

Haines Borough
Borough Assembly Meeting #300
September 22, 2015
MINUTES

Approved
with amendments
(see pages 8-10)

- 1. CALL TO ORDER/PLEDGE TO THE FLAG:** Deputy Mayor **LAPHAM** 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** (via telephone), Deputy Mayor Diana **LAPHAM**, and Assembly Members, George **CAMPBELL**, Mike **CASE**, Dave **BERRY, Jr.**, Joanne **WATERMAN**, and Ron **JACKSON**.
Staff Present: David **SOSA**/Borough Manager, Julie **COZZI**/Borough Clerk, Robert **GRIFFITHS**/Interim Chief of Police, and Jila **STUART**/Chief Fiscal Officer.
Visitors Present: Karen **GARCIA**/CVN, Jillian **ROGERS**/KHNS, Kyle **PONSFORD**, Dean **LARI**, Carol **TUYNMAN**, Roy and Brenda **JOSEPHSON**, Margaret **FRIEDENAUER**, Deborah **VOGT**, Paul **NELSON**, Darwin **FEAKES**, Bill **MCCORD**, Jerry **LAPP**, Mike **WARD**, Sue **WATERHOUSE**, Tresham **GREGG**, Dave **KAMMERER**, Mike **DENKER**, Kathy **GRIFFITHS**, Chuck **MITTMAN**, David **BUTTON**, Gene **STRONG**, Bruce **SPENCER**, Debra **SCHNABEL**, Rhys **WILLIAMS**, Penny **FOSSMAN**, Andy **SHAW**, Frank **KUTCH**, Isaac **GRODY-PATINKIN**, and others.
- 3. APPROVAL OF AGENDA & CONSENT AGENDA**
The following Items were on the published consent agenda:

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8C – Accept Chilkat Center Report
- 9A – Accept Planning Commission Minutes
- 11B2 – Introduce Ordinance 15-09-422 & Schedule Public Hearings
- 11C3 – Amend Previously-Adopted Ordinance 15-06-415

Motion: **WATERMAN** moved to “approve the agenda/consent agenda,” and it was amended to remove Item 4 Minutes from the consent agenda. The motion to approve the agenda/consent agenda, as amended, carried unanimously.

4. APPROVAL OF MINUTES – 9/8/15 Regular

Motion: **WATERMAN** moved to “approve the minutes of the 9/8/15 borough assembly regular meeting,” and the motion carried unanimously.

It was noted the recorded vote may be incorrect for the failed motion to hold a third public hearing on the minor offenses ordinance. The clerk will double-check the recording and make any necessary correction. [Follow up note from the clerk: that recorded vote was corrected and that motion on page two of the 9/8/15 minutes now reads “[t]he Motion to hold a third public hearing failed 3-4 with **WATERMAN**, **LAPHAM**, and **JACKSON** opposed and Mayor **HILL** breaking the tie in the negative.]

5. PUBLIC COMMENTS

The following individuals are opposed to adoption of the minor offenses ordinance:

WARD –Increasing size of the government since consolidation has made him rethink his support for consolidation.

WILLIAMS –Reconsideration of the ordinance was confusing.

DENKER –Concerned about public process; delay the vote, because information was not provided from the other groups.

NELSON –Voting to adopt is a violation of the oath of office and is unconstitutional. It is serious to violate the oath of office; there will be prosecution.

B.JOSEPHSON –The ordinance was promoted with many incorrect statements. The silent majority counts on the representatives to do what is in the best interests of the community.

LARI –Reminded the assembly works for the people not the other way around.

VOGT –It is appropriate to classify things as minor offenses and it is an improvement over the current criminal procedures, but this needs to go to a committee and be reviewed. Consider a code revision committee like the state has.

SPENCER –This ordinance is the craziest thing he has seen in this town, and it smacks of Hitler and Naziism to him.

KUTCH –Doesn't understand the need is to adopt this.

STRONG –He fought in the Vietnam War against communism. We don't need a dictatorship. This ordinance is a nuisance and should go on a ballot.

FOSSMAN –Speaking on behalf of the ambulance crew and fire department, her concern is that if fire department members write citations, it will be a conflict.

TUYNMAN –We need to build community trust, promote a sense of responsibility, and foster compliance.

GRODY-PATINKIN –Concerned about how this ordinance has the potential to break trust as opposed to restoring it. We need to come up with something that will satisfy the court's requirements and satisfy the community.

R.JOSEPHSON –Opposed to moving ahead with the Minor Offenses ordinance in its present form. He is surprised by the number of rules on the list that are not enforced. Diplomacy is better for compliance.

BUTTON –Too many ordinances make the good ordinances weak. Please reconsider the arbitrary laws that affect him.

PONSFORD –Appreciates the assembly but dislikes the ordinance. The people of this state do not yield their sovereignty.

FEAKES –Haines is a small community. Please reconsider before voting to adopt this and at least hold another public hearing.

SHAW –This ordinance reminds him of his time studying in East Germany in the 1980s.

WATERHOUSE –Postpone the minor offenses ordinance; we are like the Mayberry of Alaska.

Comments regarding other topics:

STRONG –In favor of the boat harbor expansion. Make sure it is maintained so it doesn't deteriorate like the Lutak Dock.

MITTMAN –Gratitude for the assembly and especially outgoing Joanne Waterman and Dave Berry.

SCHNABEL –Read written comments. Correcting a course of action is important. She believes erroneous decisions were made by the assembly about the harbor expansion project.

NELSON –Supports what **SCHNABEL** said about the harbor. More work is needed.

Mayor **HILL** joined the meeting via telephone at 7:28 p.m.

6. MAYOR'S COMMENTS/REPORT

Mayor **HILL** reported on 1) Southeast Conference in Prince Rupert and said one highlight was Haines being selected as the site for the 2017 Southeast Conference. Additionally, she was elected to the Board of Directors along with Juneau Mayor Merrill Sanford. This week, she is meeting with cruise line companies in Seattle and Miami.

Deputy Mayor **LAPHAM** read aloud the following proclamations:

A. Governor's Proclamation – Honoring First Responders, September 27, 2015

B. Mayoral Proclamation – September, Childhood Cancer Awareness Month

7. PUBLIC HEARINGS

A. Ordinance 15-09-419 – First Hearing

An Ordinance of the Haines Borough amending Title 11, Section 11.28.010 to change the ballot instructions to match the 2014 charter and code amendments that eliminated the requirement to get 40% of the vote in order to be elected.

Deputy Mayor **LAPHAM** opened and closed the public hearing at 7:41 p.m.; there were no public comments.

Note: The assembly already scheduled the second hearing for 10/13/15. No motion was needed now unless the second hearing date needed to change or some other action was desired.

B. Ordinance 15-09-420 – First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.100.025 to allow a nonconforming lot when it is created as a result of the borough acquiring a portion of a lot to be used exclusively for public utility purposes in the best interest of the borough.

Deputy Mayor **LAPHAM** opened and closed the public hearing at 7:44 p.m.; there were no public comments. Dean Lari had signed up but was no longer in attendance.

Note: The assembly already scheduled the second hearing for 10/13/15. No motion was needed now unless the second hearing date needed to change or some other action was desired.

Motion: **CAMPBELL** moved to “ask staff to look into whether this could be changed to allow it for public utility purposes for ANY property whether borough-owned or not,” and the motion carried unanimously.

JACKSON asked for an administrative correction to the way Section 18.100.025(C) in the ordinance is numbered. The lower case “a” and “b” should be “1” and “2”. There was unanimous concurrence, and the clerk agreed to make that change.

8. STAFF/FACILITY REPORTS

A. Borough Manager – 9/22/15 Report

The manager summarized his written report and responded to a few questions from the assembly.

B. Finance Director – FY15 Financial Report - **STUART** reviewed the report and fielded questions.

***C. Chilkat Center** – Facility Management Report of August 2015

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

***A. Planning Commission** – Minutes of 8/13/15

1. Action Request re. Lowering Speed Limit on Mud Bay Road

WATERMAN would like staff and the planning commission liaison to convey to the planning commission the assembly’s discussion, concerns, and the reasons not to support a speed study at this time.

Motion: **JACKSON** moved that “the borough manager talk to local ADOT staff about extending the 25 mph zone on Third Avenue to the top of the hill where Tower Road, Mud Bay Road, and Small Tracts Road intersect,” and the motion carried 5-1 with **CAMPBELL** opposed.

B. Public Safety Commission – Record of Decision from 8/28/15 Special Meeting

C. Assembly Board Liaison Reports

CASE – Planning Commission

LAPHAM – Tourism Advisory Board

D. Assembly Standing Committee Reports

1. Government Affairs & Services Committee (GASC) – Report of 8/31/15 Meeting

BERRY said the GASC met regarding the Minor Offenses ordinance. The report is in the packet and contains the committee’s recommendations.

10. UNFINISHED BUSINESS

A. Ordinance 15-06-413

An Ordinance of the Haines Borough amending various provisions of the Haines Borough Code to designate certain violations of Borough law as minor offenses and to establish a fine schedule for certain offenses and to provide for other penalties for violations.

Note: this ordinance was introduced on 6/9/15 and had hearings on 8/25 and 9/8. Following the second hearing, the assembly deliberated and set a third public hearing for 11/10. After a motion to reconsider passed, a new vote on the motion to hold a third hearing failed. Subsequently, a motion to adopt the ordinance was made and then postponed to this meeting so the public could be adequately informed of this turn of events. This was NOT a public hearing, and a motion was already on the table.

Motion already on the Table: Adopt Ordinance 15-06-413.

Primary Amendment #1: **LAPHAM** moved to "amend Section 3, Effective Date, as follows:

'This ordinance shall become effective January 1, 2016 provided the borough manager develops a policy addressing the Issuance of Citations. Such policy must address who is authorized to issue citations, the specific code titles they are authorized to enforce, and the training required prior to receiving the authorization. Such policy must be approved by the borough assembly via resolution prior to the January 1, 2016 ordinance effective date. Otherwise, this ordinance will not take effect and will become null and void.'", and the motion carried 4-3 with **BERRY**, **JACKSON**, and **CAMPBELL** opposed and Mayor **HILL** breaking the tie in the affirmative.

Motion to Postpone: **CAMPBELL** moved to "postpone the vote to adopt the ordinance to 11/10/15," and the motion **FAILED** 3-4 with **WATERMAN**, **CASE**, and **LAPHAM** opposed and Mayor **HILL** breaking the tie in the negative.

Primary Amendment #2: **CAMPBELL** moved to "change the ordinance to make it so that only a law enforcement officer can write a citation," and the motion **DIED** for lack of a second.

Primary Amendment #3: **CAMPBELL** moved to "amend the ordinance to incorporate the Government Affairs & Services Committee recommendations," and the motion carried 5-1 with **WATERMAN** opposed.

COZZI was asked to read the main motion, as amended by Primary Amendment motions #1 and #3. The assembly proceeded to vote by roll call. The vote on the main motion was 3-2 in a roll call vote with **JACKSON** and **BERRY** opposed and **CAMPBELL** refusing to vote.

LAPHAM called a 10-minute recess to confer with the clerk as the assembly's parliamentarian. The meeting reconvened at approximately 9:30 p.m.:

Motion: **LAPHAM** moved, per HBC 2.10.010(D), to "finish the agenda," and it carried 4-2 with **CASE** and **CAMPBELL** opposed.

LAPHAM read aloud HBC 2.10.190 (C) "[e]ach member who shall be present when a question is put, where the member is not disqualified by personal interest, shall vote, unless the presiding officer for special reason excuses the member. Applications to be so excused must be made before the vote, and shall be decided without debate. The assembly may overrule the presiding officer's decision by majority vote." As presiding officer, she ruled **CAMPBELL** could not abstain from voting and because of his clearly-stated position during debate, his abstention will be considered as a "no" vote. **CAMPBELL** proceeded to debate the ruling, and **COZZI** iterated the presiding officer's ruling shall be without debate. A majority of the assembly may overrule the decision, but debate is not allowed. **COZZI** explained the code is clear that the presiding officer is to rule whether a member may be excused from a vote. The deputy mayor has ruled **CAMPBELL** is not excused, and in light of the fact there is no way to compel him to vote, she must infer from his debate arguments that he is opposed to adoption of the ordinance. **LAPHAM** stated that, additionally, **CAMPBELL** did not make prior application to be excused from voting, as required by code. She will not accept the abstention, and the assembly has an opportunity to overrule her decision. [No such motion was made to overrule.]

CASE called for the orders of the day to move on in the agenda. **COZZI** advised **LAPHAM** that since there was no motion to overrule the decision, the next step was for her to declare the status of the assembly's vote on adoption of the ordinance. **LAPHAM** stated there is currently a tie vote. Mayor **HILL** said Robert's Rules of Order states that generally an abstention is counted with the majority. Code does require a member to vote. Since it is a tie vote, she will need to vote but asked for direction from the presiding officer before doing so. **BERRY** asked what we go by if Robert's Rules is in conflict with code. **COZZI** responded that as explained by Mayor **HILL**, Robert's Rules would have an abstention go along with the majority, and the majority in this situation would be "yes" making it 4-2 in favor. So, it's either that or consider it a "no" vote as ruled by the presiding officer which makes it a 3-3 vote requiring the mayor to break the tie. **BERRY** said his preference is to go with the borough code and have it be considered a tie vote. He would like the mayor to vote. **LAPHAM** agreed and called on Mayor **HILL** to vote.

The mayor voted "yes." Therefore, Ordinance 15-06-413, as amended, was adopted 4-3 with **JACKSON** and **BERRY** opposed, **CAMPBELL** opposed by abstention, and Mayor **HILL** breaking the tie in the affirmative.

11. **NEW BUSINESS**

- A. **Resolutions** - None
- B. **Ordinances for Introduction**

1. **Ordinance 15-09-421**

An Ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY15 budget.

Motion: BERRY moved to "introduce Ordinance 15-09-421 and set a first public hearing for 10/13/15 and a second public hearing for 10/27/15," and the motion carried unanimously.

* 2. **Ordinance 15-09-422**

An Ordinance of the Haines Borough amending the Port of Haines Terminal Tariff No. 3 to extend the rate table and to allow for a cruise ship docking discount incentive.

The motion adopted by approval of the consent agenda: "introduce Ordinance 15-09-422 and set a first public hearing for 10/13/15 and a second public hearing for 10/27/15."

C. **Other New Business**

1. **Ordinance 15-06-398**

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.

Note: this ordinance was recommended by the planning commission, and it was introduced on 1/27/15. It had public hearings on 2/10 and 2/24 after which it was referred to the GAS Committee. Following a meeting, that committee referred it back to the planning commission with a committee recommendation. The commission met on 5/14, 7/9, and 8/13 and worked with staff to prepare a substitute ordinance for consideration. The clerk recommended the assembly schedule another public hearing.

Motion: BERRY moved to "amend Ordinance 15-06-398 by replacing it in its entirety with a substitute ordinance recommended by the planning commission and set a third public hearing for 10/13/15," and the motion carried unanimously.

2. **Board Appointments**

Note: an appointment application was received for a seat on the Library Board. The mayor sought assembly confirmation.

Motion: WATERMAN moved to "confirm the mayor's appointment of Vanessa Salmon to the Library Advisory Board for a term ending 11/30/18," and the motion carried unanimously.

* 3. **Amend Previously-Adopted Ordinance 15-06-415**

An ordinance of the Haines Borough adopting a revised fee schedule for harbor facility usage.

Note: the current Harbor Fee Schedule was adopted via ordinance on 8/11/15. The revision included a \$2.00 per foot moorage rate increase, and the table headings in the schedule correctly showed that change. However, since adoption, staff discovered the amounts in the table columns were not correctly listed. While those amounts were in essence provided as a courtesy for easy reference and might be corrected administratively, the borough clerk recommended, in the interest of transparency, that the assembly take action to amend the adopted ordinance by correcting the dollar amounts. The motion adopted by approval of the consent agenda: "amend Ordinance 15-06-415 to correct the annual moorage rate table amounts to accurately show the adopted price-per-foot."

12. **CORRESPONDENCE/REQUESTS**

A. **Request for Review/Revision of Local Bidder Preference – Haines Contractors**

Note: The packet also contained a memo from the manager to the assembly regarding this request.

Motion: WATERMAN moved to "direct manager to investigate and bring a recommendation to the 10/27/15 assembly meeting," and the motion carried unanimously.

- B. **Support for the 14B Harbor Design (Informal Petition) – 312 Signatures**
- C. **Harbor Design Comments – D. Schnabel**

13. **SET MEETING DATES**

- A. Committee of the Whole – Wednesday, 10/28, 6:30pm.** Topic: Cannabis Regulations.
- B. Community Funding Committee – Wednesday, October 14, 1:00pm,** Borough Admin Conference Room. Purpose: Scoring Non-profit Funding Applications.
- C. Assembly 101 Training – Tuesday, October 20, 6:00pm.**
- D. Commerce Committee – Wednesday, October 21, 6:00pm.** Topic: Options for Economic Development Position.
- E. Government Affairs & Services Committee – Tuesday, September 29, 5:00pm.** Topic: Legislative Priorities.
- F. Finance Committee – Tuesday, October 13, 5:30pm.** Topic: FY16 Budget Amendment Ordinance.
- G. Committee of the Whole – Friday, October 2, 6:00pm.** Topic: Identify process to revise specific elements of code.

14. PUBLIC COMMENTS

DENKER –Requested his comments regarding the public’s right to be informed and retain control over the affairs of government be included verbatim in the minutes. His comments consisted of reading aloud all or portions of the following citations that are included in his written comments that are a part of the permanent record of this meeting, both hard copy and on the borough’s website. The specific citations are: HBC 2.60.120, 2.10.030(A), Charter Preamble & Bill of Rights, AS 44.62.312(A)(5), Alaska Constitution Art. I, Sec. 6, and U.S. Constitution Amend. I.

SCHNABEL –There is a difference between being petitioned and giving information. In agenda item 12C, she was actually petitioning the assembly.

NELSON –Asked the assembly members to read the Alaska and U.S. Constitutions, and the other citations read by **DENKER**.

PONSFORD –Disagreed with the presiding officer that the audience was not correctly choosing its words.

B. JOSEPHSON –Believes passing the minor offenses ordinance is a violation of the oaths of office.

TUYNMAN –Disappointed in the way the minor offenses ordinance was adopted.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

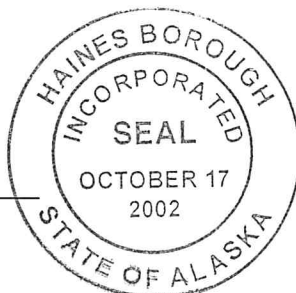
CASE – 1) Encouraged people to bring specific constructive minor offense comments to him, 2) his eyesight is challenging but he hopes to remain on the assembly, and 3) thanked **LAPHAM** for her work to preside over a challenging meeting.

16. ADJOURNMENT – 10:26 p.m.

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

ATTEST:


Julie Cozzi, MMC, Borough Clerk




Janice Hill, Mayor

Clerk's Note:

See appended amendments to these minutes in the next three pages.

**Amendments to Haines Borough
Assembly Meeting #300
September 22, 2015 Minutes**

Clerk's Note:

On October 13, the assembly passed the following motion:

Motion: **CAMPBELL** moved to "approve the minutes of the 9/22/15 borough assembly regular meeting," and the minutes were amended to include all of **CAMPBELL's** comments verbatim under item 10A and all of **DENKER's** comments under item 14 verbatim. The motion, as amended, carried unanimously.

Herewith are the verbatim statements, and they are officially appended to the September 22, 2015 minutes.

10A. UNFINISHED BUSINESS

George Campbell's Comments:

I thought a lot about this and how else to approach this body and I don't want to be confrontational, but, ummm, I don't know what it is going to take to make people sit and listen and think about this. We represent the people sitting out here. We don't represent our staff. We represent the public the most. You people need to understand that significant difference. Mr. Case says that he hasn't heard specific things. Just tonight, ummm, he heard a little bit about courts, ummm, and civil stuff going to court. You know, court enforcement versus us. We heard about dogs and trucks and jaywalking. We heard about administrative employees being enforcement officers, instead of law enforcement officers with training. Ummm, we heard about that you're considered guilty. You know, even if you consider doing a minor offence, or attempt it. Even if you failed, you're guilty. We heard about people refer to that and that needed changing. You know, I'm sorry. Each one of those things has been particular items. We've got a list, a mystery list, somewhere from the Public Safety Commission that has not reached this body, and I don't know where the downfall in that is. But, at some point we know there is a list out there that has not been in our minutes. You know, from what somebody said today. I haven't looked it up, but they say there's supposed to be minutes within two weeks. Who is chasing that down? It's not happening. It's not in here.

We just finally got our stuff from the GAS Committee and I look at this GAS Committee report right here and in attendance one of the names is yours, and we have public specifically saying these particular items need changed, and you were present for that meeting. So, (Mike Case: "Me?"), yes, you were (Mike Case: "I'm not on the GAS Committee."). But you were present in the audience, sir. So you were present at the meeting. So, there then opportunity here. And, this is the problem I've got right now with this ordinance is that we are aware that there are problems. We've heard what those problems are. We use to change them in this body. At one point it was, well, the whole body. The mayor says that a body of whole would take this up and work on it before it was passed. That doesn't happen.

So when Waterman says that she trusts the administration that committee work will continue, the committees don't work for the administration. And, again, the administration works for this body. The committees are, are groups that are supposed to help us. So it's us that has to do that and I have not, I apologize for saying this, but I have not seen anything come back that we've passed and us actually work on it. What I see is we're off and running to the next thing. And, it happens, and, respectfully, you won't be here to chase that down. You will be a citizen. You're not going to be sitting at this dais doing that, so these are things I have.

In one of the recent letter that I saw today, we have a thing that says we would have policy that would straighten some of these things out to explain who would write tickets and this could

be done in the next 60 days. Well, respectfully, that should, that policy should be included with this ordinance. We should be voting on our policy and our ordinance at the same time so we fully understand it. I think giving time and, right now, while I admit Mr. Denker, I'm sorry to say that I believe he is correct. We know that there is information out there, sorry about that sir. We know there is information out there, from the GAT, the Public Safety Commission. We don't have it. That's our responsibility to have that information. We can't effectively vote on an ordinance when we know there is information out there, and, if we do, we are absolutely remiss in our duty.

I'm saying that we need to postpone this. I, ahh, the November 10th date was last time. Nobody has done anything to change the wording and stuff that we know what's wrong. As of yet we need time to do that, and that should be done before this goes forward and passed.

(Diana Lapham speaks)

George Campbell continues:

There's, ahh, there's ahh, huge paradigm shift in the minor offenses compared to what we have today. This is one of the things that is very hard to understand, and I'm going to just use one particular, 18.40.010 Land Use Permit Required. Ok. So, and I'm not even, we're not even dealing with fines. We're just going to talk about how land use compliances are. Presently, if you're doing something that you are suppose to have a land use permit for, you go in and get your permit, blah, blah, blah blah. If you don't get the permit, a staff member, most likely, is going to write you a nasty gram and you're going to have to pay a fine and all that. If that individual says no, you're wrong, I don't need to have a permit for that, they have the ability to come to the staff and here to the assembly and say I disagree. We're a home, home rule borough. Those folks have the ability to vote us in, vote us out and, ahh, not vote at all. We're a home rule borough. That's part of the whole deal here.

So, on the land use, and we had one just recently, we had a neighbor down here that had a shooting range that he has had for years and years. We decided that that was an allowable use. Ok. If we pass this ordinance, that land use permit now, that person doesn't come here to the assembly to say wait a minute, this is why. That person now goes to an employee of the State, a magistrate, and has to go before a magistrate and plead his case to a magistrate. So the biggest problem I have right now is that I have is that if we want to talk about speeding and vio—parking, and stuff like that, I'm fine with that going to a judge. But, if we're talking about how we are using our lands and violating planning and zoning and stuff like that, why are we sending this to a judge? I'm sorry, that's not the right thing we should be doing, and this is one of the biggest shifts, the ruling of our borough and the law-making of our borough out of our hands and it gives it to the State.

14. PUBLIC COMMENTS

Mike Denker's Comments:

I would request that this be read into the record, including the record of tonight's meeting. Is it ok if I read it and request that it be put in the minutes? There will be code citations. First:

Haines Borough Code (HBC) 2.60.120 Reports and Minutes

The minutes shall be filed in the office of the clerk as soon as feasible, but in no case later than two weeks following the committee meeting, and shall be a public record open to inspection by any person.

Haines Borough Code (HBC) 2.10.030(A) Agenda

The mayor, with assistance from the clerk, shall arrange a list of such matters according to the order of business and the clerk shall furnish each member of the assembly, the mayor, manager and chief fiscal officer with a copy of the same in packet form five calendar days in advance of the assembly meeting.

The Charter Preamble and Bill of Rights guarantees to the people of the Haines Borough: The right to access a well maintained public record of all actions of public officials in accordance with this charter, so that the citizens of the borough may retain control over the affairs of their government.

AS 44.62.312(A)(5)

The people's rights to remain informed shall be protected so that they may retain control over the instruments that they have created.

Alaska Constitution Art. I, Sec. 6

The right of the people to petition the government shall never be abridged.

And, lastly, the

U.S. Constitution Amend. I

The people shall not be abridged of the right to petition the government for redress of grievances.

