



Haines Borough
Borough Assembly Meeting #252
AGENDA

August 27, 2013 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg

Stephanie Scott,
Mayor

Dave Berry Jr.,
Seat A
Assembly Member

Steve Vick,
Seat B
Assembly Member

Debra Schnabel,
Seat C
Assembly Member

Joanne Waterman,
Seat D
Assembly Member

Norman Smith,
Seat E
Assembly Member

Jerry Lapp,
Seat F
Assembly Member

Mark Earnest,
Borough Manager

Julie Cozzi,
Borough Clerk

Michelle Webb,
Deputy Clerk

1. CALL TO ORDER/PLEDGE TO THE FLAG

2. ROLL CALL

3. APPROVAL OF AGENDA & CONSENT AGENDA

[The following Consent Agenda items are indicated by an asterisk () and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an assembly member or other person so requests, in which event the asterisk will be removed and that item will be considered by the assembly on the regular agenda.]*

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Chilkat Center Report
- 8C – Fire Department Report
- 8D – Museum Report
- 8E – CFO Report
- 9A – Planning Commission Minutes
- 9B – Museum Board Minutes
- 11A1 – Adoption of Resolution 13-08-489
- 11A2 – Adoption of Resolution 13-08-490
- 11A3 – Adoption of Resolution 13-08-491
- 11A4 – Adoption of Resolution 13-08-492
- 11B1 – Introduction of Ordinance 13-08-348

*** 4. APPROVAL OF MINUTES – August 13/14 Regular**

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

6. MAYOR'S COMMENTS/REPORT

A. Herbicide Spraying

7. PUBLIC HEARINGS

A. Ordinance 13-07-334 – Second Hearing

An Ordinance of the Haines Borough amending Borough Code Title 2, Section 2.68.510 to change runoff election procedures in cases of candidates receiving less than 40% votes.

*This ordinance was recommended by Assembly Member Schnabel and was introduced on 7/9. In its current form, it would not comply with Charter Section 16.04. Therefore, a substitute ordinance was prepared based on wording recommended by the mayor. On 7/23, following the first public hearing, it was referred to the Government Affairs & Services Committee for further review. On 8/13, the assembly scheduled it for a second public hearing. **Motion:** Adopt Ordinance 13-07-334.*

B. Ordinance 13-07-336 – Second Hearing

An Ordinance of the Haines Borough amending Borough Code Section 2.10.010 to limit the length of borough assembly meetings.

*This ordinance was requested by Assembly Member Lapp. It was introduced on 7/23 and the Government Affairs & Services Committee reviewed it prior to the 8/13 first public hearing. **Motion:** Adopt Ordinance 13-07-336.*

7. PUBLIC HEARINGS ---continued---

C. **Ordinance 13-07-337** – Second Hearing

An Ordinance of the Haines Borough approving the conveyance by quitclaim deed of Tract B of Alaska Tideland Survey (“ATS”) 1464 to the State of Alaska, Department of Transportation and Public Facilities (“ADOT&PF”) for the Haines Ferry Terminal Improvements project (State Project #68433); amending Haines Borough Ordinance No. 12-07-299 to authorize the conveyance of Parcel 3 (Tract C of ATS 1464) to ADOT&PF by quitclaim deed rather than warranty deed; and approving a right of entry upon and the sale to DOT&PF of Parcel E-5, a perpetual easement containing 3,484.8 sq. ft., more or less, located in Tract A of ATS 1464 for ADOT&PF to establish, construct and maintain a retaining wall for the Lutak Dock.

This is recommended by borough manager. The planning commission reviewed the matter on 7/11 and unanimously supports it. It was introduced on 7/23 and had a first public hearing on 8/13.

Motion: Adopt Ordinance 13-07-337.

D. **Ordinance 13-07-338** – Second Hearing

An Ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY13 budget.

This ordinance is recommended by the borough manager and will be reviewed by the finance committee just prior to this meeting. It was introduced on 7/23 and had a first hearing on 8/13.

Motion: Adopt Ordinance 13-07-338.

E. **Ordinance 13-08-340** – First Hearing

An Ordinance of the Haines Borough amending Borough Code Section 3.70.030 to extend the application deadline for senior and disabled veterans property tax exemptions and to remove the provision for late applications.

*This is recommended by the finance committee and was introduced on 8/13. **Motion:** Advance Ordinance 13-08-340 to a second public hearing on 9/10/13.*

F. **Ordinance 13-08-341** – First Hearing

An Ordinance of the Haines Borough amending Borough Code Section 18.90.060(I) to add a size limitation for small informational signs.

*This is recommended by the planning commission and was introduced on 8/13. **Motion:** Advance Ordinance 13-08-341 to a second public hearing on 9/10/13.*

G. **Ordinance 13-08-342** – First Hearing

An Ordinance of the Haines Borough amending Borough Code Section 18.60.010(I) to remove the requirement for a wastewater disposal system to be inspected every two years by the Alaska Department of Environmental Conservation.

*This is recommended by the planning commission and was introduced on 8/13. **Motion:** Advance Ordinance 13-08-342 to a second public hearing on 9/10/13.*

H. **Ordinance 13-08-343** – First Hearing

An Ordinance of the Haines Borough amending Borough Code Section 18.80.030(B) to add setback regulations to the General Use Zone.

*This is recommended by the planning commission and was introduced on 8/13. **Motion:** Advance Ordinance 13-08-343 to a second public hearing on 9/10/13.*

I. **Ordinance 13-08-344** – First Hearing

An Ordinance of the Haines Borough amending Borough Code Section 18.20.020 to define temporary use dwellings.

*This is recommended by the planning commission and was introduced on 8/13. **Motion:** Advance Ordinance 13-08-344 to a second public hearing on 9/10/13.*

J. **Ordinance 13-08-346** – First Hearing

An Ordinance of the Haines Borough authorizing the borough manager to enter into a loan agreement in the amount of up to \$787,500 with the Alaska Department of Environmental Conservation for the Muncaster Road Asbestos Cement Pipe Replacement project.

*This is recommended by the borough manager and was introduced on 8/13. **Motion:** Advance Ordinance 13-08-346 to a second public hearing on 9/10/13.*

7. PUBLIC HEARINGS ---continued---

K. **Ordinance 13-08-347** – First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Chapter 2.72.080 to specify what categories of personnel records are available to the public.

*This is recommended by the borough manager and was introduced on 8/13. **Motion:** Advance Ordinance 13-08-347 to a second public hearing on 9/10/13.*

8. STAFF/FACILITY REPORTS

A. Borough Manager – 8/27/13 Report

1. PND Presentation – Boat Harbor Design Options

- * B. Chilkat Center – Facility Report of July 2013
- * C. Fire Department – Staff Report of July 2013
- * D. Sheldon Museum – Staff Report of July/August 2013
- * E. Finance Department – CFO Permanent Fund Report

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

- * A. Planning Commission – Minutes of 7/11/13
- * B. Museum Board – Minutes of 7/18/13
- C. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A. Resolutions

* 1. **Resolution 13-08-489**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Kendall Ford in the amount of \$51,690 for the purchase of two Ford Interceptor SUVs.

*This resolution is recommended by the manager. **Motion:** Adopt Resolution 13-08-489*

* 2. **Resolution 13-08-490**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Arctic Sales, Inc. in the amount of \$13,125 for the purchase of LED street lights.

*This resolution is recommended by the manager. **Motion:** Adopt Resolution 13-08-490.*

* 3. **Resolution 13-08-491**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with NC Machinery in the amount of \$219,792 for the purchase and delivery of a CAT 950H wheel loader.

*This resolution is recommended by the manager. **Motion:** Adopt Resolution 13-08-491.*

* 4. **Resolution 13-08-492**

A Resolution of the Haines Borough Assembly accepting a grant offer entitled Barnett Water Tank Replacement (MMG# 39541) of up to \$675,500 from the State of Alaska, Department of Environmental Conservation.

*This resolution is recommended by the manager. **Motion:** Adopt Resolution 13-08-492.*

B. Ordinances for Introduction

* 1. **Ordinance 13-08-348**

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

*On 9/11/12, the assembly adopted an ordinance revising the water-sewer rates including an increase to the commercial bulk water rate. The port tariff must be revised to provide for that rate change, and the assembly authorizes tariff revisions by non-code ordinance. Additionally, the port and harbor advisory committee met jointly with the tourism advisory board on 10/11/12 to discuss possible increases to the PC Dock dockage rates, and they recommend incremental increases. On 10/23/12, a draft tariff amendment ordinance was referred to the finance committee. Since that time, staff has drafted a new ordinance essentially the same but with the addition of a wharfage rate for logs at Lutak Dock. The assembly is asked to, once again, consider these amendments. **Motion:** Introduce Ordinance 13-08-348 and set a first public hearing for 9/10/13.*

11. NEW BUSINESS

C. Other New Business

1. ATVs on Chilkat River Beaches - Discussion

The mayor requested this discussion item. Discussion may lead to assembly action. The mayor offers a possible decision coming out of assembly discussion might be to direct the planning commission to explore avenues to designate this area for non-motorized recreational use.

2. Alaska Department of Transportation and Public Facilities Request for Scoping Comments: Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project

*The Planning Commission discussed this project at its August 8, 2013 meeting. There was a motion in support of the project, but some concern regarding a toad pond that is scheduled for destruction. **Motion:** Authorize submittal of the draft borough comments to the Alaska Department of Transportation & Public Facilities on behalf of the Haines Borough Assembly regarding the Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project.*

3. Requested Tourism Impact Study - Discussion

The tourism advisory board (TAB) has requested a study of tourism impacts, and a proposal was submitted by the McDowell Group. The tourism director has asked for an assembly discussion of the TAB's request. It may lead to assembly action.

4. Method for Recruitment of New Manager

This is an outcome of the 8/19 Committee-of-the-Whole meeting. Staff was asked to gather some information about professional recruitment. One proposal was received in time for the published packet. Any additional information will be made available as a packet supplement as it is received. Discussion will likely lead to an assembly decision regarding whether to hire a professional recruiting service.

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT



Haines Borough
Borough Assembly Meeting #251
August 13/14, 2013
MINUTES

Draft

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

2. **ROLL CALL**

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

Staff Present: Mark **EARNEST**/Borough Manager, Julie **COZZI**/Borough Clerk, Jila **STUART**/Chief Fiscal Officer, Carlos **JIMENEZ**/Director of Public Facilities, Tanya **CARLSON**/Tourism Director, Simon **FORD**/Interim Police Chief, and Michelle **WEBB**/Deputy Clerk.

Visitors Present: Tom **MORPHET**/CVN, Margaret **FRIEDENAUER**/KHNS, George **FIGDOR**, John **HUNT**, Scott **SUNDBERG**, Neil **EINSBRUCH**, Fred **EINSPRUCH**, Dave **KAMMERER**, Dean **LARI**, Rob **GOLDBERG**, Rob **MILLER**, Dave **BUTTON**, Pam **COULTER**, Peter and Sherrie **GOLL**, Eric **HOLLE**, Harriett **BROUILLETTE**, Bill **KURZ**, Glenda **GILBERT**, Leonard **DUBBER**, and others.

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

The following items were on the published consent agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Borough Clerk Report
- 8C – Museum Staff Report
- 9A – Museum Board Minutes
- 11A1 – Adoption of Resolution 13-08-477
- 11A2 – Adoption of Resolution 13-08-478
- 11A3 – Adoption of Resolution 13-08-479
- 11A4 – Adoption of Resolution 13-08-480
- 11A5 – Adoption of Resolution 13-08-481
- 11A6 – Adoption of Resolution 13-08-482
- 11B1 – Introduction of Ordinance 13-08-340
- 11B2 – Introduction of Ordinance 13-08-341
- 11B3 – Introduction of Ordinance 13-08-342
- 11B4 – Introduction of Ordinance 13-08-343
- 11B5 – Introduction of Ordinance 13-08-344
- 11B6 – Introduction of Ordinance 13-08-345
- 11B7 – Introduction of Ordinance 13-08-346
- 11B8 – Introduction of Ordinance 13-08-347

Motion: **BERRY** moved to “approve the agenda/consent agenda,” and it was amended to remove items 11A2 and 11B6 from the consent agenda, to add a discussion item on the topic of scheduling a period of amnesty for code infractions, and to move item 11C4 up in the agenda just ahead of item 7A. The motion, as amended, carried unanimously.

During discussion, **SCHNABEL** moved to remove item 11A12 from the agenda, but it failed 4-3 with **VICK**, **WATERMAN**, and **SMITH** opposed, and the mayor breaking the tie in the negative. **SCHNABEL** also made a motion to remove item 11C1 from the agenda, and it failed with all opposed but **SCHNABEL**. She explained both of these items deal with noncompliance of code regulations, and she wanted to replace them with a discussion about the borough possibly offering a period of across the board amnesty to provide citizens an opportunity to come into compliance. She asked to add a discussion item on the topic of scheduling a period of amnesty for a variety of what she considers minor code infractions. There was no objection to that agenda change. Additionally, **SCHNABEL** asked for removal of items 11A2 and 11B6 from the consent agenda, and **VICK** requested item 11C4 be moved up on the agenda since several members of the public are at the meeting for that topic. There was no objection to these agenda changes.

*4. **APPROVAL OF MINUTES** – June 25 and July 23 Regular

5. **PUBLIC COMMENTS**

GOLDBERG spoke as chair of the planning commission. The commission is seeking direction from the assembly on the issue of fines in the code. Currently, the code calls for a \$250 fine if found to be in violation of a Title 18 provision. The commission would like to examine the fee structure and make the fines fit the infraction and also make it possible to allow for a warning.

LARI said he endorses Simon Ford as the new Chief of Police. On another issue, he has concerns about the dust on Fourth Avenue. It is a health hazard. He proposed that on days when the road would be heavily used he would water the road for free if the borough parked a water truck by his house. Right now, residents are trying to take care of various spots with a garden hose.

MORPHET spoke against Ordinance 13-08-347 There is a need for high-level employees' evaluations to be released to the public.

EINSPRUCH said the police chief should actually be evaluated.

GOLL said a good evaluation process is important for high-level employees.

EINSBRUCH said he was served this week with a notice of trespass by the borough manager. It is for an indefinite period of time but he was told by the magistrate that it cannot be indefinite.

KAMMERER spoke against the borough manager and said he was right in his criticism of the former police chief. He believes he is correct in his criticism of the manager.

BUTTON said the assembly should get rid of the \$1,000 fee he is required to pay in order to apply for a tour permit.

6. **MAYOR'S COMMENTS/REPORT**

SCOTT said the assembly did authorize a letter to the state objecting to the new regulation allowing for the spraying of herbicides with only a public notification period. Petersburg and Skagway both submitted letters, as well. Petersburg received a similar response from the state, and they are talking about sending another letter. They have not yet decided whether to adopt an ordinance that would prevent the state from spraying within its borders. There are legal questions about whether or not a municipality could pass laws to prevent the state from doing something. Skagway has yet to receive a response from the state. **BERRY** believes the letter from the state to Haines is belittling, and it did not answer any of the questions.

A. State's Response to Borough re. Herbicide Spraying

11C4. (moved to this position during approval of the agenda) **Borough Comment to ADOT&PF re. Highway Realignment**

HOLLE read aloud a letter to ADOT&PF written by George Campbell who could not attend the meeting. He also stated his own concerns with the project and those of Lynn Canal Conservation. This project has potential for being divisive or bringing the community together.

FIGDOR urged the assembly to focus on the process rather than the particulars. He believes ADOT&PF has not followed a typical process for an Environmental Assessment (EA). Normally an agency offers several alternatives and then allows plenty of time for public comment. He believes this was an "eleventh hour" move by them, and there is insufficient time to provide input. Engineers make mistakes and overlook things. It's a complex project. He asked the assembly not to take sides in this.

MILLER was asked by George Campbell to read his letter aloud, but then he read the borough's draft letter. He didn't find the two letters to be that different. He doesn't want to see damage to the cultural artifacts and eagle preserve but the highway work also needs to be done. He supports the project but also supports the desire to reduce the damaging impacts.

P.GOLL asked the assembly to carefully consider the project. The current ADOT&PF plan does not give the due diligence that is required to avoid an Environmental Impact Study (EIS). If these things are not done, there will be no way to avoid it. They need to work through the EA process. He believes the agencies are ready to cooperate.

EINSPRUCH said one of the things that makes the Haines Highway wild and scenic is the curves. It's a 100-million dollar project. The fish are more valuable than the highway. He believes the project makes no sense. The road should remain the same and, even if it went away, people could still get in and out by ferry.

BROUILLETTE said the highway has impacted her family a lot. The house at 3-mile was there before the road was put in. It's very important to be careful, although she does support the project. It's not a good idea to fill in wetlands, and the burial site is sacred.

S.GOLL expressed concern with what she believes is a short public comment period. Many people have issues with this project. She personally wants the highway to stay the same.

HUNT said there are a number of areas on the highway that certainly need to be repaired, and he wondered if the monies could be used for reparation rather than widening and realigning.

Motion: **LAPP** moved to "forward the letter as written to ADOT&PF," and it was amended to add the following text:

Insert at the end of the first paragraph: *We understand that the ADOT&PF is continuing to address concerns regarding cultural resources and eagle and fish habitat. We recognize that there may be beneficial changes to the plan as a result of information received from community members. Please keep us apprised of any such modifications. Specifically, we are concerned with the following:*

- *Safety concerns must be addressed in a responsible manner.*
- *Cultural and burial sites should be respected and protected.*
- *New damage to fish passage must not occur.*
- *Habitats required for eagle gathering should be respected.*
- *Eagle feeding trees important to the tourism industry should be protected--it is understood that the trees on the river-side of the highway promote safety as they discourage birds from swooping low over the road causing accidents.*
- *Parking areas and speed limits should ensure safety in the Chilkat Bald Eagle Preserve.*
- *Guardrails should be improved and strengthened."*

The main motion as amended carried unanimously.

During the discussion, **LAPP** said he carefully read the draft letter and it contains the concerns brought up. He has driven school buses on the Haines Highway for the past twelve years and it jostles the bones. Back in March 2009, ADOT&PF held a public hearing at the Chilkat Center. Why are there concerns now but not then? **SCHNABEL** agreed with **LAPP**. The community has been very aware for the last five years that this is going on. The letter before the assembly is of a general nature. She would like it to be very specific about the issues of concern rather than a blanket, general support for the project. **BERRY** said he likes the opening statement in the borough's letter. The letter is well-written but there should be bullet points that identify all the concerns. **SCOTT** read an amendment that the manager and she propose. **VICK** did not object to the addition with the exception of the opening word "however."

SCHNABEL moved to amend the proposed draft letter by deleting in its entirety all language and simply having a letter that contains the single paragraph proposed by the mayor and manager in their 8/13/13 memorandum. However, it failed for lack of a second. **SMITH** said he worked on the Haines Highway in the 1980s and there were all kinds of inspectors. Undoubtedly, there will be all kinds of people watching during this project.

7. PUBLIC HEARINGS

A. Appeal of 2013 Commercial Tour Permit Revocation Alaska Cross Country Guiding & Rafting

*Certain business activities operating within the borough are required to obtain a permit in advance. These include commercial tour permits, commercial passenger vehicle permits and commercial passenger vehicle parking permits. The permits are initially issued by the clerk. Once issued a permit may be revoked by the manager. HBC 5.04.120(A) lists 5 specific reasons a permit may be revoked or suspended. When the manager revokes a permit, the person holding the permit has the right to appeal to the assembly, and that is what has happened here. When considering appeals from actions of the manager revoking a permit, the assembly is acting as a jury. As such, the ultimate decision must be based ONLY on the information submitted during the hearing process. For this reason, documents pertaining to this revocation and appeal will be provided during the hearing. The appellant and the manager will each make their presentations to the assembly with the appellant going first. Since code says this is to be a public hearing, any others present wishing to provide information will be allowed to briefly do so following the manager's presentation. At the conclusion of the hearing, the assembly will deliberate either in public or in executive session at the discretion of the assembly. **Assembly Action:** Code allows the assembly to either completely undo the action of the manager, approve the action of the manager or modify the action of the manager.*

COZZI explained the hearing procedure.

Appellant **COULTER** presented her case by reading her appeal letter and emphasizing the business and personal difficulties she has experienced this year. Manager **EARNEST** presented his case explaining the reasons for the revocation and the efforts to assist the appellant with compliance as

has been done in the past. **COULTER** then responded to the manager's presentation reiterating her particularly trying business and personal issues this year. The assembly members asked various questions of the appellant and the manager to clarify statements. Mayor **SCOTT** opened the public hearing portion and **BUTTON, EINSPRUCH, KURZ,** and **SUNDBERG** made comments for or against the manager's revocation action.

Assembly Deliberation: The assembly chose to deliberate in open session. **SCHNABEL** observed that taking away a person's business makes it difficult to pay delinquent taxes. **BERRY** wondered if the borough has the right to deny a person their ability to make a living. If the code is written in such a manner that there is no leeway for the administration to make it work, then it should be revisited. **WATERMAN** said the assembly has the ability to go forward with code changes if they so wish. The fact is, the administration showed leniency and finally there was no choice but to revoke. She agrees with the "debtor's prison" concerns, but it is also not the borough's responsibility to make sure all businesses practice good business. She has compassion but the borough is also dealing with the level playing field people want. She would like to entertain conversation along the lines of modifying the action of the manager. This operator needs to be shown this behavior is unacceptable. They need to start taking care of their business. Perhaps a probationary period requiring them to come before the assembly to renew their application would be in order. Definitely, this history should be placed in the appellant's file. There has been a lack of follow-through and attention to details---an egregious lack of attention by this tour operator. She would have a very hard time in the future with being lenient. **VICK** agreed and said there is precedent for a probationary period. Life happens but the follow-through was lacking. There should be consequences for this. **SCHNABEL** appreciates **WATERMAN**'s approach. She also extended appreciation to the manager for the difficulty of this situation. He doesn't have as much leeway as the assembly. She wondered about making the revocation date 9/30/13 with a community service component, as well. Additionally, allowing no late tax payments with all debts paid by the end of December. The season will be essentially over by the end of September. There should be acknowledgement that there could be no tour activity. **WATERMAN** envisioned that they would have to come before the assembly every year. **BERRY** sympathized with what the manager had to do. He likes the probationary period idea, and the appellant has to be current on taxes by the end of December. **VICK** also expressed appreciation to the manager. He followed the code to the letter. He did his job. He brought it to the assembly. People need to follow code. He would like a stronger consequence, himself. **SCOTT** observed people seem to be comfortable with a two-year probationary period that requires the appellant to come to the assembly for a permit renewal, and all current and delinquent taxes being paid by the end of December. It was also suggested that if the agreement is not upheld, the permit will be revoked with no option for appeal. **SMITH** asked if this would be applied to all tour operators. He sees a liability issue here---transporting people without a permit. These are known violations of the code. The appellant was cited for violating but continued to conduct business anyway. If there was an accident, the borough could get sued for everything. The reason for the code regulations is to cover ourselves, not to accommodate someone's lifestyle. It's not okay to drive people around on a tour without a permit. It has to be applied to everyone. If the borough code is not enforced across the board, we will be dealing with everyone's different life situations. **WATERMAN** explained what the assembly is trying to do is provide some disciplinary action the manager is unable to provide. The majority of the tour operators are operating lawfully. She would like to see the original payment agreement adhered to. It was suggested that possibly there could be a fine for a late payment, such as \$500. **SCOTT** said without penalty or disciplinary action, the assembly would be condoning the behavior of operating a tour without the required permits. **SCHNABEL** agreed. She suggested all past due taxes, penalties and interest, and the fine for operating without permits be due by the end of September 2013. In addition, the 2013 current taxes must be paid by the end of December 2013. **LAPP** suggested the \$1,000 fine must be paid by close of business tomorrow (8/14/13). Additionally, if 2013 taxes are not timely-paid by the regular 12/2/13 due date, the permits should be revoked. Plus, if the balance of delinquent taxes is not paid by October 5, 2013, revocation would take place. It was clarified that all tax obligations must be met, both property and sales tax. **WATERMAN** said the business owner has the responsibility to take this seriously. This is very lenient.

Deliberations completed at 9:22pm.

Motion: **WATERMAN** moved to "modify the action of the manager concerning the revocation of the Alaska Cross Country Guiding & Rafting permits, as follows:

Amend the June 21, 2013 Tax Payment and Permit Agreement to require: 1) payment of \$1,000 fine for operating without a commercial tour permit by close of business on August 14, 2013; 2) payment of all

past due sales and property taxes plus penalties and interest by October 4, 2013; 3) payment of all 2013 sales and property taxes by December 2, 2013; and 4) if any of these payments are not received as set forth, the tour permits will be revoked. Additionally, the tour operation was placed on a two-year probation, and as such, the applications for permit renewal for each of the 2014 and 2015 seasons will require assembly approval following a public hearing.

The motion carried unanimously.

B. Ordinance 13-07-333 – Second Hearing

An Ordinance of the Haines Borough authorizing the issuance of general obligation bonds in an amount not to exceed \$5,050,000 to finance a plan of capital improvements to school facilities of the Borough; authorizing submission to the qualified voters of the Borough at the regular election to be held on October 1, 2013, of a proposition approving this ordinance and ratifying the authorization of the Bonds; appropriating funds for the projects; and providing for an effective date.

Mayor **SCOTT** opened and closed the public hearing at 9:36pm; there were no public comments.

Motion: **BERRY** moved to “postpone Ordinance 13-07-333 indefinitely,” and the motion carried unanimously.

SCHNABEL asked for an explanation, and **EARNEST** said Department of Education approval for bond debt reimbursement has been delayed. The timing for a bond measure this year did not work.

C. Ordinance 13-07-335 – Second Hearing

An Ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY14 budget.

Mayor **SCOTT** opened and closed the public hearing at 9:38pm; there were no public comments.

Motion: **WATERMAN** moved to “adopt Ordinance 13-07-335,” and it was amended to incorporate the changes outlined in the manager’s memorandum, specifically \$46,000 local match for the Picture Point Wayside Improvement Grant. The motion as amended carried 5-1 in a roll call vote with **SCHNABEL** opposed.

D. Ordinance 13-07-336 – First Hearing

An Ordinance of the Haines Borough amending Borough Code Section 2.10.010 to limit the length of borough assembly meetings.

Mayor **SCOTT** opened the public hearing at 9:39pm.

EINSPRUCH spoke against the ordinance, because he believes it will further restrict the assembly’s ability to function and also the public’s ability to speak.

MORPHET doesn’t believe this should be codified. The assembly always has the ability to adjourn or recess a meeting.

Hearing no further comments, the mayor closed the public hearing at 9:41pm.

Motion: **BERRY** moved to “advance Ordinance 13-07-336 to a second public hearing on 8/27/13,” and the ordinance was amended to replace the phrase “at 9:45pm” with “by 9:30pm.” The motion as amended carried 4-2 with **WATERMAN** and **SCHNABEL** opposed.

During the discussion, **VICK** said the Government Affairs & Services Committee talked about this during their meeting the previous day. The committee suggested changing the second sentence to say that the vote to continue the meeting would need to take place by 9:30pm.

E. Ordinance 13-07-337 – First Hearing

An Ordinance of the Haines Borough approving the conveyance by quitclaim deed of Tract B of Alaska Tideland Survey (“ATS”) 1464 to the state of Alaska, Department of Transportation and Public Facilities (“ADOT&PF”) for the Haines Ferry Terminal Improvements project (state Project #68433) and amending Haines Borough Ordinance No. 12-07-299 to authorize the conveyance of Parcel 3 (Tract C of ATS 1464) to ADOT&PF by quitclaim deed rather than warranty deed.

Mayor **SCOTT** opened the public hearing at 9:46pm.

EINSPRUCH spoke against the ordinance. This borough asset should instead be exchanged for the right for borough residents to park overnight at the ferry terminal.

Hearing no further comments, the mayor closed the public hearing at 9:47pm.

WATERMAN disclosed a potential conflict of interest since she is a ferry system employee, and the mayor ruled there was not a conflict in this case.

Motion: BERRY moved to "advance Ordinance 13-07-337 to a second public hearing on 8/27/13 and it was amended to replace the ordinance in its entirety with the proposed substitute ordinance prepared by the attorney," and the motion carried unanimously. There was no discussion.

- F. **Ordinance 13-07-338** – First Hearing
An Ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY13 budget.

Mayor SCOTT opened and closed the public hearing at 9:51pm; there were no public comments.

Motion: BERRY moved to "advance Ordinance 13-07-337 to a second public hearing on 8/27/13," and the motion carried unanimously.

8. **STAFF/FACILITY REPORTS**

A. **Borough Manager - 8/13/13 Report**

EARNEST summarized his written report. He added that he plans to put out an RFP for assessment services and bring the recommended proposals back to the assembly for approval.

- * B. **Borough Clerk – 8/13/13 Report**
- * C. **Sheldon Museum – Staff Report of June/July 2013**

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

- * A. **Museum Board of Trustees – Minutes of 6/10/13 and 6/17/13**

B. **Assembly Standing Committee Reports**

VICK said the Government Affairs & Services Committee met and, in addition to reviewing the ordinance to limit the length of assembly meetings, reviewed the ordinance concerning runoff elections. It is ready for another hearing.

Motion: VICK moved to "schedule 13-07-334 for a second public hearing on 8/27/13," and it carried unanimously.

10. **UNFINISHED BUSINESS**

11. **NEW BUSINESS**

A. **Resolutions**

1. **Resolution 13-08-477**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a professional services contract with Haines Animal Rescue Kennel to provide animal control services during FY14 for an amount not to exceed \$47,813.

The motion adopted by approval of the consent agenda: "adopt Resolution 13-08-477."

NOTE: This motion was subsequently reconsidered (between agenda items 11A10 and 11A11) so VICK could recuse himself from the vote. The motion to adopt carried unanimously 5-0 with VICK abstaining.

2. **Resolution 13-08-478** (removed from the consent agenda during approval of the agenda)

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a grant agreement and notice to proceed with the Alaska Department of Transportation and Public Facilities for the Picture Point Wayside Improvements project funded through the National Scenic Byways Grant Program.

There were no public comments.

Motion: SCHNABEL moved to adopt Resolution 13-08-478, and it carried unanimously in a roll call vote.

EARNEST clarified this resolution is just to accept the grant funds. There will be a process to fine-tune the project, and it will be the borough's plan.

*3. **Resolution 13-08-479**

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

The motion adopted by approval of the consent agenda: "adopt Resolution 13-08-479."

* 4. **Resolution 13-08-480**

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

The motion adopted by approval of the consent agenda: "adopt Resolution 13-08-480."

* 5. **Resolution 13-08-481**

A Resolution of the Haines Borough Assembly specifying the percentage of National Forest Receipts funding to be allocated to Title I and Title II.

The motion adopted by approval of the consent agenda: "adopt Resolution 13-08-481."

* 6. **Resolution 13-08-482**

A Resolution of the Haines Borough Assembly supporting the Borough's application to host the Alaska Municipal League Summer Meeting in 2015.

The motion adopted by approval of the consent agenda: "adopt Resolution 13-08-482."

7. **Resolution 13-08-483**

A Resolution of the Haines Borough assembly authorizing acceptance of the late-filed 2013 Senior Citizen/Disabled Veteran Property Tax Exemption for John Schnabel (Property # C-ERM-00-0200).

There were no public comments.

Motion: BERRY moved to "adopt Resolution 13-08-483," and the motion was seconded.

There was some discussion about whether the assembly needs to see the additional documentation. Mayor SCOTT suggested the assembly might consider saving this and the other remaining agenda items to another date when everyone is more rested.

Motion to Recess: WATERMAN moved to "recess this meeting until Wednesday, August 14, 6:30pm," and the motion carried unanimously.

The meeting recessed at 10:04pm to pick up at this point on August 14, 2013 at 6:30pm.

AUGUST 14, 2013 – CONTINUED MEETING

The mayor convened the continued meeting at 6:30pm and led the pledge to the flag. The clerk called the roll and all were present.

Discussion resumed for Item 11A7 and the motion already on the floor: "adopt Resolution 13-08-483."

The mayor stated she does not believe SCHNABEL has a conflict of interest even though it involves her father. Additional medical-related documents were distributed to the assembly for review. The assembly declined to go into executive session.

The motion to adopt Resolution 13-08-483 failed 1-5 in a roll call vote with SCHNABEL, VICK, LAPP, SMITH, and WATERMAN opposed.

8. **Resolution 13-08-484**

A Resolution of the Haines Borough assembly authorizing acceptance of the late-filed 2013 Senior Citizen/Disabled Veteran Property Tax Exemption for Teresa Hura (Property # C-HGL-05-0200).

There were no public comments.

Motion: SMITH moved to "adopt Resolution 13-08-484," and the motion failed unanimously in a roll call vote.

SCHNABEL said this person is a registered voter in Tennekee Springs, and SCOTT concurred.

9. **Resolution 13-08-485**

A Resolution of the Haines Borough assembly authorizing acceptance of the late-filed 2013 Senior Citizen/Disabled Veteran Property Tax Exemption for Dorothy Willard (Property # C-OCV-00-0700).

There were no public comments.

Motion: **LAPP** moved to “adopt Resolution 13-08-485,” and the motion carried 4-3 in a roll call vote with **BERRY**, **VICK**, and **WATERMAN** opposed and the mayor breaking the tie in the affirmative.

BERRY noted the doctor note was after the deadline. **LAPP** did not realize that during the vote.

Motion: **LAPP** moved to “reconsider the motion to adopt Resolution 13-08-485,” and it carried unanimously.

The second vote on the motion to adopt Resolution 13-08-485 failed 1-5 in a roll call vote with **VICK**, **BERRY**, **LAPP**, **WATERMAN**, and **SMITH** opposed.

10. Resolution 13-08-486

A Resolution of the Haines Borough assembly authorizing acceptance of the late-filed 2013 Senior Citizen/Disabled Veteran Property Tax Exemption for Albert Morgan (Property # C-MEA-01-1900).

There were no public comments.

Motion: **BERRY** moved to “adopt Resolution 13-08-486,” and the motion failed 1-5 in a roll call vote with **VICK**, **LAPP**, **BERRY**, **WATERMAN**, and **SMITH** opposed.

LAPP asked if the primary residence was verified. **STUART** said there were 250 Senior and Disabled Veterans exemptions this year. **SCOTT** asked the manager to look into residency verification.

Motion: **VICK** moved to “reconsider Resolution 13-08-477 that was adopted as part of the approval of the consent agenda (item 11A1),” and the motion carried unanimously. This put the motion to adopt the resolution before the assembly for discussion.

VICK believes he has a conflict of interest since he is the executive director of HARK, and the mayor agreed. **SCHNABEL** said the disclosure is noted so the adopted resolution should just ride, and **BERRY** agreed. **SCOTT** said it was wrong for **VICK** to vote on this issue, even indirectly as part of a consent agenda, and process is important. **EARNEST** explained the borough attorney said recusing **VICK** was important this year given the history of last year’s HARK contract vote.

11. Resolution 13-08-487

A Resolution of the Haines Borough Assembly authorizing the allocation of FY14 Budgeted Funds to Non-profit Organizations.

There were no public comments.

Motion: **BERRY** moved to “adopt Resolution 13-08-487,” and the motion carried 5-1 in a roll call vote with **LAPP** opposed.

BERRY asked if there would be an opportunity to fine-tune the application process. The mayor confirmed that work would be done on both the application and the scoring matrix. She thanked the ad hoc review committee for their work.

12. Resolution 13-08-488

A Resolution of the Haines Borough Assembly waiving the \$250.00 after-the-fact fee for the vacation rental located on parcel # 4-MBR-06-0500 belonging to Mark Sogge and Cecily Stern within the Mud Bay Planning/Zoning District.

There were no public comments.

Motion: **BERRY** moved to “adopt Resolution 13-08-488,” and the motion carried 4-2 in a roll call vote with **SCHNABEL** and **LAPP** opposed.

GOLDBERG, planning commission chair, offered to answer assembly questions. **SCHNABEL** asked if there was a business license and **GOLDBERG** answered yes. She said the borough should cross check when individuals apply for permit-dependent types of business. She disagreed with #3 of the planning commission written findings. **GOLDBERG** responded it had to do with the definition of “lodge.” The planning commission has recently suggested a code amendment to define “vacation rental.” **LAPP** asked why the property owners went to **GOLDBERG** instead of the clerk, and **GOLDBERG** said they could have, but there was no planning & zoning staff available at the time. **SCOTT** believes the fine should be upheld. **SCHNABEL** asked if the manager had a recommendation on this matter. **EARNEST** said he was a part of the initial fine. Because of the extenuating circumstances, he believed the appeal should go forward. The couple came into pay the fee and was told there was no need. **GOLDBERG** stated there is no prohibition to renting. **SCHNABEL** said the difference was this was a commercial enterprise. **WATERMAN** noted they

have now applied and been granted a conditional use permit. **VICK** asked how a conditional use permit applied to an undefined activity. **GOLDBERG** explained a "lodge" which is a short term rental also requires a conditional use permit.

B. Ordinances for Introduction

* 1. **Ordinance 13-08-340**

An Ordinance of the Haines Borough amending Borough Code Section 3.70.030 to extend the application deadline for senior and disabled veterans property tax exemptions and to remove the provision for late applications.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-08-340 and set a first public hearing for 8/27/13."

* 2. **Ordinance 13-08-341**

An Ordinance of the Haines Borough amending Borough Code Section 18.90.060(I) to add a size limitation for small informational signs.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-08-341 and set a first public hearing for 8/27/13."

* 3. **Ordinance 13-08-342**

An Ordinance of the Haines Borough amending Borough Code Section 18.60.010(I) to remove the requirement for a wastewater disposal system to be inspected every two years by the Alaska Department of Environmental Conservation.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-08-342 and set a first public hearing for 8/27/13."

* 4. **Ordinance 13-08-343**

An Ordinance of the Haines Borough amending Borough Code Section 18.80.030(B) to add setback regulations to the General Use Zone.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-08-343 and set a first public hearing for 8/27/13."

* 5. **Ordinance 13-08-344**

An Ordinance of the Haines Borough amending Borough Code Section 18.20.020 to define temporary use dwellings.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-08-344 and set a first public hearing for 8/27/13."

6. **Ordinance 13-08-345** (removed from consent agenda during approval of agenda)

An Ordinance of the Haines Borough amending Borough Code Chapter 3.80 to clarify that sales of games of chance and contests of skill are subject to sales tax and to require persons conducting charitable gaming in the borough to file periodic reports with the borough.

Motion: **WATERMAN** moved to "refer Ordinance 13-08-345 to the finance committee," and it failed unanimously.

During the discussion, **SCHNABEL** said this issue was raised as a tangent of the non-profit sales tax discussion. She is not sure it is a good idea to tax pull-tab or other non-profit unrelated income, as the money may just be turned around to the non-profits as a grant. For-profits who sell pull-tabs or tickets do pay taxes on their portion of the income. **VICK** said the borough may want to investigate state code and the definition of games of chance. He believes that 70% of the pull-tab money is a "donation" and therefore cannot be taxed. **BERRY** said he called the gaming expert with the Department of Revenue. Juneau taxes pull-tabs, but Sitka does not. **LAPP** said this may hinder the community and non-profit activities, and **WATERMAN** agreed. **SCOTT** reported she had spoken with Brian Lemcke who said the Fogcutter Bar paid sales tax on their 30% and was against the idea of taxing the non-profits' portion.

* 7. **Ordinance 13-08-346**

An Ordinance of the Haines Borough authorizing the borough manager to enter into a loan agreement in the amount of up to \$787,500 with the Alaska Department of Environmental Conservation for the Muncaster Road Asbestos Cement Pipe Replacement project.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-08-346 and set a first public hearing for 8/27/13."

* 8. **Ordinance 13-08-347**

An Ordinance of the Haines Borough amending Haines Borough Code Chapter 2.72.080 to specify what categories of personnel records are available to the public.

The motion adopted by approval of the consent agenda: "introduce Ordinance 13-08-347 and set a first public hearing for 8/27/13."

C. Other New Business

1. Appeal of Planning Commission Decision

Note: the borough manager issued an enforcement order to property owner Neil Einsbruch requiring the payment of a \$250 after-the-fact fee for failure to file a construction declaration within 60 days of the start of construction, as required by HBC 18.30.010(A)(2)(c). Einsbruch appealed to the planning commission and, after consideration of it on 7/11, the planning commission voted to deny the appeal and thereby not recommending the assembly waive the fee (HBC 18.30.070(D)). HBC 18.30.060 allows for an appeal to the assembly of a planning commission decision, and Einsbruch submitted an appeal to the borough clerk on 7/23. The burden of proof is on the appellant to make the case that the planning commission erred in their decision and that a rehearing by the assembly is warranted. The appellant may be out of town during this meeting and, if so, would like his written appeal to make his case.

Assembly Action Needed at THIS meeting: *Per HBC 18.30.060, at this meeting, and following the appellant's presentation if he is in attendance, the assembly must decide by motion:*

- *whether or not to rehear the commission's decision and, if so,*
- *whether to rehear the entire decision or a particular portion.*

Note: *Any rehearing must take place at the next regularly scheduled assembly meeting (8/27) and include a duly-noticed public hearing.*

The appellant was not present.

Motion: **SCHNABEL** moved to "rehear the planning commission's decision concerning the appeal of Neil Einsbruch," and the motion failed unanimously.

During the discussion, **SCHNABEL** said she understands this violation was performed in 2011 and discovered in 2013. She would like to hear Einsbruch's explanation. She is concerned that while the construction declaration requirement may have recently been well publicized, it may not have been back in 2011. **BERRY** is not in favor of rehearing the appeal but would like to encourage discussion. Einsbruch did not pay property tax on his extension for several years. **WATERMAN** believes the planning commission conducted a very thorough appeal hearing and doesn't think it should be reheard by the assembly. **BERRY** took exception with the appellant's written statement that the borough never issues fines. **EARNEST** said the burden of proof is on the appellant to prove that the case should be reheard.

2. Request to Purchase Borough Property – Former School Property – Discussion Item

Note: the borough received a request to purchase a portion of the former school property. On 8/8/13, the planning commission considered whether to classify that property for sale, and that is their recommendation.

SCHNABEL clarified this only classifies this property for sale, and does not specify how it may be used.

Motion: **VICK** moved to "concur with the recommendation of planning commission," and it carried unanimously in a roll call vote.

GILBERT said she believes this should be sold and put back on the tax roll. Aspen Hotels would like to purchase the property and build a 49-54 room hotel with a small meeting room. The potential buyer visited numerous lots, and this was his first choice. **SCHNABEL** clarified Lots 6 and 7 are the only ones being considered. A map was distributed. **LAPP** supports this and believes it would fulfill a previous discussion several years ago about selling that property to recoup the cost of buying property for the new school. **BERRY** supports this because it will add needed rooms and create jobs. **SCHNABEL** reminded this discussion is just whether the land is for sale. The debate of a 50-room hotel is inappropriate at this time. **VICK** remembered this was one of the first issues he worked on as an assembly member, and the original idea was to hold on to the land until the public

facilities needs were ascertained. He is in favor. **SCHNABEL** has plans for a 20-room supper club on Old Haines Highway, and so she is conflicted. As an assembly member she agrees with the property sale, as an individual she is against a hotel. **DUBBER** said he remembers the agreement to sell the property, and he thinks this is a good opportunity. Copies of the plat map were distributed. **KURZ** said he wants to better the economy and competition is a good thing. A proposed motion to sell for fair market value was determined to be premature.

3. Amendments to the Borough Manager's Contract Language

Note: the personnel committee was asked to review the content of the borough manager contract document. On June 11, 2013, committee chair Waterman reported the committee had met in a meeting that was well attended by members of the public. She said the committee recommended changes to the leave portion of the contract, and they were still working on the language. That work is complete, and the main thrust of the amendment is to clarify existing contract language and move to a consolidated leave system by combining annual, sick, and (the existing) personal leave into a combined personal leave.

Motion: BERRY move to "approve changes to the borough manager contract, as proposed in the draft amendment dated August 13, 2013, and it carried 4-2 in a roll call vote with **SMITH** and **SCHNABEL** opposed.

SMITH moved to postpone indefinitely, but it failed for lack of a second. **SCHNABEL** said **EARNEST** is currently under contract but has submitted his resignation. The assembly should go with whatever option will cost the borough the least amount of money. **BERRY** asked what the fiscal impact of these changes would be between now and the manager's departure.

Motion: VICK moved to "direct staff to determine the fiscal impact of the proposed contract amendments and report back for the next meeting on Aug. 27th," and the motion carried.

WATERMAN believes the contract amendment negotiation was done in good faith, and believes the manager did not know at the time that he would be leaving earlier than planned. She is also not in support of the cheapest option. She asked the assembly to consider not factoring in the resignation when considering this amendment. **VICK** apologized for missing the last personnel committee meeting due to work. He believes this contract amendment will possibly carry forward to the next manager. **SCHNABEL** agreed with **WATERMAN** that the manager had no foreknowledge of the resignation. The benefits are greater than she would like to offer to the current or future manager. **SCOTT** reminded that the personnel committee only hammered out language, but the assembly is the body with the authority to negotiate the manager's contract. She believes it is a good contract model and collapses all the leave into one category. **EARNEST** said he had no thought of early departure during these discussions. He is not looking to maximize his compensation but rather how the contract is currently structured and the best way to move forward with combined leave. **WATERMAN** explained the reasons for condensing leave into one category. It is the trend for leave usage because it is more efficient and good for both parties. The personal leave has to take into account the use of sick leave and it is a long term solution to budget questions. **BERRY** reported that both SEARHC and CIA employees are enjoying the consolidated leave system. **EARNEST** said this sets the structure for on-going contracts. He believes this is a legacy amendment.

Motion: WATERMAN moved to "accept the manager's resignation," and it carried 5-1 with **SMITH** opposed.

Motion: LAPP moved to "reconsider the 7/23/13 motion to adopt Resolution 13-07-472 amending the heliskiing map," and the motion failed 2-4 with **WATERMAN**, **SMITH**, **BERRY**, and **VICK** opposed.

During the discussion, **LAPP** expressed his concern the assembly acted without enough information. The assembly may have acted on emotion. It took the assembly only 15 minutes when the committee heard comments for a month. The previous vote removed areas 1, 2, and 21. **SMITH** believes it would be a disservice to the public to bring this back to the table tonight without public notice. **SCOTT** understands **LAPP** has a plan to notify the public. **WATERMAN** said she did not act with emotion. **BERRY** voted against the original motion, but the perception to act now would be poor without public notice. **LAPP** said his plan would be to move to postpone to the next assembly meeting where **CULBECK** would project a 3D model and the public could be given notice.

4. Borough Comment to ADOT&PF re. Highway Realignment – *Note: this was moved during approval of the agenda to be ahead of Item 7 – Public Hearings.*

5. **Amnesty for code infractions – Discussion Item**

Note: this item was added during approval of the agenda.

SCHNABEL distributed a white paper regarding a potential amnesty plan to build confidence within the community. As staff becomes more proficient, she anticipates there will be even more enforcement. She suggested a period of perhaps 30 days to allow people to come into compliance. **BERRY** asked it was retroactive, and **SCHNABEL** responded the fine would not be assessed if action was taken. **GOLDBERG** said the planning commission would be happy to work on this issue at the assembly's direction. Currently, there is only a single fine of \$250.00, but he personally would like to see a tiered fine system and also give staff the ability to send warning letters. This lack of warning has made many people very emotional. It was noted the police department is still not issuing parking tickets, and **EARNEST** said he would investigate the status of that. **WATERMAN** asked if a warning letter could just be policy and not codified. **EARNEST** suggested staff and administration document the current procedures and any existing latitude, as well as the current infractions. He stressed ignorance of the code and permitting process are not acceptable excuses. He does support the idea of looking at the idea of making the fine fit the infraction and also providing staff with the ability to send warning letters.

Motion: **WATERMAN** moved "to ask the Planning Commission to work with the administration to come up with code enforcement procedure recommendations for the assembly's consideration," and the motion carried unanimously.

VICK agreed the fee structure will be important but citizens do have the personal responsibility to follow the laws and code. **SMITH** said after eleven years of consolidation, the community is still suffering from code infractions that have not been addressed. A policy should be in place to warn people of the issue and a graduated timeline. He agrees with the idea of a policy change, and perhaps an amnesty that would apply only to some things that are not related to property taxes. **SCOTT** showed a list of 71 permits issued in 2013 that involve people who complied with the regulations. She is not interested in an amnesty period but is in favor of the notification and tiered system. She encouraged the staff to do more to educate the public about code.

12. **CORRESPONDENCE/REQUESTS** - None

13. **SET MEETING DATES**

A. **Committee of the Whole** – Monday, 8/19, 6pm – Topic: meet to consider the method for recruiting a new manager, whether professional service or traditional.

SCHNABEL believes the assembly should discuss the qualities and experience most important to look for. **SCOTT** agreed and said the professional recruiters go through the same kind of process.

B. **Ad hoc Ferry Committee** – Monday, 8/26, 10am

C. **Government Affairs & Services Committee** – Wednesday, 9/4, 5pm – Topic: Heliskiing GPS Policy.

14. **PUBLIC COMMENTS**

MORPHET endorsed the idea of using a service to hire the manager. They conduct a strong investigation and advertise through a more informed network.

15. **ANNOUNCEMENTS/ASSEMBLY COMMENTS**

SCHNABEL asked the status of recruitment for a new Chief of Police. **EARNEST** believes four applications were received by the 8/12/13 first review deadline. He wants to schedule a Public Safety Commission meeting to review the applicants.

LAPP asked how the agenda got so long, and the mayor said she believes multiple appeals contributed to the length. **SMITH** said he may forward an ordinance to limit the length of agendas.

16. **ADJOURNMENT** – 9:08pm on 8/14/13

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

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk



August 19, 2013

Commissioner Patrick J Kemp, and
Michael J. Coffey, Statewide Maintenance and Operations
Department of Transportation & Public Facilities
PO Box 112500
3132 Channel Drive
Juneau, Alaska 99811-2500

Re: Reply to response to Herbicide and Pesticide applications in the Petersburg Borough

Dear Commissioner Kemp and Mr. Coffey,

We are in receipt of your July 9 letter addressing the Petersburg Borough's June 17 letter of concern regarding the regulations adopted by the State of Alaska allowing for the broad application of herbicides and pesticides on state property and rights of way without first obtaining a permit from the Department of Environmental Conservation and without public review. Unfortunately, we view your reply as totally unresponsive to our concerns. Our concerns are focused on the effects of the contamination of aquatic habitats and the transmission of that contamination into fish and other aquatic resources and seafood that are not only consumed by residents of the Petersburg Borough but are harvested commercially and marketed globally. Regrettably, your letter is merely a reiteration of the Integrated Vegetation Management Program (IVMP) and the regulations allowing the broad-based pesticide/herbicide application. Your letter completely ignores our primary concerns regarding that application and the lack of citizen input into the appropriateness of the application of toxic chemicals to areas where they eventually will enter the aquatic environments. It also ignores our concerns regarding contamination of drinking water, impacts to harvesters of berries and other edibles along roadways, and other concerns.

The seafood industry and the State of Alaska has invested millions of dollars in marketing efforts touting the sustainability, and health benefits of consuming wild Alaska seafood (as was pointed out in our June 17 letter). The foundation of that marketing effort is absolutely dependent upon Alaska's pristine waters uncontaminated with toxic chemicals. Any suspicion that Alaska seafood could be contaminated with pesticide/herbicide residue could do irreparable harm to that marketing effort and the seafood industry itself which is the lifeblood of the Petersburg Borough economy.

Your letter points out that *"DOT&PF has selected broad spectrum herbicides approved by the U.S. Environmental Protection Agency for use in aquatic conditions"*. The IVMP Table 1, POTENTIAL HERBICIDES TO BE USED BY ADOT&PF, lists those herbicides approved for aquatic environments which includes Aquamaster® (active ingredient Glyphosate). The IVMP Section 6.3, **Chemical Control**, goes on to state: *"ADOT&PF may use Aquamaster, Habitat, and Garlon 3 throughout its right-of-ways, FAA certified airports, accessible non-certified airports, and facilities in compliance with their EPA approved labels. Both Aquamaster and Habitat may be used to control vegetation within aquatic*

areas, if needed, only after an Alaska Pollution Discharge Elimination System Pesticide General Permit and a Pesticide Use Permit are obtained.” Although the EPA considers herbicides containing Glyphosate minimally toxic to humans and “safe” for use in aquatic environments, a recent study published in the scientific journal *Entropy*¹ sheds a significantly different and disturbing light on that assumption. As stated in the **Abstract**:

“Glyphosate, the active ingredient in Roundup®, is the most popular herbicide used worldwide. The industry asserts it is minimally toxic to humans, but here we argue otherwise... Glyphosate's inhibition of cytochrome P450 (CYP) enzymes is an overlooked component of its toxicity to mammals. CYP enzymes play crucial roles in biology, one of which is to detoxify xenobiotics. Thus, glyphosate enhances the damaging effects of other food borne chemical residues and environmental toxins. Negative impact on the body is insidious and manifests slowly over time as inflammation damages cellular systems throughout the body.”

This peer-reviewed paper, which we were unaware of prior to our June 17 letter, adds to our concerns about the broad-based herbicide use proposed by DOT&PF and has heightened our opposition to that plan. This information has now been broadly disseminated on a variety of news media and should be considered common knowledge. As such, it is likely the public awareness of the use of these herbicides in or near Alaskan waters will have a negative impact on the public's willingness to buy and consume Alaska seafood. This information also increases our concerns regarding exposure of our resident's to these toxins through contaminated drinking water, consumption of contaminated plants, and direct contact with the toxins.

In conclusion, based on your unresponsiveness to our concerns and the additional information we have obtained regarding the toxicity of the permitted herbicides, the Petersburg Borough appears to have no choice but to consider taking regulatory action, via the adoption of ordinances and/or land use restrictions that will ban the large-scale application of herbicides and pesticides within Borough boundaries. We hope that regulatory remedies will not be necessary to stop the large-scale application of herbicides and pesticides within the Petersburg Borough. However, without assurance from the State that application of herbicides and pesticides will not occur within our Borough, we must consider taking that action.

Sincerely,



Mark Jensen
Mayor

¹Samsel, S.; Seneff, S. Glyphosate's suppression of cytochrome P450 enzymes and amino acid biosynthesis by the gut microbiome: Pathways to modern diseases. *Entropy* **2013**, 15, 1416-1463.



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 13-304
Assembly Meeting Date: 7/23/13

Business Item Description:	Attachments:
Subject: Election procedures in case of >40% votes.	1. Ordinance 13-07-334, current draft 2. Substitute Ordinance, recommended by the mayor 3. 7/16/13 Memo from the Mayor
Originator: Assembly Member Debra Schnabel	
Originating Department:	
Date Submitted: 7/1/13	

Full Title/Motion:
Motion: Adopt Ordinance 13-07-334.
The mayor requests consideration of a substitute ordinance prior to adoption.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$ -0-	\$	\$ -0-

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:
Currently, HBC 2.68.510 states that in the instance a candidate receives fewer than 40% of the vote, an election shall be held between the candidates and that there shall be two candidates. Assembly Member Schnabel recommends a code amendment and the ordinance was introduced on 7/9. As currently drafted, it would not comply with Charter Section 16.04. Therefore, a substitute ordinance was prepared based on wording recommended by the mayor. On 7/23, following the first public hearing, it was referred to the Government Affairs & Services Committee for further review. On 8/13, the assembly scheduled it for a second public hearing.

Referral:

Sent to: Government Affairs & Services Committee	Date: 7/23/13
Recommendation: Hold a 2nd PH Refer to:	Meeting Date: 8/12/13

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 7/23, 8/27/13
Meeting Date(s): 7/9, 7/23, 8/27/13	Tabled to Date:



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 13-304
Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Election procedures in case of >40% votes.	1. Ordinance 13-07-334, current draft 2. Substitute Ordinance, recommended by the mayor 3. 7/16/13 Memo from the Mayor
Originator: Assembly Member Debra Schnabel	
Originating Department:	
Date Submitted: 7/1/13	

Full Title/Motion:
Motion: Adopt Ordinance 13-07-334.
The mayor requests consideration of a substitute ordinance prior to adoption.

Administrative Recommendation:

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ -0-	\$	\$ -0-

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

Summary Statement:
Currently, HBC 2.68.510 states that in the instance a candidate receives fewer than 40% of the vote, an election shall be held between the candidates and that there shall be two candidates. Assembly Member Schnabel recommends a code amendment and the ordinance was introduced on 7/9. As currently drafted, it would not comply with Charter Section 16.04. Therefore, a substitute ordinance was prepared based on wording recommended by the mayor. On 7/23, following the first public hearing, it was referred to the Government Affairs & Services Committee for further review. On 8/13, the assembly scheduled it for a second public hearing.

Referral:
Sent to: Government Affairs & Services Committee Date: 7/23/13
Recommendation: Hold a 2nd PH Refer to: _____ Meeting Date: 8/12/13

Assembly Action:
Workshop Date(s): _____ Public Hearing Date(s): 7/23, 8/27/13
Meeting Date(s): 7/9, 7/23, 8/27/13 Tabled to Date: _____

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE
TITLE 2, SECTIONS 2.68.510 TO ALTER RUNOFF ELECTION PROCEDURE.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Section 2.68.510. Section 2.68.510 of the Haines Borough Code of Ordinances is amended to read as follows:

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

2.68.510 Votes required to elect – Runoff elections.

If in a borough election an office is not filled because **more than one** candidates received fewer than 40 percent of the votes cast, the borough shall hold a runoff election between the **unseated** candidates receiving the greatest number of votes for the office on the first Tuesday in November following the canvass and certification as in HBC 2.68.500. There shall be two runoff candidates for each office to be filled. **If there are fewer than two unseated candidates, the single candidate shall be appointed to fill the seat for one year until the next regular election when the seat shall be declared open for election for the remainder of the term.** Notice of the runoff election shall be published at least 10 days before the election date. The person(s) receiving the highest number of votes shall be elected following canvass and certification of the election as provided in HBC 2.68.500.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ___
DAY OF ___, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 07/09/13
Date of First Public Hearing: 07/23/13 – referred to G.A.S. Committee
Date of Second Public Hearing: 08/27/13

DRAFT

HAINES BOROUGH, ALASKA
ORDINANCE No. 13-07-334

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE
TITLE 2, SECTIONS 2.68.510 TO ALTER RUNOFF ELECTION PROCEDURE.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Section 2.68.510. Section 2.68.510 of the Haines Borough Code of Ordinances is amended to read as follows:

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

2.68.510 Votes required to elect – Runoff elections.

A. Votes required to elect. A candidate for borough office is required to receive at least 40 percent of the votes cast. Votes cast shall be calculated as the number of votes cast divided by the number of vacancies.

B. Runoff elections. If in a borough election an office is not filled because candidates received fewer than 40 percent of the votes cast, the borough shall hold a runoff election between the **top two unseated** candidates ~~receiving the greatest number of votes for the office~~ on the first Tuesday in November following the canvass and certification as in HBC 2.68.500. There shall be two runoff candidates for each office to be filled. Notice of the runoff election shall be published at least 10 days before the election date. The person(s) receiving the highest number of votes shall be elected following canvass and certification of the election as provided in HBC 2.68.500.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ___ DAY OF ___, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 07/09/13
Date of First Public Hearing: 07/23/13
Date of Second Public Hearing: ___/___/___

Memorandum

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

July 16, 2013

To: Haines Borough Assembly members

Cc: Mark Earnest, Borough Manager; Julie Cozzi, Borough Clerk

From: Stephanie Scott, Mayor, Haines Borough

Subject: Ordinance 13-07-334 – Substitute

Ordinance 13-07-334 is designed to alter the runoff election procedure by allowing more than one unseated candidate to be included in the runoff election. But, to achieve this goal, a charter amendment would be required. Charter (Section 16.04 Election Procedures) states:

If no candidate receives more than 40 percent of the votes, the seat will be filled by the winner of a runoff election between the two candidates receiving the most votes.

Notwithstanding that the Charter should probably now say “office” instead of “seat,” a charter amendment is required to overcome the two-person runoff provision. A Charter amendment may be proposed by the Assembly through the adoption of an ordinance and has to be ratified by the voters. Time to do this is crunched. Special meetings would be required because the ballot needs to be to the printer and programmer by August 21 to accommodate absentee voters.

Alternatively, I am proposing that at this time we move forward with a substitute ordinance that makes the “votes required to elect” specific and defines the “votes cast” in light of the form of ballot we are now using (a list). Providing the definition of votes cast in code makes it absolutely clear how the 40% is to be determined.

One concern had been to create a response to the scenario of a ballot for two vacancies that has only two candidates and one candidate does not receive 40% of the vote. The proposed language to address this possibility reads:

If there are fewer than two unseated candidates, the single candidate shall be appointed to fill the seat for one year until the next regular election when the seat shall be declared open for election for the remainder of the term.

However, it is unnecessary to add this language, because the second candidate would simply not qualify to be elected and thus the office would be declared vacant. The Assembly would proceed, not with an election, but to fill the vacancy by appointment according to HBC 2.10.250 . Therefore, this language is not included in the substitute ordinance.

The substitute ordinance would read:

2.68.510 Votes required to elect – Runoff Elections

- A. **Votes required to elect. A candidate for borough office is required to receive at least 40 percent of the votes cast. Votes cast shall be calculated as the number of votes cast divided by the number of vacancies.**
- B. **Runoff Elections.** If in a borough election an office is not filled because candidates received fewer than 40 percent of the votes cast, the borough shall hold a runoff election between the **top two unseated candidates** on the first Tuesday in November following the canvass and certification as in HBC 2.68.500. Notice of the runoff election shall be published at least 10 days before the election date. The person(s) receiving the highest number of votes shall be elected following canvass and certification of the election as provided in HBC 2.68.500



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 13-312

Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Limit the Length of Assembly Meeting	1. Ordinance 13-07-336
Originator: Assembly Member Jerry Lapp	
Originating Department:	
Date Submitted: 07/15/13	

Full Title/Motion:
Motion: Adopt Ordinance 13-07-336.

Administrative Recommendation:

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
Assembly Member Lapp requested a draft ordinance that would limit the length of assembly meetings. This draft was introduced at the 7/23 meeting and referred to the Government Affairs & Services Committee for review. On 8/13, that committee recommended an amendment to replace "at 9:45 p.m." with "by 9:30 p.m." and that amendment was approved by the assembly.

Referral:	
Sent to: Governmental Affairs and Services	Date: 7/23/13
Recommendation:	Refer to: Meeting Date: 8/12/13

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s): 8/13, 8/27/13
Meeting Date(s): 7/23, 8/13, 8/27/13	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE SECTION 2.10.010 TO LIMIT THE LENGTH OF BOROUGH ASSEMBLY MEETINGS.

WHEREAS, the Haines Borough Charter Section 18.03(C) states, “[e]xcept in emergency, the assembly, school board, and all borough boards and commissions may take no official action between the hours of midnight and 7:00 a.m. local time; and

WHEREAS, the Borough Assembly wishes to amend borough code to limit the length of assembly meetings.

NOW, THEREFORE, BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Section 2.10.010. Section 2.10.010 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE
STRIKETHROUGH ITEMS ARE DELETIONS

2.10.010 Procedures of the assembly.

A. The mayor shall preside at all meetings of the assembly. The mayor shall preserve order and decorum among the assembly members and is responsible for the conduct of all meetings in compliance with the rules of the assembly. The mayor may at any time make such rules as the mayor deems proper to preserve order among the spectators in the assembly chambers during sessions of the assembly.

B. The mayor may speak to points of order in preference to other members and shall decide on all points of order, subject to appeal to the assembly by a motion duly seconded as herein provided. The mayor may at any time call any member to the chair during any meeting, such substitution to discontinue when the mayor elects to resume the chair, and in no event beyond adjournment of the meeting at which such substitution is made.

~~B.C.~~ The mayor shall designate one assembly member as deputy mayor. In the temporary absence or disability of the mayor, the deputy mayor shall exercise all the powers of the mayor and may also vote.

D. Regular and special assembly meetings shall adjourn no later than 10:00 p.m. unless waived by at least four affirmative votes. If a meeting has not yet adjourned, the assembly shall vote by 9:30 p.m. on whether to continue the meeting until the remaining agenda items are addressed or to reschedule the remaining agenda items to a future meeting agenda.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 07/23/13
Date of First Public Hearing: 08/13/13
Date of Second Public Hearing: 08/27/13



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 13-306
Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Quitclaim Deed Conveyance of Tract B to ADOT&PF for Haines Ferry Terminal Improvements	1. Ordinance 13-07-337 2. Memo from Manager & Attorney (w/attachments) -July 23, 2013 letter from ADOT&PF -Lutak Dock Plan Modifications -Proposed creation of Parcel E-5 -Easement documents 3. Adopted Ordinance 12-07-299
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 07/15/13	

Full Title/Motion:
Motion: Adopt Ordinance 13-07-337

Administrative Recommendation:
The borough manager recommends adoption.

Fiscal Impact:

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

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

Summary Statement:
This ordinance authorizes the manager to conclude arrangements for the conveyance of the borough's interest, if any, in Tract B of ATS 1464 to ADOT&PF by quitclaim deed in connection with consummating the sale of Parcel 3 (Tract C of ATS 1464), Parcel E-4 and Parcel TCE-4 to ADOT&PF for \$338,400 as authorized by Haines Borough Ordinance No. 12-07-299, but changes the form of the conveyance of Parcel 3 from warranty deed to quitclaim deed. Tracts B and C of ATS 1464 are both needed by ADOT&PF for the Haines Ferry Terminal Improvements project. The planning commission reviewed this on 7/11/13 and unanimously supports this action. On 8/13, the assembly amended the draft in its entirety by substituting another draft of the ordinance prepared by the borough attorney resulting from continued work on this matter.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 8/13, 8/27/13
Meeting Date(s): 7/23, 8/13, 8/27/13	Tabled to Date:

An Ordinance of the Haines Borough Assembly approving the conveyance by quitclaim deed of Tract B of Alaska Tideland Survey (“ATS”) 1464 to the State of Alaska, Department of Transportation and Public Facilities (“ADOT&PF”) for the Haines Ferry Terminal Improvements project (State Project #68433); amending Haines Borough Ordinance No. 12-07-299 to authorize the conveyance of Parcel 3 (Tract C of ATS 1464) to ADOT&PF by quitclaim deed rather than warranty deed; and approving a right of entry upon and the sale to DOT&PF of Parcel E-5, a perpetual easement containing 3,484.8 sq. ft., more or less, located in Tract A of ATS 1464 for ADOT&PF to establish, construct and maintain a retaining wall for the Lutak Dock.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is for the specific purpose of approving the conveyance by quitclaim deed of a specific parcel of land to ADOT&PF and to amend the terms of an earlier non-code ordinance (Ordinance No. 12-07-299) approving the conveyance of another specific parcel of land to ADOT&PF to change the form of that conveyance from a warranty deed to a quitclaim deed, and to approve a right of entry upon and the sale to ADOT&PF of an easement in another specific parcel of land, and shall not become a part of the Haines Borough Code.

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

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

Section 4. Purpose. This ordinance authorizes the manager to conclude arrangements for the conveyance of the Borough’s interest, if any, in Tract B of ATS 1464 to ADOT&PF by quitclaim deed in connection with consummating the sale of Parcel 3 (Tract C of ATS 1464), Parcel E-4 and Parcel TCE-4 to ADOT&PF for \$338,400 as authorized by Haines Borough Ordinance No. 12-07-299, but changes the form of the conveyance of Parcel 3 from warranty deed to quitclaim deed. Tracts B and C of ATS 1464 are both needed by ADOT&PF for the Haines Ferry Terminal Improvements project. As stated in the attached June 27, 2013 letter from ADOT&PF and the accompanying white paper on the history of ATS 1464 Tracts B and C, the parties have regarded the Borough as the owner of Tract C and ADOT&PF as the owner of Tract B, but the title documentation calls this into question and indicates the opposite may be true. This ordinance will allow the parties to correct the record title to conform to their perceptions of ownership and respective use of the two tracts, allow the transactions approved by Haines Borough Ordinance No. 12-07-299 to proceed, including ADOT&PF’s payment of the \$338,400 for the property interests acquired, but change the form of the conveyance of Parcel 3 (Tract C of ATS 1464) to ADOT&PF from a warranty deed to a quitclaim deed, which is prudent given the confusion that exists as to the actual state of the title. The potentially expensive, time-consuming and uncertain alternative of quiet title litigation between the Haines Borough and ADOT&PF will be avoided, as will delays to the Haines Ferry Terminal Improvements project and possible loss of federal funding for the project that such litigation might cause. This ordinance will also approve the grant of a right of entry upon and the sale to ADOT&PF of Parcel E-5 as identified and described in the attached Parcel E-5 easement document, consisting of 3,484.8 sq. ft., more or less, located in Tract A of ATS 1464 for ADOT&PF to establish, construct and maintain a retaining wall for the Lutak Dock. The improvements to be constructed

Haines Borough
Ordinance No. 13-07-337
Page 2 of 2

on Parcel E-5 consist of tieback supports that will be located approximately 10 feet below the dock surface.

Section 5. Authority. This ordinance is adopted under the authority granted the Assembly by HBC 14.20.100 to approve the sale of borough land by negotiation.

Section 6. Approval. The conveyance of Tract B of ATS 1464 by quitclaim deed to ADOT&PF in connection with the sale of Parcel 3 (Tract C of ATS 1464), Parcel E-4 and Parcel TCE-4 to ADOT&PF for \$338,400 as previously authorized by Haines Borough Ordinance No. 12-07-299 is hereby approved, provided that the form of the conveyance of Parcel 3 (Tract C of ATS 1464) is changed from warranty deed to quitclaim deed. A right of entry upon and the sale to ADOT&PF of Parcel E-5 is hereby approved on terms to be negotiated by the manager with ADOT&PF based on Parcel E-5's fair market value to be determined by agreement with ADOT&PF. The manager and mayor are hereby authorized to take all such steps as may be necessary to finalize and sign the conveyance documents on behalf of the Haines Borough, provided that in accordance with HBC 14.20.100(D), all costs such as but not limited to surveying, platting, appraisal, escrow, and recording fees associated with this negotiated sale shall be paid by ADOT&PF.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
____ DAY OF _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 07/23/13
Date of First Public Hearing: 08/13/13
Date of Second Public Hearing: 08/27/13



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

August 13, 2013

Haines Ferry Terminal Improvements - Project No. 68433, FHWA No. FB-NH-095-5(14)

The Alaska Department of Transportation and Public Facilities (ADOT&PF) has modified the design of the Haines Ferry Terminal Improvements, which will necessitate the issuance of a new easement on the Borough's portion of the Lutak Dock. The proposed action, if approved, would convert a portion of the already approved Temporary Construction Easement to a Permanent Easement. The new easement would become Parcel E-5.

The modifications consist of replacing the armor rock slope section with a retaining wall supported by anchor piles and tieback rods. The anchor piles and tieback rods would extend approximately 40 feet, more or less, under the Borough's portion of Lutak Dock and would be buried approximately 10 feet below grade. The ADOT&PF would be granted a free and unrestricted right to maintain the facilities on Borough property. The limitation for the Borough is that there could not be any permanent structures placed above the tiebacks and supports.

The ADOT&PF has committed to pay the Borough fair market value for Parcel E-5, but the problem has been the amount of time that it will take to produce a value and to make an offer, as well as for the Borough procedures. The Right of Way Section has initiated the process of obtaining an opinion of value. However, given the circumstances, the ADOT&PF has requested that the Assembly approve easement and authorize the Manager to negotiate its fair market value. This action would also include authorizing right of entry to the ADOT&PF for this parcel. If these authorizations can be obtained before the end of August, ADOT&PF would still be able to move forward with this project.

Attached are the following documents:

1. July 23, 2013 letter from Ray Preston, ADOT&PF Right of Way Agent
2. Lutak Dock Plan Modifications from ADOT&PF showing the design change (two sheets)
3. Proposed creation of Parcel E-5 (conversion of a portion of the existing Temporary Construction Easement into Permanent Easement)
4. Easement documents (two pages)
5. Proposed amendment to Ordinance No. 13-07-337 (S) (both legislative and clean versions)

Ordinance No. 13-07-337 is currently before the Assembly and is scheduled for Public Hearings on August 13 and 27, 2013.

Mark:

Attached is the draft ordinance approving the conveyance of the Borough's interest, if any, in Tract B of ATS 1464 to ADOT&PF in connection with completing the transactions earlier authorized by Haines Borough Ordinance No. 12-07-299. The referenced attachments are the same as were included in the Planning Commission package, consisting of the June 27, 2013 letter to you from Rob Murphy of ADOT&F, the "white paper" discussing the history of Tracts B and C, and the exhibits to the white paper.

Because the title information provided by ADOT&PF does show a confusing history as to title, the earlier authorization to convey Tract C (denominated as "Parcel 3" in the transactions approved by the earlier ordinance) by warranty deed needs to be amended to make the conveyance of Tract C be by quitclaim deed. The draft ordinance does this.

As you know, I have not separately researched the title to these two parcels, other than to review the information set forth in the white paper and the attachments to same. I have seen enough, however, to satisfy myself that the title is confused and I believe that the alternative to sorting this out by agreement, which would be a quiet title action filed by the ADOT&PF, would be costly, time-consuming and uncertain, and would delay the project by many months (if not years) and could very well result in the ADOT&PF's loss of federal funding (or at least loss of the current federal funding) for the project. I gather that no one favors such a scenario, as the Planning Commission's unanimous approval of what ADOT&PF is proposing suggests.

The possible outcome of such a quiet title action could, as the letter from ADOT&PF suggests, be a determination that the Borough does not have good title to Tract C (Parcel 3 as denominated by ADOT&PF), despite what the title report indicated, and therefore that ADOT&PF need pay the Borough nothing for it. As you know, approximately \$195,000 of the \$338,400 to be paid by ADOT&PF to the Borough is for Tract C. At the same time, it could turn out that the Borough has title to Tract B, and therefore that ADOT&PF would need to acquire that parcel from the Borough, which would necessitate an appraisal, review appraisal, negotiations, etc. Whether Tract B is worth more or less than Tract C I cannot say.

You will recall that I suggested as an alternative to ADOT&PF that the Borough consider making Tract B available for the project by way of an amendment to the "informal agreement" that existed between the parties as a result of the cell four failure in 2004, as described in the ADOT&PF white paper, which would really just be a continuation of what was agreed to by the Borough's predecessor (i.e., the City of Haines) as reflected in the 1992 Joint Use Agreement discussed in the white paper, where it says the City had agreed to make this property available "in support of the project." ADOT&PF rejected that kind of "informal" approach to the Borough agreeing to its use of Tract B, no doubt because the federal funding requirements mandate that it "certify" its ownership of the property rights needed for the project.

I have to leave shortly to go catch an airplane. I hope this email will serve in lieu of a more formal memorandum.

Regards,

Bruce Falconer

Bruce E. FALCONER
BOYD, CHANDLER & FALCONER, LLP.
911 W.8th Ave., Suite 302
Anchorage, AK 99501
(907) 272-8401
(907) 274-3698 - Fax
bfalconer@bcf.us.com



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Transportation
and Public Facilities

SOUTHEAST REGION
DESIGN & ENGINEERING SERVICES
Preconstruction

6860 Glacier Highway
PO Box 112506
Juneau, Alaska 99811-2506
Main: 907.465.4444
Toll free: 877.305.6630
Fax: 907.465.4414

July 23, 2013

Via E-Mail

Mr. Mark Earnest
Borough Manager
Haines Borough
P.O. BOX 1209
Haines, Alaska 99827

Re: Haines Ferry Terminal Improvements
Project No. 68433
FHWA No. FB-NH-095-5(14)
Proposed New Easement: Parcel E-5

Dear Mr. Earnest,

Following our meeting of last week, we have refined our design for the new wall that will support one end of the Lutak dock. As I noted, we have discovered that our design will require one additional permanent easement from the Haines Borough. We would ask that you consider granting this additional easement. The easement would consist of simply transforming a portion of Temporary Construction Easement Four (TCE-4) into a permanent easement (E-5). Parcel E-5 would consist of 3,484.8 square feet. See the accompanying parcel plat. However, the borough would continue to have full use of this area of the dock as the reason for the easement is all underground. The easement is needed to establish an underground structure to support the wall, viz. tiebacks. The easement would be to allow the tiebacks to be established, and if necessary, maintained, and the easement would be restricted to this purpose. Also accompanying this letter are drawings (two sheets) that show the engineering aspects of the easement. Among other things they show the nature of the tiebacks that to the wall that will be built at the East end of the dock. There will be six tiebacks. They would be buried at least feet beneath the surface. They would be deep

enough such that there will be no "no dig" zone, and the borough would be able to locate underground electrical wiring and establish light poles if so desired.

Particularly since there would be virtually no impact on the borough's use of the dock, we would ask that you consider donating this easement. However, in making this request, we are also duty bound to advise you that under 23 CFR 710.505 – 23 CFR 710.507, the borough is entitled to receive just compensation for the property rights. This includes the right to have a qualified appraiser appraise the property rights. With such as the case, the rules that we have to follow require that the following language must be a part of a borough ordinance or resolution to donate the property:

This donation by the Haines Borough is made voluntarily and with full knowledge of its entitlement to receive just compensation. The Haines Borough also releases the Department of Transportation from any obligation to prepare an appraisal for this donated parcel.

We apologize that this request is late in coming, and we thank you for your consideration.

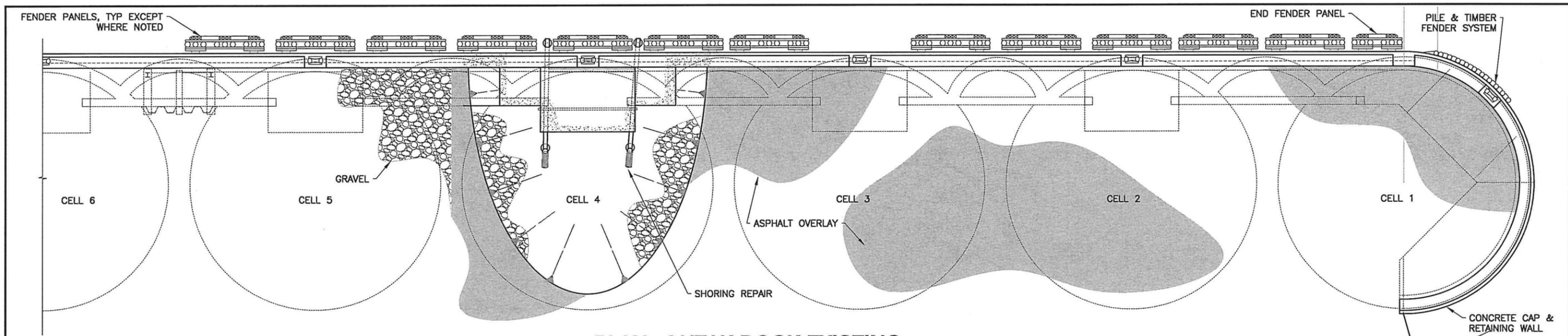
Sincerely,



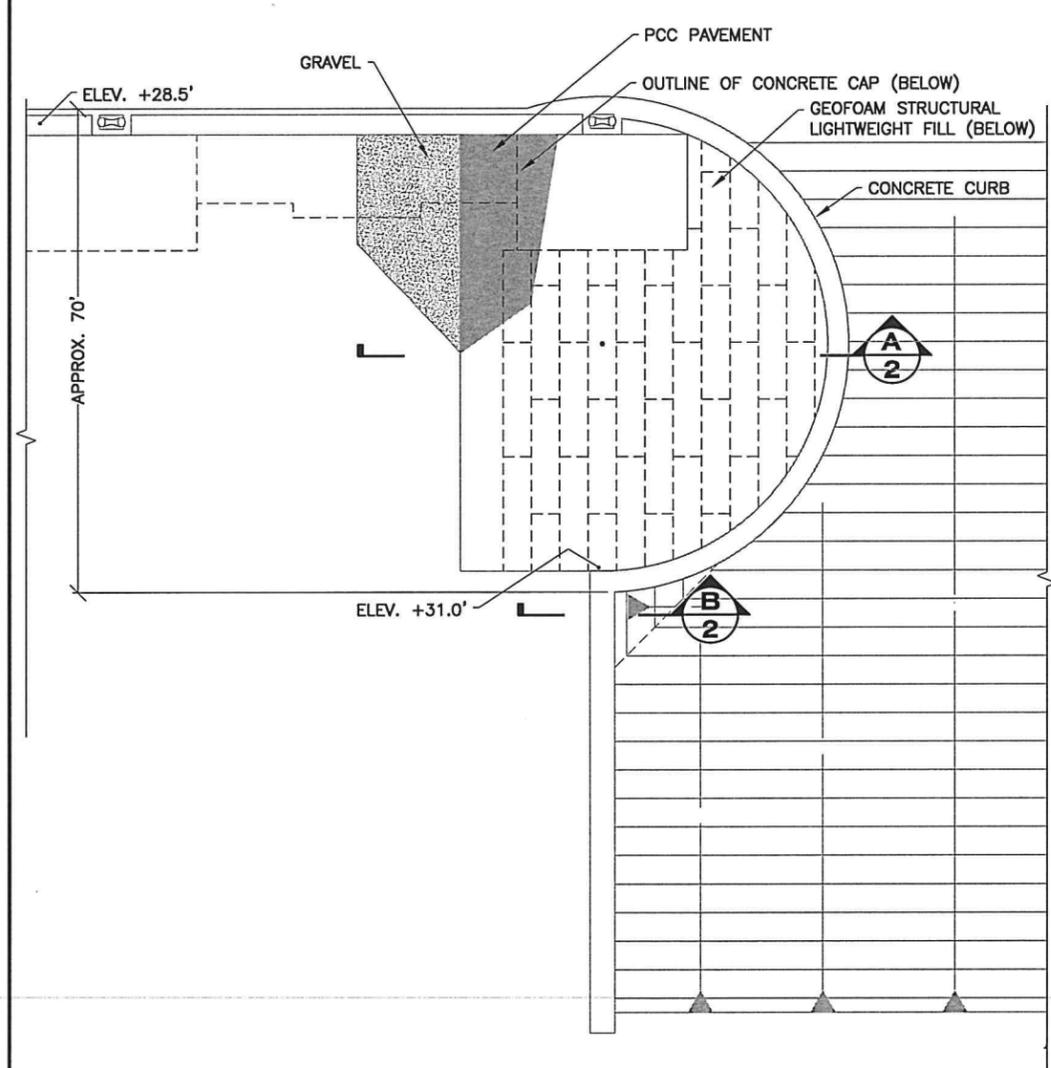
Ray C. Preston
Right of Way Agent
Southeast Region

Enclosures

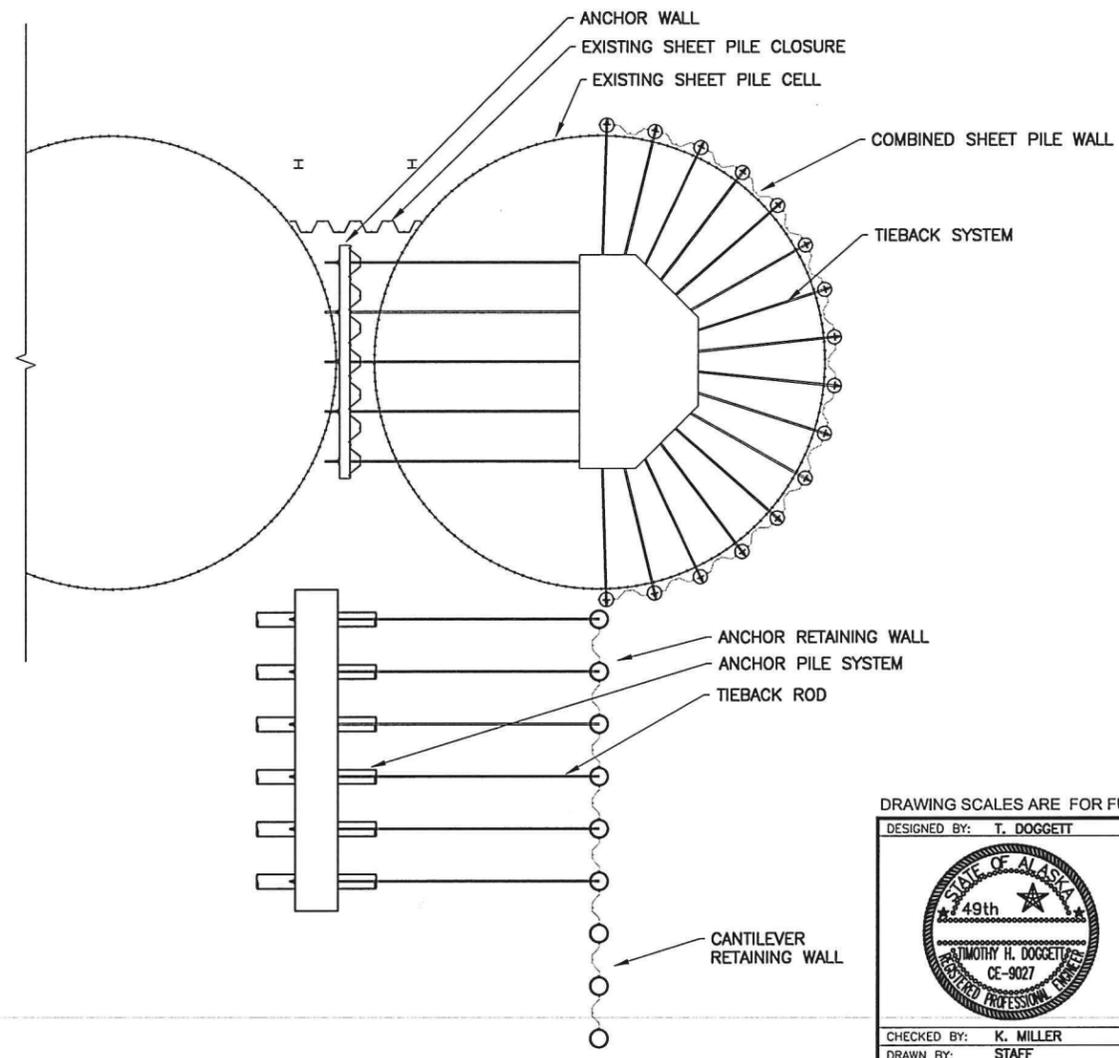
cc: Bruce Falconer, Esq.



PLAN - LUTAK DOCK EXISTING



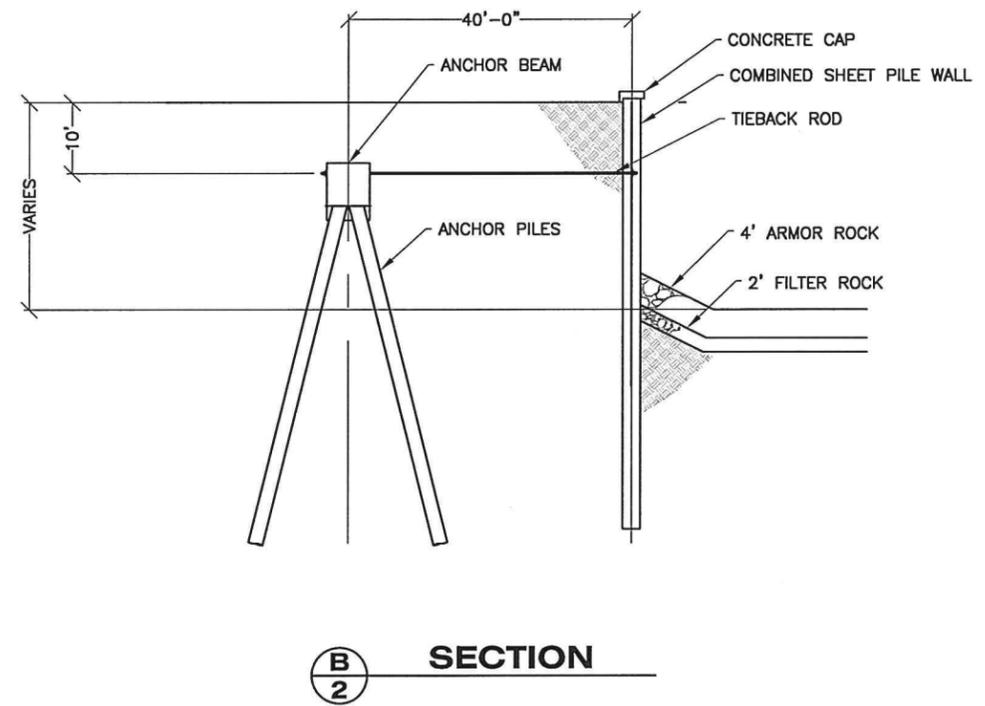
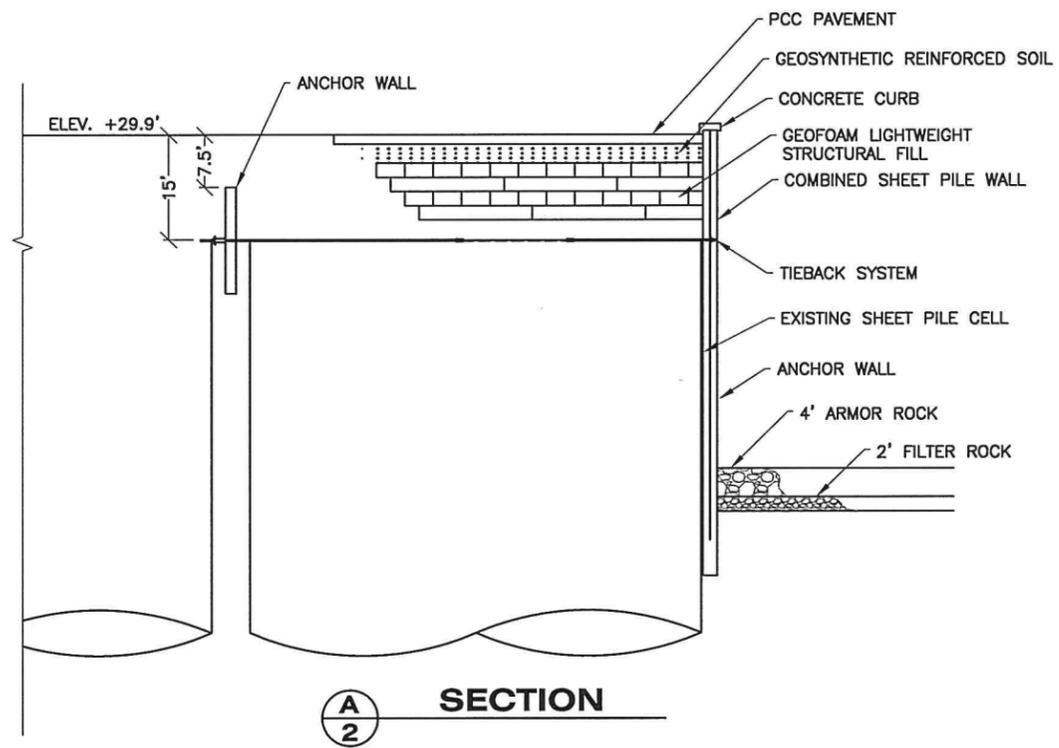
PLAN - LUTAK DOCK MODIFICATIONS



PLAN - RETAINING STRUCTURE

DRAWING SCALES ARE FOR FULL-SIZE SHEETS. IF NO SCALE SHOWN, USE DIMENSIONS.

DESIGNED BY: T. DOGGETT		STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES SOUTHEAST REGION		
		HAINES FERRY TERMINAL IMPROVEMENTS PLANSET A		
		BULKHEAD RETAINING WALLS TERMINATION DETAILS		
CHECKED BY: K. MILLER		PROJECT DESIGNATION		
DRAWN BY: STAFF		YEAR		
PATH: Q:\HNS\68433\MF\DESIGN\CAROL\BULKHEAD RETAINING WALL DETAILS.DWG		SHEET NO.		
TAB: 1		TOTAL SHEETS		
TUESDAY, JULY 23, 2013 12:24:06 PM DOGGETT, TIMOTHY H (DOT)		68433 / 0955(014) 2013 1 44		
NO.	DATE	DESCRIPTION	YEAR	SHEET NO.



DRAWING SCALES ARE FOR FULL-SIZE SHEETS. IF NO SCALE SHOWN, USE DIMENSIONS.

DESIGNED BY: T. DOGGETT  CHECKED BY: K. MILLER DRAWN BY: STAFF		STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES SOUTHEAST REGION HAINES FERRY TERMINAL IMPROVEMENTS PLANSET A BULKHEAD RETAINING WALLS TERMINATION DETAILS																							
PATH: Q:\HNS\68433\MF\DESIGN\CAROL\BULKHEAD RETAINING WALL DETAILS.DWG TAB: 2		Tuesday, July 23, 2013 12:26:35 PM DOGGETT, TIMOTHY H (DOT)																							
<table border="1"> <thead> <tr> <th colspan="3">REVISIONS</th> <th>PROJECT DESIGNATION</th> <th>YEAR</th> <th>SHEET NO.</th> <th>TOTAL SHEETS</th> </tr> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th></th> <th></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td>68433 / 0955(014)</td> <td>2013</td> <td>2</td> <td>44</td> </tr> </tbody> </table>		REVISIONS			PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS	NO.	DATE	DESCRIPTION								68433 / 0955(014)	2013	2	44			
REVISIONS			PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS																			
NO.	DATE	DESCRIPTION																							
			68433 / 0955(014)	2013	2	44																			

N63°26'59"W 1528.76'

EASEMENT	OWNER	AREA	PURPOSE
E-5	HAINES BOROUGH	0.08 AC	INSTALL & MAINTAIN WALL ANCHORS

C-2, AT'S 1464

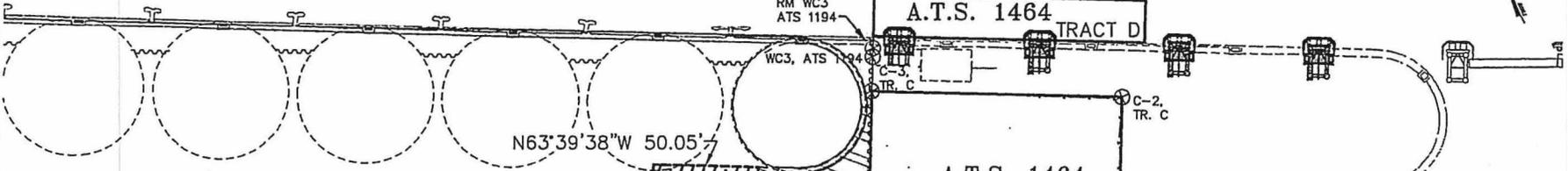
S62°49'05"E 640.87'

A.T.S. 1464
TRACT E
STATE OF ALASKA
DOT&PF

A.T.S. 1464
TRACT D

RM WC3
ATS 1194

WC3, AT'S 1194



A.T.S. 1464
TRACT A
HAINES BOROUGH

S26°06'13"W 66.01'

N63°39'38"W 50.05'

A.T.S. 1464
TRACT C
HAINES BOROUGH

N26°20'22"E
66.01'

E-5
0.08 AC.

E-4

3

S63°39'38"E 49.78'

N63°47'14"W 2.22'

N62°12'18"W 385.49'

N63°39'38"W 38.91'

N26°19'46"E 45.32'

N36°25'49"W 13.92'

S27°52'07"W 94.94'

A.T.S. 1464
TRACT B
STATE OF ALASKA
DOT&PF

95.00'

N62°12'01"W 388.03'

C-2, AT'S 246

DOT&PF EASEMENT
FROM HAINES BOROUGH

SECTION 10
GOV'T. LOT 7
STATE OF ALASKA

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND
PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR
HAINES FERRY TERMINAL
IMPROVEMENTS

FB-NH-095-5(14)

OWNER'S INITIAL: _____
ATTACHED TO: _____
PAGE ____ OF ____ DATE: _____
DRAWN BY: RJG CHECKED BY: RJG

PARCEL NO. E-5 DATE: 06/06/2012
AREA
PARCEL: 0.08 AC SCALE: 1"=60'
TOTAL LOT: 11.57 AC SHEET 1 OF 1

C:\HNS\68433\RW\HAINES_FT_DWG\HNS_FT_2011_PARCELS.DWG



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

EASEMENT
(Corporate/Partial Property)

PROJECT NAME: HAINES FERRY TERMINAL
IMPROVEMENTS

STATE PROJECT #: 68433

FEDERAL-AID PROJECT #: FB-NH-095-5(14)

PARCEL #: E-5

THE GRANTOR, the HAINES BOROUGH, whose mailing address is P.O. Box 1209, Haines, Alaska 99827, for and in consideration of DOLLARS, and other valuable consideration, in hand paid, conveys to the GRANTEE, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES, whose mailing address is P.O. Box 112506, Juneau, Alaska 99811-2506, its successors or assignees, a perpetual, full and unrestricted easement and right-of-way along, over, and across the following-described tract of land located in the State of Alaska:

A portion of Tract A, A.T.S. 1464, Haines Recording
District, First Judicial District, State of Alaska

As part of Alaska Project No. 68433, and shown on the plat attached hereto and made a part hereof as page 3 of this instrument and designated as Parcel E-5. Said Parcel, containing 3,484.8 sq. ft., more or less, is hereby granted to the State of Alaska for the purpose of establishing, constructing and maintaining a retaining wall for the Lutak Dock. More specifically, this easement is for the purpose of establishing tieback supports to the retaining wall. The tieback supports will be located approximately 10 feet below the surface of the dock. The Grantor hereby covenants that the State of Alaska shall have a free and unrestricted right to maintain said facilities as long as the right-of-way of which this easement area is used for its stated purpose. Grantor also acknowledges that it cannot locate a permanent structure within the easement area.

Dated this _____ day of _____, 2013.

ATTEST:

HAINES BOROUGH

By:

Mark Earnest
Borough Manager

Print Name and Title: _____

Filed for Record at the Request of
and Return to:
Right of Way Section
Alaska Dept. of Transportation &
Public Facilities
P.O. Box 112506
Juneau, Alaska 99811-2506

State Business-No Charge

An Ordinance of the Haines Borough Assembly approving the sale to the State of Alaska, Department of Transportation and Public Facilities ("ADOT&PF") of Parcel 3, Parcel E-4 and Parcel TCE-4 as described and identified by ADOT&PF for the Haines Ferry Terminal Improvements project (state project #68433).

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is for the specific purpose of approving a sale of three specific parcels of land to ADOT&PF and shall not become a part of the Haines Borough Code of Ordinances.

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 immediately upon adoption.

Section 4. Purpose. This ordinance authorizes the manager to conclude arrangements for the sale of the parcels identified and described in the attached Memorandum of Agreement and conveyance documents for Parcel 3, Parcel E-4 and Parcel TCE-4, upon the terms and conditions described in the Memorandum of Agreement.

Section 5. Authority. This ordinance is adopted under the authority granted the Assembly by HBC 14.20.100 to approve the sale of borough land by negotiation.

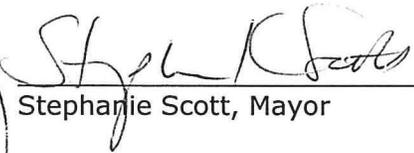
Section 6. Approval. The attached Memorandum of Agreement between ADOT&PF and the Haines Borough for the sale of Parcel 3, Parcel E-4 and Parcel TCE-4 by the borough to ADOT&PF for \$338,400 is hereby approved, provided that in accordance with HBC 14.20.100(D), all costs such as but not limited to surveying, platting, appraisal, escrow, and recording fees associated with this negotiated sale shall be paid by ADOT&PF. The manager and mayor are hereby authorized to take all such steps as may be necessary to finalize and sign the Memorandum of Agreement and conveyance documents on behalf of the Haines Borough.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on the 8th day of January, 2013.

ATTEST:


Julie Cozzi, MMC, Borough Clerk




Stephanie Scott, Mayor

Date Introduced: 07/24/12
Date of First Public Hearing: 07/31/12
Date of Second Public Hearing: 08/28/12 - Postponed to a time when negotiations are completed
Adopted: 01/08/13



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 13-305

Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: FY13 Budget Amendment #5	1. Ordinance 13-07-338 2. Letter from the Alaska Dept. of Administration
Originator: Finance Director	
Originating Department: Finance	
Date Submitted: 07/15/13	

Full Title/Motion:
Motion: Adopt Ordinance 13-07-338.

Administrative Recommendation:
The borough manager recommends adoption.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$ see ordinance	\$ see ordinance	\$ see ordinance

Comprehensive Plan Consistency Review:

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

Summary Statement:
During the 2012 legislative session, House Bill 284 passed providing “on-behalf” funding for Public Employees Retirement System (PERS) employers for the FY13 fiscal year. Through on-behalf funding the State of Alaska provides funding which reduces the PERS rate paid by employers from the actuarially determined rate of 35.84% of gross wages (in FY13) to the “effective rate” of 22%. This Haines Borough budget amendment reflects the anticipated revenue received from the State of Alaska in the form of reduced PERS payments.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 8/13, 8/27/13
Meeting Date(s): 7/23, 8/13, 8/27/13	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH, PROVIDING FOR THE ADDITION OR AMENDMENT OF SPECIFIC LINE ITEMS TO THE FY13 BUDGET.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is not of a general and permanent nature and shall not become a part of the Haines Borough Code of Ordinances.

Section 2. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 3. Appropriation. This appropriation is hereby authorized as part of the budget for the fiscal year July 1, 2012 through June 30, 2013.

Section 4. Purpose. To provide for the addition or amendment of specific line items to the FY13 budget as follows:

During the 2012 legislative session, House Bill 284 passed providing "on-behalf" funding for Public Employees Retirement System (PERS) employers for the FY13 fiscal year. Through on-behalf funding the State of Alaska provides funding which reduces the PERS rate paid by employers from the actuarially determined rate of 35.84% of gross wages (in FY13) to the "effective rate" of 22%. This Haines Borough budget amendment reflects the anticipated revenue received from the State of Alaska in the form of reduced PERS payments.				
		Current FY13 Budget	Proposed FY13 Budget	Fund Balance Increase / (Decrease)*
01-01-09-4341	State Revenue – Other	\$0	\$322,075	\$322,075
01-01-10-6116	PERS on-behalf – Pd by State	\$0	(\$322,075)	(\$322,075)
Total				\$0

* A positive amount in this column is favorable. A negative amount is unfavorable.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on the ____ day of _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 07/23/13
Date of First Public Hearing: 08/13/13
Date of Second Public Hearing: 08/27/13



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

**Department of
Administration**

DIVISION OF RETIREMENT AND BENEFITS

6th Floor State Office Building
333 Willoughby Avenue
P.O. Box 110203
Juneau, AK 99811-0203
FAX: (907) 465-3086
Phone: (907) 465-4460
Toll-Free: (800) 821-2251

July 01, 2013

CATHY G KELLER, PAYROLL CLERK
HAINES BOROUGH
PO BOX 1209
HAINES AK 99827-1209

RE: FY13 Employer On-Behalf Funding - PERS ER 189

During the 2012 legislative session, House Bill 284 (HB284) passed providing on-behalf funding for PERS employer contributions for Fiscal Year 2013 (FY13). HB284, Section 27 (a) reads as follows:

(a) The sum of \$307,302,392 is appropriated from the general fund to the Department of Administration for deposit in the defined benefit plan account in the public employees' retirement system as an additional state contribution under AS 39.35.280 for the fiscal year ending June 30, 2013.

HB284 can be found at <http://www.legis.state.ak.us/PDF/27/Bills/HB0284Z.PDF> (Section 27 - page 90).

The Alaska Retirement Management Board approved the actuarially determined rate of 35.84% for FY13, with HB284 providing an on-behalf rate of 13.84% for each FY13 employer payroll. On-behalf funding is applied with the processing of each employer payroll with payroll end dates between July 1, 2012 and June 30, 2013, and received by the Division by July 15, 2013. Once all such payrolls have been processed, we will true-up your account and make an adjusting entry, then send you a final statement by early August, 2013 via email.

Included is a report detailing the Employer On-Behalf Funding allocated for fiscal year 2013 payrolls processed through June 28, 2013. Please feel free to contact me via telephone at (907) 465-2279 or email at tamara.criddle@alaska.gov if you have any questions or need additional information regarding HB284.

Sincerely,

A handwritten signature in cursive script that reads "Tamara Criddle".

Tamara Criddle, Accountant

RECEIVED

JUL 09 2013

Haines Borough

State of Alaska, Division of Retirement & Benefits
FY2013 - HB284 Employer On-Behalf Detail as of 6/28/2013
HAINES BOROUGH - ER 189

Payroll Ending Date	On-Behalf		Total
	Pension	Other Post-employment Healthcare	
07/15/2012	5,966.42	7,612.23	13,578.65
07/31/2012	6,496.43	8,288.33	14,784.76
08/15/2012	6,179.33	7,883.80	14,063.13
08/31/2012	6,464.74	8,247.92	14,712.66
09/15/2012	5,966.04	7,611.66	13,577.70
09/30/2012	5,670.25	7,234.31	12,904.56
10/15/2012	5,676.68	7,242.56	12,919.24
10/31/2012	6,280.51	8,012.89	14,293.40
11/15/2012	5,882.21	7,504.63	13,386.84
11/30/2012	5,721.04	7,299.10	13,020.14
12/15/2012	5,466.04	6,973.70	12,439.74
12/31/2012	5,771.89	7,363.99	13,135.88
01/15/2013	5,781.78	7,376.56	13,158.34
01/31/2013	6,015.34	7,674.52	13,689.86
02/15/2013	5,635.50	7,189.93	12,825.43
02/28/2013	4,856.75	6,196.45	11,053.20
03/15/2013	5,575.18	7,112.99	12,688.17
03/31/2013	5,493.42	7,008.61	12,502.03
04/15/2013	5,888.52	7,512.79	13,401.31
04/30/2013	6,116.16	7,803.18	13,919.34
05/15/2013	6,307.97	8,047.84	14,355.81
05/31/2013	6,589.23	8,406.74	14,995.97
06/15/2013	5,852.29	7,466.55	13,318.84
TOTALS FOR HAINES BOROUGH	\$135,653.72	\$173,071.28	\$308,725.00

Estimate 6/30/13 5,850 7,500
141,504 180,571 322,075



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 13-326
Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Amend Title 3 to extend application deadline and remove provision for late applications.	1. Ordinance 13-08-340
Originator: Planning Commission	
Originating Department:	
Date Submitted: 7/24/13	

Full Title/Motion:
Motion: Advance Ordinance 13-08-340 to a second public hearing on 9/10/13.

Administrative Recommendation:

Fiscal Impact:

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

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:
The Finance Committee met on July 9, and one of the agenda items was a review of the current senior or disabled veteran tax exemption process. The committee recommends extending the deadline 30 days for filling the exemption paperwork, and allowing for no late applications or appeals. Staff drafted the ordinance for assembly consideration. On 8/13, the assembly introduced the ordinance and scheduled a first public hearing.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 8/27/13
Meeting Date(s): 8/13, 8/27/13	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE SECTION 3.70.030 TO EXTEND THE APPLICATION DEADLINE FOR SENIOR AND DISABLED VETERANS PROPERTY TAX EXEMPTIONS AND TO REMOVE THE PROVISION FOR LATE APPLICATIONS.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Section 3.70.030. Section 3.70.030 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE
STRIKETHROUGH ITEMS ARE DELETIONS

3.70.030 Required exemptions.

A. The following property is exempt from general taxation:

1. Municipal, state or federally owned property, except that a private leasehold, contract or other interest in the property is taxable to the extent of the interest;
2. Household furniture and personal effects of members of a household;
3. Property used exclusively for nonprofit religious, charitable, cemetery, hospital or educational purposes;
4. Property of a nonbusiness organization or its auxiliary composed entirely of persons with 90 days or more of active service in the armed forces of the United States whose conditions of service and separation were other than dishonorable;
5. Money on deposit;
6. The first \$150,000 of the assessed value of real property owned and occupied as the primary residence and permanent place of abode by a:
 - a. Resident 65 years of age or older; or
 - b. Resident at least 60 years old who is the widow or widower of a person who qualified for an exemption under subsection (A)(6)(a) or (c) of this section; or
 - c. Disabled veteran whose disability has been rated as 50 percent or more, subject to AS [29.45.030](#)(e) through (i).
 - d. To be eligible for an exemption under this subsection (6) for a year, the resident shall also meet all requirements for a permanent fund dividend under AS [43.23.005](#) for the same year or for the immediately preceding year.
 - e. An exemption may not be granted under this subsection except upon written application for the exemption on a form provided by the borough assessor. The claimant must file the application no later than March ~~1st~~ **30th** of the assessment year for which the exemption is sought. The claimant must file a separate application for each assessment year in which the exemption is sought. If an application is filed by the deadline, and approved by the assessor, the assessor shall allow an exemption in accordance with the provisions of this section. If the claimant has already paid taxes for that year prior to approval of a timely application, the exempted tax amount shall be refunded to the claimant. The assessor shall require proof, in the form the assessor considers necessary, of the right to and amount of an exemption claimed under this subsection, and shall require a disabled veteran claiming an exemption under subsection (A)(6)(c) of this section to provide evidence of disability rating. The assessor may require proof under this section at any time. ~~If an otherwise qualified~~

Haines Borough
Ordinance No. 13-08-340
Page 2 of 2

~~claimant is unable to comply with the March 1st application filing deadline, the claimant may submit an application to the assessor's office for review by the assembly. If the claimant has submitted a valid application, the assembly may, by resolution, waive the claimant's failure to file the application by the March 1st deadline, and authorize the assessor to accept the application as if timely filed. For purposes of this subsection, an inability to comply must be caused by a serious medical condition of the applicant or member of the applicant's family, or an extraordinary event beyond the claimant's control. No late applications can be submitted after November 1st of the qualifying year. This section does not create any private rights whatsoever, nor does it in any manner require the assembly to introduce or adopt any such resolution;~~

7. Real property or an interest in real property that is exempt from taxation under 43 U.S.C. 1620(d), as amended, subject to AS [29.45.030](#)(m) and (n).

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
____ DAY OF _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/13/13
Date of First Public Hearing: 08/27/13
Date of Second Public Hearing: ___/___/___



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 13-319
Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Add Size Limitation for Small Informational Signs	1. Ordinance 13-08-341 2. Planning Commission Recommendation
Originator: Planning Commission	
Originating Department:	
Date Submitted: 7/24/13	

Full Title/Motion:
Motion: Advance Ordinance 13-08-341 to a second public hearing on 9/10/13.

Administrative Recommendation:

Fiscal Impact:

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

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:
In Title 18, small informational signs related to the operation of a business, such as "Open/Close" or credit card signs, are exempt from regulation. The planning commission recommends a code revision to add a size limit for these small signs. On 8/13, the assembly introduced this ordinance and scheduled the first public hearing.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 8/27/13
Meeting Date(s): 8/13, 8/27/13	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE SECTION 18.90.060(I) TO ADD A SIZE LIMITATION FOR SMALL INFORMATIONAL SIGNS.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Section 18.90.060(I). Section 18.90.060(I) of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE

18.90.060 Signs exempt from regulation under this chapter.

The following signs shall be exempt from regulation under this chapter, provided these signs, if placed on private property, conform to the setback and placement standards set forth in HBC 18.90.050:

- A. Signs required by law, or temporary signs serving as public notice of a public event;
- B. Works of art, including murals, that do not contain a commercial message;
- C. Holiday lights or decorations;
- D. Traffic control, parking, directional or informational signs or devices, provided they contain no commercial message;
- E. Real estate signs up to six square feet advertising the sale, lease or rental of property upon which they are placed;
- F. Temporary display window signs on the interior surface of windows;
- G. Permanent signs in existence before June 19, 1996. Such signs shall not be replaced, moved, enlarged, altered, or reconstructed except in compliance with this chapter;
- H. Political signs up to 24 square feet in area displayed on private property. Such signs may be erected no more than 60 days prior to the election date and must be removed no later than seven days following the election date;
- I. Small informational signs **up to six square feet**, related to the operation of a business, such as "Open/Closed" or credit card signs;
- J. Construction signs not exceeding 32 square feet erected during construction, alteration or repair of a structure;
- K. Signs of less than two square feet giving information about a residential building or its occupants;
- L. Signs on vehicles used for commercial purposes containing information related to the vehicle's commercial use. Vehicle signs shall be attached to the surface of the vehicle and shall

Haines Borough
Ordinance No. 13-08-341
Page 2 of 2

not project from the vehicle surface more than the sign thickness. Vehicle signs include painted or magnetic signs;

M. Temporary signs used to advertise casual and isolated sales not made in the regular course of business. Such signs shall be located on private property and utilized only while the items for sale are available on that site. No more than one sign shall be allowed on the site for this purpose. The sign shall be portable, no larger than 16 square feet in area, shall not include the name of any business, but may show the name of a product for sale. The sign shall be removed from the site at the end of the business day. No temporary sign exempted under this subsection shall be allowed for more than two consecutive days at any one site.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
____ DAY OF _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/13/13
Date of First Public Hearing: 08/27/13
Date of Second Public Hearing: ___/___/___

Haines Borough
**BOROUGH ASSEMBLY
ACTION REQUEST**

DATE: July 11, 2013

TO: Borough Assembly

FROM: Haines Borough Planning Commission

PLANNING COMMISSION ACTION: W/S Hedden moved to “recommend the Assembly adopt the proposed draft ordinance amending HBC 18.90.060(I).” This motion passed unanimously.

RATIONALE: Currently, “the small informational signs related to the operation of a business, such as “Open/Close” or credit card signs” are exempt from regulation under Title 18. The Planning Commission determines to add a size limit for small signs.

PLANNING COMMISSION REQUEST: for the Borough Assembly to amend HBC 18.90.060(I) to read:

I. Small informational signs up to six square feet, related to the operation of a business, such as “Open/Closed” or credit card signs;

SUBMITTED BY  (signature)
Rob Goldberg
Planning Commission Chairman



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 13-320
Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Remove code requirement for an ADEC biennial inspection of wastewater systems	1. Ordinance 13-08-342 2. Planning Commission Recommendation
Originator: Planning Commission	
Originating Department:	
Date Submitted: 7/24/13	

Full Title/Motion:
Motion: Advance Ordinance 13-08-342 to a second public hearing on 9/10/13.

Administrative Recommendation:

Fiscal Impact:

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

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:
Title 18 requires wastewater systems to be inspected by a DEC-approved inspector every two years, at the property owner's expense. The planning commission recommends a code revision to remove this requirement because it cannot be enforced. Initial DEC inspection and approval would still be required. On 8/13, the assembly introduced this and scheduled a first public hearing.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 8/27/13
Meeting Date(s): 8/13, 8/27/13	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE SECTION 18.60.010(I) REMOVE THE REQUIREMENT FOR A WASTEWATER DISPOSAL SYSTEM TO BE INSPECTED EVERY TWO YEARS BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Section 18.60.010(I). Section 18.60.010(I) of the Haines Borough Code is hereby amended to read as follows:

NOTE: ~~STRIKETHROUGH~~ ITEMS ARE DELETIONS

18.60.010 General approval criteria.

A land use permit, or conditional use permit, or a platting action permit for a subdivision, may be granted if all the following general approval criteria and applicable specific approval criteria of HBC [18.60.020](#) are complied with. The burden of proof is on the developer to show that the proposed use meets these criteria and applicable specific criteria for approval. Notwithstanding any of the following criteria, no use will be approved that will materially endanger the public health or safety or substantially decrease the value of property in the neighboring area. The burial of uncremated human remains outside a cemetery is prohibited.

...

I. Utilities. The proposed use shall be adequately served by public water, sewer, on-site water or sewer systems, electricity, and other utilities prior to being occupied. The borough may require a letter of commitment from a utility company or public agency legally committing it to serve the development if such service is required. If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. The borough may require any or all parts of such installation to be oversized, however the additional cost beyond the size needed for the development will be borne by the borough.

When, in the opinion of borough staff, no public sanitary sewer and/or water service is available within 200 feet of the property, the developer may request an exemption from the requirements to connect to these public utilities. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC 13.04.080(G) pertaining to on-site wastewater disposal, shall apply. If exempted from the requirement to connect to public utilities, a developer must provide written Department of Environmental Conservation (DEC) approval of the on-site wastewater system design prior to permit approval. Upon installation and before closure, the wastewater disposal system must be inspected and approved by a DEC-approved inspector. ~~The wastewater disposal system must also be inspected by a DEC-approved inspector, at the property owner's expense, every two years, in the spring of the year, with a written approval of the system submitted to the borough by June 1st of the year.~~

Haines Borough
Ordinance No. 13-08-342
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
____ DAY OF _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/13/13
Date of First Public Hearing: 08/27/13
Date of Second Public Hearing: ___/___/___

Haines Borough
**BOROUGH ASSEMBLY
ACTION REQUEST**

DATE: July 11, 2013

TO: Borough Assembly

FROM: Haines Borough Planning Commission

PLANNING COMMISSION ACTION: M/S Gonce moved to “recommend the Assembly adopt the proposed draft ordinance amending HBC 18.60.010(I).” This motion passed unanimously.

RATIONALE: Currently the code requires the wastewater system must be inspected by a DEC-approved inspector every two years. The Borough will consider removing this from the code since this cannot be enforced.

PLANNING COMMISSION REQUEST: for the Borough Assembly to amend HBC 18.60.010(I) to read:

I. Utilities. The proposed use shall be adequately served by public water, sewer, on-site water or sewer systems, electricity, and other utilities prior to being occupied. The borough may require a letter of commitment from a utility company or public agency legally committing it to serve the development if such service is required. If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. The borough may require any or all parts of such installation to be oversized, however the additional cost beyond the size needed for the development will be borne by the borough.

When, in the opinion of borough staff, no public sanitary sewer and/or water service is available within 200 feet of the property, the developer may request an exemption from the requirements to connect to these public utilities. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC 13.04.080(G) pertaining to on-site wastewater disposal, shall apply. If exempted from the requirement to connect to public utilities, a developer must provide written Department of Environmental Conservation (DEC) approval of the on-site wastewater system design prior to permit approval. Upon installation and before closure, the wastewater disposal system must be inspected and approved by a DEC-approved inspector. ~~The wastewater disposal system must also be inspected by a DEC-approved inspector, at the property owner's expense, every two years, in the spring of the year, with a written approval of the system submitted to the borough by June 1st of the year.~~

SUBMITTED BY Rob Goldberg (signature)

Rob Goldberg
Planning Commission Chairman



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 13-322
Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Amend Title 18 to add setback requirements to the General Use zone.	1. Ordinance 13-08-343 2. Planning Commission Recommendation
Originator: Planning Commission	
Originating Department:	
Date Submitted: 7/24/13	

Full Title/Motion:
Motion: Advance Ordinance 13-08-343 to a second public hearing on 9/10/13.

Administrative Recommendation:

Fiscal Impact:

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

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:
Title 18 does not currently have setback requirements for the General Use zone, and the planning commission recommends some requirements be added. They believe this issue should be addressed because of public safety concerns. Setback information could be required in the construction declaration form, however a developer can file a construction declaration up to 60 days after the start of construction. The filing period could be a problem if construction starts before the construction declaration is filed, and the buildings do not meet the proposed setback requirements. If the assembly considers adopting this proposed ordinance, the planning commission will need some time to amend the filing period for construction declaration. On 8/13, the assembly introduced this and scheduled the first public hearing.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 8/27/13
Meeting Date(s): 8/13, 8/27/13	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE SECTION 18.80.030(B) TO ADD SETBACK REGULATIONS TO THE GENERAL USE ZONE.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

Section 3. Effective Date. This ordinance will become effective January 1st, 2014.

Section 4. Amendment of Section 18.80.030(B). Section 18.80.030(B) of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE

18.80.030 Setbacks and height.

B. Height is measured from the average grade of the footprint of the structure to the highest point on the structure, measured at the center of each of the four exterior walls.

Setbacks and Height Restrictions by Zone								
Zoning District	Height Limit (in feet)	Industrial Setbacks (in feet) ***		Commercial Setbacks (in feet)		Residential Setbacks (in feet)		
		From Street Lot Lines	From Residential Lots	From Street or Alley Lot Lines	From Other Lot Lines	From Street Lot Lines	From Alley Lot Lines	From Other Lot Lines
I/H	30 *	0	50	0	0	N/A	N/A	N/A
I/L/C	30	0	50	0	0	20	10	10
I/W	30	0	50	0	0	20	10	10
C	30	0	50	0	0	20	10	10
W	30	0	50	0	0	20	10	10
SSA	30 **	N/A	N/A	10	5	20	10	10
SR	30	N/A	N/A	N/A	N/A	20	10	10
MR	30	N/A	N/A	0	0	20	10	10
RR	30	N/A	N/A	0	0	20	10	10
RMU	30	0	50	0	0	20	10	10
MU	30	0	50	0	0	20	10	10

Haines Borough
Ordinance No. 13-08-343
Page 2 of 2

Setbacks and Height Restrictions by Zone								
Zoning District	Height Limit (in feet)	Industrial Setbacks (in feet) ***		Commercial Setbacks (in feet)		Residential Setbacks (in feet)		
		From Street Lot Lines	From Residential Lots	From Street or Alley Lot Lines	From Other Lot Lines	From Street Lot Lines	From Alley Lot Lines	From Other Lot Lines
REC	30	N/A	N/A	N/A	N/A	20	10	10
<u>GU</u>	<u>N/A</u>	<u>0</u>	<u>50</u>	<u>0</u>	<u>0</u>	<u>20</u>	<u>10</u>	<u>10</u>

* May exceed 30 feet only by provisions of a conditional use permit granted by the planning commission.

** May be up to 40 feet under the provisions of a conditional use permit granted by the planning commission, but only if for a replica building replacing a building of that height that has been destroyed, and if all special provisions of the historic district and all other provisions of this title are met.

*** As long as all requirements of the state fire code or other applicable regulations are met.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/13/13
Date of First Public Hearing: 08/27/13
Date of Second Public Hearing: ___/___/___

Haines Borough
BOROUGH ASSEMBLY
ACTION REQUEST

DATE: July 11, 2013

TO: Borough Assembly

FROM: Haines Borough Planning Commission

PLANNING COMMISSION ACTION: M/S Venables moved to “recommend the Assembly adopt the proposed draft ordinance amending HBC 18.80.030(B) with an effective date of January 1, 2014.” This motion passed unanimously.

RATIONALE: Currently the Borough code does not have setback requirements for general use zone. This issue should be addressed for public safety concerns. Setbacks information can be required in the construction declaration form. However, HBC 18.30.010(A)(2)(c) requires a construction declaration should be filed within 60 days of the start of construction. The filing period could be a problem if construction starts before the construction declaration is filed, and the buildings do not meet the proposed setback requirements. If the Assembly considers adopting this proposed ordinance, the Planning Commission needs some time to amend the filing period of a construction declaration.

PLANNING COMMISSION REQUEST: for the Borough Assembly to amend HBC **18.80.030(B)** to read:

B. Height is measured from the average grade of the footprint of the structure to the highest point on the structure, measured at the center of each of the four exterior walls.

Setbacks and Height Restrictions by Zone								
Zoning District	Height Limit (in feet)	Industrial Setbacks (in feet) ***		Commercial Setbacks (in feet)		Residential Setbacks (in feet)		
		From Street Lot Lines	From Residential Lots	From Street or Alley Lot Lines	From Other Lot Lines	From Street Lot Lines	From Alley Lot Lines	From Other Lot Lines
I/H	30 *	0	50	0	0	N/A	N/A	N/A
I/L/C	30	0	50	0	0	20	10	10

Setbacks and Height Restrictions by Zone

Zoning District	Height Limit (in feet)	Industrial Setbacks (in feet) ***		Commercial Setbacks (in feet)		Residential Setbacks (in feet)		
		From Street Lot Lines	From Residential Lots	From Street or Alley Lot Lines	From Other Lot Lines	From Street Lot Lines	From Alley Lot Lines	From Other Lot Lines
I/W	30	0	50	0	0	20	10	10
C	30	0	50	0	0	20	10	10
W	30	0	50	0	0	20	10	10
SSA	30 **	N/A	N/A	10	5	20	10	10
SR	30	N/A	N/A	N/A	N/A	20	10	10
MR	30	N/A	N/A	0	0	20	10	10
RR	30	N/A	N/A	0	0	20	10	10
RMU	30	0	50	0	0	20	10	10
MU	30	0	50	0	0	20	10	10
REC	30	N/A	N/A	N/A	N/A	20	10	10
<u>GU</u>	<u>N/A</u>	<u>0</u>	<u>50</u>	<u>0</u>	<u>0</u>	<u>20</u>	<u>10</u>	<u>10</u>

SUBMITTED BY Rob Goldberg (signature)
 Rob Goldberg
 Planning Commission Chairman



Agenda Bill No.: 13-323
 Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Amend Title 18 to clarify the definition for "Temporary Use" dwellings.	1. Ordinance 13-08-344 2. Planning Commission Recommendation
Originator: Planning Commission	
Originating Department:	
Date Submitted: 7/24/13	

Full Title/Motion:
 Motion: Advance Ordinance 13-08-344 to a second public hearing on 9/10/13.

Administrative Recommendation:

Fiscal Impact:

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

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:
 Title 18 defines "temporary use" as a building or structure that is capable of being immediately moved, or a use which is for a limited time up to six months. Recreational vehicles, yurts, wall tents and similar structures are becoming more prevalent in Haines, and the planning commission recommends a code amendment to clarify the definition for temporary use dwellings. On 8/13, the assembly introduced this and scheduled the first public hearing.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 8/27/13
Meeting Date(s): 8/13, 8/27/13	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE SECTION 18.20.020 TO DEFINE TEMPORARY USE DWELLINGS.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Section 18.20.020. Section 18.20.020 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE
~~STRIKETHROUGH~~ ITEMS ARE DELETIONS

18.20.020 Definitions – Regulatory.

...

"Temporary use" means a building or structure that is capable of being immediately moved, or a use which is for a limited time up to six months. **Temporary use dwellings include recreational vehicles, yurts, wall tents and similar structures.**

...

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/13/13
Date of First Public Hearing: 08/27/13
Date of Second Public Hearing: ___/___/___

Haines Borough
**BOROUGH ASSEMBLY
ACTION REQUEST**

DATE: July 11, 2013

TO: Borough Assembly

FROM: Haines Borough Planning Commission

PLANNING COMMISSION ACTION: *M/S Miller* moved to “recommend the Assembly adopt the proposed draft ordinance amending HBC 18.20.020.” This motion passed 6 to 1 with Hedden opposed.

RATIONALE: Recreational vehicles, yurts, wall tents and similar structures are becoming more prevalent in Haines. The Planning Commission thinks the allowance of constructing a temporary use dwelling should be defined and clarified in different zone regulations.

PLANNING COMMISSION REQUEST: for the Borough Assembly to amend HBC 18.20.020 to read:

“Temporary use” means a building or structure that is capable of being immediately moved, or a use which is for a limited time up to six months. **Temporary use dwellings include recreational vehicles, yurts, wall tents and similar structures.**

SUBMITTED BY _____ (signature)


Rob Goldberg
Planning Commission Chairman



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 13-314

Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Authorize Manager to sign loan documents from ADEC for the purposes of AC Pipe Replacement (Muncaster).	1. Ordinance 13-08-346 2. Resolution 12-07-387 - adopted 7/24/12 3. Loan documents from the Alaska Drinking Water Fund awaiting the manager's signature
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 7/24/13	

Full Title/Motion:
Motion: Advance Ordinance 13-08-346 to a second public hearing on 9/10/13.

Administrative Recommendation:
The manager recommends adoption.

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos.: Objective 15A, Page 252	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
As authorized by Resolution 12-07-387, the borough manager applied to the Alaska Department of Environmental Conservation for a loan to replace the Muncaster asbestos cement Pipe. The loan agreement has been received, and per Charter section 3.03, the borrowing of money requires authorization by ordinance.
The loan terms are 20 years with an interest rate of 1.5%.
On 8/13, the assembly introduced this and scheduled the first public hearing.

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

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s): 8/27/13
Meeting Date(s): 7/24, 8/13, 8/27/13	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH AUTHORIZING THE BOROUGH MANAGER TO ENTER INTO A LOAN AGREEMENT IN THE AMOUNT OF UP TO \$787,500 WITH THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR THE MUNCASTER ROAD ASBESTOS CEMENT PIPE REPLACEMENT PROJECT.

WHEREAS, on July 24, 2012, the Borough Assembly adopted Resolution No. 12-07-387 which (1) designated "Haines Asbestos Cement Pipe Replacement" as the number one state funding priority for Fiscal Year 2014 and (2) authorized the Borough Manager to apply to the Alaska Department of Environmental Conservation (ADEC) for a low-interest loan through the Alaska Drinking Water Fund (ADWF) for Muncaster Road asbestos cement pipe replacement project; and

WHEREAS, the ADEC has authorized an ADWF loan for the Muncaster Road asbestos cement pipe replacement in the amount of up to \$787,500, with up to \$322,875 of the loan amount offered as a subsidy in the form of principal forgiveness (grant) under a federal "disadvantage assistance" program; and

WHEREAS, the Alaska State Legislature appropriated funding in the amount of \$570,544 through the ADEC Municipal Matching Grant Program (MMGP), which requires a 30% local match, in the State Fiscal Year 2014 capital budget for the Haines Asbestos Cement Pipe Replacement project; and

WHEREAS, ADWF loan qualifies as a funding source for the MMGP; and

WHEREAS, Haines Borough Charter Section 3.03 requires assembly authorization by ordinance when borrowing money,

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE HAINES BOROUGH, ALASKA:

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

Section 2. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 3. Purpose. Authorize the Borough Manager to accept a loan from the Alaska Department of Environmental Conservation.

The Haines Borough authorizes the Borough Manager to execute a loan agreement with the Alaska Department of Environmental Conservation pursuant to the Borough's loan application to the Alaska Drinking Water Fund for \$787,500 for asbestos cement pipe replacement, as well as any and all documents that may be required by the Alaska Department of Environmental Conservation to reflect indebtedness, the terms of repayment, and any security therefore, including an agreement for the loan and promissory note.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/13/13
Date of First Public Hearing: 08/27/13
Date of Second Public Hearing: ___/___/___

HAINES BOROUGH
RESOLUTION No. 12-07-387

Adopted

A resolution of the Haines Borough Assembly designating the acquisition of State of Alaska, Department of Environmental Conservation (ADEC) grant funds for the project entitled *Haines Asbestos Cement Pipe Replacement* as the number one local state funding priority for fiscal year 2014 and authorizing the Borough Manager to apply to the ADEC for a loan from the Alaska Drinking Water Fund for Muncaster Road asbestos cement pipe replacement.

WHEREAS, the Haines Borough through the State of Alaska, Department of Environmental Conservation (ADEC) will request grant funding for *Haines Asbestos Cement Pipe Replacement*; and

WHEREAS, the ADEC has requested that the Haines Borough identify if this project is the community's number one local state funding priority for fiscal year 2014; and

WHEREAS, *Haines Asbestos Cement Pipe Replacement* will provide for the replacement of approximately 3,400 feet of asbestos cement pipe that is brittle and prone to leaks and major breaks in the vicinity of Muncaster Road; and

WHEREAS, small leaks and breaks in the line add significantly to the costs of pumping water in this area; and

WHEREAS, a recent break in the line due to settlement revealed the immediacy of this project and has caused the Borough Assembly to elevate it to the highest priority for fiscal year 2014; and

WHEREAS, the Haines Borough seeks to obtain the necessary financial assistance for Muncaster Road asbestos cement pipe replacement; and

WHEREAS, the ADEC is able to offer funding through the Alaska Drinking Water Fund; and

WHEREAS, the Haines Borough wishes to apply for a loan from the Alaska Drinking Water Fund,

NOW THEREFORE BE IT RESOLVED that the Haines Borough Assembly:

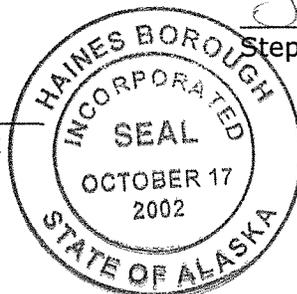
Section 1: Designates *Haines Asbestos Cement Pipe Replacement* as the number one local state funding priority for fiscal year 2014; and

Section 2: Authorizes the Borough Manager to apply to the ADEC for a loan from the Alaska Drinking Water Fund for Muncaster Road asbestos cement pipe replacement.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on the 24th day of July, 2012.

Attest:


Julie Cozzi, MMC, Borough Clerk




Stephanie Scott, Mayor

ALASKA DRINKING WATER FUND AGREEMENT

ADEC LOAN NUMBER 395161
HAINES BOROUGH
A/C Replacement - Muncaster



THIS AGREEMENT is entered into as of July 11, 2013 by the Alaska Department of Environmental Conservation (the Department) and the Haines Borough (Borrower), acting pursuant to Resolution No. 12-07-387 approved by the Haines Borough for a loan amount of \$787,500 and loan term of 20 years.

SECTION I - DEFINITIONS

Section 1.1. Except where the context clearly indicates otherwise, terms used in this Agreement will have the meaning ascribed to them in this section.

(a) "Approved Application" means the application submitted to the Department on March 13, 2013, together with all attachments and supporting documentation, as approved by the Department and the Borough.

(b) "Finance Charge Rate" means 1.5 percent per annum.

(c) "Contract period" means the time period commencing on the date this agreement is signed by the Borrower and terminating on the date the Borrower repays the loan in full.

(d) "Funding Subsidy" means a principle forgiveness amount awarded under this agreement.

(e) "Default" means the Borrower has failed to make a loan repayment within 90 days of the due date, as determined by the repayment schedule prepared by the Department immediately following initiation of operation of the facility.

(f) "Eligible Project Costs" include the following costs disbursed from the Alaska Drinking Water Fund, estimated to not exceed \$787,500; engineering and construction for the Project Facility; surveys, plans, estimates, and specifications; financial and environmental investigations; laboratory testing, purchase of any equipment that requires a long lead time for

manufacture and delivery, legal expenses; and any other necessary miscellaneous expenditures, minus the amount of any grant applicable to foregoing costs.

(g) "Participation Payment" means the amount per year necessary to amortize the loan.

(h) "Project Facility" means the facility to be constructed pursuant to this Agreement as described generally in the Approved Application dated August 2, 2013. This project will replace approximately 3,400 feet of asbestos cement pipe, including all service connections to existing properties.

SECTION II - RIGHTS OF ACCESS

Section 2.1. The Department has the right at all reasonable times to enter the project site, for the purpose of obtaining a status of the work.

SECTION III - ACQUISITION OF PROJECT SITE, CONSTRUCTION OF PROJECT FACILITY, LOAN DISBURSEMENT, AND PAYMENT OF COSTS

Section 3.1. With the exception of land easements, all real estate and personal property constituting the Project Facility and the project must belong to the Borrower.

Section 3.2. In connection with the construction of the project facility, the Borrower agrees that:

(a) The Borrower will not begin construction of the Project Facility until the Department has reviewed and approved the plans and specifications for the project. In its approvals, the Department may specify changes or conditions to the plans and specifications. The Department must approve any subsequent changes to, or deviations from, approved plans.

(b) The Borrower will ensure that contract wages paid are the higher of the State or Federal wage rate on a classification by classification basis for the construction of the Project Facility. Both prevailing wage rates established for the locality by the Alaska Department of Labor under AS 36.05.010, and Federal standards in accordance with subchapter IV of chapter 31 of Part A of subtitle II of Title 40, U.S.C. (commonly referred to as the "Davis Bacon Act") apply. In addition, the Borrower will consult with the Department on any required contract or bid document language to ensure that appropriate federal "Davis Bacon Act" material is included in the documentation.

(c) Any construction contract estimated to equal or exceed \$50,000 will be awarded through a competitive bidding process and any construction contract estimated to be less than \$50,000 may be negotiated if the Department approves the solicitation and negotiation procedures.

(d) All construction contracts and contractors' estimate forms will be prepared so that materials and equipment may be readily itemized as to allowable project costs and noneligible costs.

(e) Any change in a construction contract that will alter the contract specifications, time, price or will substantially modify the proposed treatment process must be submitted to the Department for approval if the Borrower wishes to have the modifications considered loan eligible.

(f) The construction of the Project Facility will conform to applicable federal, state, and local laws, ordinances, and regulations.

(g) The Borrower will proceed expeditiously and complete the Project Facility in accordance with the Approved Application, project schedule, surveys, plans, profiles, cross-sections, specifications, and amendments.

Section 3.3. The Borrower agrees to administer this loan in a non-discriminatory manner. No person shall be discriminated against based on race, religion, color, national origin, gender or disability. In addition, all contracts issued by the Borrower under this loan agreement must include the following statement:

“The contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies.”

Section 3.4. When applicable, the Borrower will comply with Title I- Employment of the Americans with Disabilities Act of 1990 (P.L. 101-336) and in accordance with Title I of that Act, shall not discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.

Section 3.5 When applicable, the Borrower will comply with Title II-Public Services of the Americans with Disabilities Act of 1990 (P.L. 101-336) and in accordance with Title II of the Act, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

Section. 3.6 When applicable, the Borrower will comply with Title II, Part 35, Section 35.151 of the Act 'New Construction and Alterations' (a) Design and construction: Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by individuals with disabilities, if the construction was commenced after January 26, 1992. (b) Alteration: Each facility or part of a facility altered by, on behalf, of or for the use of a public entity in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by individuals with disabilities, if the alteration was commenced after January 26, 1992. (c) Accessibility standards: Design, construction or alteration of facilities in conformance with the Uniform Federal Accessibility Standards (UFAS) (Appendix A to 41 CFR part 101-19.6) or with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG) (Appendix A to 28 CFR Part 36) shall be deemed to comply with the requirements of this section with respect to those facilities, except that the elevator exemption contained at section 4.1.3(5) and section 4.1.5(1)(j) of ADAAG shall not apply.

Section 3.7 When applicable, the Borrower will comply with Title III, Part 36, Section 36.401 of the Act "New Construction." Except as provided in paragraph (b) and (c) of the Act, discrimination for purposes of this part includes a failure to design and construct facilities for first occupancy after January 26, 1993, that are readily accessible to and usable by individuals with disabilities.

Section 3.8 When applicable, the Borrower will comply with Title III, Part 36, Section 36.402 of the Act "Alterations" (a) General: Any alteration to a place of public accommodation or a commercial facility, after January 26, 1992, shall be made so as to ensure that, to the maximum extent feasible, the altered portions of the facility are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs. (b) Alteration: An alteration is a change to a place of public accommodation or a commercial facility that affects or could affect the usability of the building or facility or any part thereof.

Section 3.9. The Borrower shall fully comply with Subpart C of 40 CFR Part 32, entitled “Responsibilities of Participants Regarding Transactions.” The Borrower is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 40 CFR Part 32, entitled “Covered Transactions,” includes a term or condition requiring compliance with Subpart C. The Borrower is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. The Borrower acknowledges that failing to disclose the information required under 40 CFR 32.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Section 3.10. The Borrower will comply with the disadvantage business enterprise requirements of the State Revolving Loan Fund program, and will require its contractors to also meet these requirements.

Section 3.11. When applicable, the Borrower will require each construction contractor to furnish a performance and payment bond in an amount at least equal to 100 percent of the contract price.

Section 3.12. The Borrower will require its contractors and subcontractors to maintain workers compensation, commercial general liability, property damage, and vehicle liability insurance. Until the Project Facility is completed by the Borrower, the Borrower (or at the option of the Borrower, the contractor) will maintain insurance for the loss of the facility for the benefit of the Department, the Borrower, the prime contractor, and all subcontractors, as their interests in the Project Facility may appear.

Section 3.13. Subject to the terms and conditions of this Agreement, the eligible project costs less other funding sources will be disbursed by the Department upon submittal and departmental approval of invoices.

Section 3.14. If this project finishes under the estimated cost of construction, it will be funded only as necessary to complete the project.

Section 3.15. Upon completion of the Project Facility, the Borrower will provide a statement to the Department of the project final costs by category of expenditure, including but not limited to costs for administration, design, construction engineering, construction and equipment.

SECTION IV - PARTICIPATION PAYMENTS BY THE BORROWER

Section 4.1. This loan is made to the Borrower from the Alaska Drinking Water Fund for the maximum amount of \$787,500. Of this total amount, \$322,875 is offered to the Borrower as a subsidy (as principle forgiveness) for

disadvantage assistance. All remaining unsubsidized funds will be repaid as provided in the following sections.

Section 4.2. The Borrower agrees to repay the principal amount and the finance charge rate on all cash draws made to the Borrower according to the repayment schedule, which will be prepared by the Department and confirmed by the Borrower following initiation of operation of the facility. The repayment schedule for the actual amount of loan payments made to the Borrower will provide that:

(a) the Borrower will pay a finance charge of 1.50 percent on each disbursement. Accrual of interest will begin one year after the date of the first disbursement to the Borrower.

(b) the loan amount will be paid back within 20 years following initiation of operation of the facility. Repayment of the loan will be made with either equal annual principle payments plus the finance charge or equal annual total payments including the finance charge. Other repayment methods may be negotiated with the Department.

(c) the first loan repayment will be due one year following substantial completion and initiation of operation of the facility.

Section 4.3. The Borrower assures the Department that the Borrower has not pledged revenues for the repayment of its loan that have been previously pledged or encumbered. The pledged revenues for repayment of the loan and each separate source of revenue are specifically identified and described in the Borrower's submitted application.

Section 4.4. In the event that any of the revenues pledged by the Borrower for the repayment of its loan are encumbered by a lien of any prior outstanding debt, the Borrower will furnish the Department with legal assurance that the excess of such prior encumbered revenues are legally available for pledging to the Alaska Drinking Water Fund.

Section 4.5. The Borrower agrees that if pledged revenues are insufficient to meet any loan payment to the Department when due, the Borrower will pay the deficiency in its loan payment from any legally available funds accruing to or in the possession of the Borrower. Repayment of the loan, which is the subject of this loan agreement, shall not be a direct and general obligation of the Borrower.

Section 4.6. If a payment is received by the Department more than 30 days after it is due, the Municipality will be subject to a late charge in accordance with the following conditions.

If the Borrower is in good standing with the Department and has no late payments on any loans within the last five years:

(a) And a payment is more than two months late a 1% charge will be applied against the outstanding amount due.

(b) And a payment is more than three months late a 3% charge will be applied against the outstanding amount due.

(c) And a payment is more than four months late a 5% charge will be applied against the outstanding amount due.

If the Borrower has had late loan payments in the last five years.

(a) And a payment is more than one month late a 1% charge will be applied against the outstanding amount due.

(b) And a payment is more than two months late a 3% charge will be applied against the outstanding amount due.

(c) And a payment is more than three months late a 5% charge will be applied against the outstanding amount due.

Additionally, interest on the unpaid balance will continue to accrue at the contract interest rate and must be paid in addition to the late charge. Payments in arrears when the 5% late charge is assessed will be referred to the Department of Law for collection.

Section 4.7. The Borrower agrees that it will separately account for all monies received from the Alaska Drinking Water Fund and will maintain project accounts in accordance with generally accepted accounting principles.

Section 4.8. If, prior to completion of the contract period, the Project Facility is damaged or destroyed, the Borrower is liable to the Department for all amounts due under this Agreement.

Section 4.9. The provisions of AS 37.15.575 relating to state aid interception apply to the loan made under this agreement.

SECTION V - MAINTENANCE, OPERATION, INSURANCE and AUDIT

Section 5.1. If applicable, the Borrower agrees to prepare a manual for operation and maintenance of the facility which is approved by the Department.

Section 5.2. The Borrower must ensure that a Department approved ordinance and a user charge system are adopted prior to initiation of operation of the facility.

Section 5.3. The Borrower must ensure that the Project Facility is given a final inspection and is certified complete to the Department.

Section 5.4. The Borrower shall initiate operation of the Project Facility immediately upon completion of construction and may not discontinue operation of the Project Facility without Departmental approval. Within one year after the initiation of operation, the Borrower must certify to the Department that the facility is performing up to design standards. The Borrower must ensure that sufficient qualified operating personnel certified by the State of Alaska will be retained to operate the Project Facility. Nothing contained in this Agreement shall be construed as an obligation or pledge of the Borrower to appropriate or expend general funds and general revenues of the Borrower to operate or maintain the Project Facility.

Section 5.5. If applicable, until the Project Facility is completed by the Borrower, the Borrower (or at the option of the Borrower, the contractor) will maintain insurance for the loss of the facility for the benefit of the Department, the Borrower and the prime contractor, and all subcontractors, as their interests in the Project Facility may appear. The Borrower agrees to insure the Project Facility against loss or damage in an amount at least equal to the loan amount specified in Section 1.1(g).

Section 5.6. If applicable, an insurance policy issued pursuant to Section 5.5 must be written or endorsed to make losses payable to the Department and the Borrower as their interests may appear. The interests of the Department are limited to the unpaid principal balance of the loan and any finance charge and penalties accrued as of the date such loan may be paid in full as a result of any insurance payoff, following destruction or damage to the facility.

Section 5.7. In the event the Borrower fails to maintain the full insurance coverage required by this Agreement, the Department may take out the required policies of insurance and pay the premiums. All amounts so advanced by the Department will become an additional obligation of the Borrower to the Department.

Section 5.8. The Borrower agrees to submit a financial report for the Project Facility for Departmental approval within one year after initiation of operation of the facility. A project audit, performed by the Department, will cover the entire multi-year project.

Section 5.9. Financial assistance received under this loan agreement is considered federal assistance and is to be included when determining the threshold amount for a Federal Single Audit. However, financial assistance received under this loan agreement is not subject to State Single Audit.

SECTION VI - MISCELLANEOUS PROVISIONS

Section 6.1. Any disbursement or repayment made under this Agreement by the department shall be delivered by electronic transfer, registered or certified mail, courier service or delivered personally. Any repayment made under this Agreement by the loan recipient shall be delivered by registered or certified mail, or delivered personally, and,

(a) if addressed to the Department, will be sent or delivered personally to:

Alaska Department of Environmental Conservation
Division of Water - Alaska Drinking Water Fund
410 Willoughby Avenue, Suite 303
P.O. Box 111800
Juneau, AK 99811-1800
ATTN: Municipal Administration Team (MAT)

(b) if addressed to the Borrower, will be sent to or delivered personally to:

Haines Borough
P.O. Box 1209
Haines, AK 99827

Section 6.2. Departmental approvals, required by this Agreement will not be unreasonably withheld.

Section 6.3. This Agreement is made subject to and conditional upon the availability of funds.

Section 6.4. This Agreement is effective as of the date set forth above and continues in full force and effect until the final day of the Contract Period.

Section 6.5. This Agreement is binding upon the parties specified below, and to any person, office, or board succeeding either of the parties. This Agreement may not be assigned by the Borrower without written consent of the Department.

Section 6.6. The Department may cancel all or any part of this agreement if:

(a) Any representation or other statement made by the Borrower to the Department in connection with its application for a loan from the Alaska Drinking Water Fund is incorrect or incomplete in any material respect;

(b) The Borrower has violated commitments made by it in its Approved Application and supporting documents, has not adhered to the regulations of the Alaska Drinking Water Fund (18 AAC 76), has violated any of the terms of this Loan Agreement; or

(c) The financial position of the Borrower has, in the opinion of the Department, suffered a materially adverse change.

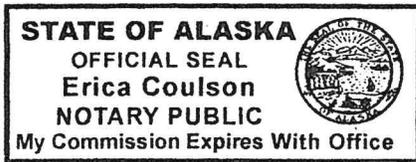
Section 6.7. No portion of this loan amount may be used for lobbying or propaganda purposes as prohibited by 18 U.S.C. Section 1913 or Section 607(a) of Public Law 96-74.

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By: Michelle Bonnet Hale
Michelle Bonnet Hale, Director
Division of Water

**ACKNOWLEDGEMENT
STATE OF ALASKA
First Judicial District**

The foregoing instrument was acknowledged before me this 11th day of
July, 2013



Erica Coulson
Notary Public, State of Alaska
My commission expires: with office

By: _____
Haines Borough

**ACKNOWLEDGEMENT
STATE OF ALASKA
First Judicial District**

The foregoing instrument was acknowledged before me this _____ day of
_____, 2013

Notary Public, State of Alaska
My commission expires: _____



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 13-334

Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Personnel Records Disclosure	1. Ordinance 13-08-347 2. Memorandum from the Borough Attorney
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 7/25/13	

Full Title/Motion:
Motion: Advance Ordinance 13-08-347 to a second public hearing on 9/10/13.

Administrative Recommendation:
The borough manager recommends adoption.

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

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

Summary Statement:
The borough attorney prepared a proposed ordinance designed to specify what items in an employee's personnel file are confidential and not available for public review. The ordinance is modeled on a state statute related to personnel records of state employees (AS 39.25.080). This means the ordinance provides the same level of confidentiality to borough employees as is currently provided to state employees. The assembly has the authority to classify personnel records as confidential under state law (AS 40.25.110) and the borough charter (Section 18.04 (B)). The ordinance only applies to borough employees that are part of the Borough's "personnel system". It does not apply to the categories of employees listed in HBC 2.72.020, such as the manager, school district employees, and contracted parties. On 8/13, the assembly introduced this and scheduled the first public hearing.

Referral:
Sent to: _____ Date: _____
Recommendation: _____ Refer to: _____ Meeting Date: _____

Assembly Action:
Workshop Date(s): _____ Public Hearing Date(s): 8/27/13
Meeting Date(s): 8/13, 8/27/13 Tabled to Date: _____

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE CHAPTER 2.72.080 TO SPECIFY WHAT CATEGORIES OF PERSONNEL RECORDS ARE AVAILABLE TO THE PUBLIC.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Section 2.72.080. Haines Borough Code 2.72.080 is amended, as follows:

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

2.72.080 Security of records.

A. All personnel records shall be kept by the manager or designee and shall not be removed or opened to the public without written authorization of the personnel officer, applicant, employee or other authorized person. ~~The manager shall develop public access to records regulations which must have prior approval of the assembly.~~ **Personnel records, including employment applications and examination, performance evaluations and other assessment materials, are confidential and are not open to public inspection except as provided in this section.**

B. Access by Employees. Any employee may request copies of their own personnel files upon three-business-days' notice or may review, in the presence of the borough manager or designee, their own personnel file upon 24-business-hours' notice to the department head or personnel officer.

C. It shall be unlawful to disclose confidential information included in personnel records without prior written permission of the employee, excepting those records which are necessary for the proper functioning of the chief fiscal officer and clerk's office and those which, from time to time, the personnel officer deems necessary.

D. The following information is available for public inspection:

(1) the names and position titles of all borough employees;

(2) the position held by a borough employee;

(3) prior positions held by a borough employee;

(4) whether a borough employee is a permanent, temporary or probationary employee;

(5) the dates of appointment and separation of a borough employee;

(6) the compensation authorized for a borough employee

(7) whether a borough employee was dismissed for cause under HBC

2.82.040(A).

Haines Borough
Ordinance No. 13-08-347
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____
DAY OF _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/13/13
Date of First Public Hearing: 08/27/13
Date of Second Public Hearing: __/__/__



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

Memo

Date: 08/08/13
To: Mark Earnest, Borough Manager
CC: Julie Cozzi, Borough Clerk
From: Brooks Chandler, Borough Attorney

A handwritten signature in black ink that reads "Brooks Chandler".

RE: Personnel Records Ordinance

As requested, we have prepared a proposed ordinance designed to specify what items in an employee's personnel file are confidential and not available for public review. The ordinance is modeled on a state statute related to personnel records of state employees. AS 39.25.080. This means the ordinance provides the same level of confidentiality to borough employees as is currently provided to state employees. The draft ordinance is not exactly the same as state law since it includes performance evaluations specifically rather than include them under the general category of "assessment materials".

The Assembly has the authority to classify personnel records as confidential under state law. The public records act states that records are open to inspection "[u]nless specifically provided otherwise". AS 40.25.110. This ordinance would be such a specific provision "otherwise".

The ordinance is also authorized under the Haines Borough Charter. Section 18.04(B) of the charter requires borough records to be open to the public unless "authorized to be confidential" by state statute. The provision of AS 40.25.110 quoted above is such an authorization.

The ordinance only applies to borough employees that are part of the Borough's "personnel system". It does not apply to the categories of employees listed in HBC 2.72.020. This includes the manager, school district employees and "contracted parties". In our opinion,

"contracted parties" would include employees who serve pursuant to the terms of a written contract with the Borough. If the Assembly wanted to include these categories of employees within the coverage of this ordinance additional language would need to be added to this draft.

If you or the Assembly have any questions regarding the draft ordinance please let me know.



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

August 27, 2013

South Portage Cove Harbor Expansion

PND Engineers are scheduled to make a brief presentation during the August 27, 2013 Assembly meeting regarding the South Portage Cove Harbor Protection-Draft Final Harbor Protection Concepts Report. We have scheduled an open house presentation regarding this topic at 10:00 am at the Library on Wednesday, August 28. For the Assembly meeting PND has prepared a brief PowerPoint presentation, including several poster boards. Expected attendees from PND include Dick Somerville, Nels Sultan, and Mike Hartley. Attached is the draft South Portage Cove Harbor Expansion Harbor Protection Alternatives report from PND, without appendices (these files were too large to include with my report, but they are available in the office).

Barnett Tank Construction

The Barnett Tank replacement project is complete, except for site cleanup and final grading. The tank went into service on July 20, 2013.

Borough Radio Communication System and E911

The Radio Communication System and E911 projects have been combined to reduce the risk of duplication of scheduling and work during the RFP and construction/implementation phase. The draft set of design documents is complete and being reviewed by staff. This project is expected to be advertised by August 30, 2013.

Public Safety Building

The Facilities Master Plan Steering Committee met in early July and discussed the next steps for the programming of a new building that would house both the Public Safety programs and the Borough Administration. Borough staff is seeking grant funding opportunities for conceptual design.

High School Air Handling Unit

The High School Air Handling Unit replacement is at 65% design. Construction bid documents are scheduled to be advertised by early fall, 2013. Borough staff expects to complete and submit a CIP Grant Application to the Alaska Department of Education & Early Development (DEED) by August 30, 2013.

Port Chilkoot Dock and Letnikof Harbor Upgrades

Pacific Pile and Marine (PPM) is currently scheduled to mobilize on-site for the Port Chilkoot Dock project on September 10, 2013.

Chilkat Lake Road Improvements

The Chilkat Lake Road Improvement area road improvement project is nearing completion. There are a few remaining issues that are being resolved. The Borough is working with the Alaska Department of Transportation and Public Facilities (ADOT&PF) to develop a plan for resurfacing the road. The area of Chilkat Lake Road most in need of chip coat resurfacing is approximately one mile in length. The estimate for resurfacing by the ADOT&PF is \$150,000.

Highland Estates AC Pipe Replacement

Southeast Road Builders was awarded this contract. Substantial completion is November 1, 2013.

Front Street Road Improvements

Construction of the new underdrain and sidewalks is near completion. Paving is expected to begin soon.

Allen Road Asbestos-Cement Pipe Replacement

Design is near completion for the replacement of the AC Pipe on Allen Road. Replacement of the waterline is scheduled to begin in the summer of 2014. This is part of an ongoing upgrade to our drinking water distribution system as outlined in the Water Sewer Master Plan.

West Fair Drive Sewer Line Replacement

Design is near completion for the replacement of the West Fair Drive sewer line. This sewer main is undersized and will not meet the demand for service as property owners continue to need service in the area. The design will be submitted to the Alaska Department of Environmental Conservation (ADEC) for approval.

Wastewater Treatment Plant

The Borough submitted a grant application on August 5, 2013 for upgrades to the Wastewater Treatment Plant. These upgrades include new screen equipment, a new screw press, blower fans, and structural improvements. The new processing equipment will be more efficient and allow the removal of higher water content from the solids being handled resulting in cost savings.

Staff is currently consulting with the Alaska Department of Environmental Conservation (ADEC) and various engineers to find alternative ways to dispose of the sludge that is processed at the plant. Because of circumstances outside of the Borough's control, we were unable to process sludge for periods of time in 2012. The Borough is working with Community Waste Solutions (CWS) to catch up on the sludge that needs to be processed and delivered to CWS for composting. This catch up is estimated to take approximately 6 to 8 weeks.

Harbor Improvements and Upgrades

Projects that are underway or in design are as follows:

- New stairs to the grid
- Power to the grid
- Installation of a Sani Sailor pump to pump wastewater off of boats
- Overhaul of the stationary crane located at the fuel float

Snow Plow Contracts

Staff is reviewing previous snow plow contracts and will either extend or re-advertise contracts in September.

Klehini Valley Volunteer Fire Department Septic System

Design is about to begin for a new septic system installation at the Klehini Valley Volunteer Fire Department (KVVFDD). The existing system is approximately 25 years old and in dire need of replacement. Design and construction of the system will be prioritized to happen this fall.

Land Assessment Plan

We will be soliciting proposals for contract assessment services for the current fiscal year. The plan, as previously reported, is to transition to a full-time, staff Land Assessor by July 1, 2014. The contract assessor will continue updating property assessments, assist in the development and implementation of a CAMA system for the mass appraisal of real property most appropriate for the Haines Borough, and continue training and assisting staff achieve an independent ability to maintain and modify the assessment system.

Personnel

I have extended the recruitment period for Police Chief until Wednesday, September 11, 2013. We received four applications by date set for the first review and one after that date. I believe that it is in the Borough's interest to have a larger pool for the review process; it is no reflection whatsoever on the quality of applications received so far.

Haines Borough
South Portage Cove Harbor Expansion
HARBOR PROTECTION ALTERNATIVES



Prepared For



Prepared By



August 21, 2013

PREFACE TO REPORT

This report has been prepared by PND Engineers Inc., (PND), for the Haines Borough. It presents the results of a study to evaluate the following breakwater alternatives for the South Portage Cove Harbor Expansion project.

- i. A rubble-mound breakwater, similar to the existing breakwater, but with wick drains added to improve the foundation so that the soft soils offshore can support the added weight
- ii. A steel vertical wall wave barrier, similar to that constructed at that Skagway Small Boat Harbor
- iii. A floating breakwater, constructed from concrete caissons, and anchored with chains and/or mooring piles

Included are preliminary design drawings, cost estimates, and the results of advanced numerical models to analyze wave penetration into the harbor, and the strength and consolidation of the soft soils under a rubble-mound breakwater. PND concludes that all three breakwater alternatives are technically feasible, but with different pros and cons and costs. Our recommendation is to proceed with a rubble-mound breakwater if the budget and schedule permits. Rubble-mound breakwaters are a reliable means of protecting a harbor and should have minimal maintenance required if quality rock is used. However, due to the need for foundation improvement at this site and large volume of material needed for construction, a rubble-mound breakwater is the highest cost. A rubble-mound breakwater may also have a longer permitting timeline, and require larger mitigation costs, because of the larger footprint.

A steel pile vertical wall breakwater would be effective and have lower initial cost, shorter construction duration, and a smaller footprint, among other advantages. However, future maintenance costs are likely greater than a rubble-mound breakwater due to costs associated with maintaining the corrosion protection system. There is also a greater risk of wave agitation in the harbor exceeding expectations due to overtopping during storms, and/or wave transmission under the breakwater.

A floating breakwater (wave attenuator) is attractive for many reasons, including the ability to use it for mooring vessels. However, it is also the least effective at blocking waves, its primary purpose. It also has the highest risk of damage from storms or vessel impact, and high maintenance costs. The following table summarizes the alternatives.

Summary - Harbor Protection Alternatives

	Breakwater Alternative	Initial Cost (\$ million)	50 year Life-Cycle Cost	Comments
1	Rubble-Mound (rock) Breakwater w/Wick Drains	\$16.0 M	\$16.6 M	Wick drains spaced 3 feet on center are needed at an installation cost of approximately \$1.5 million to allow the soft sediments to consolidate during a 215 day construction period. The project cannot be feasibly constructed without wick drains. Costs assume relatively expensive locally sourced rock. Costs may be reduced by sourcing rock from outside SE Alaska.
2	Partially Penetrating Wave Barrier	\$7.8 M	\$8.7 M	The least cost alternative, but with higher maintenance costs than a rubble-mound breakwater because of the need to maintain the corrosion protection system.
3a	Floating Breakwater (Chains/Anchors)	\$11.5 M	\$12.6 M	A floating breakwater can also provide moorage for vessels, but has the least wave protection, and highest maintenance costs and risk.
3b	Floating Breakwater (Piles)	\$11.9 M	\$13.3 M	A floating breakwater moored with pile clusters provides better wave protection than a breakwater moored with anchors and chains, but with higher load concentrations and risk.

The recommended next steps for this project are for the Borough to decide on a final design concept for the harbor expansion based on available funding, then to proceed with design, permitting and construction of the preferred breakwater. Thank you for the opportunity to assist the Haines Borough. The report has been prepared by the undersigned.



Dick Somerville, P.E.

Vice President
 Principal



Nels Sultan, Ph.D, P.E.

Senior Engineer
 Coastal



Mike Hartley, P.E.

Senior Vice President
 Project Manager



Christopher Kokesh, P.E.

Senior Engineer
 Geotechnical

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ABBREVIATIONS

CLE	Contingency Level Earthquake
FEM	Finite Element Method
FOB	Freight (or Free) On Board
MCE	Maximum Credible Earthquake
NOAA	National Oceanographic and Atmospheric Administration
OLE	Operating Level Earthquake
PND	PND Engineers, Inc.
ROM	Rough-Order-of-Magnitude
USACE	US Army Corps of Engineers

1. INTRODUCTION

This report presents a study of harbor protection alternatives for the planned South Portage Cove Harbor Expansion (SPCHE) project. PND Engineers, Inc. (PND) has prepared this report for the Haines Borough. Included are concept level design drawings for three types of breakwaters (rock rubble-mound, steel pile vertical wall, and floating). Costs and schedule have been estimated, and the pros and cons analyzed. Our work applies information from previous engineering and design studies for the expansion project, including master plans studies by PND and the US Army Corps of Engineers, and the recently completed geotechnical investigation.

PND recently completed a subsurface geotechnical study that included borings and laboratory soil testing. The results were presented in the report, "Haines Borough, South Portage Cove Harbor Expansion, Draft Final Geotechnical Report", dated April 2013. As part of that study, information was provided for a steel partially penetrating wave barrier and a rubble-mound breakwater. PND recommended finite element modeling (FEM) analysis be conducted to refine estimates of the time to reach limits of acceptable soil movement and stability for the construction of the rubble-mound breakwater option due to the soft soils underlying the breakwater alignment. In addition to evaluating the rubble-mound breakwater and partially penetrating wave barrier options, at the request of the Borough a floating breakwater, as a third option, was included in this study.

Also included in this report is an updated met-ocean study of waves at the project site. Wind data near the harbor was recently made available by the National Oceanographic and Atmospheric Administration (NOAA) which allows for a more refined estimate of wind and waves at the project site.

Attached to this report are appendices presenting detailed analysis and calculations performed for this study. The main body of this report presents the interpretations and conclusions. This report is intended to provide information needed to make a decision on the type of breakwater to be built at South Portage Cove Harbor. The study is not a refined design. Future work is needed to advance the design, including refining the breakwater length and alignment. This study focuses on the following key questions and issues:

- Evaluation of the load vs. deformation behavior of a rubble-mound breakwater and supporting soils during and after construction. PLAXIS FEM software was used to estimate the number and height of stages and the time required to build the rubble-mound with and without wick drains.
- Research and assessment of wick drains, to verify that they can be installed (constructability), the rate of installation, and the potential for damage during installation through sands and gravels.
- Evaluation of breakwater harbor protection, comparing wave conditions in the harbor with and without the breakwater alternatives. This work included new wave computer modeling and wave transmission calculations using Delft3D and CGWAVE.
- Analysis of the anchoring alternatives and mooring loads for a floating breakwater.
- Cost estimates for each harbor protection alternative, including life cycle costs and maintenance needs over an assumed 50 year design life.

1.1 Project Description and Understanding

Portage Cove Harbor is the only full service small boat harbor near Haines, Alaska. There is strong demand for moorage and improved and expanded facilities. Navigation improvements are also needed to accommodate larger commercial-size vessels that are currently constrained by the limited area within the existing breakwater, and the shallow dredged basin depth. The Haines Borough is currently planning a phased approach for improvements to the harbor with the following primary objectives:

- Expansion in moorage capacity with improved navigation for large vessels;
- Improved protection from excessive wave action; and
- Enlarging the upland boat launch parking areas and waterfront accessibility.

The most expensive component of the harbor expansion project is extending the breakwater. Portage Cove is exposed to waves generated along long fetch distances in Lynn Canal that can funnel storm-generated waves into the harbor entrance. The existing breakwater is not satisfactory for existing users for some wave conditions, and a longer breakwater is essential if the harbor is to be expanded. Extending the existing rubble-mound breakwater

is one option being considered. Other alternatives are a partially penetrating steel wave barrier, similar to the one recently built in Skagway, and a floating breakwater (wave attenuator).

1.2 Related Studies

As part of this study PND reviewed information from previous projects and studies in the region. The documents include related geotechnical information, wind and wave analysis, and studies by the US Army Corps of Engineers and PND.



Figure 1.1. South Portage Cove – Existing Site

2. GEOTECHNICAL ANALYSIS

The subsurface geology near the tip of the existing breakwater includes a layer of soft clay, as shown in the concept drawings in Appendix A. The layer gets thicker as the water depth increases. This foundation material greatly complicates the design and construction of a rubble-mound breakwater. Alternatives include removing (dredging) the unsuitable material, constructing in phases over a period of years to allow the soft material to consolidate and increase in strength, or improving the foundation by adding stone columns or wick drains to allow the soft sediment to consolidate more quickly as the rock breakwater is constructed. After an initial assessment of alternatives, PND focused on wick drains as a proven technology that would allow a rubble-mound breakwater to be constructed to meet the design criteria for settlement, slope stability and seismic deformation.

2.1 PLAXIS Model of Staged Construction

The rubble-mound breakwater foundation was analyzed using the software program PLAXIS, in addition to desktop calculations of slope stability and consolidation. PLAXIS is a state-of-the-art model typically used for analyzing slope stability, seismic deformation, and settlement. It solves the fundamental soil mechanics and dynamics equations on a grid, using the Finite Element Method (FEM). The model is described in the User's Manual (PLAXIS, 2012). The results are presented in Appendix B.

The PLAXIS analysis calculated the load versus deformation behavior during the construction of a rubble-mound breakwater to determine the number and height of stages and the time required to build the rubble-mound with and without wick drains. A discussion of the analysis methodology and results of the FEM analyses for the rubble-mound breakwater concept are included in Appendix B.

The primary goals of the PLAXIS model were to answer the following questions:

- i. Estimate the required staged construction plan, including the number of stages (lifts), height of each stage, and required duration between each stage necessary to maintain an adequate factor against slope failure; and
- ii. Estimate the construction time required with and without wick drains.

Based on the FEM analysis, a rubble-mound breakwater without wick drains would require nine stages to construct with the stage heights ranging from about 4 to 8 feet in thickness. Total construction duration of 38 to 81 years would be needed to construct the rubble-mound breakwater in order to meet seismic and slope stability criteria. The incorporation of wick drains will drastically reduce the construction time. Assuming wick drains with 5-foot spacing, the time required for breakwater construction in stages would be approximately 2 years. With 3-foot spacing the construction would be further reduced to about 0.6 years.

2.2 Wick Drains

Wick drains are geotextile filter fabric wrapped around a corrugated plastic core. They are typically about 4 inches wide by 1/4-inch thick. The drains are installed vertically in the ground using a special mandrel mounted on a crane or excavator. The spacing between wick drains is typically between 2.5 and 8 feet for most projects. The drains accelerate the consolidation of soft, compressible soils by providing a pathway for pore water drainage.

A key question is whether wick drain installation is feasible at this project site using conventional technology, considering the layer of dense sands and gravel that they must penetrate. Wick drains are typically installed in soft sediments without having to penetrate dense material. PND investigated wick drain installations means and methods to evaluate constructability. Our assessments included evaluating installation requirements, typical spacing, and time periods required for construction.

PND initiated discussions with the specialty ground improvement contractor Hayward Baker regarding the feasibility of installing wick drains for this project. Hayward Baker was contacted specifically because of their experience installing wick drains in Alaska and because they are reported to be the only contractor in North America with experience installing wick drains from a barge. Figure 2-1 shows a similar breakwater construction project in Kake, Alaska, where Hayward Baker installed 1,200,000 LF of wick drain from a barge over 25 feet of water to a depth of 90 feet below the ground surface. Figure 2-2 shows a wick drain and mandrel on a PND designed bulkhead project for a Navy base in Umm Qasr, Iraq. The mandrel is driven into the ground with the geotextile wick drain inside, then withdrawn leaving the wick drain in the ground with the end above the ground surface. Figure 2-3 illustrates typical wick drain materials.



Figure 2-1. Installing Wick Drains from a Barge at Kake, Alaska (photo courtesy Hayward Baker).



Figure 2-2. Wick Drain and Mandrel – installation from a barge at Umm Qasr, Iraq.



Figure 2-3. Wick Drain Sample

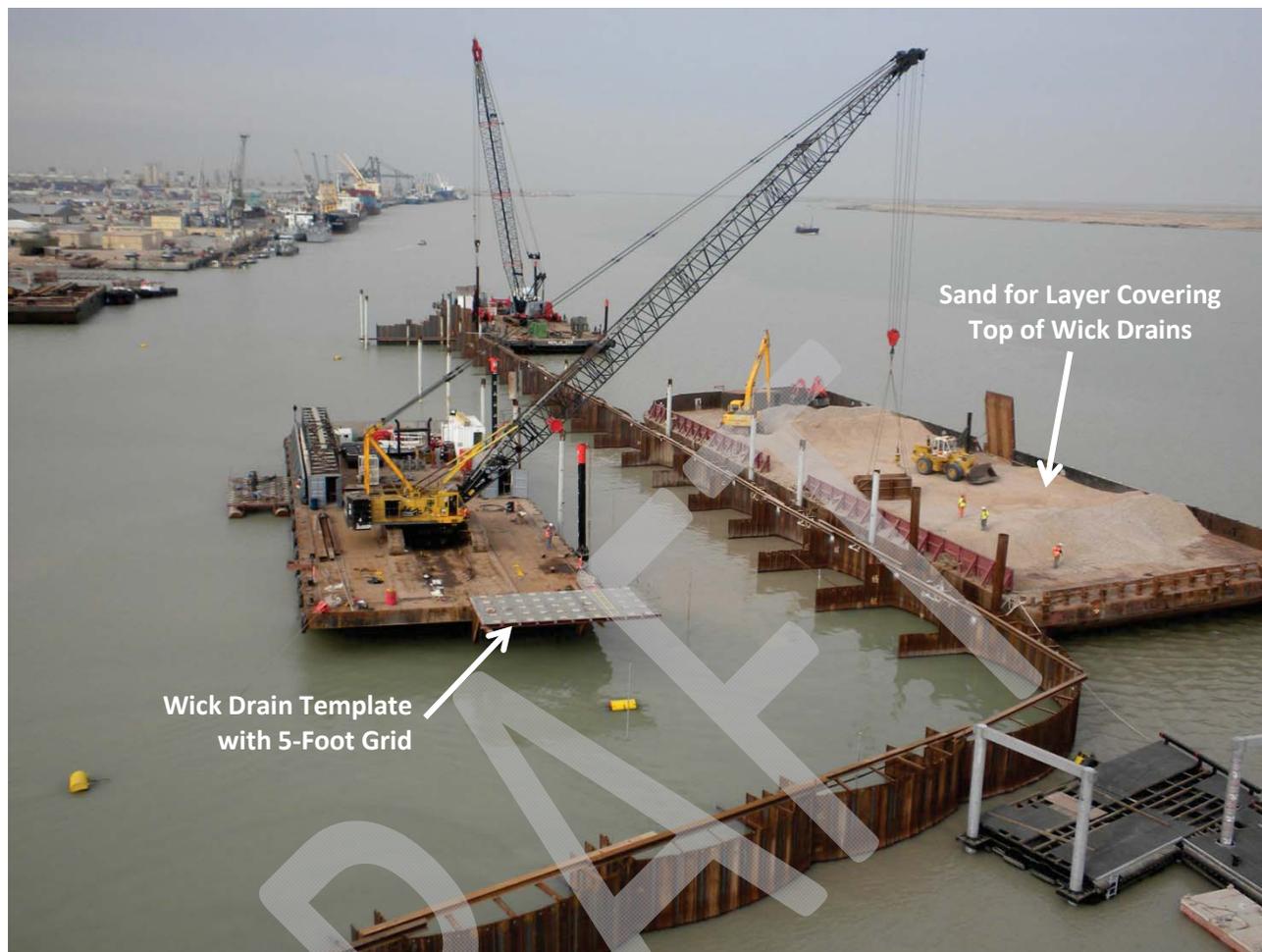


Figure 2-4. Umm Qasr Bulkhead Construction - Sand Layer Placement and Wick Drain Template

The wick drain installation procedure requires a steel mandrel to protect materials from damage. Hayward Baker reviewed the geotechnical information for the site and based on their review and our discussions with them PND is confident that the soil conditions at the site would allow installation of the drains through the upper sand/gravel overlying the clay deposits. PND incorporated wick drains into the rubble-mound breakwater design concept to reduce construction time to a reasonable duration. Alternative foundation improvement methods such as stone columns or dredging/excavation of the clays were not further considered due to their excessive cost relative to wick drains.

Based on our preliminary drain spacing analysis and the PLAXIS numerical model analysis, we estimate that wick drains would reduce the time needed to build the rubble-mound breakwater from multiple years to months. For planning purposes, we anticipate that 3-foot wick drain spacing would result in approximately 215 days total to construct the rubble-mound breakwater, after wick drain installation. Considerations for stage height and duration are discussed in the “Finite Element Model of Rubble-Mound Breakwater Concept” section of this report. A 3-foot triangular grid wick drain spacing, and an average driving distance of 75 feet embedded length, would total about 18,000 drains under the breakwater footprint. The total length would be approximately 1,350,000 feet of installed drains. We estimate that two rigs staged from one barge could complete the wick drain installation in approximately 105 working days at a construction cost of roughly \$1,565,000. (This assumes two CAT 375 rigs, shipping FOB to Seattle, including all labor, materials and equipment for installation.)

Additional information and the preliminary analysis of wick drain spacing and performance is included in Appendix E.

2.3 Seismic Deformation Analysis of Rubble-Mound Breakwater Concept

Newmark analysis was used to estimate permanent slope movement under various seismic events (earthquake time histories) for the rubble-mound breakwater alternative. The results of the Newmark analyses show that slope movements on the order of 1/4-inch or less under an Operating Level Earthquake (OLE) event and nearly 4 feet for a Contingency Level Earthquake (CLE) event. No appreciable permanent seismically induced displacements are estimated for the CLE event. Table 2-1 summarizes the result of the seismic deformation analysis. A discussion of the methodology and results are included in Appendix C.

Table 2-1. Summary – Seismic Deformation Analysis

Newmark Displacements	CLE (50% PE in 50 year)	OLE (10% PE in 50 years)	MCE (2% PE in 50 years)
Range (inches)	0	0.01 to 0.25	8.2 to 28.4
Average (inches)	0	0.19	23.9

Note: The average displacement is based on Newmark Rigorous Rigid-Block Analysis.

3. WIND, WAVE AND WATER LEVELS

The wind, wave and water levels at the project site largely control the size and cost of the harbor protection structures needed. PND analyzed the environmental conditions based on all available information, including previous studies by PND and others. Appendix D presents the design environmental conditions for the project site, as well as analysis of wave transmission past the breakwater and into the planned harbor.

3.1 Met-Ocean Analysis

The met-ocean analysis in Appendix D presents the design environmental conditions for the breakwater alternatives. The met-ocean study for this report has a substantial amount of new analysis, including wave numerical models, and analysis of wind data from the Haines Boat Harbor from 1973 to 1996 which was previously not available from NOAA. The met-ocean analysis in Appendix D provides improved confidence in the estimated design wave height, period, and direction. Figure 3-1 below is an example of wave height output from the CGWAVE numerical model that tested wave penetration into the harbor.

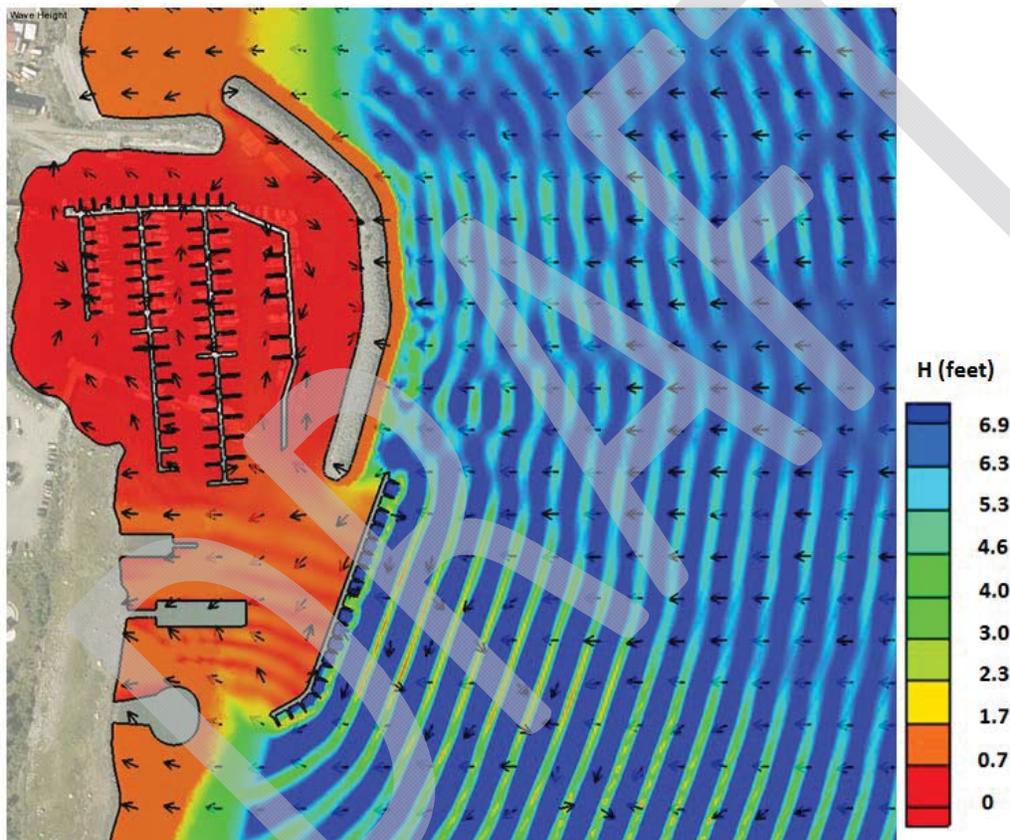


Figure 3-1. CGWAVE Model – Run 8 Sample Output – (Wave Input: H=6.9 feet, T=4.4sec, Dir=090°)
(The wave barrier was modeled as fully reflecting with an assumed transmission coefficient of 0.6).

The recommended Design Operational Conditions (DOC) and Design Environmental Conditions (DEC) for the Portage Cove Marine Facilities are summarized in the tables below. The DEC can be defined as the extreme conditions with a specific combination of tide, wind, waves and currents for which the facilities have to be designed. The DOC is defined as the limiting environmental conditions that would require suspension of normal operations.

Table 3-1. Portage Cove – Design Operational Criteria (2-Year Return Period)

Direction	Water Elevation (feet, MLLW)	Wind Speed (knots)	Wave	
			Significant Height (feet)	Peak Period (sec)
Northeast (050°)	+17	31	2.6	2.5
East (090°)		31	2.1	2.2
Southeast (120°)		31	2.5	2.4

Table 3-2. Portage Cove – Design Environmental Criteria (50-Year Return Period)

Direction	Water Elevation (feet, MLLW)	Wind Speed (knots)	Wave	
			Significant Height (feet)	Peak Period (sec)
Northeast (050°)	+20	68	6.5	4.3
East (090°)		68	6.9	4.4
Southeast (120°)		68	6.3	4.3

The following summarizes the key findings of the met-ocean analysis:

1. Prevailing winds are mostly from the east and northwest. However, large winds also occur from the northeast to southeast. The 50-year return period design wind speed is 68 knots.
2. The 50-year significant wave height is approximately 6.9 feet for winds from the east along a straight line fetch of 3 nautical miles. The waves from the northeast (6.5 feet) and southeast (6.3 feet) are slightly smaller since the waves experience diffraction and refraction effects before reaching the project site.
3. The estimated wind speeds and wave heights are consistent with the previous study performed by USACE in 2004 and local observation. No significant differences were noticed.
4. Tide range, defined as the distance between the Mean Higher High Water and Mean Lower Low Water, is 16.8 feet. The project site is located in an area which is experiencing glacial rebound and relative sea level fall and this should be considered when selecting dredge depths and design water levels.
5. Wave refraction causes large waves from Lynn Canal to approach the breakwater from a mostly easterly direction. Waves penetrate into the harbor through diffraction around the breakwater tip, and transmission under the breakwater (floating and partially penetrating vertical wall). The length and alignment of the breakwater alternatives is reasonable. The rubble-mound breakwater has the most wave protection, and the floating breakwater the least, of the alternatives evaluated.

3.2 Breakwater Wave Transmission

The met-ocean study in Appendix D includes wave transmission analysis and calculations. A rubble-mound breakwater would be more effective than a partially penetrating vertical wall wave barrier, or a floating breakwater at blocking waves from entering the harbor. Predictions of wave transmission under a floating breakwater have the greatest uncertainty, and are largely based on the results of previous physical model studies by others of floating breakwaters.

4. HARBOR PROTECTION ALTERNATIVES

PND evaluated the following three alternatives for harbor protection:

- Rubble-Mound Breakwater
- Partially Penetrating Wave Barrier
- Floating Breakwater (wave attenuator)

Other breakwaters were considered but dismissed as not feasible or less effective, including a rubble-mound breakwater without wick drains, timber wave fence, and a steel barge floating wave attenuator. The following sections describe each alternative, key issues, and their relative merits.

4.1 Rubble-Mound Breakwater

The rubble-mound breakwater alternative would be similar to the existing rubble-mound breakwater which provides protection to the existing harbor for waves from the north and east. A concept design is shown on the attached drawings in Appendix A. The new rubble-mound breakwater would extend from the end of the existing breakwater nearly 550 feet. The rubble-mound breakwater typical cross-section likely would include the following three layers of rock:

- Core: Shot rock/quarry run material;
- Underlayer: 3-foot-thick layer of larger rock to provide a transition between the overlying armor rock and breakwater core
- Armor Rock: 6-foot-thick layer of the largest rock to protect the structure from wave attack.

In addition, a 3-foot thick layer of sand and/or gravelly sand would be placed on the seafloor prior to constructing the breakwater to serve as a drainage blanket for the wick drains.

Most of the rock placement would likely occur from a barge, either a bottom dump barge and/or placement with a clamshell, crane or excavator. Land-based construction methods might be used via a temporary causeway along the existing breakwater. The contractor's means and methods will influence costs and require further investigation. Environmental permit requirements may also affect the means of rock placement.

To prevent a stability failure of the soft clay layer underlying the site it will be necessary to construct the rubble-mound breakwater in stages. Based on the PLAXIS analysis, the rubble-mound breakwater would likely require nine stages to construct with the stage heights ranging from about 4 to 8 feet in thickness. The duration for constructing the rubble-mound breakwater with wick drains at 5-foot spacing is estimated to be 2 years. Wick drains at 3-foot spacing would require about 0.6 years for rock placement.

During construction of the rubble-mound breakwater the ground settlement must be monitored, typically with survey equipment and settlement plates or other instrumentation. The data is used to determine when consolidation of the underlying clay layer is sufficient to permit placement of additional material without an unreasonable risk of slope failure. The monitoring program should consist of both periodic surveys of the settlement of the mudline elevation under the rubble-mound and the elevation/height of the rubble-mound breakwater construction. PND also recommends that pore-pressure be monitored at various locations beneath the rubble-mound breakwater footprint and within the clay layer. The pressure will increase then decrease after each stage is placed.

The advantages and disadvantages associated with the rubble-mound alternative are summarized below.

Pros:

- Rubble-mound breakwater construction has been successful at Portage Cove.
- Rock jetties are usually the least expensive type of breakwater if a good quality rock source is nearby and the foundation is suitable.
- Maintenance requirements are likely minimal with the high quality rock available in the region.
- The lack of pile driving is a plus for environmental permitting but may result in a longer work window.

Cons:

- Rubble-mound breakwaters have a larger footprint than other harbor protection alternatives, which, in comparison, can increase the permitting effort and mitigation required.
- The large volume of material required for construction must be delivered to the site via truck or barge, which may cause adverse impacts in town, especially if it coincides with the summer tourist and cruise ship season
- Preliminary cost information from a local quarry indicates a relatively high cost for rock from this source.

4.2 Partially-Penetrating Vertical Wave Barrier

A vertical wall wave barrier can be built using steel pipe piles with flat steel sheet pile wings welded to the pipe to form a combi-wall type of structure. Batter pile clusters (at an angle from vertical) are needed considering the water depths and wave forces at this site. A concept design is shown on the attached drawings in Appendix A. The structure would be similar to the breakwater designed by PND and constructed in 2009 at the Skagway Small Boat Harbor.

Pros:

- It is often the only suitable design when space is limited or the waves are too large for a floating breakwater.
- The small footprint and gap at the bottom for fish passage and circulation likely make this the preferred option for permitting and environmental reasons.
- Construction is relatively fast with minimal truck traffic, noise, and dust.
- The vertical wave barrier at Skagway has been successful and is similar to this concept design.
- A pedestrian promenade can be added to the top at relatively little added cost (not included in cost estimate attached).

Cons:

- More engineering and design effort is needed compared to a rubble-mound breakwater.
- Additional boreholes or probes may be needed to verify the presence of bedrock at the pile tip elevation.
- If bedrock is encountered the piles may need to be socketed in the bedrock.
- Require regular maintenance of anodes and dive inspection to control corrosion.
- Wave overtopping and spray, and/or wave transmission under the breakwater may be large enough to be objectionable. Overtopping can be controlled somewhat by raising the wall height.

4.3 Floating Breakwater

A concrete float with a rectangular cross-section is typical for the size of structure needed at this site. A concept design is shown on the attached drawings in Appendix A. In deep water, mooring chains are sometimes the only feasible option. Mooring piles are more effective at restraining the floating breakwater and reducing wave transmission than mooring chains. For this structure, PND estimates a pile cluster or mooring chain is needed every 50 feet along the length of the floating breakwater.

Floating breakwaters are most effective for blocking waves with relatively small wave lengths. When wave periods exceed about 3 seconds the cost and size requirements increase greatly. The design wave periods at Portage Cove are close to 5 seconds.

To avoid grounding, the breakwater needs to be placed in deeper water, which increases the size and cost of the mooring system. The concrete float and mooring system are complex and relatively expensive. Considering the wave conditions and tide range at the site, a preliminary assumption is that a floating breakwater would need to be 50 feet wide, 500 feet long, and 10 feet deep to provide effective wave protection at Portage Cove. Additional information is in Appendix D.

Pros:

- A floating breakwater also can be used for mooring small commercial or recreational boats.
- Floating structure moves with the tide and does not block views outside the harbor.
- Can be moved in the future
- Reuse of existing floating structures that may be available (old concrete pontoons, barges, caissons and used breakwaters) is sometimes possible and can be a cost-effective means of providing a breakwater.

Cons:

- The engineering and design is more complex than a rubble-mound breakwater.
- The structure moves and has load concentrations at the mooring hoops and connections, increasing the risk of wear, damage and structural fatigue.
- Floating wave attenuator performance is sometimes difficult to predict accurately without a large scale physical model. The height of the transmitted wave under the float has more uncertainty than a fixed barrier.

5. COST ESTIMATE

PND estimated the costs for construction and future maintenance cost for each alternative. The estimates are preliminary, with an accuracy of +/- 20%. They are suitable for comparing alternatives based on a Rough Order-Of-Magnitude (ROM) cost estimate.

Table 5-1 below summarizes the cost estimate for each alternative. More detailed cost estimates were developed and are presented in Appendix F. The cost estimates include contingencies and indirect costs such as permitting and engineering and are essentially a recommended project budget. The rubble-mound (rock) breakwater costs are based on recent information provided by a local quarry. Lower cost rock may be available if imported from outside southeast Alaska.

The life cycle cost estimates include regular maintenance and recurring costs over time. The costs are presented in terms of present value dollars to allow direct comparison between each alternative.

Table 5-1. Cost Estimate Summary

	Description	Initial Cost (\$ millions)	Maintenance Cost	50 year Life-Cycle Cost
1	Rubble-mound (Rock) with Wick Drains	\$16.0 M	\$0.6 M	\$16.6 M
2	Partially Penetrating Vertical Wave Barrier	\$7.8 M	\$0.9 M	\$8.7 M
3a	Floating Breakwater with Anchors and Chains	\$11.5 M	\$1.1 M	\$12.6 M
3b	Floating Breakwater with Mooring Piles	\$11.9 M	\$1.4 M	\$13.3 M

Note: All costs are in present value dollars

6. CONCLUSIONS

All three harbor protection alternatives have benefits and drawbacks. Table 6-1 summarizes the three alternatives. In our opinion a rubble-mound structure would be the best alternative if the budget and schedule permits and a good quality rock source is available. All three alternatives are technically feasible, but with different pros and cons.

Table 6-1. Summary - Harbor Protection Alternatives

	Breakwater Alternative	Initial Cost (\$ millions)	50 year Life-Cycle Cost	Comments
1	Rubble-Mound (Rock) Breakwater w/Wick Drains	\$16.0 M	\$16.6 M	Wick drains spaced 3 feet on center are assumed at an installation cost of approximately \$1.5 million to allow the soft sediments to consolidate during a 215 day construction period. The project cannot be feasibly constructed without wick drains. Costs assume locally sourced rock. Costs may be reduced by sourcing rock from outside SE Alaska.
2	Partially Penetrating Wave Barrier	\$7.8 M	\$8.7 M	The least cost alternative, but with higher maintenance costs than a rubble-mound breakwater with high quality rock, because of the need to maintain the corrosion protection system.
3a	Floating Breakwater (Anchors)	\$11.5 M	\$12.6 M	A floating breakwater can also provide moorage for vessels, but has the least wave protection, and highest maintenance costs and risk.
3b	Floating Breakwater (Piles)	\$11.9 M	\$13.3 M	A floating breakwater moored with pile clusters has better wave protection than a breakwater moored with anchors and chains, but with higher load concentrations and risk.

6.1 Recommendations for Future Work

This study is based on preliminary engineering and design, at a level suitable for selecting a path forward. During design the following issues should be further investigated to allow for a more refined and efficient design and to minimize risk:

1. Evaluate different bidding and contracting arrangements, such as design-build and the more traditional design-bid-build. A bidding arrangement that allows for more alternatives to be considered could result in a better bid price. It may be advantageous to design and plan for a rock breakwater, but allow a contractor to propose an alternative partially penetrating wave barrier, with the final decision on breakwater type deferred until after the bids/proposals are reviewed.
2. Evaluate sources of rock for the breakwater, including unit costs, shipping costs and available quantities.
3. Review and refine the estimates of optimum wick-spacing vs. construction duration for the rubble-mound breakwater.
4. Investigate likely permit requirements and key constraints. Early discussions with permit agencies can reduce risks and uncertainty and help develop a realistic project schedule.

5. If a floating breakwater is selected then a physical model in a 3-D wave basin is recommended to test wave transmission and the mooring system for the final design concept.

6.2 Study Limitations

PND's analysis and findings in this report are based the following:

1. Engineering calculations performed by PND;
2. Design criteria developed for this project;
3. Review and application of surveys, geotechnical data and met-ocean analysis; and
4. Engineering judgment and experience, including knowledge gained during design and construction of similar breakwaters and marine facilities in southeast Alaska and other locations.

The information presented in this report is based on professional opinions derived from our analysis and interpretation of available documents and information. This report was prepared by PND for the sole use of the Haines Borough. Our conclusions and recommendations are intended for this project and limitations of scope, schedule and budget apply.

7. REFERENCES

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Chilkat Center for the Arts

A Community Facility Operated by the Haines Borough

(907) 766-3573

facsimile (907) 766-3574

E-mail business@khns.org

Facility Administration Report

July 2013



Usage

Summer weather is taking its toll on inside events. July slowed down on Yoga and Jujutsu classes in general but Sarana Yoga held 4 special classes in the dance studio. We hosted the Children's Theater Camp which was three full-on weeks of kids and theater culminating in a wonderful presentation of Aladdin and the Magic Lamp with a special performance by the little kids on Friday evening. Haines Arts Council presented the Strange Attractions in the lobby and we had a singalong around the Steinway for a couple of hours in honor of a local mom.

In order to further the renovation of the Chilkat Center, the Foundation for the Chilkat Center for the Arts is holding a Gala Event featuring world class musicians Nancy Nash, Steve Tada, Janice Tipton and Allan Vogel.

Entitled "A Late-Summer Night's Dream - A Musical Fantasy", the event will be held on August 17, 2013 at 7:00pm in the Chilkat Center. The fanciful reception in the lobby will include hors d'oeuvres, desserts and drinks. We will be offering an "adopt-a-seat" promotion through which donors may purchase a small plaque which we will affix to the theater seat of their choice. Proceeds from the event will go towards the local match of a grant application to upgrade the sound and lighting systems in the theater. Admission will be \$20.

Maintenance

*A ramp to get the snow blower out of the scene shop more easily is being built this summer

*Light fixtures in the theater were rewired in anticipation of the upcoming museum conference

Submitted by Facilities Manager, Kay Clements, July 2013

Chilkat Center for the Arts			
7/31/2013			
Contact	Function	Participants	Amount
	Dance Studio		
SEARHC	Yoga	159	240
Chorus Bishop	Seibukan Jujitsu --	26	90
Sarana Workshop	Yoga	25	80
	Lobby		
SEARHC	Morning Muscles	54	120
St Michael's	Sunday Services	65	300
Haines Arts Council	Strange Attractions	60	75
Bruce Blake	Singalong	20	75
	Conference Room		
FCCA	Board meeting	7	n/c
KHNS	Board meeting	7	n/c
	Auditorium		
LCCP	Children's Theater Camp	30	1500
	Kitchen		
Sarah J	July	1	250
	July Totals	459	\$2,730

July 2013 Haines Vol. Fire Dept. Monthly Report

The Haines Vol. Fire Dept. had one fire callout in July. The call was for an abandoned campfire that caught a stump on fire. Fire callouts for 2013 total 32. The Haines Vol. Fire Dept. responded to 28 ambulance callouts in July. Calls included three with abdominal pain, three with chest pain, three with head trauma, one fall, a seizure, one with back pain, a transport refusal, a cancelled enroute, and 14 medivacs/transport. Ambulance callouts for 2013 total 147. There was no SAR callout in July.

The first joint meeting for July was a business meeting followed by multi scenarios including backboarding, securing a safety device to prevent air bag deployment, extrication tool setup procedures, gurney operation and using foam with an eductor. The ambulance training was a presentation on penetrating trauma & treatment procedures for different body part affected by Lt. Julie Anderson. The fire training was hose testing of the hose bed loads from Engine 1, Engine 2, and Rescue 1. Yearly hose testing assures our fire hoses will function properly during a real fire.

Once again our annual B-B-Que was a success serving around 635. Thanks for all the preparation help with food, tables and chairs. We had a great cleanup crew so the whole event went smoothly. We also supported the fireworks display and allowed many to participate in the hose battle. We put 4 fire trucks and an ambulance in each of the 4th of July and fair parades. We staged Medic 2 at the fairgrounds for the fair as well as a trauma bag & AED.

Plans for the MMRS (Metropolitan Medical Response System) disaster drill to be held in Haines are progressing. The drill will be held on September 7 Saturday from 9 am to about 1 pm. There will be a simulated propane explosion with 30 or more injuries. This will be a joint venture with many state agencies involved and EMS responders from up to 11 Southeast communities. MMRS has 7 MASH style tent hospitals staged in different southeast communities to be deployed in a large scale event. There will be from 50 – 100 participants here from other communities. We need volunteers to be victims for the drill. All 7 of the mobile hospital tents are scheduled to be deployed here for this event.

Volunteer Hours for July 2013

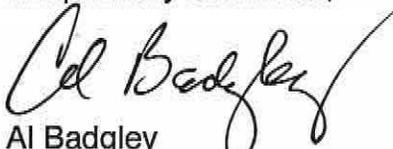
HVFD Fire	214	HVFD Ambulance	295
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Volunteer Hours for all 2013

HVFD Fire	1179	HVFD Ambulance	1992
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Total volunteer hours HVFD for 2013	3171	Hours	
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Respectfully submitted,



Al Badgley
HVFD Training Officer

RECEIVED Haines Borough

AUG 06 2013

Clerk's Office

**Sheldon Museum
Monthly Staff Report
July-Aug 2013**

JULY VISITORS

Local Walk-in	243
Paying Walk-in	1087
Non-paying Walk-in	349
Children local and non-local	44
With School Group	0
Programs/meetings at Museum	7
Off-site Activity	0
Milepost Ad	5
Tours	62
Web Site Page Hits: 3,147 page views	

YEAR THROUGH JULY

Local Walk-in	862
Paying Walk-in	2247
Non-paying Walk-in	639
Children local and non-local	110
With School Group	250
Programs/meetings at Museum	1361
Off-site Activity	198
Tours	157
Page views	12,694

[1,524 visits (repeat visitors), 1,127 unique visitors (1st-time visitor)]

JULY VOLUNTEERS

Number:	25		
Total Hours:	631.50	Hours Year Total	2,448.50

UPCOMING EVENTS/PROJECTS

- Author Deb Vanasse presentation *Wealth Woman: The True Story of Kate Carmack*, Aug. 15th 7-8:30pm
- Exhibition of Art from the Museum's Permanent Collection, Sept. 13-Oct. 31
- Museums Alaska / Alaska Historical Society Annual Conference Sep. 25-28

ADMINISTRATION and OPERATIONS

- **New Director:** John Hairr has decided to not take the position of Director of the Sheldon Museum.
- **Interim Director:** Christina Baskaya has extended her stay as interim director until August 31st, 2013 as long as the Museum covers the airline penalty for changing her and her husband's plane tickets.
- **Phones:** Museum's new Phone system was installed 8/12/13.
- **Maintenance:** 1 network update for Outlook was installed during July.
- **Website update:** the conference webpages are now "managed" by a template. This makes updating and changing information a snap. Eventually templates will be applied to the Museum's entire website, saving a great deal of staff time and frustration and making the website more user-friendly—but that's a winter project.
- **Sheldon Museum Fair Booth** was held at the Southeast Alaska State Fair from July 25-29th. Merchandise was brought over and displayed from the museum store as well as archival quality reproductions from the Sheldon Museum's collection. To make set up, etc. easier on the short-handed staff this year, no auction items were solicited or sold. Unfortunately, sales were down by about \$1000.00. Archival prints sales did account for nearly half of the total sales. Although it's great to support the Fair and have a presence there, we may want to re-evaluate if it's worthwhile (keeping in mind the staff time spent for set up, manning and "clean up.") Perhaps it's time to re-invent it a bit.

Fair Booth Sales:

- **2012: \$2,686.25**
- **2013: \$1,622.77**
- **Website Sales:** An image of a map made by local Jim Greene (Williwaw Publishing) and carried in the Museum's Store was posted on Facebook with a link to our website. This generated a great deal of interest and 60+ online sales!
- **Store Orders Pending:** Univ. of A, Univ. of WA, Univ. of Penn., Tom Lang, ARK Media, Tlingit Ink Designs, etc.
- **Store Orders Received:** Ron Horn, Todd Communications Order, Tresham Gregg, Laurence Thomas Consignment Items, Cedar Basketry.

- **Six Week Artist Spotlight:** Tim Shield's spotlight surpassed Donna Catotti's record attendance with 130 people.
- **Talks:** Dan Henry's presentation on Scundoo'o was another highly attended event, bringing in 93 people.
- **Facebook:** Since the totem pole project design has changed so Felix took photos of the progress with a description of the changes narrated by Jim Heaton. Kris will be posting on FB the changes in three posts. They are carving Mondays, Wednesdays and Thursdays from 10 am – 2 pm.
- **Volunteers:** We have a few volunteers in and out on vacation so staff is filling in those times if other volunteers aren't able to help. Our newest volunteer is Sarah Long in the museum store. Felix helps by logging the volunteer hours and visitor counts. Extra volunteers helped man the Fair booth as well as keeping the museum up and running during the fair.
- **Tour:** Kris did her first tour with the Go West Tours group. Their interpreter was enthusiastic and definitely kept her on my toes with questions that I found I could answer after all!
- **Accounting:** Kris keeps very busy with weekly deposits, bill paying, 2013 conference accounting, sales tax, museum passes (half of her accounting time is spent logging these), etc.
- **Conference:** Christina has Kris sending a MailChimp e-newsletter every week to keep the conference upper most in the minds of attendees.
- **Junior Ranger Day:** Kris did an art project for Skagway's Junior Ranger Day early in the month. She went over to Skagway for the day and showed kids how to paint salmon and/or a mountain scene with glaciers using a stencil she had pre-cut. She explained the difference between tidewater and hanging glaciers and that salmon are/were a mainstay in the diets of locals. The kids were amazed at their artistic talent when we removed the stencil and they saw what they had done! Over 250 kids attended this event in Skagway! It was fun for all!

COLLECTIONS

- **Photo Collection:** Nancy is still going through the Sheldon Collection photographs, which make up the majority of our historic photos. Felix Mussik, summer intern, has proved to be excellent at the detail-oriented effort needed to digitally process our older photos. The "Fort William H. Seward / Port Chilkoot" category will be finished soon, and we'll move on to the half-complete "Haines" category.
- **Research:** Nancy has been busy this summer with research requests. Michael Hall and Pat Glascock, experts on model totem poles, made an appointment for July 30th. They spent a fruitful three hours here, not only furthering their own research on local carver Jim Watson (he did the original Friendship Pole), but also giving us additional information about some of our own collection. Their book "Carvings and Commerce" will be a useful addition to our research library. Jacqueline Johnson Pata accompanied Nathan Jackson in viewing the Sockeye Clan regalia with about 40 students on Aug. 4th. Cornelia Fitger and Rainer Kordes from Berlin, visited on Aug. 13th are looking to make a connection since they have a diary from Bernhard Bendel, a trader that made 2 visits to the Chilkat River; one during the 1869 eclipse. Other research visitors included: Chun Hotch, Sue Waterhouse, Gordan Whittermore, Anastasia Wiley and Tom Morphet.

CONFERENCE

Registrants: 49

Exhibitors: 4

Advertisers: 3

Sponsors: 8

- **Advertisers:** Need assistance in gathering local sponsors/advertisers.
- **Catering:** Awaiting firm quotes from the Emblem Club for lunch and Mosey's chef for Opening Reception. Ordered compostable dining ware for lunch, receptions and bars. Mountain Market will provide for the breakfasts and breaks.
- **Entertainment:** Men of Note to perform at Opening Reception, Women's Choir to perform at Awards dinner. Still looking for musicians for banquet.
- **Tours:** 3 post-conference tours available and posted for registration online.
- **AV:** We need to borrow 3 laptops to be used during sessions.
- **Volunteers:** board volunteers needed for room set-ups, moving tables from different locations, registration (preferably same people each day), sign changes, direction of crowds.



Haines Borough Permanent Fund

Summary of Principal & Earnings Reserve Balances

As of 06/30/13

	FY06**	FY07**	FY08♦	FY09♦	FY10♦	FY11♦	FY12♦	FY13♦
Beginning Principal Balance	5,558,415	5,563,090	5,606,471	5,798,593	5,988,014	6,111,766	6,213,629	6,304,762
Add								
Transfer from Land Sales/LID	-	-	16,453	-	-	-	-	-
Inflation Proofing	4,674	43,381	175,669	189,421	123,752	101,863	91,133	145,010
Ending Principal Balance	5,563,090	5,606,471	5,798,593	5,988,014	6,111,766	6,213,629	6,304,762	6,449,772
Beginning Earnings Reserve Balance	121,211	45,669	326,202	418,339	418,697	838,984	1,237,608	1,313,886
Add								
Earnings/Change in Value	46,744	433,812	289,359	208,532	564,262	661,714	328,899	382,364
Less								
Inflation Proofing	(4,674)	(43,381)	(175,669)	(189,421)	(123,752)	(101,863)	(91,133)	(145,010)
Expenses	(6,111)	(23,591)	(21,553)	(18,754)	(20,223)	(21,227)	(21,488)	(21,521)
Transfer to General Fund	(111,500)	(86,307)	-	-	-	(140,000)	(140,000)	(140,000)
Ending Earnings Reserve Balance	45,669	326,202	418,339	418,697	838,984	1,237,608	1,313,886	1,389,719
Total Fund Balance	5,608,759	5,932,673	6,216,932	6,406,711	6,950,750	7,451,238	7,618,648	7,839,492

** Inflation proofing calculated at 10% of income

♦ Inflation proofing calculated as 3 year average CPI times previous year's principal balance per new code



**Haines Borough
Planning Commission Meeting
July 11, 2013
MINUTES**

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Goldberg** called the meeting to order at 6:30 p.m. in Assembly Chambers and led the pledge to the flag.
2. **ROLL CALL** – **Present:** Chairman Rob **Goldberg**, Commissioners Rob **Miller**, Andy **Hedden**, Don **Turner III**, Danny **Gonce**, Lee **Heinmiller**, and Robert **Venables** (called in between 6:43 p.m. and 8:17 p.m.)

Staff Present: Xi “Tracy” **Cui**/Borough Planning & Zoning Technician III, Mark **Earnest**/Borough Manager

Also Present: James **Studley**, Neil **Einsbruch**, Mark **Sogge**, Cecily **Stern**, Jack **Wenner**, Mario **Benassi**, Carolyn **Weishahn**, Leonard **Dubber**, and Erwin **Hertz Sr.**

3. **APPROVAL OF AGENDA**

Motion: **Turner** moved to “approve the agenda”. **Heinmiller** seconded it. The motion carried unanimously.

4. **APPROVAL OF MINUTES** – June 13, 2013 Regular Meeting

Motion: **Turner** moved to “approve the June 13, 2013 Regular Meeting Minutes.” **Miller** seconded it. The motion carried unanimously.

5. **PUBLIC COMMENTS** – None

6. **CHAIRMAN’S REPORT**

Goldberg said he had a meeting last night regarding the replacement of the public safety building. The Borough has received the drawing designs from the architect. There are several questions that have been brought up, and the Borough is going to send feedback and concerns to the architect.

7. **STAFF REPORTS**

Cui reported recent permitting and enforcement activities.

8. **PUBLIC HEARINGS**

- A. **Mark Sogge & Cecily Stern – Appeal of Enforcement Order**

Goldberg said it was his advice to **Sogge** and **Stern** that has created this situation, so he will recuse himself from the decision and decisions in this matter.

Gonce opened the public hearing at 6:37 p.m.

Sogge stated that he is appealing the enforcement order requiring the payment of \$250 after-the-fact fees for operating a lodging rental business without a conditional use permit. **Sogge** said they first decided to advertise their property as a vacation rental; they came to the Borough office and got an application for a conditional use permit as they thought one would be required. However, they mentioned to Planning Commission Chairman Rob **Goldberg** that they were going to apply for a conditional use permit for

the vacation rental they planned to operate, Rob said that he didn't think the permit would be required since this was an unoccupied single family residence being offered for rent, and it is the only house on the property. **Sogge** said it was not their intention to violate the code.

Stern said what they are doing is just to rent out their house, which is still a single residential house. The definition of "lodge" in the code does not apply to this case since no other services are provided.

Gonce closed the public hearing at 6:41 p.m.

Heinmiller said this situation pointed to a deficiency in the code. The Planning Commission needs to define "vacation rental" and provide for its use in the code, and also needs to refine the current definition of "lodge".

Hedden said he thinks the definition of "lodge" in the code is inadequate.

Motion: Miller moved "to recommend the Borough Administration waive the \$250 after-the-fact fee being assessed to Mark **Sogge** and Cecily **Stern** for operating a vacation rental." **Turner** seconded it. The motion carried unanimously.

B. Mark Sogge & Cecily Stern – Lodging Conditional Use Proposal

Gonce opened the public hearing at 6:50 p.m.

Sogge stated that they are requesting for the Planning Commission to approve a Conditional Use Permit to allow the operation of a lodging rental business on their property. The house is the only single family residence on a 3-acre lot.

Stern said this is a seasonal rental, not a year-round rental. The vacation rental is consistent with surrounding land uses. The property has a well-maintained septic system, a private water source.

Gonce closed the public hearing at 6:52 p.m.

Goldberg said the Planning Commission will discuss changing the definition of "lodge" and adding the definition of "vacation rental" at the next regular meeting.

Motion: Turner moved "to approve Sogge & Stern lodging conditional use proposal." **Miller** seconded it. The motion carried unanimously.

C. Neil Einsbruch – Appeal of Enforcement Order

Goldberg opened the public hearing at 6:55 p.m.

Einsbruch said he is being fined for not filing a construction declaration form. He is not aware of this requirement. This fine is unprecedented, and has never been enforced. He has been told that there is no building permit required in his property's area. He is not disregarding the code on purpose. The proposed fine is exorbitant and inconsistent compared to other fines that the Borough imposes.

Goldberg closed the public hearing at 6:57 p.m.

Heinmiller said he saw the public notice of filing construction declaration in the post office.

Turner said not being aware of this requirement is not a reason to not get fined.

Einsbruch said he is not requesting to not get fined, he is saying the \$250 fine is too high.

Goldberg said the Borough started with a \$50 fine, but everyone just ignored it. In order to get people's attention, the Borough decided to raise the fine up to \$250. The code requires a construction declaration form must be filed with the Borough assessor because any new construction should be assessed by the assessor, and then the property owners will pay their property tax. If some property owners do not file the construction forms, then their property tax may not be paid. This is not fair to the property owners who submitted the construction declaration forms to the Borough.

Einsbruch said he is the only person who is being fined. He feels he is "singled out".

Turner asked when the new 2-story building was built.

Einsbruch answered it was built about two years ago.

Turner said that means the new 2-story building has not been assessed for two years. The property tax of these two years would be even higher than a \$250 fine.

Motion: Venables moved "to recommend the Assembly waive the \$250 after-the-fact fee for Neil **Einsbruch**." **Gonce** seconded it. The motion failed 0 to 7 with all the Planning Commissioners opposed.

D. Roger Beasley – Boat Storage Setback Variance

Goldberg opened the public hearing at 7:18 p.m.

Studley stated he represents Mr. Roger **Beasley** as an agent, requesting for the Planning Commission to allow the construction of a boat storage 15-foot into the required 25-foot setback from Sawmill creek. All the necessary documents are in the packet. The Alaska Department of Fish & Game has no objection to this development.

Goldberg closed the public hearing at 7: 20 p.m.

Motion: Gonce moved "to approve **Beasley** boat storage setback variance request with the conditions that there will be an oil/water separator installed, and the drainage system has no discharge into the creek." **Miller** seconded it. The motion passed unanimously.

9. UNFINISHED BUSINESS - None

10. NEW BUSINESS

A. Historic District/Building Review - None

B. Haines Borough Code Amendments – Title 18 Revisions

1. Setbacks and Height Restrictions in HBC 18.80.030

Goldberg stated currently the Borough code does not have setback requirements for general use zone. Setback information can be required in the construction form.

Cui said the code requires a construction declaration should be filed within 60 days of the start of construction. The filing period could be a problem if construction starts before the construction declaration is filed, and the buildings do not meet the proposed setback requirements.

Venables said he is in favor of this code amendment. Expanding the setback regulations in townsite service Borough wide is for public safety concerns. He suggests changing the effective date of the draft ordinance to January 1, 2014.

Gonce agrees to postpone the effective date since the Planning Commission needs some time to amend the filing period of a construction declaration.

Goldberg said the Planning Commission will discuss changing the code for consistency at the next regular meeting.

Motion: Venables moved “to recommend the Assembly adopt the proposed draft ordinance amending HBC 18.80.030(B) with an effective date of January 1, 2014.” The motion passed unanimously.

2. Define “Yurt” in HBC 18.20.020

Turner said he likes the proposed draft ordinance which defines and clarifies yurts, wall tents, RVs as temporary use structures.

Hedden said he saw there is a yurt for sale on the website. It is a 30-foot diameter yurt with concrete foundation and double garage. It obviously seems to be not a temporary dwelling.

Motion: Miller moved “to recommend the Assembly adopt the proposed draft ordinance amending HBC 18.20.020 to add definition of temporary use dwelling.” **Gonce** seconded it. The motion passed 6 to 1 with **Hedden** opposed.

3. Clarify “Small Information Signs” in HBC 18.90.060

Motion: Hedden moved “to recommend the Assembly adopt the proposed draft ordinance amending HBC 18.90.060(I) to add size limitation for small information signs.” **Turner** seconded it. The motion passed unanimously.

4. On-Site Wastewater System Inspection in HBC 18.60.010

Goldberg said that the current code requires the wastewater system must be inspected by a DEC-approved inspector every two years. The Borough should consider removing this from the code since this is not enforceable.

Motion: Gonce moved “to recommend the Assembly adopt the proposed draft ordinance amending HBC 18.60.010(I) to remove the requirement of wastewater disposal system being inspected every two years.” **Miller** seconded it. The motion passed unanimously.

C. Project Updates – None

D. Other New Business

1. ADOT & PF Haines Highway MP3.5 – MP12 Project

Earnest said the ADOT & PF is seeking comments regarding the project’s compliance with the local planning and zoning ordinances. There will be a public meeting on this project in early August, and a lot of technical questions will be discussed at the meeting.

Benassi said the project as currently proposed could negatively impact local fishing and tourism industries as well as subsistence and cultural values in Haines. The plans require cutting hundreds of resting and roosting trees in the Bald Eagle Preserve area. He is in favor of minimizing impacts to the natural environment.

Earnest said he can answer one of the questions regarding trees. The ADOT & PF officials have expressed that they will avoid 100% of the trees they can.

Weishahn stated the Planning Commission and the Assembly need to stand up, point out what is in our comprehensive plan, and let the ADOT & PF know which parts of the project are in conflict with the comprehensive plan. Also, there are concerns from the tour industry. The primary goal of most of the tourists is to observe wildlife in the natural environment. If this project degraded the natural environment along the roadside corridor, then the opportunities to see wildlife are diminished.

Earnest said he would like to work with **Goldberg** to look through the comprehensive plan, mark out and identify the sections that are relevant to the project. He will send the questions and comments back to ADOT & PF.

More discussion ensued.

2. Haines Borough – Lutak Dock Tract B & C

Earnest stated Lutak Dock Tract B & C have a confusing history. The confusion has extended to ADOT & PF, ADNR and Haines Borough. The parties have regarded the Borough as the owner of Tract C, and ADOT & PF as the owner of Tract B, while title documentation shows the exact opposite. ADOT & PF made an offer to purchase Tract C from the Borough, even though ADOT & PF is already the record owner of Tract C. This offer to purchase was conditioned upon the Borough simultaneously issuing a quitclaim deed to Tract B to ADOT & PF, to correct title. The documentations have been reviewed by the Borough attorney. ADOT & PF made this offer to correct record title and move forward with its Haines Ferry Terminal expansion project in the near future.

Motion: Gonce moved to “recommend for the Assembly to further consider the proposal from ADOT & PF to purchase Tract C from the Borough with a condition of the Borough simultaneously issuing a quitclaim deed to Tract B to ADOT & PF.” The motion passed unanimously.

11. COMMISSION COMMENTS

12. COMMUNICATION - None

13. SET MEETING DATES – The next regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, August 8, 2013.

14. ADJOURNMENT– 8:56 p.m.

SHELDON MUSEUM AND CULTURAL CENTER, INC
Board of Trustees Meeting Minutes
Thursday, July 18, 2013, at the Sheldon Museum

CALL TO ORDER: 1:03 p.m. by President Jim Heaton

ATTENDANCE: BOARD – Michael Marks, Lorrie Dudzik, Bob Adkins, Jim Heaton, John Hagen and Dave Pahl: **STAFF** – Tina Baskaya, Blythe Carter: **BOARD LIAISON** – None

ADDITIONS TO THE AGENDA: Under Staff Report - Shed report.

APPROVAL OF AGENDA: M/S Michael & Dave. - approved unanimously

APPROVAL OF JUNE 10 MINUTES : M/S Michael & Bob – approved unanimously

APPROVAL OF JUNE 17 SPECIAL MEETING MINUTES : M/S Bob & John – approved.

CORRESPONDENCE/VISITORS: None

STAFF REPORT: See handout in packet.

- Computer OS and software needs to be updated this winter, as they will not be supported by their manufacturers in the near future.
- Conference Update – Christina reported that we still need some caterers. The Board was also asked to concentrate on finding local sponsors.
- Shed – Dave reported that the shed is still unorganized. There are several boxes of low grade paper and lots of other “stuff” that needs to go, including Clara Nevada props. Needs to be organized, collection items protected from dust and dirt, and arranged so the woodshop tools can be used. Board will visit the shed after the meeting.

FINANCIAL REPORT: See handout of *Profit and Loss 2013* in packet.

COMMITTEE REPORTS: The Eldred Rock Committee has split off from SMCC and is now the Eldred Rock Preservation Association. It has filed for 501C3 status. Pam Randles has resigned from the SMCC Board to devote all of her energies to Eldred Rock. USCG is expected to give them at least a one month extension on their remodeling plan. USCG has still to decontaminate the site.

The question was raised that if the Eldred Rock Committee has split off and gone independent, is SMCC still involved, and are we still responsible and/or liable for any part of the project? This needs to be clarified.

OLD BUSINESS: Stipend for intern – M/S Michael & Dave to grant Erica an \$1800 stipend for her three months internship.

NEW BUSINESS: A new phone system has been informally approved by the Board by polling.

M/S Michael & John to appropriate \$5298 for the new system. It was mentioned that all project expenditures over \$5k need to be put out to bid. However, AP&T is the only business in town who can provide the necessary update and equipment.

- Art Acquisition Fund - The applications have been filed.
- John Hairr, the newly hired Director, has been assigned to deliver both the opening and closing remarks at the conference in September.
- Fair Booth – We still need volunteers to man the fair booth July 25-28.
- The hand rails on the new front steps are nearly complete and look very nice. Many thanks to the Borough, Carlos, and Dave.

M/S Michael & John to purchase 2 yards of topsoil to complete the landscaping around the new steps. Approved unanimously.

BOARD DISCUSSION: Felix Mussik, our summer intern from Berlin, Germany, was introduced to the Board.

- Reminder that participating musicians need to be mentioned in the Conference Booklet.

NEXT BOARD MEETING: Regular Board Meeting – Mon, Aug. 19, 2013, at 1:00 p.m.

MEETING ADJOURNED at 2:01 p.m. and members gathered in the shed.

Respectfully submitted,

BdbAdkins, secretary



Agenda Bill No.: 13-341
 Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Authorize Purchase of Police Vehicles	1. Resolution 13-09-489 2. Police Vehicles Purchase Order, Quotes & Information
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 8/16/13	

Full Title/Motion:
 Motion: Adopt Resolution 13-09-489.

Administrative Recommendation:
 The borough manager recommends adoption.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$ 51,690	\$ 75,000	\$ 0

Comprehensive Plan Consistency Review:

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

The Haines Borough Police Department's current hybrid Ford Escape SUVs are too small to properly secure prisoners and protect officers, and the Borough Assembly included funds in the FY14 budget for replacing two police vehicles. The recommendation is to purchase two Ford Interceptor SUVs. The new Interceptors are specifically designed to protect the safety of officers and to perform in the conditions in which the vehicles will be used in Haines.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 8/27/13	Tabled to Date:

HAINES BOROUGH
RESOLUTION No. 13-08-489

Draft

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Kendall Ford in the amount of \$51,690 for the purchase of two Ford Interceptor SUVs.

WHEREAS, the Haines Borough Police Department's current hybrid Ford Escape SUVs are too small to properly secure prisoners and protect officers; and

WHEREAS, Kendall Ford has provided a quote of \$51,690 for the purchase of two Ford Interceptor SUVs; and

WHEREAS, the new Interceptors are specifically designed to meet the needs of the department to protect the safety of officers and to perform in the conditions the vehicles will be used; and

WHEREAS, the Interceptors' size allows for a shield between the front and back seats for improved security; and

WHEREAS, the Haines Borough Assembly appropriated \$75,000 in the FY14 budget from the townsite service area fund for two police vehicles,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to contract with Kendall Ford in the amount of \$51,690 for the purchase of two Ford Interceptor SUVs.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this _____ day of _____, 2013.

Stephanie Scott, Borough Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk



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

PURCHASE ORDER

DATE:
PURCHASE ORDER - NO: _____

VENDOR: Kendall Ford

Attn: David Luke
 Address: 2701 Mountain Village Drive
 Wasilla, Alaska 99654
 phone: 907-352-5677
 Email: davidluke@kendallauto.com

DEPT/CIP/Grant: Police Department

G/L:

% or Amt: 100%

DEPT/CIP/Grant:

G/L:

% or Amt:

DEPT/CIP/Grant:

G/L:

% or Amt:

Quantity	Unit	Item / Description	Unit/Price	Total Amount
2	Ea	Ford Interceptor SUV (Explorer) White with Flat Black Hood	\$25,646.00	\$51,292
2	Ea	Driver only Spot Lamp (Pkg 51Y)	\$182.00	\$364
2	Ea	Dark car Feature (Pkg. 43D)	\$17.00	\$34
			SUB-TOTAL:	
			SHIPPING:	
			TOTAL:	\$51,690

Shipping Method: Best Way UPS: 2nd Day Ground USPS: Priority Parcel
 (Check all that apply) AML Other - Specify: _____ pickup in Wasilla

Payment Method: Credit Card Direct Bill Other - Specify: _____

Purchase Order Prepared by: Simon Ford
 Printed Name

Simon Ford
 Signature

Ordered/Purchased by: _____
 Printed Name

 Date Ordered/Purchased

Approval Signatures, if needed:

Authorized Signer _____

Date _____

Borough Manager _____

Date _____

Simon Ford

From: David Luke [davidluke@kendallauto.com]
Sent: Monday, July 29, 2013 8:12 AM
To: Simon Ford
Attachments: CCE07292013_0000.pdf

FORD EXPLORER (Fuel Economy 17/23)

0	Ford Explorer, White w/ Black Hood	\$ 25,646.00
0	Ford Explorer, Random Color	\$ 25,446.00
0	Road Ready Package (Package 67h)	\$ 2,902.00
0	Ballistic Door Panels, Driver Only (Package 90D)	\$ 1,348.00
0	Ballistic Door Panels, Driver and Passenger (Package 90E)	\$ 2,694.00
0	SYNC with Reverse Sensing System (Package 53M/76R)	\$ 485.00
0	Spot Lamp, Driver Only (Package 51Y)	\$ 182.00
0	Dark car feature (Package 43D) Disables courtesy lamps	\$17.00
0	Rear View Camera with SYNC (Package 21b/53M)	\$ 459.00

Please see attach plus above, from the State Contract.

Thank You,
Dave Luke
Kendall Ford

SEF-1685

Kendall Ford, Dave Luke (907)352-5677
Alaska Sales & Service, Ron Eastman (907) 265-7555

Replacing: _____

1 or 0	Description	Cost	PO Total
FORD SEDAN (Fuel Economy 17/25)			
0	Ford Sedan with Police Package, White w/ Black Hood (365HP)	\$ 27,095.00	\$ -
0	Ford Sedan with Police Package, Random Color	\$ 26,895.00	\$ -
0	3.5L V5 Engine, 280 HP/250 lb-ft Torque (Fuel Economy 17/26)	\$ (2,745.00)	\$ -
0	Road Ready Package (Package 856)	\$ 3,106.00	\$ -
0	Ballistic Door Panels, Driver Only (Package 65E)	\$ 1,349.00	\$ -
0	Ballistic Door Panels, Driver and Passenger (Package 65C)	\$ 2,693.00	\$ -
0	SYNC with Reverse Sensing System (Package 53M/76R)	\$ 514.00	\$ -
0	Rearview Camera (Package 77B)	\$ 209.00	\$ -
FORD EXPEDITION (Fuel Economy 13/18)			
0	Ford Expedition, White w/ Black Hood	\$ 28,830.00	\$ -
0	Ford Expedition, Random Color	\$ 28,630.00	\$ -
0	3rd Row Seating, Vinyl	\$ 764.00	\$ -
0	3rd Row seating, Cloth	\$ 869.00	\$ -
0	Convenience Package (power adjustable pedals, reverse sensors and message center, Package 50F)	\$ 345.00	\$ -
0	Heavy Duty Tow Package (Package 536)	\$ 345.00	\$ -
0	Running Boards (Package 186)	\$ 379.00	\$ -
FORD EXPLORER (Fuel Economy 17/23)			
0	Ford Explorer, White w/ Black Hood	\$ 25,646.00	\$ -
0	Ford Explorer, Random Color	\$ 25,446.00	\$ -
0	Road Ready Package (Package 67h)	\$ 2,902.00	\$ -
0	Ballistic Door Panels, Driver Only (Package 90D)	\$ 1,348.00	\$ -
0	Ballistic Door Panels, Driver and Passenger (Package 90E)	\$ 2,694.00	\$ -
0	SYNC with Reverse Sensing System (Package 53M/76R)	\$ 485.00	\$ -
0	Spot Lamp, Driver Only (Package 51Y)	\$ 182.00	\$ ✓ -
0	Dark car feature (Package 43D) Disables courtesy lamps	\$17.00	\$ ✓ -
0	Rear View Camera with SYNC (Package 21b/53M)	\$ 459.00	\$ -
CHEVROLET CAPRICE (Fuel Economy 15/24)			
0	Chevrolet Caprice, White w/ Black Hood (6.0L V8, 355HP)	\$ 27,728.00	\$ -
0	Chevrolet Caprice, Random Color	\$ 27,448.00	\$ -
0	3.6L V6, 300HP (Fuel Economy 18/26)	\$ -	\$ -
0	Chevrolet Caprice Detective Unit	\$ 27,448.00	\$ -
0	Ballistic Door Panels, Driver and Passenger	\$ 2,790.00	\$ -
CHEVROLET TAHOE (Fuel Economy 15/21)			
0	Chevrolet Tahoe, White w/ Black Hood	\$ 30,259.00	\$ -
0	Chevrolet Tahoe, Random Color	\$ 29,979.00	\$ -
0	Spot Lamp, Driver Only	\$ 405.00	\$ -
		PO TOTAL	\$ -

(Includes electronic tray in truck, Package 62D)
(Underhood light is not available OEM)

(Underhood light is not available OEM)

(Includes vinyl floor and heated mirrors)
(Floor Mats are NOT included)
(Underhood light is not available OEM)

SPECIFICATION #150-PP
MID-SIZE SPORT UTILITY VEHICLE, AWD
POLICE SERVICE PACKAGE

APPLICATION: To be used by the Alaska State Troopers on patrol duties. Weather variance from plus 100 degrees to minus 50 degrees Fahrenheit.

UNIT TYPE: *Ford Explorer Police Vehicle*

- 1.0 Engine: Gas, 3.7L, 300 HP
- 2.0 Transmission: Automatic, 4-Speed w/ OD
- 3.0 Starting Aids:
 - 3.1 Engine Block Heater
- 4.0 Brakes:
 - 4.1 To include anti-lock braking system and traction control
- 5.0 Tires:
 - 5.1 All season radial tires with a full size spare securely mounted on/in the unit (roof mounted is not acceptable)
- 6.0 Body:
 - 6.1 Four (4) Doors
 - 6.2 Wheel base: 112.6 Inches
 - 6.3 Overall Length: 197.1 Inches
 - 6.4 Front license plate bracket
 - 6.5 Privacy Glass, OEM
 - 6.6 Vinyl flooring, with removable floor mats
 - 6.7 Cruise Control and Tilt Steering
 - 6.8 Power windows and door locks
 - 6.9 AM/FM Radio with CD
 - 6.10 Rear Tow Hooks
 - 6.11 Supplemental restraint system for both driver and right front passenger
 - 6.12 Seating: 5-passenger (including driver)
 - 6.12.1 Front bucket seats with no console, or 40/20/40 bench with a removable center section, cloth only
 - 6.12.2 Vinyl rear bench seat
 - 6.12.3 Interior color to be charcoal
 - 6.13 Keys and Door Locks:
 - 6.13.1 ~~OEM power door locks with master control for all doors installed in driver's door.~~
 - 6.13.2 Inoperable rear door handles and locks OEM Package 68G

- 6.13.3 All cars and locks to be keyed alike (Fleet Keys) for ignition, doors and trunk. To include three (3) keys with each unit.
- 6.14 Hood:
 - 6.14.1 To have double safety latch with hood release inside car.
 - 6.14.2 To have under hood light controlled by a mercury switch.
 - 6.14.3 If requested on purchase order, the hood is to be non-reflective, flat black
- 7.0 Lighting:
 - 7.1 Headlights to have shatterproof type lens or have protective shatterproof covers.
 - 7.2 Spotlight: to be mounted in left-hand pillar post. To be independent of ignition on separate 20 amp fused circuit. OEM. (Priced as option)
 - 7.3 OEM Dome Lights
 - 7.4 Daytime running lights OEM Package 942
- 8.0 Miscellaneous:
 - 8.1 Publications to include factory service bulletins to all regional SEF Managers, and one (1) each operator's manual to be delivered with each vehicle.
 - 8.2 Tool Kit: To be equipped with wheel wrench and jack.
 - 8.3 Delivery Inspection: All final inspections for compliance to specifications on all patrol vehicles are conducted at FOB point.
 - 8.4 Road Ready Package OEM Package 856 (Priced as option)
 - 8.5 Ballistic Door Panels, Driver Only OEM Package 90D (Priced as option)
 - 8.6 Ballistic Door Panels, Driver and Front Passenger, OEM Package 90E (Priced as option)
 - 8.7 Ford SYNC with Reverse Sensing System, OEM Package 53M/76R (Priced as option)
 - 8.8 Rear View Camera OEM Package 21B (Priced as option)

PRICE PROPOSAL FOR
Haines Police Department

2014 FORD POLICE EXPLORER AWD
112.6" Wheelbase

Exterior: Oxford White w/ Black Hood
Interior: Police Grade Cloth Bucket Seats
Engine: 3.7L V6 TIVCT
Transmission: 6-Speed Automatic

Options:

- AM/FM/CD
- Vinyl Flooring
- Power Windows/Door Locks
- 6-Way Power Driver Seat
- Tilt Steering
- Power Adjustable Pedals
- Cruise Control
- Calibrated Speedometer
- Single Zone Manual Climate Control (AC)
- Rear Window Defroster
- 1st Row Red/White Overhead Dome Light
- Heavy Duty Anti-Lock Brakes
- Heavy Duty Cooling System
- Heavy Duty Suspension
- 78 AMP Battery
- 220 AMP Alternator
- Engine Block Heater
- Driver Side Spot Lamp

FOB: Fairbanks

Total Price
License and Registration Fees Not Included

\$26,869.25

Price Includes Government Price Concession

Submitted By:
Steve Angel
Fleet Sales Manager
July 26, 2013



Proposal

DATE: July 26, 2013

TO: *Simon Ford* **FROM:** *Steve Angel*
Haines Police Department

PHONE: (907) 766-2121 PHONE: (907) 459-4044
E-MAIL: sford@haines.ak.us FAX: (907) 459-4007

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 2

Simon,

Please see the attached proposal for the 2014 Explorer Police Units. Please note we can stop these units in Anchorage, but they will have final destination point as Fairbanks. **Both of these units will have the same door key code.**

Should you have any questions, please give me a call.

Steve



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 13-340

Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Authorize Purchase of LED Street Lights	1. Resolution 13-09-490 2. LED Price Quote
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 8/16/13	

Full Title/Motion:
Motion: Adopt Resolution 13-09-490.

Administrative Recommendation:
The borough manager recommends adoption.

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ 13,125 (see summary)	\$ 17,500	\$ 0

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>The borough is systematically upgrading its street lights to LED. The director of public facilities recommends purchasing 21 lights from Arctic Sales, at a total cost of \$13,125, leaving a \$4,375 cushion in the CIP budget that aligns with the cost of installation quoted by AP&T.</p> <p>These lights will be the same type as authorized in an October 2012 resolution (No. 12-10-413) for the purchase and installation of LED street lights along Third Avenue.</p>

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

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 8/27/13	Tabled to Date:

HAINES BOROUGH
RESOLUTION No. 13-08-490

Draft

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Arctic Sales, Inc. in the amount of \$13,125 for the purchase of LED street lights.

WHEREAS, the Borough's FY14 budget includes \$17,500 in the Capital Improvement Projects (CIP) fund for LED Lighting and Installation; and

WHEREAS, Arctic Sales, Inc. provided a quote of \$625 per light, including freight; and

WHEREAS, these lights would be the same type as authorized in an October 2012 resolution (No. 12-10-413) for the purchase and installation of LED street lights along Third Avenue; and

WHEREAS, Alaska Power and Telephone last year estimated Borough savings from installing these lights on Third Avenue would lead to payback in about three to five years; and

WHEREAS, the Haines Borough Assembly has budgeted additional funding for LED street lights in other parts of town as part of an effort to improve energy efficiency; and

WHEREAS, the Borough's Public Facilities Director recommends purchasing 21 lights from Arctic Sales, at a total cost of \$13,125, leaving a \$4,375 cushion in the CIP budget that aligns with the cost of installation quoted by AP&T,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to contract with Arctic Sales, Inc. in the amount of \$13,125 for the purchase of LED street lights.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this _____ day of _____, 2013.

Stephanie Scott, Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk

From: arcticsales2011@gmail.com [<mailto:arcticsales2011@gmail.com>] **On Behalf Of** Arctic Sales, Inc.
Sent: Tuesday, August 20, 2013 11:12 AM
To: Carlos Jimenez
Subject: Re: FW: LED lights for Haines

Carlos, Per our conversation this a.m. Please note the following quote;
21 each Cree #STR LWY HT 06 E UL SV R \$625.00 EACH, freight included to Haines,AK
Thanks, Rich

Arctic Sales, Inc.
907-694-7424
www.arcticsalesinc.com

On Tue, Aug 20, 2013 at 10:50 AM, Carlos Jimenez <cjimenez@haines.ak.us> wrote:

From: Carlos Jimenez
Sent: Friday, August 16, 2013 12:23 PM
To: 'rich@arcticsales.net'
Subject: LED lights for Haines

Hi Rich,

Danny Gonce from AP&T forwarded your contact information to me. The Haines Borough would like to purchase some more LED lights for our street lighting systematic upgrade. We have approximately \$13,000 in our FY14 budget and I would like to see what that can get. We're looking at purchasing as many of the 60 LED (250w) as we can get.

If you have a chance to call me or email that would be great so we can get this project moving.

Thanks for your consideration,

Carlos Jimenez
Director of Public Facilities
Haines Borough

--



Agenda Bill No.: 13-342

Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Authorize Purchase of CAT 950H Wheel Loader	1. Resolution 13-09-491 2. Price Quotes and Specs
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 8/16/13	

Full Title/Motion:
Motion: Adopt Resolution 13-09-491.

Administrative Recommendation:
The borough manager recommends adoption.

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ 219,792	\$ 220,000	\$ 0

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>The Haines Borough is in need of replacing a wheel loader that has become a maintenance concern after more than 30 years of operation.</p> <p>The director of public facilities recommends purchasing a CAT loader because the borough mechanic has completed training in CAT diagnostic equipment, and the borough owns CAT hardware and software to diagnose problems with CAT equipment.</p>

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

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 8/27/13	Tabled to Date:

HAINES BOROUGH
RESOLUTION No. 13-08-491

Draft

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with NC Machinery in the amount of \$219,792 for the purchase and delivery of a CAT 950H wheel loader.

WHEREAS, the Haines Borough is in need of replacing a wheel loader that has become a maintenance concern after more than 30 years of operation; and

WHEREAS, NC Machinery has provided a quote of \$219,792 for the purchase and delivery of a CAT 950H wheel loader; and

WHEREAS, the Haines Borough Assembly appropriated \$220,000 in the FY14 budget from the townsite service area fund for loader replacement; and

WHEREAS, the Borough's Public Facilities Director recommends purchasing a CAT loader because the Borough mechanic has completed training in CAT diagnostic equipment, and the Borough owns CAT hardware and software to diagnose problems with CAT equipment,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to contract with NC Machinery in the amount of \$219,792 for the purchase and delivery of a CAT 950H wheel loader.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this _____ day of _____, 2013.

Stephanie Scott, Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk



City of Haines
PO Box 1209
Haines, AK 99827

August 9, 2013

Attention: Jonathan Sheets

CATERPILLAR Model: 950H Wheel Loader

STOCK NUMBER: 10W69030 SERIAL NUMBER: 0K5K03402 YEAR: 2011 SMU: 2860

MACHINE SPECIFICATIONS

Description	Reference No
950H WHEEL LOADER	249-8091
REGIONAL PKG, NACD	334-0412
INSTRUCTION,NORTH AMERICA ANSI	247-9876
PKG A: COMFORT	334-0434
PKG C : COMMUNICATIONS	328-9884
PKG D: COLD START (120V)	334-0437
PKG J: WORK LIGHTING PLUS	328-9883
PKG Q: POWER TRACTION PKG	335-5328
CAMERA, REAR VISION	288-0496
SEAT BELT, 3" WIDE	246-1058
GUARD, POWERTRAIN	126-7710
ANTIFREEZE, -50C (-58F)	0P-2407
SWITCH, F-N-R SW	243-1938
PP13: 3V, RIDE, LSD FRNT, QC	334-0431
JOYSTICK,3 VALVE, W/REMOTE FNR	319-8253
LANE 2 ORDER	0P-9002
INSTRUCTIONS, ENGLISH	0P-3380
CAT BUCKET 3.75 CYD GENERAL PURPOSE QC	209-6667
TIRES 23.5R25 * L3 XHA2 MX	359-1303
96" CAT FORKS WITH 96" CARRIAGE	194-0434
	194-0434

Price FOB Haines AML Dock: \$219,792.00

Thank you,
Erik

From: Jonathan Sheets
Sent: Monday, August 19, 2013 7:46 AM
To: Carlos Jimenez
Subject: FW: Loader Options

This is the doosan

Regards,
Jonathan Sheets
Hains Borough Mechanic
mechanic@haines.ak.us
Offic 907-766-2282
Fax 907-766-2284

From: Andrew Miller, MCEI [<mailto:andy@mcesalaska.com>]
Sent: Friday, July 12, 2013 4:26 PM
To: Jonathan Sheets
Subject: Loader Options

Jon,

Here are two options we currently have available and in stock. It would take some additional time to bring in the attachments, although those are all very easy install.

Also, I am planning to go through the Doosan bid program to price out another DL300-3 (these have the interim Tier IV engines, and we would need more time for delivery)

I hope this suits your needs. Please feel free to give me a call at your convenience to discuss.

Thank you,

Andy

Attachments

DL300, Used Quote

DL300 Technical Specifications Worksheet

DL250TC, New Quote

DL250TC, Technical Specifications Worksheet.

Andrew Miller, General Manager
Miller Construction Equipment Sales
Wasilla - Juneau - Ketchikan
(o) 907-789-4255
(d) 907-892-3255
(c) 907-854-4134
(f) 907-892-4000

Servicing and Initial Inspection FOB Haines Public Works Department Shop	
	\$ 150,440.00

Notes:

Machine available immediately with GP Bucket

Attachments available 4-5 weeks ARO



DL300 TECHNICAL DATA





GENERAL SPECIFICATIONS

ITEMS		UNIT	STANDARD
ENGINE	MODEL	ea.	Doosan DL08
	NUMBER OF CYLINDERS	ea.	6
	RATED FLYWHEEL POWER (GROSS) (SAE J1995)	hp / rpm	217 / 2,000
		kW / rpm	162 / 2,000
	RATED FLYWHEEL POWER (NET) (SAE J1349)	hp / rpm	206 / 2,000
		kW / rpm	154 / 2,000
	MAX. TORQUE (GROSS) (SAE J1995)	ft. lb.	759 @ 1,300 rpm
		Nm	1,030 @ 1,300 rpm
	PISTON DISPLACEMENT	in. ³	466
		cc	7,640
	BORE AND STROKE	in	4.3 X 5.5
		mm	108 X 139
	STARTER	V	24
kW		6.6	
BATTERIES	ea.	2	
	V	12	
	AH	150	
OPERATING WEIGHT	lb.	38,139	
	kg	17,300	
BUCKET CAPACITY (BOT/BOC SAE HEAPED)	yd. ³	3.5 / 4.6	
	m ³	2.7 / 3.5	
MAIN PUMPS	US gpm	40 / 35 / 10	
	L / min.	150 / 132 / 37	
SYSTEM PRESSURE (WORK)	psi	2,845	
	bar	196	
SYSTEM PRESSURE (STEER)	psi	2,702	
	bar	186	
TRAVEL SPEED	FORWARD (1 / 2 / 3 / 4)	mph	3.9 / 7.2 / 13.7 / 21.4
		km / h.	6.2 / 11.6 / 22.5 / 34.5
	REVERSE (1 / 2 / 3)	mph	4.0 / 7.6 / 14.2
		km / h.	6.4 / 12.2 / 23.8
BOOM SPEED	UP (LOADED)	sec.	6.1 ± 0.5
	UP (UNLOADED)	sec.	5.9 ± 0.5
	DOWN	sec.	3.7 ± 0.5
BUCKET SPEED	CROWD (LOADED)	sec.	1.2 ± 0.5
	CROWD (UNLOADED)	sec.	1.2 ± 0.5
	DUMP	sec.	1.9 ± 0.5
GRADEABILITY	%	58	
	°	30	
TIRE SIZE		23.5-25-16PR(L3)	
BREAKOUT FORCE	lbf.	35,715	
	kgf.	16,200	

DL300

	ITEMS	UNIT	STANDARD
WORKING RANGE	DUMP HEIGHT AT 45°	ft. in.	9' 1"
		mm	2,780
	DUMP REACH AT 45°	ft. in.	4' 3"
		mm	1,285
	MAX. DUMP ANGLE (FULLY RAISED)	°	47
	MAX. TILT ANGLE (ON GROUND)	°	42
	MAX. TILT ANGLE (FULLY RAISED)	°	58
	MAX. TILT ANGLE (AT CARRY)	°	46
	BUCKET HINGE HEIGHT	ft. in.	13' 1"
		mm	4,000
DIGGING DEPTH (0° LEVEL)	ft. in.	3"	
	mm	76	
TRAVEL DIMENSIONS	OVERALL LENGTH	ft. in.	26' 9"
		mm	8,150
	OVERALL WIDTH	ft. in.	9' 7"
		mm	2,920
	OVERALL HEIGHT	ft. in.	11' 3"
		mm	3,438
	GROUND CLEARANCE	ft. in.	1' 7"
		mm	470
	WHEEL BASE	ft. in.	10' 6"
		mm	3,200
	TREAD	ft. in.	7' 1"
		mm	2,150
MAX STEERING ANGLE		°	40
TURNING RADIUS (TIRE CENTER)	ft. in.	17' 11"	
	mm	5,470	
TURNING RADIUS (TIRE EDGE)	ft. in.	19'	
	mm	5,800	
TURNING RADIUS (BUCKET EDGE)	ft. in.	20' 10"	
	mm	6,360	
SOUND LEVEL IN CABIN (ISO 6396)		dB(A)	71
EXTERNAL SOUND POWER LEVEL (ISO 6395, 2000/14/EC)		dB(A)	106
FUEL TANK CAPACITY	US gal.	86.1	
	Liter	326	

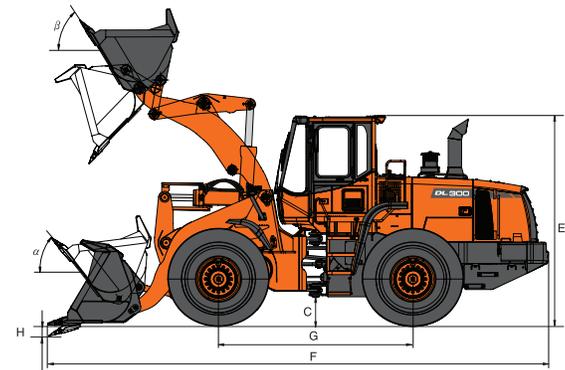
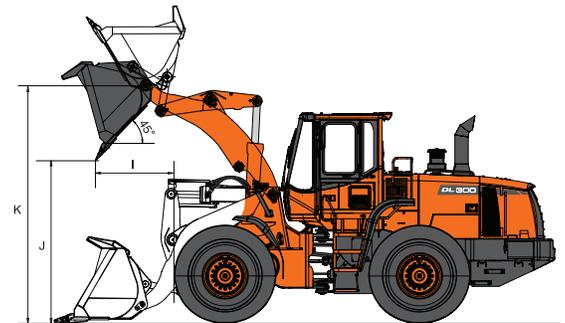
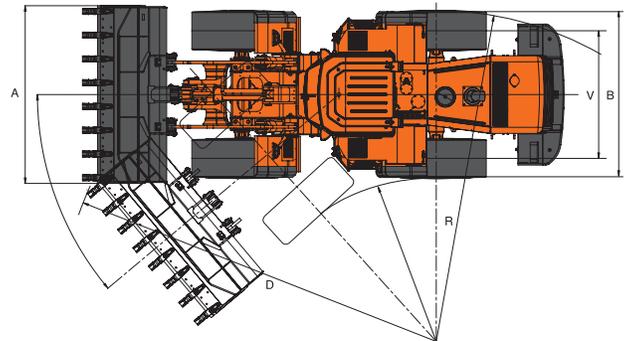


OPERATIONAL DATA

BUCKET TYPE		OPERATIONAL DATA					
CONFIGURATION		UNIT	TEETH (BOT)	TEETH (BOT)	TEETH (BOT)	BOLT-ONEDGE(BOC)	BOLT-ONEDGE(BOC)
CAPACITY HEAPED ISO / SAE		yd. ³	3.5	3.9	3.9	3.8	4.2
		m ³	2.7	3.0	3.0	2.9	3.2
TOOTH TYPE			Adapter tooth	Adapter tooth	Intergrated tooth	-	-
BUCKET WIDTH	A	ft. in.	8' 11"	9' 7"	9' 7"	8' 11"	9' 7"
		mm	2,730	2,920	2,920	2,730	2,920
BREAKOUT FORCE		lbf.	36,419	36,419	36,419	36,419	36,419
		kgf.	16,200	16,200	16,200	16,200	16,200
STATIC TIPPING LOAD (STRAIGHT)		lb.	29,888	29,762	29,762	29,524	29,392
		kg	13,557	13,500	13,500	13,392	13,332
STATIC TIPPING LOAD (AT FULL TURN)		lb.	24,582	24,471	24,471	24,260	24,143
		kg	11,150	11,100	11,100	11,004	10,951
DUMP HEIGHT (AT 45°) ¹ (AT FULLY RAISED)	J	ft. in.	9' 1"	9' 1"	9' 2"	9' 5"	9' 6"
		mm	2,760	2,780	2,782	2,880	2,890
DUMP REACH (AT 45°) ¹ (AT FULLY RAISED)	I	ft. in.	4' 3"	4' 3"	4' 2"	3' 11"	3' 10"
		mm	1,307	1,285	1,280	1,183	1,171
DIGGING DEPTH	H	ft. in.	3"	3"	3"	3"	3"
		mm	76	76	76	76	76
HEIGHT AT BUCKET PIVOT POINT	K	ft. in.	13' 1"	13' 1"	13' 1"	13' 1"	13' 1"
		mm	4,000	4,000	4,000	4,000	4,000
MAX. TILT ANGLE AT CARRY POSITION	α	°	46	46	46	46	46
MAX. TILT ANGLE AT FULLY RAISED	β	°	58	58	58	58	58
MAX. TILT ANGLE ON GROUND		°	43	43	43	43	43
EXTERNAL RADIUS AT TIRE SIDE	R	ft. in.	19'	19'	19'	19'	19'
		mm	5,800	5,800	5,800	5,800	5,800
EXTERNAL RADIUS AT BUCKET EDGE	D	ft. in.	20' 8"	20' 10"	20' 9"	20' 8"	20' 11"
		mm	6,300	6,360	6,320	6,290	6,380
WHEEL BASE	G	ft. in.	10' 6"	10' 6"	10' 6"	10' 6"	10' 6"
		mm	3,200	3,200	3,200	3,200	3,200
WIDTH AT TIRES	B	ft. in.	9' 1"	9' 1"	9' 1"	9' 1"	9' 1"
		mm	2,760	2,760	2,760	2,760	2,760
TREAD	V	ft. in.	7' 1"	7' 1"	7' 1"	7' 1"	7' 1"
		mm	2,150	2,150	2,150	2,150	2,150
GROUND CLEARANCE	C	ft. in.	1' 7"	1' 7"	1' 7"	1' 7"	1' 7"
		mm	470	470	470	470	470
OVERALL LENGTH	F	ft. in.	26' 9"	26' 9"	26' 7"	26' 7"	26' 5"
		mm	8,160	8,150	8,110	8,110	8,045
OVERALL HEIGHT	E	ft. in.	11' 3"	11' 3"	11' 3"	11' 3"	11' 3"
		mm	3,438	3,438	3,438	3,438	3,438
OPERATING WEIGHT		lb.	37,743	38,140	38,140	38,052	38,493
		kg	17,120	17,300	17,300	17,260	17,460

DL300

TEETH & SEGMENTS	LIGHT MATERIAL		HIGH LIFT
	TEETH (BOT)	BOLT-ONEDGE(BOC)	BOLT-ONEDGE(BOC)
4.2	4.3	4.6	3.8
3.2	3.3	3.5	2.9
Adapter tooth	Adapter tooth	-	-
9' 7"	9' 7"	9' 7"	9' 7"
2,920	2,920	2,920	2,920
36,419	36,419	36,419	35,969
16,200	16,200	16,200	16,000
29,414	29,652	29,262	24,698
13,342	13,450	13,273	11,203
24,165	24,372	24,028	21,171
10,961	11,055	10,899	9,603
9' 1"	9'	9' 5"	11' 4"
2,780	2,750	2,880	3,465
4' 3"	4' 4"	3' 11"	3' 10"
1,285	1,320	1,183	1,175
3"	3"	3"	8"
76	76	76	200
13' 1"	13' 1"	13' 1"	14' 10"
4,000	4,000	4,000	4,532
46	46	46	50
58	58	58	55
43	43	43	45
19'	19'	19'	19'
5,800	5,800	5,800	5,800
20' 10"	20' 10"	20' 11"	22' 6"
6,360	6,360	6,380	6,868
10' 6"	10' 6"	10' 6"	10' 6"
3,200	3,200	3,200	3,200
9' 1"	9' 1"	9' 1"	9' 1"
2,760	2,760	2,760	2,760
7' 1"	7' 1"	7' 1"	7' 1"
2,150	2,150	2,150	2,150
1' 7"	1' 7"	1' 7"	1' 7"
470	470	470	470
26' 9"	26' 9"	26' 5"	27' 11"
8,150	8,150	8,055	8,533
11' 3"	11' 3"	11' 3"	11' 3"
3,438	3,438	3,438	3,438
38,471	38,272	38,625	39,084
17,450	17,360	17,520	17,728





STANDARD EQUIPMENT

ENGINE:

Doosan DL08:

- Turbo Charged Air to Air Intercooler
- Electronically Controlled Common Rail Direct Injected
- 466 cu.in., 6 Cylinder
- 217 SAE Gross Flywheel Horsepower @ 2,000 rpm
- Air Cleaner:
 - Dry Type (Double Stage)
- Engine Self Diagnostic System
- Plastic Reversible Fan Driven by Hydraulic Fan Motor

HYDRAULIC SYSTEM:

- Triple Tandem Vane Hydraulic Pump 40/ 35/ 10 GPM
- 2 Spool Type Control Valve (Pilot Operated)
- 3rd Valve with Lines & Control (lines terminate at boom base)
- Automatic Boom / Lift Kick-Out (Adjustable Electro-Magnetic)
- Automatic Return-to-Dig Position (Adjustable Electro-Magnetic)
- Accumulator for Emergency Pilot System

BRAKE SYSTEM:

- Dual Pedal Braking System
- 4 Wheel Outboard Wet Disc Brakes with Separate Front & Rear Circuits
- Accumulator for Emergency Stopping
- Parking Brake:
 - Spring Apply Hydraulic Release on Output Shaft of Transmission

STEERING:

- EHPS (Electro Hydraulic Power Steering) with Integrated Priority Valve
- 40 Degree Articulation, Full Hydraulic Power Steering
- Steering Cylinder Cushion Valve
- Tilt and Telescopic Steering Wheel

CAB WITH ROPS:

- Air Conditioner
- Heater & Defroster
- Double Filtered Air Cab
- Combination Lever
- Accelerator Pedal
- Transmission Lever (controls gear shifting in manual mode)

Rear Hinged & Locking Doors (Both sides) / Right side is emergency access door

Radio, Stereo

Switches:

- (1) Manual Mode
- (2) Automatic Shift Modes (1-4 & 2-4 w/ kickdown to 1st)
- Economy Mode Switch (Power & Economy Modes)
- Headlight Switch
- Front Work Light Switch
- Rear Work Light Switch
- Rear Wiper Switch
- Pilot Cutoff Switch
- Parking Brake Switch
- Transmission Cutoff Switch
- Mirror Heater Switch
- Reverse Fan Switch
- Engine Diagnostic Switch

Rear View Mirrors with Heat Wire

Safety Glass, Tinted

Fully Adjustable Air Suspension Seat

Seat Belt (2 Wide)

Sliding Door Windows (Left Side)

Sound Suppression

Sun Visor

Windshield Wipers & Washers Front & Rear

Digital Clock

Wrist Rest

12 Volt Power Supply

Cup Holder

Cigar Lighter

TRANSMISSION / AXLES:

- Full Automatic Power Shift
- 4 Forward & 3 Reverse Speeds
- Differentials Limited Slip Front & Rear
- Self Adjusting Brake Disc Clearance
- Torque Converter, Single Stage, 3-Phase, 3-Element
- Electrical T/M Clutch Disconnect with Service Brake
- T/M Down Shift on Shift Control and Joy Stick Control
- Transmission Oil Level Gauge

ELECTRICAL:

Alternator, 60 Amp., 24 Volt

Batteries, (2) 12 Volt, 150 Amp. Hrs. 950 CCA

Starter, 24 Volt 6.0 KW

Horn

Hour Meter

Lights:

- (2) Front Headlights with High / Low Beams
- (2) Stop Lights, Tail Lights & Directional Indicators
- (2) Front & Rear Floodlights

Alarm Buzzer for:

- Transmission Overheat
- Engine Oil Pressure
- Coolant Temperature

Electronic Monitoring & Display for:

- Fuel Level Gauge
- Speedometer
- Tachometer
- Engine Coolant Temperature Gauge
- Transmission Oil Temperature Gauge
- Transmission Display
- Preheat Indicator Light
- Air Cleaner Clogging Warning Light
- Battery Warning Light
- Left Turn and Hazard Warning Light
- Right Turn and Hazard Warning Light
- High Beam Indicator Light
- Work Light Indicator Light
- Reverse Fan Indicator Light
- Mirror Heater Indicator Light
- Parking Brake Indicator Light
- F/R (Forward/Reverse) Selector Indicator Light
- Brake Fluid Pressure Warning Light
- Engine Warning Light

Back-Up Alarm

Hazard Warning Light Switch

TIRES:

Bias 23.5-25 16PR L3 Kumho-Hankook

OTHER STANDARD EQUIPMENT:

Single Lever Control with FNR Control Buttons

Air Cleaner with Pre-cleaner

Engine Side Covers

Boom / Float

Drawbar and Pin

Neutral Safety Start System

Muffler

Fenders, Front & Rear

Ladders & Service Platforms

Manuals, Parts & Operator's

GPS with 1 Year Subscription



OPTIONAL EQUIPMENT

TIRES & RIMS - FACTORY INSTALLED

23.5R25 L3 Triangle or Bridgestone

DOOSAN BUCKET - FACTORY INSTALLED

3.9 yd³ GP Pin On 115" Width w/ 3pc. Cutting Edge

FACTORY INSTALLED OPTIONS

Additional Counterweight 551 lb.

Emergency Steering Kit

Load Isolation / Ride Control

Full Fender

Finger Tip Lever Front Controls

Rear View Camera

DEALER INSTALLED OPTIONS

Auxiliary Line Kit Down the Boom Arms

3" Seat Belt

DEALER INSTALLED DOOSAN BUCKETS

4.0 yd³ GP Pin On Bucket 114" w/ Bolt on Teeth

4.0 yd³ GP Pin On Bucket 114" w/ Bolt on Cutting Edge

4.0 yd³ GP Quick Coupler Bucket 114" w/ Bolt on Teeth

4.0 yd³ GP Quick COupler Bucket 114" w/ Bolt on Cutting Edge

3.5 yd³ MP Pin On Bucket 114" w/ Bolt on Teeth

3.5 yd³ MP Pin On Bucket 114" w/ Bolt on Cutting Edge

3.5 yd³ MP Quick Coupler Bucket 114" w/ Bolt on Teeth

3.5 yd³ MP Quick Coupler Bucket 114" w/ Bolt on Cutting Edge

DEALER INSTALLED DOOSAN QUICK COUPLER

DL300 Hydraulic Quick Coupler

DEALER INSTALLED DOOSAN PALLET FORKS

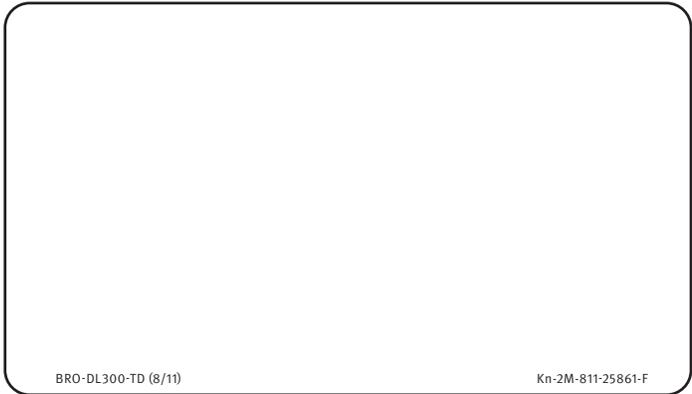
72" Pallet Forks

NOTES

A large grid of graph paper for taking notes, consisting of 20 columns and 20 rows of small squares.

NOTES

A large grid of graph paper for taking notes, consisting of 20 columns and 30 rows of small squares.



BRO-DL300-TD (8/11)

Kn-2M-811-25861-F

For more information visit www.doosanequipment.com



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Miller Construction Equipment Sales
 PO Box 32638
 Juneau, AK 99803
 (907) 789-4255 / (907) 854-4134



2012 Doosan DL200TC Wheel Loader -	Quote #	HPW250TC
Doosan DL250TC Wheel Loader		\$ 128,975.00
<i>Operating Weight: 30,864 lbs</i>		
Current Hour Meter: Less than 200 - NEW, One Year / 1,500 hour warranty		
48 Hour Parts Guarantee / Rental Guarantee		
3.5 CY Bucket, General Purpose		\$ 8,750.00
5.0 CY Bucket, Light Material (Snow/Sand)		\$ 11,500.00
8' Forks		\$ 9,755.00
DOOSAN DL06; Turbo-Charged and After cooled,w/Self Diagnosis Function		
162 SAE Gross Flywheel Horsepower @ 2,100 RPM		
360 cu.in., 6 Cylinder		
L3 Tires		
Hydraulic Quick Coupler, Installed		\$ 7,100.00
GPS with 1 Year Service included		
4 Forward & 3 Reverse Speeds		
Full Automatic Power Shift		
Electrical T/M Clutch Disconnect with Service Brake		
Transmission Oil Level Site Gauge		
AM/FM Radio with Casette Deck		
A/C, Heater, Defroster		
Fully Adjustable Suspension Seat & Hydraulic Power Steering		
Sound Suppression		
Central Indicator for Engine Monitoring		
Maintenance:		
Remote Engine and Coolant Drain		
Central Remote Hydraulic Check Port / Central Greasing Lubrication Ports		
Transmission Diagnostics		
Easy-to-reach: Air Cleaner Filter, Brake and Pilot Filter, Transmission Filter		
Convenient Transmission Oil Filling		
Sight Gauges for Hydraulic Oil and and Radiator Coolant		
Performance Information:		
34 MPH Full Speed Forward and 23.5 MPH Full Speed in Reverse		
20,765 lb static tipping load (with bucket)		
8'11" Dump Height		
Servicing and Initial Inspection (includes install)		\$ 2,500.00
FOB Haines, AK		
	Total	\$ 168,580.00

Notes:

6' Forks currently available, 8' Forks available 4 weeks ARO

Warranty Remaining

Unit Currently Available in Wasilla, available immediately



DL250TC TECHNICAL DATA





GENERAL SPECIFICATIONS

ITEMS		UNIT	STANDARD
ENGINE	MODEL	ea.	Doosan DL06
	NUMBER OF CYLINDERS	ea.	6
	RATED FLYWHEEL POWER (GROSS) (SAE J1995)	hp / rpm	163 / 2,100
		kW / rpm	121 / 2,100
	RATED FLYWHEEL POWER (NET) (SAE J1349)	hp / rpm	154 / 2,100
		kW / rpm	115 / 2,100
	MAX. TORQUE (GROSS) (SAE J1995)	ft. lb.	593 @ 1,400 rpm
		Nm	804 @ 1,400 rpm
	PISTON DISPLACEMENT	in ³	360
		cc	5,900
	BORE AND STROKE	in.	3.9 x 4.9
		mm	100 x 125
	STARTER	V	24
kW		4.5	
BATTERIES	ea.	2	
	V	12	
	AH	100	
OPERATING WEIGHT	lb.	31,085	
	kg	14,100	
BUCKET CAPACITY (BOT/BOC SAE HEAPED)	yd ³	3.1 / 3.5	
	m ³	2.4 / 2.7	
MAIN PUMPS	US gpm	30.4 / 33.3 / 10.3	
	L / min.	115 / 126 / 39	
SYSTEM PRESSURE (WORK)	psi	2,845	
	bar	196	
SYSTEM PRESSURE (STEER)	psi	2,702	
	bar	186	
TRAVEL SPEED	FORWARD (1 / 2 / 3 / 4)	mph	4.1 / 7.2 / 14.0 / 21.1
		km / h.	6.6 / 11.5 / 22.5 / 34
	REVERSE (1 / 2 / 3)	mph	4.4 / 7.8 / 14.6
		km / h.	7.0 / 12.5 / 23.5
BOOM SPEED	UP (LOADED)	sec.	5.9 ± 0.5
	UP (UNLOADED)	sec.	5.4 ± 0.5
	DOWN	sec.	3.0 ± 0.5
BUCKET SPEED	CROWD (LOADED)	sec.	1.7 ± 0.5
	CROWD (UNLOADED)	sec.	1.5 ± 0.5
	DUMP	sec.	3.2 ± 0.5
GRADEABILITY	%	58	
	°	30	
TIRE SIZE		20.5-25-16PR(L3)	
BREAKOUT FORCE	lbf.	29,101	
	kgf.	13,200	

DL250TC

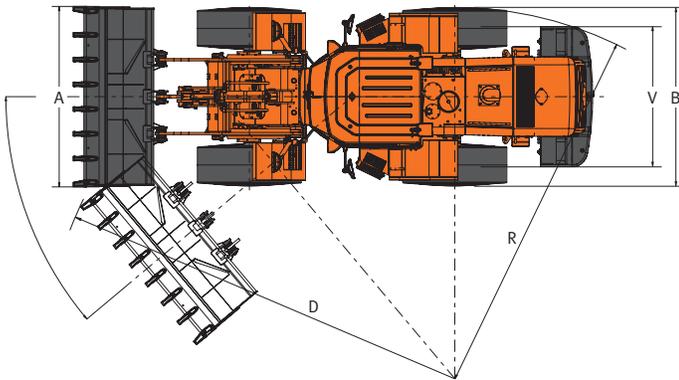
	ITEMS	UNIT	STANDARD
WORKING RANGE	DUMP HEIGHT AT 45°	ft. in.	9'1"
		mm	2,777
	DUMP REACH AT 45°	ft. in.	4'2"
		mm	1,260
	MAX. DUMP ANGLE (FULLY RAISED)	°	46
	MAX. TILT ANGLE (ON GROUND)	°	43
	MAX. TILT ANGLE (FULLY RAISED)	°	51
	MAX. TILT ANGLE (AT CARRY)	°	48
	BUCKET HINGE HEIGHT	ft. in.	13'
		mm	3,962
DIGGING DEPTH (0° LEVEL)	ft. in.	2"	
	mm	49	
TRAVEL DIMENSIONS	OVERALL LENGTH	ft. in.	25'11"
		mm	7,890
	OVERALL WIDTH	ft. in.	9'
		mm	2,740
	OVERALL HEIGHT	ft. in.	10'8"
		mm	3,260
	GROUND CLEARANCE	ft. in.	1'4"
		mm	410
	WHEEL BASE	ft. in.	9'11"
		mm	3,020
TREAD	ft. in.	6'8"	
	mm	2,040	
MAX STEERING ANGLE	°	40	
TURNING RADIUS (TIRE CENTER)	ft. in.	16'11"	
	mm	5,166	
TURNING RADIUS (TIRE EDGE)	ft. in.	17'11"	
	mm	5,450	
TURNING RADIUS (BUCKET EDGE)	ft. in.	19'9"	
	mm	6,010	
SOUND LEVEL IN CABIN (ISO 6396)	dB(A)	72	
EXTERNAL SOUND POWER LEVEL (ISO 6395, 2000/14/EC)	dB(A)	104	
FUEL TANK CAPACITY	US gal.	67.4	
	Liter	255	



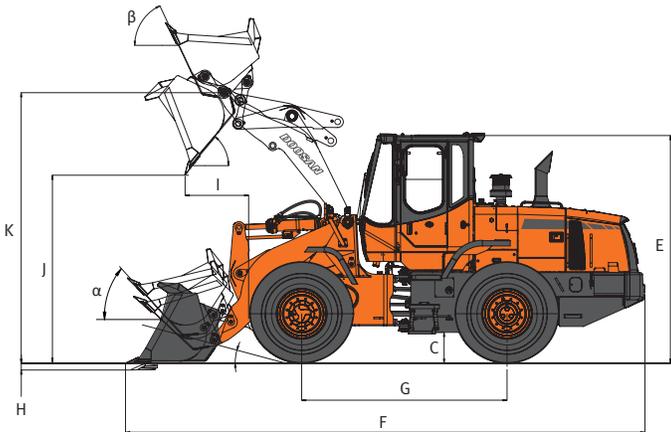
OPERATIONAL DATA

LOADER TYPE		PARALLEL			
BUCKET MOUNT		PIN ON	PIN ON	QC ON	QC ON
CONFIGURATION	UNIT	TEETH (BOT)	BOLT-ON EDGE	TEETH (BOT)	BOLT-ON EDGE
CAPACITY HEAPED ISO / SAE	yd ³	3.3	3.4	3.3	3.4
	m ³	2.5	2.6	2.5	2.6
TOOTH TYPE		-	Integrated tooth	-	Integrated tooth
BUCKET WIDTH	A	ft. in.	9'	9'	9'
		mm	2,740	2,740	2,740
BREAKOUT FORCE	lb.	28,660	28,660	22,708	22,708
	kgf.	13,000	13,000	10,300	10,300
STATIC TIPPING LOAD (STRAIGHT)	lb.	21,623	21,323	21,136	20,765
	kg	9,808	9,672	9,587	9,419
STATIC TIPPING LOAD (AT FULL TURN)	lb.	17,829	17,564	17,399	17,073
	kg	8,087	7,967	7,892	7,744
DUMP HEIGHT AT 45° (FULLY RAISED)	J	ft. in.	8'10"	9'1"	8'5"
		mm	2,700	2,777	2,556
DUMP REACH AT 45° (FULLY RAISED)	I	ft. in.	4'4"	4'2"	4'8"
		mm	1,330	1,260	1,434
DIGGING DEPTH	H	ft. in.	2"	2"	3"
		mm	49	49	79
HEIGHT AT BUCKET PIVOT POINT	K	ft. in.	13'0"	13'0"	13'0"
		mm	3,962	3,962	3,962
MAX. TILT ANGLE (CARRY POSITION)	α	°	48	48	48
MAX. TILT ANGLE (FULLY RAISED)	β	°	51	51	51
MAX. TILT ANGLE ON GROUND		°	43	43	43
EXTERNAL RADIUS (TIRE SIDE)	R	ft. in.	18'	18'	18'
		mm	5,477	5,477	5,477
EXTERNAL RADIUS (BUCKET EDGE)	D	ft. in.	20'6"	20'4"	20'10"
		mm	6,254	6,210	6,345
WHEEL BASE	G	ft. in.	9'11"	9'11"	9'11"
		mm	3,020	3,020	3,020
WIDTH AT TIRES	B	ft. in.	8'7"	8'7"	8'7"
		mm	2,608	2,608	2,608
TREAD	V	ft. in.	6'8"	6'8"	6'8"
		mm	2,040	2,040	2,040
GROUND CLEARANCE	C	ft. in.	1'4"	1'4"	1'4"
		mm	410	410	410
OVERALL LENGTH	F	ft. in.	26'3"	25'11"	26'8"
		mm	7,995	7,890	8,137
OVERALL HEIGHT	E	ft. in.	10'8"	10'8"	10'8"
		mm	3,260	3,260	3,260
OPERATING WEIGHT	lb.	31,085	31,147	32,013	32,243
	kg	14,100	14,128	14,521	14,625

DL250TC

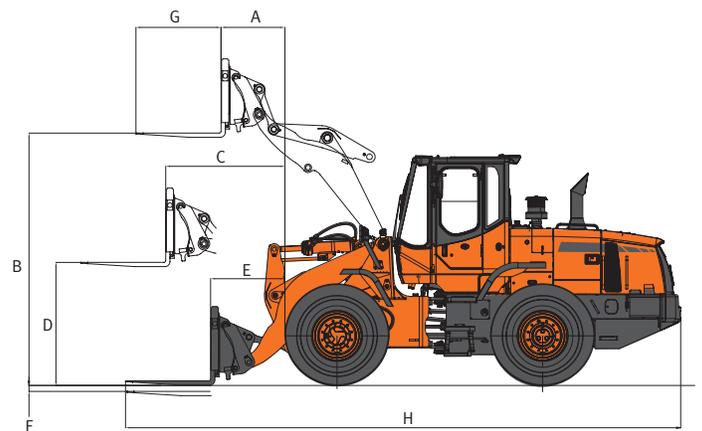


BUCKET MOUNT



BUCKET MOUNT

LOADER TYPE		PARALLEL	
FORK MOUNT		PIN ON	
CONFIGURATION		UNIT	PALLET FORK
REACH (FULLY RAISED)	A	ft. in.	3'7"
		mm	1,085
FORK HEIGHT (FULLY RAISED)	B	ft. in.	12'1"
		mm	3,686
MAX. REACH (FORK LEVEL)	C	ft. in.	6'4"
		mm	1,928
MAX. REACH (FORK HEIGHT)	D	ft. in.	5'7"
		mm	1,714
REACH (GROUND LEVEL)	E	ft. in.	4'6"
		mm	1,378
DEPTH (BELOW GROUND)	F	ft. in.	2"
		mm	45
STATIC TIPPING LOAD (STRAIGHT)	-	lbf.	17,143
		kgf.	7,776
STATIC TIPPING LOAD AT 40°	-	lbf.	13,876
		kgf.	6,294
TINE LENGTH	G	ft. in.	4'11"
		mm	1,500
OVERALL LENGTH	H	ft. in.	29'5"
		mm	8,978
OPERATING WEIGHT		lb.	31,760
		kg	14,406



FORK MOUNT



STANDARD EQUIPMENT

ENGINE:

DOOSAN DL06:

- Electronically Controlled Common Rail Direct Injected
- 359 cu. in., 6 Cylinder
- 163 hp (121kW) SAE Gross Rated Horse Power @ 2,100 rpm
- Air cleaner:
- Dry type (Double Stage)
- Plastic Reversible Fan Driven by Hydraulic Fan Motor

HYDRAULIC SYSTEM:

- Triple Tandem Vane Pump
- 30.4(implement) / 33.3(steer) / 10.3 US gpm (Fan Motor, Brake & Pilot)
- 2 Spool Type Control Valve (Pilot Operated)
- 3rd Valve with Lines & Control
- Bucket - Loader Arm - AUX, Pressure Setting 200 kg/cm²(2845)psi
- Automatic Boom / Lift - Kick-Out (Adjustable Electromagnetic)
- Automatic Return-to-Dig Position (Adjustable Electromagnetic)
- Accumulator for Emergency Pilot System

STEERING:

- Load Sensing with Priority Valve
- 40 degree Articulation, Fully Hydraulic Power Steering
- Cylinder Dampening

BRAKE SYSTEM

- Dual Pedal Braking System
- 4 Wheel Outboard Wet Disc Brakes
- Fully Hydraulic, 4-Wheel Brakes with Separate Front & Rear Circuits
- Parking Brake :
- Oil Released, Spring Apply Hydraulic Release on Front Axle

CAB WITH ROPS:

- Air Conditioner
- Heater & Defroster
- Double Filtered Air Cab
- Rear Hinged & Locking Doors (Emergency Access Right Door)

Radio:

- AM/FM Stereo with Cassette
- Remote Radio On/Off Switch, Control Volume, Channel Selection

Switches:

- Auxiliary Mode Switch
- Engine Emergency Stop Switch
- Work Light Switch
- Travel Speed Selector Switch
- Breaker, Power-up, Shear Switch

Rear View Mirrors with Heat Wire

Safety Glass

Fully Adjustable Suspension Seat

Seat Belt (2" Wide)

Sliding Door Windows (Left Side)

Sound Suppression

Sun Visor

Windshield Wipers & Washers - Front & Rear

Digital Clock

Wrist Rest

12V Spare Socket

TRANSMISSION:

- Full Automatic Power Shift
- 4 Forward & 3 Reverse Speeds
- Differentials - TPD Front & Rear
- Torque Converter, Single Stage, Single Phase, 3-Element
- Electrical T/M Clutch Disconnect with Service Brake
- T/M Down Shift on Shift Control and Joystick Control

ELECTRICAL:

Alternator:

- 60 Amp, 24V

Batteries:

- (2) 12Volt, 100 Amp Hrs 750 CCA

Horn

Lights:

- (2) Front Headlights with High / Low Beams
- (2) Stop Lights, Tail Lights & Directional Indicators
- (2) Front & Rear Floodlights

OPTIONAL EQUIPMENT

Alarm Buzzer for:

- Engine Overheat
- Engine Oil Pressure
- Coolant Temperature
- Hour meter

Electronic Monitoring & Display for:

- Fuel Level Gauge
- Speedometer
- Tachometer
- Engine Coolant Temperature Gauge
- Transmission Oil Temp. Gauge
- Transmission Display
- Preheat Indicator Light
- Air Cleaner Clogging Warning Light
- Battery Warning Light
- Brake Fluid Pressure Warning Light
- Engine Warning Light

Starter: 24V Direct Drive 4.5 kW"

Back-Up Alarm

TIRES:

Bias 20.5-25-16PR L3 Kumho - Hankook

OTHER STANDARD EQUIPMENT:

Single Lever Control with FNR Control Buttons

Air Cleaner with Turbo-II Pre Cleaner

Sealed Pins, Boom and Bucket Linkages

Engine Side Covers

Boom with Float Position

Drawbar and Pin

Manuals:

- Parts, Operation & Maintenance Manual

Muffler

Fenders, Front & Rear

Ladders & Service Platforms

Tool Box

Neutral Safety Start System

GPS with 1 Year Subscription

TIRES & RIMS - FACTORY INSTALLED

20.5R25 L3 Radial Triangle or Bridgestone

ADDITIONAL OPTIONS - FACTORY INSTALLED

Air Suspension Seat

Additional Counterweight 550 lb.

Emergency Steering Kit

Load Isolation / Ride Control

Full Fender

ADDITIONAL OPTIONS - DEALER INSTALLED

Auxiliary Line Kit Down the Boom Arms

3" Seat Belt



BRO-DL250TC-TD

Kn-2M-511-20997_8-F

For more information visit www.doosanequipment.com



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From: Jonathan Sheets
Sent: Monday, August 19, 2013 7:25 AM
To: Carlos Jimenez
Subject: FW: AER QUOTE 724K

Here is the John Deere

Regards,
Jonathan Sheets
Hains Borough Mechanic
mechanic@haines.ak.us
Offic 907-766-2282
Fax 907-766-2284

-----Original Message-----

From: raymondparker@aer-inc.net [mailto:raymondparker@aer-inc.net]
Sent: Thursday, July 11, 2013 2:53 PM
To: Jonathan Sheets
Subject: AER QUOTE 724K

Jon,

JOHN DEERE 724K LOADER
YEAR 2009
HOURS 2623
PRICE \$179,950.00

THE UNIT IS ON RENT RIGHT NOW SO LET ME SEE ABOUT GETTING SOME PICTURES TO YOU.

Thank You,

Raymond Parker
AIRPORT EQUIPMENT RENTAL
RaymondParker@aer-inc.net
CELL(907)441-7253
OFFICE(907)522-6466
FAX(907)522-6467



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 13-343
Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Accept ADEC Grant Agreement for Barnett Water Tank Replacement	1. Resolution 13-08-492 2. Proposed Grant Agreement
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 8/14/13	

Full Title/Motion:
Motion: Adopt Resolution 13-08-492.

Administrative Recommendation:
The borough manager recommends adoption.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$ 0	\$	\$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.: Objective 15D, page 254	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:

In 2013, the borough replaced the Barnett Drive water tank because it was past its useful life. The borough applied for grant funding through the Alaska Department of Environmental Conservation (ADEC) to assist with project funding, and the borough has been offered a \$675,000 grant. This resolution will accept that grant and authorize the manager to enter into a grant agreement with the state.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 8/27/13	Tabled to Date:

HAINES BOROUGH
RESOLUTION No. 13-08-492

Draft

A Resolution of the Haines Borough Assembly accepting a grant offer entitled Barnett Water Tank Replacement (MMG# 39541) of up to \$675,500 from the State of Alaska, Department of Environmental Conservation.

WHEREAS, the Borough Assembly is the governing body of the Haines Borough; and

WHEREAS, the Borough owns and operates a water delivery system that includes the Barnett Drive water tank; and

WHEREAS, the tank was replaced this summer due to being past its useful life; and

WHEREAS, the Alaska Department of Environmental Conservation, in accordance with AS 46.03.030, is offering the Haines Borough grant funds not to exceed Six Hundred Seventy-Five thousand, Five Hundred dollars (\$675,500) expressly conditioned upon the Haines Borough accepting the offer and agreeing to comply with the terms and limitations of the Grant Agreement, 2 AAC 45.010 and 18 AAC 73,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly hereby accepts the grant offer entitled Barnett Water Tank Replacement (MMG# 39541) of up to \$675,500 with all its terms and conditions of offer; and authorizes the Manager to execute the grant offer agreement; and

BE IT FURTHER RESOLVED to accept responsibility to operate and maintain the water tank improved by this grant.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this _____ day of _____, 2013.

Stephanie Scott, Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Environmental
Conservation

DIVISION OF WATER

Post Office Box 111800
Juneau, Alaska 99811-1800
Main: 907.465.5300
Fax: 907.465.5177

RECEIVED Haines Borough

July 30, 2013

AUG 12 2013

Clerk's Office

The Honorable Stephanie Scott
Mayor
City & Borough of Haines
P.O. Box 1209
Haines, AK 99827

Dear Mayor:

Enclosed for signature is the Grant Offer in the amount of \$675,500 for the Barnett Water Tank Replacement Project # 39541. Please return the signed original grant offer and resolution to the following address:

Alaska Department of Environmental Conservation
Division of Water, Municipal Matching Grants & Loans Program
Attn: MAT (Municipal Administrative Team)
P.O. Box 111800
410 Willoughby Avenue, Suite 303
Juneau, AK 99811-1800

Sincerely,

A handwritten signature in cursive script, appearing to read "Michelle Bonnet Hale".

mbh: Michelle Bonnet Hale
Director

Enclosure: MMG#39541 Grant Offer



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Environmental
Conservation

DIVISION OF WATER

Post Office Box 111800
Juneau, Alaska 99811-1800
Main: 907.465.5300
Fax: 907.465.5177

July 30, 2013

The Honorable Stephanie Scott
Mayor
City & Borough of Haines
P.O. Box 1209
Haines, AK 99827

Grant Offer: Barnett Water Tank Replacement (MMG#39541)

Dear Mayor:

In accordance with AS 46.03.030, the Department of Environmental Conservation (Department) is pleased to offer the City of Haines (Grantee) a grant of funds not to exceed \$675,500. This grant will fund the replacement of the existing 100,000 gallon Barnett Drive Water Tank which is currently leaking between 15,000 – 20,000 gallons of water per day. A new insulated and bolted steel tank will serve as the replacement along with a cathodic protection system and an aluminum geodesic dome roof. This project will also make needed repairs & upgrades to the Young Road Tank, which is in series with the Barnett Tank – Installation of a PAX mixer, siding repair and cathodic protection.

The estimated cost for this project, as provided by the Grantee, is \$965,000. Pursuant to AS 46.03.030(e), the grant amount is limited to the available appropriation of \$675,500, and 70 percent of eligible project costs. To receive the full amount of grant funding available, eligible project costs must total at least \$965,000 (70 percent of this amount is equal to the funding available in this grant.)

This grant will be administered by the Department using funds which were included in the State fiscal year 2013 capital budget bill (SB160) allocation for this project.

This offer is expressly conditioned upon the Grantee accepting the offer and agreeing to comply with the terms and limitations contained herein, in 2 AAC 45.010 (enclosed), in 18 AAC 73 (enclosed), and is based upon estimated eligible project costs as itemized below:

	Total Estimated Eligible Project Costs
1. Administrative	\$30,000
2. Engineering Design	\$60,000
3. Engineering Construction	\$60,000
4. Construction	\$625,000
5. Equipment	\$0
6. Other	\$0
7. Project Contingencies	\$190,000
8. Total Estimated Eligible Project Costs	\$965,000
9. State Grant	\$675,500

Adjustment of expenditures within the budgeted cost items is allowed. If actual project costs are less than the total estimated eligible matching costs, the grant will be reduced to the extent necessary to comply with the percentage limitation set forth in this offer.

Grant payments will be made when expenses have been incurred and documentation has been provided to the Department along with the payment request form, unless a payment schedule is established as a special condition of this grant. Payments will normally be made monthly, but no more frequently than twice per month. All requests for payment must be submitted on the enclosed Request for Payment form. The Request for Payment form can also be found at:

<http://dec.alaska.gov/water/munigrant/forms.html>.

The Grantee should scan the Request for Payment Form and backup documentation and e-mail it both to the project engineer for eligibility review, and to the Municipal Administrative Team (MAT) at:

frank.toth@alaska.gov
DEC.Water.MGL.MAT@alaska.gov

Mail the original signed Request for Payment Form to the address noted below; backup documentation to the pay request does not need to be mailed.

If the Grantee does not have scanning capability, the Request for Payment Form and backup documentation should be mailed to:

Alaska Department of Environmental Conservation
Division of Water, Municipal Matching Grants & Loans Program
Attn: MAT (Municipal Administrative Team)
P.O. Box 111800
410 Willoughby Avenue, Suite 303
Juneau, AK 99811-1800

Pay request(s) totaling less than one thousand dollars will be held for payment until the one thousand dollar threshold is met. Upon the threshold being met, the Department will proceed with payment.

GENERAL GRANT CONDITIONS

1. Plan Approval: The Grantee agrees to obtain plan and specification approval from the Department in accordance with 18 AAC 73.020 prior to issuing a Notice to Proceed with Construction to a contractor.
2. Contract Award and Contractor Bonding Requirements:
 - a. The Grantee agrees to bid construction contracts exceeding \$50,000. Adequate time (not less than 30 days) shall be allowed between the date of formal advertisement and the date the bids must be submitted.
 - b. The Grantee agrees to submit procedures for award of construction contracts of less than \$50,000 to the Department for prior approval when means other than the competitive bidding process are proposed.
 - c. The Grantee must require the contractor to furnish performance and payment bonds in accordance with AS 36.25.010.
 - d. If local or federal ordinances or regulations also apply to the contract award or contractor bonding requirements for this project, the most stringent requirements shall apply.
 - e. The Grantee agrees to provide the Department with a summary of itemized bid tabulations, a copy of the Notice to Proceed, and a copy of the construction contract.
3. Change Orders: The Grantee agrees that all project change orders will be submitted to the Department for approval in accordance with 18 AAC 73.020(e).
4. Project Completion: The Grantee agrees to provide sufficient local funding to match State and federal grant assistance and to ensure the completion of a properly functioning project in accordance with 18 AAC 73.020(j).
5. Operation and Maintenance: The Grantee agrees to operate and maintain the completed project.
6. Titles and Easements: The Grantee agrees to obtain all titles and easements necessary to provide clear title or authority to construct and maintain the proposed project.

7. Eligibility: The Grantee acknowledges that disbursement of progress payments by the State does not constitute acceptance of any item as an eligible project cost until all project costs are audited and determined to be eligible. Ineligible project costs must be included in the final audit report.
8. Inspection: The Grantee agrees to allow, at any reasonable time, Department inspection of all project work and audit of related records and data for which this grant is offered.
9. Records: The Grantee agrees to maintain project accounts and records which verify the grant eligibility of project expenditures. These accounts and records shall be kept apart from non-grant eligible local records and from those records maintained for the purpose of other State or federal grant programs involved in the project.
10. Progress Reports: The Grantee agrees to submit progress reports on the proposed project with each payment request or at a minimum, quarterly.
11. Project Start Date: The Department will in its discretion, withdraw an accepted grant if construction has not been started within one year after the date of the offer was extended in accordance with 18AAC 73.030 (f).
12. Project End Date: Funds made available to a grantee under a fully executed signed grant agreement by the Department shall be expended within three years from the start of the fiscal year in which the funds were appropriated. Up to two, one-year extensions may be granted by the Department upon written request and good cause shown by the grantee. The Department may cancel the project and seek to have the funds re-appropriated for other projects.
13. Remaining Funds after Project Completion: If the entire grant amount is not utilized for the original scope of work, the Department may seek to have the remaining funds re-appropriated for other projects on priority list.
14. Americans with Disabilities Act: The Grantee must certify that projects and services provided under this grant are made available to the general public in compliance with the Americans with Disabilities Act of 1990.
15. Discrimination: The Grantee agrees to administer this grant in a non-discriminatory manner. No person shall be discriminated against based on race, religion, color, national origin, gender or disability.
16. Damages: The Grantee shall hold and save the Department, its officers, agents, and employees harmless from liability of any kind, including costs and expenses, for or on account of any and all suits or damages of any nature, sustained by any person or persons or property, by virtue of performance of the grantee, or any person or entity acting in place of or for the Grantee for this project.
17. Grant Cancellation: The Grantee acknowledges the right of the Department to rescind this grant and seek recovery of payments already made if the Grantee has provided incorrect or misleading information to the Department or if a grant condition contained herein or in 18

AAC 73 is violated. This grant offer may be terminated at any time it is in the best interest of the State to do so.

SPECIAL GRANT CONDITIONS

For the purposes of eligibility , July 1, 2012, is the effective date of this grant.

Please carefully review this grant offer, the related grant conditions, and the enclosed regulations. If satisfactory, sign and return the original, along with a formal resolution accepting the grant enacted by the City of Haines.

In the resolution the Grantee must agree to accept responsibility to operate and maintain the proposed water utility improvements and agree to the terms and conditions of this grant offer.

Mail signed originals (grant offer and resolution) to the following address:

Alaska Department of Environmental Conservation
Division of Water, Municipal Matching Grants & Loans Program
Attn: MAT (Municipal Administrative Team)
P.O. Box 111800
410 Willoughby Avenue, Suite 303
Juneau, AK 99811-1800

Acceptance of the grant is required within six months to prevent revocation of the offer. No progress payments can be made until this grant offer is signed by the Grantee and returned to the Department. Nothing in this offer, whether or not accepted, may be deemed to constitute a contractual obligation on the part of the Department until a resolution of acceptance has been received.

The Department is pleased to offer this assistance to the people of Haines.

Sincerely,



MB: Michelle Bonnet Hale
Director

Enclosures: 2 AAC 45.010
18 AAC 73.010 Construction Grant Project Eligibility
Request for Payment

cc: The Honorable Bert Stedman, Alaska State Senate
The Honorable Jonathan Kreiss-Tomkins, Alaska State House of Representatives
Frank Toth, ADEC Project Engineer

Accepted on behalf of the _____ by:

Typed Name

Title

Date

Signature



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 13-344

Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Amend Haines Port Tariff	1. Ordinance 13-08-348 2. 11/29/12 Letter from the Tourism Advisory Board 3. Lightering, Dockage, and Water Usage spreadsheets
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: Originally 10/16/12; Resubmitted 8/19/13	

Full Title/Motion:
Motion: Introduce Ordinance 13-08-348 and set a first public hearing for 9/10/13.

Administrative Recommendation:
The borough manager recommends this.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$ 0	\$	\$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.: 4.5.5 Borough Enterprise Funds; Page 53	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:
History: On 9/11/12, the assembly adopted an ordinance revising the water-sewer rates including an increase to the commercial bulk water rate. The port tariff must be revised to provide for that rate change, and the assembly authorizes tariff revisions by non-code ordinance. Additionally, the port and harbor advisory committee met jointly with the tourism advisory board on 10/11/12 to discuss possible increases to the PC Dock dockage rates, and they recommend incremental increases. On 10/23/12, a draft tariff amendment ordinance was referred to the finance committee. Since that time, staff has drafted a new ordinance essentially the same but with the addition of a wharfage rate for logs at Lutak Dock. The assembly is asked to, once again, consider these amendments.

Referral:

Sent to: Finance Committee	Date: 10/23/12
Recommendation:	Refer to: Meeting Date: 10/30/12

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 10/23/12, 8/27/13	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH AMENDING THE PORT OF HAINES TERMINAL TARIFF NO. 3 TO ADJUST WATER RATES AT HAINES PORT FACILITIES, ADJUST DOCKAGE RATES AT THE PORT CHILKOOT DOCK, ADD LOGS TO THE WHARFAGE RATES, AND MOVE TEXT FROM ONE TARIFF PAGE TO ANOTHER.

BE IT ORDAINED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance shall not become a part of the Haines Borough Code.

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

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

Section 4. Amendment of Rule No. 34, 305, Page 15-A, Port of Haines Terminal Tariff No.3. Port of Haines Terminal Tariff No.3 is amended to annually adjust dockage rates at the Port Chilkoot Dock by \$.025 per foot over a five-year period and shall read, as follows:

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

RULE NO. 34 TERMINAL TARIFFS

305. PORT CHILKOOT DOCK ~~AND PORT CHILKOOT LIGHTERING FACILITY~~ DOCKAGE RATES

Port Chilkoot Dock dockage charges are assessed upon Length-Over-All (LOA) of the vessel. LOA is defined as the linear distance, in feet, from the most forward point at the stem to the aftermost part of the stern of the vessel, measured parallel to the base of the vessel.

LOA of the vessel as published in "Lloyds Register of Shipping" will be used and when not published, the Port reserves the right to: (a) obtain the LOA from the vessel's register, or (b) measure the vessel.

Dockage rates per foot per 24-hour period **shall be as follows, increasing annually by \$.25 effective January 1 each year:**

Vessel LOA	Charge <u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
000/149	\$0.75	<u>\$1.00</u>	<u>\$1.25</u>	<u>\$1.50</u>	<u>\$1.75</u>	<u>\$2.00</u>
150/199	\$0.94	<u>\$1.19</u>	<u>\$1.44</u>	<u>\$1.69</u>	<u>\$1.94</u>	<u>\$2.19</u>
200/299	\$1.19	<u>\$1.44</u>	<u>\$1.69</u>	<u>\$1.94</u>	<u>\$2.19</u>	<u>\$2.44</u>
300/399	\$1.50	<u>\$1.75</u>	<u>\$2.00</u>	<u>\$2.25</u>	<u>\$2.50</u>	<u>\$2.75</u>
400/499	\$1.88	<u>\$2.13</u>	<u>\$2.38</u>	<u>\$2.63</u>	<u>\$2.88</u>	<u>\$3.13</u>
500/599	\$2.38	<u>\$2.63</u>	<u>\$2.88</u>	<u>\$3.13</u>	<u>\$3.38</u>	<u>\$3.63</u>
600/699	\$2.75	<u>\$3.00</u>	<u>\$3.25</u>	<u>\$3.50</u>	<u>\$3.75</u>	<u>\$4.00</u>
700 and over	\$3.00	<u>\$3.25</u>	<u>\$3.50</u>	<u>\$3.75</u>	<u>\$4.00</u>	<u>\$4.25</u>

Minimum charge of \$80.00

These rates shall be increased, effective January 1 of each year.

Section 5. Amendment of Rule No. 34, 305, Page 15-B, Port of Haines Terminal Tariff No.3. Port of Haines Terminal Tariff No.3 is amended to renumber the Port Chilkoot Dock Lightering Facility item number and to insert a paragraph moved from Page 15-A. The text remains unchanged but is relocated to the next page in the tariff. Page 15-B shall read, as follows:

NOTE: **Bolded**/UNDERLINED ITEMS ARE TO BE ADDED OR MOVED FROM A PREVIOUS PAGE
STRIKETHROUGH ITEMS ARE DELETED

RULE NO. 34 TERMINAL TARIFFS

~~305~~ **306**. PORT CHILKOOT DOCK LIGHTERING FACILITY RATES-(C)

For use of Port Chilkoot Dock lightering float dock, including lightering to transfer passengers to or from larger vessels; to pick up or discharge passengers for local marine tours; moorage of vessels; and moorage of vessels unable to moor in the small boat harbor.

Rates per 24 Hour Period:

Lightering or transfer of passengers to or from a larger vessel:

Two hundred fifty (\$250) dollars flat rate per day.

Use of the facility by vessels with a capacity of ten passengers or more to load or unload passengers for tours or charters originating or ending in Haines. This fee shall not apply to vessels mooring at the lightering facility for more than one hour per docking:

Twenty (\$20) dollars

When use of the facility is for temporary or emergency transient moorage, or under the terms of a preferential use agreement approved by the Borough Assembly ("PUA"), standard small boat harbor transient moorage rates shall apply. Such use shall only be in case of an emergency or lack of moorage space in the small boat harbor or under the terms of a PUA and shall apply for no more than seventy-two consecutive hours per vessel. Such use shall not interfere with the scheduled use of the dock by the other vessels. Following expiration of the seventy-two hour period, standard dockage rates shall apply.

All other vessels shall pay standard dockage rates.

Section 6. Amendment of Rule No. 34, 310, Page 16, Port of Haines Terminal Tariff No.3. Port of Haines Terminal Tariff No.3 is amended to adjust water rates at Haines port facilities and shall read, as follows:

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

RULE NO. 34 TERMINAL TARIFFS

310. ITEM 310 WATER RATES

\$50 service charge plus ~~\$4.00~~ **\$4.50** per 1,000 gallons for water, ~~except that this charge shall not apply at the Lutak Dock~~ **at any Haines Port Facility.**

Haines Borough
Ordinance No. 13-08-348
Page 3 of 4

Section 7. Amendment of Rule No. 34, 400, Pages 17 and 18, Port of Haines Terminal Tariff No.3. Port of Haines Terminal Tariff No.3 is amended to add logs to the Wharfage Rates and shall read, as follows:

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

RULE NO. 34 TERMINAL TARIFFS

400. ITEM 400 WHARFAGE AND HANDLING

WHARFAGE

ITEM 401:

Freight, N.O.S.

ITEM 402: ~~RESERVED~~

Logs

ITEM 403:

Gravel, Pit run Sand or Gravel; Sand;
Crushed Aggregate; Process Stone or Boulders

ITEM 404:

Explosives and other Hazardous Cargo, Viz.:

Powder, gun or blasting; Blasting Caps
and Agents; Dynamite; High Explosives;
Ammunition other than small arms; and
other cargo deemed hazardous by the
Haines Borough. (See Note 1)

	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Item 401: NOS	\$3.50	\$3.85	\$4.25	\$4.65	\$5.15
<u>Item 402: Logs</u>			<u>\$0.50</u>	<u>\$0.55</u>	<u>\$0.60</u>
Item 403: Gravel	\$0.20	\$0.25	\$0.30	\$0.35	\$0.40
Item 404: Explosives/ Hazardous Waste	\$8.00	\$8.80	\$9.70	\$10.65	\$11.70

NOTE 1) Material subject to Rule 34.250. Written permission of the Haines Borough must be obtained prior to any movement of explosives and other hazardous cargo over Borough Port facilities.

These rates shall be increased, effective January 1 of each year.

Haines Borough
Ordinance No. 13-08-348
Page 4 of 4

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____
DAY OF _____, 2013.

ATTEST:

Stephanie Scott, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/27/13
Date of First Public Hearing: ___/___/___
Date of Second Public Hearing: ___/___/___

Haines Borough
Tourism Advisory Board
November 29, 2012

Mayor Scott, Mark Earnest, and Borough Assembly,

I am writing on behalf of the Haines Tourism Advisory Board regarding the proposed Port Tariff amendment to the lightering float at the PC Dock.

The Tourism Advisory Board (TAB) and the Port and Harbor Advisory Committee (PHAC) held a joint meeting on October 11, 2012, with the sole purpose of discussing the Port of Haines Terminal Tariff and developing recommendations for revision beginning in 2014. After lengthy discussion, the advisory committees agreed on a recommended tariff increase to the cruise ship terminal, however both committees also agreed that more information and data was needed prior to making a recommendation on the lightering float, and more specifically the tariff for the Haines Skagway Fast Ferry. The committees voted to table the item until March, allowing for adequate time for the retrieval of necessary information that accurately summarized the impact of a tariff increase at that terminal. The committees understood that March was a suitable timeframe, as the proposed increases would not take effect until 2014, and it was in advance of scheduling and pricing by the operators for the 2014 season.

The TAB was extremely disappointed to learn that the Finance Committee did not heed the recommendation from the joint meeting to postpone the discussion until March. Rather, the Finance Committee is recommending an annual 10% increase on the tariff over 5 years, which equates to a 61% increase at the conclusion of the 5 year period. At the joint meeting, Borough Manager Mark Earnest made it clear that the town of Haines needs to be sending the correct message to the tourism industry that the town supports the industry and wants to see it continually grow. The TAB fails to understand how a 61% increase over a 5 year period on an essential service within the tourism industry sends a positive message.

The possible ramifications from a tariff increase are enormous to the tourism industry, and it is our hope that the Borough Assembly also understands the value in delaying the discussion until March when more information can be presented. The Fast Ferry is a lifeline to tourism in the Haines Borough, without which tourism companies in Haines would not be able to survive. The Fast Ferry is under extreme pressure from the cruise line industry not to raise rates at this point in time, resulting in the additional cost of the tariff being burdened by the operating company. The profit margin for the Fast Ferry is minimal enough that any increases in costs threaten its survival.

The TAB does not understand the need or urgency to make this decision before more information can be obtained that helps better illustrate the impact of a tariff increase at the lightering terminal. The TAB continues to request that the discussion on the proposed Port Tariff amendment to the lightering float at the PC Dock be postponed until March, as recommended by the both the TAB and PHAC, in order to obtain further information on the economic impact to both operators and the town of Haines, as well as the actual costs associated with the operation of the dock.

Thank you in advance for your time and consideration.

Sincerely,

Ross Silkman
President - Tourism Advisory Board

LIGHTERING

Flat Fee		2012	2013	2014	2015	2016	2017
5% Annual Increase		\$20.00	\$21.00	\$22.05	\$23.15	\$24.31	\$25.53
HSFF 2012 Landings	409	\$ 8,180.00	\$ 8,589.00	\$ 9,018.45	\$ 9,469.37	\$ 9,942.84	\$ 10,439.98

Flat Fee		2012	2013	2014	2015	2016	2017
10% Annual Increase		\$20.00	\$22.00	\$24.20	\$26.62	\$29.28	\$32.21
HSFF 2012 Landings	409	\$ 8,180.00	\$ 8,998.00	\$ 9,897.80	\$ 10,887.58	\$ 11,976.34	\$ 13,173.97

Per Head		\$0.25	\$0.50	\$0.75	\$1.00
HSFF2012 Passengers	20,000	\$ 5,000.00	\$ 10,000.00	\$ 15,000.00	\$ 20,000.00

DOCKAGE

	Vessel Lengths (per foot)						
5% Annual Increase		2012	2013	2014	2015	2016	2017
	000/149	\$ 0.75	\$ 0.79	\$ 0.83	\$ 0.87	\$ 0.91	\$ 0.96
	150/199	\$ 0.94	\$ 0.99	\$ 1.04	\$ 1.09	\$ 1.14	\$ 1.20
	200/299	\$ 1.19	\$ 1.25	\$ 1.31	\$ 1.38	\$ 1.45	\$ 1.52
	300/399	\$ 1.50	\$ 1.58	\$ 1.65	\$ 1.74	\$ 1.82	\$ 1.91
	400/499	\$ 1.88	\$ 1.97	\$ 2.07	\$ 2.18	\$ 2.29	\$ 2.40
	500/599	\$ 2.38	\$ 2.50	\$ 2.62	\$ 2.76	\$ 2.89	\$ 3.04
	600/699	\$ 2.75	\$ 2.89	\$ 3.03	\$ 3.18	\$ 3.34	\$ 3.51
	700/OVER	\$ 3.00	\$ 3.15	\$ 3.31	\$ 3.47	\$ 3.65	\$ 3.83
Each Visit	205	\$ 243.95	\$ 256.25	\$ 268.55	\$ 282.90	\$ 297.25	\$ 311.60
12 Visits	205	\$ 2,927.40	\$ 3,075.00	\$ 3,222.60	\$ 3,394.80	\$ 3,567.00	\$ 3,739.20
Each Visit	780	\$ 2,340.00	\$ 2,457.00	\$ 2,581.80	\$ 2,706.60	\$ 2,847.00	\$ 2,987.40
22 Visits	780	\$ 51,480.00	\$ 54,054.00	\$ 56,799.60	\$ 59,545.20	\$ 62,634.00	\$ 65,722.80
ANNUAL TOTALS		\$ 54,407.40	\$ 57,129.00	\$ 60,022.20	\$ 62,940.00	\$ 66,201.00	\$ 69,462.00

	Vessel Lengths (per foot)						
\$0.25 Annual Increase		2012	2013	2014	2015	2016	2017
	000/149	\$ 0.75	\$ 1.00	\$ 1.25	\$ 1.50	\$ 1.75	\$ 2.00
	150/199	\$ 0.94	\$ 1.19	\$ 1.44	\$ 1.69	\$ 1.94	\$ 2.19
	200/299	\$ 1.19	\$ 1.44	\$ 1.69	\$ 1.94	\$ 2.19	\$ 2.44
	300/399	\$ 1.50	\$ 1.75	\$ 2.00	\$ 2.25	\$ 2.50	\$ 2.75
	400/499	\$ 1.88	\$ 2.13	\$ 2.38	\$ 2.63	\$ 2.88	\$ 3.13
	500/599	\$ 2.38	\$ 2.63	\$ 2.88	\$ 3.13	\$ 3.38	\$ 3.63
	600/699	\$ 2.75	\$ 3.00	\$ 3.25	\$ 3.50	\$ 3.75	\$ 4.00
	700/OVER	\$ 3.00	\$ 3.25	\$ 3.50	\$ 3.75	\$ 4.00	\$ 4.25
Each Visit	205	\$ 243.95	\$ 295.20	\$ 346.45	\$ 397.70	\$ 448.95	\$ 500.20
12 Visits	205	\$ 2,927.40	\$ 3,542.40	\$ 4,157.40	\$ 4,772.40	\$ 5,387.40	\$ 6,002.40
Each Visit	780	\$ 2,340.00	\$ 2,535.00	\$ 2,730.00	\$ 2,925.00	\$ 3,120.00	\$ 3,315.00
22 Visits	780	\$ 51,480.00	\$ 55,770.00	\$ 60,060.00	\$ 64,350.00	\$ 68,640.00	\$ 72,930.00
ANNUAL TOTALS		\$ 54,407.40	\$ 59,312.40	\$ 64,217.40	\$ 69,122.40	\$ 74,027.40	\$ 78,932.40

WATER

2012 Gallons
2,612,000
22 Hook Ups

2012 Rate
x 0.004
plus \$50 per hook up
\$11,548.00

Proposed 2013 Rate
x 0.0045
plus \$50 per hook up
\$12,854.00
(using 2012 figures)



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 13-338
Assembly Meeting Date: 8/27/13

Business Item Description:		Attachments:
Subject:	ATV use on Chilkat River Inlet Beaches	1. Email String re. ATV use on Chilkat River Inlet Beaches 2. ADNR Designation of Special Use Lands within Northern Southeast Area Plan 3. Current Property Ownership
Originator:	Mayor	
Originating Department:		
Date Submitted:	8/16/13	

Full Title/Motion:
 This is a discussion item, but discussion may lead to some type of assembly action.

Administrative Recommendation:

Fiscal Impact:

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

Comprehensive Plan Consistency Review:

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

Summary Statement:
 The mayor offers a possible decision coming out of assembly discussion might be to direct the planning commission to explore avenues to designate this area for non-motorized recreational use.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 8/27/13	Tabled to Date:

From: Stephanie Scott
Sent: Tuesday, August 20, 2013 7:54 AM
To: Julie Cozzi
Subject: Chilkat River Beach use discussion item

Hi Julie,

This is probably the best email string to include in the packet since it taps all the agencies that have an interest:

On Aug 14, 2013, at 11:14 PM, "Rob Goldberg" <artstudioalaska@yahoo.com> wrote:

The planning commission can initiate a zoning change. The many public hearings that would be required to do this would gauge public support for zoning the beaches Recreational - Non Motorized.

Rob Goldberg

From: "Vanspronsen, Kenneth T (DPS)" <kenneth.vanspronsen@alaska.gov>
To: Stephanie Scott <mayor_scott@haines.ak.us>
Cc: Heather Lende <hlende@aptalaska.net>; Xi Cui <xcui@haines.ak.us>; Simon Ford <sford@haines.ak.us>; Mark Earnest <mearnest@haines.ak.us>; Rob Goldberg <artstudioalaska@yahoo.com>; "Kroes, Preston M (DNR)" <preston.kroes@alaska.gov>
Sent: Wednesday, August 14, 2013 3:59 PM
Subject: RE: Four Wheelers on the beach

State park regulations are specific to each state park that was created. The state park here, Chilkat State park does not allow ATV usage on its lands but the boundaries are nowhere close to the area in question. It is because of that restriction that ATV's are not allowed on the Battery Point Trail. Beyond the private lands at the end of mud bay by the lake no ATV usage is authorized. Usage in the Bald Eagle preserve falls under its own plan and has its own special rules but those boundaries start at 8 mile of the highway. The area around mosquito lake and Chilkoot lake are recreation areas and fall under their own set of rules that are particular to those types of property.

The main difference is Park land was created and set up for the protection of those areas in entirety. General state land and tide lands not in State parks or Marine Parks fall under different classification and are managed for the use of the land by all of the residents of Alaska.

Preston can clarify more if he wants and I am cc'ing him but in general terms State Parks manages Park lands, Recreation areas, and Habitat protection areas. General State land that does not fall under one of those very specialized land classifications defaults to the overall Land management agency, in this case DNR Division of Mining and Lands

There are areas that are in parts of the State that are shut down completely to ATV usage on State land and tidelands, but they are far between [some tidelands on Kruzof Island come to mind right away.](#)

From: Stephanie Scott [mailto:mayor_scott@haines.ak.us]
Sent: Wednesday, August 14, 2013 12:38 PM
To: Vanspronsen, Kenneth T (DPS)
Cc: Stephanie Scott; Heather Lende; Xi Cui; Simon Ford; Mark Earnest; Rob Goldberg
Subject: Re: Four Wheelers on the beach

Thanks Ken. It seems to me that you have done a wonderful job getting the situation clarified and that the ball may now be in the Borough's court. However, I am curious if ATVs are allowed on state park beaches and if not, I wonder what level of protection is written into state law that disallows them. I will ask Preston.

Stephanie Scott

On Aug 14, 2013, at 10:09 AM, "Vanspronsen, Kenneth T (DPS)" <kenneth.vanspronsen@alaska.gov> wrote:

Correct in the statement that muni zoning regulations can limit some uses on public state lands within the muni's control area but the issue then becomes a muni only issue and is not controlled or enforced by the state.

As the Chief has said before our hands, as in Enforcement, are tied and we can only enforce what is codified in law somewhere. It has to be either at the state level for myself or at the state or borough level for the PD. Often times it seems that we are picking sides and being obstinate about the enforcement of one thing or another, nothing is farther from the truth. We do not interject our opinions or our personal feelings into the enforcement or interpretation of those laws, we only follow what is written and adopted by others. As such we strive to protect the rights of all individuals, that includes the dog walkers and the atv riders in this case.

Both the Chief and I are here to help clarify and assist in understanding the oftentimes confusing nature of the numerous laws and regulations that exists all around us. Feel free to contact me, and I am sure without speaking out of line the Chief also, with any questions or clarifications that are desired about anything regarding the laws. If either of us can't answer the question we will find out who can for you.

Ken

From: Stephanie Scott [mailto:mayor_scott@haines.ak.us]
Sent: Wednesday, August 14, 2013 9:51 AM
To: Vanspronsen, Kenneth T (DPS)
Cc: Heather Lende; Xi Cui; Stephanie Scott; Simon Ford; Mark Earnest; Rob Goldberg
Subject: Re: Four Wheelers on the beach

Thanks Ken. I opened your email AFTER I emailed Christy! Sorry. And I am sorry to say, on behalf of the dog-walkers and campfire enjoyers, that I believe you are correct. However, municipal zoning regulations can, I think, control use on state lands. Rob can correct me if I am wrong. If that is so, perhaps the Planning Commission can work with the community to establish some sort of shared use with respect to ATVs.

Stephanie Scott

On Aug 14, 2013, at 8:52 AM, "Vanspronsen, Kenneth T (DPS)" <kenneth.vanspronsen@alaska.gov> wrote:
Just so there is no confusion

The HT-14 special use designation refers only to commercial usage of the lands and not personal or private usage. The following is the State regulation that covers it;

Full reading found here: <http://www.touchngo.com/iglcntr/akstats/aac/title11/chapter096/section014.htm>

11AAC96.014(b)

(22) for the Haines State Forest Resource Management Area, ADL number 106858, described as those lands designated by [AS 41.15.305](#), additionally designated as management units and subunits as shown in the *Haines State Forest Management Plan*, Maps 3-1 through 3-10, dated August 2002 and adopted by reference, within

(A) subunit 1c of Unit 1 as depicted on Map 3-2 (Kelsall River), subunit 2b of Unit 2 as depicted on Map 3-3 (East Chilkat River), all of Unit 3 as depicted on Map 3-4 (Klehini River), subunits 4a, 4b, and 4c of Unit 4 as depicted on Map 3-5 (Chilkat Lake), subunits 7a and 7b of Unit 7 as depicted on Map 3-8 (Haines Highway and Lower Chilkat River), subunits 8c and 8d of Unit 8 as depicted on Map 3-9 (Chilkoot Lake), and subunits 9a and 9c of Unit 9 as depicted on Map 3-10 (Ferebee River), a permit is required for commercial recreation day-use activities if the operator provides commercial recreation services for more than 40 individuals per day and more than 20 individuals per trip; however, for the following areas within subunits 7a, 8b, 8c, and 8d, the following requirements apply:

(i) within the area designated "NonMotorized Area," ADL number 106929, as depicted in the *Haines State Forest Management Plan*, on the map entitled *Haines State Forest: Mt. Ripinski NonMotorized Area* from Appendix B, dated August 2002 and adopted by reference, use of motorized vehicles is prohibited, except for search-and-rescue operations or for establishing communication systems or related operations, and within that area, except as provided in (ii) of this subparagraph, a permit is required for commercial recreation day-use activities if the operator provides commercial recreation services for more than 40 individuals per day and more than 20 individuals per trip;

(ii) within a 100-foot wide corridor measured 50 feet from each side of the centerline of the Mount Ripinski Trail, ADL number 106929, as depicted in the *Haines State Forest Management Plan*, on the map entitled *Haines State Forest: Mt. Ripinski NonMotorized Area* from Appendix B, dated August 2002 and adopted by reference, a permit is required for commercial recreation day-use activities if the operator provides commercial recreation services for 40 or fewer individuals per day and for 20 or fewer individuals per trip; an operator may not provide commercial recreation services for more than 40 individuals per day or more than 20 individuals per trip;

(B) subunit 4b of Unit 4 as depicted on Map 3-5 (Chilkat Lake) and subunit 8b of Unit 8 as depicted on Map 3-9 (Chilkoot Lake), ADL number 106929, the use of personal watercraft for commercial recreation or other commercial purposes is prohibited; in this subparagraph, "personal watercraft" has the meaning given in 11 AAC [20.990](#);

(C) subunit 1b of Unit 1 as depicted on Map 3-2 (Kelsall River),

(i) a permit is required for commercial recreation day-use activities if the operator provides commercial recreation services for 11 or fewer individuals per day; and

(ii) an operator may not provide commercial recreation services for more than 11 individuals per day;

(D) subunit 4d of Unit 4 as depicted on Map 3-5 (Chilkat Lake), subunit 6b of Unit 6 as depicted on Map 3-7 (Chilkat Inlet), and subunit 8a of Unit 8 as depicted on Map 3-9 (Chilkoot Lake), a permit is required for commercial recreation day-use activities if the operator provides commercial recreation services for 12 or more individuals per day;

(E) subunit 1a of Unit 1 as depicted on Map 3-2 (Kelsall River), subunit 2a of Unit 2 as depicted on Map 3-3 (East Chilkat River), all of Unit 5 as depicted on Map 3-6 (Takhin/Kicking Horse), subunit 6a of

Unit 6 as depicted on Map 3-7 (Chilkat Inlet), and subunit 9b of Unit 9 as depicted on Map 3-10 (Ferebee River),

(i) a permit is required for commercial recreation day-use activities if the operator provides commercial recreation services for more than 11 and fewer than 41 individuals per day and for 20 or fewer individuals per trip; and

(ii) an operator may not provide commercial recreation services for more than 40 individuals per day or more than 20 individuals per trip; and

(F) subunit 8b of Unit 8 as depicted on Map 3-9 (Chilkoot Lake), a permit is required for any commercial recreation day-use activity;

(23) for the parcels within the Northern Southeast Area that are assigned ADL number 106859 and depicted on the maps set out in the *Northern Southeast Area Plan*, pages 3-33 (Haines Area, Upper Chilkat, KeIsall), 3-35 (Haines Area, Klehini/Tsirku), 3-37 (Haines Area, Chilkat River), 3-39 (Haines Area, Haines), and 3-197 (Baranof Island, Sitka), dated October 2002 and adopted by reference, within (A) tidelands parcels HT-01 (Lutak Inlet), HT-09 (Flat Bay), HT-14 (Chilkat Inlet), HT-13 (Chilkat River Beaches) and upland parcels H-21 (Pyramid Island) and H-23 (Kochu Island),

(i) a permit is required for commercial recreation day-use activities if the operator provides commercial recreation services for 10 or fewer individuals per day;

(ii) an operator may not provide commercial recreation services for more than 10 individuals per day; and

(iii) commercial recreation activities using motorized vehicles are prohibited;

The following is taken directly from the Northern Southeast Plan, which is found in the entirety here:

<http://dnr.alaska.gov/mlw/planning/areaplans/nseap/>

APPENDIX D

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING, LAND, AND WATER

DESIGNATION OF SPECIAL USE LANDS

Within NORTHERN SOUTHEAST AREA PLAN

ADL 106859

1. AUTHORITY: Pursuant to 11 AAC 96.010(a)(2) and 11 AAC 96.010(b), the following parcels, depicted on the plan maps of the Northern Southeast Area Plan and more specifically described in Chapter 3 of this plan, are designated as special use lands. This document outlines those activities that require an authorization within the designated areas.

Uplands and Tidelands near Haines:

HT-01 (Lutak Inlet) T29S, R59E; 1 sections 30, 31, and 32 (848 acres)

HT-09 (Flat Bay) T31S, R60E; sections 29 and 32 (306 acres)

HT-14 (Chilkat Inlet) T30S, R59E; sections 33 and 34; T31S, R59E, sections 3, 7, 13, 24, 25; and T31S, R60E; sec. 30 (526 acres)

HT-13 (Chilkat River Beaches) T30S, R59E; sections 29, 30, 32, 33 (299 acres)

H-07 (Flower Mountain) T29S, R54E (all sections; 23,040 acres)

H-21 (Pyramid Island) T31S, R59E; sec. 10 (7 acres)

H-23 (Kochu Island) T31S, R59E; sections 25 and 36 (53 acres)

Tidelands on Kruzof Island:

BT-22 "Shelikof Beach", T54S, R61E, sec.29 (20 acres)

1 All parcels are located within the Copper River Meridian.

2. PURPOSE: The purpose of this Special Use Designation is to:

Haines Area:

- Maintain the use of the tideland parcels for use by the public, limit commercial recreation activities to small-scale commercial operations, and prohibit the use of motorized vehicles by commercial recreation operators.
- Maintain the use of the Flower Mountain area for use by the public and limit commercial recreation activities to small-scale commercial operations.

Kruzof Island:

- Protect the sand beach in the area known as Shelikof Beach on western Kruzof Island from motorized use. The latter area is adversely affected by motorized use.

3. BACKGROUND:

Haines Area Parcels. Tideland parcels situated near Haines have high habitat values and are heavily used for public recreation. The large upland parcel (Flower Mountain) is used by the public and small scale commercial recreation operations. The public asked during the preparation of the Northern Southeast Area Plan that these areas be protected from large-scale commercial recreation operations, that the current level and type of recreational activity continue, and that DNR prohibit motorized uses on high public use tideland tracts.

4. USES THAT ARE NOT ALLOWED or MAY BE ALLOWED THROUGH AUTHORIZATION WITHIN DESIGNATED AREAS:

Haines Area:

The following types of Commercial Recreation Operators² are excluded as a Generally Allowed Use and are either prohibited or may only be authorized by permit, except as noted.

- Tideland parcels. Commercial Recreation Operators (CRO) with more than 10 clients per day or using motorized vehicles are prohibited. Commercial Recreation Operators using non-motorized with 10 or fewer clients per day may be allowed, subject to authorization by DNR.
- Upland parcels. Commercial Recreation Operations with more than 41 clients per day are not allowed. Commercial Recreation Operations with more than 10 clients per day but less than 41 may be allowed, subject to authorization by DNR.

Commercial Recreation Operators with less than 10 clients a day remain a Generally Allowed Use.

The borough asked for the designation of Special Use and the restriction of ATV usage when the plan was being developed but the DNR only restricted the commercial use of ATV's and commercial large camping groups. This is the plan that has been in place since 2002.

Hope this clears everything up.

Ken

From: Heather Lende [<mailto:hlende@aptalaska.net>]

Sent: Wednesday, August 14, 2013 6:28 AM

To: Xi Cui; Stephanie Scott; Simon Ford; Mark Earnest; Rob Goldberg; Vanspronsen, Kenneth T (DPS)

Subject: Re: Four Wheelers on the beach

Thank you Tracy, Mark, Simon, Ken, Rob, Stephanie et al--

Wow, that's quite a group— I sincerely hope I have not caused too much bother. This is not an emergency at all, but thank you for your attention to it. I remain pretty sure the Chilkat Beaches have a special management designation, as HT-14, and are managed by DNR. They are non-motorized, no overnight camping and have limited tours which DNR does the permitting for. I've sent a note to an area

manager requesting a clarification on this, which should help. I spoke with DNR's Christy Gentemann in the spring as the AK Mountain Guides permit included HT-14, and I wanted to make sure it fit the guidelines, as tour number limits in HT-14 are no more than ten per group— she checked and it did— and she also came up for a visit to see how HT-14/ Chilkat Beaches was faring. Perhaps the unique status has expired, or been changed, since then, that's possible?

I hope not, and do know that this comes up every few years, and each time it seems to be a surprise to the Borough and the Trooper, so I'll see if I can find out from Christy, and if I'm correct, will forward the the documentation to you-- and then you can have it on file. If I'm not, let's figure out how the Borough may help keep this lovely beach family and dog friendly. Also, I don't think it needs much official policing, as the folks who live here and who use the beach recreationally do it— we just tell the one or two kids who four wheel or snow machine here every now and then that it is not allowed, which is why the recent Police Report alarmed us— now they, and who knows else, will think it is. (The no overnight camping signs and stone barriers blocking vehicle access do the rest of the work just fine. The users and residents pick up campfire/picnic trash.)

Thanks again for your time and attention, and I hope I haven't caused too much fuss— but the Chilkat Beaches are a fragile community treasure and I aim to keep them nice, one way or another.

Heather Lende

On 8/13/13 2:45 PM, "Xi Cui" <xcui@haines.ak.us> wrote:

Dear all,

Even though the Borough does not have specific section on ATV uses, I found some resource regarding ATV regulations:

Alaska's ATV Law: <http://www.dps.state.ak.us/pio/releases/resources/Brochures/ATV%20Statute.pdf>
Snowmachine and Off-Road Vehicle Areas: <http://dnr.alaska.gov/parks/units/chena/vehicles.htm>

Apparently, snowmachines and ATVs are not allowed on highways or roads. They may be operated only on trails or in areas designated for their use. I hope those are helpful. Thanks.

Xi Cui "Tracy"

Planning and Zoning Technician III

Haines Borough

From: Stephanie Scott

Sent: Tuesday, August 13, 2013 12:38 PM

To: Simon Ford; Mark Earnest; Xi Cui; Rob Goldberg; Ken Vanspronsen

Subject: Fwd: Four Wheelers on the beach

Hi everyone,

I am including Rob in this piece of information as well as Trooper Vanspronsen. Hope we can clarify the rules so that enforcement can be straightforward.

Stephanie Scott

Begin forwarded message:

From: Heather Lende <hlende@aptalaska.net>
Date: August 13, 2013, 12:24:13 PM AKDT
To: Stephanie Scott <mayor_scott@haines.ak.us>
Subject: Re: Four Wheelers on the beach

Hi Stephanie-- thanks-- the history is that DNR gave it special use, non motorized, after a neighborhood meeting at Betty Holgates when we were still, I believe in the 3rd class borough and there was no other authority to do it-- there were signs-- at one point, but that changed for some reason I'm not sure of-- but I think the former chief said the trooper was supposed to enforce it, not him? The non motorized covers snow machines too-- The original and still solid reasons for it include habitat protection for fish (1 mile creek is a cutthroat and coho spawning stream) & birds- it is a migratory fly zone and there is an eagle roosting tree/nest in Holgate's yard and the birds use the beach to feed and rear young--, people and dogs walk and picnic and live here and it's noisy dangerous to have machines racing through at 40 mph night and day-- and since the beach is not a thru way to anywhere, and a road borders all of it, and it is narrow, especially at high tide-- and relatively short (about 2 miles)- there's no need for off road vehicles here and they don't mix with traditional recreation. The easiest fix would be to put the DNR regulation into code, I would think--

Anyway, thanks-- but Betty Holgate could tell you more, her number is [766-2852](tel:766-2852). I think she has all the DNR stuff, maybe even the paperwork--

On 8/13/13 8:32 AM, "Stephanie Scott" <mayor_scott@haines.ak.us> wrote:

What a great map. Seems that the beach is state property. Heather indicated that the regulation is from DNR - State Department of Natural Resources. Who is our DNR contact? I would start with Roy Josephson and Gregg Palmieri over at Forestry. The Borough probably owns signs that say "No motorized access" or something like that and could place a sign or two if permitted by the state.

I remember motorized use being an issue. That's why there are big boulders blocking the main access at the bottom of the hill. Kids used to drive pickups on the beach, wrecking tide pools, etc.

Stephanie Scott

On Aug 13, 2013, at 8:24 AM, "Simon Ford" <sford@haines.ak.us> wrote:

Mark and Stephanie,

I sent Officer Patterson on a special assignment to drive the whole area and verify whether or not there were any signs prohibiting motorized vehicles in this area. There were none. I asked Tracy for information regarding this issue and this email was the response. It may well be that Ms. Lende is correct, but I want to know where I should be looking to verify these questions. I am just as concerned as she is about giving out correct information to the public and also about enforcing the laws, but none of our officers or the State Trooper thought that motorized vehicles were not allowed in that area.

Simon

From: Xi Cui
Sent: Thursday, August 08, 2013 9:25 AM
To: Simon Ford
Subject: RE: Four Wheelers on the beach

Simon.

I searched the code, unfortunately I couldn't find anything that regulates ATVS but I made a map showing the ownership around that area. I hope that helps. Thanks.

Xi Cui "Tracy"
Planning and Zoning Technician III
Haines Borough

From: Simon Ford
Sent: Wednesday, August 07, 2013 4:34 PM
To: Xi Cui
Subject: Four Wheelers on the beach

Hello Tracy,

We have had some complaints about people riding four wheel all terrain vehicles on the beach down by Lower Mud Bay Road (bottom of Cemetery Hill). Do you know of anything in code that says that people can't do that? I want to make sure I am giving people the correct information and I couldn't find anything that prohibits ATV's in that area, but I am not sure who owns the land down there.

Simon Ford
Interim Chief of Police
Haines Borough Police Department

<Ownership Info - bottom of Cemetery Hill.pdf>

Stephanie Scott
Mayor, Haines Borough

APPENDICES

APPENDIX A

Glossary A1-A14

APPENDIX B

Mineral Closing Order B1-B5

APPENDIX C

Land Classification Order C-1

APPENDIX D

Designation of Special Use Lands: Commercial Recreation Uses D1-D4

See Map 2-1.: Special Management Areas -Tidelands and Submerged Lands

APPENDIX E

Special Management Areas E1-E7

APPENDIX F

Designation of Special Use Lands: Commercial Helicopter Operations F1-F11

Map: Haines Area – Areas of Heliskiing Use and Non-Use

APPENDIX G

Index G1-G12

APPENDIX D

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND, AND WATER**

**DESIGNATION OF SPECIAL USE LANDS
Within
NORTHERN SOUTHEAST AREA PLAN**

ADL 106859

1. AUTHORITY: Pursuant to 11 AAC 96.010(a)(2) and 11 AAC 96.010(b), the following parcels, depicted on the plan maps of the Northern Southeast Area Plan and more specifically described in Chapter 3 of this plan, are designated as special use lands. This document outlines those activities that require an authorization within the designated areas.

Uplands and Tidelands near Haines:

- HT-01 (Lutak Inlet) T29S, R59E;¹ sections 30, 31, and 32 (848 acres)
- HT-09 (Flat Bay) T31S, R60E; sections 29 and 32 (306 acres)
- HT-14 (Chilkat Inlet) T30S, R59E; sections 33 and 34; T31S, R59E, sections 3, 7, 13, 24, 25; and T31S, R60E; sec. 30 (526 acres)
- HT-13 (Chilkat River Beaches) T30S, R59E; sections 29, 30, 32, 33 (299 acres)
- H-07 (Flower Mountain) T29S, R54E (all sections; 23,040 acres)
- H-21 (Pyramid Island) T31S, R59E; sec. 10 (7 acres)
- H-23 (Kochu Island) T31S, R59E; sections 25 and 36 (53 acres)

Tidelands on Kruzof Island:

- BT-22 “Shelikof Beach”, T54S, R61E, sec.29 (20 acres)

¹ All parcels are located within the Copper River Meridian.

2. PURPOSE: The purpose of this Special Use Designation is to:

Haines Area:

- Maintain the use of the tideland parcels for use by the public, limit commercial recreation activities to small-scale commercial operations, and prohibit the use of motorized vehicles by commercial recreation operators.
- Maintain the use of the Flower Mountain area for use by the public and limit commercial recreation activities to small-scale commercial operations.

Kruzof Island:

- Protect the sand beach in the area known as Shelikof Beach on western Kruzof Island from motorized use. The latter area is adversely affected by motorized use.

3. BACKGROUND:

Haines Area Parcels. Tideland parcels situated near Haines have high habitat values and are heavily used for public recreation. The large upland parcel (Flower Mountain) is used by the public and small scale commercial recreation operations. The public asked during the preparation of the Northern Southeast Area Plan that these areas be protected from large-scale commercial recreation operations, that the current level and type of recreational activity continue, and that DNR prohibit motorized uses on high public use tideland tracts.

Kruzof Island Parcel. Shelikof Beach, situated within part of BT-22, is a high value marsh and abuts similar areas within the National Forest. This area is being degraded by the operation of all-terrain vehicles, and both the public and the U.S. Forest Service requested that this area be closed to recreational motorized use.

Under the current Generally Allowed Use of the Department of Natural Resources commercial operations providing recreation services on state land that occur on a daily (but not overnight) basis are allowed to occur without permit, pursuant to 11 AAC 96.010(a)(2). Such uses, if they are to be managed, must be excluded as a Generally Allowed Use. This SUD excludes certain forms of commercial recreation uses on state land, imposes restrictions on the way that these areas can be used for commercial recreation purposes in the Haines Area, and precludes motorized uses within portions of the Kruzof parcel.

4. USES THAT ARE NOT ALLOWED or MAY BE ALLOWED THROUGH AUTHORIZATION WITHIN DESIGNATED AREAS:

Haines Area:

The following types of Commercial Recreation Operators² are excluded as a Generally Allowed Use and are either prohibited or may only be authorized by permit, except as noted.

- Tideland parcels. Commercial Recreation Operators (CRO) with more than 10 clients per day or using motorized vehicles are prohibited. Commercial Recreation Operators using non-motorized with 10 or fewer clients per day may be allowed, subject to authorization by DNR.
- Upland parcels. Commercial Recreation Operations with more than 41 clients per day are not allowed. Commercial Recreation Operations with more than 10 clients per day but less than 41 may be allowed, subject to authorization by DNR. Commercial Recreation Operators with less than 10 clients a day remain a Generally Allowed Use.

Shelikof Beach, Kruzof Island:

The use of motorized vehicles is excluded as a Generally Allowed Use and is prohibited. See plan map, ‘Baranof Island Area, Sitka’, in the Northern Southeast Area Plan.

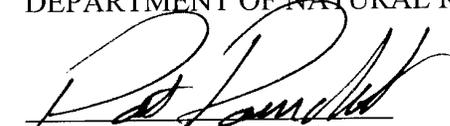
5. PERIODIC REVIEW: This special use designation is subject to periodic review every five years in order to ensure that the objectives described in this order are being met.

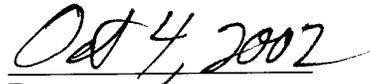
6. DECISION: It is my decision to designate those state lands described herein, and as more fully depicted on the plan maps of the Northern Southeast Area Plan, as special use lands in accordance with 11 AAC 96.010(a)(2) and 11 AAC 96.010(b). I find this decision consistent with the department’s management authority and with the management intent for these parcels as described in this plan.

² Commercial Recreation Operators: An entity that provides recreational services to the public for remuneration. These services can either take a motorized or non-motorized form.

In ninety days from the date of this designation, or by written notice of the designations before the end of the 90-day period, the activities described herein shall be managed according to the terms of this Special Use Designation.

DEPARTMENT OF NATURAL RESOURCES


Pat Pourchot, Commissioner


Date



State

State

State



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 13-339

Assembly Meeting Date: 8/27/13

Business Item Description:		Attachments:
Subject: Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project		1. Memo from the Manager 2. Draft Letter of Support with Borough Comments 3. Planning Commission Recommendation 4. Request for Scoping Comments 5. Scoping Drawings
Originator: Borough Manager		
Originating Department: Administration		
Date Submitted: 8/16/13		

Full Title/Motion:
 Motion: Authorize submittal of the draft borough comments to the Alaska Department of Transportation & Public Facilities on behalf of the Haines Borough Assembly regarding the Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project.

Administrative Recommendation:

Fiscal Impact:

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

Comprehensive Plan Consistency Review:

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

The ADOT&PF is requesting comments regarding the Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project. The borough manager drafted a letter of support for the assembly's consideration.

On August 8, the planning commission adopted a motion recommending the assembly support the project but also expressed support for mitigating the loss of Boreal toad habitat on airport property. There was no intent or desire to prevent the project from moving forward—only an interest in finding a home for the toads. The borough administration has been communicating with ADOT&PF and others to determine what could be done to address this concern. The ADOT&PF will be presenting updated information regarding anadromous fish and amphibian habitat at a public meeting in Haines the week of September 8th.

Referral:

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

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 8/27/13	Tabled to Date:



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

August 27, 2013

Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project

The Alaska Department of Transportation and Public Facilities (ADOT&PF) is requesting comments regarding the Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project. Attached are maps and project background documents from the ADOT&PF. It should be noted that the project comment period for the Borough is still open. ADOT&PF is scheduling a public meeting in Haines regarding the project during the week of September 8, 2013.

The Planning Commission adopted a motion recommending that the Assembly support the Airport Improvements project, but also expressed support for mitigating the loss of Boreal toad (*Bufo boreas boreas*) habitat on Airport property. There was no intent or desire to impact the project from moving forward—just an interest in working to find a way to find a home for the toads. We have been communicating with local interests as well as the ADOT&PF to see what can be done to address this concern. The ADOT&PF will be presenting updated information regarding anadromous fish and amphibian habitat at the public meeting.

Suggested motion: submit to the ADOT&PF the attached letter of support for the Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project.

DRAFT

August 27, 2013

John Barnett, Project Environmental Coordinator
Alaska Department of Transportation and Public Facilities, Southeast Region
P.O. Box 112506
Juneau AK, 99811-2506

SUBMITTED VIA E-MAIL TO: john.barnett@alaska.gov

RE: **Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project (Project No. 69436)
Request for Scoping Comments**

Dear Mr. Barnett:

On behalf of the Haines Borough Assembly, we respectfully submit the following comments regarding the proposed Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project (Project No. 69436). The Haines Borough supports the proposed plan to improve airport safety and security and reduce maintenance costs. These improvements were identified in the Haines Airport Master Plan (2004) and include the following: drainage improvements in the aircraft-apron area, reconstructing the perimeter fence, rehabilitating taxiway and runway pavement, and other improvements.

Inadequate drainage in the apron area increases risk to people and aircraft. As noted in the July 11, 2013 from the Department of Transportation and Public Facilities (ADOT&PF) scoping letter, “[d]rainage inlets in this area have risen relative to the level of the pavement, inhibiting drainage. Standing water has reached depths of two feet which becomes more hazardous when it freezes.” The proposed improvements would raise the apron and reconstruct the drainage system.

Reconstruction of the perimeter fence would improve safety by deterring vehicle and wildlife intrusion. Rehabilitation of the taxiway and runway pavement to a smooth and uniform surface would enhance safety for departing and approaching aircraft, as well as taxing aircraft. The pavement improvements would also help reduce maintenance costs for the State of Alaska.

We recognize and appreciate the continuing efforts undertaken by the ADOT&PF in recognizing and addressing concerns regarding historic and cultural resources, the environment, and fish and wildlife habitat. We are also supportive of efforts to establish additional Boreal toad habitat either on-site or elsewhere to replace loss of existing habitat resulting from the proposed project. However, the Borough does not wish to see this issue delay the project or diminish the proposed safety enhancements.

Mr. John Barnett
August 27, 2013
Page 2

In conclusion, we believe that the proposed Airport Improvement Plan improves public safety, while protecting and safeguarding important cultural, biological, and environmental assets. Thank you for your inclusion of our comments regarding the Haines Airport Drainage Improvements, Pavement Rehabilitation & Fence Reconstruction Project.

Sincerely,

Sincerely,

Stephanie Scott,
Mayor

Mark Earnest
Borough Manager



Haines Borough
PLANNING COMMISSION
RECORD OF DECISION

DATE: August 8, 2013

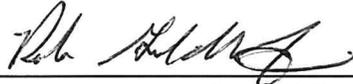
TO: Borough Assembly

FROM: The Haines Planning Commission

PLANNING COMMISSION DECISION:

Gonce *cc*
Motion: ~~Venables~~ moved to “recommend for the Assembly to support the Haines Airport project, and the Borough manager to work with Tim Shields and the Takshanuk Watershed Council to investigate the potential mitigation for the loss of East pond.” The motion carried 6 to 1 with **Venables** abstaining.

RATIONALE: The Planning Commission supports the airport project, but there is concern for the loss of East pond, which has some of the best habitat for Boreal toads in the Haines Borough.

SUBMITTED BY  (signature)

Rob Goldberg
Planning Commission Chair



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Transportation and Public Facilities

SOUTHEAST REGION
DESIGN & ENGINEERING SERVICES
Preconstruction

6860 Glacier Highway
PO Box 112506
Juneau, Alaska 99811-2506
Main: 907.465.4444
Toll free: 800.575-4540
Fax: 907.465.4414

HNS – Haines Airport Drainage Improvements,
Pavement Rehabilitation & Fence Reconstruction
Project # 69436/ AIP 3-02-112-xx-20xx
Request for Scoping Comments

July 11, 2013

Dear Agency Representative:

The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Aviation Administration (FAA) requests comments regarding proposed improvements at the Haines Airport in Haines, Alaska.

The project is located at the Haines Airport, which is approximately 3.5 miles west of Haines, in the Haines Borough and is in Sections 29 and 30, Township 30 S, Range 59 East of the Copper River Meridian, (Latitude 59°14'40.89" North; Longitude 135°31'27.934" West) (WGS84) and can be found on the U.S. Geological Survey (USGS) Skagway A-2 quadrangle map.

The Haines Airport is located on an approximately 215-acre site adjacent to the Chilkat River, bordered by the Haines Highway and the Takshanuk Mountains. Classified as a community airport in the Alaska Aviation System Plan, the Haines Airport is an uncertificated non-towered airport and is the primary airport serving the communities in the Haines Borough. Ground access from town is via the Haines Highway, which connects the Port of Haines and the Alaska Marine Highway System with the Alaska-Canada road network. A project vicinity and location map is enclosed. (See sheets 1 and 2.)

Purpose and Need

The purpose of this project is to improve airport safety and security, reduce current maintenance and make improvements as identified in the Haines Airport Master Plan (2004). Drainage problems in the aircraft-apron area are hazards to people and aircraft. Reconstruction of this area would address safety as well as reduce maintenance costs associated with snow removal and temporary efforts to correct the drainage. The improvement activity of reconstructing the existing perimeter fence would promote security by deterring wildlife and vehicle intrusion. Restoring taxiway and runway pavement to a smooth and uniform surface would promote the safety of departing and approaching aircraft as well as taxing aircraft. It would also reduce maintenance costs associated with temporary pavement

"Get Alaska Moving through service and infrastructure."

corrections. Additionally, a uniform pavement reduces maintenance costs by facilitation of efficient snow removal.

Project Description

The proposed actions would make improvements to the Haines Airport, (sheets 3-6), and would

- upgrade drainage in the aircraft-apron area
- remove 4 hangers
- fill the “East Pond”, and vegetated area to the north of the pond
- expand the existing aircraft- apron east to the area where the pond and vegetated area would be filled
- resurface existing paved areas
- reconstruct the existing perimeter fence
- relocate the existing public parking to the north side of the access road
- re-route a portion of Upper Yindastuki Creek.

Original construction of the Haines Airport began in the late 1940’s. Currently managed by DOT&PF, the Haines Airport facility has undergone numerous changes subsequent to its original construction. In 1992, DOT&PF completed a major improvement project including relocation of the original runway, construction of a helipad, and expansion of the aircraft-parking apron. A significant on-site wetlands mitigation project was also completed as part of this project. Currently, the airport has a 4,000 by 100 foot paved runway. The original runway was converted to a paved parallel taxiway, (sheet 3).

Proposed actions would include correcting the drainage problems in the aircraft-apron area. Drainage problems in this area have resulted in standing water where aircraft and personnel need to operate. Drainage inlets in this area have risen relative to the level of the pavement, inhibiting drainage. Standing water has reached depths of two feet which becomes more hazardous when it freezes. The project would reconstruct this area by raising the apron and correcting the drainage system. This proposed activity would include new area lighting and rebuilding the tie-downs.

The existing public parking lot is located in an area designated in the airport master plan as apron and lease lots (Haines Airport Master Plan, May 2004.) The proposed action includes relocating the parking lot to a wetland area on the north side of the access road, (sheet 3). This activity would fill the wetland and re-route a portion of Yindastuki Creek for the proposed relocated parking lot.

Also designated in the master plan is an easterly expansion of the existing apron. To accommodate this expansion, the proposed action would fill the “East Pond” and the vegetated borrow pit to the north of it.

Additional proposed project activities include restoration of runways and taxiway pavement. Proposed activities also include repair and upgrades to the perimeter fence for consistency with the airport master plan.

Identified Resources and Potential Impacts

ROW – All proposed activities would be within the airport boundaries with the exception of a section of stream channel near the east end of the project, which is outside the boundary but in DOT&PF right-of-way. The proposed project activities would include removal of four hangars in the area of the aircraft-apron drainage improvements. DOT&PF would follow FAA policy and procedures in the appraisals and acquisitions for removal of these hangars, (sheet 3).

Wetlands – Construction of the relocated parking area would require placing fill across approximately 1.2 acres of wetland on the north side of the airport access road, (sheets 3-5). An eastern expansion of the apron would require placing fill in approximately 2.2 acre of wetland. Trees and large vegetation would be removed, and fill would be placed in the East Pond and the vegetated pit area north of the pond, (sheets 3-5).

Other Waters of the U.S. – The Haines Airport property is situated along the north bank of the Chilkat River. The airport boundary encompasses small tributary inflow streams, ponds, and wetlands. The Alaska Department of Fish and Game (ADF&G) Anadromous Waters Catalog (AWC) identifies Yindastuki Creek (ADF&G #115-32-10250-2002) as the primary stream drainage that flows through the project area and supports anadromous fish, (sheet 3). The proposed project would re-route portions of this stream. The proposed project would construct a new stream channel, install fish passage culverts, and rehabilitate existing channels to route Yindastuki Creek and apron area surface water east to connect with the mitigation ponds located at the east end of the runway.

In-water work would

- fill approximately two (1.2) acres of wetland and re-route approximately 250 lineal feet of Upper Yindastuki Creek (ADF&G #115-32-10250-2002) for construction of the relocated public parking site, (sheets 3-5).
- fill approximately one (2.2) acre of wetland in the East Pond and re-convey the portion of Yindastuki Creek in this area, (sheets 3-5).

DOT&PF would coordinate with permitting agencies regarding fish window restrictions for construction of the proposed project as well as habitat avoidance, minimization, and enhancement opportunities.

Eagles – No known eagle nests are located within 660 feet of the proposed construction areas of the project.

Historic/Cultural Resources – The Alaska Historical Resource Survey (AHRS) database lists known historic sites eligible for the National Register, nearby on the Haines Highway and in the vicinity of the airport. DOT&PF would conduct a Section 106 consultation with the State Historic Preservation Officer (SHPO).

Visual Impacts – The project would not have visual impacts associated with the proposed parking lot relocation or proposed work at the airport facility.

Temporary Impacts – The proposed activity may result in temporary traffic impacts during construction. Short delays in traffic and frequent single lane controls would be expected. There may be temporary construction impacts to aircraft traffic. Leasees with hangers in the area of the proposed aircraft-apron drainage improvements would be affected. Temporary construction related noise and air quality degradation are not anticipated to be excessive.

The project would use Best Management Practices during construction to further avoid and minimize impacts, including developing a traffic control plan to maintain access for residences and businesses. Potential water quality impacts to marine waters would be addressed in an Erosion and Sediment Control Plan.

Request for Comments

We request your comments on the proposed action, particularly in regard to potential impacts to resources under your jurisdiction. DOT&PF must also determine to what extent this project would impact cultural or historic properties. If you have information that would assist in these determinations, please provide it.

To comply with certain interagency agreements, we also request the views of applicable agencies on potential effects on bald eagles and threatened and endangered species. Your comments will be included in the project's environmental document. We would appreciate your response by ~~July 19,~~ 2013.

August 12

Thank you for your consideration of this request for comments. If you have questions or require clarification on any elements of the proposal, please contact me at (907) 465-4504 or by e-mail at john.barnett@alaska.gov. You may also contact the Project Environmental Analyst, Cheryl Benson directly at 907-465-1826, or by e-mail at cheryl.benson@alaska.gov.

Sincerely,



John Barnett
Project Environmental Coordinator

Enclosures:

- Vicinity Map (Sheet 1 of 6)
- Location Map (Sheet 2 of 6)
- Proposed Site Plan (Sheet 3 of 6)
- Sheet Layout (Sheet 4 of 6)
- Yindastuki Creek Re-route (Sheet 5 of 6)
- Yindastuki Creek Re-route (Sheet 6 of 6)

Distribution list:

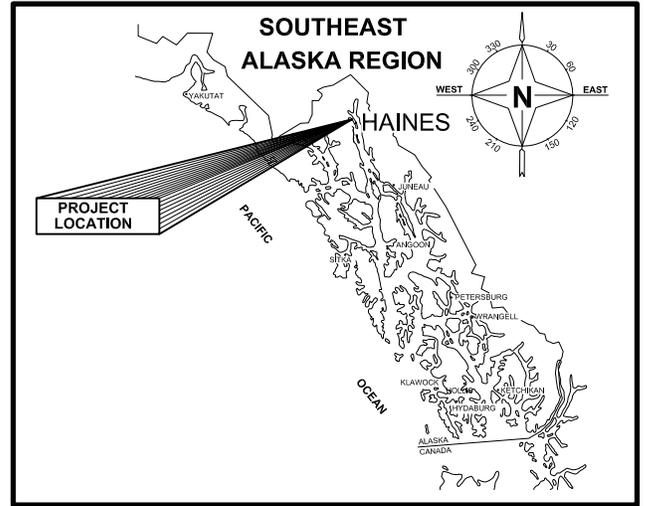
Stephanie Scott, Mayor, Haines Borough
Mark Earnest, Haines Borough Manager
Jerri Clarke, Museum Director, Sheldon Museum and Cultural Center
Tanya Carlson, Tourism Director, Haines Convention and Visitor Bureau
Matthew Lacroix, EPA Region 10, Anchorage
Becky Fauver, EPA, Region 10, Seattle
Bill Hanson, Field Supervisor, USFWS
Marine Habitat Research Specialist, NOAA Fisheries
William Ashton, Manager, Division of Water, DEC, Anchorage
Jackie Timothy, ADF&G
Randy Vigil, USACE
Dave Casey, USACE
Ms. Judith Bittner, State Historic Preservation Officer
Alaska Office of History and Archaeology

Cc:

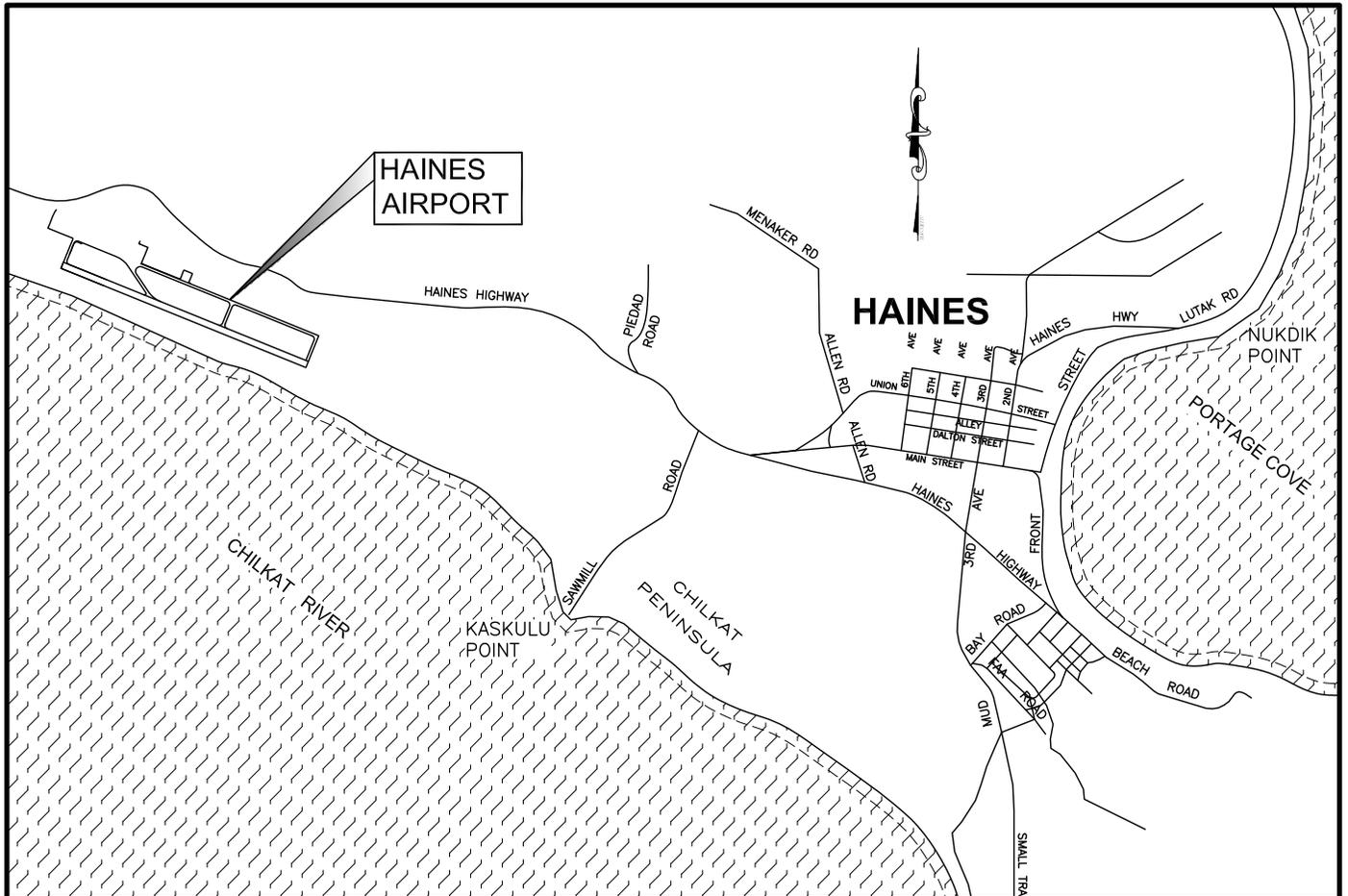
Jane Gendron, SE Region Environmental Manager, DOT&PF
Keith Karpstein, P.E., Project Manager, DOT&PF
Pat Carroll, P.E., Design Group Chief, DOT&PF
Michael Kell, PQI, DOT&PF
Ben White, Statewide Environmental Manager, DOT&PF
Laurie Mulcahy, Cultural Resource Manager, DOT&PF
Bruce Greenwood, Environmental Protection Specialist, FAA - Alaska Region, Airports
Division



KEY MAP



LOCATION MAP



VICINITY MAP

WATER BODIES:
CHILKAT RIVER

PROJECT VICINITY MAP

APPLICATION BY:
ALASKA STATE DEPT. OF TRANSPORTATION
AND PUBLIC FACILITIES
SOUTHEAST REGION

69436 HAINES - AIP DRAINAGE IMPROVEMENTS,
PAVEMENT REHABILITATION &
FENCE RECONSTRUCTION

AT: HAINES, ALASKA

LOCATED IN: TOWNSHIP 30 SOUTH, RANGE 59 EAST
COPPER RIVER MERIDIAN, QUAD MAP SKAGWAY A-2

DATE: MAY 2013

SHEET 1 OF 6



WATER BODIES:
CHILKAT RIVER

PROJECT LOCATION MAP

APPLICATION BY:
ALASKA STATE DEPT. OF TRANSPORTATION
AND PUBLIC FACILITIES
SOUTHEAST REGION

69436 HAINES - AIP DRAINAGE IMPROVEMENTS,
PAVEMENT REHABILITATION &
FENCE RECONSTRUCTION

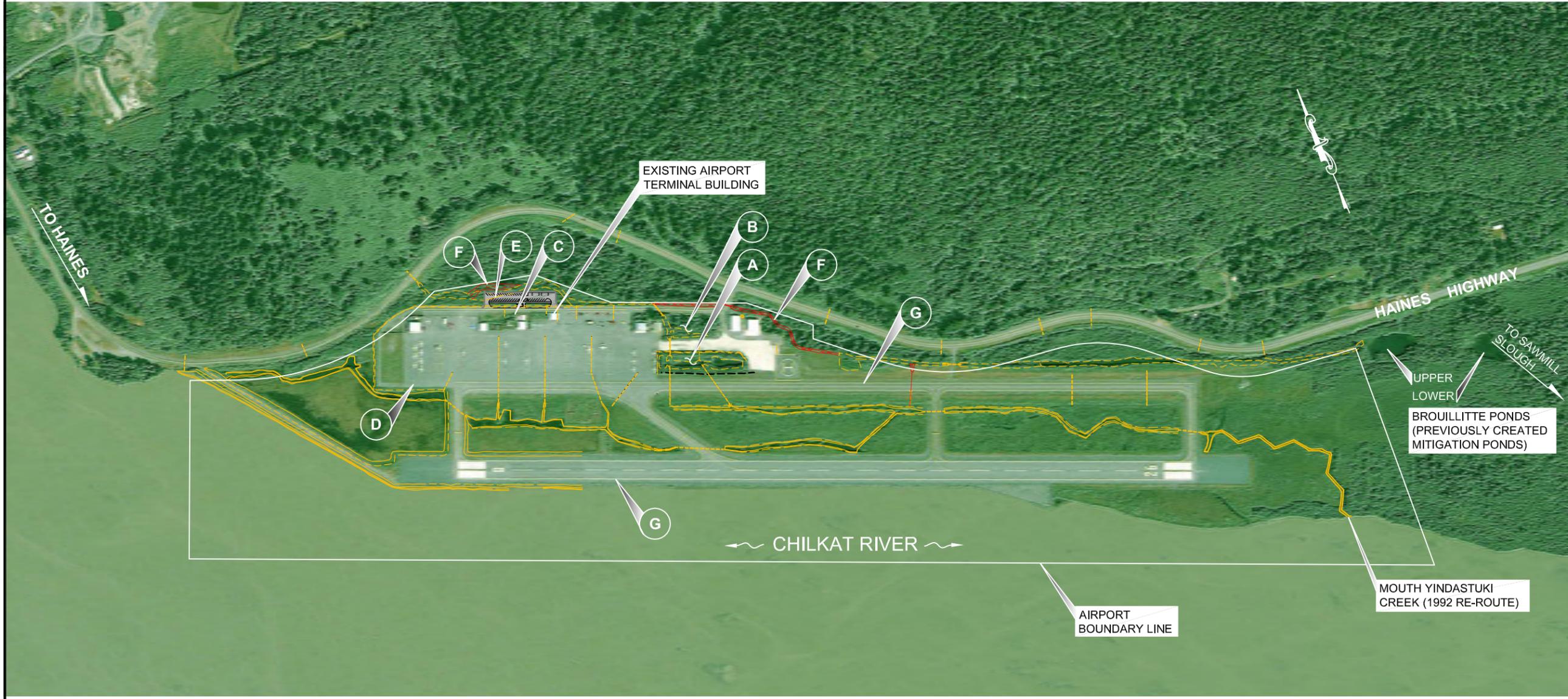
AT: HAINES, ALASKA
LOCATED IN: TOWNSHIP 30 SOUTH, RANGE 59 EAST
COPPER RIVER MERIDIAN, QUAD MAP SKAGWAY A-2

DATE: MAY 2013

SHEET 2 OF 6

No.	DATE	DESCRIPTION

HAINES AIRPORT



PLAN LEGEND

	EXISTING CREEK
	PROPOSED YINDASTUKI CREEK RE-ROUTE
	EXISTING CULVERT
	PROPOSED CULVERT

PLAN LEGEND

CHECKED BY:

DESIGNED BY:

DRAWN BY:

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
SOUTHEAST REGION
69436 HAINES - AIP DRAINAGE IMPROVEMENTS, PAVEMENT REHABILITATION & FENCE RECONSTRUCTION

PROPOSED SITE PLAN

PROJECT DESIGNATION

69436

STATE	YEAR
ALASKA	2013

SHEET NUMBER	TOTAL SHEETS
3	6

PROPOSED IMPROVEMENTS:

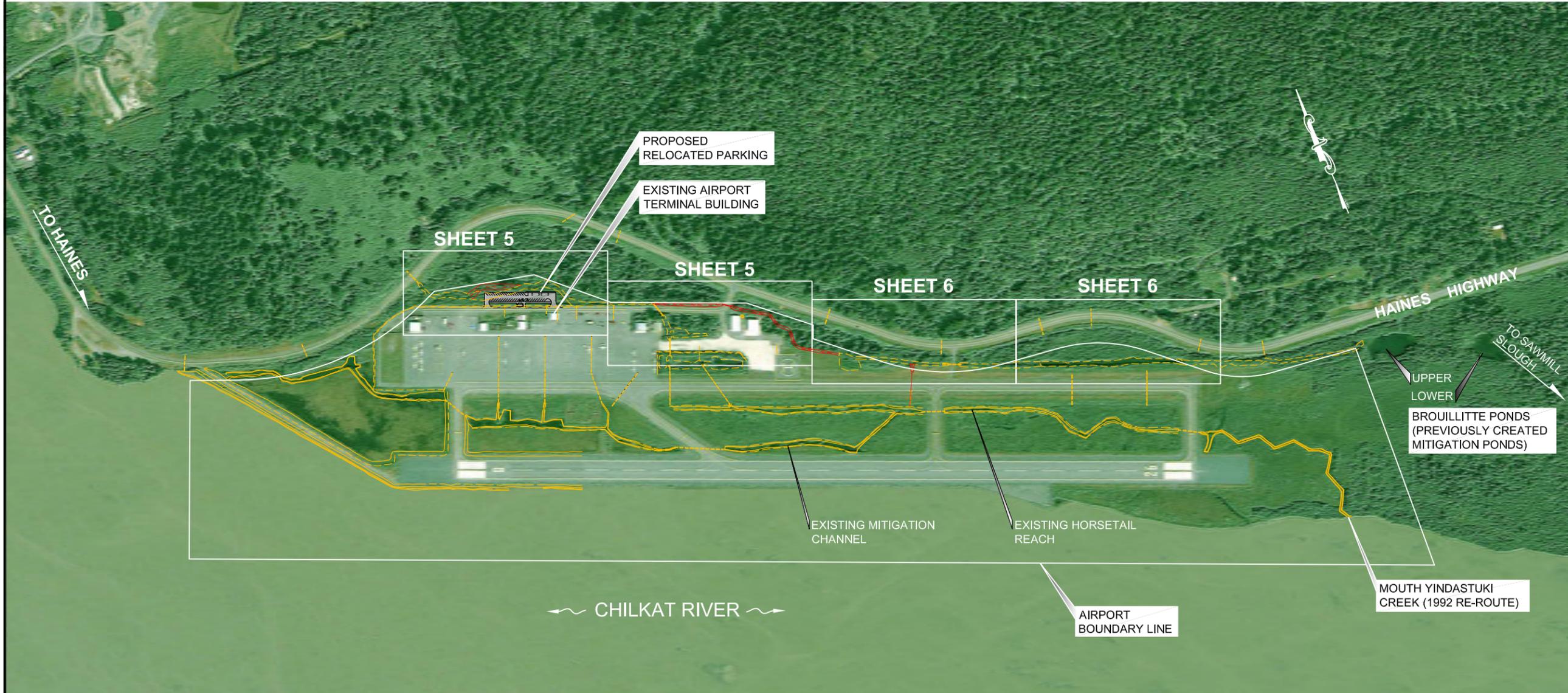
- (A) FILL "EAST" POND, CONSTRUCT APRON EXPANSION
- (B) FILL VEGETATED BORROW PIT, CONSTRUCT APRON EXPANSION
- (C) REMOVE EXISTING HANGERS
- (D) RE-CONSTRUCT AIRPORT APRON WITH DRAINAGE, TIE-DOWNS, AREA LIGHTING
- (E) FILL WETLAND & CONSTRUCT RELOCATED PARKING AREA
- (F) CONSTRUCT RE-ROUTE OF YINDASTUKI CREEK
- (G) RE-PAVE ALL EXISTING PAVED AREAS



DO NOT SCALE FROM THESE DRAWINGS USE DIMENSIONS

No.	DATE	DESCRIPTION

HAINES AIRPORT



PLAN LEGEND

	EXISTING CREEK
	PROPOSED YINDASTUKI CREEK RE-ROUTE
	EXISTING CULVERT
	PROPOSED CULVERT

PLAN LEGEND

CHECKED BY:

DESIGNED BY:

DRAWN BY:

STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
 SOUTHEAST REGION
 69436 HAINES - AIP DRAINAGE IMPROVEMENTS, PAVEMENT REHABILITATION & FENCE RECONSTRUCTION

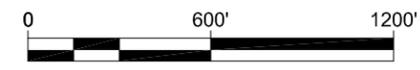
SHEET LAYOUT

PROJECT DESIGNATION

69436

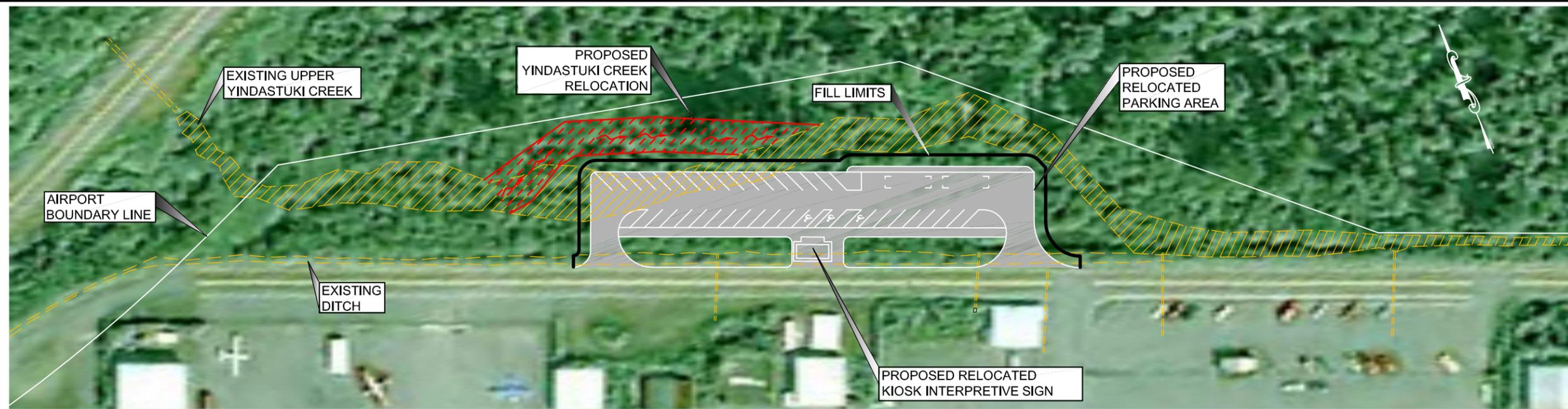
STATE	YEAR
ALASKA	2013

SHEET NUMBER	TOTAL SHEETS
4	6



SCALE IN FEET

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MATCHLINE 5a

PATH: Q:\HNS\69436\DR\2013\SCOPING\69436_SCOPING

GRANTHAM, RICK L (DOT)
TAB: 5 Thursday, June 06, 2013 3:38:50 PM

ADDENDUM NUMBER

ATTACHMENT NUMBER

RECORD OF REVISIONS

No.	DATE	DESCRIPTION

	AREA TO BE FILLED
	EXISTING CREEK
	PROPOSED YINDASTUKI CREEK RE-ROUTE
	EXISTING CULVERT
	PROPOSED CULVERT

PLAN LEGEND

CHECKED BY:

DESIGNED BY:

DRAWN BY:

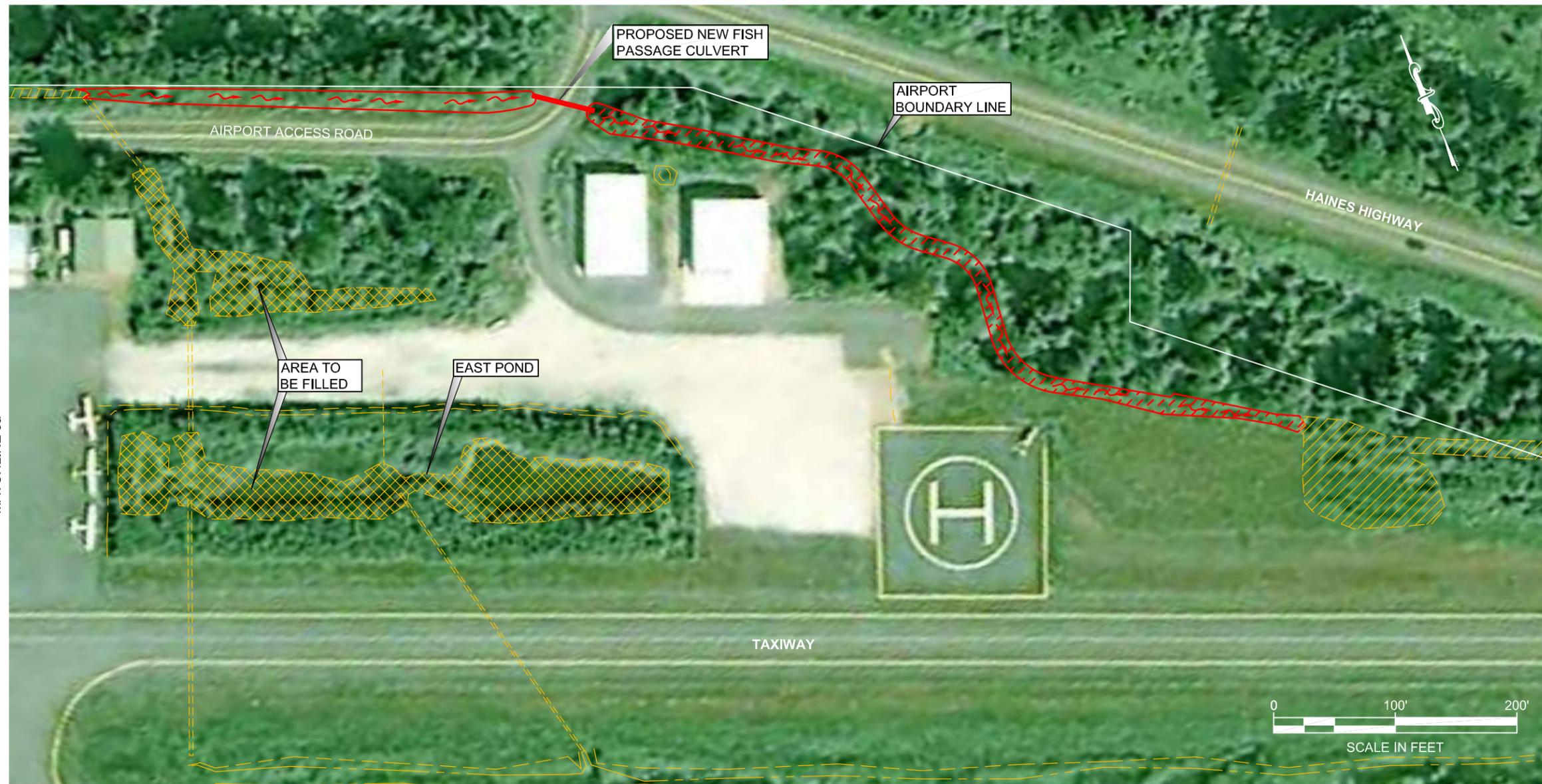
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES
SOUTHEAST REGION
69436 HAINES - AIP DRAINAGE IMPROVEMENTS, PAVEMENT REHABILITATION & FENCE RECONSTRUCTION

YINDASTUKI CREEK RE-ROUTE

PROJECT DESIGNATION
69436

STATE	YEAR
ALASKA	2013

SHEET NUMBER	TOTAL SHEETS
5	6



MATCHLINE 5a

MATCHLINE 6a

DO NOT SCALE FROM THESE DRAWINGS USE DIMENSIONS



Agenda Bill No.: 13-346

Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Tourism Advisory Board Request for Tourism Impact Study (Discussion of Whether to do this)	1. Memo from the Tourism Director 2. Proposal from McDowell Group
Originator: Borough Assembly	
Originating Department:	
Date Submitted: 8/19/13	

Full Title/Motion:
Discussion may lead to assembly action.

Administrative Recommendation:

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ TBD, see summary	\$	\$

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos.: Objective 3D, Page 106	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
The tourism advisory board has requested a Tourism Impact Study, specifically one summer study and one for winter. The TAB would like to see both studies, if at all possible. Total price for both is \$29,900. The tourism director has requested an assembly discussion of the TAB's request.

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

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 8/27/13	Tabled to Date:

MEMORANDUM

Haines Convention & Visitors Bureau

PO Box 530

Haines, AK 99827

(907) 766-2234 / (907) 766-3155 fax

www.haines.ak.us email: hcvb@haines.ak.us

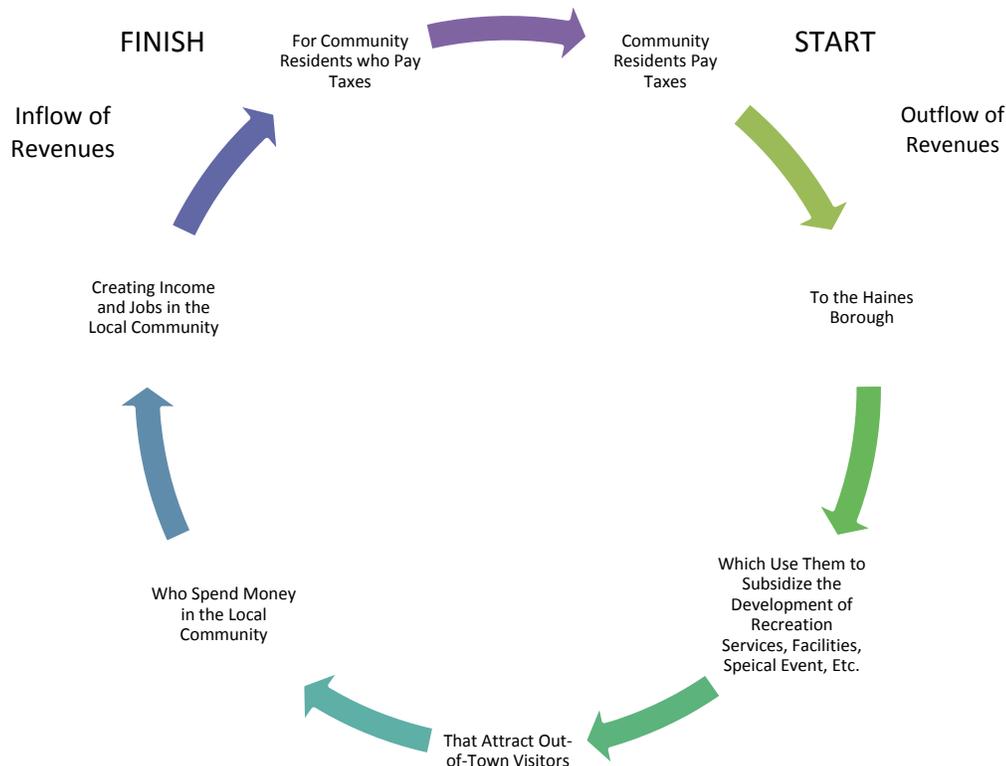
To: Mark Earnest, Borough Manager
From: Tanya Carlson, Tourism Director
Date: July 26, 2013
RE: Tourism Economic Impact Study

Attached is a proposal from McDowell Group to conduct an Economic Impact Study on Haines tourism. The survey would look at the economic effects on the Haines community regarding direct dollars spent by visitors. It would then delve deeper to look at the number of people employed in the Haines tourism industry, how much fuel and supplies businesses purchase locally, average salaries paid to workers, etc.

This study is broken into two parts. One will look at the summer 2013 tourism season and the other will look at the economic impact of winter tourism for Haines using data from 2013 – 2014 season.

Despite some studies that have been conducted in the past nothing has looked specifically at the economic impact of tourism as a whole in the Haines community and definitely not the winter season. Sales tax only gives one piece of the entire picture to fully understand how many dollars come into the community because of tourism.

A key purpose of an economic impact study is to measure the economic return to residents. We as a borough invest tax dollars in the tourism industry either via the Southeast Alaska State Fair contributions, parks and trail improvements, capital improvement projects or even to advertise for visitors to come to our community. It is clear that the return to residents is likely to be substantial. The task of an economic impact study is to estimate the magnitude of that return to the community and what it would mean if it disappeared.



February 6, 2013

Tanya Carlson
Director of Tourism
Haines Borough
Via Email: tcarlson@haines.ak.us

Dear Tanya,

Please consider this letter McDowell Group's proposal to prepare a study of the *Economic Impacts of the Visitor Industry in Haines*. There would be two phases to the study: summer 2013 (May to September) and fall/winter 2013-14 (October to April).

The visitor industry is a challenging one to measure, reaching into a wide variety of economic sectors, including transportation, lodging, and retail, among others. Properly measuring the economic impacts of the visitor industry requires a thoughtful and well-grounded analysis. McDowell Group is the state's leader in measuring visitor industry impacts, having completed four statewide studies in addition to over a dozen that measured impacts on a local and regional basis.

Methodology

This study will measure employment and income impacts from out-of-state visitors to Haines for the two study periods. To the extent possible, results will be broken out for the heli-skiing market (in the fall/winter report).

Visitor Volume

Out-of-state visitor volume for each study period will be presented for the major transportation modes of cruise ship, air, and highway/ferry. Traffic estimates will be based on data gathered in 2011-12 for the *Alaska Visitor Statistics Program (AVSP VI)*, adjusted to reflect 2013-14 traffic volumes by transportation mode. Sources will include border crossing data, Cruise Line Agencies of Alaska, the Alaska Marine Highway System, fast ferry operators, Bureau of Transportation Statistics, Yukon Visitor Exit Survey 2012, and AVSP biannual visitor volume updates.

Visitor Spending

Total visitor spending will be estimated based on visitor traffic and average per-person spending. Spending estimates will be derived from AVSP survey data. These estimates will be adjusted to the 2013-14 study period based on inflation rates and information gathered in a survey of Haines visitor industry businesses (see below). For purposes of the economic impact analysis, tour commissions accruing directly to cruise lines will be excluded from visitor spending estimates.

Business Survey

At the close of each study period, a telephone and/or email survey will be conducted with visitor industry businesses in Haines. The survey will ask for employment (peak and average), the percentage of employment attributable to the visitor industry, and the percentage change in visitor volume and sales from 2011-12 to 2013-14.

Survey results will be categorized by sector (lodging, transportation, etc.). We will ask for assistance from the Borough on identifying businesses with a majority of sales attributable to the visitor industry. Our proposed budget includes surveying approximately 25 local visitor-affected businesses.

Economic Impacts

McDowell Group maintains an Excel-based visitor industry economic impact model for assessing the effects of visitor industry-related spending in Alaska. Estimates of direct visitor industry employment and payroll will be derived from visitor industry spending estimates, and verified using employment and payroll data from the Alaska Department of Labor and Workforce Development and U.S. Bureau of Economic Analysis.

The model incorporates employment and payroll multipliers to estimate indirect and induced impacts. Indirect effects include those jobs and income created as a result of visitor industry businesses purchasing goods and services in support of their business operations. Induced effects are those that result from visitor industry workers spending their payroll dollars in the local economy. Multipliers vary from place to place; Haines-specific multipliers will be developed for purposes of this project.

The report will present visitor industry-related employment and payroll for each study period, both direct and total (including direct, indirect and induced impacts). Employment will be estimated in total and by economic sector.

Borough Revenues

The report will present dockage/moorage fees paid by cruise lines and fast ferry operators to the Haines Borough, as well as payments made by cruise lines to the State of Alaska that accrue to Haines (from the Commercial Passenger Excise Tax). Visitor-related sales tax revenues will be estimated by applying sales tax rates to visitor spending estimates. Bed tax revenues stemming from out-of-state visitors will also be estimated. All taxes will be described in the context of total taxes collected. For instance, the report will estimate the percentage of total sales tax revenues attributable to the visitor industry.

Proposed Budget and Timeline

We propose a budget of \$19,400 for the summer study, and a budget of \$10,500 for the fall/winter study. (The fall/winter period is less complex due to the lower number of out-of-state visitors and limited range of visitor activities.) The budget includes ten bound copies of the final report and an electronic PDF version.

The study addressing summer 2013 impacts will be conducted in October and November 2013, with a draft delivered by December 1. The report on fall/winter 2013-14 will be conducted in May and June 2014, with a draft delivered by July 1.

About the McDowell Group

McDowell Group is Alaska's most experienced research and consulting firm. From our offices in Anchorage and Juneau, we have studied Alaska industries and issues in well over 2,000 projects since 1972. While we have expertise in all areas of the state's economy and industries, tourism has been a particularly important part of our practice. We have produced over 400 tourism-related projects including community tourism development plans, market research surveys, tourism

marketing plans, feasibility studies for dozens of private tourism developments, and several handbooks on how to develop tourism in Alaska communities.

We are the leading analysts of visitor industry impacts in the state, having completed four statewide studies in addition to over a dozen regional, community, and industry-specific studies. Our visitor industry impact clients include the Alaska Department of Commerce, Community, and Economic Development (DCCED); Alaska Cruise Association; Juneau Convention and Visitors Bureau; Ketchikan Visitors Bureau; Alaska Hospitality Alliance; Sitka Charter Boat Owners Association; Alaska Wilderness League; and Huna Totem, among others. McDowell Group conducted the most recent *Alaska Visitor Statistics Program* for DCCED, which will serve as a major source for this study.

McDowell Group also has a long history of serving Haines' interests, most recently with a survey of cruise ship and fast ferry passengers for the Haines Borough in summer 2012. We worked with Sheinberg Associates on their 2011 comprehensive planning efforts for the Borough. We conducted an extensive study of the visitor industry in 2002, which included economic impact analysis and a business survey similar to the one proposed here. We also worked with MRV Architects on a 2009 downtown transportation plan.

We appreciate your interest in our professional services. We look forward to talking with you further about this project.

Sincerely,

/s/ Heather Haugland

Heather Haugland
Project Manager



Agenda Bill No.: 13-345

Assembly Meeting Date: 8/27/13

Business Item Description:	Attachments:
Subject: Recruitment Method for New Borough Manager (Discussion of Whether to Use a Professional Service)	1. Prothman Proposal
Originator: Borough Assembly	
Originating Department:	
Date Submitted: 8/19/13	

Full Title/Motion:
Discussion will likely lead to an assembly decision regarding whether to hire a professional recruiting service.

Administrative Recommendation:

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ TBD	\$	\$

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
On 8/14, the assembly accepted the borough manager's resignation, effective 10/15/13. On 8/19, the assembly met as a Committee of the Whole to discuss the recruitment process. An outcome of that meeting was staff being asked to gather some information about professional recruitment. One proposal (Prothman) was received in time for the published packet. Any additional information will be made available as a packet supplement as it is received.

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

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 8/27/13	Tabled to Date:



Proposal to provide
recruitment services for
the Haines Borough's next
BOROUGH MANAGER



**Haines Borough,
Alaska**

Presented by

***P*ROTHMAN**

STATEMENT OF QUALIFICATIONS

ABOUT PROTHMAN

Prothman Company is a northwest based consulting firm that specializes in providing national and regional executive recruitment services to cities, counties, and other governmental agencies throughout the western United States. Founded in 2001, Prothman has quickly become an industry leader known and respected for outstanding customer service, quality candidate pools, and knowledge of local government.

OUR EXPERTISE

Recruitment Knowledge and Experience: The Prothman team has conducted over 450 recruitments and interim placements. We have read and screened over 15,000 resumes, and we have personally interviewed over 5,000 semifinalist candidates. We know how to read between the lines, filter the fluff, and drill down to the qualities and experiences required to be a good manager.

Firsthand Knowledge of Local Government: Every Prothman team member has worked in local government. Our talented consultants have a cumulative 150 years in local government service, with expertise ranging from organization management, police and fire management, human resources, finance, public works and elected official public service.

OUR PROVEN PROCESS

Clients and candidates continually tell us that we have the best process and client service in the industry. The tenure of our placements is among the best in the industry because we understand that "fit" is the most important part of the process; not just fit within the organization, but fit within the community, as well.

OUR GUARANTEE

We are confident in our ability to recruit an experienced and qualified candidate who will be the perfect "fit" for your organization. Should the selected finalist leave the position or be terminated for cause within **two years** from the employment date, we will conduct a replacement search with no additional professional fee.

CONTACT INFORMATION

Greg Prothman
371 NE Gilman Blvd, Ste 350
Issaquah, WA 98027
206.368.0050 work, 206.714.9499 cell
greg@prothman.com
Submittal Date: August 21, 2013

STATEMENT OF QUALIFICATIONS

Current Recruitments

City of Polson, MT - *City Manager*

City of Stevenson, WA - *City Administrator*

City of Waldport, OR - *City Manager*

City of Belgrade, MT - *City Manager*

City of Bothell, WA - *Assistant City Manager*

City of Snohomish, WA - *Finance Director*

City of Port Townsend, WA - *Finance Director*

City of White Salmon, WA - *Public Works Manager*

Whatcom Transportation Authority - *General Manager*

Southwest WA Regional Transportation Council, WA - *Executive Director*

Snohomish County Emergency Radio System, WA - *Radio Manager*

City of Oak Harbor, WA - *City Attorney*

Jackson County, OR - *Human Resources Director*

Cowlitz-Wahkiakum Council of Governments, WA - *Executive Director- just completed*

City of Othello, WA - *City Administrator - just completed*

City of Lebanon, OR - *City Manager - just completed*

City of Lakewood, WA - *City Manager - just completed*

San Juan County, WA - *County Manager - just completed*

City of Lynden, WA - *City Administrator - just completed*

City of Lake Oswego, OR - *City Manager - just completed*

Alaska Recruitments & Interim Placements

Thorne Bay, AK - City Administrator

Thorne Bay, AK - Interim City Administrator

City of Wasilla, AK - Interim Police Chief

City & Borough of Wrangell, AK - Borough Manager

City & Borough of Sitka, AK - Deputy Finance Director

Past Recruitments & References

City of Issaquah, WA - City Administrator, Deputy City Administrator, Finance Director
Contact - Mayor, Ava Frisinger or City Administrator, Bob Harrison - 425.837.3000

City of Bothell, WA - Asst. City Manager, City Attorney, Police Chief, Fire Chief, HR
Director, PW Director
Contact - City Manager, Bob Stowe - 425.486.3256

City of Stanwood, WA - City Administrator, Finance Director
Contact - Mayor, Dianne White - 360.629.2181

City of Lake Oswego, OR - City Manager
Contact - Mayor, Kent Studebaker - 503.635.0215

STATEMENT OF QUALIFICATIONS - EXPERIENCE CONT'D

2012 Manager/Administrator Recruitments

City of Issaquah, WA - *Deputy City Administrator*
City of Kenmore, WA - *City Manager*
City of Lake Forest Park, WA - *City Administrator*
City of Port Angeles, WA - *City Manager*
City of Ridgefield, WA - *City Manager*
City of Sultan, WA - *City Administrator*
City of Stanwood, WA - *City Administrator*
City of Chelan, WA - *City Administrator*
Deschutes County, OR - *County Administrator*
City of Ontario, OR - *City Manager*
Clatsop County, OR - *County Manager*
Eastside Baby Corner, WA - *Executive Director*
Snohomish Health District, WA - *Deputy Director*
CAM-PLEX, Gillette, WY- *General Manager*

2011 & 2010 Manager/Administrator Recruitments

City of Issaquah, WA - *City Administrator*
City of Newcastle, WA - *City Manager*
City of Puyallup, WA - *City Manager*
City of White Salmon, WA - *City Administrator*
MRSC, WA - *Executive Director*
City of Lewiston, ID - *City Manager*
City of Milwaukie, OR - *City Administrator*
City of Lacey, WA - *City Manager*
City of Riverton, WY - *City Administrator*
City of Shoreline, WA - *City Manager*
City of Gillette, WY - *City Administrator*
City of Casper, WY - *City Manager*
City of Sunnyside, WA- *City Manager*
Los Alamos County, NM - *County Administrator*
City of Wood Village, OR - *City Manager*
City of Carnation, WA - *City Manager*

STATEMENT OF QUALIFICATIONS - PROJECT TEAM

GREG PROTHMAN - PROJECT LEAD

As President of the Prothman Company, Greg offers a unique combination of 20+ years experience in various functions of government and 17 years of experience in public sector recruitment. Greg has conducted over 300 executive searches and interim placements, successfully placing city managers, police and fire chiefs, finance directors, IT managers, public works and community development directors and many other positions. He has also formed and managed startup teams for five newly incorporated cities, including the City of Spokane Valley, WA, (pop. 82,000), the second largest incorporation of its kind in the U.S.

Prior to forming the Prothman Company, Greg served as a police officer for the University of Washington and the City of Renton. He left police work after completing his Master of Public Administration degree and accepted an administrative position for the City of Des Moines, WA. He was quickly promoted to Assistant City Manager and then City Manager. After nine years in Des Moines, Greg left city management to become a partner in a local executive recruitment firm. A Seattle native, Greg completed his BA at Western Washington University and his Master of Public Administration degree from the University of Washington. Greg is a member of SMR (Seattle Mountain Rescue).

JOHN HODGSON - PROJECT CO-LEAD

John is a senior consultant for Prothman and brings 33 years of municipal service including, most recently, 7 ½ years as City Administrator/Chief Administrative Officer for the City of Kent, the sixth largest city in the state of Washington. Prior to that, he had 26 years in parks and recreation management for the cities of Vancouver, WA, Metropolitan Park District of Tacoma, and Director of Parks, Recreation and Community Services for the City of Kent from 1994-2005.

John served as president of the Kiwanis Club of Kent, president of Washington Recreation and Parks Association (WRPA), president of the Regional Council of the National Recreation and Parks Association (NRPA), and is founder and current president of the Kent Parks Foundation. John's awards for his service include Kent Chamber of Commerce Public Employee of the Year, WRPA Honor Fellow, Kiwanis Distinguished President, and the Kent Lions Club Community Service Award. John has a Bachelor of Science degree in Parks and Recreation Management from the University of Oregon (1980) and completed the Cascade Management Series from the University of Washington Graduate School of Public Affairs (1992).

SONJA PROTHMAN - PROJECT SUPPORT

As Vice-President of the Prothman Company, Sonja assists with recruitments and organizational assessments, and she manages the support staff and the "business" side of Prothman. Sonja is a former councilmember for the City of Normandy Park and brings to Prothman the "elected official" side of city government—an invaluable perspective for understanding our clients' needs. Sonja also brings private sector expertise having worked with the Boeing Company where she was on the start-up team as lead negotiator for schedules and deliverables for the first 777 composite empennage. A Seattle native, Sonja earned a Bachelor's Degree in Communications from the University of Washington.

BARRY GASKINS - PROJECT SUPPORT

Barry Gaskins is responsible for candidate management. His attention to detail and understanding of timeliness to the customer and candidates is remarkable. Barry works with the lead consultant in following through with scheduling interviews, arranging candidate travel, managing candidate application packets, and assembly of candidate information to give to the client. Barry came to us from the Bill & Melinda Gates Foundation where he served as a Program Assistant for four years in the US Library Program. Barry earned his Bachelor's Degree from California State University in Los Angeles.

RECRUITMENT PROCESS

Recruitment Strategy

Every recruitment we conduct is a national search. We only serve clients in the western states by design because it would be a far stretch for us to tell a client that we understand the needs and culture of their community in a city in Florida, Tennessee or Texas, for example. We advertise nationally and we have every city and county in the US in a database for our direct mail announcements (the client defines the geographic scope of the recruitment).

We have conducted hundreds of successful executive searches and refined our process along the way. We provide the process, but you call the shots... whether you want weekly updates or monthly updates, more meetings or less meetings... we tailor every recruitment to meet your needs. We will partner with you, and find you a highly qualified candidate who is the perfect "fit" for your organization, guaranteed!

Availability, Communication & Sample Draft Schedule

One of our first tasks will be to coordinate and commit a schedule. Then, we protect your dates on a master schedule to assure we never miss a commitment. We provide you our cell phone numbers so you have direct access to your lead consultant and support staff and we will communicate and update you as often as you desire.

Our recruitments take approximately 10-14 weeks to complete, depending on the scope and direction from the client. You can expect approximately: 2-3 weeks for stakeholder interviews and profile development and approval, 5-6 weeks for recruitment, 2-3 weeks for screening and interviewing, and 2-3 weeks for coordinating final interviews.

DRAFT SAMPLE SCHEDULE - Bolded items denote meetings

Project Review & Stakeholder Interviews	Week of September 3, 2013
Send Position Profile for review & edits	Week of September 9, 2013
Approve Position Profile and Begin Advertising	Week of September 16, 2013
Application Closing Date	October 27, 2013
Prothman Screens and Interviews Top Candidates	Weeks of Oct. 28 & November 4, 2013
Work Session to review applicants, results of interviews, and pick finalists	Week of November 11, 2013
Thanksgiving Holiday	November 28-29, 2013
Final Interviews , may include an evening reception, and then all-day interviews	Week of December 2, 2013

Project Review

The first step will be to review the following topics:

- ◆ Review the scope of work and project schedule and amend as needed
- ◆ Identify the geographic scope of the search (local, regional or national)
- ◆ Review the compensation package and decide if a salary survey is needed
- ◆ Identify key stakeholders

Information Gathering and Research (Soliciting Input)

We will spend as much time as it takes to learn everything we can about your organization. Our goal is to thoroughly understand the values and culture of the Haines Borough, as well as the preferred qualifications you desire in your next borough manager. To accomplish this we will:

- ◆ Meet with Assembly Members
- ◆ Meet with Department Directors
- ◆ Meet with Key Stakeholders (if desired)
- ◆ Host Community Meetings (if desired)
- ◆ Review all documents related to the manager position

Position Profile Development (Identifying the Ideal Candidate)

Once we have a firm understanding of the preferred candidate qualifications, as well as the values and culture of your organization, we will develop a profile of your ideal candidate. Profiles include the following:

- ◆ **A description of the ideal candidate's qualifications**
 - Years of related experience and education required
 - Ideal personality traits and work habits
- ◆ **Organization-specific information**
 - Description of the organization, position and key responsibilities
 - Priorities and challenges facing the organization
- ◆ **Community-specific information**
 - Overview of the region
 - Description of the environment and quality of life details
- ◆ **Compensation package details**
- ◆ **Information on how to apply**

Recruitment and Advertising Strategy (Locating Qualified Candidates)

We recognize that often the best candidates are not actively looking for a new position--this is the person we want to reach and recruit. We have an aggressive recruitment strategy which involves the following:

- ◆ **Print and Internet-based Ads** placed nationally in professional publications, journals and on related websites.
- ◆ **Direct Mail Recruitment Brochures** sent directly to hundreds of highly qualified administrators/managers who are not actively searching for a new position.
- ◆ **Direct Contact Calls** placed directly to administrators/managers we know.
- ◆ **Posting the Position Profile on the Prothman Website**, which receives thousands of hits per month.

Candidate Screening (*Narrowing the Field*)

Once the application deadline has passed, we will conduct an extensive candidate review designed to gather detailed information on the leading candidates. The screening process has 4 key steps:

- 1) **Application Review:** Using the Position Profile as our guide, we will screen the candidates for qualifications based on the resumes, applications, and supplemental questions (to determine a candidate's writing skills, analytical abilities and communication style). After the initial screening, we take the yes's and maybe's and complete a second screening where we take a much deeper look into the training, work history and qualifications of each candidate.
- 2) **Personal Interviews:** We will conduct in-depth videoconference or in-person interviews with the top 8 to 15 candidates. During the interviews, we ask the technical questions to gauge their competency, and just as importantly, we design our interviews to measure the candidate's fit within your organization.
- 3) **Internet Publication Background Search:** We conduct an internet publication search on all semifinalist candidates prior to their interviews. If we find anything out of the ordinary, we discuss this during the initial interview and bring this information to you.
- 4) **Work Session via Conference Call:** We will prepare and send you a detailed summary report which includes each candidate's application materials and the results of the personal interviews and publication search. We will meet with you via conference call and advise you of the candidates meeting the qualifications, our knowledge of them, and their strengths and weaknesses relative to fit within your organization. We will give you our recommendations and then work with you to identify the top 4 to 6 candidates to invite to the final interviews. We will discuss the planning and design of the final interview process during this meeting.

Final Interview Process (*Selecting the Right Candidate*)

- ◆ **Design of the Final Interviews**

The design of the final interviews is an integral component towards making sure that all stakeholders have the opportunity to learn as much as possible about each candidate. Elements of the design process include:

 - **Deciding on the Structure of the Interviews**

We will tailor the interview process to fit your needs. It may involve a public reception with staff and key stakeholders, using various interview panels, or just one-on-one interviews with the decision makers.
 - **Deciding on and Discussing Details of an Evening Reception**
 - **Deciding on Candidate Travel Expenses**

We will help you identify which expenses your organization wishes to cover.
 - **Identifying Interview Panel Participants & Panel Facilitators**

We will work with you to identify the participants of different interview panels to ensure that all stakeholders identified have been represented.

- ◆ **Background Checks**

Prior to the final interviews, we will conduct a background check on each of the finalist candidates. Background checks include the following:

- **References**

We conduct 4-5 reference checks on each candidate. We ask each candidate to provide names of their supervisors, subordinates and peers for the last several years. From this list we will have personal conversations with the individuals who have direct knowledge of the candidate's work and management style.

- **Education Verification, Criminal History, Driving Record and Sex Offender Check**

We contract with Sterling for all driving record, education verification, criminal history, and sex offender checks. We will conduct a criminal history, driving record and sex offender check on each candidate in the states in which they have worked.

- ◆ **Candidate Travel Coordination**

For those candidates who will be traveling to the final interviews, we work with the candidates to organize the most cost effective travel arrangements.

- ◆ **Final Interview Binders**

We will provide Final Interview Binders. They are the tool that keeps the final interview process organized and ensures that all interviewers are "on the same page" when it comes to evaluating each candidate.

- ◆ **Interviews with Candidates**

We will travel to Haines and facilitate the interviews. The interview process usually begins with a morning briefing where schedule and process will be discussed with all those involved in the interviews. Each candidate will then go through a series of one hour interview sessions, with an hour break for lunch.

- ◆ **Panelists & Decision Makers Debrief:** After the interviews are complete, we will facilitate a debrief with all panel participants where the panel facilitators will report their panel's view of the strengths and weaknesses of each candidate interviewed. The decision makers will also have an opportunity to ask panelists questions.

- ◆ **Candidate Evaluation Session:** After the debrief we will facilitate the evaluation process, help the decision makers come to consensus, discuss next steps, and organize any additional candidate referencing or research if needed.

- ◆ **Facilitate Employment Agreement:** Once the top candidate has been selected, we will offer any assistance needed in developing a letter of offer and negotiating terms of the employment agreement.

Warranty

- ◆ **Repeat the Recruitment:** Should a top candidate not be chosen, we will repeat the recruitment with no additional professional fee.

FEE, EXPENSES & GUARANTEE

Professional Fee

The fee for conducting a borough manager recruitment with a two year guarantee is \$18,500, plus expenses. The professional fee covers all Prothman consultant and staff time required to conduct the recruitment. This includes all correspondence and (2) on-site meetings with the client, writing and placing the recruitment ads, development of the candidate profile, creating and sending invitation letters, reviewing resumes, coordinating and conducting semifinalist interviews, coordinating and attending finalist interviews, coordinating candidate travel, professional reference checks on the finalist candidates and all other search related tasks required to successfully complete the recruitment.

Expenses

Expenses vary depending on the design of the recruitment. We work diligently to keep expenses at a minimum and keep records of all expenditures. The Haines Borough will be responsible for reimbursing expenses Prothman incurs on your behalf. Expense items include but are not limited to:

- Newspaper, trade journal, websites and other advertising (approx. \$800 - 1,400)
- Direct mail announcements (approx. \$1,200 - 1,600)
- Delivery expenses for Interview Binders (approx. \$75 - 150)
- Final Interview Binders & printing of materials (approx. \$300 - 700)
- Consultant travel expenses & travel time billed @ \$62.50 per hour - (2 trips: cost depends on current airfare prices, local rental car & lodging rates)
- Background checks performed by Sterling (approx. \$125 per candidate)
- Any client-required licenses, fees or taxes
- Candidate travel: We cannot approximate candidate travel expenses because they vary depending on the number of candidates, how far the candidates travel, length of stay, if spouses are included, etc. If you wish, we will coordinate and forward to your organization the candidate's travel receipts for direct reimbursement to the candidate.

A 3% charge will be added to all expenses which reflects City of Issaquah (our office location) and Washington State B&O tax obligations. Professional fees are billed in three equal installments throughout the recruitment. Expenses are billed monthly.

Guarantee

If the selected finalist is terminated or resigns within **two years** from the employment date, we will conduct a replacement search with no additional professional fee.

Cancellation

You have the right to cancel the search at any time. Your only obligation would be the fees and expenses incurred prior to cancellation.

CLIENT LIST

City of Aberdeen, WA
Public Works Director

**Association of Washington
Cities (AWC)**
Chief Executive Officer

City of Arlington, WA
Community Development Director (2)
City Administrator
Fire Chief (2)
Finance Director
Utilities Manager
Public Works Director
Building Official
Police Chief

City of Auburn, WA
Planning, Building & Community Dir.

City of Bainbridge Island, WA
City Administrator (2)
Finance Director
Community Development Dir.
City Attorney
Deputy Finance Director
Project Manager
Engineer

City of Battle Ground, WA
Deputy City Manager
Public Works Director
Finance Director
Police Chief

City of Bellevue, WA
Senior Planners

City of Bend, OR
Police Chief

**Benton County Emergency Svcs.,
WA**
Director of Emergency Services
Emergency Management Manager
Communications Manager

**Benton County Fire District
#4, WA**
Fire Chief (2)

City of Billings, MT
City Engineer
Engineering Division Manager

City of Blaine, WA
Public Works Director
Finance Director

Blaine County, ID
County Administrator (2)

City of Boardman, OR
Police Chief

City of Bonney Lake, WA
Public Works Director

City of Bothell, WA
Public Works Director (2)
Fire Chief (2)
Human Resources Director
Deputy City Manager
City Attorney
Police Chief

City of Bozeman, MT
Chief Building Official
Human Resources Director
Parks & Recreation Director
Public Works Director
Community Development Director

City of Bremerton, WA
Public Works Director
Police Chief

**CAM-PLEX Multi-Event Facilities
(WY)**
General Manager

City of Canby, OR
Police Chief

City of Carnation, WA
City Manager (2)
Public Works Director

City of Casper, WY
City Manager

Central Valley Fire District, MT
Fire Chief

**Central Whidbey Island Fire &
Rescue, WA**
Fire Chief

City of Centralia, WA
Community Development Director
Economic Development Director

City of Chehalis, WA
City Manager
Police Chief
Finance Manager

City of Chelan, WA
City Administrator (2)

Chelan County, WA
Community Development Dir.
Regional Justice Center Director
RJC Deputy Director

Clackamas County, OR
County Administrator

**Clackamas River Water Dist.,
OR**
General Manager

Clatsop County, OR
County Manager (2)
Community Corrections Director
Building Official
Development Services Manager

Clatsop County Sheriff's, OR
Jail Commander

City of College Place, WA
Environmental Services Director

City of Colorado Springs, CO
Assistant City Manager

City of Connell, WA
City Administrator

Covington Water District, WA
Utilities Director
District Engineer
Water Resources Manager
Assistant Water Resources Manager
Project Engineer
Business Manager
Controller

Cowlitz County, WA
Building & Planning Director
Engineer 3

**Cowlitz Sewer Operating
Board, WA**
Superintendent

**Cowlitz-Wahkiakum
Council of Governments, WA**
Executive Director

City of Damascus, OR
Community Development Dir.
City Manager

Deschutes County, OR
County Administrator

City of DuPont, WA
City Administrator
Planning Director
Finance Director
Public Works Director

City of Duvall, WA
Planning Director
Accountant

East Jefferson Fire Rescue, WA
Fire Chief

Eastside Baby Corner (WA)
Executive Director

City of Edgewood, WA
City Manager (2)
Public Works Director
Engineer
Senior Planner

City of Enumclaw, WA
Finance Director
Fire Chief

City of Ephrata, WA
Police Chief

City of Ferndale, WA
Police Chief
Public Works Director

City of Fife, WA
City Clerk
Community Development Director

City of Fircrest, WA
City Manager
Finance Director

City of Gillette, WY
Public Works Director
Community Development Director
City Administrator

City of Great Falls, MT
City Attorney

City of Green River, WY
Community Development Director

Gunnison County, CO
County Manager
Community Development Director
Airport Manager

City of Hailey, ID
City Administrator

Intercity Transit, WA
General Manager

Issaquah Food & Clothing Bank, WA
Executive Director

City of Issaquah, WA
Police Chief
City Administrator
Deputy City Administrator
Deputy Finance Director

JEFFCOM 9-1-1, WA
Director

Jefferson County, WA
County Administrator

City of Kalama, WA
Police Chief

City of Kelso, WA
Public Works Director
Community Development Dir.
City Manager

City of Kenmore, WA
City Manager (2)
Finance Director
City Engineer (2)
Community Development Director

City of Kennewick, WA
Planning Director

City of Kent, WA
Professional Land Surveyor
Finance Director
Information Tech. Director

City of Ketchum, ID
City Administrator

Ketchum Community Development Corporation, ID
Executive Director

King County Housing Authority, WA
Finance Director

King County Sheriff's Office, WA
Chief Financial Officer

City of Kirkland, WA
Water Division Manager
Public Works Director
Director of Fire & Building Services

Kootenai County Fire & Rescue, ID
Fire Chief

City of La Center, WA
Police Chief

City of Lacey, WA
City Manager

Lacey Fire District 3, WA
Fire Chief

City of Lake Forest Park, WA
City Administrator (3)

City of Lake Oswego, OR
City Manager
Water Treatment Plant Manager

City of Lakewood, WA
City Manager
Assistant City Manager

City of Leavenworth, WA
City Administrator (2)
Public Works Director
Finance Director/City Clerk

City of Lebanon, OR
City Manager

Lewis County, WA
Public Works Director/
County Engineer
Director of Public Health &
Social Services
Community Development Director

City of Lewiston, ID
City Manager

Lincoln City, OR
Finance Director

City of Littleton, CO
Finance Director

City of Long Beach, WA
Community Development Director

Los Alamos County, NM
County Administrator

LOTT Clean Water Alliance, WA
Finance Manager

City of Louisville, CO
City Manager

City of Lynden, WA
Public Works Director (2)
City Administrator

City of Lynnwood, WA
Public Works Director
Assistant Fire Chief

Manchester Water District, WA
General Manager

City of Marysville, WA
Police Chief
Public Works Director
Engineering Services Manager
Streets/Surface Water Manager
Community Development Director

Mason County, WA
Public Works Director

City of Medford, OR
Planning Director

City of Mill Creek, WA
City Manager

City of Milwaukie, OR
City Manager

City of Moscow, ID
Asst. Community Development Dir.

City of Mountlake Terrace, WA
City Manager
Police Chief

City of Mukilteo, WA
City Administrator

Multnomah County, OR
Human Resources Manager (2)

**Municipal Research & Services
Center of Washington - MRSC**
Executive Director

MuniFinancial, WA
Senior Financial Analyst
Financial Analyst 1

City of Newcastle, WA
City Manager
Public Works Director

City of Normandy Park, WA
Deputy City Manager/Finance Dir.
Planning Director
City Manager

**North Beach Public
Development Authority, WA**
General Manager

City of Olympia, WA
Public Works Finance Manager

City of Ontario, OR
City Manager (2)

City of Othello, WA
City Administrator

Pend Oreille County, WA
Public Works Director

City of Port Angeles, WA
Police Chief
City Manager
Finance Director
Public Works Director

Port of Seattle, WA
Fire Chief

City of Port Townsend, WA
Development Services Director

City of Post Falls, ID
City Administrator
Community Development Director

City of Poulsbo, WA
Chief of Police (2)

City of Prosser, WA
City Administrator (2)
Finance Director (2)
City Clerk

City of Puyallup, WA
Assistant City Manager
Human Resources Director
City Manager

City of Richland, WA
Transportation Engineer
Public Works Director
Parks Superintendent

**Richmond (VA) Redevelopment &
Housing Authority - RRHA**
Sr. VP - Property Management &
Assisted Housing

City of Ridgefield, WA
City Manager

City of Riverton, WY
City Administrator

City of Sammamish, WA
Transportation Program Engineer
Senior Project Engineers (3)
Project Engineer
Parks Project Manager

San Juan County, WA
Public Works Director
County Manager

City of Sandy, OR
Police Chief

City of Sequim, WA
Public Works Director
Human Resources Director

City of Shelton, WA
City Administrator
Community Development Director
Management Assistant
Public Works Director (2)

City of Shoreline, WA
Deputy City Manager
City Engineer (2)
Planning Director
Public Works Director
City Manager

City & Borough of Sitka, AK
Deputy Finance Director

Skagit County, WA
Public Works Director
Assistant County Engineer
Youth & Family Services Admin.

City of Snohomish, WA
City Engineer
Public Works Utilities Manager

**Snohomish County
Emergency Radio System, WA**
Radio System Manager

**Snohomish Health District,
WA**
Deputy Director

SNOPAC 9-1-1, WA
Executive Director

City of Spokane Valley, WA
City Manager
Deputy City Manager (2)
Finance Director (2)
Public Works Director (2)
Community Development Dir. (2)
Building Official (2)
Parks & Recreation Director (2)
City Clerk
Assistant City Clerk
City Attorney (2)

**Spokane Valley Fire
Department, WA**
Fire Chief

City of Stanwood, WA
Finance Director (2)
City Administrator

City of Sultan, WA
City Administrator (2)

City of Sun Valley, ID
City Administrator

City of Sunnyside, WA
Finance/Admin. Svcs. Director
City Manager

City of Tacoma, WA
Public Works Director
Finance Director
Labor Negotiator

City of Thorne Bay, AK
City Administrator

Thurston County, WA
Human Resources Director
Assistant CAO

Tulalip Tribes, WA
Police Chief

Twin Transit, WA
General Manager

City of Vancouver, WA
Budget & Planning Manager
Human Resources Director

**Vashon Island Fire & Rescue,
WA**
Fire Chief
Assistant Fire Chief

City of Walla Walla, WA
City Manager
Public Works Director
Finance Manager

City of Warrenton, OR
Public Works Director

**Washington School
Information Processing
Cooperative (WSIPC)**
Executive Director

City of Whitefish, MT
City Manager

City of White Salmon, WA
City Administrator/
Public Works Director

City of Wood Village, OR
City Administrator

City of Woodburn, OR
City Administrator
Community Development Director
Human Resources Director

City of Woodinville, WA
City Manager
Development Services Director

City of Woodland, WA
Fire Chief

**City & Borough of Wrangell,
AK**
Borough Manager

Town of Yarrow Point, WA
Town Clerk

Dear Haines Borough Staff

On behalf of the Fair's Board of Directors and Staff, we thank you for your support of the 2013 Southeast Alaska State Fair. The event was a great success!

Continued Year-round support of the SEAK Fair is an enormous contribution to this important community event and to our organization.

Thank You so much for your Support!

Sincerely,
Julie Leonard
Jessica Edward