

Dec. 18 , 2015 Minor offenses **DRAFT MINUTES**

• CALL TO ORDER 5:35 p.m.

Present: Don Turner, Mike Case, Bill Thomas, Deb Vogt, Ron Jackson absent, Margaret Friedenauer. Mike Denker excused.

Staff:

Audience: Assemblymember Diana Lapham, Jillian Rogers/KHNS, Carol Tuynman, Paul Nelson, Brenda Josephson, Tom Morphet, Erik Stevens

• Agenda approved

• Minutes approved

•Public comment:

Tuynman – Suggests committee finds out how many infractions there are each year to Title 18. Suggests idea of using an ombudsman as fine line of communication to hear citizen complaints.

Josephson – Expressed concerns with “policing for profit.” Doesn’t want Haines to see minor offenses enforcement as revenue source.

Nelson – Corrected comment from last meeting – the alternative to contesting violation is to pay fine.

Stevens – Cited 10.26.300 – prohibits skiing on roads. Read citizen petition that recommends removing skiing on roads as a violation.

• Old Business

Enforcement:

Discussion of enforcement options, if harbormaster should be allow to issue citations in addition to police officers, or if admin staff can issue.

•MOTION Friedenauer moves to “Recommend to the assembly that Haines Borough police officers enforce minor offenses as listed in borough code. The Haines Harbormaster and assistant harbor master may enforce violation of minor offenses in Chapter 16 and borough planning and zoning technician and lands manager may enforce violations of minor offenses in Chapter 18.”

Case seconds.

Discussion about if Planning Commission should deal with violations in Chapter 18.

Case moves to amend to strike the portion of the motion about Chapter 18. **Denker** seconds. Amendment passes unanimously.

Case suggests Planning Commission should weigh in on recommendation

Main motion – unanimous no *[I need to check this against tape; I thought this motion, as amended, passed]*

Vogt moved to “Recommend take Title 18 out of the minor offenses schedule have appeals dealt with by the planning commission.”

Denker – second

Vote – unanimous yes

Denker – By lack of inclusion of animal control officer, that remains with police.

Vogt Moved to adopt changes proposed by attorney.

Case second.

Discussion of if daily fines should remain for some/all violations.

Vogt – Committee should go through attorney’s suggestions on language changes more thoroughly. Will review and come back to committee with some recommendations.

Vogt Withdraws motion, Denker (as second to motion) agrees.

Discussion on whether appeals should go to admin process or magistrate. Denker suggests that should be a well-publicized topic at next meeting for more input.

Denker moved “The issue of appeals as an agenda item on next meeting.”

Friedenauer second.

No objection

Its suggested Sgt. Dryden be invited to next meeting for consultation.

Next meeting to include discussion of individual offenses.

•Public comment:

McCord – state law vs homerule – it overlaps with undue burden – urges committee to look at whether it’s an undue burden to assume state law would dictate to borough.

Josephson – The intent of code enforcement is compliance – additionally – police are trained in conflict resolution. I believe the credentialing standards should be directed in Title 16 directly. You don’t have to think through enforcement of Title 18 – you’re keep code as is.

Morphet –Recommend that there be more direction to skiing on roads – headlamp after dark? Skiing against or with traffic?

Tuynman - Education key component of enforcement.

Committee comments:

Next meeting date; Jan 14, 3-5 p.m. in assembly chambers (to accommodate Sgt. Dryden attending.)

•MOTION Case moves to adjourn. **Denker** seconds.

Meeting adjourns 7:10 pm.