

January 10, 2017

To: Haines Borough Assembly Members and Mayor

Re: Resolution 17-01-703

Resolution 17-01-703 is the result of Assembly Member Jackson's motion at the Dec. 13, 2016 meeting directing the manager to:

"...create a resolution pursuant to HBC 5.18.080(I)(2) to postpone the map committee and manager's recommendations, to be considered at a future date in summer 2017 when reports from ADF&G are available and a new committee has been established after code has been reviewed,"

After listening to the audio copy of the meeting I noticed that the minutes transcribed the motion inaccurately; Jackson's motion actually said "**revised**" not "reviewed" and this should be corrected in the minutes.

Later in the Dec. 13 meeting, the assembly denied Dana Hallett's appeal because (it was claimed) Jackson's motion made the appeal "moot." To declare an appeal moot would mean that all the issues raised in the appeal have been satisfied. While Resolution 17-01-703 does provide for a new committee to consider heli-ski map changes, it doesn't address the crux of the Hallett appeal. Central to the appeal is the contention that the recommendations of the committee are flawed because of a flawed process. The Hallett appeal contends that some committee members had a significant financial interest in the proceedings and yet participated and voted on map change recommendations. In order to make the Hallett appeal moot, Resolution 17-01-703 would have to not only provide for a new committee but also declare the recommendations of the map committee and manager invalid.

Addressing only part of the appeal does not make the appeal moot.

Even if Resolution 17-01-703 addressed **all** the issues in the Hallett appeal, it is questionable whether resolving to create a **new** committee which takes a **new** look at the heli-ski map change proposals can make the appeal moot because the resolution relies on future actions of the assembly that may or may not happen.

I do not support Resolution 17-01-703 because it does not make the Hallett appeal moot and simply forwards flawed heli-ski map committee recommendations, and subsequent manager recommendations, to another committee.

Instead, consider a resolution that addresses all the issues in the Hallett appeal. While still relying on future actions of the assembly that may or may not happen, it would address the key issues brought up in the appeal.

**NOW, THEREFORE, BE IT RESOLVED that consideration of the 2016 heli-ski map changes requested by two heli-ski companies in 2016 will be postponed until the summer of 2017 when a new committee is convened and the results of the ADF&G report on wildlife habitats are available. The new committee will not include any voting members who have a**

**conflict of interest in actions taken by the committee nor will the committee refer to the recommendations of the 2016 heli-ski map committee and manager.**

The assembly's decision to "deny" the Hallett appeal is inconsistent with declaring the Hallett appeal "moot." If the issues were resolved, it would follow that the Hallett appeal would be "affirmed." I suggest that the assembly reconsider the vote on the Hallett appeal as well as redraft Resolution 17-01-703.

Thank you for careful consideration of these issues,

Carolyn Weishahn