

**RE: BOE Membership and Duties**

From: pymustang64@reagan.com <pymustang64@reagan.com>

Sent: Wed, Jan 31, 2024 at 8:51 pm

To: Annette Kreitzer

Cc: Kevin Forster, Jila Stuart, Alekka Fullerton

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[Final BOE Membership Duties HBC 3.72.110 CAC & PMR Rev 2docx.docx](#) (44.5 KB)

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Annette

I have replied to all the questions of the attorney on the attached draft. I think my replies are generally in sync with the committee members.

It might be appropriate to introduce the original proposal to start with and then after the next Ad Hoc meeting on 2-14 we could offer a substitute that addresses the various issues raised.

I can also draft a summary of how I think the BOE should operate with the proposed changes we are recommending. If that would be helpful, I can work on that tomorrow after my wife is done with her medical appointments.

Paul

-----Original Message-----

From: "Annette Kreitzer" <akreitzer@haines.ak.us>

Sent: Tuesday, January 30, 2024 6:56pm

To: "Paul Rogers (pymustang64@reagan.com)" <pymustang64@reagan.com>, "Kevin Forster" <kforster@haines.ak.us>

Cc: "Jila Stuart" <jstuart@haines.ak.us>, "Alekka Fullerton" <afullerton@haines.ak.us>

Subject: BOE Membership and Duties

Chairman Rogers and Assembly Member Forster:

I sent the Board of Equalization Membership & Duties to our attorney for review. I've attached his notes and questions regarding the Group's intent. He is asking if you could write out a description of how you see the BOE operating, as well as answer the questions in the attachment and below. I tried to set out some questions, but see that just providing the document will assist you in providing your responses so that we can get the ordinance ready for the February 13 meeting.

I think your initial thought was that the BOE would be appointed for 2024 by December 1 of 2023. Since we are past that time now, are you thinking of retaining the April 1, 2024 deadline for this year and potentially for following years or would you want future years to be the December 1 date for appointment? It will likely create havoc with the length of appointment terms, unless the initial appointment for one group is only through December 1, 2024 (rather than a full year term).

Rather than cite the one-year residency in the Charter, the attorney is asking whether the one-year residency requirement is intended immediately preceding the date of the appointment ; or as of the date of the appointment. Based on the Charter language, we both think the intent is immediately preceding the date of the appointment.

Since the Board is empowered to adopt its own rules, it's not clear why the Board would submit the rules or rules changes to the Assembly for approval – maybe for the Assembly's information.

Was it the intent of the committee to have multiple, concurrent hearing panels? If so, members would have to be able to serve on more than one panel concurrently. Is the idea that the hearing panels could hear appeals on different days? Each hearing panel requires:

- a. Five BOE members (3 active/voting and 2 alternates)
- b. BOE is limited to 9 members
  - i. A B C D E F G H I = BOE members
    1. A C D voting and H I alternates = PANEL 1
    2. E F G voting and H I alternates = PANEL 2
    3. B H I voting and E F alternates = PANEL 3...

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