Haines Borough
Borough Assembly Meeting #344
AGENDA

September 26, 2017 - 6:30 p.m. **Location: Assembly Chambers, Public Safety Bldg.**

Jan Hill
Mayor

Sean Maidy
Assembly Member

Heather Lende
Assembly Member

Stephanie Scott
Assembly Member

Tresham Gregg
Assembly Member

Tom Morphet
Assembly Member

Ron Jackson
Assembly Member

Debra Schnabel,
Borough Manager

Julie Cozzi*, MMC*
Borough Clerk

Alekka Fullerton
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
11A1 – Adopt Resolution 17-09-731
11A2 – Adopt Resolution 17-09-732
11C6 – Board Appointment

*3. APPROVAL OF MINUTES – 9/12/17 Regular

4. PUBLIC COMMENTS - Sign-up is NOT required

[For any topics not scheduled for public hearing. Individual comments are limited to 3 minutes]

Note: during this section of the agenda, the assembly will listen and take notes. No official action will be taken at this time. Instead, comments and requests may be referred for further consideration to the administration, a committee, or a future assembly agenda.

5. ASSEMBLY COMMENTS

6. MAYOR'S REPORT / COMMENTS

7. PUBLIC HEARINGS

[Individual comments are limited to 3 minutes]

A. Ordinance 17-07-464 - Third Hearing
An Ordinance of the Haines Borough adding Haines Borough Chapter 3.82 to Impose an Excise Tax on Tobacco Products in the Haines Borough.

This ordinance was amended at the last meeting and set for two hearings already (8/22 and 9/12). **Motion:** Adopt Ordinance 17-07-464.

B. Ordinance 17-08-474 – Second Hearing
An Ordinance of the Haines Borough amending Haines Borough Code 2.102.010 to clarify the Community Youth Development Position.

This ordinance is recommended by the manager. The first public hearing was 8/22. **Motion**: Adopt Ordinance 17-08-474.

C. Ordinance 17-08-475 – Second Hearing
An Ordinance of the Haines Borough amending Haines Borough Code Section 3.80.035 to correct the label of the existing Transient Lodging Tax.

This ordinance is recommended by the manager. The first public hearing was 8/22. **Motion**: Adopt Ordinance 17-08-474.

D. Ordinance 17-08-476 – First Hearing
An Ordinance of the Haines Borough amending Haines Borough Chapter 3.82 to Impose an Excise Tax on Marijuana Cultivation Facilities in the Haines Borough.

This ordinance is the result of assembly direction to separate a previously introduced ordinance. **Motion**: For Ordinance 17-09-476, set a first public hearing for 9/26/17 and a second public hearing for 10/10/17.

8. STAFF / FACILITY REPORTS

A. Borough Manager – *9/26/17 Report*
B. Sheldon Museum Director's Report – *Report of July/August 2017*

9. COMMITTEE / COMMISSION / BOARD REPORTS & APPROVED MINUTES

A. Solid Waste Working Group – *Minutes of 8/18/17*

B. Museum Minutes – *Minutes of 7/25/17*
C. CFO Report – *FY 17 General Fund Report*
D. Assembly Committee and Liaison Reports

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A. Resolutions

***1. Resolution 17-09-731**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Stickler Construction Company for the Haines Sheldon Museum Roof Replacement project for an amount not to exceed $95,450.

This resolution is recommended by the director of public facilities. **Motion:** Adopt Resolution 17-09-731.

***2. Resolution 17-09-732**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with MRV Architects for the Public Safety Building Design for Exterior Upgrades project for an amount not to exceed $34,818.

This resolution is recommended by the director of public facilities. **Motion:** Adopt Resolution 17-09-732.

B. Ordinances for Introduction

C. Other New Business

1. Presentation by Colonel Brinke from Alaska State Troopers and Colonel Hall from Alaska Wildlife Troopers.

Colonels Brinke and Hall are here at the invitation of Mayor Hill to discuss Alaska State Troopers position regarding their presence in Haines.

2. Policy regarding Haines Borough Police Department and dispatch response outside of the townsite.

This agenda item was requested by Assembly member Tom Morphet.

3. HEDC Memorandum of Understanding.

When the Haines Borough adopted the FY18 Budget, it appropriated $95,000 to contract economic development activities in Haines (HEDC). The specific contents of that agreement was to be determined. This MOU is the proposed agreement between HEDC and the Borough.

4. Policy relating to Mud Bay Spring.

This agenda item was requested by Assembly member Tom Morphet.

5. Return of Ordinance 17-01-448

An Ordinance of the Haines Borough amending Haines Borough Code Title 12 to designate Haines Borough parks and establish definitions and regulations.

This Ordinance was introduced 1/10/17 and had its first public hearing on 1/24/17. At the second public hearing on 2/14/17, the Ordinance was referred to the Parks and Recreation Advisory Committee (PRAC) for development. On 4/3/17 PRAC referrred it to the Planning Commission to further review. On 9/7/17 the Planning Commission reviewed the Ordinance and made suggested changes. Since this is a substantive amendment, staff recommends another public hearing so that the public may be heard on the proposed changes. **Motion**: Amend Ordinance 17-01-448 and set it for another public hearing 10/10/17.

***6. Board Appointment**

An Appointment application was received for a seat on the Public Library Advisory Board (Library Board) from Margaret Friedenauer. The Library Board considered the application and submitted a recommendation to the mayor. The Mayor will announce her appointment during the meeting and seeks assembly confirmation. **Motion**: Confirm the mayor's appointment of Margaret Friedenauer to the Public Library Advisory Board with a term ending 11/30/19.

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS/DIRECTION TO THE MANAGER

16. ADJOURNMENT

Haines Borough
Borough Assembly Meeting #343
September 12, 2017
MINUTES **Draft**

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

   Present: Mayor Jan **HILL**, and Assembly Members Tresham **GREGG**, Ron **JACKSON**, Tom **MORPHET**, Sean **MAIDY**, and Heather **LENDE. Absent:** Stephanie Scott.

   Staff Present: Debra **SCHNABEL**/Borough Manager, Alekka **FULLERTON**/Deputy Clerk, Jila **STUART**/Finance Director, Helen **ALTEN**/Museum Director and others.

   Visitors Present: Kyle **CLAYTON**/CVN, Emily **FILES**/KHNS, Bill **MCCORD**, Carol **TUYNMAN,** Diana **LAPHAM**, Joanie **WAGNER**, Kyle **FOSSMAN**, Evelyna **VIGNOLA**, CJ **JONES**, Dawn **DROTOS**, Brenda **JOSEPHSON**, Heidi **ROBACHAUD** and others.

2. **APPROVAL OF AGENDA & CONSENT AGENDA**
   The following Items were on the published consent agenda indicated by an asterisk (*****):

   3 – Approve Assembly Meeting Minutes
   11A1 – Adopt Resolution 17-09-729
   11A2 – Adopt Resolution 17-09-730

Motion: LENDE moved to "approve the agenda/consent agenda," and it was amended to add item 7E to the consent agenda. The motion, as amended, carried unanimously.

***3.** **APPROVAL OF MINUTES** – 8/22/17 Regular and 8/21/17 Special (Election Canvass)
The motion adopted by approval of the consent agenda: "approve minutes of the 8/21/17 and 8/22/17 borough assembly meetings."

4. **PUBLIC COMMENTS:** The following individuals made comments:

   ROBACHAUD, DROTOS

5. **ASSEMBLY COMMENTS:** The following made comments: None.

6. **MAYOR'S REPORT AND COMMENTS:** Reminder that Southeast Conference is here next week.

7. **PUBLIC HEARINGS**

   A. **Ordinance 17-08-471** - Second Hearing
   An Ordinance of the Haines Borough amending Haines Borough Code 2.12.030 regarding procedures for public hearings in the adoption of ordinances.

   Mayor **HILL** opened the public hearing at 6:41pm.

   JOSEPHSON, TUYNMAN

   Hearing no further comments, the mayor closed the public hearing at 6:44pm.

Motion: **JACKSON** moved to "adopt Ordinance 17-08-471".

Primary Amendment: **MAIDY** moved to "change only one public hearing to two public hearings," and the motion FAILED 3-2 with LENDE and MORPHET opposed.

The main motion failed unanimously in a roll call vote.

   B. **Ordinance 17-08-472** - Second Hearing
   An Ordinance of the Haines Borough adopting Marijuana Regulations and designating a Local Regulatory Authority.

   Mayor **HILL** opened and closed the public hearing at 7:00 pm since no one signed up to speak.

Motion: **LENDE** moved to "adopt Ordinance 17-08-472," and the motion carried unanimously in a roll call vote.

   C. **Ordinance 17-08-473** - Second Hearing
   An Ordinance of the Haines Borough amending Haines Borough Code 2.16.070 to reduce the compensation of the mayor.

   Mayor **HILL** opened the public hearing at 7:02 pm.

VIGNOLA, TUYNMAN

Hearing no further comments, the mayor closed the public hearing at 7:09 pm.

Motion: **LENDE** moved to "adopt Ordinance 17-08-473".

Primary Amendment: **LENDE** moved to "amend it to be $7,000 per year rather than $6,000" and the motion carried unanimously.

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

D. Ordinance 17-08-474 - First Hearing
An Ordinance of the Haines Borough amending Haines Borough Code 2.102.010 to clarify the Community Youth Development Position.

Mayor **HILL** opened and closed the public hearing at 7:17 pm; there were no public comments.

The assembly already scheduled a second hearing for 9/26. No motion is needed now unless the second hearing date needs to change or some other action is desired such as amendments.

E. Ordinance 17-08-475 - First Hearing
An Ordinance of the Haines Borough amending Haines Borough Code Section 3.80.035 to correct the label of the existing Transient Lodging Tax.

This item was added to the consent agenda. No one signed up to provide public comments. *The assembly already scheduled a second hearing for 9/26.*

8. STAFF/FACILITY REPORTS

A. Borough Manager – *9/12/17 Report*

SCHNABEL summarized her written report and responded to a few questions from the assembly.

Motion: **MORPHET** moved to "schedule a Committee of the Whole meeting to discuss strategy for financing Lutak Dock with the Planning Commission and the Port and Harbor Advisory Board" and the motion carried unanimously.

B. Finance Director – *Report of Borough's Permanent Fund, as of 6/30/17*
C. Mosquito Lake School and Community Center Annual Report

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES

A. Solid Waste Working Group – *Minutes of 8/1/17*
B. Port and Harbor Advisory Committee – *Minutes of 7/27/17*
C. Public Safety Commission – *Minutes of 6/1/17*
D. Assembly Committee and Liaison Reports -GASC Report from 8-29-17

10. UNFINISHED BUSINESS

A. Ordinance 17-07-470 – Second Hearing
An Ordinance of the Haines Borough amending Haines Borough Code Sections 7.04.060 and 7.04.070 to finance service areas as allowed by Borough Charter Section 12.04.

Note: This was introduced 7/25, and hearings were held on 8/8 and 8/22. Adoption was postponed to this meeting. The following motions were currently on the table, so discussion resumed at the amendment motion level:

Main Motion: Adopt Ordinance 17-07-470.

Primary Amendment Motion: "In HBC 7.04.070, unstrike the first sentence, keep the second sentence, and strike the third sentence."

Secondary Amendment Motion #1: **MORPHET** moved to amend the primary amendment "to keep the third sentence," and the motion carried 4-1 with **MORPHET** opposed.

Secondary Amendment Motion #2: **MAIDY** moved to amend the primary amendment to "strike the first sentence. Add the phrase "within the service area" to the end of sentence two," and the motion FAILED 3-2 with **LENDE** and **MORPHET** opposed.

The primary amendment, as amended, carried unanimously.

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

B. Kyle Fossman Request re. Low Water Pressure

On 8/22, the assembly considered a letter received on 8/16 from Kyle Fossman. The letter said his water pressure measured 6 psi which is too low, so he was incurring costs to address the problem. He asked for borough assistance in covering the cost. The assembly decided more information was needed, so this agenda item was postponed to this meeting. The manager provided more information and a recommendation.

Kyle **FOSSMAN** made a statement.

Motion: **MORPHET** moved to "suspend the rules to have an informal discussion with Kyle Fossman," and the motion carried unanimously.

Motion: **MORPHET** moved to "reinstate the rules," and the motion carried unanimously.

Motion: **JACKSON** moved to "consult with the borough attorney and get some advice on how to settle with Kyle Fossman with the least amount of disturbance and without setting a precedent," and the motion carried unanimously.

Motion: **MORPHET** moved to "add a request for Mr. Fossman to submit his receipts to the borough," and the motion carried unanimously.

11. NEW BUSINESS

A. Resolutions

***1. Resolution 17-09-729**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to purchase E-911 system enhancements from Zetron for an amount not-to-exceed $55,937.16.

The following motion carried with adoption of the Consent Agenda: "adopt Resolution 17-09-729.

***2. Resolution 17-09-730**

A Resolution of the Haines Borough Assembly authorizing the Election Supervisor to Appoint Election Officials for the Regular Election to be held October 3, 2017, and Establishing the Wages.

The following motion carried with adoption of the Consent Agenda: "adopt Resolution 17-09-730.

B. Ordinances for Introduction

1. Ordinance 17-09-476

An Ordinance of the Haines Borough amending Haines Borough Chapter 3.82 to impose an Excise Tax on Marijuana Cultivation Facilities in the Haines Borough.

Motion: **GREGG** moved "for Ordinance 17-09-476, set a first public hearing for 9/26/17 and a second public hearing for 10/10/17,"

Primary amendment: **LENDE** moved to "increase the excise tax rate from $5 an ounce to $20 per ounce," and the motion FAILED 3-2 with **MORPHET** and **MAIDY** opposed.

Primary amendment: **GREGG** moved to "increase the excise tax rate from $5 an ounce to $10 per ounce," and the motion FAILED 3-2 with **MORPHET** and **MAIDY** opposed.

The main motion carried 4-1 with **MORPHET** opposed.

C. Other New Business

1. Ordinance 17-07-464

An Ordinance of the Haines Borough adding Haines Borough Chapter 3.82 to Impose an Excise Tax on Tobacco Products in the Haines Borough.

Motion: LENDE moved to "amend Ordinance 17-07-464 as published and set it for a third public hearing on 9/26/17," and the motion carried unanimously.

2. Heliski Map Committee Ordinances (16-10-445, 17-01-447, 17-04-457)

Note: Ordinance 16-10-445 and 17-01-447 were both previously introduced and referred to the Commerce committee. During that review, the commerce committee drafted proposed

ordinance 17-04-457 which was also introduced and referred to PRAC and TAB. PRAC and TAB recommend this ordinance with amendment to replace the other ordinances.

Motion: **JACKSON** moved to "withdraw Ordinance 17-01-447 from consideration," and the motion carried unanimously.

Motion: **JACKSON** moved to "withdraw Ordinance 16-10-445 from consideration," and the motion carried unanimously.

Motion: **LENDE** moved to "extend the meeting," the motion carried 4-1 with **JACKSON** opposed.

Motion: **JACKSON** moved to "send Ordinance 17-04-457 to staff for procedural revision/review," and the motion carried unanimously.

3. Disposal of Human Resource Building

a. Amend Previously-Adopted Ordinance 15-03-403
An Ordinance of the Haines Borough classifying for disposal the borough-owned property known as the Human Resource Building.

Note: this ordinance was adopted on 4/28/15. Recently, in preparation for putting the property up for sale, it was discovered an inaccurate legal description of the subject property was provided in the ordinance. Robert's Rules of Order allows a motion to amend something previously adopted.

Motion: **JACKSON** moved to "amend previously-adopted Ordinance 15-03-403 to provide an accurate and complete legal description of the borough-owned property known as the Human Resource Building," and the motion carried unanimously in a roll call vote.

b. Authorize Disposal Method
Note: HBC 14.20.080 provides that Borough land may be disposed of by lottery sale, auction, competitive bid, over-the-counter sale, disposal for subdivision development, land exchange, or negotiated sale.

Motion: **MAIDY** moved to "advertise sale of the property for at least 40 days by method of sealed competitive bid with veteran's preference in general circulation newspapers and real estate flyers throughout Southeast and Southcentral Alaska, with open bid date no later than November 10, 2017. Payment plan of ten years financed at 10%," and the motion FAILED 2-3 with **MORPHET**, **LENDE** and **GREGG** opposed.

Motion: **MORPHET** moved to "direct the manager to research the sale of the building using an RFP-type idea," and the motion carried unanimously.

4. Sustainability – Discussion Item

12. CORRESPONDENCE/REQUESTS

A. Request for Action from Public Safety Commission

Motion: **MAIDY** moved to "direct the manager to draft an ordinance to allow the addition of the ex-officio members as requested by the Public Safety Commission," the motion carried 4-1 with **MORPHET** opposed.

Motion: **MORPHET** moved to "convey to the Public Safety Commission that they are authorized to serve as a drug awareness task force," and the motion carried unanimously.

B. Request for Action from Port and Harbor Advisory Committee

** Clerk's note: the Assembly previously agreed to set a Committee of the Whole meeting to include the Port and Harbor Advisory Committee (PHAC) regarding Lutak Dock and the specific requests from PHAC.*

13. SET MEETING DATES

A. Committee of the Whole Meeting Regarding Lutak Dock– September 27, 2017 from 6:00 pm – 8:00 pm.

B. Election Canvass- October 10, 2017 at 6:30 pm.

14. PUBLIC COMMENTS: The following individuals spoke at the meeting: None.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS/DIRECTION TO THE MANAGER: The following assembly members spoke at the end of the meeting:

MORPHET requested that police actions outside the townsite be placed on the next agenda.

16. ADJOURNMENT – 10:43p.m.

ATTEST:

_____
Janice Hill, Mayor

_____
Alekka Fullerton, Deputy Clerk

7A

Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 17-759
Assembly Meeting Date: 9/26/17

Business Item Description:	**Attachments:**
Subject: Imposition of Excise Tax on Cigarettes and Other Tobacco Products	1. Ordinance 17-07-464 2. Table showing other communities' tobacco tax.
Originator: Borough Manager and Assembly	
Originating Department: Administration	
Date Submitted: 6/28/17	

Full Title/Motion:

Motion: Adopt Ordinance 17-07-464.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
$0	$0	$0	Provides additional revenue

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives:	Consistent: ■Yes ☐No

Summary Statement:

At the June 27, 2017 meeting, the assembly directed the manager to "draft an ordinance for the next meeting to add an excise tax on tobacco and marijuana."

Ordinance 17-07-464 was introduced July 11, 2017 and set for two public hearings July 25 and August 8. At the August 8, 2017 hearing, the assembly moved to separate the proposed excise tax on tobacco from the proposed excise tax on marijuana cultivation. This ordinance was therefore amended to provide for a proposed excise tax on tobacco only. Since this was an extensive amendment, staff recommended a third public hearing

Proposed Ordinance 17-09-477 will provide for a proposed excise tax on Marijuana Cultivation.

Referral:

Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:

Meeting Date(s): 7/11, 7/25, 8/8, 9/12, 9/26/17	Public Hearing Date(s): 7/25, 8/8, 9/26/17
	Postponed to Date:

HAINES BOROUGH, ALASKA
ORDINANCE No. 17-07-464

DRAFT

AN ORDINANCE OF THE HAINES BOROUGH ADDING HAINES BOROUGH CODE CHAPTER 3.82 TO IMPOSE AN EXCISE TAX ON TOBACCO PRODUCTS IN THE HAINES BOROUGH.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Section 4 of this ordinance is of a general and permanent nature and shall become a part of the Haines Borough Code.

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

Section 3. Effective Date. This ordinance shall be effective January 1, 2018.

Section 4. Addition of Section 3.82 Haines Borough Code, as follows:

3.82.010 Purpose and intent.

It is the intent and purpose of this chapter to provide for the collection of excise tax to raise revenue for the Haines Borough. To that end, the scope of the tax levied shall be broadly interpreted and exemptions shall be allowed only when an exemption is clearly defined in this chapter.

3.82.020 Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A. "Cigarette" means a roll for smoking of any size or shape, made wholly or partly of tobacco, whether the tobacco is flavored, adulterated, or mixed with another ingredient, if the wrapper or cover of the roll is made of paper or a material other than pure or nearly pure tobacco. A pack of cigarettes is a rectangular container, mostly of paperboard, which generally contains 20 cigarettes.

B. "Distributor" means a person who brings or transports cigarettes or other tobacco products, or causes them to be brought or transported, into the Haines Borough for the purposes of sale, or for distribution to others for resale, within the Borough.

C. "Other tobacco product" means and includes:

1. A cigar;
2. A cheroot;
3. A stogie;
4. A perique;
5. Snuff and snuff flour;
6. Smoking tobacco, including granulated, plug-cut, crimp-cut, ready-rubbed, and any form of tobacco suitable for smoking in a pipe or cigarette;
7. Chewing tobacco, including cavendish, twist, plug, scrap, and tobacco suitable for chewing;
8. A vapor product; and
9. An article or product made wholly or in part of tobacco or a tobacco substitute or otherwise containing nicotine that is expected or intended for human consumption.

Other tobacco product excludes a tobacco substitute prescribed by a licensed physician or a product that has been approved by the United States Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose.

D. "Person" is specifically intended to include individuals who are employees, members, directors, agents or officers of any of such entities who are under a duty to perform an act concerning which a violation of this chapter could occur.

E. "Sale" means a sale, barter, exchange, and every other manner of transferring the ownership of personal property.

F. "Vapor product" means any vapor cartridge or other similar container which contains nicotine in a solution or other form that is intended to be used with an electronic cigarette or similar vapor producing devise. It also includes an electronic cigarette kit when the kit contains vapor cartridge(s) and a disposable electronic cigarette or similar devise sold for one time use.

G. "Wholesale price" means the established price for which a manufacturer sells a tobacco product to a distributor or other person, after deduction of a discount or other reduction received by the distributor for quantity or cash.

3.82.030 Levy of excise tax on Tobacco Products - rate

A. The Haines Borough hereby levies an excise tax of $2.00, on each pack of cigarettes brought or transported into the Haines Borough after December 31, 2017.

B. The Haines Borough hereby levies an excise tax of 45 percent of the wholesale price on other tobacco products, other than cigarettes, brought or transported into the Haines Borough after December 31, 2017.

3.82.040 Exemptions.

The tax imposed under this chapter does not apply to Cigarettes, other tobacco products or marijuana if the United States Constitution, the Alaska Constitution, or other federal or state laws prohibit the levying of the tax on the product by the Haines Borough.

3.82.050 Registration.

A. All distributors of cigarettes or other tobacco products into the Haines Borough as a distributor without first registering with the Haines Borough, and obtaining a certificate of registration. The registration shall be on a form provided by the borough and must be completed in full. Registration constitutes the distributor's consent to the borough's filing of a lien on real and personal property for delinquent taxes and related interest, penalties and administrative fees and costs.

B. The registration required by this chapter is in addition to any other registration or license required by law.

C. The nonrefundable fee for registration or renewal is $50.00. A certificate is subject to renewal every five years.

D. A distributor shall display the certificate of registration prominently at their place of business. A certificate of registration is not assignable or transferable.

E. The borough may suspend or revoke a certificate of registration if a distributor fails to comply with the provisions of this chapter.

F. Any appeal from the borough's failure to issue or renew a certificate of registration, or the borough's suspension or revocation of a certificate, must be filed within 30 days of the date of mailing of the borough's notification to the distributor.

3.82.060 Quarterly returns; penalties and interest for delinquency.

Every distributor shall, on or before the last day of the month succeeding the end of each quarter year ending March 31, June 30, September 30 and December 31, complete an excise tax return for the preceding quarter year upon forms to be furnished by the Borough, and sign and transmit the return to the Borough manager. The return must include a total count of the number of packs of cigarettes and the wholesale price of the other tobacco products brought into the Borough during the preceding quarter, the amount of excise tax due, and other information and supporting documentation as the Borough may require.

3.82.070 Delinquency; failure to submit return or to remit taxes.

A. Whenever the Borough manager reasonably believes a return contains inaccurate reporting or whenever any distributor has become delinquent in the submission of the required quarterly return or in remitting the excise tax, the Borough manager shall mail to the delinquent distributor's last known address a written demand by certified mail, return receipt requested, for submission of the corrected or required excise tax return and remittance within ten days. In the event of noncompliance with such demand, the Borough manager may make an excise tax assessment against the delinquent distributor, the assessment to be based on an estimate of the taxable wholesale price paid by the distributor during the quarterly period in question. A copy of the assessment shall be sent to the distributor at their last known address by certified mail, return receipt requested. The distributor shall have a right to a hearing before the manager at which time the distributor shall make available for examination the books, papers, records and other documents pertaining to the period involved in the assessment. The distributor may exercise the right to a hearing by delivering to the manager within 15 days of the date the notice was mailed, a written request for a hearing. The manager shall establish a date and time for a hearing to be held within ten days of receipt of the request unless a later time is mutually agreeable. The person conducting the hearing shall issue an amended assessment if it is determined that an amendment should be made. The amended assessment, or the original assessment if no amendment is made within five days of the hearing, shall be the final assessment for the purpose of determining liability to the Borough. If no timely request for a hearing is made, the original assessment shall be the final assessment 30 days after the mailing of the notice of the original assessment, unless the seller has submitted an accurate return within the 30 days.

B. The Borough may file a civil action for collection of any taxes, penalty or interest due after making a demand or assessment under subsection (a) of this section.

C. Whenever any distributor fails to submit the required quarterly return after notice given as provided in subsection (a) of this section, the manager shall require such distributor to submit returns on a monthly basis.

3.82.080 Records maintenance and inspection.

In order to facilitate the administration and enforcement of the provisions of this chapter, each distributor shall maintain and keep for a period of three years all of the quarterly excise tax returns, reports, forms and other records prescribed by this chapter or as prescribed hereafter by the Borough manager. The manager, or the manager's designee, is specifically authorized and empowered to examine and inspect at all reasonable hours the books, records and other documents of any distributor, including their state business license, in order to carry out the provisions of this chapter.

3.82.090 Sale of Business; final tax return; liability of purchaser.

A. If a distributor sells, assigns, transfers, conveys, leases, forfeits or abandons the business to another person, the distributor shall make a final excise tax return within 15 days after the date of selling, assigning, transferring, conveying, leasing, forfeiting or abandoning the business showing that all tax obligations imposed by this chapter have been paid. The purchaser, successor, transferee, lessee, assignee, creditor or secured party shall withhold a sufficient portion of the purchase money to pay the amount of any excise taxes, penalties and interest as may be due and unpaid to the Borough. If the purchaser, assignee, transferee, lessee, successor, creditor or secured party fails to withhold from the purchase money, or fails to otherwise provide for or make the payment of the taxes, interest and penalty owed by the business as provided in this chapter, the purchaser, assignee, transferee, lessee, successor, creditor or secured party shall be personally liable for the payment of the taxes, penalties and interest accruing and unpaid to the Borough on account of the operation of the business of any former owner, owners, operators or assigns.

B. Before the sale, lease, assignment, transfer, or other disposition of the business is completed, the distributor shall file with the Borough manager an informational notice identifying the name and address of each person or entity involved in the transaction, the nature of the transaction, and the effective date of the transaction.

3.82.100 Lien for tax, interest and penalties due.

The tax, interest and penalty imposed under this chapter shall constitute a lien in favor of the Borough upon the assets or property of the distributor within the Borough. The lien arises upon delinquency and continues until liability for the amount is satisfied or the property of the delinquent distributor is sold at a tax lien foreclosure sale. The lien is not valid as against a mortgagee, pledge, purchaser, or judgment creditor until notice of the lien is filed in the recorder's office for the Haines Recording District.

3.82.101 Penalty for violation.

A violation of any of the provisions of this chapter is a misdemeanor.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2017.

_____
ATTEST: Janice Hill, Mayor

_____
Julie Cozzi, MMC, Borough Clerk

Date of Introduction: 07/11/17
Date of First Hearing: 07/25/17
Date of Second Hearing: 08/08/17
Date of Third Hearing: 09/26/17

Jurisdiction	Proceeds	Proceeds	Population	Per Capita	Other Tobacco	Cigarettes	at 8%	at 45%	
	2015	2016		Proceeds	X Wholesale Px				
Anchorage	$21,926,133	$24,981,507	300,549	$72.95	55%	11.80%	$3,189,255.71	$17,939,563.36	
Fairbanks	$887,239	$938,026	31,721	$27.97	8%	8%	887,239	$4,990,719.38	
North Pole	132,228	166,382	2,198	$60.16	8%	8%	132,228	743,783	
Fairbanks North Star	$1,470,899		97,972	$15.01	8%	8%	1,470,899	$8,273,806.88	
Juneau	$1,845,856	$2,442,572	33,026	$55.89	45%	$3/pack	$328,152.18	$1,845,856	
Matanuska-Susitna	$7,548,977	$8,281,731	98,063	$76.98	55%	11.40%	$1,098,033.02	$6,176,435.73	
Anaktuvuk Pass	$2,514	$3,452	375	$6.70	3%	3%	$6,704	$37,710	
Barrow	$156,239	$172,462	4,825	$32.38	20%	$2/pack	$62,495.60	$351,537.75	
Sitka	$735,594	$399,298	9,061	$81.18	45%	50.00%	$130,772.27	735,594	
Bethel		479,040			101%				
Nunapitchuk		12,765			30%				
St Marys		36,034			10%				
Hooper Bay		18,582			10%				
Aniak		35,041			30%				
						Comparison of Tobacco Tax in Different Jurisdictions			

7B

Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 17-770
Assembly Meeting Date: 9/26/17

Business Item Description:	**Attachments:**
Subject: Clarify Community Youth Development Position	1. Ordinance 17-08-474 2. Ordinance 11-04-260 adopted 5/24/11.
Originator: Borough Clerk and Borough Manager	
Originating Department: Administration	
Date Submitted: 8/16/17	

Full Title / Motion:

Motion: Adopt Ordinance 17-08-474.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
$ 0	$	$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: ☐ Yes ☐ No

Summary Statement:

The Parks and Recreation Advisory Committee (PRAC) is currently revising its By-laws to reflect changes to code made in 2011. As part of that review, it was discovered that the existing code provides that the community youth development program is organized and regulated by PRAC. Since PRAC is an advisory board to the assembly, they do not organize or regulate borough programs or personnel. The Ordinance which redefined the role of PRAC (Ordinance 11-04-260) deleted oversight of the CYD program from PRAC's duties and responsibilities but the corresponding change was never made to the code provision describing the community youth development program.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 9/12, 9/26/17
Meeting Date(s): 8/22, 9/12, 9/26/17	Tabled to Date:

Draft

HAINES BOROUGH, ALASKA
ORDINANCE No. 17-08-474

An Ordinance of the Haines Borough amending Haines Borough Code Section 2.102.010 to clarify Community Youth Development position.

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 HBC 2.102.010. Section 2.102.010 of the Haines Borough Code is hereby amended, as follows:

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

2.102.010 Haines Borough community youth development program.

The purpose of the community youth development program is to assist the youth of the Haines Borough to develop into socially responsible and capable citizens by providing opportunities for youth to take an active part in wholesome activities which will develop their individual and group capabilities and responsibilities. ~~The Haines Borough community youth development program will be organized and regulated by the parks and recreation advisory board.~~

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2017.

ATTEST:

_____
Janice Hill, Mayor

_____
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/22/17
Date of First Public Hearing: 09/12/17
Date of Second Public Hearing: 09/26/17

HAINES BOROUGH, ALASKA
ORDINANCE No. 11-04-260 **Adopted**

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE CHAPTER 2.105 TO RE-ESTABLISH THE PARKS AND RECREATION ADVISORY BOARD AS THE PARKS AND RECREATION ADVISORY COMMITTEE AND TO CLARIFY THE COMMITTEE'S PURPOSE.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Chapter 2.105. Haines Borough Code Chapter 2.105 is amended, as follows:

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

Chapter 2.105
PARKS AND RECREATION DEPARTMENT

Sections:

2.105.010 Haines Borough parks and recreation department.

2.105.020 Parks and recreation advisory ~~board~~ **committee**.

2.105.030 Organization of the parks and recreation advisory ~~board~~ **committee**.

2.105.040 ~~Board~~ **Advisory committee** vacancies – Filling vacancies.

2.105.050 Duties and responsibilities of the parks and recreation advisory ~~board~~ **committee**.

2.105.010 Haines Borough parks and recreation department.

The purpose of the parks and recreation department is to maintain, promote, and facilitate the use of borough-owned parks and recreational facilities; and to facilitate recreational activities in general in the Haines Borough.

2.105.020 Parks and recreation advisory ~~board~~ committee.

The parks and recreation department advisory ~~board~~ **committee** shall consist of seven members who shall serve staggered terms of three years. ~~Board~~ **Advisory committee** members shall not receive compensation for services rendered. The ~~CYD director~~ **community youth development coordinator** shall ~~be~~ **serve as** an ex officio member of the ~~board~~ **advisory committee**. Members will be appointed to reflect the diversity of user groups in the Haines Borough.

2.105.030 Organization of the parks and recreation advisory ~~board~~ committee.

A. The ~~board~~ **advisory committee** shall elect a chairperson, a vice-chairperson, **and** a secretary ~~and a treasurer~~ who shall hold their offices for one year.

B. The ~~board~~ **advisory committee** shall operate under the bylaws of the parks and recreation advisory ~~board~~ **committee**.

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

2.105.040 ~~Board~~ Advisory committee vacancies – Filling vacancies.

A member's position on the ~~board~~ **advisory committee** shall be deemed vacated if the member fails to attend three consecutive meetings without being excused by the ~~board~~ **advisory committee**.

In the event of a vacancy on the ~~board~~ **advisory committee**, either at the end of the ~~board~~ **committee** member's regular term, or if the seat is vacated by resignation or nonattendance, the borough clerk shall advertise for replacement ~~board~~ **committee** member(s) as set out in HBC 2.60.055. The ~~board~~ **advisory committee** shall review all applications for new ~~board~~ **committee** member(s), making recommendations for appointment to the mayor. The mayor shall, after reviewing all applications, and considering the ~~board's~~ **committee's** recommendation(s), appoint a new member or member(s) subject to confirmation by the borough assembly.

2.105.050 Duties and responsibilities of the parks and recreation advisory ~~board~~ committee.

The parks and recreation department advisory ~~board~~ **committee** shall:

A. Advise the borough in the **operation and** maintenance of parks and recreation **programs,** facilities**, and activities**~~; provide a plan for scheduling use of parks and recreation facilities including but not limited to the Haines Borough Swimming Pool and Oslund Park; and develop sources of revenue to support parks and recreation facilities and activities;~~

~~B. On or before February 15th of each year, submit to the borough manager a detailed and itemized estimate of probable revenues and expenditures for the next fiscal year;~~

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

~~D. Have authority to allocate borough appropriated funds for staffing within the scope of the Haines Borough employee association agreement;~~

~~E. When the position of CYD director is vacant and has been properly advertised, review all applications received. The parks and recreation advisory board shall make a recommendation for hire to the manager. The manager shall, after reviewing all applications, and considering the board's recommendation, hire a new director subject to confirmation by the borough assembly. The CYD director, serving at the direction of the board of trustees, will have the administrative responsibilities of the operation of the community youth development program. The CYD director shall report to the Haines Borough manager~~.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 24th DAY OF MAY, 2011.

Janice Hill, Mayor

ATTEST:

Julie Cozzi, MMC, Borough Clerk

HAINES BOROUGH INCORPORATED SEAL OCTOBER 17 2002 STATE OF ALASKA

Date Introduced:	04/26/11
Date of First Public Hearing:	05/10/11
Date of Second Public Hearing:	05/24/11 - Adopted

7C

Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 17-771
Assembly Meeting Date: 9/26/17

Business Item Description:	**Attachments:**
Subject: Amend Label for Bed Tax	1. Ordinance 17-08-475 2. April 18, 2000 Official Report of Election Results
Originator: Borough Clerk and Borough Manager	
Originating Department: Administration	
Date Submitted: 8/16/17	

Full Title / Motion:

Motion: Adopt Ordinance 17-08-475.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
$ 0	$	$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: ☐ Yes ☐ No

Summary Statement:

Review of Title 3 revealed a mislabeling of the Transient Lodging Tax (bed tax). It is described in the code as an excise tax when, in fact, it is a sales tax. This issue was put before the voters on April 18, 2000 as Proposition #2 and correctly described as a sales tax. It was approved by the voters. For some reason, when Ordinance 99-19 was drafted, Section 3.40.032 improperly identified the sales tax as an excise tax. This mislabeling was perpetuated and codified in current Section 3.80.035. This Ordinance corrects that labeling error.

Referral:

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

Assembly Action:

Workshop Date(s):		Public Hearing Date(s):	9/12, 9/26/17
Meeting Date(s):	8/22, 9/12, 9/26/17	Tabled to Date:	

HAINES BOROUGH, ALASKA
ORDINANCE No. 17-08-475 **Draft**

An Ordinance of the Haines Borough amending Haines Borough Code Section 3.80.035 to correct the label of the existing Transient Lodging tax.

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 HBC Section 3.80.035. Section 3.80.035 of the Haines Borough Code is hereby amended, as follows:

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

3.80.035 Levy of ~~excise~~ Transient Lodging tax~~es~~.

A. A~~n excise~~ **sales** tax equal to four percent of the rent is levied on all transient lodging rentals within the borough.

B. Rentals of lodging for a period of less than 30 consecutive days shall be subject to the transient lodging tax even if the space was originally taken with the intent to use or occupy the space for 30 or more consecutive days.

C. Each guest is responsible for paying the transient lodging tax imposed by this section. The tax shall be due and payable at the time the rent for the lodging is paid. Any unpaid tax due to a change in the length of an occupant's stay shall be due and payable when the guest ceases to occupy or use space at the place of lodging.

D. Every operator renting transient lodging subject to taxation under this section shall collect the taxes imposed by this section from the guest at the time of collection of the rent for the space and shall transmit the same to the borough.

E. Except as otherwise provided in this section, the reporting, collection and penalties for failure to comply with this section shall be governed by the provisions of this code applicable to other sales taxes.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2017.

_____
Janice Hill, Mayor

ATTEST:

_____
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/22/17
Date of First Public Hearing: 09/12/17
Date of Second Public Hearing: 09/26/17

April 18, 2000

OFFICIAL REPORT OF ELECTION RESULTS

The tally below is a true and accurate record of all votes cast in the Haines Borough Special Municipal Election in all precincts on April 18, 2000.

PROPOSITION #1 **VOTES** (4% tour tax)

Chilkat **Precinct #135**
YES 15
NO 6

Highway **Precinct #165**
YES 43
NO 45 .

City **Precinct #170**
YES 282
NO 341

Peninsula **Precinct #220**
YES 69 .
NO 18 .

PROP #1 ALL PRECINCTS TALLY
YES 409 NO 410
CANVASS TOTALS
YES 465 NO 453

PROPOSITION #2 **VOTES** (4% lodging tax)

Chilkat **Precinct #135**
YES 15
NO 6

Highway **Precinct #165**
YES 43 .
NO 44

City **Precinct #170**
YES 291
NO 332

Peninsula **Precinct #220**
YES 67 .
NO 19 .

PROP #2 ALL PRECINCTS TALLY
YES 416 NO 401
CANVASS TOTALS
YES 475 NO 440

	#135	#165	#170	#220
TOTAL REGULAR ballots cast	21	88	625	87 .
TOTAL QUESTIONED ballots cast	2	1	18	3 .
TOTAL ABS BY-MAIL ballots cast	3(1)	5	10(2)	7(3)
TOTAL ABS IN-PERSON ballots cast	3	8	43	8 .
TOTAL ABS BY PERS REP ballots cast			2	
TOTAL DEFECTIVE ballots		1	4	

(6) # absentee by-mail unreturned as of 4/25/00

TOTAL BALLOTS CAST _____

Voter Turnout Percentages

		ab's & ?			% w/ab's & ?
Chilkat	93/ 23	8	=	25%	33%
Highway	293/ 89	14	=	30%	35%
City	1,555/ 644	73	=	41%	46%
Peninsula	221/ 90	18	=	41%	49%

Total voter turnout including absentee & questioned 2162/ 959 = 44 %

HAINES BOROUGH – ALL PRECINCTS

SAMPLE BALLOT

TUESDAY, APRIL 18, 2000
SPECIAL MUNICIPAL ELECTION

INSTRUCTIONS TO VOTER: Fill in the oval next to the your choice as shown: ( )

HAINES BOROUGH MUNICIPAL ELECTION

PROPOSITION 1

Shall the Haines Borough levy a 4% sales tax on all tours conducted in the Haines Borough effective January 1, 2001, as proposed in Ordinance 99-20 attached hereto?

( ) YES
( ) NO

PROPOSITION 2

Shall the Haines Borough levy a 4% sales tax on all lodging within the Haines Borough including hotels, motels, bed & breakfasts, RV parks and campgrounds, with 2% of the tax levied upon approval of the voters and an additional 2% levied beginning January 1, 2001, as proposed in Ordinance 99-19 attached hereto?

( ) YES
( ) NO

HAINES BOROUGH
ORDINANCE 99-19

AN ORDINANCE OF THE HAINES BOROUGH AMENDING TITLE 3 OF THE HAINES BOROUGH CODE BY ADDING A SALES TAX SECTION TO INCLUDE A 4% TRANSIENT LODGING TAX.

BE IT ENACTED:

Section 1. CLASSIFICATION. This ordinance is of a general and permanent nature. Code sections hereby adopted shall become 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 shall become effective as follows: a 2% tax shall be imposed upon ratification of this ordinance by a majority of the voters at a special election. The tax shall be increased to 4% on January 1, 2001.

Section 4. PURPOSE. This ordinance amends Title 3 of the Haines Borough Code by adding certain taxes.

Section 5. ADOPTION OF CODE SECTIONS. The following definitions are added to Section 3.40.020 of the Haines Borough Code and a new Section 3.40.032 is added as shown below:

Section 3.40.020 Definitions.

"Lodging" means accommodations for dwelling, sleeping or lodging purposes, including all for-profit campgrounds, RV parks, hotels, motels, inns, bed and breadfast establishments or similar establishments located within the Haines Borough.

"Transient lodging" means lodging that is provided for fewer than thirty (30) consecutive days.

"Rent" means the amount paid or promised, in terms of money, as consideration for the use of space in any place of lodging.

"Guest" means an individual, corporation, partnership, or association paying monetary or other consideration for the use of space in any place of lodging.

Section 3.40.032. Levy of excise taxes.

A. A tax equal to 4% of the rent is levied on all transient lodging rentals within Haines Borough.

B. Rentals of lodging for a period of less than thirty (30) consecutive days shall be subject to the transient lodging tax even if the space was originally taken with the intent to use or occupy the space for thirty (30) or more consecutive days.

C. Each guest is responsible for paying the transient lodging tax imposed by this section. The tax shall be due and payable at the time the rent for the lodging is paid. Any unpaid tax due to a change in the length of an occupant's stay shall be due and payable when the guest ceases to occupy or use space at the place of lodging.

D. Every operator renting transient lodging subject to taxation under this section shall collect the taxes imposed by this section from the guest at the time of collection of the rent for the space and shall transmit the same to the Borough.

E. Except as otherwise provided in this section, the reporting, collection, and penalties for failure to comply with this section shall be governed by the provisions of the Haines Borough Code applicable to other sales taxes.

INTRODUCED 12/21/99

ADOPTED 1/25/00

ATTEST:

Jacqueline Lawson, Clerk/Treasurer

Jerry Lapp, Mayor

7D

Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 17-774
Assembly Meeting Date: 9/26/17

Business Item Description:	**Attachments:**
Subject: Imposition of Excise Tax on Marijuana Cultivation Facilities	1. Ordinance 17-09-476 2. State Marijuana Cultivation Excise Tax. 3. Marijuana Tax Projections (compiled by the manager)
Originator: Borough Manager and Assembly	
Originating Department: Administration	
Date Submitted: 9/5/17	

Full Title / Motion:

The assembly already scheduled the second hearing on this ordinance for 10/10/17. No motion is needed now unless the second hearing date needs to change or some other action is desired such as amendments.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
$0	$0	$0	Provides additional revenue

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives:	Consistent: ■ Yes ☐ No

Summary Statement:

At the August 8, 2017 meeting, the assembly moved to separate draft Ordinance 17-07-464 into two different ordinances, one for a proposed excise tax on tobacco products and one for an excise tax on marijuana cultivation facilities. Draft Ordinance 17-07-464 has since been amended to provide for an excise tax on tobacco products and is having a third public hearing as part of this agenda (Item 7A).

There is an existing state excise tax currently imposed upon marijuana cultivation facilities of $50 per ounce. Other marijuana facilities may be appropriate for other types of tax.

Referral:

Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:

Meeting Date(s): 7/11, 7/25, 8/8, 9/12, 9/26/17	Public Hearing Date(s): 9/26, 10/10/17
	Postponed to Date:

HAINES BOROUGH, ALASKA
ORDINANCE No. 17-09-476

DRAFT

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE CHAPTER 3.82 TO IMPOSE AN EXCISE TAX ON MARIJUANA CULTIVATION FACILITIES IN THE HAINES BOROUGH.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Sections 4-13 of this ordinance are of a general and permanent nature and shall become a part of the Haines Borough Code.

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

Section 3. Effective Date. This ordinance shall be effective January 1, 2018.

Section 4. Amendment of HBC Section 3.82.010. Section 3.82.010 of the Haines Borough Code is hereby amended, as follows:

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

3.82.010 Purpose and intent.

It is the intent and purpose of this chapter to:

a) Provide for the collection of excise tax from the distributor who first brings or transports, or causes to be brought or transported, cigarettes or other tobacco products into the Haines Borough. The excise tax is levied when a distributor brings or transports, or causes to be brought or transported, cigarettes or other tobacco products into the Haines Borough from outside the Haines Borough**, and**

b) Provide for the collection of excise tax on the sale or the transfer of marijuana from a marijuana cultivation facility to a retail marijuana store or marijuana product manufacturing facility.

Section 5. Amendment of HBC Section 3.82.020. Section 3.82.020 of the Haines Borough Code is hereby amended, as follows:

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

3.82.020 Definitions.

…

H. "Marijuana" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate; "marijuana" does not include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

I. "Marijuana Cultivation Facility" means an entity registered to cultivate, prepare, and package marijuana and to sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

J. "Retail Marijuana Store" means an entity registered to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana products from marijuana product manufacturing facilities, and to sell marijuana and marijuana products to consumers.

K. "Marijuana Product Manufacturing Facility" means an entity registered to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

Section 6. Amendment of HBC Section 3.82.040. Section 3.82.040 of the Haines Borough Code is hereby amended, as follows:

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

3.82.040 Exemptions.

The tax imposed under this chapter does not apply to marijuana if the United States Constitution, the Alaska Constitution, or other federal or state laws prohibit the levying of the tax on the product by the Haines Borough.

Section 7. Amendment of HBC Section 3.82.050. Section 3.82.050 of the Haines Borough Code is hereby amended, as follows:

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

3.82. 050 Registration.

A. All distributors **or marijuana cultivation facilities** must register with the Haines Borough and obtain a certificate of registration prior to selling, purchasing, possessing, bringing or transporting **marijuana**, cigarettes, or other tobacco products into the Haines Borough. The registration shall be on a form provided by the borough and must be completed in full. Registration constitutes the distributor's consent to the borough's filing of a lien on real and personal property for delinquent taxes and related interest, penalties and administrative fees and costs.

B. The registration required by this chapter is in addition to any other registration or license required by law.

C. The nonrefundable fee for registration or renewal is $50.00. A certificate is subject to renewal every five years.

D. A distributor **or marijuana cultivation facility** shall display the certificate of registration prominently at their place of business. A certificate of registration is not assignable or transferable.

E. The borough may suspend or revoke a certificate of registration if a distributor **or marijuana cultivation facility** fails to comply with the provisions of this chapter.

F. Any appeal from the borough's failure to issue or renew a certificate of registration, or the borough's suspension or revocation of a certificate, must be filed within 30 days of the date of mailing of the borough's notification to the distributor **or marijuana cultivation facility**.

Section 8. Amendment of HBC Section 3.82.060. Section 3.82.060 of the Haines Borough Code is hereby amended, as follows:

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

3.82.060 Quarterly returns; penalties and interest for delinquency.

Every distributor **or marijuana cultivation facility** shall, on or before the last day of the month succeeding the end of each quarter year ending March 31, June 30, September 30 and December 31, complete an excise tax return for the preceding quarter year upon forms to be furnished by the Borough, and sign and transmit the return to the Borough manager. The return must include a total count of the number of packs of cigarettes and the wholesale price of the other tobacco products brought into the Borough during the preceding quarter, the amount of marijuana sold or transferred to retail marijuana stores and marijuana product manufacturing facilities (including the total number of ounces, including fractional ounces, sold or transferred, the names and Alaska address of each buyer and transfer, and the weight of marijuana sold or transferred to the respective buys or transferees), the amount of excise tax due, and other information and supporting documentation as the Borough may require.

Section 9. Amendment of HBC Section 3.82.070. Section 3.82.070 of the Haines Borough Code is hereby amended, as follows:

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

3.82.070 Delinquency; failure to submit return or to remit taxes.

A. Whenever the Borough manager reasonably believes a return contains inaccurate reporting or whenever any distributor **or marijuana cultivation facility** has become delinquent in the submission of the required quarterly return or in remitting the excise tax, the Borough manager shall mail to the delinquent distributor **or marijuana cultivation facility's** last known address a written demand by certified mail, return receipt requested, for submission of the corrected or required excise tax return and remittance within ten days. In the event of noncompliance with such demand, the Borough manager may make an excise tax assessment against the delinquent distributor **or marijuana cultivation facility**, the assessment to be based on an estimate of the taxable wholesale price paid by the distributor **or marijuana cultivation facility** during the quarterly period in question. A copy of the assessment shall be sent to the distributor **or marijuana cultivation facility** at their last known address by certified mail, return receipt requested. The distributor **or marijuana cultivation facility** shall have a right to a hearing before the manager at which time the distributor **or marijuana cultivation facility** shall make available for examination the books, papers, records and other documents pertaining to the period involved in the assessment. The distributor **or marijuana cultivation facility** may exercise the right to a hearing by delivering to the manager within 15 days of the date the notice was mailed, a written request for a hearing. The manager shall establish a date and time for a hearing to be held within ten days of receipt of the request unless a later time is mutually agreeable. The person conducting the hearing shall issue an amended assessment if it is determined that an amendment should be made. The amended assessment, or the original assessment if no

amendment is made within five days of the hearing, shall be the final assessment for the purpose of determining liability to the Borough. If no timely request for a hearing is made, the original assessment shall be the final assessment 30 days after the mailing of the notice of the original assessment, unless the seller has submitted an accurate return within the 30 days.

B. The Borough may file a civil action for collection of any taxes, penalty or interest due after making a demand or assessment under subsection (a) of this section.

C. Whenever any distributor **or marijuana cultivation facility** fails to submit the required quarterly return after notice given as provided in subsection (a) of this section, the manager shall require such distributor **or marijuana cultivation facility** to submit returns on a monthly basis.

Section 10. Amendment of HBC Section 3.82.080. Section 3.82.080 of the Haines Borough Code is hereby amended, as follows:

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

3.82.080 Records maintenance and inspection.

In order to facilitate the administration and enforcement of the provisions of this chapter, each distributor **or marijuana cultivation facility** shall maintain and keep for a period of three years all of the quarterly excise tax returns, reports, forms and other records prescribed by this chapter or as prescribed hereafter by the Borough manager. The manager, or the manager's designee, is specifically authorized and empowered to examine and inspect at all reasonable hours the books, records and other documents of any distributor **or marijuana cultivation facility**, including their state business license, in order to carry out the provisions of this chapter.

Section 11. Amendment of HBC Section 3.82.090. Section 3.82.090 of the Haines Borough Code is hereby amended, as follows:

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

3.82.090 Sale of Business; final tax return; liability of purchaser.

A. If a distributor **or marijuana cultivation facility** sells, assigns, transfers, conveys, leases, forfeits or abandons the business to another person, the distributor **or marijuana cultivation facility** shall make a final excise tax return within 15 days after the date of selling, assigning, transferring, conveying, leasing, forfeiting or abandoning the business showing that all tax obligations imposed by this chapter have been paid. The purchaser, successor, transferee, lessee, assignee, creditor or secured party shall withhold a sufficient portion of the purchase money to pay the amount of any excise taxes, penalties and interest as may be due and unpaid to the Borough. If the purchaser, assignee, transferee, lessee, successor, creditor or secured party fails to withhold from the purchase money, or fails to otherwise provide for or make the payment of the taxes, interest and penalty owed by the business as provided in this chapter, the purchaser, assignee, transferee, lessee, successor, creditor or secured party shall be personally liable for the payment of the taxes, penalties and interest accruing and unpaid to the Borough on account of the operation of the business of any former owner, owners, operators or assigns.

B. Before the sale, lease, assignment, transfer, or other disposition of the business is completed, the distributor **or marijuana cultivation facility** shall file with the Borough manager an

informational notice identifying the name and address of each person or entity involved in the transaction, the nature of the transaction, and the effective date of the transaction.

Section 12. Amendment of HBC Section 3.82.100. Section 3.82.100 of the Haines Borough Code is hereby amended, as follows:

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

3.82.100 Lien for tax, interest and penalties due.

The tax, interest and penalty imposed under this chapter shall constitute a lien in favor of the Borough upon the assets or property of the distributor of tobacco products **or marijuana cultivation facility** within the Borough. The lien arises upon delinquency and continues until liability for the amount is satisfied or the property of the delinquent distributor **or marijuana cultivation facility** is sold at a tax lien foreclosure sale. The lien is not valid as against a mortgagee, pledge, purchaser, or judgment creditor until notice of the lien is filed in the recorder's office for the Haines Recording District.

Section 13. Addition of HBC Section 3.82.031. Section 3.82.031 of the Haines Borough Code is hereby added, as follows:

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

3.82.031 Levy of excise tax on Marijuana Cultivation Facilities- rate

The Haines Borough hereby levies an excise tax of $5.00 per ounce, or proportionate part thereof, on marijuana that is sold or transferred from a marijuana cultivation facility to a retail marijuana store or marijuana product manufacturing facility. The borough may exempt certain parts of the marijuana plant from the excise tax described in this section or may establish a rate lower than $5 per ounce for certain parts of the marijuana plant.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2017.

_____
ATTEST: Janice Hill, Mayor

_____
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 09/12/17
Date of First Public Hearing: 09/26/17
Date of Second Public Hearing: 10/10/17

Sec. 43.61.010. Marijuana tax.

(a) An excise tax is imposed on the sale or transfer of marijuana from a marijuana cultivation facility to a retail marijuana store or marijuana product manufacturing facility. Every marijuana cultivation facility shall pay an excise tax at the rate of $50 per ounce, or proportionate part thereof, on marijuana that is sold or transferred from a marijuana cultivation facility to a retail marijuana store or marijuana product manufacturing facility.

(b) The department may exempt certain parts of the marijuana plant from the excise tax described in (a) of this section or may establish a rate lower than $50 per ounce for certain parts of the marijuana plant.

Sec. 43.61.020. Monthly statement and payments.

(a) Each marijuana cultivation facility shall send a statement by mail or electronically to the department on or before the last day of each calendar month. The statement must contain an account of the amount of marijuana sold or transferred to retail marijuana stores and marijuana product manufacturing facilities in the state during the preceding month, setting out

(1) the total number of ounces, including fractional ounces, sold or transferred;

(2) the names and Alaska address of each buyer and transferee; and

(3) the weight of marijuana sold or transferred to the respective buyers or transferees.

(b) The marijuana cultivation facility shall pay monthly to the department, all taxes, computed at the rates prescribed in this chapter, on the respective total quantities of the marijuana sold or transferred during the preceding month. The monthly return shall be filed and the tax paid on or before the last day of each month to cover the preceding month.

Sec. 43.61.030. Administration and enforcement of tax.

(a) Delinquent payments under this chapter shall subject the marijuana cultivation facility to civil penalties under AS 43.05.220.

(b) If a marijuana cultivation facility fails to pay the tax to the state the marijuana cultivation facility's registration may be revoked in accordance with procedures established under AS 17.38.090(a)(1).

REVENUE PROJECTIONS
PROPOSED EXCISE TAX ON CULTIVATION & SALES TAX ON RETAIL SALES OF MARIJUANA
HAINES BOROUGH

	Year 1	Year 2	Year 3
Cultivation Yield	700 pounds	1030 pounds	1500 Pounds
Wholesale Value @ $3500/lb.	$2,450,000	$3,605,000	$5,250,000
State Tax @ $50/oz.	$560,000	$824,000	$1,200,000
Borough Excise Tax @ $5/oz ($80/lb.)	$56,000	$82,400	$120,000
Local Retail @ 10% of yield	1120 oz.	1650 oz.	2400 oz.
Consumption/day	3 oz.	4.5 oz.	6.5 oz.
Annual Sales Tax Revenue @ 5.5% on $300/oz.	$18,480	$27,225	$39,600
Annual Sales Tax Revenue @ 7.5% on $300/oz.	$25,200	$37,125	$54,000
Local Retail @ 15% of yield	1680 oz.	2470 oz.	3600 oz.
Consumption/day	4.6 oz.	6.7 oz.	10 oz.
Annual Sales Tax Revenue @ 5.5% on $300/oz.	$27,720	$40,755	$59,400
Annual Sales Tax Revenue @ 7.5% on $300/oz.	$37,800	$55,575	$81,000

	Total of yield projected by 3 current applicants
	Not probable

To: Haines Borough Assembly

Fr: Debra Schnabel, Manager

Timeframe: September 7 – September 21, 2017

Meeting Packet: September 26, 2017

Staff Check-in:

I am requesting leave October 16-27 (two weeks). Within this time (October 22-25) I would attend the International City/County Management Association (ICMA) annual conference in San Antonio, TX. October 16-20 and October 26 would be personal leave, and October 27 a travel day.
A Farewell Party for Librarian **Patricia Brown** is scheduled for 5:30 October 10, prior to your next Assembly meeting.
Clerk **Julie Cozzi** has submitted her resignation effective February 2, 2018 after 14 ½ years of service.

Departmental Reports:

(* indicates recommended action)

General Administration

Public Information. Feedback on the Monday night agenda run-down has been positive.

Human Resource Building. We are in receipt of the preliminary plat of the consolidation of Native School Reserve, Lots 8 and 9 and vacation of lot 17. The survey revealed an encroachment of approx. 5 ft. into Lot 17, which will become a public ROW. This will be resolved.

I have made no progress in determining how to manage the disposal of the Human Resource Building to achieve preservation. This work continues.

Finance. The Borough will be undergoing an audit by Elgee Rehfeld Mertz, LLC September 25-29.

Water & Sewer. The steel is up. The contractor paused the job for moose season (interior AK).

Public Works & Facilities.

Public Safety Building Exterior Upgrade. MRV has submitted a proposal for a scope of work to design this project. Because this is for sheathing an existing building with only moderate modification, I have ordered all reviews (35/65/96) to be conducted by staff onsite to eliminate the cost of travel and personal presentation by MRV.

*** Approve by consent Resolution 17-09-732.**

Biomass Project. In discussion with Wisewood Energy, USFS and the AK Energy Authority on September 20 the decision was made to move into a second phase of this project, to include engineering. We intend to design the project with a base boiler facility on borough property west of the basketball court to fuel the pool and school, with added alternatives (1) school vocational education building and garage, and (2) administration building and library. Staff is developing a scope of work and contract for Wisewood Energy for this phase, cost to be covered by USFS.

Sauna at the Pool. We are in receipt of the Fire Marshall's approval for this project. Staff will schedule installation within the month.

Ports & Harbors.

Pile driving is proceeding without incident.

Letnikoff Floats will be pulled this week.

Staff has determined that an application for federal funding to design and construct Lutak Dock Design Concept 1A can be compiled for the TIGER program deadline October 16. This and additional

information and options will be presented at the September 27 (Wed) joint meeting with the Planning Commission and Ports & Harbor Committee.

Fire & EMS.

We continue to work on updating and upgrading our emergency response plan. The Coast Guard will be in the community to review the progress the afternoon of September 26 (Tuesday).

Pool. As above, the sauna will be installed within the month. The new lockers are scheduled for installation also.

School.

Planning/Lands.

University of Alaska. Advertisement of an offering of 8MM BF of timber on 400 acres of university land in Mud Bay area was published September 21. According to Patrick Kelly, Lands Officer, the Borough was made aware of this project through David Sosa, Borough Manager at the time (2014/2015). Kelly met with me on September 19 to inform me that the Board of Regents approved going forward with the offering after consultation with legal counsel that the university's constitutionally - mandated directive to manage lands for revenue trumps local zoning ordinances. The issue of resource extraction in the Mud Bay zone is currently under review by the Planning Commission. Patrick Kelly attended the commission's workshop addressing resource extraction.

Museum.

* **Approve by consent Resolution 17-09-731: Museum Roof Replacement.**

Library.

The Library Director job is being advertised until filled. The first window closes on September 22.

Tourism. The Visitor Center will be closed this weekend, open next weekend for the Canadian Holiday, and then closed thereafter every weekend during the winter season.

Police & Dispatch.

Regional & Community Jails. The Borough has signed the agreement to participate in pretrial program service delivery, granting the department an additional $24K this FY and approximately $30K in FY18. Haines was the first municipality to sign on to this program. Commissioner Dean Williams is an exceptionally energized leader and insisted on a photo opportunity with Mayor Hill, me and Chief Scott to commemorate what we expect will be a positive program moving forward. The ultimate aim is to achieve diversion of people from the criminal justice system into programs that offer more help in achieving a higher quality of life.

Fifth Officer Found. Chief Scott has offered the position of Police Officer to Adam Patterson, a former employee who left in good standing and has been working as an officer in Indiana. Patterson has accepted; we expect him to be on the job November 1.

Committees/Commissions

*** Solid Waste Working Group.** This ad-hoc group was established on September 27, 2016 to address the issue of solid waste management in the borough. I recommend to the Assembly to direct the committee to submit its findings and recommendation to you by November 3, 2017.

Other Issues

***Follow-up to the legal discussion relating to Fossman's request for reimbursement of expenses to install a booster system:**

Attorney's opinions (interpreted):

1. There is no way to avoid the politics of setting a precedent. If the borough chooses to consider reimbursing costs for an individual, to minimize a legal precedent, the borough could document the

unique history of the circumstances leading to the decision to reimburse as an amendment to the service agreement.
2. Avoid reimbursing costs associated with or based subjective choices: quality of work, choice of design or materials, reasonable approach to the issue, etc. If the borough considers reimbursing costs, cap the value.

Staff Recommendation:
1. Direct staff to amend Kyle Fossman's water service agreement dated April 24, 2017 to include the facts that plat 2011-6 certified by the borough on August 1, 2011 reads "Lots within this subdivision are served by the Haines Borough Municipal Water and Sewer System" and that the borough gave verbal assurance that water hookup "would create no problem." Borough code required Kyle Fossman to connect to the water main. The borough was aware that the water pressure was below conventional standard of 20 psi. The Borough has subsequently adopted a working policy that "adequate pressure" as referenced in HBC 13.04.030 is 20 psi.

2. Direct staff to reimburse Kyle Fossman for the actual cost of hookup: $1771.35.

3. Direct staff to include this language on all applications for water service:

> The borough strives by policy to provide water pressure in the main at minimum 20 psi. Applicants are advised to consult with an engineer to evaluate adequacy of service delivery at your residence/facility. If Borough's system does not deliver 20 psi at applicant's residence/facility, property owners shall be responsible for all additional equipment and facilities necessary to allow Borough to deliver water at adequate pressure.

4. Adopt as an amendment to the water pressure policy adopted August 22:

> Borough will not pay to increase pressure to an individual customer and reserves the right to 1) decline to connect service if unable to provide 20 psi in the main and 2) require the customer to install facilities sufficient to provide water supply at 20 psi at the applicant's residence/facility.

***

Pump House Costs Breakdown

Item	Cost	
Booster Pump (Grundfos CMBE 3-93)	$ 2,105.20	Actual
Excavation	$ 2,500.00	Estimate
Service Entrance Wire	$ 300.00	Estimate
Door + Hardware	$ 470.00	Estimate
Concrete	$ 404.20	Actual
Electric Heater	$ 160.00	Estimate
Foam	$ 109.97	Actual
Insulation	$ 25.00	Estimate
Roofing and Trim	$ 213.33	Actual
Freeze Free Tracer Wire	$ 83.76	Actual
Freeze Free Plug Kit (Qunatity 2)	$ 41.98	Actual
2" 1X4' Quadlock EPS Foam	$ 399.50	Actual
Channel Starter 10'	$ 207.84	Actual
Quadties Full 12"OC 6"	$ 82.56	Actual
Wire Ties Quadlock 6" or 8" 2' OC	$ 19.80	Actual
Pair In/Out Quadlock Corners	$ 71.28	Actual
Conduit	$ 389.33	Actual
Waterline	$ 720.30	Actual
Lumber	$ 1,000.00	Estimate
Siding	$ 1,045.40	Actual
Treated Lumber for floor	$ 156.25	Actual
Achor Bolts	$ 10.08	Actual
Total	$10,515.78	Kyle Fossman, September 19, 2017

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Corrections

Commissioner's Office

550 W 7th Avenue, Suite 1800
Anchorage, AK 99501-3570
Main: (907) 269-7397
Fax: (907) 269-7390

MEDIA RELEASE

Contact: Megan Edge Cell: 907-500-4663

The Haines Borough Police Department and Alaska Department of Corrections (DOC) are officially collaborating to ensure public safety and enforcement of individuals who'll be placed on pretrial supervision, following the launch of the department's Pretrial Enforcement Division in January 2018.

On Wednesday, September 20, 2017, the two agencies stood side-by-side for the signing of the community's jail contract. The contract is increasing by $31,000 to help supplement the Haines Borough Police Department in their efforts to assist DOC's Pretrial Enforcement Division with data collection, risk assessments, and the monitoring of individuals placed on pretrial supervision.

"We're extremely excited to put these agreements in place and it is especially meaningful to finalize the partnership with Haines Borough while they hosted the Southeast Conference," said Pretrial Enforcement Division Director Geri Fox. "I look forward to collaborating with more local communities throughout Alaska."

Communities everywhere reap greater benefits when state and local agencies can work together. For DOC and its pretrial division, partnering with law enforcement across Alaska was a natural and logical step. Partnerships with local law enforcement agencies will help identify and solve local challenges. These joint efforts will also help ensure that this new criminal justice function supports the department's public safety priorities, and helps build a stronger and safer Alaska.

The Haines Borough is the first community to partner with the state in this effort, however others are expected to officially join in the next two months. Conversations to explore possible partnerships with other Alaska communities are ongoing. DOC will release information on other community partners, as contracts are signed.

Haines Sheldon Museum
Director's Report: July-August 2017

"Sapphire had a good time at Science Camp this summer. Thanks to Jackie St Clair and Helen Alten of the Sheldon Museum for having something for the little kids to do!" – Yvonne Edie Granger-Ordonez

541 entries in our guest register represented approximately 1100 visitors (many were couples) in two months. All of the comments were extremely positive. This is the most overwhelmingly enthusiastic response we have seen:
"Awesome!", "beautiful," "Very informative!," "Great museum!," "Very interesting & educational. Thanks!," "Really nice," "Well DONE!," "Thanks! Great Job!!," "WOW!!," "fascinating!," "Love all the utilitarian goods & crafts. Thanks!," "Best museum on this cruise," "Wonderful," "Very good info about Tlingit's culture!," "excellent historical information," "wonderful baskets & presentation," "Super place!!," "Absolutely outstanding history! Buenisimo!," "Amazing!," "Impressive preservation of history!," "Love it. Thank you." And much, much more.

"You have made the museum come alive." Comment to Helen Alten from a community member.

Our Trip Advisor average rating has risen from 4 to 4.5 over this visitor season.

JULY
Visitor count: 2,308
Volunteer hours: 15 people volunteered 235 hours
Children's Programs: 15 children participated in 4 week-long camps
Research Requests: 7
Sales (Admissions and Store): $13,071.64
Cruise Ship Days: 17

Education, Public Programs, Events and Staff Training

- **No First Friday** due to staff illness.
- **July 11-12:** Studio Incamminati portrait painting demonstrations in the gallery.
- **July 16:** "Surface design on twined baskets and textiles" David Fraser Potluck and presentation welcoming Mildred Sparks basket collection back to Haines.
- **Summer Camps:**
  - **July 3-7:** "Mad Scientist" for 1st -3rd grade
  - **July 10-14:** Preschool Camp (1/2 day) ages 3-5
  - **July 17-21:** "Nature Art" for K-2nd grade
  - **July 24-28:** "Sustainability" for 3rd – 5th grade (cancelled due to low enrollment (State Fair))

- **July 31-August 4:** "Oceans and Whales" for 1st-3rd grade
- **Totem Trot:** Updated spreadsheet for runners, updated advertising and began sponsorship solicitation.
- **July 20, Junior Ranger Day in Skagway:** Regi represented the museum with a weaving craft.
- **August 27, Breakfast for Elders:** Met with 6 Tlingit and non-tlingit elders to discuss Haines House and living in Haines as children before statehood. This oral history breakfast was part of the Shaman's River exhibit preparation.

Administration:

- **Staffing:**
  - Rodney Williamson continued as a youth worker paid through Chilkat Indian Village. He manned our front desk during the mornings and worked in collections some afternoons.
  - Dante Light continued as an assistant to the Education Coordinator, helping with the summer camps. He is a youth worker paid through SAIL.
  - Helen was sick July 5-7 and on leave July 10-14 (and still sick!).
  - July 16 was Madeline Witek's last day of work.
  - Jackie was on leave July 24-28.
  - Regi and Aly learned how to cash out the entrance desk till at the end of each day.
  - Continued exploring the possibility of Chilkat Indian Village paying to train a bookkeeper who would work for the museum.
- **Bookkeeper**: Director did bookkeeping this month.

Fundraising:

- **Museum Store:**
  - Regi learned how to process new store items- entering them in Point of Sale and Square, printing barcode labels. She processed two new jewelry items: Raven's Eye earrings, and Debi Knight-Kennedy rings.
- **Grants:**
  - **Grant-In-Aid:** Spent considerable time with University of Penn Museum staff trying to determine the best, most cost-efficient way to have objects brought to Haines. Their insistence on using an art handling firm for the transit made the price significantly more than the $10,000 provided in the grant.
  - **Museum's Alaska Collection Management Grant**: Intern and collection staff assistant worked on archives, using the archival processing methodologies learned from the contract archivist.
  - **Sesquicentennial Grant:** See Shaman's River listings in this report.

Exhibits:

- **Shaman's River:** The Alaska State Museum approved some of the objects we requested. None of our other loan requests were approved. We decided not to borrow the Philadelphia objects due to the extreme expense ($35,000) for transport. The Grant-in-Aid money ($10,000) can be used to transport items borrowed from the State Museum. With Madeline's departure, we hired Exhibits AK (Sarah Asper-Smith) to finish the design, production and installation of the exhibit. The name was changed to "Everything from Afar Drifts Ashore."
- **Grounds:** M'Coy plant signs were not correct (no stakes). Had them resend correct ones.
- **Mildred Sparks Baskets**: Set up two exhibit cases to display the 12 Mildred Sparks Baskets.

- **Six Week Spotlight:** Worked with artist Chris Nowicki on his Six Week Spotlight exhibition "Surrogate Reality". Designed and printed postcards, flyers, banners, exhibit handout/price list and exhibit labels. Hung the oversized upper window promotional banner for the show.
- **July 30:** Alaska Portrait Society Exhibit closed. Donna Catotti, guest curator, took down the show.

Collections and Archives

- **Research Requests:** 7 (Research related sales: 1)
- **Items Accessioned** : 103
- **Catalog Records Updated by Collections Assistant:** 20
- **Total Catalog Records Updated for Inventory (Collections Management Grant):** 256 (+ 5 not for inventory project)
- **Total Catalog Records Updated for Collections Grant for the Archives:** 1018
- **Collections Volunteers:** 2 volunteered a total of 2 days
- **Grants in Progress:** 3

- **Collections Inventory:** Areas H, I, and South Wall completed. This completes the physical inventory of the vault! Reconciling continues. While at the front desk, collections staff update PastPerfect files. By the end of the month, all of the objects covered under the Collections Inventory Grant had locations and conditions updated in PastPerfect.
- **Archives:** Collections staff continued archives projects in July. Completed the Retha Young collection's finding aid and uploaded it to our web site. Work focused primarily on photographs and finding aids. More archives storage materials arrived in July, allowing us to re-box collections in an effort to store materials more efficiently. Updated existing archive finding aids processed by Jessie (the contractor) to reflect consolidation changes made after the archival boxes arrived. Created acid-free book labels for books from the AIA, Homer, Menaker, McRae, and Von Stauffenburg collections. Pulled, labeled, and re-shelved these books.
- **Additional Summer Staff:** Rodney Williamson processed photographs from several of our collections and re-boxed several collections to maximize storage space.
- **Mildred Sparks Baskets:** Accessioned this new donation of 12 baskets.
- **KHNS History Talks,** 8:45-9 a.m. every other Tuesday morning**:** 7/11:; 7/25: Vancouver and the Chilkats from Menzie's Diary

AUGUST

Visitor count: 2,429
Volunteer hours: 36 people volunteered 306.5 hours
Children's Programs: 23children participated in 4 week-long camps
Research Requests: 8
Sales (Admissions and Store): $$13,708.50
Cruise Ship Days: 15

Education, Public Programs, Events and Staff Training

- **August 4: First Friday – "Surrogate Reality" Chris Nowicki Six Week Spotlight Opening**
- **August 3:** Chris Nowicki spoke about the process of creating Mezzotints

- **August 4:** Chris Nowicki Six-Week Spotlight exhibit opened
- **Summer Camps:**
  - **July 31-August 4:** "Oceans and Whales" for 1st-3rd grade
  - **August 7-11:** "Nature Art" for 3rd – 5th grade (no assistant)
  - **August 14-18:** "Grossology" for K-2nd grade (with assistants Aurora and Brandt Alten-Huber)
  - **August 21-25:** Preschool Camp (1/2 day) ages 3-5 (no assistant)

- **Totem Trot Fundraiser, August 12:** Set up tents on Friday. Laid route early Saturday morning. Updated website with times and results. (see addendum to report)
- **August 16:** Alaska Municipal League managers toured the museum.
- **August 17:** Emily McPhetres' Birthday party in the children's area.
- **Met with Marsha Hotch to discuss Tlingit language and Chilkat weaving.** She is considering a one-day a week Tlingit language immersive preschool at the museum.
- **August 28:** Blair Bennet, Steve Sheldon's great niece, visited the museum.

Administration:

- **Staffing:**
  - Hired ExhibitAK to complete and produce the Sesquicentennial Exhibit.
  - Rodney Williamson's last day was August 12. He did an excellent job working for us and we wish him good luck in his Senior year at Edgecumbe High School. He was our morning desk staff/museum greeter during most of the summer.
  - Dante Light finished in early August. He was wonderful with the camp children and we wish him luck this year in Haines High School.
- **Board News:** No quorum for August meeting on Aug. 10. Discussed Totem Trot.
- **Building:**
  - **Roof:** August 3, roof bid meeting with potential contractors. Showed them plans of the facility.

- **Fire Inspector:** Electrician determined that the museum did not have power to the areas where lit exit signs should be located. The borough is purchasing special signs that do not require hard wiring for those areas. As of the end of August, we are still not completely compliant with the inpector's requirements for the museum.
- **Elevator:** On cruise ship days two or three visitors each day cannot do either a ramp or stairs to access our galleries. This means that, even with the ramp, we do not meet ADA. An elevator needs to be part of building upgrades in the relatively near future.
- **Bookkeeper**: Director did bookkeeping this month. It is affecting her ability to do other managerial functions, such as grant writing.

Fundraising:

- **Totem Trot:** Our large annual fundraiser occurred on August 12. The two weeks before, staff prepared signs, found sponsors and finalized the route. Local publicity was ramped up. On the day of the event, staff and volunteers laid out the route and manned stations at intersections and totem poles. Participants commented on how beautiful the route was and how well organized the event was. Only one person took us up on the fundraising challenge for sponsorships. He raised over $1,000 in two days. A full report on the fundraiser is attached.
- **Museum Store:**
  - Received and processed new museum T-Shirts in the POS and Square systems.
- **Grants:**
  - **Grant-In-Aid:** Discussed ways the $10,000 can be spent since the University of Pennsylvania loan was significantly over the grant amount ($35,000 was their gross estimate).
  - **Museums Alaska Travel Grant:** Wrote request to have Helen's Museums Alaska conference travel covered.
  - **Sheldon Museum and Cultural Center, Donor Advised Fund, Alaska Community Foundation (Advisor: Betsy Ann Galloway):** Wrote request to have Aly and Regi's Museums Alaska conference travel covered. (This fund is only for support staff travel and training, not for the director)
  - **Sesquicentennial Grant:** See Shaman's River listings in this report.
  - **Chilkat Valley Community Foundation**: Installed Plexiglas vitrines. This grant can be closed out.

Technology:

- **Technology Plan:** Revised plan to reflect a technology based project instead of an upgrade of our technology, as per requirements for Tier 1 Rasmusen
- **Quickbooks:** Addressed issues with backups failing.
- **Web Page:** Upgrade work now done by Austin rather than Madeline. Updated website and uploaded new promotional posters and exhibit descriptions.
- **Totem Trot:** Updated the website, created new pages and posted race results.
- **Archivist:** Uploaded more finding aids.
- **Borough:** Coordinated with borough for installation of new switch and wireless bridges to connect museum to the borough's network without VPN tunnel.
- **General:** monthly/weekly backup tasks, ongoing server/network maintenance, WSUS updates, Windows updates on workstations

Exhibits:

- **Drifts Ashore (Shaman's River):** Work on the new exhibit increased exponentially in August. Inventoried print materials for Exhibits Alaska. Ordered repositionable adhesive vinyl for labels. Began compiling pertinent Oral History clips for three separate listening stations in the exhibit. The clips fit under the themes of 1) Tlingit Culture, 2) Glaciers, and 3) "Who Came to Haines?" Held weekly meetings with Exhibits Alaska. Approved the schematic plan and the initial object list. Work continues on a detailed object list for the exhibit.
- **Six Week Spotlight:** Prepared the Hakkinen Gallery for Chris Nowicki's show, including removing the window covering. Printed and hung labels. Made handouts with the price list.
- **Haines 50**: Installed three plexi vitrines. (CVCF grant)
- **Grounds:** Installed signs for the M'Coy plants.

Collections and Archives

- **Research Requests:** 8 (research related sales: 1)
- **Items Accessioned:** 31
- **Catalog Records Updated by Collections Assistant for Inventory:** 0
- **Total Catalog Records Updated for Inventory (Collections Management Grant): 1**
- **Total Catalog Records Updated for Collections Grant for the Archives:** 1018
- **Collections Volunteers:** 0 volunteered a total of 0 days
- **Grants in Progress:** 3

- **Archives:** Started creating finding aids for existing archives. Began work on the Oral History collection. Began creating a plan for organizing the collection that includes PastPerfect gaps and digitization needs. This work will continue into next month.
- **Inventory and Museums Alaska Conference:** Regi and Aly will present a paper on the Inventory process at the Museums Alaska conference in September.
- **KHNS History Talks,** 8:45-9 a.m. every other Tuesday morning**:** 8/8:History of totem poles ; 8/22: 1869 eclipse

Upcoming:

September 4-8: Apple Activities with Haines School classes
September 18: Welcoming Reception at the Museum for the Southeast Conference
September 19: Historic Pub Crawl with Helen Alten
September 22 – October 20: Museum Closed for Exhibit Work
September 26-October 1: Staff at Museums Alaska Conference in Anchorage
October 20: Sesquicentennial Exhibit Opens "Everything from Afar Drifts Ashore"
October 20: Six-Week Spotlight Opens: Robin Grace and Dana Van Burgh
October 21: Gallery Demonstrations: Marsha Hotch (others to be confirmed)

2017 Totem Trot Report

The fourth annual Totem Trot, a fundraiser for the Haines Sheldon Museum, had 79 participants. 21 runners and two walkers participated in the ½ marathon from Chilkoot Lake to downtown Haines that passed the town's 16 totem poles. The start was delayed by 30 minutes as participants watched a mother bear fish for salmon, throwing two fish to the cubs waiting on the shore. "Seeing bears at the start made the race worth it," said Leo DiSanto, a participant from Millersville, PA. He was the top money raiser, encouraging his friends to support the museum and posting regularly on Facebook for the benefit of his fans. Etta Jones and Amy Griffin of Norfolk, VA made a special trip to Haines just to attend the Totem Trot. They started early, walking the entire half marathon in 4 hours and 14 minutes. They brought friends, who acted as sweep and cheered their progress. Daniel Shier returned from Whitehorse, winning the half marathon with a time of 1:38:49. Eric Buchi, also from Whitehorse, came in second with a time of 1:39:57 and Rustin Goodin was third with a time of 1:39:41. Moya and Zoe Painter of Whitehorse were the fastest women with a time of 1:52:01.

Sixteen runners, including the Haines School Cross Country Team, completed the 5 kilometer course around 12 totem poles inside Haines' city limits. Four runners were from outside of Haines, including two from Tallahassee, Florida and one from Baltimore, Maryland. George Siyez came in first with a time of 20:50. Kirby Faverty was second with a time of 21:17. Carver Culbeck was third with a time of 22:20. Mackenzy Dryden, with a time of 26:43, was the fastest woman in the 5K. 18 walkers, all but one from Haines, completed the same course in a more leisurely fashion. They had time to stop and talk to the volunteers stationed at each totem pole, and read the descriptions on sandwich boards placed at each pole. 24 local volunteers helped ensure the runners and walkers made it around the course safely. "It was better than last year," said Daniel Shier. Everyone raved about the beautiful course and how much fun it was to run it. After she returned home, Etta Jones wrote "...thank you again for a great experience! We had a wonderful day supporting the museum and experiencing Haines...this was a great decision and we will chat up your event to all of our friends! "

Thank you to the sponsors, volunteers and participants who made the fourth annual Totem Trot, a success.

People came to Haines for the 2017 Totem Trot from:

- New York City, New York
- Los Angeles, California
- Norfolk, Virginia
- San Anselmo, California
- Anchorage, Alaska
- Tallahassee, Florida
- Rimouski, Quebec
- And our favorite near neighbors - Whitehorse, Skagway and Juneau

2017 Totem Trot Sponsors: Haines Womens Club, State Farm Insurance, Haines Shuttle, Constantine Metal Resources, Ltd., Lynn View Lodge and Rental Cars, The Rusty Compass, Michael Marks and Lorraine Dudzik, The Aspen Hotel, Lea Harris, The Bamboo Room, Lutak Lumber, Klondike Chiropractic, Viking Cove Guest Homes, Haines Home Building, Alaska Power and Telephone, Alaska Seaplanes, Babbling Book, Bear Star Web Design, Haines Real Estate, Dan Henry, First National Bank of Alaska, Richard and Laura Clement.

2017 Totem Trot Financial Report

$4,899.43 Received
$1,000.00 Pledged (5 Sponsorships still to be received)
$1,235.55 Expended ($800 less than each of two previous years)

Net raised as of 9/12/17: $3,663.88
Final expected amount: $4,663.88 (slightly less, about $400, than budgeted)

Feedback on Totem Trot

- **Preparing for the Race:**
  - Several volunteers mentioned they would be interested in helping with the organization of next year's run. Preparation includes promotion, sponsorship solicitations, gathering supplies, laying out the course, and arranging for volunteers and participants. It could also include developing teams and building competition between teams raising money.
  - Increase the timeline given for sponsor solicitations (minimum 3 weeks in advance) and calling and securing volunteers (2-3 weeks in advance). If sponsors are acquired earlier we could: (1) have more sponsorships and (2) put sponsors on the back of the T-Shirt
- **Swag Bags**: Many of the runners (particularly for the ½ marathon) didn't like getting swag bags before, and left them at the museum during the race. This is because the bags we had (tote bags) are cumbersome to run with. Consider handing out bags the night before (at a dinner?) or after the race or use drawstring backpack style bags that they could wear during the race (however, they probably wouldn't want to be encumbered).
- **Showers:** Most runners wanted to know after completing the race where to find a hot shower. Perhaps the laundromats and/or camp sites and/or Thor's Gym would be sponsors and provide showers as well as possibly sponsorship money and/or promotional items for the goody bag next year. We could also contact local soap producers about samples for the goody bag.

Suggestions about the route:

- **Chilkat Center Stairs**: This year we changed the route by the Chilkat Center so that it went behind the center and down the stairs, making sure that no one missed the Chilkat Center Totem poles. However, the stairs are not ideal:
  - There is an overhang that is a hazard for taller runners
  - The stairs are very steep and metal
  - Running down those steps is hard on your knees, particularly for the ½ marathon runners that have already been running 12 miles at that point in the race
  - Several runners voiced that we should not have those stairs so late in the race

  We should consider another option for ensuring that runners pass the Chilkat Center poles.
- **Race End:** Consider re-routing the end of the race up the trail by the Presbyterian church to avoid ending with the steepest hill (Front Street and Main).

- **Marking the Route:**
    - Consider marking the route with colored ribbons instead of chalk. That way the route can set up the day before the race and not the morning of the race. [Note: This may require a permit from the Borough.]
    - If the race increases in size, we may need large signs at either end of Lutak Road to let traffic know that there are runners on the road.

8C

Memo

To: Haines Borough Mayor & Assembly

From: Jila Stuart, Chief Fiscal Officer

Cc: Debra Schnabel, Borough Manager

Date: September 20, 2017

Re: **FY17 General Fund Preliminary Financial Report**

The accompanying financial statements show the Haines Borough's general fund (Areawide and Townsite) preliminary revenues and expenditures for FY17 as compared with the previous fiscal year and as compared with the FY17 amended budget. These figures are currently unaudited.

Fund 01 – Areawide General Fund

Fund 01 Revenues

Actual Compared to Budget – Areawide revenues are at 98% of budget for the year. While some line items such as property tax and sales tax revenues came in higher than budget, they were not significant enough to completely offset several revenues under budget. Investment income is lower than budget due to unrealized losses resulting from changes in the market (recent increase in interest rates). Timber receipts are at zero for FY17 due to the timing of the payment which was received in September instead of May or June as is normal. Property tax penalty and interest is lower primarily due to a change in how the payments are recorded in the Borough's software. This figure may be adjusted during the audit.

Year to Year Variance - Areawide revenues are down $684K (16%) compared with FY16. The primary factors in the decline are as follows: state revenue sharing down $162K (34%), federal secure schools funding down $146K, property tax down $112K (6%), investment income down $99K (65%), and raw fish tax down $92K (43%). The decline in property tax does not represent a decline in the total tax collected but a change in the allocation of the tax. Because the governor cut funding for the school debt reimbursement program for FY17 the Borough had to use more property tax to pay debt service on school construction bonds, leaving less property tax in the areawide general fund. Investment income figures fluctuate with market interest rates because we are required to mark our investments at market value and record an unrealized gain or loss when interest rates go down or up.

Sales tax revenues increased in FY17 by $24K (4%). Sales tax revenues were boosted by strong lodging tax numbers, up 6% from the same period last year, as compared to other sales tax up 3%.

Fund 01 Expenditures

Actual Compared to Budget – FY17 preliminary Areawide expenditures are at 96% of budget. Significant items tracking under budget include: health insurance under by $30K (93%), employee burden under $20K (96%), utilities under $18K (92%), and work orders off $44K. Work Orders charged out are higher than budget and higher than the previous year due to labor charged from the public facilities department to the capital improvement project fund for the rehabilitation of the old public works shop.

Year to Year Variance – FY17 Areawide expenditures are up $169K (4%) compared to FY16. The most significant increases include salaries and wages up $110K (8%), appropriations from assembly which include the $55K settlement payment to Mr. Seward up $75K (414%), and employee burden up $35K (8%).

Revenues Under Expenditures – Use of Fund Balance

In FY17 Areawide expenditures exceeded revenues by $502,484. That means $502,484 of fund balance was utilized in order to pay for areawide expenditures in FY17. This was less than the budgeted use of fund balance of $579,430.

Fund 02 – Townsite Service Area (TSA) Fund

FY17 TSA revenues are right on target at 100% of budget and mostly flat from FY16 levels. Expenditures for the TSA exceeded budget by $46K. The overage was due to a $73K operating transfers out from the TSA to the CIP fund for purchase of a 950 Cat loader which was budgeted in FY16 but took place in FY17 (appropriations for capital purchases don't lapse at year-end). Expenditures are $150K (10%) higher than the previous year due primarily to payroll expenditures which were up $146K including wages, burden, and health insurance.

In FY17 TSA expenditures and transfers exceeded revenues by $233,473 but $120,211 of this total went for capital purchases including funding part of the cost of a new 950 loader and the purchase of a pickup for public works. That means $113,262 of fund balance was utilized to pay for townsite services in FY17.

Fund Balance Overview since Consolidation

The chart below shows how the general fund balance (combined Areawide & Townsite) has changed from year to year since consolidation:

	Combined Fund 01 & 02	
	Revenues Over / (Under) Expenditures	General Fund Year End Fund Balance
06/30/2003 Balance		$ 4,510,437
FY04	(162,371)	4,348,066
FY05	(348,582)	3,999,484
FY06	(14,709)	3,984,775
FY07	371,914	4,356,689
FY08	299,878	4,656,567
FY09	516,122	5,172,689
FY10	(1,236,094)	3,936,595
FY11	70,469	4,007,064
FY12	506,606	4,513,670
FY13	207,248	4,720,918
FY14	(573,224)	4,147,694
FY15	157,928	4,305,622
FY16	265,152	4,570,774
Draft FY17	(735,957)	3,834,817
06/30/2017 DRAFT Balance		$ 3,834,817

HAINES BOROUGH

FY17 GENERAL FUND Preliminary Revenue & Expenditures SUMMARY by FUND

FOR THE YEAR ENDING 06/30/2017

01 AREAWIDE GENERAL FUND

	FY16 ACTUAL	FY17 ACTUAL	Yr to Yr VARIANCE*	FY17 BUDGET	BUDGET VARIANCE*	% OF BGT
REVENUE						
Property Tax Revenue	$ 1,741,333	$ 1,629,665	$ (111,668)	1,602,293	$ 27,372	102%
Sales Tax	633,358	657,766	24,408	632,000	25,766	104%
State Revenue - Revenue Sharing	482,655	320,546	(162,109)	320,500	46	100%
State Revenue - Raw Fish Tax	212,855	121,208	(91,648)	121,208	(0)	100%
State Revenue - Other	155,462	164,949	9,487	179,785	(14,836)	92%
Federal Revenue - Secure Schools	145,551	-	(145,551)	-	-	0%
Federal Revenue - P.I.L.T.	344,344	348,013	3,669	348,013	-	100%
Federal Revenue - Timber Receipts	-	-	-	29,700	(29,700)	0%
Federal Revenue - Library	55,257	38,707	(16,550)	50,655	(11,949)	76%
Investment Income	150,568	51,965	(98,603)	110,000	(58,035)	47%
Rents	97,452	97,584	132	104,609	(7,025)	93%
User Fees	58,905	78,973	20,068	72,706	6,267	109%
Penalty & Interest - PropertyTax	22,320	13,087	(9,233)	32,000	(18,913)	41%
Penalty & Interest - Sales Tax	23,280	29,032	5,751	30,000	(968)	97%
Business Licenses	21,350	13,433	(7,917)	13,000	433	103%
Miscellaneous Fines & Fees	105,177	22,196	(82,981)	26,000	(3,804)	85%
Sale of Fixed Asset	21,236	-	(21,236)	-	-	0%
	$ 4,271,103	$ 3,587,124	$ (683,980)	$ 3,672,469	$ (85,345)	98%
EXPENDITURES						
Salaries and wages	$ 1,461,874	$ 1,571,657	$ (109,783)	$ 1,583,963	$ 12,306	99%
Employee Burden	429,030	463,988	(34,958)	484,471	20,483	96%
PERS "On Behalf" Pd by State	124,451	110,261	$ 14,190	125,000.00	$ 14,739	88%
Health Insurance	356,013	388,254	(32,241)	418,870	30,616	93%
Supplies & Postage	58,078	65,284	(7,206)	67,433	2,149	97%
Material & Equipment	38,119	24,812	13,307	28,210	3,398	88%
Computers and Peripherals	36,794	43,944	(7,151)	47,110	3,166	93%
Professional & Contractual	352,985	364,390	(11,406)	375,923	11,533	97%
Dues, Subscriptions & Fees	8,429	8,526	(98)	8,125	(401)	105%
Travel & Per Diem	51,150	45,784	5,366	46,300	516	99%
Training	8,851	14,293	(5,443)	14,790	497	97%
Advertising	8,178	9,225	(1,046)	8,440	(785)	109%
Banking & Insurance	44,581	46,548	(1,967)	47,400	852	98%
Vehicle Expense	7,749	9,665	(1,916)	9,550	(115)	101%
Utilities	186,047	201,398	(15,350)	219,900	18,502	92%
School District - Instructional	1,560,000	1,560,000	-	1,560,000	-	100%
School District - Activities	210,000	210,000	-	210,000	-	100%

	FY16 ACTUAL	FY17 ACTUAL	Yr to Yr VARIANCE*	FY17 BUDGET	BUDGET VARIANCE*	% OF BGT
Appropriations from the Assembly	18,062	92,954	(74,892)	94,000	1,046	99%
Building Maintenance & Repairs	70,652	47,946	22,706	39,500	(8,446)	121%
Discretionary Expense	1,760	1,720	40	2,050	330	84%
Work Orders	(107,163)	(156,960)	49,797	(112,800)	44,160	139%
Allocations	(765,498)	(804,903)	39,405	(799,471)	5,432	101%
Operating Transfers - In fr other funds	(7,800)	(17,496)	9,696	-	17,496	
Operating Transfers - OUT fr General	49,270	81,316	(32,046)	66,135	(15,181)	123%
Operating Transfers - In fr Permanent	(281,000)	(293,000)	12,000	(293,000)	-	100%
TOTAL AREAWIDE EXPENDITURES	3,920,614	4,089,608	(168,994)	4,251,899	162,291	96%
NET REVENUE UNDER EXPENDITURE	$ 350,489	$ (502,484)	$ (852,974)	$ (579,430)	$ 76,946	
02 TOWNSITE SERVICE AREA						
REVENUE						
Property Tax Revenue	411,862	436,881	$ 25,019	436,000	$ 881	100%
Sales Tax	711,482	719,083	7,601	720,000	(917)	100%
State Revenue - Public Safety	219,734	219,734	-	219,734	-	100%
State Revenue - General	91,900	63,934	(27,966)	60,500	3,434	106%
Interest Earnings	2,053	1,969	(84)	1,500	469	131%
Miscellaneous Fines & Fees	5,383	3,060	(2,322)	6,000	(2,940)	51%
TOTAL TOWNSITE REVENUES	1,442,414	1,444,662	2,248	1,443,734	928	100%
EXPENDITURES						
Salaries & Wages	$ 464,289	$ 538,593	$ (74,304)	$ 568,784	$ 30,191	95%
Employee Burden	134,608	174,385	(39,776)	184,915	10,530	94%
Health Insurance	90,361	122,333	(31,973)	126,528	4,195	97%
Supplies & Postage	7,003	7,562	(558)	6,200	(1,362)	122%
Material & Equipment	127,860	106,120	21,739	111,700	5,580	95%
Computers & Peripherals	2,115	4,764	(2,649)	3,500	(1,264)	136%
Professional & Contractual	121,010	78,663	42,347	74,891	(3,772)	105%
Dues & Subscriptions	2,086	2,702	(617)	1,250	(1,452)	216%
Travel & Per Diem	18,763	30,872	(12,109)	25,950	(4,922)	119%
Training	115	2,561	(2,446)	7,500	4,939	34%
Advertising	1,766	1,266	500	1,250	(16)	101%
Banking & Insurance	19,751	20,297	(547)	21,070	773	96%
Vehicle Expense	74,654	82,919	(8,265)	78,850	(4,069)	105%
Utilities	71,354	77,624	(6,270)	68,050	(9,574)	114%
Work Orders	(77,292)	(91,410)	14,118	(84,200)	7,210	109%
Allocations	392,825	398,673	(5,848)	386,383	(12,290)	103%
Operating Tranfer - from CPV	(33,216)	-	(33,216)	-	-	0%
Operating Transfers - OUT from TSA	109,699	120,211	(10,512)	50,000	(70,211)	240%
TOTAL TOWNSITE EXPENSES	1,527,750	1,678,135	(150,384)	1,632,621	(45,514)	103%
NET REVENUE UNDER EXPENDITURES	$ (85,337)	$ (233,473)	$ (148,136)	$ (188,887)	$ (44,586)	

*Positive variance is favorable. Negative variance is unfavorable.

MINUTES
Approved

Solid Waste Working Group

Meeting Date: 8-18-17

Date of Approval: 9-6-17

Call to Order: A meeting of the Haines Borough Solid Waste Working Group was held at the library on August 18, 2017 at 4:00 p.m. with Brad Ryan/Director of Public Facilities presiding.

Members in Attendance: Melissa Aronson, Sally Garton, Reilly Kosinski, Burl Sheldon, Norm Smith

Members Not in Attendance: Darsie Culbeck, Philip Reeves

Others in Attendance: Debra Schnabel/Borough Manager, Alekka Fullerton/Deputy Clerk, Stephanie Scott/Assembly Liaison, Ron Jackson/Assembly, Kyle Clayton/CVN, George Figdor, Frank Holmes, Molly Sturdevant, Evelyna Vignola, and others.

Approval of Minutes: Burl Sheldon moved to approve the minutes of 8/1/17 and the motion carried unanimously.

Ranking of Identified Problems from Previous Meetings: To be compiled after the meeting.

Presentation by Haines Friends of Recycling: Melissa Aronson. Burl Sheldon will write a motion to be presented at the next meeting.

Borough Phone Call with Judge Walker: The Borough can have a transfer station without a certificate, and an entity that has a certificate can haul to the Borough's transfer station.

Public Comments: None.

Committee Comments: None.

Next Meeting: Wednesday, September 6, 2017, 4:00 p.m. at the library.

Adjournment: The meeting was adjourned at 4:59 p.m.
By: Alekka Fullerton, Deputy Clerk

Board of Trustees Meeting
July 25, 2017, 10 a.m. at the Sheldon Museum

CALL TO ORDER - 9:15am by Kelleen Adams

prsent - Kelleen Adams, Tim Ackerman, Lorrie Dudzik, Michael Marks, Helen Alten, John Carlson (by phone)

Additions to agenda - Eldred Rock Lighthouse exhibit , membership cards
Approval of agenda - Lorrie/Michael M/S to approve agenda as amended. Approved unanimously.

Approval of Minutes:

- June 16, 2017 Michael/Lorrie M/S to approve minutes as written. Approved unanimously.

Public Comments - none

Staff/Board Reports:

- President's Report - none
- Treasurer's Report - This month the books have not been not reconciled. It requires too much time. John recommends pursuing the idea of turning finances over to the borough. He feels that they might do a better job. We use Pay pal, Square, and Quick Books. The borough uses Cassell. There are other programs which might make our work easier. We will plan a meeting with Jila and Austen.

MUSEUM FINANCES & RESOURCES
FY 17 Budget $275,887 (includes Borough Payroll)
YTD Income: $309,196.79
YTD Expenses: $308,128.56
Lot at Fort Seward owned by Museum (value $45,000)
Building and lot owned by Haines Borough
Staff financed primarily by Haines Borough
Endowment Fund – AK Community Fndn: $150,290.34
Non-Endowed Fund – AK Community Fndn: $60,370.41

- Museum Director - The basket reception was very informative and entertaining. There are two Chilkat blankets available for sale which we may consider purchasing. Lily Allen and Mildred Sparks are the possible makers of the blankets. $30,000 and $50,000 are the asking prices.

Business

- Museum Passes / 2nd Check Writer - We need to hire a bookkeeper who can sign the checks in order to insure that checks are written in a timely manner.
- Board Openings (4) - We have many segments of our population that may not have been considered previously. We must reach out to them. We will advertise as well.
- Position Openings:
    - Community Coordinator - We could use Madeline's unused borough pay and grants to hire Sarah Asper-Smith, a professional exhibiter, to create our Shaman exhibit. We will get assurances from the borough and the granting people that the monies can be used for this purpose. Kelleen/Michael M/S to NOT use the grant-in-aid to ship objects from other institutions. Approved unanimously. We will hire a coordinator for the coming year.
    - Bookkeeper - We will set up a meeting with Jila and Austen for next week to discuss this along with other financial issues.
- Totem Trot (Aug. 12) - We will ask Haines shuttle to take runners to Chilkoot. We will give him a totem pole sponsorship. We will eliminate the spaghetti dinner. We

will get sponsors for totem poles. Kelleen/Lorrie M/S to ask for $200 sponsorships. Approved. Michael dissented.

- Acquisitions - postponed until next meeting
    - Jack Strong Portrait ($500)
    - 2 Chilkat Blankets, Baskets & Trunks

Eldred Rock exhibit - postponed until next time

Membership - Helen will be sure to send out membership cards.

Committee Reports - none

Next Board meeting: August 10, 2017 at 4 p.m.

Adjourn - 11:15am by Kelleen Adams

11A1

Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 17-779
Assembly Meeting Date: 9/26/17

Business Item Description:	**Attachments:**
Subject: Contract with Stickler Construction for Sheldon Museum Roof Replacement ($95,450)	1. Resolution 17-09-731 2. Notice Inviting Bids 3. Bid Results 4. Stickler Construction Bid 5. Wolverine Supply Bid 6. Silver Bow Construction Bid
Originator: Director of Public Facilities	
Originating Department: Public Facilities	
Date Submitted: 9/13/17	

Full Title / Motion:

Motion: Adopt Resolution 17-09-731.

Administrative Recommendation:

This resolution is recommended by the Director of Public Facilities.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
$ 95,450	$ 100,000	$ 0

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: ☒ Yes ☐ No

Summary Statement:

The Haines Borough recently issued a request for sealed bids from qualified, licensed contractors for the Haines Sheldon Museum Roof Replacement project and obtained three responsive bids: 1) Stickler Construction Company for $101,950; 2) Wolverine Supply for $122,000; and 3) Silver Bow Construction for $169,300. The low bid exceeded the Borough's budget of $100,000 from an FY16 CIP appropriation (Replace Museum Roofing) and an FY17 CIP appropriation (Museum Exterior Upgrades). Haines Borough Code 3.60.160 allows for negotiation with a contractor if the lowest and best bid for a construction project exceeds the budgeted amount. Stickler Construction upon the Borough's request provided a quote of $95,450 for the project with a substitution of Nor-Clad roofing similar to what is currently used at the museum in lieu of the Skyline roofing initially specified in the request for bids. The Director of Public Facilities has reviewed the bids and recommends award to Stickler Construction at the reduced cost.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 9/26/17	Tabled to Date:

HAINES BOROUGH, ALASKA
RESOLUTION No. 17-09-731 **Draft**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Stickler Construction Company for the Haines Sheldon Museum Roof Replacement project for an amount not to exceed $95,450.

WHEREAS, the Haines Sheldon Museum Roof Replacement project consists of removing the existing metal roof; installing a metal roof and necessary flashing, trim, and sealant; preparing and painting the trim around the roof; removing and replacing gutters and cedar fascia boards on the north entrance overhang; repairing roof drainage systems; and repairing any rot encountered; and

WHEREAS, the Borough recently issued a request for sealed bids from qualified, licensed contractors for the project; and

WHEREAS, the Borough obtained three responsive, sealed bids: 1) Stickler Construction Company for $101,950; 2) Wolverine Supply for $122,000; and 3) Silver Bow Construction for $169,300; and

WHEREAS, the low bid exceeded the Borough's budget of $100,000 from an FY16 CIP appropriation *Replace Museum Roofing* and an FY17 CIP appropriation *Museum Exterior Upgrades*; and

WHEREAS, Haines Borough Code 3.60.160 allows for negotiation with a contractor if the lowest and best bid for a construction project exceeds the budgeted amount; and

WHEREAS, Stickler Construction upon the Borough's request provided a quote of $95,450 for the project with a substitution of Nor-Clad roofing similar to what is currently used at the museum in lieu of the Skyline roofing initially specified in the request for bids; and

WHEREAS, the bid includes a $10,000 contingency for removal/replacement of rotten sheathing and/or trusses; and

WHEREAS, the Director of Public Facilities has reviewed the bids and recommends award to Stickler Construction at the reduced cost,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to execute a contract with Stickler Construction Company for the Haines Sheldon Museum Roof Replacement project for an amount not to exceed $95,450.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this ____ day of _____, 2017.

_____
Janice Hill, Mayor

Attest:

_____
Julie Cozzi, MMC, Borough Clerk

NOTICE INVITING BIDS
Haines Sheldon Museum Roof Replacement
Re-Posted: August 10, 2017

The Haines Borough is soliciting sealed bids from qualified and licensed contractors to perform the work for **Haines Sheldon Museum Roof Replacement**. All contractors are required to have a current Alaska Contractor's License and Alaska Business License. A Haines Business License is required prior to contract award.

Prospective bidders are required to attend a Pre-Bid Conference to be held in Haines on August 3, 2017, beginning at 12:30 p.m. **(per Addendum #1)** at the Borough Assembly Chambers (213 Haines Highway), immediately followed by a mandatory site visit.

DESCRIPTION OF WORK:

- Remove existing metal roof at the Haines Sheldon Museum.
- Install 16" Skyline Rustic Red metal roof and necessary flashing, trim, and sealant.
- Prepare and paint the trim around the roof.
- Remove and replace gutters and cedar fascia boards on the north entrance overhang. Replacement gutters should be external metal gutters with integrated drainage away from the building foundation.
- Repair roof drainage systems.
- Repair any rot encountered. *(Each bid shall include a $10,000 contingency for removal/replacement of rotten sheathing and/or trusses, as shown in the Bid Schedule).*

RECEIPT OF BIDS / BID DEADLINE: Bids will be accepted until 2:00 p.m., Local Time, **Friday, September 1, 2017 (per Addendum #2),** at the Office of the Borough Clerk in the Borough Administration Building in Haines, Alaska. Bids must be mailed or hand-delivered and will not be accepted by email or fax.

BID OPENING: The bid opening will be shortly after 2:00 p.m. on the same date in the Borough Administration Building conference room.

BID DOCUMENTS: A Bid packet including instructions, forms, and description of work is available on the Haines Borough website: **www.hainesalaska.gov/rfps** for viewing and printing.

QUESTIONS:
Communications relative to this work shall be directed to:
Brad Ryan; Director of Public Facilities; 907-314-0648; bryan@haines.ak.us

Submit Bids to:
Physical Address: Office of the Borough Clerk; Borough Administration Building; 103 Third Ave S.; Haines, Alaska
Mailing Address: Haines Borough; Attn: Borough Clerk; PO Box 1209; Haines, AK 99827

LOCAL BIDDER PREFERENCE: If a bid by a responsible and responsive bidder whose principal place of business is within the borough is higher than that of the lowest bid by a responsible and responsive bidder, preference may be given to the local bidder, as follows:

a. $1,000,000 or less - 7% local preference,
b. $1,000,001 to $5,000,000 - 5% local preference, or
c. Over $5,000,000 - 2% local preference.

Haines Borough
Bid Opening Record

Location: Borough Admin. Building

Date/Time: 2pm, 9/1/17

Project: Haines Sheldon Museum Roof Replacement

Bidder	Bid Rcvd by Deadline	Bid on Req. Form, Complete, & Signed	Proof of AK Business Licensing	Proof of AK Contractor's Cert. of Reg.	Bid Bond or Certf. Check of at least 5% of bid	Non-Collusion Affidavit	Addenda Noted (3)	Base Bid: Museum Roof Replacement ($)	
Silver Bow Construction	X	X	X	X	X	X	X	169,300	
							Modifications		
							Total	169,300	
Stickler Construction	X	X	X	X	X	X	X	101,950	
							Modifications		
							Total	101,950	Apparent Low
Wolverine Supply	X	X	X	X	X	X	X	1,510,000	
							Modifications	(1,388,00)	
							Total	122,000	

Present:
Brad Ryan, Director of Public Facilities
Ed Bryant, Facilities Maintenance Superintendent
Krista Kielsmeier, Executive Assistant
Dave Stickler, Stickler Construction

HAINES BOROUGH BID SCHEDULE – HAINES SHELDON MUSEUM ROOF REPLACEMENT

Bid of Stickler Construction Co. (hereinafter called *Bidder*), doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (hereinafter called *Borough*). The Bidder agrees to furnish to the Haines Borough all information and data that may be requested to give evidence that the undersigned is properly qualified to carry out the obligations of the Contract Documents.

The undersigned Bidder agrees, if this bid is accepted, to furnish all tools, equipment, supplies, manufactured articles, labor, materials, services and incidentals, and to perform all work necessary to complete the work required under the Invitation to Bid by the completion dates and to accept as full payment the Contract Price stated on this Bid Form, and in the manner stipulated by the Request for Bids, subject to any negotiated changes in the work that might increase or decrease the contract amount. The Borough reserves the right to reject any and all bids and negotiate with the responsible bidder submitting the lowest bid amount.

Bidder accepts all of the terms and conditions of the Request for Bids and, if this bid is accepted, will furnish, within ten calendar days after the Notice of Intent to Award letter, the following documents required by borough code for this project:

1. *Contract document or Agreement;*
2. *[Proof of insurance: general liability, auto insurance, worker's compensation];*
3. *Any overdue unpaid debts owed the borough must be current prior to award;*
4. *Payment and Performance bonds, if applicable; and*
5. *Subcontractor report, if applicable.*

Bidder acknowledges receipt of the following addenda: Addendum #. 1 Initials: DS Addendum #. 2 Initials: DS #3 DS

Bid Table - Sheldon Museum		
Pay Item No.	Pay Item Description	Amount
1	Roof removal and disposal	16500
2	16" Skyline Roofing	38600
3	Skyline trim/flashing/sealant	8700
4	Paint and primer for wooden trim	8000
5	Materials for installation	8750
6	Remove and replace gutters and fascia boards on north entrance overhang	11,500
7	Contingency for unexpected rot or repair	$10,000

TOTAL BID (Price in Digits): 101,950 ea

BIDDER INFORMATION:

Principal Contact: Dave Stickler

Business Name: Stickler Construction Co

Business Physical Address: _____

Business Mailing Address, if different: P.O. Box 974

Phone: 907-766-2949 Fax: _____ Email: Sticklerconstructionco@Yahoo.com

Bidder's Authorized Signature

David Stickler

Printed Name

9-1-17

Date

HAINES BOROUGH BID SCHEDULE – HAINES SHELDON MUSEUM ROOF REPLACEMENT

Bid of Wolverine Supply, Inc. (hereinafter called *Bidder*), doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (hereinafter called *Borough*). The Bidder agrees to furnish to the Haines Borough all information and data that may be requested to give evidence that the undersigned is properly qualified to carry out the obligations of the Contract Documents.

The undersigned Bidder agrees, if this bid is accepted, to furnish all tools, equipment, supplies, manufactured articles, labor, materials, services and incidentals, and to perform all work necessary to complete the work required under the Invitation to Bid by the completion dates and to accept as full payment the Contract Price stated on this Bid Form, and in the manner stipulated by the Request for Bids, subject to any negotiated changes in the work that might increase or decrease the contract amount. The Borough reserves the right to reject any and all bids and negotiate with the responsible bidder submitting the lowest bid amount.

Bidder accepts all of the terms and conditions of the Request for Bids and, if this bid is accepted, will furnish, within ten calendar days after the Notice of Intent to Award letter, the following documents required by borough code for this project:

1. *Contract document or Agreement;*
2. *[Proof of insurance: general liability, auto insurance, worker's compensation];*
3. *Any overdue unpaid debts owed the borough must be current prior to award;*
4. *Payment and Performance bonds, if applicable; and*
5. *Subcontractor report, if applicable.*

Bidder acknowledges receipt of the following addenda: Addendum #. 01 Initials: 02 Addendum #.03 Initials: ____

Bid Table - Sheldon Museum		
Pay Item No.	Pay Item Description	Amount
1	Roof removal and disposal	250,000.00
2	16" Skyline Roofing	250,000.00
3	Skyline trim/flashing/sealant	250,000.00
4	Paint and primer for wooden trim	250,000.00
5	Materials for installation	250,000.00
6	Remove and replace gutters and fascia boards on north entrance overhang	250,000.00
7	Contingency for unexpected rot or repair	$10,000

TOTAL BID (Price in Digits): 1,510,000.00

BIDDER INFORMATION:

Principal Contact: Ashlee Stetson

Business Name: Wolverine Supply, Inc.

Business Physical Address: 5099 E. Blue Lupine Drive, Wasilla, AK 99654

Business Mailing Address, if different: 5099 E. Blue Lupine Drive, Wasilla, AK 99654

Phone: 907-373-6572 Fax: 907-357-2023 Email: ashlee@wsiak.com

Bidder's Authorized Signature

Ashlee Stetson, Vice President
Printed Name

August 29, 2017
Date

HAINES BOROUGH BID SCHEDULE – HAINES SHELDON MUSEUM ROOF REPLACEMENT

Bid of Wolverine Supply, Inc. (hereinafter called *Bidder*), doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (hereinafter called *Borough*). The Bidder agrees to furnish to the Haines Borough all information and data that may be requested to give evidence that the undersigned is properly qualified to carry out the obligations of the Contract Documents.

The undersigned Bidder agrees, if this bid is accepted, to furnish all tools, equipment, supplies, manufactured articles, labor, materials, services and incidentals, and to perform all work necessary to complete the work required under the Invitation to Bid by the completion dates and to accept as full payment the Contract Price stated on this Bid Form, and in the manner stipulated by the Request for Bids, subject to any negotiated changes in the work that might increase or decrease the contract amount. The Borough reserves the right to reject any and all bids and negotiate with the responsible bidder submitting the lowest bid amount.

Bidder accepts all of the terms and conditions of the Request for Bids and, if this bid is accepted, will furnish, within ten calendar days after the Notice of Intent to Award letter, the following documents required by borough code for this project:

1. *Contract document or Agreement;*
2. *[Proof of insurance: general liability, auto insurance, worker's compensation];*
3. *Any overdue unpaid debts owed the borough must be current prior to award;*
4. *Payment and Performance bonds, if applicable; and*
5. *Subcontractor report, if applicable.*

Bidder acknowledges receipt of the following addenda: Addendum #. 01 Initials: 02 Addendum #.03 Initials: AS

Bid Table - Sheldon Museum			
Pay Item No.	Pay Item Description	Amount	
1	Roof removal and disposal	235,000.00	Deduct
2	16" Skyline Roofing	198,000.00	Deduct
3	Skyline trim/flashing/sealant	235,000.00	Deduct
4	Paint and primer for wooden trim	240,000.00	Deduct
5	Materials for installation	240,000.00	Deduct
6	Remove and replace gutters and fascia boards on north entrance overhang	240,000.00	Deduct
7	Contingency for unexpected rot or repair	$10,000	

TOTAL BID (Price in Digits): 1,388,000.00 Deduct

BIDDER INFORMATION:

Principal Contact: Ashlee Stetson

Business Name: Wolverine Supply, Inc.

Business Physical Address: 5099 E. Blue Lupine Drive, Wasilla, AK 99654

Business Mailing Address, if different: 5099 E. Blue Lupine Drive, Wasilla, AK 99654

Phone: 907-373-6572 Fax: 907-357-2023 Email: ashlee@wsiak.com

Bidder's Authorized Signature

Ashlee Stetson, Vice President
Printed Name

August 29, 2017
Date

HAINES BOROUGH BID SCHEDULE – HAINES SHELDON MUSEUM ROOF REPLACEMENT

Bid of SILVER BOW CONSTRUCTION CO. (hereinafter called *Bidder*), doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (hereinafter called *Borough*). The Bidder agrees to furnish to the Haines Borough all information and data that may be requested to give evidence that the undersigned is properly qualified to carry out the obligations of the Contract Documents.

The undersigned Bidder agrees, if this bid is accepted, to furnish all tools, equipment, supplies, manufactured articles, labor, materials, services and incidentals, and to perform all work necessary to complete the work required under the Invitation to Bid by the completion dates and to accept as full payment the Contract Price stated on this Bid Form, and in the manner stipulated by the Request for Bids, subject to any negotiated changes in the work that might increase or decrease the contract amount. The Borough reserves the right to reject any and all bids and negotiate with the responsible bidder submitting the lowest bid amount.

Bidder accepts all of the terms and conditions of the Request for Bids and, if this bid is accepted, will furnish, within ten calendar days after the Notice of Intent to Award letter, the following documents required by borough code for this project:

1. *Contract document or Agreement;*
2. *[Proof of insurance: general liability, auto insurance, worker's compensation];*
3. *Any overdue unpaid debts owed the borough must be current prior to award;*
4. *Payment and Performance bonds, if applicable; and*
5. *Subcontractor report, if applicable.*

Bidder acknowledges receipt of the following addenda: Addendum #. 1 Initials: EJA Addendum #. 2 Initials: EJA

Bid Table - Sheldon Museum		
Pay Item No.	Pay Item Description	Amount
1	Roof removal and disposal	22,300.00
2	16" Skyline Roofing	37,000.00
3	Skyline trim/flashing/sealant	16,800.00
4	Paint and primer for wooden trim	11,100.00
5	Materials for installation	55,900.00
6	Remove and replace gutters and fascia boards on north entrance overhang	16,200.00
7	Contingency for unexpected rot or repair	$10,000

TOTAL BID (Price in Digits): $169,300.00

BIDDER INFORMATION:

Principal Contact: E. JEREMY ADAM, VICE PRESIDENT

Business Name: SILVER BOW CONSTRUCTION COMPANY

Business Physical Address: 5331 SHAUNE DR., JUNEAU, AK 99801

Business Mailing Address, if different: SAME AS ABOVE

Phone: 907-780-2205 Fax: 907-780-5127 Email: sbc.silverbow@acsalaska.net

E. Jeremy Adam

Bidder's Authorized Signature

E. JEREMY ADAM

Printed Name

8/11/2017

Date

11A2

Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 17-780
Assembly Meeting Date: 9/26/17

Business Item Description:	**Attachments:**
Subject: Contract with MRV Architects for the Public Safety Building Design for Exterior Upgrades Project	1) Resolution 17-09-732 2) MRV Architects Fee Proposal 3) RFP Public Notice 4) Request for Proposals 5) MRV Architects Proposal
Originator: Director of Public Facilities	
Originating Department: Public Facilities	
Date Submitted: 9/18/17	

Full Title/Motion:

Motion: Adopt Resolution 17-09-732.

Administrative Recommendation:

This resolution is recommended by the Director of Public Facilities.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
$ 34,818	$ 50,000	$ 0	Increased energy efficiency

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives:	Consistent: ■ Yes ☐ No

Summary Statement:

The Public Safety Building Design for Exterior Upgrades request for proposals sought licensed design firms to provide fully-engineered, stamped designs, bid documents, a bid schedule and cost estimates for Public Safety Building siding, windows and doors, as well as an ADA-accessible restroom adjacent to the Assembly Chambers. The Borough obtained two responsive proposals, from 1) MRV Architects; and 2) Jensen Yorba Lott.

The proposals were scored by a committee, and MRV Architects received the high score. That proposal is included as an attachment to this agenda bill. The Jensen Yorba Lott proposal can be viewed at: http://www.hainesalaska.gov/publicfacilities/public-safety-building-design-exterior-upgrades

Referral:

Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:

Meeting Date(s): 9/26/17	Public Hearing Date(s):
	Postponed to Date:

HAINES BOROUGH, ALASKA
RESOLUTION No. 17-09-732 **Draft**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with MRV Architects for the Public Safety Building Design for Exterior Upgrades project for an amount not to exceed $34,818.

WHEREAS, the Public Safety Building Design for Exterior Upgrades request for proposals sought licensed design firms to provide fully-engineered, stamped designs, bid documents, a bid schedule and cost estimates for Public Safety Building siding, windows and doors, as well as an ADA-accessible restroom adjacent to the Assembly Chambers; and

WHEREAS, designs are to address the following priorities: Appearance, cost effectiveness, energy efficiency, maximum life expectancy, and moisture control; and

WHEREAS, the Borough obtained two responsive proposals, from 1) MRV Architects; and 2) Jensen Yorba Lott; and

WHEREAS, responses to the RFP were evaluated and ranked by a committee; and

WHEREAS, MRV Architects received the high score after each member of the committee independently scored the proposals; and

WHEREAS, upon notification of its top ranking among the proposers, MRV Architects submitted a fee proposal at the Borough's request; and

WHEREAS, the Director of Public Facilities has reviewed the fee proposal and recommends contract award; and

WHEREAS, funding will come from an FY16 CIP appropriation ($25,000) *Public Safety Building PSB Exterior Renovation* and an FY17 CIP appropriation ($25,000) *PSB Exterior Renovation Sinking Fund*, and available monies are sufficient,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to execute a contract with MRV Architects for the Public Safety Building Design for Exterior Upgrades project for an amount not to exceed $34,818.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this ____ day of _____, 2017.

_____
Janice Hill, Mayor

Attest:

_____
Julie Cozzi, MMC, Borough Clerk

MRV ARCHITECTS
1420 GLACIER AVENUE, JUNEAU, AK 99801 (907) 586-1371

Project: Haines Public Safety Building Exterior Upgrade
Re: Fee proposal for Design and Documentation Services
To: Brad Ryan, Director of Public Facilities
By: Corey Wall
Date: September 18, 2017 MRV 1726

Please find attached a fee proposal for design and construction documentation services for the Haines Public Safety Building Exterior Upgrade Project. The project will include:

- Comprehensive new exterior siding
- New windows and doors, including overhead doors at the apparatus bays
- New restroom at the Assembly Chambers Lobby
- Limited reconstruction at the Assembly Chambers entry, including new canopy and exterior ramp and stairs.

Given the limited scope, MRV Architects will provide all the design services for the project. As discussed, civil, electrical, structural and mechanical engineering is not included in this proposal, but could be added at a future point if required.

The proposal includes 4 trips for MRV to travel to Haines for major milestone presentations. ProHNS is included in the proposal on a limited basis to attend other meetings as desired as well as to provide assistance with on-site measurement and as-built confirmation.

The proposal includes professional cost estimation at the conceptual and 75% level.

Please contact me with any remaining questions or suggestions. Thank you again for the opportunity to assist on this exciting project.

Sincerely,

Corey Wall, AIA
MRV Architects, PC

attach

MRV ARCHITECTS PROFESSIONAL SERVICES ANALYSIS

HAINES PUBLIC SAFETY EXTERIOR UPGRADE					MRV #1726
DESIGN & DOCUMENTATION					September 15, 2017
STAFF CATEGORIES	PIC	PM	A	D	WP
HOURLY RATES ($/HR)	165	138	110	85	65
CONCEPTUAL DESIGN PHASE					
Coordination Meeting		1	1		
Site Visit to measure key as-built conditions			3		
Initial Concept Presentation			2		
SCHEMATIC DESIGN PHASE (35%)					
Site Visits to measure key as-built conditions			8		
Draft Existing Plans, and Elevations in Revit			6	12	
Refine Conceptual Elevations and Plans			8	8	
Review Meeting with Owner		2	2		
DESIGN DEVELOPMENT PHASE (75%)					
Exterior Elevation (4 @ 1/4" scale)			6	18	
Restroom / Entry Plan (2 @ 1/4" scale)			6	6	
Key Details (2 @ 3" scale)			4	8	
Design Narrative, Catalog Cuts			2		
Coordination with Cost Estimator			2		
Review Meeting with Owner		2	2		
CONSTRUCTION DOCUMENT PHASE					
Cover Sheet (site key plan, symbols, etc.)			4	8	
Demo Plans (2 @ 1/4" scale)			4	8	
Plans (2 @ 1/4" scale)			6	12	
Exterior Elevations (4 @ 1/4" scale)			6	18	
Details (14 @ 3" scale)			21	36	
Technical Specifications (Sections 2-16)			12		4
95% Review Presentation		2	6		
Incorporate 95% Review Comments			2	8	
Quality Control Review (internal)	4				
Review Meeting with Owner			2		
General Project Management	2		6		
SUBTOTAL HOURS	6	7	121	142	4
SUBTOTAL FEES	990	966	13,310	12,070	260
SUBTOTAL MRV Architects FEES					27,596

MRV ARCHITECTS PROFESSIONAL SERVICES ANALYSIS

HAINES PUBLIC SAFETY EXTERIOR UPGRADE	MRV #1726
DESIGN & DOCUMENTATION	September 15, 2017
CONSULTANTS (See attached detailed proposals)	
HMS, Inc, Cost Estimation (see attached)	3,938
ProHNS, On-Site Representative	1,500
SUBTOTAL	5,438
O/P 10% (FEES ONLY)	544
SUBTOTAL CONSULTANTS FEES	5,982
REIMBURSABLE EXPENSES	
MRV ARCHITECTS	
Airfare (4 visits)	1,000
Hotel (2 visits)	240
SUBTOTAL EXPENSES	1,240
LUMP SUM PROPOSAL FOR DESIGN & DOCUMENTATION	$34,818

Haines Borough
Request for Proposals

Public Safety Building Design for Exterior Upgrades

Introduction

This Haines Borough request for proposals (RFP) seeks licensed design firms to provide bid-ready documents for exterior upgrades to the Haines Borough's Public Safety Building in Haines, Alaska.

Prospective proposers are required to attend a Pre-Proposal Conference and site visit to be held in Haines on August 2, 2017, beginning at 10:00 a.m. at the Borough Assembly Chambers in the Public Safety Building (213 Haines Highway).

Questions

All communication relative to proposals shall be directed to:

Haines Borough, P.O. Box 1209, Haines, Alaska 99827
Attention: Brad Ryan, Director of Public Facilities
Telephone: (907) 314-0648
Fax: (907) 766-2716
Email: bryan@haines.ak.us

No oral interpretation concerning this RFP will be made. Requests for interpretation must be made in writing and mailed, emailed, or faxed at least four (4) business days prior to the submittal deadline. **The full RFP can be viewed at www.hainesalaska.gov/rfps**.

Submission of Proposals

Deadline for proposals is **2:00 pm, Friday, August 18, 2017**. Proposals must be submitted and received in sealed envelopes by the deadline. Submissions received after the deadline will not be considered. Proposals may be hand-delivered, mailed, or express delivered. Submissions must be clearly marked "Public Safety Building Design for Exterior Upgrades" and submitted to:

Mailing Address:
Attn: Office of the Borough Clerk
Haines Borough
P.O. Box 1209
Haines, AK 99827

Physical Address:
Haines Borough
Borough Clerk's Office
103 Third Ave. S
Haines, AK 99827

This RFP does not commit the Haines Borough to enter into a contract, nor does it obligate the Borough to pay for any costs incurred in the preparation and submission of a proposal or negotiations for or in anticipation of any contract. The Borough reserves the right at its sole discretion: to make selections, to reject any or all submissions, to issue subsequent RFPs, to remedy technical errors in the RFP process, and to enter into a contract with one or more contractors for the provision of any, all, or some of the services described herein.

The Borough reserves the right to reject any and all submittals, to waive any informalities or technicalities, and to negotiate with any responder to this RFP it deems to be the best qualified.

A Haines Business License is required prior to contract award.

Haines Borough
Request for Proposals

Public Safety Building Design for Exterior Upgrades

Introduction

This Haines Borough request for proposals (RFP) seeks licensed design firms to provide bid-ready documents for exterior upgrades to the Haines Borough's Public Safety Building in Haines, Alaska.

Prospective proposers are required to attend a Pre-Proposal Conference and site visit to be held in Haines on August 2, 2017, beginning at 10:00 a.m. at the Borough Assembly Chambers in the Public Safety Building (213 Haines Highway).

Questions

All communication relative to proposals shall be directed to:

Haines Borough, P.O. Box 1209, Haines, Alaska 99827
Attention: Brad Ryan, Director of Public Facilities
Telephone: (907) 314-0648
Fax: (907) 766-2716
Email: bryan@haines.ak.us

No oral interpretation concerning this RFP will be made. Requests for interpretation must be made in writing and mailed, emailed, or faxed at least four (4) business days prior to the submittal deadline.

Submission of Proposals

Deadline for proposals is **2:00 pm, Friday, August 18, 2017**. Proposals must be submitted and received in sealed envelopes by the deadline. Submissions received after the deadline will not be considered. Proposals may be hand-delivered, mailed, or express delivered. Submissions must be clearly marked "Public Safety Building Design for Exterior Upgrades" and submitted to:

Mailing Address:
Attn: Office of the Borough Clerk
Haines Borough
P.O. Box 1209
Haines, AK 99827

Physical Address:
Haines Borough
Borough Clerk's Office
103 Third Ave. S
Haines, AK 99827

This RFP does not commit the Haines Borough to enter into a contract, nor does it obligate the Borough to pay for any costs incurred in the preparation and submission of a proposal or negotiations for or in anticipation of any contract. The Borough reserves the right at its sole discretion: to make selections, to reject any or all submissions, to issue subsequent RFPs, to remedy technical errors in the RFP process, and to enter into a contract with one or more contractors for the provision of any, all, or some of the services described herein.

The Borough reserves the right to reject any and all submittals, to waive any informalities or technicalities, and to negotiate with any responder to this RFP it deems to be the best qualified.

A Haines Business License is required prior to contract award.

Background

The existing Haines Borough Public Safety Building is a two-story, wood-framed structure constructed under an apparent design-build construction and according to plans dated June 1977. The building houses the Haines fire/ambulance and police departments. A PND Engineers, Inc. structural assessment completed in January 2013 noted the exterior plywood siding of the building is "very wet" and "sheathing was wet on the interior surface … moisture readings at nearly all locations that readings were taken were between 30 and 50 percent." The assessment noted the "siding will likely deteriorate and fail in the next 5 years. Failure will likely include deterioration of framing at windows and doors and places where there are discontinuities in the siding."

Services to be Provided

- The selected contractor(s) shall prepare fully-engineered, stamped designs, bid documents, a bid schedule and cost estimates for Public Safety Building siding, windows and doors, as well as an ADA-accessible restroom adjacent to the Assembly Chambers.

- Siding designs shall specify metal siding with wood accents for aesthetic appeal and include moisture control and roof drainage.

- The specified windows and doors shall be upgraded for energy efficiency.

- The ADA-accessible restroom shall be incorporated into designs for a boxed-in porch to be retrofitted into a restroom in a new entryway.

All designs should address the following priorities: Appearance, cost effectiveness, energy efficiency, maximum life expectancy, and moisture control.

Required Proposal Contents

1. Letter of Transmittal.

2. Description of how the contractor(s) will evaluate community and Borough needs and tailor designs to meet these needs.

3. Description of the design team and its ability to meet the above needs.

4. Overall timeline and completion date for designs. **Contractor shall provide one conceptual drawing with the proposal**.

5. Qualification Statement (see below).

Qualification Statement Contents

Qualification statements must contain responses corresponding to each numbered item identified in the below list at a minimum.

1) Contractor name (or names if joint effort) and applicable licenses.

2) The number of years the contractor has been in business and a brief history of the firm.

3) Experience with similar projects, including ability to deliver cost-effective solutions.

4) Past record of performance on similar contracts including quality of work, timeliness and cost control. Provide names and telephone numbers of five other client contacts for reference purposes.

5) Description of contractor's experience working with communities similar in size and character to the Haines Borough.

Evaluation and Selection Process

Responses to the RFP will be evaluated and ranked by a committee. Each member of the committee will independently score the proposals. Once all proposals have been given a ranking, the committee will come together and discuss results. If the committee has a clear leader, it may declare a successful proposer and forward the recommendation to the Borough Manager. If a winning proposer is not immediately identified, the committee reserves the right to perform oral interviews. Final selection of a proposer would then be made after oral interviews of the top applicant(s) and an agreed upon schedule of fees and timeline. Please note cost will not be part of the initial selection process. If a design firm is selected and negotiations reveal it needs more funding than is available, the selection committee will terminate negotiation and move on to another design firm.

Scoring for the selection process will be based on the following criteria (100 points total):

1) Firm's Overall Qualifications and Experience (20 points)
    - The experience and qualifications of the contractor and the personnel to be assigned to this project.

2) Past Performance (20 points)
    - The contractor's performance on past Haines Borough projects, performance with similar communities and projects, and/or performance with private industry. Performance will be evaluated according to the applicant's past ability to meet project deadlines, budget restrictions, quality of job completed, and overall customer satisfaction.

3) Draft Scope of Work (20 points)
    - Methodology to complete and present designs to the Director of Public Facilities and/or Borough Manager at these stages: conceptual, 35 percent, 65 percent, 95 percent, and final.

4) Quality of Proposal (20 points)
    - Proposal should be clear, with all required information outlined in this RFP (**including one conceptual drawing**). Proposal should be responsive to the needs of the project and be well informed.

5) Capacity of the Firm (13 points)
    - The proposer's ability to perform the desired services based on current workload, number and type of employees, and outside contractors proposed to complete needed tasks.

6) Local Proposer Points (7 points)
    - Firms with offices that reside in the Borough will be awarded an additional 7 points. The proposal will either be awarded all or none of the local proposer points, based on whether this qualification is met.

Proposal for Professional Design Services

HAINES PUBLIC SAFETY BUILDING EXTERIOR UPGRADES

MRV Architects, PC
1420 Glacier Ave. #101 Juneau, AK 99801
907.586.1371 paul@mrvarchitects.com
CONTACT: Paul Voelckers, President

1. Letter of Transmittal

August 18, 2017

MRV Architects and our team are very pleased to submit this proposal for design services. We have a long history of working with the Haines Borough generally and on the Public Safety Building in particular. The building, centrally located and heavily used, has long been in need of some attention. We would be excited to assist the Borough in improving and protecting this community asset.

In the past, we have successfully teamed with the Haines Borough on several similar projects. Our work on the Haines Administrative Building in 2014 in particular offers a good example of how our process meshes with the local needs and abilities. On this project, we worked with the Public Works Director to design exterior upgrades which both eliminated the problematic flat roof as well as gave a new look to the front of this facility. We worked directly with local contractors during the design process to make certain the scope matched local resources and needs. The completed project was well within the anticipated budget. We were able to provide clear documentation so the construction could be administered by Borough personnel, eliminating the need for expensive site visits by the architectural team.

For this project, MRV is teaming with Jeremy Stevens of proHNS, LLC. Jeremy will assist with project requirements which require a local presence, helping to decrease the expense of the investigative and construction administration. We believe that proHNS's construction experience, combined with MRV's long history of designing similar architectural projects, will provide a high-quality, cost-effective solution.

MRV has many recent projects of a similar scope to the exterior work being proposed for the Public Safety Building. We have found that exterior upgrades—including metal siding and new window systems—are a way to both greatly increase the longevity of buildings in our SE marine climate as well as create a dramatic new look to older public facilities. We look forward to bringing our experience with techniques and materials to help the Borough provide an entirely new and upgraded look to this vital building, and to do so in a cost-effective manner.

Sincerely,

Paul Voelckers, AIA
President, MRV Architects

Contact: paul@mrvarchitects.com; 907-586-1371

2. Evaluate and Address Needs

Local Experience. MRV has a long history of working on Haines projects, including the Library, Administration Building Exterior, Haines Assisted Living Center, Haines Senior Apartments, and the Wayfinding Signage project. We believe that our history with the Borough gives us a good general understanding of the town, politics, and people which will form the basis of our design work. Teaming with the folks at proHNS will give us further insight into local needs.

Petersburg Muni Building Color Options

Public Presentations. We are available for as many public presentations and meetings as desired to address community questions and concerns. After watching some of the difficulties other recent projects had in the Borough, we believe that clearly communicating the project to the public throughout the process will be key. As shown by the attached conceptual renderings, we can easily show many different options, including mock-ups of the materials and colors, to help people visualize the project.

Option Evaluation. In addition to providing many options and ideas, we understand it will be critical to make the design decisions swiftly. We can provide clear, graphic representation of the decisions to be made as well as the cost implications so that the Haines Project Team can quickly and accurately decide between options.

Progress Meetings. We understand that this project will work on a much faster timeline than some of our recent other projects in the Borough. We will schedule regular progress meetings with the Public Works Director and other personnel to ensure the project is progressing as desired.

Right Fit. We will work diligently to ensure the Public Safety Building project is appropriate for the Haines Borough. The look of the completed project, as well as the process itself, must be a good match for the community. We will work with local contractors during the design process to ensure the techniques and materials match the resources of the available workforce. This informal conversation during the design process will also ensure the project remains on-budget when the project is formally bid and awarded.

3. Design Team and Ability

MRV Architects, PC will be the prime contractor and the architect for the project. The firm currently is operating well under capacity, with several employees operating at reduced schedules because of the low workload. We are actively looking for large new design projects.

The lead architect for the project will be Corey Wall, AIA. Corey has been the lead architect on many projects of similar scope including: Haines Administrative Building Exterior, Auke Bay Fire Station Exterior, Petersburg Municipal Building Renovation, Haines Borough Public Library Addition, Haines Wayfinding Signage, and UAS Mourant Window Replacements.

The Partner-In-Charge for the project is Paul Voelckers, AIA the President of MRV Architects. Paul has extensive experience with projects of similar scope, including: Haines Assisted Living Center, Haines Borough Public Library, Harborview Elementary Renovation, and several personal development projects which included exterior envelope upgrades.

ProHNS, LLC will provide a local presence, with a focus on building survey, construction inspection and administrative services. ProHNS was specifically created to fill a professional void in the Haines community and partner Jeremy Stevens, PE, is excited to work with the Borough in any capacity required.

PND Engineers, Inc. will provide structural engineering services as required for the project. Chris Gianotti, PE, performed the structural analysis for the Public Safety Building in 2013 and will be a valuable resource if structural modifications are required.

Haight & Associates, Inc. will provide electrical and lighting design services as required. Ben Haight, PE, is currently providing design services for the Library addition project in Haines and will be able to economically provide limited electrical design services for this project concurrently.

Haines Senior Housing

4. Proposed Timeline

The MRV team will be pleased to work with the Haines Project Team to develop a project timeline which reflects Borough needs. The following is a suggested timeline which will allow the project to be bid for construction next summer while also providing the opportunity for several public presentations and meetings.

Design Team Selected and Contract Signed — September 1

Teleconference to Discuss Initial Conceptual Design — September 8

Conceptual Document Presentation (3 weeks) — September 28

This meeting would likely have 2 or more design for discussion in a public setting. The goal of the meeting would be to determine a single design direction for the project. The presentations would include renderings of the exterior and some physical samples of the recommended products.

35% Presentation (2 weeks) — October 12

Given that the Conceptual Presentations will already be modelled accurately, the 35% documentation will follow fairly quickly. This presentation will be of all sides of the building and will include a rough budget. Since the public will just have seen the drawings, this meeting could be a teleconference with drawings and renderings available for display in Haines.

65% Presentation (7 weeks, including Thanksgiving) — November 30

The 65% documentation will include some details and rough outline specifications. The budget will be refined, allowing the project team to refine the scope of the project through moving some items to alternates, or even expanding the scope. The presentation will be in Haines, giving the public one final opportunity to comment on the direction of the project before design documentation is completed.

95% Presentation (8 weeks, including Christmas) — January 25, 2018

The 95% documentation will be almost complete with full details and specifications. The renderings will be updated if required, but it is hoped that the look of the project will be very similar to the 65% level. To save expenses, the team could present the project via teleconference with the full documents available for review by the Haines Project Team.

Final Presentation (3 weeks) — February 15

The construction documents will be finalized, including any modifications required by the Haines Project Team. The project will now be bid-ready. The design team will be available to present the project publicly as desired.

Bidding and Construction

Project Advertised	March 1
Construction Bids Accepted (4 weeks)	March 29
NTP, Contract Signed (2 weeks)	April 12
Construction Begins	April 26
Construction Substantially Complete (4 months)	August 23
Final Inspection (1 month)	September 20

5. Qualification Statement

5 A & B. Contractor Name and Brief Frim History

MRV Architects, PC (architects, prime contractor) is a Juneau-based architectural practice. We are one of the oldest architectural practices in the State, with professional incorporation in 1954. Paul Voelckers became a partner in 1989, and principal owner in 2012. Corey Wall joined the firm in October 1997 working on the original Haines Borough Public Library as his first project. Our portfolio of work crosses the State, with an emphasis on projects in maritime or coastal Alaska, from Ketchikan to Kodiak.

MRV Architects' project types span a broad range, including housing, schools, libraries, museums, offices, visitor facilities, and master planning. Our practice is stable and mid-sized, varying slightly depending on work load. We have designed and delivered many notable projects in Southeast Alaska, such as the Walter Soboleff Center and Thunder Mountain High School. Our staff currently numbers seven, with three registered architects. Our modern offices in Juneau include the most current design and production capabilities, and show-case our environmental and energy-efficiency skills as the first LEED-certified private sector project in Alaska, earning LEED-Silver.

MRV has strong working experience in Haines. Previous projects include the Haines Borough Public Library, Administration Building Exterior, Haines Assisted Living Center, and the Wayfinding Signage project. MRV designed the re-roof project for the Haines Public Safety Building in 2001. MRV is currently working with the Borough on the Library Addition and Expansion project.

ProHNS, LLC (local consultant, inspection and CA services) was established in 2015 to fill a professional void in Southeast Alaska. The firm is a small yet versatile consulting firm committed to performing work that improves local communities. proHNS staff have worked throughout Alaska providing engineering, design, inspection, permitting, and contract administration services. proHNS is a burgeoning firm that has quickly built a reputation throughout Southeast Alaska for being responsive, knowledgeable, and innovative in our problem-solving.

The company was founded by two former Alaska Department of Transportation and Public Facilities employees and professional engineers: Garret K. Gladsjo and Jeremy L. Stephens. For the past decade, Garret has administered construction contracts for federal, state, and municipal projects, managed and trained project staff, performed design engineering, prepared contract documents, and navigated the complex relationships between members of the public, government agencies, and private industry. Jeremy is a veteran of the U.S. Navy who spent five years working as a Project Engineer for the Alaska Department of Transportation and Public Facilities before founding proHNS in 2015. His seamless communication skills and easy rapport with clients has earned him high praise, and his experience leading teams of different sizes and facets of technical disciplines has consistently ensured successful project completion.

The firm's experience in design and construction work has led them to appreciate how resource availability and Southeast Alaska logistics affect the cost of a project. They are therefore committed to using local products as much as possible, reducing the cost of shipping and handling when procured from out of town. Shopping local keeps money circulating through your community, pumping economic vitality not just through the construction and engineering industries, but throughout the municipality or borough.

5 A & B. Contractor Name and Brief Frim History (cont'd)

PND Engineers, Inc. (structural engineer) is a multi-discipline engineering firm with offices in Anchorage and Juneau founded in 1979. Headed by partner Chris Gianotti, the Juneau-based structural engineering team has provided designs for the Haines Senior Housing, Haines Veteran's Housing (McCrea Sobeloff Building), and many other projects. Chris completed the structural analysis of the Haines Public Safety Building in 2013.

Haight & Associates, Inc. is a Juneau-based electrical engineering firm. The firm has been serving Juneau, Southeast Alaska, and Alaska for the past 35 years with design and construction services. Haight & Associates currently employs an exceptional full-time staff of seven, including two Professional Engineer, two Engineers, one Drafter, one Lighting Designer and one Administrative Assistant. The firm is currently working on the Haines Library Addition and Expansion project.

5 C, D & E Past Performance

MRV has developed a particular expertise with renovation projects which include envelope upgrades with new metal siding and window systems. Working on many of these large public projects—such as the 160,000sf Juneau-Douglas High School Renovation—has allowed us to explore ways to provide exteriors which provide 50+ year lifespans at reasonable initial cost. One of the most satisfying aspects of these projects is the way an exterior upgrade can completely transform the appearance of the building, and therefore the public's perception of the building. We have found that a comprehensive envelope upgrade can often transform an eyesore into a project that creates civic pride.

The following pages detail a few relevant examples.

Auke Bay Fire Station Exterior Upgrade

Contact: Steve Tada, CBJ Architect Associate 586-0894

This project was a comprehensive residing and re-roofing project of a stand-alone fire station in Juneau. The existing building had low-grade wood siding with significant weathering and degradation. Project highlights included:

- All new metal siding
- A masonry wainscot to protect the siding at grade from snow-removal and other possible damage
- Unit costs in the bid to help deal with potential rot discovered during the construction process.
- The project was designed rapidly to allow for construction to proceed during the summer.
- The building was occupied during construction, with access to emergency equipment unimpeded.
- The project finished under budget in spite of extensive rot and carpenter ant damage discovered during construction.

Before

Before, water damage and rot

After

Petersburg Municipal Building Renovation

Contact: Stephen Giesbrecht, Borough Manager, 722-5402

The project was a comprehensive renovation of a 1950s Police Station and Municipal Offices which retained little but the structural frame and exterior wall framing. Project highlights included:

- New entry and public restrooms, including creation of a small lobby
- Envelope upgrades, including new continuous rigid insulation and weather barriers over the old exterior wall system.
- New metal siding, including color options which reflect the community's Nordic heritage.
- Use of CMU wainscot in select areas to protect the metal siding at grade.
- Use of phenolic resin panels to provide a wood look under the canopies while eliminating maintenances associated with exterior wood.
- This complicated project was bid 10% under budget.

Before

After

Assembly Chambers Before

Assembly Chambers After

Phenolic Resin Panels provide warm wood look and low maintanance

CMU used to protect metal siding at entries

Haines Borough Administration Exterior

Contact: Carlos Jimenez, Former Public Works Director, 360-756-1000

On this project, we worked with the Public Works Director to design exterior upgrades for a small construction scope with a big visual impact. Highlights included:

- New roof extension which eliminated the problematic flat roof
- New, symmetrical appearance to building
- We worked directly with local contractors during the design process to make certain the scope matched local resources and needs.
- The completed project was well within the anticipated budget.
- Clear design documentation allowed construction to be administered by Borough personnel

Before

After

917 Building

This project was a private development done by MRV President Paul Voelckers. Designing this comprehensive renovation of a wood-clad warehouse as a personal project gave us a unique perspective on the importance of maximizing visual impact while minimizing construction costs. Project highlights included:

- All new metal siding over degraded wood exterior walls.
- New windows and door systems
- Limited use of wood in protected areas to provide warmth while minimizing maintenance.

Before

After

UAS Mourant Window Replacement

Contact: Nathan Leigh, Director of UAS Facilities 796-6487

This project replaced the windows in the existing UAS cafeteria with a new fiberglass window system. The project was designed on a rapid construction schedule so work could be completed before students arrived on campus this fall. The focus was on providing maximum visual impact and high-energy performance.

Additional Experience

MRV and our team have worked extensively throughout all the communities of SE Alaska. We have worked extensively in Skagway, Sitka, Hoonah, Petersburg, Cordova as well as Haines over our 60 year history.

Some additional references include:
Patricia Brown, Haines Borough Public Library Director 766-2545
Cathy Sherman, Cordova Museum Director 424-6665

Haines Municipal Building Proposal Concept

Obviously it is difficult to offer a design solution without discussing the project directly with the local Project Team! However, MRV has developed a design concept which we hope will show our sensitivity to the project and locality. We hope this will be a good starting point for future design discussions with the community and Borough.

Some design highlights include:
- Metal siding for the majority of the building which provides a low-maintenance, 50+ year life span. The color and profile of the siding panels will compliment other Borough buildings.
- Phenolic resin panels create a strong wood appearance while eliminating maintenance issues associated with wood siding in our climate.
- Limited wood use as structural elements under canopies for visual impact
- CMU or masonry at grade to protect the siding where required.
- Fiberglass windows maximize interior light while lowering energy and maintenance costs.
- A new, welcoming entry to the Assembly Chambers

HAINES PUBLIC SAFETY BUILDING - PROPOSAL CONCEPT

MRV ARCHITECTS
1420 GLACIER AVENUE #101
JUNEAU, ALASKA 99801
907-586-1371
mrv@mrvarchitects.com

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POLICE SERVICE OUTSIDE THE TOWNSITE
PROPOSED ACTION

Direct chief Heath Scott that the Haines Borough Police Department will respond as lead agency to emergency calls outside the townsite ONLY when the wildlife trooper is not available, ONLY on a direct request from the wildlife trooper or trooper dispatch, and ONLY to "actions by people that pose an imminent threat to human life."*

The mutual-aid agreement between troopers and HBPD will remain, i.e. HBPD agrees to assist troopers on specific calls, as requested by the wildlife trooper or trooper dispatch. The routing of routine calls from outside the townsite to HBPD will end. Borough staff will discontinue work on a ballot question aimed at providing police service outside the townsite.

This proposed restriction will allow for a police response in rare emergencies where something other than an ambulance or firetruck is needed immediately outside the townsite and a trooper response is not available. (The borough already provides ambulance and fire service outside the townsite.)

This action is based on the following:

1) The area outside the townsite is currently the trooper jurisdiction of the State of Alaska and the wildlife trooper has said he will respond to emergencies, when available.

2) Highway residents are generally in opposition to service by HBPD. Many residents have chosen to live outside the townsite because they prefer to pay lower taxes, to live with minimal government interference, and to resolve issues on their own. Residents who’ve expressed interest in emergency police service also have said they’re unwilling to pay more in taxes for it.

3) Service outside the townsite will cost the borough additional money.

4) The borough has made no concerted effort to lobby state legislators for return of a “blue-shirt” trooper here.

5) Borough police already have their hands full with crime in the townsite. (Examples: Charges have yet to be filed on the break-in at the medical clinic last spring, and on the $40,000 hit-and-run at Delta Western in July.) Without hiring more officers, highway service *will necessarily* diminish police service inside the townsite and may cost townsite taxpayers more money or a reduction in other services.

6) A good portion of police service inside the townsite already is being paid for with SAVINGS. (The assembly's decision in May to fund a fifth officer ($120,000) and add additional overtime and standby time ($30,000) is coming directly from savings ($150,000). Whether this is sustainable, financially or politically, hasn't been proven.

Purpose: The purpose of this MOU is to describe the relationship between Haines Borough and Haines Economic Development Corporation (the Parties) in achieving community economic development goals.

WHEREAS,

Haines Economic Development Corporation (HEDC) is a private non-profit corporation with the goal of realizing economic development in the Haines Borough through research, strategic planning and community engagement; and

WHEREAS,

Haines Borough is a home-rule government of the people residing therein, with all the authority to act and express powers not explicitly prohibited by the State of Alaska or federal law; and

WHEREAS,

The citizens of Haines Borough currently levy a tax on sales within its jurisdiction for the purpose of generating revenue to fund economic development; and Haines Borough has established Fund 23 for the management of those funds collected; and

WHEREAS,

Through a scheduled public planning process Haines Borough produces a Comprehensive Plan that outlines economic development goals, objectives and strategies designed to spur economic development; and

WHEREAS,

The Parties believe that a public-private partnership will provide efficient, responsive and effective delivery of public economic development goals;

NOW, THEREFORE, the Parties agree as follows:

1. **HEDC Responsibilities**
    a. **Public Trust.** HEDC is responsible to the public for administration of funds granted by Haines Borough.
    b. **Deliverables.** Within six months of employing program staff HEDC will publish in report form a data-driven description of the local economy to provide the base line for measuring the effectiveness of programs undertaken in the course of this partnership. On or before August 31, 2018 HEDC will publish a 1 year action plan and a 5 year action plan based on needs identified through research and selected goals identified in the Haines Borough Comprehensive Plan.
    c. **Reporting.** (1) HEDC will report quarterly to the public through the Haines Borough Assembly at public meetings in December, March, June and September. Quarterly reports will summarize the work on all projects undertaken to date and note any concerns or needs that HEDC has identified. (2) A consolidated report describing the

progress in realizing goals set for the annual period, the expenditures made and the financial standing of HEDC will be submitted to the public through the Assembly by August 31, 2018.

d. **Nature of the Partnership**. HEDC will maintain a partnership with Haines Borough; will protect the relationship with openness and inclusivity in communicating information relevant to program design, development and achievement of economic goals regardless of program funding sources.

2. Haines Borough Responsibilities

a. **Funding**. The Haines Borough commits $95,000 for the term of this agreement, payable in four equal payments of $23,750, the first being payable within 15 days of signature of this MOU by both parties; thereafter December 1, 2017, March 1, 2018 and June 1, 2018. Haines Borough may fund the budget through this MOU, but does not approve the budget.

b. Nature of the Partnership. Haines Borough will maintain a partnership with HEDC; will protect the relationship with openness and inclusivity in communicating information relevant to achievement of economic goals. HEDC is not a component unit of Haines Borough, as it maintains independence in governance.

c. Participation in Governance. The Mayor of the Haines Borough, the President of Chilkoot Indian Association or its designee and the Haines Borough Planner shall serve as ex-officio members of the HEDC Board. Management of HEDC is the sole responsibility of HEDC.

d. Program Evaluation. The parties shall participate in an evaluation of program outcomes as needed, but at least during presentation of the annual consolidated report. Evaluation may take the form of discussion within the Haines Borough budget cycle in response to a request for funding a proposed annual budget.

3. General Provisions

a. **Contingencies**. The confirmation of this MOU by authorized signature is contingent upon HEDC providing documentation by means of attachment to this MOU evidence of legal standing as a valid corporation registered with the State of Alaska and a business licensed in the Haines Borough.

b. **Term.** The term of this MOU is twelve months beginning September 1, 2017 and ending August 31, 2018. It may be renewed and/or amended by mutual agreement of both parties; renewals shall describe progressive responsibilities of the Parties.

c. **Availability of Funds**. This agreement and any renewals are contingent on appropriation of funds as determined by formal action of the Haines Borough Assembly.

d. **Laws.** This MOU and the programs implemented by its authority are governed by the Code of the Haines Borough, the laws of the state of Alaska and the laws of the United States of America.

e. **Notices and Meetings.** All notices pertaining to or required by the MOU will be in writing and delivered by email or public posting within three business days. Meetings of the HEDC Board are subject to Open Meetings Act of the State of Alaska.

f. **Entire Agreement**. This MOU constitutes the entire agreement and understanding between the Parties and replaces in its entirely any prior discussion, negotiation, agreements or other arrangements in relation to the subject matter. No amendment or modification shall be valid or binding unless made in writing and signed by authorized representatives of both parties.

4. Authorized Signatures.

Haines Economic Development Corporation	**Haines Borough**
PO Box 1449	**PO Box 1209**
Kyle Gray, President	**Debra J. Schnabel, Manager**
kgray@FNBAlaska.com	**dschnabel@haines.ak.us**

7) Funding the police department at CURRENT levels – much less servicing the highway – is likely to soon force townsite taxes to go up or to make townsite services go down to cover additional cost.

8) Police protection is a government service, not a right. Governments provide police service in different areas and to differing degrees, at the request of citizens. (The Haines Borough, prior to government consolidation in 2002, provided no police service.)

*For clarity, this is not a 911 call that, "A tree has fallen across the highway." This is also not, "A tree has fallen on my house." This is not, "My neighbor cut down my tree." This is also not, "My neighbor threatened to fall a tree on my house." This is, "My neighbor is chasing me with a log, attempting to bash me."

Webster's New World Diction describes imminent to mean: "likely to happen without delay; impending; threatening"

11C4

Debra Schnabel

From: Brad Ryan
Sent: Thursday, September 21, 2017 11:28 AM
To: Debra Schnabel
Subject: Mud Bay Spring

Debra

I understand Tom wants the borough to test the water at Mud Bay and publish the results. I was going to do exactly that when I worked for Chilkoot under the IGAP program. When I called the EPA coordinator they told me that the Mud Bay Spring is not a spring but surface water and if we tested it the test would only be good for that time and could be contaminated by animals or humans directly after the test. This could lead us to misleading people that the water was safe to drink and then getting people sick. It would also make us liable for the water source. I just had a similar conversation with Scott Forgue from ADEC and he confirmed this sentiment. Finally Scott Forgue recommended his boss Cindy Christian could potentially offer an official statement from DEC and I have a call into her. Below is Cindy Christian's comment from the KHNS story.

will report on 9/26

"Cindy Christian, a drinking water specialist with the Alaska Department of Environmental Conservation, says she would recommend boiling the water if it's going to be consumed"

Brad A. Ryan
(907) 314-0648
bryan@haines.ak.us
Director of Public Facilities

Debra Schnabel

From: Brooks Chandler [BChandler@bcfaklaw.com]
Sent: Thursday, September 21, 2017 1:42 PM
To: Julie Cozzi
Cc: Debra Schnabel
Subject: RE: Mud Bay Water "spring"

Greetings Julie:

This is not ringing any bells for me. It is generally true that anything the Borough does we should do in a non-negligent manner. So, for example, if we start testing water we need to properly do the sampling and testing. But it would be a stretch IMO to say that because we test the water the Borough then assumes responsibility for the quality of the water we are testing.

Who owns the property that contains the spring?

I will spend no more than 30 minutes on a search of our files and report back.

Brooks Chandler
Boyd, Chandler & Falconer LLP
911 W. 8th Ave.
Suite 302
Anchorage, AK
907-272-8401

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Brooks Chandler
Boyd, Chandler & Falconer LLP
911 W. 8th Ave.
Suite 302
Anchorage, AK
907-272-8401

11C5

Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 17-705
Assembly Meeting Date: 9/26/17

Business Item Description:	**Attachments:**
Subject: Designate Haines Borough Parks and establish definitions and regulations.	1. Ordinance 17-01-448 2. PC 9/7/17 Action Request 3. Memo from the Clerk 7/1/16 4. Draft Ordinance 11-10-275
Originator: Planning Comission/PRAC	
Originating Department:	
Date Submitted: 11/10/16	

Full Title / Motion:

Motion: Schedule a third public hearing for 10/10/17.
Motion: Withdraw Ordinance 11-10-275 from consideration.

Administrative Recommendation:

Schedule a third public hearing then adopt Ordinance 17-01-448

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
$	$	$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: ☐Yes ☐No

History:

This ordinance has been a long time in coming. It was first raised by staff and introduced by the assembly on July 25, 2011 as Ordinance 11-10-275. At the time, the borough manager indicated that he would make some suggested amendments and bring them to the next meeting. At its first public hearing 11/15/11, the matter was postponed to the 1/10/12 meeting during approval of the agenda. At the 1/10/12 assembly meeting, Ordinance 11-10-275 was removed from the agenda and referred to the Planning Commission. The matter appears on the Planning Commission's 1/19/12 agenda but it was, apparently, never addressed at that meeting.

The next mention of the Ordinance was on the Planning Commission's 11/8/12 minutes where they postponed discussion of the matter until they heard back from PRAC. (It appears that this was referred to both PRAC and the Planning Commission).

PRAC underwent a major code change in 2011. The Ordinance appears to have been dropped.

The matter re-appears in the 4/20/16 PRAC Minutes as an item that needs research.

Similarly, the item appears on the Planning Commission's 6/19/16 Agenda. The Borough Clerk wrote a memo to the Planning Commission on July 1, 2016 regarding the Ordinance. A sub-committee of planning commissioners and PRAC members was formed for the purpose of drafting "Parks" legislation.

As a result of the PRAC/PC subcommittee, a new Parks ordinance was drafted. PRAC's 10/19/16 minutes suggested that the proposed ordinance should now go back to the planning commission.

The Planning Commission considered the Ordinance on November 10, 2016, made an additional change and referred it to the Assembly.

On 1/10/17, Ordinance 17-01-448 was introduced. It had its first public hearing 1/16/17. At its second public hearing on 2/14/17 it was re-referred to PRAC.

On 3/2/17 PRAC reviewed the ordinance, accepted proposed changes from staff, and made some additional changes. On 4/3/17 PRAC voted to refer the Ordinance to the Planning Commission.

On 9/7/17 the Planning Commission made further changes and recommended that the assembly adopt their proposed ordinance.

Staff has made a suggested change from the Planning Commission's draft. Since one of the requirement for the Picture Point federal grant was that the park have its own rules and chapter, it is suggested that we NOT move that park into 12.30 but leave it as its own chapter. We have, however, added the description to the title that it is referring to the Picture Point (Tidelands) as opposed to the Picture Point Uplands referred to in 12.30.020B.

If this ordinance passes, another will be drafted to add the penalty to the minor offenses table in Section 1.24.

Referral:

Sent to:PRAC, Planning Commission		Date:
Recommendation: Adopt	Refer to:	Meeting Date:

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 1/26/17,
Meeting Date(s):See above.	2/14/17,9/20/17

HAINES BOROUGH, ALASKA
ORDINANCE No. 17-01-448 **Draft**

An Ordinance of the Haines Borough amending Haines Borough Code Title 12 to designate Haines Borough parks and establish definitions and regulations.

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 12. Title 12: Streets, Sidewalks, and Public Places of the Haines Borough Code is hereby amended to add a new chapter, as follows:

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

Title 12: Parks, Streets, Sidewalks, and Public Places

Chapters
12.04 Street Grades
12.08 Road and Sidewalk Construction, Maintenance, and Repair
12.10 Driveways
12.12 Building Numbering System
12.16 Street and Sidewalk Use Restrictions
12.20 Street Lights
12.30 Parks
12.40 Picture Point Park **(Tidelands)**
12.50 Chilkat River Beaches Recreational Zone.

Chapter 12.30
PARKS

Sections:
12.30.010 Definitions
12.30.020 Borough Parks
12.30.030 Regulations

12.30.010 Definitions.

"Park" is a park, reservation, playground, beach, recreation area, scenic area, or any other area of the borough, owned or controlled by the borough, and devoted to active or passive recreation.

"Camping" is the presence of any person sleeping in any motor vehicle or camper unit between the hours of midnight and 6am, or sleeping on the ground, with or without any shelter, sleeping pad, etc. between the hours of midnight and 6am on any land owned or controlled by the borough.

12.30.020 Borough Parks.

The following properties are designated as Haines Borough Parks:

A. Tlingit Park: Plat 2006-16, Lot 1, 3.93 Acres.

~~**B. Tlingit Park Playground.**~~

B. Picture Point Park Uplands: Lot 4, Nukdik Point View Sub. Plat 2013-5, 4.55 acres.

C. Picture Point Park ~~Uplands~~ Tidelands (See Section 12.30.040).

D. Lookout Park: Block Q, Mission Subdivision, 0.64 acres

E. Oslund Park (ballfields and skate park): Lot 6 USS 785, 4.9 acres

F. Emerson Field Park: T28S, R55E, S26, Tract A. 3-MLR-00-0900, 5.34 acres

G. George Mark Park: A southern portion of Lot 1 Block 3 in the Haines Townsite, adjoining Main Street and Third Ave, from which the Point of Beginning is the Southeast property corner of lot 1, where the width of the lot is 49 feet and the length is 33 feet, containing 0.037 acres more or less.

H. Library Totem Park (Ax' Shtudatoowu Daaka Hidi): Lot 6,7,8 Block 6. C-MIS-06-0100, .54 acres,

I. ~~Tanani Point Park~~.

~~**J. Chilkat River Beaches Recreation Area.**~~

~~K~~. I. Carr's Cove Park: Lots 1,2,3 of Carr's Cove Subdivision, 4.11 acres

~~L~~.J.Skyline Park: Lot 15 Block C Skyline Subdivision, 1.4 acres

~~M~~K. Overlook Park: Lot 13 Block B Skyline Subdivision, 2.3 acres

~~**N. Portage Cove Park.**~~

12.30.030 Regulations

A. Camping is prohibited except during special events approved by the Borough Manager.

B. Camp fires may only be made in fire rings provided by the borough.

C. Cutting standing trees, either live or dead, is prohibited.

A violation of these regulations shall be considered a minor offense and is punishable by a fine set forth in HBC 1.24.040.

Section 5. Amendment HBC12.40. HBC 12.40 hereby amended to change the title ONLY as follows:

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

12.40 Picture Point Park (Tidelands)

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2016.

_____
TBD, Mayor

ATTEST:

_____
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 1/10/17
Date of First Public Hearing: 1/26/17
Date of Second Public Hearing: 2/14/17
Date of Third Public Hearing: 10/10/17

Haines Borough

BOROUGH ASSEMBLY ACTION REQUEST

DATE: 9/7/2017

TO: Borough Assembly

FROM: The Haines Planning Commission

PLANNING COMMISSION ACTION:

Motion: **Turner** moved to recommend the Assembly adopt the draft ordinance as amended. **Miller** seconded and the motion passed unanimously.

RATIONALE:

From September 7, 2017 draft planning commission minutes:
Draft Ordinance - Parks Code (HBC 12). **Smith** presented the new draft, noting the removal of Chilkat River Beaches Recreational Area (state-owned) and a corrected legal description for Picture Point Park Uplands. Norm **Hughes** noted that the ordinance seemed incomplete. He believed the ordinance should include definitions (e.g. "firewood," "dog poop"), violations for unattended dog poop, restrictions on burning pallets, and a description of Lookout Park that meets the new Portage Cove Harbor design plans. Commissioners made the following changes to the ordinance:

- Add 'Picture Point Park Tidelands' to HBC 18.30.040 title.
- Add 'A violation of these regulations shall be considered a minor offense and is punishable by a fine set forth in HBC 1.24.040.' to HBC 12.30.030.
- Correct 12.30.040 A: "Property" means that area of tidelands and submerged lands located at Picture Point owned by the borough, whose legal description in code is:'...

Motion: **Turner** moved to recommend the Assembly adopt the draft ordinance as amended. **Miller** seconded and the motion passed unanimously.

From November 10, 2016 approved Planning Commission minutes:
A. Parks Code Definitions

Motion: **Josephson** moved to amend Section 12.30.030(C) to say: Cutting standing trees, either live or dead, is prohibited. **Turner** seconded and the motion carried unanimously.

Motion: **Turner** moved to recommend the assembly adopt the draft Parks ordinance as amended. **Miller** seconded and the motion carried unanimously.

PLANNING COMMISSION REQUEST:

Adopt the draft Parks ordinance as amended.

SUBMITTED BY _____ (signature)

Rob Goldberg
Planning Commission Chair

Memo from the Clerk

Date: July 1, 2016
To: Planning Commission
Cc: Borough Manager
From: Julie Cozzi, MMC, Borough Clerk
Re: Draft Ordinance to Add General Park Governance to Code

In looking for guidance in the code for the Picture Point Park ordinance (11-10-274), the borough manager at the time, Mark Earnest, noted there was no general provision in code governing borough parks. Therefore, Ordinance 11-10-275 was drafted to address that deficiency and was introduced during the 10/25/11 assembly meeting. During a brief discussion, the assembly expressed a general support for the idea.

The first public hearing was originally scheduled for 11/15/11 but was rescheduled to 1/10/12 to provide the planning commission (PC) with an opportunity to review and comment. The PC ended up delaying their review until their 1/19/12 meeting, therefore, on 1/10/12 staff recommended the first public hearing be rescheduled for the first assembly meeting in February when the PC comments were most likely to be available.

The borough attorney had proposed amendments to the current draft, and they were outlined to the assembly in a memo from the clerk. Staff recommended those amendments be made prior to a hearing. No amendments were made, and no hearings were held. The expectation seemed to be that those would happen after the PC's recommendations were received.

On 1/19/12, even though it was on the published PC agenda, this ordinance did not get discussed by the commission. If I recall correctly, Mr. Earnest put the ordinance on hold. The reason(s) have not been ascertainable.

It is my understanding the PC is ready to take this topic up again in response to a request from the Parks & Recreation Advisory Committee. Hence, this memo has been prepared to provide some background on previous efforts.

Memo Attachments:

Draft Ordinance 11-10-275

Memo from the Clerk re. Attorney-Recommended Amendments

HAINES BOROUGH, ALASKA
ORDINANCE No. 11-10-275 **Draft**

An Ordinance of the Haines Borough adding Haines Borough Code Title 12 Chapter 12.30 to generally provide for the governance of borough parks.

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. Purpose. This ordinance adds Title 12 Chapter 12.30 to generally provide for the governance of borough parks. The code is amended as follows:

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

Chapter 12.30
PARKS

Sections:

12.30.010 Definitions
12.30.010 Park policy
12.30.010 Park regulations
12.30.010 Prohibited acts

12.30.010 DEFINITIONS.

A. "Park," as used in this chapter, includes any park, playground or water under the jurisdiction of the borough.

B. "Refuse," as used in this chapter, means waste paper, cans, bottles, glass, scrap, picnic refuse, garbage and other waste matter.

12.30.020 PARK POLICY.

All borough parks and playgrounds shall be maintained and governed under regulations which shall provide the greatest possible public use by all citizens as may be allowed by the finances available. No one group or organization shall have any special claim or privilege.

12.30.030 PARK REGULATIONS.

The borough manager is empowered to make such rules and regulations pertaining to the conduct and use of parks and playgrounds as are consistent with this chapter and as are necessary to administer the same or to protect public property or the safety, health, morals or welfare of the public.

12.30.040 PROHIBITED ACTS.

A. No person shall at any time scatter or deposit refuse or garbage upon or within any park in the borough.

B. No person shall at any time break bottles or other glass containers within any of the areas described herein in such manner that fragments of glass may be strewn around the playgrounds or recreation areas or parks.

C. No person shall operate a motor vehicle, off-the-road vehicle, all-terrain vehicle, motorcycle, snow machine or other motorized vehicle over, upon or through a public park, within the borough, unless as expressly provided for in the ordinances of the borough.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS _____ DAY OF _____, 20__.

ATTEST: _____ Mayor

_____
Julie Cozzi, MMC, Borough Clerk

Date Introduced: 10/25/11 - First Hearing scheduled for 11/15/11 but postponed to 1/10/12 when it was subsequently removed from the agenda. A hearing was never rescheduled, because borough manager put it on hold (reason unknown).

Date of First Public Hearing: __/__/__
Date of Second Public Hearing: __/__/__

11C6

Haines Borough

REPORT OF RECOMMENDATION FOR APPOINTMENT

RECEIVED
SEP 06 2017
HAINES BOROUGH
CLERK'S OFFICE

DATE: 9/6/2017

TO: Haines Borough Mayor

FROM: Haines Borough Public Library Advisory Board

RECOMMENDATION FOR APPOINTMENT:

The Haines Borough Public Library Advisory Board unanimously agrees we would like to fill a vacant board position with Margaret Friedenhauer, who has applied to be on our board.

RATIONALE:

There is a board vacancy. Margaret has experience in budgeting and borough workings as a past assembly member, and is an enthusiastic supporter of the library. She thinks well and has a sense of fairness. We feel she'd be a real asset to the board. As we are looking to hire a new library director in the month of October, it would be an advantage to have as many board members as possible involved in the process. Also, since the library is working toward a capital campaign for library expansion, Margaret has stated her interest in working on this project.

MAYORAL REQUEST:

We ask the Mayor to endorse appointment of Margaret Friedenhauer to the Haines Borough Public Library Advisory Board, effective as soon as possible.

SUBMITTED BY John Ross Cunningham (signature)

RECEIVED
SEP - 5 2017
HAINES BOROUGH
CLERK'S OFFICE

Haines Borough
Application for Board Appointment

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

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

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

	Planning Commission		Port and Harbor Advisory Committee
	Tourism Advisory Board		Code Review Commission
	Chilkat Center Advisory Board		Fire Service Area Board #3 (Klehini)
	Parks and Recreation Advisory Committee		Letnikof Estates Road Maintenance Service Area Board
	Museum Board of Trustees		Riverview Drive Road Maintenance Service Area Board
X	Library Advisory Board		Historic Dalton Trail Road Maintenance Service Area Board
	Public Safety Commission		Four Winds Road Maintenance Service Area Board
	Temporary (Ad-hoc) Board/Committee _____		

Name: MARGARET FRIEDENAUER
Residence Address: 535 MUD BAY RD
Mailing Address: PO BOX 762 HAINES AK 99827
Business Phone: _____ **Home Phone:** 907-766-2279
Fax: _____ **Email:** mfriedenauer@yahoo.com

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

Signature of Applicant

Date 8-24-17

PLEASE BRIEFLY DESCRIBE YOUR QUALIFICATIONS (You may attach a resume):
Resident, library user/supporter, former assembly member, experienced in development & communications

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