  
**Haines Borough**  
**Borough Assembly Meeting #234**  
**AGENDA**

**October 23, 2012 - 6:30 p.m.**

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

*Stephanie Scott,*  
Mayor

*Daymond Hoffman,*  
Seat A  
Assembly Member

*Steve Vick,*  
Seat B  
Assembly Member

*Debra Schnabel,*  
Seat C  
Assembly Member

*Joanne Waterman,*  
Seat D  
Assembly Member

*Norman Smith,*  
Seat E  
Assembly Member

*Jerry Lapp,*  
Seat F  
Assembly Member

*Mark Earnest,*  
Borough Manager

*Julie Cozzi,*  
Borough Clerk

*Michelle Webb,*  
Deputy Clerk

**1. CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL**

**2. 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:

- 3 – Approve Assembly Meeting Minutes
- 8B – Fire Department Report
- 9A – Tourism Advisory Board Minutes and Request
- 9B – Planning Commission Meeting Minutes
- 11A1 – Adopt Resolution 12-10-409
- 11A2 – Adopt Resolution 12-10-410
- 11A3 – Adopt Resolution 12-10-411
- 11A4 – Adopt Resolution 12-10-412
- 11A6 – Adopt Resolution 12-10-414
- 11A7 – Adopt Resolution 12-10-415
- 11B1 – Introduce Ordinance 12-10-307
- 11B2 – Introduce Ordinance 12-10-308
- 11B2 – Introduce Ordinance 12-10-309
- 11C1 – Confirm Hire – Director of Public Facilities

**\* 3. APPROVAL OF MINUTES – 10/9/12 Regular Meeting; 10/9/12 Election Canvass**

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

**5. 2012 BOROUGH ELECTION – Certification of Results**

**6. MAYOR'S COMMENTS/REPORT – 10/23 Report**

**A. Discussion of Local Dungeness Subsistence and Commercial Crab Fishery**

*Forrest Bowers of the Alaska Department of Fish and Game will make a presentation. This agenda item was requested by assembly member Smith.*

**7. PUBLIC HEARINGS**

**A. Ordinance 12-08-302 – Second Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 16, Sections 16.28.010 and 16.28.030 to prohibit verbal abuse, physical assault and threats against borough and harbor staff, physical assault and threats against members of the public while within the harbor, and refusing to comply with lawful directives by the harbormaster, and giving the harbormaster the authority to suspend or revoke the privilege of using borough port and harbor facilities.**

*This was introduced on 8/28 and the first hearing was 9/11. The port and harbor advisory committee was asked to review it prior to the second hearing, and they did so on 10/11. They recommend a substitute ordinance that includes the following changes: 1) prohibits using port/harbor refuse containers for non-harbor or port-related trash, 2) defines "verbal abuse" and 3) clarifies the appeal procedure language. The assembly has the option of scheduling a third hearing. **Motion:** Adopt Ordinance 12-08-302.*

**B. Ordinance 12-09-304 – Second Hearing**

**An ordinance of the Haines Borough Assembly amending Haines Borough Code Title 3, Section 3.70.040(D) to remove from the list of community purpose-exempted properties the parcels owned by Lynn Canal Human Resources, Inc.**

*This is recommended by the state assessor and Lynn Canal Counseling was notified of the revocation of tax exempt status by the borough assistant assessor on 9/19/12. This ordinance was introduced on 9/25 and had a first public hearing on 10/9. **Motion:** Adopt Ordinance 12-09-304.*

7. PUBLIC HEARINGS ---continued---

C. **Ordinance 12-10-305** – First Hearing

**An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 3, Chapter 3.25 to clarify the purpose of the Medical Services Fund.**

*A code amendment is needed to allow for the funding annually provided to Lynn Canal Counseling from the Medical Services Fund. While researching the matter, the clerk found no evidence the post-consolidation assembly intended to limit the medical services funds to ambulance service. This was introduced on 10/9. **Motion:** Advance Ordinance 12-10-305 to a second public hearing on 11/6/12.*

D. **Ordinance 12-10-306** – First Hearing

**An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 5 to increase the fine for violations of business permits up to \$1,000 per violation per day, to amend the approved commercial ski tour area map and to adopt a fee for allocated skier days.**

*The manager recommends a combination of policy and code changes for the 2013 heliskiing season, and his recommendations were "approved" by on 9/11. Some changes require code amendments. The current draft was introduced on 10/9. The manager proposes a substitute ordinance that makes the user day fee effective in 2014 and adds a section requiring annual permit application/skier day allocation requests be submitted by August 31. **Motion:** Advance Ordinance 12-10-306 to a second public hearing on 11/6/12.*

8. **STAFF/FACILITY REPORTS**

A. **Borough Manager - October 23, 2012**

*Attachments:*

- 1. Federal Involvement Priorities for the Haines Borough*
- 2. Alaska Wood Heat Energy Conference Report from Darsie Culbeck*
- 3. Draft Trip Report Policy*
- 4. Prophecy Platinum Agreement with Kluane First Nation*

\* B. **Fire Department – Activity Report for September 2012**

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

\* A. **Tourism Advisory Board – August 23, 2012 meeting and Mayor's response to request**

\* B. **Planning Commission Minutes – August 9, 2012 and September 13, 2012**

10. **UNFINISHED BUSINESS - None**

11. **NEW BUSINESS**

A. **Resolutions**

\* 1. **Resolution 12-10-409**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Little Diggers to provide 2012-2013 snow removal services for Cathedral/Piedad Area & Riverview RMSA.**

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-409.*

\* 2. **Resolution 12-10-410**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Alaska Marine Trucking to provide 2012-2013 snow removal services for the Lutak Dock.**

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-410.*

\* 3. **Resolution 12-10-411**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Turner Construction to provide 2012-2013 snow removal services for Letnikof Estates RMSA & Tanani Bay Subdivision.**

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-411.*

\* 4. **Resolution 12-10-412**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Southeast Road Builders to provide 2012-2013 snow removal services for the Chilkat Center & Townsite Public Schools.**

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-412.*

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

5. **Resolution 12-10-413**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Alaska Power & Telephone to provide 16 new LED streetlights in the amount of \$ 12,246.29.**

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-413.*

\* 6. **Resolution 12-10-414**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into an agreement with Roadrunner Fence Co. for installation of chain link security fencing and gates at Lutak Dock in the amount of \$128,500.**

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-414*

\* 7. **Resolution 12-10-415**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into an agreement with PND Engineers, Inc. for the South Portage Cove Expansion Offshore Bathymetry and Onshore Topography Surveys in the amount of \$97,393.**

*This resolution is recommended by the borough manager and director of public facilities. **Motion:** Adopt Resolution 12-10-415*

**B. Ordinances for Introduction**

\* 1. **Ordinance 12-10-307**

**An Ordinance of the Haines Borough Assembly amending the Port of Haines Terminal Tariff No. 3 to increase water rates at Haines port facilities, increase dockage rates at the Port Chilkoot Dock, and move text from one tariff page to another.**

*On 9/11, the assembly adopted Ordinance 12-07-297 revising the water-sewer rates. It included an increase in the commercial bulk water rate. The Port Tariff must be revised to provide for that rate change, and the assembly authorizes tariff revisions by non-code ordinance. Additionally, the port and harbor advisory committee met jointly with the tourism advisory board on 10/11 to discuss possible increases to the Port Chilkoot Dock dockage rates. They recommend a \$0.25 per foot incremental increase over a five-year period. This rate increase does not include the Port Chilkoot Dock Lightering Float. The two groups recommend tabling that particular discussion until March 2013. **Motion:** Introduce Ordinance 12-10-307 and set a first public hearing for 11/6/12.*

\* 2. **Ordinance 12-10-308**

**An Ordinance of the Haines Borough Assembly Amending Haines Borough Code Title 3 to Establish a Junk and Abandoned Vehicle Disposal Fund, to Levy a Motor Vehicle Registration Tax, and Exempt from Property Taxes All Vehicle Subject to the Registration Tax.**

*This resolution is recommended by the Borough Manager. **Motion:** Introduce Ordinance 12-10-308 and set a first public hearing for 11/6/12.*

**C. Other New Business**

\* 1. **Confirm Hire – Director of Public Facilities**

*Borough Charter 5.03(B) says all department head appointments are subject to assembly confirmation. **Motion:** Confirm the hire of Carlos Jimenez as the new Director of Public Facilities.*

2. **Disposition of the Federal Priorities Sub-Committee**

*On 8/28 the assembly established a 2013 Federal Priorities Steering Committee. The mayor was ready on 10/9 to appoint Allen Turner (chamber of commerce), Royal Henderson (school board), Robert Venables (planning commission), and Jerry Lapp (assembly) and sought assembly confirmation. The motion to confirm failed 3-2 with Waterman and Smith opposed (Schnabel left the meeting prior to that vote). The mayor scheduled a C.O.W. for 6pm on 10/23 to discuss the situation of having a committee with no appointees and has suggested a couple of options. A related memo included in the 10/23 manager's report may help guide the discussion.*

**12. CORRESPONDENCE/REQUESTS**

**A. Request for Assembly C.O.W. to Review Heliskiing Map – SEABA, Inc.**

**13. SET MEETING DATES**

**14. PUBLIC COMMENTS**

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**16. ADJOURNMENT**

Haines Borough  
Borough Assembly Meeting #233  
October 9, 2012  
MINUTES

Draft

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **SCOTT** called the meeting to order at 6:30 p.m. in the Assembly Chambers and led the pledge to the flag.

2. **ROLL CALL**

**Present:** Mayor Stephanie **SCOTT**, and Assembly Members Jerry **LAPP**, Joanne **WATERMAN** (via teleconference), Norman **SMITH**, Steve **VICK** (via teleconference), Debra **SCHNABEL**, and Daymond **HOFFMAN**.

**Staff Present:** Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Jila **STUART**/Chief Fiscal Officer, Michelle **WEBB**/Deputy Clerk, Gary **LOWE**/Chief Of Police, Carlos **JIMENEZ**/Interim Director Of Public Facilities, and Dean **OLSEN**/Assistant Assessor.

**Visitors Present:** Tom **MORPHET**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, Meredith **POCHARDT**, Kelly **LOWE**, Scott **SUNDBERG**, Thom **ELY**, and others.

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

The following Items were on the published consent agenda:

- 4 – Approve 9/25/12 Assembly Meeting Minutes
- 8B – Chilkat Center Facility Report
- 8C – Museum Staff Report
- 9A – Museum Board of Trustees Minutes
- 11A1 – Adoption of Resolution 12-10-406
- 11A2 – Adoption of Resolution 12-10-407
- 11A3 – Adoption of Resolution 12-10-408
- 11B1 – Introduction of Ordinance 12-10-305
- 11B2 – Introduction of Ordinance 12-10-306
- 11C3 – Appointments to Federal Priorities Committee
- 11C4 – Confirm Letter of Support for TWC grant application

**Motion:** **LAPP** moved to “approve the agenda/consent agenda,” and it was seconded.

**SCHNABEL** requested removal of item 11C3 from the consent agenda, and **VICK** asked that item 11B2 also be removed from the consent agenda. There was no objection to the agenda changes.

The motion carried unanimously, and the agenda as amended was approved.

\* 4. **APPROVAL OF MINUTES** - September 25, 2012 Regular Meeting

5. **PUBLIC COMMENTS**

**ELY** said some of the amendments to the Heliskiing regulations are good. If areas are going to be added to the map, he would like Telemark Ridge to be removed. Heliskiing should be reserved for the back areas of the valley, not the front.

**SUNDBERG** said areas like Telemark Ridge should be restored to the map. Historically, that is where the skiing occurs. The proposed \$1,000 fine is considerable. The map has always included front-range terrain. Most areas are nearly four to five miles back from residences, and they are part of their marketing/business plans. The user fee should be specifically dedicated to something. He recommends the assembly meet as a committee of the whole to discuss the map. It would be important to have everyone on the same page.

6. **MAYOR’S COMMENTS/REPORT**

*A written report dated 10/9/12 was included in the meeting packet.*

A. **Employee Recognition: Brian Lemcke** – *this item was delayed until just prior to agenda item 9.*

B. **Southeast Conference Report**

The mayor provided a brief oral report of the recent Southeast Conference meetings to supplement the information in her written report.

7. **PUBLIC HEARINGS**

A. **Ordinance 12-09-303** – Second Hearing

**An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 18, Sections 18.80.030 and 18.90.050 to clarify the allowance of incidental items with setbacks.**

Mayor **SCOTT** opened and closed the public hearing at 6:42pm; there were no public comments.

**Motion:** **LAPP** moved to "adopt Ordinance 12-09-303," and the motion carried unanimously. There was no discussion.

**B. Ordinance 12-09-304 – First Hearing**

**An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 3, Section 3.70.040(D) to remove from the list of community purpose-exempted properties the parcels owned by Lynn Canal Human Resources, Inc.**

Mayor **SCOTT** opened the public hearing at 6:44pm.

**LOWE** said he is president of the Lynn Canal Counseling Board. They have no argument with this. He added they plan to ask the borough to consider using their lot for snow storage in exchange for a fee that would hopefully equal the amount of the property taxes.

Hearing no further comments, the mayor closed the public hearing at 6:45pm.

**Motion:** **LAPP** moved to "advance Ordinance 12-09-304 to a second public hearing on 10/23/12," and the motion carried unanimously.

**OLSEN** confirmed this applies to the 2013 property taxes and will not be retroactive. The last assessment was in 2009 before it became tax-exempt. He estimates the tax will be about \$300.

**8. STAFF/FACILITY REPORTS**

**A. Borough Manager – 10/9/12 Report**

**EARNEST** said he attended the Yukon Energy Summit in Skagway the previous week on behalf of the mayor. It was very productive and interesting. The primary topic was the West Creek Hydro project. He was struck by the importance of LNG in the Yukon Territory and how that demand is being met. This trip also gave him an opportunity to spend time with the Governor's Office and AIDEA discussing Haines projects, and they would like to visit Haines in November.

He has hired Carlos Jimenez as the Interim Director of Public Facilities. Carlos has spent a considerable amount of time with Brian Lemcke and seems to have found his bearings and hit the ground running.

The manager said after much thought he wants to offer another option for the assembly's consideration regarding the borough manager position---namely extending his contract an additional twelve months. There are a lot of projects that are in a good place but need an additional year to mature. There is a great team and he is interested in an extension if the assembly sees fit to go that direction. He added that he will support any direction the assembly wishes to take.

During the discussion of the manager's written and oral reports, **SCOTT** said the AEA is planning to visit Haines around November 8 to meet with the assembly about establishing rate structures. **SCHNABEL** said she would like to see a lot more coordination with the Haines Port Development Steering Committee. She also commended the contractors who are replacing the Chilkat Center boiler and roofing for accommodating the play that was taking place at the Center over the weekend. Regarding borough travel, she would like to see a written report, as a matter of policy, whenever anyone travels on behalf of the borough. During the FY13 budget process, the assembly discussed trail development and SAGA. She was disappointed with the report. The assembly was led to believe the work would be local and also the amount of work was less than anticipated. **EARNEST** offered to provide more information at the next meeting. **SCHNABEL** said the assault in the harbor was reduced to disorderly conduct, and she would like to be debriefed as to why the assault charge did not stick. **SCOTT** said there was a meeting and she learned from the Chief how it all unfolded, and she will put some notes together to present to the assembly for the next meeting.

**SMITH** said it is great to acknowledge the departure of Brian Lemcke but, out of courtesy, it should be mentioned that there is a new planning & zoning technician the assembly has yet to meet. Part of the protocol in the future should include formally introducing new employees to the assembly.

**LAPP** asked the manager if he could look into Leonard Dubber's recent idea of having someone sell the boilers and maintain them for the borough, similar to a service agreement on a copier machine. **SCOTT** clarified the proposal was actually that the borough issue an RFP for someone to provide "heat" to the borough.

**VICK** asked what the original Alaska DOT offer was to purchase the land at Lutak Dock. **EARNEST** responded about \$302K, and the borough countered with about \$365K. He expects to hear back from them soon.

**Motion:** **WATERMAN** moved to extend the manager's contract for an additional year, and it was seconded by **VICK**.

During the discussion, **WATERMAN** said the manager brought forth several good points and she believes it is an excellent opportunity to maintain continuity and a good thing for the borough. **SCHNABEL** asked if this motion is intended to supersede any formal evaluation of the manager, and **WATERMAN** responded no. If the assembly goes ahead with the contract extension, and contract negotiation is forwarded to the personnel committee, an evaluation can be added in at any time. **LAPP** agreed with **WATERMAN** that both can be done. **SMITH** wondered what prevents the manager from changing his mind again. **SCHNABEL** said the manager's announcement struck her as somewhat unusual. She would have preferred him to formally present a statement of intention to the assembly. It's important for her to represent that there are many projects and always will be. The continuation of projects should not necessarily be used as the reason for retaining personnel. **WATERMAN** said she's seizing upon an opportunity with this motion. She realizes there has been some going back and forth. Everyone makes decisions that center around family, etc. She does not feel bad about being flexible to allow people to change minds. The place the borough is in for some projects is an issue for her, and the manager has done a good job of pushing many of them forward. She sees no problem with extending at this time. **SCOTT** said her concern is that this is a big decision, and she recommends postponing it to November. At that time, the manager could present a formal offer with rationale. She's uncomfortable with this coming up with little public notification.

**Motion to Postpone:** **SCHNABEL** moved to "postpone this motion to November 6<sup>th</sup>," and the motion carried 4-3 with **LAPP**, **WATERMAN**, and **VICK** opposed, and the mayor breaking the tie in the affirmative.

**SMITH** believes it would be unfair to the voters to make a decision now. The newly-elected assembly members should be involved.

- \* B. **Chilkat Center Facilities Report** – August and *September 2012 Report*
- \* C. **Museum Staff Report**– August *2012 Report*

**Mayor's Report – 6A** – *This agenda item was picked up at this point in the meeting (it was delayed in anticipation of Mr. Lemcke's arrival, but he was unable to attend).* **SCOTT, EARNEST, COZZI, SMITH, STUART** gave remarks concerning outgoing Director of Public Facilities Brian Lemcke. Comments included that he served with distinction, he's very knowledgeable of every nook and cranny of the facilities, he always seemed to have an answer, his patience and willingness to extend his time through the construction season was very much appreciated, he has a great sense of humor, he was a pleasure to work with, he came across as unflappable, he had a can-do attitude with a laid-back style, there was nothing too big or small to deal with, he knew how to get things done in Haines, and he was very good at resolving problems.

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

- \* A. **Museum Board of Trustees** – *Minutes of August 23, 2012 Meeting*

## **10. UNFINISHED BUSINESS** - None

## **11. NEW BUSINESS**

### **A. Resolutions**

#### \* 1. **Resolution 12-10-406**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a construction contract with Southeast Road Builders for the Chilkat Lake Road project for an amount not-to-exceed \$691,418.50.**

*The motion adopted by approval of the consent agenda: "adopt Resolution 12-10-406."*

#### \* 2. **Resolution 12-10-407**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with PND Engineers, Inc. for design services related to Oceanview / Lutak Slope Movement mitigation measures in the amount of \$52,234.**

*The motion adopted by approval of the consent agenda: "adopt Resolution 12-10-407."*

#### \* 3. **Resolution 12-10-408**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into an agreement with PND Engineers, Inc. to provide contract administration and inspection services for the for the Chilkat Lake Roads project for a not-to-exceed amount of \$52,640.**

*The motion adopted by approval of the consent agenda: "adopt Resolution 12-10-408."*

**B. Ordinances for Introduction**

**\* 1. Ordinance 12-10-305**

**An ordinance of the Haines Borough Assembly amending Haines Borough Code Title 3, Chapter 3.25 to clarify the purpose of the Medical Services Fund.**

*The motion adopted by approval of the consent agenda: "introduce Ordinance 12-10-305 and set a first public hearing for 10/23/12."*

**2. Ordinance 12-10-306**

**An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 5 to increase the fine for violations of business permits up to \$1,000 per violation per day, to amend the approved commercial ski tour area map and to adopt a fee for allocated skier days.**

**Motion:** **HOFFMAN** moved to "introduce Ordinance 12-10-306 and set a first public hearing for 10/23/12," and it was seconded. The motion carried unanimously.

During the discussion, **SMITH** asked why additional recommendations are being made. **SCOTT** explained they are merely suggestions offered as food for thought. **SCHNABEL** said she is intrigued by **SUNDBERG's** idea of dedicating the skier day fees for a specific purpose. Perhaps consideration could be given to using any fees in excess of enforcement costs for industry promotion.

**Primary Amendment:** **VICK** moved to "include in the ordinance draft the first, third, and fifth suggestions in the manager's memo," and it was seconded.

During the discussion, **VICK** said the other two suggestions (second and fourth) may need more negotiation and deliberation. **SCHNABEL** said it is unclear what it means to consult with Alaska Fish and Game. It introduces to the borough's own management an element of not knowing what to do with their recommendations.

**Motion:** **WATERMAN** moved to "divide the question to vote on each suggestion individually," and the motion carried unanimously.

**VICK** believes the borough is not obligated to take any of Fish and Game's recommendations. This would only be consulting with them and getting some information---fact-finding. **LAPP** moved to "include the second and fourth suggestions," but it failed with **SMITH**, **SCHNABEL**, **WATERMAN**, and **VICK** opposed. **WATERMAN** does not like the wording and understands these are just suggestions and comments that came out of a committee meeting. The wording needs to be thought-out and drafted before being included in the ordinance.

Primary Amendment Vote, as divided:

First Suggestion - failed 1-5 with **WATERMAN**, **SCHNABEL**, **SMITH**, **LAPP**, and **HOFFMAN** opposed.

Third Suggestion - carried 4-3 with **WATERMAN**, **LAPP**, and **SMITH** opposed and Mayor **SCOTT** breaking the tie in affirmative.

Fifth Suggestion - carried 4-2 with **SMITH** and **WATERMAN** opposed.

The main motion, as amended, carried 4-2 with **LAPP** and **SMITH** opposed.

**C. Other New Business**

**1. Presentation - Ice Rink Proposal by Haines Hockey**

**HOFFMAN** said Haines Hockey group is not quite ready for this and would like the idea to be examined in the future. **LAPP** said **HOFFMAN** presented the concept to the Tourism Advisory Board who responded favorably. He likes the idea of a rink being in the center of town. **VICK** likes it, as well. **SCHNABEL** has no problem with imagining things like this, but it is premature for the assembly to consider it. The facilities master plan is still being developed, and the planning commission needs to be involved. She's not willing to devote that property to this idea until there is a plan. **SMITH** concurred that it is premature but likes the idea of an ice rink. It needs more planning and thought. **SCHNABEL** said she is an advocate for recreation. She would be very willing to support Haines Hockey group in other ways such as purchasing snow removal equipment to help maintain the existing ice rink. **SCOTT** said the Southeast Alaska State Fair is happy to continue hosting Haines Hockey. **HOFFMAN** clarified this idea is not just for hockey. It would be a community rink. The thought is to use borough property under the borough's liability insurance. There wouldn't be any cost to the borough. The group wants the facility to look really

good. **SCOTT** said this idea should be added to the facilities master plan process and incorporated into a bigger plan for public comment. **VICK** made a motion to allow the Haines Hockey group to make a temporary ice rink at the former primary school property to be removed by May 1<sup>st</sup>, but it was not seconded.

**2. Manager's Transition Plan and Options for Hiring Process**

*The personnel committee met on 9/21 to discuss the manager transition plan and hiring process and recommended a "traditional" recruitment method.*

**Motion:** **LAPP** moved to "postpone this item until the manager's proposal is heard on November 6, 2012," and the motion carried unanimously.

*Note: Assembly Member **SCHNABEL** left the meeting at this point.*

**3. Advisory Board Appointments** – The item was removed from the consent agenda.

*On 8/28, a 2013 Federal Priorities ad hoc Steering Committee was established to be made up of one member each from the school board, assembly, planning commission, and chamber of commerce. The manager and school district superintendent are ex officio members. The mayor was ready to make the appointments and sought assembly confirmation.*

**Motion:** **LAPP** moved to "confirm the mayor's appointments of Allen Turner (Chamber of Commerce), Member-elect Royal Henderson (School Board), Robert Venables (Planning Commission), and Jerry Lapp (Assembly) Federal Priorities ad hoc Steering Committee," and it failed 3-2 with **SMITH** and **WATERMAN** opposed.

**SCOTT** observed there is now a committee with no members, and she hopes those who objected will come to her to explain their reasoning.

**\* 4. Letter of Support for Takshanuk Watershed Council (TWC)**

*TWC asked for a letter of support for a grant application. A draft letter was prepared for the mayor's signature and assembly approval was sought. The motion adopted by approval of the consent agenda: "approve the draft letter of support for the Takshanuk Watershed Council's Community Transformation grant application through SEARHC."*

**12. CORRESPONDENCE/REQUESTS** – None

**13. SET MEETING DATES**

**A. Government Affairs & Services Committee** – Tuesday, 10/16, 5:30pm - Purpose: Review Police Department Complaint Policies and Procedures

**14. PUBLIC COMMENTS**

**KURZ** reminded that the citizens elect representatives and the borough employees work for the entire borough.

**STUART** said as the borough's finance director, she has been hoping for many years that the former school properties would be put back on the tax rolls. But as a private citizen, she loves the idea of an ice rink being in the downtown area. It could be a positive attractant.

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**HOFFMAN** explained he voted to postpone the discussion of extending the manager's contract because he agrees with **SMITH** that he's a "lame duck." Assembly member-elect Berry should be involved in that particular vote. However, he wanted to go on record that he supports Mark Earnest as manager.

**LAPP** agreed with **STUART**'s comments about the ice rink. **VICK** said he wishes people had voted for the temporary ice rink. Mayor **SCOTT** supports an ice rink. It is the hockey rink that will potentially be an eyesore because that sport requires boards on the sides. **HOFFMAN** agreed.

**16. ADJOURNMENT** – 8:37pm

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

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

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

Haines Borough  
Borough Assembly Meeting  
Election CANVASS  
October 9, 2012  
MINUTES

Draft

THIS WAS A SPECIAL MEETING HELD SOLELY FOR THE PURPOSE OF CANVASSING THE RESULTS OF THE OCTOBER 2, 2012 GENERAL MUNICIPAL ELECTION. NO OTHER BUSINESS WAS DISCUSSED.

1. **CALL TO ORDER:** Mayor Stephanie **SCOTT** called the election canvass to order at 5:45 p.m. in the Assembly Chambers of the Public Safety Building and led the pledge to the flag.
2. **ROLL CALL Present:** Mayor Stephanie **SCOTT**, Assembly Members Jerry **LAPP**, Debra **SCHNABEL**, Daymond **HOFFMAN**, and Norm **SMITH**. **Absent:** Steve **VICK** and Joanne **WATERMAN**.

**Staff Present:** Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, and Michelle **WEBB**/Deputy Clerk.

**Visitors Present:** Tom **MORPHET**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, and others.

3. **CANVASS – October 2, 2012 General Municipal Election:**

**COZZI** presented the Borough Clerk's written election canvass report and explained her recommendations. She reported a total of 27 ballots not counted on Election Day. Six are disqualified because the voters were not properly registered, per the Division of Elections, or did not complete or sign the required voter certification in the case of one absentee-by-fax ballot. The remaining 21 uncounted ballots are valid and may be counted by the assembly during this canvass.

3 Absentee-By-Mail ballots received after Election Day,  
6 Absentee-by-Fax ballots, and  
12 Questioned/Absentee-in-Person/Special Needs ballots.  
**21** Total

**Motion** by **LAPP** to "accept the Borough Clerk's Election report and recommendations regarding ballots to be counted during the October 2, 2012 Election Canvass," and the motion carried unanimously.

Cozzi delivered to Mayor **SCOTT** the 21 ballots to be counted. **SCOTT**, with **EARNEST** observing and assisting, opened each ballot envelope and read aloud each vote. Two teams tallied: 1) **HOFFMAN/SCHNABEL** and 2) **LAPP/SMITH**.

Following the counting, **SCOTT** called for a very brief recess to enable **COZZI** to complete the October 2, 2012 Election totals to be read into the record.

Following the recess, **COZZI** read the final election results into the record, as follows:

**ASSEMBLY – SEAT A**  
DAVE BERRY JR. **455** WINNER  
JONATHAN D. GREENE **377**  
WRITE IN **6**

**ASSEMBLY - SEAT D**  
JAMES STUDLEY **289**  
JOANNE WATERMAN **550** WINNER  
WRITE-IN **13**

**SCHOOL BOARD – SEAT A**  
SARA C. CHAPELL **678** WINNER  
WRITE-IN **20**

**SCHOOL BOARD - SEAT D**

WRITE IN VOTES **102** - No one elected; no write-in candidate per HBC 2.68.150

**SCHOOL BOARD - SEAT E**

ROYAL HENDERSON **697** WINNER  
WRITE IN **24**

**SCHOOL BOARD - SEAT F**

BRENDA JONES **634** WINNER  
WRITE IN **13**

**PROPOSITION #1 – APOC EXEMPTION**

YES **471** PASSED  
NO **368**

**4. ADJOURNMENT – 6:28 pm**

**Motion** by **LAPP** to “adjourn the October 2, 2012 Election Canvass,” and the motion carried unanimously.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

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



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-184  
**Assembly Meeting Date:** 10/23/12

Business Item Description:	Attachments:
Subject: Certification of October 2, 2012 Borough Election Results	1. 10/9/12 Canvass Results of October 2, 2012 Election 2. Certification Document (to be signed following certification and delivered to those persons elected)
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 10/10/12	

**Full Title/Motion:**  
 Motion: Declare the October 2, 2012 Borough Election valid and certify the election results

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**

On October 9, 2012, the borough assembly served as the canvass board for the October 2, 2012 Haines Borough Election and tallied 21 valid uncounted ballots to determine the final outcome of each race. Code states that any notice of election contest shall be submitted, in writing, to the borough clerk before 5pm on the day of the certification of the election (in this case 10/23). As of 10/18, the clerk has received no notices of election contest. This will be confirmed during the assembly meeting prior to the vote to certify. HBC 2.68.500 requires that at the first regular meeting of the assembly following the canvass, unless the assembly orders an investigation or unless a contest has been filed, the assembly shall declare the election valid and certify the election results. The certification shall be by motion duly made, seconded and passed and the results of the elections shall be noted in the record of the proceedings of the assembly.

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 10/23/12	Tabled to Date:

## HAINES BOROUGH

October 2, 2012 General Municipal Election  
10/9/12 ELECTION CANVASS

Page 1 of 2

The tally below is a true and accurate record of all votes cast in the Haines Borough General Election held on October 2, 2012.

### ASSEMBLY – SEAT A

BERRY	ELECTION	<u>449</u>	CANVASS	<u>6</u>	TOTAL	<u>455</u>
GREENE	ELECTION	<u>362</u>	CANVASS	<u>15</u>	TOTAL	<u>377</u>
WRITE IN	ELECTION	<u>6</u>	CANVASS	<u>0</u>	TOTAL	<u>6</u>

### ASSEMBLY - SEAT D

STUDLEY	ELECTION	<u>284</u>	CANVASS	<u>5</u>	TOTAL	<u>289</u>
WATERMAN	ELECTION	<u>534</u>	CANVASS	<u>16</u>	TOTAL	<u>550</u>
WRITE IN	ELECTION	<u>13</u>	CANVASS	<u>0</u>	TOTAL	<u>13</u>

### SCHOOL BOARD - SEAT A

CHAPELL	ELECTION	<u>661</u>	CANVASS	<u>17</u>	TOTAL	<u>678</u>
WRITE IN	ELECTION	<u>20</u>	CANVASS	<u>0</u>	TOTAL	<u>20</u>

### SCHOOL BOARD - SEAT D

WRITE IN	ELECTION	<u>100</u>	CANVASS	<u>2</u>	TOTAL	<u>102</u>
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### SCHOOL BOARD - SEAT E

HENDERSON	ELECTION	<u>682</u>	CANVASS	<u>15</u>	TOTAL	<u>697</u>
WRITE IN	ELECTION	<u>24</u>	CANVASS	<u>0</u>	TOTAL	<u>24</u>

### SCHOOL BOARD - SEAT F

JONES	ELECTION	<u>617</u>	CANVASS	<u>17</u>	TOTAL	<u>634</u>
WRITE IN	ELECTION	<u>13</u>	CANVASS	<u>0</u>	TOTAL	<u>13</u>

### PROPOSITION #1 – APOC EXEMPTION

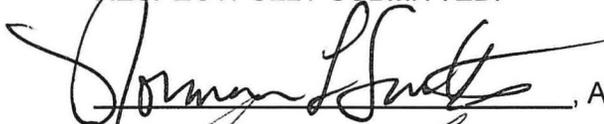
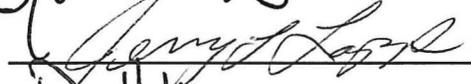
YES	ELECTION	<u>457</u>	CANVASS	<u>14</u>	TOTAL	<u>471</u>
NO	ELECTION	<u>362</u>	CANVASS	<u>6</u>	TOTAL	<u>368</u>

HAINES BOROUGH  
October 2, 2012 General Municipal Election  
ELECTION CANVASS

Page 2 of 2

THE CANVASS OF VOTES WAS COMPLETED BETWEEN THE HOURS OF 5:00 P.M. AND  
8:00 P.M. ON TUESDAY, OCTOBER 9, 2012.

RESPECTFULLY SUBMITTED:

  
\_\_\_\_\_, ASSEMBLY MEMBER  
  
\_\_\_\_\_, ASSEMBLY MEMBER  
  
\_\_\_\_\_, ASSEMBLY MEMBER  
  
\_\_\_\_\_, ASSEMBLY MEMBER  
\_\_\_\_\_, ASSEMBLY MEMBER  
\_\_\_\_\_, ASSEMBLY MEMBER

ATTEST:

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

Haines Borough  
CERTIFICATE OF ELECTION

Pursuant to HBC 2.68.500, the undersigned members of the Haines Borough Assembly do hereby certify the following results of the Haines Borough General Municipal Election held on October 2, 2012 and canvassed on October 9, 2012:

**Assembly Seat A**, term ending October 2015 - **Dave Berry Jr.**

**Assembly Seat D**, term ending October 2015 - **Joanne Waterman**

**School Board Seat A**, term ending October 2015 - **Sara C. Chapell**

**School Board Seat D**, term ending October 2015 - No one elected; an appointee TBD will serve until the October 2013 election

**School Board Seat E**, term ending October 2013 - **Royal Henderson**

**School Board Seat F**, term ending October 2014 - **Brenda Jones**

**Proposition #1** (APOC Exemption) - **Passed**

\_\_\_\_\_, Steve Vick, Assembly Member

\_\_\_\_\_, Joanne Waterman, Assembly Member

\_\_\_\_\_, Daymond Hoffman, Assembly Member

\_\_\_\_\_, Debra Schnabel, Assembly Member

\_\_\_\_\_, Jerry Lapp, Assembly Member

\_\_\_\_\_, Norman Smith, Assembly Member

I, the undersigned Borough Clerk for Haines Borough, Alaska, do hereby attest that this election certification was duly made by motion, seconded and passed and the results of the elections shall be noted in the October 23, 2012 record of the proceedings of the assembly. The record shall include the total number of votes cast during the election and the votes cast for each candidate and for and against the proposition. Furthermore, a copy of this certificate of election shall be delivered to each person elected and shall be prima facie evidence of its truth.

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

Date: \_\_\_\_\_

## Mayor's Report

Haines Borough  
Office of the Mayor  
103 Third Avenue S.  
Haines, Alaska 99827  
sscott@haines.ak.us  
Voice (907) 766-2231 ext. 30

### October 15, 2012 for the October 23 Assembly Meeting

**Harbor Assault: Could We Have Done More?** Although I believe that a plain-spoken answer to this question is “Yes,” I also believe with equal conviction that the thing to do now, is to correct course with training and advocacy.

The Assistant District Attorney, Amy Williams, reported that there were significant omissions in the local investigation of the offense, but Williams does not for a minute hold the local force exclusively accountable for those omissions. According to Williams, part of the DA's responsibility is to train local law enforcement to perform investigations that will enable the DA to take a matter to trial. The last training conducted in Haines was in May 2010. The “training” part of the course correction will commence during a pre-training meeting between the Haines Chief of Police, the Borough Manager, and myself, tentatively set for November 7, 5:00 PM.

As for advocacy, the Assistant DA stated that it is always helpful for the community to weigh in when a high-profile case is under investigation. Now that we know that, we can do that.

For your information, I have recapped the information I learned directly from court records, the Clerk of the Court, Chief Lowe, and Assistant District Attorney Amy Williams. I provide this information so that you may draw your own conclusions regarding the outcome of the incident.

- ❖ Though a misdemeanor assault charge (i.e. assault in the 4<sup>th</sup> degree) was filed, the defendant ended up pleading to and being charged with the following much lesser offense: “disorderly conduct –create hazard condition” (sic).<sup>1</sup> This charge was developed through a Rule 11 Plea arrangement through consultation between the Assistant District Attorney

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<sup>1</sup> The Judgment on file with the District Court for the State of Alaska at Haines, Case No. 1HA-12-00049CR, states on the Offense Charged line: “AS11.61.110(a)(6): Disord Conduct-Create Hazard Condition.”

assigned to Haines cases and the defendant's public defender. The Judgment states that "the defendant was found and adjudged guilty of the offense<sup>2</sup>."

- ❖ Why the charges were "pled down" depends on who you talk to. Chief Lowe indicated that the District Attorney is swamped with cases and that the disposition of every case is analyzed on a cost/benefit ratio: the cost of a trial vs. the benefit to the community. Based on past experience, Chief Lowe did not expect the case to go to trial; thus he was not concerned when the arresting officer was scheduled for training in Anchorage during the same time that the trial was scheduled. Chief Lowe also believes that the DA could have re-scheduled the trial if a trial was deemed by the DA to be the most beneficial tact to take.<sup>3</sup>
- ❖ On the other hand, the Assistant District Attorney states that she would have preferred a trial; and that she believed it to be in the best interests of the community to take this case to trial. The case, according to the DA, did not go to trial because the investigation had omissions. Omissions included the absence of recorded witness statements, the absence of written verbatim witness statements, and the absence of photographs of the scene. Evidently, the rules of evidence in a criminal matter are very exacting. For example, assault in the 4<sup>th</sup> degree requires that the victim be placed in fear of danger. That required that the DA know exactly where the Harbor Master was standing with respect to the edge of the dock. That information was not provided.
- ❖ Naively, I asked why the DA could not have come to town herself and taken "depositions." First of all, I learned that depositions are rarely, if ever, used in criminal matters; though they are frequently used in civil matters. Second of all, I learned that the District Attorney's office is not an investigative

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<sup>2</sup> The sentence imposed consists of 10 days in jail – suspended; jail surcharge suspended unless probation is revoked; 48 hours of Community Work Service to be completed by November 27; a letter of apology to the harbor master by October 11; probation until September 27, 2012.

<sup>3</sup> To substantiate that charges delivered to the DA's office by the Haines Borough Police Department generally do not result in convictions, Chief Lowe offered statistics from 2010 and 2011. Since one arrest can result in multiple charges, the statistics report arrests, charges, and convictions. I have to clarify if the statistic named "domestic violence related charges" constitute all charges before I can translate convictions/charges into a meaningful rate.

2010: 8 arrests, 17 domestic violence (DV) related charges, 3 DV convictions, 3 non-DV convictions.

2011: 11 arrests, 17 DV related charges, 6 DV convictions, 1 non-DV conviction. What is clear, is that there are fewer convictions than charges filed.

agency. The DA must rely on the investigative expertise of the police department.

- ❖ Ms. Williams in no way faults the Haines Borough Police Department for the omissions in the investigation. She stated that part of her responsibility is to provide training in investigative techniques for local police. Though she conducted training in Haines May 2010, she believes that the only officer still on staff since that training is Chief Lowe himself. In fact, she liberally praised the recent investigations conducted by Sergeant Simon Ford.

**Complaints Filed by Citizens Naming the Chief of Police.** I have received two written complaints naming the Haines Borough Chief of Police, one of which also named an officer. According to the Rules and Regulations of the Haines Borough Police Department (HBPD-RR-1) IV. General Procedures (C):

Responsibility for investigating complaints against the department or its members lies with the chief of police. However, if the chief of police is a subject of a complaint, the mayor may assume responsibility to investigate.

I consulted with the Manager and with the Assistant District Attorney to determine how I might discharge my duty to investigate. I agreed that the most prudent course of action would be to forward the complaints to an agency designed to investigate these types of complaints. Accordingly, I forwarded the complaints to the Alaska Police Standards Council October 11. In compliance with procedures, I also forward the complaint that named the Chief and an officer, to the Chief; and provided the Chief with a summary the complaint that named the Chief solely. Kelly Alzaharna, Executive Director of the Alaska Police Standards phoned me October 15 to say that her review of the complaints would be available shortly.

**Electric Fence for Landfill to Prevent “Dump” Bears.** I met with Pam Randles from the Bear Foundation, Burl Sheldon representing Community Waste Solutions and Darsie Culbeck (October 8) to discuss installing an electric fence at the dump to prevent the habituation of bears to garbage. The Bear Foundation and CWS have agreed to enter into a memorandum of understanding regarding consultation and design of an electric fence to be installed by and maintained by CWS. The fence will enclose the building that receives waste at the landfill. CWS and the Bear Foundation will also jointly recommend to the Assembly that the clause exempting “material in a certified landfill” from being a “bear attraction nuisance” be deleted. See HBC 8.20.010 (A) (2) (a).

**50<sup>th</sup> Anniversary AMHS Film.** Robert Venables was paying close attention to the preview of the 50<sup>th</sup> Anniversary AMHS documentary at Southeast Conference. He noticed that the story of the origin of the ferry system wasn’t quite right. Haines resident Steve Homer wasn’t afforded the place in history he deserved as the “father of the ferries.” Tipped off by Robert, I buttonholed the producer, Scott Foster, KTOO/360 North and let him know that there was a possible critical omission in the

story gathered thus far. I also dangled my own story of the ferry's life-saving return to Haines during a January blizzard in 1982, after already casting off from the dock, to collect myself and my 2-year old son suffering from acute appendicitis. Apparently our stories did the trick and Scott Foster and Skip Gray came to Haines Sunday, October 14, to document stories about Steve Homer and my son. Haines residents Marge Ward, Joanie Snyder, and Annette Smith all participated in interviews at the Sheldon Museum. Jerri Clarke was on hand to open the Museum and to provide photos of Steve Homer and iconic images of Haines in the late 1940s for the documentary. Haines Tourism Director, Tanya Carlson, was also on hand to try to gather information that will help us estimate the benefit of the film to Haines. The Southeast Conference has contributed \$40,000.00 to the production of the documentary and is requesting communities to help defray the cost.



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-155  
**Assembly Meeting Date:** 10/23/12

Business Item Description:	Attachments:
<b>Subject:</b> Amend Title 16 to prohibit certain behaviors and give the harbormaster authority to suspend or revoke privileges	1. Ordinance 12-08-302 - Current Draft 2. Proposed Substitute Ordinance containing amendments recommended by the Port and Harbor Advisory Committee
<b>Originator:</b> Borough Manager (Agenda Bill by Clerk's Office)	
<b>Originating Department:</b> Administration	
<b>Date Submitted:</b> 8/7/12	

**Full Title/Motion:**  
 Motion: Adopt Ordinance 12-08-302.  
 (Clerk's Note: If the assembly accepts the proposed substitute ordinance and decides the amendments are substantive, a third public hearing on 11/6/12 may be scheduled rather than adopting at this meeting.)

**Administrative Recommendation:**  
 The manager recommends this ordinance.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos. :	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**  
 This ordinance amends Title 16 to prohibit:

1. verbal abuse, physical assault and threats against borough and harbor staff,
2. physical assault and threats against members of the public while within the harbor, and
3. refusing to comply with lawful directives by the harbormaster.

It also gives the harbormaster the authority to suspend or revoke the privilege of using borough port and harbor facilities. On 9/11, the assembly scheduled the 2nd public hearing for this meeting to provide the port & harbor advisory committee an opportunity to review the draft and propose additional amendments, if necessary. They propose a substitute ordinance that includes these amendments: 1) prohibits using port/harbor refuse containers for non-harbor or port-related trash, 2) defines "verbal abuse" and 3) clarifies the appeal procedure language.

**Referral:**

Sent to: Port and Harbor Advisory Committee	Date: 9/11/12
Recommendation: Sub Ordinance Refer to:	Meeting Date: 10/11/12

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 9/11, 10/23/12
Meeting Date(s): 8/28, 9/11, 10/23/12	Tabled to Date:

**An Ordinance of the Haines Borough amending Haines Borough Code Title 16, Sections 16.28.010 and 16.28.030 to prohibit verbal abuse, physical assault and threats against borough and harbor staff, physical assault and threats against members of the public while within the harbor, and refusing to comply with lawful directives by the harbormaster, and giving the harbormaster the authority to suspend or revoke the privilege of using borough port and harbor facilities.**

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 Section 16.28.010. Haines Borough Code 16.28.010 is amended, by the addition of sections S – U, to read as follows:

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

#### **16.28.010 Prohibited Acts**

It shall be unlawful for any vessel owner, master or manager or other person in charge of the operation of a vessel using the borough port and harbor facilities to commit any of the prohibited acts:

...

**S. To verbally abuse, physically assault, or threaten any Borough or harbor personnel at any time.**

**T. To physically assault or threaten other harbor users or members of the public while within the Borough port and harbor facilities.**

**U. To refuse to comply with any lawful order of the harbormaster or his representatives.**

Section 5. Amendment of Section 16.28.030. Haines Borough Code 16.28.030 is amended, as follows:

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

#### **16.28.030 Penalties for violations.**

**A.** Any person violating any of the provisions of this title will be fined according to the fees set out in the most current assembly approved fee schedule.

**B. In addition to the remedies under subsection A, the privilege of using the Borough port and harbor facilities may be suspended or revoked if the harbormaster**

**determines that suspension or revocation is in the best interest of the Borough or other harbor users. Notice of suspension or revocation of privileges shall be delivered in person or by certified mail to ensure receipt, and, for the purposes of AS 11.46.320 -- 11.46.350, shall constitute a lawful directive by the person in charge of the premises to vacate and to refrain from entering all borough port and facilities for any reason for as long as the suspension or revocation is in effect. Failure to comply with the harbormaster's revocation of mooring privileges or an order to vacate may result in impoundment under Chapter 16.24.070 of this title. The remedies of this title are in addition to any civil and criminal remedies the harbormaster, Borough, State of Alaska, or any other authority may have.**

**Any person or vessel owner whose privileges have been suspended or revoked has the right to an administrative hearing to determine whether there was probable cause for the suspension or revocation of privileges. The request shall be in writing submitted to the borough within five (5) business days of the suspension or revocation. The manager shall call a meeting of the Port and Harbor Advisory Committee within fourteen (14) business days for the purpose of conducting the requested administrative hearing. The hearing shall be conducted in an informal manner and shall not be bound by technical rules of evidence. The person demanding the hearing shall carry the burden of establishing the right for reinstatement. The Harbormaster shall carry the burden of establishing just cause for the suspension or revocation.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

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

Date Introduced: 08/28/12  
Date of First Public Hearing: 09/11/12  
Date of Second Public Hearing: 10/23/12

# Proposed Substitute Ordinance

HAINES BOROUGH, ALASKA  
ORDINANCE No. 12-08-302

**Draft**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 16, Sections 16.28.010 and 16.28.030 to prohibit verbal abuse, physical assault and threats against borough and harbor staff; physical assault and threats against members of the public while within the harbor; using port and harbor refuse containers for non-harbor or port refuse; refusing to comply with lawful directives by the harbormaster; and giving the harbormaster the authority to suspend or revoke the privilege of using borough port and harbor facilities.**

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 Title 16. Haines Borough Code Title 16 is amended to clarify chapter titles to read as follows:

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

Chapters:

- 16.20 Duties of ~~Vessel~~ Boat Owners
- 16.24 Harbor Nuisances
- 16.28 **Hazardous Conditions**, Prohibited Acts and Enforcement

Section 5. Amendment of Section 16.28.010. Haines Borough Code 16.28.010 is amended, by the addition of sections S – U, to read as follows:

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

## **16.28.010 Prohibited Acts**

It shall be unlawful for any ~~person~~ vessel owner, master or manager or other person in charge of the operation of a vessel using the borough port and harbor facilities, to commit any of the **following** prohibited acts:

A. To operate, or cause to be operated, any vessel, as defined in this title, within the limits of the borough port and harbor facilities, in excess of three miles per hour. All vessel operators are legally liable for any damages from their wake.

B. To operate, or cause to be operated, any vessel, as defined in this title, within the limits of the borough port and harbor facilities, in a negligent manner in willful and wanton disregard for the safety of persons or property.

C. To operate, or cause to be operated, any vessel, as defined in this title, within the limits of the borough port and harbor facilities, in a negligent manner likely to endanger the safety of person or property.

D. To throw or otherwise cause to be deposited gasoline, oil, trash, garbage or refuse on any float or into the water of the borough port and harbor facilities. **To use the borough port**

**and harbor refuse containers for non-harbor or port refuse.** It is prohibited to leave snow removed from vessels on any dock, float, or finger.

E. To fail to register with the harbormaster, as provided in HBC [16.20.010](#).

F. To leave any vessel or floating structure moored at any of the borough port and harbor facilities unattended while any fire is burning thereon. Any such fire shall be deemed unattended unless the owner or operator is within 100 feet of the same.

G. To start or allow to continue any fire on a float or dock.

H. To create and maintain any nuisance within the borough port and harbor facilities.

I. To conduct or carry on any unlawful business or occupation within the limits of the borough port and harbor facilities.

J. To live aboard a vessel moored in the harbor at any time from October 15th to April 1st, except on a transient moorage basis for periods of two weeks or less. For any person or owner in charge of any dog or animal to allow or permit such dog or animal to run at large within the borough port and harbor facilities.

K. To deposit, place or leave any cargo, merchandise, supplies, freight, articles or thing, including fecal matter deposited on docks, upon any float, ramp, walk or other public place in the borough port and harbor facilities, except while loading to or from a boat or vehicle.

L. For any person or owner in charge of any dog or animal to fail to clean up after their animals.

M. To tap, disconnect, interfere with, or tamper with any water outlet, water pipe, water connection, or any electrical wiring, electrical outlet, or electrical device of any kind installed or maintained in the borough port and harbor facilities by the borough without first having obtained the permission of the harbormaster.

N. To interfere with any wharf, gangplank, ramp or any other facility of the borough port and harbor facilities.

O. To write or post any written or printed matter or sign upon any bulletin board constructed or maintained by the borough without first having obtained the permission of the harbormaster.

P. To erect, place, post or maintain any advertising matter, sign or other printed matter other than legal notices on any part of the borough port and harbor facilities without approval thereof first being obtained from the harbormaster.

Q. To disregard, deface, remove, tamper with or damage any sign or notice posted or erected by the harbormaster or by the direction of the borough assembly relating to the use of mooring areas or other uses of the borough port and harbor facilities.

R. To moor, berth, tie, attach or connect to any part of the Letnikof Cove facility any boat or other waterborne structure without paying the fees or charges prescribed in this title.

**S. To verbally abuse, physically assault, or threaten any borough or harbor personnel at any time.**

**For the purposes of this section, "verbal abuse" means "fighting words" as that term is defined under Alaska law, and encompasses oral utterances which would be expected to provoke an immediate violent response in the average reasonable listener. "Verbal abuse" includes, but is not limited to, threatening significant physical harm or threatening or causing significant emotional harm to a person through the use of:**

**1. Derogatory or inappropriate names, insults, verbal assaults, profanity, or ridicule; or**

**2. Harassment, coercion, threats, intimidation, humiliation, mental cruelty, or inappropriate sexual comments.**

**T. To physically assault or threaten other harbor users or members of the public while within the Borough port and harbor facilities.**

**U. To refuse to comply with any lawful order of the harbormaster or his representatives.**

Section 6. Amendment of Section 16.28.030. Haines Borough Code 16.28.030 is amended, as follows:

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

**16.28.030 Penalties for violations.**

**A.** Any person violating any of the provisions of this title will be fined according to the fees set out in the most current assembly approved fee schedule.

**B.** **In addition to the remedies under subsection A, the privilege of using the borough port and harbor facilities may be suspended or revoked if the harbormaster determines that suspension or revocation is in the best interest of the borough or other harbor users. Notice of suspension or revocation of privileges shall be delivered in person or by certified mail to ensure receipt, and, for the purposes of AS 11.46.320 -- 11.46.350, shall constitute a lawful directive by the person in charge of the premises to vacate and to refrain from entering all borough port and facilities for any reason for as long as the suspension or revocation is in effect. Failure to comply with the harbormaster's revocation of mooring privileges or an order to vacate may result in impoundment under chapter 16.24.070 of this title. The remedies of this title are in addition to any civil and criminal remedies the harbormaster, borough, state of Alaska, or any other authority may have.**

**C.** **Any person or vessel owner whose privileges have been suspended or revoked has the right to an administrative hearing to determine whether there was probable cause for the suspension or revocation of privileges. The request shall be in writing submitted to the port and harbor advisory committee via the borough manager within five (5) business days of the suspension or revocation. Within fourteen (14) business days, the manager shall call a port and harbor advisory committee meeting to address the suspension or revocation. The hearing shall be conducted in an informal manner and shall not be bound by technical rules of evidence. The person demanding the hearing shall carry the burden of establishing the right for reinstatement. The harbormaster shall carry the burden of establishing just cause for the suspension or revocation.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

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

Date Introduced: 08/28/12  
Date of First Public Hearing: 09/11/12  
Date of Second Public Hearing: 10/23/12



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-169  
**Assembly Meeting Date:** 10/23/12

<b>Business Item Description:</b>		<b>Attachments:</b>
Subject: Lynn Canal HR, Inc. Tax Exemption Revocation	Originator: Assistant Assessor (Agenda Bill by Clerk's Office)	1. Ordinance 12-09-304 2. Memo from the Assistant Assessor 3. Exemption Revocation Notice for Lynn Canal Counseling Services
Originating Department: Assessment	Date Submitted: 9/19/12	

**Full Title/Motion:**  
 Motion: Adopt Ordinance 12-09-304.

**Administrative Recommendation:**  
 The borough manager recommends this ordinance.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**  
 Lynn Canal Counseling Services, who provides community mental health, and substance abuse services, was granted exempt status under the adopted ordinance 09-08-213. Land use for this community purpose exemption was identified for new construction of office space on this property. During a recent audit by the State Assessor it was pointed out that new construction of the office space described in the tax-exempt application has not occurred. It was deemed by the State Assessor that owning vacant land is not a valid reason for the community service exemption. As a result, the Haines Borough Assessor's office was directed by Steve Van Sant, State Assessor for the State of Alaska, to remove the exempt status of the land owned by Lynn Canal Counseling Services, which was notified of this change by the Haines Borough on September 17th, 2012.

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 10/9, 10/23/12
Meeting Date(s): 9/25, 10/9, 10/23/12	Tabled to Date:

**An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 3, Section 3.70.040(D) to remove from the list of community purpose-exempted properties the parcels owned by Lynn Canal Human Resources, Inc.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 4 of 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 Section 3.70.040(D): Section 3.70.040(D) of the Haines Borough Code is hereby amended to read as follows:

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

**3.70.040 Local exemptions and exclusions.**

...

D. Pursuant to AS 29.45.050(b)(1)(A), the below listed properties shall remain exempt from property taxation so long as they remain the property of their present owners (organizations not organized for business or profitmaking purposes) and so long as they remain used exclusively for community purposes:

1. Southeast Alaska Fairgrounds: that area containing 42 acres, more or less, in USS 735, currently owned by Southeast Alaska State Fair, Inc.;

2. Port Chilkoot Parade Ground, currently owned by Alaska Indian Arts, Inc., that area surrounding Block G, Port Chilkoot Subdivision, containing 7.58 acres, more or less, not used for commercial purposes;

3. Land and improvements situated on Lots 1 through 7, Block O, Presbyterian Mission Subdivision, currently owned by the American Bald Eagle Foundation;

4. Land and improvements situated on Small Tracts Road, specifically the north 300 feet of the West 100 feet of Lot 40, Section 2, Township 31 South, Range 59 East, of the Copper River Meridian, currently owned by the Haines Animal Rescue Kennel;

5. Land and improvements situated on Lots 5, 6 and 11 through 14, Block 8, Townsite Addition, dedicated to the Haines Senior Assisted Living Facility and owned by Haines Assisted Living Inc.;

6. Charles Anway Cabin: Land and improvements situated on Lot 2C within the resubdivision of Lot 2, Meacock Subdivision within Survey 206 currently owned by the Chilkat Valley Historical Society;

~~7. Land and improvements situated on Lots 5 and 6, Block 15, Townsite, dedicated to Lynn Canal Counseling Services and owned by Lynn Canal Human Resources, Inc.;~~

8.7. Land and improvements situated on Lots 1 through 5, Block 12, and Lots 5 through 8, Block 6, Townsite, currently owned by Takshanuk Watershed Council.

Haines Borough  
Ordinance No. 12-09-304  
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_  
DAY OF \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

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

Date Introduced:	09/25/12
Date of First Public Hearing:	10/09/12
Date of Second Public Hearing:	10/23/12



## Memo

To: Haines Borough Assembly  
From: Dean Olsen  
Asst. Assessor  
Date: 10/4/2012  
Re: LCCS vacant lot tax exempt status tax account C-TNS-15-0500

---

Lynn Canal Human Resources, Inc., DBA Lynn Canal Counseling Services, (LCCS), was granted tax exempt status for account C-TNS-15-0500 in 2010. In their initial application LCCS stated they would break ground for new construction of an office building no later than the spring of 2011. This account was examined by Steve Van Sant, State Assessor during an audit of the lands department in August of this year. At that time contact was made with Becky Chapin, Executive Director of LCCS for an update on the plans for construction of the office building. Becky Chapin informed me that the question was timely since the intended use of the vacant lot was on the agenda for their next board meeting scheduled for that very same week. Since that meeting took place, I was informed that LCCS does not foresee a starting date any time in the near future for construction of an office building that would justify tax exempt status for this property.

Steve Van Sant from the Office of the State Assessor has explained that Community Purpose needs to be approved by the governing body. And, *"A "temporary" use for the purpose of holding on to property does not really fill the bill for exempt purposes"*. Mr. Van Sant cautioned further that, *"If the assembly wants to agree to that, they should be prepared to exempt a lot of property around the borough."*

In light of the above information, it is my recommendation that the Haines Borough Assembly continue with the process to revoke tax exempt status for account C-TNS-15-0500, with the legal description: Townsite, Block 15, Lots 5 & 6, under the ownership of Lynn Canal Human Resources, Inc., DBA Lynn Canal Counseling Services.

Sincerely,

Dean Olsen  
Assistant Assessor  
Haines Borough Land Department



HAINES BOROUGH  
Lands Department  
P.O. Box 1209  
Haines, AK 99827-1209  
907-766-2231 Ext. 33  
907-766-2716 (fax)

September 17, 2012

Beckie Chapin  
Executive Director  
Lynn Canal counseling Services  
P.O. Box 90  
Haines, AK 99827

Beckie,

In July of 2009 Lynn Canal Counseling Services submitted an application for property tax exempt status that is allowable by Alaska Statute as outlined in the following:

*Sec. 29.45.050. Optional exemptions and exclusions.*

*(b) A municipality may by ordinance  
(1) classify and exempt from taxation*

*(A) the property of an organization not organized for business or profit-making purposes and used exclusively for community purposes if the income derived from rental of that property does not exceed the actual cost to the owner of the use by the renter;*

All of the required documents necessary to validate your exempt status were received by former Haines Borough Assessor, John Wurst, and the formerly taxable account, C-TNS-15-0500, now owned by Lynn Canal Counseling Services has not been taxed since the 2010 Tax year.

Lynn Canal Counseling Services, who provides community mental health, and substance abuse services, was granted exempt status under the adopted ordinance 09-08-213. Land use for this community purpose exemption was identified for new construction of office space on property with the legal description of Townsite Block 15, lots 5 & 6, (Account # C-TNS-15-0500), with the intent to begin construction no later than spring of 2011.

During a recent audit by the State Assessor it was pointed out that new construction of the office space described in your application has not occurred, and just owning vacant land is not a valid reason for the community service exemption. As a result, the Haines Borough Assessor's office was directed by Steve Van Sant, State Assessor for the state of Alaska, to remove the exempt status of the land owned by Lynn Canal Counseling Services, (Townsite Block 15, lots 5 & 6), for the upcoming 2013 tax year.

The current tax exempt status will remain until January 1, 2013, at which time account # C-TNS-15-0500 will again be activated, and the property will be reassessed as outlined by Alaska Statute, and Haines Borough Code. A new notice of valuation and a related tax bill will be mailed to Lynn Canal Counseling Services in the spring of 2013.

When you begin breaking ground for construction of the new building that will help you implement the valuable community service you offer, our office will gladly assist you in reapplying for exempt status.

Sincerely,  
*Dean Olsen*  
Assistant Assessor  
Haines Borough Land Department



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-173  
**Assembly Meeting Date:** 10/23/12

<b>Business Item Description:</b>	<b>Attachments:</b>
Subject: Clarify Purpose of the Medical Services Fund	1. Ordinance 12-10-305 2. 1996 Election Results - Proposition A - former third class borough 3. An adopted ordinance the former third class borough assembly introduced only 3 months after the 1996 election that clarified the purpose of the funds 4. Former third class borough code at the time of consolidation.
Originator: Assembly Member Waterman (agenda bill by clerk)	
Originating Department: Borough Assembly	
Date Submitted: 10/3/12	

**Full Title/Motion:**  
 Motion: Advance Ordinance 12-10-305 to a second public hearing on 11/6/12.

**Administrative Recommendation:**  
 This ordinance is recommended by the borough manager.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos. : Objective 17C, Page 39	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**

A code amendment may be needed to allow for the funding the borough already provides to Lynn Canal Counseling from the Medical Services Fund monies. The existing code references Proposition A from the 1996 former third class borough election & those election results are attached to this agenda bill along with other documents that show what the intent of that fund is. The former City of Haines code had an "Ambulance Service Area Fund," and the former Third Class Borough had a "Medical Service Area Fund."

While researching the matter, the clerk found no evidence the post-consolidation assembly intended to limit the medical services funds to ambulance service. It is suspected the language just got missed when the two codes were joined.

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 10/23/12
Meeting Date(s): 10/09, 10/23/12	Tabled to Date:

**An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 3, Chapter 3.25 to clarify the purpose of the Medical Services Fund.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 4 of 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 3.25: Chapter 3.25 of the Haines Borough Code is hereby amended to read as follows:

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

**Chapter 3.25  
MEDICAL SERVICES FUND**

Sections:

- [3.25.010](#) Policy and intent.
- [3.25.020](#) Purpose.
- [3.25.030](#) Management.
- [3.25.040](#) Investment policy.

**3.25.010 Policy and intent.**

The intent of this chapter is to provide for the proper accounting and management of public funds derived from the passage by the people of Haines Borough Proposition A, ratified by borough voters October 1, 1996.

**3.25.020 Purpose.**

There is established a separate fund entitled the "medical services fund." Proceeds derived from the one-half percent sales tax levied and collected pursuant to Haines Borough Proposition A (1996) shall be used to provide ambulance service **and financial support for local medical services** within the authorized area of service, including all areas within the borough except the area south of the southern boundary line of Township 34 south.

**3.25.030 Management.**

The borough chief fiscal officer is designated as the official with the responsibility for managing the moneys received and disbursed within the medical service fund and as directed by the assembly. **Recipients must be public or private nonprofit organizations providing medical equipment or services to the Haines community at large.**

**3.25.040 Investment policy.**

Investment policy is set forth in Chapter [3.08](#) HBC.

Haines Borough  
Ordinance No. 12-10-305  
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_  
DAY OF \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

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

Date Introduced: 10/09/12  
Date of First Public Hearing: 10/23/12  
Date of Second Public Hearing: \_\_/\_\_/\_\_

OCTOBER 1, 1996  
MUNICIPAL ELECTION RESULTS

	Chilkat #135	Highway #165	Peninsula #220	City #170	ABS/ ?'D	TOTAL
<u>BOROUGH ASSEMBLY/ SCHOOL BOARD SEAT A:</u> DEBRA SCHNABEL				<u>245</u>	26	<u>271</u>
DARRELL MAPLE				<u>168</u>	15	<u>183</u>

BOROUGH ASSEMBLY/  
SCHOOL BOARD SEAT D:

GARY KOENIG	<u>45</u>	<u>52</u>	<u>70</u>		37	<u>204</u>
TIM JUNE	<u>39</u>	<u>29</u>	<u>94</u>		34	<u>196</u>
SEAN MCLAUGHLIN	<u>9</u>	<u>36</u>	<u>9</u>		11	<u>65</u>

BOROUGH ASSEMBLY/  
SCHOOL BOARD SEAT E:

KAREN HESS	<u>40</u>	<u>69</u>	<u>62</u>		33	<u>204</u>
DWIGHT HALES	<u>27</u>	<u>30</u>	<u>91</u>		37	<u>185</u>
ED FABECK	<u>25</u>	<u>9</u>	<u>17</u>		10	<u>61</u>

	ABS/ ?'D	#135	#165	#220	#170	Total
PROPOSITION A 72-48	Y <u>46</u> N <u>49</u>	Y <u>81</u> N <u>35</u>	Y <u>97</u> N <u>71</u>	Y <u>207</u> N <u>208</u>	Y <u>503</u> N <u>411</u>	
PROPOSITION B 68-56	Y <u>58</u> N <u>36</u>	Y <u>62</u> N <u>51</u>	Y <u>89</u> N <u>79</u>	Y <u>266</u> N <u>140</u>	Y <u>543</u> N <u>362</u>	
PROPOSITION C 14-68	Y <u>23</u> N <u>64</u>	Y <u>12</u> N <u>99</u>	Y <u>22</u> N <u>133</u>	Y <u>206</u> N <u>205</u>	Y <u>71</u> N <u>364</u>	w/c- 277 - 569
*INITIATIVE 1 69-60	Y <u>55</u> N <u>41</u>	Y <u>55</u> N <u>62</u>	Y <u>126</u> N <u>48</u>	Y <u>216</u> N <u>205</u>	Y <u>521</u> N <u>416</u>	
REFERENDUM 1 69-60	Y <u>37</u> N <u>59</u>	Y <u>44</u> N <u>71</u>	Y <u>69</u> N <u>106</u>	Y <u>204</u> N <u>212</u>	Y <u>423</u> N <u>508</u>	

VOTER TURNOUT PERCENTAGES

CITY PRECINCT #170	<u>483/1028</u>	=	<u>47 %</u>
CHILKAT PRECINCT #135	<u>125/202</u>	=	<u>62 %</u>
HIGHWAY PRECINCT #165	<u>137/236</u>	=	<u>58 %</u>
PENINSULA PRECINCT #220	<u>227/365</u>	=	<u>62 %</u>
TOTAL ALL PRECINCTS TURNOUT	<u>972/1831</u>	=	<u>57 %</u>

	#135	#165	#170	#220	UNRETURNED	
ABSENTEE BALLOTS	<u>121</u>	18	12	43	40	8
QUESTIONED BALLOTS	<u>27</u>	5	7	6	9	
ABSENTEE BY PERS. REP.	<u>1</u>			1		

**SAMPLE BALLOT**  
**TUESDAY, OCTOBER 1, 1996**  
**GENERAL MUNICIPAL ELECTION**

TO BE REMOVED  
BY ELECTION BOARD

FOLD BALLOT TO THIS LINE

Mark your ballot only by the use of cross marks, "X" marks, diagonal, horizontal or vertical marks, solid marks, stars, circles, asterisks, checks or plus signs that are clearly spaced in the square desired.

Marks must be inside or touching the square so as to indicate the intent of the voter. Erasures and corrections will invalidate only that part of the ballot in which it appears.

If you spoil or mar your ballot, you may return it to the election judge and receive another ballot. Your spoiled ballot will be destroyed immediately in your presence.

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**HAINES BOROUGH MUNICIPAL ELECTION**

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**PROPOSITION A**

Shall the property tax of 1.13 mill currently levied to support the medical service area be eliminated in favor of a 1/2 percent sales tax?

YES

NO

---

**PROPOSITION B**

Currently it is the Haines Borough policy to place borough lands in private hands by landsale, lease or temporary use permit as soon as is practical after receiving title to the property from the State. Should this continue or should we review policy to allow for other procedures?

YES

NO

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**INITIATIVE 1**

Shall the Haines Borough Assembly communicate to all commercial booking agents and tour operators, within the Haines Borough, that it is the wish of the residents of the community that there be no regularly scheduled helicopter tours within the Haines Borough?

YES

NO

---

**REFERENDUM 1**

Do you wish to abolish the powers of planning, platting and zoning via service areas in the Haines Borough?

YES

NO

HAINES BOROUGH  
ORDINANCE #97-02

AN ORDINANCE OF THE HAINES BOROUGH AMENDING TITLE 07.60.010 AND 07.60.015 BY ADDING GUIDELINES FOR FUNDING REQUESTS AND ADDING SECTION .020 PROVIDING ACCOUNTABILITY.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature, and code sections hereby adopted 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 invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective. This ordinance becomes effective upon adoption by the Haines Borough Assembly.

Section 4. Purpose. This ordinance amends Sections 07.60.010 and 07.60.015 adding guidelines for funding requests.

Section 5. Adoption of Code Sections. The following sections amended hereto bearing Haines Borough Code 07.60.010 and 07.60.015 (C) and Section 07.60.020 are hereby adopted as part of Title 7 of the Haines Borough Code:

Note: Underlined items are to be added.

Section 07.60.010. Services Provided. The Haines Borough may provide financial support for local medical services. (HB Ord #90-01 ratified by voters in special election 6/28/90).

An applicant must be a public or a private non-profit organization providing medical service to the Haines community at large.

Applications should be submitted to the Haines Borough after other avenues of funding have been explored. The Borough shall refer applications to the Medical Service Area Board. The Board shall review applications at public meetings and make funding recommendations to the Assembly. If the Medical Service Area Board denies a request, the applicant has the right to appeal to the Assembly.

Section 07.60.015. Board of Directors.

(C) The Board shall serve to make recommendations to the Assembly concerning services in the service area as permitted by statute.

(D) The Medical Service Area Board shall function as an advisory body for the Haines Borough Assembly to review ambulance budget requests and requests from other organizations for medical equipment or services. The board will gather any or all information including financial information and make a recommendation to the assembly based on financial need and community-wide merit.

Section 07.60.020. Accountability.

A final report must be submitted to the Borough within 30 days of the end of the Borough's fiscal year. Any unused funds must be returned to the Borough. A report must be submitted before money is disbursed for the following fiscal year.

INTRODUCED: 1/28/97

ADOPTED: 3/18/97

ATTEST: Jacki Martin  
Jacki Martin, Clerk/Treasurer  
Haines Borough

Jerry L. Lapp  
Jerry L. Lapp, Mayor  
Haines Borough

## Former Third Class Haines Borough Code at the Time of Consolidation

### 6.08.130 Medical service area.

A. Establishment of Medical Service Area. The Haines Borough medical service area is established with area and boundaries as set forth in a plat appended to the ordinance codified in this section as Appendix A and whose boundaries are as follows:

Beginning at Eldred Rock light at latitude 58 degrees 58.3' north and longitude 135 degrees 13.2' west; thence south paralleling the boundary of the City and Borough of Juneau to the southern boundary line of township 34 South; thence due west to the western boundary of the Haines Borough; thence northwesterly to Mt. Harris on the Alaska-Canada boundary; thence in a meandering easterly line following the Alaska-Canada boundary to Monument No. 124 at latitude 59 degrees 44' north and longitude 135 degrees 43' west; thence southeasterly to a point in the center of Lynn Canal on Taiya Inlet at approximately latitude 59 degrees 21' north and longitude 135 degrees 22.5' west; thence due east to the mean high tide line on the east side of Taiya Inlet; thence in a meandering southerly direction to its intersection with the Haines Borough boundary; thence due west to the Eldred Rock light, the point of beginning. (All of Haines Borough north of the southern tip of Sullivan Island with the exception of the east side of Lynn Canal.)

B. Services Provided. The Haines Borough may provide financial support for local medical services.

An applicant must be a public or a private nonprofit organization providing medical service to the Haines community at large.

Applications should be submitted to the Medical Service Area Board (the Haines Borough assembly) after other avenues of funding have been explored. The board shall review applications at public meetings.

C. Board of Directors.

1. The Haines Borough assembly shall be the medical service area board.

2. The medical service area board shall review ambulance budget requests and requests from other organizations for medical equipment or services. The board will gather any or all information including financial information in order to make decisions based on financial need and community-wide merit.

3. All meetings shall follow public notice guidelines as set forth in Section 2.04.100(B) and (C) of this code.

D. Accountability. A final report must be submitted to the borough within thirty (30) days of the end of the borough's fiscal year. Any unused funds must be returned to the borough. A report must be submitted before money is disbursed for the following fiscal year. (Ord. 99-02 § 5, 1999; Ord. 97-02 § 5, 1997; prior code §§ 07.60.005 -- 07.60.020)



**Agenda Bill No.:** 12-163  
**Assembly Meeting Date:** 10/23/12

<b>Business Item Description:</b>		<b>Attachments:</b>
Subject:	Recommendations for the 2013 Heliskiing Season	1. Ordinance 12-10-306 - Current Draft 2. 10/23/12 Memo from the Clerk explaining the Changes in the Proposed Substitute Ordinance 3. Proposed Substitute Ordinance 12-10-306 4. 10/3/12 Memo from the Manager
Originator:	Borough Manager (Agenda Bill by the Clerk's Office)	
Originating Department:	Administration	
Date Submitted:	9/4/12	

**Full Title/Motion:**  
 Motion: Advance Ordinance 12-10-306 to a second public hearing on 11/6/12.

**Administrative Recommendation:**  
 The borough manager recommends amendments to the current draft of the ordinance.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**  
 Comp Plan Policy Nos. : Consistent:  Yes  No

**Summary Statement:**  
 The manager recommends a combination of policy and code changes for the 2013 heliskiing season, and his recommendations were "approved" by on 9/11. Some changes require code amendments. The ordinance was introduced on 10/9.  
 Before advancing the ordinance to the first public hearing, the assembly voted to incorporate the third and fifth suggestions as outlined in the 10/3/12 memo from the manager that contained a list of five suggestions. These two amendments make the user day fee effective in 2014 and require annual permit application/skier day allocation requests be submitted by August 31 The manager has prepared a substitute ordinance that accomplishes those two amendments.

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 10/23/12
Meeting Date(s): 9/11, 10/9, 10/23/12	Tabled to Date:

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE TITLE 5 TO INCREASE THE FINE FOR VIOLATIONS OF BUSINESS PERMITS UP TO \$1,000 PER VIOLATION PER DAY, TO AMEND THE APPROVED COMMERCIAL SKI TOUR AREA MAP AND TO ADOPT A FEE FOR ALLOCATED SKIER DAYS.**

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

Section 1. Classification. Sections 5-7 of this ordinance are of a general and permanent nature and those provisions, 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 is effective upon adoption.

Section 4. Legislative Findings. The Assembly finds as follows:

- A. The Haines Borough regulates various business operations conducted within the Borough by requiring annual permits.
- B. The Borough incurs significant annual costs associated with the permit system which are only partially recovered through permit fees. Commercial ski tour permits, in particular, have greater administrative costs associated with the permit system than other types of business permits. Such costs are estimated to exceed \$9,000 per year in staff time and the cost of outside consultants.
- C. The current penalty for violation of business permits of \$300 per violation per day does not provide a sufficient incentive for compliance with Borough code and permit conditions. It also does not provide sufficient incentive for the Borough to request a court to impose a penalty for non-compliance.
- D. The current approved commercial ski tour areas map could be improved to increase the relationship between approved commercial ski tour areas and natural topography of skiing and snowboarding routes and landing areas.

Section 5. Amendment of Section 5.04.040(A). Section 5.04.040(A) of the Haines Borough Code of Ordinances is amended to read as follows:

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

A. Operation of any commercial tour or business enterprise for which a permit is required under this title without a permit, or the failure to follow any permit condition, shall constitute an offense punishable, upon conviction, by a fine not exceeding ~~\$300.00~~ **\$1,000** for each offense plus any surcharge required to be imposed by AS [12.55.039](#).

Section 6. Amendment of Section 5.04.130. Section 5.04.130 of the Haines Borough Code is hereby amended by adding a new subsection D to read as follows:

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

**D. Skier Day Allocation Fee. Each applicant for an allocation of skier days pursuant to this title shall pay an annual nonrefundable fee in an amount equal to five dollars (\$5.00) per allocated skier day. The fee shall be paid no later than ten (10) calendar days after the date of the manager's decision on allocation of skier days for that year or the decision of the Assembly on any appeal of an annual allocation whichever is later. If payment is not received within ten (10) calendar days from the applicant, the allocated skier days will be reallocated at the manager's discretion.**

Section 7. Amendment of Section 5.18.080(F)(3). Section 5.18.080(F)(3) of the Haines Borough Code is hereby amended to read as follows and the previously approved map is replaced with the map attached hereto:

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

3. Commercial ski tours, commercial ski productions and special ski competition events shall be conducted only in areas identified on the map attached to the ordinance codified in this section which shall remain on file with the borough clerk and labeled "Haines Borough Approved Commercial Ski Tour Areas." **The Haines Borough Approved Commercial Ski Tour Areas map may be amended annually by Assembly resolution.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

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

Date Introduced: 10/09/12  
Date of First Public Hearing: 10/23/12  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_



# Memo from the Clerk

Date: October 23, 2012  
To: Mayor and Assembly  
Cc: Borough Manager  
From: Julie Cozzi, MMC, Borough Clerk  
Re: Item 7D - Ordinance 12-10-306 – Substitute Ordinance

Attached is a manager-proposed substitute ordinance for your consideration. As you know, Ordinance 12-10-306 was introduced on 10/9/12. The substitute ordinance contains the following two amendments approved by motion on 10/9:

- **Amendment No. 1:**

Under:

Section 3. Effective Date.

Amend to include the underlined language as follows:

Section 3. Effective Date. **Section 6 shall be effective January 1, 2014. The remainder of** this ordinance is effective upon adoption.

- **Amendment No. 2**

Amend by adding a new Section 7 to the ordinance to add the underlined language as follows:

Section 7. Amendment of Section 5.18.080(C)(1). Section 5.18.080(C)(1) of the Haines Borough Code of Ordinances is amended to read as follows:

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

1. At the time of an application for each commercial ski tour permit authorized by this chapter, the permit applicant shall request an allocation of skier days. **Commercial ski tour permit applications and requests for allocation of skier days must be submitted to the borough manager no later than August 31 of each year for the following season. If the deadline falls on a weekend or holiday, applications and requests must be submitted no later than the following business day. The date of submission shall be determined by the postmark or, if hand delivered, by the date the application and request are delivered to the borough manager's office.**

# Proposed Substitute Ordinance

HAINES BOROUGH, ALASKA  
ORDINANCE No. 12-10-306

**Draft**

## **AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE TITLE 5 TO INCREASE THE FINE FOR VIOLATIONS OF BUSINESS PERMITS UP TO \$1,000 PER VIOLATION PER DAY, TO AMEND THE APPROVED COMMERCIAL SKI TOUR AREA MAP AND TO ADOPT A FEE FOR ALLOCATED SKIER DAYS.**

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

Section 1. Classification. Sections 5-8 of this ordinance are of a general and permanent nature and those provisions, 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. Section 6 shall be effective January 1, 2014. The remainder of this ordinance is effective upon adoption.

Section 4. Legislative Findings. The Assembly finds as follows:

- A. The Haines Borough regulates various business operations conducted within the Borough by requiring annual permits.
- B. The Borough incurs significant annual costs associated with the permit system which are only partially recovered through permit fees. Commercial ski tour permits, in particular, have greater administrative costs associated with the permit system than other types of business permits. Such costs are estimated to exceed \$9,000 per year in staff time and the cost of outside consultants.
- C. The current penalty for violation of business permits of \$300 per violation per day does not provide a sufficient incentive for compliance with Borough code and permit conditions. It also does not provide sufficient incentive for the Borough to request a court to impose a penalty for non-compliance.
- D. The current approved commercial ski tour areas map could be improved to increase the relationship between approved commercial ski tour areas and natural topography of skiing and snowboarding routes and landing areas.

Section 5. Amendment of Section 5.04.040(A). Section 5.04.040(A) of the Haines Borough Code of Ordinances is amended to read as follows:

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

A. Operation of any commercial tour or business enterprise for which a permit is required under this title without a permit, or the failure to follow any permit condition, shall constitute an offense punishable, upon conviction, by a fine not exceeding ~~\$300.00~~ **\$1,000** for each offense plus any surcharge required to be imposed by AS [12.55.039](#).

Section 6. Amendment of Section 5.04.130. Section 5.04.130 of the Haines Borough Code is hereby amended by adding a new subsection D to read as follows:

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

**D. Skier Day Allocation Fee. Each applicant for an allocation of skier days pursuant to this title shall pay an annual nonrefundable fee in an amount equal to five dollars (\$5.00) per allocated skier day. The fee shall be paid no later than ten (10) calendar days after the date of the manager's decision on allocation of skier days for that year or the decision of the Assembly on any appeal of an annual allocation whichever is later. If payment is not received from the applicant within ten (10) calendar days, the allocated skier days will be reallocated at the manager's discretion.**

Section 7. Amendment of Section 5.18.080(C)(1). Section 5.18.080(C)(1) of the Haines Borough Code of Ordinances is amended to read as follows:

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

1. At the time of an application for each commercial ski tour permit authorized by this chapter, the permit applicant shall request an allocation of skier days. **Commercial ski tour permit applications and requests for allocation of skier days must be submitted to the City Manager no later than August 31 of each year for the following season. If the deadline falls on a weekend or holiday, applications and requests must be submitted no later than the following business day. The date of submission shall be determined by the postmark or, if hand delivered, by the date the application and request are delivered to the Borough Manager's office.**

Section 8. Amendment of Section 5.18.080(F)(3). Section 5.18.080(F)(3) of the Haines Borough Code is hereby amended to read as follows and the previously approved map is replaced with the map attached hereto:

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

3. Commercial ski tours, commercial ski productions and special ski competition events shall be conducted only in areas identified on the map attached to the ordinance codified in this section which shall remain on file with the borough clerk and labeled "Haines Borough Approved Commercial Ski Tour Areas." **The Haines Borough Approved Commercial Ski Tour Areas map may be amended annually by Assembly resolution.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

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

Date Introduced: 10/09/12  
Date of First Public Hearing: 10/23/12  
Date of Second Public Hearing: \_\_/\_\_/\_\_



**Haines Borough Administration**  
**Mark Earnest, Borough Manager**  
(907)766-2231 • Fax(907)766-2716  
mearnest@haines.ak.us

**October 3, 2012**

The Administration has received several comments and suggestions regarding the items under consideration by the Assembly included in the draft heliski ordinance since the Administration's recommendations were adopted by the Assembly on September 11, 2012 and subsequent Commerce Committee discussion on September 19. A summary of these recommendations are as follows:

- It has been suggested that the Borough consult with Alaska Department of Fish and Game wildlife biologists before adopting any proposed changes to the Haines Borough Heli-skiing Map to identify any possible areas of conservation concern.
- It has been suggested that the user fee for skier days be reduced to \$2.50 per day.
- It has been suggested that the user fee for skier days take effect for the 2014 season as this added burden was not factored into pricing for the 2013 season.
- It has been suggested to amend the Heli Ski Map to open terrain for Heliskiing in the Four Winds Mountain area. See attached map.
- It has been suggested to have permit applications and requests for skier days due by August 31<sup>st</sup> of each year. This will allow the Manager to allocate skier days during the month of September and let operators know how much they can sell. We have spoken to operators and they have no problem with this schedule.

We do have thoughts on the above discussion points and can provide input as requested.



**Haines Borough Administration**  
**Mark Earnest, Borough Manager**  
 (907)766-2231 • Fax(907)766-2716  
 mearnest@haines.ak.us

October 23, 2012

### **Sewer Bond Refinancing**

As you are aware, the Assembly recently authorized refinancing of the Borough's \$1.7 million 1993 USDA sewer bond. The new interest rate is 2.89%, down from 5.125%. The refinance will result in an average annual savings of \$17,742 for the Sewer Enterprise Fund. The total savings for the Sewer Fund, including refinancing costs, is \$333,878. I would like to thank Jila Stuart, Finance Director, for her continuing efforts to reduce the cost of service to residents of Haines, as well as the Assembly's support of the bond refinancing package. I would also like to recognize Deven Mitchell of the Alaska Municipal Bond Bank who assisted the Borough in this effort.

### **Port Development Plan**

We are inviting representatives from the Governor's Office and Alaska Industrial Development and Export Authority (AIDEA) to present an overview of what AIDEA is and what opportunities may exist for Haines regarding port and other transportation infrastructure development. This would be a follow up to the recent Haines Port Development Council's Transboundary Minerals, Natural Gas & Transportation Summit, which was held on September 27-28, 2012. Additionally, we will be coordinating a series of facilitated public forums to provide information to the public about this economic development opportunity.

The draft "Port of Haines: Potential for Development" report prepared by Northern Economics is still out for comment. The Port Development Steering Committee will be meeting in the very near future to discuss this report, as well as the revised Memorandum of Understanding with Prophecy Platinum regarding their efforts at the Wellgreen property. I have included a press release from August 2012 announcing a cooperation and benefits agreement between Kluane First Nation (KFN) and Prophecy's exploration program and environmental studies for the development the Wellgreen Project.

One of the tangible benefits of establishing formal relationships with Canadian mining and energy interests is in support of the Borough's efforts to accelerate the reconstruction of the Haines Highway between MP 3.5 to 25.3 and Lutak Dock facility upgrades. One of the big decisions for the Alaska Department of Transportation and Public Facilities (ADOT&PF) is whether to commit \$2.5 to 3.0 million of state general funds on top of the \$13 million in Federal Highway Administration (FHWA) funds to upgrade the Wells Bridge (Chilkat River crossing) to industrial standards. FHWA funds can only be used to bring the bridge up to standard load limits. The Wells Bridge replacement is part of the next highway segment planned for construction in 2014, which includes MP 21 to 25.3. Additionally, the Borough has established Lutak Dock facility upgrades as one of its top legislative priorities in recent years (a copy of the FY 2013 funding request is attached). The proposed upgrades include: site grading and drainage improvements; transfer bridge load capacity upgrades and repairs; and high mast lighting. The security fence and gates and video surveillance upgrades have been funded through the DHS grant. It should be noted that the cost estimates in the FY 2013 CAPSIS submittal were very preliminary; PND is currently defining more detailed scope and cost estimates for the project.

### **Port Chilkoot Dock Improvements - Phase 2**

We have received the 35% Design Review Submittal of the Port Chilkoot Dock Improvements - Phase 2 project. As you are aware, this phase of the cruise ship dock renovations includes replacing the existing access trestle, dock, and lightering float gangway. This project combines the original Phase 2 (trestle and gangway) and Phase 3 (dock) into a single (renumbered) Phase 2. Although the construction will

be delayed one year (with a construction now scheduled for the winter of 2013-14), combining these two projects into one will result in considerable cost savings by eliminating the extra mobilization and ramps at the end of the access trestle. This extra funding, which was secured by Representative Thomas during the last legislative session, eliminates the concern we had over the life expectancy of the timber piles supporting the old wood dock and the (then) lack of an identified funding source.

The Port and Harbor Advisory Committee will be hosting a special meeting, tentatively scheduled for November 1, 2012 at 6:00 pm, to review the 35% Design Review Submittal drawings. The Planning and Zoning Committee and Tourism Committee have been specially invited to attend. The 35% drawings incorporate the earlier comments from the various meetings on this project.

### **Heliski Management Plan**

We have prepared an amended ordinance for consideration at the October 23, 2012 Assembly meeting. The proposed amendments are the result of Assembly action at the October 9 meeting, including (1) postponing the implementation of the \$5.00 user day fee until the 2014 heliski season and the addition of a section requiring operators to submit permit applications and skier day allocation requests to the manager by August 31 for the following season. This will allow the Manager to allocate skier days during the month of September and let operators know how many skier days they can sell.

### **South Portage Cove Harbor Expansion**

Denali Drilling and PND Engineers have completed the drilling portion of the South Portage Cove Harbor Expansion geotechnical investigation. The well cores will be sent to a laboratory for analysis. Once the results are available, PND will prepare the geotechnical report.

Included on the October 23, 2012 meeting agenda is a resolution authorizing the manager to enter into a contract with PND to conduct offshore bathymetry and onshore topographic surveys. These surveys are needed for the project design.

### **Lutak Dock Upgrades**

The Borough received one proposal for installation of the security fence at the Lutak Dock. Included for consideration at the October 23, 2012 Assembly meeting is a resolution authorizing the manager to enter into an agreement with Road Runner Fence Co. for the project. The project consists of installing 1640 linear feet of 8-foot chain link fence plus three strands of barbwire and three 20-foot cantilever gates with electric gate operators. The fence will be constructed to USDOT specifications. The funding source for the project is the Department of Homeland Security grant through Alaska Marine Exchange. Installation of the posts will require drilling and driving due to the presence of shot rock fill.

PND will also meet with Borough staff on October 18, 2012 in preparation of a technical memorandum outlining major upgrades for possible inclusion in the Borough's FY 2014 Legislative Priority requests the CAPSIS process.

### **Haines Borough Street Improvements - Phase 3**

Work on View, Lynnview, 4<sup>th</sup> Avenue, including repairs, drainage, curb and gutter, a new sidewalk on Lynnvue, and pavement has been substantially completed.

Work on Chilkat Lake Road, Eagle Bluff, Corrina Drive, and Riverview Road improvements, including structural repairs, reconditioned shoulder ditches, improved gravel or chip coat resurface, and Porcupine Road repairs and safety improvements has begun. Southeast Road builders, Inc. has begun repairs on Chilkat Lake, Eagle Bluff, and Corrina. Repairs made to date include elimination of the slump on Chilkat Lake Road and road widening and eliminating pot holes on Eagle Bluff and Corrina. These improvements will greatly enhance vehicle safety and winter maintenance, as well as improve emergency vehicle access. Work will continue until winter shutdown and will resume in the spring.

### **Flammable Materials / Emergency Supply Storage Containers**

We have received three 10-foot conex containers, two of which will be used to store flammable material and one to store emergency / disaster relief supplies. All of the containers will be located inside existing Borough facilities.

## **Sunshine / Piedad Water Line Improvements**

As earlier reported, the Sunshine portion of the Sunshine / Piedad Water Line Improvement project is complete. Piedad improvements as far as the distribution line have been completed. Customers living on Piedad, Sunshine, Comstock, and North Sawmill are now connected to Piedad and Lily Lake water. This project is part of the effort to tie the Crystal Cathedrals distribution to the Borough water system. Remaining work includes tying in Cathedral View Subdivision.

## **Lutak/Oceanview Slump Update**

Borough staff connected two PVC drainage pipes on the downhill side of Oceanview Drive and completed a tightline connection to the drainage ditch along Lutak Road. We are working with another property owner to redirect surface water away from the impacted area, or alternatively feed that drainage ditch into a tightline connection to the Lutak Road ditch.

## **Public Safety Building Boiler Replacement**

Work has begun on the Public Safety Building Boiler Replacement project. The old boiler has been removed, and Borough staff is making structural repairs to the boiler room floor prior to installation of the new boiler. There is currently no heat in most of the building, but work is proceeding expeditiously.

## **Chilkat Center Boilers Replacement**

The Chilkat Center boiler replacement project is complete. The new boilers have been installed, and they are producing heat. Borough staff and the contractor did everything possible to restore heat to this building as quickly as possible. It was a big job and a job well done.

## **Chilkat Center Roof Replacement**

The Chilkat Center Roof Replacement is nearing substantial completion. The roof replacement is scheduled for completion on or about October 20. There will be a small punch list remaining, including two windows. The windows are expected to arrive in Haines in a few weeks; they will be installed at the earliest opportunity.

## **Senior Center Pellet Boiler**

The Senior Center Pellet Boiler system is scheduled for installation in early November. This system is expected to result in fuel cost savings in excess of \$150,000 over the next 25 years.

## **Personnel**

I am pleased to report that Carlos Jimenez has been hired as Public Facilities Director, pending Assembly confirmation of the Manager's appointment. Carlos is a tremendous asset to the Borough management team and the community at large. He is familiar with most of the Borough's projects and systems and already moving forward on a number of projects.

## **Other Issues:**

### **Dodov**

Nothing new to report at this time. I will keep you apprised of any additional developments.

### **Williamson vs. Haines Borough, et al**

I have been informed by the Borough's attorneys that attorneys representing the plaintiff are scheduled to travel to Haines to take depositions later this month.

### **Kammerer**

Nothing new to report at this time.



**Haines Borough Administration**  
**Mark Earnest, Borough Manager**  
(907)766-2231 • Fax(907)766-2716  
mearnest@haines.ak.us

October 23, 2012

To: Mayor Stephanie Scott  
From: Mark Earnest and Brad Gilman  
Re: Fiscal Year 2013 Guidance Document

Per your request, the following is a memorandum describing priority issues of the Haines Borough which have elements of federal involvement. The issues are in order of proposed priority.

**1. Haines Harbor:** As part of the Planning, Engineering, & Design phase of the Haines Harbor project, the Army Corps conducted a limited geotechnical investigation which unfortunately indicated a very weak subsurface that would require extra foundation preparation. The Corps concluded that this new feature would add substantial costs to the project and delay the construction for one to two years. The State of Alaska also concluded that the subsurface was too weak to support the breakwater design without reinforcement, preparation, and modification. This has caused the Borough to engage in the development of a new Harbor Master Plan identifying an alternative site for the expansion in the southern portion of the harbor.

The Borough has shifted its focus for the harbor expansion to the south. The Borough has received funding for the Alaska State Legislature for the project, and was also successful in having it included in the State General Obligation Bond package that is before the voters this November. We are in preliminary discussions with the Army Corps project manager about triggering a re-evaluation of the benefits and costs of shifting to a south harbor expansion (referred to as a "General Reevaluation Report" or "GRR"). If the General Reevaluation Report supports the proposed shift, the Army Corps would be able to move forward with the project, subject to the availability of funding. The following courses of action are recommended—

- **GRR:** The ACOE Project Manager estimates that the GRR would cost between \$500,000 and \$1,000,000. It is a 75%-25% cost share with the ACOE responsible for the larger share of the cost. In order to expedite this process, we recommend that the Borough explore an Advanced Funding Agreement with the Corps which would allow the State or the Borough (with its funds from the Alaska State Legislature) to provide the funding up front for the GRR, and seek reimbursement from the ACOE for its share from federal funds appropriated in the future. This approach is intended to insulate the project from the confusion and budget uncertainty facing the Congress and the Federal administrative agencies. We will need to seek the help of the Alaska Congressional Delegation to continue its advocacy with the ACOE, Alaska District and ACOE Headquarters staff to maintain the profile of the Haines project, expedite the GRR, and agree to the use of an Advanced Funding Agreement. The ultimate goal of this exercise is to make the Haines project "shovel ready".
- **Construction Funding:** There has been a congressional moratorium on providing funding for specific Army Corps projects. In 2011 we started a campaign to carve out a dedicated pot of funding for the Pacific Ocean Division (Alaska, Hawaii, and the Territories). The Congress did

not appropriate funds for a POD set-aside, but it did create a substantial national pot of money for Operations & Maintenance work for Small, Rural, or Subsistence Harbors and Alaska fared very well under the approach. The Chairman of the Senate Appropriations Committee, Senator Daniel Inouye (D-HI), has again proposed the creation of a pot of funding for Alaska, Hawaii, and the Island Territories. This proposal would encompass evaluation, planning, design, and construction of projects. The Chairwoman of the Senate Environment & Public Works Committee, Senator Barbara Boxer (D-CA), has stated that it is her intent to pass legislation which would authorize the ACOE to move forward on its own initiative with projects based on guidelines established by the Congress. In short, the Congress is beginning to show signs that it will address the stalemate caused by the moratorium on ACOE projects.

The Alaska communities have been out in front of the rest of the country in advocating that the ACOE be granted discretion in administer pots of funding for small navigation projects. We recommend that the Haines Borough become actively involved with the Alaska Congressional Delegation, the Alaska Municipal League, and the Army Corps in pursuing the authorization and appropriation of an ongoing source of funding for the Region's projects. This would include outreach to the leadership of the Hawaii and Island Territory Congressional Delegations (this outreach occurred in 2011). We can explore with the Army Corps the expansion of an Advanced Funding Agreement to include construction funding if it becomes apparent that the Congress is moving to provide the Corps with discretionary revenues to move forward with "shovel-ready projects". This would allow the Borough to move forward with the project on its own schedule with State appropriations and the G.O. Bond proceeds, and seek reimbursement from the ACOE from the funding pots created by the Congress.

**2. Port Lutak:** Senator Begich has become increasingly active with the State of Alaska is arguing for a major investment into Alaska's industrial port infrastructure. He has spoken to Brad Gilman on two separate occasions within the last month on the need for the State to step up with its financial commitments, and has mentioned the Haines port development as a good example. The Senator intends to speak to the Governor and address the Alaska State Legislature next year. We are unclear at this time about any initiatives that may arise at the Federal or State level, but it is important for the Haines Borough to highlight the tremendous potential for economic development that we see coming from mineral development locally and in interior Alaska and Canada. Our early involvement would be to keep the Alaska Congressional Delegation updated on the discussions between the Haines Borough and the mining and energy industries, and keep ourselves in the information loop regarding the discussions between the Alaska Delegation and the State on port infrastructure investments.

**3. Transportation Enhancement Programs:** The Congress was unable to enact a long-term reauthorization of the Federal Highway Programs, settling instead for a short-term reauthorization. The House and Senate will take up Federal Highways issues again in 2013. One of the major issues in dispute was whether to continue a number of Transportation Enhancement Programs. The House Republican Leadership proposed to eliminate these programs, and shift the funding to the State Formulas for maintaining and expanding roads and bridges. The Senate, in contrast, argued to maintain these programs. The short-term compromise resulted in the consolidation of the Transportation Enhancement Programs into block grants to the States. All of the existing Transportation Enhancement categories were retained. The States are required to spend at least 50% of the block grants on any eligible Transportation Enhancement category, but can opt to shift the remaining 50% to traditional projects (e.g. the STIP projects of the ADOT&PF).

The Haines Borough expressed concern over the proposed elimination of two specific Transportation Enhancement Programs:

- **Picture Point:** The Borough was very successful in obtaining funding to acquire the Picture Point property through a National Scenic Byway Grant, an activity that can continue to be funded with Transportation Enhancement Block Grants funds. The Borough will need to seek funding in the future to develop Picture Point as a welcome center.
- **Pedestrian and Bike Trails:** You sent a letter in June on behalf of the Borough advocating for the continuation of the Safe Routes to Schools Program, another eligible Transportation

Enhancement category. The Borough can seek funding from the State through the Transportation Enhancement Block Grant to fund flashing warning lights, paint new crosswalks, and plan pedestrian trails.

There are a host of other Transportation Enhancement activities that may have application for Haines in the coming years. We anticipate that opponents of these programs will continue to shift all of the funding to the State Formulas. Haines can lend its voice to efforts to continue these programs by extending the Block Grant program in the next reauthorization. Our main involvement would be to interact with the Alaska Delegation and their staff, but we would also identify and network with larger organized efforts to support the continuation of the Block Grant.

**4. Secure Rural Schools and PILT:** The Congress was successful in extending the Secure Rural Schools ("SRS") and PILT payments for one year as part of the Federal Highway Program reauthorization. Legislation will be considered next year to reauthorize both SRS and PILT for a longer period of time. As the lead Republican on the Senate Energy Committee, Senator Lisa Murkowski is in a lead position in extending these programs. Under the current budget rules, a funding offset needs to be identified to create budget authority for the extension of the programs. This is not an easy task in the current budget climate. The Haines Borough needs to continue its ongoing effort to join with other Southeast Alaska and Lower 48 communities to emphasize the critical nature of the SRS and PILT programs for our local school programs.

**5. EPA's Air Emissions Rule:** The EPA is implementing a new rule that would require vessels to use low sulfur (1 percent content) diesel fuel starting August 1, then switching to ultra low sulfur diesel (0.1 percent) by 2015. Freight companies serving Haines and Skagway have already converted to ultra low sulfur diesel. The rule appears to have its largest impact on Alaska's cruise ship industry. The cruise ships currently operate on 3 percent bunker fuel. The new rule would result in higher fuel costs as well as engine retrofits. The cruise lines may reduce the number of trips or drop certain ports-of-call in response, as well as levy a per head passenger surcharge. The Cruise Line Industry Association estimates a total of \$427 million in economic losses to Alaska and its community if the cruise lines are forced to convert to low sulfur diesel.

The industry has proposed an alternative approach would allow the ships to burn higher sulfur content fuel while underway, but switch to lower sulfur fuel when approaching ports. The House has included a provision in the FY '13 Interior & Environment Appropriations Bill authorizes a 4 year pilot program to demonstrate the viability of this weighted averaging approach. The Senate version of the bill is silent. We recommend that the Haines Borough support the proposed pilot program; communicate this support to the Alaska Delegation; and reach out to the Cruise Line Industry Association to coordinate advocacy efforts.

**6. Vessel Discharge Legislation:** The EPA has been ordered by a Federal court to require Clean Water Act discharge permits for all commercial fishing vessels, regardless of size. EPA is planning to publish the new discharge requirements in December 2012, but implementation has been delayed until December 2013 due to a congressional moratorium on the rule. The rule includes onerous requirements for such things as ballast and bilge water discharges, fishing deck runoff, and fish hold effluent. This will create hardship for the smaller commercial fishermen of Southeast, and there will be a lot of unhappy people. The House and Senate are currently in conference on the 2012 Coast Guard Authorization Act. The House bill would extend the moratorium on the rule indefinitely. The Senate bill is silent on the issue.

There is a good chance that the Congress will adjourn before this issue is resolved, and it will come up again early in 2013. We recommend that the Borough identify the resolution of this issue as a federal priority. The Delegation is strongly supporting the extension of the moratorium, but the fishing communities need to reinforce the importance of finding a solution.

# Attachment #2

## Alaska Wood Heat Energy Conference Ketchikan Alaska October 9-11, 2012 Attended by Darsie Culbeck

The Alaska Wood Heat Energy Conference was organized by the University of Alaska to bring stakeholder together to share ideas and information.

- **Presenters:** Sealaska, private mill operators, wood energy consultants, the Secretary of Agriculture, Senator Murkowski (video), Senator Begich (Skype), USDA, US Forest Service, Alaska State Forests, UAS Cooperative Extension, The Forest Guild, Alaska Moose Foundation, City of Craig, Alaska Energy Authority, boiler manufacturers, and others.
- **Topics:** Providing the Supply, Forest Resources Sustainability in Alaska, Managing the Impacts, Conventional Financing, Economic and Community Impacts, Technology, and Next Steps.
- **Case Studies:** Southeast Island Schools “Using the GARNs System”, “The Chiptec System” in Craig, The Tok School, and The Discovery Center in Ketchikan.
- **Field Trips:** visits to the wood boilers in the new Ketchikan Library, The Forest Service Discovery Center, and the Federal Building. We also visited a small pellet mill located in the old Ketchikan Pulp Mill.

### Benefits of Biomass

- Cost Savings
- Local Job Creation
- Renewable Resource
- Community Pride
- Local Energy Independence/ Security
- Reduction of Green House Gasses and air pollution

### Take Aways:

- Biomass is working. The technology has been proven, the supply chain is being built, only the will of the community is needed to make it work.
- Haines is being watched. People in the industry know about our feasibility studies and are aware that we are installing an Okofen system. We were lauded for being the only community to fund our own system without grants. I have been asked to present on our system at next year’s AWEC conference.
- There is a movement to lobby the state for more funding of the biomass program with an emphasis on spending more money on proven systems and less on feasibility studies while creating a centralized knowledge and support base.

# Attachment #3

## Haines Borough Policy: Trip Reports - DRAFT

Business trip reports are a widely used element of organizational communication. They are usually sent to a supervisor to describe a business trip. Write useful business trip reports that provide details on the purpose of the trip, what you did, what you learned and what recommendations you have for the readers of the memo. These reports follow a basic memorandum format with a header, statement of purpose, discussion and recommendations.

1. Write an accurate memorandum heading. This must include: a) to whom the memo is addressed, b) the memo's author, c) the subject of the memo and d) the date it is written.
2. Begin with a short introduction—a paragraph will do—stating the purpose of your memo. Describe the reasons for the trip, and explain what you hoped to achieve from it. Include whatever background information your readers need to understand the context of your trip and the reason you are writing the memo. For instance, mention where you traveled. If you went to a seminar, mention who the keynote speakers were; if you went to a business meeting, specify who you met with and the subject of the meeting.
3. Summarize your trip. If it was a fact-finding trip, describe what your findings were. If it was a seminar, review the highlights. Focus on writing a clear and crisp outline that is easy to understand and covers the main points of your trip. You could provide bullet point notes on the key issues of each meeting, who attended and the decisions or changes that must be made because of the trip.
4. State any information about the trip that is relevant to your line of work or research. Include here any recommendations you want to share with your readers. Think carefully about this step in your memo, as important decisions could be made based on the suggestions you provide.
5. The distribution list that will receive the memo includes your supervisor and/or the manager. The trip reports will be provided to the Assembly as information items.

## Prophecy Reaches Agreement with Kluane First Nation

Vancouver, B.C., August 2, 2012

Prophecy Platinum Corp. and the Kluane First Nation ("KFN") are pleased to announce that they have concluded a cooperation and benefits agreement ("Agreement") to support Prophecy's exploration program and environmental studies for the development of its flagship Wellgreen Project in southwestern Yukon.

The Agreement, which is comprehensive in nature, includes provisions for employment and training opportunities for KFN citizens, contracting opportunities for KFN businesses and citizens, funding for the meaningful implementation of the Agreement, and an equity position in Prophecy Platinum for KFN and its citizens.

Acting reasonably and in good faith, KFN may participate fully and without limitation in all regulatory process concerning the exploration activities. Other highlights include environmental protection through the cooperative design and implementation of environmental management and monitoring programs, and a framework and mutual commitment to develop a Comprehensive Cooperation and Benefits Agreement for the eventual development and operation of a mine.

KFN Chief Mathieya Alatini states: "The Kluane First Nation is pleased to be forging a close relationship with Prophecy. We appreciate the open dialogue and proactive approach to engagement with KFN that Prophecy has initiated and continued to demonstrate. Having worked with Prophecy for the past many months, our people look forward to contributing substantially to Prophecy's exploration activities and to strengthening our relationship toward the development of a mine at Wellgreen. "

John Lee, Chairman of Prophecy, states: "The Prophecy team is committed to an open and mutually beneficial relationship with the Kluane First Nation and local communities. I would like to express my gratitude to Chief Alatini and her team for their hard work and commitment toward completing this agreement. This agreement reflects our genuine and mutual commitment to work together in support of one another's interests, and provides a foundation for strengthening our relationship as Prophecy moves toward a production decision. "

### **About the Kluane First Nation**

The Kluane First Nation ("KFN") is a Yukon First Nation with a Traditional Territory covering 350 square miles of Settlement Lands and based in Burwash Landing. KFN citizens, currently numbered at 243 concluded the Kluane First Nation Final Agreement with Canada and the Yukon Government in 2003 by which it settled its

aboriginal rights and title with respect to its Traditional Territory. The Wellgreen Project is located in the KFN Traditional Territory and, approximately 25 km from Burwash Landing in the KFN "Core Area" as described in the Kluane First Nation Final Agreement.

### **About Prophecy Platinum**

Prophecy Platinum Corp. is a Canadian based Nickel PGM exploration company with projects in Canada, Argentina and Uruguay. Prophecy Platinum's flagship Wellgreen PGM-Cu-Ni project is located in Yukon Territory, Canada. Prophecy's Shakespeare PGM-Cu-Ni project (fully permitted) is located in Ontario, and its Lynn Lake project is located in Manitoba, Canada.

September 2012 Haines Vol. Fire Dept. Monthly Report

The Haines Vol. Fire Dept. had one fire callout in September. The call was for a motor vehicle accident standby. Fire callouts for 2012 total 18. The Haines Vol. Fire Dept. responded to 25 ambulance callouts in September. Calls included two patients with respiratory distress, an unconscious/unknown, a fall, three with chest pain, a gunshot wound, a possible TIA, a motor vehicle accident, a recall, 4 medical transports and ten medivacs. Ambulance callouts for 2012 total 205. There were no SAR callouts. SAR callouts for 2012 remain at 1.

The first joint meeting for September was a business meeting followed by vehicle extrication using the cutters, spreaders, and ram to access patients, then removing them from the vehicle. There was another training on using our high pressure air bags. The ambulance training was a presentation by Captain Lucy Tate on ventricular assist device and how to handle patients with this device. This was followed by a review of standard drugs used by EMT 1, 2, and 3's. The fire training was a review of fire behavior followed by hands on practice using our thermal imaging camera and other heat detection devices the fire department uses.

Chuck Mitman took ICS 100, 200, 700 and 800 online courses. Lucy Tate took ICS 100 & 200. Eric Kocher recertified his WEMT. Thanks to all those that take time to take these extra training classes. Jenn Walsh is spending most of October taking her Firefighter 1 class in Skagway. Reports are that all is going well.

Fire prevention week starts next month. This is an opportunity to educate our community about fire safety, especially our youth in the schools. Thanks to all our volunteers for being there for our community members and those visiting.

HVFD Fire 133                      Ambulance 295                      HVFD SAR

Total volunteer hours HVFD for 2012

HVFD Fire 1029                      Ambulance 2213                      SAR 80                      Combined 3312 Hours

Respectfully submitted,

*Al Badgley*  
Al Badgley  
HVFD Training Officer

# Tourism Advisory Board Meeting Agenda / Meeting Minutes

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9A

Thursday, August 23 – 9:30 am

**Meeting Call to Order:** Jason Gaffney – 10:12 am

**Roll Call: Present** - Ross Silkman, Karen Hess, Jason Gaffney, Jeff Butcher

**Absent** - Judy Heinmiller, John Hunt

**Also Present** - Tanya Carlson, Jerry Lapp

**Approval of excused / unexcused absences:** Hess motioned for unexcused absences for both Heinmiller and Hunt. Butcher seconded; all in favor.

**\*Approval of Agenda:** Gaffney motioned to amend the agenda to add music on the dock and shuttle for events under old business. Butcher seconded; all in favor of amendment. All in favor of amended agenda.

**Approval of Minutes:** 7/19 – Butcher motioned to approve July minutes, Hess seconded; all in favor.

**Public Comments:** N/A

**Chair Report:** *2013 Cruise Ship Calendar*

Gaffney included the preliminary cruise calendar for 2013. American Spirit is coming back. BackRoads is still in play. Carlson would like to sell BackRoads merchandise. Carlson is planning on visiting cruise lines again next January. Sitka is still working on BackRoads but not quite to the level Haines has been working on it.

Hess is concerned about the small boats including the American Spirit that ties up to the Lightering Float. They push the fast ferry over to the small boat harbor. This makes the fisherman angry and recreational boaters angry. Hess feels that the American Spirit should tie up to the front of the PC Dock. She feels that the borough should lease the Klukwan dock to accommodate these days

**New Business:** *Candidates for Empty Seat*

There were two applications submitted for the open seat; Barbara Mulford and Rhonda Hinson. Hess feels that with Barbara's background she would bring the most to the table. She also feels that Barbara is very on top of things and always asking questions, analyzing situations and thinking outside the box. Gaffney motioned to approve Mulford for the open seat, Butcher seconded; all in favor.

*AMHS – Mayor Scott Request for Comments on Updated Proposal*

Mayor requested for TAB to take a look at the proposed ferry schedule and comment on the changes. TAB is in agreement that Haines needs to keep a regular day boat. Gaffney will touch base with the Mayor.

**Old Business:**

*Election of President / Vice President*

No election today until new member joins the group.

*Letter of Support for Borough Lease of Klukwan Dock*

Gaffney mentioned that the verbiage of the letter needs to be adjusted. No quorum is met with this subject because of Hess's conflict of interest. Hess believes that the fast ferry does not benefit financially from this so therefore has no conflict of interests. Gaffney believes that because of the view of tourism and the fast ferry in the public that it should remain a conflict of interest. Lapp also believes that there is no conflict of interest. Gaffney will send an email to TAB and have TAB members weigh in via email to make changes to the letter in time for the Assembly Meeting.

*Letter of Support for State of Alaska vs EPA Lawsuit*

Hess moves that TAB submit Gaffney's letter of support to the states lawsuit, Butcher seconded; all in favor.

*Shuttle Contract to Include Events*

There has been discussion of including events transportation with the cruise shuttle contract. The Manager has agreed that it would be a good idea. The excess funds would not come from the cruise ship head tax funds. Silkman believes that this is very good idea and very important for the town to recognize its need. Gaffney motions that TAB writes a letter of support for the borough to include events in the shuttle contract, Hess seconded. Butcher believes that he has a conflict of interest in this. Carlson explained that she adopted Adam's itinerary which had nothing to do with the Halsingland, therefore no conflict of interest. All in favor of the motion.

*Music on Dock Subsidy*

Hess is in favor of music on the dock and is in favor of subsidizing the music so no soliciting occurs. Carlson explained that the group playing on the dock this year was not soliciting funds. Lapp also felt that type of music needs to be taken into consideration, no really loud music. Gaffney feels that this should be subsidized out of the tourism budget. Gaffney motioned to draft a letter to the Manager in Mayor in favor of a line item being added to the tourism budget for music on the pier, Hess seconded; all in favor.

**Directors Update:**

*Trip Advisor*

Our Trip Advisor sponsorship goes live next week

*Spring TIA Yukon Conference*

Silkman asked if Carlson had started to look around for places to stay. Carlson said she had already contacted all of the downtown locations. Last time they were in Haines there were around 80 participants, we may get more this year.

*WACVB*

Received a scholarship for Tammy to attend the WACVB Annual Convention in Eugene. This will be a good a learning experience for the Tammy as she has never been to any tourism conference.

**Board Comments:** N/A

**Set Next Meeting Date:** Thursday, September 27, 2012 - 9:30 am

Assembly Chambers, Safety Building

Hess motioned to adjourn, Butcher seconded; all in favor. Meeting adjourned at 10:56 am.

**From:** Alaska Mountain Guides - Exec [<mailto:exec@alaskamountainguides.com>]  
**Sent:** Monday, October 15, 2012 9:04 AM  
**To:** Stephanie Scott  
**Cc:** Mark Earnest; Tanya Carlson  
**Subject:** RE: Budget request

Hi Stephanie and Mark,

Thank you for following up on this. I would anticipate that as long as the budget references the detail sheets and that the discretionary amounts are fixed that it will be accepted by the Rasmusson Fund. However, Ross will be able to speak this most accurately on the Fair's behalf.

The timeline will work fine for the Fair; they pursue funding in Fall/Early winter for the subsequent year.

I will follow up on in our meeting today and let you know if the TAB has any additional questions.

Thanks,  
Jason

**From:** Stephanie Scott [<mailto:sscott@haines.ak.us>]  
**Sent:** Sunday, October 14, 2012 1:07 PM  
**To:** Alaska Mountain Guides - Exec  
**Cc:** Mark Earnest; Tanya Carlson  
**Subject:** Budget request

Hi Jason,

We are in receipt of the request from the TAB to have funds for various activities (Southeast Alaska State Fair, Snowburners) moved to the Tourism budget. I believe the Manager is going to contact you for clarification. It seems that you are concerned that those activities are not officially listed in the published budget. They are – and they are not! They are listed in the “detail” sheets that accompany the full budget. We could make these detail sheets available to the Rasmusson Foundation or any other grantor as demonstration of community commitment to the activities. Unfortunately, the annual commitment is made in concert with the fiscal year (July 1- June 30) which may not dovetail well with other grant opportunities.

You are right that neither the Snowburners nor the Southeast Alaska State Fair are “institutionalized” in the budget. They fall within the group of activities that the Assembly funds annually at its discretion. Funding is usually established based on revenue available, after essential services have been funded. Both activities are in the detail pages for the FY13 Tourism Fund (Fund 23) listed as “Appropriations from the Assembly:” State Fair: \$14,000; Snowburners: \$2000; King Salmon Derby: \$2000; Little League: \$1500

Does this help? I recognize the need for additional discussion. Perhaps you can schedule a meeting with the Manager at a time that I can also attend (11:30-1 daily; or after 3 daily).

Thanks.

Stephanie Scott  
Mayor, Haines Borough

Haines Borough  
Tourism Advisory Board  
10-9-12

Haines Borough Assembly  
103 Third Avenue S.  
Haines, AK 99827

Mayor Scott, Manager Earnest, and Borough Assembly,

I am writing you on behalf of the Tourism Advisory Board to request that the Borough support the addition to the Tourism Department budget of the amounts that are historically provided to agencies that have repetitive annual grant requests from Fund 23.

This will allow these four agencies, especially the SE Alaska State Fair, to be able to show these amounts on their budgets and pursue other matching grants as a result.

The Rasmuson Foundation will not consider any funds that are not guaranteed to a potential grantee. The Fair begins to pursue funding in the fall for the following year. If they were able to show the funds provided from the Borough on their annual budget at that time they would be able to dramatically increase the grant amount they would receive.

This is a great opportunity to financially support the fair, or any of the other three agencies that could pursue this mechanism in the future, without any increased cost to the Borough.

Thank you for your consideration.

Regards,

Jason Gaffney  
Vice President  
Tourism Advisory Board



**Haines Borough  
Planning Commission Meeting  
August 9, 2012  
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 Robert **Venables**, Lee **Heinmiller**, Don **Turner III**, Danny **Gonce**, **Absent:** Andy **Hedden**, Seat B: Vacant.

**Staff Present:** Steve **Ritzinger**/Borough Planning and Zoning Technician

**Also Present:** Mayor Stephanie **Scott**, Planning Commission Liaison JoAnne **Waterman**, Tom **Morphet** (CVN), Bill and Libby **Kurz**, Roger **Ingledue**, Sean **Copeland** and Heather **Shade**, Kristine **Harder**, Rob **Miller** and others.

3. **APPROVAL OF AGENDA**

**Goldberg** requested to add two agenda items. He relayed the message that he mayor had requested for the Planning Commission to add the Alaska Public Offices Commission (financial disclosure) requirement, which will be on the October 2<sup>nd</sup> ballot. **Goldberg suggested** adding the item as Other New Business (10D). He also requested to add Sean Copeland and Heather Shade's reroofing of a historic Fort Seward building as New Business – Historic District/Building Review (10A).

**Motion:** **Heinmiller** moved to "approve the agenda as amended," and the motion carried unanimously.

4. **APPROVAL OF MINUTES**

**Motion:** **Gonce** moved to "approve the July 12, 2012 minutes as amended," and the motion carried unanimously.

5. **PUBLIC COMMENTS** - None

6. **CHAIRMAN'S REPORT** – **Goldberg** mentioned that he had been out of town and would be sending rezoning surveys to Chilkat Lake Road area and Carrs Cove residents in the near future.

7. **STAFF REPORTS**

**Ritzinger** reported recent permitting and enforcement activity.

8. **PUBLIC HEARINGS**

- A. **Roger Ingledue - Setback Variance Request**

**Goldberg** opened up the public hearing at 6:39 p.m.

**Ingledue** mentioned that he had been working with Alaska Department of Transportation to purchase a portion of state right-of-way property for the past four years. The size of the property had been reduced significantly from his original proposal by DOT to address state setback concerns. He anticipated that there would be no impact on the right-of-way. The roughly 16,000 square foot lot would be challenging to develop as a residential lot with well and septic maintaining separation requirements as well as setback requirements due to shape of the lot (surrounded by

right-of way requiring 20 foot setbacks on 70% of the lot), and the topography of the lot.

**Goldberg** closed the public hearing at 6:44.

Discussion of the plans ensued.

**Motion: Gonce** moved to “approve the Ingledue setback variance request to allow residential construction within the setback from the Small Tracts Road right-of-way.” Further discussion ensued.

**Gonce** mentioned that the features of the property allow for the Planning Commission to approve the proposed variance request, and that the site is a long way from Small Tracts Road and would cause no negative impacts.

**Goldberg** added that the shape of the lot allows for the approval of the variance request and that the Planning Commission had approved similar variance requests before.

The motion carried unanimously.

## 9. **UNFINISHED BUSINESS** - None

## 10. **NEW BUSINESS**

### A. **Historic District/Building Review**

#### 1. **Chilkat Center Roof Replacement**

**Heinmiller** provided the Planning Commission with historical and aesthetic context for the proposed project.

**Motion: Turner** moved to “approve the reroofing project,” and the motion carried unanimously.

**Venables** suggested for the PC chair and vice chair meet with the Borough manager and public facilities manager to decide on an appropriate tile color for the roof, to which the commission agreed.

#### 2. **Sean Copeland and Heather Shade Historic Fort Seward Building Roof Replacement**

**Copeland** presented plans for roofing with tiles that more closely resemble the original diamond shaped Fort Seward roofing tiles (manufactured by Eco-Star), as well as other minor alterations on the building.

**Heinmiller** provided the Planning Commission with historical and aesthetic context for the proposed project.

Discussion ensued.

**Motion: Gonce** moved to “approve the Sean Copeland and Heather Shade proposed changes to the historic building,” and the motion passed unanimously.

### B. **Haines Borough Code Amendments** - None

### C. **Project Updates** – None

### D. **Other New Business**

#### 1. **Alaska Public Officials Commission Financial Disclosure Requirements**

**Goldberg** explained that the APOC requirement for all elected officials (including Haines Borough Planning Commission and School Board members) are required to submit annual financial disclosure form, which is burdensome and discourages people from serving.

**Scott** mentioned that this item has been on local ballots two times previously without mention of local financial disclosure requirements, and was defeated both times. The upcoming ballot measure if approved would replace the APOC requirements with local financial disclosure requirements.

**Motion:** **Turner** moved to support the effort to inform people about the ballot initiative regarding the Alaska Public Offices Commission requirements.

**Heinmiller** mentioned that he faced objection from his daughters whose finances were required to be reported.

The motion passed unanimously.

## **2. Port Development Steering Committee PC Representative**

**Goldberg** mentioned that Venables had contacted him and volunteered to represent the Planning Commission on the seat vacated by former commissioner Roger Maynard.

**Venables** mentioned that he had history on the subject matter and that he would be happy to represent the Planning Commission on the committee..

**Motion:** **Heinmiller** moved to “approve Commissioner Venables to represent the Planning Commission on the Port Development Steering Committee,” and the motion carried unanimously.

## **3. Planning Commission Seat B Appointment**

**Goldberg** mentioned introduced Rob Miller as an applicant for the vacant seat B on the Planning Commission.

**Miller** mentioned that he would like to serve the community and has a background that would be helpful.

**Goldberg** responded that he had reviewed the resume, and that Miller is abundantly qualified.

**Motion:** **Heinmiller** moved to “recommend for the mayor to appoint Rob Miller to Seat B on the Planning Commission,” and the motion carried unanimously

## **4. Vacant Building Standards**

**Goldberg** mentioned that Kristine **Harder**, business owner in the former site of Helen’s Gift Shop provided him with a sample of code from Sacramento with standards for vacant buildings and expressed concern regarding vacant buildings on Main Street boarded with plywood.

**Harder** mentioned that she discussed the status of a nearby boarded up building with nearby business owners and that she heard concerns expressed by other business owners about the impression of Haines left with visitors. The impression left with visitors should be that Haines is open for business.

**Goldberg** suggested working with the code provided and to draft standards to be considered for adding to Haines Borough Code.

**Venables** mentioned that the code for the capital of California may be extreme for Haines, and advocated for a slow gradual public process.

**Turner** pointed out the challenge of creating and enforcing aesthetic standards, and questioned whether the property owner had been contacted.

**Goldberg** said that he would discuss sending a letter to the property owner with the mayor and manager.

11. **COMMISSION COMMENTS**

12. **COMMUNICATION**

13. **SET MEETING DATES** – The next Regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, September 13<sup>th</sup>.

14. **ADJOURNMENT**– 7:44 p.m.



**Haines Borough  
Planning Commission Meeting  
September 13, 2012  
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 Robert **Venables**, Lee **Heinmiller**, Don **Turner III**, Danny **Gonce**, Andy **Hedden**.

**Staff Present:** Steve **Ritzinger**/Borough Planning and Zoning Technician

**Also Present:** Mayor Stephanie **Scott**, Marilyn **Taylor**, and Stanley **Mazeikas**.

3. **APPROVAL OF AGENDA**

**Goldberg** requested to add one agenda item. At the previous Assembly meeting the Chilkoot Bear Foundation discussed installing an electric fence around the landfill to prevent bears from becoming habituated to garbage. **Goldberg** suggested addint the item under new business (10D3).

**Venables** requested to add a discussion on plat notes.

**Goldberg** suggested adding it under new business (10D4).

**Motion:** **Turner** moved to “approve the agenda as amended,” and the motion carried unanimously.

4. **APPROVAL OF MINUTES** - None

5. **PUBLIC COMMENTS** –

**Scott** mentioned that she had been in contact with Dorain Gross in response to a letter sent regarding the boarded up building on Main Street. The property owner has no interest in doing business in Haines at this time and would be happy to remove the plywood during tourist season.

**Scott** also mentioned that a question and answer session was recently held regarding a local financial form for elected officials with more meetings on the topic scheduled.

6. **CHAIRMAN’S REPORT** – **Goldberg** requested for commissioners to think about a way for the Gross building to be occupied. He also mentioned that several responses were received regarding the rezoning surveys.

7. **STAFF REPORTS**

**Ritzinger** reported recent permitting and enforcement activity, and mentioned that the new Planning and Zoning Technician hire Xi Cui will start on October 1<sup>st</sup>.

8. **PUBLIC HEARINGS**

A. Marilyn Taylor - Building Separation Conditional Use Proposal

**Goldberg** opened up the public hearing at 6:42 p.m.

**Taylor** mentioned that she needs a woodshed at an accessible location, and is without alternatives from the proposed location.

**Motion:** **Gonce** moved to “approve the Taylor building separation conditional use proposal.” Discussion ensued.

**Gonce** mentioned that he is in favor of approving the building separation conditional use proposal based on the comments from Fireman/Training Officer Al Badgley, as the PC has done with other similar proposals.

The motion carried unanimously.

#### **B. Marilyn Taylor - Setback Variance Request**

**Goldberg** opened up the public hearing at 6:45 p.m. There were no comments.

**Goldberg** closed the public hearing at 6:45 p.m.

**Motion:** **Gonce** moved to “approve the Taylor setback variance request to allow a woodshed to be built within the 10 foot setback from and adjacent property.

**Goldberg** pointed out that the Deishu Subdivision lots at 6,000 feet do not meet the current 10,000 minimum lot size.

The motion carried unanimously.

#### **9. UNFINISHED BUSINESS - None**

#### **10. NEW BUSINESS**

##### **A. Historic District/Building Review**

##### **B. Haines Borough Code Amendments - None**

##### **C. Project Updates – None**

##### **D. Other New Business**

###### **1. Downtown Parking**

**Goldberg** mentioned that the item was scheduled at the request of downtown business owner Mike Ward, who was not present at the meeting.

A brief discussion on the matter ensued.

###### **2. Federal Priorities Committee PC Representative**

**Scott** mentioned that the Borough rehired Brad Gillman to lobby in Washington D.C on behalf of the Borough for federal funding for projects, and that a committee was being created to prioritize projects.

**Venables** volunteered to represent the Planning Commission on the committee.

The commission agreed to appoint Commissioner Venables to represent the PC on the committee.

###### **3. Electric Fence Installation at Landfill**

**Goldberg** mentioned that Chilkoot Bear Foundation has funding to purchase and install an electric fence around the landfill to prevent the habituation of bears around human garbage.

**Gonce** questioned who would maintain the fence. It was pointed out that Chilkoot Bear Foundation would do so.

More fence logistics were also discussed. It was decided that the PC Chairman would contact Chilkoot Bair Foundation to obtain more information, and that Planning Commission support of the project would be communicated to the Assembly.

#### **4. Plat Notes**

**Venables** expressed concern about residential development adjacent to commercial areas and commercial truck routes, and questioned whether plat notes stating the commercial designation should be required to notify potential land owners.

It was decided that this item should be researched by staff and included on a future Planning Commission meeting agenda.

#### **11. COMMISSION COMMENTS**

**Turner** mentioned that the Borough has a project for Corina Avenue out to bid with a description to widen it from 18 feet to 20 feet, which does not meet the Haines Borough Code 12.08 minimum road standard of 24 foot minimum width. He questioned how the Borough can require developers to build roads to standards in code that the Borough does not adhere to.

**Venables** pointed out that the funding for a 24 foot wide road versus a 20 foot wide road is significant enough to potentially derail the project.

**Hedden** questioned whether there was resolution regarding the Haines School parking plan, which does not meet the Haines Borough Code 18.80.040 parking criteria. It was revealed that there was apparently no resolution on the matter at the time of discussion.

#### **12. COMMUNICATION**

**13. SET MEETING DATES** – The next Regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, October 11th.

**14. ADJOURNMENT**– 7:34 p.m.



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-181

**Assembly Meeting Date:** 10/23/12

Business Item Description:	Attachments:
<b>Subject:</b> Authorize a contract with Little Diggers for 2012-13 Snow Removal for Cathedral/Piedad Area & Riverview RMSA	1. Resolution 12-10-409 2. Request for Bids 3. Bid Results and Bids
<b>Originator:</b> Carlos Jimenez (Agenda Bill by Clerk's Office)	
<b>Originating Department:</b> Public Facilities	
<b>Date Submitted:</b> 10/23/12	

**Full Title/Motion:**  
 Motion: Adopt Resolution 12-10-409.

**Administrative Recommendation:**  
 This resolution is recommended by the Borough Manager.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ See Summary Statement	\$ See Summary Statement	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos. : N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**

The borough recently accepted bids for snow removal for the Cathedral View / Piedad Area, and the manager recommends award to the apparent low bidder, Little Diggers for a lump sum, per job rate of \$695.00. An FY13 budget allows \$35,000 for Contract Snow Removal in all contract areas in the Townsite Service areas.

The borough recently accepted bids for snow removal for the Riverview Drive RMSA, and the manager recommends award to the apparent low bidder, Little Diggers for a lump sum, per job rate of \$350.00. These services will be paid for by accumulated Riverview Drive RMSA funds.

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 10/23/12	Tabled to Date:

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Little Diggers to provide 2012-2013 snow removal services for Cathedral View / Piedad Area Subdivisions and Riverview Drive RMSA.**

**WHEREAS**, annually the Haines Borough (Borough) issues a Request for Proposals (RFP) from qualified, licensed contractors for snow removal services; and

**WHEREAS**, the Borough received two responsive sealed bids from qualified contractors for the Cathedral View / Piedad Area: 1) Little Diggers (George Campbell) for a lump sum, per job rate of \$695.00, and 2) Southeast Road Builders for a lump sum, per job rate of \$700.00; and

**WHEREAS**, the Borough received two responsive sealed bids from qualified contractors for the Riverview Drive Road Maintenance Service Area (RMSA): 1) Little Diggers (George Campbell) for a lump sum, per job rate of \$350.00, and 2) Southeast Road Builders for a lump sum, per job rate of \$1,000.00; and

**WHEREAS**, the Director of Public Facilities has reviewed the proposals and recommends award to the apparent low bidder for Cathedral View / Piedad Area Subdivisions and Riverview Drive RMSA, Little Diggers; and

**WHEREAS**, funding for snow removal services is currently budgeted,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly authorizes the Borough Manager to execute a contract with Little Diggers to provide 2012-2013 snow removal services for Cathedral View / Piedad Area Subdivisions and Riverview Drive RMSA.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_<sup>th</sup> day of October, 2011.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

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

HAINES BOROUGH  
HAINES, ALASKA

# PUBLIC NOTICE

## REQUEST FOR PROPOSALS 2012-13 SNOW REMOVAL SERVICES



Haines Borough is accepting competitive sealed proposals from qualified contractors for snow removal services for the period between approx. November 2, 2012 and April 15, 2013. The following areas will be contracted separately and each will require a separate proposal form:

- Cathedral View/Piedad Area Subdivisions
- Chilkat Center
- Historic Dalton Trail (Eagle Vista Subdivision)
- Letnikof Estates Road Maintenance Service Area
- Lutak Dock
- Public Schools (Townsite Service Area)
- Riverview Drive Road Maintenance Service Area
- Tanani Bay Subdivision

Forms, maps, and other information is available from the Borough Clerk at P.O. Box 1209, Haines, AK 99827; phone: 907-766-2231; email: [jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us); or online: [www.hainesalaska.gov](http://www.hainesalaska.gov).

Prospective Bidders shall attend a **mandatory pre-bid conference** of the proposed work at **11:00 a.m. on Monday, October 8, 2012** in the Borough Conference Room, 103 Third Ave. S., Haines, Alaska. All proposals must be submitted on borough forms and received **no later than 12:00 noon, Monday, October 15, 2012**. Acceptable methods: hand-delivery or mailed only. The Borough reserves the right to reject any or all proposals, and the right to negotiate with the low bidder.

Julie Cozzi, Borough Clerk

**Haines Borough**  
**P.O. Box 1209 or 103 Third Ave. S.**  
**907-766-2231 ext.31**  
**[jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us)**  
**[www.hainesborough.us](http://www.hainesborough.us)**



# Haines Borough Bid Opening Record

Project: Snow Removal – Cathedral / Piedad  
Project No: \_\_\_\_\_

Location: Borough Administration Conference Room  
Date/Time: 12:23 10/15/12

Bidder	Bid Rcvd by Deadline ?	Bid on Req. Form ?	Bid Signed ?	Non Collusion?	Check?	Addendum Initialed?	Per Job Rate	Plow Truck	Pick-Up Truck	Loader	Grader	Per Hour Rates
<b>Alaska Marine Trucking</b>	<b>No Bid</b>											
<b>Campbell, George</b>	X	X	X	X	X	X	\$695.00		Ford Bronco	1. Cat 908H W/ 12' Push, 9' Angle Blades 2. Bobcat CT235 Blower		908H = \$110 ph Bobcat CT235 = \$85 ph
<b>Turner Construction</b>	<b>No Bid</b>											
<b>Southeast Road Builders</b>	X	X	X	X	X	X	\$700.00			Volvo L60 Loader	CAT 140G Grader	CAT 140G = \$115.00 Volvo L60 = \$105.00

Present: Michelle Webb  
Carlos Jimenez  
Krista Kielsmeier  
George Campbell  
Stacie Turner  
Brenda Jones

### 2012-13 Snow Removal Cathedral View/Piedad Area

### PROPOSAL FORM

Proposal of Little Diggins and Landscaping (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Cathedral View/Piedad Area in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: one initials BC

**BIDDER INFORMATION:**

Name: Little Diggins and Landscaping  
Company Name: George Campbell  
Address: Box 458 Haines  
Phone(s): (907) 762-5589  
Email: outback@alaska.net

**Cathedral View**

Per Job Rate : \$ 695.00 Six Hundred Ninety Five

Please list equipment available and to be assigned for this job:

Equipment: Cat 908H w/12' Push, 9' angle blades

Equipment: Ford Bronco

Equipment: Bobcat CT235 w/Blower

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: 908H Per Hour \$ 110  
Equipment: Bobcat CT235 Per Hour \$ 85

Date: 10/18/2012

Authorized Representative: owner (title)  
George Campbell (printed name)  
[Signature] (signature)

## 2012-13 Snow Removal Cathedral View/Piedad Area

### PROPOSAL FORM

Proposal of Southeast Road Builders, Inc. (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Cathedral View/Piedad Area in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: 1 initials RS

**BIDDER INFORMATION:**

Name:	<u>Roger Schnabel, President</u>
Company Name:	<u>Southeast Road Builders, Inc.</u>
Address:	<u>HC 60 Box 4800, Haines, AK 99827</u>
Phone(s):	<u>(907) 766-2833</u>
Email:	<u>roger@sroad.com ; cheryls@sroad.com</u>

**Cathedral View**

Per Job Rate : \$ 700.00

Please list equipment available and to be assigned for this job:

Equipment: CAT 140G Grader

Equipment: Volvo L60 Loader

Equipment: \_\_\_\_\_

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: CAT 140G Grader Per Hour \$ 115.00

Equipment: Volvo L60 Loader Per Hour \$ 105.00

Date: October 15, 2012

Authorized Representative: President (title)  
Roger Schnabel (printed name)  
 (signature)



# Haines Borough Bid Opening Record

Project: Snow Removal – Riverview RMSA  
 Project No: \_\_\_\_\_

Location: Borough Administration Conference Room  
 Date/Time: 12:12 10/15/12

Bidder	Bid Rcvd by Deadline ?	Bid on Req. Form ?	Bid Signed ?	Non Collusion?	Check?	Addendum Initialed?	Per Job Rate	Plow Truck	Pick-Up Truck	Loader	Grader	Per Hour Rates
<b>Alaska Marine Trucking</b>	No Bid											
<b>Campbell, George</b>	X	X	X	X	X	X	<b>\$350.00</b>			Cat 416 Bobcat CT235		Cat 416 = \$110 ph Bobcat CT235 = \$95 ph
<b>Turner Construction</b>	No Bid											
<b>Southeast Road Builders</b>	X	X	X	X	X	X	<b>\$1000.00</b>			Volvo L60 Loader	CAT 140G Grader	CAT 140G = \$115.00 Volvo L60 = \$105.00

Present: Michelle Webb  
 Carlos Jimenez  
 Krista Kielsmeier  
 George Campbell  
 Stacie Turner  
 Brenda Jones

### 2012-13 Snow Removal Riverview Drive RMSA

### PROPOSAL FORM

Proposal of Little Duggs (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Riverview Drive RMSA in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: om initials se

**BIDDER INFORMATION:**

Name: George Campbell  
Company Name: Little Duggs  
Address: Box 458 Haines  
Phone(s): 767-5589  
Email: outback@alaska.net

<b>Riverview Drive RMSA</b>		<u>Three Hundred Fifty</u> <sup>per hour</sup>
Per Job Rate :	\$ <u>350</u>	
Equipment available and to be assigned for this job:		
Equipment:	<u>Cat 416</u>	
Equipment:	<u>Bobcat CT 235</u>	
Equipment:		
Per Hour Rate, if asked to plow and remove snow in other areas:		
Equipment:	<u>Cat 416</u>	Per Hour \$ <u>110</u>
Equipment:	<u>Bobcat CT 235</u>	Per Hour \$ <u>95</u>

Date: October 15, 2012

Authorized Representative: owner (title)  
George Campbell (printed name)  
George Campbell (signature)

## 2012-13 Snow Removal Riverview Drive RMSA

### PROPOSAL FORM

Proposal of Southeast Road Builders, Inc. (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Riverview Drive RMSA in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: 1 initials RS

**BIDDER INFORMATION:**

Name:	<u>Roger Schnabel, President</u>
Company Name:	<u>Southeast Road Builders, Inc.</u>
Address:	<u>HC 60 Box 4800, Haines, AK 99827</u>
Phone(s):	<u>(907) 766-2833</u>
Email:	<u>roger@seroad.com ; cheryls@seroad.com</u>

**Riverview Drive RMSA**

Per Job Rate : \$ 1,000.00

Equipment available and to be assigned for this job:

Equipment: CAT 140G Grader

Equipment: Volvo L60 Loader

Equipment: \_\_\_\_\_

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: CAT 140G Grader Per Hour \$ 115.00

Equipment: Volvo L60 Loader Per Hour \$ 105.00

Date: October 15, 2012

Authorized Representative: President (title)  
Roger Schnabel (printed name)  
 (signature)



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-178  
**Assembly Meeting Date:** 10/23/12

Business Item Description:	Attachments:
<b>Subject:</b> Authorize a contract for Snow Removal for Lutak Dock by Alaska Marine Trucking	1. Resolution 12-10-410 2. Request for Bids 3. Bid Results and Bids
<b>Originator:</b> Carlos Jimenez (Agenda Bill by Clerk's Office)	
<b>Originating Department:</b> Public Facilities	
<b>Date Submitted:</b> 10/23/12	

**Full Title/Motion:**  
 Motion: Adopt Resolution 12-10-410.

**Administrative Recommendation:**  
 This resolution is recommended by the Borough Manager.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ 450.00 per job	\$ See Summary Statement	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos. : N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**

The borough recently accepted bids for snow removal for the Lutak Dock, and the manager recommends award to the apparent low bidder, Alaska Marine Trucking for a lump sum, per job rate of \$450.00.

An FY13 budget allows \$35,000 for Contract Snow Removal in all contract ares in the Townsite Service areas.

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 10/23/12	Tabled to Date:

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Alaska Marine Trucking to provide 2012-2013 snow removal services for the Lutak Dock.**

**WHEREAS**, annually the Haines Borough (Borough) issues a Request for Proposals (RFP) from qualified, licensed contractors for snow removal services; and

**WHEREAS**, the Borough received two responsive sealed bids from qualified contractors for the Lutak Dock 1) George Campbell for a lump sum, per job rate of \$498.00, and 2) Alaska Marine Trucking for a lump sum, per job rate of \$450.00; and

**WHEREAS**, the Director of Public Facilities has reviewed the proposals and recommends award to the apparent low bidder for the Lutak Dock, Alaska Marine Trucking; and

**WHEREAS**, funding for snow removal services is currently budgeted,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly authorizes the Borough Manager to execute a contract with Alaska Marine Trucking to provide 2012-2013 snow removal services for the Lutak Dock.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_<sup>th</sup> day of October, 2012.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

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

HAINES BOROUGH  
HAINES, ALASKA

# PUBLIC NOTICE

## REQUEST FOR PROPOSALS 2012-13 SNOW REMOVAL SERVICES



Haines Borough is accepting competitive sealed proposals from qualified contractors for snow removal services for the period between approx. November 2, 2012 and April 15, 2013. The following areas will be contracted separately and each will require a separate proposal form:

- Cathedral View/Piedad Area Subdivisions
- Chilkat Center
- Historic Dalton Trail (Eagle Vista Subdivision)
- Letnikof Estates Road Maintenance Service Area
- Lutak Dock
- Public Schools (Townsite Service Area)
- Riverview Drive Road Maintenance Service Area
- Tanani Bay Subdivision

Forms, maps, and other information is available from the Borough Clerk at P.O. Box 1209, Haines, AK 99827; phone: 907-766-2231; email: [jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us); or online: [www.hainesalaska.gov](http://www.hainesalaska.gov).

Prospective Bidders shall attend a **mandatory pre-bid conference** of the proposed work at **11:00 a.m. on Monday, October 8, 2012** in the Borough Conference Room, 103 Third Ave. S., Haines, Alaska. All proposals must be submitted on borough forms and received **no later than 12:00 noon, Monday, October 15, 2012**. Acceptable methods: hand-delivery or mailed only. The Borough reserves the right to reject any or all proposals, and the right to negotiate with the low bidder.

Julie Cozzi, Borough Clerk

**Haines Borough**  
**P.O. Box 1209 or 103 Third Ave. S.**  
**907-766-2231 ext.31**  
**[jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us)**  
**[www.hainesborough.us](http://www.hainesborough.us)**



# Haines Borough Bid Opening Record

Project: Snow Removal – Lutak Dock  
 Project No: \_\_\_\_\_

Location: Borough Administration Conference Room  
 Date/Time: 12:08 10/15/12

Bidder	Bid Rcvd by Deadline ?	Bid on Req. Form ?	Bid Signed ?	Non Collusion?	Check?	Addendum Initialed?	Per Job Rate	Plow Truck	Pick-Up Truck/ Forklift	Loader	Grader	Per Hour Rates
<b>Alaska Marine Trucking</b>	X	X	X	X	X	X	<b>\$450.00</b>		45 Ton Forklift			Plow Truck = \$65 ph
<b>Campbell, George</b>	X	X	X	X	X	X	<b>\$498.00</b>		Ford Bronco	Cat 908H Bobcat CT235		908H = \$110 ph Bobcat CT235 = \$85 ph Cat 257 = \$90
<b>Turner Construction</b>	No Bid											
<b>Southeast Road Builders</b>	No Bid											

Present: Michelle Webb  
 Carlos Jimenez  
 Krista Kielsmeier  
 George Campbell  
 Stacie Turner  
 Brenda Jones

acknowledge addendum #1 Commie Ward 10/10/12

**2012-13 Snow Removal  
Lutak Dock**

**PROPOSAL FORM**

Proposal of ALASKA MARINE TRUCKING (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Lutak Dock in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: \_\_\_\_\_ Initials \_\_\_\_\_

**BIDDER INFORMATION:**

Name: MICHAEL GANEY  
Company Name: ALASKA MARINE TRUCKING  
Address: PO BOX 769 HAINES AK 99827  
Phone(s): 907-766-2221 907-314-0499  
Email: mganey@lyden.com

<b>Lutak Dock</b>	
Per Job Rate : \$ <u>450</u>	
Please list equipment available and to be assigned for this job:	
Equipment:	<u>45 TON FORKLIFT</u>
Equipment:	_____
Equipment:	_____
Per Hour Rate, if asked to plow and remove snow in other areas:	
Equipment: <u>plow TRUCK</u>	Per Hour \$ <u>65/hr</u>
Equipment: _____	Per Hour \$ _____

Date: 08 OCT 12

Authorized Representative: PORT MANAGER (title)  
MICHAEL GANEY (printed name)  
[Signature] (signature)

### 2012-13 Snow Removal Lutak Dock

### PROPOSAL FORM

Proposal of Little Oysters (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Lutak Dock in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: one initials GC

**BIDDER INFORMATION:**

Name: George Campbell  
Company Name: Little Oysters and Landscaping  
Address: Box 458  
Phone(s): 767-5589  
Email: outback@alaska.net

<b>Lutak Dock</b>	
Per Job Rate : \$	<del>498</del> <u>498</u> Four Hundred Ninety Eight Dollars <sup>00</sup>
Please list equipment available and to be assigned for this job:	
Equipment:	<u>Cat 908H</u>
Equipment:	<u>Ford Bronco</u>
Equipment:	<u>Bobcat CT 235</u>
Per Hour Rate, if asked to plow and remove snow in other areas:	
Equipment: <u>Cat 908H</u>	Per Hour \$ <u>110</u>
Equipment: <u>Bobcat CT 235</u>	Per Hour \$ <u>85</u>
Equipment: <u>Cat 257</u>	Per Hour \$ <u>90</u>

Date: 10/5/2012

Authorized Representative: owner (title)  
George Campbell (printed name)  
George Campbell (signature)



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-182  
**Assembly Meeting Date:** 10/23/12

Business Item Description:	Attachments:
<b>Subject:</b> Authorize a contract w/ Turner Const. for 2012-13 Snow Removal for Letnikof Est. RMSA & Tanani Bay Subd.	1. Resolution 12-10-411 2. Request for Bids 3. Bid Results and Bids
<b>Originator:</b> Carlos Jimenez (Agenda Bill by Clerk's Office)	
<b>Originating Department:</b> Public Facilities	
<b>Date Submitted:</b> 10/23/12	

**Full Title/Motion:**  
 Motion: Adopt Resolution 12-10-411.

**Administrative Recommendation:**  
 This resolution is recommended by the Borough Manager.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ See Summary Statement	\$ See Summary Statement	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.: N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**

The borough recently accepted bids for snow removal for the Tanani Bay Subdivision, and the manager recommends award to the apparent low bidder, Turner Construction for a lump sum, per job rate of \$107.00. An FY13 budget allows \$35,000 for Contract Snow Removal in all contract areas in the Townsite Service areas.

The borough recently accepted bids for snow removal for the Letnikof Estates RMSA, and the manager recommends award to the apparent low bidder, Turner Construction for a lump sum, per job rate of \$310.00. These services will be paid for by accumulated Letnikof Estates RMSA funds.

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 10/23/12	Tabled to Date:

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Turner Construction to provide 2012-2013 snow removal services for Letnikof Estates RMSA and Tanani Bay Subdivision.**

**WHEREAS**, annually the Haines Borough (Borough) issues a Request for Proposals (RFP) from qualified, licensed contractors for snow removal services; and

**WHEREAS**, the Borough received two responsive sealed bids from qualified contractors for the Letnikof Estates Road Maintenance Service Area (RMSA): 1) Little Diggers (George Campbell) for a lump sum, per job rate of \$440.00, and 2) Turner Construction for a lump sum, per job rate of \$310.00; and

**WHEREAS**, the Borough received two responsive sealed bids from qualified contractors for the Tanani Bay Subdivision: 1) Little Diggers (George Campbell) for a lump sum, per job rate of \$248.00, and 2) Turner Construction for a lump sum, per job rate of \$107.00; and

**WHEREAS**, the Director of Public Facilities has reviewed the proposals and recommends award to the apparent low bidder for Letnikof Estates RMSA and Tanani Bay Subdivision, Turner Construction; and

**WHEREAS**, funding for snow removal services is currently budgeted,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly authorizes the Borough Manager to execute a contract with Turner Construction to provide 2012-2013 snow removal services for Letnikof Estates RMSA and Tanani Bay Subdivision.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_<sup>th</sup> day of October, 2011.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

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

HAINES BOROUGH  
HAINES, ALASKA

# PUBLIC NOTICE

## REQUEST FOR PROPOSALS 2012-13 SNOW REMOVAL SERVICES



Haines Borough is accepting competitive sealed proposals from qualified contractors for snow removal services for the period between approx. November 2, 2012 and April 15, 2013. The following areas will be contracted separately and each will require a separate proposal form:

- Cathedral View/Piedad Area Subdivisions
- Chilkat Center
- Historic Dalton Trail (Eagle Vista Subdivision)
- Letnikof Estates Road Maintenance Service Area
- Lutak Dock
- Public Schools (Townsite Service Area)
- Riverview Drive Road Maintenance Service Area
- Tanani Bay Subdivision

Forms, maps, and other information is available from the Borough Clerk at P.O. Box 1209, Haines, AK 99827; phone: 907-766-2231; email: [jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us); or online: [www.hainesalaska.gov](http://www.hainesalaska.gov).

Prospective Bidders shall attend a **mandatory pre-bid conference** of the proposed work at **11:00 a.m. on Monday, October 8, 2012** in the Borough Conference Room, 103 Third Ave. S., Haines, Alaska. All proposals must be submitted on borough forms and received **no later than 12:00 noon, Monday, October 15, 2012**. Acceptable methods: hand-delivery or mailed only. The Borough reserves the right to reject any or all proposals, and the right to negotiate with the low bidder.

Julie Cozzi, Borough Clerk

**Haines Borough**  
**P.O. Box 1209 or 103 Third Ave. S.**  
**907-766-2231 ext.31**  
**[jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us)**  
**[www.hainesborough.us](http://www.hainesborough.us)**



# Haines Borough Bid Opening Record

Project: Snow Removal – Letnikof Estates  
Project No: \_\_\_\_\_

Location: Borough Administration Conference Room  
Date/Time: 12:27 10/15/12

Bidder	Bid Rcvd by Deadline ?	Bid on Req. Form ?	Bid Signed ?	Non Collusion?	Check?	Addendum Initialed?	Per Job Rate	Plow Truck	Pick-Up Truck	Loader	Grader	Per Hour Rates
<b>Alaska Marine Trucking</b>	<b>No Bid</b>											
<b>Campbell, George</b>	X	X	X	X	X	X	<b>\$440.00</b>		Ford Bronco	Cat 908H W/ Bobcat CT235		Cat 908H = \$110 ph Cat 257 = \$90 ph Bobcat CT235 = \$85 ph
<b>Turner Construction</b>	X	X	X	X	X	X	<b>\$310.00</b>	Plow Truck (Snowman)		950 Loader	12F Grader	Plow Truck = \$110 ph 950 Loader = \$110 ph 12 F Grader = \$120 ph
<b>Southeast Road Builders</b>	<b>No Bid</b>											

Present: Michelle Webb  
Carlos Jimenez  
Krista Kielsmeier  
George Campbell  
Stacie Turner  
Brenda Jones

### 2012-13 Snow Removal Letnikof Estates RMSA

### PROPOSAL FORM

Proposal of Little Dagers (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Letnikof Estates RMSA in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: one initials GC

**BIDDER INFORMATION:**

Name: George Campbell  
Company Name: Little Dagers and Landscaping  
Address: Box 458 Haines  
Phone(s): 762 5589  
Email: outback@alaska.net

<b>Letnikof Estates RMSA</b>	<u>Prty: \$440<sup>no</sup>/<sub>100</sub></u>	<u>Four Hundred forty<sup>no</sup>/<sub>100</sub></u>
Please list equipment available and to be assigned for this job:		
Equipment:	<u>Cat 908H</u>	
Equipment:	<u>Ford Bronco</u>	
Equipment:	<u>Bobcat C2 235</u>	
Per Hour Rate, if asked to plow and remove snow in other areas:		
Equipment:	<u>Cat 908H</u>	Per Hour \$ <u>120</u>
Equipment:	<u>CAT 257</u>	Per Hour \$ <u>90</u>
	<u>Bobcat C2 235</u>	<u>85</u>

Date: 10/15/2012

Authorized Representative: OWNER (title)  
George Campbell (printed name)  
[Signature] (signature)

### 2012-13 Snow Removal Letnikof Estates RMSA

## PROPOSAL FORM

Proposal of TURVER CONSTRUCTION (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Letnikof Estates RMSA in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: # 1 initials S.T.

#### BIDDER INFORMATION:

Name: STACIE TURVER  
Company Name: TURVER CONSTRUCTION  
Address: BOX 709 HAINES AK 99827  
Phone(s): 907-766-2687  
Email: turnerconstruction@aptalaska.net

**Letnikof Estates RMSA PER JOB RATE: \$ 310.00**

Please list equipment available and to be assigned for this job:

Equipment: PLOW TRUCK

Equipment: 450 LOADER

Equipment: 12 F GRADER

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: PLOW TRUCK Per Hour \$ 110.00

Equipment: 450 LOADER Per Hour \$ 110.00

12 F GRADER

\$ 120.00

Date: 10-15-12

Authorized Representative: SECRETARY (title)  
STACIE TURVER (printed name)  
Stacie Turver (signature)



# Haines Borough Bid Opening Record

Project: Snow Removal – Tanani Bay Subd.  
Project No: \_\_\_\_\_

Location: Borough Administration Conference Room  
Date/Time: 12:21 10/15/12

Bidder	Bid Rcvd by Deadline ?	Bid on Req. Form ?	Bid Signed ?	Non Collusion?	Check ?	Addendum Initialed?	Per Job Rate	Plow Truck	Pick-Up Truck	Loader	Grader	Per Hour Rates
<b>Alaska Marine Trucking</b>	No Bid											
<b>Campbell, George</b>	X	X	X	X	X	X	<b>\$248.00</b>		Ford Bronco	1. Cat 908H 2. Bobcat CT235		908H Cat = \$110 ph Ford Bronco = \$90 ph
<b>Turner Construction</b>	X	X	X	X	X	X	<b>\$107.00</b>	Plow Truck (Snowman)		950 Loader	12 F Grader	Plow Truck = \$110 ph 950 Loader = \$110 ph 12 F Grader = \$120 ph
<b>Southeast Road Builders</b>	No Bid											

Present: Michelle Webb  
Carlos Jimenez  
Krista Kielsmeier  
George Campbell  
Stacie Turner  
Brenda Jones

### 2012-13 Snow Removal Tanani Bay Subdivision

### PROPOSAL FORM

Proposal of Little Digger (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Tanani Bay Subdivision in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: DM initials BC

**BIDDER INFORMATION:**

Name: George Campbell  
Company Name: Little Digger's and Landscaping  
Address: Box 458  
Phone(s): 767-5389  
Email: \_\_\_\_\_

**Tanani Bay Subdivision**

Per Job Rate : \$ 248 two hundred forty eight

Please list equipment available and to be assigned for this job:

Equipment: CAT 908H  
Equipment: Ford Bronco  
Equipment: Bob-Cat CT235

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: CAT 908 H Per Hour \$ 110  
Equipment: Ford Bronco Per Hour \$ 90

Date: 10/16/2012

Authorized Representative: Owner (title)  
George Campbell (printed name)  
[Signature] (signature)

### 2012-13 Snow Removal Tanani Bay Subdivision

### PROPOSAL FORM

Proposal of TURNER CONSTRUCTION (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Tanani Bay Subdivision in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: #1 initials ST.

**BIDDER INFORMATION:**

Name: STACIE TURNER  
Company Name: TURNER CONSTRUCTION  
Address: BOX 709 HAINES, AK 99827  
Phone(s): 907-766-2657  
Email: turnerconstruction@2ptalaska.net

**Tanani Bay Subdivision**

Per Job Rate : \$ 107.00

Please list equipment available and to be assigned for this job:

Equipment: PLOW TRUCK  
Equipment: 950 LOADER  
Equipment: 12F GRADER

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: PLOW TRUCK Per Hour \$ 110.00  
Equipment: 950 LOADER Per Hour \$ 110.00  
GRADER 120.00

Date: 10-15-12

Authorized Representative: SECRETARY (title)  
STACIE TURNER (printed name)  
Stacie Turner (signature)



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-183

**Assembly Meeting Date:** 10/23/12

<b>Business Item Description:</b>		<b>Attachments:</b>
Subject: Authorize a contract with SE Road Builders for 2012-13 Snow Removal for Chilkat Center & Public Schools		1. Resolution 12-10-412 2. Request for Bids 3. Bid Results and Bids
Originator: Carlos Jimenez (Agenda Bill by Clerk's Office)		
Originating Department: Public Facilities		
Date Submitted: 10/23/12		

**Full Title/Motion:**  
Motion: Adopt Resolution 12-10-412.

**Administrative Recommendation:**  
This resolution is recommended by the Borough Manager.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ See Summary Statement	\$ See Summary Statement	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos. : N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
--------------------------------	--

**Summary Statement:**

The borough recently accepted bids for snow removal for the Chilkat Center, and the manager recommends award to the winner for the apparent low bidder, Southeast Road Builders for a lump sum, per job rate of \$125.00.

The borough recently accepted bids for snow removal for Townsite Public Schools, and the manager recommends award to the apparent low bidder, Southeast Road Builders for a lump sum, per job rate of \$545.00.

An FY13 budget allows \$35,000 for Contract Snow Removal in all contract areas in the Townsite Service areas.

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 10/23/12	Tabled to Date:

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Southeast Road Builders to provide 2012-2013 snow removal services for Chilkat Center and Townsite Public Schools.**

**WHEREAS**, annually the Haines Borough (Borough) issues a Request for Proposals (RFP) from qualified, licensed contractors for snow removal services; and

**WHEREAS**, the Borough received three responsive sealed bids from qualified contractors for the Chilkat Center: 1) Little Diggers (George Campbell) for a lump sum, per job rate of \$144.00, 2) Turner Construction for a lump sum, per job rate of \$125.00, and 3) Southeast Road Builders for a lump sum, per job rate of \$125.00; and

**WHEREAS**, the Borough received three responsive sealed bids from qualified contractors for the Townsite Public Schools: 1) Little Diggers (George Campbell) for a lump sum, per job rate of \$900.00, 2) Turner Construction for a lump sum, per job rate of \$625.00, and 3) Southeast Road Builders for a lump sum, per job rate of \$545.00; and

**WHEREAS**, the Director of Public Facilities has reviewed the proposals and recommends award to the apparent low bidder for the Townsite Public Schools and Chilkat Center decided by lots, Southeast Road Builders; and

**WHEREAS**, funding for snow removal services is currently budgeted,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly authorizes the Borough Manager to execute a contract with Southeast Road Builders to provide 2012-2013 snow removal services for Chilkat Center and Townsite Public Schools.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_<sup>th</sup> day of October, 2012.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

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

HAINES BOROUGH  
HAINES, ALASKA

# PUBLIC NOTICE

## REQUEST FOR PROPOSALS 2012-13 SNOW REMOVAL SERVICES



Haines Borough is accepting competitive sealed proposals from qualified contractors for snow removal services for the period between approx. November 2, 2012 and April 15, 2013. The following areas will be contracted separately and each will require a separate proposal form:

- Cathedral View/Piedad Area Subdivisions
- Chilkat Center
- Historic Dalton Trail (Eagle Vista Subdivision)
- Letnikof Estates Road Maintenance Service Area
- Lutak Dock
- Public Schools (Townsite Service Area)
- Riverview Drive Road Maintenance Service Area
- Tanani Bay Subdivision

Forms, maps, and other information is available from the Borough Clerk at P.O. Box 1209, Haines, AK 99827; phone: 907-766-2231; email: [jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us); or online: [www.hainesalaska.gov](http://www.hainesalaska.gov).

Prospective Bidders shall attend a **mandatory pre-bid conference** of the proposed work at **11:00 a.m. on Monday, October 8, 2012** in the Borough Conference Room, 103 Third Ave. S., Haines, Alaska. All proposals must be submitted on borough forms and received **no later than 12:00 noon, Monday, October 15, 2012**. Acceptable methods: hand-delivery or mailed only. The Borough reserves the right to reject any or all proposals, and the right to negotiate with the low bidder.

Julie Cozzi, Borough Clerk

**Haines Borough**  
**P.O. Box 1209 or 103 Third Ave. S.**  
**907-766-2231 ext.31**  
**[jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us)**  
**[www.hainesborough.us](http://www.hainesborough.us)**



# Haines Borough Bid Opening Record

Project: Snow Removal – Chilkat Center  
Project No: \_\_\_\_\_

Location: Borough Administration Conference Room  
Date/Time: 12:14 10/15/12

Bidder	Bid Rcvd by Deadline ?	Bid on Req. Form ?	Bid Signed ?	Non Collusion?	Check ?	Addendum Initialed?	Per Job Rate	Plow Truck	Pick-Up Truck	Loader	Grader	Per Hour Rates
<b>Alaska Marine Trucking</b>	No Bid											
<b>Campbell, George</b>	X	X	X	X	X	X	<b>\$144.00</b>		Ford Bronco	908H w/Blade Bobcat CT 235 257 Cat		908H Cat = \$110 ph Bobcat CT 235 = \$85 ph 257 Cat = \$90 ph Ford Bronco = \$90 ph
<b>Turner Construction</b>	X	X	X	X	X	X	<b>\$125.00</b>	Plow Truck (Snowman)		950 Loader	12 F Grader	Plow Truck = \$110 ph 950 Loader = \$110 ph 12 F Grader = \$120 ph
<b>Southeast Road Builders</b>	X	X	X	X	X	X	<b>\$125.00</b>			Volvo L60 Loader	CAT 140G Grader	CAT 140G = \$115.00 Volvo L60 = \$105.00

Present: Michelle Webb  
Carlos Jimenez  
Krista Kielsmeier  
George Campbell  
Stacie Turner  
Brenda Jones

### 2011-12 Snow Removal Chilkat Center

## PROPOSAL FORM

Proposal of Little Diggers (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Chilkat Center in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: one initials BC

**BIDDER INFORMATION:**

Name: George Campbell  
Company Name: Little Diggers and Landscaping  
Address: Box 458 Haines  
Phone(s): (907) 723-0435 (907) 767-5589  
Email: outback@alaska.net

**Chilkat Center**

Per Job Rate : \$ ~~145~~ 144.00 one Hundred Forty Four

Please list equipment available and to be assigned for this job:

Equipment: 908H w Blade & Pusher

Equipment: Bobcat CT 235

Equipment: Cat 257

Soul Bronco

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: 908H Per Hour \$ 110

Equipment: Bob-Cat CT 235 Per Hour \$ 85

Cat 257 90  
Soul Bronco 90

Date: 10/5/2012

Authorized Representative: George Campbell (title)  
George Campbell (printed name)  
[Signature] (signature)

## 2011-12 Snow Removal Chilkat Center

### PROPOSAL FORM

Proposal of TURNER CONSTRUCTION (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Chilkat Center in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: #1 initials S.T.

#### BIDDER INFORMATION:

Name: STACIE TURNER  
Company Name: TURNER CONSTRUCTION  
Address: BOX 709 HAINES, AK 99827  
Phone(s): 907-766-2687  
Email: turnerconstruction@artalaska.net

#### Chilkat Center

Per Job Rate : \$ 125.00

Please list equipment available and to be assigned for this job:

Equipment: PLOW TRUCK

Equipment: QSD LOADER

Equipment: 12 F GRADER

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: PLOW TRUCK Per Hour \$ 110.00

Equipment: QSD LOADER Per Hour \$ 110.00

Equipment: 12 F GRADER \$ 120.00

Date: 10-15-12

Authorized Representative: SECRETARY (title)  
STACIE TURNER (printed name)  
Stacie Turner (signature)

## 2011-12 Snow Removal Chilkat Center

### PROPOSAL FORM

Proposal of Southeast Road Builders, Inc. (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Chilkat Center in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: 1 initials RS

#### BIDDER INFORMATION:

Name:	<u>Roger Schnabel, President</u>
Company Name:	<u>Southeast Road Builders, Inc.</u>
Address:	<u>HC 60 Box 4800, Haines, AK 99827</u>
Phone(s):	<u>(907) 766-2833</u>
Email:	<u>roger@seroad.com ; cheryls@seroad.com</u>

#### Chilkat Center

Per Job Rate : \$ 125.00

Please list equipment available and to be assigned for this job:

Equipment: CAT 140G Grader

Equipment: Volvo L60 Loader

Equipment: \_\_\_\_\_

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: CAT 140G Grader Per Hour \$ 115.00

Equipment: Volvo L60 Loader Per Hour \$ 105.00

Date: October 15, 2012

Authorized Representative: President (title)  
Roger Schnabel (printed name)  
 (signature)



# Haines Borough Bid Opening Record

Project: Snow Removal – Public Schools  
Project No: \_\_\_\_\_

Location: Borough Administration Conference Room  
Date/Time: 12:01 10/15/12

Bidder	Bid Rcvd by Deadline ?	Bid on Req. Form ?	Bid Signed ?	Non Collusion?	Check?	Addendum Initialed?	Per Job Rate	Plow Truck	Pick-Up Truck	Loader	Grader	Per Hour Rates
<b>Alaska Marine Trucking</b>	No Bid											
<b>Campbell, George</b>	X	X	X	X	X	X	<b>\$900.00</b>			908H Cat 257 Cat 400 Doosan	12 Cat Grader	908H Cat = \$110 ph 257 Cat = \$90 ph 400 = \$280 ph
<b>Turner Construction</b>	X	X	X	X	X	X	<b>\$625.00</b>	Plow Truck (Snowman)		950 Loader	12 F Grader	Plow Truck = \$110 ph 950 Loader = \$110 ph 12 F Grader = \$120 ph
<b>Southeast Road Builders</b>	X	X	X	X	X	X	<b>\$545.00</b>			Volvo L60 Loader	CAT 140G Grader	CAT 140G = \$115 ph Volvo L60 = \$105 ph

Present: Michelle Webb  
Carlos Jimenez  
Krista Kielsmeier  
George Campbell  
Stacie Turner  
Brenda Jones

### 2012-13 Snow Removal Townsite Public Schools RMSA

### PROPOSAL FORM

Proposal of Little Dipper (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Townsite Public Schools in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: one initials BE

**BIDDER INFORMATION:**

Name: George Campbell  
Company Name: Little Dipper and Sons  
Address: 804 4th St  
Phone(s): 907-767-5587  
Email: \_\_\_\_\_

**Townsite Public Schools**

Per Job Rate : \$ 900 1700

Please list equipment available and to be assigned for this job:

Equipment: 908 H Cat

Equipment: 257 Cat

Equipment: 112 Cat grader

Doosan 400

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: 908 H Per Hour \$ 110

Equipment: 257 Per Hour \$ 90

400 Per Hour \$ 80

Date: 10/5/2012

Authorized Representative: George Campbell (title)  
George Campbell (printed name)  
[Signature] (signature)

# 2012-13 Snow Removal Townsite Public Schools RMSA

## PROPOSAL FORM

Proposal of TURNER CONSTRUCTION (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Townsite Public Schools in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: # 1 initials S.T.

### BIDDER INFORMATION:

Name: STACIE TURNER  
Company Name: TURNER CONSTRUCTION  
Address: BOX 709 HAINES, AK 99827  
Phone(s): 907-766-2687  
Email: turnerconstruction@afalaska.net

### Townsite Public Schools

Per Job Rate : \$ 625.00

Please list equipment available and to be assigned for this job:

Equipment: PLOW TRUCK

Equipment: 950 LOADER

Equipment: 12 F GRADER

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: PLOW TRUCK Per Hour \$ 110.00

Equipment: 950 LOADER Per Hour \$ 110.00

12 F GRADER \$ 120.00

Date: 10-15-12

Authorized Representative: SECRETARY (title)  
STACIE TURNER (printed name)  
Stacie Turner (signature)

## 2012-13 Snow Removal Townsite Public Schools RMSA

### PROPOSAL FORM

Proposal of Southeast Road Builders, Inc. (hereinafter called Bidder), organized and existing under the laws of the State of Alaska, doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (Owner).

Bidder hereby proposes to perform all work as directed by the Owner for the plowing of Townsite Public Schools in accordance with the Owner's Request for Proposals and Information for Bidders.

The Borough reserves the right to reject all proposals and reserves the right to waive any formalities, and to negotiate with the low bidder.

These proposals shall be subject to all conditions in the "Request for Proposals" posted by the Haines Borough on September 27, 2012 and incorporated herein by reference. Contract shall be valid only if signed by the contractor and Borough Manager.

By submission of this proposal, the bidder certifies that the proposal has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this proposal with any other bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed.

Bidder acknowledges receipt of the following Addendum: 1 initials RS

**BIDDER INFORMATION:**

Name:	<u>Roger Schnabel, President</u>
Company Name:	<u>Southeast Road Builders, Inc.</u>
Address:	<u>HC 60 Box 4800, Haines, AK 99827</u>
Phone(s):	<u>(907) 766-2833</u>
Email:	<u>roger@seroad.com ; cheryls@seroad.com</u>

**Townsite Public Schools**

Per Job Rate : \$ 545.00

Please list equipment available and to be assigned for this job:

Equipment: CAT 140G Grader

Equipment: Volvo L60 Loader

Equipment: \_\_\_\_\_

Per Hour Rate, if asked to plow and remove snow in other areas:

Equipment: CAT 140G Grader Per Hour \$ 115.00

Equipment: Volvo L60 Loader Per Hour \$ 105.00

Date: October 15, 2012

Authorized Representative: President (title)  
Roger Schnabel (printed name)  
 (signature)



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-179

**Assembly Meeting Date:** 10/23/12

<b>Business Item Description:</b>		<b>Attachments:</b>
Subject: Authorize a contract with Alaska Power and Telephone to provide design services for slope movement mitigation		1. Resolution 12-10-413 2. AP&T Proposal 3. Manager's Report on LED Lights 4. LED Budget Amendment 5. LED Payback Calculation 1 6. LED Payback Calculation 2
Originator: Borough Manager		
Originating Department: Administration		
Date Submitted: 10/17/12		

**Full Title/Motion:**  
Motion: Adopt Resolution 12-10-413

**Administrative Recommendation:**  
The resolution is recommended by the Borough Manager.

<b>Fiscal Impact:</b>		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ 12,246.29	\$ 12,500.00	\$

<b>Comprehensive Plan Consistency Review:</b>	
Comp Plan Policy Nos. : Objective 15K, Page 33	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Summary Statement:**  
The Borough included \$12,500 in the FY 2013 budget for the purchase and installation of 16 LED street lights, which would cover the \$12,246.29 quote from Alaska Power and Telephone. According to Danny Gonce with AP&T, the company will replace all lights along Third Avenue, starting at the alley behind Haines Assisted Living and ending at the exit intersection of Deishu Drive. Mr. Gonce also has provided an estimate that the Borough's savings from installing these lights will lead to payback in about three to five years.

<b>Referral:</b>			
Sent to:		Date:	
Recommendation:	Refer to:	Meeting Date:	

<b>Assembly Action:</b>	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 10/23/12	Tabled to Date:

HAINES BOROUGH  
RESOLUTION No. 12-10-413

Draft

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Alaska Power and Telephone Company in the amount of \$12,246.29 for the purchase and installation of LED street lights along Third Avenue.**

**WHEREAS**, improved energy efficiency has been a longtime goal of the Haines Borough Assembly; and

**WHEREAS**, a 2009 report from the Borough's Energy and Sustainability Commission stated LED street light technology cuts the cost to energize a light with the equivalent brightness a minimum of 50 percent; and

**WHEREAS**, the Borough's FY13 budget includes \$12,500 in the Public Works material and equipment fund for the purchase and installation of 16 LED street lights; and

**WHEREAS**, AP&T has provided a quote of \$12,246.29 to replace lights along Third Avenue; and

**WHEREAS**, AP&T estimates the Borough's savings from installing these lights will lead to payback in about three to five years.

**NOW, THEREFORE BE IT RESOLVED**, the Haines Borough Assembly authorizes the Borough Manager to contract with Alaska Power and Telephone Company in the amount of \$12,246.29 for the purchase and installation of LED street lights along Third Avenue.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

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



**ALASKA POWER & TELEPHONE**

P.O. Box 30 Haines, AK 99827 - (907) 766-6500  
 2012 Project Worksheet - Estimate

Location: **HAINES** W.O.# 5850LHNS

Contact Name: Brian Lemcke for Haines Borough  
 Project Name: Install LED Street lights 250W: 16 fixtures

Description: Install new LED Streetlights at existing fixture locations, 250 w HPS retrofit.  
AP&T will provide fixtures and installation at existing locations.  
AP&T will use existing NEMA photocell for new fixture.  
APT&T will replace all lights along 3rd Ave, beginning at the alley at the backside of HAL, and ending at the exit intersection of Deishu.  
A new billing account shall be activated to account for new reduced consumption.  
The existing billing account multipliers will be reduced by the appropriate amounts.  
Invoice to be paid upfront as per APC tariff.  
Estimate valid only for the calendar year in which it is issued.

Estimated Project Start Date: 1/0/1900

**Budget Amounts:**

	Poles	\$ -
	Pole Transformers	\$ -
	Pole Construction	\$ 11,577.00
	Underground Transformers	\$ -
	Underground Construction	\$ -
	Wires & Cables	\$ -
xx	OTC Materials	\$ -
	Material Freight	\$ -
	Labor	\$ 548.89
	Equipment Expense	\$ 120.40
xx	Contract	\$ -
	Subtotal	\$ 12,246.29
	New Service Contribution	\$ -
	Subtotal	\$ 12,246.29
	Connect Fee	\$ -
	Borough Sales Tax 5.5%	\$ -
	Buy-In to Existing Line Extension	\$ -
	<b>Total</b>	<b>\$ 12,246.29</b>

Approvals (initial date): \_\_\_\_\_

Property Manager: Danny Gonca



**Haines Borough Administration**  
**Mark Earnest, Borough Manager**  
(907)766-2231 • Fax(907)766-2716  
[mearnest@haines.ak.us](mailto:mearnest@haines.ak.us)

October 23, 2012

### **LED Light Installation**

The Borough included \$12,500 in the FY 2013 budget for the purchase and installation of 16 LED street lights, which would cover the \$12,246.29 quote from Alaska Power and Telephone. According to Danny Gonce with AP&T, the company will replace all lights along Third Avenue, starting at the alley behind Haines Assisted Living and ending at the exit intersection of Deishu Drive. Mr. Gonce also has provided an estimate that the Borough's savings from installing these lights will lead to payback in about three to five years.

**AN ORDINANCE OF THE HAINES BOROUGH, PROVIDING FOR THE ADDITION OR AMENDMENT OF SPECIFIC LINE ITEMS TO THE FY13 BUDGET.**

BE IT ORDAINED BY THE ASSEMBLY OF THE HAINES BOROUGH, ALASKA:

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

Section 2. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 3. Appropriation. This appropriation is hereby authorized as part of the budget for the fiscal year July 1, 2012 through June 30, 2013.

Section 4. Purpose. To provide for the addition or amendment of specific line items to the FY13 budget as follows:

<b>(1) To appropriate \$4,000 economic development sales tax funds to reprint the Golden Circle promotional book. The cost of printing is shared with the other Golden Circle communities.</b>				
		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
23-02-00-7340	Advertising	\$108,898	\$112,898	(\$4,000)

<b>(2) To decrease an FY11 appropriation from the Capital Improvement Project (CIP) sales tax fund for mechanical repairs to the public safety building and to appropriate CIP funds for the purchase of a 40-10' section of moorage float for the city dock in Excursion Inlet:</b>				
		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
50-01-00-7392	PS Building mechanical improvements	\$80,000	\$55,000	\$25,000
50-01-00-7392	Float Extension for Excursion Inlet "city" dock	0	\$25,000	(\$25,000)
Net change in appropriations to CIP Fund				0

<b>(3) To accept and appropriate a grant from the State of Alaska for a Sludge Composting Shed:</b>				
		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
42-91-00-4341	State Revenue	\$0	\$60,000	\$60,000
42-91-00-7392	Project Expenditures	\$0	60,000	(60,000)

<b>(4) To accept and appropriate a grant from the State of Alaska for Haines High School Gymnasium Renovation:</b>				
		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
42-01-00-4341	State Revenue	\$0	\$250,000	\$250,000
42-01-00-7392	Project Expenditures	\$0	250,000	(250,000)

**(5) To accept and appropriate a grant from the State of Alaska for acquisition of a road grader:**

		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
42-01-00-4341	State Revenue	\$0	\$400,000	\$400,000
42-01-00-7392	Project Expenditures	\$0	400,000	(400,000)

**(6) To accept and appropriate a grant from the State of Alaska for Letnikof Cove Harbor Improvements:**

		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
42-92-00-4341	State Revenue	\$0	\$950,000	\$950,000
42-92-00-7392	Project Expenditures	\$0	950,000	(950,000)

**(7) To accept and appropriate a grant from the State of Alaska for Haines Boat Harbor and Breakwater Improvements:**

		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
42-92-00-4341	State Revenue	\$0	\$4,500,000	\$4,500,000
42-92-00-7392	Project Expenditures	\$0	4,500,000	(4,500,000)

**(8) To accept and appropriate a grant from the State of Alaska for improvements to the Port Chilkoot Cruise Ship Dock:**

		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
42-10-01-4341	State Revenue	\$0	\$2,380,000	\$2,380,000
42-10-01-7392	Project Expenditures	\$0	2,380,000	(2,380,000)

**(9) To change the budget for the FY13 Federal Payment In Lieu of Taxes to reflect the actual payment amount :**

		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
01-01-09-4532	Federal Revenue - P.I.L.T.	\$365,000	\$375,243	\$10,243

**10. To appropriate \$55,000 from the sewer enterprise fund to replace an undersized 4" sewer main on West Fair Drive with an 8" sewer main:**

		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
91-01-00-7371	Maintenance & Repairs (W.Fair)	0	\$55,000	(\$55,000)

**11. To appropriate \$25,000 from the townsite service area fund to pay the Borough's deductible to repair fire damage to the public works shop.**

		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
02-04-00-7312	Professional Svc (Fire Damage)	0	\$25,000	(\$25,000)

<b>12. To appropriate \$12,500 from the townsite service area fund for the purchase and installation of 16 LED street lights.</b>				
		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
02-04-00-7230	Material & Equip.(LED lights)	0	\$12,500	(\$12,500)

<b>13. To appropriate \$1,000 from the areawide general fund for a communications training for the Borough Assembly:</b>				
		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
01-01-11-7335	Training	\$2,100	\$3,100	(\$1,000)

<b>14. To accept and appropriate a grant from the US Rural Development Administration to assist with the purchase and installation of an e911 system for Haines Borough dispatch. This amendment also appropriates funds for a 54% (\$82,218) local match from the police department (townsite service area fund), the fire fund, and the medical service area fund:</b>				
		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
31-01-00-4589	Federal Revenue	0	\$69,578	\$69,578
31-01-00-7392	Project Expenditure	0	\$151,796	(\$151,796)
02-98-00-8228	Operating Xfer – out from TSA	0	\$50,153	(\$50,153)
25-98-00-8207	Operating Xfer – out from Fire	0	\$16,033	(\$16,033)
20-98-00-8253	Operating Xfer – out from Medical	0	\$16,033	(\$16,033)
31-01-00-8228	Operating Xfer – in to grant fr TSA	0	\$50,153	\$50,153
31-01-00-8207	Operating Xfer – in to grant fr Fire	0	\$16,033	\$16,033
31-01-00-8253	Operating Xfer – in to grant fr Med.	0	\$16,033	\$16,033
Total local cost for installation of e911				(\$82,218)

<b>15. To reduce property tax projections based on the final, certified tax roll:</b>				
		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
01-01-09-4011	Property Tax Revenue - Areawide	\$1,587,000	\$1,581,000	(\$6,000)
75-01-00-4021	Property Tax – Library Bond	\$14,150	\$14,100	(\$50)
76-01-00-4021	Property Tax – School Bond	\$390,600	\$389,035	(\$1,565)
Total reduction in projected property tax revenue				(\$7,615)

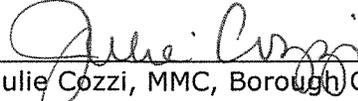
<b>16. To appropriate \$1,500 from the areawide general fund for an informational campaign promoting a ballot initiative to adopt a Haines Borough Financial Disclosure Law and to exempt Haines from the Alaska Public official Disclosure Law:</b>				
		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
01-01-11-7340	Assembly Advertising	\$2,200	\$3,700	(\$1,500)

\* A positive amount in this column is favorable. A negative amount is unfavorable.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS  
24<sup>th</sup> DAY OF JULY, 2012.

  
\_\_\_\_\_  
Stephanie Scott, Mayor

ATTEST:

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

Date Introduced: 06/26/12  
Date of First Public Hearing: 07/10/12  
Date of Second Public Hearing: 07/24/12 - Adopted





## The LEDway Calculator

### Fixtures (New or Existing HID)

# of Fixtures 16

Voltage 120/277

### Existing HID Fixture Information

Fixture Type — LEDway

Lamp Type 250 HPS

HID System Wattage 295

### LED Fixture Information

Number of LED's 60

Drive Current 700 mA

LED System Wattage 146

### Operation

Cost Per kWhr 0.22

Days per week 7

Hours per day 12

Annual hours of operation 4380

### HID Maintenance

Per Fixture HID Relamp Cost \$200

Maintenance Interval (Years) 2

### Fixture Cost

LED \$765

HID \$0

Note: Grey shaded cells are automatically determined by your selections.

### Key Comparisons

	HID	LED	Difference
Annual Energy Consumption (in watts)	20,673,600 W	10,231,680 W	-10,441,920 W
Annual Energy Cost	\$4,548	\$2,251	-\$2,297
Annual Maintenance Cost	\$1,600	\$0	-\$1,600
Total Annual Cost (energy + maintenance)	\$6,148	\$2,251	-\$3,897
Total Price Difference (LED vs HID)	\$	\$12,240	\$12,240
Payback in years			3.14

### Go Green! View Your CO<sub>2</sub> Impact

Pick your state	
HID CO <sub>2</sub> Emissions (in tons)	
LED CO <sub>2</sub> Emissions (in tons)	
Reduction of CO <sub>2</sub> emissions %	

This calculator if maintenance costs not factored, which the Borough does not currently pay, but is calculated through AP&T maintenance.



## The LEDway Calculator

### Fixtures (New or Existing HID)

# of Fixtures 16

Voltage 120/277

### Existing HID Fixture Information

Fixture Type — LEDway

Lamp Type 250 HPS

HID System Wattage 295

### LED Fixture Information

Number of LED's 60

Drive Current 700 mA

LED System Wattage 146

### Operation

Cost Per kWhr 0.22

Days per week 7

Hours per day 12

Annual hours of operation 4380

### HID Maintenance

Per Fixture HID Relamp Cost \$0

Maintenance Interval (Years) 2

### Fixture Cost

LED \$765

HID \$0

Note: Grey shaded cells are automatically determined by your selections.

### Key Comparisons

	HID	LED	Difference
Annual Energy Consumption (in watts)	20,673,600 W	10,231,680 W	-10,441,920 W
Annual Energy Cost	\$4,548	\$2,251	-\$2,297
Annual Maintenance Cost	\$	\$0	\$
Total Annual Cost (energy + maintenance)	\$4,548	\$2,251	-\$2,297
Total Price Difference (LED vs HID)	\$	\$12,240	\$12,240
Payback in years			5.33

### Go Green! View Your CO<sub>2</sub> Impact

Pick your state

HID CO<sub>2</sub> Emissions (in tons)

LED CO<sub>2</sub> Emissions (in tons)

Reduction of CO<sub>2</sub> emissions %



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-180  
**Assembly Meeting Date:** 10/23/12

Business Item Description:	Attachments:
<b>Subject:</b> Authorize a contract for security fence around Lutak Dock with Roadrunner Fence Co.	1. Resolution 12-10-414 2. Memo from Manager 3. Bid Results and Bids
<b>Originator:</b> Carlos Jimenez (Agenda Bill by Clerk's Office)	
<b>Originating Department:</b> Public Facilities	
<b>Date Submitted:</b> 10/23/12	

**Full Title/Motion:**  
 Motion: Adopt Resolution 12-10-414.

**Administrative Recommendation:**  
 This resolution is recommended by the Borough Manager.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ 128,500	\$ 232,946 from Grant	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.: N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**

The Haines Borough Assembly approved in March of 2012 a resolution accepting a grant offer that agreed to complete the security improvements. This project must be completed by January 1, 2013 or the funding will be lost and this deadline cannot be changed. Three quotes have been solicited and Roadrunner Fence company submitted the lowest bid.

Should additional work be necessary and to prevent undue delays to the completion of this project, the borough manager is authorized to negotiate and execute change orders up to a total of \$50,000.00, which will be reserved as contingency for this purpose.

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 10/23/12	Tabled to Date:

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into an agreement with Roadrunner Fence Co. for installation of chain link security fencing and gates at Lutak Dock in the amount of \$128,500.**

**WHEREAS**, the Borough Assembly is the governing body of the Haines Borough; and

**WHEREAS**, the Borough owns and operates the Lutak Dock; and

**WHEREAS**, the Haines Borough Assembly received a grant offer for installation of chain link security fencing, gates and cameras at the Lutak Dock and cameras at the Port Chilkoot Dock in the amount of \$232,946 from the U.S. Department of Homeland Security through the Marine Exchange of Alaska, Inc., and

**WHEREAS**, the Borough sought three proposals from companies qualified to install security fences that meet the Maritime Transportation Security Act (MTSA) and U.S. Coast Guard (USCG) security regulations 33 CFR Parts 101-106; and

**WHEREAS**, these improvements are required for these Borough port facilities to be in compliance with the MTSA and USCG regulations; and

**WHEREAS**, Roadrunner Fence Co. was the lowest responsive proposer, which consisted of a quote in the amount not to exceed \$128,500, and

**WHEREAS**, the Public Facilities Director, Harbormaster and Manager reviewed the proposal and recommend Assembly approval of the proposed contract; and

**WHEREAS**, there are sufficient grant funds available for the project, and the project must be completed by January 1, 2013.

**NOW, THEREFORE BE IT RESOLVED BY THE HAINES BOROUGH ASSEMBLY:**

Section 1. Project Funding. The borough manager is hereby authorized to enter into a professional services agreement with Roadrunner Fence Co. for the installation of MTSA and USCG compliant security fencing and gates at Lutak Dock in the amount of \$128,500.

Section 2. Change Orders. Should additional work be necessary and to prevent undue delays to the completion of this project, the borough manager is hereby authorized to negotiate and execute change orders up to a total of \$50,000.00, which amount shall be reserved as contingency for this purpose.

Section 3. The borough accepts responsibility to operate and maintain the improvements funded by this grant.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of October, 2012.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

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



**Haines Borough Administration**  
**Mark Earnest, Borough Manager**  
(907)766-2231 • Fax(907)766-2716  
mearnest@haines.ak.us

**October 23, 2012**

### **Lutak Dock Fence Project**

The Haines Borough Assembly approved in March of 2012 a resolution "accepting a grant offer for installation of chain link security fencing, gates and security cameras at the Lutak Dock and security cameras at the Port Chilkoot Dock in the amount not to exceed \$232,946.00 from the U.S. Department of Homeland Security through the Marine Exchange of Alaska, Inc." (Resolution 12-03-341)

According to the grant agreement, the Haines Borough "agrees to complete the security improvement project by January 1, 2013." The Borough's new Public Facilities Director, Carlos Jimenez, recently contracted Brett Farrell, assistant director of the Marine Exchange of Alaska, and was told this deadline cannot be changed. The project must be complete by January 1, 2013, and must include both fencing security cameras, or the funding will be lost.

The public facilities office then contacted several contractors to see if they could meet the timeline, with the understanding that the project, no matter what obstacles are presented, must be complete by the January deadline, and the Borough would provide snow removal services.

Bill Comer of AAA Fence in Anchorage responded that the project was too late in the season. The Borough did receive quotes of \$128,500 from Roadrunner Fence in Juneau and \$158,347.14 from Acme Fence in Anchorage.

PND Engineers will be on site October 18, 2012 to conduct survey work on the project. Contractors are slated to be on site on or around October 27. Once construction is underway, it is estimated to take three to four weeks to complete.

We are currently researching security camera systems and will present the information at the next assembly meeting.

## Krista Kielsmeier

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**From:** Bill Comer [bill@aaafenceak.com]  
**Sent:** Tuesday, October 16, 2012 8:26 AM  
**To:** Krista Kielsmeier  
**Subject:** Re: FW: Haines Borough - Dock Fencing

hello krista, i am sorry but it is too late in the year for us to do your fence job, we would love to bid it in the spring when conditions are right, please contact me in the spring if we can help, thank you

On Fri, Oct 12, 2012 at 10:59 AM, Krista Kielsmeier <kkielsmeier@haines.ak.us> wrote:

Also, could you please send your response to [cjimenez@haines.ak.us](mailto:cjimenez@haines.ak.us) , along with [kkielsmeier@haines.ak.us](mailto:kkielsmeier@haines.ak.us) ?

Thank you,

Krista Kielsmeier

**From:** Krista Kielsmeier  
**Sent:** Friday, October 12, 2012 10:20 AM  
**To:** 'bill@aaafenceak.com'  
**Subject:** Haines Borough - Dock Fencing

Hello,

I spoke with you yesterday regarding security fencing in the Haines Borough, to be installed at our Lutak Dock. Our public facilities director, Carlos Jimenez, is looking for a time and material estimate (a not-to-exceed price) for the attached project. According to our grant agreement, the project MUST be complete by Jan. 1, 2013. The borough would provide snow removal services. We will do what is feasible to assist a contractor in meeting this critical timeline.

The total project cost should include two, 20-foot gates. The first is shown on the attached diagram. The other would be at the Delta Western fuel rack. For the gate shown on the print, Carlos would like to consider options for a wider gate. He can be reached at 766-2257 or on his mobile phone at 303-2633 for additional information.

Your immediate response is appreciated. If you find this timeline to not be possible for your business, we still would greatly appreciate a quick response, because we are seeking multiple responses in order to move forward with this project.

Specifications:

1) Fence perimeters should meet the following minimum:

a) Security fences and other barriers should be located and constructed so as to prevent the introduction of dangerous substances or devices. Fencing should be 8 feet high, 9 gauge galvanized steel, of 2 inch wide chain link construction topped with an additional 2 foot barbed wire outrigger consisting of 3 strands of 9 gauge galvanized barbed wire at a 45 degree outward angle above the fence.

b) The effectiveness of a security fence against penetration depends to a large extent on the construction employed.

c) The bottom of the fence should be within 2 inches of the ground.

d) Security fence lines should be kept clear of all obstructions.

Krista Kielsmeier

Haines Borough

Administrative Assistant, Public Facilities

Office: 907-766-2257

--  
Bill Comer  
Estimator  
Direct: 907.275.2420  
Main: 907.349.7000

## Krista Kielsmeier

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**From:** Carlos Jimenez  
**Sent:** Wednesday, October 17, 2012 10:14 AM  
**To:** kkielsmeier@haines.ak.us  
**Subject:** FW: Lutak Fence  
**Attachments:** Lutac 10-17-12.xls.pdf; ATT121847.htm

**From:** Mark Lulay [<mailto:mark@acmefence.net>]  
**Sent:** Wednesday, October 17, 2012 10:13 AM  
**To:** Carlos Jimenez  
**Subject:** Re: Lutak Fence

Attached is the pricing you've requested.

Please feel free to contact me with any questions or concerns you may have.

Mark Lulay | Acme Fence Company, Inc. | [www.acmefence.net](http://www.acmefence.net)  
6230 A Street, Anchorage, AK 99518  
☎: (907) 522-1155 | 📠: (907) 344-0870 | ✉: [mark@acmefence.net](mailto:mark@acmefence.net)



# FENCE COMPANY

• Chain Link	• Guardrail	• Highway Signing
• Materials	• Installation	



October 17, 2012

To: Carlos Jimenez

Of: Haines Borough

Re: Lutak Dock Fencing

Acme Fence Company's price to furnish and install the following items for the above mentioned project is as follows:

Qty	Description	Unit Price	Extended Price
1 Lump Sum	Fence Posts for 8' Tall Chain Link Fence w/ Barbed Wire	\$57,053.57	\$57,053.57
1 Lump Sum	Chain Link Fence & Barbed Wire	\$66,333.57	\$66,333.57
2 Each	20' Cantilever Gate	\$7,240.00	\$14,480.00
2 Each	Automatic Gate Operator and Keypad	\$10,240.00	\$20,480.00
<b>TOTAL:</b>			<b>\$158,347.14</b>

Exclude clearing, grading, staking, permits, traffic maintenance, utility locates, staging area, frozen ground, embankment widening, asphalt damage/ repair, landscape damage/repair, private utility locates, exposing of utility line if in conflict, cutting of asphalt, drilling/excavating of post holes if needed due to rock, grounding, locks, concrete, and electrical supply and hook up of all electrical components.

Fence post installation cost is based on driven line posts and concrete set terminal and gate posts.

Price is based on 1 mobilization. Additional mobilizations will be billed at \$15,000.00 each

Add cost of bond if required.

Acme Fence Company is certified DBE#102H0980

Thank you for considering Acme Fence Company, Inc.

Sincerely,

Mark Lulay

Prices are good for 60 days from date of issue.

**Michelle Webb**

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**From:** Mark Earnest  
**Sent:** Tuesday, October 16, 2012 5:15 PM  
**To:** Michelle Webb; Julie Cozzi  
**Subject:** FW: security fence

**Categories:** Orange Category

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**From:** Carlos Jimenez  
**Sent:** Tuesday, October 16, 2012 11:41 AM  
**To:** Mark Earnest; Darsie Culbeck  
**Subject:** FW: security fence

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**From:** RRF [<mailto:rrfence@gmail.com>]  
**Sent:** Tuesday, October 16, 2012 10:32 AM  
**To:** Carlos Jimenez  
**Subject:** security fence

Dear Sir. The following is my bid on security fence Items.Road Runner Fence Co., Inc.

Item # 1 8' chainlink + 3 strands of barbwire, 1640 lf @ 60.00 per ft =\$98,400.00  
Item # 2 3ea 20' cantilever gates @ 4,500.00 ea.....=\$13,500.00  
Item # 3 electric gate operators @  
5,500.00 ea.....=\$16,500.00

Excludes running electricity to operators.Includes all installation of accessories.  
I propose to pre drill and drive posts as per D.O.T.specs Due to large shotrock fill.  
Total.....=\$128,400.00

(907) 688-7623 faxRoad Runner Fence Co., Inc.  
(907) 688-7623 ph  
(907) 688-7623 fax.....J.Mark Krall Pres/Tres



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-147  
**Assembly Meeting Date:** 10/23/12

Business Item Description:	Attachments:
<b>Subject:</b> Authorize Professional Services Agreement with PND for South Boat Harbor Expansion Work <hr/> <b>Originator:</b> Borough Manager (Agenda Bill by Clerk's Office) <hr/> <b>Originating Department:</b> Administration <hr/> <b>Date Submitted:</b> 10/12/12	1. Resolution 12-10-415 2. PND Proposal (scope and costs)

**Full Title/Motion:**  
 Motion: Adopt Resolution 12-10-415

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

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ \$97,393	\$ \$4.5 million Legis Grant	\$

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos. : Page 16: Goal 4, Objective 4B	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Summary Statement:**  
 The borough has an ongoing long-term objective to develop the south side of the boat harbor, and this project, known as the South Portage Cove Harbor Expansion, currently consists of a wave barrier, rubble mound breakwater, boat launch ramp, F float (fuel dock), additional moorage slips, uplands development, and tourism and cruise ship marine support facilities. Authorized by Resolutions 10-04-195, 12-06-366, and 12-08-396, PND has already provided planning & concept design services, prepared bid documents to solicit bids from drilling & barge companies to conduct a geotechnical investigation, and conducted a geotechnical investigation based on the drawings and specs. This resolution will authorize the manager to enter into a professional services agreement with PND conduct offshore bathymetry and onshore topography surveys which are needed for the project design.

Referral:			
Sent to:		Date:	
Recommendation:	Refer to:	Meeting Date:	

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 4/13/10, 6/12/12, 8/14/12, 10/23/12	Tabled to Date:

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into an agreement with PND Engineers, Inc. for the South Portage Cove Expansion Offshore Bathymetry and Onshore Topography Surveys in the amount of \$97,393.**

**WHEREAS**, the Haines Borough (Borough) has an ongoing long-term objective to develop the south side of Portage Cove Harbor, and this project is known as the South Portage Cove Harbor Expansion (Project); and

**WHEREAS**, the Project elements currently consist of a wave barrier, rubble mound breakwater, boat launch ramp, F float (fuel dock), additional moorage slips, uplands development, and tourism and cruise ship marine support facilities; and

**WHEREAS**, PND Engineers, Inc. (PND), through resolution 10-04-195, provided planning and concept design services for the Project, and resolution 12-06-366, to prepare bid documents to conduct a geotechnical investigation and solicit proposals from drilling and barge companies to perform the work, and resolution 12-08-396, for the geotechnical investigation, including costs for a driller and landing craft operator; and

**WHEREAS**, PND has submitted a proposal to conduct offshore bathymetry and onshore topography surveys which are needed for the project design; and

**WHEREAS**, these services will be paid for out of the Legislative grant that was awarded for this purpose, and available monies are sufficient.

**NOW, THEREFORE, BE IT RESOLVED** by the Haines Borough Assembly that the borough manager is hereby authorized to enter into a professional services agreement with PND Engineers, Inc. for the South Portage Cove Harbor Expansion project for offshore bathymetry and onshore topography surveys in the amount of \$97,393.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Stephanie Scott, Mayor

Attest:

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



**AMENDMENT To  
PROFESSIONAL SERVICES AGREEMENT  
Between  
HAINES BOROUGH  
and  
PND ENGINEERS, INC.  
For Task Order  
SOUTH PORTAGE COVE HARBOR  
BATHYMETRIC AND TOPOGRAPHIC SURVEY**

All provisions of the Basic Agreement not specifically changed by this Amendment remain in full force and effect. This Amendment makes the following changes:

**The Work.** Provide bathymetric and topographic surveying of harbor improvement area in accordance with PND proposal dated October 4, 2012, attached.

**Time of Commencement.** PND shall commence immediately with the objective of completing the work prior to the onset of winter conditions. Any work not completed in 2012 shall be completed during the spring of 2013.

**Cost of the Work.** Compensation for services under this Amendment shall be in accordance with PND proposal dated October 4, 2012. Services under this amendment shall be provided on a Time and Expenses basis using January 2012 Standard Billing rates, not to exceed a limit of \$97,393 without prior written authorization. All invoices shall be submitted to the Haines Borough under **PND Project Number 102029.05**. All third party and other reimbursable expenses shall include a 10% administrative fee.

IN WITNESS WHEREOF, the parties have executed this Amendment:

**Approved for Haines Borough:**

**Approved for CONSULTANT:**

By: \_\_\_\_\_  
Title: Mark Earnest, Borough Manager

  
By: \_\_\_\_\_  
Title: Dick Somerville, P.E., PND Vice President

Date: \_\_\_\_\_

Date: October 4, 2012

**PND Engineers, Inc.**  
**Professional Engineering Services Fee Proposal - October 4, 2012**  
**South Portage Cove Harbor Expansion - Survey Proposal**  
**PND Project No. 102029.05**

**Scope of Services**

PND Senior Engineer VII	PND Senior Engineer I	PND Staff Engineer V	PND Staff Engineer IV	PND Staff Engineer III	CAD Designer V	PND Senior Land Surveyor	PND Tech IV	Line Item Costs	Task Subtotal Costs
\$175.00	\$110.00	\$100.00	\$95.00	\$90.00	\$90.00	\$105.00	\$90.00		

<b>ANTICIPATED TASKS</b>										
1. Planning, coordination and logistics.	8		16					4	\$3,360	
2. Research HB, DOT&PF & USACE roadway and utility asbuilts and harbor condition surveys. Coordinate field utility locates. Establish horizontal and vertical control.	4		20						\$2,700	
3. Travel and perform field topographic survey in uplands and intertidal zone.	8		80				80	2	\$17,980	
4. Data reduction and basemap preparation - combining offshore bathymetry with upland topography.	8		40			8	32		\$9,480	
5. Prepare final deliverables.	4		16			8			\$3,020	\$36,540
<b>Total Estimated Manhours</b>	32		172			16	112	6		
<b>Estimated Third Party Expenses</b>										
Lodging & Perdiem	Assume 10 days * 2 man crew & \$200/day/man								\$4,000	
Vehicle	PND Survey Van & Fuel								\$750	
Travel	Airfares & ferry travel allowance								\$2,000	
David Evans & Assocs	Mobe, demobe & perform bathymetric survey								\$40,058	
David Evans & Assocs	Weather Standby - assume 3 days * \$2,671								\$8,013	
Misc. Expenses	Job consumables, small tools, misc. supplies, hardware, etc.								\$500	
Admin. Fees	10% of Third Party Invoices								\$5,532	\$60,853
<b>Total Estimated T&amp;M Fee</b>										\$97,393

Note: Surveys shall be performed during favorable weather (no snow, no wind) and daylight conditions. Three days of standby are included in the estimate however only actual standby time will be charged & PND shall notify the HB when standby has occurred.



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-185  
**Assembly Meeting Date:** 10/23/12

Business Item Description:	Attachments:
Subject: Port Tariff Revisions	1. Ordinance 12-10-307 2. Draft Tariff Page 15-A 3. Draft Tariff Page 15-B 4. Draft Tariff Page 16 5. PHAC and TAB Recommendation for rate changes
Originator: Borough Manager (Agenda Bill by Clerk's Office)	
Originating Department: Administration	
Date Submitted: 10/16/12	

**Full Title/Motion:**  
Motion: Introduce Ordinance 12-10-307 and set a first public hearing for 11/6/12.

**Administrative Recommendation:**  
Ordinance introduction is recommended by the Borough Manager.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
------------------------	--

**Summary Statement:**

On 9/11/12, the assembly adopted Ordinance 12-07-297 revising the water-sewer rates. This revision included an increase in the rate for commercial bulk water sales. The Port Tariff must be revised to provide for that rate change, and the assembly authorizes tariff revisions by non-code ordinance.

Additionally, the port and harbor advisory committee met jointly with the tourism advisory board on 10/11/12 to discuss possible increases to the Port Chilkoot Dock dockage rates. They recommend a \$0.25 per foot incremental increase over a five-year period. This rate increase does not include the Port Chilkoot Dock Lightering Float. The two groups recommend tabling that particular discussion until March 2013.

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 10/23/12	Tabled to Date:

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING THE PORT OF HAINES TERMINAL TARIFF NO. 3 TO INCREASE WATER RATES AT HAINES PORT FACILITIES, INCREASE DOCKAGE RATES AT THE PORT CHILKOOT DOCK, AND MOVE TEXT FROM ONE TARIFF PAGE TO ANOTHER.**

BE IT ORDAINED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance shall not 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 Rule No. 34, 305, Page 15-A, Port of Haines Terminal Tariff No.3. Port of Haines Terminal Tariff No.3 is amended to annually increase dockage rates at the Port Chilkoot Dock by \$.025 per foot over a five-year period and shall read, as follows:

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

RULE NO. 34 TERMINAL TARIFFS

-----  
 305. PORT CHILKOOT DOCK ~~AND PORT CHILKOOT LIGHTERING FACILITY~~ DOCKAGE RATES  
 -----

Port Chilkoot Dock dockage charges are assessed upon Length-Over-All (LOA) of the vessel. LOA is defined as the linear distance, in feet, from the most forward point at the stem to the aftermost part of the stern of the vessel, measured parallel to the base of the vessel.

LOA of the vessel as published in "Lloyds Register of Shipping" will be used and when not published, the Port reserves the right to: (a) obtain the LOA from the vessel's register, or (b) measure the vessel.

Dockage rates per foot per 24-hour period **shall be as follows, increasing annually by \$.25 effective January 1 each year:**

Vessel LOA	Charge <u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
000/149	<del>\$0.75</del>	<b><u>\$1.00</u></b>	<b><u>\$1.25</u></b>	<b><u>\$1.50</u></b>	<b><u>\$1.75</u></b>	<b><u>\$2.00</u></b>
150/199	<del>\$0.94</del>	<b><u>\$1.19</u></b>	<b><u>\$1.44</u></b>	<b><u>\$1.69</u></b>	<b><u>\$1.94</u></b>	<b><u>\$2.19</u></b>
200/299	<del>\$1.19</del>	<b><u>\$1.44</u></b>	<b><u>\$1.69</u></b>	<b><u>\$1.94</u></b>	<b><u>\$2.19</u></b>	<b><u>\$2.44</u></b>
300/399	<del>\$1.50</del>	<b><u>\$1.75</u></b>	<b><u>\$2.00</u></b>	<b><u>\$2.25</u></b>	<b><u>\$2.50</u></b>	<b><u>\$2.75</u></b>
400/499	<del>\$1.88</del>	<b><u>\$2.13</u></b>	<b><u>\$2.38</u></b>	<b><u>\$2.63</u></b>	<b><u>\$2.88</u></b>	<b><u>\$3.13</u></b>
500/599	<del>\$2.38</del>	<b><u>\$2.63</u></b>	<b><u>\$2.88</u></b>	<b><u>\$3.13</u></b>	<b><u>\$3.38</u></b>	<b><u>\$3.63</u></b>
600/699	<del>\$2.75</del>	<b><u>\$3.00</u></b>	<b><u>\$3.25</u></b>	<b><u>\$3.50</u></b>	<b><u>\$3.75</u></b>	<b><u>\$4.00</u></b>
700 and over	<del>\$3.00</del>	<b><u>\$3.25</u></b>	<b><u>\$3.50</u></b>	<b><u>\$3.75</u></b>	<b><u>\$4.00</u></b>	<b><u>\$4.25</u></b>

Minimum charge of \$80.00

These rates shall be increased, effective January 1 of each year.

Section 5. Amendment of Rule No. 34, 305, Page 15-B, Port of Haines Terminal Tariff No.3. Port of Haines Terminal Tariff No.3 is amended to renumber the Port Chilkoot Dock Lightering Facility item number and to insert a paragraph moved from Page 15-A. Page 15-B shall read, as follows:

NOTE: **Bolded**/UNDERLINED ITEMS ARE TO BE ADDED OR MOVED FROM A PREVIOUS PAGE  
STRIKETHROUGH ITEMS ARE DELETED

RULE NO. 34 TERMINAL TARIFFS

-----  
305 **306**. PORT CHILKOOT DOCK LIGHTERING FACILITY RATES ~~(C)~~  
-----

[Clerk's Note: the following underlined paragraph was simply moved from Page 15A and the text is unchanged.]

**For use of Port Chilkoot Dock lightering float dock, including lightering to transfer passengers to or from larger vessels; to pick up or discharge passengers for local marine tours; moorage of vessels; and moorage of vessels unable to moor in the small boat harbor.**

Rates per 24 Hour Period:

Lightering or transfer of passengers to or from a larger vessel:

Two hundred fifty (\$250) dollars flat rate per day.

Use of the facility by vessels with a capacity of ten passengers or more to load or unload passengers for tours or charters originating or ending in Haines. This fee shall not apply to vessels mooring at the lightering facility for more than one hour per docking:

Twenty (\$20) dollars

When use of the facility is for temporary or emergency transient moorage, or under the terms of a preferential use agreement approved by the Borough Assembly ("PUA"), standard small boat harbor transient moorage rates shall apply. Such use shall only be in case of an emergency or lack of moorage space in the small boat harbor or under the terms of a PUA and shall apply for no more than seventy-two consecutive hours per vessel. Such use shall not interfere with the scheduled use of the dock by the other vessels. Following expiration of the seventy-two hour period, standard dockage rates shall apply.

All other vessels shall pay standard dockage rates.

Section 6. Amendment of Rule No. 34, 310, Page 16, Port of Haines Terminal Tariff No.3. Port of Haines Terminal Tariff No.3 is amended to increase water rates at Haines port facilities and shall read, as follows:

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

RULE NO. 34 TERMINAL TARIFFS

-----  
310. ITEM 310 WATER RATES  
-----

\$50 service charge plus ~~\$4.00~~ **\$4.50** per 1,000 gallons for water, ~~except that this charge shall not apply at the Lutak Dock~~ **at any Haines Port Facility.**

Haines Borough  
Ordinance No. 12-10-307  
Page 3 of 3

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_  
DAY OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
Stephanie Scott, Mayor

ATTEST:

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

Date Introduced: 10/23/12  
Date of First Public Hearing: \_\_\_/\_\_\_/\_\_\_  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_

PORT OF HAINES TERMINAL TARIFF, FMC NO.3	Orig./Rev.	Page
	<del>6th</del> <u>7th</u> Rev.	15.A
	Cancels	Page
<b>DRAFT</b>	<del>5th</del> <u>6th</u> Rev.	15.A
	Effective Date	
	<del>January 1, 2011</del> <b>November 27, 2012</b>	
Ord.12-04-283;		
<b>Ord.12-10-307 §4</b>		

RULES AND REGULATIONS

RULE NO. 34. TERMINAL TARIFFS

305. PORT CHILKOOT DOCK ~~AND PORT CHILKOOT LIGHTERING FACILITY DOCKAGE~~ RATES

Port Chilkoot dockage charges are assessed upon Length-Over-All (LOA) of the vessel. LOA is defined as the linear distance, in feet, from the most forward point the stem to the aftermost part of the stern of the vessel, measured parallel to the base of the vessel.

LOA of the vessel as published in "Lloyds Register of Shipping" will be used and when not published, the Port reserves as the right to: (a) obtain the LOA from the vessel's register, or (b) measure the vessel.

Dockage rates per foot per 24-hour period shall be as follows, increasing annually by \$.25 effective January 1 each year:

Vessel LOA	Charge 2012	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
000/149	<u>\$0.75</u>	<u>\$1.00</u>	<u>\$1.25</u>	<u>\$1.50</u>	<u>\$1.75</u>	<u>\$2.00</u>
150/199	<u>\$0.94</u>	<u>\$1.19</u>	<u>\$1.44</u>	<u>\$1.69</u>	<u>\$1.94</u>	<u>\$2.19</u>
200/299	<u>\$1.19</u>	<u>\$1.44</u>	<u>\$1.69</u>	<u>\$1.94</u>	<u>\$2.19</u>	<u>\$2.44</u>
300/399	<u>\$1.50</u>	<u>\$1.75</u>	<u>\$2.00</u>	<u>\$2.25</u>	<u>\$2.50</u>	<u>\$2.75</u>
400/499	<u>\$1.88</u>	<u>\$2.13</u>	<u>\$2.38</u>	<u>\$2.63</u>	<u>\$2.88</u>	<u>\$3.13</u>
500/599	<u>\$2.38</u>	<u>\$2.63</u>	<u>\$2.88</u>	<u>\$3.13</u>	<u>\$3.38</u>	<u>\$3.63</u>
600/699	<u>\$2.75</u>	<u>\$3.00</u>	<u>\$3.25</u>	<u>\$3.50</u>	<u>\$3.75</u>	<u>\$4.00</u>
700 and over	<u>\$3.00</u>	<u>\$3.25</u>	<u>\$3.50</u>	<u>\$3.75</u>	<u>\$4.00</u>	<u>\$4.25</u>

Minimum charge of \$80.00

~~These rates shall be increased, effective January 1 of each year.~~

**[Clerk's Note: the following paragraph is only deleted from this page and is reinserted into Page 15B, 306. Port Chilkoot Lightering Facility Dock]**

~~For use of Port Chilkoot Dock lightering float dock, including lightering to transfer passengers to or from larger vessels; to pick up or discharge passengers for local marine tours; moorage of vessels; and moorage of vessels unable to moor in the small boat harbor.~~

PORT OF HAINES TERMINAL TARIFF, FMC NO.3	Orig./Rev.	Page
	<del>4th</del> <u>5th</u> Rev.	15.B
	Cancels	Page
<b>DRAFT</b>	<del>3rd</del> <u>4th</u> Rev.	15.B
	Effective Date	
	<del>April 26, 2011</del> <b>November 27, 2012</b>	
		Ord.11-02-255; <b>Ord.12-10-307 §5</b>

RULES AND REGULATIONS

RULE NO. 34. TERMINAL TARIFFS

-----  
~~305~~ 306. PORT CHILKOOT DOCK LIGHTERING FACILITY RATES--(C)  
-----

[Clerk's Note: the following underlined paragraph was moved from Page 15A and the text is unchanged.]

For use of Port Chilkoot Dock lightering float dock, including lightering to transfer passengers to or from larger vessels; to pick up or discharge passengers for local marine tours; moorage of vessels; and moorage of vessels unable to moor in the small boat harbor.

Rates per 24 Hour Period:

Lightering or transfer of passengers to or from a larger vessel:

Two hundred fifty (\$250) dollars flat rate per day.

Use of the facility by vessels with a capacity of ten passengers or more to load or unload passengers for tours or charters originating or ending in Haines. This fee shall not apply to vessels mooring at the lightering facility for more than one hour per docking:

Twenty (\$20) dollars

When use of the facility is for temporary or emergency transient moorage, or under the terms of a preferential use agreement approved by the Borough Assembly ("PUA"), standard small boat harbor transient moorage rates shall apply. Such use shall only be in case of an emergency or lack of moorage space in the small boat harbor or under the terms of a PUA and shall apply for no more than seventy-two consecutive hours per vessel. Such use shall not interfere with the scheduled use of the dock by the other vessels. Following expiration of the seventy-two hour period, standard dockage rates shall apply.

All other vessels shall pay standard dockage rates.

307. ITEM 307 ACCOMMODATION LADDER USE RATES

-----  
There shall be a charge of \$100 for each use by a vessel of the Port's passenger accommodation ladder.

PORT OF HAINES TERMINAL TARIFF, FMC NO.3	Orig./Rev.	Page
	<del>3rd</del> <b>4th</b> Rev.	16.
	Cancels	Page
	<del>2nd</del> <b>3rd</b> Rev.	16.
<b>DRAFT</b>	Effective Date	
	<del>April 26, 2011</del> <b>November 27, 2012</b>	
	Ord.11-02-255; <b>Ord.12-10-307 §6</b>	

RULES AND REGULATIONS

RULE NO. 34. TERMINAL TARIFFS

-----

310. ITEM 310 WATER RATES

-----

Water may be furnished to vessels at the discretion of the Haines Borough at the following rates:

\$50 service charge plus ~~\$4.00~~ **\$4.50** per 1,000 gallons for water, ~~except that this charge shall not apply at the Lutak Dock~~ **at any Haines Port Facility.**

320. ITEM 320 ELECTRICITY RATES

-----

Electrical Outlets: Subject to availability, electricity will be furnished at cost plus ten percent (10%). It will be the responsibility of the user to provide receptacles with proper voltage. The Haines Borough will not be responsible for electric power failure.

330. ITEM 330 TERMINAL USE PERMITS

-----

The services of handling, loading, unloading and other terminal services not specified herein are provided by independent agents at the Port of Haines under terminal use permits issued by the Haines Borough.

340. ITEM 340 PER-GALLON FLOW-THROUGH RATES

-----

For the transport of fluids, including, but not limited to, fuel, through pipelines across Borough port and dock facilities in both directions in any one calendar year.

Up to five million gallons	\$ 0.02 per gallon
Five million gallons and over	\$ 0.0175 per gallon

These rates shall be increased 3% annually, effective January 1 of each year.

## Michelle Webb

---

**From:** Phil Benner  
**Sent:** Friday, October 12, 2012 8:58 AM  
**To:** Michelle Webb  
**Subject:** FW: Review PC Dock Charges

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Orange Category

---

**From:** Phil Benner  
**Sent:** Thursday, October 11, 2012 3:45 PM  
**To:** Stephanie Scott; Tanya Carlson; Jila Stuart; Mark Earnest  
**Cc:** Julie Cozzi; Darsie Culbeck  
**Subject:** RE: Review PC Dock Charges

The PHAC and TAB agreed to forward the increase of water at PC Dock to \$4.50 per 1000 gallons, the increase of Dockage at the PC Dock a \$0.25 increase a year over 5 years. They tabled the lightering float increase until March of 2013.

Phil

---

**From:** Stephanie Scott  
**Sent:** Wed 10/3/2012 4:18 PM  
**To:** Phil Benner; Tanya Carlson; Jila Stuart; Mark Earnest  
**Cc:** Julie Cozzi; Darsie Culbeck  
**Subject:** RE: Review PC Dock Charges

Hi everyone,

I presume you are aiming for the October 11 Ports and Harbors Advisory Committee meeting jointly with the Tourism Advisory Committee meeting at 11 AM. Is that correct?

The Assembly clearly indicated a desire to increase the fee for water service to the cruise ships from \$4 to \$4.50 per 1000 gallons. Beyond that, there was simply a concern that the Revenue for the PC dock is estimated to come in under expenses for FY13 (about \$8,306). Can we increase revenue? Can we reduce expenses? What will be the effect of the increase in the water sales rate?

Stephanie

-----Original Message-----

**From:** Phil Benner  
**Sent:** Wednesday, October 03, 2012 1:31 PM  
**To:** Tanya Carlson; Stephanie Scott; Jila Stuart; Mark Earnest  
**Cc:** Julie Cozzi; Darsie Culbeck  
**Subject:** RE: Review PC Dock Charges

When can we get together and discuss this so I can get my packets put together?

-----Original Message-----

**From:** Phil Benner  
**Sent:** Wednesday, October 03, 2012 9:03 AM  
**To:** Tanya Carlson; Stephanie Scott; Jila Stuart; Mark Earnest



# 11B2

**Agenda Bill No.:** 12-177

**Assembly Meeting Date:** 10/23/12

Business Item Description:	Attachments:
Subject: Motor Vehicle Registration Tax	1. Ordinance 12-10-308 2. Memo from the Borough Manager
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 10/16/12	

Full Title/Motion:
Motion: Introduce Ordinance 12-10-308 and set a first public hearing for 11/6/12.

Administrative Recommendation:
Ordinance introduction is recommended by the Borough Manager.

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ None	\$	\$ None

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos. : Objective 15I, Page 33	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
To offset the costs of junk, abandoned and impounded vehicles, the Haines Borough may opt into the municipal Motor Vehicle Registration Tax (MVRT) program through the Department of Motor Vehicles (DMV). Haines could expect to receive approximately \$40,000 annually from the program. It is anticipated that money from the MVRT will be spent on administration, purchase of a tow truck, creation of a small impound yard and eventually a vehicle drain rack system.

Referral:			
Sent to:	Recommendation:	Date:	Meeting Date:
	Refer to:		

Assembly Action:	
Workshop Date(s): Meeting Date(s): 10/23/12	Public Hearing Date(s): Tabled to Date:

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE TITLE 3 TO ESTABLISH A JUNK AND ABANDONED VEHICLE DISPOSAL FUND, TO LEVY A MOTOR VEHICLE REGISTRATION TAX, AND TO EXEMPT FROM PROPERTY TAXES ALL VEHICLE SUBJECT TO THE REGISTRATION TAX.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Sections 5, 6, and 7 of this ordinance are of a general and permanent nature and shall become a part of the Haines Borough Code. Sections 4 and 8 of this ordinance shall not be codified.

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. Section 8 of this ordinance shall be effective upon adoption. All other sections shall be effective on January 1, 2014.

Section 4. Legislative Findings.

- A. Abandoned and junked vehicles pose an environmental hazard, and comprise a blight on the landscape.
- B. Environmental problems often fall to local governments to address.
- C. Many vehicles brought to Haines Borough will eventually end up as junked vehicles.
- D. The difficulty of tracking down the owners of abandoned and junked vehicles to require them to pay the costs of disposal has precluded this as a full funding alternative.
- E. It is reasonable to require vehicle owners to pay the costs of disposing of junked and abandoned motor vehicles, rather than using general tax revenues.
- F. The State of Alaska allows local governments to levy taxes on motor vehicle registrations collected by the state, with an eight percent administrative fee.
- G. State law requires that boroughs give notice of election to come under the state motor vehicle registration program by January 1st of the year before the tax goes into effect.
- H. Vehicles subject to motor vehicle registration tax are exempted by state law from municipal personal property tax.
- I. The state motor vehicle registration program includes exemptions such as senior citizens, disabled persons, and certain military personnel.

Section 5. Amendment of Title 3. Title 3 of the Haines Borough Code is hereby amended by the addition of a new chapter 3.46 titled "Junk and Abandoned Vehicle Disposal Fund" to read as follows:

**Chapter 3.46**

**JUNK AND ABANDONED VEHICLE DISPOSAL FUND.**

**Sections:**

**3.46.010 Policy and intent.**

**3.46.020 Allocation.**

**3.46.030 Management**

**3.45.040 Investment policy**

**3.46.010 Policy and intent.**

**The intent of this chapter is to provide for the proper accounting and management of public funds derived from the motor vehicle registration tax established by Chapter 3.85 of the Haines Borough Code of Ordinances and AS 28.10.431.**

**3.46.020 Purpose.**

**There is established a separate fund entitled the "Junk and Abandoned Vehicle Disposal Fund." All proceeds derived by the borough from the motor vehicle registration tax shall be deposited in said fund and used for the purpose of impounding, removing, or otherwise facilitating the voluntary or involuntary disposal of inoperable and abandoned vehicles within the borough.**

**3.46.030 Management.**

**The borough chief fiscal officer is designated as the official with the responsibility for managing the moneys received and disbursed by the Junk and Abandoned Vehicle Disposal Fund and as directed by the assembly.**

**3.46.040 Investment policy.**

**Investment policy is set forth in Chapter 3.08 HBC.**

Section 6. Amendment of Section 03.70.040(A). Haines Borough Code 03.70.040(A) is amended, to read as follows:

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

3.70.040 Local exemptions and exclusions.

A. The following property is exempt from general taxation:

1. Business inventory and items held for resale;
2. ~~Personal motor vehicles.~~ **All motor vehicles which are subject to the Motor Vehicle Registration Tax described in Chapter 03.85.**

Section 7. Amendment of Title 3. Title 3 of the Haines Borough Code is hereby amended by the addition of a new chapter 3.85 titled "Motor Vehicle Registration Tax" to read as follows:

**Chapter 3.85**

**MOTOR VEHICLE REGISTRATION TAX.**

**Sections:**

**3.85.010 Levy of Motor Vehicle Registration Tax.**

**3.85.020 Allocation.**

**3.85.010 Levy of Motor Vehicle Registration Tax.**

**A. There is levied a biennial motor vehicle registration tax within the borough pursuant to the provisions of AS 28.10.431 and as such statute may be hereafter amended, revised or replaced. The rate of said tax shall be based on the age of the vehicle as determined by model year in the first year of the biennial period, according to the following schedule. The categories under "Type" are intended to coincide with the categories provided in AS 28.10.431(b), as now enacted or as may be hereinafter amended.**

**B. The annual motor vehicle tax on commercial vehicles that are registered annually is one-half the rate of the biennial tax plus \$20.00.**

**MOTOR VEHICLE TAX SCHEDULE**

**BIENNIAL SCHEDULE Tax according to age of vehicle since model year:**

<b><u>VEHICLE TYPE</u></b>	<b><u>1st</u></b>	<b><u>2nd</u></b>	<b><u>3rd</u></b>	<b><u>4th</u></b>	<b><u>5th</u></b>	<b><u>6th</u></b>	<b><u>7th</u></b>	<b><u>8th or over</u></b>
<b><u>(1) Motorcycle</u></b>	<b><u>18</u></b>	<b><u>16</u></b>	<b><u>14</u></b>	<b><u>10</u></b>	<b><u>8</u></b>	<b><u>6</u></b>	<b><u>4</u></b>	<b><u>4</u></b>
<b><u>(2) Passenger (AS 28.10.421(b)(1)): non-commercial passenger vehicles, motor homes, and low speed vehicles; taxicabs</u></b>	<b><u>122</u></b>	<b><u>100</u></b>	<b><u>78</u></b>	<b><u>56</u></b>	<b><u>40</u></b>	<b><u>28</u></b>	<b><u>20</u></b>	<b><u>16</u></b>
<b><u>(3) Commercial (AS 28.10.421(c)(1-4))</u></b>								
<b><u>5,000 pounds or less</u></b>	<b><u>122</u></b>	<b><u>100</u></b>	<b><u>78</u></b>	<b><u>56</u></b>	<b><u>40</u></b>	<b><u>28</u></b>	<b><u>20</u></b>	<b><u>16</u></b>
<b><u>5001–12,000 pounds</u></b>	<b><u>198</u></b>	<b><u>154</u></b>	<b><u>122</u></b>	<b><u>100</u></b>	<b><u>78</u></b>	<b><u>56</u></b>	<b><u>34</u></b>	<b><u>22</u></b>
<b><u>12,001 – 18,000 pounds</u></b>	<b><u>448</u></b>	<b><u>392</u></b>	<b><u>348</u></b>	<b><u>304</u></b>	<b><u>260</u></b>	<b><u>228</u></b>	<b><u>206</u></b>	<b><u>194</u></b>
<b><u>18,001 pounds or over</u></b>	<b><u>546</u></b>	<b><u>470</u></b>	<b><u>404</u></b>	<b><u>348</u></b>	<b><u>304</u></b>	<b><u>260</u></b>	<b><u>216</u></b>	<b><u>194</u></b>
<b><u>(4) Commercial motor bus (AS 28.10.421(b)(4)): motor buses with a seating capacity for 20 or more persons and used exclusively for commercial purposes in transporting of visitors or tourists</u></b>	<b><u>198</u></b>	<b><u>154</u></b>	<b><u>122</u></b>	<b><u>100</u></b>	<b><u>78</u></b>	<b><u>56</u></b>	<b><u>34</u></b>	<b><u>22</u></b>
<b><u>(5) Non-commercial trailer (AS 27.10.421(b)(6), including trailers offered for rent</u></b>	<b><u>18</u></b>	<b><u>16</u></b>	<b><u>14</u></b>	<b><u>10</u></b>	<b><u>8</u></b>	<b><u>6</u></b>	<b><u>4</u></b>	<b><u>4</u></b>
<b><u>(6) Non-commercial pickup/van (AS 28.10.421(b)(2): less than 10,000 pounds and not registered to a company or business</u></b>	<b><u>122</u></b>	<b><u>100</u></b>	<b><u>78</u></b>	<b><u>56</u></b>	<b><u>40</u></b>	<b><u>28</u></b>	<b><u>20</u></b>	<b><u>16</u></b>
<b><u>(7) amateur mobile radio station vehicles (AS 28.10.421(d)(8))</u></b>	<b><u>150</u></b>	<b><u>140</u></b>	<b><u>130</u></b>	<b><u>120</u></b>	<b><u>110</u></b>	<b><u>100</u></b>	<b><u>90</u></b>	<b><u>70</u></b>
<b><u>(8) vehicles eligible for dealer plates (AS 28.10.421(d)(9))</u></b>	<b><u>150</u></b>							

**3.85.020 Allocation.**

**Subject to assembly appropriations, all of the money received by the borough under this section and AS 28.10.431, and as such statute may hereafter be amended, revised or replaced, shall be deposited in the Junk and Abandoned Vehicle Disposal Fund established by in Chapter 3.46 of the Haines Borough Code of Ordinances.**

Section 8. Notice. The Manager shall give notice to the State of Alaska pursuant to AS 28.10.431 that the Haines Borough has elected to levy this tax.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
 Stephanie Scott, Mayor

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

Date Introduced: 10/23/12  
 Date of First Public Hearing: \_\_\_/\_\_\_/\_\_\_  
 Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_



**Haines Borough Administration**  
**Mark Earnest, Borough Manager**  
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mearnest@haines.ak.us

October 23, 2012

### **Motor Vehicle Registration Tax**

To offset the costs of junk, abandoned and impounded vehicles, the Haines Borough may opt into the municipal Motor Vehicle Registration Tax (MVRT) program through the Department of Motor Vehicles (DMV). Haines could expect to receive approximately \$40,000 annually from the program.

To opt-in, Haines must pass an ordinance and submit it to DMV. In order to begin to collect revenue on January 1, 2014, Haines must submit an ordinance to DMV before January 1, 2013. Under state law, the law may not become effective until the following year, so Haines will not receive any revenue from this election until 2014. However it is possible to pre spend anticipated funds.

Opting-in means that when vehicles are registered in Haines Borough with DMV and state registration fees are paid; an additional MVRT fee would be paid. Municipalities have an option to add a local MVRT, per AS 28.10.431. The State levies and collects the municipal MVRT at the same time it collects the State registration fee, then retains 8% for administration, and passes the remainder of the MVRT collected to the municipality.

The tax rate is based on the age and the registration class of the vehicle. The state statute includes a pre-set tax rate, but the Borough may change these rates every two years by ordinance. The borough can also enact the tax at a higher initial rate than provided by the statute. The ordinance as currently drafted uses the base rates set by statute, which is the same rates we used to estimate the revenue this tax will generate for Haines Borough.

The taxes are normally collected for a biennial registration period. Some commercial use vehicles are registered annually, however, so the ordinance must address that class of vehicles separately. Charging half the biennial tax is normal, although at least one Borough added a \$20.00 administrative fee to the half-tax as well. Vehicle owners who change their vehicle registration month pay a pro-rated registration fee to cover the added period between 13 and 24 months, but these owners are charged the total biennial MVRT. There is no provision in the law to prorate the tax.

We obtained a list of all vehicles registered in Haines Borough, by age of vehicle, and entered this data into a spreadsheet provided by DMV to determine what the estimated MVRT

would be for Haines. The spreadsheet in Table 2, shows an estimated total of \$89,768 collected biannually, so about \$44,500 annually - less 8% (\$3,560) = \$40,940.

The municipal MVRT is based on the age of the vehicle, and the newer the vehicle is the higher the tax. For example, see Table 1 below for the MVRT fee for passenger cars. Each fee can be seen on the attached spreadsheet. Most vehicles in Haines are older, so the majority of the tax would be collected from smaller increments assessed on older vehicles.

<b>Year of Passenger Car MVRT</b>
2012 \$122
2011 \$100
2010 \$78
2009 \$56
2008 \$40
2007 \$28
2006 \$20
2005 or older \$16

*Table 1*

As of FY 10, boroughs that use the municipal MVRT are Anchorage, Bristol Bay, Juneau, Kenai Peninsula, Ketchikan, Kodiak, Matanuska-Susitna, Sitka and North Slope (has its own program). Boroughs that do not utilize the MVRT are Fairbanks, Haines, Skagway, Wrangell and Yakutat (Alaska Taxable 2010)

It is anticipated that money from the MVRT will be spent on administration, purchase of a tow truck, creation of a small impound yard and eventually a vehicle drain rack system.

**Table 2 - HAINES BOROUGH MVRT Collection Estimates – Prior to 8% reduction in DMV collection fee  
Tax According to Age of Vehicle Since Model Year**

	TOTAL	2012			2011			2010			2009			2008			2007			2006			2005 and earlier		
		Rate	Qty	Revenue	Rate	Qty	Revenue	Rate	Qty	Revenue	Rate	Qty	Revenue	Rate	Qty	Revenue	Rate	Qty	Revenue	Rate	Qty	Revenue	Rate	Qty	Revenue
<b>TOTAL MVRT collected</b>	<b>\$89,768</b>			<b>\$138</b>			<b>\$5,132</b>			<b>\$4,240</b>			<b>\$2,942</b>			<b>\$5,058</b>			<b>\$3,813</b>			<b>\$3,107</b>			<b>\$65,338</b>
(1) Motorcycles	\$1,119	\$17			\$15	11	165	\$13	2	26	\$10	20	200	\$7	11	77	\$5	15	75	\$4	9	36	\$4	135	540
(2) vehicles specified in AS 28.10.421(b)(1) - passenger	\$35,530	\$121	1	121	\$99	28	2,772	\$77	33	2,541	\$55	27	1,485	\$39	51	1,989	\$28	70	1,960	\$19	50	950	\$16	1,482	23,712
(3) vehicles specified in AS 28.10.421(b)(3) - taxicab	\$0	\$121		-	\$99		-	\$77		-	\$55		-	\$39		-	\$28		-	\$19		-	\$16		-
(4) vehicles specified in AS 28.10.421(c)(1-4) - commercial	\$0			-			-			-			-			-			-			-			-
5,000 lbs or less	\$1,230	\$121	-	-	\$99	1	99	\$77	-	-	\$55	-	-	\$39	1	39	\$28	2	56	\$19	4	76	\$16	60	960
5001-12,000 lbs	\$3,817	\$198	-	-	\$154	2	308	\$121	-	-	\$99	3	297	\$77	8	616	\$55	6	330	\$33	8	264	\$22	91	2,002
12,001-18,000 lbs	\$10,187	\$447	-	-	\$392		-	\$348		-	\$304		-	\$260	1	260	\$227	1	227	\$205	-	-	\$194	50	9,700
18,000 lbs or over	\$9,276	\$546	-	-	\$469		-	\$403		-	\$348		-	\$304	2	608	\$260	1	260	\$216	3	648	\$194	40	7,760
(5) vehicles specified in AS 28.10.421(b)(4) - commercial motor bus	\$704	\$198		-	\$154		-	\$121		-	\$99		-	\$77		-	\$55		-	\$33		-	\$22	32	704
(6) vehicles specified in AS 28.10.421(b)(6) - non-comm trailer	\$3,441	\$17	1	17	\$15	7	105	\$13	28	364	\$10	30	300	\$7	26	182	\$5	41	205	\$4	41	164	\$4	526	2,104
(7) vehicles specified in AS 28.10.421(d)(8) - amateur mobile radio	\$0	\$121		-	\$99		-	\$77		-	\$55		-	\$39		-	\$28		-	\$19		-	\$16		-
(8) vehicles specified in AS 28.10.421(b)(2) - non-comm pickup/van	\$24,464	\$121	-	-	\$99	17	1,683	\$77	17	1,309	\$55	12	660	\$39	33	1,287	\$28	25	700	\$19	51	969	\$16	1,116	17,856
(9) vehicles specified in AS 28.10.421(d)(9) - dealer plates	\$0	\$88		-			-			-			-			-			-			-			-
(10) vehicles specified in AS 28.10.421(d)(7) - snowmobile or ATV	\$0			-			-			-			-			-			-			-			-

Source: Sheinberg Associates, 2011(using DMV data)



**Haines Borough Administration**  
**Mark Earnest, Borough Manager**  
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October 23, 2012

### **Director of Public Facilities Appointment**

I am pleased to announce that Carlos Jimenez has accepted the offer to serve as Haines Borough Director of Public Facilities, with a starting annual salary of \$75,000. Mr. Jimenez was the highest ranked applicant during the initial screening process and following interviews with three other finalists for the position. Although the Borough received many very good applications during the recruitment period, Mr. Jimenez clearly brings the most relevant and direct experience and knowledge to the position, which is particularly important at this time regarding implementation of the capital improvement program throughout the Borough. He is familiar with the facilities and projects, as well as state and federal funding and regulatory agencies. Mr. Jimenez is already taken charge on a number of challenging projects, and he has exhibited tremendous leadership skills in his short tenure with the Borough.

The next step in the process is for the Assembly to confirm the Manager's appointment, which I am requesting your consideration of at the October 23, 2012 Assembly meeting. The relevant provision in Haines Borough Code is as follows:

#### **2.04.030 Employees.**

The employees of the borough shall consist of:

A. The borough manager and head of each administrative department, who shall be designated by title in the ordinances creating the respective departments or, in the absence of any such ordinance, by the manager or assembly in making the appointment. **All heads of departments who are not borough officers shall be appointed by the manager, subject to confirmation by the assembly.** Officers serve at the pleasure of the assembly and work under the direct supervision of the manager.

I also would like to take this opportunity to again extend my sincere appreciation and recognize the hard work and dedication by Brian Lemcke during this time of transition.



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 12-156  
**Assembly Meeting Date:** 10/23/2012

Business Item Description:	Attachments:
<b>Subject:</b> 2013 Federal Priorities ad hoc Steering Committee <b>Originator:</b> Mayor Scott (agenda bill by the Clerk's Office) <b>Originating Department:</b> Mayor's Office <b>Date Submitted:</b> Originally 10/1/12; resubmitted 10/15/12	1. 10/15/12 Memo from the Mayor 2. 10/1/12 Memo from Mayor

**Full Title/Motion:**  
 A motion may come out of assembly discussion.

**Administrative Recommendation:**

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos. : Objective 2B, page 8	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Summary Statement:**  
 On 8/28/12 the Assembly established the 2013 Federal Priorities ad hoc Steering Committee to be chaired by the mayor and made up of a member of the school board, assembly, planning commission, and chamber of commerce. The manager and school district superintendent will be ex officio members. The mayor was ready on 10/9 to make the appointments of Allen Turner (Chamber of Commerce), Member-elect Royal Henderson (School Board), Robert Venables (Planning Commission), and Jerry Lapp (Assembly) and sought assembly confirmation. The motion to confirm failed 3-2 with Waterman and Smith opposed (Schnabel left the meeting prior to that vote). The mayor scheduled a C.O.W. for 6pm on 10/23 to discuss the situation of having a committee with no appointees and has suggested a couple of options. A related memo to the mayor from the manager and lobbyist Brad Gilman that is included in the 10/23 manager's report may help guide the discussion.

Referral:			
Sent to:		Date:	
Recommendation:	Refer to:	Meeting Date:	

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 10/9, 10/23/12	Tabled to Date:

# Memorandum

Haines Borough  
Office of the Mayor  
103 Third Avenue S.  
Haines, Alaska 99827  
sscott@haines.ak.us  
Voice (907) 766-2231 ext. 30

October 15, 2012

To: Assembly

Cc: Julie Cozzi, Borough Clerk; Mark Earnest, Borough Manager

From: Stephanie Scott, Mayor, Haines Borough

Subject: ad hoc Federal Priorities Committee and appointments

On October 9, the Assembly did not confirm the Mayor's appointments to the ad hoc Federal Priorities Committee. The Assembly has the prerogative to suggest adjustment to the appointments or even to reframe the concept of the Committee itself; however, an affirmative motion to either of these points was not made. I fault myself for failing to request alternatives on the 9<sup>th</sup>. As a result, the Committee is in limbo. I request that the Assembly provide direction, both to me and to the organizations that forwarded a member to serve on the committee. I have called a Committee of the Whole just before the October 23 Assembly meeting so that we can discuss possibilities which can then be decided formally during the subsequent meeting.

The organizations involved are the Haines Borough School Board, the Haines Borough Planning Commission, and the Chamber of Commerce. In the motion that established the committee, Michael Byer, School Superintendent, and Mark Earnest, Borough Manager are named as members ex-officio.

The original plan was for the committee to review a draft memo, the week of October 15, jointly prepared by Manager Mark Earnest and Borough lobbyist Brad Gilman and then meet the week of October 22 to add or delete items in order to arrive at a recommendation to be considered by the Assembly.

Two options that you might consider include:

- move to request the Mayor to forward alternate appointees;
- move to discard the formation of a committee and assign the development and tracking of the Federal Priorities activities to the Assembly itself.

# Memorandum

Haines Borough  
Office of the Mayor  
103 Third Avenue S.  
Haines, Alaska 99827  
sscott@haines.ak.us  
Voice (907) 766-2231 ext. 30

October 1, 2012

To: Assembly

Cc: Julie Cozzi, Borough Clerk; Mark Earnest, Borough Manager

From: Stephanie Scott, Mayor, Haines Borough

Subject: Ad hoc Federal Priorities Committee

The Assembly endorsed the creation of an ad hoc Federal Priorities Committee at its June 12 meeting. Volunteers from the named entities have agreed to serve. I am requesting Assembly confirmation of appointment for:

- Chamber of Commerce, Allen Turner
- Haines Borough School District School Board, Royal Henderson
- Haines Borough Assembly, Jerry Lapp

Mark Earnest, Borough Manager, and Michael Byer, Haines Borough School District Superintendent will serve as members ex-officio. I will serve on and chair the committee.

The first meeting will be held the week of October 15 at 11:30 am in Assembly Chambers. Brad Gilman will attend via teleconference.

The goal of the committee is to prepare a Federal Priorities resolution for the December Assembly meeting.

**From:** Scott Sundberg [mailto:sunny@skiseaba.com]  
**Sent:** Wednesday, October 17, 2012 10:00 AM  
**To:** Julie Cozzi  
**Cc:** Nic Trimble  
**Subject:** correspondance for public hearing on title 5 amendments to commercial ski regs

Julie,,  
Please include the following in packets to assembly and mayor

Dear Assembly and Mayor Scott

I would like to request the assembly put a motion on the floor to have a Committee of the whole meeting regarding the map.

I recognize that this is a sensitive topic, and that no one likes to look into this. However, after the Heliski task force convened the industry was told that the map is part of a working document and that it can always be opened for review, questions comments, and suggestions.

I believe this would also help Assembly members who will be voting to pass these new amendments, that have not been on the assembly since the last open discussion of the map. Specifically Assembly woman Debra Schnabel and Assembly member Dave Berry. i would hope that someone entertains a motion or the mayor requests a cow on this topic.

Thank You

Scott Sundberg

--

Scott Sundberg  
General Manager/Owner  
Southeast Alaska Backcountry Adventures LLC  
907 314 0445  
P.o. box 1426  
Haines, Ak 99827