

  
**Haines Borough**  
**Borough Assembly Meeting #279**  
**AGENDA**

**October 14, 2014 - 6:30 p.m.**

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

*Stephanie Scott,*  
Mayor

*Dave Berry Jr.,*  
Assembly Member

*Diana Lapham,*  
Assembly Member

*Debra Schnabel, MPA*  
Assembly Member

*Joanne Waterman,*  
Assembly Member

*George Campbell,*  
Assembly Member

*Jerry Lapp,*  
Assembly Member

*David Sosa, MPA*  
Borough Manager

*Julie Cozzi, MMC*  
Borough Clerk

*Krista Kielsmeier*  
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 – Financial Report
- 8C – Chilkat Center Report
- 8D – Library Report
- 8E – Fire Department Report
- 9A – Library Board Minutes
- 11A1 – Resolution 14-10-591
- 11A2 – Resolution 14-10-592
- 11A3 – Resolution 14-10-593
- 11B2 – Ordinance 14-10-392

**\* 4. APPROVAL OF MINUTES – 9/23/14 Regular**

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

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

**A. Proclamation –November 1, 2014 - "Extra Mile Day" for Volunteerism**

**7. PUBLIC HEARINGS**

**A. Ordinance 14-08-390 – Second hearing**

**An Ordinance of the Haines Borough amending Borough Code Section 5.04.020 to change the definition for "special ski competition event"; and Section 5.18.080 to allow up to two permits for special ski events each calendar year, to enable a request for temporary additions to the ski map to be submitted prior to a ski season, and to clarify that permitted special ski events are not subject to the Shared Use Policy.**

*This ordinance was originally requested by Assembly Member Campbell. On 8/26, it was referred to the Commerce Committee and staff for a recommendation to come to the assembly on 9/23. The committee met on 9/2/14 and prepared a new draft that was introduced. The first public hearing was on 9/23, and the ordinance was further amended before being scheduled for this second hearing. It was also referred once again to the Commerce Committee, and a substitute ordinance was drafted as a result of a 9/30 committee meeting. **Motion:** Adopt Ordinance 14-08-390.*

**B. Ordinance 14-05-383 – Fourth hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18, Chapter 18.90 to provide clarification of purpose, sign standards by district, off premise signage, portable and sandwich signage.**

*This ordinance was introduced on 5/27 and had hearings on 6/10 and 6/24. Following the second hearing, it was referred to the Commerce Committee (CC) for more work. That committee returned with a substantially different draft, and that version was accepted for a third hearing that took place on 9/23. To give the CC and the Planning Commission (PC) time for another review of the comprehensive changes, the ordinance was scheduled for a fourth hearing. The PC discussed the draft on 10/9 and recommends against adoption. They ask that it be returned to them. Also, the CC has not yet met. Therefore, it is suggested this be postponed until such time as the Planning Commission, Commerce Committee, and staff are ready to move a new signage code forward. **Motion:** Postpone Ordinance 14-05-383 to a time when a new draft is ready for assembly consideration.*

## 8. STAFF/FACILITY REPORTS

- A. Borough Manager – 10/14/14 Report
- \* B. Chief Fiscal Officer – Financial Report
- \* C. Chilkat Center – Financial Report of September 2014
- \* D. Library Director – Report of August 2014
- \* E. Fire Department – Report of September 2014
- F. Director of Public Facilities – Snow Removal Plan

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

- \* A. Library Board – Minutes of 8/20/14
- B. Assembly Standing Committee Reports

## 10. UNFINISHED BUSINESS

### A. Resolution 14-09-590

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Romtec in the amount of \$27,500 for the purchase of a Model 1008 pre-fabricated restroom building module as part of the Picture Point Wayside Improvements project.

*This resolution is recommended by the Picture Point Design Committee. On 9/23, the assembly postponed it to this meeting at the manager's request to provide time to get additional information.*

**Motion:** Adopt Resolution 14-09-590.

## 11. NEW BUSINESS

### A. Resolutions

#### \* 1. Resolution 14-10-591

A Resolution of the Haines Borough Assembly adopting written findings of the September 23, 2014 appeal hearing of the Keller Shooting Range cease and desist order.

*A resolution adopting the findings is a step required by HBC 8.12.130(H).* **Motion:** Adopt Resolution 14-10-591.

#### \* 2. Resolution 14-10-592

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with MRV Architects for an amount not-to-exceed \$51,318 for Haines Library Addition Design and an alternate cost estimation fee proposal.

*This resolution is recommended by the Director of Public Facilities.* **Motion:** Adopt Resolution 14-10-592.

#### \* 3. Resolution 14-10-593

A Resolution of the Haines Borough Assembly authorizing disposition of public records in accordance with HBC 2.64.030(B) and the Haines Borough Records Retention Schedule.

*This resolution is recommended by the borough clerk.* **Motion:** Adopt Resolution 14-10-593.

### B. Ordinances for Introduction

#### 1. Ordinance 14-10-391

An Ordinance of the Haines Borough amending Haines Borough Code Title 3 to add the upper level of the Soboleff-McRae Veterans Village & Wellness Center owned by Haines Senior Assisted Living Inc. to the list of community purpose exemptions in HBC 3.70.040.

*State law mandates certain required exemptions, and the State Assessor determined that all but the second floor of the new Veteran's Building (owned by Haines Assisted Living) qualifies for mandatory status. On 6/10/14, the assembly adopted Ordinance 14-02-370 removing HAL from the list of optional exemptions in code. The exempt HAL property includes the land and main floor of the new Veteran's Center. Subsequently HAL applied for an optional "community purpose exemption" status for the second floor of the Veteran's Building. Currently, properties with community purpose exemption status are listed in code, so this requires an ordinance.*

**Motion:** Introduce Ordinance 14-10-391 and set a first public hearing for 10/28/14.

#### \* 2. Ordinance 14-10-392

An Ordinance of the Haines Borough amending Haines Borough Code Title 3 Section 3.60.190 to modify the manager authorization limit for change orders.

*This ordinance is recommended by the borough clerk.* **Motion:** Introduce Ordinance 14-10-392 and set a first public hearing for 10/28/14.

**11. NEW BUSINESS ---continued---**

**C. Other New Business**

**1. Board Appointments**

*Appointment applications have been received for seats on the Library Board and the Public Safety Commission, and the boards recommend them. The mayor plans to make the appointments and seeks assembly confirmation. **Motion:** Confirm the mayor's appointment of Tracy Wirak to the Library Board of Trustees for a term ending 11/30/16 and Judy Ewald to the Public Safety Commission for a term ending 11/30/17.*

**12. CORRESPONDENCE/REQUESTS**

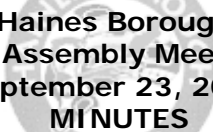
**A. Alaska DOT&PF Regional Boundaries Changes**

**13. SET MEETING DATES**

**14. PUBLIC COMMENTS**

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**16. ADJOURNMENT**

  
**Haines Borough**  
**Borough Assembly Meeting #278**  
**September 23, 2014**  
**MINUTES**

Draft

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

2. **ROLL CALL**

**Present:** Mayor Stephanie **SCOTT** and Assembly Members Jerry **LAPP**, Debra **SCHNABEL**, Dave **BERRY**, George **CAMPBELL**, and Diana **LAPHAM**. Absent: Joanne **WATERMAN**.

**Staff Present:** David **SOSA**/Borough Manager, Julie **COZZI**/Borough Clerk, Bill **MUSSER**/Chief of Police, Phil **BENNER**/Harbormaster, Patty **BROWN**/Library Director, Leslie **ROSS**/Tourism Director, and Jila **STUART**/Finance Director.

**Visitors Present:** Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Rob **GOLDBERG**, Ron **JACKSON**, Charles **DEWITT**, Gary **KELLER**, Jessica and Francisco **ADKINS**, Jim **HOLM**, Sharon **RESNICK**, Kerry and Joyce **TOWN**, Ken and Judy **EWALD**, Bill **MCCORD**, Eric **HOLLE**, and others.

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

The following Items were on the published consent agenda:

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Chilkat Center Facility Report
- 8C – Library Staff Report
- 8D – Finance Report
- 9A – Planning Commission Minutes
- 9B – Library Board Minutes
- 9C – Port and Harbor Committee Minutes

**Motion:** **LAPP** moved to “approve the agenda/consent agenda,” and it was amended to remove item 11C1 – Harbor Garbage Disposal from the agenda. The motion as amended carried unanimously.

\* 4. **APPROVAL OF MINUTES** – 9/9/14 Regular

5. **PUBLIC COMMENTS** - None

6. **MAYOR’S COMMENTS/REPORT**

Mayor **SCOTT** said a citizen had wondered why the clerk has authority during the assembly meetings, and asked the clerk to explain her state- and code-mandated role as parliamentarian for the assembly.

7. **PUBLIC HEARINGS**

A. **Appeal of a Cease & Desist Order** – Gary Keller

*Note: on August 14, 2014, the borough issued a cease and desist order to Gary Keller regarding discharge of firearms on his property in Chilkoot Inlet Subdivision. He filed a timely appeal.*

Mayor **SCOTT** presided over the hearing and chose not to require oaths or compel witnesses. The hearing convened 6:49p.m.

Appellant: **KELLER** addressed the assembly and made his arguments for being allowed to continue having the shooting range on his property.

Borough: **SOSA** summarized the borough’s cease & desist order, and the reasons it was issued.

Public Testimony: **DEWITT**, **K.EWALD**, **KELM**, and **MCCORD** spoke in support of the shooting range and in opposition to the cease and desist order.

Appellant: **KELLER** offered a rebuttal of statements made by the manager.

Assembly: The assembly asked questions and considered all written documentation and oral statements prior to taking action.

**Motion:** **CAMPBELL** moved to “rescind the Keller shooting range cease and desist order,” and the motion carried unanimously in a roll call vote.

**Primary Amendment:** **SCHNABEL** moved to “add a condition that the order would be rescinded upon written assurance by Keller that certain identified shooting range physical changes would be

made for safety reasons (as included in Keller's plan)" and the amendment motion failed 3-2 with **CAMPBELL** and **LAPHAM** opposed. **KELLER** said he will voluntarily write a letter of assurance.

The assembly will adopt the appeal findings by resolution at the next meeting.

**B. Ordinance 14-08-390** – First hearing

**An Ordinance of the Haines Borough amending Borough Code Section 5.18.080 to allow up to five permits for special ski events each calendar year, to enable a request for temporary additions to the ski map to be submitted prior to a ski season, and to clarify that permitted special ski events are not subject to the Shared Use Policy.**

Mayor Scott opened the public hearing at 7:31 p.m.

**GOLDBERG** and **HOLLE** spoke in opposition.

**ROSS** clarified the tourism department's intent.

Hearing no further comments, the mayor closed the public hearing at 7:38 p.m.

**Motion:** **LAPP** moved to "advance Ordinance 14-08-390 to a second public hearing on 10/14/14," and the motion carried unanimously.

**Primary Amendment #1:** **SCHNABEL** moved to "amend the ordinance by replacing the definition of "special ski competition event" in HBC 5.04.020 to read as follows: '*means a scheduled, marketed athletic ski event sponsored by an entity that creates a venue for skiers to compete for awards of recognized value*,'" and the motion carried 4-1 with **CAMPBELL** opposed.

**Primary Amendment #2:** **SCHNABEL** moved to "amend HBC 5.18.080(A)(2) to replace "no more than five permits" with "no more than two permits," and the motion carried 4-1 with **LAPP** opposed.

The Main Motion as amended carried unanimously.

**C. Ordinance 14-05-383** – Third hearing

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18, Chapter 18.90 to provide clarification of purpose, sign standards by district, off premise signage, portable and sandwich signage.**

Mayor Scott opened and closed the public hearing at 8:05 p.m.; there were no public comments.

**Motion:** **BERRY** moved to "advance Ordinance 14-05-383 to a fourth public hearing on 10/14/14," and the motion carried unanimously.

## 8. STAFF/FACILITY REPORTS

**A. Borough Manager** – 9/23/14 Report

**SOSA** summarized his written report. He also thanked the assembly for the opportunity to attend the ICMA conference. He has been invited to attend a course in Juneau on *Systematic Development of Informed Consent*, and that will be September 30 through October 2.

**BROWN** announced the new enhancement grant the library received in its partnership with the Chilkoot Indian Association. The Haines Library is the only library in the nation to receive this grant award for 8 years in a row and, this year the only library in Alaska.

**CAMPBELL** asked about the t-ball field being taken over by parking and asked if there is an exit strategy. **SOSA** said the parking lots are operational, so people should be parking in them.

**SCHNABEL** said it disturbs her that the third parking lot below the library is not being used. She suggested a sign in the other lots that says "if full, use the lower parking lot."

\***B. Chilkat Center** – Facility Report of August 2014

\***C. Library** – Staff Report of July 2014

\***D. Finance Director** – Haines Permanent Fund as of 6/30/14

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

\***A. Planning Commission** – Minutes of 8/14/14

\***B. Library Board of Trustees** – Minutes of 7/30/14

\***C. Port and Harbor Advisory Committee** – Minutes of 8/21/14

**D. Assembly Standing Committee Reports**

**SCHNABEL** reported the committee met informally 9/22 to discuss the tax incentive program. The conversation moved to creating/enhancing community development. They discussed having a

property tax waiver program versus actually having the borough purchase old, unused property to sell for favorable terms in exchange for a commitment to providing a needed community service. The committee also met on 9/16 to discuss solid waste management. She said there was full support for Haines Friends of Recycling to be a solid part of a waste management plan as one way to hold the cost down. The committee will continue to work on this topic.

## 10. UNFINISHED BUSINESS

### A. Ice Bucket Challenge

As directed by the assembly on September 9, the mayor designed a lovely occasion to answer the Skagway Assembly's challenge to the Haines Borough to participate in the ALS Ice Bucket Challenge. This included ALS education with various people reading aloud statements about ALS, colorful ice buckets filled with ice donated by Mountain Market, Haines Brewing Company root beer, glasses to put the ice and root beer in, and generous donations. About \$300 was raised.

## 11. NEW BUSINESS

### A. Resolutions

#### 1. Resolution 14-09-589

**A Resolution of the Haines Borough Assembly directing the Borough Manager to prepare a plan for a motorized recreation area in the Townsite that would be included in the FY16 budget.**

**Motion:** CAMPBELL moved to "direct the Parks and Recreation Advisory Committee to research and designate an area and develop an implementation plan for a motorized use area near downtown and deliver this to the administration by November 10; and also to direct the manager to provide staff support to the PRAC in accomplishing this," and it carried 4-1 with SCHNABEL opposed.

#### 2. Resolution 14-09-590

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Romtec in the amount of \$27,500 for the purchase of a Model 1008 pre-fabricated restroom building module as part of the Picture Point Wayside Improvements project.**

There were no public comments.

**Motion:** LAPP moved to "postpone Resolution 14-09-590 to the 10/14/14 meeting," and it carried unanimously.

### B. Ordinances for Introduction - None

### C. Other New Business

#### 1. Harbor Garbage Disposal – removed during approval of the agenda

#### 2. SATP Comment

*Note: ADOT&PF solicited comments on the Southeast Alaska Transportation Plan update with a 9/30 comment deadline, and the mayor prepared a draft borough comment for assembly review.*

**Motion:** BERRY moved to "authorize the mayor to send the SATP comment, as drafted, to the Alaska Department of Transportation," and the motion carried unanimously.

## 12. CORRESPONDENCE/REQUESTS

## 13. SET MEETING DATES

**A. Commerce Committee** – Monday, 9/30, 5:30pm, Topic: Skiing Ordinance AND Tax Incentive Program.

**B. Commerce Committee** – Thursday, 10/9, 5:00pm, Topic: Solid Waste Management Plan and Signage Ordinance.

## 14. PUBLIC COMMENTS

**JACKSON** expressed concern about the November 10 deadline imposed on the Parks and Recreation Advisory Committee to come up with a motorized recreation area. It seems too aggressive.

## 15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

**SCHNABEL**, whose term is ending soon, said she served the borough for a total of 18 years. She considers that she is taking a sabbatical because of feeling pulled down from negativity. She has both hopes and concerns. There are a lot of people who aren't aware of what's going on in the government, and they depend upon those who are involved. She has always believed the media is the eyes and ears of the community; they are the finger on the pulse. She encouraged the assembly to try to be more accepting of what is written about the borough and analyzed by the media. She has concerns about the community and the government. When all you're dealing with are the complainers, there's a danger in becoming insular, so she encouraged the assembly to remain open. She is thankful for the opportunity to serve even though it is sometimes difficult to be in public service. One of the many things she has learned is that once you put something on the table, you don't own it anymore.

**SCOTT** said the Comprehensive Plan speaks to less formality when it is appropriate. She has an idea about the assembly possibly meeting informally with the public once a month for 30 or so minutes prior to the formal assembly meeting. Those people who might feel intimidated by formal speaking may be willing to "hang out" with the assembly.

**CAMPBELL** would like the assembly to do a better job of supporting the various committees. A lot of effective work can be done in those groups.

**16. ADJOURNMENT** – 9:21 p.m.

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

ATTEST:

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

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

Office of the Mayor  
Haines Borough, Alaska

# Proclamation

## *Proclaiming November 1, 2014 to be “Extra Mile Day” for Volunteerism*

**WHEREAS**, the Haines Borough is a community which acknowledges that a special vibrancy exists within the entire Chilkat Valley when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

**WHEREAS**, the Haines Borough is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

**WHEREAS**, those travelers along the extra mile include all elected and appointed officials; the 70 members of Assembly advisory committees; the HBFD and Klehini Valley FD fire and EMS volunteers; Hospice volunteers; Big Brothers/Big Sisters volunteers; volunteers to serve the Salvation Army food bank and thrift store; volunteers who keep KHNS running; the Arts Council running; the American Legion running; the Emblem Club; the Chamber of Commerce; those who quietly walk dogs for HARK; and all those who simply step in when needed; and

**WHEREAS**, the Haines Borough is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

**WHEREAS**, the Haines Borough acknowledges the mission of Extra Mile America to create 400 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2014,

**NOW THEREFORE**, I, Stephanie Scott, Mayor of the Haines Borough do hereby proclaim November 1, 2014 to be “Extra Mile Day.” I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

Signed and Sealed on this 10<sup>th</sup> day of October, 2014.

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Stephanie Scott, Borough Mayor

Attest:

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Julie Cozzi, MMC, Borough Clerk





Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 14-503  
Assembly Meeting Date: 10/14/14

Business Item Description:	Attachments:
Subject: Amend Code re. Special Ski Events	1. Ordinance 14-08-390 - Current Draft 2. Substitute Ordinance Proposed by Commerce Committee 3. Citizen Written Comment
Originator: Assembly Member Campbell	
Originating Department:	
Date Submitted: 8/19/14	

**Full Title/Motion:**  
 Motion: Adopt Ordinance 14-08-390.  
 (A substitute ordinance is recommended by the commerce committee)

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	N/A

**Comprehensive Plan Consistency Review:**  
 Comp Plan Goals/Objectives: \_\_\_\_\_  
 Consistent:  Yes  No

**Summary Statement:**  
 This ordinance was originally requested by Assembly Member Campbell. On 8/26, it was referred to the Commerce Committee and staff for a recommendation to come to the assembly on 9/23. The committee met on 9/2/14 and prepared a new draft that was introduced. The first public hearing was on 9/23, and the ordinance was further amended before being scheduled for this second hearing. It was also referred once again to the Commerce Committee, and a substitute ordinance was drafted as a result of a 9/30 committee meeting. That substitute ordinance is attached to this agenda bill.

**Referral:**  
 Referred to: Commerce Committee  
 Recommendation: Substitute draft ordinance  
 Referral Date: 8/26/14  
 Meeting Date: 9/2, 9/30/14

**Assembly Action:**  
 Meeting Date(s): 8/26, 9/9, 9/23, 10/14  
 Public Hearing Date(s): 9/23, 10/14/14  
 Postponed to Date:

**An Ordinance of the Haines Borough amending Borough Code Section 5.04.020 to change the definition for “special ski competition event”; and Section 5.18.080 to allow up to two permits for special ski events each calendar year, to enable a request for temporary additions to the ski map to be submitted prior to a ski season, and to clarify that permitted special ski events are not subject to the Shared Use Policy.**

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 Charter.

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 Code Section 5.04.020. Sub-Section 5.04.020 of the Haines Borough Code is amended, as follows:

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

#### **5.04.020 Definitions**

For the purposes of this title, the following terms shall be defined as follows:

“Itinerant” or “transient merchant” means a person whose principal place of business is not within the Haines Borough, but who travels through the area selling goods from stock carried with the person or providing services for valuable consideration.

“Permit” used as a noun means a fair vendor permit issued under this chapter, an itinerant merchant permit issued under Chapter 5.08 HBC, a commercial tour permit issued under Chapter 5.18 HBC, a commercial passenger vehicle permit issued under Chapter 5.20 HBC, or a commercial passenger or tour vehicle parking permit issued under Chapter 5.22 HBC.

“Permittee” means a person who has been issued a permit.

“Revoke” or “revocation” means that a permit is permanently voided and, unless otherwise provided, the permittee to whom it was issued may not be issued any other permit under this title for a period of one year from the date the revocation is effective.

“Suspend” or “suspension” means that a permit is ineffective for a specified portion of its term, and the permittee to whom it was issued may not be issued any other permit under this title during the suspension period. A suspension may be conditioned on correction of a status or condition of a person or a vehicle.

“Commercial helicopter tour” means a commercial helicopter operation, other than a commercial ski tour or commercial ski production, that provides a helicopter-assisted tour to or through an area. It is a commercial tour and requires a permit.

“Commercial ski production” means the professional filming or photographing of persons while skiing or snowboarding for the creation of a film or photography product featuring skiing or snowboarding as the primary subject.

“Commercial ski tour” means a commercial tour as defined in HBC [5.18.010\(B\)](#) that: (A) includes downhill skiing or snowboarding as the primary experience; and (B) includes

professionally guided skiing and snowboarding; and (C) includes daily transportation of the customer by helicopter to and from the skiing or snowboarding area as frequently as weather permits.

“Skier day” means one individual skier, snowboarder, photographer or a member of the photographer’s staff participating in a commercial ski tour or a commercial ski production on one particular day or any portion of a day excluding guides.

“Special ski competition event” means a ~~skiing or snowboarding competition that includes daily transportation of the participants by helicopter to and from the site of the competition~~ **scheduled, marketed athletic ski event sponsored by an entity that creates a venue for skiers to compete for awards of recognized value.**

Section 5. Amendment of Code Sub-Section 5.18.080(A). Sub-Section 5.18.080(A) of the Haines Borough Code is amended, as follows:

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

#### **5.18.080 Commercial ski tours, commercial ski productions and special ski competition events.**

##### A. Number of Permits

1. No more than three commercial ski tour permits, ~~and one permit for a special ski competition,~~ may be issued for any one calendar year.

**2. No more than two permits for a special ski event or competition may be issued for any one calendar year.**

2. ~~3.~~ **3.** A permit does not create an exclusive right of use of an area by the permittee. However, the borough may specify areas of the map in which a permittee may operate.

3. ~~4.~~ **4.** If more than three applicants apply for a commercial ski tour permit in any calendar year, preference shall be given to existing permit holders in good standing in the grant of a permit.

Section 6. Amendment of Code Sub-Section 5.18.080(G). Sub-Section 5.18.080(G) of the Haines Borough Code is amended, as follows:

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

##### G. Temporary Additions to Approved Commercial Ski Tour Areas.

1. A permittee **or an applicant for a special commercial ski production or special ski competition event** may request the addition of territory to the “Haines Borough Approved Commercial Ski Tour Areas” map for a special ski ~~competition~~ event, **not to exceed 14 days in length**. All such requests ~~shall be made only during a season and shall expire at the end of that the season~~ **within which the event takes place**. Requests shall be submitted to the manager. All requests shall be submitted **on a form designed by the Borough**. ~~in writing, be accompanied by a diagram showing the proposed additional area with reasonable specificity and shall explain the reasons for the proposal.~~

2. No later than ~~seven~~ **fourteen** days after receipt of a request submitted in compliance with subsection (G)(1) of this section, the manager shall prepare a written recommendation to the assembly.

3. The assembly ~~may~~ **shall** act on the manager's recommendation by resolution **at its earliest regular meeting**. If the assembly approves the temporary addition of territory, the "Haines Borough Approved Commercial Ski Tour Areas" map shall be amended by designating the additional territory as "temporary" and identifying the dates for which the additional territory is approved.

**4. The Shared Use Policy (HBC 5.18.080(H)) is not effective for the duration and in the location of a special commercial ski production or a special ski competition event.**

Section 7. Amendment of Code Sub-Section 5.18.080(H). Sub-Section 5.18.080(H) of the Haines Borough Code is amended, as follows:

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

H. Shared Use Policy.

1. Commercial ski tour permittees shall yield to nonmotorized, recreational backcountry users, within the boundaries of the area known as Telemark Ridge at the head of the Haska Creek drainage, on a by-request basis.

2. Recreational backcountry users may contact a permittee by phone or e-mail at least 48 hours in advance of the activity and request to use a specific area on a specific day.

3. Confirmation shall be given by the permittee within 24 hours of the request.

4. The person making the request shall notify the borough clerk of the request.

5. Cancellation of the request shall be communicated to the permittee before 9:00 a.m. on the day of the activity.

6. Failure by recreational users to communicate a cancellation of the activity may result in the loss of request privileges.

7. Failure by a permittee to confirm a request, or to yield an area to recreational users, shall be reported to the borough clerk and recorded for future review.

8. The duration of a recreational activity in any specific area shall be for a maximum of three days consecutively, and for no more than 10 days per month.

**9. The Shared Use Policy in its entirety is not effective for the duration and in the location of a special commercial ski production or a special ski competition event.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

Attest:

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

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

Date Introduced: 09/09/14  
Date of First Public Hearing: 09/23/14 – amended and also referred back to Commerce Committee prior to next hearing  
Date of Second Public Hearing: 10/14/14

“Special ski competition event” means a ~~skiing or snowboarding competition that includes daily transportation of the participants by helicopter to and from the site of the competition~~ **scheduled, marketed athletic ski event sponsored by an entity that creates a venue for skiers and/or snowboarders to compete for awards of recognized value.**

#### **5.18.080 Commercial ski tours, commercial ski productions and special ski competition events.**

##### A. Number of Permits

1. No more than three commercial ski tour permits, ~~and one permit for a special ski competition,~~ may be issued for any one calendar year.

2. No more than two permits for a special ski ~~event~~ or competition **event and/or commercial ski production** may be issued for any one calendar year.

~~2.~~ 3. A permit does not create an exclusive right of use of an area by the permittee. However, the borough may specify areas of the map in which a permittee may operate.

~~3.~~ 4. If more than three applicants apply for a commercial ski tour permit in any calendar year, preference shall be given to existing permit holders in good standing in the grant of a permit.

#### **5.18.080 Commercial ski tours, commercial ski productions and special ski competition events.**

F. General Permit Conditions and Regulations. **Commercial ski tours, commercial ski productions and special ski competition events are governed as follows:**

1. ~~Commercial ski tours, commercial ski productions and special ski competition events shall be conducted only from~~ **The operating season is** February 1st through May 3rd unless a different period is noted on the “Haines Borough Approved Commercial Ski Tour Areas.”

2. ~~Commercial ski tours, commercial ski productions and special ski competition events~~ **All activity** shall be conducted between the hours of 8:00 a.m. and 6:00 p.m., except that the borough may authorize additional hours for no more than 30 days.

3. ~~Commercial ski tours, commercial ski productions and special ski competition events~~ **All activity** shall be conducted only in areas identified on the map attached to the ordinance codified in this section which shall remain on file with the borough clerk and labeled “Haines Borough Approved Commercial Ski Tour Areas.” **except as provided in HBC 5.18.080 (G).**

4. ~~Every commercial ski tour operator~~ **Every permit holder** shall use global positioning system ("GPS") equipment capable of tracking and preserving information establishing the route taken by the helicopter to and from the skiing and snowboarding area and all landings. This information shall be cataloged in a manner requested by the borough and provided when requested by the borough during each commercial ski tour season. Borough requests for this information are limited to enforcement of borough-permitted activity.

5. ~~Every commercial ski tour operator~~ **Every permit holder** shall submit to the borough clerk, on forms provided by the borough, bi-weekly use reports detailing the number of skier days used during each day of the reporting period, deviations from the flight guidelines and any accidents.

6. The borough manager shall compile a season-end report to be submitted to the borough assembly annually during the first meeting in July. The report shall include the number of skier days used by each permitted company as compared to previous years, and it shall include any verified permit infractions along with correspondence and other information documenting reasons for the infractions.

7. The borough will establish a system for receiving and responding to complaints from the public.

8. ~~Every commercial ski tour operator~~ **Every permit holder** shall submit to the borough clerk annually a safety and operating plan that, at a minimum, will include (a) avalanche safety (addressing client safety, as well as safety of other backcountry users in the area); (b) helicopter safety; (c) emergency rescue procedures; and (d) guide requirements.

9. Explosives shall not be used for avalanche control.

10. ~~Commercial ski tour operators~~ **Every permit holder** shall annually register contracted helicopters, their N number, color scheme, and pilot's name with the borough.

11. ~~Commercial ski tour operators~~ **Every permit holder** shall provide mountain goat, and other wildlife sightings to the borough. The borough clerk will provide commercial ski tour operators with incidental wildlife observation forms to be filled out daily. These forms shall be submitted annually upon completion of the permit season.

12. The permittee is responsible for obtaining authorizations required by other agencies for the permitted activity. Each permittee will provide a copy of any other authorizations to the borough clerk.

13. ~~Every commercial ski tour operator~~ **Every permit holder** shall submit to the borough clerk a copy of a signed mutual aid agreement requiring all permittees to come to each other's aid in the event of an accident or a mechanical problem that strands a helicopter used to transport participants in a commercial ski tour away from a heliport.

14. ~~Commercial ski tour operators transporting participants in a commercial ski tour or a special ski competition event or commercial ski production by helicopter~~ **Every permit holder** shall use one of the following heliports:

- a. Haines Airport;
- b. The Stewart landing strip at 18 Mile Haines Highway;
- c. The heliport adjacent to the 33 Mile Roadhouse;
- d. Any heliport authorized by the Haines Borough planning commission as a conditional use.

G. Temporary Additions to Approved Commercial Ski Tour Areas.

1. A permittee **or an applicant for a special ski competition event or commercial ski production heliksi permit** may request the addition of territory to the “Haines Borough Approved Commercial Ski Tour Areas” map for a special ski competition event, **not to exceed 14 days in length**. All such requests ~~shall be made only during a season and shall expire at the end of that the season~~ **within which the event takes place**. Requests shall be submitted to the manager. All requests shall be in writing, be accompanied by a diagram showing the proposed additional area with reasonable specificity and shall explain the reasons for the proposal.

2. No later than seven days after receipt of a request submitted in compliance with subsection (G)(1) of this section, the manager shall prepare a written recommendation to the assembly. **In preparing his recommendation, the manager shall consult with Alaska Department of Fish & Game regarding the impact of the proposed use on wildlife.**

3. The assembly may act on the manager’s recommendation by resolution. If the assembly approves the temporary addition of territory, the “Haines Borough Approved Commercial Ski Tour Areas” map shall be amended by designating the additional territory as “temporary” and identifying the dates for which the additional territory is approved. **Approval by the Assembly is contingent on the acquisition of a heliksi permit for the season within which the event is to be held.**

From: Sharon Resnick [mailto:sharonresnick@yahoo.com]  
Sent: Sunday, October 05, 2014 5:11 PM  
To: Stephanie Scott; David Sosa; Julie Cozzi; blackdoghp@yahoo.com; Diana Lapham; daveberry@aptalaska.net; George Campbell; bflipper3@aptalaska.net; Debra Schnabel; Leslie Ross  
Subject: commerce committee/heliskiing

To: Commerce Committe, Tourism Director, Borough Assembly, Borough Manager, Mayor and Borough Clerk,

Several aspects of the proposed heliskiing ordinance (#14-08-390) are troubling to me.

- It appears the increase in the number of special ski competition events were simply thrown into the ordinance as a fluke when all that tourism director Leslie Ross asked for was to allow applicants to apply for the permit before the season, rather than during it. For that reason, I ask that the number of annual permits remain at one. (This was going to be my suggestion at the commerce committee meeting, but the discussion of "the map" came up. Then the 15 minutes allotted to the discussion was over and there was no time for me to comment.)
- If the borough assembly is unwilling to require all heli-skiing to take place within the map, I ask that it at least establish clear, consistent guidelines for any heliskiing outside of the map. The draft ordinance says only that requests will "be submitted on a form designed by the Borough," which could mean anything or nothing. If I recall, at the Commerce Committee meeting it was also decided that the manager would have to "consult" with ADF&G. That seems flimsy at best and could be satisfied by just making a call and disregarding any input from ADF&G. Please consider what could be put in place to make the decision to grant out-of-boundary heliskiing more transparent and clearer.


In general, before the Haines Borough offers heliskiing companies any more skier days or territory it needs to establish fines that make sense and then enforce them. As it stands now, each out-of-boundary infraction can be an "up to \$1,000" fine, but eight of the ten violations since March 2012 had only a \$200 fine, one had a \$250 fine and one had a \$500 fine (for flying on BLM land on the map without a permit). Those fines are nothing to a business that charges approximately \$1,000 per day per person to skii (SEBA says it can transport four clients at a time in a helicopter).

Like commercial fishermen, heliskiers are using our natural resources. They should be fined accordingly. The first time a fisherman goes over the line, he pays \$1,500 fine, plus has to give up all the fish he has caught. That would equate to an \$5,500 fine for a helicopter with four clients. As with commercial fisherman, the fine should increase with each violation and could result in loss of the permit.

Three guides and one client have died since 2012 while skiing with SEBA or Alaska Heliskiing. When someone Googles "Haines heliskiing," those deaths are listed high up. Not good advertisement for a community looking to attract more winter visitors. Is there anything the Borough can do to encourage local heliskiing companies to make their businesses safer? Heliskiing is inherently dangerous, but none of the at least 12 other heliskiing businesses in the state have had any deaths on their watch.

Respectfully,  
Sharon Resnick  
Box 771  
Haines, AK 99827  
SharonResnick@yahoo.com





Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 14-472Assembly Meeting Date: 9/23/14

Business Item Description:	Attachments:
Subject: Signage Code, including Off-Premises Signs	1. Ordinance 14-05-383 - Current Draft 2. 9/16 Memo re. Recommended Additional Amendments 3. 9/23 Memo from the Planning & Zoning Technician
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 5/19/2014	

**Full Title/Motion:**

Motion: Postpone Ordinance 14-05-383 to a time when a new draft is ready for assembly consideration.

**Administrative Recommendation:****Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ none	\$ n/a	\$ n/a	n/a

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives:  
Page 95

Consistent:  Yes  No

**Summary Statement:**

This ordinance was introduced on 5/27 and had hearings on 6/10 and 6/24. Following the second hearing, it was referred to the Commerce Committee (CC) for more work. That committee returned with a substantially different draft, and that version was accepted for a third hearing that took place on 9/23. To give the CC and the Planning Commission (PC) time for another review of the comprehensive changes, the ordinance was scheduled for a fourth hearing. The PC discussed the draft on 10/9 and recommends against adoption. They ask that it be returned to them. Also, the CC has not yet met. Therefore, it is suggested this be postponed until such time as the Planning Commission, Commerce Committee, and staff are ready to move a new signage code forward.

**Referral:**

Referred to: Commerce Committee

Referral Date: 6/24 and again on 9/23/14

Recommendation: Substitute Ordinance

Meeting Date: 7/1, 8/4, 8/19/14

**Assembly Action:**

Meeting Date(s): 5/27, 6/10, 6/24, 9/9, 9/23, 10/14/14

Public Hearing Date(s): 6/10, 6/24, 9/23, 10/14/14  
Postponed to Date:

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18, Chapter 18.90 to provide clarification of purpose, sign standards by district, off premise signage, portable and sandwich signage.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Purpose. This ordinance amends Title 18, Chapter 18.90 to clarify the borough's signage code. Chapter 18.90 of the Haines Borough Code in existence prior to adoption of this ordinance is hereby repealed in its entirety and reenacted as a new Chapter 18.90 to read, as follows:

**18.90.010 Purpose**

The purpose of this ordinance is to encourage the effective use of signs as a means of communication for information and commerce in the borough, to direct traffic effectively and safely, to offer equitable means for business identification while protecting the safety, welfare and aesthetics of the community by regulating the design, construction and placement of signs to prevent confusion and traffic hazards.

**18.90.020 Applicability – Effect.**

A. This ordinance is enforceable in the Townsite Planning/Zoning District, the Mud Bay Planning/Zoning District and the Lutak Planning/Zoning District.

B. This ordinance shall provide guidance for the effective use of signs outside of a planning/zoning district.

C. All signs areawide must comply with AS 19.25.075 – 19.25.180 as it may apply.

**18.90.030 Administration**

A. Permits. A permit is required prior to the placement of any sign except those specifically exempted under HBC 18.90.040.

1. An application for a sign permit shall be made on a form supplied by the borough. Such application may be considered part of a land use permit application or may be considered separately; if considered separately, the application shall be accompanied by a fee as established by the Assembly.

2. The owner of the property, structure, lot or premise proposed for the placement of a sign must file the application for a permit.

3. The permit application shall include a document identifying sign dimension, materials, placement, design, elevation, cross section, plot plan showing the proposed location of the sign on a lot or building, and method of illumination, if any.

4. A sign permit application will be reviewed and either approved, disapproved or advanced to the Planning Commission when a variance from the provisions of this code is requested by the manager or designee within five working days after receipt of a completed application. An application is complete when the manager or designee determines that all information pertinent to the design, construction, and placement of the proposed sign is available in the application packet.

B. Variances Allowed. Relief from any provisions of this ordinance may be provided only with written approval of the manager upon favorable recommendation by the Planning Commission made by motion at a public meeting.

C. Enforcement. The placement of any sign without a sign permit, except those specifically exempted under HBC 18.90.040, shall result in a warning letter, and if unresponsive, a \$100 fine.

#### **18.90.040 Exemptions**

The following signs are exempt from regulations under this chapter provided such signs are on the business premise and conform to standards set forth in this chapter and AS 19.25.075 – 19.25.180 as it may apply:

A. Installed Free-standing, Projecting, Façade, Window and Awning signs (reference HBC 18.90.060) in existence before September 9, 2014. Such signs shall not be replaced, moved, enlarged, altered or reconstructed except in compliance with this chapter;

B. Legal notices, directional, traffic and parking signs, temporary paper signs serving notice of a public event or a hazard and informational signs erected by a government agent or directed by a government agent.

C. Real estate signs up to six square feet placed on the subject property or premises advertising sale, lease or rental

D. Political signs up to 24 square feet displayed on private property. A political sign advertising a candidate or persuading a position on a vote may be erected no more than 60 days prior to the election date for that candidate or issue and must be removed no later than seven days following the election date.

E. Small informational signs not exceeding one square foot and bearing only property numbers, directional arrows, post office box numbers, names of occupants of premises, information such as Open/Closed, awards, commendations or credit card signs displayed on the premises or property.

F. Temporary display window signs on the interior surface of a window.

G. A Directory or sign of six (6) square feet or less affixed to a building and giving information about the occupants of a residential or office building.

H. Signs on vehicles used for commercial purposes containing information related to the vehicle's commercial use, attached mechanically, magnetically or painted on the surface of the vehicle.

I. Construction Signs. During construction, repair or alteration of a structure or infrastructure, temporary signs that denote the architect, engineer, financier or grantor, contractor or builder, or which denote the name of the structure and or its use of occupants may be erected on the construction site. Total square footage of sign or signs per site shall not exceed 32 square feet.

J. Work of Art, such as murals that neither directly nor indirectly contain commercial messages and illustrations on boards used to cover doors and windows during a business closure.

K. Temporary sign used to advertise casual and isolated sales not made in the regular course of business placed on private property while items are for sale. In this instance, only one sign shall be allowed, no larger than 16 square feet. Sign may identify product for sale and shall not identify the business name. Sign is not allowed for more than two consecutive days.

#### **18.90.050 General Provisions**

A. All permitted signs shall be located, installed or placed so as to achieve their purpose without constituting a hazard to vehicle operations, pedestrians or aircraft.

B. It is the intent of this section that commercial signs shall not be located, installed, placed or maintained on streets, alleys or sidewalks. Variance from this intent shall be allowed only with written approval of the manager upon favorable recommendation by the Planning Commission at a public meeting.

C. Lighting. If illuminated, no lighted sign shall cause beyond the property line on which it is located, installed or placed or adversely affect the safe vision of motor vehicle operations or pedestrians. Blinking, flashing, rotating, pulsing illuminating devices which have a changing light intensity are not allowed except blinking neon signs placed in the window of a commercial or establishment during business hours, providing the neon sign does not exceed 20 percent of the window area. Signs with internal lighting are allowed only by district.

D. Materials. 1. All elements of signs intended for permanent placement shall be constructed of rigid, weather-proof materials. 2. Signs intended for temporary placement shall be constructed of weather-resistant, tear-resistant materials; lettering shall be water-proof and signs reasonably affixed or supported.

E. Placement. No sign shall extend more than four (4) feet above a structure; the top of any sign shall not be installed to exceed thirty (30) feet height restriction.

F. Substantial Condition. Signs shall be maintained in good repair. Any sign not in substantial, sturdy condition will be subject to removal as a public nuisance as provided by HBC 8.12.

#### **18.90.060 Sign Definitions, Placement, Dimensions**

A. Off-Premise Signs.

1. Definition. Off-premises signs are signs that are located, affixed, installed, placed, erected or maintained on a structure, lot, facility or premise (a) not owned by the person or business entity or interest served by the sign; (b) not the physical location of the business entity or interest served by the sign; and (c) Off-premise signs may be free-standing, portable, affixed or painted directly on a structure.

2. Placement. Off-Premises signs a) are allowed on municipal streets, alley or sidewalks only with written approval of the manager upon favorable recommendation by the Planning Commission at a public meeting and the Alaska Department of Transportation where applicable; b) require written consent of the property owner filed with the application; c) may not be in the required property set-back; d) may not exceed one per person, business entity or interest served; and e) if portable, may not be displayed outside of posted business hours or applicable time frame.

3. Dimension. Off-Premise Signs shall not exceed a) sixteen (16) square feet in area per sign face; b) two sign faces per sign structure; and c) maximum height of four (4) feet.

B. Free-standing signs.

1. Definition. Free-Standing signs are a) signs supported by one or more posts or legs permanently installed in the ground or concrete; and b) sandwich signs.

2. Placement. a) shall not be located, installed or placed within twenty-five (25) ft. of a street or alley intersection line except when less than six and one-half (6.5) square feet per surface and maximum height is less than forty-two (42) inches, and with the approval of the Alaska Department of Transportation where applicable; b) if off-premises, require written approval of the manager upon favorable recommendation by the Planning Commission at a public meeting, as provided for in HBC 18.90.030(B).

3. Dimension. a) If off-premise: as provided for in HBC 18.90.060(A)(3); or b) if on premises of business, entity or interest: not to exceed thirty-two (32) square feet.

C. Projecting and Marquee Signs.

1. Definition. Signs that are mounted perpendicular to a structure's facade, usually attached to the structure on a mounted post and supported with guy wires, but may also be hung under a marquee or canopy.

2. Placement. a) Projecting signs with the building end attached to the facade shall have sufficient size and number of guy wires to secure the street end of the sign to safely suspend the sign and prevent swinging. Marquee signs do not need to be attached at one end or be supported with guy wires; b) shall have clearance of seven (7) feet above grade; c) shall not extend within three feet of a street, curb or traveled way; d) shall not extend above the structure's roof peak or eave; and e) are limited to one per business frontage facing public property.

3. Dimension. a) A marquee sign size is the actual dimension of the sign mounted to provide seven (7) feet clearance above grade and not extending beyond the limits of the marquee; b) The dimensions of a projecting sign attached to a building are relative and shall

conform to the following, with the horizontal length measurement beginning at the facade of the building:

Length	Height
8 ft.	16 inches
7 ft.	22 inches
6 ft.	28 inches
5 ft.	34 inches
4 ft.	36 inches
3 ft.	42 inches
2 ft.	48 inches

D. Façade Signs.

1. Definition. Signs painted directly onto a face (facade) of a structure or an independent sign affixed directly and parallel to the facade of a structure.
2. Placement. Signs placed on the side of a structure.
3. Dimension. There are no limitations on the dimensions of a facade sign on a front facade. Facade signs on facades other than the front facade shall not exceed ten (10) percent of the total square feet of the facade, or thirty-two (32) square feet, whichever is greater.

E. Sandwich Signs.

1. Definition. Signs with two opposing faces attached at the top and with a limited connector to allow the sign to open into an "A" shape.
2. Placement. See "Free-standing signs, Placement."
3. Dimensions. Maximum sign height four (4) feet and a maximum sign width is two (2) feet Minimum sign height is two (2) feet six (6) inches with a width of one (1) feet three (3) inches [2.5 ft. X 1.25 feet]

F. Window Signs.

1. Definition. Signs created when lettering and or an image(s) is painted or applied directly onto a window.
2. Placement. See definition.
3. Dimensions. Shall not exceed twenty (20) percent of window area.

G. Awning Signs.

1. Definition. Signs created by printing, painting or applying words or letters to an awning or awning fringe.
2. Placement.
3. Dimensions.

H. Banners.

1. Definition. Signs created by printing, painting or applying words, letters and or images to cloth.

2. Placement.

3. Banners require a minimum clearance of eighteen (18) ft. above streets and alleys and seven (7) ft. above sidewalks, provided the banner also receives approval of the Alaska Department of Transportation, where applicable.

**18.90.080 Signs by District**

A. Townsite Planning/Zoning District

1. Commercial, Waterfront, Waterfront Industrial, Heavy Industrial, Light Industrial, Multiple Use zones:

a) Allowed Signs

1. All signs not prohibited by this chapter are allowed up to a total signage area to not exceed one hundred sixty (160) sq. ft. per business, entity or interest premise.

2. Internally lit signs are allowed.

b) Prohibited Signs/materials/processes

1. Beacons.

2. Inflatable signs and tethered balloon.

3. Signs advertising activities or products no longer offered on the premises, including sales and events for a civic, public or nonprofit purpose.

4. Signs towed on wheels or wheeled trailers behind vehicles.

5. Placement of any type of handbill, flyer, brochure or sticker on public property or a vehicle parked on public property.

2. Rural residential, Rural Mixed Use and Residential

a) Allowed Signs

1. One sign, not to exceed eight (8) sq. ft., to identify a home occupation, cottage industry, vacation home rental or Bed & Breakfast business.

b) Prohibited Signs

1. Off-premise signs.

2. All signs and processes prohibited by this chapter.

3. Significant Structure Area Zone

a) Allowed Signs.

1. Freestanding signs, including sandwich signs, provided the total height of the sign, including supports, is less than eight feet.

2. Projecting signs, provided they do not extend over public property.

3. Wall-mounted signs, provided total sign area per building wall shall not exceed five percent of the total square foot area of that building wall, or 16 square feet, whichever is greater.

4. Banners.

b) Prohibited Signs: Neon, flashing, back-lit or internally lit signs, whether they are on the outside of the building or placed in a window.

c) In addition to the other placement standards of this chapter, signs in the SSA shall not be mounted on building roofs, extend above building eaves, or cover architectural features such as windows, doors or building trim.

B. Mud Bay Planning /Zoning District. Reference HBC 18.70.030(B)(3)(e)(7).

1. Allowed Signs

a) one sign, not to exceed eight (8) sq. ft., to identify a home occupation, cottage industry, vacation home rental or Bed & Breakfast business

2. Prohibited Signs

a) Off-premise signs.

b) all signs and processes prohibited by this chapter.

C. Lutak Inlet Planning/Zoning District. Reference HBC 18.70.030(C)(3)(j).

1. Sign Standards.

a) Signs permanently affixed to structures shall not exceed 32 square feet.

b) Permanent signs not affixed to a structure shall not exceed 16 square feet.

c) Only non-electrified signs will be permitted.

d) Temporary signs shall be removed within 10 days after the date of sale or the event or condition advertised. Temporary signs shall not exceed 16 square feet per side.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

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

ATTEST:

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

Date Introduced:	05/27/14
Date of First Public Hearing:	06/10/14
Date of Second Public Hearing:	06/24/14 – Referred to Commerce Committee
Date Introduction of Substitute Ordinance:	09/09/14
Date of Third Public Hearing:	09/23/14 – Referred again to Commerce Committee
Date of Fourth Public Hearing:	10/14/14



# Memorandum

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

September 16, 2014

To: Haines Borough Assembly

Cc: Dave Sosa, Manager  
Julie Cozzi, Clerk

From: Stephanie Scott, Mayor, Haines Borough  
Debra Schnabel, Assembly Member

Subject: Amendment to Ordinance 14-05-383: An Ordinance of the Haines Borough amending Haines Borough Code Title 18, Chapter 18.90 to provide clarification of purpose, sign standards by district, off premise signage, portable and sandwich signage

When 14-05-383 was re-formatted, a couple of "holes" came to light. We recommend that 14-05-383 be amended to reflect the information in bold and underlined below. In summary, placement and dimension information was omitted in the two classes of signs: awnings and banners.

## G. Awning Signs.

1. Definition. Signs created by printing, painting or applying words or letters to an awning or awning fringe.
2. Placement. **On awning.**
3. Dimensions. **Shall not exceed 32 square feet of the awning.**

## H. Banners

1. Definition. Signs created by printing, painting or applying words, letters and or images to cloth.
2. Placement. Banners **and all attached ropes and cables for method of hanging shall** require a minimum clearance of eighteen (18) ft. above streets and alleys and seven (7) ft. above sidewalks, provided the banner also receives approval of the Alaska Department of Transportation, where applicable.
3. Dimension. **Banners shall have a maximum height of 4 feet.**



HAINES BOROUGH  
Planning & Zoning Department  
P.O. Box 1209  
Haines, AK 99827-1209  
907-766-2231 Ext. 23  
907-766-2716 (fax)

September 23, 2014

**To:** Haines Borough Assembly  
**From:** Tracy Cui  
Planning & Zoning Technician  
**Re:** ORD\_14-05-383 Title 18 Chapter 18.90

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Julie Cozzi asked that I provide you with advice regarding the above-listed draft ordinance. This proposed ordinance is to provide clarification of purpose, sign standards by district, off premise signage, portable and sandwich signage. I have completed a review of the ordinance, and would like to provide some of my thoughts, as following:

- The proposed ordinance requires the placement of signs within **the Mud Bay & Lutak Planning/Zoning Districts** is subject to permit.

I think it is not a good idea to require a sign permit to place signs in these two districts because the Borough does not have land use permit applications outside of the townsite service area. The enforcement of sign regulations in these districts may become difficult and place extra burden on staff. Additionally, the required \$25 for a sign permit application will barely cover the administrative cost of the Title 18 permitting process in these two districts (i.e. long distance drive for site inspection).

I understand the idea is to offer equitable means for business identification in the Townsite, the Mud Bay, and Lutak Planning/Zoning Districts. I am also aware of the importance of enforcing sign regulations. If the Assembly is willing to regulate the signs within Mud Bay and Lutak Planning/Zoning Districts, I suggest the Assembly consider adjusting the sign permitting fee.

- The proposed ordinance states **only** the property owner has the authority to file the application for a sign permit.

The Borough typically allows the authorized representative of the property to file a land use permit/conditional use permit/variance as long as the representative provides written proof of authorization. A lessee or an agent of real property with written authorization from the owner

should allow applying for a sign permit.

- The proposed ordinance allows a **variance** to be granted under certain circumstances.

The current variance standards are not applicable to a sign permit variance.

Per HBC 18.80.050, “A variance is the relaxation of the density, setback, height or parking standards of this chapter beyond those provided for by this chapter. A variance is designed to allow the adjustment of regulations of this chapter in special cases where unusual physical features of a particular parcel involved would make a strict application of the zoning regulations unreasonable. Under no circumstances shall a variance be granted to permit a use of land or structure which is not otherwise permitted in the zone involved....

*C. Variance Standards. A variance may be granted only if:*

- 1. Except for significant structures areas, the conditions upon which the variance application is based do not apply generally to properties in the zone or vicinity other than the property for which the variance is sought; and*
- 2. Such conditions arise out of natural features inherent in the property such as shape or topographical conditions of the property or because of unusual physical surroundings, or such conditions arise out of surrounding development or conditions; and*
- 3. Because of such conditions the strict application to the property of the requirements of this chapter will result in an undue, substantial hardship to the owner of the property such that no reasonable use of the property could be made; and*
- 4. The special conditions that require the variance are not caused by the person seeking the variance, a predecessor in interest, or the agent of either; and*
- 5. The variance is not sought solely to relieve financial hardship or inconvenience; and*
- 6. The variance will not permit a land use in a zone in which that use is prohibited”.*

If the Assembly decides to allow sign permit variances to be allowed under certain circumstances, I believe the rules of practice and procedures for the Planning Commission need to be established and added in the Borough code.

- The proposed ordinance states **temporary** display window signs on the interior surface of a window are exempt from regulations.

HBC 18.20.020 states “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 18 months. I am pondering if “temporary display window signs” shall comply with this term. If not, “temporary display window signs” needs to be defined.

The comments above are my personal opinions, as a planner. The proposed ordinance was briefly introduced at the September 11, 2014 planning commission meeting. Some of the commissioners have expressed concerns/questions, so I would suggest the Assembly allow me to bring this proposed ordinance to the commission for detailed review. The commission may have different thoughts or suggestions on this.

Thank you very much. Please let me know if you have any questions.



# MANAGER'S REPORT

DATE: October 14, 2014  
 TO: Mayor and Borough Assembly  
 FROM: David B. Sosa, Borough Manager

## **BOROUGH ADMINISTRATION MISSION**

*Under the guidance and direction of the Borough Assembly, the mission of the Haines Borough Administration is to deliver critical and desired services; to protect the safety and well-being of the community; and to create conditions for a vibrant, sustainable economy that enhances and safeguards quality of life*

### **Manager's Comments:**

Strategic Planning Session: On 8 October from 6:30 PM to 9:00 PM the Committee of the Whole met along with Mayor Elect Hill and Assembly Members Elect and Presumptive to continue work on a 3 year Strategic Plan built upon the work of the 2012 Comprehensive Plan. This COW continued on the initial work of 3 September during which the Borough staff provided an external and inter assessment of the environment and proposed a way forward to continue Strategic Planning. The session of 8 October was facilitated by Dr. Ginger Jewel Superintendent Haines Borough School District with assistance by the Borough Manager. The outputs of the COW consisted of DRAFT Values, Vision, and Mission statement and very rough concepts of specified goals. Another session has been scheduled for 21 October at 6:30 PM to refine goals and then establish objectives linked to goals. Once complete this Strategic Plan will help provide focus for the FY 16, 17, and 18 Budgets.

FY 2016 Budget Preparation: Within the next week I will provide some initial guidance to the staff on actions to prepare for the upcoming FY 16 Budget Discussion. While approval of that budget is months away now is the time for the staff, committees, boards, etc. to start thinking about which programs, projects, and line items are best tied to our Strategic Goals (in progress) and which best meet key attributes such as:

- Mandate to provide (Federal, State, Local, No mandate, best practice to provide)
- Available providers (only Borough, few additional providers, many providers, etc)
- Cost recovery: Assessing program, projects, and line items from both a fiscal and social perspective in terms of value provided to the community.
- Demand for programs.
- Portion of the community served by a program, project, or line item.

The Manager would recommend that committees, boards, and advisory groups begin identifying their priority program, projects, line-items in preparation for the more formalized process. More to follow.

Juneau Systematic Development of Informed Consent (SDIC): Between Sept 30 – Oct 2 the Manager attended SDIC training in Juneau. This training was coordinated by the City/Borough of Juneau and focused on how to build consent for challenging projects

Port & Harbor Town Hall: On 9 October the Harbormaster hosted a Town Hall at the Legion which was attended by about 20 people. The Harbormaster provided information on current projects, answered questions, and reviewed current tariffs and schedules. It was a good opportunity for a relaxed conversation that promoted community engagement and we look forward to more such gatherings sponsored by other departments.

Community & Economic Development Position: The Borough has re-advertised the Community & Economic Development position and the notice appears on bulletin boards, in the local paper, and on our website. As with the last posting this one has been sent to the Alaska Municipal League for distribution and the Manager posted a link on the jobs site for the International City/County Management Association ([http://icma.org/en/icma/career\\_network/JobAd/107602?returnUrl=/en/icma/career\\_network/job\\_seekers/browse\\_jobs](http://icma.org/en/icma/career_network/JobAd/107602?returnUrl=/en/icma/career_network/job_seekers/browse_jobs) ). We have additional plans to post the position on the web versions of the Juneau, Anchorage, and Seattle newspapers.

Skier Day Allocation: Between 7 and 9 October the Manager met with Haines' Heli-ski tour operators and received their briefs and rationale for Skier Day Requests. Per code the Manager has 10 days from 9 October to issue the 2015 Skier Day Allocation report.

Lutak Dock: A DRAFT Lutak Dock report was issued by PND at the request of the Borough Manager. This report focused on structural integrity and the ability of the facility to deal with seismic related stress. Among the conclusions of the report was the emphasis that the structure is at the end of its service life and is living on "borrowed time" (pg 1). They further state that in their view "it is prudent to begin the process to replace the structure to meet current minimum standards under operating conditions and potential seismic loading" (pg 1). Of more immediate concern is a recommendation to "...halt vehicle operations in areas defined by the closure of arc zee-sheet walls and the primary cells" (pg. 15). A follow on conversation with PND identified specific areas at which to halt vehicle traffic and recommendations for the use of trench plate to distribute load as a temporary mitigating factor. On 28 October representatives from PND plan to be on hand to brief the Assembly on the technical details of the report

SEARHC, Haines Volunteer Fire Department, and Haines Borough MOA for Emergency Medical Response and Ambulatory Services: In 1999 SEARHC received a grant from the US Health Resources and Services Administration under section 330(e) of the Public Health Services Act. A requirement of the act was for community health centers to provide professional coverage for medical emergencies. Prior to receiving the grant SEARHC had partnered with the HVFD and the Borough to provide services and resources for emergency medical treatment and the grant made it that much easier to provide assistance. The continuation of this MOA would continue to provision or medicines and other key supplies to our Emergency Medical Specialists and vehicles. The staff is currently reviewing the MOA and will submit to the Assembly for approval upon completion of review.

Haines Invasive Plant Meeting: The Borough Manager and Mayor met with Ms. Meredith Pochardt of Takshanuk Watershed Council and Mr. Brad Ryan to discuss possible Borough participation the Northern Lynn Canal Cooperative Weed Management Area. This group is being formed to find and agree on ways to manage invasive species within our area. Ms. Pochardt presented a DRAFT MOA which the staff is currently reviewing. More information on invasive plant specials and the potential economic and environmental impacts is available here: <http://aknhp.uaa.alaska.edu/botany/akepic/>

Haines Klehini Bridge MOU: Mr. Matthew Van Alstine of the Alaska Department of Transportation sent a DRAFT MOA to the Borough on 29 September relating to the Klehini Bridge Replacement & Transfer project. This project is tied to an agreement between ADOT and the Borough adopted by Resolution #494 on 20 June 2000 in which the Borough agreed to accept responsibility for the Klehini Crossing, the Porcupine Road, and the Chilkat Lake Road in exchange for specific road upgrades. The staff is currently reviewing the MOA and will forward appropriate committees and boards shortly.

Legal: The Borough is currently tracking/awaiting feedback on the following items:

- A legal opinion regarding the Kochu Trust Property Tax determination
- A legal opinion on use of proceeds from sale of lands to fund utility extensions
- Finalization of the Minor Offenses Ordinance
- Platchka v. Haines

Maintenance Agreements: The Borough is in the process of negotiating Maintenance Agreements with the Haines Senior Citizens Center Inc and the Haines Borough School District to agree responsibilities regarding Operations & Maintenance of these facilities.

Bureau of Land Management Visit: On 7 & 8 October Mr. Dennis Teitzel the Field Manager of the Glennallen Field Office was in Haines with members of his staff. They met with the Mayor and the Manager to discuss status of the Ring of Fire Amendment, permitting or BLM land for recreational uses, and other items pertaining to land use. The transition process between the Anchorage and the Glennallen offices is ongoing so several projects will need to await completion of the transition. More to follow.

Audit: The Finance Department went through its annual audit by external auditors from 22-27 September. Several minor items were identified and corrected. The CFO will issue a 1<sup>st</sup> Quarter report by 1 November.

Snow Removal Plan: The Public Works department has completed revisions to the 2014/15 Snow Removal Plan. Details are available on the Borough Web Site here: <http://www.hainesalaska.gov/publicfacilities/townsite-service-area-2014-15-snow-plow-routes>

### **Facilities & Public Works:**

#### Picture Point

Topographical surveying was completed and submitted to the Borough on July 14. Permit for initial fill and grade work is expected in October. If weather allows, work may begin before the end of the year.

#### Library Building Controls Conversion

The new system is functioning well. Staff will receive 8 more hours of training from the contractor.

#### Chilkat Center for the Arts Window Replacement

New windows have been installed in the radio station and the dance studio. The window for the broadcast booth was not shipped. Installation of that window is expected to take place in November.

#### Administration Building Window Replacement

New windows have been installed in the finance office and the mail room at the Administration building.

#### Borough Administration Building Roof

Work is expected to begin by October 15.

#### Pool Lighting

The contract for new lighting at the Pool has been awarded to Dynamic Electric. Staff is designing a schedule with the contractor to ensure the least amount of impact to the pool users. This work will likely begin mid-December.

#### Chilkat Center Doors

Two new doors are being installed at the CCA to correct a fire code violation.

#### Pool Doors

New doors have been installed that separate the pool lobby and the locker rooms. This work recommended in a pool report to help minimize the use of energy from the air handling units.

#### High School Gym Doors

New entrance doors have been installed to the high school gym at the School's request.

#### Visitor Center

The Borough's maintenance staff are replacing the gable end truss at the Visitor's Center with a new laminated beam. This existing logs are no longer structurally sound and pose a risk to the structure.

#### Chilkat Center Heating

Maintenance Staff are finishing the first phase of zoned heating at the Chilkat Center. This work will help reduce fuel costs by heating areas of the facility more efficiently.

#### WWTP

A new blower has been installed at the WWTP. The blowers are used to aerate sewage digester and aerate sewage prior to treatment. This is a first of a three phase project.

#### New Staff

Ted Cheney began work for the maintenance and water/sewer the last week in August. Daymond Hoffman joined the Public Works crew on September 29 as Operator I.

# Memo



To: Haines Borough Mayor & Assembly  
 From: Jila Stuart, Chief Financial Officer  
 Cc: Dave Sosa, Borough Manager  
 Date: September 25, 2014  
 Re: FY14 General Fund Financial Report

The attached financial statements show the Haines Borough's general funds' (Areawide and Townsite) actual revenue and expenditures for the fiscal year ending June 30, 2014 as compared with the previous fiscal year and as compared with the FY14 Budget. These figures are currently unaudited and preliminary.

## Actual Compared to Budget

Areawide general fund revenues overall tracked very close to budget. Revenues exceeded budget by \$32,980 (1%) however \$19,800 of the overage resulted from the PERS "on-behalf" payment which is a non-cash revenue. Property tax revenue was \$23,115 over budget due to increased payments of delinquent tax. Also, "Other Revenue" was higher than budget due to an easement sale and funds received from the Library when it became a department of the Borough. The Library payment was offset by an appropriation to the Friends of the Library per ordinance #14-01-365. These revenues in excess of budget were offset by the Federal Secure Schools payment which was \$58,419 under budget.

Areawide expenditures came in very close to budget overall. Although the total was \$3,679 over budget, \$19,800 of expenditures over budget resulted from PERS "on-behalf" expense which is a non-cash item. Other line items with significant budget variances include:

- Salaries & wages of \$1,551,832 was \$38,517 over budget primarily due to the leave payout last fall for the former Borough Manager. This overage was offset by employee burden and health insurance expense which were under budget due to turnover, vacancies, and interim employees who did not earn the same level of benefits as regular employees.
- Professional & Contractual Services exceeded budget by \$35,771. Included in this overage were legal fees \$10,000 over, RMSA snow removal \$8,000 over, audit fees \$6,000 over, and professional services related to the geospatial addressing project. In some cases the higher professional services were offset by other line items within the department which were under budget.
- Utility expense was \$26,351 lower than expected primarily due to lower fuel costs.

For the year expenditures and transfers exceeded revenues by \$172,240 compared to a budget of \$201,541. In other words, \$172,240 of accumulated fund balance was used in FY14.



\$93,268 of the amount expended consisted of transfers to other funds for capital purchases such as: \$35,000 for lighting upgrades at the pool, \$30,000 for a new ice house coil, and \$25,000 towards a new flatbed truck. As of June 30, 2014 the fund balance for the Areawide General Fund was \$2,491,027 which represents 52 percent of the FY15 operating budget, or a 6 month cash reserve.

Townsite service area general fund revenues were slightly higher than budget (2%) while expenditures and transfers were 5% lower than budget primarily due to:

- \$78,106 of operating transfers budgeted from the townsite fund to capital project funds for construction that did not take place yet.
- Payroll under budget \$62,592 due primarily to vacancies in positions. Some of this savings was offset by increased material & equipment expenditures and moving expense.
- Vehicles expense was \$21,064 under budget primarily due to lower fuel prices and moderate snowfall.

The combination of slightly higher than expected revenues and lower than expected expenditures results in a \$400,984 revenues under expenditures for the year for the townsite service area fund, rather than the \$558,792 which was budgeted. In other words, \$400,984 of accumulated fund balance was used in FY14. \$565,774 was for capital purchases including: \$220,000 for purchase of a new loader, \$152,500 for the narrow-banding radio project, \$89,000 for the e911 project, and \$70,000 for the purchase of two new police vehicles.

### **Year to Year Variance**

Areawide revenues were down \$296,156 (7%) in FY14 compared to the previous year. Significant factors in the decrease were a \$213,403 decrease in state revenue sharing and a \$154,302 decrease in raw fish tax. Areawide expenditures were up \$191,622 (5%) for the year. A large factor in the year to year increase is the inclusion, in FY14, of the entire library budget which was previously treated as a component unit and recorded separately. The library accounts for roughly \$77,000 of the year to year variance. Other factors in the variance were payroll up \$60,000 (2%) and professional services up \$85,069 (28%).

Townsite revenues were up slightly \$16,499 (1%) in FY14. Increases in property tax, sales tax, and the community jails revenue were offset in part by decreases in road maintenance funds from the Chilkoot Indian Association and state revenue sharing. Townsite expenses and operating transfers were up due to increased transfers for capital projects and purchases.

**HAINES BOROUGH**  
**GENERAL FUND Preliminary Revenue & Expenditures SUMMARY by FUND**  
**FOR THE FISCAL YEAR ENDED JUNE 30, 2014**

**01 AREAWIDE GENERAL FUND**

	<b>FY13 ACTUAL</b>	<b>FY14 ACTUAL</b>	<b>Yr to Yr VARIANCE*</b>	<b>FY14 BUDGET</b>	<b>BUDGET VARIANCE*</b>	<b>% OF BGT</b>
<b>REVENUE</b>						
Property Tax Revenue	\$ 1,606,529	\$ 1,691,115	\$ 84,586	1,668,000	\$ 23,115	101%
Sales Tax	494,891	493,537	(1,354)	492,000	1,537	100%
Sales Tax Lodging	88,083	83,046	(5,038)	75,000	8,046	111%
State Revenue - Revenue Sharing	723,327	509,924	(213,403)	507,000	2,924	101%
State Revenue - Raw Fish Tax	326,813	172,511	(154,302)	172,510	1	100%
State Revenue - PERS "on-behalf"	339,205	332,800	(6,405)	313,000	19,800	106%
State Revenue - Other	15,721	27,198	11,477	21,200	5,998	128%
Federal Revenue - Secure Schools	205,595	131,581	(74,014)	190,000	(58,419)	69%
Federal Revenue - P.I.L.T.	375,243	366,573	(8,670)	360,000	6,573	102%
Federal Revenue - Library	-	32,691	32,691	37,102	(4,411)	88%
Investment Income	93,037	112,152	19,115	110,000	2,152	102%
Rents	61,603	61,903	299	69,000	(7,097)	90%
User Fees	42,387	65,394	23,007	82,000	(16,606)	80%
Penalty & Interest - PropertyTax	48,137	20,779	(27,358)	25,000	(4,221)	83%
Penalty & Interest - Sales Tax	29,936	36,921	6,986	20,000	16,921	185%
Business Licenses	12,775	21,600	8,825	20,000	1,600	108%
Miscellaneous Fines & Fees	21,720	24,296	2,576	20,767	3,529	117%
Other Miscellaneous Revenue	437	56,532	56,095	27,129	29,403	208%
Sale of Fixed Asset	-	31,110	31,110	28,975	2,135	0%
	<b>\$ 4,485,438</b>	<b>\$ 4,271,663</b>	<b>\$ (296,156)</b>	<b>\$ 4,238,683</b>	<b>\$ 32,980</b>	<b>101%</b>
<b>EXPENDITURES</b>						
Salaries and wages	\$ 1,512,098	\$ 1,551,832	\$ (39,734)	\$ 1,513,315	\$ (38,517)	103%
Employee Burden	437,276	435,125	2,151	458,112	22,987	95%
PERS "On Behalf" Pd by State	339,205	332,800	\$ 6,405	313,000.00	\$ (19,800)	106%
Health Insurance	327,031	356,051	(29,020)	393,288	37,237	91%
Component Unit Reimbursements	(46,371)	(6,049)	(40,322)	-	6,049	0%
Supplies & Postage	24,921	69,208	(44,288)	60,954	(8,254)	114%
Material & Equipment	39,473	43,734	(4,261)	51,945	8,211	84%
Computers and Peripherals	16,918	18,720	(1,802)	25,870	7,150	72%
Professional & Contractual	303,976	389,046	(85,069)	353,275	(35,771)	110%
Dues, Subscriptions & Fees	10,844	8,002	2,842	8,835	833	91%
Travel & Per Diem	30,672	34,226	(3,554)	45,984	11,758	74%
Training	6,120	10,220	(4,100)	14,535	4,315	70%
Advertising	9,386	11,296	(1,909)	7,840	(3,456)	144%
Banking & Insurance	30,618	44,704	(14,086)	32,350	(12,354)	138%
Vehicle Expense	12,476	8,835	3,641	13,450	4,615	66%
Utilities	165,880	215,327	(49,446)	241,678	26,351	89%
School District - Instructional	1,556,866	1,556,866	-	1,556,866.00	-	100%

	FY13 ACTUAL	FY14 ACTUAL	Yr to Yr VARIANCE*	FY14 BUDGET	BUDGET VARIANCE*	% OF BGT
School District - Activities	210,000	210,000	-	210,000.00	-	100%
Appropriations from the Assembly	80,196	73,853	6,343	74,596	743	99%
Building Maintenance & Repairs	34,810	35,699	(889)	35,500	(199)	101%
Discretionary Expense	2,507	2,849	(342)	2,800	(49)	102%
Work Orders	(158,685)	(137,714)	(20,972)	(145,850)	(8,136)	94%
Allocations	(674,265)	(763,997)	89,732	(768,420)	(4,423)	99%
Operating Transfers - OUT fr General	120,327	93,268	27,059	90,300.00	(2,968)	103%
Operating Transfers - In fr Permanent	(140,000)	(150,000)	10,000	(150,000.00)	-	100%
<b>TOTAL AREAWIDE EXPENDITURES</b>	<b>4,252,280</b>	<b>4,443,902</b>	<b>(191,622)</b>	<b>4,440,223</b>	<b>(3,679)</b>	<b>100%</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>\$ 233,158</b>	<b>\$ (172,240)</b>	<b>\$ (405,397)</b>	<b>\$ (201,541)</b>	<b>\$ 29,301</b>	

## 02 TOWNSITE SERVICE AREA

### REVENUE

Property Tax Revenue	343,082	391,094	\$ 48,012	390,000	\$ 1,094	100%
Sales Tax	676,516	688,440	11,923	657,000	31,440	105%
Chilkoot Indian Assoc. Road Maint.	252,319	217,778	(34,541)	220,000	(2,222)	99%
State Revenue - Public Safety	353,293	387,220	33,927	387,220	-	100%
State Revenue - General	138,802	96,000	(42,802)	96,000	-	100%
Interest Earnings	2,469	1,869	(600)	2,000	(131)	93%
Miscellaneous Fines & Fees	4,246	4,826	580	4,200	626	115%
<b>TOTAL TOWNSITE REVENUES</b>	<b>1,770,728</b>	<b>1,787,227</b>	<b>16,499</b>	<b>1,756,420</b>	<b>30,807</b>	<b>102%</b>

### EXPENDITURES

Salaries & Wages	\$ 566,094	\$ 505,916	\$ 60,178	\$ 528,551	\$ 22,635	96%
Employee Burden	176,681	169,677	7,005	183,634	13,957	92%
Health Insurance	109,700	114,400	(4,700)	140,400	26,000	81%
Supplies & Postage	5,670	6,375	(705)	6,400	25	100%
Material & Equipment	123,484	144,478	(20,994)	120,500	(23,978)	120%
Computers & Peripherals	803	3,052	(2,249)	2,500	(552)	122%
Professional & Contractual	157,326	97,672	59,654	102,863	5,191	95%
Dues & Subscriptions	1,295	1,569	(274)	1,500	(69)	105%
Travel & Per Diem	7,332	17,074	(9,742)	9,850	(7,224)	173%
Training	2,108	1,502	606	2,000	498	75%
Advertising	2,850	1,802	1,048	1,350	(452)	133%
Banking & Insurance	16,409	22,649	(6,239)	19,000	(3,649)	119%
Vehicle Expense	116,744	96,286	20,458	117,350	21,064	82%
Utilities	80,734	77,533	3,201	82,400	4,867	94%
Work Orders	(106,801)	(62,558)	(44,243)	(58,730)	3,828	107%
Allocations	370,401	425,011	(54,610)	411,764	(13,247)	103%
Operating Transfers - OUT from TSA	165,809	565,774	(399,965)	643,880	78,106	88%
<b>TOTAL TOWNSITE EXPENSES</b>	<b>1,796,638</b>	<b>2,188,211</b>	<b>(391,572)</b>	<b>2,315,212</b>	<b>127,002</b>	<b>95%</b>
<b>NET REVENUE UNDER EXPENDITURES</b>	<b>\$ (25,910)</b>	<b>\$ (400,984)</b>	<b>\$ (375,074)</b>	<b>\$ (558,792)</b>	<b>\$ 157,808</b>	

\*Positive variance is favorable. Negative variance is unfavorable.



# 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](mailto:business@khns.org)

# 8C

## Facility Administration Report September 2014

### Usage:

September saw the return of a full roster of **Jujutsu classes and Morning Muscles** and the exit of the last of the yoga classes. Marnie Hartman had opened a new office in the white tower at the Fort and began conducting classes there in our July but then our daytime and Sunday classes decamped to the Zumba studio. Sorry to see them go but ideally we will attract other user-groups this winter. September welcomed the return of the Strongwomen, rebranded as **Strength and Stretch**, to the lobby. They meet weekly on Monday and Thursday at a new time, 10 am to 11am.

The **Foundation for the Chilkat Center for the Arts** had a successful fundraiser for the Chilkat Center on Sept 6<sup>th</sup> with Sourdough Slim – they transformed the lobby into an old-time western saloon and went all out in costume and decorations. **Haines Arts Council** hosted a Latin Jazz concert and the **African Children's Choir** put on an enthusiastic and amazing performance which was well-attended, especially by parents and kids.

The kitchen rental is concluded for the season. Sarah J decided not to stay open until October which is sad for all of us who depend on a coffee hit within walking distance.

Preparation is beginning for the *Lights! Sound! Action! Project* implementation which will be happening throughout the winter in different phases of installation. We anticipate that we can schedule events in between the different project phases so that we are not unable to accommodate our theater and lobby users. The center is grateful to the Rasmuson Foundation and the Murdoch Trust for their matching funds as well as all the donors and volunteers who are actively working on this project.

We have a number of events and uses coming up in October beginning with the Dr Feldman send off in the lobby on October 4<sup>th</sup>. We are happy to also note that River Talk is returning in October and continuing through April on the third Thursday of the month. If you missed it last year, put it on your calendar, it is one of the best events in town and good value as well. Local stories told by your friends and neighbors, many of whom are real sleepers!

### Maintenance:

- With the new heating system replacement in the dance studio, certain parts of the wall exposed a previous color providing a perfect opportunity for the Jujutsu folks who have wanted to paint the room. They have arranged a painting party to take care of that.
- Window replacement in the KHNS production and dance studios in process! Broadcast studio waiting on arrival of window but wow, they are nice, thank you!!
- KHNS recently received a grant to do some renovations and buy some furniture for the station so we will be painting in our reception area as well as modest improvements to our offices that have been approved by the Facilities Director. Timeline for that is over the fall and winter as time allows. No psychedelic colors, we promise.

<b>Chilkat Center for the Arts</b>			
<b>9/30/2014</b>			
<b>Contact</b>	<b>Function</b>	<b>Participants</b>	<b>Amount</b>
	<b>Dance Studio</b>		
Yoga	daytime and evening classes - Changed to Zumba Studio and Fort Seward Tower		
Chorus Bishop	Kids and Adult Jujutsu classes	112	\$255.00
	<b>Lobby</b>		
Well and Fit	Morning Muscles	70	\$135.00
St Michael's	Sunday Services - 4 weeks	120	\$300.00
Well and Fit	Strength and Stretch - began end of September	27	\$45.00
KHNS	Annual Meeting	65	n/c
Ann Reidesel	Northwind Meeting	40	\$75.00
	<b>Conference Room</b>		
FCCA	Board meeting Sept 11	7	n/c
HARK	Board retreat 8-2pm and 5-7pm	10	\$100.00
	<b>Auditorium</b>		
Haines Arts Council	John Danberg - Latin Jazz	150	\$325.00
FCCA - CCA Fundraiser	Sourdough Slim Concert and Reception	250	n/c
Becky Nash	African Children's Choir	200	\$375.00
	<b>Kitchen</b>		
Sarah Jaymot	Sarah J's Shoppe - season close	2	\$250.00
Chair & Table Rentals	two small receptions		\$100.00
	<b>September totals</b>	<b>1053</b>	<b>\$1,960.00</b>

**August Statistics**

Visits: 9,364

Monthly Circulation: 8,640

Internet Use: 2,063 Wi-Fi: 2,441

Meeting Room Use: 40, Attendance: 223

Library Programs: 37, Attendance: 526

Non-Library Programs: 3, Attendance: 8

**September 24, 2014****Director's Report****Updates**

- Interviews are scheduled for September 22, 23, and 24 for the Library Aide position. A decision will be made the week of September 29 with a start date set for early October.
- Cathy Keller and I finalized work on the FY14 library budget numbers. 99.9% of Borough funds were expended, 100% of IMLS Basic grant was expended, 100% of PLA grant was expended, and 85% of budgeted IMLS Enhancement grant funds were expended which will leave available funds for the FY15 budget to cover a portion of Jessie and Erik's hours. Many, many thanks to Cathy Keller for her diligent work and patience while we worked out library spending and accounts. We are both very optimistic that this next year will be much less complicated.
- Training on the new library mechanical controls system with Eric Persson, of Meridian Systems of Anchorage, was Thursday, September 11. Ed Bryant will be available for follow-up training with me for anything I may have missed when they met again on Friday. Facilities staff will have primary access with one log-on for library staff.
- We are waiting for AP&T to complete their part of the installation in regards to internet access, so we have yet to see an increase in our internet speed. Erik has checked with them to remind them that the installation is not complete. Again, the monthly cost will be \$135, a \$55 per month increase and is covered by the Friends of the Library. Update: GCI technicians are planning on being here this week to complete the upgrade.
- On Thursday, September 11, we received notice that the Chilkoot Indian Association and the Haines Borough Public Library are the recipients of a 2014 Native American Library Services Enhancement Grant in the amount of \$149,829.
- The library staff will be meeting from 8-10am on Wed, September 24 in preparation for our lunchtime planning and visioning session on Saturday, September 27.
- Our presentation to the Yukon Community Libraries was well received. People were impressed (actually, flabbergasted) by our numbers both for circulation and programs. We hope to find ways to plan exchange programs in the future.
- Department manager's meetings are now scheduled for every Thursday from 8:30-10AM. Additional trainings will also be scheduled. Currently, we are discussing the book, *The Service Payoff: How Customer Service Champions Out-serve & Outlast the Competition*.

# Haines Borough Public Library

## Grants

- Currently working on the Public Library Assistance FY14 grant report, annual statistical report, and updated technology plan due to the State Library by October 15.
- Final financial reimbursement form for current IMLS Enhancement grant due September 30<sup>th</sup>. The final narrative report is due December 30<sup>th</sup>.
- FY15, IMLS Basic Grant amount of \$7,000 has been requested from the Chilkoot Indian Association.
- FY15, Public Library Assistance grant of \$6,650 has been deposited.
- FY14, Continuing Education reimbursement funds for Erik and Jessie were received and booked to FY14 revenue.
- FY15 Continuing Education reimbursement funds have been requested for Janine, following her attendance at the Association for Rural and Small Libraries conference.

## Program Highlights

- Our final Cultural Program for our current Enhancement grant project, *War at Kaatx'waaltu*, was a two-part event which included a presentation at the library on Sept. 18 at 6:30 with Anastasia Wiley and Sally Burattin, followed by a field trip to the site on Saturday, September 20 at 12:30. Thirty people attended the evening program and 23 participated in the field trip on Saturday.

## Upcoming

- Planning a Capitol Project Workshop for library staff, board and Friends of the Library, Saturday, September 27 from 9-5
- Alaska Library Association Council Meeting, September 20-21, over OWL rather than face to face in Anchorage.
- DirLead (Directors/Leaders meeting) is at Girdwood, October 22-25.
- Holiday Open House, Saturday, November 29, 3pm.

## September 2014 Haines Vol. Fire Dept. Monthly Report

The Haines Vol. Fire Dept. had one fire callout in September. The call was to assist with a vehicle that backed into a ditch and needed stabilization. Fire callouts for 2014 totals 18. The Haines Vol. Fire Dept. responded to 20 ambulance callouts in September. Calls included a burn, two in respiratory distress, a general weakness, a chest pain, an abdominal pain, three patient refusals, a recall and 10 medivac/transport. Ambulance callouts for 2014 total 186. There were no SAR callouts in September. SAR callouts for 2014 total 1.

The first joint meeting for September was a business meeting followed by foam use, advancing hose lines and operation of master stream devices for the fire company. EMS responders divided into three teams and each provided care for either a cardiac event, respiratory event or an allergic reaction. Each scenario continued until the patient was transported into the ambulance and a patient report given. Those not directly participating, practiced writing a runsheet on the scenario. The EMS training meeting was a review of standing orders in the form of "Jeopardy" plus expanded scope checkoffs on nitro administration and glucometer testing. Thanks to Jenn And Julie for their coordinating this training. Fire training started with a FF 1 video on salvage operations. Responders then practiced salvage cover rolls, folds, making a water chute, and a catchall. We also rolled hose that was drying in the hose tower.

Jenn Walsh and Chuck Mitman attended the Alaska Fire Conference held in Kenai. Jenn continued to an EMS training in Anchorage. Many great classes were attended.

After nearly 24 years on the HVFD, Jerry Blood has submitted his letter of retirement. Jerry spent over 10 years as one of the paid staff and has been a great asset to our department. We thank him for his dedicated effort.

## Volunteer Hours for September 2014

HVFD Fire 130	HVFD Ambulance 205	SAR
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## Volunteer Hours for 2014

HVFD Fire 1245	HVFD Ambulance 2638	SAR 341
----------------	---------------------	---------

Total Volunteer Hours HVFD for 2014	4224 Hours
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Respectfully Submitted,



AL Badgley HVFD Training Officer



**Haines Borough Public Library Board  
Approved Meeting Minutes  
August 20, 2014**

*The mission of the Haines Borough Public Library is to be responsive to community needs by assembling, preserving and providing access to materials, information, and technology. Therefore, the Library will offer an environment conducive to providing programs, sharing information and stimulating ideas. The library will be a community gathering place where all ages are welcome.*

**Call to Order - 4:05pm**

**present - Patty Brown, Anne Marie Palmieri, Diana Lapham, Stacey Gala, Cecily Stern, Reba Heaton, Joann Ross-Cunningham, Heather Lende, James Alborough, Dick Flegel, Lorrie Dudzik**

**Additions or Revisions to Agenda - none**

**Consent Agenda Items**

The following items are consent items for final action to be taken on all by a single vote. Any item may be removed for separate consideration if necessary. Moved/Seconded by Cecily/Anne Marie - approved

1. Approval of Agenda
2. Approval of Minutes 7/30/2014
3. Director's report
4. Treasurer's Report

**Items for Discussion**

- Community Foundation grant application (Reba) - Resurface the uneven patio floor and use tiles for tables and chairs. All agreed.
- Library Board Seat - Board approved Tracy Wyrak for the open board position pending an interview by Heather. moved/seconded by James/Cecily - approved
  - Strategic Planning input - Patty detailed where the library fits into the borough's comprehensive plan.
  - Introduction to Capital Campaign planning (Cecily) – Patty will consult with Ann and Cecily to determine the details of a plan and get back to the board by the September meeting.
  - Finance Committee & Alaska Library Network account - Friends of the Haines Borough Public Library Capital Campaign Account will be set up with the Alaska Library Network. moved/seconded by Anne Marie/Lorrie - approved
  - Date for joint board/staff meeting - The annual joint meeting will be held on October 1st from 9:00am - 11:00am and we will invite Friends members.

**Other**

- Radio - September 12 - Heather, Sept. 19 - Dick

**Next Meeting - September 19, 2014 4pm**

**Adjournment - 5:20pm**



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 14-511

Assembly Meeting Date: 10/14/14

Business Item Description:	Attachments:
Subject: Authorize Contract with Romtec for Restroom Building Module at Picture Point	1. Resolution 14-09-590 2. Romtec Quote 3. WalCon Quote 4. Picture Point Design Committee Minutes (8/21/14)
Originator: Special Projects Officer (Christina Baskaya)	
Originating Department: Administration	
Date Submitted: 8/22/14	

Full Title/Motion:
Motion: Adopt Resolution 14-09-590.

Administrative Recommendation:
This resolution is recommended by the Picture Point Design Committee.

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 27,500	\$ 27,500	\$ 0	Increased Maintenance Costs

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives: Objective 8A, Page 203	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>On 9/23, the assembly postponed this resolution to the 10/14/14 meeting at the manager's request to provide time to get additional information. The Borough has since confirmed the Romtec quote of \$27,500 for a Model 1008 pre-fabricated restroom building module still will be valid if the Romtec is not delivered until next summer (5-6 weeks are needed for manufacturing the structure). Estimated operation and maintenance costs include about \$1,100 annually to pump out the facility. Also, the Public Facilities Director estimates 3-4 hours a week of staff time for cleaning, plus 15-20 hours (annually) of additional staff time for maintenance. Total cost (assuming the facility is open six months of the year) = approximately \$6,680 on the high end. The Borough has sufficient funding from the Picture Point Wayside Improvements grant and budgeted local match for the Romtec Model 1008 purchase, plus the estimated \$6,500 in shipping costs. Note: The Picture Point Design Committee minutes refer to "the purchase of the Romtec 1006 bathroom with the addition of the log post and beam porch," which is actually the Model 1008.</p>

Referral:	
Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:	
Meeting Date(s): 9/23/14, 10/14/14	Public Hearing Date(s):
	Postponed to Date:

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Romtec in the amount of \$27,500 for the purchase of a Model 1008 pre-fabricated restroom building module as part of the Picture Point Wayside Improvements project.**

**WHEREAS**, the Haines Borough received a grant from the Alaska Department of Transportation and Public Facilities for Picture Point Wayside Improvements in the amount of \$184,400 with a local match of \$46,000; and

**WHEREAS**, the Picture Point Design Committee recommended the Borough purchase a restroom building as part of this project; and

**WHEREAS**, the Borough Special Projects Officer, Community and Economic Development solicited quotes as a pricing comparison; and

**WHEREAS**, Romtec provided a quote of \$27,500 for a Model 1008 pre-fabricated restroom building module; and

**WHEREAS**, the Picture Point Design Committee preferred this option over a WalCon Chisholm 22 model, with an estimated base price of \$36,318, and two other restroom buildings that were researched and found unsuitable for Haines; and

**WHEREAS**, the Borough has sufficient funding from the Picture Point Wayside Improvements grant and budgeted local match for the Romtec Model 1008, plus the estimated \$6,500 in shipping costs,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly authorizes the Borough Manager to contract with Romtec in the amount of \$27,500 for the purchase of a Model 1008 pre-fabricated restroom building module as part of the Picture Point Wayside Improvements project.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2014.

Attest:

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

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

## Krista Kielsmeier

---

**From:** Carlos Jimenez  
**Sent:** Thursday, September 18, 2014 9:39 AM  
**To:** Krista Kielsmeier  
**Subject:** FW: Romtec Follow-Up/ Waterless RR Building  
**Attachments:** T2-1008-AKChena River .jpg; T2-1008-OH-2.jpg; T2-1008-OH-Sunnybrook.jpg; T2-1008-OH-Sunnybrook-Matching existing17590.jpg

---

**From:** Todd Black [<mailto:todd.black@romtec.com>]  
**Sent:** Tuesday, August 26, 2014 9:07 AM  
**To:** Carlos Jimenez  
**Subject:** Romtec Follow-Up/ Waterless RR Building

Carlos-

Christina told me that you would be the contact taking over on this project once she left for her trip. I wanted to take this opportunity to introduce myself and get some information Christina had requested in front of you.

Currently, I have given her budgetary information for our Model 1006. Last Friday, she had indicated that you guys might be interested in our Model 1008- which is the Model 1006 w/ a covered roof extension/entryway. I have attached a couple of Photos of the Model 1008 for you to review. This unit is still a pre-fabricated building Module that you would set in place. The Roof Extension comes as (1) extra piece that you do have to attach to the main building module during installation.

As for the money difference in the (2) models, I gave Christina the following budgetary estimates:

- Romtec Model 1006: \$23,999 (+ Shipping)
- Romtec Model 1008: \$27,500 (+ Shipping)

Please let me know if you would like me to produce a hard quote (including shipping) on the Model 1008.

I look forward to working with you throughout this project. Have a great day!

### Todd Black

#### Sales

Phone: 541.496.3541

Fax: 541.496.0803

Email: [Todd.black@romtec.com](mailto:Todd.black@romtec.com)

Web: [Romtec.com](http://Romtec.com)

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**Krista Kielsmeier**

---

**Subject:** RE: Picture Point Restroom

---

**From:** Christina Baskaya  
**Sent:** Friday, August 22, 2014 1:51 PM  
**To:** Carlos Jimenez  
**Subject:** Picture Point Restroom

Hello Carlos,

I attached the Romtec Restroom details and the committee actually wanted model 1008 with the log post and beam porch. That version costs an additional \$3,500 which brings that total to \$27,499 plus approx. \$6,400 for shipping. I think that the \$106,000 left in the grant budget for restrooms, should still cover this and construction.

Thank you for taking this back on!

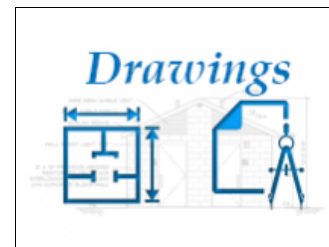
Christina Baskaya  
Special Projects Officer, Community & Economic Development  
Haines Borough, Alaska  
[www.hainesalaska.gov](http://www.hainesalaska.gov)  
[cbaskaya@haines.ak.us](mailto:cbaskaya@haines.ak.us)  
907-766-2231 ext. 60



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## Model 1006-1009 – SST Traditional Double



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Visit our quick and simple quote form, and get your building project started today!

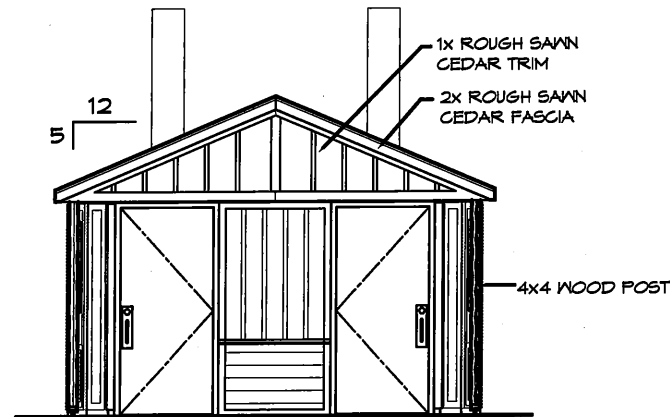
## Romtec 1006, 1007, 1008 & 1009

**DESCRIPTION:** Romtec's SST® Traditional Double line of waterless restrooms is designed to meet your two occupant needs. Each pre-engineered unit is fitted with Romtec's SST® ventilation system, which uses natural air pressure to move odors away from the restroom. Both unisex bathrooms have their own 750-gallon vault, making this an ideal solution for popular locations that are off the grid. The Traditional Double models come with a gable roof and either a privacy partition, an all weather porch, or a log post and beam porch. Keep your costs low by selecting exactly what features you want. These units arrive ready for installation, but Romtec also offers turnkey expediency.

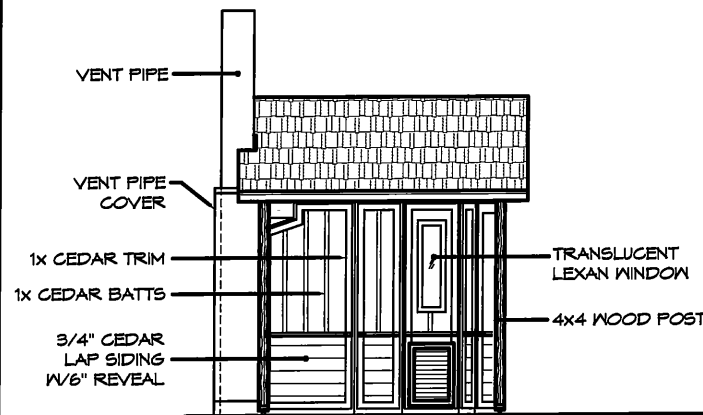
### FEATURES:

- Floor plan: 10'-6" (widest) x 13'-6" ext.; 6' x 7'-3" interiors (2)
- 750-gallon impervious underground vaults (2)
- Romtec's SST® odor-free waterless restroom design with flow-through ventilation and kick-proof louvered wall vent
- Reinforced concrete foundation and slab – poured in place
- Prefabricated structure with choice of cedar wood siding, stucco finish (choice of colors), log-look siding
- Gable roof with metal or composition roofing, optional tile
- Choice of building additions: Privacy Partition addition (1007) or All-Weather Porch & Privacy Partition addition (1008) or Rustic Log Porch & Privacy Partition (1009)
- Acrylic restroom windows in aluminum frames
- Powder-coated steel door with ADA pull handle & deadbolt
- 18" ADA toilet riser with seat/lid, stainless steel grab bars
- 12" dia. vent pipe, 24" dia. cleanout for pump access
- Options: choice of toilet paper dispensers, hand cleaner, urinal, solar lighting system

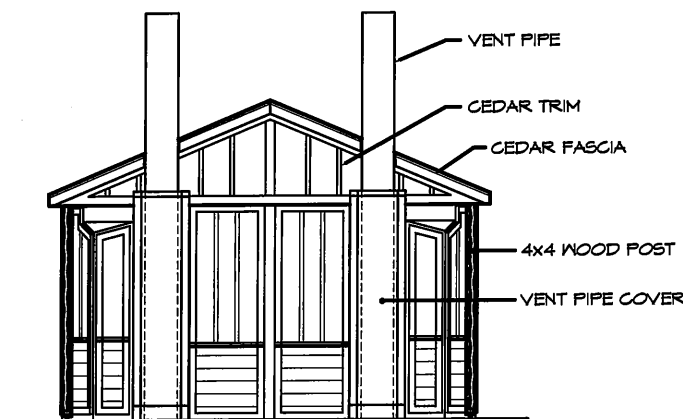
# Standard



FRONT VIEW

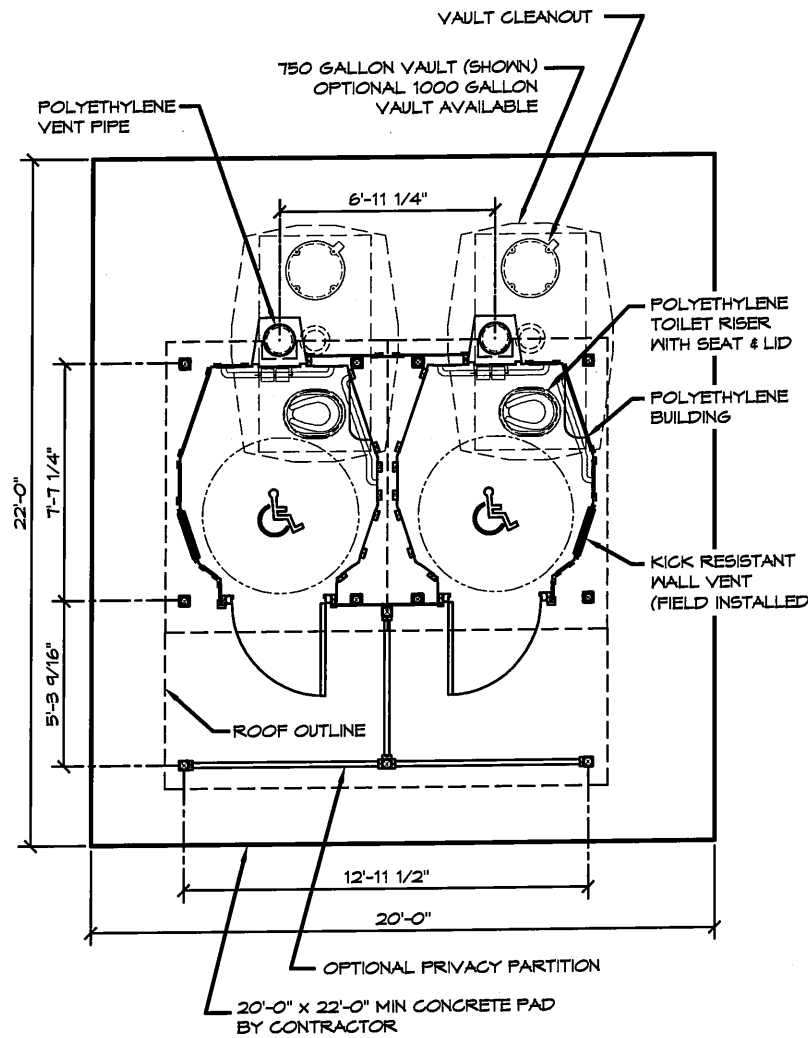


SIDE VIEW WITH STANDARD SIDING PACKAGE



BACK VIEW

# SST TRADITIONAL DOUBLE RESTROOM

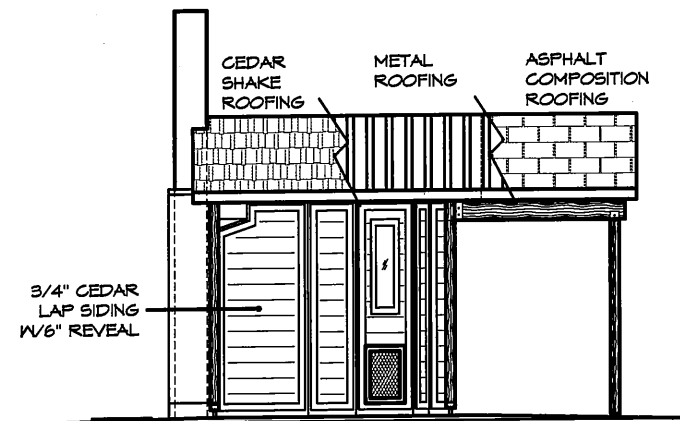


FLOOR PLAN

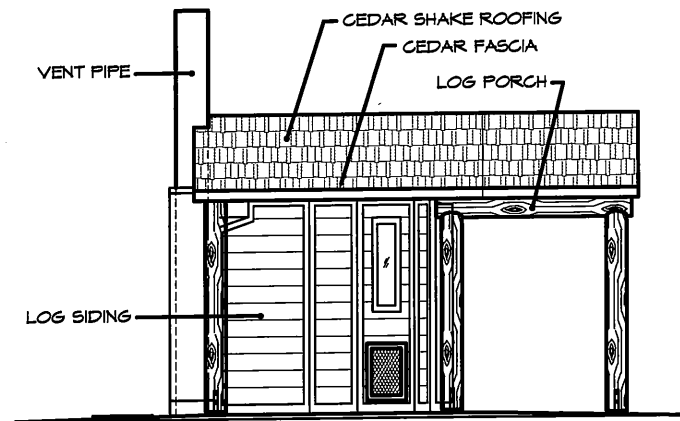
ALL-WEATHER PORCH AND PARTITION ARE OPTIONAL. REFER TO YOUR QUOTE FOR YOUR SPECIFIC BUILDING PACKAGE.

STANDARD SIDING FOR THE TRADITIONAL BUILDING IS CEDAR LAP & BATT. OPTIONAL SIDING IS STUCCO AND LOG POST & BEAM. REFER TO YOUR QUOTE FOR YOUR SPECIFIC BUILDING.

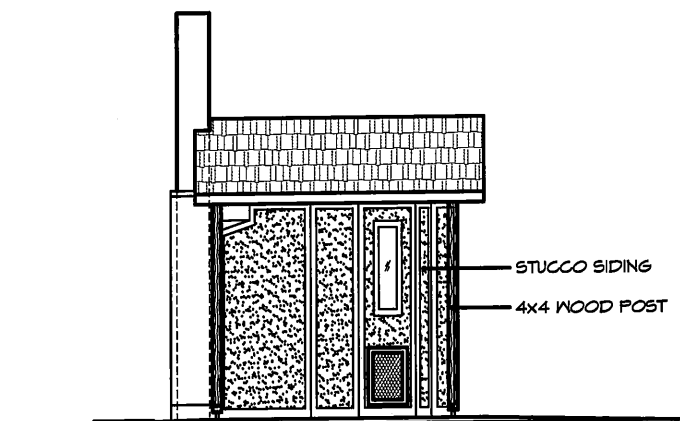
# Options



SIDE VIEW WITH PORCH & PRIVACY PARTITION



SIDE VIEW WITH LOG PORCH & LOG SIDING



SIDE VIEW WITH OPTIONAL STUCCO SIDING

**ROMTEC**  
 18240 NORTH BANK ROAD - ROSEBURG, OR 97470  
 (541) 486-3541 FAX (541) 486-0808

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PROJECT: 1006 w/o Porch - 1007 w/ Porch  
**SST TRADITIONAL DOUBLE RESTROOM-CONCRETE**  
**OPTIONAL PORCH & PARTITION**  
 MEN'S OR WOMEN'S SINGLE USER RESTROOM BUILDING

PROJECT#: .  
 MODEL#: 1006/1007  
 DATE: 7/22/11  
 REVISIONS  
 REV. DATE BY  
 DRAWN BY: TI

SHEET NO. 1



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Chisholm 22  
Length: 168"  
Width: 116"  
Height: 114"

Cubic Feet: 1,286  
Weight: 58,292 lbs  
Vault: included  
Building Type: C  
Rooms: 2  
Toilets: 2  
Urinals: 0  
Sinks: 0  
Showers: 0

Base Price:  
\$36,318.00

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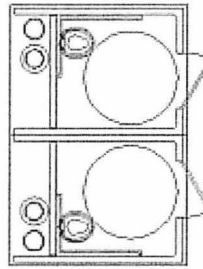
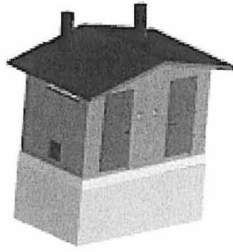
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Roof Options:

Wall Options:

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Toilet Paper Dispensers:

- Additional Options:**
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## **Picture Point Design Committee Meeting**

August 21, 2014

Location: Library Conference

Members Present: Barbara Mulford, Judy Heinmiller, Rob Goldberg, Leslie Ross

Absent: Meredith Pochardt

Visitors: Sue Waterhouse, Sue Leuscher, Christina Baskaya

**Call to order:** 10:08am

**Discussion:** Sue Waterhouse commented that she was not in favor of the paving and parking development of Picture Point. She thinks that the point is fine the way it is. She asked if the design was online.

The committee replied that the projects is part of the overall DOT Scenic Byway. Committee stated they are trying to organize the use of Picture Point area, which is already being used. The object was to make the area available for all users, including handicap.

Rob brought up the question of if the development was in our budget.

Barbara suggested that if we were limited on funds, that we eliminate the pavilion. She said that we should develop Area 2 with the D1, as well as Area 1 and promote it for camper use. Put burn pits in at Area 2.

### **Bathroom Discussion:**

Christina presented two models: Romtec 1006 and Walcom Chisholm 22. Two other restrooms that she had researched, would not work for Haines. Barb suggested continuity with the bathroom similar to the Tanani point.

**Motion:** Judy moved to recommend the purchase of the Romtec 1006 bathroom with the addition of the log post and beam porch.

**Second:** Rob

Passed unanimously.

**AIA Totem Sign Discussion:** Barbara brought up the public did not want signage or minimal signage.

Judy said more wayfinding signage is needed. Sue L. suggested providing a little more information to get visitors interested in learning more of Haines. Barbara said that the totem sign was originally thought to be for Area 2. Leslie said that it should be in Area 1 for to capture more visitors.

Barbara suggested that we secure the CIP funds for at least half of the signs and she wants to figure out the cost of the wayfinding signs. It was suggested to start with contacting DNR.

**Motion:** Rob made the motion to recommend that the Borough match \$14,000 for the purchase of the AIA totem sign.

**Second:** Barbara

Passed unanimously.

**Motion** to Adjourn by Barbara

**Second:** Judy





**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 14-510  
**Assembly Meeting Date:** 10/14/14

Business Item Description:	Attachments:
Subject: Keller Appeal of Cease & Desist Order	1. Resolution 14-10-591 2. Mr. Keller's Appeal Letter 3. Borough's Cease and Desist Order 4. HBC Chapter 8.12
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 8/26/2014	

**Full Title/Motion:**  
Motion: Adopt Resolution 14-10-591.

**Administrative Recommendation:**  
A resolution adopting the findings is a step required by HBC 8.12.130(H).

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ none	\$	\$	n/a

**Comprehensive Plan Consistency Review:**  
Comp Plan Goals/Objectives: \_\_\_\_\_  
Consistent:  Yes  No

**Summary Statement:**  
On August 14, 2014, the borough issued a Cease and Desist order to Gary Keller regarding discharge of firearms on his property in Chilkoot Inlet Subdivision within the Townsite Service Area. As is his right under HBC 8.12.130, Mr. Keller submitted a timely appeal of that order. Following the hearing, the assembly took action to rescind the Cease and Desist order.  
  
HBC 8.12.130(H) requires the assembly to adopt its findings by resolution.

**Referral:**  
Referred to: \_\_\_\_\_ Referral Date: \_\_\_\_\_  
Recommendation: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

**Assembly Action:**  
Meeting Date(s): 9/9, 9/23, 10/14/14  
Public Hearing Date(s): 9/23/14  
Postponed to Date: \_\_\_\_\_

**A Resolution of the Haines Borough Assembly adopting written findings of the September 23, 2014 appeal hearing of the Keller shooting range Cease and Desist order.**

**WHEREAS**, on August 14, 2014, the borough issued a Cease and Desist order to Gary Keller regarding a shooting range on his property located at 649 South Beach Road in the Chilkoot Inlet Subdivision within the Townsite Service Area; and

**WHEREAS**, as was his right under HBC 8.12.130, Mr. Keller submitted a timely appeal of that order; and

**WHEREAS**, per HBC 8.12.130(F), enforcement of the Cease and Desist order was stayed pending final disposition of the appeal; and

**WHEREAS**, on September 9, 2014, the borough clerk gave the appeal to the assembly and with the assembly's direction the clerk scheduled September 23, 2014 for the appeal hearing; and

**WHEREAS**, the mayor acted as presiding officer and chose not to administer oaths or compel the attendance of witnesses; and

**WHEREAS**, Mr. Keller appeared in person on his own behalf and made the following ARGUMENTS as part of his presentation or in answer to assembly questions:

- *HBC 18.60.020 addresses a change in an existing nonconforming use to a new use that is also nonconforming; he has never sought to change his "grandfathered" firing range to a new use;*
- *His use of his gun range was properly accepted as a nonconforming use when annexation occurred in 1999; it was legal when he started it and he believes it is still legal;*
- *He questions whether military specifications for a gun range are the only standard for determining if a gun range is safe for its intended use;*
- *He has safely used his range for 28 years without injury or incident and has limited its use to family and individuals whom he knows to practice the highest safety practices; there are no automatic weapons allowed on his range; it is basically used for target practice;*
- *He limits shooting between 8:00 a.m. and 8:00 p.m.; the noise is not much different than a chainsaw or log splitter, and the range is well-covered with vegetation;*
- *To his knowledge, there has been only one complaint since the property was annexed, and that is the complaint that precipitated this Cease and Desist order; one complaint in 28 years does not rise to the level of nuisance cited in the borough code;*
- *He does understand the safety concerns and is willing to make modifications to ease them but believes changes are not necessary from a legal standpoint to continue use of his range; he gave his word that he will make safety-related changes, but he doesn't want to have the modifications approved or formalized; and*

**WHEREAS**, Borough Manager David Sosa summarized the borough's enforcement order:

- *In response to a neighbor complaint, he conducted a site inspection with the chief of police on August 13, 2014; there are other dwellings on the adjacent properties within 200 meters to the left and right of the firing point;*
- *"Firing range" is prohibited in the townsite service area, per HBC 18.70.040, and HBC 9.24.010 addresses the discharge of a firearm of pistol within the townsite service area: "A. It is unlawful for any person to fire or discharge, within the limits of the townsite service area, any pistol,*

Haines Borough  
Resolution No. 14-10-591  
Page 2 of 3

*gun, rifle, air rifle, or other firearm, other than a police officer in the lawful performance of the officer's duty. B. Notwithstanding subsection (A) of this section, it is not unlawful to discharge a firearm at a rifle range, target shooting range, trap shooting range, or other area that is posted for such purpose; providing, that the chief of police has approved the area as being safe for such purpose; and providing, that such shooting is adequately supervised and safely conducted;"*

- *HBC 18.60.020(M) addresses non-conforming uses, buildings and lots; the purpose of this section is to control, reduce or eliminate conflicts from the presence of buildings and uses not conforming to zoning regulations; this section of code states: "11. nonconforming use may be changed to an allowed use or another nonconforming use with approval of the manager. The manager must find the new use is more consistent with the uses allowed in the zone, or is less of a fire or safety hazard;"*
- *This is a nonconforming use issue, not a conditional use issue; if the property were to change ownership, the nonconforming use would no longer be allowed;*
- *Considering the increased residential use of the area that has developed in the period since Mr. Keller was originally issued the nonconforming use permit, he determined the firing range to be inconsistent with the uses allowed in this zone and the Borough Planning & Zoning Technician concurred with that opinion;*
- *Mr. Sosa has been certified multiple times as a Range Safety Officer and has overseen fire training at multiple facilities; his responsibilities included ensuring appropriate range design and adherence to appropriate safety standards; there are best practices for ranges everywhere, and the same standards should be maintained for both large and small ranges;*
- *His main concerns are containment and malfunction; there could be ricocheting projectiles under different conditions that pose a risk to the shooters or to individuals off the property; if that risk is mitigated, he would likely have no objection;*
- *He would like to have an approval process to make sure there is a safe environment, and the chief of police shares that position;*
- *He believes the shooting range poses a danger to residents and visitors and, in accordance with HBC 8.12.020 (Certain conditions declared nuisances) "8- To annoy, injure or endanger the safety, health, comfort, or repose of the public," he issued a Cease and Desist Order; and*

**WHEREAS**, eight neighbors provided either written or oral statements in support of the shooting range; and

**WHEREAS**, four neighbors submitted written statements supporting the borough's Cease and Desist order; and

**WHEREAS**, the borough assembly asked questions of Mr. Keller and Manager Sosa, and considered all written and oral statements before reaching the following CONCLUSIONS:

1. The manager and chief were correct in responding to the complaint;
2. The shooting range is a nonconforming use continually in existence for 28 years;
3. Section 19.07 of the Charter preserves existing rights; Mr. Keller had the right to shoot on his property when he first bought it; he got a letter after annexation that confirmed he could keep his range; the town has built up around it;
4. Keller is only shooting there with private people, and no automatic weapons are allowed;
5. Conditions acceptable back in 2001 may be questionable now because of neighborhood growth, but Keller is being safe and gave his word he will take steps to provide even more safety assurance; he has operated the shooting range without incident or accident; and

Haines Borough  
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**WHEREAS**, as a result of these conclusions, and as allowed by HBC 8.12.130(H), the assembly took action to rescind the Cease and Desist order; and

**WHEREAS**, Keller will voluntarily write a letter of assurance regarding safety modifications; and

**WHEREAS**, HBC 8.12.130(H) requires the assembly to adopt its findings by resolution following the public hearing,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly adopts the above-listed findings of the September 23, 2014 appeal hearing of the Keller Cease and Desist order.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2014.

Attest:

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

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

Attorneys At Law

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**BAXTER BRUCE & SULLIVAN P.C.**  
Professional Corporation

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Juneau, Alaska 99803  
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(907) 789-1913 (Facsimile)  
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Daniel G. Bruce  
Kevin J. Sullivan  
Theodore S. Christopher  
Fred J. Baxter (Retired)

August 26, 2014

**VIA FACSIMILE (907) 766-2716**

Julie Cozzi  
Borough Clerk  
103 Third Avenue S.  
P.O. Box 1209  
Haines, AK 99827

**RE: Keller Appeal of Cease and Desist Order of August 14, 2014  
Firing Range Lot 6B, Block 3, Chilkoot Inlet Subdivision  
Our File No.: 5956.003**

Dear Ms. Cozzi:

Please accept this letter as formal notice of Gary Keller's appeal of Mr. Sosa's Cease and Desist Order of August 14, 2014. Mr. Keller disagrees with the assessment by Mr. Sosa that the firearm range on Mr. Keller's property is a threat to public safety and it is a nuisance. Mr. Keller questions whether the military specifications for a gun range are the only standard for determining if a gun range is safe for its intended use.

Furthermore, the recitation to HBC 18.60.020 is meaningless and irrelevant. That section addresses a change in an existing non-conforming use to a new use that is also non-conforming. Mr. Keller has never sought to change his "grandfathered" firing range to a new use. Mr. Keller has safely used his range for 28 years and limited its use to family and individuals whom he knows to practice the highest safety practices. He also limits shooting between 8:00 AM and 8:00 PM. To his knowledge, the only complaint ever made by anyone in that time period was the complaint by Mr. Miller. A reasonable person would have to question the conclusion that one complaint in 28 years rises to the level of nuisance cited in the Haines Borough Code.

Mr. Keller would like the opportunity to present his case to the Borough Assembly. His use of the gun range was properly accepted as a non-conforming use when the annexation took place. To deny him this property right without a fair and impartial hearing violates due process.

**BAXTER BRUCE & SULLIVAN P.C.**

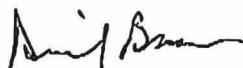
Julie Cozzi  
August 26, 2014  
Page 2

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Please feel free to contact me at [dbruce@baxterbrucelaw.com](mailto:dbruce@baxterbrucelaw.com) or 789-7111 if you have any further questions regarding this matter.

Best regards,

BAXTER BRUCE & SULLIVAN P.C.



Daniel G. Bruce

DGB/ggk  
cc: Gary Keller



HAINES BOROUGH  
P.O. Box 1209  
Haines, AK 99827-1209  
907-766-2231 Ext. 29  
907-766-2716 (fax)

August 14, 2014

Gary Keller  
PO Box 1564  
Haines, AK 99827

VIA CERTIFIED MAIL

Re: **Cease and Desist Order**  
Firing Range  
C-CIA-03-06B0; Lot 6B, Block 3, Chilkoot Inlet Subdivision

Dear Mr. Keller:

On 13 August 2014 at 10:00 AM I conducted a site inspection in response to a complaint from Robert and Ardys Miller relating to the discharge of firearms on your property. Accompanying me on this visit was the Police Chief William Musser. I had in my possession a 1:25,000 scale topographic map denoting your property and surrounding properties prepared using the Borough's ArcGIS system. In addition I had relevant sections of Department of the Army Pamphlet 385-63 (Range Safety) with specific information on ballistic considerations for various caliber ammunition, and template Surface Danger Zones (SDZ's) scaled to a 1:25,000 scale map for the following ammunition: 12 Gauge Slug, 9mm Ball Ammunition, 5.56mm (.223) Ball Ammunition, .45 Cal Ball Ammunition.

I have previous experience having been certified multiple times as a Range Safety Officer, Range Office in Charge, and Training and Doctrine Command (TRADOC) Level 2 Range Safety Officer. I have also served as a Battalion Fire Support Coordination Officer, a Battalion Operations & Training Officer, a Division Training Officer, and as an Infantry Battalion Commander while assigned as an officer in the United States Marine Corps between 1992 and 2014. During this period I oversaw live fire training at multiple facilities throughout the United States and overseas and was responsible for ensuring appropriate range design and adherence to appropriate safety standards. The use of SDZ's is common practice throughout the military and for civilian design of safe ranges. In accordance with DAM Pam 385-63 the Bat Wing Surface Danger Zone is employed to *"provide for greater ricochet containment of all ricochets. They should be considered when designing ranges that involve fire and movement, or where ricochet hazards outside the range complex boundary may endanger nonparticipating personnel, or the general public"*. (DA-PAM 385-63 Appendix B-1)

Your property is located at 649 South Beach Road, within the Haines townsite service area. Haines Borough Code (HBC) 9.24.010 addresses the discharge of a firearm of pistol within the townsite service area. This section of code states: *"A. It is unlawful for any person to fire or discharge, within the limits of the townsite service area, any pistol, gun, rifle, air rifle, or other firearm, other than a police officer in the lawful performance of the officer's duty. B. Notwithstanding subsection (A) of this section, it is not unlawful to discharge a firearm at a rifle range, target shooting range, trap shooting*

range, or other area that is posted for such purpose; providing, that the chief of police has approved the area as being safe for such purpose; and providing, that such shooting is adequately supervised and safely conducted". According to our conversation, your family has maintained a firing range on your property for 28 years and this use precedes the incorporation of that area into the townsite service area. You showed both myself and Chief Musser a letter issued by Mr. Vince Hansen, a former City of Haines Administrator, authorizing use of a firing range on the property as a non-conforming use based on pre-existing use prior to incorporation. You also noted that at the time you received the non-conforming use permit there were only two properties on that portion of Beach Road. A visual inspection of the adjacent properties identified there are other dwellings within 200 meters to the left and right of your firing point. After placing the SDZ's on the map and orienting the template based on direction of fire I made a determination that the adjacent properties were included in the area of concern for all of the caliber ammunition noted in the first paragraph and Chief Musser concurred with this opinion.

Additionally, "firing range" is prohibited in the townsite service area, as per HBC 18.70.040. HBC 18.60.020(M) addresses non-conforming uses, buildings and lots. The purpose of this section is to control, reduce or eliminate conflicts from the presence of buildings and uses not conforming to zoning regulations. This section of code states: "A nonconforming use may be changed to an allowed use or another nonconforming use with approval of the manager. The manager must find the new use is more consistent with the uses allowed in the zone, or is less of a fire or safety hazard". Considering the increased residential use of the area that had developed in the period since you were originally issued the non-conforming use permit, I determined that the firing range is not consistent with the uses allowed in this zone and the Borough Planning & Zoning Technician Tracy Cui concurred with this opinion.

Based on the findings above, you are hereby issued a Cease and Desist order citing public safety and in accordance with HBC 8.12.020 (Certain conditions declared nuisances) "B - To annoy, injure or endanger the safety, health, comfort, or repose of the public". Your intended use for the property was not in accordance with the Borough Code, posed a danger to residents and visitors, was not permitted. You were further notified that continuing to use the property to fire weapons was a violation for which you could be cited and fined.

You may appeal this notice to the assembly by filing with the clerk, an appeal in writing in accordance with the appeal procedure provided under HBC 8.12.130 within 15 days from the date of this notice. Therefore, an appeal would have to be received no later than August 29<sup>th</sup>, 2014.

This matter requires your immediate attention. If you continue to fire weapons on your property you will be cited for violation of the Borough code. Thank you very much for your attention to this matter. Please contact the Borough if you have any questions.

Respectfully,



David Sosa  
Borough Manager

CC: Bill Musser, Police Chief  
Tracy Cui, Planning & Zoning Technician



## **Chapter 8.12 NUISANCES**

### Sections:

- 8.12.010 Definitions.
- 8.12.020 Certain conditions declared nuisances.
- 8.12.030 Hazardous building or structure prohibited.
- 8.12.040 Hazardous building or structure – Condemnation authority.
- 8.12.050 Hazardous building or structure – Inspection and report to assembly.
- 8.12.060 Abatement official.
- 8.12.070 Notice and order to abate.
- 8.12.080 Service of notice.
- 8.12.090 Method of service.
- 8.12.100 Proof of service.
- 8.12.110 Abatement by borough.
- 8.12.120 Method of abatement.
- 8.12.130 Appeal to assembly.
- 8.12.140 Enforcement.
- 8.12.150 Recovery of costs.

### **8.12.010 Definitions.**

For the purposes of this chapter, the following terms are defined as follows:

“Incidental expenses” includes, but is not limited to, the actual expenses and costs incurred by the borough in the preparation of notices, specifications, and contracts, in the overhead and inspection of the work, and in the printing and mailing required under this chapter.

“Nuisance” means any act or thing that is injurious to the public health or safety, prevents or obstructs the reasonable use and enjoyment of life or property, or is dangerous to surrounding property.

### **8.12.020 Certain conditions declared nuisances.**

It shall be unlawful for any person to cause or create the following declared nuisances within the townsite service area:

- A. To bury a person except within an established cemetery.
- B. To annoy, injure or endanger the safety, health, comfort, or repose of the public.
- C. To offend the public decency.
- D. To interfere with, obstruct, or render dangerous any street, highway, navigable lake, or stream.
- E. To make any loud or unreasonable noise that annoys, injures or endangers the comfort, repose, or health of a person, except as may be necessary in the operation of properly maintained equipment or other apparatus which cannot be operated otherwise.
- F. To operate a machine, device or apparatus that causes reasonably preventable electric interference in the operation of any radio or television receiving set.
- G. To maintain an unoccupied building in such a manner as to permit or enable the ingress and egress of animals.
- H. To maintain a building in a state of disrepair or deterioration, in a manner creating or permitting the existence of a hazardous or unsafe condition, or in a manner constituting an attractive nuisance.

I. To maintain a building in a state of disrepair or deterioration so as to reduce the surrounding property values or cause other unreasonable economic detriment to surrounding property owners, including, but not limited to, allowing on the premises: lumber, refuse, junk, debris, or abandoned, discarded, and unused objects, such as automobiles, fixtures, furniture, appliances, and other objects which are not kept for immediate use and have been allowed on the premises for more than 30 days.

J. To cause the accumulation of stagnant water or discharge of wastewater on the ground surface or into any surface watercourse as a result of the failure of an on-site wastewater disposal system.

K. To create, permit, or allow to exist, or to fail to take reasonable and precautionary measures to restrict access to, a condition on property in one's control or possession constituting an attractive nuisance or safety hazard to children, including, but not limited to: abandoned or broken equipment or tools, excavations, water pools, or objects in which children can be confined, such as refrigerators or other enclosures.

L. To cause the emission of noxious fumes.

M. To cause the exposure, display, sale, or distribution of pictures, books, pamphlets, magazines, papers, documents, or objects that offend the public decency, according to prevailing community standards; or to provide a facility, location or other medium where such items are exposed, displayed, sold, or distributed.

N. To use a street, sidewalk, or place adjacent thereto in such a manner as to cause an obstruction of traffic except as may be authorized by law or ordinance.

O. To cause the public exposure of a person having a contagious disease.

P. To cause one's cellar, pool, sewer, water closet, or private drain to become noxious, foul, offensive, or to otherwise pose an unreasonable risk to the public health and safety.

#### **8.12.030 Hazardous building or structure prohibited.**

It is unlawful for any person, association, corporation, or other entity to have, keep, or maintain, within the townsite service area, any building or other structure that is or has become a fire or health hazard or a public nuisance.

#### **8.12.040 Hazardous building or structure – Condemnation authority.**

Any building or other structure within the townsite service area that is a fire or health hazard or a public nuisance shall be subject to condemnation as authorized by AS 29.

#### **8.12.050 Hazardous building or structure – Inspection and report to assembly.**

Whenever the manager, fire chief, chief of police, or planning commission of the borough, after inspection, deems any building or other structure within the townsite service area to be a fire or health hazard or a public nuisance, said public official shall render to the assembly a complete written report concerning the conditions of such building or other structure and, if condemnation is recommended, a statement of the reasons why such building or other structure should be condemned. Included in such report shall be any violations of this chapter or of any other code provisions and of any state statutes, together with recommendations as to abating, altering, repairing, removing, or demolishing such building or other structure.

#### **8.12.060 Abatement official.**

The manager or the manager's designee may, as provided by this chapter, abate any nuisance within the townsite service area that is prohibited by this chapter.

### **8.12.070 Notice and order to abate.**

A. Upon discovery or receipt of notice of any nuisance prohibited by this title, the abatement official shall immediately notify the owner of the property on which the nuisance exists and require the abatement of the nuisance within a reasonable time limit specified by the abatement official.

B. The abatement official may abate any public nuisance without notice in an emergency when the public safety, comfort or repose is seriously annoyed, injured, or endangered to the point where immediate action is necessary to avoid further harm and notice cannot be reasonably given in a timely manner. All abatement procedures provided in this chapter, except the giving of notice, shall apply to the nuisance abated under this subsection, including the recovery of costs.

C. Unless a nuisance has created an emergency situation which requires immediate abatement as provided in subsection (B) of this section, the abatement official shall issue an abatement notice and order to:

1. The record owners of the affected property;
2. The person committing, creating, or maintaining the public nuisance; and
3. The occupant of the affected property.

D. The notice and order shall contain:

1. The street address and legal description of the subject property;
2. A statement that the abatement official has found the property affected with a public nuisance including a brief and concise description of the public nuisance as declared in this chapter;
3. A statement of the action to be taken, as determined by the abatement official, to wholly abate the public nuisance by rehabilitation, repair, demolition, or other action;
4. A statement advising that, if any required abatement is not commenced or completed within the time specified, the abatement official may proceed to cause the necessary work to be done and charge the cost thereof against the property or its owner;
5. An advisement that any person having record title or other legal interest in the property may appeal the notice and order of any action of the abatement official to the assembly by filing with the clerk, an appeal in writing in accordance with the appeal procedure provided under HBC [8.12.130](#) within 15 days from the date of service of such notice and order;
6. An advisement that failure to file a timely appeal will constitute a waiver of the right to contest the order.

E. No notice and order under subsection (C) of this section is required for the abatement of a public nuisance occurring on borough property or public streets, parks, and rights-of-way.

### **8.12.080 Service of notice.**

A. The abatement notice and order issued under HBC [8.12.070](#) and any amended or supplemental notice and order shall be posted on and served upon the record owner of the property affected by the public nuisance. A copy thereof shall also be served on each of the following if reasonably ascertainable to the abatement official or readily available from official public records:

1. The holder of any mortgage, deed of trust, lien, or other encumbrance of record;
2. The lessor or holder of any lease of record;
3. The owner of any other estate or legal interest of record in or to the property affected with the public nuisance;

4. The person in possession of the property.

B. The failure of the abatement official to serve any person required to be served under subsection (A) of this section shall not invalidate any proceedings herein as to any other person duly served or relieve such person from any duty or obligation imposed by the provisions of this chapter.

**8.12.090 Method of service.**

Service of the notice and order shall be made upon all persons entitled thereto under HBC [8.12.080](#), personally or by mailing a copy of such notice and order by registered or certified mail, postage prepaid, return receipt requested, to the person's address as it appears on the last assessment roll of the borough or to such proper address as is known, or reasonably ascertainable by, the abatement official. If no address of such person is available, a copy of the notice and order shall be addressed to such person at the address of the property involved in these proceedings. A failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified or registered mail in the manner herein provided shall be effective on the date of mailing.

**8.12.100 Proof of service.**

Proof of service of the notice and order shall be certified to at the time of the service by written declaration under penalty of perjury executed by the person effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt, card return, or acknowledgment of receipt by certified or registered mail, shall be affixed to the copy of the notice and order.

**8.12.110 Abatement by borough.**

After the expiration of the time limit specified in the notice and order for the abatement of the nuisance, the abatement official shall proceed to abate the nuisance at the expense of the borough, unless:

- A. The nuisance has already been abated to the satisfaction of the abatement official;
- or
- B. An appeal from the order of abatement has been filed with the assembly.

**8.12.120 Method of abatement.**

A. The abatement official (and the assembly, if an appeal is taken) shall order the means best calculated to wholly abate the nuisance for the least cost. Demolition shall not be ordered if repair or removal may accomplish the abatement.

B. Abatement of a public nuisance by the borough shall be accomplished by borough personnel or by private contractor.

**8.12.130 Appeal to assembly.**

A. A person entitled to service under HBC [8.12.080](#) may appeal a notice and order or an action of the abatement official concerning abatement of a public nuisance, by filing at the office of the clerk, within 15 days from the date of service of such order, a written appeal to the assembly.

B. Upon receipt of an appeal filed pursuant to this section, the clerk shall present it at the next regular or special meeting of the assembly.

C. Within five days of the assembly meeting referred to in subsection (B) of this section, and as directed by the assembly, the clerk shall fix a date, time, and place for the hearing by the assembly, or shall notify the appellant that the appeal has been rejected for

lack of timeliness. Such hearing date shall not be less than 10 days or more than 60 days from the date the appeal was filed with the clerk. Written notice of the time and place of the hearing and the issue(s) to be heard shall be given at least 10 days prior to the date of the hearing to each appellant by the clerk either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal. If applicable, the notice shall state that the appeal was not filed in a timely manner and require that the appellant show good cause for the late filing before proceeding on the merits of the appeal.

D. Unless excused by the assembly upon a showing of good cause, the failure to file an appeal in a timely manner in accordance with the provisions of subsections (A), (B) and (C) of this section shall constitute a waiver of the right to challenge or adjudicate the validity of the notice and order, or any portion thereof, before the assembly. In no event shall good cause be found to exist where an appeal is filed more than 30 days after the expiration of the filing deadline, at which time the clerk may refuse to accept an appeal outright.

E. Only those matters or issues specifically raised by the appellant shall be considered at the hearing on the appeal.

F. Enforcement of the notice and order of abatement issued under this chapter shall be stayed pending final disposition of a timely and properly filed appeal.

G. At the hearing, the appellant may appear in person or by agent or attorney. The presiding officer of the assembly may administer oaths and compel the attendance of witnesses. Record shall be kept of the proceedings by the clerk or a competent stenographer under direction of the clerk and the appellant shall be furnished a copy upon request at no expense. The assembly shall have the following powers:

1. To hear and decide appeals where error is alleged in any order, findings, requirement, decision, or determination of the abatement official;
2. To hear and decide requests for exceptions to the terms of this chapter;
3. To grant variances from the terms of this chapter in specific cases as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the chapter would result in unnecessary hardship, and so that the spirit of the chapter shall be observed and substantial justice done.

In exercising its powers, the assembly may, in whole or part, reverse, affirm, or modify the finding, order, requirement, decision, or determination appealed.

H. The assembly, after the public hearing, shall adopt a resolution of its findings. If removal of the nuisance is provided for and ordered, the owner shall have at least 30 days from the date of the resolution to do so unless the assembly orders that repairs or alterations be completed within a lesser time.

#### **8.12.140 Enforcement.**

A. Generally. After an order of the abatement official or assembly becomes final, a person to whom such order is directed who fails, neglects, or refuses to obey such order shall be subject to punishment in accordance with HBC [1.24.010](#).

B. Failure to Obey Order. If, after any order of the abatement officer or assembly has become final, any person to whom such order is directed fails, neglects, or refuses to obey such order, the abatement official may:

1. Cause such person to be prosecuted under subsection (A) of this section;
2. Institute any appropriate action to abate such public nuisance; or
3. Take both of the actions specified in subsections (B)(1) and (2) of this section.

### **8.12.150 Recovery of costs.**

A. The abatement official shall keep an accounting of the costs, including incidental expenses, of abating each public nuisance, and shall render an itemized written report to the assembly showing the costs and manner of abatement of each public nuisance, including any salvage value relating thereto.

B. Upon the completion of the abatement work, the abatement official shall prepare and file with the clerk a report specifying the work done, itemizing the total cost of the work, and identifying the property affected by the public nuisance and the names and addresses of the persons entitled to notice pursuant to HBC [8.12.080](#). Before the report is submitted to the assembly, a copy of a report shall be posted for at least five days upon the affected premises, together with a notice of the time when the report shall be heard by the assembly.

C. The costs may be recovered by the borough in a civil action or the borough may assess such costs against each and every separate property affected by the abatement as a tax, which tax shall then be collected as other taxes are collected.

D. All moneys recovered for the costs of abatement shall be paid into the general fund.



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 14-514  
Assembly Meeting Date: 10/14/14

Business Item Description:	Attachments:
Subject: Authorize Haines Library Addition Design and Alt. Cost Estimation Fee Proposal (MRV Architects)	1. Resolution 14-10-592 2. MRV Architects Proposal
Originator: Director of Public Facilities	
Originating Department: Public Facilities	
Date Submitted: 10/8/14	

Full Title/Motion:
Motion: Adopt Resolution 14-10-592.

Administrative Recommendation:
This resolution is recommended by the Director of Public Facilities.

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 51,318	\$ 65,070	\$ 0	Increased Maintenance Costs

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives: Objective 17B, Page 291	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
MRV Architects has completed conceptual drawings for an addition at the Haines Borough Public Library. MRV Architects has provided a quote of \$51,318 for Haines Library Addition Design (to take the project through to bid-ready construction documents) and an alternate cost estimation fee proposal. The proposal calls for full design and documentation of the project that consists of two additions to the building as shown in the conceptual documents; assistance with selection and specification of workstations; and deliverables. The architect proposes visits at the end of the design development phase and the end of the construction documentation phase to present the project in Haines. The alternate cost estimation fee proposal includes two professional cost estimations for the project, one at the end of design development and one at the end of the construction documents and is recommended for budgeting and fund-raising purposes. Funding will come from \$65,070 remaining in CIP appropriations for the library addition.

Referral:	
Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:	
Meeting Date(s): 10/14/14	Public Hearing Date(s):
	Postponed to Date:

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with MRV Architects for an amount not-to-exceed \$51,318 for Haines Library Addition Design and an alternate cost estimation fee proposal.**

**WHEREAS**, MRV Architects has completed conceptual drawings for an addition at the Haines Borough Public Library; and

**WHEREAS**, MRV Architects has provided a quote of \$51,318 for Haines Library Addition Design (to take the project through to bid-ready construction documents) and an alternate cost estimation fee proposal; and

**WHEREAS**, the proposal calls for full design and documentation of the project that consists of two additions to the building as shown in the conceptual documents; assistance with selection and specification of workstations; and deliverables; and

**WHEREAS**, the architect proposes visits at the end of the design development phase and the end of the construction documentation phase to present the project in Haines; and

**WHEREAS**, the alternate cost estimation fee proposal includes two professional cost estimations for the project, one at the end of design development and one at the end of the construction documents and is recommended for budgeting and fund-raising purposes; and

**WHEREAS**, funding will come from \$65,070 remaining in CIP appropriations for the library addition,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly authorizes the Borough Manager to contract with MRV Architects for an amount not-to-exceed \$51,318 for Haines Library Addition Design and an alternate cost estimation fee proposal.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2014.

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

Attest:

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



# MRV ARCHITECTS, PC

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

Project: **Haines Library Addition**  
Subject: Addition Fee Proposals  
To: Patricia Brown  
From: Corey Wall  
Date: September 18, 2014

MRV 1116

---

It has been a pleasure working with you on the Haines Library Conceptual work. Please find attached the fee proposals to take the design through to bid-ready Construction Documents.

We have broken up the fee proposal into two parts. The first, titled "DD-CDs Fee Proposal" is the architectural and engineering work required to take the project to bid-ready documentation. The lump sum proposal of \$44,665 includes:

- Full design and documentation of the project—consisting of two additions to the building as shown in the Conceptual Documents. It is understood that the Staff Addition may grow from what was shown in the Conceptual work.
- Two visits by the Architect at the end of the Design Development phase and the end of the Construction Documentation phase to present the project in Haines.
- Assistance with selection and specification of the workstations. The proposal does not include preparation of a full bid set for the workstations as a separate project.
- Interim deliverables at the end of Design Development will include electronic PDFs and 4 hard copies of the bound documents.
- The final deliverables will include electronic PDFs and a single set of camera-ready hard-copy documents.
- Note that the fee proposal does not include bidding or Construction Administration work since the timing of this is unknown. We will, of course, be more than happy to work with you on these phases at a later date.

The second fee proposal is titled "ALTERNATE Cost Estimation Fee Proposal". This lump sum proposal of \$6,653 includes two professional cost estimations for the project, one at the end of Design Development and one at the end of the Construction Documents. The professional cost estimation will provide much greater accuracy in project estimation and may be helpful for budgeting and fund-raising purposes.

Thanks again! Do not hesitate to contact me with questions or concerns.

Sincerely,



Corey Wall, AIA

**MRV ARCHITECTS PROFESSIONAL SERVICES ANALYSIS**

<b>Haines Library Addition</b>	<b>MRV 1116.04 &amp; .05</b>
<b>MRV Architects - Design Development - Construction Documents</b>	<b>September 18, 2014</b>

STAFF CATEGORIES	PIC	PM	PA	AD	D
HOURLY RATES (\$/HR)	155	131	115	95	79

Design Development

Research & Prepare Existing CAD Drawings			2		4
Overall Site Plan			2		2
Expanded Floor Plans (2)			4		4
Building Sections (2)			4		4
Roof Plan (1)			2		2
Coordination Telephone Conferences (3)			3		
<i>On-site Presentation</i>			8		

Construction Documents

Overall Site Plan			6		2
Expanded Floor Plans (2)			8		4
Building Sections (2)			6		4
Roof Plan (1)			2		2
Wall Sections (2)			8		4
Interior Elevations			4		4
Details (13)			39		26
Casework / Workstations Selection and Specifications			12		
Specifications			12		2
Coordination			6		
Coordination Telephone Conferences (3)			3		
<i>On-site Presentation</i>			8		

<b>SUBTOTAL HOURS</b>	0	0	139	0	64
<b>SUBTOTAL FEES</b>	0	0	15,985	0	5,056
<b>SUBTOTAL MRV DESIGN FEES</b>					<b>21,041</b>

MRV ARCHITECTS PROFESSIONAL SERVICES ANALYSIS

Haines Library Addition MRV 1116.04 & .05  
MRV Architects - Design Development - Construction Documents September 18, 2014

CONSULTANTS (See attached detail sheets)

BBFM (Structural Engineer)	7,715
Murray & Assoc. (Mechanical Engineer) - DD	3,433
Murray & Assoc. (Mechanical Engineer) - CDs	5,700
Gorman Engineers (Electrical Engineer)	4,285

SUBTOTAL	21,133
MRV OH/P Mark-up @ 8%	1,691
<b>SUBTOTAL ENGINEERING CONSULTANT FEES</b>	<b>22,824</b>

REIMBURSABLE EXPENSES (billed at actual to cap)

MRV ARCHITECTS

<i>Flight, Lodging &amp; Per Diem - 2 Visits</i>	<i>800</i>
--------------------------------------------------	------------

SUBCONSULTANTS

*No subconsultant trips proposed*

SUBTOTAL EXPENSES	800
-------------------	-----

**LUMP SUM FEE PROPOSAL 44,665**

**MRV ARCHITECTS PROFESSIONAL SERVICES ANALYSIS**

Haines Library Addition MRV 1116.04 & .05

MRV Architects - ALTERNATE Professional Cost Estimation September 18, 2014

STAFF CATEGORIES	PIC	PM	PA	AD	D
HOURLY RATES (\$/HR)	155	131	115	95	79

SUBTOTAL HOURS	0	0	0	0	0	0
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SUBTOTAL FEES	0	0	0	0	0	0
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SUBTOTAL MRV DESIGN FEES 0

**CONSULTANTS (See attached detail sheets)**

HMS Cost Estimation (Basic Fee as per attached)	6,160
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SUBTOTAL	6,160
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MRV OH/P Mark-up @ 8%	493
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SUBTOTAL ENGINEERING CONSULTANT FEES 6,653

**REIMBURSABLE EXPENSES (billed at actual to cap)**

SUBTOTAL EXPENSES	0
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**TOTAL FEE PROPOSAL, HOURLY TO CAP \$6,653**



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 14-515

Assembly Meeting Date: 10/14/14

Business Item Description:	Attachments:
Subject: Authorize Disposal of Borough Records Slated for Destruction per the Retention Schedule	1. Resolution 14-10-593 2. Addendum A (General List of Records) 3. HBC 2.64.030 4. Haines Borough Records Retention Schedule 2011
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 10/6/14	

Full Title/Motion:
Motion: Adopt Resolution 14-10-593.

Administrative Recommendation:
This resolution is recommended by the borough manager and borough clerk.

Fiscal Impact:								
<table border="1"> <thead> <tr> <th align="left">Expenditure Required</th> <th align="left">Amount Budgeted</th> <th align="left">Appropriation Required</th> <th align="left">Projected Impact to Future Operating Budgets</th> </tr> </thead> <tbody> <tr> <td align="center">\$ 0</td> <td align="center">\$ 0</td> <td align="center">\$ 0</td> <td align="center">None</td> </tr> </tbody> </table>	Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets	\$ 0	\$ 0	\$ 0	None
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets					
\$ 0	\$ 0	\$ 0	None					

Comprehensive Plan Consistency Review:		
<table border="1"> <tr> <td>Comp Plan Goals/Objectives:</td> <td>Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> </table>	Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Summary Statement:
<p>The clerk has been overseeing a comprehensive records management project that has included a review of records to determine historical, legal, and administrative value; and many records have been slated for destruction according to the borough's records retention schedule. Quite a large number have accumulated for a long period of time causing serious storage and potential liability issues. As provided by code, the borough clerk (as part of her statutory duties) seeks assembly authorization to dispose of these records by cremation.</p> <p>Prior to final cremation, the clerk will provide the museum director with an opportunity to review the list of records to confirm there is no historical value. If she does find some, they will be donated to the museum and noted as such on the disposal record.</p>

Referral:				
<table border="1"> <tr> <td>Referred to:</td> <td>Referral Date:</td> </tr> <tr> <td>Recommendation:</td> <td>Meeting Date:</td> </tr> </table>	Referred to:	Referral Date:	Recommendation:	Meeting Date:
Referred to:	Referral Date:			
Recommendation:	Meeting Date:			

Assembly Action:				
<table border="1"> <tr> <td>Meeting Date(s): 10/14/14</td> <td>Public Hearing Date(s):</td> </tr> <tr> <td></td> <td>Postponed to Date:</td> </tr> </table>	Meeting Date(s): 10/14/14	Public Hearing Date(s):		Postponed to Date:
Meeting Date(s): 10/14/14	Public Hearing Date(s):			
	Postponed to Date:			

**A Resolution of the Haines Borough Assembly authorizing disposition of public records in accordance with HBC 2.64.030(B) and the Haines Borough Records Retention Schedule.**

**WHEREAS**, it is deemed necessary for legal, management and storage considerations to retain and dispose of public records in an orderly and specific manner; and

**WHEREAS**, HBC 2.24.020(F) states one of the duties of the borough clerk is to “[m]anage borough records and develop retention schedules and procedures for inventory, storage, and destruction of records as necessary”; and

**WHEREAS**, the borough has a Records Retention Schedule, last revised September 2011, based on the Alaska Local Government General Records Retention Schedule; and

**WHEREAS**, the borough clerk has been overseeing a comprehensive records management project that has included a review of records to determine historical, legal, and administrative value; and

**WHEREAS**, many records have been slated for destruction according to the records retention schedule, and a large number have accumulated for a long period of time causing serious storage and potential liability issues;

**WHEREAS**, Haines Borough Code 2.64.030(B) states the assembly may authorize the disposal of the records listed in the records retention schedule found to be without legal or administrative value or historical interest, including the periodic disposal of records in the regular course of public business, and of disposal of original records when electronically stored;

**WHEREAS**, the borough clerk seeks assembly authorization and, upon receiving it, intends to dispose of the records by cremation using an incinerator constructed by the Public Facilities Department; and

**WHEREAS**, the borough clerk will file a descriptive list of the records disposed of and a record of the disposal itself,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly authorizes the Borough Clerk to dispose of the records slated for destruction generally listed in Addendum A by cremation as soon as practical following adoption of this resolution.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2014.

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

Attest:

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

## Addendum A - attachment to Resolution 14-10-593

### 2014 Records Slated for Destruction per Haines Borough Records Retention Schedule

(Note: this is a general list. Detailed descriptions are on file in the Clerk's Office and may be inspected upon request)

1991-2010	General Correspondence re. Projects & Programs
2006-2011	Childcare Assistance Program Documents
1998-2009	Commercial Parking, Passenger, and Tour Permit Documents
2000-2011	ABC Board Correspondence
2003-2004	Misc. Court Case Documents
1982-1986	Fuel Facility Invoices, Inventory Sheets
1992-1993	Property & Sales Tax Collection Reports
1989-1998	Water Sewer Reports & Notices
1987	Accounts Payable Reports
1988	Payroll Worksheets
1983-2010	Budget Work Papers
1997-1998	Accounts Receivable Reports
1997-1998	Lobbyist Agreement
1997-1998	Reports & General Correspondence (revenue & expenditures)
1997-2010	Personnel-related Reports & Correspondence
1997-1998	Title Insurance Agency Reports
1997-1998	Treasury Correspondence and State Shared Revenues
1992	Income Sheets & Check Copies
1994-1998	A/R invoices, income sheets, check copies, aging reports, adjustment logs
1990-1999	Cancelled Checks & Bank Statements
1983-2003	Legislative handbooks, poster, correspondence, hearing reports
1994-1999	Southeast Conference Correspondence
1996-2000	Accounting Reports, Receipts & Journals
2005	Community Youth Development Payments
1998-2004	CCWSS Correspondence, Litigation & Agreements
2000-2004	Planning Commission Correspondence & Duplicate Documents (inc. meeting packets that are now electronic)
2003-2005	Haines Coastal Mgmt Program Revision and Grant Documents
1995-2003	Correspondence re. Land Development & Covenants, Surveying,
1995-2001	Utility Process Flow Charts
1986-2006	Utility Easements, Correspondence
1970-2010	Planning & Zoning Correspondence and Permit Documents
1984-2010	Economic Development-Related Correspondence & Working Documents
1993-2008	Correspondence re. Misc. Grant Opportunities and Awards
1976-2009	Grant Reports, Debt Retirement Requests, misc grant-related documents
1999-2008	State and Federal Funding Requests
2000-2010	National Forest Receipts Program Documents
2000-2010	National Flood Insurance Program
2000-2010	State Revenue Sharing Program
1996-2010	Shared Fisheries Tax
1997-2009	Insurance Agreements and documents
1990-2009	Misc Water Sewer Correspondence and Projects Documentation
2002	Wastewater Management Feasibility Study
1983-2010	General and Routine Correspondence Public Facilities
1985-2010	General and Routine Correspondence Administration
1970-2010	General and Routine Correspondence Planning & Zoning and Lands

Addendum A – 2014 List of Records for Destruction

Page 2 of 2

2000-2010	General Correspondence re. Boards, Committees, Commissions
1981-2009	General and Routine Correspondence Ports and Harbors
2002-2009	General and Routine Correspondence and Reports Police and Fire Departments
1996-2006	General and Routine Correspondence Service Areas
1997-2009	Election-Related Documents
2006-2009	Community Funding Requests
1991-2006	Bid and Contract Documents for completed projects
1995-2009	Expired Permits and Agreements
2002-2003	Consolidation Transition Working Documents
1976-2002	Vehicle Registrations
1985-2003	Manuals, Publications, Books
2000-2009	Job Bulletins, Newspaper Ads
1995-2006	Accts Payable Paid Invoices
1996-2000	A/R Adjustments
2000-2002	Accts Receivable
1988-2006	A/R Water Sewer & Harbor Receipts
1995-2005	A/R Files, inc. Transaction Reports
2006	A/R Deposits
1988-2006	Prop Tax Reports/Deposits
1973-2007	Senior & Other Property Tax Exemptions
2001-2002	Business Prop Assessments
1986-2006	Business License Renewals
2000-2001	Prop Tax Assessments
1988-2006	Sales Tax White Copies, Deposits, Reports
Prior to 2007	Closed Sales Tax Accounts
1996-1999	Investments, Investment Reports
1997-1998	Cash Receipt Bank Statements
1998	Bank Statements, Bank Reconciliations, Check Copies & Deposits
2000-2002	Collection Letters & Cash Receipts



## **2.64.030 Retention, disposal and electronic media storage of public records.**

A. Record Retention Program – Records Retention Schedule. The clerk shall prepare a schedule of records specifying the records to be:

1. Retained permanently or for a specific period;
2. Destroyed;
3. Disposed of routinely in the regular course of public business; and
4. Stored in electronic form.

The records retention schedule shall list, with sufficient detail for identification, records without legal or administrative value or historical interest to be either destroyed or stored electronically and periodically disposed of by the borough in the regular course of the public business. Any records to be destroyed shall be certified by the clerk as having no legal or administrative value or historical interest. The manager shall promulgate regulations for the effective administration of the records retention program and the record retention schedule.

B. Disposal of Records. The assembly, by a majority vote, may authorize the disposal and method of disposal of the records listed in the records retention schedule found by the assembly to be without legal or administrative value or historical interest, including the periodic disposal of records in the regular course of public business, and of disposal of original records when electronically stored. The clerk or the clerk's designee shall dispose of the records to be destroyed by cremation or other means determined to be appropriate by the clerk. Upon disposal, the clerk shall file in the clerk's office and in the department from which the records were drawn, a descriptive list of the records disposed of and electronically stored and a record of the disposal itself. The clerk shall transmit copies of the list and record of disposal to the assembly, and the filing in the office of the clerk of the list and record of disposal shall constitute a filing and preservation by the assembly of these documents.

C. Electronic Record Storage. The assembly in the record retention schedule may authorize the substitution of electronic copies for any original records, including records to be periodically disposed of, and the disposal of these original records when electronically stored. Records pertaining to any claim and demand by the borough or against it, or any account in which the borough is concerned, either as debtor or creditor, shall not be destroyed until the claim, demand or account has been settled and adjusted. A reproduction, print or enlargement from an authorized electronic copy of an original record shall not be destroyed until the claim, demand or account has been settled and adjusted. A reproduction, print or enlargement from an authorized electronic copy of an original record shall be considered as an original record for all purposes, including the introduction in evidence in any court or other legal or administrative proceedings. When electronically stored, the original records may be destroyed or otherwise disposed of as provided in this subsection. When electronically stored, any original record of historical interest may be turned over to the borough library or museum for display or otherwise. The electronically

stored copies shall be kept in conveniently accessible and properly fireproofed and insulated files, cabinets or containers, and shall be indexed, assembled and maintained for ready reference.

D. Definitions. As used in this section, the words “record” or “records” include any paper, book, photograph, computer disk or other electronic format documents, sound recording, map, blueprint, drawing or other document or memorandum which has been placed in the custody or under the control of or filed with any department, agency, board, committee, commission, officer or employee of the borough, except materials made, acquired and kept for public reference, use, exhibition and examination by the borough library or museum, extra copies of documents preserved only for convenience or reference and stocks of published or processed documents.

**HAINES BOROUGH, ALASKA**

# **PUBLIC RECORDS RETENTION POLICY & SCHEDULE**



Revised by **Julie Cozzi, MMC, Borough Clerk** – September 2011

*Adapted from Alaska Local Government General Records Retention Schedule – 2001*

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# INTRODUCTION AND ABBREVIATION KEY

## INTRODUCTION

### **HAINES BOROUGH PUBLIC RECORDS**

The Borough Clerk is the official Records Manager for the Haines Borough. Please refer all questions, issues, and public requests to the Clerk.

### **PUBLIC RECORDS MANAGEMENT AND PRESERVATION**

AS 40.21 requires the orderly management of current local public records and preservation of non-current public records that have permanent historical value. Additionally, AS 29.20.380(4) says that municipal clerks shall, "manage municipal records and develop retention schedules and procedures for inventory, storage and destruction of records." This schedule is a tool for the borough clerk and other officials and employees to aid in the determination of records retention periods for items created or received by the Haines Borough.

### **PURPOSE AND GOAL OF A RECORD MANAGEMENT PROGRAM**

The primary objective of records management is the efficient, effective, and economical management of information. The guiding principle of records management is to ensure that information is available when and where it is needed, in an organized and efficient manner. An effective program will ensure that Haines Borough staff has the recorded information necessary to perform its statutory and regulatory functions, avoid waste, and preserve the documentary heritage of the community. Additionally, with proper management, unneeded documents may be discarded and less-active records may be transferred to offsite storage.

### **THE DEFINITION OF A RECORD**

In order to be considered a record, the document must meet two criteria. First, regardless of form, it must be created or received by an organization in connection with the transaction of official business. Second, the document must be preserved or be appropriate for preservation by an organization as evidence of the organization's function, policies, decisions, procedures, operations, or because of informational value.

### **RECORD FORMATS**

Records may be a variety of formats including paper, microfilm, analog cassette/videotapes, maps, drawings, photographs, magnetic tapes/disks, and digital audio and video files and disks. In addition, information sets (e.g. email, datasets, metadata) stored in document management systems may have record status and require retention to meet administrative, legal, or financial needs. Regardless of the format utilized, the Record Copy must be maintained by the Haines Borough long enough to meet these needs.

## INTRODUCTION ---continued---

### THE MOST COMMON RECORD TYPES

- **Administrative/Operational:** Records needed for current operations of the Borough.
- **Financial:** Records that document fiscal transactions needed for tax and audit purposes.
- **Legal:** Records that document the rights of citizens or employees or pertain to contractual obligations.
- **Historical:** Records that document policies/procedures or historical activities.

### ABBREVIATION KEY

**P** = Permanent retention (most permanent documents will be stored in the Public Safety Building Records Rooms and the Borough Clerk's Office.)

**T** = Defined where entered

**Numerals** = Retention period in years unless otherwise indicated

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

ACCOUNTING AND FINANCE  
SCHEDULE A - PAGE 1

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
A-1	Annual Final Operating & Capital Budget Official plan and policy for the expenditure of funds approved by the governing body.	2	P	P	
A-2	Budget Work papers Includes drafts, instructions, worksheets, preliminary budgets and agency/community requests.	1	1	2	
A-3	Annual Estimates of Revenue General review of anticipated funds	1	1	2	
A-4	Annual Financial Reports Report prepared by Chief Fiscal Officer summarizing financial condition, activity and balances.	2	P	P	
A-5	Audit Reports Reports prepared either by external or internal sources showing results and recommendations.	3	P	P	
A-6	Books of Original Entry General ledger/journal, revenue ledger/journal, expenditure ledger/journal.	1	P	P	
A-7	Subsidiary Ledgers and Journals Accounts receivable, accounts payable, daily cash receipts, cash disbursements.	1	6	7	

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

ACCOUNTING AND FINANCE  
SCHEDULE A - PAGE 2

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
A-8	Receipts Official documentation of payment for goods or services, fines, fees and permits	2	5	7	
A-9	Banking Records Bank statements, cancelled checks, check stubs or copies, deposit slips, check registers and reconciliation worksheets.	1	6	7	
A-10	Bills of Sale Official documentation of transaction between government agency and buyers.	2	5	7	
A-11	Vouchers Official authorization to pay a claim or bill.	1	6	7	
A-12	Paid Bills and Invoices	2	5	7	
A-13	Travel Requests and Vouchers Official documentation of travel request, authorization and cost of reimbursement.	2	5	7	
A-14	Savings Account Records Passbooks, statements and reconciliations.	2	5	7	
A-15	Monthly or Quarterly Financial Management Reports	1	6	7	



RECORDS RETENTION SCHEDULE - HAINES BOROUGH

ACCOUNTING AND FINANCE  
SCHEDULE A - PAGE 3

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
A-16	Contract Files Official documentation of selection of contractor and issuance of the contract. May include requests for proposals with affidavits of publication, evaluation of responses, notice of award, contract negotiations, original signed contracts, change orders, correspondence and payment records.	T+1	6	T+7	T= expiration of contract and final pmt. Some may have archival and/or instructional value
A-17	Responses to RFP (not selected)	1 or A		1 or A	A + Audit
A-18	Grant Files Official documentation for receipt of grant funds From either State or Federal agencies. Should include grant applications, budgets, project narrative, plans of work, progress reports, records of matching or in-kind contributions and correspondence. Individual contents will depend on regulations of source agency.	T	3	T+3	Total retention time may depend on regulations of source agency
A-19	Grant Application (not successful)	1		1	
A-20	Financial Support Records for Contracts and Grants May include work papers, spreadsheets, summaries And other data reflecting the expenditure of contract Or grant funds	T	A+3	A	A=Completion of source agency audit
A-21	Employee Withholding Exemptions (W-4)	1	3	4	
A-22	Employer Copy of W-2 (Federal Withholding tax statement)	1	3	4	
A-23	Payroll Policies and Procedures	P		P	
A-24	Records of Attachments, Garnishments, or Levies against salaries or wages.	T	P	P	T=Satisfaction or termination

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

ACCOUNTING AND FINANCE  
SCHEDULE A - PAGE 4

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
A-25	Timesheets or Timecards Daily, weekly or monthly record of time, including overtime.	T	P	P	
A-26	Employee Earnings Record	T	P	P	
A-27	Payroll Deduction Authorization and Lists	T	P	P	
A-28	FICA and Unemployment Insurance Reports	2	5	7	
A-29	Savings Bond Accounting Records	2	P	P	
A-30	Payroll Warrant Register Shows check number, employee name, net amount and cost center coding.	2	P	P	
A-31	Individual Payroll Case Files Documents related to the employee's salary – may include payroll action forms, PERS enrollment and transaction forms, etc.	T	P	P	T=termination of employment
A-32	Billing Statements Statements for services or taxes due.	1	6	7	
A-33	Fund Investment Records Includes buy/sell orders, confirmations, safekeeping advices and ledgers.	1	6	7	

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

**RISK MANAGEMENT  
SCHEDULE B**

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
B-1	Insurance Policies & Certificates Liability, vehicle, fire, theft, health and life, worker's compensation.	T+1	9	T+10	T=expiration of policy
B-2	Fidelity and Surety Bonds Coverage against claims made against the local government.	T+1	6	T+7	T=expiration of bond.
B-3	Accident Reports (property damage)	1	6	7	Retain longer if claims unsettled.
B-4	Accident Reports (personal injury)	1	9	10	Retain longer if claims unsettled.
B-5	Worker's Compensation Claims	1	9	10	Retain longer if claims unsettled.
B-6	Other Insurance Claims	1	9	10	Retain longer if claims unsettled.

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

PURCHASING AND PROPERTY MANAGEMENT  
SCHEDULE C - PAGE 1

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
C-1	Bid Files Should include specifications, invitation to bid or request for quotation, responses, bid abstract.	1	6	7	
C-2	Purchase Requisitions Requests by operating departments for goods or services.	1	6	7	
C-3	Purchase Orders Official documentation of purchase transactions for goods or services not on contract.	1	6	7	
C-4	Purchase Contracts Official documentation regarding the purchase of goods and services resulting from a formal bid.	1	6	7	
C-5	Leases (municipality is Lessee) Should include specifications, invitation to bid or Requests for proposals, responses, evaluations, lease Agreements, payment records, and correspondence.	T+1	6	T+7	T=expiration of lease.
C-6	Leases (municipality is Lessor) Should include lease agreements, payment records and correspondence.	T+1	6	7	T=expiration of lease.
C-7	Property Inventories	T		T	Retain current listings only.
C-8	Warranties and Guarantees on Equipment	T		T	T=after equipment dropped from inventory
C-9	Deeds to Municipal Real Property	T	P	P	T=after property is sold or transferred
C-10	Titles to Municipal Vehicles and Equipment	T		T	T=after vehicle is sold

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

PURCHASING AND PROPERTY MANAGEMENT  
SCHEDULE C - PAGE 2

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
C-11	Equipment Maintenance Records Documents repair and maintenance of office equipment (see also Public Works Section for vehicles)	T		T	T=after equipment dropped from inventory.
C-12	Surplus Property Sale Records Documents the disposal of property declared to be excess or surplus	1	6	7	

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

PERSONNEL MANAGEMENT  
SCHEDULE D - PAGE 1

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
D-1	Individual Personnel Files Official employee history, including applications, resume, personnel action forms, performance evaluations, employee test results, insurance and benefits backup family and medical leave act documents, letters of commendation/reprimand, training certificates/history, driving records, drug/alcohol tests, medical records, I-9 forms, etc.	T+1	P	P	T=termination of employment. This info is confidential
D-2	Applications for Employment (not hired)	1		1	Certain information is confidential
D-3	Salary Schedules	1	P	P	
D-4	Recruitment Bulletins and Affidavits of publication	1	2	3	
D-5	Job Descriptions Description of specific duties, minimum qualifications and examples of duties.	P		P	
D-6	Organization Charts	P		P	Potential archival value
D-7	EEO and Affirmative Action Records	1	4	5	
D-8	Inservice and Employee Training Records Significant training should be documented in the Individual personnel file.	T	1	T+1	T=Employment termination
D-9	Personnel Rules, Policies and Procedures	P		P	
D-10	Master Examination File Samples of test or exam used in selection/rating process	P		P	

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

PERSONNEL MANAGEMENT  
SCHEDULE D - PAGE 2

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
D-11	Eligible Lists Lists of qualified candidates for position	1		1	
D-12	Grievance Case Files	T	5	T+5	T=final settlement of case
D-13	Unfair Labor Practice Complaints	T	5	T+5	T=final settlement of case
D-14	Leave Records	1	2	3 or A	A=leave audit
D-14	Collective Bargaining Negotiation Files	P		P	
D-16	Contract Interpretation & Arbitration Decisions	P		P	

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

**LEGAL  
SCHEDULE E**

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
E-1	Litigation Case Files (Civil) Documents civil actions by the local government or against the local government. Work papers, copies of court documents, correspondence.	T	10	T+10	T=final settlement. May have archival value
E-2	Borough Attorney Opinions Official interpretations regarding questions of legal rights or liabilities affecting operating departments.	1	P	P	
E-3	Legal Administration Files Correspondence and reports related to the legal review of borough functions such as insurance, ordinances, contracts, grants, damage claims, etc.	1	4	5	
E-4	Franchises Official authorization granted to a private entity to Provide public utilities or services within the Jurisdiction of the local government	T	7	T+7	T=termination of franchise agreement
E-5	Easement (Granted or Received)	P		P	
E-6	Investigative Files	T	10	T+10	T=completion and resolution of issue. May have archival value.
E-7	Notice to Comply and/or Violation Reports	T	6	T+6	T= resolution of case



RECORDS RETENTION SCHEDULE - HAINES BOROUGH

**MAYOR AND/OR MANAGER  
SCHEDULE F**

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
F-1	General Correspondence Letters, memoranda and miscellaneous information sent.	3 mos.	3	3.25	
F-2	Transitory Correspondence Files pertaining to purely routine functions such as inter-office memos, transmittal letters, appointments and schedules. Also, Public Information Requests (except those pertaining to litigation)	3 mos.	9 mos.	1	
F-3	Subject Files (Functional) Correspondence, reports and information related to the functional departments of the municipality and which document events, projects, activities and issues.	1	9	10	
F-4	Public Relations Records Speeches, Press Releases, Clippings, Photographs	1	P	P	
F-5	Delegations of Authority or Appointments to Office	1	P	P	
F-6	Executive's Annual Report to Governing Body	1	P	P	
F-7	Reading Files, Mayor Copies of outgoing letters and Memoranda arranged by date	3 mo.	3	3.25	Potential Archival value

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

**BOROUGH CLERK AND GOVERNING BODIES  
SCHEDULE G - PAGE 1**

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
G-1	Minutes Official account of proceedings of governing body, boards, commissions or committees.		P	P	Keep a reference copy in office.
G-2	Agendas/Meeting Packets	2	P	P	
G-3	Audio Recordings of Meetings Includes governing body, boards, commissions and committees.	1	4	5	Due to fragile nature of electronic media, these should not serve as permanent record.
G-4	Notice of Meeting and Affidavit of Publication	1	1	2	
G-5	Ordinances and Resolutions (signed originals) Text of laws and regulations passed by the governing body.		P	P	Keep a reference copy in the office.
G-6	Petitions Filed by individuals or groups to request governing body action.	1	4	5	
G-7	Proclamations	1	P	P	
G-8	Public Hearing Records A description of the subject, public comment, turnout, and results of the hearing.	T	2	T+2	T=recording in minutes. Keep permanently if not in minutes.

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

**BOROUGH CLERK AND GOVERNING BODIES  
SCHEDULE G - PAGE 2**

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
G-9	Audio or Video Recordings of Public Hearings	1	4	5	Due to fragile nature of electronic media, these should not serve as permanent record.
G-10	Oaths of Office (Elected and Appointed)	1	P	P	
G-11	Special Committee or Commission Reports	T	5	T+5	T=recording in minutes. Keep permanently if not in minutes.
G-12	Affidavits of Publication of Proposed Ordinances / Resolutions	1	P	P	
G-13	Census Reports	1	P	P	
G-14	Official Seal	P		P	
G-15	Annexation Records Petitions, correspondence, affidavits of publication for notices, copy of ordinances and related public hearing records	T	5	T+5	T=recording in Minutes. Keep permanently if not in minutes.
G-16	Incorporation Records Under AS 29.05	P		P	
G-17	Certificate of Election Returns	T	4	T+4	T=after recording In minutes (AS 15.15.470)
G-18	Certificate of Returns of Canvass Board	1	P	P	

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

**BOROUGH CLERK AND GOVERNING BODIES  
SCHEDULE G - PAGE 3**

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
G-19	Completed Voting Ballots		6 mo.	6 mo.	Retain six months after election is certified (longer if contested).
G-20	Declarations of Candidacy and Nominating Petitions	1	P	P	
G-21	Election Boundary (Precincts) Descriptions	P		P	
G-22	Conflict of Interest/Financial Disclosure Statements	1	P	P	
G-23	Challenged and Rejected Ballots		6 mos.	6 mos.	Retain six months after election is certified.
G-24	Election Registers and Tally Books Includes Accu-vote Testing, Ballot Proofs and Accounting	1	3	4	
G-25	Absentee Ballot Requests	1	3	4	Retain longer if election contested.
G-26	Mailroom Records	1		1	
G-27	Stockroom Inventories/Requisitions	1	2	3	
G-28	General Correspondence Letters, memoranda and miscellaneous information sent or posted, inc. misc. ads and notices not noted elsewhere	3 mos.	3	3.25	

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

**PLANNING AND ZONING  
SCHEDULE H**

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
H-1	Comprehensive Plan and Amendments Statement of overall development and zoning plans.	P		P	
H-2	Comprehensive Plan Work Papers May include surveys, studies and reports	1	4	5	
H-3	Coastal Zone Management Plans and Amendments	P		P	
H-4	Enforcement Case Files Documents, complaints and action taken to enforce planning and zoning regulations.	T	6	T+6	T=resolution of case
H-5	Platting Case Files (Subdivisions) Documents evaluation, environmental impacts, permits Issued and complaints on development subdivisions.	T	10	T+10	T= completion of development
H-6	Variances, Waivers, Exceptions	1	P	P	
H-7	Conditional Use Permits	T	7	T+7	T=discontinuance of use.
H-8	Temporary Use Permits	T	7	T+7	T=discontinuance of use.

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

PERMITTING AND LICENSING  
SCHEDULE I

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
I-1	Itinerant Merchants/Solicitors Permits/Commercial Permits	T	10	T+10	T=expiration of permit.
I-2	Applications for Permit Denied	1	2	3	
I-3	Non-Business Licenses and Permits Animal, games of skill/chance, ABC Board	T	2	T+2	T=expiration of license or permit.
I-4	Construction/Building Permits	1	P	P	
I-5	Register of Permits Issued	P		P	
I-6	Non-Profit & For Profit Activity Permits Peace Marches, Parades, Concessions, Camps, Camping in Parks.	T	2	T+2	T=expiration of license or permit.

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

**PUBLIC FACILITIES  
SCHEDULE J - PAGE 1**

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
J-1	General Correspondence – Routine	3 mos.	3 years	3.25 yrs.	
	General Correspondence – Special	3 mos.	5 years	5.25 yrs.	
J-2	Public Works Policies and Procedures	P	P	P	
J-3	Inspection Reports Building, Electrical, Plumbing, Fire, Water Sources, etc.	1	P	P	
J-4	Engineering Drawings, Maps, Plats Block and street maps, architectural drawings of tunnels and underground vaults, maps showing subsurface structure of streets, blueprints and as-built drawings of government structures, original street opening maps, approved borough maps and lot plans.		P	P	
J-5	Building Maintenance	T	P	P	T=until building removed from inventory
J-6	Geologic Data Records Reports related to slides, avalanches, borings and drainage, and other subsurface conditions including piling records.		P	P	
J-7	Service Requests and Work Orders Including Requests for connection or disconnection or repair of water or sewer systems and customer surveys.	1	2	3	
J-8	Improvement File Including Street, Parking lot, water/sewer system, etc. Recommendations, petitions, action taken, repairs, complaints, etc.	1	P	P	

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

PUBLIC FACILITIES  
SCHEDULE J - PAGE 2

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
J-9	Construction Project Files Includes specifications, contract selection/negotiation plans, bids/quotes/proposals, evaluations, performance bonds and correspondence, Requests for Bids/Proposals/Quotes.	T	7	T+7	T=completion and final payment. Selected files may have archival value.
J-10	Equipment Maintenance Records	1	T	T	T=until equipment is removed from inventory
J-11	Vehicle Usage Reports	1	2	3	
J-12	Enforcement Case Files	T	6	T+6	T=resolution of case



RECORDS RETENTION SCHEDULE - HAINES BOROUGH

**POLICE  
SCHEDULE K**

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
K-1	Police Reports (Minor) Reports on such types of activities as abandoned or structures, bicycle theft, misdemeanor arrests breathalyzer use, daily field activity, injuries, community liaison.	2		2	
K-2	Police Reports (Major) Reports on such types of activities as felony arrests, Firearm purchases, escapes, substance abuse, traffic Accidents with injuries, child or sexual abuse, etc.	5	5	10	
K-3	Booking Records	5	P	P	
K-4	Photograph and Fingerprint Files	5	P	p	
K-5	Officer Training Files	T	10	T+10	T=Termination of employee.
K-6	Disciplinary Action Files	T	5	T+5	T=Settlement of cause for action.
K-7	Citations (Parking and Traffic)	1		1	
K-8	Dispatcher Logs	1	4	5	
K-9	Crime Statistics	5	P	P	

RECORDS RETENTION SCHEDULE - HAINES BOROUGH

**FIRE AND EMERGENCY PROTECTION  
SCHEDULE L**

ITEM	SERIES TITLE & DESCRIPTION	RETENTION PERIOD			REMARKS
		Office	Storage	Total	
L-1	Fire and EMS Incident Reports	10		10	
L-2	Fire and EMS Training Files	T	10	T+10	T=termination of employment or volunteer status.
L-3	Equipment Inspection Reports Hose tests, hydrant tests, etc.	5		5	
L-4	Fire Inspection Reports	10		10	
L-5	Fire Investigation Reports	P		P	
L-6	Emergency Services Plans	P		P	
L-7	Burning Permits	2		2	
L-8	Vehicle Service Records	T		T	T=final disposition of equipment.
L-9	Alarm Test and Maintenance Records	5		5	



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 14-501  
**Assembly Meeting Date:** 10/14/14

Business Item Description:	Attachments:
Subject: Add Second Floor of Veteran's Center to List of Community Purpose Exemptions in Borough Code	<ol style="list-style-type: none"> <li>1. Ordinance 14-10-391</li> <li>2. Borough Manager Recommendations</li> <li>3. AAO Standards for Community Purpose Exemptions</li> <li>4. CBJ Community Purpose Criteria</li> <li>5. 10/7/14 Email from Vince Hansen to Borough Manager</li> <li>6. Budget for SMVV Residential Apartments</li> <li>7. 8/6/14 Vince Hansen Letter</li> <li>8. 5/14/14 Letter from the State Assessor</li> <li>9. HAL Application for SMVV Exemption</li> </ol>
Originator: Assessor	
Originating Department: Assessment	
Date Submitted: 3/12/14	

**Full Title/Motion:**  
Motion: Introduce Ordinance 14-10-391 and set a first public hearing for 10/28/14.

**Administrative Recommendation:**  
The borough manager does not recommend this (see his attached memo dated 10/9/14).

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ n/a	\$ n/a	\$ n/a	Impact to Prop Tax Revenue

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
-----------------------------	---------------------------------------------------------------------------------

**Summary Statement:**

State law mandates certain required exemptions, and the State Assessor determined that all but the second floor of the new Veteran's Building (owned by Haines Assisted Living) qualifies for mandatory status. On 6/10/14, the assembly adopted Ordinance 14-02-370 removing HAL from the list of optional exemptions in code. The exempt HAL property includes the land and main floor of the new Veteran's Center. Subsequently HAL applied for an optional "community purpose exemption" status for the second floor of the Veteran's Building. Currently, properties with community purpose exemption status are listed in code, so this requires an ordinance.

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 10/14/14	Public Hearing Date(s):
	Postponed to Date:

**An ordinance of the Haines Borough amending Haines Borough Code Title 3 to add the upper level of the Soboleff-McRae Veterans Village & Wellness Center owned by Haines Senior Assisted Living Inc. to the list of community purpose exemptions in HBC 3.70.040.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Section 3.70.040. Haines Borough Code 3.70.040 is amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED OR CHANGED  
**STRIKETHROUGH** ITEMS ARE DELETIONS

**HBC 3.70.040 Local exemptions and exclusions.**

A. The following property is exempt from general taxation:

1. Business inventory and items held for resale;
2. All motor vehicles which are subject to the motor vehicle registration tax described in Chapter 3.85 HBC.

B. The assembly may by ordinance exempt or partially exempt from taxation privately owned land, wetland and water areas for which a scenic, conservation, or public recreation use easement is granted to the borough. To be eligible for a tax exemption, or partial exemption, the easement must be in perpetuity. However, the easement is automatically terminated before an eminent domain taking of fee simple title or less than fee simple title to the property, so that the property owner is compensated at a rate that does not reflect the easement grant.

C. The increase in assessed value of improvements to real property shall be exempt from taxation if an increase in assessed value is directly attributable to alteration of the natural features of the land or to new maintenance, repair or renovation of an existing structure, and if the alteration, maintenance, repair, or renovation, when completed, enhances the exterior appearance or aesthetic quality of the land or structure.

An exemption may not be allowed under this subsection for the construction of an improvement to a structure if the principal purpose of the improvement is to increase the amount of space of occupancy or nonresidential use in the structure or for the alteration of land as a consequence of construction activity. An exemption provided in this subsection shall continue for four years from the date the improvement is completed, or from the date of approval for the exemption by the assessor, whichever is later.

D. Pursuant to AS 29.45.050(b)(1)(A), the below-listed properties shall remain exempt from property taxation so long as they remain the property of their present owners

(organizations not organized for business or profitmaking purposes) and so long as they remain used exclusively for community purposes:

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

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

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

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

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

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

**7. The upper level (second story) of the improvement known as the Soboleff-McRae Veterans Village & Wellness Center situated on Lot 5A, Block 8, Haines Townsite per Plat 2013-4 and owned by Haines Assisted Living Inc.**

E. The borough exempts from taxation an interest, other than record ownership, in real property of an individual residing in the property if the property has been developed, improved, or acquired with federal funds for low-income housing and is owned or managed as low-income housing by the Alaska Housing Finance Corporation under AS 18.55.100 through 18.55.960 or a regional housing authority formed under AS 18.55.996.

F. Any firm that begins operation after July 1, 1986, in the Haines Borough to process timber after it has been delivered to the processing site, if the firm has a yearly payroll of at least \$250,000, shall have 75 percent of the real property exempted from taxation for a period of five years.

G. Land and improvements situated on Lots 17, 19, 22, 23, and 24, Block F, Mission Subdivision, owned by Haines Senior Citizens' Center, Inc.

H. Land and improvements in the SE1/4, SE1/4, Section 22, T28S, R55E, CRM, managed by Klehini Valley Sports and Recreation. This exemption shall require a review on a yearly basis and becomes void if property is not used exclusively for nonprofit recreation.

I. Hardship Exemption. That portion of the property tax levied on the residence of a qualified senior citizen or disabled veteran who applies for the exemption and meets the standards set forth in 3 AAC 135.040(b) and (c), which exceeds two percent of their gross household income.

1. In order to qualify for this exemption, the applicant must:

a. Have gross family income, from all sources in the prior year, which does not exceed 135 percent of the poverty guideline as established by the United States Department of Health and Human Services for a similar sized household in the state of Alaska for the year requested;

b. Be eligible for a permanent fund dividend under AS 43.23.005 for the same year or for the immediately preceding year;

c. Not own more than one parcel of real property in Alaska on the date of application, excluding an adjacent parcel that is necessary for the use of the primary residence; and

d. Have net worth as of the date of application of less than \$250,000 including the first \$150,000 of the market value of the principal residence of the applicant.

2. This exemption will be apportioned in the same manner and formula as applied to the standard senior citizen/disabled veteran exemption previously granted.

3. 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 applicant must also submit an affidavit, supplied by the borough, attesting that the applicant meets the subscribed criteria. 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 to provide evidence of disability rating. The assessor may require additional proof under this section at any time. If the applicant fails to respond to a request for additional proof, such failure may be considered by the assessor in determining whether to grant the exemption.

4. The claimant must file the application no later than March 31st 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.

5. 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.

6. If an otherwise qualified claimant is unable to comply with the March 31st 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 31st 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. Upon receipt of the completed application, any additional proof required, and affidavit, the borough assessor shall evaluate the request and grant or deny the hardship exemption within 15 borough business days. If denied, the borough assessor shall specify the reasons for the denial.

8. A person may appeal the apportionment of a hardship exemption granted under this chapter or a denial of an application to the board of equalization in accordance with HBC 3.72.100 through 3.72.120.

Haines Borough  
Ordinance No. 14-10-391  
Page 4 of 4

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

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

ATTEST:

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

Date Introduced: 10/14/14  
Date of First Public Hearing: \_\_\_/\_\_\_/\_\_\_  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_



DATE: 9 October 2014

To: Mayor and Borough Assembly

From: David B. Sosa, Borough Manager

Subject: **MANAGER COMMENTS ON THE SOBOLEFF-MCCRAE VETERANS VILLAGE COMMUNITY PURPOSE EXEMPTION**

**What is at issue?** The only concern for the Assembly is to determine if the 2d Floor of the Soboleff-McRae Veterans Village (SMVV) qualifies for a Community Purpose Exemption (CPE). Since this is about a property tax exemption this issue is only about the use to which that specific portion of the property is put and whether it meets criteria for a CPE.

**What is required for a property to receive a CPE?** To obtain a CPE in Haines Borough ALL of the following criteria MUST be met

- The property must be owned by a non-profit entity (per legal memorandum dated 24 July 2014)
- The rental income derived from the property cannot exceed the actual cost to the owner of the use by the renter (per legal memorandum dated 24 July 2014)
- The property must be used exclusively for community purposes (AS 29.45.050 (b) (1) (A))

**Does the 2<sup>nd</sup> Floor of SMVV meet the threshold defined above for a CPE?** Based on a legal memorandum completed by the firm that represents the Borough the "property appears to fail the second test" (per legal memorandum dated 24 July 2014, Pg. 3 of 5). The anticipated use also appears to fail the third test. The third test forms part of a two critical standards (numbers 2 and 5) established by the Alaska Association of Assessing Officers Standard on Community Purpose Exemption in 2006 ([http://www.commerce.state.ak.us/dnn/Portals/4/pub/Community\\_Purpose.pdf](http://www.commerce.state.ak.us/dnn/Portals/4/pub/Community_Purpose.pdf))

**Are there any other concerns?** Yes there are other concerns, specifically the requirement that the property be used "exclusively for community purpose" as required by AS 29.45.050 (b) (1) (A).

- The Borough does not clearly define what constitutes "community purpose". The best measure is to infer community purpose from the types of properties currently granted a CPE (Legal memorandum pg 4 of 5)
  - Public Fair and Parade Grounds



- Dog Rescue Kennel
- Other properties serving what appears to be “exclusively” public, cultural, or historical purposes.
- The Borough Attorney memo further notes that “These properties are open to the public, serve a community wide need, or are considered sufficiently important to preserving the historical or natural resources of the area that the Borough has agreed to essentially subsidize them by allowing them not to pay property taxes.” (Legal memorandum pg 4 of 5)

**What Criteria are required to live in the SMVV that would justify granting a CPE?** The Manager conferred with Mr. Vince Hansen, Community Manager Haines Assisted Living and with Mr. James Studley and determined that the only requirement to be a resident of the SMVV is that an applicant must have received an Honorable or General Discharge from the US Military or that the applicant be the spouse of an individual who met the aforementioned conditions. Of note-

- With the exception of 4 subsidized apartments there is no requirement to demonstrate financial need
- There is no requirement to demonstrate medical need
- There is no requirement that an individual be of legal retirement age

**What does the lack of specific requirements other than status as a Veteran mean to the Borough?**

Based on the criteria established by SMVV the organization could, if it so desired, rent solely to financially stable, medically sound, veterans under the legal retirement age. This situation would be of concern because of the following:

- Absence of specified written criteria results in individuals without need occupying Borough subsidized housing which is a detriment to the community
- Absence of specified written criteria means subsidized housing competes at an advantage to other rental properties within the community
- The sole criterion that one be a veteran may restrict the units to too small a subset of the community and thus violate the precept that a CPE benefit the community as a whole.

**Could the SMVV establish reasonable, acceptable, and objective criteria which would meet the threshold for a CPE?**

In several conversations with Mr. Hansen and Mr. Studley the Manager identified several reasonable criteria that would likely meet the threshold for a CPE. After consideration, the Haines Assisted Living Board decided to not apply any other criteria. The criteria recommended by the Manager were:

- Ensure that applicants have a Service Connected Disability as rated by the Veteran’s Administration (VA) of 30% or higher and/or...
- Ensure that the applicants have a demonstrated medical condition as defined by competent medical authority and that such condition require a supportive living environment and/or...

- Ensure that applicants demonstrate financial need as defined by federal and/or state guidelines for poverty and/or
- Ensure that resident be of legal retirement age and/or...
- Demonstrate that the applicant is the victim of abuse requiring access to safe, affordable housing

While not “open to the public”, application of any of the above criteria would meet the definition of community purpose by meeting the “community wide need” of ensuring that individuals with needs (medical, financial, age related, etc) would have access to safe, affordable, housing proximate to necessary services. Of note the seventh standard of the Alaska Association of Assessing Officers Standard on Community Purpose Exemption in 2006 specifically addresses a Senior Housing Provision stressing that “many communities have determined that affordable senior housing may be a benefit to the community and may, in some cases, lessen a burden on the community. Some municipalities have therefore, granted a community purpose exemption to these units” (Alaska Association of Assessing Officers Standard on Community Purpose Exemption in 2006, pg 4)

**Who currently resides in the SMVV?** Based on a letter from Mr. Vince Hansen dated 6 August 2014 the population of SMVV at that time consisted of 6 tenants, 5 of whom were seniors, and 3 of whom were disabled. These individuals appear to meet the criteria proposed by the Manager so it is surprising that the board would not enact these criteria.

**Does it matter that there be specific criteria?** It is of the utmost importance that there are clear, objective, reasonable, criteria for residence in the SMVV for the following reasons:

- By granting a CPE the Borough is effectively subsidizing this housing unit. The Borough must ensure that the subsidy only applies to individuals and portions of the property used “exclusively” for a community purpose.
- Reticence by SMVV to define clear, objective, reasonable criteria could result in a situation where financially stable, medically sound veterans, under the legal retirement age are living in subsidized housing. This would not be in the interests of the Borough or the community
- It is essential that all entities granted a CPE meet a clearly defined threshold that is objective and not subjective. This is in the best interests of Open, Responsible, and Transparent Governance. Failure to do this can result in situations subject to waste, fraud, and abuse.

**What is not at issue?** Making a determination of whether or not the specific property rates a CPE does not involve:

- **A consideration of HAL’s history of service.** This issue is solely about the 2d Floor of SMVV.
- **A consideration of who the SMVV currently serves.** The consideration should focus solely on the current criteria.
- **Feelings about HAL, SMVV, or the people who manages the entities.** This review must be objective and focused only on the property, the criteria for residence, the criteria for a CPE, and the use to which the property is put.

**What should the next steps be?** The Manager recommends that, before considering SMVV's request for a CPE, the Borough first adopt a policy on Community Purpose Exemption that is clear and objective. The City Borough of Juneau Assessor office Policy is provided as a guide (following). Should the Assembly not desire that a Policy be produced, the Manager recommends the following:

- That this item be brought to the Assembly at the next scheduled session
- That SMVV request for a CPE be denied on the grounds that
  - The organization has not demonstrated that the property will benefit the “community as a whole”
  - The property fails the second test as identified by the Borough Attorney's Office
  - The lack of suitable approval criteria by SMVV can result in the property failing to provide a community purpose and actually serving to disadvantage others in the community
- That the Borough staff prepare, and the Assembly approve, a Policy on Community Purpose Exemptions that:
  - Replaces HBC 3.70.040 (D) and removes the permanent exemptions granted in code replacing these with a process for regular review and approval similar to that provided for Property Tax Exemptions.
  - Establishes a definition of Community Purpose Exemption that is in line with those of other communities and in accordance with the Alaska Association of Assessing Officers Standard on Community Purpose Exemption
  - That entities afforded a Community Purpose Exemption are required to resubmit on a designated basis (annually or every other year) for continued approval of the exemption in order to ensure a responsible, transparent, just, and fair situation.



**ALASKA ASSOCIATION OF ASSESSING OFFICERS**



**STANDARD ON COMMUNITY PURPOSE EXEMPTION  
IN ACCORDANCE WITH  
ALASKA STATUTE 29.45.050 (b) (1) (A)**

Approved: 07-14-06

Alaska Association of Assessing Officers

The assessment standards set forth herein represent a consensus of thought within the assessment profession in the State of Alaska. The standard has been introduced and deliberated by the Alaska Association of Assessing Officers (AAAO) general membership combined with review and adoption by the Executive Board of the AAAO with the objective of providing a means by which assessing officers can improve and standardize the operations of their respective offices. The standard presented here is advisory in nature and the use of, or compliance with this standard, while recommended by the AAAO, is advisory.

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## **I. SCOPE**

This standard provides relevant issues and guidance for administrative analysis regarding the “Community Purpose” property tax exemption as a non-compulsory optional exemption authorized by AS 29.45.050 (b) (1) (A).

This policy endorses the AAAO “Community Purposes Exemption Application”. The intent of this standard is to establish uniform guidelines and a framework to assist decision makers in deciding applications for community purpose tax exemptions.

## **II. INTRODUCTION**

Alaska law provides for both mandatory and optional exemptions. One of the optional exemptions, provided for in AS 29.45.050, is the community purposes exemption. The specific statutory language is as follows:

### **AS 29.45.050 (b) (1) (A).**

(b) a municipality may by ordinance

(1) classify and exempt from taxation

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

## **III. ALASKA CASE LAW HISTORY**

### **Alaska Superior Court Case**

Kachemak Heritage Land Trust Vs Kenai Peninsula Borough  
Case No. 3KN-96-115 CI January 21, 1996 <sup>a, b</sup>

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<sup>a</sup> De minimus nonexclusive uses, which provide collateral benefit to the general public in addition to the specific local community, does not defeat a claim of tax exempt status under the community purposes exemption.

<sup>b</sup> If the property also confers more than a de minimus private benefit to the non-profit organization that owns it or to the individuals that control that organization, then it does not qualify for the tax exemption.

#### **IV. PRIMARY ISSUES**

The Community Purposes Exemption is an exemption that individual municipalities may optionally grant, by ordinance. In order to qualify for the exemption under the statute, this property must be used exclusively for community purposes and be the property of an organization not organized for business or profit-making purposes. Community Purposes Exemption is relatively unique, in that it is not an exemption common to other States and thus, carries negligible case law history or precedent. Its origin comes from the State Legislature's intent to create an exemption opportunity for Municipalities, for non-profit organizations that don't meet the rigid minimal qualification for Charitable Purposes Exemption. In certain cases, a tax immunity may be provided on a local basis for those properties which the local governing body determines is for the overall good of the community and has determined that the community will support the activity with their tax dollars.

It is preferred, that by means of this standard, assessors, property tax administrators and municipal governing bodies, may administer a more dispositive analysis and that the application pose a uniform "standard of review" statewide.

#### **THE FOLLOWING STANDARDS APPLY ONLY TO THE COMMUNITY PURPOSES OPTIONAL PROPERTY TAX EXEMPTION AUTHORIZED BY 29.45.050 (b) (1) (A)**

#### **V. STANDARD 1: COMMUNITY PURPOSES**

Community purpose means:

The exclusive use of property within the municipality based upon the culture and demographics of a particular area and which benefits the general public in a manner that enhances the quality of life through programs, public facilities, or services. A community purpose, however, may primarily benefit only a distinct area within the municipality.

#### **VI. STANDARD 2: EXCLUSIVE USE REQUIRMENT**

The community purposes optional exemption includes a requirement that the property be exclusively used for that purpose. Exclusive use includes a requirement for spatial apportionment if the property is used for both exempt and nonexempt purposes.<sup>c</sup>

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<sup>c</sup> *City of Nome* (exempt use cannot be apportioned by time)

2a. Definition of Exclusive Use:

Exclusive use requires that all uses of the property be for the "direct and primary" exempt purpose. The community purpose, for which the property is exclusively used, is a purpose that benefits the general public in the community in which the property is located.

2b. Smallest Practical Usage:

The smallest practical portion, in which is integrally related to the property for the actual and exclusive use as community purposes, may be eligible for the exemption.

**VII. STANDARD 3: OWNERSHIP REQUIREMENTS**

**AS 29.45.050 (b) (1) (A) states in part:** "the property of an organization...." (emphasis added). The property of an organization must be in the ownership of the organization seeking the exemption. Application for exemption must be made by the owner of record.

**VIII. STANDARD 4: EXEMPTION DATE**

The date for determination of eligibility for the Community Purpose property tax exemption is January 1, of the assessment year for which the exemption is sought.

**IX. STANDARD 5: PROPERTY MUST BE OPEN TO THE GENERAL PUBLIC**

1. Individuals cannot be restricted from using the property on any basis, including a restriction based on:
  - (a) race, culture, ethnic origin or religious belief,
  - (b) the requirement to become a member of an organization,
  - (c) the requirement to pay fees of any kind, other than minor entrance or service fees, and
2. The requirement to become a member of an organization does not make the use of the property ineligible so long as:
  - (a) Membership in the organization is not restricted on any basis, other than the requirement to fill out an application and pay a minor membership fee, and
  - (b) Membership occurs within a short period of time after any application or minor fee requirement is satisfied.



**X. STANDARD 6: THE OWNERSHIP ORGANIZATION**

1. Must be governed by a volunteer board of directors; and
2. Must be recognized as a legally formed state or federal non-profit entity.
3. The statutory term "not organized for business or profit-making" means:

There must be no evidence of a dominant profit motive. Income derived must not exceed operating expenses. Operating expenses must not include debt service.

**XI. STANDARD 7: SENIOR HOUSING PROVISION**

Many municipalities have determined that affordable senior housing may be a benefit to the community and may, in some case, lessen a burden on the community. Some municipalities have therefore, granted a community purpose exemption to these units.

Fair and equitable application of the existing, mandatory Senior Citizen Exemption compels consideration for commensurate treatment by a municipality of senior housing projects. The following standard is offered as a model for a local ordinance granting an exemption to these projects.

1. AS 29.45.030 provides for a mandatory \$150,000 assessed value exemption for eligible seniors. Eligibility for this program requires that seniors be 65 years of age, own and reside on the property as of January 1 of the assessment year. The property is required to be their permanent place of abode.
2. It is recommended that when a Community Purposes Exemption is considered for these senior housing projects, consideration be given to criteria that is consistent with the (AS .29.45.030) senior citizen exemption eligibility requirements.

**XII. STANDARD 8: THE APPLICATION**

The application for exemption shall be submitted to the assessor by a date established by the governing body. It is recommended that the following information be submitted:

1. Declaration of Exemption sought.
2. Current copy of Articles of Incorporation.
3. Latest copy of the Constitution and By-Laws.
4. Copy of federal tax exempt status (current IRS 501 (c) (3) or (c) (4) or Forms 990 & 990 T
5. A detailed statement describing the current use of the property.

6. A current copy of income and expenses.
7. Current schedule of fees, dues and or charges.

The assessor may, from time to time require such information as is reasonably necessary to determine the character of the organization and the nature of uses made.

It is the advice of this policy document, that municipalities shall, through their governing body, administer the hearing for review, analysis, provide findings of fact and determination of a “Community Purposes Exemption” request. That subsequent to advice and counsel by the assessor, legal counsel and or designated property tax administrator, the governing body may enact and confer the exemption upon an eligible request, by ordinance.

**City & Borough of Juneau**  
**Assessor's Office**  
**Policy On Community Purpose Exemption**  
**Updated December 2008**

This exemption is intended to allow property tax relief to those organizations providing services that result in a community-wide benefit. To qualify for the exemption the following requirements must be met:

- The applicant must maintain a current 501(c)(3) or 501(c)(4) IRS non-profit classification
- The property use must be directly related to the qualifying community purpose, and the property must be used exclusively for the community purpose
- The organization using the property must provide the community purpose benefits to a significant portion of the community
- The receipt of the benefit by that portion of the community must benefit the community as a whole
- The community purpose benefit must be open to the public without reservation, membership, exclusion or fee
- The income derived from rental of the property must not exceed the actual cost to the owner of use by the renter

Property used for the following activities and functions does not qualify for the community purpose exemption:

- Property utilized as long-term residential housing
- Activities which require a membership fee
- Activities which are not open to the general public
- Activities where the main community purpose benefit is derived from spectator attendance

SEE REVERSE FOR MORE INFORMATION

**City & Borough of Juneau**  
**Assessor's Office**  
**155 S Seward Street, Juneau, Alaska 99801**  
**(907)586-5220**

**General Guideline Requirements:**

1. A letter to the Assessor requesting exemption
2. Copy of By-Laws
3. Copy of Articles of Incorporation
4. Copy of IRS 501(c)(3) or 501(c)(4)
5. Documentation supporting/describing the activities of the organization. For example, brochures, pamphlets and web pages are acceptable forms of documentation.

NOTE: A taxpayer claiming a tax exemption has the burden of showing that the property is eligible for the exemption. (Greater Anchorage Area Borough vs Sisters of Charity, Sup. Ct. No. 1299)

**TYPE OF EXEMPTION REQUESTED**

➤ **Non Profit Religious:**

Property used exclusively for religious purposes includes the following: places of worship, the residence of bishop, pastor, priest, rabbi, minister of a recognized religious organization and lots required by local ordinance for parking.

➤ **Charitable**

Perform activities which relieve the government of its burden through benevolent acts from citizens in the community, serves a public benefit serving the public at large, service available to public regardless of user's ability to pay. There is no dominant profit motive, income derived does not exceed operating expenses (debt service not allowable expense) and must be actively engaged in the charitable programs or functions as stated in the Articles of Incorporation.

➤ **Education**

Activities which educate, edify, train and develop individuals. The institution must have improved classroom space or the property must be primarily and substantially used for educational purposes. Systematic instruction including written course descriptions, instructions given which lead to certification, a degree or qualification to move to higher level of former education, regularly scheduled classes and be open to public. Substantial public benefit derived and must be approved through Alaska Commission of Post Secondary Education, professional organizations or other nationally recognized organizations that certify educational programs.

➤ **Hospital**

For hospital use, that property owned by a nonprofit corporation and which is used to provide medical, surgical or psychiatric care, including necessary administrative, maintenance, parking and similar improvements and which is licensed as a hospital by the state; but not including space leased to medical doctors or other health or medical practitioners.

➤ **Community Purpose** (Obtain form on file with the Assessor's Office)

Organization cannot be organized for business or profit making purposes and the property is to be used exclusively for community purpose provided that income derived from rental of the property does not exceed the cost to the owner by use of the renter. The property must benefit a significant portion of the public and the organization must have a current 501(c)(3) or 501(c)(4). Application must be filed no later than January 31 of each year for which the exemption is sought. By-Laws and Articles of Incorporation are required.

➤ **Export Manufacturing** (Obtain form on file with the Assessor's Office)

According to CBJ ordinance, property is eligible for exemption if :

- 1.) The real and personal property have not previously been taxed by CBJ,
- 2.) The business has more than 1 and fewer than 500 full-time equivalent employees,
- 3.) It creates employment in CBJ and
- 4.) Generates sales outside of CBJ of goods produced in CBJ, and
- 5.) Has not been used in the same trade or business in another municipality for at least six months before the application was filed.

Claimant must file an application by January 31 in the year for which exemption is requested, and accounts must be current on all taxes and fees. Manufacturing means the mechanical or chemical transformation of materials or substances into new products having a distinct character and use.

**SEE REVERSE FOR MORE INFORMATION**

**From:** James Studley [mailto:thebrokerinhaines@gmail.com]  
**Sent:** Tuesday, October 07, 2014 10:45 AM  
**To:** Julie Cozzi  
**Subject:** Fwd: Fw: Community Pupose Exemption

Julie please include this information for the Assembly's consideration.

1. Email from Vincent to Mr. Sosa today (below).
2. The budget for SMVV residential apartments (attached).
3. Vincent's original letter to Mr. Sosa from August 2014 (attached).

I will be present at the meeting for any questions that the Assembly may have for HAL.

jim

**From:** Vince Hansen <[halincn@aptalaska.net](mailto:halincn@aptalaska.net)>  
**Date:** Tue, Oct 7, 2014 at 8:29 AM  
**Subject:** Community Pupose Exemption  
**To:** "Hanssen, Anne" <[ahanssen@aptalaska.net](mailto:ahanssen@aptalaska.net)>, "McLaughlin, Beverly" <[bmclaughlin@aptalaska.net](mailto:bmclaughlin@aptalaska.net)>, "Scott, Marcia" <[marcia.scott@searhc.org](mailto:marcia.scott@searhc.org)>, "Flegel, Richard" <[209beachrd@gmail.com](mailto:209beachrd@gmail.com)>, "MacCready, Beth" <[bethamac@mac.com](mailto:bethamac@mac.com)>, "Austin, Dan" <[st.vincentdepaul.juneau@gci.net](mailto:st.vincentdepaul.juneau@gci.net)>, "Studley, James" <[thebrokerinhaines@gmail.com](mailto:thebrokerinhaines@gmail.com)>

HAL Board, Attached is information Manager Sosa provided in advance of next week's Assembly meeting, fyi. Also, following, is my brief response. By the end of this week, Jim will provide him with the budget the board approved in May. Let me know if questions. Vince

*Thanks for the information David. Two things I thought I clarified at our meeting were that the budget for the apartments reflects that they do NOT generate enough revenue to cover their cost. I mentioned that the budget adopted by the board in May shows a considerable amount covered by other HAL funds. Hopefully, eventually, this will be revenue neutral. There will be no profit. We'll provide a copy of that budget. Also, four of the rooms are subsidized for low income, not two. By November 1 we will have all but one apartment filled. Nine of the ten are elderly, five are disabled, five are low-income.*  
Vince

<b>INCOME:</b>	<b>2014 Budget</b>
	<b>July-Dec</b>
01 Support - Donations/Oper	-
02 Support - In-Kind/Operatir	-
03 Tenant Rents	<b>54,300</b>
04 Vacancy (5%)	<b>(2,715)</b>
05 Rental Subsidies - Low Inc	<b>(5,000)</b>
06 Other Subsidy - VOSR	<b>(1,200)</b>
07 Other Revenue	-
<b>TOTAL INCOME:</b>	<b>45,385</b>
<b>EXPENSES:</b>	
08 Advertising	<b>500</b>
09 Office Expenses	<b>250</b>
10 Management Fee	<b>4,375</b>
11 Legal	<b>250</b>
12 Accounting/Audit	<b>3,000</b>
13 Bank Fees	<b>100</b>
14 Bad Debt	<b>500</b>
15 Misc. Admin Expenses	<b>250</b>
16 Telephone (Alarms/Elevat	<b>1,836</b>
17 Electricity	<b>13,500</b>
18 Water & Sewer	<b>5,000</b>
19 Alarm Monitoring	<b>500</b>
20 Operating/Mtc. Supplies	<b>750</b>
21 Contracts (Elev./Mtc./Othe	<b>2,172</b>
22 Garbage/Trash Removal	<b>2,640</b>
23 Snow Removal	<b>2,000</b>
24 Misc. Operating Exp.	<b>250</b>
25 Property & Liability Insurat	<b>17,128</b>
26 Property Tax	<b>3,750</b>
27 Replacement Reserve	<b>1,650</b>
28 Project Outreach/Contracts	
29 Furniture/Fixtures	
<b>TOTAL EXPENSES:</b>	<b>60,401</b>
<b>30 SURPLUS/(DEFICIT)</b>	<b>(15,016)</b>

# Haines Assisted Living, Inc.

P.O. Box 916 Haines, Alaska 99827  
Ph: (907) 766-3616 Fax: (907) 766-3617  
[halincn@aptalaska.net](mailto:halincn@aptalaska.net)

August 6, 2014

David Sosa, Borough Manager  
Haines Borough  
Box 1209  
Haines, AK 99827

Mr. Sosa,

Thank you for providing your specific concerns regarding Haines Assisted Living's request for extension of its property tax exemption to the apartments at the Soboleff-McRae Veterans Village. I apologize that we have not been more clear in pointing out the clear community purpose of our entire organization, including the apartments in the Soboleff-McRae Veterans Village.

The Haines Assisted Living (HAL) Articles of Incorporation, the HAL Bylaws and all of the filings required under HAL's federal 501(c)(3) status, describe our primary purposes as: (a) maintaining and operating a compassionate and affordable assisted living facility for seniors; and (b) fostering affordable supportive housing opportunities for those in need in the Haines Borough.

Everything the non-profit HAL board takes on, is to carry out these purposes. We started the non-profit assisted living home because our seniors were leaving the community when they could no longer receive the level of care they needed to stay here in Haines. We try to serve all seniors who need the care that we are able to offer; both those who can pay on their own and those who need Medicaid to pay for them. Our involvement with the separate corporation, St. Lucy's Senior Living, allowed us to assist in providing efficient, safe and comfortable housing to low-income seniors.

The Soboleff-McRae Veterans Village (SMVV) also allows us to carry out our mission by providing safe, clean, efficient and affordable housing that is proximate to supportive services needed by those who live there. As of today, there are six tenants moved into SMVV. Five are Seniors. Three are disabled. Under HUD guidelines, four are low-income; three of whom are very low-income. Although we do not mandate any of the above criteria, and we don't require them to provide income information, we expect the mix in the remaining apartments to be similar. Several of the applicants on the waitlist who are low-income are seeking the subsidy that we offer to those with very low income. Other low-income individuals have such a need for decent and affordable housing, that they are moving in anyway, and paying our unsubsidized rate. These tenants also happen to be Veterans.

The information you provided made references to "market rate" in describing some of our apartments. If any of our board members or staff have used that term in describing our unsubsidized apartments, it was used incorrectly. The SMVV facility was built totally with grant funds and donations. There is currently no debt. Although our unsubsidized rents are not considered cheap, they are still actually highly subsidized by the contributed capital cost provided by grantors and donors. If any private developer were to build apartments of this quality, the "market rate" would be considerably higher than what we are able to charge for our unsubsidized rate. A privately owned two bedroom apartment was recently advertised in town for \$1,100 a month. Our two bedroom unsubsidized rates are from \$900 to \$1,050 per month, with all utilities included except phone, internet and TV. Our unsubsidized rates for one bedroom apartments are from \$750 to \$775 per month.

The Borough's legal opinion also expressed concern that rents received might be used for "profitmaking purposes" rather than for community purposes. All rents received go specifically to the operation of the SMVV facility. In the first six month budget adopted by the HAL board, HAL is expected to subsidize SMVV operations in the amount of \$9,830. If property tax is included, this amount will be considerably higher. There really are no market rate apartments offered, and there will certainly be no profit for purposes beyond the community purposes delineated in our mission statement.

The whole purpose of the SMVV is to provide a significant community benefit. By providing clean, safe, efficient and affordable housing to people that need it (in this case Veterans), we hope to enhance the lives of these tenants, and therefore to enhance the quality of our community. A side benefit will be to create a sense of community for individuals who have been living in shacks, broken down trailers, and other substandard housing. The goal, as in most public housing today, is to have a mixed community where a spectrum of individuals of varying incomes, cultures, backgrounds, health, etc. can live in a closer-knit community and look after each other. A clear example of this is the Haines Senior Village, which also has a property tax exemption. Persons who do not "need" subsidized housing also live there, and pay a relatively unsubsidized, but lower than "market rate". This allows those who can afford more to contribute more to carrying out their broader "community purpose" to provide needed services, rather than just assisting one narrow group of individuals. SMVV is able to accomplish a similar purpose without government rental assistance programs.

So far, individuals are moving into SMVV because they feel they are getting too old to take care of their own place, because they want to be near the services that will be offered downstairs and closer to town, because they want to get out of substandard housing, and/or because they want to be in a community with others who can lend a



hand, or even to have a shoulder to lean on. This is especially pertinent for Veterans from various eras and conflicts. Our hope is that these Veterans will have access to the services and community support they need, not only to remain healthy, productive members of the community, but also simply to remain living in Haines, where they can contribute to our economy and our culture.

In summary, the apartments are a crucial part of our organization's non-profit purpose, and do meet the intent of "community purpose" as described in the law and code. This is because: a) they allow us to provide affordable housing proximate to needed services to those in need of those services; b) they are offered at a rate to incentivize our charitable community purpose, and; c) they do not generate any kind of profit. This is consistent with the Borough Attorney's opinion you provided, and we hope the Borough Assembly will support our request.

We look forward to addressing this with the full assembly at a scheduled meeting. Since you stated that you needed this today for the August 12 meeting, but prefer addressing it at the August 26 meeting, please let us know which date it will be scheduled.

Thank you for sharing this information with the Mayor and Assembly, and for your efforts on behalf of the community of Haines.

Sincerely,

A handwritten signature in cursive script that reads "Vince Hansen".

Vince Hansen, Community Manager  
On Behalf of the Board of Haines Assisted Living, Inc.



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

Department of Commerce, Community,  
and Economic Development

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

550 West Seventh Avenue, Suite 1640  
Anchorage, Alaska 99501  
Main: 907.269.4501/907.269.4581  
Programs fax: 907.269.4539

May 14, 2014

Dean Olson, Acting Assessor  
P.O. Box 1209  
Haines, AK 99827

Mr. Olson,

Recently, Dan Austin of St. Vincent de Paul Society, Marty McGee and you inquired about a possible exemption and type for the Soboleff-McRae Veterans Village (SMVV) property that is being constructed in Haines. More specifically, you inquired as to whether the property would be eligible for exemption under AS 29.45.030(a)(3) as a mandatory exemption.

I have taken a look at the information you have forwarded and reviewed the Statutes and Cases, and consulted with Marty McGee and Pat Carlson, the Assessor of Fairbanks and you.

It is my opinion that the SMVV property would not qualify for a total mandatory exemption under AS 29.45.030(a)(3). There are several reasons for this conclusion. First, AS 29.45.030(a)(3) is more completely defined further on in the statutes, see below.

Sec. 29.45.030. Required exemptions.

(a) The following property is exempt from general taxation:

(3) property used exclusively for nonprofit religious, charitable, cemetery, hospital, or educational purposes;

(c) Property described in (a)(3) or (4) of this section from which **income is derived is exempt only if that income is solely from use of the property by nonprofit religious, charitable, hospital, or educational groups.** If used by nonprofit educational groups, the property is exempt only if used exclusively for classroom space.

As noted in the materials provided to me and obtained by this office, the apartment units on the top level of the building will be providing income. It was also stated that some of these units will be leased for market rental rates to subsidize other lower income units. It should also be noted here that the tenants of these rental units are not non-profit entities. Loosely using some of the figures cited as typical rents for the development I calculated an annual rental income of just under \$100,000 for the residential units. This would not represent a de minimis income for the property.

As further support I would also refer you to the following excerpt from the Alaska Supreme Court on the FNSB v. Dena Nena Henash (TCC) case,

**“Accordingly we have concluded that operation of a church radio station that sold commercial radio time was not an exclusive use of property for a religious or charitable purpose. [FN32] In so holding, we did not think it relevant that the radio station's income was used to fund missionary activities. We have also held that a hospital did not use its property exclusively for hospital purposes because it leased the property to doctors for private office space. [FN33] We recognized an exception to the exclusive-use requirement in City of Nome v. Catholic Bishop of Northern Alaska, in which we held that de minimis use of property for a non-exempt purpose did not preclude an exemption. [FN34] The exclusive-use requirement also requires analysis of how the property is actually used.”**

And further on,

**“Although we recognize that fund-raising can be for charitable purposes, it loses its eligibility for exemption if it used to support both exempt and nonexempt services, i.e., if it is used to support both exempt and non-exempt purposes. [FN85]”**

I would also point out the following from City of Nome v. Catholic Bishop. Note that this is the same section of the statutes, prior to being re-written and re-numbered.

**“D. Is the Residence of a Religious Worker Not Listed in AS 29.53.020(b)(1) Exempt? [22] A specific and inclusive list of exempt residences is delineated in AS 29.53.020(b)(1). We agree with the superior court that the policy of strict construction and the Harmon decision necessarily makes nonexempt the housing for seminary students, church volunteers and visiting pastors. [FN26] Nothing in the post-Harmon amendment of AS 29.53.020(b)(1) suggests a legislative intent to change the inclusiveness of the exempt residences list.”**

In other words, of all of the residential properties allowed to be mandatorily exempted under the statutes, why are these residences the only ones so noted? The implication I get from this citation, is that the courts have determined that these are the only residences that the Legislature wanted to have exempted in this manner. For residences that are allowed to be exempted under other scenarios, the Legislature has passed legislation allowing for LIHTC's, Housing Authorities and other exemptions noted under AS 29.45.050.

Greater Anchorage Area Borough v. Sisters of Charity also provides clarification on the use that is to be applied in determining exemptions. It is the actual or end use that shall determine the granting or denial of the exemption. The use of the property for funding for hospital purposes was not material to the decision. The ultimate denial of the exemption was based upon the non-exempt use of the property by their tenants.

**“The Sisters urge that the owner's use, rather than the actual use, should be considered in making this determination. That analysis, however, would extend the tax exemption to everything owned and used in some way by an exempt institution. If only the uses of the office space by the Sisters are considered, by definition the Sisters' use is exclusive. Nothing in the exemption statute indicates that such a limited reading is justified.”**

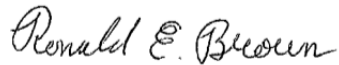
In summation, I do not believe that the SMVV property would qualify for a mandatory exemption as charitable under AS 29.45 for the entire structure. However, it would be feasible to spatially apportion the building and extend a charitable exemption to the lower level if it is developed and used as planned. This would, of course, require that SMVV and their tenants on the bottom floor meet the requirements of for such an exemption. Which if the project is developed as was explained, it would appear that they would pass such a test.

And, should Haines Borough agree and adopt such an exemption, a community purpose exemption could be extended to the upper level as well.

As for other options, St. Vincent de Paul could examine other alternatives for the project such as LIHTC or obtaining some type of Building Authority status with the State of Alaska. Residential properties under these banners can in some cases obtain partial or total exemptions.

Please feel free to contact me with any questions or concerns you may have.

Sincerely,



Ronald E. Brown  
State Assessor  
Ph. # 907-269-4605



HAINES BOROUGH, ALASKA  
 P.O. BOX 1209  
 HAINES, AK 99827  
 (907) 766-2231 \* FAX (907) 766-2716

**EXEMPTION APPLICATION**  
**Request for Nonprofit Property Tax Exemption**

Applicant contact Information: Name Haines Assisted Living Inc.  
 Address PO Box 916 Haines AK 99827  
 Phone # 766-3616

Assessment/Tax Year 2014 Parcel No. C-TNS-08-0500

Organization Name Haines Assisted Living Inc. Level 2 SMV.  
 Property Location: Between 2<sup>nd</sup> & 3<sup>rd</sup> on Dalton Plat-Attached

1. Is the organization organized for business or profit making purposes? Yes X No \_\_\_\_\_

2. Is this property used exclusively for the exemption sought? Yes X No \_\_\_\_\_  
 If the answer is no explain:

3. Explain how the use of this property is eligible for the exemption sought. Answer to No. 1 above and its relationship to the exemption type; as an example - nonprofit charitable (AS 29.45.030(3)).

Non profit 501(c)(3) charitable AS 29.45050  
HB Code 3.70.030 & 3.70.040

I hereby certify that the information provided is true and correct to the best of my knowledge.

Principal/Agent James Studley Title June 17, 2014  
 Signature: James Studley President HAL Inc.

Attention: All information required on page 2 of this application must be included when applying before exempt status is considered.



**HAINES BOROUGH, ALASKA**  
**P.O. BOX 1209**  
**HAINES, AK 99827**  
**(907) 766-2231 \* FAX (907) 766-2716**

**AS Sec. 29.45.030 Required exemptions:**

(a) The following property is exempt from general taxation: (3) property used exclusively for nonprofit religious, charitable, cemetery, hospital, or educational purposes:

**HBC 3.70.030 Required exemptions:**

A. The following property is exempt from general taxation: (3) Property used exclusively for nonprofit religious, charitable, cemetery, hospital or educational purposes.

A request for exemption from the property taxes must be received by **March 1** of the applicable tax year. The property must be in use as of January 1 of the tax year in order to obtain an exemption for that year. Exemptions are not prorated and are granted based on two critical criteria: 1) not for profit ownership and, 2) exclusive use of the property for an exempt purpose. Typically vacant land is not exempt.

*The property owner is responsible for proving that the property is used exclusively for an exempt purpose and qualifies for an exemption. The owner is required to provide at a minimum the following items with the application:*

- DMU ✓ 1. The articles of incorporation, state certificate of incorporation, constitution &/or bylaws for the organization.
- DMU ✓ 2. Documents to support the organization's not-for-profit status (e.g. IRS 501(c) (3) determination letter, or equivalent).
- 3. Contracts of any type describing or memorializing use of the property by a person, or entity other than the applicant organization.
- 5. Description of any remuneration received by the applicant organization including:
  - a. Any property, or portion of property, from which rentals or income are derived.
  - b. Actual operating expenses, excluding debt service or depreciation.
- MA 6. Where property is leased by the organization to other entities, financial statements for the past tax year including income and expense reports, and description of any debt service or depreciation included in the financial statements for the property.
- MA 7. For property used for an educational purpose, the detail of course curriculum and classroom space.
- MA 8. For property used as a religious residence, the detail of the resident's ordination, commission or license (according to the standards of the religious organization), and proof of resident's employment by the religious organization as its minister.
- 9. The municipal assessor or designee may request additional information prior to its determination, as reasonably necessary to determine the exempt status of a property in accordance with municipal code and regulations and state law.

**DO NOT WRITE IN SHADED AREA**

<b>Assessor Recommendation</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<b>Signature</b> <i>Dean Millson</i>	<b>Date</b> <i>6-20-2014</i>
--------------------------------	-----------------------------------------	-----------------------------	--------------------------------------	------------------------------

*↓ Pending Assembly Approval for optional community purpose Exemption*

*Note: Application has been in process since June of 2013.*

## Haines Borough Real Property Assessment Report 2014 Tax Year

### Property Information

<b>Borough property number:</b>	C-TNS-08-0500
<b>Ownership:</b>	H.A.L., c/o V. HANSEN HAINES ASSISTED LIVING, INC.
<b>Address:</b>	P.O. BOX 916 HAINES, AK 99827
<b>Detail:</b>	LOT 5A, BLOCK 8 REPLAT OF FRAC LOT 1 & 2 & LOTS 3-5, BLK 8, PLAT 2013-4
<b>Street address:</b>	230 Dalton Street
<b>Assessed land(\$):</b>	0
<b>Assessed improvement (\$):</b>	505,800
<b>Assessed total(\$):</b>	505800
<b>Tax rate:</b>	0 mills
<b>Taxes exempt (\$):</b>	Pending
<b>Taxes due this year(\$):</b>	0
<b>Pmts this year(\$):</b>	0
<b>*Balance (\$):</b>	0



\*Prior tax year delinquencies not shown.  
Taxes due September 3, 2013.  
Penalty and interest accrue daily on outstanding balances.  
Please call the Borough office for final balances at 766-2711 X22

### Parcels

<b>Borough Property ID</b>
C-TNS-08-0500

### Quads

<b>NAME</b>
SKAGWAY A-2

### Sections

<b>Township Range Section</b>
30S 59E 27
30S 59E 34

- LEGEND**
- ① PRIMARY SURVEY RECORDED THIS SURVEY
  - ② SECONDARY SURVEY SET THIS SURVEY BY J.W. BEAN
  - ③ SECONDARY SURVEY RECORDED THIS SURVEY
  - ④ UNRECORDED
  - ⑤ CENTERLINE
  - ⑥ SURVEY TIE

THIRD SECONDARY MON.  
5/0" BEAR, 35' LONG



**STATEMENT OF OWNERSHIP**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED IN THIS SURVEY AND THAT I HAVE BEEN FULLY ADVISED OF MY RIGHTS AND OBLIGATIONS BY THE ALASKA DEPARTMENT OF REVENUE AND I HAVE AGREED TO THE TERMS AND CONDITIONS OF THIS SURVEY AND I HAVE SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE PURPOSES HEREIN MENTIONED.

DATE: March 14, 2013  
 OWNER: James M. Studley  
 TRUSTEES ASSIGNED UNDER THE WILL OF DECEASED: James M. Studley  
 ADDRESS: PO BOX 918, HAINES, ALASKA 99827  
 NOTARIES ADDRESS/STATE/COMMENTS: STATE OF ALASKA



KNOW ALL MEN TO BE THAT THE PERSON (PERSONS) DESCRIBED IN AND WHO EXECUTED THIS INSTRUMENT HAVE BEEN FULLY ADVISED OF THEIR RIGHTS AND OBLIGATIONS BY THE ALASKA DEPARTMENT OF REVENUE AND I HAVE AGREED TO THE TERMS AND CONDITIONS OF THIS SURVEY AND I HAVE SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE PURPOSES HEREIN MENTIONED.

WITNESSE MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST MADE MENTION.

Notary Public for Alaska: M. Kelly Williams  
 My Commission Expires: 01/1/2016

**CERTIFICATE BY THE HAINES BOROUGH**

THE REPORT OF FRACTION OF LOTS 1 & 2, BLOCK 8, AND LOTS 3 THRU 6, BLOCK 8, HAINES TOWNSHIP, HAINES BOROUGH, HAINES, ALASKA, COUNTY WITH THE PROVISION SET FORTH IN HC 18.100 AND IS APPROVED FOR RECORDING WITH THE HAINES RECORDS OFFICE DATED:

DATE: 3/27/2013  
 ROY GODDARD, HAINES BOROUGH PLANNING COMMISSION CHAIR  
 DATE: 4/11/2013  
 STRYKANE SCOTT, HAINES BOROUGH

**CERTIFICATE OF REGISTERED LAND SURVEYORS**

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED AND REGISTERED WITH THE BOARD OF SURVEYORS AND ENGINEERS, STATE OF ALASKA, AND I HAVE PERSONALLY SUPERVISED THE SURVEY AND I HAVE SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE PURPOSES HEREIN MENTIONED.

DATE: 3-21-2013



DATE	3-21-2013
PROJECT	FRAC. OF LOTS 1 & 2, BLOCK 8, AND LOTS 3 THRU 6, BLOCK 8, HAINES TOWNSHIP, HAINES BOROUGH, HAINES, ALASKA
SCALE	1"=200'
JOB NO.	192-881-0142-017A
JOB	192-881-0142-017A

**CERTIFICATION OF BOROUGH ASSESSOR**

I HEREBY CERTIFY THAT THE APPLICANTS ARE NOT DELINQUENT ON PROPERTY TAXES FOR THE PROPERTY SITED ON THE SUBDIVISION PLAN SHOWN HEREON.

DATE: March 14, 2013  
 HAINES BOROUGH ASSESSOR: John M. Blaine

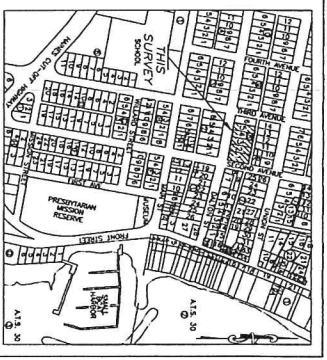
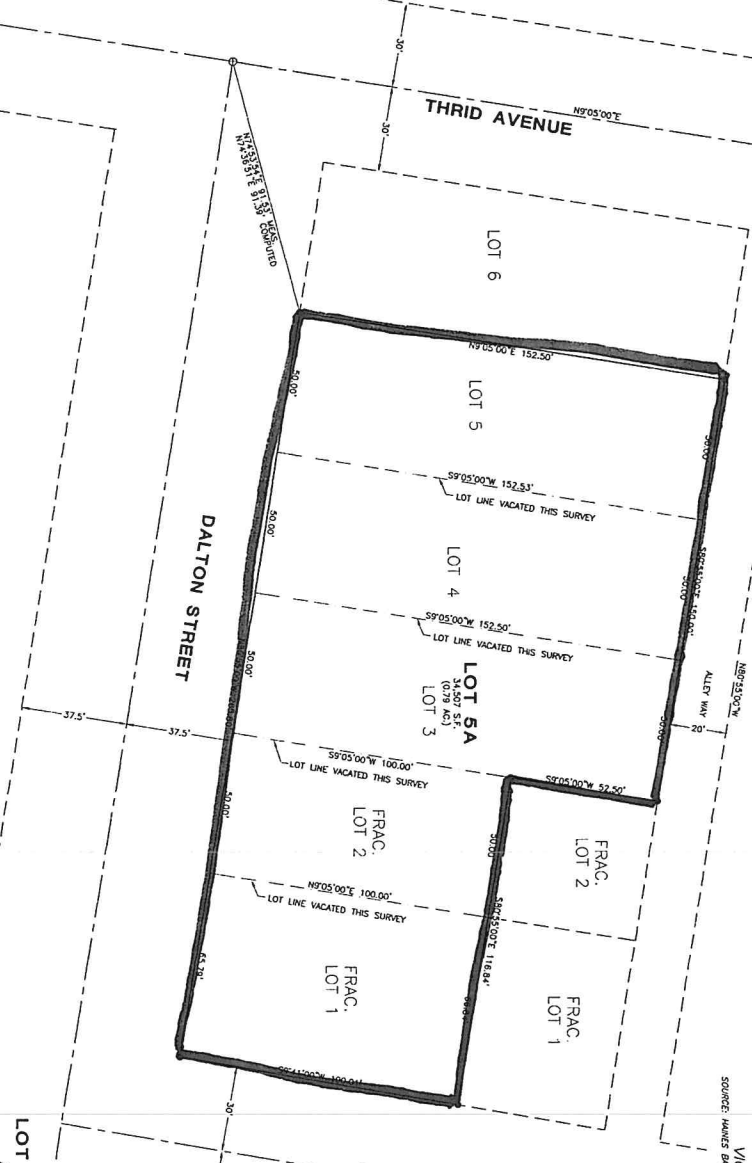
**NOTE:**  
 THIS PLAN IS IN THE COMMONWEALTH LAND USE ZONE

**J.W. BEAN**  
 INC.  
 PROFESSIONAL SURVEYOR  
 1912 AVENUE, SUITE 100  
 HAINES, ALASKA 99827  
 SURVEYOR - PLANNER

- NOTES:**
1. ALL PLAT BEAN'S SHOW ARE THAT BEAN'S AS SHOWN ON THIS SURVEY.
  2. LOTS WITHIN THIS SUBDIVISION ARE SERVED BY THE HAINES BOROUGH WINDUP, WATER AND SEWER SYSTEMS.

**OWNER:**  
 JAMES M. STUDLEY, INC.  
 PO BOX 918  
 HAINES, ALASKA 99827

**A PLAT OF**  
**LOT 5A, BLOCK 8,**  
**A RE-PLAT OF**  
**LOTS 3 THRU 6, BLOCK 8,**  
**HAINES TOWNSHIP**  
**WITHIN U.S. SURVEY NO. 1178**  
**WITHIN CITY OF HAINES, ALASKA**  
**HAINES RECORDING DISTRICT - HAINES, ALASKA**



2013-4  
 10/13/13  
 10:02 AM



3641066



State of Alaska  
Division of Corporations, Business and Professional Licensing  
**CORPORATIONS SECTION**  
PO Box 110806  
Juneau, AK 99811-0806  
Phone: (907) 465-2550  
Fax: (907) 465-2974  
Website: www.commerce.alaska.gov/occ

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Office Use Only **CORP**  
**RECEIVED**  
**JUNEAU**  
**MAR 28 2013**  
Division of Corporations, Business and Professional Licensing  
*JMS PLB*

**AMENDED AND RESTATED  
ARTICLES OF INCORPORATION**  
Domestic Nonprofit Corporation  
AS 10.20.206

\$25.00 Filing Fee (non-refundable)

**NOTE:** Bylaws are not required to be filed with this office; they are to be maintained by the entity. If you include your bylaws, they will be returned without being filed for record.

Pursuant to Alaska Statutes 10.20.206, the undersigned entity sets out the following:

**ITEM 1:** Name of the corporation: Alaska Entity #:  
Haines Assisted Living, Inc. 100135

**ITEM 2:** List each article number being amended, and the amended article in full. Any article being changed is considered an amendment; this includes deletions, edits, corrections, or renumbering of the articles. Verify with previous Articles of Incorporation and amendments already filed.

See Attached

Attach an additional sheet if necessary.

**ITEM 3:** Attach a copy of the amended and restated articles.

**ITEM 4:** Authorization:

Date the amendment was adopted by a majority of the board of directors, or by a majority of its members (mm/dd/yyyy format): 3 / 18 / 2013

**ITEM 5:** The Amended and Restated Articles of Incorporation must be signed by the president or vice president and by its secretary or an assistant secretary of the entity.

	James M. Studley	3/18/13
Signature of President or Vice President	Printed Name of President or Vice President	Date
	Marcia Scott	3/18/13
Signature of Secretary or Assistant Secretary	Printed name of Secretary or Asst. Secretary	Date



**AMENDED AND RESTATED ARTICLES OF INCORPORATION**  
of  
**Haines Assisted Living, Inc.**  
**A Nonprofit Corporation**

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Pursuant to the provision of the Nonprofit Corporation Act of Alaska (AS 10.20), the undersigned natural persons, of the age of 18 years or more acting as incorporators hereby adopt the following Amended and Restated Articles of Incorporation.

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and Professional Licensing

These Amended and Restated Articles of Incorporation correctly set out the provisions of the Articles of Incorporation as amended; they have been adopted as required by law and they supersede the original Articles of Incorporation and all amendments thereto.

**ARTICLE 1**

The name of this corporation is Haines Assisted Living, Inc. ("Corporation")

**ARTICLE 2**

The name, mailing and physical address of the registered agent and registered office of this Corporation is James M. Studley, mailing address P.O. Box 946, Haines, Alaska 99827 and physical address is 527 Dalton, Haines, Alaska 99827.

**ARTICLE 3**

The purposes for which this Corporation is organized are to (a) maintain and operate a compassionate and affordable assisted living facility for seniors, (b) to foster affordable housing opportunities for those in need in the Haines Borough; and (c) to conduct any other lawful business for non-profit corporations in the State of Alaska that benefit senior citizens of Haines, Alaska and their families.

This Corporation is organized exclusively for the purposes as specified in Section 501(c)(3) of the Internal Revenue Code, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

**ARTICLE 4**

The number of initial directors of this corporation shall be seven and the names and addresses of the initial directors are as follows:

James M. Studley, P.O. Box 946, Haines, Alaska, 99827  
Beth MacCready, P.O. Box 407, Haines, Alaska 99827  
Phillip Lende, P.O. Box 936, Haines, Alaska 99827  
Marcia Scott, P.O. Box 138, Haines, Alaska, 99827  
Dick Flegel, P.O. Box 7, Haines, Alaska, 99827  
Lucy Harrell, P.O. Box 889, Haines, Alaska, 99827  
Vincent Hansen, P.O. Box 1667, Haines, Alaska, 99827

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#### ARTICLE 5

The names and addresses of the Incorporators of this Corporation are: *Division of Corporations, Business  
and Professional Licensing*

James M. Studley, P.O. Box 946, Haines, Alaska 99827,  
Lucy Harrell, P.O. Box 889, Haines Alaska 99827,  
Vincent Hansen, P.O. Box 1667, Haines, Alaska, 99827

#### ARTICLE 6

The period of the duration of this Corporation is perpetual

#### ARTICLE 7

The classes, rights, privileges, qualifications, and obligations of members of this corporation are as follows: no members

#### ARTICLE 8

Additional provisions:

Upon the dissolution of this Corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this Corporation shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or shall be distributed to the federal government, or to a state or local government, for a public purpose.

No substantial part of the activities of this Corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation [except as otherwise provided by Section 501(h) of the Internal Revenue Code], and this Corporation shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office.

No part of the net earnings of this Corporation shall inure to the benefit of, or

be distributed to, its members, directors, officers, or other private persons, except that this Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in these Amended and Restated Articles of Incorporation.

Notwithstanding any other provision of these Amended and Restated Articles of Incorporation., this Corporation shall not carry on any other activities not permitted to be carried on by a Corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code; or (2) by a corporation contributions to which are deductible under Section 170(c)(2) of the Internal Revenue code.

The Directors shall not be personally liable for the debts, liabilities, or other obligations of the Corporation.

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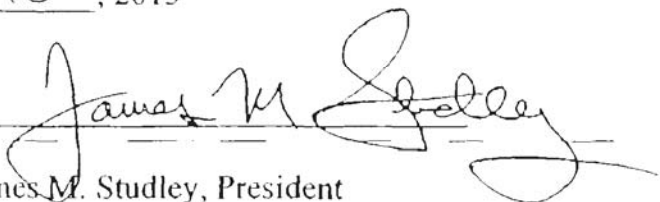
ARTICLE 9


Division of Corporations, Business  
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All matters consistent with the Corporation's purposes and not governed by these Amended and Restated Articles of Incorporation shall be governed by the Corporation's Bylaws.

The undersigned incorporators hereby declare under penalty of perjury that the statements made in the foregoing Amended and Restated Articles of Incorporation are true.

Dated March 18, 2013

  
James M. Studley, President

  
Marcia Scott, Secretary

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**CORPORATE RESOLUTION**

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**OF**

APR 15 2013

**HAINES ASSISTED LIVING, INC.**

Division of Corporations, Business  
and Professional Licensing

WHEREAS, the current Articles of Incorporation of the Haines Assisted Living, Inc. ("Corporation") report the purposes for which the Corporation is organized to be to (a) maintain and operate a compassionate and affordable assisted living facility for seniors, and (b) to conduct any other lawful business for non-profit corporations in the State of Alaska that benefit senior citizens of Haines, Alaska and their families; and

WHEREAS, the current Articles of Incorporation of the Corporation do not contain a provision allowing for all matters consistent with the Corporation's purposes and not governed by the Articles of Incorporation to be governed by the Corporation's Bylaws; and

WHEREAS, the Board of Directors of has determined the need for amendment to the Articles of Incorporation of the Corporation to allow for the addition of a purpose of the Corporation to foster affordable housing opportunities for those in need in the Haines Borough; and

WHEREAS, the Board of Directors of the Corporation has determined the need for amendment to the Articles of Incorporation of the Corporation to allow for all matters consistent with the Corporation's purposes and not governed by the Articles of Incorporation to be governed by the Corporation's Bylaws; and

WHEREAS, the Board of Directors recommends the filing of Amended and Restated Articles of Incorporation to allow for the (a) addition of a purpose of the Corporation to foster affordable housing opportunities for those in need in the Haines Borough; and (b) contain a provision allowing for all matters consistent with the Corporation's purposes and not governed by the Articles of Incorporation to be governed by the Corporation's Bylaws.

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the President and Secretary of the Corporation are hereby authorized to sign Amended and Restated Articles of Incorporation allowing for the (a) addition of a purpose of the Corporation to foster affordable housing opportunities for

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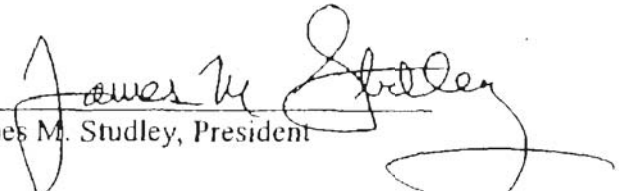
MAR 28 2013

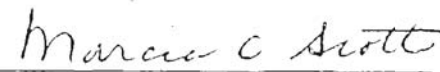
Division of Corporations Business  
and Professional Licensing

those in need in the Haines Borough; and (b) contain a provision allowing for all matters consistent with the Corporation's purposes and not governed by the Articles of Incorporation to be governed by the Corporation's Bylaws; and

FURTHER RESOLVED that the President and Secretary of the Corporation are hereby authorized to direct legal counsel for the Corporation to file said Amended and Restated Articles of Incorporation with the State of Alaska Department of Commerce Community and Economic Development, Division of Corporations, Business and Professional Licensing.

Approved this 18 day of March 2013.

  
James M. Studley, President

  
Marcia Scott, Secretary

Aye	<u>7</u>
Nay	<u>0</u>
Abstain	<u>0</u>
Absent	<u>0</u>

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**AMENDED PROVISIONS OF ARTICLES OF INCORPORATION**

**Of**

**HAINES ASSISTED LIVING, INC.**

**ARTICLE 3**

The purposes for which this Corporation is organized are to (a) maintain and operate a compassionate and affordable assisted living facility for seniors, (b): to foster affordable housing opportunities for those in need in the Haines Borough; and (c) to conduct any other lawful business for non-profit corporations in the State of Alaska that benefit senior citizens of Haines, Alaska and their families.

**ARTICLE 9**

All matters consistent with the Corporation's purposes and not governed by these Amended and Restated Articles of Incorporation shall be governed by the Corporation's Bylaws.



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 14-513  
Assembly Meeting Date: 10/14/14

Business Item Description:	Attachments:
Subject: Modify the Manager Authorization Limit for Change Orders	1. Ordinance 14-10-392
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 10/9/14	

**Full Title/Motion:**  
Motion: Introduce Ordinance 14-10-392 and set a first public hearing for 10/28/14.

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

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$	\$	

**Comprehensive Plan Consistency Review:**  
Comp Plan Goals/Objectives: \_\_\_\_\_  
Consistent:  Yes  No

**Summary Statement:**  
The assembly on 4/22/14 adopted Ordinance 14-03-372, which updated the borough manager's purchasing authorization limits. As stated in that ordinance, "Supplies, materials, equipment, or contractual services not to exceed \$25,000 shall be made on the open market ... by the borough manager or by other borough personnel in accordance with written purchase authorization issued by the borough manager."  
  
According to Haines Borough Code Title 3 Section 3.60.190, "All change orders in excess of \$10,000 or 30 days shall require approval of the assembly." Ordinance 14-10-392, as proposed, would modify the manager authorization limit for change orders to align with the purchasing authorization limit of \$25,000 as set in Ordinance 14-03-372. These amounts have always matched and this part of the code was missed when the other ordinance was adopted.

**Referral:**  
Referred to: \_\_\_\_\_ Referral Date: \_\_\_\_\_  
Recommendation: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

**Assembly Action:**  
Meeting Date(s): 10/14/14  
Public Hearing Date(s): \_\_\_\_\_  
Postponed to Date: \_\_\_\_\_



**An Ordinance of the Haines Borough amending Haines Borough Code Title 3  
Section 3.60.190 to modify the manager authorization limit for change orders.**

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 3.60.190 Section 3.60.190 of the Haines Borough Code is hereby amended as follows:

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

**3.60.190 Change orders.**

Changes to a contract may be accomplished after execution of the contract by change order. A change order shall be based upon agreement by the borough and the contractor and, if applicable, the engineer and shall be signed by all parties. It shall be the responsibility of the purchasing agent or the project manager, as applicable, to draft the change order. All change orders in excess of ~~\$10,000~~ **\$25,000** or 30 days shall require approval of the assembly.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_  
DAY OF \_\_\_\_\_, 2014.

ATTEST:

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

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

Date Introduced: 10/14/14  
Date of First Public Hearing:  
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

October 8, 2014

To: Haines Borough Assembly

Cc: Dave Sosa, Manager  
Julie Cozzi, Clerk  
Anne Marie Palmeri, President Library Board of Trustees  
Jim Sanford, Chair, Public Safety Commission

From: Stephanie Scott, Mayor, Haines Borough

Subject: Committee Appointments: Library Board; Public Safety Commission

I concur with the duly adopted recommendations from the Library Board of Trustees and the Public Safety Commission to appoint Tracy Wirak and Judy Ewald respectively. I have attached the applications from Tracy and Judy as well as the letter of recommendation for Judy from the Public Safety Commission.

I ask that the Haines Borough Assembly confirm these 3-year appointments.

According to Library Board member Heather Lende, one of the reasons that they were delighted to entertain Tracy Wirak's appointment is for the opportunity to add representation from the 30-something demographic – a user group that is currently under-represented in the board make-up. I heartily concur with the Board's goal of representing the millennial generation. Tracy also holds an elementary teaching degree – which to me indicates an interest in literature and children – two key elements of the Haines Borough Library programs. Tracy is no stranger to community involvement and service – having conducted the Haines Science Camp and having served as a Library Volunteer. She is well qualified to serve on our Library Board!

Judy Ewald is an "institution" in our community and we are very fortunate that the Public Safety Commission has successfully recruited her. I recently had the opportunity to work alongside Judy on an issue and I was impressed by her quiet resolve. I believe that she will be an excellent Public Safety Commissioner.

Attachments: Ewald and Wirak Applications; PSC letter of recommendation for Ewald

## Julie Cozzi

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**From:** Patricia Brown [director@haineslibrary.org]  
**Sent:** Friday, October 03, 2014 11:33 AM  
**To:** Julie Cozzi  
**Subject:** library board seat

Hi Julie,

We are ready to move forward with the Board recommendation for our open seat. Here are comments about our applicant:

The library board is pleased to recommend Tracy Wyrak for the open board position for the Haines Borough Public Library. Tracy is enthusiastic about her ability to contribute her educational background and is particularly interested in the programs and educational aspects of the Library's service offerings. She sees the library as a valuable resource for the Haines community.

The item I was asking to push to the next meeting was the ordinance changing the library to a department.

Thanks,

Patty

\*\*\*\*\*

Patricia Brown  
Director  
Haines Borough Public Library  
907-766-3880

# Haines Borough Application for Appointment

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

<input type="checkbox"/>	Planning Commission	<input type="checkbox"/>	Boat Harbor Advisory Committee
<input type="checkbox"/>	Tourism Advisory Board	<input type="checkbox"/>	Fire Service Area Board #1
<input type="checkbox"/>	Chilkat Center Advisory Board	<input type="checkbox"/>	Fire Service Area Board #3 (Klehini)
<input type="checkbox"/>	Parks and Recreation Advisory Board	<input type="checkbox"/>	Letnikof Estates Road Maintenance Service Area Board
<input type="checkbox"/>	Museum Board of Trustees	<input type="checkbox"/>	Riverview Road Maintenance Service Area Board
<input checked="" type="checkbox"/>	Library Board of Trustees	<input type="checkbox"/>	Historic Dalton Trail Road Maintenance Service Area Board
<input type="checkbox"/>	Public Safety Commission	<input type="checkbox"/>	Four Winds Road Maintenance Service Area Board

Name: Tracy Wirak  
 Residence Address: 1 mile Beach Rd.  
 Mailing Address: PO Box 1744  
 Business Phone: \_\_\_\_\_ Home Phone: 406-459-3531  
 Fax: \_\_\_\_\_ Email: theresawirak@yahoo.com

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

Theresa Wirak  
 Signature of Applicant

6/30/14  
 Date

**PLEASE BRIEFLY DESCRIBE YOUR QUALIFICATIONS** (You may attach a resume):

Resume attached  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

**Theresa Wirak**  
**P.O. Box 1744**  
**Haines, AK 99827**  
**(406)-459-3531**  
**theresawirak@yahoo.com**

**Objective:**

- To serve as a member on the Haines Borough Public Library Board of Trustees

**Education:**

- Graduated from Capital High School in 2004
- Graduate from University of Montana in fall 2010 with 3.77 GPA
  - o B.A. in Elementary Education and a Minor in Environmental Studies
  - o Graduated with High Honors

**Certifications:**

- First Aid and CPR
- Commercial Drivers License with Air Brakes and Passenger endorsements
- Montana State Teaching License

**Professional Experience:**

Haines Science Camp, Haines, AK summer 2014

- o Owner and instructor of 9 week-long educational summer camps

Alaska Mountain Guides, Haines, AK summer 2012 and 2013

- o Kayak guide

Browning Public Schools, Browning, MT 2010-2013

- o Student teacher for 4<sup>th</sup> grade classroom at Napi Elementary 2010
- o Long-Term Substitute Teacher in 3<sup>rd</sup> grade classroom at Browning Elementary 2011
- o 6<sup>th</sup> grade teacher at Napi Elementary 2011-2013
- o Member of Napi Elementary's leadership team
- o Carol White After-School Program

**Volunteer Experience:**

- BAWAP (Blackfeet Academy Wilderness Adventure Program) fall 2010
  - o Took 3<sup>rd</sup> grade students and 4<sup>th</sup>-6<sup>th</sup> grade students hiking in Glacier National Park
- Haines Borough Public Library 2013-2014
  - o Shelved books fall 2013 and spring 2014
  - o Worked at the front desk fall 2013

**References:**

- Rob Turner, Principal of Napi Elementary
  - o RobertT@bps.k12.mt.us
  - o (406) 338-2735
- Jason Andreas, Supervisor of BAWAP and Carol White Afterschool Activities
  - o JasonA@bps.k12.mt.us
  - o (406) 338-3160
- Erin McRaith, Teacher at Napi Elementary
  - o erinmc@bps.k12.mt.us
  - o (406) 450-8287

October 7<sup>th</sup>, 2014

Julie Cozzi  
Haines Borough Clerk  
PO Box 1209  
Haines, AK 99827

Re: Consideration of Judy Ewald appointment to Public Safety Committee

Dear Julie,

As a member of the Public Safety Committee, I'm writing on behalf of all commissioners to recommend Judy Ewald as a new appointment to our committee per the code requirements below.

*HBC 2.60.055 Filling Vacancies*

*A. ....The board shall review all applications and prepare written recommendations for appointment(s) to the mayor. The written recommendation(s) shall include the reasoning behind the final decision(s).*

The PSC feels Judy Ewald would be an excellent addition to our ranks. Her history is one of long public service as an agent of the U.S. Customs and Border Patrol and since her retirement, Haines residents know of her as a stalwart and community minded volunteer with a strong interest in public affairs and particularly, public safety. Our recommendation is a unanimous one and we ask that you forward our recommendation to the Mayor and Assembly for appointment.

Sincerely,

Kay Clements  
Public Safety Commission, Secretary

# Haines Borough Application for Board Appointment



RECEIVED  
SEP 19 2014  
HAINES BOROUGH

- Appointment** (I am not currently on the board)  
 **Reappointment** (I am currently a member of the board)

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

<input type="checkbox"/>	Planning Commission	<input type="checkbox"/>	Port and Harbor Advisory Committee
<input type="checkbox"/>	Tourism Advisory Board	<input type="checkbox"/>	Fire Service Area Board #3 (Klehini)
<input type="checkbox"/>	Chilkat Center Advisory Board	<input type="checkbox"/>	Letnikof Estates Road Maintenance Service Area Board
<input type="checkbox"/>	Parks and Recreation Advisory Board	<input type="checkbox"/>	Riverview Road Maintenance Service Area Board
<input type="checkbox"/>	Museum Board of Trustees	<input type="checkbox"/>	Historic Dalton Trail Road Maintenance Service Area Board
<input type="checkbox"/>	Library Board of Trustees	<input type="checkbox"/>	Four Winds Road Maintenance Service Area Board
<input checked="" type="checkbox"/>	Public Safety Commission	<input type="checkbox"/>	
<input type="checkbox"/>	Temporary (Ad-hoc) Board/Committee _____		

Name: Judy Ewald  
 Residence Address: 742 Small Tracts Rd  
 Mailing Address: PO Box 977 Haines AK 99827  
 Business Phone: \_\_\_\_\_ Home Phone: 907-264-2455  
 Fax: \_\_\_\_\_ Email: kjewald82@gmail.com

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

Judith A Ewald  
 Signature of Applicant

Sep. 19, 2014  
 Date

**PLEASE BRIEFLY DESCRIBE YOUR QUALIFICATIONS** (You may attach a resume):

31 years with U.S. Customs & Border Protection with  
25 years as Port Director at Dalton Cache P&E  
35 years as Haines Borough resident

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



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

Department of Transportation and  
**Public Facilities**

12A

OFFICE OF THE COMMISSIONER  
Patrick J. Kemp, P.E., Commissioner

3132 Channel Drive  
P.O. Box 112500  
Juneau, Alaska 99811-2500  
Main: 907.465.3900  
Fax: 907.586.8365  
dot.state.ak.us

September 29, 2014

Borough Mayor Stephanie Scott  
PO Box 1209  
Haines, AK 99827

Dear Borough Mayor Scott:

The Department of Transportation and Public Facilities (DOT&PF) is organized into six sectors: one headquarters; two systems (Marine Highways and International Airports); and three regions (Central, Northern, Southeast). Effective this fall, the department is changing the boundaries of the regions. Notably, the Southeast Region will be expanded to include the majority of the coastal communities along the gulf and will be renamed the "Coastal Region." Attached are two maps to help explain the change, one shows the current boundaries and the second shows the revised boundaries. You will notice not all communities situated on the coast will be moved to the Coastal Region, those connected to the state highway system will remain under the Central or Northern Regions.

Population trends and the requirements of the most recent highway bill, MAP-21, are the main drivers for implementing this change. The commonalities shared by coastal communities, which include Alaska Marine Highway service, harbors, ports, and coastal climates also contributed to this decision.

This change will go through a careful transition so that no capital projects are negatively affected and no employees will physically relocate. The changes are fundamentally at the upper management level and you should not notice any change in daily maintenance and operation activities.

If you have any questions or suggestions on how we can make this transition as seamless as possible, please have your staff contact Connie McKenzie at (907) 465-4772.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick J. Kemp".

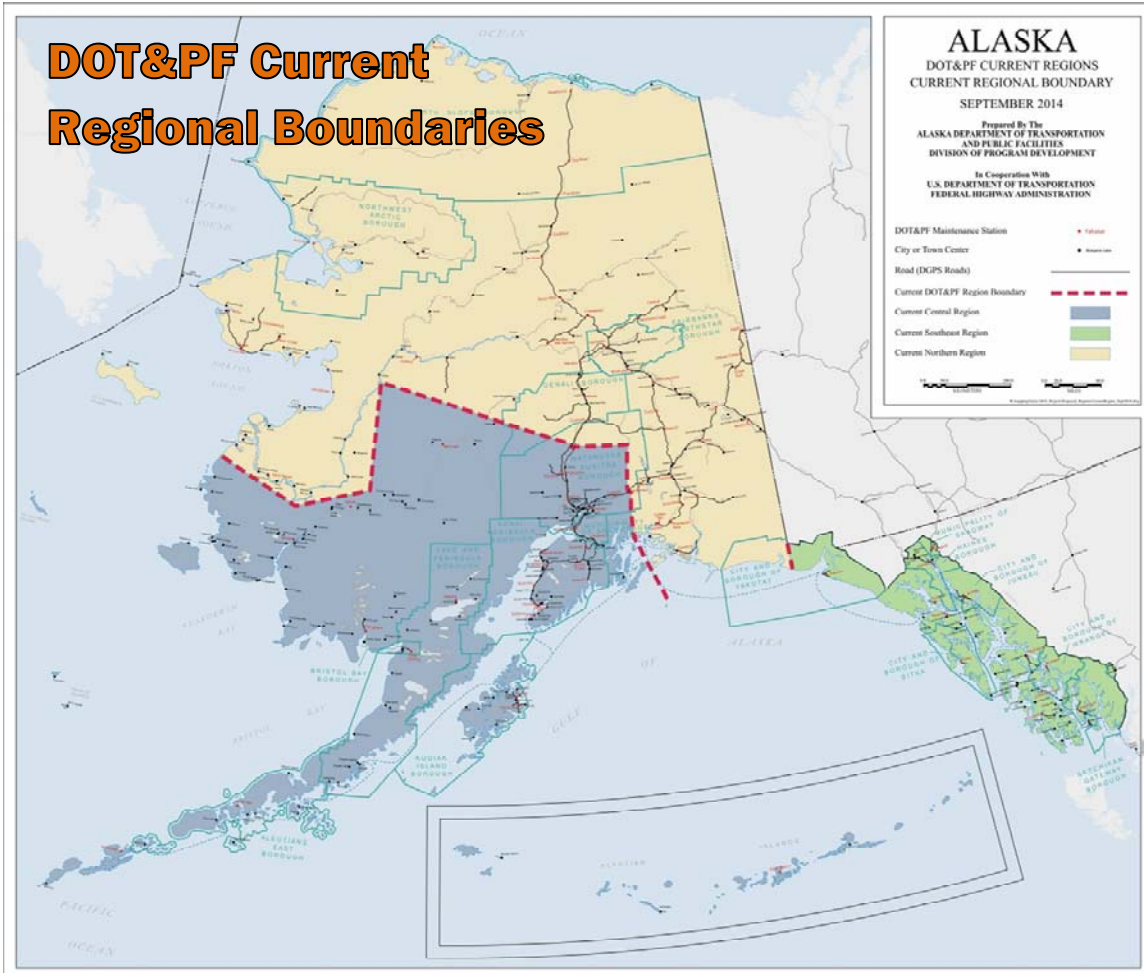
Patrick J. Kemp, P.E.  
Commissioner

Attachment: DOT&PF – Regional Maps

cc: Al Clough, Coastal Region Director, DOT&PF  
Rob Campbell, Central Region and acting Northern Region Director, DOT&PF  
Connie McKenzie, Legislative Liaison, DOT&PF



# DOT&PF Current Regional Boundaries



# DOT&PF New Regional Boundaries: Northern, Central, Coastal

