Feet ~ Each Additional Foot	\$25.00 \$0.25	\$25.00 \$0.25

**Expansion Charges**

		WATER	SEWER
Size of Water Service Line	Capacity (GPM)	Expansion Charges	Expansion Charges
¾" – 1"	8 – 15	\$450.00	\$500.00
1-1/2"	45	\$1,030.00	\$1,040.00
2"	80	\$1,830.00	\$2,030.00
4"	500	\$7,300.00	\$8,120.00

**Miscellaneous Water Fees and Charges**

Meter Installation Fee	\$100.00
Meter Inspection Fee	\$40.00
Meter Testing Fee	Actual cost +15%
Frost Bottom Replacement	\$50.00
Control Valve Shut-off or Turn-on ~ Minimum service fee (if water is off for less than 3 months) ~ Excess fees, if necessary ~ Seasonal Turn-ons and turn-offs (if water is off for 3 months or more)	\$35.00 \$45/hour \$85.00

Commercial Bulk Water Purchase ~Per 1,000 gallons ~Service Charge  Note: Commercial bulk water charges apply to fire hydrants, Port Chilkoot Dock, and Small Boat Harbor.	\$5.00 \$50.00
Residential Bulk Water Purchase ~Seasonal Bulk Water Permit (fill at sewer plant only)	\$30.00
After Hours Employee Call-Out	\$125.00
Deposits and Credit Establishment ~Residential Water Account  ~Commercial Water Account	An amount equaling two months of the residential flat fee for water service  An amount equaling an estimate of two months' water service charges based on like accounts already in service.
Unauthorized Water Turn On ~Charge to Shut Off Water at the Main or Remove Meter	Actual cost to the water department plus 15% overhead

**Miscellaneous Sewer Fees and Charges**

Termination or Restoration of Sewer Service ~Minimum Service Charge (nonrefundable)	Actual cost + 15%
Deposits and Credit Establishment ~Residential Sewer Account  ~Commercial Sewer Account	A sum equal to the established bill for two months' service but not less than \$40.  An amount equaling like accounts in service.
Septic Waste Disposal (at sewage plant only) ~Per Load of Up to 500 Gals of Waste ~Single Loads in Excess of 500 Gals	\$100 minimum \$20.00 for each 100 gals excess or fraction thereof
After Hours Employee Call-Out	\$125.00
RV Dump Stations ~Monthly Flat Rate in Addition to Any Other Water and Sewer Charges	\$60.00
RV Parks	Same as Metered Commercial Charges

# Memo



To: Haines Borough Mayor & Assembly  
From: Jila Stuart, Chief Financial Officer  
Cc: Dave Sosa, Borough Manager  
Date: January 22, 2015  
Re: Ordinance #15-01-399 Revision to Water & Sewer Rate Schedule

---

## **Background:**

The current rate structure does not allow the utilities to cover current operating costs or contribute to a repair and replacement reserve. Much of the infrastructure is nearing the end of its useful life. Additionally, in FY14 the sewer fund failed to meet its rate covenant per the borough's loan agreement with the Alaska Municipal Bond Bank. If the sewer fund does not come into compliance with the rate covenant future funding will be jeopardized.

The wastewater treatment plant has exceeded its useful life expectancy and the building has major structural deficiencies. If we do not raise rates, the utilities will not have the resources to maintain their operations over the long and possibly short term. According to the Manager's working group on water and sewer rates, this could result in a degradation of capability possibly leading to lower water quality, inappropriately treated sewage, a threat to public health, threat of environmental pollution, increased odor, a dangerous operating environment for employees, structural failure, and EPA fines.

Unfortunately State funding for repairs is drying up. The State of Alaska DEC's Municipal Matching Grant program has dropped from \$32 million in FY13, to \$21 million in FY14, \$14 million in FY15, and \$10 million for FY16. With oil prices hovering near \$50 a barrel we cannot hope for any immediate relief from the State. With the loss of outside funding the utilities need to strive to become more self sustaining by setting rates that will allow for long term preservation of the infrastructure.

## **Proposal:**

The proposed rate schedule is the result of several months of meetings and data collection. A staff working group made up of the Manager, Finance Director, Facility Director, and Water & Sewer Operator developed the proposal which was reviewed and recommended by the GAS committee earlier this month. The proposed schedule:

- Increases combined water and sewer rates approximately 5% per year for the next 3 years. The combined water and sewer rate for the unmetered residential customers would go from \$78.40 today to \$91.20 in July 2018.
- Eliminates the metered residential rate. Those customers currently billed as metered residential would be switched to flat rate residential.
- Reduces the Crystal Cathedrals Surcharge by \$1.75 to reflect the increased number of rate payers paying the assessment.
- Assumes a \$40 increase in the seasonal turn-on turn-off fee to reflect fixed costs to the utility that don't decrease when the valve is turned off.
- Adjusts rates for hook-up fees and other miscellaneous charges to reflect the actual cost of those services.
- Would bring the Sewer fund back into compliance with the bond bank's rate covenant.
- Assumes an annual \$10,500 subsidy from the CIP fund to help pay debt service for capital improvement projects in the water fund.
- Assumes a small, annual transfer (\$6,000-8,000) from the Commercial Passenger Vessel Tax fund to the Water fund to reflect the full cost of water consumed by the large cruise ships.
- Assumes annual inflation for expenditures between 2 and 3% for the utilities.
- Falls short of adequately funding needed repairs to the wastewater treatment plant.
- Covers projected cash expenditures and makes a small contribution to a repair and replacement reserve.
- Would go into effect on May 1, 2015 if approved.

From: DIANA [mailto:lapham@aptalaska.net]  
Sent: Thursday, January 08, 2015 9:07 AM  
To: Julie Cozzi  
Cc: daveberry@aptalaska.net  
Subject: GAS committee recommendation #3

January 7,2015

Water and Sewer Rate increase. Julie, I'm sorry but I can't find on my iPad the spreadsheet to email to you....we the committee agreed on the Draft proposed 3-year Water and Sewer Increase

Spread impact more evenly over 3 years while coming into compliance with bond bank by the end of FY16

Year 1.....sewer....3.25/ water.....1.05/ Total 4.30...av increase....0.054846939 %

Year 2.....sewer....2.30/ water.....2.00/ Total 4.30..av increase.....0.054846939 %

Year 3.....sewer....2.205/ water.....2.086/ Total 4.291..ave increase...0.054728159

We hope that this will make the agenda for the Assembly meeting Jan.13,2015

Also we recommend that a notice be put in the mail to all customers advising them of the rate increase. March and April, and to have the rate increase take effect on May 1,2015

Submitted

Diana Lapham

This document shows the proposed changes compared with the existing rates.

# Haines Borough – Water-Sewer Rate Schedule

(See HBC Title 13 for regulations and more information)

**Draft**

2. ~~Metered Residential Water-Sewer Service ¾"~~

	WATER	SEWER
Base/Service Charge	\$21.40	\$14.00
Minimum Usage (up to 4,000 gallons)	\$10.43	\$24.32
Residential Metered Rate (first 4,000 gallons)	\$31.83	\$38.32
Total Combined Monthly Metered Rate for Water-Sewer Service: \$70.15		

3.

4. **Unmetered Residential Water-Sewer Service**    Effective 3/1/2011    Effective 7/1/2016    Effective 7/1/2017

	WATER		SEWER		WATER	SEWER	WATER	SEWER
Base/Service Charge	\$21.40	<b>\$22.05</b>	\$14.00	<b>\$37.65</b>	<b>\$23.31</b>	<b>\$39.47</b>	<b>\$24.60</b>	<b>\$41.21</b>
Minimum Usage Charge	\$12.60	<b>\$12.95</b>	\$30.40	<b>\$10.00</b>	<b>\$13.69</b>	<b>\$10.48</b>	<b>\$14.45</b>	<b>\$10.94</b>
Residential Flat Rate	\$34.00	<b>\$35.00</b>	\$44.40	<b>\$47.65</b>	<b>\$37.00</b>	<b>\$49.95</b>	<b>\$39.05</b>	<b>\$52.15</b>
Total Combined Monthly Flat Rate for Water-Sewer Service: <del>\$78.40</del> <b>\$82.65</b>					<b>\$86.95</b>		<b>\$91.20</b>	

5. **Metered Commercial Water-Sewer Service**    Effective 3/1/2015    Effective 7/1/2016    Effective 7/1/2017

¾" Service Line / Meter	WATER		SEWER		WATER	SEWER	WATER	SEWER
Base/Service Charge	\$20.15	<b>\$20.60</b>	\$13.48	<b>\$36.10</b>	<b>\$21.86</b>	<b>\$37.92</b>	<b>\$23.15</b>	<b>\$39.66</b>
Minimum Usage Charge	\$11.55	<b>\$12.10</b>	\$28.97	<b>\$9.60</b>	<b>\$12.84</b>	<b>\$10.08</b>	<b>\$13.60</b>	<b>\$10.54</b>
¾" Commercial Rate	\$31.70	<b>\$32.70</b>	\$42.45	<b>\$45.70</b>	<b>\$34.70</b>	<b>\$48.00</b>	<b>\$36.75</b>	<b>\$50.20</b>
Total Monthly Rate for the first 5,000 gallons of Water-Sewer: <del>\$74.15</del> <b>\$78.40</b>					<b>\$82.70</b>		<b>\$86.95</b>	
1" Service Line / Meter Base Charge	\$30.23	<b>\$30.90</b>	\$13.48	<b>\$36.10</b>	<b>\$32.79</b>	<b>\$37.92</b>	<b>\$34.73</b>	<b>\$39.66</b>
Minimum Usage Charge	\$11.55	<b>\$12.10</b>	\$28.97	<b>\$9.60</b>	<b>\$12.84</b>	<b>\$10.08</b>	<b>\$13.60</b>	<b>\$10.54</b>
1" Commercial Rate	\$41.78	<b>\$43.00</b>	\$42.45	<b>\$45.70</b>	<b>\$45.63</b>	<b>\$48.00</b>	<b>\$48.33</b>	<b>\$50.20</b>
Total Monthly Rate for the first 5,000 gallons of Water-Sewer: <del>\$84.23</del> <b>\$88.70</b>					<b>\$93.63</b>		<b>\$98.53</b>	

**Effective 3/1/2015**

**Effective 7/1/2016**

**Effective 7/1/2017**

	<b>WATER</b>	<b>SEWER</b>	<b>WATER</b>	<b>SEWER</b>	<b>WATER</b>	<b>SEWER</b>
<b>1 1/2" Service Line/Meter</b> Base Charge	<del>\$40.30</del> <b>\$41.20</b>	<del>\$13.48</del> <b>\$36.10</b>	<b>\$43.72</b>	<b>\$37.92</b>	<b>\$46.30</b>	<b>\$39.66</b>
Minimum Usage Charge	<del>\$11.55</del> <b>\$12.10</b>	<del>\$28.97</del> <b>\$9.60</b>	<b>\$12.84</b>	<b>\$10.08</b>	<b>\$13.60</b>	<b>\$10.54</b>
1 1/2" Commercial Rate	<del>\$51.85</del> <b>\$53.30</b>	<del>\$42.45</del> <b>\$45.70</b>	<b>\$56.56</b>	<b>\$48.00</b>	<b>\$59.90</b>	<b>\$50.20</b>
Total Monthly Rate for the first 5,000 gallons of Water-Sewer: <del>\$94.30</del> <b>\$99.00</b>			<b>\$104.56</b>		<b>\$110.10</b>	
<b>2" Service Line/Meter</b> Base Charge	<del>\$50.38</del> <b>\$51.50</b>	<del>\$13.38</del> <b>\$36.10</b>	<b>\$54.65</b>	<b>\$37.92</b>	<b>\$57.88</b>	<b>\$39.66</b>
Minimum Usage Charge	<del>\$11.55</del> <b>\$12.10</b>	<del>\$28.97</del> <b>\$9.60</b>	<b>\$12.84</b>	<b>\$10.08</b>	<b>\$13.60</b>	<b>\$10.54</b>
2" Commercial Rate	<del>\$61.93</del> <b>\$63.60</b>	<del>\$42.45</del> <b>\$45.70</b>	<b>\$67.49</b>	<b>\$48.00</b>	<b>\$71.48</b>	<b>\$50.20</b>
Total Monthly Rate for the first 5,000 gallons of Water-Sewer: <del>\$104.18</del> <b>\$104.18</b>			<b>\$115.49</b>		<b>\$121.68</b>	
<b>3" Service Line/Meter</b> Base Charge	<del>\$80.60</del> <b>\$82.40</b>	<del>\$13.38</del> <b>\$36.10</b>	<b>\$87.44</b>	<b>\$37.92</b>	<b>\$92.60</b>	<b>\$39.66</b>
Minimum Usage Charge	<del>\$11.55</del> <b>\$12.10</b>	<del>\$28.97</del> <b>\$9.60</b>	<b>\$12.84</b>	<b>\$10.08</b>	<b>\$13.60</b>	<b>\$10.54</b>
3" Commercial Rate	<del>\$92.15</del> <b>\$94.50</b>	<del>\$42.45</del> <b>\$45.70</b>	<b>\$100.28</b>	<b>\$48.00</b>	<b>\$106.20</b>	<b>\$50.20</b>
Total Monthly Rate for the first 5,000 gallons of Water-Sewer: <del>\$134.40</del> <b>\$140.20</b>			<b>\$148.28</b>		<b>\$156.40</b>	

**Effective 3/1/2015**

**Effective 7/1/2016**

**Effective 7/1/2017**

Extra Gallonage Charge: (Each 1,000 gals or fraction thereof used after the minimum usage charge)	<del>\$2.22</del> <b>\$2.33</b>	Extra Gallonage Charge: (Each 1,000 gals or fraction thereof used after the minimum usage charge)	<del>\$6.08</del> <b>\$6.38</b>	<b>WATER</b>	<b>SEWER</b>	<b>WATER</b>	<b>SEWER</b>
Note: If a commercial service includes residential dwellings, an additional 5,000 gals is allowed for each dwelling, covered by the residential flat rate charge as defined in HBC 13.04.240.				<b>\$2.44</b>	<b>\$6.69</b>	<b>\$2.55</b>	<b>\$7.00</b>

6- Monthly Surcharge for Crystal Cathedrals Special Assessment District

	<b>WATER</b>	<b>SEWER</b>
Commercial / Residential Surcharge	<del>\$11.10</del> <b>\$10.05</b>	<del>\$6.85</del> <b>\$6.15</b>
<b>Total Combined Surcharge for Water-Sewer Service: \$17.95 \$16.20</b>		

7. Application Fees

Water <b>and/or</b> Sewer Connection fee (non-refundable service charge)	\$50.00
<del>Combined Water and Sewer Connection fee (nonrefundable service charge)</del>	<del>\$50.00</del>
Subdivision application for five or more services (nonrefundable service charge)	\$150.00
Other Agency Permit Fee (nonrefundable)	Actual Cost of the Permit plus \$50 administrative charge

8. Hook-Up Fees

	<b>WATER</b>	<b>SEWER</b>
Minimum Hook-Up Fee <u>(upon completion applicant will be billed for costs in excess of the minimum)</u>	<del>\$650.00</del> <b>\$750.00</b>	<del>\$450.00</del> <b>\$650.00</b>
Inspection Fee per Hook-Up	\$100.00	\$100.00
Additional Water Main Extension Inspection Fee		
~First 100 Feet	\$25.00	\$25.00
~Each Additional Foot	\$0.25	\$0.25

9. Expansion Charges

		<b>WATER</b>	<b>SEWER</b>
Size of Water Service Line	Capacity (GPM)	Expansion Charges	Expansion Charges
3/4" – 1"	8 – 15	\$450.00	\$500.00
1-1/2"	45	\$1,030.00	\$1,040.00
2"	80	\$1,830.00	\$2,030.00
4"	500	\$7,300.00	\$8,120.00

10. Miscellaneous Water Fees and Charges

Meter Installation Fee	<del>\$75.00</del> <b><u>\$100.00</u></b>
Meter Inspection Fee	<del>\$25.00</del> <b><u>\$40.00</u></b>
Meter Testing Fee	<b><u>Actual cost + 15%</u></b>
~3/4" and smaller	<del>\$75.00</del>
~Larger than 3/4"	<del>\$100</del>
Frost Bottom Replacement	\$50.00
Control Valve Shut-off or Turn-on	
~Minimum service fee (if water is off for less than 3 months)	\$35.00

~ Excess fees, if necessary ~ Seasonal Turn-ons and turn-offs (if water is off for 3 months or more)	<del>\$40</del> <b>\$45</b> /hour <del>\$45.00</del> <b>\$85.00</b>
<b>Commercial</b> Bulk Water Purchase ~ Per 1,000 gallons ~ Service Charge  Note: <b>Commercial</b> bulk water charges apply to fire hydrants, Port Chilkoot Dock, and Small Boat Harbor. <del>The charge does not apply to Lutak Deck.</del>	\$4.50 \$50.00
Residential Bulk Water Purchase ~ Seasonal Bulk Water Permit (fill at sewer plant only)	<del>\$25.00</del> <b>\$30.00</b>
After Hours Employee Call-Out	<del>\$100.00</del> <b>\$125.00</b>
Deposits and Credit Establishment ~ Residential Water Account  ~ Commercial Water Account	An amount equaling two months of the residential flat fee for water service  An amount equaling an estimate of two months' water service charges based on like accounts already in service.
Unauthorized Water Turn On ~ Charge to Shut Off Water at the Main or Remove Meter	Actual cost to the water department plus 15% overhead (but not less than \$25.00)

~~11.~~ Miscellaneous Sewer Fees and Charges

Termination or Restoration of Sewer Service ~ Minimum Service Charge (nonrefundable)	<del>\$35.00</del> <b>Actual cost + 15%</b>
Deposits and Credit Establishment ~ Residential Sewer Account  ~ Commercial Sewer Account	A sum equal to the established bill for two months' service but not less than \$40.  An amount equaling like accounts in service.
Septic Waste Disposal (at sewage plant only) ~ Per Load of Up to 500 Gals of Waste ~ Single Loads in Excess of 500 Gals	\$100 minimum \$20.00 for each 100 gals excess or fraction thereof
After Hours Employee Call-Out	<del>\$100.00</del> <b>\$125.00</b>
RV Dump Stations ~ Monthly Flat Rate in Addition to Any Other Water and Sewer Charges	<del>\$53.00</del> <b>\$60.00</b>
RV Parks	Same as Metered Commercial Charges



Haines Borough

90 Water Fund 3-Year Budget Projection

	FY15 BUDGET	FY16 DRAFT	FY17 DRAFT	FY18 DRAFT
<b>REVENUES (with proposed rate increases)</b>				
Water Service Revenue	\$ 332,000	\$ 341,600	\$ 361,000	\$ 380,800
Cruise Ship Water Sales	15,000	15,000	15,000	15,000
Miscellaneous Revenue	11,500	14,500	14,500	14,500
Interest Earnings	3,750	3,750	3,750	3,750
Operating Transfer from CPV Tax	-	6,067	7,033	8,100
<b>TOTAL REVENUES</b>	<b>362,250</b>	<b>380,917</b>	<b>401,283</b>	<b>422,150</b>
<b>EXPENDITURES</b>				
Payroll Expense	127,605	131,380	135,279	139,306
Supplies, Postage, M&E	52,900	53,485	54,802	56,852
Professional & Contractual	29,400	25,000	25,625	26,266
Travel, Training, & Dues	3,750	3,840	3,931	4,025
Banking & Insurance	7,180	7,360	7,543	7,732
Vehicle Expense	4,250	4,378	4,509	4,644
Utilities	29,350	30,231	31,137	32,072
Maintenance & Repairs	17,000	17,425	17,861	18,307
Principal	42,872	47,872	47,872	47,872
Interest	11,549	13,549	13,549	13,549
Work Orders	42,500	43,563	44,652	45,768
<b>TOTAL CASH DIRECT EXPENDITURES</b>	<b>368,356</b>	<b>378,081</b>	<b>386,760</b>	<b>396,392</b>
<i>ALLOCATED EXPENSE</i>				
Allocated expense to water dept.	44,898	46,020	47,171	48,350
Allocated expense out from water dept.	(46,050)	(47,201)	(48,381)	(49,591)
<b>TOTAL ALLOCATED EXPENSE</b>	<b>(1,152)</b>	<b>(1,181)</b>	<b>(1,210)</b>	<b>(1,241)</b>
<b>TOTAL CASH EXPENDITURES</b>	<b>367,204</b>	<b>376,900</b>	<b>385,550</b>	<b>395,151</b>
<b>REVENUE OVER (UNDER) CASH EXPENDITURES</b>	<b>(4,954)</b>	<b>4,017</b>	<b>15,733</b>	<b>26,999</b>
DEPRECIATION EXPENSE	234,000	255,000	275,400	297,432
<b>REVENUE OVER (UNDER) EXPENDITURES</b>	<b>\$ (238,954)</b>	<b>\$ (250,983)</b>	<b>\$ (259,667)</b>	<b>\$ (270,433)</b>

Projected annual contribution towards repair & replacement reserve or amount available to pay debt service on new loans for repair/replacement.



**HAINES BOROUGH**

**91 Sewer Fund 3-Year Budget Projection**

	<b>FY15 BUDGET</b>	<b>FY16 DRAFT</b>	<b>FY17 DRAFT</b>	<b>FY18 DRAFT</b>
<b>REVENUES (with proposed rate increases)</b>				
Sewer Service Revenue	\$ 401,000	\$ 429,000	\$ 449,500	\$ 467,400
Miscellaneous Revenue	4,850	4,900	5,000	5,100
	<b>405,850</b>	<b>433,900</b>	<b>454,500</b>	<b>472,500</b>
<b>EXPENDITURES</b>				
Payroll Expense	\$ 77,021	\$ 79,337	\$ 81,729	\$ 84,203
Supplies, Postage, M&E	24,500	24,376	24,966	26,271
Professional & Contractual	11,400	8,000	8,160	8,323
Travel, Training, & Dues	4,405	4,505	4,607	4,711
Banking & Insurance	16,250	16,656	17,073	17,499
Utilities	87,750	90,383	93,094	95,887
Maintenance & Repairs	20,000	20,500	20,500	20,500
Principal	44,500	49,500	49,500	49,500
Interest	45,449	43,749	42,511	42,511
Other Miscellaneous Expense	5,250	5,403	5,559	5,721
Work Orders	16,000	16,235	16,474	16,718
	<b>352,525</b>	<b>358,643</b>	<b>364,174</b>	<b>371,844</b>
<i>ALLOCATED EXPENSE</i>	58,600	60,065	61,567	63,106
<b>TOTAL CASH EXPENDITURES &amp; ALLOCATED EXPENSE</b>	<b>411,125</b>	<b>418,708</b>	<b>425,740</b>	<b>434,950</b>
<b>REVENUE OVER (UNDER) CASH EXPENDITURES &amp; ALLOCATED EXPENSE</b>	<b>(5,275)</b>	<b>15,193</b>	<b>28,760</b>	<b>37,550</b>
Depreciation Expense	239,000	241,390	363,804	367,442
<b>EXCESS REVENUE OVER (UNDER) EXPENDITURES,</b>	<b>\$ (244,275)</b>	<b>\$ (226,198)</b>	<b>\$ (335,044)</b>	<b>\$ (329,892)</b>

Projected annual contribution towards repair & replacement reserve or amount available to pay debt service on new loans for repair/replacement.

## Mayoral Appointments 1/27/15

### Planning Commission

Brenda Josephson – term expires 11/2017

Rob Miller – term expires 11/2017

This will leave 0 vacancies

### Remaining Board Vacancies:

**Parks and Recreation Advisory Committee** – 1 seat

**Museum Board of Trustees** – 2 seats

**Ad hoc Downtown Revitalization Committee** – 2 seats

(1 downtown resident and 1 downtown business owner)

**Riverview Drive RMSA Board** – up to 2 seats

Note: Persons interested in being considered for appointment to one of the vacancies may submit either a letter of interest or the appointment application form available on the Borough's website or from the Borough Clerk. Resumes or a detailed description of qualifications are strongly encouraged. Applications will be accepted until appointments are made. Submit applications directly to the Borough Clerk's Office.



Haines Borough  
**PLANNING COMMISSION**  
**RECORD OF DECISION**

DATE: January 15, 2015

TO: Borough Assembly

FROM: The Haines Planning Commission

PLANNING COMMISSION DECISION:

Motion:

**Lende** moved to “recommend for the mayor to appoint Rob Miller to serve Seat C, and appoint Brenda Josephson to serve Seat G”. **Heinmiller** seconded it. The motion passed unanimously.

RATIONALE:

Both candidates are highly qualified. Miller served on the Planning Commission from October 2012 through December 2014. As a civil engineer, he will bring considerable engineering knowledge to the commission.

Josephson served four years as a school board member. She also has an extensive background in construction, finance, and business management.

SUBMITTED BY \_\_\_\_\_ (signature)

A handwritten signature in black ink, appearing to read "Rob Goldberg", is written over a horizontal line.

Rob Goldberg  
Planning Commission Chair

# Haines Borough Application for Board Appointment

**Appointment** (I am not currently on the board)

**Reappointment** (I am currently a member of the board)

Check the board, commission, or committee for which you are applying :

<input checked="" type="checkbox"/>	Planning Commission		Port and Harbor Advisory Committee
	Tourism Advisory Board		Fire Service Area Board #3 (Klehini)
	Chilkat Center Advisory Board		Letnikof Estates Road Maintenance Service Area Board
	Parks and Recreation Advisory Board		Riverview Road Maintenance Service Area Board
	Museum Board of Trustees		Historic Dalton Trail Road Maintenance Service Area Board
	Library Board of Trustees		Four Winds Road Maintenance Service Area Board
	Public Safety Commission		
	Temporary (Ad-hoc) Board/Committee _____		

**Name:** Brenda Josephson

**Residence Address:** 95 Moose Lane, Haines, Alaska 99827

**Mailing Address:** P.O. Box 51, Haines, Alaska 99827

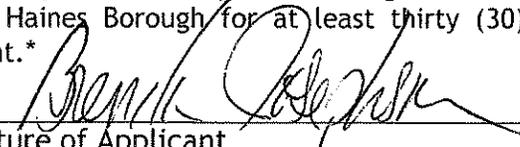
**Business Phone:** (907) 766-2833

**Home Phone:** (907) 766-2170

**Fax:** (907) 766-2832

**Email:** brenda@aptalaska.net

I declare that I am willing to serve as a member of the designated board, commission, or committee. Please enter my name for consideration of appointment by the mayor, subject to confirmation by the assembly. I am a registered voter of the State of Alaska and have resided within the Haines Borough for at least thirty (30) days preceding this date or the date of appointment.\*

  
Signature of Applicant

December 19, 2014

Date

**PLEASE BRIEFLY DESCRIBE YOUR QUALIFICATIONS** (You may attach a resume):

Please see attached letter of interest.

\* HBC 2.60.020 - A member of a committee, board or commission shall be a resident of the borough as defined below...a person qualifying as a borough resident shall: A) Continue to maintain the person's principal place of residence within the corporate boundaries of the borough and have done so for at least 30 days immediately preceding the date of the person's appointment by the mayor; and B) Physically occupy said residence for at least 30 days immediately preceding the date of the person's appointment by the mayor.

**Brenda Josephson**  
**P.O. Box 51**  
**Haines, AK 99827**  
**E-mail: [brenda@aptalaska.net](mailto:brenda@aptalaska.net)**  
**Telephone: 907-766-2833**

December 19, 2014

Borough Clerk's Office  
Haines Borough  
P.O. Box 1209  
Haines, Alaska 99827

I would like to express my interest in one of the vacant seats on the Planning Commission.

I have a long history of service to the Haines community. I have served four years as a Haines Borough School Board Member. During my time on the School Board I have served as the Treasurer/Secretary and President. I also served on the School District Strategic Planning Committee and attended board effectiveness training. I have represented the Haines Borough School District during the legislative sessions each year that I served on the School Board. My service to the community also includes a three year term on the Haines Chamber of Commerce Board of Directors as the Treasurer, Vice President, and President.

I hold the degree Master of Business Administration (MBA) from Heriot-Watt University, Edinburgh Business School. Additionally, I am an Enrolled Agent authorized by the U.S. Department of Treasury to represent taxpayers before all administrative levels of the Internal Revenue Service for audits, collections, and appeals. I have an extensive background in accounting, finance and business management with over twenty-five years of experience. I believe that my skills and education provide unique assets that can be effectively utilized by the Haines Borough in service on the Planning Commission.

As both a resident and property owner in the Haines Borough I look forward to an opportunity to continue to serve my community. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Brenda Josephson". The signature is written in black ink and is positioned below the word "Sincerely,".

Brenda Josephson, MBA, EA

Ms. Jan Hill, Mayor  
Haines Borough  
Haines, Alaska

Robert W. Miller  
PO Box 742  
Haines, AK 99827  
December 29, 2014

Dear Ms. Hill:

I am hereby expressing my interest in being appointed to the vacant Haines Borough Planning and Zoning Commission seat. I have lived in Haines since October, 2008, and owned property here since 1985. I have been an Alaska resident for over 35 years. I served on the Haines Borough Planning Commission from October, 2012 through December, 2013 and am therefore quite familiar with the work of the Commission. As a retired civil/structural engineer, I feel that my experience will enable me to make a significant contribution to the Commission and have a positive impact on the development of this community, my chosen home.

In my 23-year engineering career, I conducted public meetings, regularly met with municipal officials, and contributed technical expertise on a project-based level to a variety of Alaskan communities. During this time, I followed, and enforced, a variety of building construction and municipal codes, from both design and construction perspectives. I saw first-hand how the enactment (as well as non-enactment) of codes and requirements affected Alaskan communities and their residents, contractors, and governments, both positively and negatively. I worked extensively with the American Welding Society codes, served on a national subcommittee that modified and maintained them, and was a certified welding inspector for 9 years. As a bridge and marine designer, I worked with the American Association of State Highway and Transportation Officials (AASHTO) Bridge design and welding codes, as well as working in areas of engineering (i.e. offshore design and coastal engineering) where no code clearly applies. Due to my extensive experience in marine and bridge engineering, including a study and assessment of the Lutak dock in 1996, I feel that my professional background would particularly be of service to the Borough at this time as we face the complex and expensive rehabilitation of the Lutak dock.

In addition, as an engineering manager, I worked closely with planners and budgetary personnel to help set DOT&PF priorities for the Southeast region. This task involved interacting with communities, soliciting input, and obtaining local concurrence for DOT&PF projects.

If there are any questions about my experiences, views, general outlook, or any aspect relevant to the duties of this seat, please feel free to contact me at (907) 303-0075.

Sincerely,



Robert W. Miller, P.E.

RECEIVED Haines Borough

DEC 29 2014

JEC

Clerk's Office

## RESUME OF ROBERT MILLER, P.E.

**P.O. Box 742**  
**Haines, Alaska 99827**  
**(907) 303-0075**

**Date of Birth:** February 17, 1953

**Certifications:** Registered Professional Engineer, State of Alaska no. CE 7436 (1987 initial registration, currently in retirement status).

**Previous (expired) certifications:**

Certified Welding Inspector, American Welding Society no. 97050531 1997-2006  
ICBO Special Inspection certifications for Structural Steel, Masonry, and Reinforced Concrete, 1990-1995

**Education:** Bachelor of Arts in Philosophy, University of Washington, 1982  
Bachelor of Science in Civil Engineering, University of Washington, 1982  
Master of Science in Civil Engineering, University of Washington, 1984, emphasis on structural engineering.

**Work History: Project Engineer,** State of Alaska Northern Region, Nome, 2005-2007

Managed Construction of Kotzebue Airport Maintenance and Flight Control facility (ARFF & SREB), and Sand Storage Building. Position required enforcement of contracts and payment approvals for work appropriately completed. Knowledge of building codes and practices essential. Supervisor: Al Moor

**Bridge Engineer,** State of Alaska Bridge Design Section, Juneau, 2001-2005

Designed highway bridges. All work done in accordance with AASHTO code for Highway Bridges. Supervisors: Steve Bradford, Rich Pratt

**Marine Engineering Manager,** State of Alaska Southeast Region, Juneau, 1998-2001

Supervised a team of 5 engineers and detailers which designed and inspected ferry terminals and harbor facilities. Supervisor: Jack Beedle

**Bridge Engineer,** State of Alaska Bridge Design Section, Juneau, 1992-2001

Designed Highway bridges. Supervisors: Larry Carlson, Steve Bradford.

**Design Engineer,** Peratrovich, Nottingham, and Drage Consulting Engineering, Juneau, 1984-1991.

Wide variety of coastal engineering as well as residential and commercial structural design.

**Additional:** Served on American Welding Society subcommittee D1.4, which was responsible for writing and maintaining code provisions governing welding of reinforcing steel.

Served on Haines Borough Planning Commission, October 2012 through December, 2013.