

  
**Haines Borough**  
**Borough Assembly Meeting #286**  
**AGENDA**

February 24, 2015 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

- Jan Hill,*  
Mayor
- Dave Berry Jr.,*  
Assembly Member
- Diana Lapham,*  
Assembly Member
- Mike Case*  
Assembly Member
- Joanne Waterman,*  
Assembly Member
- George Campbell,*  
Assembly Member
- Ron Jackson,*  
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 – Fire Department Report
    - 9A – Planning Commission Minutes
    - 11A1 – Resolution 15-02-613
    - 11A2 – Resolution 15-02-614
    - 11A3 – Resolution 15-02-615
    - 11B1 – Ordinance 15-02-401
    - 11C1 – Nelson Abatement Appeal
  - \* 4. **APPROVAL OF MINUTES** – 2/10/15 Regular, 2/11/15 Special (Joint with School Board)
  5. **PUBLIC COMMENTS** [Any topics not scheduled for public hearing]
  6. **MAYOR’S COMMENTS/REPORT**
  7. **PUBLIC HEARINGS**
    - A. **Ordinance 14-12-395** – Second Hearing  
**An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY15 budget.**  
*This ordinance is recommended by the borough manager and finance director. It was introduced on 12/16/14 and had a first hearing on 1/13/15. Staff recommended the second hearing be scheduled for this meeting to provide time for the finance committee to meet and for staff to develop additional amendments. A motion to amend is in order prior to ordinance adoption. **Motion:** Adopt Ordinance 14-12-395.*
    - B. **Ordinance 15-01-396** – Second Hearing  
**An Ordinance of the Haines Borough authorizing a one-year extension of a lease of the Human Resources Building by Chilkat Valley Preschool for the purpose of providing preschool educational services.**  
*The preschool (CVP) has leased the Human Resources Building on a year-to-year basis since the year 2000, and the current lease was authorized by the assembly on 2/11/14 for a period ending 6/30/15. The CVP has requested a one-year extension for a new term date of 6/30/16. Borough Charter states the leasing of borough property must be approved by the assembly by ordinance. It was introduced on 1/27/15 and had a first public hearing on 2/10/15. **Motion:** Adopt Ordinance 15-01-396.*
    - C. **Ordinance 15-01-397** – Second Hearing  
**An Ordinance of the Haines Borough determining whether a foreclosed property deeded to the borough shall be retained for a public purpose or sold.**  
*This ordinance is recommended by the planning commission and staff. It was introduced on 2/10/15 and had a first public hearing on 2/10/15. **Motion:** Adopt Ordinance 15-01-397.*

7. PUBLIC HEARINGS ---continued---

D. **Ordinance 15-01-398** – Second Hearing

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Subsection 18.60.020(H) to clarify the criteria for temporary residence permits.**

*This is recommended by the planning commission and staff. It was introduced on 2/10/15 and had a first hearing on 2/10/15. Some assembly members expressed reservations, so the manager recommends referral to committee. **Motion:** Refer Ordinance 15-01-398 to the Government Affairs & Services Committee.*

E. **Ordinance 15-01-399** – Second Hearing

**An Ordinance of the Haines Borough adopting a new water-sewer rate schedule to set rates, fees and charges for water and sewer services.**

*This ordinance is recommended by the Government Affairs & Services Committee. It was introduced on 2/10/15 and had a first public hearing on 2/10/15. **Motion:** Adopt Ordinance 15-01-399.*

F. **Ordinance 15-02-400** – First Hearing

**An Ordinance of the Haines Borough authorizing a five-year extension of a lease of an upstairs portion of the Public Safety Building by the State of Alaska for the purpose of providing services through the Department of Fish and Game, with the option to renew for five additional one-year periods.**

*This ordinance is recommended by the borough manager. It was introduced on 2/10/15. **Motion:** Advance Ordinance 15-02-400 to a second public hearing on 3/10/15.*

8. STAFF/FACILITY REPORTS

A. Borough Manager – 2/24/15 Report

\*B. Fire Department – Report of January 2015

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

\*A. Planning Commission – Minutes of 1/15/15

B. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS - None

11. NEW BUSINESS

A. Resolutions

\* 1. **Resolution 15-02-613**

**A Resolution of the Haines Borough Assembly authorizing the filing of a lawsuit for the foreclosure of municipal real property tax liens.**

*This resolution authorizes the borough to file a lawsuit for real property foreclosures for the years 2011-201. Staff is following the procedural requirements outlined in HBC 3.74 and AS 29.45.330. **Motion:** Adopt Resolution 15-02-613.*

\* 2. **Resolution 15-02-614**

**A Resolution of the Haines Borough Assembly approving certain unincorporated communities and their respective nonprofit entity for participation in the FY16 Community Revenue Sharing Program.**

*This resolution is recommended by the finance director and is something that is adopted annually by the assembly. **Motion:** Adopt Resolution 15-02-614.*

\* 3. **Resolution 15-02-615**

**A Resolution of the Haines Borough Assembly authorizing the borough manager to enter into a contract with Mead & Hunt to conduct a noise study for an amount not to exceed \$41,300.**

*This resolution is recommended by the borough manager and is a result of assembly direction. **Motion:** Adopt Resolution 15-02-615.*

11. NEW BUSINESS ---continued---

B. Ordinances for Introduction

\* 1. Ordinance 15-02-401

**An Ordinance of the Haines Borough amending Haines Borough Code Title 3, Chapter 70, Section 40 to establish a procedure for community purpose exemptions.**

*This ordinance is recommended by borough manager. **Motion:** Introduce Ordinance 15-02-401 and set a first public hearing for 3/10/15.*

C. Other New Business

\* 1. Appeal of a Supplemental Nuisance Abatement Order

*The borough issued a supplemental Title 8 abatement order to Paul Nelson. He appealed in writing, and the clerk determined it to be filed timely. Per 8.12.130, the clerk is presenting this appeal to the assembly and, with the assembly's direction, the clerk will schedule the appeal hearing. There is no other action to be taken at this time.*

**Motion:** Accept the appeal as timely-filed and direct the borough clerk to schedule a date, time, and place for the hearing by the assembly, such date to be no later than April 13 (60 days from date of appeal).

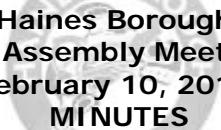
12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT

  
**Haines Borough**  
**Borough Assembly Meeting #285**  
**February 10, 2015**  
**MINUTES**

Draft

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **HILL** 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 Jan **HILL**, and Assembly Members Diana **LAPHAM**, Joanne **WATERMAN**, Ron **JACKSON**, Mike **CASE**, Dave **BERRY**, and George **CAMPBELL**.  
**Staff Present:** David **SOSA**/Borough Manager, Julie **COZZI**/Borough Clerk, Bill **MUSSER**/Chief of Police, Carlos **JIMENEZ**/Director of Public Facilities, Jila **STUART**/Finance Director, Bill **MANDEVILLE**/Community & Economic Development Director, Phil **BENNER**/Harbormaster, and Helen **ALTEN**/Museum Director.  
**Visitors Present:** Karen **GARCIA**/CVN, Margaret **FREIDENAUR**/KHNS, Jack **WENNER**, Mike **DENKER**, Jim **STUDLEY**, Stephanie **SCOTT**, Kathryn **CHENEY**, Alyssa **HENRY**, Chuck **MITTMAN**, Kyle **GRAY**/President of Chamber of Commerce, Debra **SCHNABEL**/Executive Director of Chamber of Commerce, Renee **HOFFMAN**, Jolanta **RYAN**, 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 Report
- 8C – Finance Director Report
- 8D – Police Dept Report
- 8E – Public Library Report
- 9A – Library Board Minutes
- 9B – Parks & Rec Committee Minutes
- 9C – Port and Harbor Advisory Committee Minutes
- 9D – Public Safety Commission Minutes
- 11A1 – Resolution 15-02-611
- 11B1 – Ordinance 15-02-400
- 12A – Borough Manager Letter re. “Baby Brown” Timber Sale

**Motion:** **WATERMAN** moved to “approve the agenda/consent agenda,” and it was amended to remove 8D, 9B, 11A1, and 11B1 from the consent agenda. Citizen **DENKER** requested removal of item 12A from the Consent Agenda. The motion to approve the agenda, as amended, carried unanimously.

- \*4. **APPROVAL OF MINUTES** – 1/27/15 Regular Meeting

5. **PUBLIC COMMENTS**

- SCOTT** – Baby Brown timber sale letter, concerned about process
- GRAY** – Marijuana Legalization effects on policy and the local economy
- DENKER** – Baby Brown timber sale letter, why on consent agenda?

6. **MAYOR’S COMMENTS/REPORT**

Productive Juneau meetings recently attended with the manager. Next week, AML mid-session meetings in Juneau---one topic is the marijuana law. Haines School is a blue-ribbon school (a national honor; three years of outstanding academic excellence for 3<sup>rd</sup> through 8<sup>th</sup> graders). She was privileged to be a part of the recognition ceremony and applauds the efforts and good work. Tomorrow, annual joint meeting with the school board.

7. **PUBLIC HEARINGS**

- A. **Ordinance 15-01-396** – First Hearing

**An Ordinance of the Haines Borough authorizing a one-year extension of a lease of the Human Resources Building by Chilkat Valley Preschool for the purpose of providing preschool educational services.**



Mayor **HILL** opened the public hearing at 6:46 p.m.

**STUDLEY, CHENEY, HENRY, SCOTT, and MITTMAN** spoke in support.

Hearing no further comments, the mayor closed the public hearing at 6:52 p.m.

**Motion:** **CAMPBELL** moved to "advance Ordinance 15-01-396 to a second public hearing on 2/24/15," and the motion carried unanimously.

**B. Ordinance 15-01-397 – First Hearing**

**An Ordinance of the Haines Borough determining whether a foreclosed property deeded to the borough shall be retained for a public purpose or sold.**

Mayor **HILL** opened and closed the public hearing at 6:55 p.m.; there were no public comments.

**Motion:** **BERRY** moved to "advance Ordinance 15-01-397 to a second public hearing on 2/24/15," and the motion carried unanimously.

**C. Ordinance 15-01-398 – First Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Subsection 18.60.020(H) to clarify the criteria for temporary residence permits.**

Mayor **HILL** opened and closed the public hearing at 6:57 p.m.; there were no public comments.

**Motion:** **BERRY** moved to "advance Ordinance 15-01-398 to a second public hearing on 2/24/15," and the motion carried unanimously.

**D. Ordinance 15-01-399 – First Hearing**

**An Ordinance of the Haines Borough adopting a new water-sewer rate schedule to set rates, fees and charges for water and sewer services.**

Mayor **HILL** opened and closed the public hearing at 7:06 p.m.; there were no public comments.

**Motion:** **BERRY** moved to "advance Ordinance 15-01-399 to a second public hearing on 2/24/15," and it was amended to substitute the ordinance in its entirety with a substitute recommended by the mayor. The motion carried unanimously.

**8. STAFF/FACILITY REPORTS**

**A. Borough Manager – 2/10/15 Report**

**SOSA** summarized his written report. He specifically acknowledged the public works staff for the good job removing snow and the assistant pool manager for covering the pool activities and the recent swim meet.

\* **B. Chilkat Center** – *Facility Report of January 2015*

\* **C. Finance Director** – *FY15 2<sup>nd</sup> Quarter General Fund Financial Report*

**D. Police Department** – *2/3/15 Report*

\* **E. Library Director** – *Staff Report of 12/17/2014*

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

\* **A. Library Board** – *Minutes of 12/17/2014*

**B. Parks and Recreation Advisory Committee** – *Minutes of 10/23/14 and 11/20/14*

\* **C. Port and Harbor Advisory Committee** – *Minutes of 1/5/15 and 1/26/15*

\* **D. Public Safety Commission** – *Minutes of 12/8/14*

**E. Assembly Standing Committee Reports**

**10. UNFINISHED BUSINESS - None**

**11. NEW BUSINESS**

**A. Resolutions**

**1. Resolution 15-02-611**

**A Resolution of the Haines Borough Assembly supporting the reinstatement of a full \$60 million into the Revenue Sharing fund on a yearly basis with a one-year appropriation of \$8 million to the fund with an effective date prior to June 30, 2015.**

There were no public comments.

**Motion:** **WATERMAN** moved to "adopt Resolution 15-02-611," and it carried unanimously in a roll call vote.

**2. Resolution 15-02-612**

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a Memorandum of Agreement with the Alaska Department of Transportation and Public Facilities for the Haines – Klehini Bridge Replacement and Transfer project.**

There were no public comments.

**Motion:** WATERMAN moved to “adopt Resolution 15-02-612,” and it carried unanimously in a roll call vote.

SOSA introduced Matt Van Alstine and Elmer Marx from ADOT who attended by telephone. They answered questions raised by the assembly.

**B. Ordinances for Introduction**

**1. Ordinance 15-02-400**

**An Ordinance of the Haines Borough authorizing a five-year extension of a lease of an upstairs portion of the Public Safety Building by the State of Alaska for the purpose of providing services through the Department of Fish and Game, with the option to renew for five additional one-year periods.**

**Motion:** WATERMAN moved to “introduce Ordinance 15-02-400 and schedule a first public hearing for 2/24/15,” and the motion carried unanimously.

**C. Other New Business - None**

**12. CORRESPONDENCE/REQUESTS**

**A. Borough Manager Letter** – Comments on “Baby Brown” Timber Sale

**13. SET MEETING DATES**

**A. Committee of the Whole:** Wednesday, 2/25, 6:30 p.m., Assembly Chambers. Topic(s): 1) strategic planning, 2) FY16 budget guidance, 3) trip to Washington D.C, and 4) procedure for manager performance evaluation.

**14. PUBLIC COMMENTS**

**SCHNABEL** – Communication between Planning Commission and Borough Assembly

**DENKER** – Appreciation for the clerk’s attention to detail.

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**CASE** – appreciates helpful brochure distributed by the museum, commends Patty Brown for being elected president of the library association and Holly Davis for her award for the library’s children’s programs.

**JACKSON** – the local art community...he would like discussions about how the borough could support them.

**CAMPBELL** - unintended consequences of certain actions, specifically pesticide-use restrictions and the increase in aphids and viruses that affect crops such as potatoes.

**WATERMAN** requested to be removed from the Commerce Committee.

**16. ADJOURNMENT** – 8:38 p.m.

**Motion:** WATERMAN moved to “adjourn the meeting,” and the motion carried unanimously.

ATTEST:

\_\_\_\_\_  
Janice Hill, Mayor

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

**Haines Borough Assembly & Haines Borough School Board  
Joint Session**

February 11, 2015 – 6:30pm  
Haines School Library

**Draft**

**Minutes**

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**A. Call to Order/Pledge to the Flag**

Mayor **HILL** called the meeting to order at 6:30 pm in the Haines School Library and led the pledge to the flag.

**B. Assembly Roll Call** – Julie **COZZI**, MMC, Borough Clerk

**Present:** Mayor Jan **HILL**, and Assembly Members Mike **CASE**, Ron **JACKSON**, George **CAMPBELL**, Diana **LAPHAM**, Dave **BERRY**, and Joanne **WATERMAN**.

**C. School Board Roll Call** – Ashley **SAGE**, District Secretary

**Present:** President Ann Marie **PALMIERI**, and Members Sarah **SWINTON**, Sara **CHAPPELL**, Brian **CLAY**, Michael **WILSON**, Lisa **SCHWARTZ**, and Tiffany **DEWITT**.

**Staff Present:** Ginger **JEWELL**/Superintendent, Dave **SOSA**/Borough Manager, Carlos **JIMENEZ**/Director of Public Facilities, Bill **MANDEVILLE** /Community & Economic Development Director, Jila **STUART**/Finance Director, Cheryl **STICKLER**/Principal, and Judy **EREKSON**/Accounting.

**Visitors Present:** Margaret **FRIEDENAUER**/KHNS, Chuck **MITTMAN**, Heidi **ROBICHAUD**, Bill **KURZ**, Kelly **WILLIAMSON**/Lynn Canal Counseling, and others.

**D. Approval of Agenda**

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

**E. Business**

**SOSA** and **JEWELL** provided a PowerPoint Presentation covering the following topics. The elected officials posed various questions and made comments.

**1. Joint Messaging**

- a. Key Messages and Themes
- b. Cost of Divergent Messages
- c. Challenges

**2. Budget**

- a. Fiscal Environment
  1. State Contribution
  2. Borough Contribution
- b. Potential for Shared Services FY17 and Beyond

**3. School Facilities**

- a. Status of Major Maintenance/CIPs (6-year)
- b. Borough Funding
- c. Pool

**4. Calendar**

- a. Long Range Joint Planning

**5. Common Concerns**

**a. Impacts of New State Law on Marijuana for:**

- 1. Personnel Policy**
- 2. Borough & District Policy**

**b. Public Health Implications of Drugs and Alcohol and Impacts to Education and Borough Services (potential Joint Task Force)**

**c. Borough Income Gap and Provision of Services**

**Motion:** **SCHWARTZ** moved to “establish a joint task force to work on issues of common concern, including community wellness and economic development,” and it was seconded by **BERRY**.

**CAMPBELL** suggested a representative of the mental health community be a member of the task force.

**Motion to Amend:** **CASE** moved that “the mayor and school board president meet within the next two weeks to work out the details of a task force,” and the motion carried unanimously.

The main motion, as amended, carried unanimously.

**F. Closing Comments**

**MITTMAN** provided an update on efforts to reopen Mosquito Lake School.

**JACKSON** suggested an assembly liaison for the school board might be a good option.

**G. Adjournment - 8:53pm**

**Motion:** **BERRY** moved to “adjourn the meeting,” and the motion carried unanimously.

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Janice Hill, Mayor

ATTEST:

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Julie Cozzi, MMC, Borough Clerk

**Haines Borough**

Janice Hill, Mayor

Assembly: Diana Lapham, Deputy Mayor; Dave Berry, George Campbell, Mike Case, Ron Jackson, and Joanne Waterman

David Sosa, Borough Manager

**School District**

School Board: Anne Marie Palmieri, President; Sara Chapell, Sarah Swinton, Brian Clay, Lisa Schwartz, Mike Wilson, and Tiffany DeWitt

Virginia Jewell, Superintendent



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 14-533  
Assembly Meeting Date: 2/24/15

Business Item Description:	Attachments:
Subject: FY15 Budget Amendment Ordinance #2	1. Ordinance 14-12-395 - DRAFT 2. 1/19/15 Memo from the Finance Director re. Two Additional Amendments 3. Initial Budget Amendment Worksheet 4. Memo from Borough Manager
Originator: Finance Director	
Originating Department: Finance	
Date Submitted: 12/11/14	

**Full Title/Motion:**  
 Motion: Adopt Ordinance 14-12-395.  
 (A motion to amend is in order prior to ordinance adoption to consider staff-recommended amendments.)

**Administrative Recommendation:**  
 The borough manager recommends adoption.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ see ordinance	\$ see ordinance	\$ see ordinance	

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

**Summary Statement:**  
 This provides for the addition or amendment of the FY 15 budget. Proposed amendments are due to the biomass grant match; increased raw fish tax; Lutak investigation/preliminary design; Lutak emergency stabilization; new 2014 IMLS grant; 2011 IMLS grant; surplus equipment auction; harbor boat storage; and transfer of \$4,500 of Raw Fish Tax Revenues from the Areawide General fund to the Harbor Fund to purchase galvanized dumpsters for use at the Haines Small Boat Harbor.  
 Staff recommended the second public hearing be conducted the second meeting in February to allow time for the finance committee to meet and to develop information related to possible additional amendments. The assembly is asked to consider an amendment to the ordinance to add two more budget amendments: 1) Appropriate \$21,875 for police department assessment and 2) Appropriate \$42,000 for a noise study.

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

**Assembly Action:**  
 Meeting Date(s): 12/16/14, 1/13, 2/24/15  
 Public Hearing Date(s): 1/13, 2/24/15  
 Postponed to Date: \_\_\_\_\_

**AN ORDINANCE OF THE HAINES BOROUGH PROVIDING FOR THE ADDITION OR AMENDMENT OF SPECIFIC LINE ITEMS TO THE FY15 BUDGET.**

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

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

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

Section 3. Appropriation. This appropriation is hereby authorized as part of the budget for the fiscal year July 1, 2014 through June 30, 2015.

Section 4. Purpose. To provide for the addition or amendment of specific line items to the FY15 budget as follows:

<b>(1) To accept and appropriate a grant for \$1,237,400 from the Alaska Energy Authority for the Haines Borough Municipal Building Biomass Project and to appropriate the required local match of \$137,448 (\$86,448 cash match and \$51,000 in-kind) from the areawide general fund.</b>				
		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
41-01-00-4341	State Revenue (AEA Biomass Grant)	\$0	\$1,237,400	\$1,237,400
41-01-00-7392	Project Expenditures (Biomass Grant)	\$0	\$1,374,848	(\$1,374,848)
01-98-00-8200	Operating Xfers - OUT	\$0	\$137,448	(\$137,448)
41-01-00-8200	Operating Xfers - IN	\$)	\$137,448	\$137,448
Total local cost for Municipal Building Biomass Project Acquisition				(\$137,448)

<b>(2) To adjust FY15 budget for Raw Fish Tax revenues which are \$93,000 higher than projected:</b>				
		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
01-01-09-4363	State Revenue - Raw Fish Tax	\$345,000	\$438,390	\$93,390

<b>(3) To appropriate \$100,000 from the Lutak Dock enterprise fund for professional services to continue assessment and planning for the dock.</b>				
		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
93-01-00-7312	Professional Services	\$8,800	\$108,800	(\$100,000)

<b>(4) To appropriate \$30,000 from the Lutak Dock enterprise fund for emergency measures to stabilize the dock as recommended by the Borough's engineers following a condition assessment of the dock.</b>				
		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
93-01-00-7230	Material & Equipment	\$8,750	\$12,250	(\$3,500)
93-01-00-7312	Professional Services	\$8,800	\$32,100	(\$23,300)
93-01-00-7901	Worker Orders – Public Works	\$4,000	\$6,700	(\$2,700)

93-01-00-7908	Work Order – Facilities	\$2,000	\$2,500	(\$500)
Total for Lutak Dock Emergency Stabilization				(\$30,000)

**(5) To recognize FY15 revenues and appropriate funds from a Federal Institute of Museum & Library Services (IMLS) Grant received by the Haines Borough Public Library. The grant is a two year grant totaling \$136,209 and \$47,216 is expected to be expended in FY15.**

		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
01-14-07-4589	Federal Grant Revenue	\$0	\$47,216	\$47,216
01-14-07-6110	Wages (Library IMLS 2014)	\$0	\$27,194	(\$27,194)
01-14-07-6115	Employee Burden (Library IMLS 2014)	\$0	\$5,869	(\$5,869)
01-14-07-6140	Health Insurance (Library IMLS 2014)	\$0	\$3,299	(\$3,299)
01-14-07-7392	Project Expense (Library IMLS 2014)	\$0	\$10,854	(\$10,854)
Net for Library IMLS Grant				\$0

**(6) To increase the FY15 budget for the Library’s 2011 IMLS Grant. Additional funds are available for expenditure in FY15 which were unspent in FY14.**

		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
01-14-04-4589	Federal Grant Revenue	\$7,054	\$20,364	\$13,310
01-14-04-6110	Wages (Library IMLS 2011)	\$2,406	\$10,068	(\$7,662)
01-14-04-6115	Employee Burden (Library IMLS 2011)	\$748	\$2,563	(\$1,815)
01-14-04-6140	Health Insurance (Library IMLS 2011)	\$3,900	\$7,733	(\$3,833)
Net for Library IMLS Grant				\$0

**(7) To recognize revenues received from the fall 2014 surplus equipment auction.**

		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
01-01-09-4640	Sale of fixed Assets	\$0	\$10,049	\$10,049

**(8) To recognize revenues and appropriate funds for boat storage in the harbor parking lot. Some costs (such as boat stand purchase) are expected to be recovered with future year revenues.**

		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
92-01-00-4600	Harbor Misc. Fees	\$10,700	\$17,200	\$6,500
92-01-00-7340	Material & Equipment	\$9,850	\$18,350	(\$8,500)
92-01-00-7360	Utilities	\$58,500	\$59,700	(\$1,200)
FY15 Total Boat Haul-out (additional start-up costs will be paid with future year revenues)				(\$3,200)

**(9) To recognize revenues and appropriate funds from a grant from the State of Alaska for weatherization improvements to the Haines Senior Center.**

		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
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ORDINANCE # 14-12-395

31-01-00-4341	State Revenue	\$0	\$30,000	\$30,000
31-01-00-7392	Project Expenditures	\$0	\$30,000	(\$30,000)
Total local cost for Senior Center Weatherization Improvements				\$0

**(10) To eliminate a previous appropriation from the Capital Improvement Project (CIP) Fund of \$7,000 for a Public Works Shop Inventory Storage Bin System and instead add the funds to an existing appropriation for Road Improvements.**

		Current CIP Budget	Proposed Budget	Fund Balance Increase / (Decrease)*
50-01-00-7392	Project Expenditures (Storage Bins)	\$7,000	\$0	\$7,000
50-01-00-7392	Project Exp. (Road Improvements)	\$0	\$7,000	(\$7,000)

**(11) To eliminate a previous appropriation from the Capital Improvement Project (CIP) Fund of \$12,810 for a harbor dump trailer.**

		Current CIP Budget	Proposed Budget	Fund Balance Increase / (Decrease)*
50-01-00-7392	Project Expenditures (Dump Trailer)	\$12,810	\$0	\$12,810

**(12) To transfer \$4,500 of Raw Fish Tax Revenues from the Areawide General fund to the Harbor Fund to purchase galvanized dumpsters for use at the Haines Small Boat Harbor.**

		Current CIP Budget	Proposed Budget	Fund Balance Increase / (Decrease)*
01-98-00-8200	Operating Xfer – OUT from 01 to 92	\$43,000	\$47,500	(\$4,500)
92-98-00-8200	Operating Xfer – IN from 01 to 92	\$43,000	\$47,500	\$4,500
92-01-00-7230	Material & Equipment	\$9,850	\$14,350	(\$4,500)
Total for harbor dumpsters				(\$4,500)

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

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Janice Hill, Mayor

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

Date Introduced: 12/16/14  
Date of First Public Hearing: 01/13/15  
Date of Second Public Hearing: 02/24/15



# Memo



**To:** Haines Borough Mayor & Assembly  
**From:** Jila Stuart, Finance Director  
**Cc:** Dave Sosa, Borough Manager  
**Date:** February 19, 2015  
**Re:** Addition to Ordinance#14-12-395

The Manager recommends the following amendments to the FY15 budget amendment currently before you:

Police Department Analysis and Assessment: The Police Chief and the Manager recommend contracting with Mr. Greg Russell of Russell Consulting LLC ([www.russell-consulting.org](http://www.russell-consulting.org)) a firm that specializes in best practices reviews for public safety entities. Large police departments frequently have Inspector General or similar departments tasked with conducting audits. Small departments such as ours routinely conduct external audits and reviews in order to ensure an unbiased review of policies, procedures, and practices. This helps ensure that our department operates to best standards and guards against liability and is similar in nature and scope to the annual audit that we perform for the Finance Department. Both Chief Musser and the Manager feel that this review is important for the department and for the community and urge that funds for the study be authorized from the Townsite Service Area General Fund which has a fund balance of \$1.5 million.

<b>To appropriate \$21,875 of Townsite Service Area General Funds for police department professional services:</b>				
		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
02-02-00-7312	Professional Services	\$9,650	\$31,525	(\$21,875)

Noise Study: In conjunction with helicopter landings associated with a Conditional Use Permit the Borough is planning to conduct a noise study. The anticipated cost for the study is approximately \$42,000. The proposal for the study is included with the resolution authorizing the study. This study will provide measurable data the Borough can use to develop a clear policy on noise. The Manager requests the funds be authorized from the Economic Development and Tourism Fund which has a fund balance of \$391,000.

<b>To appropriate \$42,000 of Economic Development &amp; Tourism Promotion sales tax funds for professional services to conduct a noise study related to helicopter landings:</b>				
		Current FY15 Budget	Proposed FY15 Budget	Fund Balance Increase / (Decrease)*
23-02-00-7312	Professional Services	\$13,450	\$55,450	(\$42,000)

# HAINES BOROUGH

## Summary of Proposed Amendments to the FY15 Budget - Ordinance #14-12-395



FUND	Areawide General	Harbor Fund	Lutak Dock	Totals
	01	92	93	
Fund/Cash Balance as of 06/30/2014 \$	2,491,028	409,477	697,906	
<b>FY15 Adopted BUDGET Excess Revenue Over (Under) CASH Expense</b>	<b>(60,194)</b>	<b>222</b>	<b>210,473</b>	
Proposed Amendments:				
1. Biomass Grant Match	(137,448)			(137,448)
2. Increased Raw Fish Tax	93,390			93,390
3. Lutak Investigation / Preliminary Design			(100,000)	(100,000)
4. Lutak Emergency Stabilization			(30,000)	(30,000)
5. New 2014 IMLS Grant				-
6. 2011 IMLS Grant				-
7. Surplus Equipment Auction	10,049			10,049
8. Harbor Boat Storage		(3,200)		(3,200)
12. Xfer Raw Fish for dumpsters	(4,500)			(4,500)
<b>PROPOSED Excess Revenue Over (Under) CASH Expense</b>	<b>(98,703)</b>	<b>(2,978)</b>	<b>80,473</b>	<b>(171,709)</b>
Proposed Fund/Cash Balance 06/30/2015 \$	2,392,325	406,499	778,379	
<b>Annual Operating Budget</b>	<b>4,833,694</b>			
Projected Fund Balance as % of Operating Budget	49%			
Amount short of 6 months of operating budget	(24,522)			

\* The cash balance is shown instead of the fund balance and the cash budget is shown which does not include depreciation expense



DATE: 10 December 2014  
To: Haines Borough Assembly  
From: David B. Sosa, Borough Manager  
Subject: **BUDGET AMMENDMENT MEMO**

Assembly Members,

The following is provided to augment the Borough CFO comments contained within the body of the budget amendment.

1. **Biomass Project:** Initial work on the Biomass Grant was initiated in 2012 and the Assembly approved acceptance of the Biomass Grant on 10 September 2013 with Resolution 13-09-495. As part of the grant application the Borough identified cash match and in-kind matches. These matches were never clearly articulated within the application or in the resolution accepting the grants. This amendment identifies the fund line from which those cash and in-kind matches will be sourced. The Borough Administration will review grant application procedures and ensure that in future cash and in-kind matches are identified within the planning process and clearly articulated within the grant application and when the item comes before the Assembly for approval.
2. **Raw Fish Tax Revenue:** Accepts revenues which were higher than projected.
3. **Lutak Dock Enterprise Fund Transfer:** During the Strategic Doing session conducted on 4 & 5 December 2014 the group identified a need for dedicated funds to support continued planning and exploration of options for the Lutak Dock. The Manger recognizes that the request is for a significant amount and that it is generally rather than specifically targeted. To increase oversight the Manager intends to ensure authorization for expenditure is approved by a majority vote of the Core Group that will be stood up to provide focus to the Lutak Planning Effort. It is hoped that this group will be recognized as an Ad Hoc group appointed by the Mayor for this particular purpose. Initial expenditures would likely be focused on the following:
  - a. Funding a review of the December 2012 Port of Haines: Industrial Development document produced by Northern Economics. The intent would be to determine if any significant changes had occurred in the past 2 years that may warrant a particular approach to planning.

Subject: **BUDGET AMMENDMENT MEMO**

- b. Funding a review of the potential for developing/expanding the Maritime Industrial Support capability in and around Haines. The Alaska Department of Commerce, Community & Economic Development sponsored a report by the McDowell Group which was published in September 2014. Page 4 of the report notes:

“Another factor in favor of Alaska is growing recognition among local vessel owners that it is in their best interest\to support local MIS providers. As more work is done locally (or in Alaska generally), the MIS sector has greater opportunity to expand services, support a steady laborforce, provide services more competitively, and provide higher quality services”

A copy of the report is available at this link:

<http://commerce.state.ak.us/dnn/Portals/6/pub/Trends%20and%20Opportunities%20in%20the%20Alaska%20Maritime%20Industrial%20Support%20Sector.pdf>

- c. Funding visits by Assembly Members, members of the Core Group, the Harbormaster, and others to Wrangell, Hoonah, and other ports to tour their facilities and obtain first hand impressions of potential options for Lutak Port.
  - d. Funding efforts to coordinate with Skagway and Whitehorse to determine infrastructure needs and determine and appropriate balance of capability for the Upper Lynn Canal.
  - e. Conducting outreach to state and federal legislative representatives and staffs to encourage support for this essential project.
4. **Lutak Emergency Mitigation Efforts:** This item acknowledges the manger’s emergency action to take steps to fund the mitigation efforts at Lutak Dock.
  5. Items 5-12 are routine actions and are sufficiently explained within the Ordinance

Respectfully Submitted,

*D.B. Sosa*

David B. Sosa

Haines Borough manager



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 15-542

Assembly Meeting Date: 2/24/15

Business Item Description:	Attachments:
Subject: Authorize One-Year Extension of HRB Lease to the Chilkat Valley Preschool, ending 6/30/2016.	1. Ordinance 15-01-396 2. Proposed Lease (containing amendments to the rent and term sections) 3. Letter from CVP Requesting a One-Year Extension 4. Existing lease
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 1/16/15	

**Full Title/Motion:**  
Motion: Adopt Ordinance 15-01-396.

**Administrative Recommendation:**  
The borough manager recommends adoption.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	TBD

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives: Objective 17E(7), Page 294 Objective 18A(3), Page 299	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**

The Chilkat Valley Preschool (CVP) has leased the Human Resources Building on a year-to-year basis since the year 2000, and the current lease was authorized by the assembly on 2/11/14 for a period ending 6/30/15. The CVP has requested a one-year extension for a new term date of 6/30/16. The manager proposes an amended lease with changes to the term and rent sections. The lease would under no circumstances be renewed beyond 6/30/16. Borough Charter states the leasing of borough property must be approved by the assembly by ordinance.

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 1/27, 2/10, 2/24/15	Public Hearing Date(s): 2/10, 2/24/15
	Postponed to Date:

**An Ordinance of the Haines Borough authorizing a one-year extension of a lease of the Human Resources Building by Chilkat Valley Preschool for the purpose of providing preschool educational services.**

**WHEREAS**, HBC 14.16.060 provides that “[t]he lease of any borough land may be made to any state or federal agency, nonprofit organization, or political subdivision of the state for less than the appraised value, and for a consideration to be determined by the assembly to be in the best interests of the borough”; and

**WHEREAS**, the nonprofit organization known as Chilkat Valley Preschool (CVP) has been leasing the downstairs portion of the borough’s Human Resources Building situated on Lots 8 and 9, Block 13, Haines Townsite Subdivision to provide a preschool program; and

**WHEREAS**, CVP has leased this property on a year-to-year basis since the Haines City Council first granted the lease on September 20, 2000; and

**WHEREAS**, the existing lease was effective February 25, 2014 with a termination date of June 30, 2015; and

**WHEREAS**, on December 22, 2014, CVP made written request for a one-year extension of the lease termination date, through June 30, 2016; and

**WHEREAS**, knowing the borough desires to dispose of the Human Resources Building, CVP is aggressively pursuing relocation to another facility but is concerned the accommodations may not be complete prior to the 2015-2016 school year and wishes the program to continue with minimal disruption; and

**WHEREAS**, Borough Charter 3.03(8) stipulates that the leasing of borough property must be granted by the assembly by ordinance,

**NOW THEREFORE BE IT ENACTED**, by the Haines Borough Assembly, that it is hereby determined to be for a public purpose and in the public interest of the Haines Borough to extend through June 30, 2016 the existing lease of the Human Resources Building lease with the Chilkat Valley Preschool for the purpose of providing preschool educational services.

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

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.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

Attest:

\_\_\_\_\_  
Janice Hill, Mayor

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

Date Introduced: 01/27/15  
Date of First Public Hearing: 02/10/15  
Date of Second Public Hearing: 02/24/15

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**In-Kind Lease Agreement**

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LEASE AGREEMENT made as of the \_\_\_\_\_ day of February, 2015

BY and BETWEEN the Lessor: **Haines Borough**

and the Lessee: **Chilkat Valley Preschool**

The Lessor and the Lessee agree as set forth below.

WITNESSETH:

That for and in consideration of the agreements hereinafter mentioned to be kept and performed by the Lessee, Lessor does hereby lease unto said Lessee the main floor of the building known as the Human Resources Building, situated on Lots 8 and 9, Block 13, Haines Townsite Subdivision, and such area as necessary to carry out the preschool program.

TO HAVE AND TO HOLD the above described premises, with the rights, privileges, easements and appurtenances thereunto belonging or in any way appertaining, unto Lessee for a **term commencing on the 1<sup>st</sup> day of July, 2015 and terminating on the 30<sup>st</sup> day of June, 2016**, and yielding possession thereof as hereinafter provided with both parties in agreement that there is no option to renew this lease and under no circumstances will the lease be renewed.

1. **RENT:** No charge for rent from 1 July 2015 through 31 December 2015. From 1 January 2016 through 30 June 2016 monthly rent will be \$500.00. The monthly rent from 1 January 2016 through 30 Jun 2016 will be waived if the Lessee provides the Lessor a certified copy of a lease or a document of sale (hereafter referred to as the "Document") demonstrating that a structure suitable for use as a preschool has been obtained. The Document must be provided before the 15<sup>th</sup> day of December 2015 to be eligible to waive the rent for January 2016 and beyond. Thereafter, the Lessee has until 4:00 PM on the 15<sup>th</sup> of each month to provide the Lessor a certified copy of the Document in order for rents in succeeding months to be waived. The Lessee will have no ability to receive already paid rents back from the Lessor. Should the Lessee's arrangements for lease or purchase fall through, the Lessee shall owe the Lessor all back rents for months in which rent was waived.
2. **USE:** Preschool
3. **ALTERATIONS AND REPAIRS:** Lessee shall not make any alteration or repair of the said premises, or any part thereof, without first obtaining the written consent of Lessor. Lessee shall, at its sole cost and expense, repair all damage to the leased premises caused by the Lessee's use of the premises. Lessee shall keep and maintain the leased premises in good condition and repair, normal wear and tear excepted.
4. **LIENS:** Lessee shall not cause the demised premises to be encumbered by any liens, and shall, whenever and as often as any such liens may be recorded against said property, purporting to be for labor or materials furnished or to be furnished to the Lessee, take steps to discharge such liens within a reasonable time after the date of filing. Lessor shall not be liable for any labor or materials furnished or to be furnished to the Lessee upon credit.
5. **UTILITIES:** Lessee shall pay for all heat, lights, power, water, sewer and phone services supplied to the property used by them.
6. **INDEMNIFICATION:** Lessee shall defend, indemnify and save harmless Lessor from and against any and all losses, damages, liabilities, expenses, claims and demands of whatsoever

character, direct or indirect, arising out of or in any way connected with, this lease of the demised premises or use or occupancy thereof by Lessee.

7. **INSURANCE**: Lessor shall provide and maintain fire insurance on the leased building. Lessee shall provide the necessary insurance on its personal property on the premises and liability insurance of not less than \$500,000 bodily injury, \$100,000 property damage and \$5,000 medical payments. Proof of such insurance shall be provided to Lessor by Lessee's insurance company upon execution of this lease and upon any renewal of said policies. Lessee shall provide lessor written notice thirty days in advance of any cancellation of insurance coverage.
8. **ENTRY BY LESSOR**: Lessee shall permit Lessor and its agents to enter the premises at all reasonable times for the purposes of access to areas in the leased building not covered in this lease and for the purpose of inspecting the same or making repairs.
9. **SUBLETTING AND ASSIGNMENT**: Lessee shall not assign this lease, or any interest thereof, without the written consent of Lessor.
10. **COMPLIANCE WITH LAW**: Lessee shall, at their sole cost and expense, comply with all the requirements of the Haines Borough, State of Alaska and Federal laws, regulations, statutes or ordinances pertaining to said premises and their use, including all regulations prohibiting smoking in public buildings.
11. **DESTRUCTION OF PREMISES**: In the event of damage or destruction of the leased premises from any cause, the Lessor shall have the option to repair the same. In the event Lessor does not elect to make such repairs, this lease may be terminated at the option of either party. A total destruction of the premises shall terminate the lease. Lessor shall give notice of its election to repair within ten days from the date of the damage or destruction.
12. **REMEDIES OF LESSOR ON DEFAULT**: In the event of any breach of this lease by Lessee, then Lessor shall have the right of re-entry subject to the Landlord and Tenant Act provisions.
13. **OCCUPANCY**: Lessee shall have the right of occupancy as of the signing of this lease.
14. **TERMINATION**: The Lessee may terminate this lease upon giving thirty days written notice to the Lessor if the use of the premises by the Lessee ceases for any reason. In such a case, upon quitting the premises, the Lessee shall remove all personal and business property from the premises and shall leave the premises in good condition, normal wear and tear excepted. The Lessor may terminate this lease upon giving the Lessee thirty days written notice.
15. **ENTIRE AGREEMENT**: This lease sets forth the entire understanding of the parties, and no modifications may be made hereto except by written addendum signed by the parties. This lease binds the heirs, personal representatives, successors and legal assigns of all the parties hereto.

IN WITNESS WHEREOF, the parties have executed this lease as of the day, month and year first above written.

This Lease Agreement entered into as of the day and year first written above.

LESSOR

LESSEE

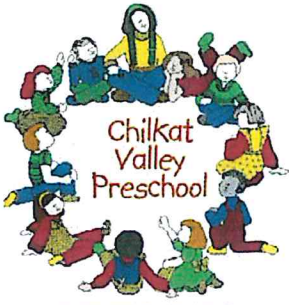
\_\_\_\_\_  
David B. Sosa, Borough Manager  
Haines Borough

\_\_\_\_\_  
Alissa Henry, Board President  
Chilkat Valley Preschool

Attest:

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





A program dedicated to the fullest development of the whole child.

# Chilkat Valley Preschool

PO Box 1165 Haines AK 99827

(907) 766-3213

[cvpreschool@aptalaska.net](mailto:cvpreschool@aptalaska.net)

[www.chilkayvalleypreschool.org](http://www.chilkayvalleypreschool.org)

RECEIVED Haines Borough

JAN 22 2015

Clerk's Office

## 20013 - 2014 BOARD OF DIRECTORS

Alissa Henry  
*President*

Melissa Ganey  
*Vice President*

Katherine Lee  
*Treasurer*

Jolanta Ryan  
*Secretary*

Susie McCartney  
Lexie Dewitt  
Emily McMahan

## STAFF

Janet Hayes  
*Lead Teacher*

Josie Allen  
*Assistant Teacher*

Meghan Elliott  
*Assistant Teacher*

Courtney Hunt  
*Assistant Teacher*

Renee Hoffman  
*Manager*

Haines Borough  
RE: Chilkat Valley Preschool Lease Extension  
Attn: Julie Cozzi, Dave Sosa,

This letter is a request for a lease extension of the Human Resources building, from July 1, 2015 – July 1, 2016. In February 2014 the assembly made it clear the HR building was not a permanent solution for the home of the CVP and that they wanted to see a plan to move the CVP to a more sustainable location. Following up on the advice of the assembly the CVP board of directors continued to implement our plan to raise sufficient funding to secure a safe and economical location for the CVP. The current lease is expiring on June 30, 2015. We are asking for an extension to allow CVP to continue operating our Preschool program for the families of Haines without disruption, should we be unable to complete the purchase and remodel of the new facility by August 30<sup>th</sup> 2015.

Since May 1<sup>st</sup> 2014 CVP has been securing funding for a new facility. The show of community support has been amazing as we have raised \$100,000 in local funds over the last 6 months. We expect to raise an additional \$40,000 by this spring and are submitting grants to various foundations that will be awarded in July and December of 2015. Before we can move forward to purchase our new building we need to raise at least \$200,000. We are confident that we will raise the required amount to purchase the building in the next 6 months; however this lease extension is essential as it will guarantee that we will have a building to operate the Preschool program in for start to the 2015-2016 school year should we be unable to complete the remodel in time.

The CVP board of directors feels that it is important to remember that the Haines Borough School district is constantly worrying about the drop in enrolment yet the CVP has a record enrollment this year serving 25 families. Quality programs like the CVP are what keeps young families in Haines and without these programs families will be more likely to look to other communities to raise their families. The value of early childhood education is well documented and the CVP board feels like they have demonstrated a commitment that should be matched by the Haines Borough. Early childhood education is the key to the success of our community. As the White House education webpage states "Expanding access to high quality early childhood education is among the smartest investments we can make."

We are very eager to vacate the Human Resource building and will do so as soon as we can. We appreciate all your time and effort in assisting us with our mission to be a provider of quality early childhood education for our community. If you have any questions or need more information please

Sincerely,  
*Renee Hoffman*  
Renee Hoffman  
Chilkat Valley Preschool

RECEIVED Haines Borough

JAN 22 2015

Clerk's Office

RECEIVED

MAR 04 2014

HAINES BOROUGH

Haines Borough  
Human Resource Building

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**In-Kind Lease Agreement**

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LEASE AGREEMENT made as of the 25 day of February, 2014

BY and BETWEEN the Lessor: **Haines Borough**

and the Lessee: **Chilkat Valley Preschool**

The Lessor and the Lessee agree as set forth below.

WITNESSETH:

That for and in consideration of the agreements hereinafter mentioned to be kept and performed by the Lessee, Lessor does hereby lease unto said Lessee the main floor of the building known as the Human Resources Building, situated on Lots 8 and 9, Block 13, Haines Townsite Subdivision, and such area as necessary to carry out the preschool program.

TO HAVE AND TO HOLD the above described premises, with the rights, privileges, easements and appurtenances thereunto belonging or in any way appertaining, unto Lessee for a **term commencing on the 1<sup>st</sup> day of January, 2014 and terminating on the 30<sup>st</sup> day of June, 2015**, and yielding possession thereof as hereinafter provided subject to an option to renew.


1. **RENT:** No charge for rent.
2. **USE:** Preschool
3. **ALTERATIONS AND REPAIRS:** Lessee shall not make any alteration or repair of the said premises, or any part thereof, without first obtaining the written consent of Lessor. Lessee shall, at its sole cost and expense, repair all damage to the leased premises caused by the Lessee's use of the premises. Lessee shall keep and maintain the leased premises in good condition and repair, normal wear and tear excepted.
4. **LIENS:** Lessee shall not cause the demised premises to be encumbered by any liens, and shall, whenever and as often as any such liens may be recorded against said property, purporting to be for labor or materials furnished or to be furnished to the Lessee, take steps to discharge such liens within a reasonable time after the date of filing. Lessor shall not be liable for any labor or materials furnished or to be furnished to the Lessee upon credit.
5. **UTILITIES:** Lessee shall pay for all heat, lights, power, water, sewer and phone services supplied to the property used by them.
6. **INDEMNIFICATION:** Lessee shall defend, indemnify and save harmless Lessor from and against any and all losses, damages, liabilities, expenses, claims and demands of whatsoever character, direct or indirect, arising out of or in any way connected with, this lease of the demised premises or use or occupancy thereof by Lessee.
7. **INSURANCE:** Lessor shall provide and maintain fire insurance on the leased building. Lessee shall provide the necessary insurance on its personal property on the premises and liability insurance of not less than \$500,000 bodily injury, \$100,000 property damage and \$5,000 medical payments. Proof of such insurance shall be provided to Lessor by Lessee's insurance company upon execution of this lease and upon any renewal of said policies. Lessee shall provide lessor written notice thirty days in advance of any cancellation of insurance coverage.

8. **ENTRY BY LESSOR:** Lessee shall permit Lessor and its agents to enter the premises at all reasonable times for the purposes of access to areas in the leased building not covered in this lease and for the purpose of inspecting the same or making repairs.
9. **SUBLETTING AND ASSIGNMENT:** Lessee shall not assign this lease, or any interest thereof, without the written consent of Lessor.
10. **COMPLIANCE WITH LAW:** Lessee shall, at their sole cost and expense, comply with all the requirements of the Haines Borough, State of Alaska and Federal laws, regulations, statutes or ordinances pertaining to said premises and their use, including all regulations prohibiting smoking in public buildings.
11. **DESTRUCTION OF PREMISES:** In the event of damage or destruction of the leased premises from any cause, the Lessor shall have the option to repair the same. In the event Lessor does not elect to make such repairs, this lease may be terminated at the option of either party. A total destruction of the premises shall terminate the lease. Lessor shall give notice of its election to repair within ten days from the date of the damage or destruction.
12. **REMEDIES OF LESSOR ON DEFAULT:** In the event of any breach of this lease by Lessee, then Lessor shall have the right of re-entry subject to the Landlord and Tenant Act provisions.
13. **OCCUPANCY:** Lessee shall have the right of occupancy as of the signing of this lease.
14. **TERMINATION:** The Lessee may terminate this lease upon giving thirty days written notice to the Lessor if the use of the premises by the Lessee ceases for any reason. In such a case, upon quitting the premises, the Lessee shall remove all personal and business property from the premises and shall leave the premises in good condition, normal wear and tear excepted.
15. **ENTIRE AGREEMENT:** This lease sets forth the entire understanding of the parties, and no modifications may be made hereto except by written addendum signed by the parties. This lease binds the heirs, personal representatives, successors and legal assigns of all the parties hereto.

IN WITNESS WHEREOF, the parties have executed this lease as of the day, month and year first above written.

This Lease Agreement entered into as of the day and year first written above.

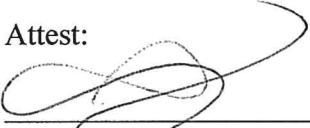
LESSOR

  
\_\_\_\_\_  
Julie Cozzi, Interim Borough Manager  
Haines Borough


LESSEE

  
\_\_\_\_\_  
Alissa Henry, Board President  
Chilkat Valley Preschool

Attest:

  
\_\_\_\_\_  
Michelle L. Webb, Interim Clerk





Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 15-538Assembly Meeting Date: 2/24/15

Business Item Description:	Attachments:
Subject: Foreclosed Property Recently Deeded Back to the Borough - Classify for Sale	1. Ordinance 15-01-397 - Draft 2. Planning Commission Recommendation 3. Property Valuation and Map 4. Court Deed 5. HBC 3.74.220 and HBC 14.20.040
Originator: Lands Manager	
Originating Department: Lands-Assessment	
Date Submitted: 12/18/2014	

**Full Title/Motion:**

Motion: Adopt Ordinance 15-01-397.

**Administrative Recommendation:**

The borough manager recommends this ordinance. It has been reviewed &amp; vetted by other staff members.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ Cost of Advertising	\$ n/a	\$ n/a	Property Back on the Tax Roll

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives:

Page 60; Goal 5 Page 199

Consistent:  Yes  No**Summary Statement:**

One property recently went through the foreclosure process and the court has conveyed all rights, titles, and interest to the Haines Borough. HBC 3.74.220 requires the borough assembly to determine by ordinance whether foreclosed property deeded to the borough should be retained for a public purpose or sold. HBC 14.20.040 says the assembly may classify lands for sale with the advice of the planning commission. During a public meeting on 12/18/14, the planning commission considered the property and made the decision to recommend it be sold.

**Referral:**

Referred to:

Referral Date:

Recommendation:

Meeting Date:

**Assembly Action:**

Meeting Date(s): 1/27, 2/10, 2/24/15

Public Hearing Date(s): 2/10, 2/24/15

Postponed to Date:



HAINES BOROUGH  
ORDINANCE No. 15-01-397

Draft

**An Ordinance of the Haines Borough determining whether a foreclosed property deeded to the borough shall be retained for a public purpose or sold.**

**WHEREAS**, a delinquent property tax lien resulted in foreclosure of the following parcel within the Haines Borough (First Judicial District, State of Alaska):

3-MLR-00-0110 – Portion NE ¼, NW ¼, Section 26, Township 28 South, Range 55 East, Copper River Meridian, Haines Recording District (5.94 Acres) - John Stefanski, last owner of record; and

**WHEREAS**, on November 4, 2014, the Court of the State of Alaska issued a judgment finalizing the foreclosure and conveying all rights, titles, and interest in the real property by "clerk's deed" to the Haines Borough; and

**WHEREAS**, the parcel is now Haines Borough property, and HBC 14.20.040 provides that borough lands may be classified for sale by the assembly with the advice of the planning commission to discuss any such classification and designation before making any recommendations to the assembly; and

**WHEREAS**, following discussion of the parcel during a public meeting on December 18, 2014, the planning commission decided to recommend the parcel be sold; and

**WHEREAS**, HBC 3.74.220 requires the borough assembly determine by ordinance whether foreclosed property deeded to the borough shall be retained for a public purpose; and

**WHEREAS**, foreclosed properties conveyed to the borough and not required for a public purpose may be sold provided the borough assembly, by ordinance, determines that a public need for the properties does not exist,

**NOW, THEREFORE BE IT RESOLVED** the Haines Borough Assembly determines the aforementioned parcel is not required for a public purpose and may be sold according to HBC 14.20.

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

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. Purpose. To determine whether foreclosed properties deeded to the borough shall be retained for a public purpose.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Attest:

\_\_\_\_\_  
Janice Hill, Mayor

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

Date Introduced: 01/27/15  
Date of First Public Hearing: 02/10/15  
Date of Second Public Hearing: 02/24/15





## Memo

Date: 12/12/2014  
To: Planning Commission  
Cc: Xi Cui, Planning & Zoning Tech III  
From: Dean Olsen, Assessor  
Re: Foreclosed Property account # 3-MLR-00-0110 (Formerly owned by John Stefanski)

The subject property has a legal description of, *A PORTION--NE 1/4, NW 1/4, SEC. 26, T28S, R55E, CRM, 5.94 Acres*. Located at approximately 26 mile Haines Highway, this parcel has limited building sites for construction of a residential building. Approximately two thirds of the land is very wet which restricts usability; however, the land that appears to be suitable for construction of a residence is very close to the Haines Highway which provides good access directly to a potential building site.

Currently, the subject property has an assessed value of \$44,500. The market value of vacant land in this area has been on the decline since the last noticeable increase in 2008. An updated assessed value of vacant land in this neighborhood that will be used for the 2015 tax roll is not available at this time. Haines Borough Staff recommends classifying this property for sale.

Below is a "Google Earth" street view of the subject property. Let me know if I can be of further assistance.

Dean Olsen  
Assessor,  
Haines Borough Land Department



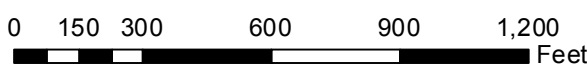
Subject property located at approximately 26 mile Haines Highway.





Classification of Borough Lands for Sale  
Property ID: 3-MLR-00-0110

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community





Charles Cacciola, AK. Bar. No. 1306045  
AK Bar No. 1205019  
BOYD, CHANDLER & FALCONER, LLP  
911 W. 8<sup>th</sup> Avenue, Suite 302  
Anchorage, AK 99501  
(907) 272-8401

Attorneys for Haines Borough

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FIRST JUDICIAL DISTRICT AT JUNEAU

In the Matter of 2008 through )  
2010 Delinquent Real Property )  
Taxes Owed to the Borough of ) Case No. 1JU-13-00527 CI  
Haines, Alaska )

**CLERK'S DEED**

Upon this Court's Judgment and Decree of Foreclosure of Real Property Tax  
Liens entered in Case No. 1JU-13-00527 CI,

**IT IS HEREBY ORDERED** that all rights, title, and interest of the former owner  
of the below-listed property is hereby conveyed, to the Borough of Haines, Alaska, P.O.  
Box 1209, Haines, Alaska 99827:

Portion NE ¼, NW ¼, Section 26, Township 28 South, Range 55 East,  
Copper River Meridian

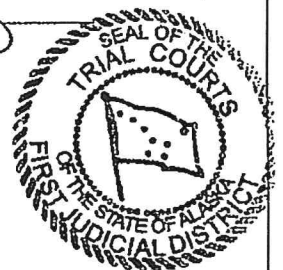
as specified by Book 32, Page 965-966, Haines Recording District, First Judicial District,  
Alaska.

Dated this 4 day of November, 2014.

By: Sharon Heideveldt  
Clerk of Court

CLERK'S DEED  
ITMO 2008-2010 Delinquent Real Property Taxes, 1JU-13-00527 CI  
Page 1 of 1

Certification of Distribution  
Boyd, Chandler Via \_\_\_\_\_  
& Falconer Via mail  
Via \_\_\_\_\_  
Via \_\_\_\_\_



Page 2 of 3  
2014-000430-0

BOYD, CHANDLER & FALCONER, LLP  
ATTORNEYS AT LAW  
911 WEST EIGHTH AVENUE, SUITE 302  
ANCHORAGE, ALASKA 99501  
TELEPHONE: (907) 272-8401  
FACSIMILE: (907) 274-3698

LODGED 10/1/14 BY ST INITIALS  
DATE

### **HBC 3.74.220 Disposition and sale of foreclosed property.**

A. The borough shall determine by ordinance whether foreclosed property deeded to the borough shall be retained for a public purpose. The ordinance shall contain the legal description of the property, the address or a general description of the property sufficient to provide the public with notice of its location, and the name of the last record owner of the property as the name appears on the assessment rolls.

B. Tax-foreclosed property conveyed to the borough by tax foreclosure and not required for a public purpose may be sold. Before the sale of tax-foreclosed property held for a public purpose, the borough, by ordinance, shall determine that a public need does not exist. The ordinance shall contain the information required under subsection (A) of this section.

C. The assessor shall send a copy of the published notice of hearing of an ordinance to consider a determination required under subsections (A) or (B) of this section by certified mail to the former record owner of the property that is the subject of the ordinance. The notice shall be mailed within five days after its first publication and shall be sufficient if mailed to the last record owner of the property as the name appears on the assessment rolls.

D. The provisions of subsection (C) of this section do not apply with respect to property that has been held by the borough for a period of more than 10 years after the close of the redemption period.

### **3.74.230 Repurchase by record owner.**

A. The record owner at the time of tax foreclosure of property acquired by the borough, or the assigns of that record owner, may, within 10 years and before the sale or contract of sale of the tax-foreclosed property by the borough, repurchase the property. The borough shall sell the property to the record owner or assigns for the full amount applicable to the property under the judgment and decree, plus:

1. Interest at the rate established in HBC [3.74.040\(A\)](#), from the date of entry of the judgment of foreclosure to the date of repurchase;
2. Delinquent taxes assessed and levied as though it had continued in private ownership; and
3. Costs of foreclosure and sale.

B. After adoption of an ordinance providing for the retention of tax-foreclosed property by the borough for a public purpose, the right of the former record owner under subsection (A) of this section to repurchase the property ceases.

### **3.74.240 Proceeds of tax sale.**

A. If foreclosed property lies within the townsite service area, on the sale of such property, the borough shall divide the proceeds less cost of collection between the borough general fund and

the townsite service area fund having unpaid taxes against the property. The division shall be in proportion to the respective municipal taxes against the property at the time of foreclosure.

B. If tax-foreclosed property that has been held by the borough for less than 10 years after the close of the redemption period and never designated for a public purpose is sold at a tax-foreclosure sale, the former record owner is entitled to the portion of the proceeds of the sale that exceeds the amount of unpaid taxes, penalties, interest, and costs to the borough of foreclosing and selling the property, and the amount equal to taxes that would have been assessed and levied after foreclosure if the property had continued in private ownership. If the proceeds of the sale of tax-foreclosed property exceed the total of unpaid and delinquent taxes, penalty, interest, and costs, the borough shall provide the former owner of the property written notice advising of the amount of the excess and the manner in which a claim for the balance of the proceeds may be submitted. Notice is sufficient under this subsection if mailed to the former record owner at the last address of record of the former record owner. On presentation of a proper claim, the borough shall remit the excess to the former record owner. A claim for the excess filed after six months of the date of sale is forever barred.

#### **14.20.040 Classification of lands for sale.**

A. Borough lands may be classified for sale by the assembly with the advice of the planning commission.

B. No land which the borough owns or has an interest in shall be sold until it has first been classified for sale and a use designated.

C. The assembly may require that there be no use of any land, or interest in land, other than permitted by its designation, unless the written approval of the assembly is obtained.

D. Public meetings shall be held by the planning commission to discuss any such classification and designation before making any recommendation to the assembly. All adjacent property owners of the parcel to be classified shall be notified, in writing, of the public meetings.

E. Designation of a use of any land shall not conflict with any existing valid zoning regulations and shall be in keeping with the borough comprehensive plan.

F. The borough does not warrant by its classification, designation or sale of land that the land is suited for the use authorized under said classification, designation or sale and no guaranty is given or implied that it shall be profitable to employ the land to said use.



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 15-537

Assembly Meeting Date: 2/24/15

Business Item Description:	Attachments:
Subject: Clarify the Criteria for Temporary Residence Permits	1. Ordinance 15-01-398 - Draft 2. 12/18/14 Planning Commission Recommendation
Originator: Planning Commission	
Originating Department:	
Date Submitted: 12/18/2014	

**Full Title/Motion:**  
Motion: Refer Ordinance 15-01-398 to the Government Affairs & Services Committee.

**Administrative Recommendation:**  
The manager suggests referral to GAS Committee in light of reservations expressed by some assembly members

**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 60; Goal 5 Page 199	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---------------------------------------------------------	---------------------------------------------------------------------------------

**Summary Statement:**

The current code requires property owners to apply for a temporary residence permit if desiring to occupy a trailer, mobile home or RV on their properties even for one day. This is not currently enforced and if attempted at this point, could create an untenable situation for the Borough. Staff drafted an ordinance to take to the planning commission (PC) with the purpose of clarifying the criteria for temporary residence permits, Over the course of four different PC meetings and several staff redrafts, the ordinance was developed into the version the PC now recommends to the borough assembly. Subsequent to the PC's recommendation, borough staff conducted a thorough review of the proposed amendments and found no conflicts with other regulations. Therefore, the borough manager supports the planning commission's recommendation. However, following the first public hearing, some assembly members expressed reservations and wanted another look at it. In light of this, the manager suggests referral to the GAS Committee to provide an opportunity for assembly members to discuss their issues.

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 1/27, 2/10, 2/24/15	Public Hearing Date(s): 2/10, 2/24/15
	Postponed to Date:

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Subsection 18.60.020(H) to clarify the criteria for temporary residence permits.**

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 Subsection 18.60.020(H). Subsection 18.60.020(H) of the Haines Borough Code is hereby amended as follows:

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

**HBC 18.60.020 Specific approval criteria.**

The following uses are subject to the preceding general criteria and these additional specific approval criteria:

...

H. Temporary Residence. Persons desiring to place a temporary residence, or a trailer or mobile home outside of a mobile home or RV park **in the townsite service area** for a temporary or interim occupancy **over 15 days**, shall apply for a temporary residence permit. ~~Permits for seven days or less will be at no charge and will not require connection to or payment for public water and sewer. Temporary residences remaining over 30 days will require a land use permit and where applicable, the standard monthly water and sewer charges will be levied, except by prior arrangement with the borough.~~ **The intent of a temporary residence permit is to allow a temporary structure for residential use. This means one trailer, RV or mobile home may be occupied during construction of a permanent residence. A temporary residence permit may be granted if all the following requirements are met:**

**1. A valid land use permit for the permanent residence must be in effect during the entire time that the temporary dwelling is located on the site;**

**2. A trailer, RV or mobile home used as a temporary dwelling during the construction of a permanent residence must be located on the same lot or parcel;**

**3. The temporary dwelling must be transported to a sanitary dump station as needed to empty gray water and toilet waste tanks, be connected to public water and sewer if applicable, or be serviced by an approved DEC on-site wastewater system;**

**4. The temporary dwelling must meet the same setbacks applicable to permanent structures;**

**5. Temporary residence permits may be granted for a period of one year. One six-month extension of the temporary residence/trailer permit may be granted by the planning commission as long as the developer is complying with all requirements;** ~~Any temporary residence, trailer, recreational vehicle or mobile home being occupied by a person must be connected to public water and sewer and may be required to connect to the local electrical~~

~~service. Garbage disposal facilities are required. A minimum of one off-street parking space will be required for a temporary residence.~~

6. The area surrounding the temporary residence/trailer shall be kept in a clean and sanitary condition.

**Exception: a temporary residence may be occupied on private property located outside of a mobile home or RV park while remodeling or repairing the interior of an existing permanent residence. Any applicable requirements under this subsection shall apply.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Janice Hill, Mayor

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

Date Introduced: 01/27/15  
Date of First Public Hearing: 02/10/15  
Date of Second Public Hearing: 02/24/15

Haines Borough  
**BOROUGH ASSEMBLY**  
**ACTION REQUEST**

DATE: December 18, 2014

TO: Haines Borough Assembly

FROM: Haines Borough Planning Commission

Re: Temporary Residence in HBC 18.60.020(H)

PLANNING COMMISSION ACTION:

M/S Turner moved to “recommend the Assembly adopt the proposed draft ordinance to amend Haines Borough Code 18.60.020(H)”. The motion carried 5-1 with Venables opposed.

RATIONALE:

The current code requires property owners to apply for a temporary residence permit if desiring to occupy a trailer, mobile home or RV on their properties even for one day. This is not currently enforced and if attempted at this point, could create an untenable situation for the Borough. Staff drafted an ordinance with the purpose of clarifying the terms of temporary residence permits, and presented it to the commission at the August 14, 2014 meeting.

During the discussion, the commissioners realized there are other problems in this section of code, such as a requirement on utility connections, and clarification on the time limit of temporary residence permits. Also, the commissioners discussed the intent of a temporary residence permit. They believe it mainly applies to the property owners who live in an RV/trailer/mobile home while building their permanent residences, but it seems to also apply to the seasonal workers/summer residents who live in an RV/trailer/mobile home for a few months. Questions were brought up if temporary residence permits shall be only permitted for construction purposes. Staff revised the ordinance based on the comments from the commission, and presented it to the commission at the September 11, 2014 meeting.

During the discussion, several commissioners spoke out against allowing temporary residence permits to be granted for vacation purposes on private property within the townsite service area. People who desire to live in RVs can choose to stay in RV parks. Lende stated it will be an economic problem if the Borough allows temporary dwellings to be occupied on vacant private properties, which will cause low occupancy of designated RV parks. Hedden spoke in favor of Lende’s idea. He said this is a planning



issue. In order to protect the integrity of neighborhoods, he believes it is the right thing to disallow that.

At the November 11, 2014 meeting, staff pointed out there are special circumstances that should be reconsidered. For instance, a temporary residence shall be allowed on private property located outside of a mobile home or RV park while remodeling or repairing the interior of an existing permanent residence.

During the discussion, the commissioners agreed these circumstances need to be addressed. Staff revised the ordinance again, and presented it to the commission at the December 18, 2014 meeting. All commissioners spoke in favor of the revised ordinance except Venables. He stated he would like to see more exceptions that will allow property owners to temporarily occupy an RV or mobile home on private properties as a conditional use.

**PLANNING COMMISSION REQUEST:** for the Borough Assembly to amend HBC 18.60.020(H) to read:

H. Temporary Residence. Persons desiring to place a temporary residence, or a trailer or mobile home outside of a mobile home or RV park **in the townsite service area** for a temporary or interim occupancy **over 15 days**, shall apply for a temporary residence permit. ~~Permits for seven days or less will be at no charge and will not require connection to or payment for public water and sewer. Temporary residences remaining over 30 days will require a land use permit and where applicable, the standard monthly water and sewer charges will be levied, except by prior arrangement with the borough.~~ **The intent of a temporary residence permit is to allow a temporary structure for residential use. This means one trailer, RV or mobile home may be occupied during construction of a permanent residence. A temporary residence permit may be granted if all the following requirements are met:**

**1. A valid land use permit for the permanent residence must be in effect during the entire time that the temporary dwelling is located on the site;**

**2. A trailer, RV or mobile home used as a temporary dwelling during the construction of a permanent residence must be located on the same lot or parcel;**

**3. The temporary dwelling must be transported to a sanitary dump station as needed to empty gray water and toilet waste tanks, be connected to public water and sewer if applicable, or be serviced by an approved DEC on-site wastewater system;**

**4. The temporary dwelling must meet the same setbacks applicable to permanent structures;**

**5. Temporary residence permits may be granted for a period of one year. One six-month extension of the temporary residence/trailer permit may be granted by the planning commission as long as the developer is complying with all requirements;** ~~Any temporary residence, trailer, recreational vehicle or mobile home being occupied by a person must be connected to public water and sewer and may be required to connect to the local electrical service. Garbage disposal facilities are required. A minimum of one off-street parking space will be required for a temporary residence.~~

**6. The area surrounding the temporary residence/trailer shall be kept in a clean and sanitary condition.**

**Exception: a temporary residence may be occupied on private property located outside of a mobile home or RV park while remodeling or repairing the interior of an existing permanent residence. Any applicable requirements under this subsection shall apply.**

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

HAINES BOROUGH, ALASKA  
ORDINANCE No. xx-xx-xxx

Draft

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE  
TITLE 18 SECTION 18.60.020(H) TO CLARIFY THE TERMS OF TEMPORARY RESIDENCES**

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. Purpose. This ordinance amends Title 18 Section 18.60.020(H) to clarify the terms of temporary residences.

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

**HBC 18.60.020 Specific approval criteria.**

The following uses are subject to the preceding general criteria and these additional specific approval criteria:

...

H. Temporary Residence. Persons desiring to place a temporary residence, or a trailer or mobile home outside of a mobile home or RV park **in the townsite service area** for a temporary or interim occupancy **over 15 days**, shall apply for a temporary residence permit. ~~Permits for seven days or less will be at no charge and will not require connection to or payment for public water and sewer. Temporary residences remaining over 30 days will require a land use permit and where applicable, the standard monthly water and sewer charges will be levied, except by prior arrangement with the borough.~~ **The intent of a temporary residence permit is to allow a temporary structure for residential use. This means one trailer, RV or mobile home may be occupied during construction of a permanent residence. A temporary residence permit may be granted if all the following requirements are met:**

**1. A valid land use permit for the permanent residence must be in effect during the entire time that the temporary dwelling is located on the site;**

**2. A trailer, RV or mobile home used as a temporary dwelling during the construction of a permanent residence must be located on the same lot or parcel;**

**3. The temporary dwelling must be transported to a sanitary dump station as needed to empty gray water and toilet waste tanks, be connected to public water and sewer if applicable, or be serviced by an approved DEC on-site wastewater system;**

**4. The temporary dwelling must meet the same setbacks applicable to permanent structures;**

**5. Temporary residence permits may be granted for a period of one year. One six-month extension of the temporary residence/trailer permit may be granted by the planning commission as long as the developer is complying with all requirements. Any temporary residence, trailer, recreational vehicle or mobile home being occupied by a person must be connected to public water and sewer and may be required to connect to the local electrical service. Garbage disposal facilities are required. A minimum of one off street parking space will be required for a temporary residence.**

**6. The area surrounding the temporary residence/trailer shall be kept in a clean and sanitary condition.**

**Exception: a temporary residence may be occupied on private property located outside of a mobile home or RV park while remodeling or repairing the interior of an existing permanent residence. Any applicable requirements under this subsection shall apply.**



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 15-543

Assembly Meeting Date: 2/24/15

Business Item Description:	Attachments:
Subject: Water-Sewer Rate Adjustments and Schedule Readoption	1. Ordinance 15-01-399 - Draft 2. 1/22/15 Memo from the Finance Director 3. GAS Committee Recommendation 4. Document showing proposed changes compared with existing rates 5. Water Fund 3-year Budget Projection 6. Sewer Fund 3-year Budget Projection
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 1/19/15	

**Full Title/Motion:**  
Motion: Adopt Ordinance 15-01-399.

**Administrative Recommendation:**  
The borough manager recommends adoption.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$0	\$0	\$0	TBD

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives: Objective 15A, Page 252	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--------------------------------------------------------	---------------------------------------------------------------------------------

**Summary Statement:**

The proposed rate schedule is the result of several months of meetings and data collection. A staff working group made up of the manager, finance director, facility director, and water & sewer operator developed the proposal which was reviewed and recommended by the Government Affairs & Services Committee earlier this year.

The current rate structure does not allow the utilities to cover current operating costs or contribute to a repair and replacement reserve. Much of the infrastructure is nearing the end of its useful life. Additionally, in FY14, the sewer fund failed to meet its rate covenant per the borough's loan agreement with the Alaska Municipal Bond Bank.

**Referral:**

Referred to: Government Affairs & Services Committee Referral Date:  
 Recommendation: Increase rates over 3 years to come into compliance Meeting Date:

**Assembly Action:**

Meeting Date(s): 1/27, 2/10, 2/24/15 Public Hearing Date(s): 2/10, 2/24/15  
 Postponed to Date:

**An ordinance of the Haines Borough adopting a new water-sewer rate schedule to set rates, fees and charges for water and sewer services.**

**WHEREAS**, the Haines water and sewer systems are operated and maintained by the Haines Borough; and

**WHEREAS**, the Borough Assembly establishes rates and fees for Haines Borough water and sewer services; and

**WHEREAS**, Haines Borough Code, Section 2.12.020(J), requires regulation of the rate charged by a public utility to be done by ordinance; and

**NOW THEREFORE BE IT ENACTED**, by the Haines Borough Assembly, that the following water-sewer schedule is hereby adopted by ordinance.

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

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 on May 1, 2015.

Section 4. Repealer. This ordinance repeals all water-sewer rate schedules adopted prior to the adoption of this ordinance.

Section 5. Purpose. To readopt the water-sewer rate schedule and set new rates, fees and charges for water and sewer services.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Janice Hill, Mayor

ATTEST:

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

Date Introduced: 01/27/15  
Date of First Public Hearing: 02/10/15  
Date of Second Public Hearing: 02/24/15

**Haines Borough – Water-Sewer Rate Schedule**  
(See HBC Title 13 for regulations and more information)

**DRAFT**

Effective Date:	05/01/2015		07/01/2016		07/01/2017	
	WATER	SEWER	WATER	SEWER	WATER	SEWER
<b>Unmetered Residential Service</b>						
Base/Service Charge	\$22.05	\$37.65	\$23.31	\$39.47	\$24.60	\$41.21
Minimum Usage Charge	\$12.95	\$10.00	\$13.69	\$10.48	\$14.45	\$10.94
Residential Flat Rate	\$35.00	\$47.65	\$37.00	\$49.95	\$39.05	\$52.15
<b>Total Monthly Flat Rate for Water-Sewer Service:</b>	<b>\$82.65</b>		<b>\$86.95</b>		<b>\$91.20</b>	
<b>¾" Metered Commercial Service*</b>						
Base/Service Charge	\$20.60	\$36.10	\$21.86	\$37.92	\$23.15	\$39.66
Minimum Usage Charge	\$12.10	\$9.60	\$12.84	\$10.08	\$13.60	\$10.54
¾" Commercial Rate	\$32.70	\$45.70	\$34.70	\$48.00	\$36.75	\$50.20
<b>Total Monthly Rate for ¾" Water-Sewer Service*:</b>	<b>\$78.40</b>		<b>\$82.70</b>		<b>\$86.95</b>	
<b>1" Metered Commercial Service*</b>						
Base/Service Charge	\$30.90	\$36.10	\$32.79	\$37.92	\$34.73	\$39.66
Minimum Usage Charge	\$12.10	\$9.60	\$12.84	\$10.08	\$13.60	\$10.54
1" Commercial Rate	\$43.00	\$45.70	\$45.63	\$48.00	\$48.33	\$50.20
<b>Total Monthly Rate for Water-Sewer Service*:</b>	<b>\$88.70</b>		<b>\$93.63</b>		<b>\$98.53</b>	
<b>1½" Metered Commercial Service*</b>						
Base/Service Charge	\$41.20	\$36.10	\$43.72	\$37.92	\$46.30	\$39.66
Minimum Usage Charge	\$12.10	\$9.60	\$12.84	\$10.08	\$13.60	\$10.54
1½" Commercial Rate	\$53.30	\$45.70	\$56.56	\$48.00	\$59.90	\$50.20
<b>Total Monthly Rate for Water-Sewer Service*:</b>	<b>\$99.00</b>		<b>\$104.56</b>		<b>\$110.10</b>	
<b>2" Metered Commercial Service*</b>						
Base/Service Charge	\$51.50	\$36.10	\$54.65	\$37.92	\$57.88	\$39.66
Minimum Usage Charge	\$12.10	\$9.60	\$12.84	\$10.08	\$13.60	\$10.54
2" Commercial Rate	\$63.60	\$45.70	\$67.49	\$48.00	\$71.48	\$50.20
<b>Total Monthly Rate for Water-Sewer Service*:</b>	<b>\$104.18</b>		<b>\$115.49</b>		<b>\$121.68</b>	
<b>3" Metered Commercial Service*</b>						
Base/Service Charge	\$82.40	\$36.10	\$87.44	\$37.92	\$92.60	\$39.66
Minimum Usage Charge	\$12.10	\$9.60	\$12.84	\$10.08	\$13.60	\$10.54
3" Commercial Rate	\$94.50	\$45.70	\$100.28	\$48.00	\$106.20	\$50.20
<b>Total Monthly Rate for Water-Sewer Service*:</b>	<b>\$140.20</b>		<b>\$148.28</b>		<b>\$156.40</b>	

\*Includes the first 5,000 gallons of water used per month

Effective Date:	05/01/2015		07/01/2016		07/01/2017	
Extra Gallonage Charge:	<u>WATER</u>	<u>SEWER</u>	<u>WATER</u>	<u>SEWER</u>	<u>WATER</u>	<u>SEWER</u>
Each 1,000 gals or fraction thereof used after the minimum usage charge	<b>\$2.33</b>	<b>\$6.38</b>	<b>\$2.44</b>	<b>\$6.69</b>	<b>\$2.55</b>	<b>\$7.00</b>
Note: If a commercial service includes residential dwellings, an additional 5,000 gals is allowed for each dwelling, covered by the residential flat rate charge as defined in HBC 13.04.240.						

**Monthly Surcharge for Crystal Cathedrals Special Assessment District**

	WATER	SEWER
Commercial / Residential Surcharge	<b>\$10.05</b>	<b>\$6.15</b>
<b>Total Combined Surcharge for Water-Sewer Service:</b>	<b>\$16.20</b>	

**Application Fees**

Water and/or Sewer Connection fee (non-refundable service charge)	\$50.00
Subdivision application for five or more services (nonrefundable service charge)	\$150.00
Other Agency Permit Fee (nonrefundable)	Actual Cost of the Permit plus \$50 administrative charge

**Hook-Up Fees**

	WATER	SEWER
Minimum Hook-Up Fee (upon completion applicant will be billed for costs in excess of the minimum)	\$750.00	\$650.00
Inspection Fee per Hook-Up	\$100.00	\$100.00
Additional Water Main Extension Inspection Fee ~ First 100 Feet ~ Each Additional Foot	\$25.00 \$0.25	\$25.00 \$0.25

**Expansion Charges**

		WATER	SEWER
Size of Water Service Line	Capacity (GPM)	Expansion Charges	Expansion Charges
¾" – 1"	8 – 15	\$450.00	\$500.00
1-1/2"	45	\$1,030.00	\$1,040.00
2"	80	\$1,830.00	\$2,030.00
4"	500	\$7,300.00	\$8,120.00

**Miscellaneous Water Fees and Charges**

Meter Installation Fee	\$100.00
Meter Inspection Fee	\$40.00
Meter Testing Fee	Actual cost +15%
Frost Bottom Replacement	\$50.00
Control Valve Shut-off or Turn-on ~ Minimum service fee (if water is off for less than 3 months) ~ Excess fees, if necessary ~ Seasonal Turn-ons and turn-offs (if water is off for 3 months or more)	\$35.00 \$45/hour \$85.00



Commercial Bulk Water Purchase ~Per 1,000 gallons ~Service Charge  Note: Commercial bulk water charges apply to fire hydrants, Port Chilkoot Dock, and Small Boat Harbor.	\$4.50 \$50.00
Residential Bulk Water Purchase ~Seasonal Bulk Water Permit (fill at sewer plant only)	\$30.00
After Hours Employee Call-Out	\$125.00
Deposits and Credit Establishment ~Residential Water Account  ~Commercial Water Account	An amount equaling two months of the residential flat fee for water service  An amount equaling an estimate of two months' water service charges based on like accounts already in service.
Unauthorized Water Turn On ~Charge to Shut Off Water at the Main or Remove Meter	Actual cost to the water department plus 15% overhead

**Miscellaneous Sewer Fees and Charges**

Termination or Restoration of Sewer Service ~Minimum Service Charge (nonrefundable)	Actual cost + 15%
Deposits and Credit Establishment ~Residential Sewer Account  ~Commercial Sewer Account	A sum equal to the established bill for two months' service but not less than \$40.  An amount equaling like accounts in service.
Septic Waste Disposal (at sewage plant only) ~Per Load of Up to 500 Gals of Waste ~Single Loads in Excess of 500 Gals	\$100 minimum \$20.00 for each 100 gals excess or fraction thereof
After Hours Employee Call-Out	\$125.00
RV Dump Stations ~Monthly Flat Rate in Addition to Any Other Water and Sewer Charges	\$60.00
RV Parks	Same as Metered Commercial Charges

# Memo



To: Haines Borough Mayor & Assembly  
From: Jila Stuart, Chief Financial Officer  
Cc: Dave Sosa, Borough Manager  
Date: January 22, 2015  
Re: Ordinance #15-01-399 Revision to Water & Sewer Rate Schedule

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## **Background:**

The current rate structure does not allow the utilities to cover current operating costs or contribute to a repair and replacement reserve. Much of the infrastructure is nearing the end of its useful life. Additionally, in FY14 the sewer fund failed to meet its rate covenant per the borough's loan agreement with the Alaska Municipal Bond Bank. If the sewer fund does not come into compliance with the rate covenant future funding will be jeopardized.

The wastewater treatment plant has exceeded its useful life expectancy and the building has major structural deficiencies. If we do not raise rates, the utilities will not have the resources to maintain their operations over the long and possibly short term. According to the Manager's working group on water and sewer rates, this could result in a degradation of capability possibly leading to lower water quality, inappropriately treated sewage, a threat to public health, threat of environmental pollution, increased odor, a dangerous operating environment for employees, structural failure, and EPA fines.

Unfortunately State funding for repairs is drying up. The State of Alaska DEC's Municipal Matching Grant program has dropped from \$32 million in FY13, to \$21 million in FY14, \$14 million in FY15, and \$10 million for FY16. With oil prices hovering near \$50 a barrel we cannot hope for any immediate relief from the State. With the loss of outside funding the utilities need to strive to become more self sustaining by setting rates that will allow for long term preservation of the infrastructure.

## **Proposal:**

The proposed rate schedule is the result of several months of meetings and data collection. A staff working group made up of the Manager, Finance Director, Facility Director, and Water & Sewer Operator developed the proposal which was reviewed and recommended by the GAS committee earlier this month. The proposed schedule:

- Increases combined water and sewer rates approximately 5% per year for the next 3 years. The combined water and sewer rate for the unmetered residential customers would go from \$78.40 today to \$91.20 in July 2018.
- Eliminates the metered residential rate. Those customers currently billed as metered residential would be switched to flat rate residential.
- Reduces the Crystal Cathedrals Surcharge by \$1.75 to reflect the increased number of rate payers paying the assessment.
- Assumes a \$40 increase in the seasonal turn-on turn-off fee to reflect fixed costs to the utility that don't decrease when the valve is turned off.
- Adjusts rates for hook-up fees and other miscellaneous charges to reflect the actual cost of those services.
- Would bring the Sewer fund back into compliance with the bond bank's rate covenant.
- Assumes an annual \$10,500 subsidy from the CIP fund to help pay debt service for capital improvement projects in the water fund.
- Assumes a small, annual transfer (\$6,000-8,000) from the Commercial Passenger Vessel Tax fund to the Water fund to reflect the full cost of water consumed by the large cruise ships.
- Assumes annual inflation for expenditures between 2 and 3% for the utilities.
- Falls short of adequately funding needed repairs to the wastewater treatment plant.
- Covers projected cash expenditures and makes a small contribution to a repair and replacement reserve.
- Would go into effect on May 1, 2015 if approved.

From: DIANA [mailto:lapham@aptalaska.net]  
Sent: Thursday, January 08, 2015 9:07 AM  
To: Julie Cozzi  
Cc: daveberry@aptalaska.net  
Subject: GAS committee recommendation #3

January 7,2015

Water and Sewer Rate increase. Julie, I'm sorry but I can't find on my Ipad the spreadsheet to email to you....we the committee agreed on the Draft proposed 3-year Water and Sewer Increase

Spread impact more evenly over 3 years while coming into compliance with bond bank by the end of FY16

Year 1.....sewer....3.25/ water.....1.05/ Total 4.30...av increase....0.054846939 %

Year 2.....sewer....2.30/ water.....2.00/ Total 4.30..av increase.....0.054846939 %

Year 3.....sewer....2.205/ water.....2.086/ Total 4.291..ave increase...0.054728159

We hope that this will make the agenda for the Assembly meeting Jan.13,2015

Also we recommend that a notice be put in the mail to all customers advising them of the rate increase. March and April, and to have the rate increase take effect on May 1,2015

Submitted

Diana Lapham

This document shows the proposed changes compared with the existing rates.

# Haines Borough – Water-Sewer Rate Schedule

(See HBC Title 13 for regulations and more information)

**Draft**

2. ~~Metered Residential Water-Sewer Service 3/4"~~

	WATER	SEWER
Base/Service Charge	\$21.40	\$14.00
Minimum Usage (up to 4,000 gallons)	\$10.43	\$24.32
Residential Metered Rate (first 4,000 gallons)	\$31.83	\$38.32
Total Combined Monthly Metered Rate for Water-Sewer Service: \$70.15		

3.

4. **Unmetered Residential Water-Sewer Service**    **Effective 3/1/2011**    **Effective 7/1/2016**    **Effective 7/1/2017**

	WATER		SEWER		WATER	SEWER	WATER	SEWER
Base/Service Charge	\$21.40	<b>\$22.05</b>	\$14.00	<b>\$37.65</b>	<b>\$23.31</b>	<b>\$39.47</b>	<b>\$24.60</b>	<b>\$41.21</b>
Minimum Usage Charge	\$12.60	<b>\$12.95</b>	\$30.40	<b>\$10.00</b>	<b>\$13.69</b>	<b>\$10.48</b>	<b>\$14.45</b>	<b>\$10.94</b>
Residential Flat Rate	\$34.00	<b>\$35.00</b>	\$44.40	<b>\$47.65</b>	<b>\$37.00</b>	<b>\$49.95</b>	<b>\$39.05</b>	<b>\$52.15</b>
Total Combined Monthly Flat Rate for Water-Sewer Service: <del>\$78.40</del> <b>\$82.65</b>					<b>\$86.95</b>		<b>\$91.20</b>	

5. **Metered Commercial Water-Sewer Service**    **Effective 3/1/2015**    **Effective 7/1/2016**    **Effective 7/1/2017**

<b>3/4" Service Line / Meter</b>	WATER		SEWER		WATER	SEWER	WATER	SEWER
Base/Service Charge	\$20.15	<b>\$20.60</b>	\$13.48	<b>\$36.10</b>	<b>\$21.86</b>	<b>\$37.92</b>	<b>\$23.15</b>	<b>\$39.66</b>
Minimum Usage Charge	\$11.55	<b>\$12.10</b>	\$28.97	<b>\$9.60</b>	<b>\$12.84</b>	<b>\$10.08</b>	<b>\$13.60</b>	<b>\$10.54</b>
3/4" Commercial Rate	\$31.70	<b>\$32.70</b>	\$42.45	<b>\$45.70</b>	<b>\$34.70</b>	<b>\$48.00</b>	<b>\$36.75</b>	<b>\$50.20</b>
Total Monthly Rate for the first 5,000 gallons of Water-Sewer: <del>\$74.15</del> <b>\$78.40</b>					<b>\$82.70</b>		<b>\$86.95</b>	
<b>1" Service Line / Meter</b>	WATER		SEWER		WATER	SEWER	WATER	SEWER
Base Charge	\$30.23	<b>\$30.90</b>	\$13.48	<b>\$36.10</b>	<b>\$32.79</b>	<b>\$37.92</b>	<b>\$34.73</b>	<b>\$39.66</b>
Minimum Usage Charge	\$11.55	<b>\$12.10</b>	\$28.97	<b>\$9.60</b>	<b>\$12.84</b>	<b>\$10.08</b>	<b>\$13.60</b>	<b>\$10.54</b>
1" Commercial Rate	\$41.78	<b>\$43.00</b>	\$42.45	<b>\$45.70</b>	<b>\$45.63</b>	<b>\$48.00</b>	<b>\$48.33</b>	<b>\$50.20</b>
Total Monthly Rate for the first 5,000 gallons of Water-Sewer: <del>\$84.23</del> <b>\$88.70</b>					<b>\$93.63</b>		<b>\$98.53</b>	

**Effective 3/1/2015**

**Effective 7/1/2016**

**Effective 7/1/2017**

	<b>WATER</b>	<b>SEWER</b>	<b>WATER</b>	<b>SEWER</b>	<b>WATER</b>	<b>SEWER</b>
<b>1 1/2" Service Line/Meter</b> Base Charge	<del>\$40.30</del> <b>\$41.20</b>	<del>\$13.48</del> <b>\$36.10</b>	<b>\$43.72</b>	<b>\$37.92</b>	<b>\$46.30</b>	<b>\$39.66</b>
Minimum Usage Charge	<del>\$11.55</del> <b>\$12.10</b>	<del>\$28.97</del> <b>\$9.60</b>	<b>\$12.84</b>	<b>\$10.08</b>	<b>\$13.60</b>	<b>\$10.54</b>
1 1/2" Commercial Rate	<del>\$51.85</del> <b>\$53.30</b>	<del>\$42.45</del> <b>\$45.70</b>	<b>\$56.56</b>	<b>\$48.00</b>	<b>\$59.90</b>	<b>\$50.20</b>
Total Monthly Rate for the first 5,000 gallons of Water-Sewer: <del>\$94.30</del> <b>\$99.00</b>			<b>\$104.56</b>		<b>\$110.10</b>	
<b>2" Service Line/Meter</b> Base Charge	<del>\$50.38</del> <b>\$51.50</b>	<del>\$13.38</del> <b>\$36.10</b>	<b>\$54.65</b>	<b>\$37.92</b>	<b>\$57.88</b>	<b>\$39.66</b>
Minimum Usage Charge	<del>\$11.55</del> <b>\$12.10</b>	<del>\$28.97</del> <b>\$9.60</b>	<b>\$12.84</b>	<b>\$10.08</b>	<b>\$13.60</b>	<b>\$10.54</b>
2" Commercial Rate	<del>\$61.93</del> <b>\$63.60</b>	<del>\$42.45</del> <b>\$45.70</b>	<b>\$67.49</b>	<b>\$48.00</b>	<b>\$71.48</b>	<b>\$50.20</b>
Total Monthly Rate for the first 5,000 gallons of Water-Sewer: <del>\$104.18</del> <b>\$104.18</b>			<b>\$115.49</b>		<b>\$121.68</b>	
<b>3" Service Line/Meter</b> Base Charge	<del>\$80.60</del> <b>\$82.40</b>	<del>\$13.38</del> <b>\$36.10</b>	<b>\$87.44</b>	<b>\$37.92</b>	<b>\$92.60</b>	<b>\$39.66</b>
Minimum Usage Charge	<del>\$11.55</del> <b>\$12.10</b>	<del>\$28.97</del> <b>\$9.60</b>	<b>\$12.84</b>	<b>\$10.08</b>	<b>\$13.60</b>	<b>\$10.54</b>
3" Commercial Rate	<del>\$92.15</del> <b>\$94.50</b>	<del>\$42.45</del> <b>\$45.70</b>	<b>\$100.28</b>	<b>\$48.00</b>	<b>\$106.20</b>	<b>\$50.20</b>
Total Monthly Rate for the first 5,000 gallons of Water-Sewer: <del>\$134.40</del> <b>\$140.20</b>			<b>\$148.28</b>		<b>\$156.40</b>	

**Effective 3/1/2015**

**Effective 7/1/2016**

**Effective 7/1/2017**

Extra Gallonage Charge: (Each 1,000 gals or fraction thereof used after the minimum usage charge)	<del>\$2.22</del> <b>\$2.33</b>	Extra Gallonage Charge: (Each 1,000 gals or fraction thereof used after the minimum usage charge)	<del>\$6.08</del> <b>\$6.38</b>	<b>WATER</b>	<b>SEWER</b>	<b>WATER</b>	<b>SEWER</b>
Note: If a commercial service includes residential dwellings, an additional 5,000 gals is allowed for each dwelling, covered by the residential flat rate charge as defined in HBC 13.04.240.				<b>\$2.44</b>	<b>\$6.69</b>	<b>\$2.55</b>	<b>\$7.00</b>

6- Monthly Surcharge for Crystal Cathedrals Special Assessment District

	<b>WATER</b>	<b>SEWER</b>
Commercial / Residential Surcharge	<del>\$11.10</del> <b>\$10.05</b>	<del>\$6.85</del> <b>\$6.15</b>
<b>Total Combined Surcharge for Water-Sewer Service: <del>\$17.95</del> \$16.20</b>		

7. Application Fees

Water <b>and/or</b> Sewer Connection fee (non-refundable service charge)	\$50.00
<del>Combined Water and Sewer Connection fee (nonrefundable service charge)</del>	<del>\$50.00</del>
Subdivision application for five or more services (nonrefundable service charge)	\$150.00
Other Agency Permit Fee (nonrefundable)	Actual Cost of the Permit plus \$50 administrative charge

8. Hook-Up Fees

	WATER	SEWER
Minimum Hook-Up Fee <u>(upon completion applicant will be billed for costs in excess of the minimum)</u>	<del>\$650.00</del> <b>\$750.00</b>	<del>\$450.00</del> <b>\$650.00</b>
Inspection Fee per Hook-Up	\$100.00	\$100.00
Additional Water Main Extension Inspection Fee		
~First 100 Feet	\$25.00	\$25.00
~Each Additional Foot	\$0.25	\$0.25

9. Expansion Charges

		WATER	SEWER
Size of Water Service Line	Capacity (GPM)	Expansion Charges	Expansion Charges
3/4" – 1"	8 – 15	\$450.00	\$500.00
1-1/2"	45	\$1,030.00	\$1,040.00
2"	80	\$1,830.00	\$2,030.00
4"	500	\$7,300.00	\$8,120.00

10. Miscellaneous Water Fees and Charges

Meter Installation Fee	<del>\$75.00</del> <b><u>\$100.00</u></b>
Meter Inspection Fee	<del>\$25.00</del> <b><u>\$40.00</u></b>
Meter Testing Fee	<b><u>Actual cost + 15%</u></b>
~3/4" and smaller	<del>\$75.00</del>
~Larger than 3/4"	\$100
Frost Bottom Replacement	\$50.00
Control Valve Shut-off or Turn-on	
~Minimum service fee (if water is off for less than 3 months)	\$35.00

~ Excess fees, if necessary ~ Seasonal Turn-ons and turn-offs (if water is off for 3 months or more)	<del>\$40</del> <b>\$45</b> /hour <del>\$45.00</del> <b>\$85.00</b>
<b>Commercial</b> Bulk Water Purchase ~ Per 1,000 gallons ~ Service Charge  Note: <b>Commercial</b> bulk water charges apply to fire hydrants, Port Chilkoot Dock, and Small Boat Harbor. <del>The charge does not apply to Lutak Deck.</del>	\$4.50 \$50.00
Residential Bulk Water Purchase ~ Seasonal Bulk Water Permit (fill at sewer plant only)	<del>\$25.00</del> <b>\$30.00</b>
After Hours Employee Call-Out	<del>\$100.00</del> <b>\$125.00</b>
Deposits and Credit Establishment ~ Residential Water Account  ~ Commercial Water Account	An amount equaling two months of the residential flat fee for water service  An amount equaling an estimate of two months' water service charges based on like accounts already in service.
Unauthorized Water Turn On ~ Charge to Shut Off Water at the Main or Remove Meter	Actual cost to the water department plus 15% overhead (but not less than \$25.00)

~~11.~~ Miscellaneous Sewer Fees and Charges

Termination or Restoration of Sewer Service ~ Minimum Service Charge (nonrefundable)	<del>\$35.00</del> <b>Actual cost + 15%</b>
Deposits and Credit Establishment ~ Residential Sewer Account  ~ Commercial Sewer Account	A sum equal to the established bill for two months' service but not less than \$40.  An amount equaling like accounts in service.
Septic Waste Disposal (at sewage plant only) ~ Per Load of Up to 500 Gals of Waste ~ Single Loads in Excess of 500 Gals	\$100 minimum \$20.00 for each 100 gals excess or fraction thereof
After Hours Employee Call-Out	<del>\$100.00</del> <b>\$125.00</b>
RV Dump Stations ~ Monthly Flat Rate in Addition to Any Other Water and Sewer Charges	<del>\$53.00</del> <b>\$60.00</b>
RV Parks	Same as Metered Commercial Charges





Haines Borough

90 Water Fund 3-Year Budget Projection

	FY15 BUDGET	FY16 DRAFT	FY17 DRAFT	FY18 DRAFT
<b>REVENUES (with proposed rate increases)</b>				
Water Service Revenue	\$ 332,000	\$ 341,600	\$ 361,000	\$ 380,800
Cruise Ship Water Sales	15,000	15,000	15,000	15,000
Miscellaneous Revenue	11,500	14,500	14,500	14,500
Interest Earnings	3,750	3,750	3,750	3,750
Operating Transfer from CPV Tax	-	6,067	7,033	8,100
<b>TOTAL REVENUES</b>	<b>362,250</b>	<b>380,917</b>	<b>401,283</b>	<b>422,150</b>
<b>EXPENDITURES</b>				
Payroll Expense	127,605	131,380	135,279	139,306
Supplies, Postage, M&E	52,900	53,485	54,802	56,852
Professional & Contractual	29,400	25,000	25,625	26,266
Travel, Training, & Dues	3,750	3,840	3,931	4,025
Banking & Insurance	7,180	7,360	7,543	7,732
Vehicle Expense	4,250	4,378	4,509	4,644
Utilities	29,350	30,231	31,137	32,072
Maintenance & Repairs	17,000	17,425	17,861	18,307
Principal	42,872	47,872	47,872	47,872
Interest	11,549	13,549	13,549	13,549
Work Orders	42,500	43,563	44,652	45,768
<b>TOTAL CASH DIRECT EXPENDITURES</b>	<b>368,356</b>	<b>378,081</b>	<b>386,760</b>	<b>396,392</b>
<i>ALLOCATED EXPENSE</i>				
Allocated expense to water dept.	44,898	46,020	47,171	48,350
Allocated expense out from water dept.	(46,050)	(47,201)	(48,381)	(49,591)
<b>TOTAL ALLOCATED EXPENSE</b>	<b>(1,152)</b>	<b>(1,181)</b>	<b>(1,210)</b>	<b>(1,241)</b>
<b>TOTAL CASH EXPENDITURES</b>	<b>367,204</b>	<b>376,900</b>	<b>385,550</b>	<b>395,151</b>
<b>REVENUE OVER (UNDER) CASH EXPENDITURES</b>	<b>(4,954)</b>	<b>4,017</b>	<b>15,733</b>	<b>26,999</b>
DEPRECIATION EXPENSE	234,000	255,000	275,400	297,432
<b>REVENUE OVER (UNDER) EXPENDITURES</b>	<b>\$ (238,954)</b>	<b>\$ (250,983)</b>	<b>\$ (259,667)</b>	<b>\$ (270,433)</b>

Projected annual contribution towards repair & replacement reserve or amount available to pay debt service on new loans for repair/replacement.



**HAINES BOROUGH**

**91 Sewer Fund 3-Year Budget Projection**

	<b>FY15 BUDGET</b>	<b>FY16 DRAFT</b>	<b>FY17 DRAFT</b>	<b>FY18 DRAFT</b>
<b>REVENUES (with proposed rate increases)</b>				
Sewer Service Revenue	\$ 401,000	\$ 429,000	\$ 449,500	\$ 467,400
Miscellaneous Revenue	4,850	4,900	5,000	5,100
	<b>405,850</b>	<b>433,900</b>	<b>454,500</b>	<b>472,500</b>
<b>EXPENDITURES</b>				
Payroll Expense	\$ 77,021	\$ 79,337	\$ 81,729	\$ 84,203
Supplies, Postage, M&E	24,500	24,376	24,966	26,271
Professional & Contractual	11,400	8,000	8,160	8,323
Travel, Training, & Dues	4,405	4,505	4,607	4,711
Banking & Insurance	16,250	16,656	17,073	17,499
Utilities	87,750	90,383	93,094	95,887
Maintenance & Repairs	20,000	20,500	20,500	20,500
Principal	44,500	49,500	49,500	49,500
Interest	45,449	43,749	42,511	42,511
Other Miscellaneous Expense	5,250	5,403	5,559	5,721
Work Orders	16,000	16,235	16,474	16,718
	<b>352,525</b>	<b>358,643</b>	<b>364,174</b>	<b>371,844</b>
<i>ALLOCATED EXPENSE</i>	58,600	60,065	61,567	63,106
<b>TOTAL CASH EXPENDITURES &amp; ALLOCATED EXPENSE</b>	<b>411,125</b>	<b>418,708</b>	<b>425,740</b>	<b>434,950</b>
<b>REVENUE OVER (UNDER) CASH EXPENDITURES &amp; ALLOCATED EXPENSE</b>	<b>(5,275)</b>	<b>15,193</b>	<b>28,760</b>	<b>37,550</b>
Depreciation Expense	239,000	241,390	363,804	367,442
<b>EXCESS REVENUE OVER (UNDER) EXPENDITURES,</b>	<b>\$ (244,275)</b>	<b>\$ (226,198)</b>	<b>\$ (335,044)</b>	<b>\$ (329,892)</b>

Projected annual contribution towards repair & replacement reserve or amount available to pay debt service on new loans for repair/replacement.



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 15-545Assembly Meeting Date: 2/24/15

Business Item Description:	Attachments:
Subject: Authorize Extension of a Lease of a Portion of the Public Safety Building by the State of Alaska	1. Ordinance 15-02-400 2. Proposed Lease Agreement
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 2/4/15	

Full Title/Motion:
Motion: Advance Ordinance 15-02-400.

Administrative Recommendation:
This ordinance is recommended by the Borough Manager.

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: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
Haines Borough Charter 3.03(8) stipulates that the leasing of borough property must be granted by the assembly by ordinance. The State of Alaska has been leasing approximately 360 square feet of office space in an upstairs portion of the Borough's Public Safety Building, 213 Haines Highway, to provide services through the Department of Fish and Game. The existing lease was effective April 1, 2005, with a termination date of March 31, 2015, and the proposed lease amendment would extend this lease for a period of five years beginning April 1, 2015, through March 31, 2020, with the option to renew for five additional one-year periods. The new base monthly lease rate shall be \$505.95 effective April 1, 2015, an increase of \$15 per month. The monthly lease rate may be adjusted effective April 1, 2016, and each April 1 thereafter and will be made in accordance with the percentage change in the U.S. Department of Labor Consumer Price Index (CPI).

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

Assembly Action:	
Meeting Date(s): 2/10, 2/24/15	Public Hearing Date(s): 2/24/15
	Postponed to Date:

**An Ordinance of the Haines Borough authorizing a five-year extension of a lease of an upstairs portion of the Public Safety Building by the State of Alaska for the purpose of providing services through the Department of Fish and Game, with the option to renew for five additional one-year periods.**

**WHEREAS**, Haines Borough Charter 3.03(8) stipulates that the leasing of borough property must be granted by the assembly by ordinance; and

**WHEREAS**, the State of Alaska has been leasing approximately 360 square feet of office space in an upstairs portion of the Borough's Public Safety Building, 213 Haines Highway, to provide services through the Department of Fish and Game; and

**WHEREAS**, the existing lease was effective April 1, 2005, with a termination date of March 31, 2015, and the proposed lease amendment would extend this lease for a period of five years beginning April 1, 2015, through March 31, 2020, with the option to renew for five additional one-year periods; and

**WHEREAS**, the new base monthly lease rate shall be \$505.95 effective April 1, 2015, an increase of \$15 per month; and

**WHEREAS**, the monthly lease rate may be adjusted effective April 1, 2016, and each April 1 thereafter and will be made in accordance with the percentage change in the U.S. Department of Labor Consumer Price Index (CPI),

**NOW, THEREFORE, BE IT ENACTED** by the Haines Borough Assembly that it is hereby determined to be for a public purpose and in the public interest of the Haines Borough to authorize the borough manager to execute a new lease with the State of Alaska for the specified portion of the Borough's Public Safety Building under the conditions of the attached lease agreement, and for a period of five years, with the option to renew for five additional one-year periods.

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

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.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

Attest:

\_\_\_\_\_  
Janice Hill, Mayor

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

Date Introduced: 02/10/15  
Date of First Public Hearing: 02/24/15  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_



**STATE OF ALASKA  
AMENDMENT TO LEASE  
LEASE 2559**

This agreement, to be known as **Amendment Number Twelve (12)** to the existing lease, entered into on the 1<sup>st</sup> day of April, 2005, and **first recorded at the Haines Recording District as serial number 2005-000231-0** by and between:

**HAINES BOROUGH  
P.O. BOX 1209  
HAINES, ALASKA, 99827**

hereinafter called the Lessor, and

**STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION - 11  
550 WEST 7<sup>TH</sup> AVENUE, SUITE 1970  
ANCHORAGE, ALASKA 99501-3558**

hereinafter called the Lessee, covering:

The Lessor hereby leases to the State of Alaska the following described premises:

Approximately 360 square feet of net usable office space in the Haines Borough Public Safety Building, 213 Haines Highway, Haines, AK 99827; whose legal description is: "Frac. Sec. 34, R59E, Mission Subdivision, Block L, Haines Recording District."

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OFFICIAL STATE BUSINESS -- NO RECORDATION CHARGE

After Recordation, Return Document To:

State Of Alaska - Department Of Administration  
Division Of General Services  
Leasing Section  
550 West 7<sup>th</sup> Avenue, Suite 1970  
Anchorage, AK 99501-3558

LEASE NO. **2559**

Amendment No. **12**

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2559 A12 Extend.docx

Initials \_\_\_\_\_ Initials \_\_\_\_\_

**THIS AMENDMENT SHALL**

1. Extend this lease for a period of five (5) years beginning April 1, 2015 through March 31, 2020.
2. Recognize that the Lessee shall have the option to renew this lease for five (5) additional one (1) year periods to be exercised at the sole discretion of the Lessee prior to expiration of the term.
3. Recognize that the Lessor shall have the option to terminate this lease after April 1, 2020 with 12-month advance written notice to Lessee.
4. Recognize that the **New Current Monthly Lease Rate shall be \$505.95**, effective April 1, 2015.
5. Recognize that the **New Base Monthly Lease Rate shall be \$505.95** effective April 1, 2015.
6. Effective April 1, 2015, remove all CPI adjustment language and replace it with the following:

Adjustments in the lease rate may be made if requested in writing by the Lessor at least thirty (30) days prior to the effective date of the adjustment. Request must be made annually only. Such adjustments may be made annually to reflect the changes in the Lessor's variable costs, and defined as all operational cost other than debt service and profit. Operational costs, for purposes of the lease resulting from this RFP, are equal to thirty-five percent (35%) of the Base Monthly Lease Rate.

**The monthly lease rate may be adjusted effective April 1, 2016 and each April 1 thereafter and** will be made in accordance with the percentage change in the U.S. Department of Labor Consumer Price Index, for All Urban Consumers, All Items, (CPI-U) Anchorage Area, in effect for each July through December (2<sup>nd</sup> Half). The percentage difference between the CPI in effect for **the base year six (6) month average, CPI-W Index, 2<sup>nd</sup> half 2014, (215.679)** and each CPI July through December (2<sup>nd</sup> Half) average thereafter will determine the maximum allowable adjustment of the variable costs over the Base Monthly Lease Rate.

**The Base Monthly Lease Rate is \$505.95.**

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OFFICIAL STATE BUSINESS -- NO RECORDATION CHARGE

After Recordation, Return Document To:

State Of Alaska - Department Of Administration  
Division Of General Services  
Leasing Section  
550 West 7<sup>th</sup> Avenue, Suite 1970  
Anchorage, AK 99501-3558

LEASE NO. **2559**

Amendment No. **12**

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2559 A12 Extend.docx

Initials \_\_\_\_\_ Initials \_\_\_\_\_

The formula is expressed as:

$[(35\% \times \text{Base Monthly Lease Rate}) \times \% \text{ change in CPI}] + \text{Base Monthly Lease Rate} = \text{Adjusted Monthly Lease Rate}.$

If the index is discontinued or revised during the term of the lease, such other governmental indices or computations with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the index had not been discontinued or revised.

Retroactive adjustments will not be allowed.

7. Recognize the Lessee address is changed to read: 550 WEST 7<sup>TH</sup> AVENUE, SUITE 1960. The remainder of the address is unchanged.


All other terms and conditions of the lease remain the same.

**Lessor: HAINES BOROUGH**

By: \_\_\_\_\_  
Dave Sosa  
City Manager

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

**Lessee: STATE OF ALASKA**

By: \_\_\_\_\_  
Shawn Gallagher   
Contracting Officer

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

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OFFICIAL STATE BUSINESS -- NO RECORDATION CHARGE

After Recordation, Return Document To:

State Of Alaska - Department Of Administration  
Division Of General Services  
Leasing Section  
550 West 7<sup>th</sup> Avenue, Suite 1970  
Anchorage, AK 99501-3558

LEASE NO. 2559

Amendment No. 12

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Initials \_\_\_\_\_ Initials \_\_\_\_\_

**ACKNOWLEDGMENT BY LESSOR: Haines Borough  
STATE OF ALASKA  
HAINES BOROUGH**

This is to certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 before me a Notary Public in and for the State of Alaska duly commissioned and sworn personally appeared **Dave Sosa** to me known and known by me to be the person(s) described in and who executed the instruments set forth above and severally stated to me under oath that he is **City Manager** and that he has been authorized by **The Haines Borough** to execute the foregoing lease amendment for and on behalf of the said company, corporation, individual, or other entity and they executed same freely and voluntarily as a free act and deed of **Same**.

**WITNESS** my hand and official seal the day and year this certificate first above written.

\_\_\_\_\_  
Notary Public for Alaska  
My Commission Expires: \_\_\_\_\_  
Residing at: \_\_\_\_\_

**ACKNOWLEDGMENT BY LESSEE: STATE OF ALASKA  
STATE OF ALASKA  
CITY OF ANCHORAGE**

This is to certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 before me a Notary Public in and for the State of Alaska duly commissioned and sworn, personally appeared **Shawn Gallagher, Contracting Officer**, to me known and known by me to be the person described in the executed instruments set forth above as an agent of the Division of General Services of the State of Alaska and that this person has been authorized by the State of Alaska to execute the foregoing lease amendment on behalf of said State of Alaska and that this person executed the same freely and voluntarily as the free act and deed of the State of Alaska.

**WITNESS** my hand and official seal the day and year this certificate first above written.

\_\_\_\_\_  
Brian Blessington  
Notary Public for Alaska  
My Commission Expires with Office  
Residing at: Anchorage, Alaska

OFFICIAL STATE BUSINESS -- NO RECORDATION CHARGE

After Recordation, Return Document To:

State Of Alaska - Department Of Administration  
Division Of General Services  
Leasing Section  
550 West 7<sup>th</sup> Avenue, Suite 1970  
Anchorage, AK 99501-3558

LEASE NO. **2559**

Amendment No. **12**

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Initials \_\_\_\_\_ Initials \_\_\_\_\_





# MANAGER'S REPORT

DATE: February, 24 2015  
 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:**

FY 2016 Budget Preparation: I issued updated guidance on budget preparation to the staff and shared this with the Chairs for all Boards and Commissions. Additionally, I sent a copy to a number of community groups to see if they have questions or are interested in having myself or staff members at their meetings to review the current situation. Upcoming items on the Budget preparation timeline:

### **FY16 Budget Administrative Preparation Timeline**

8-Jan Budget Kickoff Staff Meeting	Manager/CFO
9-Jan Budget letters to RMSA & FD#3 Boards	CFO
2/2/2015 Manager/CFO Meet with School Superintendent	Manager/CFO/Superintendent
13-Feb Technology Request Forms Due	Department Directors
13-Feb Capital Improvement Project Request Forms Due	Department Directors
2-Mar Department & Museum Budgets Due	Department Directors
2-Mar Real Property Assessed Values Due from Assessment	Assessor
2-Mar Draft Technology Budget due from Warren	System Administrator
March 1-20 Staff Review and Input	Manager, CFO & Department Directors
13-Mar RMSA & FD#3 Budgets Due	Boards
16-Mar Manager Review Draft CIP with Facilities Director	Manager/Facility Director/CFO
23-Mar CIP Budget Finalized	Facility Director
25-Mar Manager Final Review	Manager/CFO
27-Mar Manager Transmittal Letter	Manager
27-Mar Mayor's Review of Manager's Budget	Manager/Mayor/CFO
<b>1-Apr Manager's Budget Due to Assembly</b>	Manager/CFO
April 1 - June 15 Assembly/Public Review and Input	Assembly/Public/Staff
9-Apr Budget Summary published in paper per Charter	CFO/Clerk
28-Apr Budget Introduction	Assembly/Mayor/Manager/Clerk/CFO
1-May School Budget Due to HB	HBSD
12-May 1st Public Hearing	Assembly/Mayor/Manager/Clerk/CFO
26-May 2nd Public Hearing (may adopt)	Assembly/Mayor/Manager/Clerk/CFO
1-Jun Deadline by which budget 2 PH must have taken place per Charter	
9-Jun ADOPT (with 3rd PH)	Assembly/Mayor/Manager/Clerk/CFO
<b>15-Jun Deadline by which budget must be adopted per Charter</b>	
1-Jul New Fiscal Year Begins	

Political Campaign Signs: There has been a very good response to the notices sent out by planning department and I would like to thank the 15 of the 18 property owners notified who have assisted us by addressing our concerns. We greatly appreciate their efforts to come in compliance with code and recognize that, for some, this meant removing something that helped others know where their property was located. We hope that new marking devices are posted that better convey the importance of these locations and better reflect the property owners. We will send out updated notices to those still needing a reminder.

Community Purpose Exemption: This week's agenda includes an Ordinance to update how the Borough addresses Community Purpose Exemptions. I sent out the DRAFT ordinance and a DRAFT Policy to those community groups impacted by the ordinance and policy and representatives of several organizations were on hand during the Finance Committee meeting of Monday 19 January. The Committee had several questions so I met again with representatives of community organizations on Wed, 21 January and discussed additional revisions to the policy. For clarity the Assembly votes on the ordinance which contains a provision for the administration to develop a policy. The Administration published a policy but there is no requirement for Assembly action with respect to the policy. The key changes incorporated in the policy relate to the following:

- Assessor review of the IRS 990
- Language that addresses concerns with respect to operating reserves, monies reserved for Capital Projects, and depreciation
- Ensuring that groups that had exemptions for tax year 2013 retain the for tax year 2014. This ensures that groups have time to come in compliance.

Noise Study and associated Resolution: This week's Agenda features a Budget Amendment which includes funding for a Noise Study. There is also a Resolution to contract with a firm to conduct the noise study. The Budget amendment provides the funds while the resolution authorizes the manager to enter into a contract. The Resolution is required as the amount for the Noise Study exceeds the Manager's spending authorization.

Secure Rural Schools/Timber Receipts: I incorrectly reported information on Secure Rural Schools (SRS) funding in an earlier update to the Assembly. The message I received seemed to suggest that we had a reduction in SRS funding and that the funding was tied to FY 16. The correct information is that SRS was not funded by the Federal Government for FY 15 and that as a result the Borough will receive \$51,686 in Timber Receipts for FY 15. This is approximately \$100,000 less than the SRS funding that would have been received. The implication for FY 16 is that we will likely not receive SRS monies again and will instead receive Timber Receipts. For planning purposes the amount is likely to be similar to FY 15.

Harbormaster Hiring: The Borough will be advertising for the Harbormaster position shortly.

Marijuana Policy: I met with our attorney and have received input for personnel policies associated with the Drug Free Workplace Act, Driving Policies, an updated Marijuana and Borough Drug Policies Memo, and reviewed Personnel Policy contained in Code for recommended changes to conform with the new State Law. For simplicity, use of Marijuana in the work place and during work hours and being under the influence in the

work place and during work hours will be treated similarly to use and being under the influence of Alcohol.

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

#### Vocational Education Building Renovation

Design is on schedule and construction will begin at the end of the school season.

#### Public Safety Building EOC

The Emergency Operations Center cabinetry has been installed. Installation of the countertops and equipment will take place in March. This area is in the Fire/EMS training area on the second floor.

#### Facility Management Program

Work orders for facilities maintenance are now being submitted online. Two staff persons from each Borough facility have access to submit work orders and are informed as to the status of the request. The school also has the ability to submit work orders. There are currently over 200 work orders in various stages of routing and completion.

#### School Roof Project

Bid ready documents are being prepared for roof repair work to take place in the spring/summer of 2015. The areas to be repaired were outlined in a 2013 roof assessment performed by JYL Architects out of Juneau.

#### Sledding Hill

The project is underway and expected to be used as intended in the winter of 2016.

#### Hazard Mitigation Plan

Work on review and editing the original document is underway.

#### Allen Road Waterline Replacement

This job is expected to go out to bid on February 26. Bids will be opened in early March. Completion of the waterline replacement is scheduled to be July 15, 2016. There will be a separate contract issued with AKDOT to re-surface the road.

#### Piedad Water Transmission Line Replacement

Staff is working with DEC to acquire a Drinking Water Loan in addition to the re-appropriation of past grant funds to make substantial improvements to the Piedad Springs water source. The scope of work will include source improvements, transmission line replacement, new filtrations system and a small storage tank for contact time.

#### South Portage Cove Harbor Expansion

The project design is on schedule. Staff have submitted board/committee questions and comments to the engineer to be addressed in the expected 65% plan set.

**Finance:** NSTR

**Lands & Planning:** NSTR

**Library:** NSTR

**Museum:** NSTR

**Ports & Harbor:**

- PND submitting harbor expansion federal permit applications for manager signature week of 23Feb15.
- Finalizing FY '16 budget.
- Reviewing harbor customers to ensure all billing is current.
- Starting pre-season work on PC dock while weather supports activities.

**Public Safety:**

**Department of Community and Economic Development**

February 10: Marine Industry Teleconference: Leslie Ross and Bill Mandeville participated in this teleconference hosted by the JEDC. Key topic was the *Alaska Maritime Industrial Support Sector* report published by McDowell Group in September 2014. Southeast Alaska is at the top of the list with total number of vessels that use SE Alaska ports as their homeport. In addition, over 800 businesses provide various types of marine services. The report provides some specific information about the Haines ports.

February 10: Lutak Dock Working Group: Bill Mandeville provided the first of three white paper reports for the working group. The report focused on direction and importance of market studies. The Working Group will review and discuss the report at their next meeting.

February 13: Capital Facilities Plan: CED and Public Works met to discuss the Borough's "Capital Facilities Plan". The purpose of the meeting was to get the CED Director more familiar with the existing list of projects.

**Tourism:**

Freeride World Tour: Looking at hosting 150+ visitors to Haines. Athletes and other participants will begin arriving March 9<sup>th</sup>. Opening dinner March 12<sup>th</sup> and Award Banquet on March 14<sup>th</sup>. Planned events include a reception at the Museum.

Nordic Skiing: Working closely with the Ski and Trail Club to organize the Memorial Ski Race on March 7<sup>th</sup>. The Club recently ordered \$8000 of new grooming equipment that will make future trail grooming easier and greatly improved. Tourism's is looking at this event as a future opportunity to make Nordic Skiing a big part of the Winter Tourism Plan.

Winter Economy Survey with McDowell Group: Has been re-submitted for clarification and expansion on some areas reported. We hope to have the final draft in the next few weeks.

**Community Youth Development:**

Jan 30 – Feb 2 BB Tournament: CYD hosted a basketball tournament. Teams from Whitehouse, Skagway and Juneau were invited; however, Whitehouse cancel due to bad weather. The event was followed by a funding raising dinner which was sold out.

Hoop Time Basketball: CYD continued to get four teams ready for the Mike Jackson Memorial Hoop Time Shootout Tournament scheduled for March 18-21 in Juneau. Haines CYD is sponsoring four teams, two boy and two girl teams. Approximately 38 Haines youth will participate in this tournament.

Upcoming Soccer Season: CYD purchased the soccer goal posts. CYD met with head coaches. They began planning the upcoming soccer season.

## **Swimming Pool:**

Pool Use: The number of visits to the pool during the month of January was the highest in four years. Approximately 1,234 patrons visited the pool in January, 2015, compared to 950 visits during the same time last year.

Haines Dolphins Winter Games: Haines sponsored a swim meet on January 31 and February 1. Approximately 100 swimmers participated on the first day and 81 on the second day.

HBSD Water Safety and Swim Lessons: Lessons began on Tuesday, February 17.

January 2015 Haines Vol. Fire Dept. Monthly Report

The Haines Vol. Fire Dept. had one fire (15 responders/15 hours) callout in January. The call was for a furnace backfire, but was out upon our arrival. Crews stood by to assess the situation. Fire callouts for 2015 total 1. The Haines Vol. Fire Dept. responded to 20 ambulance callouts (63 responders /95 hours) in January. Calls included 2 falls, a respiratory distress, a chest pain, an altered level of consciousness, 2 with headaches, a generalized pain emergency, a cancelled en route, 2 standbys and 8 medivac/transport. Ambulance callouts for 2015 total 20. There were no SAR callouts in January.

The first joint meeting was our annual meeting/dinner. Company officers for 2015 were announced.

	ENGINE	FIRE	AMBULANCE
CAPTAIN	Larry Jurgeleit	Greg Palmieri	Thom Andriesen
1 <sup>ST</sup> LIETENANT	Lyle Huff	Vince Hansen	Julie Anderson
2 <sup>ND</sup> LIEUTENANT	Chris Downer	Roy Josephson	Darwin Feakes
3 <sup>RD</sup> LIEUTENANT	James Sage	Brian Clay	Penny Fossman

The three leading EMS volunteers to calls in 2014 (Meghan Elliott, Cindy Jones & Thom Andriesen) were awarded plaques. Thanks to Darwin Feakes for making that happen. We welcome new members Dwight Downer, Dru Neason and Matt Boron. Many other yearly statistics were displayed along with a picture slide show. A great meal of prime rib, shrimp, salad, twice baked potatoes, vegetable, rolls and brownies were served up by chefs Dick Haas & Chip Strong. The EMS training meeting (15 volunteers, 2h) started with an introduction of the new SEARHC Clinic administrator Mary Crann. The training focused on cardiac emergencies with practical training on High Performance CPR and a generalized chest pain call. The fire training (25 volunteers, 2.5h) was on bunker gear buddy checks, forward lay scenario using a tanker, positive pressure ventilation, scene lighting and that was followed by a Scene Sizeup presentation by Fire Captain Greg Palmieri. There was a great turnout for fire responders.

We have had a renewed interest in volunteering for the Fire and Engine Company. There are 4 applications currently pending approval. Many volunteers have come in for extra training sessions, thanks to all and your interest. Yearly 2014 call responses and meeting attendance charts for each individual are posted so you can see how many of each you have done. Lets have another safe and energetic new year, thanks to all.

Volunteer Hours for January 2015

HVFD Fire 137

HVFD Ambulance 175

SAR

Total Volunteer Hours HVFD for 2015 312 Hours

Respectfully Submitted,

AL Badgley HVFD Training Officer



**Haines Borough  
Planning Commission Meeting  
January 15, 2015  
MINUTES**

**Approved**

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Goldberg** called the meeting to order at 6:30 p.m. in Assembly Chambers and led the pledge to the flag.
2. **ROLL CALL** – **Present:** Chairman Rob **Goldberg**, Commissioners Lee **Heinmiller**, Robert **Venables**, Heather **Lende**, and Don **Turner III**.  
  
**Staff Present:** David **Sosa**/Manager, Tracy **Cui**/Planning & Zoning Technician III, and Carlos **Jimenez**/Public Facilities Director.  
  
**Also Present:** Mike **Case** (Assembly liaison), Joan **Snyder**, Diana **Lapham**, Lea **Harris**, Deb **Stanford**, Jim **Stanford**, Mike **Denker**, Zach **Jacobson**, Letitia **Hallett**, Chuck **Mitman**, Dana **Hallett**, Marianne **Rasmussen**, Greg **Rasmussen**, Aimee **Jacobson**, Becky **Hill**, Derek **Poinsette**, Dawn **Drotos**, Ray **Staska**, Christine **Nagy**, Randy **Konrad**, Carolyn **Weishahn**, etc.
3. **APPROVAL OF AGENDA**  
**Motion:** **Venables** moved to “approve the agenda with removing Item 10D2.” **Turner** seconded it. The motion carried unanimously.
4. **APPROVAL OF MINUTES** – December 18, 2014 Regular Meeting Minutes  
**Motion:** **Turner** moved to “approve the December 18, 2014 regular meeting minutes.” **Heinmiller** seconded it. The motion carried unanimously.
5. **PUBLIC COMMENTS**  
**Snyder** expressed her concerns about the heavy equipment staging yard across from her residence on Mission Street. She said this is zoned commercial, and she felt this is an industrial activity. **Goldberg** said the commission will discuss with staff, and explore solutions.
6. **CHAIRMAN’S REPORT** – None
7. **STAFF REPORTS**
  - A. **Planning & Zoning Staff Report**  
**Cui** reported monthly updates on projects.  
  
**Cui** brought zoning maps to the commission to verify the zoning classification for Roger Schnabel’s property is revised correctly. The commission decided to verify it when Schnabel applies for amending his resource extraction conditional use permit.  
  
**Cui** provided the commission with a summary of the discussion that evaluates the Borough-owned properties’ suitability for future residential development. The commission decided to discuss it at the next regular meeting.
8. **PUBLIC HEARINGS** – None
9. **UNFINISHED BUSINESS** – None



## 10. NEW BUSINESS

- A. **Historic District/Building Review** – None
- B. **Haines Borough Code Amendments** – None
- C. **Project Updates** – None
- D. **Other New Business**

### 1. **Classification of Mosquito Lake School Property for Sale**

**Stanford, Mitman, Zach Jacobson, Denker, Dana Hallett, Marianne Rasmussen, Weishahn, Harris,** and others spoke against classifying the Borough-owned Mosquito Lake School for sale.

**Sosa** said student enrollment dropped below 10, resulting in the School District shutting down when funding was not received from the state, and there was no viable plan to keep the facility open. He explained that classifying the building for sale does not mean it will be sold. Selling Borough-owned properties requires a long public process.

Many residents said they just need more time to come up with a viable plan. They felt the Borough was moving too quickly toward the possibility of selling.

**Sosa** withdrew his request for the commission to recommend classifying the Mosquito Lake School property for sale, subject to a review in six months.

All of the commissioners spoke in favor of the Borough retaining ownership of the school. The commission agreed this needs a long-term solution to keep the facility open.

### 3. **Planning Commission Seat C and G Appointments**

**Sundberg** withdrew his request at the meeting.

**Goldberg** said both candidates are highly qualified.

**Lende** said **Josephson** has an extensive background in construction, finance, and business management; Miller, as a civil engineer, will bring considerable engineering knowledge to the commission.

**Motion:** **Lende** moved to “recommend for the mayor to appointment Brenda Josephson and Rob Miller to serve on the Planning Commission.” **Heinmiller** seconded it. The motion passed unanimously.

## 11. COMMISSION COMMENTS

Regarding J. **Snyder**’s complaint, the commission directed **Cui** to inform Ms. Snyder that the proposed use as a heavy equipment staging area is an allowable activity in the commercial zone. Suggestions were made to mitigate the negative impacts.

All commissioners spoke in favor of hard-copy meeting packets, instead of e-packets.

## 12. CORRESPONDENCE - None

13. SET MEETING DATES – The next regular Planning Commission meeting was scheduled for 6:30 p.m. on Thursday, February 12, 2015.

14. ADJOURNMENT– 8:07 p.m.



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 15-548  
Assembly Meeting Date: 2/24/15

Business Item Description:	Attachments:
Subject: Property Foreclosures for 2011-2012	1. Resolution 15-02-613 2. 2011-2012 Real Property Foreclosure List, as 2/20/15
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 2/9/15	

**Full Title/Motion:**  
Motion: Adopt Resolution 15-02-613.

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

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	TBD

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

**Summary Statement:**  
This authorizes the filing of a lawsuit for real property foreclosures for the years 2011-2012. Borough Administration is following the procedural requirements outlined in HBC 3.74 and AS 29.45.330. This is the beginning of a lengthy process that includes many opportunities for payment of delinquent taxes prior to properties being deeded to the borough. The goal is to keep properties on the tax roll wherever possible. This resolution is a necessary step to keep moving forward in the collection process.

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

**Assembly Action:**  
Meeting Date(s): 2/24/15 Public Hearing Date(s): \_\_\_\_\_  
Postponed to Date: \_\_\_\_\_

**A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY AUTHORIZING THE FILING OF A LAWSUIT FOR THE FORECLOSURE OF MUNICIPAL REAL PROPERTY TAX LIENS.**

**WHEREAS**, the delinquent real property tax for the years including 2011 through 2012 are presented to the Haines Borough Assembly by the Borough Manager; and

**WHEREAS**, the Alaska Statutes and Haines Borough Ordinances provide that the Borough shall enforce delinquent real property tax liens through *in rem* foreclosure proceeding against all real property for which property tax has not been paid in full; and

**WHEREAS**, the Borough has prepared a foreclosure list identifying properties for which the tax has not been paid in accordance with AS 29.45.330,

**NOW, THEREFORE, BE IT RESOLVED** by the Haines Borough Assembly:

Section 1. The Borough Clerk is directed to certify and publish the foreclosure list and provide notice of the commencement of the foreclosure action in accordance with AS 29.45.330; and

Section 2. The Borough Attorney is authorized to file a foreclosure action against all properties on the foreclosure list and to take all other steps as may be necessary and desirable to bring that case to judgment and to obtain tax deeds and/or obtain payment for the taxes, interest, penalty, and costs of foreclosure.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Janice Hill, Mayor

Attest:

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



# HAINES BOROUGH

## 2011-2012 REAL PROPERTY FORECLOSURE LIST

OWNERS NAME	TAX ID NO	LEGAL DESCRIPTION	2011 TAX	2012 TAX	TOTAL TAX DUE	PENALTY/COST /INTEREST	RECORDING DISTRICT
BECK, JEANNE	3-NCS-00-0800	NORTH CHILKAT SUB., LOT 8	-0-	617.06	617.06	See Note Below	HAINES
BUSBY, PHILIP J.	C-MEA-01-2000	LOT 20, MEADOWLAND SUB. #1	-0-	403.98	403.98	See Note Below	HAINES
BUSBY, PHILIP J.	C-YNG-05-0600	YOUNG SUB., LOT 6, BLOCK 5	-0-	280.54	280.54	See Note Below	HAINES
BUTTON, DAVID/JANE	C-ALL-04-1000	ALLEN SUB., LOTS 9-11, BLK. 4	142.59	1164.24	1306.83	See Note Below	HAINES
DOBROVOLNY, JANET	B-MCP-00-1501	US MINERAL SURVEY 1564, NUGGET BAR PLACER MINING	-0-	496.25	496.25	See Note Below	HAINES
GANN, SUSAN R.	3-HHY-33-0620	T28S, R54E, SEC. 23, LOT 20-PART	615.56	1267.63	1883.19	See Note Below	HAINES
JACKSON, RANDALL	C-PTC-0Q-0100	PORT CHILKOOT SUB.,BLK.Q, LOT1	-0-	1101.87	1101.87	See Note Below	HAINES
LA BROSSE, MICHELLE	C-GNG-00-02A2	LOT 2A2, PUCKETT SUBDIVISION	1781.33	1706.98	3488.31	See Note Below	HAINES
LA BROSSE, MICHELLE	4-RBA-03-1100	RAINBOW ACRES III, LOT 11	-0-	2078.35	2078.35	See Note Below	HAINES
LA BROSSE, MICHELLE	4-RBA-03-1200	RAINBOW ACRES III, LOT 12	-0-	192.50	192.50	See Note Below	HAINES
LIEN, BRAD	B-EXS-0B-0900	LOT 9, BLK B, #8534 HOMESITE, EXCURSION INLET S., AS 81-90	-0-	611.16	611.16	See Note Below	JUNEAU
LOCKHART, ADAM L.	C-STR-02-4500	LOT 4, BENGIE SUBDIVISION	-0-	1068.21	1068.21	See Note Below	HAINES
MARCH, RAY	B-CKA-0B-3500	LOT 35, BLK B, CHILKAT ACRES, USS 1390	7.28	7.48	14.76	See Note Below	HAINES
MARCH ESTATE, PAYTON	B-CKA-0B-3600	LOTS 36 & 37, BLK B, CHILKAT ACRES, USS 1390	14.64	15.03	29.67	See Note Below	HAINES
MARQUARDT, GERALDINE	3-STB-00-0100	LOT 1-STARBURST SUB., P. SEC. 26	292.02	300.68	592.70	See Note Below	HAINES
MARQUARDT, GERALDINE	3-HHY-26-1010	T28S, R55E, SEC. 26, LOT 14-PART	-0-	1331.08	1331.08	See Note Below	HAINES
MATTHEWS, CLIFFORD HAL	3-HHY-31-0320	T28S, R54E, SEC. 24, LOT 1-PART	-0-	220.75	220.75	See Note Below	HAINES
MAXWELL, DAVID F.	3-STV-00-1000	STEVENS SUBDIVISION, LOT 10	-0-	985.31	985.31	See Note Below	HAINES
MEYERS ESTATE, DOROTHY	C-ALL-04-0100	ALLEN SUB., BLOCK 4, LOT 1	1263.37	1210.64	2474.01	See Note Below	HAINES
MOSELEY, ANNA	C-MEA-01-0100	LOTS 1 & 2, MEADOWLAND SUB.	819.73	785.51	1605.24	See Note Below	HAINES
O'DONNELL, TIMOTHY	B-EXN-12-0200	LOT 2, BLK 2, AS 81-66, EXCURSION INLET NORTH SUB	505.24	518.84	1024.08	See Note Below	JUNEAU
PARDEE, CHARLES W.	B-CKO-34-0100	USS 9131 & 8504, 15 MILE HAINES HWY., PORTION SEC 34, T28S, R57E	778.89	799.85	1578.74	See Note Below	HAINES

SOTO, RITA	4-CVS-00-00C0	PARCEL C, VIKING COVE SUB., PLAT 2005-6	-0-	1057.43	1057.43	See Note Below	HAINES
WARD JR., CONNIE/TOM	C-PTC-01-0200	PORT CHILKOOT SUB, BLK 1 LOT 2	12.22	490.84	503.06	See Note Below	HAINES
WILLIAMS, MARK/COLLEEN	C-PTC-0R-0900	PORT CHILKOOT SUB, BLK R LOT 9	401.65	979.95	1381.60	See Note Below	HAINES

**NOTE:** Plus ten percent (10%) **PENALTY, COSTS** (including but not limited to court, publication, & attorney fees), & **INTEREST** at twelve percent (12%) per annum from date due until date paid. For more information call the Borough office at (907) 766-2231 ext. 22.

**This list is available for public inspection at the office of the Borough Clerk at 103 3<sup>RD</sup> Avenue, Haines AK. A petition for JUDGMENT and DECREE OF FORECLOSURE will be filed with the SUPERIOR COURT in Juneau, Alaska.**

Julie Cozzi, MMC  
Borough Clerk



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 15-547

Assembly Meeting Date: 2/24/15

Business Item Description:	Attachments:
Subject: FY16 Unincorporated Community Revenue Sharing	1. Resolution 15-02-614 2. Eligibility Requirements 3. State Letter with Funding Outlook
Originator: Chief Fiscal Officer	
Originating Department: Finance	
Date Submitted: 2/9/15	

**Full Title/Motion:**  
Motion: Adopt Resolution 15-02-614.

**Administrative Recommendation:**  
This resolution is recommended by the Chief Fiscal Officer.

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	See Attached

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives: Objective 2C, Page 57	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
------------------------------------------------------	---------------------------------------------------------------------------------

**Summary Statement:**

AS 29.60.865 and 3 AAC 180.070 require the assembly of a borough or unified municipality to adopt a resolution identifying those unincorporated communities located within their municipal boundaries that the assembly determines meet the Community Revenue Sharing Program eligibility criteria established under AS 29.60.865, AS 29.60.879, and 3 AAC 180.110. Those eligibility requirements are attached to this agenda bill. The unincorporated communities have an incorporated nonprofit entity that will agree to receive and spend the Community Revenue Sharing payment for the public benefit of the unincorporated communities. This resolution certifies that the following unincorporated communities and their respective incorporated nonprofit entity are eligible for funding under the FY16 Community Revenue Sharing Program: Haines Townsite (Haines Volunteer Fire Department) and Klehini Valley (Klehini Valley Volunteer Fire Department).

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 2/24/15	Public Hearing Date(s):
	Postponed to Date:

**A Resolution of the Haines Borough Assembly approving certain unincorporated communities and their respective nonprofit entity for participation in the FY16 Community Revenue Sharing Program.**

**WHEREAS**, AS 29.60.865 and 3 AAC 180.070 require the assembly of a borough or unified municipality to adopt a resolution identifying those unincorporated communities located within their municipal boundaries that the assembly determines meet the Community Revenue Sharing Program eligibility criteria established under AS 29.60.865, AS 29.60.879, and 3 AAC 180.110; and

**WHEREAS**, the unincorporated community has an incorporated nonprofit entity that will agree to receive and spend the Community Revenue Sharing payment for the public benefit of the unincorporated community; and

**WHEREAS**, the unincorporated community has 25 or more residents residing as a social unit; and

**WHEREAS**, the incorporated nonprofit entity will receive and spend the Community Revenue Sharing payment for operating or capital expenditures directly related to the provision of one or more of the services listed below; and

**WHEREAS**, at least three of the following services: fire protection, emergency medical, water and sewer, solid waste management, public road or ice road maintenance, public health, and search and rescue are generally available to all residents of the unincorporated community and each of the three services, in any combination, are provided by one or more qualifying incorporated nonprofit entity or are substantially paid for by the residents of the unincorporated community through taxes, charges, or assessments levied or authorized by the borough or unified municipality,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly hereby certifies that the following unincorporated communities and their respective incorporated nonprofit entity are eligible for funding under the FY16 Community Revenue Sharing Program:

Unincorporated Community  
HAINES TOWNSITE  
KLEHINI VALLEY

Native Village Council or Nonprofit Entity  
HAINES VOLUNTEER FIRE DEPARTMENT  
KLEHINI VALLEY VOLUNTEER FIRE DEPARTMENT

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Janice Hill, Borough Mayor

Attest:

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



# Eligibility Requirements for Unincorporated Communities Located Within Boroughs and Unified Municipalities

Alaska Statutes AS 29.60.865 – .879, and

Alaska Administrative Code 3 AAC 180.070

## Sec. 29.60.865. Eligibility requirements for reserves and communities.

(a) The department, with advice from the Department of Law, shall determine whether there is in each community or reserve an incorporated nonprofit entity or a Native village council that will agree to receive and spend the community revenue sharing payment. If there is more than one qualified entity in a reserve or community in the unorganized borough, the department shall pay the money to the entity that the department finds most qualified to receive and spend the money on behalf of the reserve or community. The department may not make a community revenue sharing payment to a Native village council unless the council waives immunity from suit for claims arising out of activities of the council related to the payment. A waiver of immunity from suit under this section must be on a form provided by the Department of Law. If there is no qualified incorporated nonprofit entity or Native village council in a reserve or community that is willing to receive the community revenue sharing payment and use the payment on behalf of that reserve or community, the payment for that reserve or community may not be paid. Neither this section nor any action taken under it enlarges or diminishes the governmental authority or jurisdiction of a Native village council.

(b) The department may make a community revenue sharing payment on behalf of a community in a borough or unified municipality only to the municipality for payment by the municipality to an incorporated nonprofit entity or Native village council that has been approved by the assembly and meets the requirements of (a) of this section. The department shall have written evidence of the assembly approval. If there is more than one qualified entity in a community in a borough or unified municipality, one of the entities may receive the entire payment, or the payment may be shared between two or more of the qualified entities, as determined by the assembly.

(c) A community in a borough or unified municipality is eligible for a community revenue sharing payment only if at least three of the following services are generally available to all residents of the community and each of the three services, in any combination, are provided by one or more qualifying incorporated nonprofit entities or a Native village council or are substantially paid for by the residents of the community through taxes, charges, or assessments levied or authorized by the borough or unified municipality:

- (1) fire protection;
- (2) emergency medical;
- (3) water and sewer;
- (4) solid waste management;
- (5) public road or ice road maintenance;
- (6) public health;

(7) search and rescue.

**Sec. 29.60.879. Definitions.**

(1) "community" means a place in the unorganized borough, in a borough, or in a unified municipality that is not incorporated as a municipality, that is not a reserve, and in which 25 or more individuals reside as a social unit;

**3 AAC 180.070. Standards for payment on behalf of communities located within boroughs and unified municipalities**

A borough or unified municipality shall submit to the division a resolution adopted by the assembly that clearly identifies

(1) the communities it has determined meet the eligibility criteria under AS 29.60.865, 29.60.879, and 3 AAC 180.110; and

(2) the Native village council or incorporated nonprofit entity located within each community listed under (1) of this section that it has approved as the recipient of the community revenue sharing payment.



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

P.O. Box 110809  
Juneau, Alaska 99811-0809  
Main: 907.465.4733  
Programs fax: 907.465.4761

January 15, 2015

Dear Municipal Official:

The Division of Community and Regional Affairs (DCRA) is pleased to provide you with the attached FY 16 Community Revenue Sharing Program application. **To participate in the FY 16 Community Revenue Sharing Program, this application must be completed and returned to the Department, postmarked no later than June 1, 2015.**

The application consists of three pages. Page one, or the cover sheet, provides several questions that must be answered in order to determine whether the borough meets the minimum qualifications for funding as required by law. Page one also provides a "certification and assurances" statement that must be signed by the mayor, manager or administrator of the borough. Page two is a FY 16 Community Revenue Sharing Program proposed budget form. The budget form, which provides an estimate of the borough's FY 16 Community Revenue Sharing payment, must be completed and returned with the application cover sheet. Page three is a sample resolution for use by the borough assembly to identify to the DCRA the unincorporated communities located within the borough it determines to be eligible for funding under the FY 16 Community Revenue Sharing Program. We have attached the pertinent statutes and regulations to assist the borough in making its eligibility determinations.

**In addition to the completed application, each borough must submit to the DCRA a copy of its approved FY 16 borough budget (2015 budget for boroughs operating on a calendar fiscal year) and FY 14 audit. Note: The budget and audit are not due by the June 1, 2015, application deadline. They may be submitted at a later date.**

Please be aware that funding for the Community Revenue Sharing Program may decline substantially in future years if the Legislature decides not to appropriate additional monies into the Community Revenue Sharing Fund. For example, with no further appropriation, payments will decline by over 33% in FY17, 55% in FY18, and no funding will be available for distribution in FY19.

Should you have any questions regarding the FY16 Community Revenue Sharing Program, please contact me at 907-465-4733. The completed FY16 Community Revenue Sharing application, FY16 budget, and FY14 audit should be submitted to:

Division of Community and Regional Affairs  
Attn: Danielle Lindoff  
Community Revenue Sharing Program  
P.O. Box 110809  
Juneau, AK 99811

Sincerely,

A handwritten signature in blue ink that reads "Danielle Lindoff".

Danielle Lindoff  
Acting Program Manager  
Local Government Specialist V



Agenda Bill No.: 15-550

Assembly Meeting Date: 2/24/15

Business Item Description:	Attachments:
Subject: Authorize Noise Study Contract	1. Resolution 15-02-615, draft 2. Mead & Hunt Proposal
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 2/9/15	

Full Title/Motion:
Motion: Adopt Resolution 15-02-615.

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

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ \$41,300 estimate	\$ 0	\$ \$42,000 (see summary)	

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

Summary Statement:
<p>On 3/11/14, the assembly approved a one-year, temporary conditional use permit for a heliport in the area of mile 26 Chilkat Lake Road. On 4/22/14, the assembly directed the manager to solicit proposals for an FAA noise impact study w/background noise contours &amp; on-ground monitoring study of the specific model type aircraft as well as background noise monitoring for comparison. The manager received a proposal estimate of \$41,300 and seeks assembly authorization to enter into a contract. The assembly will consider an amendment to the FY15 budget through Ordinance 14-12-395 to appropriate \$42,000 of the 1% sales tax for economic development and tourism to fund the study.</p>

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

Assembly Action:	
Meeting Date(s): 2/24/15	Public Hearing Date(s):
	Postponed to Date:

**A Resolution of the Haines Borough Assembly authorizing the borough manager to enter into a contract with Mead & Hunt to conduct a noise study for \$41,300.**

**WHEREAS**, on March 11, 2014, the borough assembly approved a one-year, temporary conditional use permit for a heliport at Lot 10, Sundberg Subdivision located at mile 26 Chilkat Lake Road; and

**WHEREAS**, on April 22, 2014, the borough assembly passed a motion directing the borough manager to solicit proposals for an FAA noise impact study w/background noise contours & on-ground monitoring study of the specific model type aircraft as well as background noise monitoring for comparison; and

**WHEREAS**, the borough manager received a proposal from Mead & Hunt to conduct a study for a total fee estimate of \$41,300; and

**WHEREAS**, the scope of work, as presented in the proposal dated January 23, 2015, includes the following four tasks:

- 1) *Noise Monitoring* involving actual readings at up to four sites during actual landings and take-offs,
- 2) *Noise Measurement Analysis* showing the sound in decibels surrounding the landing area and flight paths,
- 3) *Background Noise Study* providing data on existing noise and if/how the proposed use will contribute to the overall noise levels, and
- 4) *Presentation of Results* explaining the process, measurements, analysis, and results; and

**WHEREAS**, the assembly will consider an amendment to the FY15 budget through Ordinance 14-12-395 to appropriate \$42,000 of the 1% sales tax for economic development and tourism to fund the study,

**NOW, THEREFORE, BE IT RESOLVED BY THE HAINES BOROUGH ASSEMBLY:**

Section 1. The borough manager is hereby authorized to contract with Mead & Hunt to conduct a noise study for \$41,300; and

Section 2. Effective Date. On or before the date on which the contract is executed, non-code Ordinance 14-12-395 shall be adopted by the borough assembly appropriating sufficient funds for the contract.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Janice Hill, Mayor

Attest:

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





Mead & Hunt, Inc.  
M & H Architecture, Inc.  
Cherry Street Building  
1616 East 15th Street  
Tulsa, Oklahoma 74120  
918-585-8844  
meadhunt.com

January 23, 2015

Mr. David B. Sosa  
Borough Manager  
PO Box 1209  
Haines Borough, Alaska

Dear David;

We are pleased to present our revised fee estimate to perform the following Scope of Services for the Borough of Haines, based on information provided by the Borough. Please do not hesitate to call with questions.

**Scope:**

*Task 1 – **Noise Monitoring** – This will be the actual readings at specific sites during actual landings and take offs.*

Task 1 involves the Mead & Hunt Team (Consultant) conducting noise monitoring to determine existing ambient noise levels and noise levels during helicopter operations. Noise monitoring would be conducted by one (1) technician for a seven (7) day period, and the project manager will assist with placement of the monitors for two (2) days. Noise monitoring will take place at three (3) permanent locations for the 7 day period and at a fourth (4th) location near the centerline of Chilkat Lake Road that is a non-permanent site.

The Consultant will measure noise during helicopter operations using all of the following parameters in addition to any parameters deemed appropriate by the Consultant:

- A. Measurements shall be taken during actual heliski operations of SEABA flying a *typical* helicopter, other than a Bell 212, fully loaded using flight paths identified in the Permit, weather permitting.
- B. Decibel readings shall be taken from the locations identified on the attached Exhibit A and other locations selected by either the Borough or the Consultant as appropriate locations for sound measurement at takeoff from, landing on and during the approach to and from the heliport.
- C. The Consultant will also measure ambient background noise on the *properties* closest to the Property (*the points on "Exhibit A"*) and on a point on the centerline

of the Chilkat Lake Road which is closest to the heliport site. ***There should be a minimum number of independent samples taken of ambient background noise. Samples should be taken when Big Salmon/ SEABA is not operating, to provide accurate data regarding the potential change in area noise levels.***

D. One-second noise data will be collected in real time and noise metrics will be analyzed during post-processing. The Consultant shall include unweighted "raw" sound levels measured in decibels (dB) and will include "A weighted" (dB(A)) and 1/3 octave sound level measurements at each location from which noise levels are measured and such weightings will be included in a standard sound measurement report. The 1/3 octave measurements will allow additional weighted metrics to be analyzed.

***Task 2 – Noise Measurement Analysis – This will show the sound in decibels surrounding the landing area and flight paths.***

Task 2 involves the generation of metrics to analyze the area with and without helicopter operations. The Consultant will prepare the following metrics: DNL, SEL, LEQ, LMAX, and Time Above. The FAA's Integrated Noise Model Version 7.0d will be used to generate these metric analysis. The number of operations, helicopter type, helipad and flight track use will be provided to the Consultant as well as operational assumptions.

***Task 3 – Background Noise Study – This will provide data on existing noise and if/how the proposed use will contribute to the overall noise levels.***

The results of the Noise Study shall be contained in a written report ("the Report") which shall be regarded as public information and shall be completed no later than May 1, 2015. The report will compare the noise measurement data to Federal Aviation Administration standards including the FAA Integrated Noise Model and the yearly day-night average sound level. Consultant shall also include data on single event sound levels in the report from the analysis in Task 2.

***Task 4 – Presentation of Results – Presentation by the Consultant to Haines Borough explaining the process, measurements, analysis, and results***

Task 4 involves the Consultant creating a presentation for the Haines Borough that details the project, including the methodology, noise measurements, noise metric analysis, results, and answer questions regarding the project. This will be conducted via webcast.

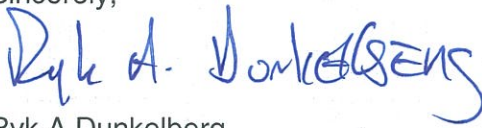


The following is our estimated fee to complete the Scope of Services as outlined above.

**Fee Estimate**

<b>Task 1</b>	<b>\$21,300</b>
<b>Task 2</b>	<b>\$ 8,300</b>
<b>Task 3</b>	<b>\$ 7,500</b>
<b>Task 4</b>	<b>\$ 4,200</b>
<b>Total Fee Estimate</b>	<b>\$41,300</b>

Sincerely,

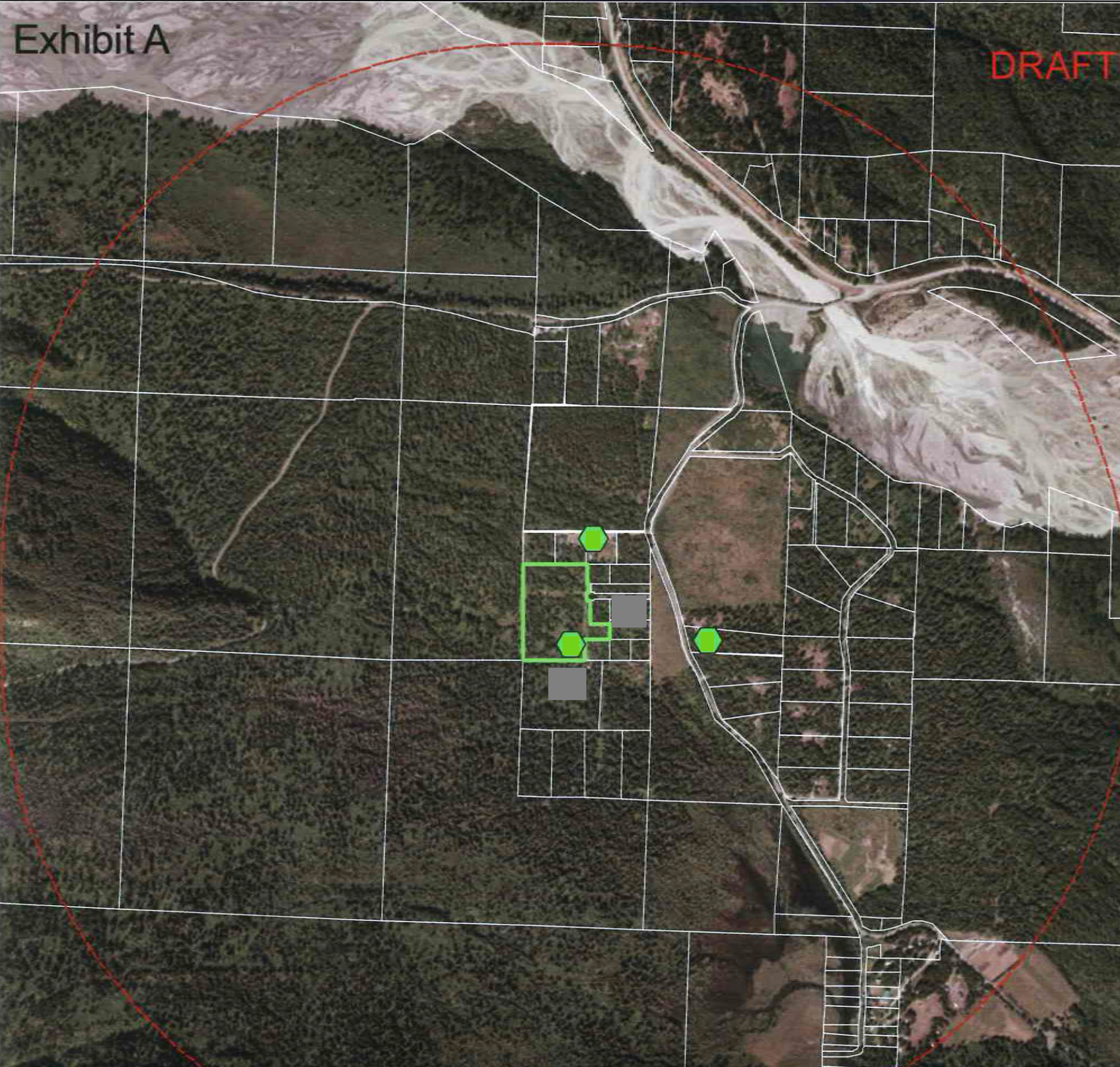
A handwritten signature in blue ink that reads "Ryk A. Dunkelberg". The signature is written in a cursive style with a large, sweeping "R" and "G".

Ryk A Dunkelberg  
Vice President



Exhibit A

DRAFT







**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 15-549  
Assembly Meeting Date: 2/24/15

Business Item Description:	Attachments:
Subject: Community Purpose Exemption Standards & Requirements	1. Ordinance 15-02-401, draft 2. Administrative Policy (to become effective following adoption of the ordinance)
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 2/9/15	

**Full Title/Motion:**  
Motion: Introduce Ordinance 15-02-401 and schedule a first public hearing for 3/10/15.

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

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	TBD; + or - to property tax receipts

**Comprehensive Plan Consistency Review:**

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

Borough code does not currently define "community purpose" or prescribe standards and requirements. This ordinance was drafted by staff in conjunction with the borough attorney and was reviewed by the manager's community purpose working group that included community representation. The proposed ordinance replaces HBC 3.70.040 (D) and replaces the permanent exemptions granted in code with a process for regular review and approval similar to that provided for Senior/Disabled Veterans Property Tax Exemptions. It 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. Additionally, the ordinance makes provision for a companion administrative policy which the manager has drafted to become effective upon adoption of the ordinance. That policy is attached to this agenda bill for information purposes.

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 2/24/15	Public Hearing Date(s):
	Postponed to Date:

**An Ordinance of the Haines Borough amending Haines Borough Code Title 3, Chapter 70, Section 40 to establish a procedure for community purpose exemptions.**

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. Effective Date. This ordinance is effective upon adoption.

Section 3. Amendment of Section 3.70.040 Section 3.70.040 of the Haines Borough Code is hereby amended to read as follows:

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

**3.70.040 Local exemptions and exclusions.**

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.~~

**D. Community purpose exemption. The borough exempts from taxation the real property of an organization not organized for business or profit-making purposes and used exclusively for community purposes, provided that income derived from rental of that property does not exceed the actual cost to the owner of the use by the renter.**

**1. In order to qualify for this exemption:**

**a. The property owner must be a not-for-profit entity having a current 501(c)(3) or 501(c)(4) exemption ruling from the Internal Revenue Service;**

**b. The property must be used exclusively for community purposes; and**

**c. All income derived from rental of the property does not exceed the actual cost to the owner of the use by the renter(s).**

**2. The property may be apportioned, according to physical space, into community-purpose and non-community-purpose space. The smallest practical portion integrally related to the property for the actual and exclusive use as community purposes may be eligible for the exemption.**

**3. In determining whether the property is used exclusively for a community purpose, the borough assessor may consider, but is not limited to considering, the portion of the community that directly benefits from the property's use, the portion of the community that has direct use of the property, any entrance, membership or other fee the organization charges, if the property is actively being used for the activities of the organization as well as the overall benefit to the community the use provides in relation to the loss of revenue resulting from an exemption. The assessor may disregard *de minimus* non-community purpose use. The borough administration may adopt a written policy setting forth additional community purpose standards and requirements, including standards and requirements applicable to housing serving a community purpose.**

**4. "Actual cost to the owner" shall include any costs that, in the reasonable judgment of the borough assessor, the owner incurred that would have been avoided but for the rental. The borough administration may adopt a written policy setting forth specific costs that may and may not be considered.**

**5. 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. 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.**

**6. 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.**

**7. 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, without interest, shall be refunded to the claimant.**

**8. Upon receipt of the completed application, any additional proof required, and affidavit, the borough assessor shall evaluate the request and grant or deny the exemption within 30 borough business days. If denied, the borough assessor shall specify the reasons for the denial.**

**9. A person may appeal the denial of an exemption granted under this subsection either to the board of equalization or to the Superior Court in accordance with HBC 3.72.100 through 3.72.120.**

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.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Janice Hill, Mayor

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

Date Introduced: 02/24/15  
Date of First Public Hearing: \_\_\_/\_\_\_/\_\_\_  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_



Haines Borough  
Administrative Policy

## Community Purpose Exemption Policy

Applicable to: All persons seeking to qualify for exemption of real property taxes under the *community purpose* category, as described in HBC 3.70.040(D). This policy outlines additional standards and requirements:

Effective Date: \_\_\_\_\_ *Note: the manager plans to put this policy into place immediately following the adoption of Ordinance 15-02-401.*

### Documentation Requirements:

- A letter to the Assessor requesting exemption
  - Must provide a description of the use of the property and consistency with the requested exemption
  - Must describe any remuneration received by the applicant organization including;
    - Any property, or portions of the property from which rentals of income are derived
    - Actual operating expenses, excluding debt service or depreciation
- Copy of By-Laws
- Copy of Articles of Incorporation
- Copy of IRS 501(c)(3) or 501(c)(4)
- 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
- Documentation supporting/describing the activities of the organization. For example, brochures, pamphlets and web pages are acceptable forms of documentation.
- 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.

A request for exemption from the property taxes must be received by **March 15** 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; not for profit ownership and exclusive use of the property for an exempt purpose. Typically vacant land is not exempt.

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)

### Policy on Community Purpose Exemption

The Community Purpose 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:

- Properties deemed exempt by Haines Borough for the 2013 tax year will be deemed exempt for the 2014 tax year in order to provide sufficient time for organizations to come into compliance with this policy.



- The applicant must maintain a current 501(c) (3) or 501(c) (4) IRS non-profit classification.
- The organization must provide copies of the previous year and current year IRS 990 for review
- The property use must be directly related to the qualifying community purpose, the property must be used exclusively for the community purpose, and the property must be in active use by the organization offered the exemption
- 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
  - The Assessor will have latitude to exclude from consideration funds set aside for Capital Projects, reasonable amounts set aside as an operating reserve, and costs of depreciation.
  - Property utilized as long-term residential housing only qualifies if the rental of the property provides a clear benefit to the community as a whole and sufficient to address the advantage to the property owner of providing a Borough supported subsidy. The community service provided must be clearly evident and sufficiently compelling to warrant an exemption. Examples of uses outweighing
    - Providing affordable rental housing for the indigent
    - Providing affordable rental housing with access to care for Senior Citizens (age 65 and older)
    - Providing affordable rental housing with access to care for US military Veterans with a service related disability of 50% or higher as determined by the Veteran's Administration
    - Providing affordable rental housing with access to care for members of the community with a long term illness, injury, or disability

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

- Activities which require a membership fee
- Activities which are not open or available to the general public
- Activities where the main community purpose benefit is derived from spectator attendance

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David Sosa  
Borough Manager

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Signature Date



## Memo from the Clerk

Date: February 24, 2015  
To: Mayor and Assembly  
Cc: Borough Manager  
From: Julie Cozzi, MMC, Borough Clerk  
Re: Administrative Appeal of a Supplemental Abatement Order – Paul Nelson

On February 10, 2015, the borough manager issued a supplemental order related to the 2014 nuisance abatement order that had been issued to Paul Nelson. As is his right under HBC 8.12.130, Mr. Nelson submitted a timely appeal of that order. The code is very specific about the process with the first step being simply for the clerk to present the appeal to the assembly and then with the assembly's direction, the clerk is to determine a date, time, and place for the hearing to take place no later than 60 days from the date of the appeal letter.

There is no other action for the assembly to take during the February 24 meeting. This is NOT the hearing. This is NOT the time to hear from the appellant or other interested persons. That opportunity will come during the actual hearing. Therefore, this item is on the consent agenda since it involves only acknowledging receipt of the appeal and directing the clerk to schedule the hearing.

It is my intention to schedule the hearing for March 10, 6:30 p.m., in the borough assembly chambers.

### **HBC 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.

### **Motion needed during 2/24 meeting:**

"Accept the appeal as timely-filed and direct the borough clerk to schedule a date, time, and place for the hearing by the assembly, such date to be no later than April 13, 2015 (60 days from date of appeal)."

Attachments: 1) Nelson Appeal dated February 11, 2015 (sans attachments, at this time)  
2) Borough Manager letter dated February 10, 2015

Paul A. L. Nelson  
P. O. Box 858  
Haines, Alaska 99827  
907-303-0130

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

RECEIVED  
FEB 12 2015  
HAINES BOROUGH

February 12, 2015

Attention: Mayor Hill and Assembly Members

RE: Appeal of fine amount at 78 Skyline Drive.

Dear Mayor Hill and Assembly Members,

I am writing to you to request an appeal of the amount of the fine that I have been assessed by the Haines Borough Planning and Zoning Technician, and the Borough Manager.

Please consider the following facts regarding the amount of the penalty that the Haines Borough Assembly levied against me for the use of recycled glass as fill material:

1. The Haines Borough Assembly, hereafter Assembly, considered the use of recycled glass as fill on my private property at the June 10, 2014, Assembly meeting. The Assembly found that I should not use recycled glass as fill and that I would be fined \$300.00 (three hundred dollars) for littering.

Assemblyman George Campbell asked Manager Sosa what was the maximum amount I could be fined for the use of recycled glass as fill? Manager Sosa stated on the record, the maximum fine was \$300.00 (three hundred dollars).

Also at the June 10, 2014, Assembly meeting, Assemblyman George Campbell asked Manager Sosa what the Manager would do if I did not complete the cleanup and removal of the recycled glass within the time set by the Assembly. Manager Sosa stated on the record that he would hire a contractor to remove the recycled glass.

2. I complied with the Assembly order to cap the recycled glass inside the foundation and removed the recycled glass outside the foundation as quickly as possible. No contractor was hired to remove the recycled glass.
3. On June 25, 2014, I received a letter from the Haines Borough, signed by Tracy Cui (attached) which states, in part;

".....determines that you are in violation of the instructions and should be assessed an additional fine of \$300.00/day, per Haines Borough Code 1.24.010....."

4. The Haines Borough determination (by Tracy Cui) that I should be assessed an additional fine of \$300.00/day per Haines Borough Code 1.24.010 is incorrect, because, Haines Borough Code 1.24.010 states, in part:

".....may be punished by a fine of not more than \$300.00."

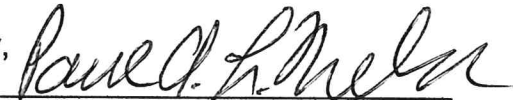
5. I paid the \$300.00 maximum fine on July 30, 2014, with my personal check #1020. (copy attached) The Haines Borough accepted my personal check #1020, clearly marked;

"PAID IN FULL! FINE @ 78 SKYLINE DR."

By accepting and cashing my personal check #1020, the Haines Borough has been paid in full for the June 10, 2014, Assembly determination of a littering violation fine.

Please consider my appeal of the \$1200.00 fine. The \$1200.00 fine is not in compliance with Haines Borough Code and the Haines Borough has accepted payment in full for the correct fine amount.

Sincerely,



Paul A. L. Nelson



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

February 10, 2015

Paul Nelson  
PO Box 858  
Haines, AK 99827

Re: Land Use Permit Application  
C-SKY-0B-1700; Lot 17, Block B, Skyline Subdivision

Dear Mr. Nelson:

I reviewed your letter dated 01/28/2015, involving a penalty fee of \$1,200 and the extension of your land use permit application. I have discussed with staff, and determined to concur with the letter from the Planning and Zoning Technician Tracy Cui dated 01/09/2015, with the following reasons:

- On 06/10/2014 Assembly meeting, the Assembly took actions to modify the nuisance abatement order and they issued to you: (1)The incorrectly processed glass may remain inside the foundation provided it is capped within 10 business days of the hearing date (06/21/2014, midnight); and (2)The fill outside of the foundation must be removed within 10 business days of the hearing date (06/21/2014, midnight); and (3)Pay a fine of \$300 for depositing improper fill onto private property.
- On 06/20/2014, 06/21/2014 and 06/22/2014, the Borough staff inspected your property to insure that progress was being made in meeting the instructions that the Assembly set forth on 06/10/2014. While out doing investigation, staff found you made progress on cleaning the site but did not complete the task in the required time period. There was still broken glass and litter adjacent to the area where dirt/gravel had been laid down. Based on the inspections, the Borough determined that you were in violation of the instructions and should be assessed an additional fine of \$300.00/day, per Haines Borough Code 1.24.010. This fine shall be assessed on a daily basis until such time as the site passes inspection.
- On 06/26/2014, the Public Facilities Director, Carlos Jimenez, inspected your property on Skyline Drive. Mr. Jimenez concluded the areas he had previously expressed concerns about had been addressed and properly cleaned up. Mr. Jimenez did not inspect any areas underground, and no test holes were dug. The Borough at that point was satisfied with the clean-up and approved your capping the material. On 06/27/2014, the Borough ceased the fines for that particular abatement order.

- It was five days after the deadline when you completely finished cleaning the site, so you were being assessed a \$1,500 penalty fee. (\$300/day)
- On 07/29/2014, you submitted a penalty fee of \$300 to the Borough.
- As of today, the remaining balance is \$1,200.

Therefore, please comply with the letter sent to you on 01/09/2015 requiring a penalty fee of \$1,200. Upon the submittal of the payment, the Borough will continue processing your permit application. This is the manager's final decision. You have the right to appeal this decision to the Assembly and, to do so, a written appeal must be submitted to the Borough clerk within 10 days of the date of this letter.

Respectfully,

A handwritten signature in black ink, appearing to read "D. Sosa", written in a cursive style.

David Sosa  
Borough Manager