



Haines Borough  
Borough Assembly SPECIAL Meeting  
AGENDA

June 2, 2020 – 6:00 p.m.

Location: Haines Borough Assembly Chambers

**Jan Hill**  
Mayor

**Jerry Lapp**  
Assembly Member

**Gabe Thomas**  
Assembly Member

**Stephanie Scott**  
Assembly Member

**Zephyr Sincerny**  
Assembly Member

**Paul Rogers**  
Assembly Member

**Brenda Josephson**  
Assembly Member

**Alekka Fullerton**  
Interim Manager/  
Borough Clerk

THIS IS A SPECIAL MEETING FOR THE PURPOSE OF ADDRESSING ONLY THE FOLLOWING AGENDA ITEM, AND THE ASSEMBLY MAY TAKE ACTION. NO OTHER ISSUES WILL BE CONSIDERED AT THIS MEETING.

1. CALL TO ORDER/PLEDGE TO THE FLAG
2. ROLL CALL
3. APPROVAL OF SPECIAL MEETING AGENDA
4. PUBLIC COMMENTS
5. NEW BUSINESS

A. **Introduction of Ordinance 20-06-572**

**Non-Code Ordinance of The Haines Borough Assembly Approving the Lutak Lease Agreement between the Haines Borough and Alaska Marine Lines, Inc.**

*This ordinance is being introduced by the Mayor. **Motion:** Introduce Ordinance 20-05-571 and schedule it for two public hearings 6-09-20 and 6-23-20.*

B. **Approve BOE Minutes and Certify Results to the Assessor.**

**Motion:** Approve the Minutes from May 28, 2020 Board of Equalization and certify the results to the Assessor.

6. PUBLIC COMMENTS
7. ASSEMBLY COMMENTS
8. ADJOURNMENT



Agenda Bill No.: 20-1025  
 Assembly Meeting Date: 6/2/20

Business Item Description:	Attachments:
Subject: Authorize Interim Manager to sign lease with Alaska Marine Lines for Roll-On/Roll-Off Facility	1. Ordinance 20-06-572
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 5/29/20	

**Full Title/Motion:**  
 Motion: Introduce Ordinance 20-06-572 and schedule it for its first public hearing 6/09/20 and a second public hearing for 6/23/20.

**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	Lease approved by later ordinance

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives: Objective 2B, Page 56-57	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**

The Haines Borough Assembly on 7/10/18 adopted Resolution 18-07-764 endorsing a Memorandum of Understanding with Alaska Marine Lines, Inc. for the lease of tidelands and uplands to support construction of a marine freight transfer facility in Lutak Inlet.

HBC 14.16.160 provides that the final lease terms are subject to approval by the assembly by ordinance. The attached draft has been reviewed by the Borough Attorney and the terms have been accepted by AML. The completion of this ordinance and the attached lease will allow AML to start construction on the Ro-Ro.

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 06/02/20, 06/09/20, 06/23/20	Public Hearing Date(s): 06/09/20, 06/23/20
	Postponed to Date:

**A NON-CODE ORDINANCE OF THE HAINES BOROUGH ASSEMBLY APPROVING  
THE LUTAK LEASE AGREEMENT BETWEEN THE HAINES BOROUGH AND ALASKA  
MARINE LINES, INC.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is for the specific purpose of approving a single agreement and shall not become a part of the Haines Borough Code.

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

Section 3. Effective Date. This ordinance is effective upon adoption. The lease attached hereto is effective as of July 1, 2020.

Section 4. Purpose. This ordinance approves the terms of the Lease and Preferential Use Agreement for Construction and Operation of Roll-On/Roll-Off Facility and Associated Upland Activities between the Haines Borough and Alaska Marine Lines, Inc.

Section 5. Authority. This ordinance is adopted under the authority granted the Assembly to approve negotiated leases by HBC 14.16.160.

Section 6. Approval. The attached Lease and Preferential Use Agreement for Construction and Operation of Roll-On/Roll-Off Facility and Associated Upland Activities between the Haines Borough and Alaska Marine Lines, Inc. is hereby approved. The interim manager and mayor are hereby authorized to take all such steps as may be necessary to finalize and sign the Lutak Land Lease on behalf of the Haines Borough.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_<sup>th</sup>  
DAY OF JUNE, 2020.

ATTEST:

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

\_\_\_\_\_  
Aleka Fullerton, CMC, Borough Clerk

Date Introduced:  
Date of First Public Hearing:  
Date of Second Public Hearing:



Draft

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **HILL** called the Board of Equalization 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 Zephyr **SINCERNY** (on the telephone), Stephanie **SCOTT**, Paul **ROGERS**, Gabe **THOMAS**, Brenda **JOSEPHSON** and Jerry **LAPP**.

**Staff Present:** Dean **OLSEN**/Assessor, Alekka **FULLERTON**/Borough Clerk, Donna **LAMBERT**/Administrative Assistant.

**Appellant Present:** Larry **KATZEK** (on the telephone) and Chris **THORGESEN** (on the telephone).

### 3. **APPROVAL OF AGENDA**

**Motion:** **JOSEPHSON** moved to "approve the agenda," and the motion carried unanimously.

4. **SWEARING IN OF BOARD MEMBERS:** **HILL** administered the following oath to the members of the Board of Equalization:

*Do you solemnly swear (or affirm) that you will support the Constitution and laws of the United States, the Constitution and laws of the State of Alaska, and the Charter and laws of the Haines Borough, and that you will faithfully and impartially perform the duties of 2020 Board of Equalization Member to the best of your ability, and that you will not allow your actions as a member of the Board of Equalization to be influenced by personal or political relationships or obligations?*

All members of the Board of Equalization responded in the affirmative.

5. **SWEARING IN OF STAFF AND APPELLANT:** **HILL** administered the following oath to the assessor and appellant:

*Do you solemnly swear (or affirm) that the testimony you shall give shall be the truth, the whole truth, and nothing but the truth?*

The appraiser and all appellants responded in the affirmative.

6. **OVERVIEW AND INSTRUCTIONS:** **OLSEN** provided his overview and instructions for the Board of Equalization (BOE). **OLSEN** is a Board Certified Assessor and summarized the BOE process.

### 7. **APPEALS**

#### A. **Appeal # 2020-01**

Subject property: **C-TNS-09-0400**

Appellant: **Larry Katzeek**

**2020 Assessed Value:** (site) \$ 45,500 (building) 116,300 (Total) \$161,800

**Owner's Estimated Value:** (site) \$ 30,000 (building) 85,800 (Total) \$115,800

**Alleged grounds for appeal:** Property Value is excessive (valued in excess of fair market value)

Evidence presented shows that the appeal procedural requirements were complied with and the appellate documents submitted are part of this record. After inquiry, no board member disclosed a conflict of interest.

**KATZEEK** presented his appeal arguments.

**OLSEN** explained the assessor's recommendations.

The Board asked questions and deliberated.

**Motion: JOSEPHSON** moved into to adjourn into executive session and the motion carried unanimously.

**Motion: LAPP** moved to "uphold the Assessor's value of \$161,800 since there was no evidence presented of improper valuation or that the value was excessive," and the motion carried unanimously.

**Findings of Fact:** Based on the evidence submitted, upon which the Board relied to reach its decision:

1. The appeal procedural requirements were satisfactorily met.
2. The Appellant was provided with notice of this hearing and the opportunity to offer testimony of witnesses and evidence during the hearing. The Appellant was not present.
3. The Assessor was present and was provided the opportunity to offer testimony of witnesses and evidence during the hearing.
4. Based on evidence adduced, the board found that there was no evidence of excess valuation presented.

**B. Appeal # 2020-02**

Subject property: **B-EXN-11-1000**

Appellants: **Thomas and Marla Tribble**

**2020 Assessed Value:** (site) \$ 74,100 (building) 0 (Total) \$ 74,100

**Owner's Estimated Value:** (site) \$ 44,100 (building) 0 (Total) \$ 44,100

**Alleged grounds for appeal:** Property Value is excessive (valued in excess of fair market value) and Property was valued improperly (in error/incorrectly)

Evidence presented shows that the appeal procedural requirements were complied with and the appellate documents submitted are part of this record.

**TRIBLES** did not appear.

**OLSEN** explained the assessor's recommendations.

The Board asked questions and deliberated.

**Motion: ROGERS** moved to "uphold the Assessor's valuation since the valuation was confirmed by the Superior Court and no evidence has been presented to change the valuation", and the motion carried unanimously.

The Board found as follows:

No evidence presented of an improper method of valuation used or that the value was excessive.

C. **Appeal # 2020-03**

Subject property: **C-TNS-15-0100**

Appellant: **Chris Thorgesen**

**2020 Assessed Value:** (site) \$ 68,600 (building) 213,400 (Total) \$282,000

**Owner's Estimated Value:** (site) \$ 60,000 (building) 198,000 (Total) \$258,000

**Alleged grounds for appeal:** Property Value is excessive (valued in excess of fair market value)

Evidence presented shows that the appeal procedural requirements were complied with and the appellate documents submitted are part of this record.

**THORGESEN** presented his appeal arguments.

**OLSEN** explained the assessor's recommendations.

The Assembly/BOE asked questions and deliberated.

**Motion: ROGERS** moved to "accept the assessor's valuation no evidence of an improper assessment or that the value was excessive," and the motion carried 5-1 in a roll call vote with **JOSEPHSON** opposed.

The Board found as follows:

No evidence presented of excessive or unequal assessment.

**8. PUBLIC COMMENTS:** None

**9. ANNOUNCEMENTS/ASSEMBLY COMMENTS:** **SCOTT, JOSEPHSON, ROGERS, LAPP**

**10. ADJOURNMENT** – 8:12 pm

ATTEST:

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

\_\_\_\_\_  
Alekkia Fullerton, Borough Clerk