


Haines Borough
Borough Assembly Meeting #264
AGENDA

February 25, 2014 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

Stephanie Scott,
Mayor

Dave Berry Jr.,
Assembly Member

Diana Lapham,
Assembly Member

Debra Schnabel,
Assembly Member

Joanne Waterman,
Assembly Member

George Campbell,
Assembly Member

Jerry Lapp,
Assembly Member

David Sosa,
Borough Manager

Julie Cozzi,
Interim Manager

Michelle Webb,
Interim 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 – Chilkat Center for the Arts Report
- 8C – Fire Department Report
- 9A1 – Planning Commission Minutes
- 9B – Parks and Recreation Advisory Committee Report
- 11A1 – Adoption of Resolution 14-02-536
- 11A2 – Adoption of Resolution 14-02-537
- 11A3 – Adoption of Resolution 14-02-538
- 11B1 – Introduction of Ordinance 14-02-370
- 11C3 – Set Ordinance 14-01-364 for First Public Hearing
- 11C4 – Ports and Harbors Design Confirmation
- 11C5 – Confirmation of 3rd Ave. Road Design
- 12A – Request for Grant Support Letter for Senior Center
- 12B – Request for Support of AAHPA Resolutions

*** 4. APPROVAL OF MINUTES – 1/14/14, 1/28/14, and 2/11/14 Regular Meetings**

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

6. MAYOR'S COMMENTS/REPORT

7. PUBLIC HEARINGS

A. Ordinance 14-01-365 - Third Hearing

An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY14 Budget.

*This ordinance is recommended by the interim manager. It was introduced on 1/14/14 and had a first public hearing on 1/28/14, resulting in an amendment. On 2/11/14 at the second public hearing, the ordinance was further amended and was set for a third public hearing. **Motion:** Adopt Ordinance 14-01-365.*

B. Ordinance 14-01-366 - Second Hearing

A non code ordinance of the Haines Borough approving the sale to Aspen Management, LLC of Lots 6 and 7 Primary School Subdivision plat No. 2008-21, Haines Recording District, First Judicial District, State of Alaska.

*This ordinance with accompanying documents was prepared by the borough attorney and is recommended by the interim borough manager. This ordinance was introduced on 1/28/14 and received a first public hearing on 2/11/14. **Motion:** Adopt Ordinance 14-01-366.*

C. Ordinance 14-02-367 - First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.10.040 to modify assembly meeting minutes procedures.

*This ordinance is recommended by the mayor, the interim clerk, and the interim manager. This ordinance was introduced on 2/11/14. **Motion:** Advance Ordinance 14-02-367 to a second public hearing on 3/11/14.*

7. PUBLIC HEARINGS --- continued

D. **Ordinance 14-02-368** - First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Chapter 10.34 to authorize the use of ATVs on streets and highways within the borough and allowing use of snow machines on highway shoulders within the borough.

*This ordinance was proposed by Assembly Member Lapp. A similar ordinance (11-06-269) was considered in 2011 but was not adopted. Several changes have been made to this new ordinance. The ordinance was introduced on 2/11/14. **Motion:** Advance Ordinance 14-02-368 to a second public hearing on 3/11/14*

E. **Ordinance 14-02-369** - First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.30.050 appeals to the commission to conform to the requirements of filing an appeal.

*This ordinance is recommended by the planning commission. **Motion:** Advance Ordinance 14-02-369 to a second public hearing on 3/11/14.*

8. STAFF/FACILITY REPORTS

A. **Interim Borough Manager** – 3/11/14 Report

*B. **Chilkat Center for the Arts** – Facility Report of January 2014

*C. **Fire Department Report** – Facility Report of January 2014

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

A. **Planning Commission** –

*1. *Minutes of 1/9/14 Meeting*

2. *Record of Decision Re: Possible Identifying of a Motorized Park within Townsite Service Area*

*B. **Parks and Recreation Advisory Committee** – Report of 2/18/14

C. **Assembly Standing Committee Reports**

10. UNFINISHED BUSINESS

A. **Ordinance 13-10-352** – Postponed on 2/11/14

An Ordinance of the Haines Borough amending Haines Borough Code Title 13 to revise and clarify water and sewer service procedures.

*This ordinance is recommended by the borough manager and chief financial officer. It was introduced on 10/22/13 and referred to the Government Affairs & Services Committee. That committee met on 12/3/13 and proposed advancement to the first hearing. The ordinance was introduced on 10/22/13, sent to the GAS committee, and set for its first public hearing on 2/11/14. The GAS committee and borough assembly were unable to consider the ordinance fully as documentation was missing from the packet. However, the public was given an opportunity to comment on this ordinance at the 2/11/14 meeting. The finance director has drafted a substitute ordinance for consideration. **Motion #1:** Substitute ordinance 13-10-352 in its entirety with the draft ordinance recommended by the CFO. **Motion #2:** Advance Ordinance 13-10-352, as substituted, to a second public hearing on 3/11/14.*

B. **Confirm Administrative Policy re. Heli Map Review Cycle** - Postponed on 2/11/14

*As a result of its 12/3/13 meeting, the Government Affairs & Services Committee recommended this administrative policy regarding the cycle for reviewing the Haines Borough Commercial Ski Tour Areas map. This recommended policy was first presented by the committee to the assembly on 1/14/14. The policy was postponed at the 2/11/14 meeting to allow additional work. The interim manager seeks assembly confirmation. **Motion:** Confirm the manager's administrative policy regarding the Commercial Ski Tour Areas Map Cycle.*

11. NEW BUSINESS

A. Resolutions

*1. **Resolution 14-02-536**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a construction contract with Whiterock LLC for the Klehini Valley Fire Hall Septic System project for an amount not-to-exceed \$23,195.

*This resolution is recommended by the director of public facilities. **Motion:** Adopt Resolution 14-02-536.*

*2. **Resolution 14-02-537**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to apply to the State of Alaska, Department of Environmental Conservation (ADEC) for loans from the Alaska Clean Water Fund and Alaska Drinking Water Fund for the projects entitled West Fair Drive Sewer Main Replacement and Piedad Springs Water Source Upgrades.

*This resolution is recommended by the director of public facilities. **Motion:** Adopt Resolution 14-02-537.*

11. NEW BUSINESS

A. Resolutions --- continued

*3. Resolution 14-02-538

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with APSCO, LLC in the amount of \$35,000 for the purchase and delivery of a sewer blower.

*This resolution is recommended by the director of public facilities. **Motion:** Adopt Resolution 14-02-538.*

B. Ordinances for Introduction

*1. Ordinance 14-02-370

An Ordinance of the Haines Borough amending Haines Borough Code Title 3 to remove Haines Senior Assisted Living Inc. Property from the list of community purpose exemptions because it has been determined to be a required exemption under HBC 3.70.030(A)(3).

*This ordinance was originated by the Assessment Department. **Motion:** Introduce Ordinance 14-02-370 and set a first public hearing on 3/11/14.*

C. Other New Business

1. Appeal of Planning Commission Decision - SEABA Conditional Use Permit

Explanation/History: *On 1/27/14 Big Salmon Ventures LLC submitted a Conditional Use Permit (CUP) application for a heliport through its agent Scott Sundberg. The Interim Manager, Julie Cozzi, recommended a "short duration permit of one-year be considered to provide a trial period." The planning commission chose to rule that "for 2014, the Planning Commission recommends the Assembly authorize the Borough Manager to issue a temporary conditional use permit that allows for a limited, pre-approved, borough-monitored number of random landings, incorporating conditions offered by the Big Salmon Ventures, only allowing for one company to use the site at one time, with all landings to be at least 1,100' from the centerline of Chilkat Lake Road to gauge actual impacts, between 8:30 a.m. and 4:30 p.m. with continued noise measurement and monitoring." Big Salmon Ventures has submitted a timely filed appeal (on 2/18/14) of the planning commission's decision to deny the CUP. HBC 18.30.060 allows for an appeal to the assembly of a planning commission decision. Only the appeal and the planning commission request for action have been included in the packet for this item. If the assembly chooses to rehear this appeal, then all the documents in the record of decision will be presented. The burden of proof is on the appellant to make the case that the planning commission erred in their decision and that a rehearing by the assembly is warranted.*

Assembly Action Needed at THIS meeting: *Per HBC 18.30.060, following the appellant's presentation if he is in attendance, the assembly must decide by motion:*

- *whether or not to rehear the commission's decision and, if so,*
- *whether to rehear the entire decision or a particular portion,*
- *and the reasoning why.*

Any rehearing must take place at the next regularly scheduled assembly meeting (3/11/14) and include a duly-noticed public hearing.

Note: *In the event the BA declines to rehear the case, the assembly does need to take action on the planning commission request for action.*

2. Development of a Site for Marine Services - Request from Ports and Harbors Advisory Council

The Ports and Harbor Advisory Committee (PHAC) have identified that an area by the Lutak Dock has the best potential for the development of marine services, such as a boat haul-out. The PHAC recommends that the borough take action to investigate this potential. Phil Benner, Harbormaster has provided the attached cost estimates and information.

Motion: *Authorize the manager to include the development of a boat haul-out and storage area in the FY15 budget.*

*3. Ordinance 14-01-364

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.62.030 to allow an assembly approved exception to the contract or sale limit to a borough officer or employee.

*This ordinance is suggested by the director of public facilities. It was introduced on 1/14/14 and referred to Government Affairs and Services (GAS) which met on 2/11. GAS approved of this ordinance. **Motion:** Advance Ordinance 14-01-364 to a first public hearing on 3/11/14.*

11. NEW BUSINESS

C. Other New Business --- continued

- *4. **Request for Design Confirmation from Ports and Harbors Advisory Council** – Partially Penetrating Wave Barrier Design #14 for South Portage Cove
On 1/28/14 the assembly confirmed the PHAC's choice of a partially penetration wave barrier design for South Portage Cove Harbor. The PHAC recommends having a 35% to 100% design created for design option 14. However, they have also included information for design 3A as a secondary choice. **Motion:** Confirm the Ports and Harbors recommendations for the South Portage Cove Boat Harbor Partially Penetrating Wave Barrier Design #14.

- *5. **Confirm 3rd Avenue Road Project Design**
This item corresponds with the 6pm public presentation of the 3rd Ave. Road design. **Motion:** Confirm the design of the 3rd Ave Project.

- 6. **Request from Public Safety Commission – Fund Mental Health Training**
The Public Safety Commission has requested \$4000 to sponsor two individuals to attend Mental First Aid Training. Lynn Canal Counseling will fund travel and other related expenses. **Possible Motion:** Authorize \$4000 for Mental First Aid Training from the Medical Services Area Fund.

12. CORRESPONDENCE/REQUESTS

- *A. **Request for Letter of Support for Grant Funding** – Support for Catholic Community Services request for funding for Senior Center Building upgrades.

- *B. **Request for Support of AAHPA Resolutions** – Harbormaster and AAHPA President, Phil Benner, is requesting assembly support letters for two Alaska Association of Harbor and Port Administrators (AAHPA) resolutions which speak to a harbor grant program and additional state legal protection for harbor employees.

13. SET MEETING DATES

- A. **Committee-of-the-Whole – Election Reform Ordinance**
The borough attorney has finished preparing a draft ordinance and a C.O.W. has been suggested.

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT

Haines Borough
Borough Assembly Meeting #261
January 14, 2014

Draft

MINUTES

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

2. **ROLL CALL**

Present: Mayor Stephanie **SCOTT**, and Assembly Members Jerry **LAPP**, Debra **SCHNABEL**, Dave **BERRY**, George **CAMPBELL**, and Diana **LAPHAM**. Joanne **WATERMAN** was not present.

Staff Present: Julie **COZZI**/Interim Borough Manager, Michelle **WEBB**/Interim Clerk, Darsie **CULBECK**/Executive Assistant to the Borough Manager, Krista **KIELSMEIER**/Administrative Assistant, Carlos **JIMENEZ**/Director of Public Facilities, Phil **BENNER**/Harbormaster, and Al **GIDDINGS**/Community Youth Development Director.

Visitors Present: Tom **MORPHET**/CVN, Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, Bill **STACY**, Mike **DENKER**, Gina **ST. CLAIR**, Glenda **GILBERT**, Sara **CHAPPELL**, Bill **STACY**, Rob **GOLDBERG**, and others.

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

The following items were on the published consent agenda:

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes - *Removed from Consent Agenda*
- 8B – Chilkat Center for the Arts Report
- 8C – Fire Department Report
- 9A – Sheldon Museum Board of Trustees Minutes
- 9B – Planning Commission Minutes
- 9C – Public Safety Minutes and Report - *Removed from Consent Agenda*
- 11A1 – Adoption of Resolution 14-01-527
- 11A2 – Adoption of Resolution 14-01-528
- 11A3 – Adoption of Resolution 14-01-529
- 11A4 – Adoption of Resolution 14-01-530 - *Removed from Consent Agenda*
- 11A5 – Adoption of Resolution 14-01-531 - *Removed from Consent Agenda*
- 11B1 – Introduction of Ordinance 14-01-363 - *Removed from Consent Ag.*
- 11B2 – Introduction of Ordinance 14-01-364 - *Removed from Consent Ag.*
- 11B3 – Introduction of Ordinance 14-01-365 - *Removed from Consent Ag.*
- 11C1 – Board Appointments - *Removed from Consent Ag.*

Motion: **LAPP** moved to “approve the agenda and consent agenda,” and it was amended to remove item 6A and 11C8 from the agenda; and the following items were removed from the consent agenda: 4, 9C, 11A4, 11A5, 11B1, 11B2, 11B3, and 11C1 were removed from the consent agenda for discussion; and item 11A2 was corrected to have the motion read “14-01-528”, not “14-12-528”. The agenda, as amended, carried 5-1 with **LAPP** opposed.

In discussion, **SCHNABEL** wished to remove the following items from the consent agenda: Item 4 to correct some language; 9C to clarify that the Klukwan School is not part of the Haines School District; 11A4 to amend the agreement to expire on December of 2014 and see borough’s involvement restricted to maintenance issues and not projects; and 11A5 due to a potential conflict of interest with the retirement program. **BERRY** clarified the state trooper is required to respond to the Klukwan School, regardless of the school district. Also, **CAMPBELL** asked to have the additional following items removed from the consent agenda; Item 11B1 as he felt this new ordinance needed discussion; 11B2 due to a potential conflict of interest; 11B3 regarding an issue with the budget; and 11C1 so there could be a public discussion.

4. **APPROVAL OF MINUTES** – 12/17/13 Special Meeting and 1/7/14 Special Meeting

SCHNABEL asked that her statement at the bottom of page 2 of 2 in the 1/7/14 Special Meeting minutes be examined. **CAMPBELL** also noted "buyer" needed to be replaced with "seller". The mayor said the corrected minutes would be brought back to the assembly.

In discussion, **CAMPBELL** stated he had not yet seen minutes of the November, October, or December meetings come before the assembly for approval. **WEBB** reported the minute's backlog would be addressed by end of February.

Motion: **SCHNABEL** moved that "meeting minutes for 12/17/13 be approved" and the motion carried unanimously.

5. PUBLIC COMMENTS

STACY said he spoke to the Police Chief candidates about the police reserve program. He would like the assembly to also think about the police reserves during this budgeting process. While there will be an investment in training, uniforms, and firearms he believed this was a beneficial investment to the community. In the past, the reserves have provided support at Beer Fest, the bike race, a bike safety rodeo for kids, and provided free helmets for the community.

GOLDBERG stated the Picture Point Committee met and there will be another public meeting on January 22 to look at the current design plans.

6. MAYOR'S COMMENTS/REPORT

Mayor **SCOTT** spoke to her written report and also talked about the Alaska Power & Telephone (AP&T) rate increase. She asked the Borough Attorney his option about filing a petition. The Borough Attorney said an intervention may take 10-20 hours of attorney time, plus some consultant time. She will bring any draft petition to the assembly for approval. Also, she was working with the Haines Borough Police Department and others regarding domestic violence. There was Mental Health First Aid training in Portland, OR available to help address this community need. **SCOTT** has asked the public safety commission to look into domestic violence statistics.

A. Clean Harbor Presentation - *This item removed from the agenda.*

7. PUBLIC HEARINGS

A. Ordinance 13-11-355 - Second Hearing

A Non-Code Ordinance approving the conveyance to the State of Alaska, Department of Natural Resources ("DNR") of Lot 7, Block B Excursion Inlet South Subdivision Plat No. 81-58 Juneau Recording District First Judicial District State of Alaska.

Mayor **SCOTT** opened and closed the public hearing at 6:58 pm; there were no public comments.

Motion: **LAPP** moved to "adopt Ordinance 13-11-355," and the motion carried in a roll call vote 4-1 with **CAMPBELL** opposed.

In discussion, **CAMPBELL** asked if more information was available. **COZZI** stated it was her understanding that the Borough Attorney could not finish negotiation without the passage of this ordinance. **COZZI** suggested the motion could be amended to direct the Borough Manager to follow up with the attorney, then to report back to the assembly. However, an amendment of that nature may delay the negotiations further. **LAPHAM** felt the Borough Attorney has the best interest of the Borough in mind, and this ordinance should be passed. **STUART** reminded the assembly this parcel was a property tax foreclosure. The former owner may have the right to any profits (after back taxes and fees are collected).

B. Ordinance 13-12-357 - First Hearing

An Ordinance of the Haines Borough authorizing renewal of a lease of the Human Resources Building with Chilkat Valley Preschool for the purpose of providing preschool educational services.

Mayor **SCOTT** opened the public hearing at 7:06 pm.

CHAPPELL thought it was a good idea to continue a lease with Chilkat Valley Preschool.

Mayor **SCOTT** closed the public hearing at 7:07 pm.

Motion: BERRY moved to "advance Ordinance 13-12-357 to a second public hearing on 1/28/14," and the motion carried unanimously.

SCHNABEL found several clerical errors where the year was listed incorrectly. In the 4th "whereas" the year needs to be corrected to "2014"; after the phrase "Now therefore be it enacted..." the year needs to be corrected to "2014"; and the year also needed to be corrected to "2014" in the lease agreement. These were concluded to be clerical errors and will be corrected by the clerk's office without motion.

In discussion, **CAMPBELL** asked why this asset could not be sold. **SCOTT** stated the administration was working on selling this property. **CAMPBELL** also asked if other groups have used this property and **SCOTT** answered yes.

C. Ordinance 13-12-358 - First Hearing

An Ordinance of the Haines Borough amending Borough Code Section 18.80.030 to add setback regulations to the General Use zone and to correct a typographical error to make it consistent with the Section 18.20.020 definition of setback.

Mayor **SCOTT** opened the public hearing at 7:11 pm.

GOLDBERG on behalf of the Planning Commission (PC) stated he was happy to answer any questions about this item or the next three items on the agenda.

Mayor **SCOTT** closed the public hearing at 7:12 pm.

Motion: BERRY moved to "advance Ordinance 13-12-358 to a second public hearing on 1/28/14," and the motion carried unanimously.

In discussion, **GOLDBERG** stated the PC had previously presented an ordinance which the setback varied for different areas. It was recommended the new one-size-fits-all setback be presented in the current format instead of adding it to the chart. **CAMPBELL** stated he was confused about the terminology. He was concerned about satellite dishes in the right of way interfering with the emergency vehicle's access. **GOLDBERG** stated the safety issue had been addressed and 20 feet was required. **CAMPBELL** was further concerned about utilities being considered as structures and about elevation being considered in this ordinance. **SCOTT** and **COZZI** spoke to the definition of structure in section 18.20.020 Definitions – Regulatory. Fences have been previously exempted by set-back requirements. **LAPP** asked about a height restriction. **GOLDBERG** stated he does not believe there was one in the general use zone. Ordinance 13-12-360 would require "elevations" as a side view drawing. **SCHNABEL** stated she could bring amendments to the next meeting. **SCOTT** recommended working with the PC on amendments.

D. Ordinance 13-12-359 - First Hearing

An Ordinance of the Haines Borough amending Borough Code Section 18.100.092 to remove the biennial state inspection requirement for wastewater disposal systems to make this code section consistent with Section 18.60.010(i).

Mayor **SCOTT** opened and closed the public hearing at 7:28 pm; there were no public comments.

Motion: BERRY moved to "advance Ordinance 13-12-359 to a second public hearing 1/28/14," and the motion carried unanimously.

There was no discussion.

E. Ordinance 13-12-360 - First Hearing

An Ordinance of the Haines Borough amending Borough Code Title 18 Sub-Section 18.30.010(A)(2)(c) to change the filing period for Construction Declaration forms.

Mayor **SCOTT** opened and closed the public hearing at 7:29 pm; there were no public comments.

Motion: BERRY moved to "advance Ordinance 13-12-360 to a second public hearing on 1/28/14," and the motion carried unanimously.

In discussion, **SCHNABEL** remarked she could support this ordinance if **LAPP** was also in support.

Motion: **CAMPBELL** moved to amend to add a "1 year amnesty" to the ordinance. The amendment failed 2-3 with **SCHNABEL**, **BERRY** and **LAPP** opposed.

In discussion, **LAPP** was opposed to the amendment, as a building permit should have been completed before construction all along. **SCOTT** and **GOLDBERG** clarified when a violation was detected; no letters were sent. **BERRY** stated he was sensitive to a 1 year grace period. It may anger people who have recently been fined for violations. **CAMPBELL** stated there was a need for the public to have time to adapt to the change. **BERRY** suggested that 1 year was too long, perhaps April to October would be a more appropriate timeframe. **LAPP** suggested a public service announcement and a notice in the newspaper of the change in code. **GOLDBERG** stated this requirement was not a new, and has been in place since 2006. The only change was the need to file before construction. He further clarified there had been no change to the fee.

F. Ordinance 13-12-361 - First Hearing

An Ordinance of the Haines Borough amending Borough Code Title 18 Section 18.20.020 to revise the definition of "Agriculture, personal use" and Section 18.30.070 to reduce the fees for permits relating to animal husbandry.

Mayor **SCOTT** opened and closed the public hearing at 7:41pm.

CHAPELL said she was the individual who brought this to the planning commission last fall. She believed the planning commission had done a good job on considering this matter. She supports this ordinance as chickens have been gaining in popularity and local chickens and eggs align with the Haines Borough Comprehensive Plan.

Mayor **SCOTT** closed the public hearing at 7:44pm.

Motion: **CAMPBELL** moved to "advance Ordinance 13-12-361 to a second public hearing on 1/28/14," and the motion carried unanimously.

In discussion, **CAMPBELL** asked if roosters are prohibited, then why not allow an unlimited number? **BERRY** answered that in the traditional townsite area, many lots are small, and chickens may disturb the neighbors. **LAPHAM** believed assessing a fine without a warning letter was part of what was being addressed by the proposed ordinance.

8. STAFF/FACILITY REPORTS

A. Interim Borough Manager – 1/14/14 Report

In addition to her written report, **COZZI** mentioned the Department of Environmental Conservation scheduled a pool inspection. The pool facility passed with flying colors. **BERRY** suggested the Mayor may be able to help with the negotiations with David Sosa. **COZZI** stated she had already pulled the mayor in to help. **SCHNABEL** stated for the record that it made more sense to her for the Mayor to negotiate a Manager contract. She also inquired about the borough employees having free access to the pool. She was unsure if this had been implemented, and questioned this policy. She asked to hold this program pending a discussion with the union about this benefit. Also, free use of the pool would benefit other aspects of the community. **COZZI** replied she had spoken to Tom Brice with the union, and he felt this was a great idea. She was very conscientious of public funds, but health costs were going up, and this may be a proactive cost savings. Free pool access to borough employees had little to no cost to the borough. This measure would help to protect the public's investment in borough employees to be strong, happy, and healthy on the job. It remains to be seen if this will increase use. Regardless of the reasons for this, she asked if it was the assembly's purview to decide who should have public use fees waived.

Motion: **SCHNABEL** moved to "have the implementation of the free pool passes for borough employees be directed to the personnel committee to consider and bring a recommendation back to the assembly." The motion carried unanimously.

In discussion, **CAMPBELL** stated he saw some good things about this, but felt there should be more discussion. He had concerns that a policy of this nature should be set by the assembly, not by the administration. **LAPHAM** asked if the borough would receive any reduction for health insurance premiums with this program. **COZZI** replied she would ask Tom Brice, but was not aware of any.

In further discussion of the Manager's Report, **CAMPBELL** asked if any cruise ship dockings will be lost due to the current construction. **JIMENEZ** stated there may be, and **CAMPBELL** asked if alternate dockings to be looked into. Also, when **CAMPBELL** inquired, **COZZI** stated basic checks had been completed on police chief application before the finalists were brought to town. She chose to delay her decision to wait for the background checks and psychological evaluations were completed. Further, he had not seen any policy manual come forward, and the assembly had not received any progress on the State Assessor's audit. **COZZI** stated she had not received any information on this matter, and continues to request an update. **CAMPBELL** stated there were a number of matters in State Assessor's report which did not involve the contract assessor, and inquired into those. Finally, **CAMPBELL** was concerned there appeared to be no policy in place before vehicles were towed by the borough. **COZZI** stated she would look into this matter and was unaware a vehicle had been towed.

***B. Fire Department** – *Facility Report of November, December, and the 2013 Yearly Report*

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

***A. Sheldon Museum Board of Trustees** – *Minutes of 10/16/13*

***B. Planning Commission** – *Minutes of 11/14/13*

C. Public Safety Commission – *Minutes of 1/4/14 & request (which was being addressed)*

SCHNABEL asked how the request of the Public Safety Commission was being addressed, and **SCOTT** stated the administration had addressed this. **SCHNABEL** wished to acknowledge publicly that action was being taken.

***D. Chilkat Center for the Arts** – *Staff Report of December 2013*

E. Assembly Standing Committee Reports - None

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A. Resolutions

***1. Resolution 14-01-527**

A Resolution of the Haines Borough Assembly accepting an FY 2013 Designated Legislative Grant in the amount of \$15,000,000 for the purpose of Haines Boat Harbor Upgrades and authorizing the Borough Manager to enter into a grant agreement with the Department of Commerce, Community, and Economic Development.

The motion adopted by approval of the consent agenda: "adopt Resolution 14-01-527."

***2. Resolution 14-01-528**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a construction contract with Henry Construction for the Haines Gym, Pool, and Chilkat Center Doors and Haines Gym Mat Hoist project for an amount not-to-exceed \$89,000.

The motion adopted by approval of the consent agenda: "adopt Resolution 14-01-528." (Motion Corrected to read "14-01-528" as part of the adoption of the agenda and consent agenda.)

***3. Resolution 14-01-529**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to dispose of five surplus vehicles by any of the methods specified in

Haines Borough Code 14.24.010 (Disposal of personal property).

The motion adopted by approval of the consent agenda: "adopt Resolution 14-01-529."

4. Resolution 14-01-530

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a Cooperative Road Agreement with the Chilkoot Indian Association.

The Mayor requested this be a discussion item only.

SCHNABEL stated because the proposal had a 1 year lifespan with the option for renewal, she would like to see the administration work road maintenance into the budget cycle. **BERRY** stated this agreement was involved in the borough's preparations for a big road project on 3rd Ave. The tribe had offered to help pay for the project. However, in order to spend any federal fund, the tribe needed to identify an agreement with the borough and list the road as part of their inventory. **SCOTT** stated each project of the agreement will have to be individually agreed upon. **CAMPBELL** asked **BERRY** to clarify the definition of road inventory. **BERRY** explained it was a listed inventory, not owned inventory. If this agreement was limited to maintenance, then the tribe's contribution for 3rd Ave. construction would be lost. **SCOTT** reminded the assembly this resolution would be brought back on the 28th. **SCHNABEL** felt this was a very innovative way for the Haines Borough to augment or replace funds.

5. Resolution 14-01-531

A Resolution of the Haines Borough Assembly expressing support for Governor Parnell's proposal to appropriate \$3 billion from the Constitutional budget reserve into the Alaska Retirement Trust Funds in 2015.

CAMPBELL, LAPP, BERRY, and LAPHAM all stated they may have a conflict of interest.

Motion: **SCOTT** moved to "postpone consideration of this resolution to allow the mayor to review financial disclosures as the law of necessity may not prevail." There was no objection.

B. Ordinances for Introduction

1. Ordinance 14-01-363

An Ordinance of the Haines Borough amending Haines Borough Code Sections 2.50.030, 2.56.011, 2.60.055, 2.98.040, 2.100.040, 2.104.040, 2.105.040, 7.04.080, 16.08.010, and 18.30.040 to revise the procedure for filling board, committee, and commission vacancies.

In discussion, **SCOTT** wished to thank **DENKER** for his work on this matter. She explained the current procedures for board appointments. She stated it was awkward and the proposed ordinance simply requires the mayor and the board to explain their recommendation.

Motion: **BERRY** moved to "introduce Ordinance 14-01-363 and set a first public hearing for 1/28/14." The motion, as amended to change section 2.50 regarding the Public Safety Commission to say "three" meetings, not "two", carried 4-1 with **CAMPBELL** opposed.

In discussion, **CAMPBELL** was not in favor of this ordinance. He felt this should be a policy, not codified. **SCOTT** stated she would like to see this in code for future mayors.

*** 2. Ordinance 14-01-364**

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.62.030 to allow an assembly approved exception to the contracting or sale limit to a borough officer or employee.

CAMPBELL stated he may have a conflict of interest. **COZZI** explained that **CAMPBELL** was in contract with the borough before he was elected to the assembly. A different section of code pertained to his situation. **SCOTT** asked **CAMPBELL** to please bring his concerns to the administration before the meeting. **CAMPBELL** was excused.

Motion: **LAPP** moved to "introduce Ordinance 14-01-364 and refer to the Governmental Affairs

and Services Committee." This motion carried unanimously.

3. Ordinance 14-01-365

An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY14 Budget.

Motion: LAPP moved to "introduce Ordinance 14-01-365 and set a first public hearing for 1/28/14 and send to the finance committee." The motion carried.

CAMPBELL was concerned about incorrect prices coming to the assembly without research. He felt a dump trailer was not needed when the new flat bed truck could be used instead of a trailer. CAMPBELL also believed the sauna costs should come from the general fund.

C. Other New Business

1. Board Appointments

Motion: SCHNABEL moved to "confirm the mayor's appointment of Jim Shook, Anastasia Wiley, and Jan Hill to the Museum Board of Trustees for terms ending 11/2016; Heather Lende and Rob Goldberg to the Planning Commission for terms ending 11/2016; and Glen Jacobson, Terry Pardee, and Don Turner, Jr. to the Ports and Harbor Advisory Committee for terms ending 11/2016." The motion carried unanimously.

In discussion, CAMPBELL asked if the PC had a representative from the General Use Zone. GOLDBERG answered that Robert Venables is from the General Use area, and SCOTT was comfortable with the commission's composition. BERRY agreed with the mayor and applauded volunteers to these boards. CAMPBELL also thanked the volunteers.

2. GAS Recommendation: Ordinance 13-07-339

An Ordinance of the Haines Borough amending Borough Code Section 5.18.080 to change the procedure for amending the Commercial Ski Tour Areas Map.

Motion: CAMPBELL moved to "adopt the Government Affairs and Services (GAS) Committee-recommended amendments and advance Ordinance 13-07-339, as amended, to a second public hearing on 1/28/14," and the motion carried unanimously.

The assembly took a 7 min. break

Motion: BERRY moved to "advance item 11C6 ahead of 11C3 on the agenda" and there was no dissent.

3. GAS Recommendation: Ordinance 13-10-352

An Ordinance of the Haines Borough amending Haines Borough Code Title 13 to revise and clarify water and sewer service procedures.

Motion: LAPP moved to "direct the manager to provide justification for the proposed changes to the assembly by the 2/11/14 meeting and schedule Ordinance 13-10-352 for a first public hearing by 2/11/14," and the motion carried unanimously.

In discussion, CAMPBELL stated he felt it was redundant to ask staff for information which should have been provided.

4. On Call Towing Services for the Haines Borough

Motion: CAMPBELL moved to "direct the Manager to issue a Request for Proposals for towing and impound services to the borough on an 'on call' basis at fixed per call rates," and the motion carried 4-1 with LAPP opposed.

In discussion, CAMPBELL stated he was interested in perusing a private industry solution. By providing a simple request for proposals (RFP) the vehicle tax could provide funding. LAPP stated assembly tried this same process for a year and only received one proposal. CAMPBELL rebuffed that the RFP was poorly written. SCHNABEL suggested CAMPBELL could provide language for an RFP. SCHNABEL remembered asking for a program description when borough approved the Motor Vehicle Registration tax. SCOTT

stated the current program had the borough accepting the risk of an unsecure impound area. **BERRY** remarked the last RFP required an insured impound yard, and asked why the borough hasn't held itself to the same requirement. **LAPP** stated he thought part of the long-term plan was to build a secure area, but it would take time. **JIMENEZ** explained the recent tow was a snow machine which had been removed as a safety hazard. It was his intention to bill the owner for the staff time. **CAMPBELL** stated the registration tax was to ensure junk vehicle could be removed. He was concerned the borough was very exposed to liability by towing vehicles before a towing policy was in place. **SCOTT** stated the borough had a higher duty to keep roads safe and **SCOTT** applauded the public works department for removing a safety hazard. **CAMPBELL** offered to prepare an outline for the administration, as he felt the billing and delivery parts of the RFP were confusing. **CULBECK** stated it seemed there was a problem as there was only one tow service available.

5. Proposed ATV Recreation Plan

Motion: **CAMPBELL** moved to "request the Planning Commission to identify areas near or within the townsite of suitable size and terrain for designation as a Motorized Park to be returned to the assembly by the February 25th, 2014 assembly meeting," and the motion carried 4-1 with **SCHNABEL** opposed

There was no discussion.

Motion: **CAMPBELL** request to move item 11C9 in front of item 11C7. This motion failed from a lack of a second as **BERRY** withdrew his second for this motion.

6. Appeal of Planning Commission Decision

As a point of order, **CAMPBELL** was concerned the Manager's email documented the 10-day appeal deadline was missed. Therefore, this appeal should not be heard. **COZZI** read the pertaining portion of the email which explained her decision was due to a meeting requested by the mayor which delayed the appeal. **SCOTT** explained she thought an additional meeting might have resolved the issue. **SCHNABEL** spoke in support of accepting the appeal as timely filed, as this was very complex.

In the appellant's presentation, **ST. CLAIR** stated this was the 7th meeting she has attended on behalf of the subdivision of this property. At her appeal of the Manager's decision before the Planning Commission (PC), she felt the recommended motion was biased against her. Also, a letter arrived minutes before the meeting from the borough attorney. **ST. CLAIR** reported this memo told the PC they had no legal authority to grant her an exception. She felt the PC didn't have an opportunity to error. She referenced an email sent to assembly members earlier today and apologized. She felt the utility requirement in code may be a more global issue. No one seems to have the ability to grant this exemption. All the lots in this area need utilities, but she seems to be the only person required to have them before sale. She would like the assembly to exempt her from the 200 ft. rule and work with the borough to provide utilities to this area. She stated she had originally asked the borough if she needed utilities to subdivide and was told no, so she sold the land. She would like the borough to stand by the staff's statement.

Motion: **BERRY** moved to "grant Gina St. Clair a rehearing of the Planning Commission's decision to take place at the 1/28/2014 regularly scheduled assembly hearing. The appellant has met the burden of proof, and there may be a solution available that the assembly has the power to enact that was not available to the planning commission" and the motion failed 3-2 with **LAPHAM**, **CAMPBELL**, and **LAPP** opposed.

It's difficult to say the PC erred if the borough attorney stated the PC could not grant an exception. **SCOTT** said the memo also stated PC also could discuss the definition of "available." **CAMPBELL** encouraged the assembly to also vote against this as it will not solve the problem. He would like the borough staff to work with citizens to solve the cause of the issue. **SCHNABEL** stated that, to her understanding, it would be financially unreasonable to expect the land owner to bring utilities to the subdivided portion of the land. **CAMPBELL** stated reversing the PC decision will not solve this issue. **SCHNABEL**

asked if the assembly wanted to stick to code or fix the issue. **LAPP** stated the assembly took an oath to uphold code. **SCOTT** said she felt the PC error was not taking the work around offered by the Borough Attorney. **STUART** was not sure if there was a problem with code. Other land owners have provided utilities to subdivided land at considerable expense. **SCHNABEL** asked why the new owner not present about this matter. **SCOTT** was also surprised, but it was not pertinent to the re-hearing. **GOLDBERG** stated there were ways to sell property without a subdivision plat. **SCOTT** ruled this was not pertinent. **GOLDBERG** stated water was available to **ST. CLAIR**'s house, right across the street. **CAMPBELL** disagreed that the assembly had the power to not follow code. There was a discussion whether a visit of a site would be ex-parte investigation, and **SCOTT** stated it would be. **CAMPBELL** said the cost of providing utilities was not germane to the code.

Motion: **CAMPBELL** moved "that the assembly refer to the Government Affairs (and Services) Committee the issue of the utilities in the Moose Lane/Sunshine Lane area of Piedad Rd. and have a discussion with the people interested in developing there and see if there is a solution for utilities and include also our public works department." The motion carried 5-1 with **LAPHAM** opposed.

SCOTT cautioned a similar meeting had been conducted and was the cause of the delay for this appeal.

Motion: **LAPP** moved to "adjourn the meeting at 10:00 pm, and carry over any business to the next regular assembly meeting." The motion carried unanimously.

7. Amend Previously Adopted Resolution – Ice House Coil Resolution

BENNER took responsibility for the mis-quote. First a repair was attempted, but it was not possible with the people and resources in town. Key Mechanical thought the scope was more limited on the original quote, hence the error. He was concerned a delay in this resolution and repair would cause a delay in ice production for the salmon season.

Motion: **CAMPBELL** moved to reconsider his vote on the adjournment time, which carried 5-1 with **BERRY** opposed.

Motion: **CAMPBELL** moved "to amend the adjournment time to 10:30 pm". The motion carried unanimously.

Motion: **LAPP** moved to "amend Resolution 13-12-523 adopted at the 12/10/13 meeting by inserting proposed amendments," and the motion carried unanimously.

In discussion, **SCHNABEL** asked if any person in Haines could install this coil. **BENNER** answered Mackowiak could, but he would be gone. He had also contacted Mike's Refrigeration in Juneau, but the answer was not good. **CAMPBELL** was asked if shipping was delayed, could Mackowiak install. **BENNER** stated no. **SCHNABEL** pointed out the quote's price was brought up by travel and administrative fees. She was concerned that by adopting this resolution the assembly was implicitly approving a budget amendment before it had been passed. **SCOTT** answered there was an intention to stop doing this. **LAPHAM** stated while she was caught off guard by the significant increase, she appreciated **BENNER**'s explanation and would like to move forward before the beginning of the season.

~~**8. Reconsideration of Vote – Haines Borough Assembly Meeting Schedule - This item was removed from the agenda**~~

9. Land Sale Update from Negotiation Team

Motion: **LAPP** moved to "go into executive session as allowed by AS 44.62.310(c)(1) to discuss the negotiated land sale of Lots 6 and 7 of the Primary School Subdivision; this matter qualifies for executive session because it contains 'matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity' and the assembly invites Executive Assistant to the Borough Manager Darsie Culbeck and Interim Borough Manager Julie Cozzi into this meeting," and the motion carried unanimously.

In discussion, **SCHNABEL** asked if **GILBERT** was the representative of the proposed

buyer, which was answered yes. **GILBERT** stated Aspen Properties had a sole owner.

Motion: **CAMPBELL** moved to amend "to invite **GILBERT** into the executive session," and the motion died from a lack of second.

COZZI stated municipalities are different than normal land sellers. The Borough Attorney reported he could represent the borough's interest in this matter. It may be inappropriate to have the borough represented by a real estate agent.

The assembly went into executive session.

The assembly came out of executive session.

Motion: **CAMPBELL** moved to "authorize the manager to continue with the negotiations as stated and bring a sales agreement ordinance to the assembly at the earliest possible convenience." The motion passed unanimously.

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

It was decided that committee chairs would arrange meeting dates outside of this meeting.

14. PUBLIC COMMENTS

FRIEDENAUER wished to remind the assembly a synopsis of evaluations was publicly available for employees which have negotiated contracts.

CULBECK stated he was 100% in support of the pool pass, but apologized for his part in pushing this faster than the assembly may have been comfortable.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS – None

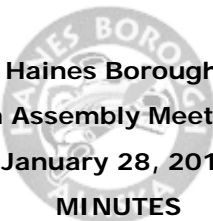
16. ADJOURNMENT – 10:35 pm

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

ATTEST:

Stephanie Scott, Mayor

Michelle Webb, Interim Borough Clerk


Haines Borough
Borough Assembly Meeting #262
January 28, 2014
MINUTES

Draft

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

2. **ROLL CALL**

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

Staff Present: Julie **COZZI**/Interim Borough Manager, Michelle **WEBB**/Interim Clerk, Krista **KIELSMEIER**/Administrative Assistant, Carlos **JIMENEZ**/Director of Public Facilities, Phil **BENNER**/Harbormaster, Jila **STUART**/Finance Director, Patricia **BROWN**/Library Director, Helen **ALTEN**/Museum Director, and Jason **RETTINGER**/Police Officer.

Visitors Present: Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, Gina **ST. CLAIR**, Daniel **HUMPHREY**, Mike **CASE**, Kyle **GRAY**, Bill **ROSTAD**, Don **TURNER JR.**, Danny **GONCE**, Glenda **GILBERT**, Greg **SCHLACHTER**, Scott **SUNDBERG**, Libby **KURZ**, George **FIGDOR**, Mike **WARD**, Terry **PARDEE**, Roger **SCHNABEL**, 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 – Library Director's Report
- 9A – Library Board Minutes
- ~~11A1 – Adoption of Resolution 14-01-531~~
- ~~11B1 – Introduction of Ordinance 14-01-366~~
- 12A – Request for Letter of Support – DIPAC Funding

Motion: **LAPP** moved to "approve the agenda and consent agenda," and it was amended to remove item 6A – Clean Harbor Presentation from the agenda; and the following items were removed from the consent agenda for discussion: 11A1 – Adoption of Resolution 14-01-531, and 11B1 – Introduction of Ordinance 14-01-366. The motion, as amended, carried unanimously.

In discussion, **CAMPBELL** mentioned that he was not an assembly member during the 10/22/13 meeting and was unsure whether he could vote on the approval of the minutes. **SCOTT** answered that it was appropriate. **SCHNABEL** asked if a motion to reconsider should be put on the agenda. It was placed under "Other New Business," before "Confirm Chief of Police Hire."

* 4. **APPROVAL OF MINUTES** – 10/22/13 Regular Meeting and 1/7/14 Special Meeting

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

CASE stated the U.S. flag had not been flying over the borough offices for several days and the American Legion could provide a flag, if needed. **COZZI** said the issue had been addressed by the fire department, and the tourism department flag is being borrowed. The previous flag was quite tattered, and the borough ordered a new one.

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

A. **Alaska Power & Telephone (AP&T) Rate Increase**

B. ~~Clean Harbor Presentation~~ *This item removed from the agenda.*

SCOTT stated she contacted the Alaska Marine Highway System regarding the LeConte's breakdown, and they were investigating how long it would take to fix. On Saturday a hiker was lost on the Mount Riley trail and was found. However, she noted this was a repeat

problem. She shared her concern with the Division of Parks. She would like the borough to do something about better marking that trail. **SCOTT** also reported on the Alaska Power & Telephone (AP&T) rate increase. She contacted the borough attorney, who recommended consulting with Thomas Lovas regarding the question of a possible petition to intervene. Resume and client lists for Lovas were provided to assembly members at the meeting. His rate is \$175 per hour, and he agreed to put no more than eight hours into this issue. **SCOTT** said she asked whether this process to intervene has a chance of making a difference in the outcome. She wished to consult with the assembly before moving forward to hire Mr. Lovas. If a petition is to be prepared, time is short; a special meeting may be required. Lovas would recommend whether to proceed with the petition, which would then require the borough attorney 10-20 hours to prepare. **SCOTT** asked whether the assembly would move to authorize that expenditure. The assembly would review the petition at the next regular meeting, on 2/11/14. **CAMPBELL** asked if Mr. Lovas could be hired to do the petition, and **SCOTT** answered no, just consulting. **SCHNABEL** inquired how other communities were responding to the proposed rate increase. **SCOTT** answered that other communities also are considering the question of intervention. **SCHNABEL** stated she was ready to vote in favor of this.

Motion: **BERRY** moved to give "authorization to go forward with the attorney's preparation of the petition if Mr. Lovas recommends that is a reasonable thing to do, that there is probability that it will result in a modification of the rate increase request," and the motion carried unanimously.

In discussion, **LAPHAM** asked the goal of the effort, and **SCOTT** responded it is to intervene on behalf of the customers, and to follow up with testimony. **SCOTT** concluded that with a proposed 18 percent increase in electrical rates, to reduce them by 2 percent would be positive.

7. PUBLIC HEARINGS

A. Ordinance 13-07-339 – Second Hearing

An Ordinance of the Haines Borough amending Borough Code Section 5.18.080 to change the procedure for amending the Commercial Ski Tour Areas Map.

Mayor **SCOTT** opened the public hearing at 6:49pm.

FIGDOR said he appreciated the GAS committee's efforts to have a balanced committee. He said the assembly might need to include an escape valve for scientific studies from the Bureau of Land Management and other significant governmental requests, so the assembly can temporarily amend the map before the map committee meets again. Lynn Canal Conservation's position was that the map should reflect the needs of wildlife, other users, and the interests of residents who live nearby. He suggested looking into issues with committees making their own rules. People attended in the past and were unable to comment. He said perhaps all committees should be required to allow for public comments.

SUNDBERG thanked the assembly for their work. He has some reservations about the language in section I1C. He stated there is other science available, beyond Fish and Game. He recommended that the assembly might amend the ordinance to include the best, newest and most relevant science to the industry. He agreed with **FIGDOR** about being able to make adjustments. He was part of the committee, and the reason they did not allow for public testimony was they had a job to do and were looking to be concise. He would agree that if there is time, they can take public testimony, but comments can bog down the process.

Mayor **SCOTT** closed the public hearing at 6:56pm.

Motion: **CAMPBELL** moved to "adopt Ordinance 13-07-339," and it was amended to add the word "organization," after the word "conservation" in section I1B1, and to include "and Bureau of Land Management personnel" before "in its deliberations" in section I1C and after "ADF&G" in all instances. The motion, as amended, carried 5-1 with **LAPP** opposed.

In discussion, **CAMPBELL** stated that he thought the Bureau of Land Management (BLM) amendment was unnecessary because BLM has its own permitting process. **SCHNABEL** said the purpose of this ordinance is to facilitate a map. She thought the borough had

recently demonstrated how closely aligned the jurisdictions are for reasonable, sensible, coordinated recreational activities. Including BLM would probably save a lot of time, mostly in doing the coordination up front, rather than being reactionary. **LAPHAM** agreed. If BLM were added, it would be up to them whether to participate. **CAMPBELL** asked about the GAS committee's proposal to have the map go to a three-year cycle immediately. **SCOTT** clarified that the policy was not part of this motion or ordinance.

B. Ordinance 13-12-357 – Second Hearing

An Ordinance of the Haines Borough authorizing renewal of a lease of the Human Resources Building with Chilkat Valley Preschool for the purpose of providing preschool educational services.

Mayor **SCOTT** opened and closed the public hearing at 7:05pm; there were no public comments.

Motion: **BERRY** moved to "adopt Ordinance 13-12-357," and it was amended to terminate the lease on June 30, 2014, and to eliminate items 14 (lease renewal) and 15 (termination). The motion, as amended, carried 5-1 with **BERRY** opposed.

In discussion, **CAMPBELL** clarified that the borough would like to dispose of this property. He asked whether the lease should be more in line with the academic year. **SCOTT** stated that a lease could be canceled with appropriate notice. The lessee is aware that the borough wishes to dispose of this property. **WATERMAN** referenced the public facilities report that listed issues with the building to bring it up to code. She felt the borough had been honest with the preschool about intentions for the property. This would be the last time she supports this lease, because there are other priorities for buildings. **BERRY** asked whether they could legally have a lease without an option for renewal or termination. **WATERMAN** suggested the termination right be retained so if the preschool found an alternate location, they would have an opportunity to cancel the lease early. **BERRY** questioned whether the assembly would terminate the lease even if the preschool could not find an alternate location.

C. Ordinance 13-12-358 – Second Hearing

An Ordinance of the Haines Borough amending Borough Code Section 18.80.030 to add setback regulations to the General Use zone and to correct a typographical error to make it consistent with the Section 18.20.020 definition of setback.

Mayor **SCOTT** opened and closed the public hearing at 7:14pm; there were no public comments.

Motion: **BERRY** moved to "adopt Ordinance 13-12-358" and it was amended to replace the word "structures" with "permanent buildings" and remove the phrase "for all uses" on page 3, section C. The motion to adopt and the motion to amend remained on the table.

In discussion, **CAMPBELL** stated the definition of structures includes many things such as utilities, driveways, etc. He believed the intent of the code was for fire safety. He added people often want their utility lines and driveways on property lines. His proposed amendment served a purpose for fire safety while allowing full use of the property. **GONCE**, as a planning commissioner, said he did not believe, typically, utility lines, driveways, curb and gutter are bound by the setbacks. **LAPP** asked if "structures" needed to be removed from the definition section of 18.80.030, as well. **SCOTT** clarified that the amendment was specific to the General Use Zone. **WATERMAN** said she did not see power lines and water and sewer lines as being unable to be in the setback. She questioned whether they were a "structure," by definition. **CAMPBELL** noted many residents in the General Use Zone do not have public utilities, and sometimes a well is near a property line. **WATERMAN** suggested if there were this many questions about it, this ordinance should be held over for another public hearing.

Motion: **WATERMAN** moved to "postpone this until the 2/11/14 meeting," and the motion carried unanimously. This motion superseded the previous motion.

In discussion, **SCHNABEL** committed, as liaison to the planning commission, to work with commissioners and staff before the next assembly meeting. **COZZI** clarified this item would appear under "Unfinished Business" on the 2/11/14 agenda.

D. Ordinance 13-12-359 – Second Hearing

An Ordinance of the Haines Borough amending Borough Code Section 18.100.092 to remove the biennial state inspection requirement for wastewater disposal systems to make this code section consistent with Section 18.60.010(i).

Mayor **SCOTT** opened and closed the public hearing at 7:27pm; there were no public comments.

Motion: **BERRY** moved to "adopt Ordinance 13-12-359," and the motion carried unanimously.

In discussion, **CAMPBELL** related a story where two children died due to a septic tank leakage exposure (not in Haines). He asked if the requirement is removed, was there any way to ensure people take care of their septic tanks. **SCOTT** clarified that this ordinance would remove the requirement for the Department of Environmental Conservation to inspect. **COZZI** added that, in her opinion, the existing code was unenforceable. An ordinance may be forthcoming, after further research, which might require inspections on a regular basis. **CAMPBELL** said he would move to postpone this, since it is a health and safety issue. He said this would be a reminder to bring back another ordinance. **COZZI** responded the new ordinance likely would not be ready by the next meeting. **SCOTT** suggested **CAMPBELL** propose this ordinance be brought back simultaneously with the new ordinance from staff, and **CAMPBELL** so moved. The motion failed, with **LAPHAM, LAPP, WATERMAN, and SCHNABEL** opposed. **SCHNABEL** noted this section of code referred to requirements prior to plat approval. She understood the concept and its value, but said it probably belongs in a policy section.

E. Ordinance 13-12-360 – Second Hearing

An Ordinance of the Haines Borough amending Borough Code Title 18 Sub-Section 18.30.010(A)(2)(c) to change the filing period for Construction Declaration forms.

Mayor **SCOTT** opened and closed the public hearing at 7:34pm; there were no public comments.

Motion: **BERRY** moved to "adopt Ordinance 13-12-360," and it was amended to "change the effective date to May 1, 2014, and to pursue an educational campaign in the interim." The motion, as amended, carried 5-1 with **CAMPBELL** opposed.

In discussion, **CAMPBELL** moved to amend the ordinance to include "within five calendar days" before "commencement of." The motion failed from lack of a second. **SCOTT** said "prior to commencement of construction" was a bit vague. **SCHNABEL** said she would like to see the ordinance worked in tandem with the previous General Use Zone setback issues. She saw them as tied together. At that moment in time, there were no restrictions on construction or development in the General Use Zone, except for the filing of a construction declaration within 60 days. This new regulation would be high impact, so she suggested postponing this until 2/11/14. **LAPP** said he viewed this construction declaration change as a separate issue. **CAMPBELL** stated the point was to keep the tax rolls accurate, but also to check on the new setbacks they were proposing. **SCOTT** broke a 3-3 tie, voting against postponement. **CAMPBELL** said this ordinance was a huge change for the borough, and the assembly had instilled some fairly significant penalties recently. By passing this with no forgiveness and training, the assembly was ensuring many fines in the near future. This especially would be an issue when more people start building. He suggested pushing back the effective date.

F. Ordinance 13-12-361 – Second Hearing

An Ordinance of the Haines Borough amending Borough Code Title 18 Section 18.20.020 to revise the definition of "Agriculture, personal use" and Section 18.30.070 to reduce the fee for permits relating to animal husbandry.

Mayor **SCOTT** opened and closed the public hearing at 7:44pm; there were no public comments.

Motion: **LAPHAM** moved to “adopt Ordinance 13-12-361,” and the motion carried unanimously.

In discussion, **CAMPBELL** asked if there was a limit on the number of dogs or cats people could own. As long as the borough was discussing chickens, not roosters, with the noise and the odor ordinance, why should the assembly care how many chickens someone had? He said dogs can be more of a problem than chickens. **SCOTT** read aloud from planning commission rationale in the packet. **LAPHAM** said she strongly urged the assembly to adopt the ordinance. The fines needed addressing, as far as chickens in the townsite area. She emphasized the assembly did not need to take any more time on this, and should pass the motion.

G. Ordinance 14-01-363 - First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Sections 2.50.030, 2.56.011, 2.60.055, 2.98.040, 2.100.040, 2.104.040, 2.105.040, 7.04.080, 16.08.010, and 18.30.040 to revise the procedure for filling board, committee, and commission vacancies.

Mayor **SCOTT** opened and closed the public hearing at 7:48pm; there were no public comments.

Motion: **BERRY** moved to “advance Ordinance 14-01-363 to a second public hearing on 2/11/14,” and the motion carried 5-1 with **CAMPBELL** opposed.

H. Ordinance 14-01-365 - First Hearing

An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY14 Budget.

Mayor **SCOTT** opened and closed the public hearing at 7:49pm; there were no public comments.

Motion: **LAPP** moved to “advance Ordinance 14-01-365 to a second public hearing on 2/11/14,” and it was amended to “strike the purchase, delivery, and installation of a sauna at the pool.” The motion, as amended, carried unanimously.

In discussion, **LAPP** said there was a finance committee meeting. They agreed to keep all the amendments, except the sauna. The committee thought it was inappropriate to use those appropriations for that. He suggested maybe the funding could be used to better mark Mount Riley. **CAMPBELL** said he would like to remove the harbor dump trailer from the ordinance, as there was no documentation for it. **WATERMAN** responded there had been a cost analysis that showed potential savings. **SCOTT** said documentation would be given to **CAMPBELL**, and he withdrew his motion.

A 5-minute break was given.

8. STAFF/FACILITY REPORTS

A. Interim Borough Manager – 1/14/14 Report

COZZI summarized her written report and added two items. First, she tasked the assistant assessor with getting a current evaluation of the Human Resources Building and land. Staff acknowledged the building had a lot of issues and would likely require asbestos abatement. The value in that property may be the land, and not in the building. She added the borough received some estimates from PND Engineers. The assembly could consider whether to spend extra money to bury power lines. **JIMENEZ** reviewed the three options presented by PND; \$575,000 for a turnkey solution to bury all of the utilities; \$230,000 for burying conduit only, from Main Street to the highway; and \$50,000 to bury fiber optic from the Administration Building to the Public Safety Building, for high-speed connectivity. The current, overall project was an estimated \$1.2 million, with possible add alternates. **SCOTT** said at 95 percent complete design, it was now essential to determine whether to make changes to the project.

Motion: **SCHNABEL** moved “to direct the staff to include as an added alternative to the advertisement the replacement of all power cable communication lines, and new street lighting along Third Avenue, for this project,” and the motion failed, 3-3, with **SCOTT** breaking the tie.

In discussion, **SCHNABEL** explained her motion referred to the first option outlined by **JIMENEZ**. **SCHNABEL** asked the assembly to consider at least the concept that they might be able to bury the lines. **JIMENEZ** said design must be done for an alternate, at an estimated 8-10 percent of the construction cost (about \$57,000). The design would delay the project, but not too much. Existing add alternates for the project include the Administration Building parking lot and an extension at the Senior Center. Both add alternates were outside the budget. They were planned well before **JIMENEZ** became public facilities director. **CAMPBELL** stated if the assembly really wanted underground lines, he would go with option one and two for alternates, in case of partial funding. The wastewater treatment plant was a much higher priority for him, despite a desire for underground power. **JIMENEZ** noted the previous alternates already had been designed. **WATERMAN** said, after discussing Front Street previously, certain areas of town were to be identified as priorities for underground power. She understood the concern from **CAMPBELL** that other projects were important, but there was a time to hold your ground and say it is a priority. There are different funding sources. **BERRY** asked why the assembly would spend money on something they did not have the money to build. **STUART** agreed that there was no funding source for the burying of power lines. **SCHNABEL** clarified the engineering money would design for the possibility of burying lines; bidders would do the detailed calculations and work. These were estimates and were not necessarily what the project was going to cost. **SCHNABEL** said she was willing to spend \$50,000 to at least have something to consider when the bids come in. **JIMENEZ** emphasized there was no deadline on when the previous alternates could be done; if they were not funded with the Third Avenue project, they could be done later with the same design. That was not the case for underground power. **SCOTT** asked about advanced engineering money, and **STUART** responded she would have to look at how much money was encumbered for other projects. The original scope of this project was from the highway to Dalton or Union streets. When the money from the Denali Commission was cut, the scope was reduced. The funding discussion did not have to be about just a parking lot vs. underground lines. **CAMPBELL** stated, long-term, he did not see how the borough was going to have the money to bury power underground; too many things were a high priority.

After the motion failed, **SCHNABEL** said she was very disappointed. **LAPP** added he thought the assembly had committed to bury power lines following discussion of the project on Front Street. **BERRY** stated, regardless of a previous action, there is no additional money for the Third Avenue work. **SCHNABEL** asked the assembly to consider that Permanent funds were available. The assembly could make things happen; they just did not have the will to do it.

Regarding the manager's report, **CAMPBELL** asked about a tourism department report and possibly having department heads submit a report once a month. **COZZI** stated she would request one from tourism.

***B. Haines Borough Public Library – Director's Report of 11/26/2013**

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

***A. Library Board – Minutes of 11/26/13**

B. Assembly Standing Committee Reports

WATERMAN spoke on behalf of the personnel committee, which discussed the organizational chart. The committee asked staff to consider moving the assessor's position over into the finance department. There also was an alternate job description for Darsie Culbeck presented to the committee for consideration. David Sosa would look at these pending the approval of his contract as borough manager. Lastly, the committee discussed action minutes vs. the narrative minutes that currently are produced.

SCHNABEL reported the commerce committee did not meet, but she wanted to give an update on the municipal solid waste survey. Linda Moyer is working with **SCHNABEL** to get the survey on the borough website, which had been a bit delayed due to technology issues.

10. UNFINISHED BUSINESS

11. **NEW BUSINESS**

A. Resolutions

1. **Resolution 14-01-531**

A Resolution of the Haines Borough Assembly expressing support for Governor Parnell's proposal to appropriate \$3 billion from the Constitutional budget reserve into the Alaska Retirement Trust Funds in 2015.

Motion: LAPP moved to "adopt Resolution 14-01-531," and the motion carried 5-1 with SCHNABEL opposed.

The mayor stated that none of the assembly members had a conflict of interest. She pointed out supporting documents about the impact of this proposal. CAMPBELL said he had distaste for this, but it was an act of necessity. As distasteful as it was, the governor was trying to fix the problem.

B. Ordinances for Introduction

1. **Ordinance 14-01-366**

A non code ordinance of the Haines Borough approving the sale to Aspen Management, LLC of Lots 6 and 7 Primary School Subdivision plat No. 2008-21, Haines Recording District, First Judicial District, State of Alaska.

Motion: BERRY moved to "introduce Ordinance 14-01-366 and set a first public hearing for 2/11/14." The motion carried unanimously.

In discussion, CAMPBELL said he liked most of this ordinance, but there was one little thing missing. He moved to amend the contract to require the property to remain as taxable property, for a minimum of 20 years. The motion failed from lack of a second. WATERMAN requested a memo from the assistant assessor's office be posted to the borough website, to see how that price was determined. SCHNABEL noted Section 12A referred to any use whatsoever, and asked if it was the assembly's intention to say this must be a hotel. CAMPBELL said there must be something to put this on the tax rolls. It is not only a hotel, but the property tax also would help the borough. LAPP added that tax exemptions must come before the assembly. SCOTT clarified there are some required exemptions. Also, the assistant assessor is working to correct some properties that may not have been properly classified. BERRY stated he was satisfied with the language in section 9, referring to construction of a hotel on the property, with a value of at least \$3 million.

C. Other New Business

Motion: CAMPBELL moved to "reconsider the vote to deny hearing the appeal of Gina St. Clair," and the motion carried unanimously.

In discussion, CAMPBELL stated his previous vote was about not meeting deadlines, and he now believed there was no deadline missed for St. Clair's appeal. Code referred to working days, which would not include weekends and holidays.

Motion: BERRY moved to "grant Gina St. Clair a rehearing of the planning commission's decision to take place at the regularly scheduled assembly meeting; the appellant has met the burden of proof, and there may be a solution available that the assembly has the power to enact that was not available to the planning commission," and it was amended to change the hearing date to 2/11/14. The motion, as amended, carried unanimously.

In discussion, SCOTT mentioned the Government Affairs and Services committee meeting was scheduled for 2/4/14, regarding the issue of utilities in the Moose Lane/Sunshine area of Piedad Road. COZZI noted Sunshine was redundant, because residents already had utilities, so the meeting should focus on Moose Lane. STUART clarified that Moose Lane property owners should be contacted to attend the meeting. COZZI asked about possibly delaying the GAS committee meeting until after the St. Clair hearing. BERRY responded, as chair, he was fine with delaying it. SCHNABEL said it seemed the committee meeting should be first, so the assembly could hear from the neighborhood.

1. Confirm Chief of Police Hire

Motion: **CAMPBELL** moved to "confirm the manager's decision to hire Richard Crays as chief of police for the Haines Borough," and the motion carried unanimously.

In discussion, **CAMPBELL** stated that he was in support; it had been reported to him that there was no reason not to hire this candidate. **SCOTT** said extensive background checks were completed. **COZZI** shared several statements from references who had interacted with the candidate. All the references were positive. Crays' wife was very excited about moving to Haines. **COZZI** added that the other candidate, William Musser, also was well qualified. She said Crays would be available within 3-4 weeks, after giving notice.

2. Tanani Bay Sewer Outfall System

Motion: **CAMPBELL** moved to "refer the topic of responsibility for the Tanani Bay sewer outfall system to the Government Affairs and Services Committee," and the motion carried unanimously.

In discussion, **CAMPBELL** asked if there is any past paperwork the assembly could get their hands on. **COZZI** said yes, and there was a lot of information to go over and explain in committee.

3. Harbor Breakwater Decision

Motion: **LAPP** moved to "accept the PHAC recommendation of a partially penetrating wave barrier design" and the motion carried 4-2 with **BERRY** and **CAMPBELL** opposed.

In discussion, **BERRY** asked about the cost of maintenance of a wave barrier system. **JIMENEZ** referred to a PND Engineers document that outlined the costs of maintenance. **BERRY** said the longer the facility is out on the water, the more expensive the maintenance was going to be. He asked if PND gave a local rock source as an option. **JIMENEZ** responded he believed they looked at the local source and determined it was not an option. **SCOTT** said Roger Schnabel tested his rock and had some preliminary results. **CAMPBELL** stated the borough had its own local rock source. There would be cost savings and a shorter haul. This was a 50-year commitment. Nowhere had anyone presented operational costs with 50 new slips, shoveling the snow, etc. **LAPHAM** said during the winter, many sport fishermen and gillnetters take their boats out of Haines. The harbormaster and members from PHAC had spent many years on this. **TURNER** remarked that, to his knowledge, the borough rock source had not been investigated. **WATERMAN** stated **BENNER** called a port in Washington that had used the proposed option for 20 years, gathering information about maintenance. Last week, **WATERMAN** was ready to argue for the rubble mound, but harbor users were concerned about financing the interior work. If all the funding were used for the rubble mound, there would be nothing left for the inside. Due to the length of this project, the state offer to bond could disappear. The borough still needed permitting from the Army Corps of Engineers. **WATERMAN** said she believed this was the best decision, at this time. **BENNER** spoke to the history of the breakwater and said all engineering pointed to a possible failure due to poor soil stability with the wick drains. People worked through the process for the last 10-15 years. Even if the committee decided it would like to have a rubble mound breakwater with wick drains, the borough did not have the money to do it. **BENNER** stated that very little maintenance had been done on the like facility in Washington. **SCOTT** agreed with this choice. Wave barriers were increasingly common and accepted. **TURNER** said all would like a rubble mound, but it came down to money. The people he had spoken with do not want to put the rubble mound in, without infrastructure. **SCOTT** noted this was just a selection of a concept, and a contract for engineering would come before the assembly later. **CAMPBELL** clarified cost estimates with **BENNER**, and dredging was a major expense.

4. Executive Session – Update on Manager Contract Negotiations

Motion: **CAMPBELL** moved to "go into executive session as allowed by AS 44.62.310(b)(2) to discuss the contract negotiations of David Sosa (and Richard Crays); this matter qualifies for

executive session because it contains 'matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity'; the applicants have been provided with an opportunity to request a public discussion; and the assembly requests Interim Borough Manager Julie Cozzi to join the assembly in this session," and it carried 5-1 with **SCHNABEL** opposed.

The assembly went into executive session.

The assembly came out of executive session.

Motion: **WATERMAN** moved to "extend the meeting up to 20 minutes," and the motion carried 5-1 with **LAPP** opposed.

Motion: **WATERMAN** moved to "approve the contract at \$98,000, a three-year contract, with a 3.5 percent pay increase on the subsequent two years," and the motion carried unanimously.

In discussion, **SCOTT** remarked that Sosa had accepted these terms. **WATERMAN** thanked **COZZI** and **SCOTT** for negotiating with Sosa.

Motion: **LAPP** moved to "approve up to \$10,000 in travel expenses for Mr. Sosa," and the motion carried unanimously.

In discussion, **SCOTT** said Sosa provided an itemized list of travel expenses. **WATERMAN** stated she appreciated Sosa coming here before his wife and daughter, and that travel costs would be shared by the Marines.

Motion: **WATERMAN** moved to "authorize the interim manager to negotiate (with Mr. Crays) no higher than \$73,000," and the motion carried 5-1 with **CAMPBELL** opposed.

12. CORRESPONDENCE/REQUESTS

***A. Request for Letter of Support:** Port and Harbor Advisory Committee request for funds from Douglas Island Pink and Chum (DIPAC).

13. SET MEETING DATES

A. Government Affairs and Services Committee – Thursday, 2/6/14, 5:30pm – Purpose: Consider the planning commission recommendation #1, "The borough should develop a policy that would allow for the municipality to participate in the extension of water and sewer mains. This policy would include a mechanism to recoup this investment over time as new connections are initiated."

Tuesday, 2/11/14, 5:30pm – Purpose: Discuss Tanani Bay Sewer System (assigned to the GAS committee during the 1/28/14 assembly meeting); Ordinance 13-10-352 regarding revision and clarification of water and sewer service procedures; and Ordinance 14-01-364 regarding the allowance of an assembly approved exception to the contract or sale limit to a borough officer or employee.

B. Board of Equalization Training – Monday, 3/3/14 – Purpose: State of Alaska Assessor, Steve Van Sant, will conduct Board of Equalization training.

C. Joint School Board and Borough Assembly Meeting – Tuesday, 3/4/14 – Purpose: Annual meeting mandated by Charter Sec. 7.04 to discuss and coordinate financial planning, capital improvement needs, the six-year capital improvement plan, and other matters of mutual concern.

D. Committee-of-the-Whole – Monday, 2/10/14, Noon-4pm – Purpose: Pre-budget workshop with manager and department heads.

E. Committee-of-the-Whole – Wednesday, 2/26/14, 5:15pm – Purpose: Set local assembly legislative priorities for FY15.

14. PUBLIC COMMENTS

STUART stated an advisory board for utilities would be a good idea; it would take pressure from the GAS committee. It would include experts well-versed in the issues, and was an idea of the mayor. Also, she wished the borough could make some sort of plan about what streets

were priorities, regarding whether to bury lines, to pave or chip coat, etc., There would be a document to reference when making decisions. **STUART** thanked **COZZI** for her leadership.

15. ASSEMBLY COMMENTS

SCOTT said a citizen told her she was so pleased with the maintenance of the roads. People were working hard to prepare for the next snow.

WATERMAN commented she was very pleased with where the borough was at in filling positions. She wanted to say how much respect she has for Simon Ford as interim chief, and him saying he wanted a chief he could learn from.

CAMPBELL said, as an assembly, they needed to come up with priorities about power lines, sewers, etc., to give staff good direction.

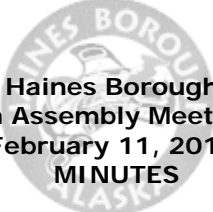
16. ADJOURNMENT – 10:26pm

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

ATTEST:

Stephanie Scott, Mayor

Michelle Webb, Interim Borough Clerk



Haines Borough
Borough Assembly Meeting #263
February 11, 2014
MINUTES

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

2. **ROLL CALL**

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

Staff Present: Julie **COZZI**/Interim Borough Manager, Michelle **WEBB**/Interim Clerk, Krista **KIELSMEIER**/Administrative Assistant, Carlos **JIMENEZ**/Director of Public Facilities, Simon **FORD**/Interim Police Chief, and Jila **STUART**/Finance Director, Scott **BRADFORD**/Water-Sewer Plant Operator, Ed **BRYANT**/Maintenance.

Visitors Present: Karen **GARCIA**/CVN, Bill **KURZ**, Mike **CASE**, Gina **ST. CLAIR**, Daniel **HUMPHREY**, John **FLORESKE**, Thom **ELY**, Jerry **ERNY**, Glenda **GILBERT**, Brad **RYAN**, Kyle **GRAY**, Don **TURNER III**, Danny **GONCE**, Mike **DENKER**, Alissa **HENRY**, Sara **CHAPPELL**, Janet **HAYES**, Brent **CROWE**, Kristin **WHITE**, Brenda **JOSEPHSON**, Roy **JOSEPHSON**, Libby **KURZ**, 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 – Chief Fiscal Officer Report
- ~~11A1 – Adoption of Resolution 14-02-532~~
- 11A2 – Adoption of Resolution 14-02-533
- 11A3 – Adoption of Resolution 14-02-534
- 11B1 – Introduction of Ordinance 14-02-367
- 11B3 – Introduction of Ordinance 14-02-369
- 11C1 – Board Appointment
- ~~11C2 – Confirm Administrative Policy re. Heli-Map Review Cycle~~
- ~~12A – Request for Letter of Support for Grant Funding~~
- 12B – Discussion of Borough Letter to the Mental Health Trust (added)

Motion: **WATERMAN** moved to “approve the agenda and consent agenda,” and it was amended to: remove item 6A from the agenda, remove 11C2, 12A, and 11A1 from the consent agenda, and add 12B – Discussion of Borough Letter to the Mental Health Trust. The motion, as amended, carried unanimously.

* 4. **APPROVAL OF MINUTES** – Regular: 11/12/13 & 12/10/13, Special: 2/5/14

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

HENRY spoke as the president of the Chilkat Valley Preschool (CVP) and asked the borough to reconsider the termination of the Human Resource (HR) building lease. She asked the assembly to consider extending the lease 1 more year. CVP was excited to explore other options than the HR building, but needed more time to secure grant funding and purchase a proposed modular building. Strict licensing requirements require additional time as well. CVP highlighted their role in providing quality early education programs which contribute to community success.

HAYES supported **HENRY**'s statements and also stated continuity was important for children of preschool school age. Therefore, allowing the CVP to arrange for a gradual transition from HR building was important.

CROWE is a fisherman and has lived in Haines for several years with his two small children. The CVP program was very important for his family. The Head Start program was full and CVP was

better fit for his family. He could live elsewhere in the summer, but Haines is important and this program is important. He felt an extension of the lease was critical for the CVP non-profit.

RYAN was a part of the previous sale discussion of the HR building with the Chilkoot Indian Association. He understood the building may be a loss. He asked the borough to take under school age children into consideration of their deliberations, as it is a program which will attract and keep families in town.

WHITE is a mom and teacher. She urged for the extension of the CVP lease.

ELY spoke to ordinance 14-02-368 which will authorize more snow machines and ATVs use in the borough. He stated, when a similar ordinance was introduced previously, Chief Lowe spoke against it. He did not see any noticeable changes in this ordinance. **ELY** was concerned about a high injury rate of motorized vehicles, that this ordinance would be hard to enforce, and that vehicles would cut corners and tear up private and public property. Further, these machines would interfere with walkers and bikers. He felt this ordinance was in retaliation to the closure of the Chilkat River Beaches area to motorized vehicles.

Motion: **LAPHAM** moved to reconsider her vote on the lease for the CVP. The motion carried 5-1 with **CAMPBELL** opposed.

In discussion, **SCHNABEL** wished to wait until the assembly had met with the school board to reconsider this matter. **COZZI** clarified a motion could be reconsidered and then postponed till a later date.

Motion: (on the table after reconsideration) "adopt Ordinance 13-12-357". The motion was amended to revert back to the lease language, and then further amended to the termination date of the lease to June 30, 2015 and remove section 14. – Renewal.

In discussion, **SCHNABEL** reminded the assembly that the original request was for a termination date of December 31st, 2014. She asked when the program's year end was. **HENERY** answered the program ended in May 28th approximately, but would need the summer of 2015 to move. **JIMENEZ** stated he did not foresee any additional capital expenditures between now and the summer of 2015. **CAMPBELL** felt for the organizations, but had been told by parents that other programs are available. He proposed to have the CVP program take over the maintenance of the building for the additional year. **BERRY** felt the needs of the children should be the first priority. He encouraged granting them the extra time.

In discussion, **WATERMAN** stated **JIMENEZ** had reported the building was in good enough condition to proceed without additional investment. However, she was concerned about the safety of the children. She would like the CVP to take proactive action and come to the assembly. The assembly supported the organization through free rent and through grant funds for a number of years. **CAMPBELL** asked about postponing this decision to have the CVP present their transition plan at a further meeting. **BERRY** clarified that even with a renewal clause; a renewal would have to come back before the assembly. **LAPHAM** and **WATERMAN** were in favor of renewal. **CAMPBELL** stated this would allow time for CVP to move and for construction.

6. MAYOR'S COMMENTS/REPORT

A. ~~Clean Harbor Presentation~~ (Removed from Agenda)

The mayor read her written report which was included as a supplemental document. **COZZI** clarified the Committee-of-the-Whole (COW) meeting in the report was Feb. 26th, not March 26th.

7. PUBLIC HEARINGS

A. Rehearing on Appeal of a Planning Commission Decision –

St. Clair Request for Exemption

ST. CLAIR stated she was asking for the assembly to declare that the water and sewer on North Sawmill were unavailable to her proposed subdivided property. With a significant tax increase she wished to sell the northern portion of her land. This was to be her retirement investment. She stated the cost to provide water and sewer, as required by code, would be over \$100,000 with many hurdles. The property was only valued at \$60,000. If the situation

regarding the requirement for water and sewer was not remedied, then her property value would plummet and the land would be deemed unusable. She felt this portion of code was difficult and poorly written. It should not apply to a single, large, subdivision. She contested the land had been previously subdivided, but the subdivision was never documented. The code was flawed because it allowed for measurements from any lot line. She felt measurements should be left out of code and that staff opinion was a poor criterion. Instead, she felt code should state under what conditions staff could grant an opinion. She stated a utility engineer or even the planning commission (PC) would be more qualified to consider an exemption. Code limited what power staff and the PC had, and felt this had tied their hands. Extension of utilities through the borough utility right-of-way would cause a number of issues, disrupt an andromedus fish stream, and only allow two additional customers to connect. She felt a N. Sawmill Road utilities extension would be a poor choice to provide Moose Lane with service. However, an extension from Piedad Rd. would allow service to an additional 14 lots and could be constructed under the existing road. If an exemption was granted, DEC would still have to approve any independent water and sewer systems. Also, the new owner of her property could participate in a local improvement district (LID) to extend water and sewer to the property. **JIMENEZ** stated the obstacle to extend utilities was not insurmountable. Cost estimates would be difficult to predict without engineering. **SCHNABEL** was concerned there was not enough information. **SCOTT** stated the head of the PC and **JIMENEZ** have visited the site, and the terrain was similar to what **ST. CLAIR** described. However, both agreed to with code.

Mayor **SCOTT** opened and closed the public hearing at 7:33pm; there were no public comments.

Motion: **SCHNABEL** moved to "reverse the planning commission's decision and allow an exemption from the requirement". The motion carried unanimously.

In further discussion, **SCHNABEL** stated she felt utilities were not reasonably available. **CAMPBELL** stated this area was rural residential, and he applauded the work of staff and the PC who followed code so thoroughly. He stated the mains did not have to be extended, just small lines. However, small extensions would not help the borough provide service to this area. However, these residents seemed content without water and sewer services at this time. **BERRY** felt the error was using the lot line which would be created as the measuring point, not the old lot lines. He hunted in the area's difficult terrain and was in favor of the motion. **LAPHAM** and **WATERMAN** felt this section of code needed to be revisited. **WATERMAN** asked the assembly to be cautious of the precedence that was set. **LAPP** supported this motion and agreed code should also be reviewed to see if the same subdivision rules should apply to all sizes of subdivisions. **SCHNABEL** stated, as the PC liaison, the PC denied this appeal because it was not in their power to grant the exemption.

A 5 min. recess was given.

B. Ordinance 14-01-363 - Second Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Sections 2.50.030, 2.56.011, 2.60.055, 2.98.040, 2.100.040, 2.104.040, 2.105.040, 7.04.080, 16.08.010, and 18.30.040 to revise the procedure for filling board, committee, and commission vacancies.

Mayor **SCOTT** opened and closed the public hearing at 7:54pm.

DENKER helped to draft this ordinance and supported its passage. He felt this ordinance fixed issues, wholes in code, and concerns about due process.

Mayor **SCOTT** opened and closed the public hearing at 7:56pm.

Motion: **LAPP** moved to "adopt Ordinance 14-01-363." The motion carried 5-1 with **CAMPBELL** opposed.

There was no discussion.

C. Ordinance 14-01-365 - Second Hearing

An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY14 Budget.

Mayor **SCOTT** opened and closed the public hearing at 7:57pm; there were no public comments.

Motion: **BERRY** moved to "advance Ordinance 14-01-365, as amended by staff recommendation, to a third public hearing on 2/25/14." The motion carried unanimously.

In discussion, **SCHNABEL** stated she would like to see the use of capital improvement project (CIP) funds instead of townsite service area funds. **STUART** stated the concept of the current funding was to take a "loan" from the general fund to be repaid by the passenger tax. The CIP funds are all currently designated to other projects.

D. Ordinance 14-01-366 - First Hearing

A non code ordinance of the Haines Borough approving the sale to Aspen Management, LLC of Lots 6 and 7 Primary School Subdivision plat No. 2008-21, Haines Recording District, First Judicial District, State of Alaska.

Mayor **SCOTT** opened the public hearing at 8:06pm.

ELY believed the property was undervalued, and referred to a past sale from a few years ago.

Mayor **SCOTT** opened and closed the public hearing at 8:07pm.

Motion: **LAPP** moved to "advance Ordinance 14-01-366 to a second public hearing on 2/25/14." The motion carried 5-1 with **CAMPBELL** opposed.

In discussion, **CAMPBELL** moved to amend the ordinance "to add a condition that the property remains on the tax rolls for a minimum of 10 years". The motion died from a lack of a second. **CAMPBELL** said it was not in the borough's best interests to proceed with the sale without a guarantee that the borough could collect taxes on the property.

E. Ordinance 13-10-352 - First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 13 to revise and clarify water and sewer service procedures.

Mayor **SCOTT** opened and closed the public hearing at 6:49pm; there were no public comments.

Motion: **BERRY** moved to "postpone ordinance 13-10-352 to the 2/25/14 meeting". The motion carried unanimously.

In discussion, it was found this ordinance was not in the packet. The Government Affairs and Services Committee was not able to review the ordinance at their meeting.

8. STAFF/FACILITY REPORTS

A. Interim Borough Manager – 2/11/14 Report

COZZI stated, in addition to her written report, that Sosa's first day in the office as borough manager will be April 8th and the borough had a signed contract with. Also, that interim clerk/deputy clerk **WEBB** was getting married on Friday.

***B. Chief Fiscal Officer Report – 2/5/14 Report**

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

A. Assembly Standing Committee Reports

BERRY reported on the Government Affairs and Services Committee. He said they recommended staff look into expanding the borough's role in extending water and sewer services. However, the meeting with the Moose Lane property owners showed that many residents were not in favor of a local improvement district.

10. UNFINISHED BUSINESS

A. Ordinance 13-12-358

An Ordinance of the Haines Borough amending Borough Code Section 18.80.030 to add setback regulations to the General Use zone and to correct a typographical error to make it consistent with the Section 18.20.020 definition of setback.

Motion: **BERRY** moved to "assign Assembly Member Schnabel to work with the planning commission to reconcile proposed ordinance 13-12-358 and adopted ordinance 13-12-360, and postpone adoption of the ordinance until that work is completed." The motion carried 5-1 with **CAMPBELL** opposed.

In discussion, **SCHNABEL** said this was what she had volunteered to do. **CAMPBELL** asked if **SCHNABEL** had already met with the planning commission chair, and she answered no. **CAMPBELL** said the state fire marshal already has rules for distance between properties, and therefore, this may already be taken care of by state law.

11. NEW BUSINESS

A. Resolutions

1. Resolution 14-02-532

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract change order with Pacific Pile & Marine, LP for the Port Chilkoot Dock and Letnikof Cove Harbor Renovations project for an amount not to exceed \$43,355.45.

Motion: **BERRY** moved to "adopt Resolution 14-02-532" and the motion carried unanimously.

In discussion, **SCHNABEL** asked about the line item which paid the borough to administer the project. **STUART** said the legislative grant allows up to 10% to pay ourselves for project administration. The borough uses actual costs for administration. **CAMPBELL** believed if the state allowed 10%, then the full percentage should be charged to the grant. He would like to see a blanket 10% for all projects. **STUART** stated this was unnecessary, as all the money will be used on the project.

***2. Resolution 14-02-533**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract with Southeast Road Builders to provide 2014 snow removal services for the Cathedral View/Piedad Area Subdivisions.

The motion adopted by approval of the consent agenda: "adopt Resolution 14-02-533."

***3. Resolution 14-02-534**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a construction contract with Behrends Mechanical for the Haines School Fans Replacement project for an amount not-to-exceed \$319,235.

The motion adopted by approval of the consent agenda: "adopt Resolution 14-02-534."

4. Resolution 14-02-535

A Resolution of the Haines Borough Assembly authorizing the borough attorney to petition the Regulatory Commission of Alaska to intervene in Docket Number U-14-002, the rate making case filed by Alaska Power Company, and to represent the borough in that proceeding.

Mayor **SCOTT** opened and closed the public hearing at 8:21pm.

GONCE, who works for Alaska Power and Telephone (AP&T), stated the proposed 18% increase will only be applied to a portion of user's bill. Therefore, if this increase will be authorized, it will only result in about a 10% increase to most people's bills.

Mayor **SCOTT** closed the public hearing at 8:23pm

Motion: **WATERMAN** moved to "adopt Resolution 14-02-535," and the motion carried 4-2 with **CAMPBELL** and **LAPP** opposed.

In discussion, **SCOTT** stated an intervention into this matter may cost about \$1,400 to consultant and 10-20 hours with attorney. **CAMPBELL** asked about additional hours, and **SCOTT** clarified that she believed no more than 20 hours would be billed. Costs are unknown for the project as a whole, but each step will be authorized by the assembly. **SCHNABEL** was also concerned about the price of this. However, she felt that this was a fight worth taking up. **SCOTT** stated the borough was just following the process to have the right to participate. By taking this action, the borough will become a party in the case. The whole issue may not be resolved until 2015. **CAMPBELL** felt the cost of the intervention was too high, and was against the resolution.

B. Ordinances for Introduction

*** 1. Ordinance 14-02-367**

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.10.040 to modify assembly meeting minutes procedures.

The motion adopted by approval of the consent agenda: "introduce Ordinance 14-02-367 and set a first public hearing for 2/25/14."

2. Ordinance 14-02-368

An Ordinance of the Haines Borough amending Haines Borough Code Chapter 10.34 to authorize the use of ATVs on streets and highways within the borough and allowing use of snow machines on highway shoulders within the borough.

Motion: **LAPP** moved to "introduce Ordinance 14-02-368 and set a first public hearing for 2/25/14." The motion carried unanimously.

In discussion, **LAPP** told the assembly a similar ordinance had been brought forward previously. However, he took exception that this was in retaliation to the restriction on the Chilkat River beaches. He voted against the ordinance in its previous incarnation. He has changed this ordinance with the removal of several sections, some of which pertained to administrative permitting. ATVs will follow the same rules as snow machines on streets in Haines. **CAMPBELL** asked if golf cart should also be included and **SCOTT** read the definition at the end of the ordinance which explained that golf carts were excluded. **LAPP** stated he had discussed this ordinance with **FORD**, and he had no objection to this on concept. **LAPP** felt the road can be successfully shared by all users.

*** 3. Ordinance 14-02-369**

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.30.050 appeals to the commission to conform to the requirements of filing an appeal.

The motion adopted by approval of the consent agenda: "introduce Ordinance 14-02-369 and set a first public hearing for 2/25/14."

C. Other New Business

*** 1. Board Appointments**

The motion adopted by approval of the consent agenda: "confirm the mayor's appointment of Scott Sundberg to the Tourism Advisory Board for a term ending 11/2016."

2. Confirm Administrative Policy re. Heli Map Review Cycle

Motion: **CAMPBELL** moved to "confirm the administrative policy as written".

Motion: **CAMPBELL** moved to "postpone this item to the 2/25/14 meeting," and the motion carried unanimously. This motion superseded the previous motion.

In discussion, **CAMPBELL** spoke in favor of this policy. However, he was concerned about the weather being poor for heliskiing. He felt the previous removal of three commercial ski areas has negatively affected the industry. Additionally, community involvement every three years, instead of every year, and having the new manager, would improve the

process. **WATERMAN** saw the decision, which was made in July regarding the map areas, as a separate issue from the policy being discussed. **COZZI** was concerned that there was no wiggle room in the current proposed policy if areas needed to be added or subtracted by state order or in an emergency. **SCOTT** stated that the policy was not law, but a statement of preferred practice. **CAMPBELL** stated he was not comfortable with passing a policy with flaws. **SCHNABEL** clarified that **CAMPBELL** would like the postponement of the policy to change the map and fix some issues. **BERRY** was concerned that this had been addressed four times in the GAS committee.

3. Confirm Chief of Police Hire

Motion: **CAMPBELL** Confirm the manager's decision to hire William Musser as Chief of Police for the Haines Borough. This motion carried 5-1 with **SCHNABEL** opposed.

COZZI asked for confirmation of William Musser as her choice of Chief of Police. After the motion was made, she explained she had been increasingly impressed with Musser as a candidate. The background checks and references have come back very positive, some of which were read out loud by **COZZI**. The one criticism of the candidate was that sometimes he talked down to people. Musser stated he was working very hard on addressing this concern. Musser was described as gentle, professional, and humble. It was reported that Musser, if offered the position, would not accept anything higher than \$75,000 a year salary proposed by the assembly until the training and probationary period was finished. He stated he could start on Feb. 27th if offered the position. **SCHNABEL** asked how the Public Safety Commission (PSC) felt about this candidate. **COZZI** reported they recommended that **FORD** be encouraged to take the position, and if he declined, to start over with the recruitment process. While she disagreed with the PSC recommendation, she emphasized that a 1 year probationary period would be in place. **CAMPBELL** agreed with the manager's recommendation.

12. CORRESPONDENCE/REQUESTS

A. Request for Letter of Support for Grant Funding – Takshanuk Watershed Council Letter

Motion: **BERRY** moved to "send the letter of support", as amended to change "will become a part" to "could become" in the last sentence. The motion carried unanimously.

In discussion, **LAPHAM** questioned if this report would become a part of the Haines Borough snow removal plan. She stated her concern that dump sites would be lost. **BERRY** remarked that when the CIA building was built, a snow dump area was removed. There are also plans to further develop land which will remove a large snow dump site on 2nd Ave. **RYAN**, with the Takshanuk Watershed Council (TWC), reported that snow removal issues continued to be brought up to him. The State Department of Environmental Conservation (DEC) had asked if the TWC was working with the borough to develop a plan. If this grant was awarded, it may benefit the borough instead of having to work through a more expensive contractor. It was suggested that perhaps grant funding could be used to purchase land for snow dump use. **RYAN** appreciated **JIMENEZ's** and Ralph Boarder's work to immediately remedy concerned areas. **JIMENEZ** stated that it is commonly known that beach dumping will no longer be an option soon. The manager has directed him to start looking at other lots for use. He supported this grant application and plan.

A 5 min recess was given

B. Discussion of Borough Letter to the Mental Health Trust – This item was added to the agenda

In discussion **LAPP** stated that the letter sent to the Mental Health Trust misrepresents the Haines Borough. He felt the assembly should have weighed in on this. **SCOTT** stated that she felt that the Mental Health Trust may have misinterpreted the Comprehensive Plan, and she asked that staff to write the letter to address it.

Motion: **CAMPBELL** moved “that a retraction be sent immediately.” The motion carried 4-2 with **WATERMAN** and **SCHNABEL** opposed.

In further discussion, **LAPHAM** also felt this letter misrepresented the borough. She felt the Comprehensive Plan was not cast in concrete and agreed with the motion. **CAMPBELL** also felt that this letter should have come before the assembly. He proposed that each of the assembly members should sign the retraction letter. **BERRY** stated that with decreasing population, the borough should seek development opportunities. He felt that the letter sent by the borough seemed to state there was no mineral extraction in area, which is untrue. **SCHNABEL** would like to enter in conversation with the Mental Health Trust about this matter. The mayor offered to write the retraction letter. **LAPP** and **SCHNABEL** agreed some areas would not be suitable for mineral extraction, but not all areas. **SCHNABEL** suggested the assembly educate themselves about the proposed type of mining. **LAPP** emphasized that the Mental Health Trust letter spoke mostly to exploration. **LAPHAM** was glad this important issue was being discussed.

13. SET MEETING DATES

A. Government Affairs and Services Committee – Wednesday, March 5th at 5:30 pm

To discuss: unfinished business, the planning commission request to develop a policy allowing exemptions and/or deferral to participation in LIDs from their 1/9/14 recommendation, and election reform.

B. Commerce Committee Wednesday the Feb. 26th, 4:00pm

To discuss the severance tax, municipal solid waste, commercial vehicle permits, and the Board of Fisheries solicitation for the next meeting.

C. Joint Tourism Advisory Board/Borough Assembly Meeting

A meeting was discussed to review the hire of a new tourism director, but no meeting was set. **SCOTT** recommended meeting as a COW first and waiting till Mr. Sosa was in place, as the Tourism Director is a manager hire. She considered including this discussion for the COW on February 26th. Tanya Carlson’s last day as Tourism Director will be April 9th. **LAPP** was identified as the liaison to the TAB.

D. Finance Meeting – To Be Announced

14. PUBLIC COMMENTS

ELY felt it was discouraging to see the assembly waffle and revisit issues. He encouraged the assembly to make decisions and stick to them. He would like to see more consensus and action from the assembly.

KURZ announced that on March 8th the Chamber of Commerce will hold an Economic Summit from 10 am to 3 pm. He encouraged people to attend and discuss what the economy is doing and hopes to do.

BRYANT believed that people on ATVs are fairly safe and supports more ATV use in the Haines Borough.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

BERRY stated he will not be able to participate in the Feb 25th meeting.

LAPHAM heard that the Juneau assembly was looking at the Water Sewer rates. She thought it was interesting they were looking at the cruise ships to help support the cost of water and sewer service.

SCOTT agreed. She stated the Municipality of Skagway built a \$2.5 million Water/Sewer plant with their seasonal passenger vessel tax.

LAPP wanted to acknowledge the rights of land owners without undue restrictions.

CAMPBELL thanked staff for the help calling in while he was out of town.

16. ADJOURNMENT – 9:37pm

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

ATTEST:

Stephanie Scott, Mayor

Michelle Webb, Interim Borough Clerk



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 14-412

Assembly Meeting Date: 2/25/14

Business Item Description:	Attachments:
Subject: FY14 Budget Amendment #3	1. Ordinance 14-01-365
Originator: Finance Director	
Originating Department: Finance	
Date Submitted: 1/9/14	

Full Title/Motion:
Motion: Adopt Ordinance 14-01-365.

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

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ see ordinance	\$ see ordinance	\$ see ordinance

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
Revisions to the FY14 budget in this amendment include: the recognition of additional Raw Fish Tax received from the State of Alaska, an additional appropriation for replacement of the ice house coil, an appropriation for a trash dump trailer for ports and harbors, the elimination of projected revenue from the sale of two hybrid vehicles, the recognition of proceeds from the sale of other borough vehicles and equipment, the conversion of the Haines Borough Library from a component unit to a department, the appropriation of the former library's net assets to the Friends of the Library, and purchase, delivery, and installation of a sauna at the pool facility (PRAC support letter included). On 1/28/14 the ordinance was amended to remove the sauna and was moved to a second public hearing. Two additional amendments were adopted on 2/11/14 and this ordinance was sent to a third public hearing.

Referral:			
Sent to:		Date:	
Recommendation:	Refer to:	Meeting Date:	

Assembly Action:	
Workshop Date(s):	Public Hearing Date(s): 1/28/14, 2/11/14, & 2/25/14
Meeting Date(s): 1/14, 1/28, 2/11, & 2/28	Tabled to Date:

HAINES BOROUGH, ALASKA
ORDINANCE No. 14-01-365

AN ORDINANCE OF THE HAINES BOROUGH PROVIDING FOR THE ADDITION OR AMENDMENT OF SPECIFIC LINE ITEMS TO THE FY14 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, 2013 through June 30, 2014.

Section 4. Purpose. To provide for the addition or amendment of specific line items to the FY14 budget as follows:

(1) To recognize additional FY14 Raw Fish Tax revenue higher than initially budgeted.				
		Current FY14 Budget	Proposed FY14 Budget	Fund Balance Increase / (Decrease)*
01-01-09-4363	State Revenue – Raw Fish Tax	\$150,000	\$172,510	\$22,510
(2) To appropriate an additional \$12,300 of Raw Fish Tax revenues to replace the coil in the harbor ice house using an operating transfer from the general fund. \$18,000 was budgeted for this purpose with ordinance #13-10-351. This brings the total appropriation to \$30,300.				
		Current FY14 Budget	Proposed FY14 Budget	Fund Balance Increase / (Decrease)*
01-98-00-8200	Operating Xfer – OUT fr Gen.Fund	\$18,000	\$30,300	(\$12,300)
92-98-00-8200	Operating Xfer – IN to Harbor Fund	\$18,000	\$30,300	\$12,300
92-01-00-8430	Harbor Improvement (Ice House Coil)	\$18,000	\$30,300	(\$12,300)
Additional cost for ice house coil replacement				(\$12,300)
(3) To reduce an FY13 CIP appropriation for a fuel facility cardlock from \$35,000 to \$22,190 and to appropriate the balance of \$12,810 for purchase of a dump trailer for ports and harbors for the purpose of trash disposal. The purchase of a dump trailer was recommended by the Port and Harbor Advisory Committee at their October 17, 2013 meeting. The cardlock project is being re-evaluated and may be replaced with a less costly option.				
		Current Budget	Proposed Budget	Fund Balance Increase / (Decrease)*
50-01-00-7392	CIP – Cardlock for fuel facility	\$35,000	\$22,190	\$12,810
50-01-00-7392	CIP – Dump Trailer Port/Harbor	\$0	\$12,810	(\$12,810)
Net impact to CIP Fund				\$0
(4) To eliminate \$25,000 of revenue budgeted in the Townsite Service Area Fund for the sale of two 2009 Ford Escape Hybrids. The Public Facilities Director and the Interim Manager recommend keeping these vehicles for Borough use and selling older vehicles.				
		Current FY14 Budget	Proposed FY14 Budget	Fund Balance Increase / (Decrease)*
02-01-09-4600	Misc Revenue – Hybrid Vehicle Sale	\$25,000	\$0	(\$25,000)

Haines Borough, Alaska
 ORDINANCE # 14-01-356

(5) To recognize \$26,225 in proceeds from the sale of a 1981 950 Cat loader and an anticipated \$2,750 of proceeds from the sale of Borough surplus vehicles.				
		Current FY14 Budget	Proposed FY14 Budget	Fund Balance Increase / (Decrease)*
01-01-09-4640	Sale of Fixed Asset	\$0	\$28,975	\$28,975
(6) To absorb the Haines Borough Library's net assets as of 06/30/2013 into the Haines Borough's general fund and to appropriate those net assets to the Friends of the Library. Previously the Library was a non-profit organization and a component unit of the Haines Borough. The Library is now transitioning to become a department of the Borough. Net assets on the Library's books as of 06/30/2013 are \$27,128.57. Additionally \$15,026.77 was unspent in the FY13 Haines Borough Library budget. This amendment appropriates both amounts totaling \$42,155.34 to the Friends of the Library. The Library's net assets as of 06/30/2013, for the purpose of this amendment, consist of the fund balance (equity) on the Library's books plus the amount remaining in the FY13 Library budget on the Borough's books at the end of FY13.				
		Current FY14 Budget	Proposed FY14 Budget	Fund Balance Increase / (Decrease)*
01-01-09-4600	Miscellaneous Revenue (from Library)	\$0	\$27,128.57	\$27,128.57
01-01-11-7710	Assembly Appropriations (to FOL)	\$0	\$42,155.34	(\$42,155.34)
Net impact to fund balance from Library consolidation				(\$15,026.77)
(7) To appropriate \$100,000 of Townsite Service Area (TSA) funds to fund change order #6 with Pacific Pile and Marine and to create a contingency for the PC Dock Trestle Replacement Project. Funds expended are intended to be repaid to the TSA with future proceeds from the Commercial Passenger Vessel Tax fund.				
		Current FY14 Budget	Proposed FY14 Budget	Fund Balance Increase / (Decrease)*
02-98-00-8228	Operating Xfer- OUT fr TSA (PC Dock)	\$0	\$100,000	(\$100,000)
42-10-01-8228	Operating Xfer- IN fr TSA (PC Dock)	\$0	\$100,000	\$100,000
42-10-01-7392	Project Expenditures – PC Dock	\$2,380,000	\$2,480,000	(\$100,000)
Total additional appropriation for the PC Dock Trestle Replacement Project				(\$100,000)
(8) To appropriate \$75,000 of harbor deferred maintenance for a project contingency for the Letnikof Cover Harbor Improvement Project currently underway.				
		Current FY14 Budget	Proposed FY14 Budget	Fund Balance Increase / (Decrease)*
92-98-00-8263	Operating Xfer - Out from Harbor	\$47,630	\$122,630	(\$75,000)
42-92-00-8263	Operating Xfer - IN to Grant Fund	\$47,630	\$122,630	\$75,000
42-92-00-7392	Project Expenditures (Letnikof)	\$ 1,239,062	\$1,314,062	(\$75,000)
Total additional appropriation for Letnikof Cove Harbor Improvements				(\$75,000)

* 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 _____, 2014.

ATTEST:

 Stephanie Scott, Mayor

Haines Borough, Alaska
ORDINANCE # 14-01-356
Page 3

Michelle Webb, Interim Borough Clerk

Date Introduced: 01/14/14
Date of First Public Hearing: 01/28/14
Date of Second Public Hearing: 02/11/14
Date of Third Public Hearing: 02/25/14



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 14-415
Assembly Meeting Date: 2/25/14

Business Item Description:	Attachments:
Subject: Sale of Primary School Property Lots 6 & 7	1. Ordinance 14-01-366 2. Agreement for Sale and Purchase 3. Reverter Agreement 4. Draft Deed 5. Letter for Assistant Assessor 6. Email Re: Tax Exempt 7. Public Comments
Originator: Borough Attorney	
Originating Department: Administration	
Date Submitted: 1/23/14	

Full Title/Motion:
Motion: Adopt Ordinance 14-01-366.

Administrative Recommendation:
The Interim Borough Manager recommends this ordinance.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$ N/A	\$ N/A	\$ N/A

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.: 3E3, Page 115	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:

The Borough Attorney has drafted the attached documents to sell Primary School Lots 6 & 7 through a negotiated sale with Aspen Management. This property was classified for sale by the Planning Commission (PC) on August 8th, 2013. On August 13 and 14th the Assembly concurred with the PC and voted to sell the property. On December 11th, the Haines Borough received an offer from Aspen Management, LLC. On January 7th, 2014 the assembly met in special session and decided the method of sale should be negotiation. The sale price has been negotiated as \$215,000. Per HBC 14.20.100 negotiated land sales are approved by the assembly by ordinance.

Referral:

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 2/11/14 & 2/25/14
Meeting Date(s): 1/28/14, 2/11/14, & 2/25/14	Tabled to Date:

A NON CODE ORDINANCE OF THE HAINES BOROUGH APPROVING THE SALE TO ASPEN MANAGEMENT LLC OF LOTS 6 AND 7 PRIMARY SCHOOL SUBDIVISION PLAT NO. 2008-21, HAINES RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA.

LEGISLATIVE FINDINGS

WHEREAS, Lots 6 and 7 Primary School Subdivision Plat No. 2008-21, Haines Recording District, First Judicial District, State of Alaska (“the Property”) has previously been classified for sale by the Assembly with the advice of the Planning Commission; and

WHEREAS, the Assembly has previously directed the Borough Manager to commence negotiations for the sale of the Property; and

WHEREAS, negotiations have been substantially completed and an agreement on most terms regarding the sale of the Property has been drafted for review and approval by the Assembly and has been reviewed by the Planning Commission;

NOW, THEREFORE, BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is for the specific purpose of approving a sale of Lots 6 and 7, Primary School Subdivision, Plat No. 2008-21 Haines Recording District, State of Alaska (“the Property”) 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.

Section 4. Purpose. This ordinance authorizes the sale of the Property to Aspen Management, LLC upon the terms and conditions of a negotiated purchase and sale agreement.

Section 5. Authority. This ordinance is adopted under the authority granted the Assembly by HBC 14.20.010, HBC 14.20.020 and HBC 14.20.100 to approve the disposal of real property by negotiation.

Section 6. Authorization and Approval. The Borough Manager is hereby authorized to complete the process of sale of the Property upon the terms and conditions set forth in the Agreement for Sale and Purchase of Real Estate attached hereto.

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

ATTEST:

Stephanie Scott, Mayor

Michelle Webb, Interim Borough Clerk

Date Introduced: 01/14/14
Date of First Public Hearing: 02/11/14
Date of Second Public Hearing: 02/25/14

AGREEMENT FOR SALE AND PURCHASE OF REAL ESTATE

For good and valuable consideration the receipt whereof is hereby acknowledged, the Haines Borough, an Alaska municipal corporation (“**Haines**” or “**City**” or “**Seller**”) and Aspen Management LLC (“**ASPEN**” or “**Buyer**”), an Alaskan limited liability company, hereby agree as follows:

1. Property to Be Sold.

(a) Seller hereby agrees to sell to Buyer and Buyer hereby agrees to purchase from Seller, subject to the terms and conditions set forth herein, the following-described real property and improvements:

Lot 6 and Lot 7 Primary School Subdivision , Plat No. 2008-21
Haines Recording District, First Judicial District, State of Alaska.

containing approximately 1.207 acres (collectively, the “**Property**”).

(b) At the Closing, Seller shall convey to Buyer all of the Property by Limited Warranty Deed in the form attached as Exhibit A subject to the following:

(i) Rights-of-way and easements of record acquired by any person or entity, public or private, including, but no limited to, public rights-of-way.

(ii) All restrictions, regulations, requirements, laws, ordinances, resolutions and orders of all boards, bureaus, commissions, departments and bodies of any municipal, state or federal authority.

(iii) Provisions and reservations as made applicable by terms of the U.S. Patent or by law.

(iv) A right for reversion whereby the Property will be reconveyed to Seller if the Improvements required by this Agreement have not been substantially completed within three (3) years of Closing.

(c) Buyer shall execute a Reverter Agreement as set forth in Exhibit B.

2. Price.

(a) Property Purchase Price. Buyer shall pay Seller two hundred fifteen thousand dollars (\$215,000) ("Purchase Price). The Purchase Price shall be paid by Buyer at closing in cash, by a bank cashier's check, or by wire transfer, in readily available funds into escrow with First American Title Company (The "Title Company") (Attention: _____, 8251 Glacier Highway, Juneau, AK 99801. Within ten (10) days after the Effective Date of this Agreement, Buyer shall deposit with the Title Company the sum of Ten Thousand Dollars (\$10,000) to be held as a nonrefundable earnest money payment (Earnest Money). At Closing, this earnest money shall be disbursed to Seller and credited to the Buyer.

3. Title Insurance.

(a) Seller, at Buyer's cost, shall provide to Buyer within fourteen (14) days of mutual execution of this Agreement a Preliminary Commitment to Issue Title Insurance for the Property. In the event that Buyer gives notice of a valid Material Title Defect within seven (7) days of receipt of said Preliminary Commitment, this Agreement shall terminate without further obligation on the part of either party. "Material Title Defect" shall include any matter affecting title which a reasonable person would consider to be a serious defect but shall not include imposition of any Institutional Controls on the Property by ADEC arising from the Prior Contamination.

(b) Nothing in this Agreement shall be construed to require Seller to expend funds to eliminate or clear any matter affecting title.

(c) Buyer may, at Buyer's sole option and expense, purchase Buyer's title insurance. Likewise if Seller wishes to purchase a Title Insurance policy for itself, it may do so at its own expense.

4. Conditions Precedent to Closing. The following matters shall be completed prior to or coincident with Closing or waived in writing by the parties ("Conditions Precedents to Closing"):

(a) Seller shall have obtained a "no further remedial action" letter from ADEC which specifies any Institutional Controls applicable to the Property and provided same to Buyer; and

(b) Seller and Buyer have complied with their respective obligations as set forth in Sections 5 and 6.

5. Seller's Obligations. Provided that (i) all Conditions Precedent to Closing set forth in Section 4 have been satisfied, (ii) this Agreement has not been cancelled, and (iii) Buyer has delivered (or will deliver) all items required to be delivered, then Seller shall deposit with Title Company at or before the Closing the following:

(a) The original Deed, duly executed by Seller, substantially in the form attached as Exhibit A;

(b) An original Reverter Agreement, duly executed by Seller, substantially in the form attached as Exhibit B; and

(c) Documents reasonably required by the Title Company such as an executed settlement statement or evidence of Seller's authority.

6. Buyer's Obligations. Provided that (i) all Conditions Precedent to Closing set forth in Section 4 have been satisfied, (ii) this Agreement has not been cancelled, and (iii) Seller has delivered (or will deliver) all items required to be delivered, then Buyer shall deposit with Title Company prior to the Closing date:

(a) The Purchase Price in cash or by wire transfer.

(b) An original Reverter Agreement, duly executed by Buyer, substantially in the form attached as Exhibit B; and

(c) Documents reasonably required by the Title Company such as an executed settlement statement or evidence of Buyer's authority.'

(d) Any commission due to Buyer's agent identified in paragraph 15.

7. Closing.

(a) The closing ("Closing") shall be held and delivery of all items to be made at the Closing under the terms of this Agreement shall be made at the offices of First American Title Company at 8251 Glacier Highway, Juneau, AK 99801. The delivery of all sums due Seller pursuant to Section 2 above and the recording of documents by Title Company shall occur not later than March 31, 2014 (the "Closing Date"). All funds and documents shall be deemed simultaneously delivered on and as of the Closing Date. The Closing may occur on such earlier date as Buyer and Seller may agree but the Closing Date may not be extended without the written approval of both Seller and Buyer.

(b) In the event the Closing does not occur on or before the Closing Date, Title Company shall, unless it is notified in writing by both parties to the contrary within five (5) days after such date, return to the depositor thereof all items which may have been deposited with Title Company hereunder except the Earnest Money which shall be disbursed to Seller. Any such return shall not, however, relieve either party hereto of any liability it may have for its wrongful failure to close.

(c) Possession. Possession of the Property shall be delivered to Buyer on the Closing Date.

8. Remedies for Breach. Seller and Buyer shall have all remedies available by law and equity for any breach of this Agreement, including, but not limited to, the remedy of specific performance and the exercise of Seller's right of reverter.

9. Construction of Improvements. On or before three (3) years from the date of Closing, Buyer shall complete the construction of a hotel on the Property ("the Improvements") which required Buyer to invest at least three million dollars for construction of the Improvements. Upon completion of the Improvements Buyer shall promptly give Seller an appropriate notice of completion. Within sixty (60) days following substantial completion of the Improvements, Buyer shall furnish Seller with an itemized statement of the actual construction costs of the Improvements.

10. Hazardous Substances. Buyer acknowledges and agrees that there may be spilled, leaked or discharged Hazardous Substances (as defined below), or other substances on or in the groundwater or surface water of the Property which may contain oil, petroleum, hydrocarbons, asbestos, solvents, paints, thinners or other materials, substances or waste which are, or may, become regulated as hazardous or toxic under federal, state or local law, and the release or discharge of which is, or may become, prohibited by law, that Buyer has knowingly and voluntarily determined that its obligations under this Agreement need not be contingent upon the results of any assessment or inspection of the Property for any such substances by an engineer, contractor or other consultant.

11. Site Assessment and Hazardous Substances.

(a) Buyer further acknowledges that it has (i) thoroughly inspected the Property and has had complete access to inspect the Property, and (ii) evaluated to the extent Buyer deems necessary the need for an Environmental Site Assessment or any additional testing; and (iii) has had the opportunity to review Seller's files and ADEC file No. 1508.38.017 related to a leaking underground storage tank removed from the Property in October of 2009 and Seller's subsequent remediation efforts ("the Prior Contamination").

(b) Seller shall have no obligation to remediate or to incur any expense in connection with any environmental contamination and/or Hazardous Substances of any kind on the Property including, but not limited to the Prior Contamination. Any remediation of any such environmental contamination or Hazardous Substances or Prior Contamination at any time shall be at Buyer's sole cost or expense except as follows:

(i) Seller shall indemnify, defend and hold harmless Buyer from any liability cost or expense arising from any escape or migration of the Prior Contamination to real property adjacent to the Property whether such escape or migration occurs before or after Closing.

(c) Except for expenditures of Seller required by subsection 11(b)(i); nothing in this Agreement shall be construed to require Seller to expend funds for remediation or to accept a reduction in the Purchase Price or other consideration set forth in this Agreement.

(d) "Hazardous Substances" shall mean:

- (i) all substances, the clean up and disposal of which is regulated by the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA) and the Resource Conservation Recovery Act (RCRA), both as amended and all implementing regulations and any similar or successor statutes and regulations;
- (ii) The applicable provisions of Title 46 of the Alaska Statutes and all implementing regulations, as amended and any similar or successor statutes and regulations; and
- (iii) All substances containing petroleum or other hydrocarbons, asbestos, solvents, paints, thinners or other materials, substances or waste which are or become regulated as hazardous or toxic under federal, state or local law.

(e) The terms of this Paragraph shall survive the Closing.

12. As Is, Where Is Sale, Release and Indemnification.

Seller sells and buyer buys the property hereunder "as is" and "where is." Other than the obligations assumed by seller under paragraph 11(b)(i) above, seller shall have no liability or responsibility to buyer whatsoever for any violations of any law, regulation, building code, ordinance or other legal requirement of any kind whatsoever applicable to the property as may be discovered at any time, including but not limited to material (or non-material) hazardous substances contamination, violations of building or safety codes, latent defects, deterioration or problems or liabilities of any kind. Buyer hereby releases seller from and shall indemnify, defend and hold seller harmless from any and all liabilities, costs, expenses or claims of any kind whatsoever arising out of or in connection with the property, including but not limited to any that may date to or originate during the time of ownership of all or any of the property by seller or its predecessors in interest; **provided, however**, that buyer does not hereby release seller from and shall have no responsibility to indemnify, defend and hold seller harmless from liabilities, costs, expenses or claims,

If any; (1) related to seller's obligations under section 11(B)(i) of this agreement or; (2) for damages to land other than the property sold hereunder as shall directly and entirely result from and be caused by acts of seller, its agents or employees which were performed on land other than the property sold hereunder. The intent of the parties is that buyer has had already and shall continue to have a thorough opportunity to inspect and study the property before the closing, but that once such closing occurs, seller walks away from the property so conveyed and from any and all legal liability or responsibility of any kind whatsoever arising out of or in connection with such property, except as expressly stated herein, and that seller shall have, after the closing, no further responsibility or liability to buyer or any other person or entity for any claims of any kind that may arise as to or in connection with the property.

Neither seller, nor any of its officers, directors, employees, agents, attorneys, or representatives have previously nor does under this agreement make any representations or warranties, and none of the persons or entities described above shall in any way be liable for or with respect to:

- (A) The condition of the property or the suitability of the property for buyer's intended use, or for any use whatsoever;
- (B) The presence or existence of any hazardous substances, asbestos, oil or other petroleum product contamination or any other material as to which the discharge, leakage, spillage or presence on the property would be regulated by applicable state or federal law. Buyer purchases the property "as is" and "where is" and assumes the responsibility and risks of all defects and conditions of the property including the prior contamination (and releases and agrees to indemnify, defend and hold seller harmless from the same), including but not limited to environmental hazards and deterioration from age, weather, disuse, limited maintenance or other causes. Buyer acknowledges that buyer has had the opportunity and will have the opportunity to inspect the property and will be relying entirely thereon.

Buyer acknowledges that notwithstanding any prior or contemporaneous oral or written representations, statements, documents or understandings, this agreement constitutes the entire understanding of the parties with respect to the subject matter hereof, and supersedes all such prior or contemporaneous oral or written representations, statements, documents or written agreement and shall remain unaffected by any representations, statements or understandings subsequent to the date hereof which shall not be represented by a mutually executed amendment to this agreement.

The terms of this Paragraph shall survive the Closing.

13. Notices. All notices, waivers, elections, approvals and demands required or permitted to be given hereunder shall be in writing and shall be personally delivered, mailed by certified mail with postage prepaid, or transmitted by facsimile to the location for each party designated herein. Either party may, by proper notice to the other, designate a different address for the giving of notice. Any notice shall be effective when personally delivered, or, if mailed as provided herein, five (5) business days after deposit, postage pre-paid in the U.S. Mails, or in the case of facsimile notice when sent, if answer back or confirmation received:

SELLER:

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

BUYER:

Aspen Management LLC
1105 Porter Way
Milton, WA 96534

With a courtesy copy to:

Brooks W. Chandler
Boyd, Chandler & Falconer, LLP
911 W. 8th Avenue, Suite 302
Anchorage, AK 99501
Facsimile No. 907/274-3698

14. Costs. Each party shall bear its own costs and attorneys' fees, except as expressly provided herein. Unless specifically made the responsibility of one party elsewhere in the Agreement, all other fees and closing costs in connection with the Closing shall be paid by Buyer as required by HBC 14.20.060. Any and all prepaid expenses or income of any kind and all taxes and assessments shall be prorated.

15. Brokers. Seller represents to Buyer that Seller has not dealt with any broker or real estate agent regarding the Property of this transaction. Buyer represents to Seller that Buyer has dealt only with Glenda Gilbert of Race Realty (“Agent”). Buyer is solely responsible for payment of Agent’s commission and expressly agrees payment of Agent’s commission shall not be made from proceeds otherwise due Seller at Closing but shall be paid by Buyer in addition to the Purchase Price at or before Closing. Each party shall be responsible to defend, indemnify and hold harmless the other as to any claim made by any person or entity for a commission claimed due as a consequence of the indemnifying party’s acts or conduct.

16. Access to Premises. At all times during normal business hours prior to the Closing, Buyer shall, upon reasonable notice to Seller, have reasonable access to the Property for the purpose of making such inspections, examinations, tests or surveys of the Property as Buyer may reasonably desire.

17. Survival of Terms and Waiver. The terms and condition of this Agreement shall survive the Closing and are expressly intended to bind the parties notwithstanding any statute of limitations.

18. Merger. This Agreement expresses and embodies all understandings and agreements between the parties and is entered into after full investigation, neither party relying upon any statements or representation not embodied in this Agreement.

19. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns, and may be modified only by a written instrument signed by both parties.

20. Relationship of the Parties. This Agreement shall not authorize either party to act as an agent for the other.

21. Law and Venue. This Agreement shall not be governed by and construed under the laws of the State of Alaska. Venue of any dispute shall be the Superior Court of the State of Alaska in Juneau, Alaska.

22. No Waiver. The failure of any party to insist upon the strict performance of any provision of this Agreement, or the failure to exercise any right, power or remedy available hereunder, shall not constitute a waiver by said party of any such provision as to any other breach or subsequent breach of the same or any other provision.

23. Warranties of Authority. Each party and each natural person who executes this Agreement on behalf of such party acknowledges, warrants, and represents for the benefit of the other party to this Agreement: (a) that such person is duly authorized and empowered to execute this Agreement on behalf of such party; (b) that such party has been duly formed and organized and is in good standing; (c) that all necessary and appropriate resolutions and actions by such

party's managers or ordinances by such party's governing body authorizing such party to enter into, execute, and perform this Agreement and the transactions contemplated by this Agreement have been obtained; and (d) that all steps have been taken and acts performed that are conditions precedent to making this Agreement valid, enforceable, and binding against such party in accordance with its terms and conditions.

24. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original and which, taken together, shall constitute a single Agreement. This Agreement shall not become binding upon any Party unless and until at least one counterpart of this Agreement shall have been fully executed by each party hereto. Facsimile signatures shall be valid so long as an original signature shall be promptly delivered to the other party.

DATED: _____

SELLER:

HAINES BOROUGH

By: _____

Julie Cozzi

Its: Interim Borough Manager

DATED: _____

BUYER:

ASPEN MANAGEMENT LLC.

By: _____

George Swift

Its: President

STATE OF ALASKA)

) ss.

FIRST JUDICIAL DISTRICT)

REVERTER AGREEMENT

This REVERTER AGREEMENT is dated as of this ____ day of _____, 2014, by and between the Haines Borough, having and address of P.O. Box 1209, Haines, AK 99827 (“Seller”), and Aspen Management LLC, having an address of 1105 Porter Way Milton, WA 96534 (“Buyer”).

RECITALS

- A. The Seller has conveyed to the Buyer that certain real estate described on Exhibit “A”(the “Property”) pursuant to a Deed of even date herewith between the Seller and Buyer.
- B. Pursuant to paragraph nine (9) of that certain Agreement for Sale and Purchase of the Property, the Buyer has agreed to construct certain Improvements on the Property (the “Improvements”).
- C. The Deed provides that if the Buyer does not construct the Improvements then the Property shall revert to the Seller.

NOW THEREFORE, in consideration of the transfer of the Property to the Buyer and other consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

- 1. Buyer agrees at its sole cost and expense to complete the construction of the Improvements by no later than April 1, 2017 (the “Completion Date”).
- 2. In the event the Improvements are not completed by the Completion Date, the Property shall revert to and thereafter become fee simple real estate owned by the Seller. Upon the request of the Seller, the Grantor will provide a general warranty deed to the Property in form and substance acceptable to the Seller evidencing the reconveyance of the Property.
- 3. During the construction of the Improvements, Buyer will not place any additional liens or encumbrances on the Property except as consented to by the Seller. In that regard, the Seller agrees not to unreasonably withhold its consent to any construction loan financed

with a commercial bank or similar lender intended to fund the construction and development of the Improvements. In such an event, the Seller will enter into a Subordination Agreement in form and satisfactory to such lender. Upon completion of the Improvements satisfactory to the Seller, the Seller agrees to issue a letter acknowledging the release of the reverter rights described herein.

4. This Agreement shall be binding upon the parties hereto and shall be binding upon and inure to the benefit of their successors and assigns.
5. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Alaska.
6. This Agreement may only be modified or amended by a written agreement signed by authorized representatives of the parties hereto.

WITNESS the following signatures as of the year and date first above written.

DATED: _____

SELLER:

HAINES BOROUGH

By: _____

Julie Cozzi

Its: Interim Borough Manager

DATED: _____

BUYER:

ASPEN MANAGEMENT LLC.

By: _____

George Swift

Its: President

LIMITED WARRANTY DEED

The Grantor, the Haines Borough of P. O. Box 1209, Haines, AK 99827, for valuable consideration, conveys and warrants to Grantee Aspen Management LLC, of 1105 Porter Way, Milto, WA 96534, all interests which it has in that certain real property in the Haines Recording District, First Judicial District, State of Alaska (“the Property”), described as follows:

Lot 6 and Lot 7, Primary School Subdivision, Plat No. 2008-21.

Draft

Subject to:

1. Rights-of-way and easements of record acquired by any person or entity, public or private, including but not limited to public rights-of-way.
2. All restrictions, regulations, requirements, laws, ordinances, resolutions and orders of all boards, bureaus, commissions, departments and bodies of any municipal, state or federal authority.
3. Provisions and reservations as contained in the U.S. Patent or made applicable by law, including, but not limited to, rights or interests under the public trust doctrine.
4. The express condition that title to the property conveyed herein shall revert to the Grantor without necessity of reentry should Grantee fail to substantially complete construction of Improvements to the Property as described in the Agreement for Sale and Purchase of the Property by April 1, 2017.

DATED this _____ day of _____, 2014.

HAINES BOROUGH

By: _____
Julie Cozzi
Its: Interim Borough Manager

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by Julie Cozzi, the Interim Borough Manager of the Haines Borough, on behalf of the Borough.

NOTARY PUBLIC FOR ALASKA
My Commission Expires: _____

RECORD IN HAINES RECORDING DISTRICT

AFTER RECORDING, RETURN TO:

Brooks W. Chandler
Boyd, Chandler & Falconer
911 W. 8th Ave., Suite 302
Anchorage, AK 99501



Haines Borough Lands Department

Market Study for Lots 6 & 7 Primary School Subdivision

Prepared For: Darsie Culbeck
Executive Assistant to Manager

Prepared By: Dean Olsen
Assistant Assessor
Haines Borough Land Department

Date: 1/8/2014

Introduction

The subject property is owned by the Haines Borough and includes vacant Lots 6 & 7 of the Primary School Subdivision as shown on Plat 2008-21 recorded with the Haines Recording Office. This property was formerly the location of a K-3 Primary School in the Haines Borough School District. Located on Main Street in Haines, Alaska, it is zoned for commercial use and the adjacent lot to the West is owned by Alascom Inc. A sixty foot easement separates these neighboring properties. Across Main Street to the North are several other commercial businesses that include one of the local grocery stores & sporting goods stores, a hair salon, and a clothing material & sewing supplies store. Lots to the East and South are vacant land also owned by the Haines Borough. The Haines Borough School District's K-12 school and outdoor track are located within 100 yards to the southwest & southeast of the subject. The subject property being formerly developed has water, sewer and electrical readily available, and minimal site prep will be required for any future construction. The primary school was originally constructed as a temporary structure that was in service long past its expected useful life. As a result it was decided to demolish the structure, and during clean-up of the building site contaminated soil was discovered. Darsie Culbeck, Executive Assistant to the Manager has reported that DEC was made aware of the contamination and appropriate clean-up measures were followed. Monitoring wells for possible future contamination are in place, and Mr. Culbeck expects to receive a "No Further Action Letter" from the State of Alaska for the subject property by mid-January.

Highest & Best Use

The subject property is located in an area zoned for commercial use by the Haines Borough. Although there are some single family residential, (SFR), properties within one or two blocks of the subject; these existing SFR properties have dated structures, and there are no indications from the market that the neighborhood has any demand for additional homes of this type. The potential buyer's intended use of this property is for construction of a hotel. The buyer has indicated that the increase availability of rooms will be a long term gain to the community that has lost approximately 44 rooms within the last few years as a result of one demolition, and a change of use of two former motels. The potential buyer has identified an appropriate use of the subject property as indicated by the loss of hotel rooms. The close proximity to the business community would be especially complimentary to construction of a new hotel. The highest and best use of the subject property is for commercial use as it is currently zoned, and the particular use identified by the buyer.

Vacant Land on the Market

Three *potential* comparable properties zoned for commercial use are currently *listed* for sale. One of the three is located on Main Street, but at only 7,000 square feet it is less than one eighth the size of the subject. The other two properties located on Dalton Street are approximately two blocks away from Main Street at an inferior location to the subject. They are also significantly smaller than the subject property at 16,394 SF and 8,769 square feet each. Although *list* price **does not** determine market value, (as only verified sale can); listings do suggest the sellers' ideas of market potential. The average per square foot value of *listed* commercial property located within close proximity of the subject is \$8.53/SF. (See chart below for details).

Owner	Prop ID #	Assessed Land Value	Assessed value /SFs	List Price	Assessed Building Value	Residual List Price	List price /SF	Size (SF)	Location
Smith	C-TNS-05-0300	\$28,000	\$4.00	\$47,500	\$0	\$47,500	\$6.79	7000	Main St
Studley	C-TNS-10-0100	\$16,900	\$1.03	\$95,000	\$0	\$95,000	\$5.79	16394	Dalton
BOYCE	C-TNS-09-0200	\$27,900	\$3.18	\$135,000	\$20,900	\$114,100	\$13.01	8769	Dalton
							Ave/SF \$8.53		

Two of the listed properties have been on the market for over one year, and the assessed building value of Boyce property is missing improvements in place since the last assessment cycle.

Hypothetical Assumption *(Contaminated soil)*

Both the seller and the buyer are aware of the stigma attached to the subject property as a result of the discovery of contaminated soil during post-demolition site clean-up as disclosed in the introduction. The buyer has requested for the Haines Borough to assume responsibility for any reoccurrences of soil contamination that may arise as a result of constructing the new proposed hotel. When the seller accepts responsibility of any future contaminated soil discovered on site, the hypothetical assumption is that the subject property is free of the contaminated soil stigma and as a result the subject property maintains 100% of fair market value as determined by market analysis.

Sales Comparison Approach to Value

Of the three approaches to value considered, the sales comparison approach was selected as the most appropriate method to use for valuation of the subject property. Without information for appropriate capitalization procedures such as net business income, or detailed information on the building components of the hotel to be constructed, the income approach and cost approach to value are not valid options. Sales of several commercial properties zoned for commercial use, or where commercial use is allowed, (significant structure), reveal a 5% increase in per square foot value over the past two years. Supply and demand for commercial property does not appear to be out of balance.

Sales Comparison Approach to Value (Cont.)

The following sales of commercial property were used for this market study.

*Note: It is important to recognize that 4 of 6 sales used in this study are inferior in size to the subject and 5 have inferior locations. However, without appropriate "paired sales" information any attempts at making adjustments to the different characteristics of the comparable sales used in this market study are unsupported opinions in the valuation process, therefore **no adjustments were made**. Demolition costs of an existing structure on comparable 6 were provided by buyer and added to the sales price.*

	Owner	SaleDate	Prop ID #	Building/imprv. value	Location	Size (SF)	Sale Price/Residual Sale Price	Price /SF
Subject	Haines Borough	n/a	none		0 Main St.	52,656		
Comp. 1	Rietze	11/20/2012	C-735-03-0600		0 .75 mile HNS Hwy	73,555	\$69,500	\$0.94
Comp. 2	State	12/24/2012	C-207-TL-0500		0 755 Union	121,615	\$400,000	\$3.29
Comp. 3	Sage/Wattermar	10/15/2013	C-TNS-09-0500		0 4th & Dalton	16,394	\$80,000	\$4.88
Comp. 4	Ness	8/11/2011	C-TNS-10-0700	34800	417 Union	39,768	\$150,200	\$3.78
Comp. 5	Copeland	6/7/2012	C-PTC-0D-03A0	\$13,800	Blacksmith St.	6,826	\$36,200	\$5.30
Comp. 6	H.A.L.	4/20/2012	C-TNS-08-0200	Demolishment + \$100k	216 Dalton	34,507	\$525,000	\$15.21
							Ave	\$5.57
							Med	\$4.33

Comparable 1 and 6 were on the market for more than two years. Comparable 2 was not advertised for sale; the buyer approached the seller and a sale price was negotiated. Market time for comparable 3, 4, & 5 was not available.

Comparable 5 was purchased by a local entrepreneur who has established a distillery business. Although the location can be considered inferior to the subject for construction of a hotel due to the smaller lot size with no surrounding vacant parcels available for assemblage; its location close to restaurants, the cruise ship dock, and very few single-family homes was a positive selling point for a new business. Haines Brewery is the only other beverage company locally; so the buyer of comp. 5 found a niche in the market by producing a slightly different product, similar to construction of a "new" hotel in a town that has not experienced one in decades. Comparable 5 was purchased with an existing structure originally built as a bakery in the early 1900's. The buyer did not demolish the structure, but instead remodeled it. Assessed value of the structure was classified as a material salvage value of \$4,700. The residual land value for comp 5 was established by using an estimated per square foot construction cost of a garage derived from a survey of local builders, and that value was depreciated by 90%.

Comparable 6, having been the former location of an established motel for many years is perhaps the most appropriate comparable sale with its similar lot size and central location to surrounding businesses. Like comparable 5, this property was purchased with an existing structure, the former Thunderbird Motel. However, the buyer of comp 6 never intended to use the existing structure and the old motel was demolished in 2012. A *conservative* demolition cost estimated at \$100,000 was reported by the purchaser, and the expense was included in the sale price for this market study. (*Exact figures for demolition costs were not available, as salvaged building materials were used to off-set the expense.*)

Reconciliation

The sales used for this market study are the most recent and appropriate sales available to determine fair market value of the subject property. Not enough information was available to apply either the Cost Approach, or the Income Approach to value, and as explained earlier in this report, the Sales Comparison Approach is the most reliable method of valuation for this assignment.

Use of the sales from this market analysis was used to determine a per square foot value to calculate fair market value of the subject property. From the six sales an average per square foot value of \$5.57, and median per square foot value of \$4.33 were calculated. Because the median is the preferred measure of central tendency in many valuation applications, it was used to determine this opinion of value. *(A possible disadvantage of the median is that it gives no added weight to legitimate outliers, but after close examination of this market study it was determined that the median per square foot value of comparable sales best represents fair market value for the subject.)*

It is my opinion that AS-IS value for Lots 6, & 7, Primary School Subdivision, as shown on Plat 2008-21 recorded with the Haines Recording Office is \$228,000.

\$228,000

*******TWO HUNDRED TWENTY-EIGHT THOUSAND DOLLARS*******

Dean Olsen
Assistant Assessor,
Haines Borough Land Department
Certified Level II Appraiser
Certificate No. 243

Michelle Webb

Subject: FW: Please include in the packet for the land sale to Aspen

From: Julie Cozzi
Sent: Tuesday, February 18, 2014 4:12 PM
To: George Campbell; Michelle Webb
Cc: Jila Stuart
Subject: RE: Please include in the packet for the land sale to Aspen

Hi, George...

I don't know what Juneau's property tax laws are but if this non-profit did this in Haines, it would most definitely be taxable. Business income unrelated to the non-profit makes it taxable.

HBC 3.70.030 (C)

Property described in subsection (A)(3) or (4) of this section from which income is derived is exempt only if that income is solely from use of the property by nonprofit religious, charitable, hospital, or educational groups. If used by nonprofit educational groups, the property is exempt only if used exclusively for classroom space.

Julie

From: George Campbell [<mailto:outback@alaska.net>]
Sent: Saturday, February 15, 2014 1:16 PM
To: Julie Cozzi; Michelle Webb
Subject: Please include in the packet for the land sale to Aspen

Religious non-profit looking to get in to the hotel business in Juneau

A pastor from Portland, Oregon, and the president of an organization called Kingdom Point International which merges churches with businesses is looking to start a hotel in Juneau.

Eric Bahme has done that in Portland and Kalispell, Montana.

He's working to combine God and business. Bahme says every place that he goes he's looking for a place where they can do what he calls community transformation.

He says many non-profits are suffering from a lack of sustainability. Part of what they're trying to do, he says, is to locate areas that might be open to sustainable models of ministering and hospitality works well in that.

He became interested in Juneau during an earlier visit. He says Juneau's a beautiful area with lots of tourists and there's always room for good old fashioned hospitality and good restaurants. "Juneau seems like a great place for something like that," he says.

Bahme is still investigating options for a hotel in Juneau. That might include an existing facility. Building a new facility is another option, but Bahme acknowledged the difficulty in obtaining property in land scare Juneau.

Pastor Bahme, who was a guest on Juneau Radio Center's Action Line Thursday, promised to keep us posted on his progress.

Comment from Website: Aspen land purchase/tax rate precedence

2/18/14

Over the last few years; several small businesses have been created by local tax payers to provide nightly lodging for visitors in Haines. The Captains Choice and all motels/hotels have been established in Haines and supported the Haines Borough with their property/sales taxes for many years. A new modern facility will definitely affect the existing businesses. This feels like letting a Walmart move in across the street from The Olerud business or Subway move into town to put the rest of the struggling restaurant/food service entities out of business. All of the business in Haines are having a rough time and with my experience loosing my main renter in my Chilkat Valley Arts building; I feel not voicing my opinion addressing the financial crisis that can be created by our local borough government having not been educated/aware of all of the facts once again; this needs serious attention.

I also want to make all of the public representatives that if the property is sold to the "corporate entity" for 4.00 a square foot; I am thrilled to know we finally have a "sales comparison" in the downtown area and will have my taxes adjusted in my upcoming tax bills. I know my land assessment will be cut in 1/2 or more.

I sincerely thank you for the chance to voice my opinion on this subject. Sue

Sue Folletti

suefolletti@live.com

907-766-2654



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 14-419

Assembly Meeting Date: 2/25/2014

Business Item Description:	Attachments:
Subject: Ordinance for Assembly Meeting Action Only Minutes	1. Ordinance 14-02-367 2. Excerpt from The Complete Idiot's Guide to Robert's Rules by Nancy Sylvester, pp 204 & 205 3. Memo from Mayor 4. Memo from Clerk's Office
Originator: Mayor Stephanie Scott	
Originating Department: Mayor	
Date Submitted: 1/31/14	

Full Title/Motion:
Motion: Advance Ordinance 14-02-367 to a second public hearing on 3/11/14.

Administrative Recommendation:
The Clerk's Office and the Interim Manager recommend this ordinance

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ 0	\$ 0	\$ 0

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos.: N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>This ordinance is recommended by the Mayor, Clerk's Office, and the Interim Borough Manager.</p> <p>History: A similar ordinance with other administrative policy recommendations was proposed in 2011 (Ordinance 11-11-277). This ordinance was adopted, but action only minutes were removed by amendment. There were 2 written citizen comments in the 2011 packet speaking against action only minutes (available upon request).</p>

Referral:
Sent to: _____ Date: _____ Recommendation: _____ Refer to: _____ Meeting Date: _____

Assembly Action:
Workshop Date(s): _____ Public Hearing Date(s): 2/25/14 Meeting Date(s): 2/11/14 & 2/25/14 Tabled to Date: _____

**An Ordinance of the Haines Borough amending Haines Borough Code Title 2
Section 2.10.040 to modify assembly meeting minutes procedures.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

Section 4. Amendment of Section 2.10.040 Section 2.10.040 of the Haines Borough Code is hereby amended as follows:

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

2.10.040 Minutes.

A. Minutes of all regular and special meetings shall be taken by the clerk or the clerk's designee. Audio recording shall also be made of these meetings. Summary notes shall be taken by the manager or committee chair at each assembly work session or committee of the assembly and a report given on the work session or committee meeting at the next regular borough assembly meeting. All approved minutes of regular and special meetings shall be kept by the clerk in the journal of the proceedings of the assembly. All minutes of the assembly shall be distributed by the clerk to the public desiring the same after payment of standard posted copying charges, plus postage and handling costs if delivered by mail.

B. Unless a reading of the minutes of an assembly meeting is requested by a member of the assembly, such minutes may be approved without a reading if the clerk has previously provided each member a copy thereof.

C. An assembly member may request through the mayor the privilege of having a verbatim record of the member's statement on any subject under consideration by the assembly entered in the minutes. Unless a majority of the assembly members object to any such request, such statement shall be entered in the minutes.

D. The clerk, unless directed otherwise by the mayor, and with the consent of the assembly, will always enter in the minutes ~~a synopsis of the discussion~~ **any action, by motion, taken by** ~~on any question coming before~~ the assembly. A vote by the assembly on any subject must be recorded in the minutes of the assembly meeting by the clerk.

...

Haines Borough
Ordinance No. 14-02-367
Page 2 of 2

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

ATTEST:

Stephanie Scott, Mayor

Michelle Webb, Interim Borough Clerk

Date Introduced: 02/11/14
Date of First Public Hearing: 02/25/14
Date of Second Public Hearing: ___/___/14

What to Put in the Minutes (and What to Leave Out)

Robert's recommends that minutes contain the following items:

- ◆ Kind of meeting (regular, special, and so on).
- ◆ Name of the organization.
- ◆ Date, time, and place of the meeting.
- ◆ Names of the presiding officer and secretary, or in their absence, the names of their substitutes.
- ◆ The approximate number of members present (optional).
- ◆ The establishment of a quorum (optional).
- ◆ Record of the action taken on the minutes of the previous meeting.
- ◆ The exact wording of each main motion as it was voted on, and whether it passed or failed, along with the name of the maker. In addition, if the vote was counted, the count should be included, as well as the tellers' reports, if any; in roll call votes, the record of each person's vote is included.
- ◆ Any notice given at the meeting. Previous notice is sometimes required, such as with amendments to the bylaws; if any such notice was given at the meeting, it should be included in the minutes.
- ◆ Points of order and appeals.
- ◆ For committee reports, the name of the committee, and the reporting member. If the committee provides a printed report, attach it to the minutes and note that it is attached.
- ◆ The hour of adjournment.

Robert's is equally clear about what should *not* be included in the minutes. The following should not be included:

- ◆ The opinion or interpretation of the secretary.
- ◆ Judgmental phrases such as "heated debate" or "valuable comment".



Robert's Says

Minutes are the written record of the proceedings of a deliberative assembly. They are a record of what was done at the meeting, not what was said at the meeting.



Parliamentary Pearls

Although it's not necessary to include the full report of the treasurer in the text of the minutes, many groups find it helpful to include the previous balance, income totals, disbursement totals, and current balance in the minutes.

- ◆ Discussion. Minutes are a record of what was *done* at the meeting, not what was *said* at the meeting.
- ◆ Motions that were withdrawn.
- ◆ Name of person who seconded a motion.
- ◆ Flowery language.
- ◆ Reports in detail.
- ◆ Transcripts of the meeting. While some groups choose to have a transcript of the meeting, it should never substitute as the minutes of the meeting.

Getting the Minutes Approved

The minutes are made official only after they are approved, which usually takes place at the next meeting.

If your organization frequently makes changes to the minutes, you might want to send out the initial, unapproved set with the word "draft" clearly printed on them. Then, when the minutes have been changed and approved, the official minutes can be sent out.

If your organization seldom has changes to the minutes, two sets, one draft and one approved, will probably be unnecessary.

Sign 'em

After the minutes have been corrected and approved by the membership, they should be signed by the secretary (the president's signature isn't required). The word "approved" and the date of the approval should also be included.

Book 'em

The official copy of the minutes are the property of the organization. They should be entered in the *minutes book* and kept by the secretary if the organization doesn't have a headquarters office. If there is an office, the official copy of the minutes should be kept there.



Gavel Gaffs

Although including the words "Respectfully submitted" right before the secretary's signature used to be common practice, it is considered outdated to do so today. Instead, simply sign your name.



Robert's Says

The *minutes book* is usually a three ring binder, that contains a complete copy of all of the minutes.

Memorandum

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

February 5, 2014

To: Haines Borough Assembly

Cc: Interim Manager, Julie Cozzi
Interim Borough Clerk, Michelle Webb

From: Stephanie Scott, Mayor, Haines Borough

Subject: Action Minutes, Discussion Minutes, Verbatim Minutes, Duties of the Clerk

Assembly procedures are governed by Robert's Rules of Order unless we have provided otherwise. With respect to minutes, HBC 2.10.040 (D) provides "otherwise."¹ HBC 2.10.040 (D) authorizes a style of minutes known as "Discussion minutes." See the outline of the three standard styles of minutes in the footnote two below.²

¹ HBC 2.10. 040 (D). The clerk, unless directed otherwise by the mayor, and with the consent of the assembly, will always enter in the minutes a synopsis of the discussion on any question coming before the assembly. A vote by the assembly on any subject must be recorded in the minutes of the assembly meeting by the clerk.

² Minutes serve to record what happened in a meeting. Opinion and speculation do not belong in the minutes of a meeting. There are three standard styles of minutes: action, discussion, and verbatim. Each style has a specific use.

- **Action minutes** record the decisions reached and the actions to be taken, though not recording the discussion that went into making the decisions. This is the most common form of minutes used. They include a report of actions taken since the last meeting as well as planned actions. It is important to note who is responsible for upcoming actions. The secretary should save any handouts included with a presentation.
- **Discussion minutes** are lengthy and may include information which is not essential to the focus of the meeting. It may be necessary to keep discussion minutes in a situation where the process behind the decisions may be in question later. Discussion minutes contain everything action minutes do as well as the discussion which lead to the actions decided upon. Do not include

Without a doubt, “action minutes” take less time to prepare. They may have other advantages as well. It is easy to see exactly what action was taken, since the decision to act is itself the focus of the minutes. See the description of essential minutes included in Roberts Rules of Order Revised, Fourth Edition in the footnote below.³

No one disagrees that “discussion minutes” are time consuming and preparation of the summary of the conversation that underlies the decision may include mistakes and problematic misrepresentations. See

<http://web.mit.edu/brlewis/www/minutes/benefits.html>.

discussion which does not pertain to the topic at hand. Be sure to record the speaker and the focus of the presentation as it concerns the topic.

- **Verbatim minutes**, like transcripts, are a record of every single word said at a meeting. They are often long and can be difficult to skim for a particular piece of information. With the exception of courtroom proceedings and Congress, a verbatim record of a meeting is rarely necessary. Verbatim minutes will not always follow the agenda.

<<http://www.meetingtomorrow.com/cms-category/how-to-prepare-minutes-for-a-meeting>>

³ According to Robert’s Rules of Order, Revised, Fourth Edition, from Robert’ Rules Online, minutes should consist of the following, commonly referred to as “action minutes:”

60. The Minutes. ... The essentials of the record are as follows:

(a) the kind of meeting, "regular" (or stated) or "special," or "adjourned regular" or "adjourned special";

(b) name of the assembly;

(c) date of meeting and place, when it is not always the same;

(d) the fact of the presence of the regular chairman and secretary, or in their absence the names of their substitutes,

(e) whether the minutes of the previous meeting were approved, or their reading dispensed with, the dates of the meetings being given when it is customary to occasionally transact business at other than the regular business meetings;

(f) all the main motions (except such as were withdrawn) and points of order and appeals, whether sustained or lost, and all other motions that were not lost or withdrawn;

(g) and usually the hours of meeting and adjournment, when the meeting is solely for business. Generally the name is recorded of the member who introduced a main motion, but not of the seconder. <http://www.rulesonline.com/rror-10.htm#60>

I asked the Valdez City Manager, John Hozey, about Valdez's minutes and he acknowledged that summarizing a discussion is more "art than science" and "it does take a lot of time."

It sounds like we do something similar to what you do. It is a cross between verbatim and action minutes, where every discussion is summarized to capture the intent, if not every comment. The problem with this approach is that summarizing the discussion is more art than science... My Clerk is very good at this, but even then, she doesn't always have all the technical information to put a particular topic into context. So after she writes up the minutes, she forwards them to me and allows me the chance to edit them as necessary. The end result is usually pretty good, but it does take a lot of time.
Email from John Josey to Stephanie Scott, January 31, 2014.

Valdez has a City Clerk and a Deputy Clerk; population 2012 was 4022.

Action minutes satisfy the legal requirement for a record of the business decisions made by a legislative body. Discussion minutes provide greater context for the decision.

The decision as to form of minutes has returned to the Assembly because of a perceived need to have the minutes of a previous meeting available at the next regularly scheduled meeting of the Assembly. Changing the form of the minutes may or may not result in a satisfactory publication schedule. In my opinion, the only way to guarantee that minutes be available at the next regularly scheduled meeting is to say so.

Thus, regardless of the form of minutes that you prefer, I recommend that code be revised to require a publication schedule. The following sentence could be added to HBC 2.10.040 (D):

Minutes of a regularly scheduled meeting of the Assembly will be provided for approval at the subsequent regularly scheduled meeting.

Alternatively, publication of regular meeting minutes according to a particular schedule could be added to the Duties of Clerk. Please see the Clerk's job description attached.

Attachment: Duties of the Haines Borough Clerk

HAINES BOROUGH
POSITION DESCRIPTION

Borough Clerk

SUMMARY:

The Borough Clerk is a full-time, salaried employee and an officer of the borough, hired by the assembly to work under the direct supervision of the borough manager. The Borough Clerk supervises activities of the Office of the Clerk and is responsible for carrying out the statutorial and professional duties of a municipal clerk. The Borough Clerk works closely with the mayor, borough Assembly, borough manager, other borough officers, department heads, committees, commissions, and the public. This job description reflects the essential duties and responsibilities as outlined in borough charter and code, Alaska statute, and as assigned by the administration. It does not prescribe or restrict the tasks that may be assigned.

OFFICE MISSION STATEMENT:

The Borough Clerk's Office is committed to conducting the duties of the office in an ethical, friendly, and efficient manner to ensure an effective link between citizens, local governing officials, and other government agencies.

EXAMPLES OF DUTIES:

1. Manage contractors, as assigned, and supervise the Administrative Assistant.
2. Prepares borough assembly agenda and packets and compiles necessary information for presentation, drafts ordinances as requested, attends borough assembly regular and special meetings, and records the official minutes.
3. Arranges publication of all borough notices; publicizes meetings, ordinances, resolutions, and proclamations as appropriate.
4. Manages the borough's records and develops retention schedules and procedures for inventory, storage, and destruction of records as necessary. Receives and responds to public records and disclosure requests.
5. Supervises the maintenance of an indexed file of borough ordinances, resolutions, codes, and other public records.
6. Keeps a record of policies, procedures and practices adopted by the assembly or established as part of the systematic administration of the borough.
7. Has custody of the corporate seal to attest and certify all official documents as needed.
8. Coordinates codification of all adopted ordinances of a general and permanent nature, and distribute updates to all holders of the code book.
9. Manages the recruitment of borough personnel, including advertising, receiving applications and responding to inquiries, transmitting the applications to the appropriate person, and maintaining a record of job descriptions and applications.

10. Receives and keeps confidential personnel records including evaluations, reprimands, grievances, resignations, etc., as directed by Title 2.
11. Administers oaths of office and other oaths and affirmations, and certifies affidavits and depositions pertaining to local affairs and business which may be used in court proceedings to the State. Acts as a notary for municipal documents.
12. Functions as the borough's election supervisor and conducts borough elections in accordance with state and borough laws. Acts as a voter registrar.
13. Receives and date stamps all mail addressed to the Office of the Clerk, the borough manager, and the mayor; answers citizen inquiries.
14. Issues various permits and licenses as prescribed in the borough code. Makes forms available, developing new ones as needed.
15. Coordinates the calendar for use of the assembly chambers and for any assembly, committee or other public use activities.
16. Keeps the chronological file of correspondence for the Borough.
17. Operates office machines and assists, as needed, with ordering maintenance and supplies.
18. Countersigns warrants, checks, etc. after same have been authorized by the assembly. Countersigns and seals all bonds.
19. Acts as the parliamentary advisor to the assembly.
20. Is bonded by the Borough for the faithful performance of these duties.
21. Performs such additional duties as state statute and borough ordinances prescribe.
22. Prepares annual and periodic bid and proposal documents, as directed by the borough manager.
23. Drafts, facilitates, and monitors contracts agreements, use permits, and leases. Provide timely notification of expiring terms.
24. Provides other assistance to the borough manager, mayor, and assembly, as requested.

KNOWLEDGE AND ABILITIES :

The requirements, demands and characteristics listed below are representative of the knowledge, skill and/or ability required to successfully perform the essential job functions. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. Must have excellent computer skills and be familiar with personal computer software programs, including, but not limited to, word processing, spreadsheet, desktop publishing, and website editing.
2. Must have keyboarding skills and the ability to accurately type at least 45 wmp.
3. Knowledge of office practices, procedures, filing systems, and principles.

4. Knowledge of grammar, spelling, punctuation, and styles of business and government writing.
5. Knowledge of local government in Alaska.
6. Skill in information control procedures and techniques.
7. Ability to learn, interpret, apply, and consolidate priority information.
8. Ability to prepare complete and concise reports and correspondence.
9. Ability to maintain effective working relationships and communications with the public and local, state, and federal officials.
10. Ability to take notes, transcribe, and render comprehensive minutes of the official meetings.

EMPLOYMENT STANDARDS :

1. Minimum High school graduation or equivalent. A bachelor's degree is preferred, but the assembly may substitute experience for education.
2. Five years of secretarial, office management, or administrative experience. Municipal experience preferred.
3. Must have the ability to accurately type at a speed of at least 45 wpm.
4. Must be skilled at personal computer operation, including, but not limited to, word processing, desktop publishing, and website maintenance programs.
5. Must hold a valid Alaska drivers license.

WORK CONDITIONS & ENVIRONMENT :

1. While performing the duties of this job, the employee is regularly required to sit, use hands to operate a computer keyboard, or equipment controls; and to talk and hear. The employee is frequently required to reach with hands and arms, to stand, walk, climb, balance, or crouch. The employee frequently moves about to coordinate work. The ability to occasionally negotiate stairs is important.
2. The employee must occasionally lift and/or move up to 25 pounds. The employee must have clear close, distance, and color vision.
3. The noise level in the work environment is usually quiet.



Memo

From the Interim Clerk

Date: February 6th, 2014
To: Haines Borough Assembly
From: Michelle Webb, Interim Borough Clerk
Re: Proposed Ordinance 14-02-367 – Action Only Minutes

The Clerk's Office is strongly in favor of a move to action only minutes. Changing borough code to allow for action only minutes would not only increase the efficiency of producing minutes post-meeting, but would also reduce the borough's exposure to liability. By attempting to capture a summary of a speaker's comments, the Clerk is forced to make choices which words, thoughts, and comments best represent each speaker's sentiment. This is a very difficult and time consuming task which can sometimes lead to unintended misrepresentation of a speaker. Additionally, there has been at least one case when the summarized written statement taken down in minutes has been used against the borough later in legal cases. It is difficult to predict how a summarized statement will be read at a future date, when the connotation of the statement and larger context of the conversation is no longer fresh.

The code would continue to require an audio recording. The Clerk's Office feels that this is a much better solution for individuals wishing to understand how a decision was reached or what the comments at a meeting were.

Thank you for your consideration.

Michelle Webb
Interim Clerk



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 14-420Assembly Meeting Date: 2/25/2014

Business Item Description:	Attachments:
Subject: Authorizing and Prescribing ATV and Snow Machine Use	1. Ordinance 14-02-368 2. Public Comments
Originator: Assembly Member Lapp	
Originating Department: Assembly	
Date Submitted: 1/31/14	

Full Title/Motion:
Motion: Advance Ordinance 14-02-368 to a second public hearing on 3/11/14

Administrative Recommendation:

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ 0	\$ 0	\$ 0

Comprehensive Plan Consistency Review:	
Comp Plan Policy Nos.: N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>This ordinance was forwarded by Assembly Member Lapp.</p> <p>A similar ordinance was proposed in 2011 (Ordinance 11-06-269). This ordinance was originally requested by the assembly on 5/24 and then was drafted by the borough attorney. The ordinance received three public hearings and several rewrites. The ordinance failed to be adopted on 10/11/11.</p> <p>The current ordinance was introduced on 2/11/14.</p>

Referral:						
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Assembly Action:				
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Workshop Date(s):	Public Hearing Date(s): 2/25/14			
Meeting Date(s): 2/11/14 & 2/25/14	Tabled to Date:			

An Ordinance of the Haines Borough Alaska amending Haines Borough Code Chapter 10.34 to authorize the use of ATVs on streets and highways within the borough and allowing use of snow machines on highway shoulders within the borough.

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 Chapter 10.34. Haines Borough Code 10.34 is amended, as follows:

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

Chapter 10.34
SNOW MACHINES AND ATVS

Sections:

10.34.005 Snow machine use permitted – Conditions.

10.34.007 Off-highway vehicle use permitted for snow removal purposes.

10.34.008 Road Use Permit.

10.34.009 Equipment Requirements.

10.34.010 Parental responsibilities.

10.34.020 ~~Operator subject to applicable traffic laws~~ **Impound and Public Nuisance.**

10.34.030 ~~Driving on sidewalk/bike path/alley or other location intended for nonmotorized traffic~~
Private Property Permission.

10.34.040 ~~Driving on highway when not authorized~~ **Private Property Damages.**

10.34.050 ~~Interfering with traffic while crossing highway~~ **Presumption of Ownership.**

10.34.060 ~~Failed to keep on right side~~ **Penalty.**

10.34.070 ~~Failed to display decal~~ **Definitions.**

~~10.34.090 Operating an unregistered snow machine.~~

~~10.34.100 Operator/passenger must have permanent seat.~~

~~10.34.110 Snow machine must have brakes.~~

~~10.34.120 Snow machine must have headlight.~~

~~10.34.130 Snow machine must have throttle control.~~

~~10.34.140 Snow machine must have muffler in good working order.~~

~~10.34.150 Snow machine must have rear snow flap.~~

~~10.34.160 Snow machine must have protective shield over moving parts.~~

~~10.34.170 Snow machine must have reflectors.~~

~~10.34.180 Snow machine must have spark arrester.~~

~~10.34.190 Snow machine tow trailer to have rigid tow bar.~~

10.34.005 Snow machine **and ATV** use permitted – Conditions.

A. As provided for in 13 AAC 02.455(a)(3), the borough permits the use of snow machines as defined in AS 28.39.250(10) **and ATV's as defined in this chapter** on borough-maintained vehicle ways or areas as defined in AS 28.40.100(a)(25) **but only in accordance with the provisions of this Chapter.**

B. There shall be no snow machine or ATV use within the confines of Tlingit Park or the Fort Seward Parade grounds between the hours of 9:00 p.m. and 9:00 a.m.

C. ~~Failure to comply with this chapter is considered a violation unless otherwise identified, and is punishable by a \$50.00 fine~~ The operator shall be at least sixteen (16) years of age.

~~Snow machine Information packets, specifying vehicular ways and areas where snow machines are allowed to be ridden, are available at the borough administrative offices and the police department.~~

D. The operator shall have in their possession while operating the snow machine or ATV a valid Alaska driver's license or equivalent from another jurisdiction.

E. The snow machine or ATV must be registered through the Division of Motor Vehicles and proof of registration must be displayed in the designated location on the vehicle per AS 28.39.040

F. Proof of insurance must be presented on demand.

G. No passengers other than the driver may be carried unless the snow machine or ATV is designed and equipped by the manufacturer to do so in accordance with 13 AAC 02.445 (a).

H. The operator of an ATV or snow machine must not exceed 25 miles per hour on Borough streets and roads and must comply with all other traffic safety regulations.

I. An operator shall use hand signals when making turns on an ATV or snow machine if the ATV or snow machine not equipped with turn signals.

J. An ATV or snow machine shall not be operated on a sidewalk or pedestrian way as defined in 13 AAC 40.010.

K. No person, while operating an ATV or snow machine within the Haines Borough, shall fail to stop as soon as practical, and in a reasonable manner under the circumstances, when requested or signaled to do so by a police officer.

L. When used in this section, "signal" means a hand motion, audible mechanical or electronic noise device, visual light device, or combination of them, used in a manner that a reasonable person would understand to mean that the police officer intends that the person stop.

M. No person who owns or controls an ATV or snow machine shall permit a person to operate the ATV or snow machine if he/she knows or should reasonably know that it is likely to be operated in violation of this section.

~~10.34.020 Operator subject to applicable traffic laws:~~

N. 13 AAC 02.430(b) is adopted by reference.

~~10.34.030 Driving on sidewalk/bike path/alley or other location intended for nonmotorized traffic:~~

O. 13 AAC 02.455(g) is adopted by reference.

~~10.34.040 Driving on highway when not authorized:~~

P. 13 AAC 02.455(a) is adopted by reference.

~~10.34.050 Interfering with traffic while crossing highway:~~

Q. 13 AAC 02.455(f)(1) is adopted by reference.

~~10.34.060 Failed to keep on right side:~~

R. 13 AAC 02.455(a)(4) is adopted by reference.

~~10.34.070 Failed to display decal:~~

S. AS 28.39.040(e) is adopted by reference.

~~10.34.090 Operating an unregistered snow machine.~~

~~**T.** AS 28.39.010 **is adopted by reference.**~~

U. Every ATV and snow machine shall display a lighted headlight and taillight at all times, day or night.

10.34.007 Off-highway vehicle use permitted for snow removal purposes.

A. As provided in 13 AAC 02.455(a)(3), the borough permits, on streets, roads or highways under borough jurisdiction, the incidental use of an off-highway vehicle **as defined in 13 AAC 40.010(30)** equipped with a snowplow, for the purpose of providing snow removal services.

B. Travel on a borough highway is limited to one quarter mile.

C. The operator of the off-highway-vehicle must have a permit; the clerk shall issue a permit when an operator shows a valid driver's license, and provides a description of the location that the snow removal services will be provided. A permit issued under this section shall be subject to the conditions set out in HBC 5.04.080.

D. A permitted operator must comply with AS 28.10.011 vehicle registration requirements and AS 28.22.011 liability insurance requirements.

E. A map showing the streets, roads or highways under borough jurisdiction is available at the borough administrative office and the police department.

F. This section does not restrict use of ATV's.

10.34.009 Equipment Requirements

A. All ATVs and snow machines shall be equipped with at least one (1) functional headlight, taillight, and brake light that meet Alaska Administrative Code (13 AAC 04.400) requirements for said equipment.

B. All equipment originally installed by the snow machine or ATV manufacturer, in addition to that required by the Borough, shall be in good working order.

~~10.34.100 Operator/passenger must have permanent seat.~~

~~**C.** 13 AAC 02.445(a) **is adopted by reference.**~~

~~10.34.110 Snow machine must have brakes.~~

~~**D.** 13 AAC 04.405 **is adopted by reference.**~~

~~10.34.120 Snow machine must have headlight.~~

~~13 AAC 04.400(a).~~

~~10.34.130 Snow machine must have throttle control.~~

~~**E.** 13 AAC 04.410 **is adopted by reference.**~~

~~10.34.140 Snow machine must have muffler in good working order~~

~~**F.** 13 AAC 04.415(a) **is adopted by reference.**~~

~~10.34.150 Snow machine must have rear snow flap.~~

~~**G.** 13 AAC 04.420(a)(1) **is adopted by reference.**~~

~~10.34.160 Snow machine must have protective shield over moving parts.~~

~~**H.** 13 AAC 04.420(a)(2) **is adopted by reference.**~~

10.34.170 Snow machine must have reflectors.

I. 13 AAC 04.420(a)(3) is adopted by reference.

10.34.180 Snow machine must have spark arrester.

J. 13 AAC 04.420(a)(5) is adopted by reference.

10.34.190 Snow machine tow trailer to have rigid tow bar.

K. 13 AAC 04.420(a)(4) is adopted by reference.

10.34.010 Parental responsibilities.

~~13 AC 02.430(a)-~~

A. A parent or guardian of a minor under the age of sixteen (16) commits an offense under this Chapter if he/she knowingly permits, or, by insufficient control, allows the minor to operate a snow machine or ATV in violation of this Chapter. Indifference to the activities or whereabouts of the minor under the age of sixteen (16) shall be prima facie evidence of insufficient control.

B. A parent or guardian must comply with 13 AAC 02.430(a).

10.34.020 Impound and Public Nuisance

A. The purpose of impoundment is for the protection of the public, and the removal of public nuisances and deterrence of violations of this section.

B. Officers of the Haines Borough Police Department or the State of Alaska Department of Public Safety may impound snow machines and ATVs whose operators have been cited upon the fourth (4th) citation of the operator under the provisions of this section.

C. Any snow machine or ATV operated or modified in a manner that violates this chapter may be hereby declared a public nuisance.

D. Any snow machine or ATV that is a public nuisance may be immediately impounded at the discretion of any police officer at the time of the violation or pursuant to a court order entered in the course of civil or criminal enforcement proceedings.

E. A police officer shall release an impounded ATV or snow machine to the owner upon receipt of proof of ownership, storage fees and civil fines owed to the Borough or private citizen or upon a finding by the magistrate that the ATV or snow machine was impounded without probable cause.

F. The towing fees, impound fees and storage fees for snow machines and ATVs shall be determined by the Haines Borough, and shall include an administrative charge of One Hundred Dollars (\$100.00) to offset processing costs.

G. An ATV or snow machine seized for impoundment shall be held in the custody of a facility approved by the Borough.

H. An ATV or snow machine operated by, or driven by, or in the actual physical control of, an individual cited for violation of any section of this chapter, is presumed to have been so operated by the owner(s) thereof, or having been operated by another person with the knowledge and consent of the owner(s). An ATV or snow machine so operated is declared to be a public nuisance for which the owner(s) hold legal responsibility subject only to the defenses as set forth by law.

10.34.030 Private Property Permission.

No persons shall operate an ATV or snow machine vehicle within the Borough on another's real property without the express written permission of the owner of the property. This permission shall be carried by the operator of the ATV or snow machine.

10.34.040 Private Property Damages.

The owner of an ATV or snow machine may be held jointly and severally liable to a property owner for three times the amount of damages to trees, shrubs, landscaping or personal property occurring on private property and caused by the ATV or snow machine where the ATV or snow machine is operated without the consent of the property owner or his agent.

10.34.050 Presumption of Ownership.

It is hereby declared that, for the purposed of this Chapter, it is presumed that the ATV or snow machine registered to an owner is being operated by the owner, and unless the presumption is rebutted, the owner shall be liable under the penalty and impoundment clauses as herein provided.

10.34.060 Penalty

Failure to comply with this chapter is considered a violation unless otherwise identified, and is punishable in accordance with the following fine and bail schedule ~~by a \$50.00 fine plus any surcharge required by AS 12.55.039:~~

- 1. First offense, Fifty Dollars (\$50.00)**
- 2. Second offense, Seventy-five Dollars (\$75.00)**
- 3. Third offense, One Hundred Dollars (\$100.00)**
- 4. Fourth offense, One Hundred Fifty Dollars (\$150.00) and each offense thereafter.**

10.34.070 Definitions.

As used in this section:

A. "Snow machine" means a motor vehicle weighing one thousand pounds (1,000 lbs.) or less gross vehicle weight, primarily designed to travel over snow and supported in part by skis, belts, cleats or rubberized tracks, and includes the vehicle commonly known as a snowmobile or snow-go.

B. "ATV" means a motor vehicle that has four (4) or more wheels utilizing low pressure tires (by the tire manufacturer's recommended pressure) or two (2) or more plastic-coated or rubberized tracks or treads measuring seventy-five (75) inches or less overall width, having a dry weight of one (1) ton or less, and designed primarily for travel over unimproved terrain. This definition includes the classifications known as Class I (operator straddles the seat) and Class II (vehicle is equipped with side by side seating for operator and passenger.)

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

ATTEST:

Stephanie Scott, Mayor

Michelle Webb, Interim Borough Clerk

Date Introduced: 02/11/14
Date of First Public Hearing: 02/25/14
Date of Second Public Hearing: ___/___/___

Haines Borough Assembly
POB 1209
Haines, AK 99827

February 18, 2014

Dear Haines Borough Assembly,

Please consider my public comment for the February 25, 2014 Assembly Meeting

ORDINANCE 14-02-368 – ATV and snow machine use on Haines Borough streets and highway shoulders:

Gary Lowe the former Chief of Police did not support adoption of this ordinance. The new Chief of Police should have an opportunity to review this ordinance before it goes to a second hearing, as his department will be tasked with enforcing it.

ATV's and snow machines on public roads are dangerous. They are made for off road use and are incompatible with cars, bicycles and pedestrians. The manufacturers of ATV's and national off road user groups recommend that they not be used on paved public roads. The accident rate for this use is extreme.

Adding ATV's to our roads will further the risk of someone getting injured or killed. The Borough needs to consider the safety of all residents when making decisions that could put people at risk. This allowance would be for a minority of residents and is not necessary. As a local bicyclist, adoption of this ordinance will negatively impact my legal use of our roadways.

As a bicycle business owner adoption of this ordinance will negatively impact my customers that use our city streets and highway shoulders for cycling. Tourists that come to Haines to bicycle do not want to have to compete for road shoulder space with ATV's.

As a property owner I already have issues with people illegally using private property in front of my house with snowmobiles and ATV's. Adoption of this ordinance will increase the number of complaints to the HPD and increase the level of enforcement needed by our State Trooper and the HPD.

This ordinance was already considered and rejected two years ago, since then nothing has changed except the makeup of the Assembly. I request that you do not send Ordinance 14-02-368 to a second hearing.

Sincerely,

Thom Ely
POB 1014
Haines, AK 99827

Michelle Webb

Subject: FW: Article on ATV Fatalities on Roads

From: Thom Ely [<mailto:akthome@yahoo.com>]
Sent: Wednesday, February 12, 2014 6:12 PM
To: Julie Cozzi
Cc: Stephanie Scott; Debra Schnabel; Joanne Waterman; Dave Berry
Subject: Re: Article on ATV Fatalities on Roads

Thanks Julie. It would be worthwhile to see if the Assembly would reconsider their decision to send this to a first hearing. In my opinion allowing ATV's on our roads would be a huge mistake, they are not made to be used on paved public roads.

Ordinances like this are a waste of the Administration and Assembly's time. A very small minority of people would drive an ATV on the road if allowed. Those that do, mainly teenagers will put themselves and others at risk. It will be very difficult to enforce any of the provisions in the Ordinance. Accidents will happen, pedestrians will be annoyed and forced off the shoulder of the road. Private property will be abused.

Snowmachines are already allowed on the townsite roads. This is enough of a risk and hazard. I have had several close calls with teenagers speeding and running stop signs. I don't believe the State will allow them to be operated on Mud Bay Rd or the highway.

It is very disappointing that these issues are never resolved by the Assembly and keep coming up when the politics of the members change. I really feel that our local government is extremely dysfunctional. There needs to be give and take, understanding and compromise. We have more important things to spend our time on.

Sincerely,

Thom Ely
POB 1014
Haines, AK 99827
907-314-0860

From: Julie Cozzi <jcozzi@haines.ak.us>
To: Thom Ely <akthome@yahoo.com>
Cc: Stephanie Scott <sscott@haines.ak.us>
Sent: Wednesday, February 12, 2014 12:40 PM
Subject: RE: Article on ATV Fatalities on Roads

Hi, Thom...

I just forwarded this email and the follow-up one to the borough assembly, as requested. Unfortunately, I was unable to do that last night because I had already left for the assembly chambers before 5pm to set up for the G.A.S. Committee

meeting that took place prior to the assembly meeting. As you know, the assembly scheduled a first public hearing for Feb 25, so they will still get the information in a timely manner.

Have a great day!

Julie

From: Thom Ely [<mailto:akthome@yahoo.com>]

Sent: Tuesday, February 11, 2014 5:00 PM

To: Julie Cozzi

Cc: Stephanie Scott; Chilkat Valley News

Subject: Article on ATV Fatalities on Roads

Hi Julie,

Please share this article with the Assembly,

<http://www.usatoday.com/story/news/nation/2013/12/26/atv-crashes-on-public-roads/4208827/>

Thanks,

Thom Ely

POB 1014

Haines, AK 99827

907-314-0860

Study: ATV crash deaths rising on public roads

Larry Copeland, USA TODAY [\(/staff/976/larry-copeland\)](/staff/976/larry-copeland) 9:18 p.m. EST December 26, 2013

IIHS study finds ATV crash deaths up on public roads. Most such deaths now occur on paved roads, study finds. Vehicles aren't designed for use on such roads. Many also drive drunk, without helmets.



(Photo: Danny Johnston, AP)

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(<https://twitter.com/intent/tweet?url=http://usat.ly/K8nj7D&text=Study:%20ATV%20crash>)

45
TWEET

All-terrain vehicles, which are hugely popular among hunters, anglers and other outdoor lovers, are designed for off-road use — their low-pressure tires aren't meant for use on paved surfaces and some are prone to rollovers. They are prohibited on most public roads.

But many users are taking their ATVs onto paved roads, and the majority of ATV crash deaths are now occurring on those roads, according to a new report from the Insurance Institute for Highway Safety.

STORY: [ATV injuries, deaths down; concerns high](http://www.usatoday.com/story/money/business/2013/03/04/atvs-deaths-injuries-down/1954989/) (<http://www.usatoday.com/story/money/business/2013/03/04/atvs-deaths-injuries-down/1954989/>)

STORY: [ATVs becoming menace on city streets](http://usatoday30.usatoday.com/news/nation/story/2012-08-19/atvs-dirt-bikes-urban-hazard/57174702/1) (<http://usatoday30.usatoday.com/news/nation/story/2012-08-19/atvs-dirt-bikes-urban-hazard/57174702/1>)

IIHS researchers found that deaths of ATV drivers and passengers have increased substantially in recent years as the vehicles have grown more popular and more people take them onto roadways.

From 2007 to 2011, the most recent year for which government data is available, 1,701 ATV riders died in crashes on public roads in the USA — about 340 a year, according to IIHS. Today, two-thirds of all fatal ATV crashes occur on public or private roads.

"A big part of the problem is that these vehicles are not designed for use on public roads," says Anne McCartt, IIHS senior vice president for research and a co-author of the study. "The other part is that you often see risky behavior among drivers in these fatal crashes. Only 13% of them were wearing a helmet, and 43% were legally drunk. Others were speeding."

Speeding was cited by police as a contributing factor in 42% of fatal single-vehicle ATV crashes and in 19% of multiple-vehicle crashes, the report says.

Of the ATV rider deaths studied by IIHS, 1,482 were drivers, 210 were passengers and the rider status of nine was unknown. Among the drivers killed, 90% were 16 or older and 90% were male.

The annual total of on-road fatal ATV crashes dropped 18% from 368 in 2007 to 305 in 2011; highway deaths overall during that period fell about 21% from 41,259 to 32,367. Even with the drop, more fatal ATV crashes occurred on roads than off-road, according to IIHS.

ATVs, with their oversize, low-pressure tires, aren't solely for recreational use. They are often used by farmers, police officers and for patrolling public lands.

The deadly crashes were more likely to occur in relatively rural states, and in rural areas within states: Kentucky had the most ATV fatalities with 122, or 57 per 10 million residents; New Hampshire had none.

Groups representing ATV manufacturers and users discourage riders from engaging in the kinds of behavior cited in most of the ATV crashes.

The ATV Safety Institute, a non-profit division of the Specialty Vehicle Institute of America, a trade association for ATV manufacturers, urges riders to always wear a helmet and other protective gear and to never ride on public roads or under the influence of alcohol or other drugs. "ATVs are not designed for use on public roads and other motorists may not see you," says the institute's Guide for the ATV All-Terrain Vehicle Rider.

The All-Terrain Vehicle Association, a division of the American Motorcyclist Association that represents riders, "has never supported ATV use on public roads," says spokesman Peter terHorst. He says some of the nation's 10-11 million ATV users may ride on public roads because they're more accessible. "Somebody might find it more convenient to move down a public roadway than take an adjacent trail," he says. "It's often just a matter of, in the mind of the user, just convenience."

Most states prohibit most use of ATVs on public roads, with exceptions for reasons such as crossings and agricultural use. But McCartt says it's not clear how stringently those laws are enforced.

ATV deaths on public roads by state

More than 1,700 riders and passengers died on public roads between 2007 and 2011. Kentucky had the most deaths with 122; West Virginia had the highest rate per 10 million people at 104.9.

STATE	TOTAL DEATHS, 2007-2011	RATE PER 10 MILLION PEOPLE
Alabama	55	23
Alaska	10	29
Arizona	52	16
Arkansas	50	35
California	79	4
Colorado	2	1
Connecticut	5	3
Delaware	2	5
District of Columbia	0	0
Florida	74	8
Georgia	62	13
Hawaii	4	6
Idaho	28	36
Illinois	39	6
Indiana	12	4
Iowa	26	17
Kansas	19	14
Kentucky	122	57
Louisiana	40	18
Maine	16	24
Maryland	9	3
Massachusetts	2	1
Michigan	52	10
Minnesota	38	14
Mississippi	47	32
Missouri	69	23
Montana	23	47
Nebraska	17	19
Nevada	4	3

New Hampshire	0	0
New Jersey	13	3
New Mexico	13	13
New York	58	6
North Carolina	29	6
North Dakota	10	30
Ohio	65	11
Oklahoma	33	18
Oregon	19	10
Pennsylvania	97	15
Rhode Island	1	2
South Carolina	8	4
South Dakota	5	12
Tennessee	67	21
Texas	95	8
Utah	20	15
Vermont	11	35
Virginia	17	4
Washington	24	7
West Virginia	96	105
Wisconsin	43	15
Wyoming	19	70
TOTAL	1,701	11

Source: Insurance Institute for Highway Safety

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(<https://twitter.com/intent/tweet?url=http://usat.ly/K8nj7D&text=Study:%20ATV%20crash%20deaths%20rising%20on%20>

supposed to be driven on roadways, regulations make it difficult to keep them off. Moreover, a large portion of those killed were intoxicated and/or not wearing a helmet. The numbers are staggering, and you can delve deeper into them in the press release [below](#).

News Source: Insurance Institute for Highway Safety

Category: [Safety](#), [Off-Road](#)

Tags: [atv](#), [crash](#), [deaths](#), [fatalities](#), [iihs](#), [study](#)

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Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 14-422
Assembly Meeting Date: 2/25/14

Business Item Description:	Attachments:
Subject: Amend Title 18 to decline appeals without grounds stated	1. Ordinance 14-02-369 2. Planning Commission Recommendation
Originator: P&Z Technician III & Planning Commission	
Originating Department: Planning & Zoning	
Date Submitted: 1/9/14	

Full Title/Motion:
Motion: Advance Ordinance 14-02-369 to a second public hearing on 3/11/14.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.: N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
-------------------------------	--

Summary Statement:
This ordinance is recommended by the planning commission. A memo from the Borough Attorney (attached to the St. Clair appeal) recommended the planning commission decline to hear appeals in which the particular grounds for the appeal have not been specified. The planning commission wishes to codify this statement into their appeal process.

Referral:

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

Assembly Action:

Workshop Date(s):	Public Hearing Date(s): 2/25/14
Meeting Date(s): 2/11/14 & 2/25/14	Tabled to Date:

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.30.050 Appeals to the Commission to conform to the requirements of filing an appeal.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and if adopted with or without 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 will become effective immediately upon adoption.

Section 4. Amendment of Section 18.30.050. The definition for "Agriculture, personal use" in Section 18.20.020 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE
STRIKETHROUGH ITEMS ARE DELETED

18.30.050 Appeals to the commission.

A. The commission shall decide at its next regularly scheduled meeting whether to rehear the manager's decision. **The commission shall decline to hear appeals in which the particular grounds for the appeal have not been stated.** Any aggrieved person, including the developer, may appear at that meeting and explain to the commission why or why not it should rehear the manager's decision. If the commission chooses to rehear the decision, it may choose to rehear the entire decision, or any portion thereof.

B. If the commission decides to rehear a decision, or any portion thereof, it shall then immediately do so at that meeting and make its decision.

. . .

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

Stephanie Scott, Mayor

ATTEST:

Michelle L. Webb, Interim Borough Clerk

Date Introduced: 02/11/14
Date of First Public Hearing: 02/25/14
Date of Second Public Hearing: ___/___/___

Haines Borough
**BOROUGH ASSEMBLY
ACTION REQUEST**

DATE: January 9, 2014

TO: Borough Assembly

FROM: Haines Borough Planning Commission

PLANNING COMMISSION ACTION: M/S Venables moved to “recommend the Assembly adopt the proposed draft ordinance to amend Haines Borough Code 18.30.050(A)”. The motion passed unanimously.

RATIONALE: According to the Borough attorney’s memo regarding appeal procedure, the attorney recommended the Planning Commission shall decline to hear appeals where no grounds for appeal are specified. Thus, the Planning Commission decided to amend the code by adding one sentence stating the Planning Commission will decline to hear an appeal in which the particular grounds for the appeal have not been stated.

PLANNING COMMISSION REQUEST: for the Borough Assembly to amend HBC 18.30.050(A) to read:

A. The commission shall decide at its next regularly scheduled meeting whether to rehear the manager’s decision. **The commission shall decline to hear appeals in which the particular grounds for the appeal have not been stated.** Any aggrieved person, including the developer, may appear at that meeting and explain to the commission why or why not it should rehear the manager’s decision. If the commission chooses to rehear the decision, it may choose to rehear the entire decision, or any portion thereof.

SUBMITTED BY _____



(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 18.30.050 APPEALS TO THE COMMISSION TO CONFORM TO THE
REQUIREMENTS OF FILING AN APPEAL**

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 18.30.050 to conform to the requirements of filing an appeal.

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

HBC 18.30.050 Appeals to the commission.

An appeal made to the commission of a decision by the manager shall be requested by filing with the clerk, within 10 days of the date of the decision appealed, a written notice of appeal stating with particularity the grounds for the appeal.

A. The commission shall decide at its next regularly scheduled meeting whether to rehear the manager's decision. **The commission shall decline to hear appeals in which the particular grounds for the appeal have not been stated.** Any aggrieved person, including the developer, may appear at that meeting and explain to the commission why or why not it should rehear the manager's decision. If the commission chooses to rehear the decision, it may choose to rehear the entire decision, or any portion thereof.

B. If the commission decides to rehear a decision, or any portion thereof, it shall then immediately do so at that meeting and make its decision.

...

INTERIM MANAGER'S REPORT

DATE: February 25, 2014
TO: Mayor and Borough Assembly
FROM: Julie Cozzi, Interim Borough Manager

Administration

- **Deputy Clerk Resignation:** Michelle Webb's husband has accepted a new position in Fairbanks so, unfortunately, they will be leaving Haines. Michelle has provided a much-appreciated lengthy notice (*letter attached as Appendix A*). We expect to begin recruitment, as soon as possible.
- **New Borough Manager:** I want to confirm that Dave Sosa's first day on the job is still scheduled for April 8. In the mean time, we have been having regular phone meetings with him, copying him on some emails, and in general trying to provide him with as much information as possible. We are very much anticipating his arrival.

Economic Development/Tourism

- **Rail Study:** For those who wished they had been informed of the first meeting, the Haines Rail Study Stake Holders Meeting will be repeated on Monday, March 31, 10:00 a.m. in the Assembly Chambers. That meeting was simply an information gathering exercise for contractor Kells Boland of Prolog Canada Inc. to get local port information such as the tank farm site, Lutak Dock, Sawmill Dock and the Schaefer property. At 6:00 p.m. on March 31, Mr. Boland will present the draft Haines Rail Study economic assessment Report and answer questions.
- **Heliskiing Permits:** SEABA has been issued a heliskiing permit for 2014. The AMG and AK Heliskiing applications are still being processed but are expected to be issued very soon.
- **Special Ski Competition Event Request:** In compliance with HBC 5.18.080(G), I have just received a request for the temporary addition of ski territory for a special ski competition event. The code requires the manager to prepare a written recommendation no later than seven days after receipt of the request and then submit it to the assembly for action by resolution. The initial request was received Tuesday, the 18th, but needed additional details were submitted Friday, the 21st. I have begun the process of reviewing the full request and plan to forward my recommendation electronically to the assembly no later than Wednesday, February 26. This request will be on the March 11 agenda for assembly action by resolution.
- **Economic Development Summit:** On March 8, 2014 the Haines Chamber of Commerce will be hosting a "state of the Haines economy summit" at the Chilkat Center. Approximately 50 Panelists representing 19 segments of the local economy will be speaking on the current state of their economy and what they see on the horizon. This event is a great opportunity for the community to gain a common understanding of the economic landscape as we head into the future. Attendance is mandatory (please?). ☺ Attendance by as many as possible is at least critically important.

Finance/Insurance

- **Harbors Fish Waste Disposal:** I just received notice the Haines Borough was awarded \$31,500 for Harbors Fish Waste Disposal from the Southeast Alaska Chinook Salmon Mitigation Infrastructure Grant Program (see attached *Appendix B*). A resolution accepting these grant funds will come to the assembly on March 11. Many thanks to Darsie for his work to submit the application.

- **CIA MOU:** I am awaiting the borough attorney's review of the proposed CIA Memorandum of Understanding regarding road work. This item was removed from the 1/14 agenda at the administration's request. It will hopefully be ready for the next meeting agenda.
- **FY15 Budget Books:** Materials such as binders and tabs need to be ordered soon if we're going to make physical budget books for the mayor and assembly as has usually been the practice. To save money and staff time, the assembly could decide to have the FY15 budget delivered in electronic form this year for use with the iPads. The finance director provided the following cost estimates. We would appreciate knowing the assembly's preference.

Paper Budget Books:	
Labor	\$500
Materials	\$110
Copies/Paper	<u>\$85</u>
Total	\$695

Electronic Budget:
 Labor - approximately \$35

Information Technology

- **Hearing from the Public:** In our ongoing efforts to improve/increase community interaction with the local government, I have asked our system administrator to evaluate a Granicus product called "Speakup" (see brochure attached as *Appendix C*) as well as a program called "Survey Monkey." Sitka is planning to implement Speakup and will have it as part of their website. This might be a terrific way to reach out, gather information, etc. etc. Survey Monkey is a great community survey program but Speakup may give us interaction capability in addition to surveys. Wouldn't it be wonderful to have a tool like this to help us involve as many citizens as possible in the decisions we make? Our evaluation of these two programs (and there may be other options, as well) will include cost estimates so we can include something like this in the FY15 budget.
- **Live Broadcasts or Streaming:** We also continue to look into options and gather pricing for for people to observe the assembly and planning commission meetings (and eventually maybe even committee and board meetings) from the comfort of their homes. We have received the attached cost estimate (*Appendix D*) for live broadcasting on cable. Additionally, we are continuing to look at options for providing live streaming through the borough's website. This will also involve making technological upgrades to the assembly chambers, including a new sound/microphone system.

Lands-Assessment-Planning & Zoning

- **Board of Equalization (BOE) Training:** This is a reminder that the BOE training will take place on Monday, March 3, 6:00 p.m. This training is for the assembly members, but the public is welcome to observe and be informed. This is not intended to be a time for property owners to ask assessment questions. However, we do recognize that is important, so the contract assessor and the assistant assessor plan to conduct a Q&A session at a later date. We will be sure to provide adequate public notice.
- **Mt. Riley Trail Ownership:** The trailhead is borough land, but the trail runs across Mental Health Trust land to DNR/State Park land. In late 2012, the Haines Borough submitted an application and a \$500 fee to the Mental Health Land Trust to have them look at land ownership issues on the Mt. Riley Trail. The application included a letter from Alaska State Parks who is also interested in this issue. The Mental Health Land Trust is understaffed and as such has been delayed in making progress. On February 19, 2014, we received a call from Mike Eberhardt, Park Superintendent Southeast Area Office for State Parks that the issue is now being discussed in his office with Mental Health. He believes that a "floating easement" would be the most likely solution but might be costly and would require buy-in from Mental Health. The borough's point of contact for this issue is Darsie Culbeck, and he is working with Alaska State Parks to explore the easement option. Two of the reasons to work on this are: the need for trail remediation and installation of trail markers. Even one lost hiker is too many.

Police Department

- **Police Chief:** The negotiations with new Police Chief William "Bill" Musser are complete. He has agreed to accept an annual salary of \$75,000 (\$80,000 is budgeted). His first day on the job is February 27 (he will arrive in town via ferry that afternoon). He will be subject to a one-year probationary period.
- **Patrol Officer:** A new patrol officer has been hired. Joshua Dryden is a certified officer in Alabama with eight years experience. He will only need to attend a 2-3 week academy session in May to become Alaska-certified.
- **Interim Police Chief Appreciation:** Judging by the many comments I have received over the past few months, I'm sure the community joins me in my deep appreciation for the job Simon Ford has done as Interim Chief. If you agree, please take every opportunity to express your thanks to him as his interim tenure draws to a close. The wonderful thing is he is not going anywhere and we will still have an outstanding sergeant!

Public Facilities

- **Assistant Water Sewer Operator:** One of the Assistant W-S Plant Operators Jim Blilie has resigned his position to accept a job with Kensington Mine. (See attached letter attached as *Appendix E*.) As is our practice, we are taking this opportunity to reevaluate the position and look at the borough's overall organization structure before we begin recruitment.
- **Director of Public Facilities Report:** Carlos Jimenez has provided a project update, and it is attached as *Appendix F*.
- **Picture Point Wayside:** The Picture Point Wayside Design Committee will meet on Monday, February 24, 2:00 p.m. in the Assembly Chambers to review cost estimates and also public comments received in response to the displayed preliminary designs.
- **Biomass Integration Workshop:** As you know, the borough is looking to transition the heating of some of the facilities from heating fuel to biomass (pellets). The Senior Center already has a pellet boiler. Facilities Maintenance Supervisor Ed Bryant will attend this workshop in Anchorage, March 3-4. It is being taught by John Siegenthaler, a nationally renowned biomass expert and engineering professor from the east coast. Since Ed is the mechanical guy who works on the borough's boilers, it is important for him to be trained in the maintenance of pellet boilers. We hope he will return with knowledge to help guide us in making the best decisions we can. More information is attached as *Appendix G*.

Appendix A

February 18, 2014

Julie Cozzi
Interim Borough Manager
Haines Borough

Julie,

It is with great sadness that I am writing to inform you that my new husband has agreed to take a position in Fairbanks starting on May 4th, 2014.

It is very important to me that this decision be as minimally impactful to the Borough and the Clerk's Office as possible. This is why we felt it was important to inform you of our departure almost as soon as we knew. This will allow 10+ weeks for advertisement, hire, and training for my replacement. When I depart our new Borough Manager will be in place, and we will be back in our normal, non-interim positions. I would like to continue working till much closer to the move. I currently have a great deal of flexibility to work with the needs of the Borough on hours and what my final day will be.

I am very grateful for the opportunity to serve in this position and to work with you personally. You have been a fantastic and supportive teacher. I will miss working with you and this team very much.

Thank you,

A handwritten signature in black ink, appearing to be 'Michelle Webb', with a long, sweeping flourish extending to the right.

Michelle Webb
Deputy Clerk/Interim Clerk
Haines Borough



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Appendix B
Department of Commerce, Community,
and Economic Development

OFFICE OF THE COMMISSIONER

P.O. Box 110800
Juneau, Alaska 99811-0800
Main: 907.465.2500
Programs fax: 907.465.5442

February 12, 2014

Julie Cozzi, Interim Borough Manager
Haines Borough
P.O. Box 1209
Haines, AK 99827

Re: 2014 Southeast Alaska Chinook Salmon Mitigation Infrastructure Grants

Dear Ms. Cozzi:

I am pleased to inform you that an Application Selection Committee recently evaluated your application for the Southeast Alaska Chinook Salmon Mitigation Infrastructure Grant Program. The following project was recommended for funding at the amount indicated:

- \$31,500.00 Haines Borough Harbors Fish Waste Disposal

The DCRA grant section in Juneau will be in touch soon to assist you in identifying any federal and state requirements that may be relative to your project and to negotiate your grant agreement. Any funding reductions or other conditions related to this award will also be addressed in correspondence from your grant administrator.

This letter does not authorize you to incur costs or otherwise obligate these funds until your grant agreement has been fully executed. Should you have any questions regarding this award, please feel free to contact Jolene Julian at 907-465-4758.

Congratulations on your successful application. We at the Department of Commerce, Community and Economic Development look forward to working closely with you on this important project and offer our best wishes for your success.

Sincerely,

A handwritten signature in cursive script that reads "Susan K. Bell".

Susan K. Bell
Commissioner

Cc: Scott Ruby, DCRA Director
Jolene Julian, Grants Administrator III

RECEIVED Haines Borough

FEB 15 2014

Clerk's Office



SpeakUpSM

Collect and prioritize community ideas

iLegislate, our “Chief of Staff in an app”, which has brought meeting research, preparation, and collaboration to the fingertips of staff and elected officials, now functions as a real-time meeting voting tool. By integrating iLegislate with our VoteCast application,

SpeakUpSM combines the power of social innovation and crowdsourcing with an online forum to help agencies prioritize projects and make the best decisions for their community. Citizens can vote on, comment on, and share other citizens’ ideas, as well as their own.

Government organizations often struggle with sustaining productive citizen involvement. The old way of doing things – holding a meeting in the evening at a local government building – doesn’t produce the results government agencies want today. In an effort to engage a broader audience and generate fresh ideas, governments are implementing online technology to make it easy for more members of their community to contribute. SpeakUp helps governments engage citizens beyond in-person meetings and discover what matters most.

By offering a convenient and more autonomous space to share ideas - a website dedicated to community idea sharing - organizations can capture input and create a collaborative environment between citizens and their government.

Productive citizen collaboration

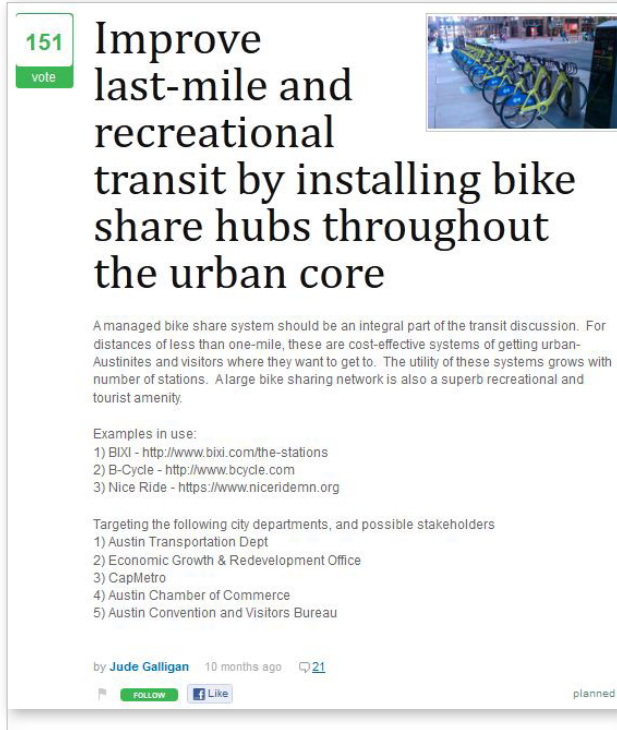
- Clear and simple touch voting
- Collect open ideas for community improvement through an online portal
- Effortlessly prioritize ideas - citizen votes and comments indicate what’s most important
- Contribute to the conversation and let your community know you’re listening
- Reach a broader audience using a Facebook integration and widgets
- Implement a cloud-based social ideation platform in a matter of days
- Access community ideas, statistics, and demographics on an iPad

Granicus' social ideation platform encourages positive collaboration and offers a meaningful way for residents to contribute online.

Benefits & Functionality


Collect new ideas from your community

Give residents a convenient way to suggest new ideas for community improvement through a website dedicated to social idea sharing. Posting an idea is easy and if similar ideas already exists, our system will automatically display those results.



151 vote

Improve last-mile and recreational transit by installing bike share hubs throughout the urban core



A managed bike share system should be an integral part of the transit discussion. For distances of less than one-mile, these are cost-effective systems of getting urban-Austinites and visitors where they want to get to. The utility of these systems grows with number of stations. A large bike sharing network is also a superb recreational and tourist amenity.

Examples in use:

- 1) BIXI - <http://www.bixi.com/the-stations>
- 2) B-Cycle - <http://www.bicycle.com>
- 3) Nice Ride - <https://www.niceridemn.org>

Targeting the following city departments, and possible stakeholders

- 1) Austin Transportation Dept
- 2) Economic Growth & Redevelopment Office
- 3) CapMetro
- 4) Austin Chamber of Commerce
- 5) Austin Convention and Visitors Bureau

by **Jude Galligan** 10 months ago 21 planned

[FOLLOW](#) [Like](#)

Let your residents manage and prioritize ideas

Other residents, and even government staff, can prioritize ideas by voting, commenting, and sharing. Crowdsourcing helps you effortlessly discover and rank the most important ideas for your community, helping improve outcomes and build greater public trust.

Promote your site through social media and widgets

With our Facebook integration, extend your reach beyond your SpeakUp portal to connect with a broader audience. Take promotion to the next level by embedding widgets throughout your website and capture your audience's attention as they browse.



facebook Keep me logged in

City of Austin, Texas **speakupAustin!**

speakupaustin!

POST your great ideas ***VOTE** on what you like ***JOIN** the discussion

What is your civic idea? [Select Language](#)

newest | highest rated | most comments

Search or create a new Idea...

- [Financial incentives to help seniors repair and retrofit home](#)
- [free exercise sessions for seniors](#)
- [Sustain and expand efforts of existing providers of affordable rental properties](#)
- [GIS inventory of the most at-risk city cemeteries](#)
- [Legalize greywater systems with minimal \(free\) permitting](#)
- [Incorporate passive rainwater harvesting/raingardens into every City of Austin property](#)
- [Water fountains in west campus](#)
- [Re-route Mopac Freight Rail. Install Passenger Rail or Add'l Lanes](#)
- [Household Solution for Pollution from Laundry Detergent](#)
- [Install a Bike Lane On Brodie From Wm Cannon to 290](#)
- [Create Bike Lanes On Westgate](#)

Get focused answers on important topics

With forums and groups, post a topic and get feedback on a specific initiative. All responses are related to your subject, helping you focus citizen ideas on what's most important to the organization. For more specific ideas, survey users and quickly build analytics.

FEATURE FOR STAFF

Acknowledge Ideas

Create Public & Private Discussion Groups

Create Forums

Post Surveys

Run Analytics & Export Results

Additional Features

- Showcase an Idea, Forum, or Discussion
- Single Sign-On
- Multiple Language Support
- Design Customizations
- Widgets and API
- Profanity Filter
- iLegislate[®] Integration: Ideas Dashboard on the iPad

BENEFITS TO CITIZENS**Create an Idea**

- Auto-Search for Duplicate Ideas
- Add Tags, Images, and Links to Supporting Resources

Contribute to Other Ideas

- Vote for Ideas
- Leave a Comment
- Share Ideas to Social Networks
- Subscribe to Ideas

Sort Ideas**Additional Benefits**

- Facebook[®] Integration
- Leader Board

DEPENDENCY

Citizen Participation Suite

February 10, 2014

Mr. David Berry

Haines Borough

PO Box 1229

Haines, Alaska 99827

RE: Borough Council Meetings

Dave,

The following is a quote to add the Haines Borough Council meetings live.

Camera, 3 axis, audio, and dvr	\$1248.00
Internet Shell Box	849.00
PLM Microphone with XLR	\$519.00
Installation	\$1500.00
Internet connection \$99.95	1199.40 (will use \$159.99 service but we will pay the difference- as there may be others wanting to go live)
Total	\$5315.00

This quote is effective for 30days 2/10/2014. Thank you, Patty Campbell, Haines Cable TV, 766-2337



Appendix E

1/25/2014

Haines Borough
Water and Sewer Department
Scott Bradford; Superintendent
PO Box
Haines, AK 99827

Please accept this letter as formal notification that I am leaving my position at the water and sewer department on 2/9/2014.

Thank you for the opportunities you have provided me during my time with the Haines Borough.

Sincerely

A handwritten signature in black ink, appearing to read "J Blilie". The signature is written in a cursive style with a large initial "J" and "B".

Jim Blilie

RECEIVED
FEB 14 2014
Haines Borough



Appendix F

Memo

Public Facilities

Date: February 21, 2014
To: Mayor and Borough Assembly
Cc: Interim Borough Manager
From: Carlos Jimenez, Director of Public Facilities
Re: Project Update

Borough Radio Communication System and E-911

Arcticom and Raven Electric are currently installing hardware and software associated with Narrowbanding the Borough's radio system. To date most of the server equipment and more than 80% of the radio work has been completed. The Borough's contracted design engineer has done a site inspection and has found the work exceptional.

High School Air Handling Unit

This bid has been awarded and the Notice to Proceed will be issued on Monday, February 24. This project is scheduled to be completed in early September, 2014.

PC Dock and Letnikof Harbor Upgrades

Work continues to progress at a satisfactory rate. Tours of the project can be arranged by request. Please contact Carlos Jimenez.

School Doors and Mat Lift

This project has been awarded to Henry Construction from Haines. Currently, the contractor is developing a schedule to work with the school so as not to impact students and faculty. There may be interest from the school to look at alternative mat lift systems to reduce the overall project cost. The Borough will provide the Board with cost estimates soon.

Klehini Fire Department New Septic System

The bids for this job were opened on February 14, 2014. Whiterock Nursery was the apparent low bidder for this project. Three bids were received. This work is scheduled to begin as soon as the ground thaws in that area.

Third Avenue Reconstruction

This job is scheduled for advertisement in March, and construction could begin as early as May 1. Work on 3rd Ave. will include sub-excavation to a minimum of 12", new pavement, sidewalks, rolled curb, a new fire hydrant, culvert addition and replacement, new catch basins and storm drains, and the removal of the retaining wall along the Haisler Hardware parking lot. The Borough is working with DEC to develop a contingency plan for dealing with contaminated soil that may be encountered. The Borough expects to encounter some contaminated soil at the South end of Third Avenue.

Surplus Vehicle Sale

Bids were opened on February 21. Four of the five vehicles that were offered were sold for a total of \$4,884.70.

Biomass Heating Integration Workshop **Appendix G**

March 3-4, 2014



Workshop Agenda

John Siegenthaler, Principal, Appropriate Designs will present a two-day workshop detailing best practices for high efficiency wood-fired and pellet-fired boilers.

Monday March 3rd

8:30 am - Introduction and workshop overview

- Why hydronics?
- The importance of hydronics to renewable energy
- Topics to be covered and explanation of order

9:00 am - Wood gasification boiler application

- Wood as a heating fuel
- Wood gasification boilers
- Protecting boilers against sustained flue gas condensation
- Thermal storage options (unpressurized and pressurized storage)
- One example system (wood gasification boiler as sole heat source)

11:00 am - Morning Break

11:15 am - Pellet fueled boiler application

- Pellet-fueled boilers
- Pellet storage options (bag silos and exterior silos)
- Pellet fuel supply systems (Pneumatic transport systems)
- One example system (pellet fueled boiler as sole heat source)
- One example system (pellet fueled boiler as sole heat source)

12:45 pm - Lunch

1:15 pm - State-of-the-art hydronic detailing (part 1)

- Hydraulic separation in hydronic system design
- Distribution efficiency in hydronic system design
- Application of high efficiency ECM-based circulators

4:45 pm - Adjourn



Agenda Continued..

Tuesday March 4th

8:30 am - State-of-the-art hydronic detailing (part 2)

- Low temperature heat emitter options (radiant panel or other options)
- Heat metering - latest concepts
- Low temperature hydronic distribution systems

10:30 am - Morning Break

10:45 am - State-of-the-art hydronic detailing (Continued)

- Mixing options (valves and variable speed injection pumps)
- How to employ outdoor reset control (heat source reset & mixing reset)
- Options for on demand domestic water heating (hydronic approach)

1:45 pm - Lunch

2:15 pm - More system examples using state-of-the-art detailing

- Wood gasification boiler (complete system #2)
- Wood gasification boiler (complete system #3)
- Pellet-fueled boiler (complete system #2)
- Pellet-fueled boiler (complete system #3)
- Pellet-fueled boiler (complete system #3)

4:15 pm - Adjourn

Workshop Information

- Workshop Location:** Mountain View Branch Public Library
120 Bragaw Street, Anchorage Alaska
- Contact Information:** For all questions regarding registration, agenda, and venue please contact Amanda Byrd at agbyrd@alaska.edu, or (907) 474 6728.
- Lunch, snacks and coffee:** Will be provided both days. If you require gluten free, please contact Amanda.
- Continuing Education:** Up to 14 hours of Continuing Education Credits will be available through State of Alaska for Engineers and Architects.



Chilkat Center for the Arts

A Community Facility Operated by the Haines Borough

(907) 766-3573

facsimile (907) 766-3574

E-mail business@khns.org

Facility Administration Report January 2014



Usage:

After the requisite post-holiday hunkering down, students and various organizational groups alike have been slowly emerging from the shadows. Holiday decorations, which provided a beautiful glow around the center, have been taken down and stored for another year. This inspired a bit of general clearing out around the center – not quite a spring clean but in preparation, certainly. With the emergence of sun midway through the month, we were so excited to not be shoveling snow every day that covert sunbathers were randomly spotted around the building.

January provided very little in the way of extra use but February has some interesting events planned including the DDF, puppet shows, birthday parties and the Northern Lights Showcase.

The Foundation for the Chilkat Center is continuing their work on a comprehensive grant to upgrade and replace the theater sound system and other key aspects of what it takes to produce a program in the theater. They have made great strides in gathering local partner groups to be involved and have been invited to submit a grant proposal to the Rasmuson Foundation as well as the Murdoch Trust. Funding of this project would make an enormous difference in the quality and ease of production and provide another venue to train young people in sound, lighting and theater production.

Maintenance

Things to keep on the maintenance list:

- *Windows in the dance studio – they are worn and weary and some have had to be shut permanently to avoid the drafts. The rest have limited capacity in the insulation and opening department.
- *The area in the basement ladies bathroom that was patched up during the conference needs to be addressed with a long term solution.
- *Paint in the stairwell on up to the hallway

Submitted by Facilities Manager, Kay Clements, January 2014

Chilkat Center for the Arts			
1/31/2014			
Contact	Function	Participants	Amount
	Dance Studio		
Marnie Hartman	Yoga	126	225
Melina Shields	Yoga	93	180
Chorus Bishop	Seibukan Jujutsu	132	315
	Lobby		
SEARHC	Morning Muscles	73	120
St Michael's	Sunday Services	80	300
SEARHC	Strongwomen	42	135
	Conference Room		
KHNS	Board meeting	9	n/c
CCA	Board meeting	6	n/c
FCCA	Board meeting	8	n/c
	Auditorium		
	January Totals	569	\$1,275

January 2014 Haines Vol. Fire Dept. Monthly Report

The Haines Vol. Fire Dept. had no fire callouts in January. The Haines Vol. Fire Dept. responded to 23 ambulance callouts in January. Calls included three with chest pain, one with abdominal pain, two with dizziness, an unresponsive patient, a medication overdose, an airway obstruction, two with respiratory distress, three standbys, a canceled enroute, and 8 medivacs/transport. There was a SAR callouts in January for a lost hiker. Members staged at the firehall, but the hiker was found before we were dispatched.

The first joint meeting for January was our annual meeting/dinner. Chief Scott Bradford made a presentation on events of the preceding year and announced the Company officers for the year 2014 which are listed below:

Company	Engine	Fire	Ambulance	SAR
Captain	Danny Gonce	Tim Walter	Thom Andriesen	Greg Palmieri
1st Lt.	Larry Jurgeleit	Roy Josephson	Julie Anderson	Mike Borcik
2nd Lt.	James Sage	Randy Bachman	Darwin Feakes	Vince Hansen
3 rd LT	Lyle Huff	Chuck Mitman	Chuck Mitman	

Chefs Dick Haas prepared a great meal. A general note of thanks was given to all those that volunteer. The ambulance training was patient packaging, splinting, transporting and documentation. We welcome Dr. Dave McCandless as a co-medical director. The fire training was first aid training and an overview of our new tender and Rescue One.

Jenn Walsh completed her EMS instructor certification and plans to teach an EMT 1 class in March & April on evenings & weekends. We have a SAR class being taught here the end of March, please contact us if you are interested.

A general thanks goes out to all that respond to calls when the tones sound.

Volunteer Hours for January 2014

HVFD Fire	206	HVFD Ambulance	122	SAR	5
-----------	-----	----------------	-----	-----	---

Total volunteer hours HVFD for 2014 333 Hours

Respectfully submitted,



Al Badgley
HVFD Training Officer



**Haines Borough
Planning Commission Meeting
January 9, 2014
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 Don **Turner III**, Lee **Heinmiller**, Robert **Venables**, and Danny **Gonce** (called in). **Absent:** Rob **Miller** and Andy **Hedden**.

Staff Present: Jila **Stuart**/Chief Fiscal Officer, and Tracy **Cui**/Planning & Zoning Technician III.

Also Present: Glenda **Gilbert**, Heather **Lende**, Bill **Kurz**, and Debra **Schnabel** (Liaison)

3. **APPROVAL OF AGENDA**

Motion: **Venables** moved to “approve the agenda”. **Heinmiller** seconded it. The motion passed unanimously.

4. **APPROVAL OF MINUTES** – December 12, 2013 Regular Meeting

Motion: **Gonce** moved to “approve the December 12, 2013 Regular Meeting Minutes.” It was amended to correct “the code can be amended” with “the letters can be amended” in the final paragraph of 7C. **Venables** seconded it. The motion passed unanimously.

5. **PUBLIC COMMENTS** – None

6. **CHAIRMAN’S REPORT**

Goldberg said the mayor sent an email to all the committee members. There is a draft ordinance that is going to be forwarded to the Assembly to change the method of filling vacancies on boards. In the past, the applicants wrote letters of interest, and the applications would be transmitted to the appropriate board for review and recommendation to the mayor. Now the mayor is suggesting the board hold a public meeting with a public comment period and review all applications, after which the board shall submit written recommendations for appointments to the mayor. This proposed ordinance allows public involvement in this process.

Heinmiller said he likes the way code is now.

Turner said he thinks the current code is very straight forward.

Venables said the Planning Commission has very few applicants. If the mayor and the Assembly would like to give the commission directions, the Planning Commission can make it work.

7. **STAFF REPORTS**

- A. **Planning & Zoning Report**

Cui reported recent permitting and enforcement activities.

8. **PUBLIC HEARINGS** – None

9. **UNFINISHED BUSINESS** - None

10. **NEW BUSINESS**

A. **Historic District/Building Review**

B. **Haines Borough Code Amendments**

1. **Public Water & Sewer Service Connection in HBC 18.100.092(A)(2)**

Stuart said the Borough code requires property owners to connect to the public utility within six months when public sanitary sewer and/or water service becomes available. **Cui** found this section of code has not been enforced before. At the last meeting, the commissioners directed the Borough staff to take a look at how many properties apply to this situation. The Borough is seeking recommendations from the Planning Commission on how to proceed enforcing it, or whether the code should be amended.

Venables said the Borough Assembly needs to establish two policies to address this issue. One is that the Borough should develop a policy that would allow for the municipality to participate in the extension of water and sewer mains. The other one is that the Borough should develop a policy that would exempt current property owners with viable water and sewer systems from being forced into a Local Improvement District (LID) or connection to the public utility system in a defined period of time.

Gilbert said she saw there are two lists in the packet. One is named “properties without public water connections”; and the other one is named “properties without public sewer connections”. She asked where those two lists came from.

Cui said she made those two lists by using ArcGIS. The lists were automatically produced based on three sets of GIS data. One is the Borough parcel shapefile, which contains detailed information of each parcel; one is the Borough public utility shapefile, which shows the location of the water and sewer mains, and the last one is the Borough existing utility customer list, which was provided by Public Works. What she did was to select the parcels that are located within 200 feet of the utility lines, are more than \$10,000 in improvement value, are privately owned, but are not on the customer list. Those two final lists have been reviewed and approved by the Borough Water and Sewer Operator, Scott Bradford.

Turner said he thinks this is not a planning-related issue, but needs to be addressed at the Assembly level.

Goldberg said he likes Venables’ suggestions.

The Planning Commissioners agreed to let Goldberg forward the suggestions to the Assembly, the mayor and the manager.

2. **Appeals to the commission in HBC 18.30.050**

Motion: **Venables** moved to “recommend the Assembly adopt the proposed draft ordinance to amend Haines Borough Code 18.30.050(A) by adding one sentence stating the Planning Commission will decline to hear an appeal in which the particular grounds for the appeal have not been stated”. **Heinmiller** seconded it. The motion passed unanimously.

C. **Project Updates** – None

D. Other New Business

1. Primary School Subdivision, Lots 6 & 7

Goldberg said the Borough received a written proposal from Aspen Management LLC to purchase lots 6 and 7 of the Primary School Subdivision. The code requires the Planning Commission to review the proposal and forward it to the Assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals.

Motion: Venables moved to “recommend the Assembly further consider the proposal from Aspen Management LLC to build a hotel on lots 6 and 7, Primary School Subdivision, in a commercial zone of Haines downtown, by direct negotiation with the original proposer”. **Turner** seconded it. The motion passed unanimously.

Lende said she read the Borough Comprehensive Plan, which mentions “a well-positioned mixed-use building with some ground floor retail space would further attract people and commerce adding life to the area and downtown next door”. The Comprehensive Plan also says “the former elementary and middle schools were located here but torn down. This is an opportunity to develop a great public space”. **Lende** said she loves this idea, and this can be a great opportunity to let the proposed hotel be a “well-positioned mixed-use building” with hotel upstairs, and retails & shops downstairs. The Borough should encourage the developer to make the design of the hotel fit the Comprehensive Plan.

Goldberg said the Borough also likes the idea. However, the Borough does not have a building code, so the Planning Commission cannot legally make the developer build a hotel in a certain way. The property is zoned Commercial. The proposed use of the property as a hotel is consistent with the commercial zoning district.

More discussion ensued.

11. COMMISSION COMMENTS

Turner said he knows the Borough is working on the Picture Point project. Since Picture Point is a major snow dump spot in town, he recommends the Borough take the snow-storage issue into consideration during the design process.

12. COMMUNICATION - None

13. SET MEETING DATES – The next regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, February 13, 2014.

14. ADJOURNMENT– 7:28 p.m.



Haines Borough
PLANNING COMMISSION
RECORD OF DECISION

DATE: Feb 13, 2014
TO: Borough Assembly
FROM: Haines Borough Planning Commission
Re: Possible Identifying of a Motorized Park within Townsite Service Area

Discussion:

The Planning Commissioners discussed this possibility and decided that it is not a good idea. Don Turner, speaking for motorized recreation users, said that people are not interested in driving around in circles on a lot in town. They are interested in longer trips up the valley. He is more concerned about losing the right to motorized use of public land, as has happened in Juneau. There were also concerns expressed about the terrain and soils in the Townsite Service Area not being suitable for off-road vehicles, and about the Borough's liability risk from injuries.

SUBMITTED BY

A handwritten signature in cursive script, appearing to read "Daniel Gonce".

Daniel Gonce
Planning Commission Vice - Chair

Michelle Webb

From: Meredith R. Pochardt [mpochardt@gmail.com]
Sent: Wednesday, February 19, 2014 9:32 AM
To: Ron Jackson; Jon Hirsh; jennifer talley; Susan Luescher; Kroes, Preston M (DNR); Darsie Culbeck; George Campbell
Cc: Michelle Webb
Subject: 2/18 PARC meeting minutes

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Agenda Business

Hi All,

Here are the minutes from last nights meeting:

Members present: Jon Hirsh, Ron Jackson, Meredith Pochardt, George Campbell (Assembly rep)

Agenda;

- re-appointments (Ron and Jon)
- Trail Markers
- Summer trail work projects
- Ski club potential request

Re-appointments

Ron and Jon's seats have both expired. Ron has re-applied and at a previous meeting his application was recommended to be approved. If Jon wishes to remain he just needs to re-apply with the Borough. We also have 2 other seats open at this time that were previously held by Marnie and Daymond. Start recruiting those that you think would make a good fit on the committee

Trail Markers

There has been some concern that the trails are very poorly marked, especially for winter hiking. Options for low cost markers were discussed. Preston may know if there has been any progress on this.

Summer Trail Work

installing markers, helping trim brush along the 25mile ski area.

Battery Point was identified as a trail that we would like to see focused attention this summer. Discuss with Preston/Mike what the plan for completing this trail is and what the expected budget is.

Ski Club

We are anticipating a request for funds from the ski club.

Discussion

It was also mentioned that we need to have a priority list of what projects we want to accomplish. This list was drafted as:

- Battery Point trail completion
- Recreation Cabin (team with a non-profit, potentially the ski club)

George mentioned that a cabin along the Dalton Trail (26mile) or Walker lake would be a good year-round option that would also attract a wide range of recreational users. This is a project that could be pursued with the assistance of the ski club.

its was also mentioned that it may be wise for us to help/weigh in on identifying a site for motorized recreation (potential option at the end of FAA road)

George will let us know when we have to have budget request submitted for the FY15 budget.

Thanks everyone for your hard work! We'll schedule our next meeting after we know when budget items need to be turned in.

Meredith



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 13-376

Assembly Meeting Date: 2/25/14

Business Item Description:	Attachments:
Subject: Amend Title 13 to Change a Number of Water and Sewer Billing Procedures	1. Ordinance 13-10-352 2. GAS Recommendations from 12/3/13 Meeting 3. 10/17/13 Memo from Jila Stuart, CFO 4. 2/6/13 Memo from Jila Stuart, CFO 5. Proposed Substitute Ordinance 6. Rate Study Price Quote
Originator: Jila Stuart, CFO (Agenda Bill by Clerk's Office)	
Originating Department: Finance	
Date Submitted: 10/11/13	

Full Title/Motion:
 Motion #1: Substitute ordinance 13-10-352 in its entirety with the draft ordinance recommend by the CFO.
 Motion #2: Advance Ordinance 13-10-352, as substituted, to a second public hearing on 3/11/14.

Administrative Recommendation:
 This ordinance is recommended by the Interim Manager and Chief Financial Officer.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.: N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
-------------------------------	--

Summary Statement:
 This ordinance is recommended by the borough manager and chief financial officer. The ordinance was introduced on 10/22/13, sent to the GAS committee. That committee met on 12/3/13 and proposed advancement to the first hearing. CFO, Jila Stuart, has provided the additional information requested at the 10/22/13 meeting recommends the attached substitute ordinance. This ordinance had public comment at the 2/11/14 meeting. However, the GAS committee and borough assembly were unable to consider the ordinance fully as documentation was missing from the packet.

Referral:
 Sent to: Governmental Affairs & Services Committee Date: 10/22/13
 Recommendation: See Attachments Refer to: First Public Hearing Meeting Date: 12/3/13

Assembly Action:

Workshop Date(s): Meeting Date(s): 10/22/13, 1/14/14, 2/11, & 2/25	Public Hearing Date(s): 2/11/14 Tabled to Date:
---	--

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE TITLE 13 TO REVISE AND CLARIFY WATER AND SEWER SERVICE PROCEDURES.

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 be effective January 1, 2014.

Section 4. Amendment of Section 13.04.050. Haines Borough Code 13.04.050 is amended, as follows:

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

13.04.050 Application for service.

A. Application Form. Each applicant for water service shall sign an application form provided by the chief fiscal officer giving the date of application, the date the applicant desires service to begin, purpose for which service is to be used, the address for mailing of the billings, the size of water meter required, and such other information as the borough may reasonably require.

B. An application for water service hook-up shall be processed as follows:

1. The applicant shall provide the information required by subsection (A) of this section and shall submit the required fees and charges as set out in HBC 13.04.045, if applicable.

a. Application Fee. There shall be a nonrefundable water hook-up application fee for individual water hook-ups. There shall be a special nonrefundable application fee if the application is for water service in a subdivision or development involving an extension of water mains or the installation of four or more water hook-ups (HBC 13.04.045). The purpose of the application fee is to cover administrative costs to review the application.

b. Permit Fee. If the proposed hook-up requires permits or approvals from other agencies, the borough may either require the applicant to obtain these approvals at the applicant's expense prior to approval of the hook-up application, or the applicant shall submit the permit fee and an administrative charge (HBC 13.04.045) to the borough and the borough shall make application for the required permits.

2. The applicant shall sign a statement on the application verifying that the applicant agrees to be responsible for any and all of the borough's costs above the minimum hook-up fee. By signing the application, the applicant agrees to abide by the requirements of this chapter. The application is a request for service and does not bind the borough to furnish service.

3. Hook-Up Fee. The purpose of the hook-up fee is to pay for the borough's cost of material, labor, and equipment to install the water service line from the water main to the applicant's property line. The hook-up fee shall be the minimum fee amount, plus any additional cost to the borough related to the actual hook-up installation. When the department approves the application, the applicant shall submit the minimum hook-up fee as required in

(B)(2) of this section, as well as the expansion charge as required by HBC 13.04.055. Following full payment of these fees, the chief fiscal officer shall acknowledge payment on the application form. Provided all other approvals are complete, the chief fiscal officer's record of receipt of fees constitutes final approval of the application. The hook-up shall not occur prior to full payment of fees and final approval of the application. **The water service hook-up fee and any other fees shall be a lien against the property served in the same manner and to the same extent as a lien for special assessments and shall be enforced in the same manner provided for special assessment liens.**

4. Inspection Fee. If, in situations such as subdivisions or in local improvement district projects, the borough does not perform the work to connect the water service from the water main to the adjacent property line, the applicant shall pay an inspection fee for each hook-up in lieu of a hook-up fee. If the project involves a water main extension, there shall be an additional minimum inspection fee for the inspection of the first 100 feet of main extension or portion thereof, and an additional charge for each foot over 100 (HBC 13.04.045).

Section 5. Amendment of Section 13.04.150. Haines Borough Code 13.04.150 is amended, as follows:

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

13.04.150 Main extensions.

A. Water main extensions may be installed to areas not presently served with water only after authorization of the assembly by resolution and only in accordance with plans, specifications, and methods of funding approved by the assembly.

B. The owners of property adjacent to or benefiting from a water main extension shall bear all costs of the main extension, including fire hydrants and water service lines, unless all or a portion of such costs are paid for by grant funds. The costs borne by the property owners shall also include design, permitting, construction, and inspection costs. The owners shall pay these costs through an owner-built or local improvement district, or any other method of payment or financing authorized by the assembly by resolution.

C. Locations of Extensions. The department will make water main extensions only on rights-of-way, easements, or publicly owned property. Easements or permits secured for main extensions shall be obtained in the name of the borough along with all rights and title to the main at the time of installation.

D. All main extension or customer service line work performed on public property or utility easement, unless performed by the borough, shall be performed by a contractor licensed by the state. As a prerequisite to commencing any work on the utility, the contractor shall furnish the borough with:

1. State of Alaska contractor's license;
2. Proof of worker's compensation insurance, if required by law;
3. A bond in the amount of \$5,000;
4. Other proof of capability to perform such work as required by the borough.

The contractor shall provide the borough with accurate as-built drawings for the work within 45 days of the completion of the installation. If the borough has not received accurate as-built drawings by the end of the 45 days, water service shall be discontinued to those properties served by the project.

E. If a property owner makes an application to have the department extend a water main to serve the owner's property, the department may enter into a refund agreement with the owner under which the owner may receive a refund for part of the cost of constructing the extension. If the department approves the application

and enters into a refund agreement with the owner, the owner will pay the department, prior to construction of the extension, a connection charge equal the estimated cost of constructing the extension as determined by the department. Thereafter, the department will collect a connection charge from any property owner who, within 20 years of the completion of the extension, connects to the extension with a service line. The amount of the subsequent connection charges shall be equal to the actual cost of the construction of the extension, divided by the total number of connection charges collected for that extension. The department will also charge a five percent (5%) administration fee whenever a connection charge is assessed. Whenever connections to the extension are approved by the department and connection charges are collected for such connections, the amounts of such connection charges shall be proportionally refunded to all persons or entities that have previously paid a connection charge. Refunds will be allowed only when service line connections are directly tapped to an extension. Refunds will not be allowed when additional extensions are connected to an extension. Refunds to an owner who pays a construction charge will follow the title of the property initially served by the extension.

Section 6. Amendment of Section 13.04.160. Haines Borough Code 13.04.160 is amended, as follows:

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

13.04.160 Service charges.

A. Service Connection Charges. At the time the applicant files for initial service or for a change in service size or location, the applicant shall submit with the application the minimum service connection charge in accordance with the rates and procedures specified in HBC 13.04.045 and 13.04.050. The final signing of the application form will verify the applicant's understanding that the applicant will be liable for the borough's actual cost of installing the connection from the main to the property line. Additional costs, if any, shall be billed at the completion of the work. The chief fiscal officer shall calculate the bill upon completion of the work by the borough for the customer, based upon the actual costs of labor and material, a reasonable charge for equipment used, and an allowance of 15 percent of such costs and charges for overhead expenses.

B. Meter Installation Fee. When a meter is installed **by the department** as per HBC 13.04.170, the customer shall pay a water meter installation fee (HBC 13.04.045), payable at the date of application. This charge is intended to cover the cost of installation of the meter, not the value of the meter.

C. Meter Rental Fee. When a meter is installed as per HBC 13.04.170, the customer shall pay a one-time water meter rental fee equal to the cost of the meter, payable at the date of application.

~~D.~~ Meter Inspection Fee. The authorized installation of any meter by other than borough personnel shall require an inspection by the department, or an assigned representative thereof, for a fee as set out in HBC 13.04.045, to guarantee the adequacy of the installation and to seal the meter.

~~E.~~ Meter Testing Fee. The meter testing fee shall be charged as per HBC 13.04.190.

EE. Frost Bottom Replacement. Frost bottoms broken through freezing of the customer service line shall be the responsibility of the customer. A fee as set out in HBC 13.04.045 shall be charged for frost bottom replacement.

FG. Meter Repair or Replacement. Meters broken through freezing or abuse of the customer shall be the responsibility of the customer. The costs of meter replacement or repair shall be paid for by the customer as replacement cost, to include the cost of the meter or meter part and the labor and materials required for its repair or replacement, plus a 15 percent overhead charge.

Section 7. Amendment of Section 13.04.180 Haines Borough Code 13.04.180 is amended, as follows:

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

13.04.180 ~~Commercial~~ Customers required to have metered water service.

A. All public, commercial, or industrial buildings constructed after May 5, 1975, and requiring water service shall have metered water service. ~~The cost of the meters shall be added to the water service hook-up fee.~~

B. Building owners applying for a change of use requiring water service shall have metered service. ~~The cost of the meter shall be added to the water service hook-up fee.~~

C. Residential buildings constructed after January 1, 2014, and requiring water service shall have metered water service.

Section 8. Amendment of Section 13.04.270. Haines Borough Code 13.04.270 is amended, as follows:

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

13.04.270 Billing and payment.

A. Responsibility of Property Owners. The rates and charges established either in this chapter or as specified in the current assembly-approved water-sewer rate schedule shall be collected from the owners of the premises receiving service. Passage and publication of the ordinance codified by this chapter shall be deemed notice to all owners of real estate of their liability for water service supplied to any occupant or user of such service on their property.

B. Meter Reading – Billing. Water meters will be read and customers billed on the basis of those readings. Meters shall be read near the twentieth day of each month and customers billed before the end of that month. Residential customers will be billed every month before the end of the month at the rates specified in the current assembly-approved water-sewer rate schedule.

C. Records. The department will keep an accurate account on its books of all readings of meters.

D. Payment of Bills. Each bill rendered shall be due when mailed. If the bill is not paid by the ~~twentieth day of the month following~~ **billing due date specified on the bill**, the account shall be considered delinquent.

E. Delinquent Accounts.

1. Delinquent Notice. A reminder of account delinquency may be sent, at the discretion of the chief fiscal officer, to each delinquent customer on or after 10 days after the account has become delinquent.

2. Turn-Off or Court Notice. On or after 15 days after an account becomes delinquent, a turn-off notice or a letter of intent to go to small claims court shall state a date on or after which either the water will be turned off or court action will be initiated, if the delinquent account is not paid in full prior thereto. Such date will not be less than five and no more than 15 days from the date of notice. A delivery to the premises served or mailing to the address of record of the customer shall be considered a delivery to the customer.

3. Service Turn-Off. On the turn-off date, the authorized department official or other agent of the borough shall turn off the service. The borough shall not be liable to tenants for damages resulting from water turn-off because of a landlord's failure to pay delinquent accounts.

4. Service Charge. In all instances where water has been turned off because of a delinquent account, a nonrefundable connection/service charge shall be made as specified in the current assembly-approved water-sewer rate schedule for the termination and restoration of services in addition to replacement of the cash deposit as required in HBC 13.04.060(B).

5. Interest Charges. Accounts will be charged one and one-half percent interest per month after becoming delinquent ~~for 30 days~~.

6. Liens. If a lien has been recorded, any delinquent amount owed to the utility shall constitute a lien upon the real estate for which water service is supplied, and the utility is authorized to file sworn statements showing such delinquencies in the office of the recorder of the Haines recording district.

F. Charges for Partial Month. A customer shall be considered to be receiving water service as long as the customer's control valve is turned on. Turn-on and shut-off procedures are specified in HBC 13.04.280 and 13.04.290, and fees are specified in the current assembly-approved water-sewer rate schedule. If service is for only a portion of the billing month, a nonmetered customer shall be billed as follows: Up to 15 days in a calendar month – one-half the monthly charge; 16 days or more in a calendar month – full monthly charge. Metered customers shall be billed the flat rate plus standard charges for water usage registering on their meter.

G. Exemptions and Adjustments to Charges. The manager and the chief fiscal officer shall have the authority to make all necessary adjustments or exemptions to the charges established in this chapter when directed to do so by the assembly or if, in the opinion of the manager or chief fiscal officer, such actions are in the public interest. Any adjustments or exemptions shall be made a part of the borough's public financial records along with an authorizing statement by the responsible party as to the reasons for the action taken. The decision of the manager or chief fiscal officer shall be final unless overruled by the assembly.

Section 9. Amendment of Section 13.04.280(A). Haines Borough Code 13.04.280(A) is amended, as follows:

NOTE: ~~STRIKETHROUGH ITEMS ARE DELETED~~

13.04.280 Discontinuance of service.

A. On Customer Request. ~~Each customer about to vacate any premises supplied with water service by the department shall give the borough written notice of the customer's intentions at least two days prior thereto, specifying the date service is to be discontinued; otherwise, the customer will be responsible for all water supplied to such premises until the borough receives notice of vacation.~~

4. If the customer requests that the control valve be turned off, the request shall be accompanied by the minimum shut-off fee as specified by the current assembly-approved water-sewer rate schedule. Upon receipt of the shut-off fee, the borough will shut off the valve within four days and will bill the customer for any shut-off fees in excess of the amount paid, computed at an hourly rate as specified by the current assembly-approved water-sewer rate schedule. Once the control valve has been turned off, no monthly bill will be rendered until the customer requests that the valve be turned on.

~~2. If the customer gives notice of vacation but does not desire that the control valve be turned off, the customer will be liable for the monthly base charge as specified by the current assembly-approved water-sewer rate schedule. If any water registers on the meter, the customer will also be liable for the gallonage charges.~~

. . .

Section 10. Amendment of Section 13.08.020. Haines Borough Code 13.08.020 is amended, as follows:

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

13.08.020 Main extensions.

A. A sewer main extension may be installed to an area not presently served with sewer only after authorization of the assembly by resolution and only in accordance with plans, specifications, and methods of funding approved by the assembly.

B. The owners of property adjacent to or benefiting from a sewer main extension shall bear all costs of the main extension, including manholes and sewer service lines, unless all or a portion of such costs are paid for by grant funds. The costs borne by the property owners shall also include design, permitting, construction, and inspection costs. The owners shall pay these costs through an owner-built or local improvement district or any other method of payment or financing authorized by the assembly by resolution.

C. Locations of Extensions. The department will make sewer main extensions only on rights-of-way, easements, or publicly owned property. Easements or permits secured for main extension shall be obtained in the name of the borough along with all rights and title to the main at the time of installation.

D. All main extension or customer service line work performed on public property or utility easement, unless performed by the borough, shall be performed by a contractor licensed by the state. As a prerequisite to commencing any work on the utility, the contractor shall furnish the borough with:

1. State of Alaska contractor's license;
2. Proof of worker's compensation insurance, if required by law;
3. A bond in the amount of \$5,000;
4. Other proof of capability to perform such work as required by the borough.

The contractor, or the superintendent of public works if work is performed by the borough, shall provide the borough with accurate as-built plans for the work within 45 days of the completion of the installation.

E. If a property owner makes an application to have the department extend a sewer main to serve the owner's property, the department may enter into a refund agreement with the owner under which the owner may receive a refund for part of the cost of constructing the extension. If the department approves the application and enters into a refund agreement with the owner, the owner will pay the department, prior to construction of the extension, a connection charge equal the

estimated cost of constructing the extension as determined by the department. Thereafter, the department will collect a connection charge from any property owner who, within 20 years of the completion of the extension, connects on to the extension with a service line. The amount of the subsequent connection charges shall be equal to the actual cost of the construction of the extension, divided by the total number of connection charges collected for that extension. The department will also charge a five percent (5%) administration fee whenever a connection charge is assessed. Whenever connections to the extension are approved by the department and connection charges are collected for such connections, the amounts of such connection charges shall be proportionally refunded to all persons or entities that have previously paid a connection charge. Refunds will be allowed only when service line connections are directly tapped to an extension. Refunds will not be allowed when additional extensions are connected to an extension. Refunds to an owner who pays a construction charge will follow the title of the property initially served by the extension.

Section 11. Amendment of Section 13.08.120(B). Haines Borough Code 13.08.120(B)(3) is amended, as follows:

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

13.08.120 Application for service.

A. Application Form. Each applicant for sanitary sewer service shall sign an application form provided by the chief fiscal officer giving the date of application, the date the applicant desires service to begin, purpose for which service is to be used, the billing address, the construction standards of the private service line, and such other information as the borough may reasonably require.

B. Applications for sewer service hook-up shall be processed as follows:

1. The applicant shall provide the information required by subsection (A) of this section and shall submit the required fees and charges as specified in the current assembly-approved water-sewer rate schedule.

a. Application Fee. There shall be a nonrefundable sewer hook-up application fee for individual sewer hook-ups. There shall be a special nonrefundable application fee if the application is for sewer service in a subdivision or development involving an extension of sewer mains or the installation of five or more sewer hook-ups. The purpose of the application fee is to cover administrative costs to review the application.

b. Permit Fee. If the proposed hook-up requires permits or approvals from other agencies, the borough may either require the applicant to obtain these approvals at the applicant's expense prior to approval of the hook-up application, or the applicant shall submit the permit fee and an administrative charge (HBC 13.08.115) as specified in the current assembly-approved water-sewer rate schedule to the borough and the borough shall make application for the required permits.

2. The applicant shall sign a statement on the application verifying that the applicant agrees to be responsible for any and all of the borough's costs above the minimum hook-up fee. By signing the application, the applicant agrees to abide with the requirements of this chapter. The application is a request for service and does not bind the borough to furnish service.

3. Hook-Up Fee. The purpose of the hook-up fee is to pay for the borough's cost of material, labor, and equipment to install the sewer service line from the sewer main to the applicant's property line. The hook-up fee shall be the minimum fee amount, plus any

additional cost to the borough related to the actual hook-up installation. **The sewer hook-up fee and any other fees shall be a lien against the property served in the same manner and to the same extent as a lien for special assessments and shall be enforced in the same manner provided for special assessment liens.**

When the department approves the application, the applicant shall submit the minimum hook-up fee as required in subsection (B)(2) of this section, as well as the expansion charge as required by HBC 13.08.125. Following full payment of these fees, the chief fiscal officer shall acknowledge payment on the application form. Provided all other approvals are complete, the chief fiscal officer's record of receipt of fees constitutes final approval of the application. The hook-up shall not occur prior to full payment of fees and final approval of the application.

...

Section 12. Amendment of Section 13.08.230. Haines Borough Code 13.08.230 is amended, as follows:

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

13.08.230 Billing and payment.

A. Liable Parties. All sanitary sewer service charges, except the connection fee, shall be placed on the bill for borough water service, but those who do not receive water service shall be billed separately. The rates and charges herein established and as specified in the current assembly-approved water-sewer rate schedule shall be collected from the owners of the premises receiving service. Passage and publication of the ordinance codified by this chapter shall be deemed notice to all owners of real estate of their liability for sewer service supplied to any occupant or user of such service on their property.

B. Payment Deadline. All charges for sanitary sewer service shall be due when the bill containing the water and/or sewer service charges is mailed. If the bill is not paid by the **billing due date specified on the bill**, ~~twentieth day of the month following billing~~, the account shall be considered delinquent.

C. Delinquent Accounts.

1. Delinquent Notice. A reminder of account delinquency may be sent, at the discretion of the chief fiscal officer, to each delinquent customer on or after 10 days after the account has become delinquent.

2. Turn-Off or Court Notice. On or after 15 days after an account becomes delinquent, a turn-off notice or a letter of intent to go to small claims court shall state a date on or after either the sewer or water will be disconnected or turned off or court action will be initiated, if the delinquent account is not paid in full prior thereto. Such date will not be less than five nor more than 15 days from the date of notice. A delivery to the premises served or mailing to the address of record of the customer shall be considered a delivery to the customer.

3. Service Turn-Off. On the turn-off date, the authorized department official or other agent of the borough shall turn off the service. The borough shall not be liable to tenants for damages resulting from sewer disconnects or water turn-off because of a landlord's failure to pay delinquent accounts.

4. Service Charge. In all instances where the sewer has been disconnected or the water turned off because of a delinquent account under this section, a nonrefundable service charge as specified in the current assembly-approved water-sewer rate schedule shall be made for the restoration of services in addition to replacement of cash deposit as required in HBC 13.08.120(C).

5. Liens. If a lien has been recorded, any delinquent amount owed to the utility shall constitute a lien upon the real estate for which water service is supplied, and the utility is authorized to file sworn statements showing such delinquencies in the office of the recorder of the Haines recording district.

D. Interest Charges. **Accounts will be charged** ~~One~~ and one-half percent interest per month ~~will be added to charges~~ **after becoming** delinquent ~~over 30 days~~.

E. Exemptions and Adjustments to Charges. The manager and the chief fiscal officer shall have the authority to make all necessary adjustments or exemptions to the charges and fees established in this title when directed to do so by the assembly or if, in the opinion of the manager or chief fiscal officer, such actions are in the public interest. Any adjustments or exemptions shall be made a part of the borough's public financial records along with an authorizing statement by the responsible party as to the reasons for the action taken. The decision of the manager or chief fiscal officer shall be final unless overruled by the assembly.

F. Residential Sprinkler Allowance. For the period from June 1st to August 31st of each year a metered residential customer may apply to the utility for a "sprinkler allowance." Upon submittal of the completed application form to the borough by the customer the borough shall authorize the allowance. Such allowance shall be determined by calculating the metered usage which exceeds the minimum 4,000 gallons per month. Any amounts in excess of the 4,000 gallons per month per unit during this period will only be charged at 50 percent of the metered usage. The purpose of this allowance is to make an adjustment for the metered usage based upon water meter registers where not all the water used is collected and treated by the sewer system.

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

Stephanie Scott, Mayor

ATTEST:

Michelle L. Webb, Interim Borough Clerk

Date Introduced: 10/22/13- referred to G.A.S. Committee
Date of First Public Hearing: 02/11/14- postponed to 2/25/14
Date of Second Public Hearing: __/__/__

Haines Borough Assembly Committee Meeting
Committee: Government Affairs & Services
Assembly Chambers

Date: December 3, 2013

Issue: Ordinance 13-10-352: Amending Haines Borough Code Title 13 to revise and clarify water and sewer service procedures.

In answer to a committee member Lapham's inquiry about radio read modules authorized in a previously adopted resolution, Facilities Director Carlos Jimenez stated that the that the meters were in place.

In answer to an inquiry from a committee member Campbell, Finance Director Jila Stuart reported that the water rate for a home if unmetered is \$34/month; if metered, is \$31/month for first 3000 gallons.

Resident Shane Horton stated that he would like water and sewer to be charged to mobile home renter instead of mobile home park land owner. Later in the meeting, Finance Director Stuart explained the design of the billing for both trailer parks and apartment buildings.

Finance Director Stuart stated that a previous rate analysis cost \$20,0000; that there is no current budget for a rate analysis for metering residential users. Stuart explained that a year ago the Assembly decided that wanted to move toward universal metering. In an answer to a request for an explanation of enterprise funds, Stuart said that theoretically the user feels should pay for operating expense. In practice, the user fees operating expenses, not depreciation.

In discussing HBC 13.04.150 (E), Stuart said that the theory behind the provisions is that it will y will encourage main extensions because the owner will get contributions from others who may tap in. From the audience, Assembly member Schnabel questioned whether or not it is good public policy to make individuals pay for water main extensions.

Committee asks the staff to prepare a memo for each change. And will move it on to Assembly for first hearing, January 14. The memo should explain each added or deleted sections and provide legal and financial analysis as well.

Recommended Action:

Assembly direct manager to direct staff to provide requested legal and financial justification for changes proposed by staff and set for first public hearing.

Who: Chair

When: January 14,
2014

Memo



To: Haines Borough Mayor & Assembly
From: Jila Stuart, Chief Fiscal Officer
Cc: Julie Cozzi, Interim Borough Manager
Date: October 17, 2013
Re: Proposed Title 13 Revision

The attached, proposed code revision ordinance is intended to accomplish the following:

- Allow the Borough to record a lien for unpaid water and sewer fees so that unpaid bills can more reliably be collected when a property changes hands;
- Create a mechanism for property owners who pay to extend a water or sewer main to be reimbursed by their neighbors who later hook up to the main within 20 years;
- Clarify code regarding fees paid for new meter installation;
- Require metering for all newly constructed residences after January 1, 2014; and
- Eliminate the “vacated” rate which allows customers to pay a reduced rate when they notify the Borough that they will vacate the premises but they still want to valve on.

Memo



To: Haines Borough Mayor & Assembly
From: Jila Stuart, Chief Financial Officer
Cc: Julie Cozzi, Interim Borough Manager
Date: February 6, 2014
Re: Proposed Title 13 Revision

Metering & Proposed Study

This ordinance was introduced on 10/22 and referred to the Government Affairs and Services Committee. That committee met on December 3, requested additional information, and proposed advancement to the first hearing. The committee expressed an interest in further exploring the costs and benefits of moving towards metering for residential customers. Staff has obtained a price quote from FCS Group for a residential water and sewer meter impact study. If the Assembly chooses to move forward with the study I hope you will consider the more comprehensive option 1 which includes a revenue analysis which can be used to set future rates regardless of whether or not you chose to move towards metered residential service. FCS group has a good reputation and has recently been hired by CBJ to do a rate study of their utility. Additionally, FCS group has done a rate study for the Haines water and sewer utilities in 2008 as well as an acquisition analysis of Crystal Cathedrals Water & Sewer System for the former City. The proposal is attached to this memo.

Substitute Ordinance

Staff has prepared a substitute ordinance which removes the proposed phasing in of metered residential service. If the Assembly wishes to look into moving towards metered residential service staff recommends the Assembly authorize the proposed study.

As requested, here is addition information about the proposed substitute ordinance:

- 13.04.050 Application for service – Would allow the Borough to record a lien for unpaid water and sewer fees so that unpaid bills can more reliably be collected when a property changes hands. The proposed language was borrowed from CBJ's code and is designed to address the problem of the utility getting stuck with unpaid bills. The cost of filing a lien will be offset by the additional fees recovered.
- 13.04.150 & 13.08-020 Main extensions – Would create a mechanism for property owners who privately finance water or sewer main extensions to be reimbursed by their neighbors who later hook up to the main within 20 years. This method was borrowed from another water and sewer utility and is very similar to the agreement that was

entered into when the Small Tracts water main was extended by the City in the 1970s. This proposed amendment is designed to encourage private financing of main extensions. Currently, if a property owner pays to extend a main their neighbors are under no obligation to contribute to the cost and may hook up to the main after it is installed without helping to offset the main extension cost.

- 13.04.160 Service charges (C) – Current code is unclear about who pays for the cost of a meter when it is initially installed. 13.04.170 says “The department will own and maintain all meters.” 13.04.180 says “the cost of the meter shall be added to the water service hook-up fees” which seems to imply that the customer is purchasing the meter and 13.04.160 states “the customer shall pay a water meter installation fee payable at the date of application. This charge is intended to cover the cost of installation of the meter, not the value of the meter.” The proposed changes clarify the code to say the customer pays for meter installation (assuming the Borough performs the installation) and a one-time meter rental fee. This is in keeping with current practice, but clarifies code so that the current practice is stated more clearly. Similar language exists in other municipal codes including CBJ’s.
- 13.04.280 Discontinuance of service – Changes to this section would eliminate the “vacated” rate which allows customers to pay a reduced rate when they notify the Borough that they will vacate the premises but that they still want to valve on. This rate is not widely used perhaps because many customers are not aware of it. Because this special rate is on an honor system it is subject to possible abuse and the staff has been reticent to launch a campaign to raise awareness about it. For this reason I have a concern that the rate presents issues of fairness and equitability. Without meters the Borough has no way to verify whether or not water is being used while an account is on the vacated status. Also, in our brief survey of other Alaskan utilities we haven’t found similar vacated rates to be common. Discontinuance of the vacated rate may cause the number of water valve shut-off requests to increase slightly, but we believe our current rate schedule is sufficient to cover those costs. The elimination of the rate may result in increased revenues because customers will have to pay the regular fee if they keep their water on during an absence. Alternately, it could result in decreased revenues if customers have the valve turned off during their absence. We won’t know the impact for sure until we implement the change, but the impact is not expected to be significant. The vacated rate is currently used roughly 50-70 times per year.
- 13.04.270 Billing and payment – removes the monthly due date for water/sewer bills from code.

PROPOSED SUBSTITUTE ORDINANCE Dated 02-06-2014

Haines Borough, Alaska
Ordinance No. 13-10-352

Draft

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE TITLE 13 TO REVISE AND CLARIFY WATER AND SEWER SERVICE PROCEDURES.

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 be effective ~~January 1, 2014~~ **May 1, 2014**.

Section 4. Amendment of Section 13.04.050. Haines Borough Code 13.04.050 is amended, as follows:

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

13.04.050 Application for service.

A. Application Form. Each applicant for water service shall sign an application form provided by the chief fiscal officer giving the date of application, the date the applicant desires service to begin, purpose for which service is to be used, the address for mailing of the billings, the size of water meter required, and such other information as the borough may reasonably require.

B. An application for water service hook-up shall be processed as follows:

1. The applicant shall provide the information required by subsection (A) of this section and shall submit the required fees and charges as set out in HBC 13.04.045, if applicable.

a. Application Fee. There shall be a nonrefundable water hook-up application fee for individual water hook-ups. There shall be a special nonrefundable application fee if the application is for water service in a subdivision or development involving an extension of water mains or the installation of four or more water hook-ups (HBC 13.04.045). The purpose of the application fee is to cover administrative costs to review the application.

b. Permit Fee. If the proposed hook-up requires permits or approvals from other agencies, the borough may either require the applicant to obtain these approvals at the applicant's expense prior to approval of the hook-up application, or the applicant shall submit the permit fee and an administrative charge (HBC 13.04.045) to the borough and the borough shall make application for the required permits.

2. The applicant shall sign a statement on the application verifying that the applicant agrees to be responsible for any and all of the borough's costs above the minimum hook-up fee. By signing the application, the applicant agrees to abide by the requirements of this chapter. The application is a request for service and does not bind the borough to furnish service.

3. Hook-Up Fee. The purpose of the hook-up fee is to pay for the borough's cost of material, labor, and equipment to install the water service line from the water main to the applicant's property line. The hook-up fee shall be the minimum fee amount, plus any additional cost to the borough related to the actual hook-up installation. When the department

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approves the application, the applicant shall submit the minimum hook-up fee as required in (B)(2) of this section, as well as the expansion charge as required by HBC 13.04.055. Following full payment of these fees, the chief fiscal officer shall acknowledge payment on the application form. Provided all other approvals are complete, the chief fiscal officer's record of receipt of fees constitutes final approval of the application. The hook-up shall not occur prior to full payment of fees and final approval of the application. **The water service hook-up fee and any other fees shall be a lien against the property served in the same manner and to the same extent as a lien for special assessments and shall be enforced in the same manner provided for special assessment liens.**

4. Inspection Fee. If, in situations such as subdivisions or in local improvement district projects, the borough does not perform the work to connect the water service from the water main to the adjacent property line, the applicant shall pay an inspection fee for each hook-up in lieu of a hook-up fee. If the project involves a water main extension, there shall be an additional minimum inspection fee for the inspection of the first 100 feet of main extension or portion thereof, and an additional charge for each foot over 100 (HBC 13.04.045).

Section 5. Amendment of Section 13.04.150. Haines Borough Code 13.04.150 is amended, as follows:

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

13.04.150 Main extensions.

A. Water main extensions may be installed to areas not presently served with water only after authorization of the assembly by resolution and only in accordance with plans, specifications, and methods of funding approved by the assembly.

B. The owners of property adjacent to or benefiting from a water main extension shall bear all costs of the main extension, including fire hydrants and water service lines, unless all or a portion of such costs are paid for by grant funds. The costs borne by the property owners shall also include design, permitting, construction, and inspection costs. The owners shall pay these costs through an owner-built or local improvement district, or any other method of payment or financing authorized by the assembly by resolution.

C. Locations of Extensions. The department will make water main extensions only on rights-of-way, easements, or publicly owned property. Easements or permits secured for main extensions shall be obtained in the name of the borough along with all rights and title to the main at the time of installation.

D. All main extension or customer service line work performed on public property or utility easement, unless performed by the borough, shall be performed by a contractor licensed by the state. As a prerequisite to commencing any work on the utility, the contractor shall furnish the borough with:

1. State of Alaska contractor's license;
2. Proof of worker's compensation insurance, if required by law;
3. A bond in the amount of \$5,000;
4. Other proof of capability to perform such work as required by the borough.

The contractor shall provide the borough with accurate as-built drawings for the work within 45 days of the completion of the installation. If the borough has not received accurate as-built drawings by the end of the 45 days, water service shall be discontinued to those properties served by the project.

E. If a property owner makes an application to have the department extend a water main to serve the owner's property, the department may enter into a refund

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agreement with the owner under which the owner may receive a refund for part of the cost of constructing the extension. If the department approves the application and enters into a refund agreement with the owner, the owner will pay the department, prior to construction of the extension, a connection charge equal the estimated cost of constructing the extension as determined by the department. Thereafter, the department will collect a connection charge from any property owner who, within 20 years of the completion of the extension, connects to the extension with a service line. The amount of the subsequent connection charges shall be equal to the actual cost of the construction of the extension, divided by the total number of connection charges collected for that extension. The department will also charge a five percent (5%) administration fee whenever a connection charge is assessed. Whenever connections to the extension are approved by the department and connection charges are collected for such connections, the amounts of such connection charges shall be proportionally refunded to all persons or entities that have previously paid a connection charge. Refunds will be allowed only when service line connections are directly tapped to an extension. Refunds will not be allowed when additional extensions are connected to an extension. Refunds to an owner who pays a construction charge will follow the title of the property initially served by the extension.

Section 6. Amendment of Section 13.04.160. Haines Borough Code 13.04.160 is amended, as follows:

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

13.04.160 Service charges.

A. Service Connection Charges. At the time the applicant files for initial service or for a change in service size or location, the applicant shall submit with the application the minimum service connection charge in accordance with the rates and procedures specified in HBC 13.04.045 and 13.04.050. The final signing of the application form will verify the applicant's understanding that the applicant will be liable for the borough's actual cost of installing the connection from the main to the property line. Additional costs, if any, shall be billed at the completion of the work. The chief fiscal officer shall calculate the bill upon completion of the work by the borough for the customer, based upon the actual costs of labor and material, a reasonable charge for equipment used, and an allowance of 15 percent of such costs and charges for overhead expenses.

B. Meter Installation Fee. When a meter is installed **by the department** as per HBC 13.04.170, the customer shall pay a water meter installation fee (HBC 13.04.045), payable at the date of application. This charge is intended to cover the cost of installation of the meter, not the value of the meter.

C. Meter Rental Fee. When a meter is installed as per HBC 13.04.170, the customer shall pay a one-time water meter rental fee equal to the cost of the meter, payable at the date of application.

~~D.~~ Meter Inspection Fee. The authorized installation of any meter by other than borough personnel shall require an inspection by the department, or an assigned representative

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thereof, for a fee as set out in HBC 13.04.045, to guarantee the adequacy of the installation and to seal the meter.

~~DE~~. Meter Testing Fee. The meter testing fee shall be charged as per HBC 13.04.190.

~~EE~~. Frost Bottom Replacement. Frost bottoms broken through freezing of the customer service line shall be the responsibility of the customer. A fee as set out in HBC 13.04.045 shall be charged for frost bottom replacement.

~~FG~~. Meter Repair or Replacement. Meters broken through freezing or abuse of the customer shall be the responsibility of the customer. The costs of meter replacement or repair shall be paid for by the customer as replacement cost, to include the cost of the meter or meter part and the labor and materials required for its repair or replacement, plus a 15 percent overhead charge.

Section 7. Amendment of Section 13.04.180 Haines Borough Code 13.04.180 is amended, as follows:

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

13.04.180 Commercial Customers required to have metered water service.

A. All public, commercial, or industrial buildings constructed after May 5, 1975, and requiring water service shall have metered water service. ~~The cost of the meters shall be added to the water service hook-up fee.~~

B. Building owners applying for a change of use requiring water service shall have metered service. ~~The cost of the meter shall be added to the water service hook-up fee.~~

~~C. Residential buildings constructed after January 1, 2014, and requiring water service shall have metered water service.~~

Section 8. Amendment of Section 13.04.270. Haines Borough Code 13.04.270 is amended, as follows:

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

13.04.270 Billing and payment.

A. Responsibility of Property Owners. The rates and charges established either in this chapter or as specified in the current assembly-approved water-sewer rate schedule shall be collected from the owners of the premises receiving service. Passage and publication of the ordinance codified by this chapter shall be deemed notice to all owners of real estate of their liability for water service supplied to any occupant or user of such service on their property.

B. Meter Reading – Billing. Water meters will be read and customers billed on the basis of those readings. Meters shall be read near the twentieth day of each month and customers billed before the end of that month. Residential customers will be billed every month before the end of the month at the rates specified in the current assembly-approved water-sewer rate schedule.

C. Records. The department will keep an accurate account on its books of all readings of meters.

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D. Payment of Bills. Each bill rendered shall be due when mailed. If the bill is not paid by the ~~twentieth day of the month following~~ **billing due date specified on the bill**, the account shall be considered delinquent.

E. Delinquent Accounts.

1. Delinquent Notice. A reminder of account delinquency may be sent, at the discretion of the chief fiscal officer, to each delinquent customer on or after 10 days after the account has become delinquent.

2. Turn-Off or Court Notice. On or after 15 days after an account becomes delinquent, a turn-off notice or a letter of intent to go to small claims court shall state a date on or after which either the water will be turned off or court action will be initiated, if the delinquent account is not paid in full prior thereto. Such date will not be less than five and no more than 15 days from the date of notice. A delivery to the premises served or mailing to the address of record of the customer shall be considered a delivery to the customer.

3. Service Turn-Off. On the turn-off date, the authorized department official or other agent of the borough shall turn off the service. The borough shall not be liable to tenants for damages resulting from water turn-off because of a landlord's failure to pay delinquent accounts.

4. Service Charge. In all instances where water has been turned off because of a delinquent account, a nonrefundable connection/service charge shall be made as specified in the current assembly-approved water-sewer rate schedule for the termination and restoration of services in addition to replacement of the cash deposit as required in HBC 13.04.060(B).

5. Interest Charges. Accounts will be charged one and one-half percent interest per month after becoming delinquent ~~for 30 days~~.

6. Liens. If a lien has been recorded, any delinquent amount owed to the utility shall constitute a lien upon the real estate for which water service is supplied, and the utility is authorized to file sworn statements showing such delinquencies in the office of the recorder of the Haines recording district.

F. Charges for Partial Month. A customer shall be considered to be receiving water service as long as the customer's control valve is turned on. Turn-on and shut-off procedures are specified in HBC 13.04.280 and 13.04.290, and fees are specified in the current assembly-approved water-sewer rate schedule. If service is for only a portion of the billing month, a nonmetered customer shall be billed as follows: Up to 15 days in a calendar month – one-half the monthly charge; 16 days or more in a calendar month – full monthly charge. Metered customers shall be billed the flat rate plus standard charges for water usage registering on their meter.

G. Exemptions and Adjustments to Charges. The manager and the chief fiscal officer shall have the authority to make all necessary adjustments or exemptions to the charges established in this chapter when directed to do so by the assembly or if, in the opinion of the manager or chief fiscal officer, such actions are in the public interest. Any adjustments or exemptions shall be made a part of the borough's public financial records along with an authorizing statement by the responsible party as to the reasons for the action taken. The decision of the manager or chief fiscal officer shall be final unless overruled by the assembly.

Section 9. Amendment of Section 13.04.280(A). Haines Borough Code 13.04.280(A) is amended, as follows:

NOTE: ~~STRIKETHROUGH~~ ITEMS ARE DELETED

13.04.280 Discontinuance of service.

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~~A. On Customer Request. Each customer about to vacate any premises supplied with water service by the department shall give the borough written notice of the customer's intentions at least two days prior thereto, specifying the date service is to be discontinued; otherwise, the customer will be responsible for all water supplied to such premises until the borough receives notice of vacation.~~

~~1. If the customer requests that the control valve be turned off, the request shall be accompanied by the minimum shut-off fee as specified by the current assembly-approved water-sewer rate schedule. Upon receipt of the shut-off fee, the borough will shut off the valve within four days and will bill the customer for any shut-off fees in excess of the amount paid, computed at an hourly rate as specified by the current assembly-approved water-sewer rate schedule. Once the control valve has been turned off, no monthly bill will be rendered until the customer requests that the valve be turned on.~~

~~2. If the customer gives notice of vacation but does not desire that the control valve be turned off, the customer will be liable for the monthly base charge as specified by the current assembly-approved water-sewer rate schedule. If any water registers on the meter, the customer will also be liable for the gallonage charges.~~

. . .

Section 10. Amendment of Section 13.08.020. Haines Borough Code 13.08.020 is amended, as follows:

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

13.08.020 Main extensions.

A. A sewer main extension may be installed to an area not presently served with sewer only after authorization of the assembly by resolution and only in accordance with plans, specifications, and methods of funding approved by the assembly.

B. The owners of property adjacent to or benefiting from a sewer main extension shall bear all costs of the main extension, including manholes and sewer service lines, unless all or a portion of such costs are paid for by grant funds. The costs borne by the property owners shall also include design, permitting, construction, and inspection costs. The owners shall pay these costs through an owner-built or local improvement district or any other method of payment or financing authorized by the assembly by resolution.

C. Locations of Extensions. The department will make sewer main extensions only on rights-of-way, easements, or publicly owned property. Easements or permits secured for main extension shall be obtained in the name of the borough along with all rights and title to the main at the time of installation.

D. All main extension or customer service line work performed on public property or utility easement, unless performed by the borough, shall be performed by a contractor licensed by the state. As a prerequisite to commencing any work on the utility, the contractor shall furnish the borough with:

1. State of Alaska contractor's license;
2. Proof of worker's compensation insurance, if required by law;
3. A bond in the amount of \$5,000;
4. Other proof of capability to perform such work as required by the borough.

The contractor, or the superintendent of public works if work is performed by the borough, shall provide the borough with accurate as-built plans for the work within 45 days of the completion of the installation.

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E. If a property owner makes an application to have the department extend a sewer main to serve the owner's property, the department may enter into a refund agreement with the owner under which the owner may receive a refund for part of the cost of constructing the extension. If the department approves the application and enters into a refund agreement with the owner, the owner will pay the department, prior to construction of the extension, a connection charge equal the estimated cost of constructing the extension as determined by the department. Thereafter, the department will collect a connection charge from any property owner who, within 20 years of the completion of the extension, connects on to the extension with a service line. The amount of the subsequent connection charges shall be equal to the actual cost of the construction of the extension, divided by the total number of connection charges collected for that extension. The department will also charge a five percent (5%) administration fee whenever a connection charge is assessed. Whenever connections to the extension are approved by the department and connection charges are collected for such connections, the amounts of such connection charges shall be proportionally refunded to all persons or entities that have previously paid a connection charge. Refunds will be allowed only when service line connections are directly tapped to an extension. Refunds will not be allowed when additional extensions are connected to an extension. Refunds to an owner who pays a construction charge will follow the title of the property initially served by the extension.

Section 11. Amendment of Section 13.08.120(B). Haines Borough Code 13.08.120(B)(3) is amended, as follows:

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

13.08.120 Application for service.

A. Application Form. Each applicant for sanitary sewer service shall sign an application form provided by the chief fiscal officer giving the date of application, the date the applicant desires service to begin, purpose for which service is to be used, the billing address, the construction standards of the private service line, and such other information as the borough may reasonably require.

B. Applications for sewer service hook-up shall be processed as follows:

1. The applicant shall provide the information required by subsection (A) of this section and shall submit the required fees and charges as specified in the current assembly-approved water-sewer rate schedule.

a. Application Fee. There shall be a nonrefundable sewer hook-up application fee for individual sewer hook-ups. There shall be a special nonrefundable application fee if the application is for sewer service in a subdivision or development involving an extension of sewer mains or the installation of five or more sewer hook-ups. The purpose of the application fee is to cover administrative costs to review the application.

b. Permit Fee. If the proposed hook-up requires permits or approvals from other agencies, the borough may either require the applicant to obtain these approvals at the applicant's expense prior to approval of the hook-up application, or the applicant shall submit the permit fee and an administrative charge (HBC 13.08.115) as specified in the current assembly-approved water-sewer rate schedule to the borough and the borough shall make application for the required permits.

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2. The applicant shall sign a statement on the application verifying that the applicant agrees to be responsible for any and all of the borough's costs above the minimum hook-up fee. By signing the application, the applicant agrees to abide with the requirements of this chapter. The application is a request for service and does not bind the borough to furnish service.

3. Hook-Up Fee. The purpose of the hook-up fee is to pay for the borough's cost of material, labor, and equipment to install the sewer service line from the sewer main to the applicant's property line. The hook-up fee shall be the minimum fee amount, plus any additional cost to the borough related to the actual hook-up installation. **The sewer hook-up fee and any other fees shall be a lien against the property served in the same manner and to the same extent as a lien for special assessments and shall be enforced in the same manner provided for special assessment liens.**

When the department approves the application, the applicant shall submit the minimum hook-up fee as required in subsection (B)(2) of this section, as well as the expansion charge as required by HBC 13.08.125. Following full payment of these fees, the chief fiscal officer shall acknowledge payment on the application form. Provided all other approvals are complete, the chief fiscal officer's record of receipt of fees constitutes final approval of the application. The hook-up shall not occur prior to full payment of fees and final approval of the application.

...

Section 12. Amendment of Section 13.08.230. Haines Borough Code 13.08.230 is amended, as follows:

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

13.08.230 Billing and payment.

A. Liable Parties. All sanitary sewer service charges, except the connection fee, shall be placed on the bill for borough water service, but those who do not receive water service shall be billed separately. The rates and charges herein established and as specified in the current assembly-approved water-sewer rate schedule shall be collected from the owners of the premises receiving service. Passage and publication of the ordinance codified by this chapter shall be deemed notice to all owners of real estate of their liability for sewer service supplied to any occupant or user of such service on their property.

B. Payment Deadline. All charges for sanitary sewer service shall be due when the bill containing the water and/or sewer service charges is mailed. If the bill is not paid by the **billing due date specified on the bill**, ~~twentieth day of the month following billing~~, the account shall be considered delinquent.

C. Delinquent Accounts.

1. Delinquent Notice. A reminder of account delinquency may be sent, at the discretion of the chief fiscal officer, to each delinquent customer on or after 10 days after the account has become delinquent.

2. Turn-Off or Court Notice. On or after 15 days after an account becomes delinquent, a turn-off notice or a letter of intent to go to small claims court shall state a date on or after either the sewer or water will be disconnected or turned off or court action will be initiated, if the delinquent account is not paid in full prior thereto. Such date will not be less than five nor more than 15 days from the date of notice. A delivery to the premises served or mailing to the address of record of the customer shall be considered a delivery to the customer.

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3. Service Turn-Off. On the turn-off date, the authorized department official or other agent of the borough shall turn off the service. The borough shall not be liable to tenants for damages resulting from sewer disconnects or water turn-off because of a landlord's failure to pay delinquent accounts.

4. Service Charge. In all instances where the sewer has been disconnected or the water turned off because of a delinquent account under this section, a nonrefundable service charge as specified in the current assembly-approved water-sewer rate schedule shall be made for the restoration of services in addition to replacement of cash deposit as required in HBC 13.08.120(C).

5. Liens. If a lien has been recorded, any delinquent amount owed to the utility shall constitute a lien upon the real estate for which water service is supplied, and the utility is authorized to file sworn statements showing such delinquencies in the office of the recorder of the Haines recording district.

D. Interest Charges. **Accounts will be charged** ~~One~~ and one-half percent interest per month ~~will be added to charges~~ **after becoming** delinquent ~~over 30 days~~.

E. Exemptions and Adjustments to Charges. The manager and the chief fiscal officer shall have the authority to make all necessary adjustments or exemptions to the charges and fees established in this title when directed to do so by the assembly or if, in the opinion of the manager or chief fiscal officer, such actions are in the public interest. Any adjustments or exemptions shall be made a part of the borough's public financial records along with an authorizing statement by the responsible party as to the reasons for the action taken. The decision of the manager or chief fiscal officer shall be final unless overruled by the assembly.

F. Residential Sprinkler Allowance. For the period from June 1st to August 31st of each year a metered residential customer may apply to the utility for a "sprinkler allowance." Upon submittal of the completed application form to the borough by the customer the borough shall authorize the allowance. Such allowance shall be determined by calculating the metered usage which exceeds the minimum 4,000 gallons per month. Any amounts in excess of the 4,000 gallons per month per unit during this period will only be charged at 50 percent of the metered usage. The purpose of this allowance is to make an adjustment for the metered usage based upon water meter registers where not all the water used is collected and treated by the sewer system.

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

Stephanie Scott, Mayor

ATTEST:

Michelle L. Webb, Interim Borough Clerk

Date Introduced: 10/22/13- referred to G.A.S. Committee
Scheduled for First Public Hearing: 02/11/14
Date of First Public Hearing: ___/___/___
Date of Second Public Hearing: ___/___/___

January 30, 2014

Ms. JILA STUART
Finance Director
City of Haines
P.O. Box 1209
Haines, Alaska 99827

**REFERENCE: RESIDENTIAL WATER AND SEWER METER IMPACT STUDY
PRICE QUOTE**

Dear Jila,

At your request FCS GROUP is pleased to provide the City of Haines (City) with this quote for professional services to determine the impact on residential water and sewer rates resulting from implementing a residential metered class of service for your water and sewer utility. Following discussions with you earlier this month on your desired objectives of this study we propose two project approach options each separately priced for your consideration.

Project approach option 1 is a comprehensive assessment to implement metering for your water and sewer utility that begins with a revenue requirement determination that assesses if at existing rates the utilities are operating at a surplus or deficiency and the percent change in rates to achieve the revenue requirement. By taking this first step we create a baseline with compensable rates and layer on top of that the incremental cost attributable to metered service. Next we determine the incremental cost attributable to metered service and run scenarios in our rate study models to calculate the revenue deficiency due only from metering and assign these costs to the residential customer service class and compute revised rates. Finally we compare the baseline water and sewer rates to the revised rates that include the cost of metered service to complete the rate impact assessment and develop a technical memorandum that addresses our findings and recommendations. Project approach option 1 involves steps 1 through 4 listed below.

Project approach option 2 involves steps 2 and 4 listed below. The significant difference between option 1 from option 2 is that option 2 does not include a revenue requirement determination and thereby results in a reduced price quote over option 1. As a result, option 2 does not assess if the utilities, at existing rates, are operating at a surplus or deficiency and the percent change in rates to achieve the revenue requirement. Instead, option 2 considers the incremental cost of implementing metered service

Project Approach:

1. **Develop Revenue Requirement Spreadsheet Module (Project Approach Option 1 only):** Construct an Excel based analytical spreadsheet module to develop the revenue requirement study using the most recent historical costs of the water and sewer utility. By historical costs we mean costs as taken from the utilities most recent Comprehensive Annual Financial Report. The revenue requirement study using actual historical costs will:
 - a. Determine if at current rates the water and sewer utility are achieving their revenue requirement.
 - b. Determine if the water and sewer utility are operating at a revenue deficiency or surplus.
 - c. Determine the percent change in rates to achieve the revenue requirement.
 - d. Set the baseline for rate levels that allow for the incremental cost of metered service to be layered on top in order to compute the rate impact for metered service.
2. **Develop Pro Forma Normalizing Adjustments for Metering (Project Approach Option 1 and 2):** In this step we determine the operating and capital costs associated with implementing a residential metered water and sewer customer class of service. Once operating and capital costs are determined we will assign these costs to this new class of service. Demand for this class of service will be determined and the incremental costs will be divided by the expected demand to calculate the rate.
3. **Develop Revenue Requirement Spreadsheet Module Metered Service Scenario (Project Approach Option 1 only):**
 - a. Using our baseline revenue requirement model we will incorporate the pro forma adjustment costs arrived at from item 2 above to determine the impact on the revenue requirement as a result of metered service.

- b. We will assign the net revenue deficiency taken from the model and apply them to the new residential water and sewer metered service and compute the percent change in rates needed to recover the net revenue deficiency.
- 4. **Develop a Technical Memorandum and Presentations (Project Approach Option 1 and 2):**
 - a. Throughout the engagement we will work with the City to share the preliminary and final results of our analysis on metering. In our price quote we estimate that the exchange of preliminary and final cost study results can be accomplished using GoToMeeting appointments. Should the City prefer that this price quote include a site visit to present cost study results to management and City Council FCS GROUP would be happy to revise this schedule to add this cost upon request.

Price Quote: Our budget estimate for option 1 is \$16,650 and for option 2 is \$8,820 to provide the requested cost study.

FCS Pricing Schedule Option 1

Fee Schedule for Rate Study and Residential Water and Sewer Rate Impact to Implement Metering in Accordance with City of Haines Request For Quote						
Task	Consultant Hours				Total Estimated Hours	Total Budget
	Managing Principal Johnson	Study Manager Wilks	Analyst Shirley	Admin. Support \$75		
<i>Hourly Billing Rates:</i>						
Standard Revenue Requirement Study Task	\$225	\$195	\$145	\$75		
RRS Task 1 - Data Collection / Validation	1	4	8		13	\$ 2,165
RRS Task 2 - Revenue Requirement Determination	2	4	45		51	\$ 7,755
RRS Task 3 - Meetings & Presentations	1	4	2		7	\$ 1,295
RRS Task 4 - Documentation	2	4	8	1	15	\$ 2,465
Task 5 - Project Administration/Management	2	10	-	1	13	\$ 2,475
Subtotal	8	26	63	2	99	\$ 16,155
Technology Charge (a)						\$ 495
Total Cost of Rate Study						\$ 16,650

FCS Pricing Schedule Option 2

Fee Schedule for Residential Water and Sewer Rate Impact to Implement Metering in Accordance with City of Haines Request For Quote						
Task	Consultant Hours				Total Estimated Hours	Total Budget
	Managing Principal Johnson	Study Manager Wilks	Analyst Shirley	Admin. Support \$75		
<i>Hourly Billing Rates:</i>						
Standard Revenue Requirement Study Task	\$225	\$195	\$145	\$75		
RRS Task 1 - Data Collection / Validation	1	4	8		13	\$ 2,165
RRS Task 2 - Incremental Cost Assessment	1	4	5		10	\$ 1,730
RRS Task 3 - Meetings & Presentations	1	4	2		7	\$ 1,295
RRS Task 4 - Documentation	2	4	4	1	11	\$ 1,885
Task 5 - Project Administration/Management	2	5	-	1	8	\$ 1,500
Subtotal	7	21	19	2	49	\$ 8,575
Technology Charge (a)						\$ 245
Total Cost of Rate Study						\$ 8,820

WE LOOK FORWARD TO WORKING WITH YOU AND YOUR STAFF TO DEVELOP IS COST STUDY FOR YOUR WATER AND SEWER UTILITIES. PLEASE DO NOT HESITATE TO CONTACT ME BY PHONE (907-242-0659) OR BY EMAIL BILLW@FCSGROUP.COM.



WILLIAM WILKS
 SENIOR PROJECT MANAGER



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 14-421

Assembly Meeting Date: 2/25/2014

Business Item Description:		Attachments:
Subject:	Administrative Policy re. Heli Map Review Cycle	1. Administrative Policy as recommended by the G.A.S. Committee 2. G.A.S. Committee Minutes of 12/3/13 re. topic
Originator:		
Originating Department:		
Date Submitted:		
	1/14/14	

Full Title/Motion:
Motion: Confirm the Administrative Policy to establish a three-year review cycle for the Commercial Ski Tour Areas map.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$ 0	\$ 0	\$ 0

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.: Related to Objective 3D(4)	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:
As a result of its December 3, 2013 meeting, the Government Affairs & Services Committee recommended this administrative policy regarding the cycle for reviewing the Haines Borough Commercial Ski Tour Areas map. The attached policy has been prepared based on the committee's wording. This recommended policy was first presented by the committee to the assembly on January 14. At the 2/11/14 meeting this matter was postponed to the 2/25/14 meeting to consider Commercial Ski Tour Areas Map changes and revisions to the draft policy.

Referral:

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 2/11/14 & 2/25/14	Tabled to Date:



Haines Borough
Administrative Policy

Commercial Ski Tour Map Review Policy

Applicable to: *Any person wanting a review of or amendment to the Commercial Ski Tour Areas map*

Confirmed by Borough Assembly: *February 11, 2014*

Recommended by Government Affairs & Services Committee: *December 3, 2013*

Effective Date: *February 12, 2014*

THREE-YEAR REVIEW CYCLE

It is the policy of the Haines Borough to review the *Haines Borough Commercial Ski Tour Areas* map on a three year cycle, with the cycle starting with the map for the 2014 heliskiing season, adopted July 23, 2013.

Julie Cozzi
Interim Borough Manager

Signature Date

Haines Borough Assembly Committee Meeting
 Committee: Government Affairs & Services
 Assembly Chambers

Issue: Heliski 5.18.080	
Discussion ensued about the purpose of a heliski map committee:	
Schnabel states that one of the reasons the ordinance was returned to the committee was to think of a way to depoliticize helisking.	
Lapham stated her belief that only experts that can inform the map are the operators. Lapham also stated that she considers the heliksi industry to be over-regulated and stifled.	
Nic Trimble stated that the map starting to work well, however, some things operators requested are left off. If create another map committee the committee will argue over same ground. Trimble reported that in a 92 day season, the most days ever flown are 52. Trimble stated that there is a natural beneficial balance between wildlife and ski conditions: as ski conditions improve in the mountains (deeper snow), wildlife must naturally move to lower elevations to find food.	
Trimble requested that the borough flip the map so it shows where heliskiing cannot take place.	
Thom Ely expressed his desire to let the map stay in place for some time.	
Bill Kurz expressed a preference for policy that would treat all tour companies the same.	
Dana Hallet stated that he believed that the goal of map committee would be to strike a balance between industry and non-industry users.	
After discussing various compositions of a map committee amongst themselves, the committee came to the following consensus:	
1) Stipulate a 5 member committee composed as follows: a representative of a local conservation organization; a member of the Haines Borough Assembly; a representative from the heliski industry; and 2 members chosen at large.	
2) Delete 3 year intervals in code and create a policy statement of 3 years.	
Recommended Action: Recommend to set for a second public hearing on 1/28/14 at which time amendments will be offered as described above and attached. Attachments: Amended heliski map ordinance; Three-year map cycle policy statement	Who: Chair When: January 14, 2014

Meeting Chaired by Dave Berry

Minutes by Stephanie Scott

Committee Members Attending: Diana Lapham, George Campbell

Staff Attending: Carlos Jimenez, Jila Stuart

Citizens: Nick Trimble, Shane Horton, Margaret Friedenauer, Dana Hallet, Mike Denker. Thom Ely

Assembly Members: Debra Schnabel

Heliski Map Review Policy Statement Proposed by the GAS Committee Dec. 3, 2013

It is the policy of the Haines Borough to review the heliski map on a three year cycle, with the cycle starting with the map for the 2014 heliski season, adopted..... (please fill in the date)



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 14-424
Assembly Meeting Date: 2/25/14

Business Item Description:	Attachments:
Subject: Authorize Contract for Klehini Valley Fire Hall Septic System (Whiterock LLC)	1. Resolution 14-02-536 2. Bid Solicitation 3. Bid Results 4. Contractor Bids
Originator: Director of Public Facilities (Agenda Bill by Clerk's Office)	
Originating Department: Public Facilities	
Date Submitted: 2/20/14	

Full Title/Motion:
 Motion: Adopt Resolution 14-02-536.

Administrative Recommendation:
 The Director of Public Facilities recommends adoption of this resolution.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$ 11,597	\$ 11,597	\$ 0

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos. : Goal 16, Page 266	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:

The Klehini Valley Fire Hall Septic System project consists of the installation of a new septic tank, mound system leach field and all associated work, to be completed by August 15, 2014. The Haines Borough recently issued a request for sealed bids from qualified, licensed contractors for the project. The Haines Borough obtained three sealed bids: 1) Whiterock LLC for \$23,195; 2) Turner Construction for \$23,980; and 3) Southeast Road Builders for \$36,850. The Director of Public Facilities has reviewed the bids and recommends award to the apparent low bidder, Whiterock LLC. The Klehini Valley Volunteer Fire Department has committed to fund \$11,598 of the project, and the Director of Public Facilities recommends using deferred maintenance money for the remainder.

Referral:

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 2/25/14	Tabled to Date:

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a construction contract with Whiterock LLC for the Klehini Valley Fire Hall Septic System project for an amount not-to-exceed \$23,195.

WHEREAS, the Klehini Valley Fire Hall Septic System project consists of the installation of a new septic tank, mound system leach field and all associated work, to be completed by August 15, 2014; and

WHEREAS, the Haines Borough recently issued a request for sealed bids from qualified, licensed contractors for the project; and

WHEREAS, the Haines Borough obtained three sealed bids: 1) Whiterock LLC for \$23,195; 2) Turner Construction for \$23,980; and 3) Southeast Road Builders for \$36,850; and

WHEREAS, the Director of Public Facilities has reviewed the bids and recommends award to the apparent low bidder, Whiterock LLC; and

WHEREAS, the Klehini Valley Volunteer Fire Department has committed to fund \$11,598 of the project, and the Director of Public Facilities recommends using deferred maintenance money for the remainder,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to enter into a construction contract with Whiterock LLC for the Klehini Valley Fire Hall Septic System project for an amount not-to-exceed \$23,195.

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

Stephanie Scott, Borough Mayor

Attest:

Michelle L. Webb, Interim Borough Clerk

HAINES BOROUGH PUBLIC NOTICE

REQUEST FOR SEALED BIDS

KLEHINI VALLEY FIRE HALL SEPTIC SYSTEM



Notice is hereby given that the Haines Borough, Alaska, will receive sealed competitive BIDS from qualified and licensed contractors for the following project: "Klehini Valley Fire Hall Septic System," until 2:00 p.m., Local Time, Friday, **February 14, 2014**, at the Office of the Borough Clerk, Borough Administration Building, 103 Third Ave. S, P.O. Box 1209, Haines, Alaska 99827. The bid opening will be shortly after 2:00 p.m. on the same date in the Borough Administration Building conference room. Bids must be mailed or hand-delivered and will not be accepted by email or fax.

Project Description: The project consists of the installation of a new septic tank, mound system leach field and all associated work, to be completed by August 15, 2014. The project is located in Haines, Alaska.

Bidding, Contract and Technical Questions: All communications relative to this work shall be directed to Carlos Jimenez, Director of Public Facilities, at 907-766-2231 ext. 29.

Bid Documents: The contract documents are available at no charge on the Haines Borough website: www.hainesalaska.gov/rfps for viewing and printing. Alternatively, you may request printing from the clerk's office for a fee.

Each bid shall be accompanied by a certified or cashier's check or Bid Bond, in the amount of 5 percent of the Total Bid Price payable to the Haines Borough, as a guarantee that the Bidder, if its Bid is accepted, will promptly execute the Agreement. A Bid shall not be considered unless one of the forms of Bidder's security is enclosed with it. All bids must be submitted with copies of current Alaska and Haines Borough Business Licenses and a current Alaska Contractor's License.

The Haines Borough reserves the right to reject any or all bids, to waive any informality in a bid, and to make award to the lowest responsive, responsible bidder as it may best serve the interest of the Borough.

Physical Location

Borough Clerk
Haines Borough Offices
103 Third Ave. S.
Haines, AK 99827

Mailing Address

Borough Clerk
Haines Borough Offices
P.O. Box 1209
Haines, AK 99827

Haines Borough
 Bid Opening Record

Location: Borough Admin. Building

Project No: 14-01-01

Date/Time: 2:15 p.m. Friday, Feb. 14

Project: Klehini Valley Fire Hall Septic System

Bidder	Bid Rcvd by Deadline	Bid on Req. Form, Complete, & Signed	Proof of AK & HB Business Licensing		Proof of AK Contractor's Cert. of Reg.	Bid Bond or Certf. Check of at least 5% of bid	Addenda Noted	Base Bid Klehini Valley Fire Hall Septic System	Comments
Whiterock, LLC	x	x	x	x	x	x	x	\$23,195	Apparent Low
Modifications									
Totals								\$ 23,195	
Turner Construction	x	x	x	x	x	x	x	\$23,980	
Modifications									
Totals								\$ 23,980	
Southeast Road Builders	x	x	x	x	x	x	x	\$36,850	
Modifications									
Totals								\$ 36,850	

Present:
 Carlos Jimenez, Director of Public Facilities
 Krista Kielsmeier, Administrative Assistant
 Stacie Turner, Turner Construction

HAINES BOROUGH
Klehini Valley Fire Hall Septic System

BID SCHEDULE

Bid of WHITEROCK LLC (hereinafter called *Bidder*), doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (hereinafter called *Borough*). The Bidder agrees to furnish to the Haines Borough all information and data that may be requested to give evidence that the undersigned is properly qualified to carry out the obligations of the Contract Documents.

The undersigned Bidder agrees, if this bid is accepted, to furnish all tools, equipment, supplies, manufactured articles, labor, materials, services and incidentals, and to perform all work necessary to complete the work required under the Invitation to Bid by the completion dates and to accept as full payment the Contract Price stated on this Bid Form, and in the manner stipulated by the Request for Bids, subject to any negotiated changes in the work that might increase or decrease the contract amount. The Borough reserves the right to reject any and all bids and negotiate with the responsible bidder submitting the lowest bid amount.

Bidder accepts all of the terms and conditions of the Request for Bids and, if this bid is accepted, will furnish, within ten calendar days after the Notice of Intent to Award letter, the following documents required by borough code for this project:

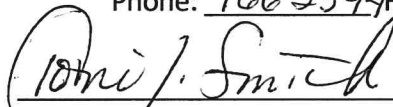
1. Contract document or Agreement;
2. [Proof of insurance: general liability, auto insurance, worker's compensation];
3. Any overdue unpaid debts owed the borough must be current prior to award;
4. Payment and Performance bonds, if applicable; and
5. Subcontractor report, if applicable.

Bidder acknowledges receipt of the following addenda: Addendum #. 1 Initials: JP Addendum #. 2 Initials: JP

Total BASE BID (Price in Digits): 23,195.⁰⁰

BIDDER INFORMATION:

Principal Contact: JACK SMITH
Business Name: WHITEROCK LLC
Business Physical Address: 540 FAAR RD HNS AK.
Business Mailing Address, if different: BOX 906 HNS AK.
Phone: 766-2544 Fax: — Email: notice@aptalaska.net


Bidder's Authorized Signature
TONI J. SMITH
Printed Name

2/14/2014
Date

HAINES BOROUGH
Klehini Valley Fire Hall Septic System

BID SCHEDULE

Bid of TURNER CONSTRUCTION (hereinafter called *Bidder*), doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (hereinafter called *Borough*). The Bidder agrees to furnish to the Haines Borough all information and data that may be requested to give evidence that the undersigned is properly qualified to carry out the obligations of the Contract Documents.

The undersigned Bidder agrees, if this bid is accepted, to furnish all tools, equipment, supplies, manufactured articles, labor, materials, services and incidentals, and to perform all work necessary to complete the work required under the Invitation to Bid by the completion dates and to accept as full payment the Contract Price stated on this Bid Form, and in the manner stipulated by the Request for Bids, subject to any negotiated changes in the work that might increase or decrease the contract amount. The Borough reserves the right to reject any and all bids and negotiate with the responsible bidder submitting the lowest bid amount.

Bidder accepts all of the terms and conditions of the Request for Bids and, if this bid is accepted, will furnish, within ten calendar days after the Notice of Intent to Award letter, the following documents required by borough code for this project:

1. Contract document or Agreement;
2. [Proof of insurance: general liability, auto insurance, worker's compensation];
3. Any overdue unpaid debts owed the borough must be current prior to award;
4. Payment and Performance bonds, if applicable; and
5. Subcontractor report, if applicable.

Bidder acknowledges receipt of the following addenda: Addendum #. 1 Initials: S.T. Addendum #. 2 Initials: S.T.

Total BASE BID (Price in Digits): 23,980.00

BIDDER INFORMATION:

Principal Contact: STACIE TURNER

Business Name: TURNER CONSTRUCTION

Business Physical Address: 1031 HAINES HIGHWAY, HAINES AK. 99827

Business Mailing Address, if different: BOX 709 HAINES, AK. 99827

Phone: 766-2687 Fax: 766-3379 Email: turnerconstruction@optalaska.net

Stacie Turner

Bidder's Authorized Signature

STACIE TURNER

Printed Name

2-14-14

Date

HAINES BOROUGH
Klehini Valley Fire Hall Septic System

BID SCHEDULE

Bid of Southeast Road Builders, Inc. (hereinafter called *Bidder*), doing business as (underline one) a corporation, partnership or individual, to the Haines Borough (hereinafter called *Borough*). The Bidder agrees to furnish to the Haines Borough all information and data that may be requested to give evidence that the undersigned is properly qualified to carry out the obligations of the Contract Documents.

The undersigned Bidder agrees, if this bid is accepted, to furnish all tools, equipment, supplies, manufactured articles, labor, materials, services and incidentals, and to perform all work necessary to complete the work required under the Invitation to Bid by the completion dates and to accept as full payment the Contract Price stated on this Bid Form, and in the manner stipulated by the Request for Bids, subject to any negotiated changes in the work that might increase or decrease the contract amount. The Borough reserves the right to reject any and all bids and negotiate with the responsible bidder submitting the lowest bid amount.

Bidder accepts all of the terms and conditions of the Request for Bids and, if this bid is accepted, will furnish, within ten calendar days after the Notice of Intent to Award letter, the following documents required by borough code for this project:

1. *Contract document or Agreement;*
2. *[Proof of insurance: general liability, auto insurance, worker's compensation];*
3. *Any overdue unpaid debts owed the borough must be current prior to award;*
4. *Payment and Performance bonds, if applicable; and*
5. *Subcontractor report, if applicable.*

Bidder acknowledges receipt of the following addenda: Addendum #. 1 Initials: RS Addendum #. 2 Initials: RS

Total BASE BID (Price in Digits): \$36,850.00

BIDDER INFORMATION:

Principal Contact: Roger Schnabel

Business Name: Southeast Road Builders, Inc.

Business Physical Address: 4.5 Mile Haines Highway, Haines, AK 99827

Business Mailing Address, if different: HC 60 Box 4800, Haines, AK 99827

Phone: 907-766-2832 Fax: 766-2832 Email: roger@seroad.com ; cheryls@seroad.com



Bidder's Authorized Signature

Roger Schnabel

Printed Name

02/14/2014

Date



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 14-425

Assembly Meeting Date: 2/25/14

Business Item Description:	Attachments:
Subject: Authorize Manager to Apply for ADEC Loans for West Fair Drive/Piedad Springs Water Source Upgrades	1. Resolution 14-02-537 2. Alaska Clean Water Fund Priority List - FY 2014 3. Alaska Drinking Water Fund Priority List - FY 2013
Originator: Director of Public Facilities (Agenda Bill by Clerk's Office)	
Originating Department: Public Facilities	
Date Submitted: 2/20/14	

Full Title/Motion:
Motion: Adopt Resolution 14-02-537.

Administrative Recommendation:
The Director of Public Facilities recommends adoption of this resolution.

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos. : Objective 15A, Page 252	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:

The West Fair Drive Sewer Main Replacement project will install approximately 1,000' of new 8" PVC sewer line and three manholes along West Fair Drive. The Piedad Springs Water Source Upgrades will correct deficiencies with the collection system, disinfection and distribution piping. The State of Alaska, Department of Environmental Conservation (ADEC) is able to offer funding through the Alaska Clean Water Fund and Alaska Drinking Water Fund. The Piedad project ranks fourth on ADEC's Funding Priority List for fiscal year 2013 Alaska Drinking Water Fund projects and includes a \$137,792 subsidy. DEC officials have said the West Fair Drive project is competitive for funding due to the size of the request (\$160,000). The Haines Borough wishes to apply for loans from the Alaska Clean Water Fund and Alaska Drinking Water Fund. These applications require assembly authorization.

Referral:

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 2/25/14	Tabled to Date:

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to apply to the State of Alaska, Department of Environmental Conservation (ADEC) for loans from the Alaska Clean Water Fund and Alaska Drinking Water Fund for the projects entitled West Fair Drive Sewer Main Replacement and Piedad Springs Water Source Upgrades.

WHEREAS, the West Fair Drive Sewer Main Replacement project will install approximately 1,000' of new 8" PVC sewer line and three manholes along West Fair Drive; and

WHEREAS, the Piedad Springs Water Source Upgrades will correct deficiencies with the collection system, disinfection and distribution piping; and

WHEREAS, the Haines Borough seeks to obtain the necessary financial assistance for both projects; and

WHEREAS, the State of Alaska, Department of Environmental Conservation (ADEC) is able to offer funding through the Alaska Clean Water Fund and Alaska Drinking Water Fund; and

WHEREAS, the Piedad project ranks fourth on ADEC's Funding Priority List for fiscal year 2013 Alaska Drinking Water Fund projects and includes a \$137,792 subsidy; and

WHEREAS, DEC officials have said the West Fair Drive project is competitive for funding due to the size of the request (\$160,000); and

WHEREAS, the Haines Borough wishes to apply for loans from the Alaska Clean Water Fund and Alaska Drinking Water Fund,

NOW, THEREFORE BE IT RESOLVED, that the Haines Borough Assembly authorizes the Borough Manager to apply to the State of Alaska, Department of Environmental Conservation (ADEC) for loans from the Alaska Clean Water Fund and Alaska Drinking Water Fund for the projects entitled West Fair Drive Sewer Main Replacement and Piedad Springs Water Source Upgrades.

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

Stephanie Scott, Mayor

Attest:

Michelle L. Webb, Interim Borough Clerk

ALASKA CLEAN WATER FUND
Point Source Funding Priority Planning List
Fiscal Year 2014

Rank	Score	APDES Permit Number	Category	Community	Project Title	Project Description	Requested Assistance Amount	Finance Charge Rate	Term (Yrs)	Subsidy ¹	Green Project Amount ²	Green Project Type ²	Estimated Binding Commitment	Estimated Construction Start	Sustainability Policy ³
13	545	AK-0023213	III(b)	Sitka	Monastery & Baranof Sewer - SMC to DeGroff	This project will replace aging/failing sewer mains with new C900 PVC pipe thereby reducing I&I.	\$533,000	1.50%	20		\$533,000	ENG-BC	7/1/2013	5/1/2014	Fix it First
14	545	AK-0023213	III(b)	Sitka	Channel, Lake & Monastery Lift Station Upgrades	This project will replace aging/failing sewer lift stations with state of the art submersible pump lift stations.	\$1,379,170	1.50%	20		\$1,379,170	ENG-BC	7/1/2013	2/3/2014	Fix it First
15	530	0222 DB001	I	Mat-Su Borough ♦	Talkeetna Sewage Lagoon Wetland Re-Vegetation	Wastewater treatment system constructed wetland rejuvenation.	\$330,000	1.50%	20		\$329,550	EIN-BC	8/1/2013	5/1/2014	Fix it First
16	520	AK-0021385	I	Haines ♦	Sewer Treatment Plant Health and Safety Upgrades ²	This project consists of improvements to the screening process that removes and treats raw sewage particulates at the wastewater treatment facility, and replaces the existing belt filter press with a screw press.	\$1,215,000	1.50%	20		\$1,215,000	ENG-BC	7/1/2013	9/2/2013	Fix it First
17	510	AK-0021458	III(b)	Petersburg	Sewer Upgrades Phase 2	Replace aging and failing asbestos cement sewer lines on streets that include Valkyrie Street, Aaslaug Street and Lake Street.	\$524,500	1.50%	20		\$524,500	ENG-BC	8/1/2013	5/1/2014	Fix it First
18	475	2003DB0096-1016	I	Craig ♦	Wastewater Treatment Plant Electrical Generator	Design, purchase, and installation of a diesel-fired generator to provide emergency electrical power to the Craig Wastewater Treatment Plant.	\$143,500	1.50%	20				7/1/2013	4/4/2014	Improve TFM
19	455	AK-0021385	I	Haines ♦	Sewer Plant Roof Replacement	Replacing structurally unsound roofs on three wastewater treatment buildings.	\$500,000	1.50%	20		\$475,000	ENG-BC	7/1/2013	7/2/2013●	Fix it First
20	440	AK-0021555	I	Kodiak ♦	Bio-Solid Handling and Disposal	New composting facility or other potential modifications to the WWTP that might include digestion or possibly even incineration.	\$5,000,000	1.50%	20				7/1/2013	7/1/2013●	Improve TFM
21	435	AK-0021385	III(b)	Haines ♦	West Fair Drive Sewer Main Replacement	Installation of approximately 1,000' of new 8" PVC sewer line and three manholes along West Fair Drive.	\$160,000	1.50%	20				7/1/2013	7/1/2013●	Fix it First
22	420	AK-0021458	III(b)	Petersburg	Haugen Drive Collection System Upgrades	Rehabilitate failing wastewater infrastructure underneath Haugen Drive, from 8th Street to North Nordic Dr.	\$600,000	1.50%	20				7/1/2013	4/1/2014	Fix it First
23	420	AK-0021458	III(b)	Petersburg	South Nordic Collection System Repairs	Repair wastewater collection system deficiencies under South Nordic drive concurrent with upcoming ADOT repaving project.	\$200,000	1.50%	20				7/2/2013	9/4/2013	Fix it First
24	420	AK-0021431	VII(j)	Anchorage	Landfill Leachate Hauling Equipment ■	Purchase three(3) semi-trucks for hauling leachate from the landfill collection lagoon to the AWWU Turpin Street Septic Hauler Station.	\$401,000	1.50%	20				10/31/2013	5/1/2014	Fix it First

♦ Disadvantaged Community (criteria may be referenced on page 10)

Total Requested Amount: **\$ 10,986,170**

■ Equivalency Project (criteria may be referenced on page 9)

Total Subsidized Amount³: **\$ -**

● Extra 50 points for "ready to go projects" or construction by July 15, 2013

Total Priority & Planning Amount: **\$ 36,832,318**

Total Green Amount⁵: **\$4,456,220**

¹ Criteria for being eligible for a loan subsidy may be referenced on page 9 under the narrative section of the IUP.

² Green Project Reserve Category Type: GIF- Green Infrastructure, WTR - Water Efficiency, ENG - Energy Efficiency & EIN - Environmentally Innovative. Green Project Justification Type: BC - Business Case / CAT - Categorical. Funding for Green projects is based on meeting a minimal required amount of \$797,100 under the State's capitalization grant for the program. Note, an extra 25 scoring points are awarded to Green projects.

³ Sustainability Policy - "Fix it First" - fix existing critical infrastructure; "Improve TFM" - improve technical, financial and managerial capacity of the system; and, "Planning" - planning and development of alternative projects that reflect the full life cycle cost of infrastructure.

ALASKA DRINKING WATER FUND Point Source Funding Priority List

Fiscal Year 2013

Rank	Score	Community Name/System Owner	Project Title	Requested Project Amount	Available Assistance Amount ²	Interest Rate	Term (Years)	Disadvantage Community	Subsidy ³		Green Reserve ⁴		Estimated Start Date	Sustainability Policy ⁷
									Subsidy for Disadvantage Community ²	Subsidy for Green Project	Project Type ⁵	Green Credit Amount ⁶		
1	146	College Utilities	Sherwood Forest Water Main Extension Phase II	\$1,540,000	\$1,540,000	1.50%	20	Yes	\$500,000				5/1/2013	Fix it First
2	126	Sitka	Hollywood Way Water Main Replacement	\$250,000	\$250,000	1.50%	20	Yes	\$87,500	\$1,500	WTR-BC	\$25,000	5/30/2013	Fix it First
3	126	Sitka	Baranof Street Water Main Replacement	\$685,000	\$685,000	1.50%	20	Yes	\$239,750	\$4,110	WTR-BC	\$68,500	7/16/2012	Fix it First
4	126	Haines	Piedad Springs Water Source Upgrades	\$338,760	\$338,760	1.50%	20	Yes	\$118,566	\$12,226	ENG-BC	\$203,760	8/1/2012	Fix it First
5	126	Haines	AC Replacement Muncaster	\$787,500	\$787,500	1.50%	20	Yes	\$275,625	\$47,250	WTR-BC	\$787,500	7/1/2012	Fix it First
6	126	Anchorage	41st Cope Northstar Water Upgrade	\$1,699,402	\$1,699,402	1.50%	20	No					8/1/2012	Fix it First
7	125	Bethel	Institutional Corridor ¹	\$ 14,417,880	\$ 4,811,842	1.50%	20	Yes	\$500,000	\$8,473	ENG-BC	\$3,200,000	6/1/2015	Fix it First

Total Requested Amount: **\$ 19,718,542**

Subsidized Amounts: **\$1,721,441** **\$73,559**

Total Available Amount: **\$ 10,112,504**

Total Subsidized Amount³: **\$1,795,000**

Total Green: **\$ 4,284,760**

¹ Full project funding and Green subsidy funding of the Bethel - Institutional Corridor project will be dependent upon remaining available loan funds. The Department will negotiate with Bethel to provide additional funds as they become available later in the year.

² Determination of total available funding for projects may be referenced on page 5 of the IUP narrative section.

³ Total available loan subsidy allowed under this IUP is \$1,795,000.

⁴ Criteria for being eligible for a loan subsidy may be referenced on page 9 under the narrative section of the IUP.

⁵ Projects which demonstrate adequate criteria for meeting a Green project component will be eligible to receive additional subsidy as shown.

⁶ Green Project Reserve Category Type: GIF - Green Infrastructure, WTR - Water Efficiency, ENG - Energy Efficiency & EIN - Environmentally Innovative. Green Project Justification Type: BC - Business Case / CAT - Categorical.

⁷ Prior to funding any project shown to have a funding subsidy for Green, a Business Case for project Green eligibility must be found justified.

⁸ Sustainability Policy - "Fix it First" - fix existing critical infrastructure; "Improve TFM" - improve technical, financial and managerial capacity of the system; and, "Planning" - planning and development of alternative projects that reflect the full life cycle cost of infrastructure.



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 14-426

Assembly Meeting Date: 2/25/14

Business Item Description:		Attachments:
Subject:	Authorize Purchase of Sewer Blower	1. Resolution 14-02-538 2. Quote 3. Draft Purchase Order
Originator:	Director of Public Facilities (Agenda Bill by Clerk's Office)	
Originating Department:	Public Facilities	
Date Submitted:	2/20/14	

Full Title/Motion:
 Motion: Adopt Resolution 14-02-538.

Administrative Recommendation:
 The Director of Public Facilities recommends adoption of this resolution.

Fiscal Impact:		
Expenditure Required	Amount Budgeted	Appropriation Required
\$ 35,000	\$ 40,000	\$ 0

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos. : Objective 15A, Page 252	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:

The Haines Borough is in need of replacing a sewer blower that has electronic components that are no longer functioning. APSCO, LLC has provided a quote of \$35,000 for the purchase and delivery of a sewer blower. The Haines Borough Assembly appropriated \$40,000 in the FY12 budget's Capital Improvement Projects (CIP) fund for a sewer blower. The Water/Sewer Operator recommends contracting with APSCO, LLC because the borough's requirements can be met solely by an article or process obtainable only from a single source (Haines Borough Code 3.60.170), due to the obsolescence of the current blower's electronic components.

Referral:

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 2/25/14	Tabled to Date:

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with APSCO, LLC in the amount of \$35,000 for the purchase and delivery of a sewer blower.

WHEREAS, the Haines Borough is in need of replacing a sewer blower that has electronic components that are no longer functioning; and

WHEREAS, APSCO, LLC has provided a quote of \$35,000 for the purchase and delivery of a sewer blower; and

WHEREAS, the Haines Borough Assembly appropriated \$40,000 in the FY12 budget's Capital Improvement Projects (CIP) fund for a sewer blower; and

WHEREAS, the Water/Sewer Operator recommends contracting with APSCO, LLC because the borough's requirements can be met solely by an article or process obtainable only from a single source (Haines Borough Code 3.60.170), due to the obsolescence of the current blower's electronic components,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to contract with APSCO, LLC in the amount of \$35,000 for the purchase and delivery of a sewer blower.

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

Stephanie Scott, Borough Mayor

Attest:

Michelle L. Webb, Interim Borough Clerk

Scott Bradford

From: Dale McBain [dmc bain@apsco-llc.com]
Sent: Monday, February 10, 2014 4:14 PM
To: Scott Bradford
Cc: Al Moreno
Subject: RE: Kaeser Blowers
Attachments: 20 Hp Kaeser DB166C.pdf; 25 Hp Kaeser DB166C.pdf; DB166C_OFC-STC_pressure_with_sound-enclosure.pdf; Install_Data_Integrated_DB166C-DB236C_with_STC.pdf; Kaeser_DB166C_0DB236C_pressure_with_sound_enclosure_no starter.pdf; Install Data_DB166C_to_DB236C_no starter.pdf; USCOMPAK_CompakPlusSeries-tcm91-9588.pdf

Scott,

The blower selections we sent to you previously did not have integral starters. Attached are selections for a 20 and a 25 hp DB166C with an integral starter. The controller / starter is a reducer current starter. If you wish to us an across the line starter, this option is not available from Kaeser in an integrated package.

Budget costs for the are as follows:

- 20 Hp Kaeser DB166C / STC is \$35,000
- 25 Hp Kaeser DB166C / STC is \$36,000
- 20 Hp Kaeser DB166C No starter is \$27,500
- 25 Hp Kaeser DB166C no starter is \$28,500
- All of the above budget prices include estimated freight to Haines, Alaska and Start-up Supervision with operator training.

There is installation information and elevation drawings attached for both horsepower's.

Please let us know if you need any additional information.

Regards,
Dale McBain
APSCO, LLC
Ph 425-822-3335
Cell 206-617-9921
E-Mail: dmc bain@apsco-llc.com

From: Scott Bradford [mailto:sbradford@haines.ak.us]
Sent: Wednesday, February 05, 2014 1:03 PM

Customer: Haines, AK

Prepared By: D. McBain

INPUT DATA:

Operating mode: Gauge pressure	Flow medium: Humid Air
Kind of package: Com-paK-Integrated	Specific heat constant κ 1.40
Inlet temperature : 68 °F	Specific weight at standard conditions : 0.076 lb/ ft ³
Inlet pressure : 14.7 psi	Pressure difference : 7.0 psig
Air humidity: 36 [%]	Discharge pressure : 21.7psi

Technical data:

NOTE: ACCESSORIES SHOWN ARE INTENDED FOR AIR USE ONLY.

Package: DB 166C	Blower speed: 3985 rpm
Blower: OMEGA 42P	Connection ANSI: 4"
Motor power: 20.0 hp	% of maximum speed: 83
Operating voltage: 460V/60Hz	Volumetric efficiency: 0.89

Performance data:

	max. load	design point
Blower: OMEGA 42P		
Pressure difference Δp :	7.5 psig	7.0 psig
Inlet flow Q1*:	445 icfm	447 icfm
Inlet air flow Q1 (standard) : Standard conditions 14.7 psia, 68°F and 0 % RH		443 scfm
Discharge temperature*:	156 °F	149 °F
Motor shaft power :	20.8 bhp	19.6 bhp
Blower shaft power*:		17.8 bhp

with sound enclosure

Sound pressure level** :	72 dB(A)
Sound power level** :	88 dB(A)
Dimension [inches](W x L x H)	60x 46 x 51
Estimated Weight	ca. 1290 lbs

* Performance data to DIN ISO 1217, part 1, annex C

**Measured to DIN EN ISO 2151, figures ± 3 dB(A), with sound isolated pipework

Motor shaft power includes belt losses in addition to dirty filter losses of 0.6 psig (40 mbar).



Customer: Haines, AK

Prepared By: D. McBain

Kind of package: Com-paK-Integrated

Operating mode: Gauge pressure

Inlet temperature : 68 °F

Inlet pressure : 14.7 psi

Valve set pressure: 9.0 psig

Input inlet flow: 500 icfm

Package: DB 166C

Blower speed: 3985 rpm

Blower: OMEGA 42P

Connection ANSI: 4"

Motor power: 20.0 hp

% of maximum speed: 83

Operating voltage: 460V/60Hz

NOTE: ACCESSORIES SHOWN ARE INTENDED FOR AIR USE ONLY.

Accessories:

Unloaded start up valve: AFE15

Check plate: 4"

Instruments/ sensor:

oil level sensor:

speed monitor:

Omega Control STC(sensor kit included)

yes no

yes no

Optional for package with sound enclosure

Sound enclosure for outdoor installation:

Auxiliary heating:
 Omega P-GRD:

Standard equipment with s. encl.: 1x 2"

Blowoff valve,

Comments for project:



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 14-427
 Assembly Meeting Date: 2/25/14

Business Item Description:	Attachments:
Subject: Remove Haines Senior Assisted Living Inc. Property from the List of Community Purpose Exemptions	1. Ordinance 14-02-370 2. E-mail from Assistant Assessor 3. Memo from Assistant Assessor 4. HAL Exemption Application
Originator: Assistant Assessor (Agenda Bill by Clerk's Office)	
Originating Department: Assessment	
Date Submitted: 2/20/14	

Full Title/Motion:
 Motion: Introduce Ordinance 14-02-370 and set a first public hearing on 3/11/14.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:

According to the borough's assistant assessor, Dean Olsen, Haines Assisted Living (HAL) is a recognized non-profit charitable organization that qualifies for a required exempt status, not an optional community purpose exemption as it is classified now. See attached e-mail and memo for further explanation. When the new Soboleff-McRae Veterans Village building is completed, any rented space for commercial use will be taxable.

Referral:

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 2/25/14	Tabled to Date:

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE TITLE 3 TO REMOVE HAINES SENIOR ASSISTED LIVING INC. PROPERTY FROM THE LIST OF COMMUNITY PURPOSE EXEMPTIONS BECAUSE IT HAS BEEN DETERMINED TO BE A REQUIRED EXEMPTION UNDER HBC 3.70.030(A)(3).

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

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

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

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

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

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

HBC 3.70.040 Local exemptions and exclusions.

A. The following property is exempt from general taxation:

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

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

C. The increase in assessed value of improvements to real property shall be exempt from taxation if an increase in assessed value is directly attributable to alteration of the natural features of the land or to new maintenance, repair or renovation of an existing structure, and if the alteration, maintenance, repair, or renovation, when completed, enhances the exterior appearance or aesthetic quality of the land or structure.
An exemption may not be allowed under this subsection for the construction of an improvement to a structure if the principal purpose of the improvement is to increase the amount of space of occupancy or nonresidential use in the structure or for the alteration of land as a consequence of construction activity. An exemption provided in this subsection shall continue for four years from the date the improvement is completed, or from the date of approval for the exemption by the assessor, whichever is later.

D. Pursuant to AS 29.45.050(b)(1)(A), the below-listed properties shall remain exempt from property taxation so long as they remain the property of their present owners (organizations not organized for business or profitmaking purposes) and so long as they remain used exclusively for community purposes:

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

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

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

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

~~5. Land and improvements situated on Lots 5, 6 and 11 through 14, Block 8, Townsite Addition, dedicated to the Haines Senior Assisted Living Facility and owned by Haines Assisted Living Inc.;~~

~~65.~~ 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;

~~76.~~ 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.

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 1st 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 1st 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 1st deadline, and authorize the assessor to accept the application as if timely filed. For purposes of this subsection, an inability to comply must be caused by a serious medical condition of the applicant or member of the applicant's family, or an extraordinary event beyond the claimant's control. No late applications can be submitted after November 1st of the qualifying year. This section does not create any private rights whatsoever, nor does it in any manner require the assembly to introduce or adopt any such resolution.

7. Upon receipt of the completed application, any additional proof required, and affidavit, the borough assessor shall evaluate the request and grant or deny the hardship exemption within 15 borough business days. If denied, the borough assessor shall specify the reasons for the denial.

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

Haines Borough
Ordinance No. 14-02-370
Page 4 of 4

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

Stephanie Scott, Mayor

ATTEST:

Michelle Webb, Interim Borough Clerk

Date Introduced: 02/25/14
Date of First Public Hearing: ___/___/___
Date of Second Public Hearing: ___/___/___

Krista Kielsmeier

From: Dean Olsen
Sent: Monday, November 25, 2013 12:19 PM
To: Julie Cozzi
Cc: McGee Marty (McGeeDM@ci.anchorage.ak.us); Stephanie Scott
Subject: Haines Assisted Living & New Vet building
Attachments: Memo HAL exempt app.pdf; HAL tax exempt app Lot 5A & Vet Village.pdf

Julie,
Attached is a memo related to an application for tax exempt status submitted by Jim Studley for Haines Assisted Living. The report is quite detailed but the bottom line is this:

- Haines Assisted Living (HAL) is a recognized non-profit charitable organization that I believe qualifies for required exempt status NOT an optional community purpose exemption as it is classified now.
- HAL now owns four lots after vacating the lot lines of several lots in block 8 of the Haines Townsite, (Lots 1-5 & Lots 11-14 were involved with the vacated lot lines).
- The four lots are Lot 5A, (the location of the new Soboleff/McRae Veteran's Village under construction). Lot 6, (designated parking for the Veteran's Village), Lot 14A1, (the location of Haines Assisted Living facility), & Lot 14A2, (the location of St. Lucy's Senior Living facility).
- Lots 14A1, 14A2 & lot 6, along with the Haines Assisted Living facility, and St. Lucy's Senior Living facility are currently exempt by Haines Borough Code under the community purpose optional exemption, but the legal description of the land is now outdated due to the most recently recorded plats showing vacated lot lines.
- The tax exempt application submitted by Jim Studley is for Lot 5A, (the location of the new Soboleff/McRae Veteran's Village). This is the location of the former Thunderbird Motel that was recently demolished, and has been taxable up to the 2013 tax year.
- HAL owns all of the land described above along with the Haines Assisted Living facility and the Veteran's Village under construction.
- St. Lucy's Senior Living is a Charitable Nonprofit separate from HAL and owns the St. Lucy's facility only.

After consulting with Steve Van Sant, State Assessor, and acquiring copies of all necessary documentation required for nonprofit charitable organizations for both HAL and St Lucy's Senior Living, it is recommended that all of the above real property be classified as required exemptions under HBC [3.70.030](#) and/or AS 29.45.030 (C) (3).

If our contract assessor does not agree with my opinion I will yield and follow the necessary instructions for these accounts, otherwise let me know how you would like to proceed with HAL's application for tax exempt status on lot 5A and the corrections needed to legal descriptions in code related to HAL & St. Lucy's optional exemption property.

Thank you for your attention to this matter.
Sincerely,

Dean Olsen

Asst. Assessor
Haines Borough Land Dept.
Haines, AK 99827
Ph. # (907) 766-2231 Ext. 33
Fax # (907) 766-2716



Lands Department

Memo

To: Julie Cozzi, Borough Manager
Cc: Marty McGee, Haines Borough Contract Assessor

From: Dean Olsen, Assistant Assessor
Date: 11/25/2013

Re: Haines Assisted Living Inc. application for Real Property Tax Exemption Lot 5A, Block 8, Haines Townsite, and Haines Borough Code, (HBC), .70.030 and 3.70.040 Local exemptions and exclusions.(D) (5)

Julie,

Haines Assisted Living Inc., (HAL), is applying for tax exempt status for account C-TNS-08-0200 which is the location of the new Soboleff McRae Veterans Village under construction on lot 5A, Block 8, and Haines Townsite. This property is in the location of the recently demolished Thunderbird Motel. The account is currently taxable even though it is owned by HAL, a non-profit organization, because up until late spring of 2013 the land was vacant, and prior to that the use was commercial.

It is important to point out the details of HAL's accounts, because changes have occurred that need to be addressed by the Haines Borough Assembly involving HAL's optional exemption written in code, and the types of exemptions, (optional/community purpose vs. required), which will have more of an impact on the Full Value Determination, (FVD), calculated by the State of Alaska each year as this nonprofit facility grows in size and value.

Currently in Borough Code local exemption #5 reads:

Land and improvements situated on Lots 5, 6 and 11 through 14, Block 8, Townsite Addition, dedicated to the Haines Senior Assisted Living Facility and owned by Haines Assisted Living Inc.;

- With the recording of Plat 2010-4 three years ago, lot lines were vacated involving *Lots 11 through 14, Block 8, Townsite Addition*. Per Plat 2010-4 lots 11-14 are now Lots 14A1 and 14A2.
- With the recording of Plat 2013-4, Lot 5 is now included with fractional lots 1 & 2 as well as lots 3 & 4 which are currently taxable accounts. The combination of the five lots via vacated lot lines forms Lot 5A, Block 8, Haines Townsite as shown on Plat 2013-4.

More importantly, HAL is currently classified as an *optional/community purpose exemption* in Haines Borough Code. Optional exemptions reported in the Annual Report filed after the certification of the tax roll are not excluded from Full Value Determination by the State of Alaska. The value is added back into the FVD, and Haines Borough must contribute to that value for the local contribution to schools. For optionally exempt property that contribution is made without the borough acquiring a real property tax from the accounts. The assessed value of HAL is increasing with additions to their facilities. First St. Lucy's was added to Haines Assisted Living, and now the Veterans Village is under construction. These are either new, or relatively new improvements with minimal depreciated value that together will have a replacement cost new in the neighborhood of 15 million dollars. This is going to have a larger impact on the Full Value Determination by the State than it has in past years.

However, after reviewing Alaska Statue (AS) 29.45.030 & 29.45.050, as well as Haines Borough Code, (HBC), 3.70.030 and 3.70.040 covering required and optional exemptions, I believe HAL has been given exempt status as an optional exemption by Haines Borough Code 3.70.040 incorrectly. Alaska Statue and Haines Borough Code both allow real

property tax exempt status under, AS 29.45.030 and HBC 3.70.030 for nonprofit charitable organizations. Both HAL & St. Lucy's are federally recognized charitable nonprofit organizations as shown by the following:

- HAL & St. Lucy's are recognized by the Internal Revenue Service (IRS) as registered 501(C) (3) charitable nonprofits in good standing.
- HAL & St. Lucy's Senior Living, Inc. have provided all necessary documentation required to verify these organizations nonprofit charitable status with their completed applications.
- Form 990 filed with the IRS & provided to the Haines Borough Assistant Assessor by both organizations verifies their nonprofit charitable status in good standings with the IRS

Therefore, both qualify as required exemptions under Alaska Statue and Haines Borough Code:

On October 30, 2013 I consulted with Steve Van Sant, State Assessor for the State of Alaska about the classification of these nonprofits. Mr. Van Sant agreed that if the organizations are "**True**" nonprofit organizations, and not a cover for private individual(s) to make an unusually large profit under the cover of the nonprofit, they are allowed as required exemptions under AS 29.45.030 and HBC 3.70.030 as nonprofit charitable organizations.

Please inform me if you need further verification, or justification from any other sources prior to addressing the necessary changes to Haines Borough Code that will be necessary regardless of final exemption classification for these nonprofits.

Sincerely,

Dean Olsen
Assistant Assessor,
Haines Borough Land Department



HAINES BOROUGH, ALASKA
 P.O. BOX 1209
 HAINES, AK 99827
 (907) 766-2231 * FAX (907) 766-2716

RECEIVED
 OCT 21 2013

Haines Borough

EXEMPTION APPLICATION
 Request for Nonprofit Property Tax Exemption

Applicant contact Information: Name Haines Assisted Living Inc.
 Address PO Box 916 Haines AK 99827
 Phone # 766-3616

Assessment/Tax Year 2013-2014 Parcel No. C-TNS-08-0300 ~~2-0500~~

Organization Name Haines Assisted Living Inc. (HAL)

Property Location Second & Dutton lot 5A BKB Haines Townsite

1. Is the organization organized for business or profit making purposes? Yes No
HAL is an organized business with a non profit 501(c)(3) IRS case

2. Is this property used exclusively for the exemption sought? Yes No
 If the answer is no explain:
HAL IS A NOT FOR profit corporation with a mission statement "... to foster affordable housing opportunities for those in need in the Haines Borough."

3. Explain how the use of this property is eligible for the exemption sought. Answer to No. 1 above and its relationship to the exemption type; as an example - nonprofit charitable (AS 29.45.030(3)).
NON profit charitable 501(c)(3) also meets state of Alaska statute as a non profit

I hereby certify that the information provided is true and correct to the best of my knowledge.

Principal/Agent James Studley Title President
 Signature: [Signature] Date 10/21/13

Attention: All information required on page 2 of this application must be included when applying before exempt status is considered.



HAINES BOROUGH, ALASKA
 P.O. BOX 1209
 HAINES, AK 99827
 (907) 766-2231 * FAX (907) 766-2716

AS Sec. 29.45.030 Required exemptions:

(a) The following property is exempt from general taxation: (3) property used exclusively for nonprofit religious, charitable, cemetery, hospital, or educational purposes;

HBC 3.70.030 Required exemptions:

A. The following property is exempt from general taxation: (3) Property used exclusively for nonprofit religious, charitable, cemetery, hospital or educational purposes.

A request for exemption from the property taxes must be received by March 1 of the applicable tax year. The property must be in use as of January 1 of the tax year in order to obtain an exemption for that year. Exemptions are not prorated and are granted based on two critical criteria: 1) not for profit ownership and, 2) exclusive use of the property for an exempt purpose. Typically vacant land is not exempt.

The property owner is responsible for proving that the property is used exclusively for an exempt purpose and qualifies for an exemption. The owner is required to provide at a minimum the following items with the application:

1. The articles of incorporation, state certificate of incorporation, constitution &/or bylaws for the organization.
2. Documents to support the organization's not-for-profit status (e.g. IRS 501(c) (3) determination letter, or equivalent).
3. Contracts of any type describing or memorializing use of the property by a person, or entity other than the applicant organization.
4. Description of any remuneration received by the applicant organization including:
 - a. Any property, or portion of property, from which rentals or income are derived.
 - b. Actual operating expenses, excluding debt service or depreciation.
5. 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.
6. For property used for an educational purpose, the detail of course curriculum and classroom space.
7. For property used as a religious residence, the detail of the resident's ordination, commission or license (according to the standards of the religious organization), and proof of resident's employment by the religious organization as its minister.
8. The municipal assessor or designee may request additional information prior to its determination, as reasonably necessary to determine the exempt status of a property in accordance with municipal code and regulations and state law.

DO NOT WRITE IN SHADED AREA

Assessor Approval Yes No Signature Devin M. Olsen Date 11-25-2013

**Notice Of Appeal From Haines Borough Planning Commission Denying Big Salmon Ventures (BSV)
Conditional Use Permit**

RECEIVED Haines Borough

FEB 18 2014

Clerk's Office

Dear Mrs. Cozzi:

I am writing on behalf of our client, Big Salmon Ventures LLC, ("BSV") in response to the denial of its request for a Conditional Use Permit to develop a heliport on its property located at Lot 10 of the Sundberg Subdivision (the "Property"). In this connection, BSV would like to assert its request to appeal the Haines Borough Planning Commission's February 13th 2014 decision to deny the Conditional Use Permit Application submitted by BSV.

First, BSV respectfully asserts that the Planning Commission erred in failing to approve issuance of the Conditional Use Permit inasmuch as Big Salmon Ventures has met all of the conditional use permit requirements as enumerated in the Haines Borough Code ("HBC") Section 18.50.040.

Secondly, BSV asserts that the findings of the planning commission, especially in regards to safety welfare, failed to recognize the decibel testing and real life DNL noise levels as it relates specifically to the defined nature of the area and national noise standards for quality of life in the United States. Decibel levels after testing were much lower on average than the speculation that SEABA proposed in the CUP application that SEABA proposed in 2011.

In the Assemblies findings for the appeal of SEABA heliport in 2011 they cited decibel levels that were suggested but not confirmed around 68 on take off, while decibel testing most recently found that exposure to take off and landing are limited to less than two minutes per occurrence and that the actual decibel level peaked at 62dB.

More over other evidence entered into the record by BSV shows that the national acceptance of noise based on the DNL standard or noise testing show that residential areas experiencing decibel readings of 65 dB and lower with an average of 50dB DNL are acceptable and the standard for regulating noise for health safety, and welfare of residential neighborhoods.

BSV contends that this is, "he said, she said" issue when considering if this activity meets the criteria of safety and welfare, for residences and property owners in the area. Noise level testing and the acceptance that the zoning is not residential but rural settlement, and that property owners have rights to make a living off of their property should be enough to conclude that a one year conditional use, with contracted testing to national standards should show that this proposed activity with its conditions set forth by Big Salmon Ventures will not create a health, safety, or welfare condition that is unsurmountable and easily mitigated.

In the managers' findings below:

"5. The granting of the conditional use will not be harmful to the public safety, health or welfare.

This requirement may not have been met. The Borough Comprehensive Plan reads: "In 2011 one business proposed development of a heliport on its land on the Chilkat Lake Road, which raised concerns about neighborhood character, noise and safety. The planning commission and assembly denied the permit based on health, safety and welfare issues..." The applicant has attempted with this new application to mitigate many of the issues that were brought up previously. This makes it a bit difficult to say with certainty that this will or will not be harmful to public safety, health, or welfare."

The borough managers has doubts as to if this has been met. The manager contends that there needs to be more factual and objectionable discovery to confirm if BSV has mitigated the previous position by the borough assembly in 2011.

Commissioner Danny Gonce who was not in favor of the SEABA CUP application 2011 testified at the Feb 13th 2014 planning commission meeting that after he directed the sound decibel testing for BSV in December of 2013 his perspective and perception of the activity were changed. He felt that this was a permissible and acceptable use of the property based his experience. He also stated that he supported the Conditional use as long as it stayed 1100 feet from the center line of the Chilkat Lake Road.

Third, the manager findings documented that this use has speculative and subjective attributes when weighing them against code outlined conditions for a CUP, and that while it might be that not all of the 8 points were objectively met, the manager suggested giving BSV a one year CUP to help identify speculative and subjective impacts.

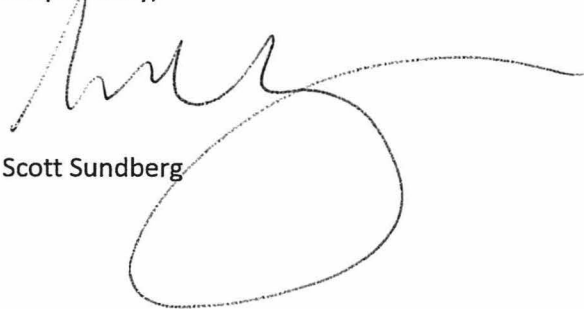
Fourth, the planning commission chair Rob Goldberg egregiously recognized opponents over proponents and interjected several comments that were not part of the record, including notes on waking babies over a half mile from conducted decibel test and disturbed residents that were not even aware the test occurred until told.

Chairmen Heinmiller also interjected through his testimony facts that were incorrect regarding the phased development of the winter village, and in our opinion was very biased in trying to develop subjective reason and rhetoric to not support the heliport opposition. We feel that the level of professionalism from these two planning commissioners was not acceptable and that the community at large should be concerned about their motives.

Finally, while the Winter Village and Eco lodge business plan for the surrounding properties owned by BSV/ SEABA in the 26 mile area does not need a conditional use permit, the development of these facilities and long stability of the Haines economy, its security and economic "WELFARE" depend on the conditional long term use of this property as a winter heliport.

SEABA was told that the borough would look into developing public heliport after SEABA's denial of the use of it property in January of 2011. After inquisition, fact finding, and committee discussions it was determined that not only was the industry not interested by the suggested heliport at the end of Chilkat Lake Rd, but the borough recognized that it did not have land in its possession that reflects the needs of the industry or in this particular case BSV/SEABA. This specifically relates to developing a stable long term business that would add greatly to the quality of life for majority and supportive Haines residents. We feel that the greater demand for a healthy economy that builds on recreation and ecotourism outweighs subjective and speculative determinations that our proposed heliport would create undo noise, safety and welfare issues to the surrounding areas.

Respectively,

A handwritten signature in black ink, appearing to read "Scott Sundberg", with a large, sweeping flourish extending to the right and a large loop at the bottom.

Scott Sundberg



Haines Borough
**BOROUGH ASSEMBLY
ACTION REQUEST**

DATE: Feb 13, 2014

TO: Borough Assembly

FROM: The Haines Planning Commission

RE: Big Salmon Ventures LLC Conditional Use Permit for Heliport

PLANNING COMMISSION ACTION:

Motion: Hedden moved to “approve the conditional use permit for a period of one year with the conditions that are stated in Big Salmon Ventures’ application”, Turner seconded it.

Primary Amendment: Gonce moved to “only allow one company to use the site at a time, and all landings shall be no closer than 1,100’ to the centerline of Chilkat Lake Road”, Turner seconded it. The primary amendment passed 6-1 with Goldberg opposed.

The main motion failed with Goldberg, Heinmiller, Lende, and Venables opposed.

Motion: Venables moved to “For 2014, the Planning Commission recommends the Assembly authorize the Borough Manager to issue a temporary conditional use permit that allows for a limited, pre-approved, borough-monitored number of random landings, incorporating conditions offered by the Big Salmon Ventures, only allowing for one company to use the site at a time, with all landings to be at least 1,100’ from the centerline of Chilkat Lake Road to gauge actual impacts, between 8:30 a.m. and 4:30 p.m. with continued noise measurement and monitoring”, Gonce seconded it. The motion passed 6-1 with Goldberg opposed.

RATIONALE:

Commission responsibilities, public testimony, the Borough Interim Manager’s recommendation letter were topics discussed. There are eight criteria to be considered in deciding whether or not to grant a conditional use permit. It was pointed out that the Planning Commission’s job is to look into the code, and to find out if each of the criteria is met.

Goldberg does not think this “one-year trial” will work well. If the Planning Commission approves a one-year conditional use permit, the developer probably will invest in

infrastructure. The Planning Commission will have to go back to deal with this again after one year if the neighbors complain about the noise. Also, Criteria 1 reads "the use is so located on the site as to avoid undue noise and other nuisances and dangers." A few homeowners have given their comments that they heard helicopters from inside their homes, so obviously the noise is subjective. He thinks Criteria 1 has not been met.

Gonce went to the proposed site, and did the decibel testing with Nick Trimble. As far as his observations, the volume created with the helicopter was very low. The readings were lower than he expected. The last time this proposal came to the Planning Commission he voted against it. One of the main reasons is the noise. However, after his trip to the site, he believes the new proposed site will greatly mitigate the sound to the neighbors.

Venables would like to see a temporary permit to be monitored by the Borough. The purpose of the landings will be to assess the actual impacts of noise on nearby residences. He said it is premature to grant a long-term permit at this time.

PLANNING COMMISSION REQUEST:

To recommend the Assembly authorize the Borough Manger to allow a number of helicopter landings at the proposed site during the 2014 heli-ski season. The number of landings will be determined by the Manager. The purpose of the landings will be to assess the impacts of noise on nearby residences. This will help to determine if the proposed heliport can meet the requirements of Criteria 1 in Borough Code. All the conditions stated in Big Salmon Ventures' application shall be adhered to. In addition, this temporary conditional use permit shall only apply to Big Salmon Ventures, and the landing site shall be no closer to the centerline of Chilkat Lake Road than 1100'.

SUBMITTED BY



(signature)

Daniel Gonce
Planning Commission Vice - Chair

February 13, 2014

To: Haines Borough Planning Commission
From: Julie Cozzi - Interim Borough Manager
Re: Manager's Recommendation
Big Salmon Ventures LLC Conditional Use Permit for Heliport
Lot 10, Sundberg Subdivision II

On January 27, 2014, Big Salmon Ventures LLC submitted a Conditional Use Permit (CUP) application through its agent Scott Sundberg. The application was determined to be complete because it contains substantially all of the information required by HBC 18.40.130(A)(1)-(9): site description, proposed development, time frame for development, site plan drawn to scale, owner has signed with contact information, legible, fees paid, and applicant statement regarding compliance with conditions. Per HBC 18.50.030(D), I have completed a review of the permit application with staff.

Recommendation: I recommend a short duration permit of one-year be considered to provide a trial period. I recognize Big Salmon Ventures LLC has legitimate business reasons for seeking to develop the property as a heliport and many of the factors to be considered by the planning commission in deciding whether to approve the conditional use permit even for a trial period could be viewed differently from my conclusions. Additionally, another condition limiting the total number of days the site could be used during the trial season should be added to the conditions the applicant has already indicated it would accept. This would satisfy neither the applicant nor those in opposition but would further reduce any impacts associated with permit approval.

Under HBC 18.50.040, there are eight criteria to be considered in deciding whether to grant a conditional use permit. Before a conditional use permit is approved, the commission must find that each of the following is met. I have provided my thoughts on each one.

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

Some residents of the housing development near to the proposed heliport have expressed concerns about noise. While it is reasonable to conclude that living near a heliport would involve a certain amount of inconvenience and noise disturbance, I believe this condition is subjective and may have been met. It is true heliport operations can produce undue noise that would affect adjacent residential properties, but a recent decibel testing seemed to show potentially tolerable levels. Again, noise, nuisance, and danger are quite subjective because what bothers one does not necessarily bother another. Because of this, perhaps a short duration permit of one-year might be considered to provide a trial period that would prove or disprove this.

2. The development of the use is such that the value of the adjoining property will not be significantly impaired.

This is necessarily subjective both in general terms and in specific terms. Real estate appraisal guidelines indicate the value of the adjoining property is not affected due to the proximity of a heliport. The value is based on sales in the area.

3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.

I believe this requirement is met.

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

The proposed use does not seem to be consistent with surrounding land uses because the proposed development is next door to residential properties. That said, the applicant does claim that situating a heliport in this location would reduce flight times and overall aircraft noise by reducing the time spent flying over borough and state lands to get to the skiing areas. Additionally, the applicant's proposed conditions including times and days of operation and voluntary shut down for special neighborhood events may enable this use to coexist with the residential neighborhood. This is something a trial period would hopefully show. The borough's comprehensive plan does encourage a heliski management plan that addresses safety, neighborhood quality, heliports, routes and areas of use, monitoring, quality experience, etc. (Objective 3D).

5. The granting of the conditional use will not be harmful to the public safety, health or welfare.

This requirement may not have been met. The Borough Comprehensive Plan reads: "In 2011 one business proposed development of a heliport on its land on the Chilkat Lake Road, which raised concerns about neighborhood character, noise and safety. The planning commission and assembly denied the permit based on health, safety and welfare issues..." The applicant has attempted with this new application to mitigate many of the issues that were brought up previously. This makes it a bit difficult to say with certainty that this will or will not be harmful to public safety, health, or welfare.

6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.

I believe this condition is not applicable to this application or if literally applicable has been met.

7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved.

The applicant has proposed a number of conditions which I can only assume they would comply with if a conditional use permit was granted. Certainly, any permit could be immediately suspended or revoked should any of the conditions not be adhered to. These conditions include restrictions on operating hours, times of year the property would be used as a heliport and voluntary shut downs for special events and a commitment to a specific flight path with GPS verification. The applicant is to be commended for agreeing in advance to these conditions but the planning commission may decide they do not overcome the issues of concern brought by the neighborhood residents.

8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

Seven property owners submitted written comments that were received by the borough prior to February 13, 2014. Five property owners do not support the proposal and expressed concern over safety, noise, pollution, property value and quality of wildlife. The other two written comments are in favor of the permit being granted for economic development and land value reasons. Everyone has their own idea of what adds to quality of life.

Consideration of public input is much more appropriate for the commission than for the borough manager, although I certainly reviewed them. What is "due weight" for me is probably different from what is "due weight" for the commission. I have placed relatively little weight on the comments as opposed to my own assessment of the collective community interest in heliport operations within the borough. Segments of the community will not be happy regardless of the specific recommendation I make or the decision made by the commission. This is partly the reason why I suggest a limited duration permit and an additional permit limitation should the commission decide to grant the permit.

17 February, 2014

From: Phil Benner, Haines Harbormaster

To: Julie Cozzi, Interim Borough Manager

Subject: Boat Yard/Boat Haul Out for Haines

Attachments: (a) Quote Clean Marine Solutions for Portable Wash-down and Wastewater Compliance System

(b) Quote from Brownell Trailers for Hydraulic Trailer

1. This letter is follow-up on the Port and Harbor Advisory (PHAC) recommendation for a boat haul-out on Borough property in both the Lutak area and Harbor area near the ice house.
2. Attached are the cost estimates of the most economical way to begin this process. The portable wash-down and wastewater compliance system would allow us to set up in either area where the customer would want to haul-out. In addition, it is easily permitted by all Federal and State agencies because it is a self-contained unit.
3. Brownell had the lowest bid of the three companies that came in with bids for trailers that meet our needs. This would allow us to pick up most of the vessels in our harbor (gillnetters) and determine if we get enough use to build a permanent boatyard/haul-out area.
4. The cost of the Containment pad would be \$5,175 plus shipping, the cost of the Vanish Wastewater System would be \$19,460 plus shipping and the cost of the hydraulic trailer would be \$62,432.00 plus shipping. Total Cost=\$87,067 plus shipping of items. The cost for an ADEC permit is \$450.00.
5. I believe this is the best and cheapest way to start and see if an industry builds up around a haul-out and boatyard. We can then start looking for those private industry partners to build around the marine haul-out/boatyard, and hopefully then build and industry.
6. Any questions please ask.

Clean Marine Solutions

December 28, 2012

Containment Pad Quote for:

Phil Benner
Harbor Master
Haines Borough, Alaska

Phone: (907) 766.2448

Email: pbenner@haines.ak.us

Clean Marine Solutions' Contact:

David Flagler, Owner
Clean Marine Solutions, LLC
2925 – 31 Boundary Street
Wilmington, NC 28405
Phone: (910) 617-8018

Email: david@CleanMarineSolutions.com

Quote honored to 02/28/2012

Portable Power-Wash Wastewater Containment Pads

Perhaps it's the *Clean Marine Solution* for your Boatyard



- Boats and Vehicles can drive in from any angle, with no sidewall set-up or take-down required.
- The foam ring around the top perimeter of the Containment Berm rises with the water
- Copolymer construction
- Helps meet EPA Container Storage Regulation 40 CFR 264.175 and SPCC requirements
- Custom sizes available

Item Description	Size	Price
UltraTech Rapid- Rise Containment Berm	30 mils x 15' x 50'	4,552
Ground Tarp	19' x 54'	530
Pad Repair Kit		28
(2) Rainwater drains installed on pad		65
Components Total		5,175

Total

\$ 5,175

Prices FOB, origin Clean Marine Solutions, Wilmington, NC

Quote honored to 02/28/2012

Terms: Payment in full at time of order.

Clean Marine Solutions

December 28, 2012

Quote for:

Phil Benner
Harbor Master
Haines Borough, Alaska

Phone: (907) 766.2448

Email: pbenner@haines.ak.us

Clean Marine Solutions' Contact:

David Flagler, Owner
Clean Marine Solutions, LLC
2925 – 31 Boundary Street
Wilmington, NC 28405

Phone: (910) 617-8018

Email: david@CleanMarineSolutions.com

Quote honored to 02/28/2012

Clean Marine Solutions provides solid answers to meet today's key environmental compliance challenges:

- 1) Environmental compliance requirements vary from city to city, state to state and country to country.
- 2) Environmental compliance standards and requirements are evolving and changing.

How has Clean Marine Solutions been successful meeting this compliance challenge?

- 1) First, we exceed present compliance standards and design and build our VANISH systems in anticipation of developing standards. For example, VANISH Systems yield exceptionally high wastewater quality. The treated effluent from our VANISH 300 Treatment System typically has lower heavy metal levels than the EPA standard for drinking water. To date, compliance officers have been exceptionally pleased with certified water quality tests that demonstrate what an exceptional system it is. Some manufacturers will tell you that metals are not really a problem. *They are wrong!*

- 2) We don't want our customers to buy anything they don't need. *For example, some of our customers live in areas that allow discharge to their municipal sewer system. These customers saved initial capital costs by not purchasing the optional VANISH Recycle System.*

But what if compliance standards change and prohibit discharge to sewer?

Clean Marine Solutions systems are modular. A customer can simply order the recycle component and easily connect it to their treatment system.

If an average size marine service facility grows and starts to generate a lot more wastewater, they can simply purchase a VANISH Buffer System. The buffer system can also be easily connected to their treatment system.

Clean Marine Solutions Wastewater Compliance Solutions

The VANISH 300 Wastewater Treatment & Recycle System™ consists of three sub-systems:

1. Wastewater Treatment System
2. Recycle System
3. Buffer Tank System

The VANISH 300 Wastewater Treatment System™ is designed to remove heavy metals, particulate and residual oil. High heavy metal levels in the powerwash wastewater are one of the main environmental concerns

Clean Marine Solutions' VANISH Systems typically remove metals to industry leading standards. Copper is a metal that has a very negative impact on the environment – especially marine life. Copper is typically found in very high concentrations in the wastewater generated by industries that powerwash heavy equipment, passenger vehicles and watercraft. Tests have consistently shown that VANISH Systems produce clarified water that has lower copper content than the EPA's drinking water standards.

Clean Marine Solutions' flocculation process also captures residual oil that has bypassed a facility's oil-water separator. The oil or hydrocarbons are captured onto the precipitated metal solids that form in the treatment tank. Most of the oil will stay with the solids and be removed with the sludge.

These industry leading results are achieved through advanced polymer chemistry and an electronic PLC (Programmable Logic Controller) that controls and monitors the wastewater treatment process.

Process Description

At the push of the FILL button the VANISH 300 system sump pump is activated. If water is detected in the sump, the raw wastewater is pumped into the 300 gallon treatment tank or the 300 gallon buffer tank. The PLC and level sensors prevent the tanks from overflowing. The LED screen on the PLC reminds the operator which valves to open or close.

At a push of the TREAT button a mixer activates to stir the wastewater. The VANISH 300 uses three chemicals: A pH reducer and two treatment polymers. Each is easily prepared on-site using pre-measured concentrates. There is a chemical dosing pump for each chemical. Pumps are controlled by the PLC to precisely dispense chemicals in the proper sequence.

While the wastewater is stirring, the pH probe monitors pH throughout the treatment process. If the pH is lower than required, dilute sodium hydroxide is precisely added to raise the pH.

An Ultra-sonic Water Level Sensor senses the quantity of wastewater and the PLC calculates the precise amount of the two polymers to be added.

Once the system has been treated with the appropriate amount of chemicals and thoroughly mixed; the mixer will cutoff. The particulate immediately begins to settle to the bottom of the cone- bottom tank. A light comes on to signal that the solids have settled and can the clarified water can be transferred.

The sludge is periodically drained from the bottom of the cone-bottomed tank and dewatered by manually pouring through a filter. After dewatering, the sludge is set out to dry on a pad provided with the system.

At the push of a Transfer button the clarified wastewater in the treatment tank is pumped through a 5 micron polishing filter and out of the system into either:

- 1) A Municipal Sewer
- 2) The VANISH Recycle System

Either of these methods may require a permit.

Discharge to sewer and recycling are the most typical solutions.

Clean Marine Solutions will help you determine which method is the best choice.

VANISH Recycle System

The VANISH Recycling System's 300 gallon tank stores the clarified water until needed. The system delivers pressurized water to directly to a powerwasher or the facilities designated recycle plumbing piping.

The clarified water in the recycle tank is periodically cycled through an Ultraviolet Water purifier. The UV Purifier contains a germicidal ultraviolet lamp that produces short wave radiation lethal to bacteria, viruses and other microorganisms present in water.

In addition to UV treatment, a chemical disinfectant is released into the recycle tank by a floating dispenser.

VANISH Buffer Tank System- Raw wastewater from the sump is pumped to the VANISH Buffer Tank System if the treatment tank is full or if system is in treatment mode. Raw wastewater in the buffer tank is pumped to the treatment tank as needed.

VANISH300 Wastewater Treatment System Components

- Programmable Logic Control panel (PLC) – *Controls treatment process*
- Surge Protection – *protects against power surges*
- GFI protected electrical system – *Standard personnel protection*
- Ultra-sonic liquid level sensor - *Senses volume of wastewater in tank*
- pH sensor probe - *The PLC and the probe interface to maintain the ideal pH for the chemical treatment process*
- Sump pump with float switch - *Pumps wastewater from marina's sump to treatment tank)*
- Transfer pump - *Transfers treated water to municipal sewer (if the recycle option is chosen, the transfer pump will also pump to holding tank and power washer)*
- Three chemical dispensing pumps - *Pumps are controlled by the PLC to precisely dispense pH reducers and two treatment polymers*
- Mixer - *Stirs wastewater during treatment*
- 345 - gallon UV resistant polyethylene cone-bottomed clarifier tank with powder coated steel stand
- Three - 5-gallon chemical tanks
- Manual ball valves and schedule 80 PVC plumbing
- Powder coated steel base frame with zinc primer base coat
- Filter Housing for filtering particulate before transfer to recycle or sewer
- Filter Housing with oil adsorbent cartridge filter for removing emulsified oil
- Sump basin bucket solids strainer - *houses sump pump and prevents large particles from entering system fill hose connection point*
- Sludge dewatering filter container – *Filters water from liquid sludge*
- Sludge drying pad (3" deep x 26" dia. poly container)
- System Manual – *easy to read, with color photos*

VANISH 300 Treatment System Supplies

- Treatment Chemicals For 3,000 Gallons Of Wastewater
- 6 – 4” x 20” bag filters for clarifier
- 6 – 7” x 20” sludge filters

Personal Protection Equipment (PPE)

- Safety splash goggles
- Chemical apron
- Chemical gloves
- 2 – Dust masks

VANISH Recycle System

Recycle option provides for recycling and disinfecting of treated wastewater.

Recycle Components

- 300-gallon UV resistant polyethylene flat-bottomed tank (rests on floor)
- PLC - monitored float switches – *(Prevents tank overflow and stops recycle pumps when tank is empty)*
- Manual ball valves and schedule 80 PVC plumbing
- Hose between treatment tank and holding tank system components (12 ft. x 3/4” ID)
- Ultraviolet Water Purifier, stainless steel with LED indicator light provides visual indication of germicidal lamp operation.

Ultraviolet Water Purifier utilizes a germicidal ultraviolet lamp that produces short wave radiation lethal to bacteria, viruses and other microorganisms present in water

- Bromine Dispenser - *chemical disinfectant*
- Recirculation Pump with float switch and timer. (Pump also serves to deliver pressurized water to powerwasher)
- Pre-charged water tank, 14 gallons (extends life of transfer pump)

Supplies:

1 lb. Bromine Tablets and test strips

VANISH Buffer Tank System

Raw wastewater from the sump is pumped to the VANISH Buffer Tank System if the treatment tank is full or if system is in treatment mode. Raw wastewater in the buffer tank is pumped to the treatment tank as needed.

Buffer System Components

- 300-gallon UV resistant polyethylene flat-bottomed tank (rests on floor)
- Sump pump with float switch - Pumps wastewater from marina's sump to treatment tank)
- PLC - monitored float switches - *Prevents buffer and treatment tank overflow*
- Manual ball valves and schedule 80 PVC plumbing
- Hose between treatment tank and holding tank system components (12 ft. x 3/4" ID)

Clean Marine Solutions

VANISH330

VANISH 300 Wastewater Treatment System	\$ 15,800
VANISH 300 Recycle System	Not Included
VANISH 300 Buffer System	\$ 3,660

Total	\$ 19,460
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Prices FOB, origin Clean Marine Solutions, Wilmington, NC

Quote honored to 02/28/2012

Terms: 70% deposit, balance due before shipping

VANISH 333™ LIMITED WARRANTY

Clean Marine Solutions, LLC warrants, to the purchaser during the warranty period, every new product to be free from defects in material and workmanship under normal use and service, when properly used and maintained, for a period of one year from date of purchase by the end user. Parts that fail within the warranty period, one year from date of purchase by the end user that inspection determines to be defective in material or workmanship, will be repaired, replaced or remanufactured at Clean Marine Solutions' option, provided however, that by so doing we will not be obligated to replace an entire assembly, the entire mechanism or the complete unit.

This warranty does not apply to and there shall be no warranty for any material or product that has been disassembled without prior approval of Clean Marine Solutions, subjected to misuse, misapplication, neglect, alteration, accident or act of God; that has not been installed, operated or maintained in accordance with Clean Marine Solutions' installation instructions.

The warranty set out in the paragraph above is in lieu of all other warranties expressed or implied; and we do not authorize any representative or other person to assume for us any other liability in connection with our products.

This warranty gives you specific legal rights and you may also have other rights which vary from state to state.



When it comes to Hydraulic Trailers, Brownell Trailers offers the highest value and the most experience in the industry. Brownell Trailers and their employees have dedicated themselves to providing customers with highly reliable and efficient boat handling equipment. This method of boat handling revolutionized the boating industry. The result is that we are the world's premier manufacturer of this type trailer.

Brownell Trailer products are the standard by which other trailer manufacturers are judged. Our submersible hydraulic trailers are built for longevity, strength, safety, efficiency and reliability so that trailer owners are provided with a wise investment that produces labor savings and eliminates space problems by gunnel to gunnel storage.

Brownell's innovative U-shaped hydraulic trailers make hauling and storing boats at marinas and boatyards safe, efficient and cost effective. Our high quality in-yard trailers increase a boatyard's storage capacity by 33% when upgrading or adding to a sling-lift system.

In-yard models are designed to be towed by yard equipment, and as always, built for customers that work their equipment hard. Hauling capacities range from 15 to 80 ton. Higher capacities or custom configurations are also available. All in-yard models are capable of power and sail boat hauling up to 8' drafts.



Phil Benner
Haines Harbormaster

Model Y25RF

Specifications:

Capacity	25-Tons
Overall Length	31'
Overall Length with Draw Bar	36' w/draw bar
Frame Width	7' 10"
Bed lift	11"
Center Opening Clearance	32" x 22'
Frame Size	12" x 12" x 3/8"
Weight	11,000 lbs
Draft Capacity	7' Power or Sail
Maximum Height of Pads	78" Above Support Logs
Arms	(4) Galvanized Extending
Hydraulic Cylinders	Nitride Coated
Pads	(4) 19" x 24" Vinyl Covered
Wheels / Tires Rear	(4) Galv anized 28 x 13 -15 Industrial
Wheel Hubs	Oil filled
Suspension Rear	Oscillating Hydraulic Bogie Action
Hydraulics	24 V Pumps and Valves 3,000 PSI
Power Source	(2) 12 V 4-D Batteries
Charging Receptacle	Plug & wiring provided
Grease Fittings	At all points of wear
Pivot Shafts	Stainless Steel
Support Timbers	(3) 6"x 6" Hard Wood



Production:

Welding
Components
Engineering

Sandblast
Frame Coating

In-Position
State-of-the-Art CNC Machining
Computer Design, Simulation, &
Modeling
Entire Trailer to White Metal
Galvanized

Available Options (NOT Included in Quote)

Wireless Remote Control	\$5,000.00
Foam Filled Tires	\$235.00 ea
Sling Brackets (2 sets of 4)	\$350.00
Adjustable Landing Feet (2)	\$550.00
Stainless Steel Hose Fittings	TBD
Additional Support Timbers	\$200.00 ea
Extra Long Inner Arms for Beyond 7' Draft Boats	TBD
Straight Drop Bar	\$395.00 ea
6" Drop Bar	\$495.00 ea
9" Drop Bar	\$895.00 ea
Slings	\$25 per ft.
Sling Pins	\$130.00 ea.
Operational Training (8 hrs, 1 day) NOT including expenses	\$850.00



Documentation:

Manuals: (1) Operations, Maintenance, Parts List, Electrical Circuit Diagrams, Certificate of Origin and/or Certificate of Title, Line Drawings & Specifications, Pictures of Trailer

Warranty:

Brownell Hydraulic Boat Trailers LLC., warrants each new Brownell Hydraulic Boat Trailer to be free from defects in materials and workmanship for a period of five (5) years from date of manufacture.

Who is Covered:

This warranty is extended to the original purchaser only and does not extend to any other persons to whom the trailer may be transferred.

What is Not Covered:

Provisions of this Warranty shall not apply to any product which is found to have been modified or altered in any way; nor shall the warranty apply to any defect or malfunction which was caused by damage, unreasonable use, or failure to provide reasonable and necessary maintenance. The warranty will not cover damage caused by overloading the trailer beyond stated capacities, improper adjustment of the trailer to the boat or the use of weight distribution hitches in conjunction with hydraulic surge brakes. Due to the highly corrosive conditions a trailer is exposed to, rust formation is not covered. The warranty does not cover winches, lights, couplers, actuators, brakes, tongue jacks, springs and tires or wheels, as these items may be warranted separately by their manufacturer. Other Limitations: Races, bearings and seals are covered for 90 days from date of purchase. Any implied warranties, obligations, or liabilities, including but not limited to, any implied warranty of merchantability, shall be limited in duration to the two-year duration of this written limited warranty. The following are exclusions of Brownell Trailers warranty: Loss of time, inconvenience, towing charges, travel expenses, lodging, telephone, gas, loss or damages to personal property or loss of wages. Brownell Trailers, LLC., shall not be liable for any incidental or consequential damages for breach of this or any other warranty, express or implied. Some states do not allow the exclusion of limitation of incidental or consequential damages, so the above limitation or exclusion may not apply to you. This warranty gives you specific legal rights, and you may also have other rights which vary from state to state.

129 Alden Road, Fairhaven, MA 02719
(P) 508-996-3110 (F) 508-996-5108



The builder shall have the option to make design changes and improvements brought about by previous and ongoing tests. All changes will be submitted to purchaser for approval prior to implementation.

Terms:

Freight on Board	Fairhaven, Massachusetts
Production Schedule	TBD
Payments	20% Down, (4) equal payments
Trailer Price	\$62,432.00 USD
Quote valid till	April 26, 2013

*Please consult with your tax advisor.



22 August, 2013

From: Phil Benner, Haines Harbormaster

To: Mark Earnest, Borough Manager

Subject: Recommendation of Port and Harbor Advisory Committee (PHAC) on Boat Haul-Out Location, Trailer, and Boat Yard.

1. Over the past six months the PHAC has discussed and researched a proposed boat yard for the Haines Borough. We looked at several locations, trailers, boat lifts, and storage ideas.
2. PHAC concluded it would be best for the borough to start out small utilizing borough owned lands and locations, and then if the need grew, we could look at obtaining more land and upgraded equipment.
3. PHAC recommends utilizing the dock at Lutak and the Ice House parking area for boat haul-out and storage. These locations exist near borough boat launches. A portable containment system could be utilized for cleaning of vessels and repairs.
4. The purchase of a used hydraulic trailer of the size to pick up a 45-50 foot vessel, like exists in Skagway, would be needed. These exist at prices between \$50,000.00 to \$150,000.00.
5. The estimated start-up costs which would include administration, permitting and purchasing of needed equipment would be around \$200,000.00.
6. Any questions or comments please contact me.

Phil Benner
Haines Harbormaster



Harbor Area

Borough owned property



Harbor Parking Area

Borough Owned
Cuts into limited parking area already in season



Planned improvement area for new ramp

Area already on Portage Cove Master Plan for boat ramp and drive down float and crane facility

Filling area for improvements, could we fill more?



Breakwater and transient float area

Already a lot going on in the area, to much traffic?

Close to harbor and facilities.



Lutak Dock, Borough and State Property



Lutak Launch Ramp area looking north

Property belongs to borough Ramp exists but needs improvements



Lutak Ramp

Will barge landing be in the way?
Area to maneuver vessels?



Lutak ramp

Ramp washes up with silt and gravel
Grade will have to be changed



Lutak Ramp Lay up area

Area to put a environmental pad
Temporary lay up area
Power to facility, no borough water

HAINES HARBOR ‘YARD RULES’ BEST MANAGEMENT PRACTICES (BMP’s)

BMP’s are intended to be practical and affordable actions that can reduce pollution at the source, but they will only work with everyone’s participation. By effectively implementing source control measures now, marinas and marina tenants may be able to avoid more expensive and restrictive measures being placed on the boating public by regulatory agencies in the future. By adopting the following BMP’s as “Yard Rules” for customers working in the Haines Harbor, we show our commitment to preserving the surrounding environment.

Engines and Bilges

- Absolutely no oil, fuel, or anti-freeze is to be discharged into the water. Use absorbent pads to soak up oil and fuel in bilges.
- Never drain oil, antifreeze or other liquids into boat bilges. Use pumps to drain engine oil directly. Recycle all waste oil and antifreeze on shore per the Waste Disposal Policy for Haines Harbor.
- Dispose of oily rags, oil or filters at the waste collection site near the Harbormasters Office. Do not mix any other fluid with waste oil when pouring into recycling tanks. Waste oil contaminated with other materials cannot be readily recycled and disposal costs increase dramatically.
- Do not use detergents or soaps on fuel, oil or otherwise contaminated bilge or other water. The discharge of soapy/oiled water is a violation of state and federal law. Use absorbent pads.
- In Alaska, boats that are over 26’ in length are required to display an “Oil Discharge is Prohibited” placard near the bilge pump switch (placards are available at most marine supply stores).

Boat Fueling

- Report oil and fuel spills immediately to Alaska State DEC 1-800-478-9300 and the National Response Center 1-800-424-8802. If you cause a spill, stop it at the source and start to clean it up immediately. Do not pour liquid detergent onto the spill; this is illegal (fines can be more than \$30,000 for dispersing), makes recovery impossible and makes the spill worse under the surface.
- Always use absorbent pads when fueling. Do not “top-off” or overfill tanks. Be conservative with fuel tank capacity and don’t wait for fuel to spill out of the overflow vent to indicate full. Place a bucket or an absorbent pad at the fuel vent in case of accidental overflow. Remember warm weather and direct sunlight can cause expansion and a fuel vent spill even after fueling is completed.

Sewage and Gray Water

- Always utilize on-shore restrooms when possible.
- Minimize detergent usage and oily food waste in on-board sinks and showers. Scrape off table scraps and dispose of in the trash. Use on-shore facilities for disposal and never dump into the lake.

Vessel Cleaning

- If cleaners are used, avoid visible suds or discoloration of the water. Spot clean or use small amounts of phosphate-free and biodegradable soaps only when necessary. Otherwise, use alternatives such as baking soda or vinegar as all-purpose cleaners. Remember there is no legal discharge of any cleaner to our waters.

Surface Preparation and Refinishing

- Tarps and tents must be used to capture all dust, drips, and debris. Any discharge to harbor waters is a violation of state and federal law. Airborne particles may damage adjacent boats. The open water area between the hull and the dock must be tarped during rail or minor hull work.
- Avoid working from a float or small boat.
- Limit use of paint, thinners and varnish on board or on the dock to containers of one (1) gallon in size or smaller.
- All paint mixing must be done in a contained location. Open cans should be placed inside some type of secondary containment that will catch spills. A five gallon bucket or plastic tote works well for this purpose.
- Spray painting is not allowed while boats are in the water/during windy days.

Hazardous Wastes

- All hazardous waste must be disposed of properly. Dispose of the following at the harbor's waste collection site, located near the Harbormaster's Office:
 - Used oil, used oil filters, and oily rags
 - Used antifreeze
 - Paints, solvents or varnish
 - Batteries
- Store usable chemicals, coatings and fuels securely on-board to prevent accidental discharge. Do not store any hazardous or flammable materials on the dock, in lockers or elsewhere in the marina except where designated by shop employees.

Solid Waste Disposal

- Dispose of all garbage in the marina trash receptacles.
- Collect all pet waste in plastic bags and dispose of in the marina trash receptacles.
- Recycle as available: aluminum, cardboard, glass, plastic drink bottles and newspapers.
- Whenever possible select non-disposable containers for food and other items to minimize waste and chance of losing overboard.
- Store all garbage securely on board to prevent it blowing into the water.

Stormwater and runoff

- No dumping of any material into stormdrains.

I have read and understand the BMPs listed above, and will strive to employ them at all times while working at the Haines Harbor.

Signature: _____

Date: _____

Haines Storm Water Pollution Prevention Plan

As explained in the General Discharge Permit for Harbors:

1. The permittee (Harbor) shall implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) for the facility covered by this permit. The SWPPP shall be prepared in accordance with sound engineering practices and identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with eligible activities on the facility property.
2. The SWPPP shall prescribe practices to reduce and/or eliminate pollutants in storm water discharges associated with activities at the facility. The SWPPP must include a year-round contact.
3. The Discharge Permit also requires quarterly facility inspections by qualified harbor staff, to review the effectiveness of the SWPPP. The inspection must be documented and held in a log book on site. Attachment #1 to this template includes a sample log the marina may duplicate and use.
4. The General Discharge Permit for Harbors requires quarterly visual monitoring of storm water discharge, to determine the effectiveness of the control measures outlined in the SWPPP. Once each quarter, the permittee shall collect a storm water sample from each outfall and assess the sample visually. A “visual monitoring form” is included as part of the Discharge Permit and is *not* included as part of this template.

Acknowledged by: _____

Date: _____

Element #1 Developing a Site Plan

Completed by: Phil Benner

Title: Harbormaster

Date: 11 April, 2013

Instructions: Draw a map of your site including a footprint of all buildings, structures, paved areas, and parking lots.

The General Discharge Permit for Harbors requires that you identify the following features on your site map:

- All outfalls and storm water discharge points
- Name of receiving waters (or if through a Municipal Separate Storm Sewer System)
- Hazardous materials storage locations
- Main equipment locations
- Main building locations
- Direction of storm water flow (use arrows)
- Direction of permitted waste water discharges (e.g., pressure wash water)
- Locations of any of the following exposed to precipitation:
 - Fuel storage tanks and pumps
 - Sewage collection areas (e.g., pumpout, holding tank)

HARBOR INFORMATION

Marina name: Portage Cove Harbor

Address: 22 Beach St

Haines, AK 99827

Phone number: 907-766-2448

Email: pbenner@haines.ak.us

Element #2 POLLUTION PREVENTION TEAM MEMBER ROSTER

Completed by:

Title:

Date:

Year Round Contact/Team Leader:

Title:

Office phone:

Responsibilities:

Members:

1)

Title:

Office phone:

Responsibilities:

2)

Title:

Office phone:

Responsibilities:

3)

Title:

Office phone:

Responsibilities:

Borough Authorized Signature: _____

Printed Name: _____

Date: _____

Element #3 Employee Training

Completed by:

Title:

Date:

Instructions: Employees must be trained twice per calendar year on the following topics (as applicable to the facility). Training should be documented using this worksheet (**make copies of the original as needed for future use**). *Also inform independent contractors and customers about pollution prevention measures (e.g., through contracts or signs).*

Training Topic	Brief Description of Training Materials (i.e., film, fact sheet, discussion)	Dates of Training <i>(required twice per year)</i>	Staff Names or Initials
Used oil management			
Used solvent and paint management			
Disposal of used abrasives			
Disposal of vessel wastewater			
Spill prevention and control			
Fueling procedures			
General good housekeeping			
Painting and blasting procedures			
Used battery management			
Disposal of sacrificial anodes (i.e., zincs)			

Elements #4 Description of Potential Pollutant Sources

Completed by:

Title:

Date:

Instructions: Describe **activities** that may reasonably be expected to add significant amounts of pollutants to storm water discharges (e.g., pressure washing, fuel handling, bottom paint removal areas). Include activities that may also result in the discharge of pollutants during dry weather, to waters of the state (e.g. fuel dock operations).

1)

2)

3)

4)

5)

6)

7)

8)

9)

10)

Element #7 Best Management Practices, Measures and Controls

Completed by:

Title:

Date:

a. Good Housekeeping and Routine Yard Maintenance Schedule

The General Discharge Permit states: "Permittees must keep clean all exposed areas that are potential sources of pollutants, using such measures as sweeping at regular intervals. The Plan must include a schedule for routine yard maintenance and cleanup. Scrap metal, wood, plastic, miscellaneous trash...must be routinely removed from the general yard area."

Instructions: Describe your regular yard maintenance schedule and explain how you dispose of waste such as scrap metal, wood, and trash.

Example: We routinely do a spring clean up in April each year. All scrap metal is recycled and other debris is put in the dumpster or hauled to the dump, depending on size. Any recyclable materials (plastic) are recycled by our regular waste hauler.

b. Maintenance of Storm water Controls This is addressed in the table below. However please note the General Discharge Permit states that non-structural controls (e.g., spill response supplies, staff training) must also be maintained.

Instructions: Describe your maintenance of non-structural controls below.

Example: Each April staff inspects our spill response materials. We re-stock this kit as needed. Emergency phone numbers are checked each February and the response plans are updated if needed.

ELEMENT #7 Continued

c. Vessel Maintenance Activities—Best Management Practices

The General Discharge Permit states: [“Work areas must be secured each evening to prevent exposure of pollutants to storm water. The facility must contain maintenance activities to prevent abrasives, paint chips and overspray from reaching receiving waters or the storm sewer system.”]

Instructions: Describe the storm water management practices or devices that you have selected to control pollutants from the activities noted below.

Activity/Source	Brief Description of Storm Water Management Practice	Plan for Proper Maintenance of Storm Water Practice (e.g., clean sediment traps, change filters) <i>“Permittees must regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in releases (spills, leaks) of pollutants in storm water discharging to receiving waters.”</i>
<p>Bottom Washing Area</p> <p><i>Note: When not in use, prevent any storm water from entering the treatment system for boat bottom washing if you have one.</i></p>	<p><i>Example: sweep up wash down pad nightly when boats have been washed.</i></p>	

ELEMENT #7 CONTINUED

<p>Activity/Source</p>	<p>Description of Storm Water Management Practice (e.g., filter cloth, tenting, cover with tarps) <i>“Permittees must keep clean all exposed areas that are potential sources of pollutants, using such measures as sweeping at regular intervals.”</i></p>	<p>Plan for Proper Maintenance of Storm Water Practice (e.g., replace ground covers when dirty, change filters) <i>“Permittees must regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in releases (spills, leaks) of pollutants in storm water discharging to receiving waters.”</i></p>
<p>BOAT MAINTENANCE ACTIVITIES Items i-vi</p> <p>i. Surface Preparation (e.g. sanding, stripping or blasting) and ii. TBT</p> <p>The General Discharge Permit states:</p> <p>“Stripping, burning, or scraping must be conducted over a suitable ground cover.”</p> <p>“Paint containing TBT shall be removed only in protected areas. Coatings suspected to contain TBT are not to be burned off.”</p> <p>“Soda/Sand Blasting, Sanding or Grinding...[permanent structures or temporary protective measures (i.e. drop cloths and shrouds) shall be secured around the activity to capture airborne debris. A suitable ground cover must be placed under the activity to collect debris.]”</p>		

Activity/Source	Brief Description of Storm Water Management Practice (e.g., ground cover, tenting) <i>“Permittees must keep clean all exposed areas that are potential sources of pollutants, using such measures as sweeping at regular intervals.”</i>	Plan for Proper Maintenance of Storm Water Practice (e.g., maintain supply of filter cloth, replace between jobs)
<p>iii. Painting</p> <p>The General Discharge Permit states: “All paint mixing, solvent transfer, and equipment clean up must be contained and shall not enter storm drains or the environment. Painting bottoms, including touch ups, must be...controlled...and have no exposure to storm water.”</p> <p>[Spray painting shall only be performed in an enclosed building or spray booth with a floor covering such as concrete or tarps.] (paraphrased from Permit).</p>		
<p>iv. Waste Disposal</p> <p>The General Discharge Permit States: “Any solid waste generated from boat maintenance activities...shall be collected for disposal at an appropriate facility, in accordance with RCRA, MDE...regulations and any local environmental ordinances/authorities.” Containment of the solid waste shall be adequate to prevent any potential discharge from entering surface waters.”</p>	<p><i>Example: Dumpsters are provided for general household waste. Hazardous waste stored in labeled drum and emptied by licensed hauler monthly. Includes x, y, z...</i></p>	<p><i>Example: Dumpsters kept closed at all times and checked for leaks. Leaking dumpsters are replaced.</i></p>

ELEMENT #7 CONTINUED

<p>Activity/Source</p>	<p>Brief Description of Storm Water Management Practice (e.g., oil-sorb materials kept nearby) <i>“Permittees must keep clean all exposed areas that are potential sources of pollutants.”</i></p>	<p>Plan for Proper Maintenance of Storm Water Practice <i>“Permittees must regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in releases (spills, leaks) of pollutants in storm water discharging to receiving waters.”</i></p>
<p>v. Oil Transfer (recycling tanks, fueling areas) The General Discharge Permit states: “Any co-mingling of storm water with petroleum products is considered an industrial process wastewater...” And “Discharges that contain a visible oil sheen are prohibited.” And If bilge water is collected...to prevent the discharge from entering waters of the State, it must be treated prior to discharge into ground or surface waters...The Discharge shall be sampled at the discharge point and be reported...”</p>		
<p>vi. Sacrificial Anodes and Mechanical Repair The General Discharge Permit states: “All anodes shall be properly disposed or recycled. All metal removed while vessels is in water shall be taken ashore.”</p>		
<p>d. Material storage area The General Discharge Permit states: “Identify materials stored indoors. Ensure containment or enclosure for those stored outdoors. [All chemicals] and waste products including used batteries and lead and copper waste shall be stored under cover on an impervious surface. Cracked batteries must be stored in a covered [water tight] secondary containment.”</p>		
<p>Activity/Source</p>	<p>Brief Description of Storm Water Management Practice (e.g., oil-sorb materials kept nearby)</p>	<p>Plan for Proper Maintenance of Storm Water Practice</p>

<p>e. Material handling area (e.g., fueling, paint mixing) The General Discharge Permit states: “Describe measures that prevent or minimize contamination of storm water runoff from material handling areas.”</p>		
<p>f. Engine Maintenance and repair areas The General Discharge Permit states: “Ensure there is no contamination of precipitation or surface runoff from all areas used for engine maintenance and repair.”</p>		
<p>g. Dry Dock The General Discharge Permit states: “Routinely maintain and clean the dry dock to minimize pollutants in storm water runoff.”</p>		
<p>h. Marine Railway The General Discharge Permit states: “All solids and debris must be removed prior to being submerged to prevent materials from being washed into waters.”</p>		

ELEMENT #7 CONTINUED

i. Erosion and Sediment Controls

The General Discharge Permit requires you to stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants. Describe these measures in the table below. If this is not applicable, indicate "N/A."

Identify areas which have high potential for significant soil erosion	Describe measures in place (e.g., structural, vegetative) to reduce pollutants from storm water discharges.
<i>Example: Area on the left of the main driveway where the grade is steep.</i>	<i>We installed stones (3-6" diameter) and planted grasses to stabilize this area and prevent wash out.</i>
1.	
2.	
3.	
4.	
5.	

ELEMENT #7 CONTINUED

j. Spill Prevention and Response Procedures

Instructions: Identify containers *exposed to storm water* that are susceptible to spills or leaks (e.g., drums holding materials for recycling). Identify plans for effective response to such spills. (e.g., maintaining oil-sorbent materials nearby, having a spill response company identified if needed)

If you have a formal Spill Prevention Control and Countermeasure Plan (SPCC), you may reference it below.

In the event of a spill on the water, you must notify both the U.S. Coast Guard spill response center at 800-424-8802 and Alaska Department of the Environmental Conservation at 800-478-9300.

List containers exposed to storm water and their contents	Spill Response Plan

Refer to the table in Element #7 when completing your quarterly site inspections.

	1Q 2014	2Q 2014	3Q 2014	4Q 2014
Is site compliant with the Storm water Pollution Prevention Plan and the General Discharge Permit for Harbors in Alaska? Y/N	N/A			
Describe any deficiencies found.	N/A			
Describe any necessary follow up action.	N/A			

Quarterly Visual Inspection LOG Sheet

Refer to the table in Element #7 when completing your quarterly site inspections.

	1Q 2015	2Q 2015	3Q 2015	4Q 2015
Is site compliant with the Storm water Pollution Prevention Plan and the General Discharge Permit for Harbors in Alaska? Y/N				
Describe any deficiencies found.				
Describe any necessary follow up action.				

Quarterly Visual Inspection LOG Sheet

Refer to the table in Element #7 when completing your quarterly site inspections.

	1Q 2016	2Q 2016	3Q 2016	4Q 2016
Is site compliant with the Storm water Pollution Prevention Plan and the General Discharge Permit for Harbors in Alaska? Y/N				
Describe any deficiencies found.				
Describe any necessary follow up action.				

Quarterly Visual Inspection LOG Sheet

Refer to the table in Element #7 when completing your quarterly site inspections.

	1Q 2017	2Q 2017	3Q 2017	4Q 2017
Is site compliant with the Storm water Pollution Prevention Plan and the General Discharge Permit for Harbors in Alaska?				
Describe any deficiencies found.				
Describe any necessary follow up action.				

Quarterly Visual Inspection LOG Sheet

Refer to the table in Element #7 when completing your quarterly site inspections.

	1Q 2018	2Q 2018	3Q 2018	4Q 2018
Is site compliant with the Storm water Pollution Prevention Plan and the General Discharge Permit for Harbors in Alaska? Y/N				
Describe any deficiencies found.				
Describe any necessary follow up action.				

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE TITLE 2 SECTION 2.62.030 TO ALLOW AN ASSEMBLY APPROVED EXCEPTION TO THE CONTRACTING OR SALE LIMIT TO A BOROUGH OFFICER OR EMPLOYEE.

NOW, THEREFORE, BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and if adopted with or without amendment shall become a part of the Haines Borough Code.

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

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

Section 4. Amendment of Section 2.62.030. Section 2.62.030 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE
STRIKETHROUGH ITEMS ARE DELETIONS

2.62.030 Participation in contracting prohibited.

A. No borough officer or employee who has a substantial interest, direct or indirect, in any contract with, or to be made with, the borough or the sale of any land, material, supplies or services to the borough or to a contractor supplying the borough may participate in that person's capacity as a borough officer or employee in the making or performance of such contract or the making of such sale.

B. The following shall not constitute a substantial interest prohibited by this section:

...

4. A contract or sale in which a borough officer or employee has an interest if the total consideration payable thereunder, when added to the aggregate amount of all consideration payable under contracts in which such person had an interest during the fiscal year, does not exceed the sum of \$500.00. **If the borough manager determines a higher sum would be in the best interest of the borough, the assembly may approve the exception by motion.**

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

ATTEST:

Stephanie Scott, Mayor

Michelle Webb, Interim Borough Clerk

Date Introduced: 01/14/14 – Introduced and Sent to G.A.S. Committee
Date of First Public Hearing: ___/___/___
Date of Second Public Hearing: ___/___/___

17 February 2014

From: Phil Benner, Haines Harbormaster

To: Julie Cozzi, Interim Borough Manager

Subject: Port and Harbor Advisory Committee (PHAC) Recommendation of Concept 14 for South Portage Cove Harbor to the Haines Borough Assembly

Attachments: (1) Concept 14 Layout and Budget estimates
(2) Concept 3A Layout and Budget estimates

1. The PHAC recommends Concept 14 for approval.
2. They believe it has more opportunity in the future for space utilization and expansion if the need and monies arise and easier access to vessels by owners.
3. PHAC recommends moving forward with 35% and up to 100% completion engineering/drawings.
4. Any questions please contact me. Thank you.

CC:

Facility Director

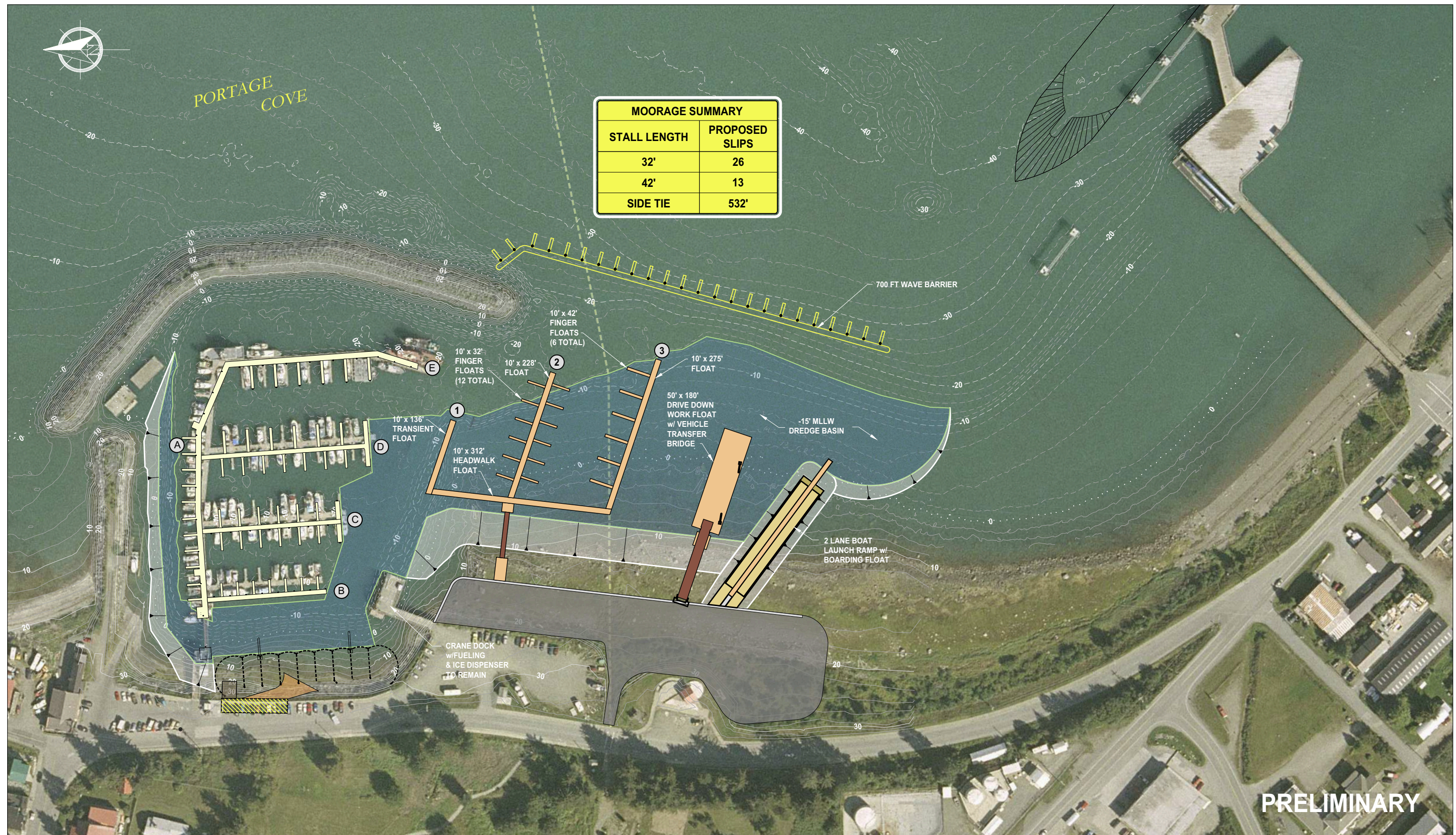
Borough Clerk's Office

Finance Officer



PORTAGE
COVE

MOORAGE SUMMARY	
STALL LENGTH	PROPOSED SLIPS
32'	26
42'	13
SIDE TIE	532'



PRELIMINARY

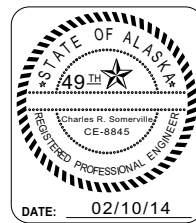
REVISIONS

REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.



9360 Glacier Highway Ste 100
Juneau, Alaska 99801
Phone: 907-586-2093
Fax: 907-586-2099
www.pnd-anc.com

DESIGN: CRS CHECKED: CRS SCALE: SCALE IN FEET
DRAWN: PJD APPROVED: CRS 0 80 160 FT.



HAINES BOROUGH
SOUTH PORTAGE COVE
HARBOR EXPANSION

SHEET TITLE: SITE PLAN
CONCEPT 14
PND PROJECT NO.: 102029.01 DWG. FILE:

5
SHEET
5 OF 5



**SOUTH PORTAGE COVE HARBOR EXPANSION
PARTIALLY PENETRATING WAVE BARRIER - 700 FEET: CONCEPT 14
INCLUDING ENTRANCE & BASIN DREDGING**

ENGINEER'S COST ESTIMATE

February 11, 2014

Item Description	Units	Quantity	Unit Cost	Item Cost
Furnish Fabricated Barrier Piles	LB	1,925,000	\$1.20	\$2,310,000
Install Barrier Piles	EA	134	\$2,000	\$268,000
Furnish Steel Barrier Cap	LB	180,000	\$2.25	\$405,000
Install Steel Barrier Cap	LF	700	\$200	\$140,000
Furnish Bearing Piles	LB	1,270,000	\$1.10	\$1,397,000
Install Bearing Piles	EA	48	\$10,000	\$480,000
Rock Anchor Contingency	EA	48	\$30,000	\$1,440,000
Furnish Bearing Box Caps	LB	202,000	\$3.00	\$606,000
Install on Bearing Piles	EA	25	\$6,000	\$150,000
Connection to Barrier Cap	EA	25	\$2,000	\$50,000
Navigational Aid	LS	2	\$10,000	\$20,000
Misc. Amenities	LS	1	\$195,000	\$195,000
Entrance and Basin Dredging	CY	141,350	\$30	\$4,240,500
Mobilization/Demobilization (10%)	LS	All Req'd	\$1,170,150	\$1,170,150
			Construction Subtotal	\$12,871,650
			Construction Contingency & Compensatory Mitigation (20%)	\$2,574,330
			Tier II Chemical Screening - Environmental Dredge Testing & Geotechnical Investigation (3%)	\$386,150
			Environmental Permitting and Design (10%)	\$1,287,165
			Construction Administration and Inspection (10%)	\$1,287,165
			1-year Price Escalation (3%)	\$552,194
			ESTIMATED TOTAL COST	\$18,958,653

Assumptions:

1. All Material Costs FOB Seattle - Freight Included in Mobilization/Demobilization
2. Galvanizing/Spray Metalizing Included in Unit Steel Prices Where Applicable
3. Cost Estimate Does Not Include Relocating Sewer Outfall or Other Harbor Improvements
4. Costs Based on New Bathymetric Survey Data
5. Dredging & Disposal Costs Include Inner Harbor Scope and 1' Overdredge Allowance & Assumes Favorable Chemical Screening Results - No Contamination



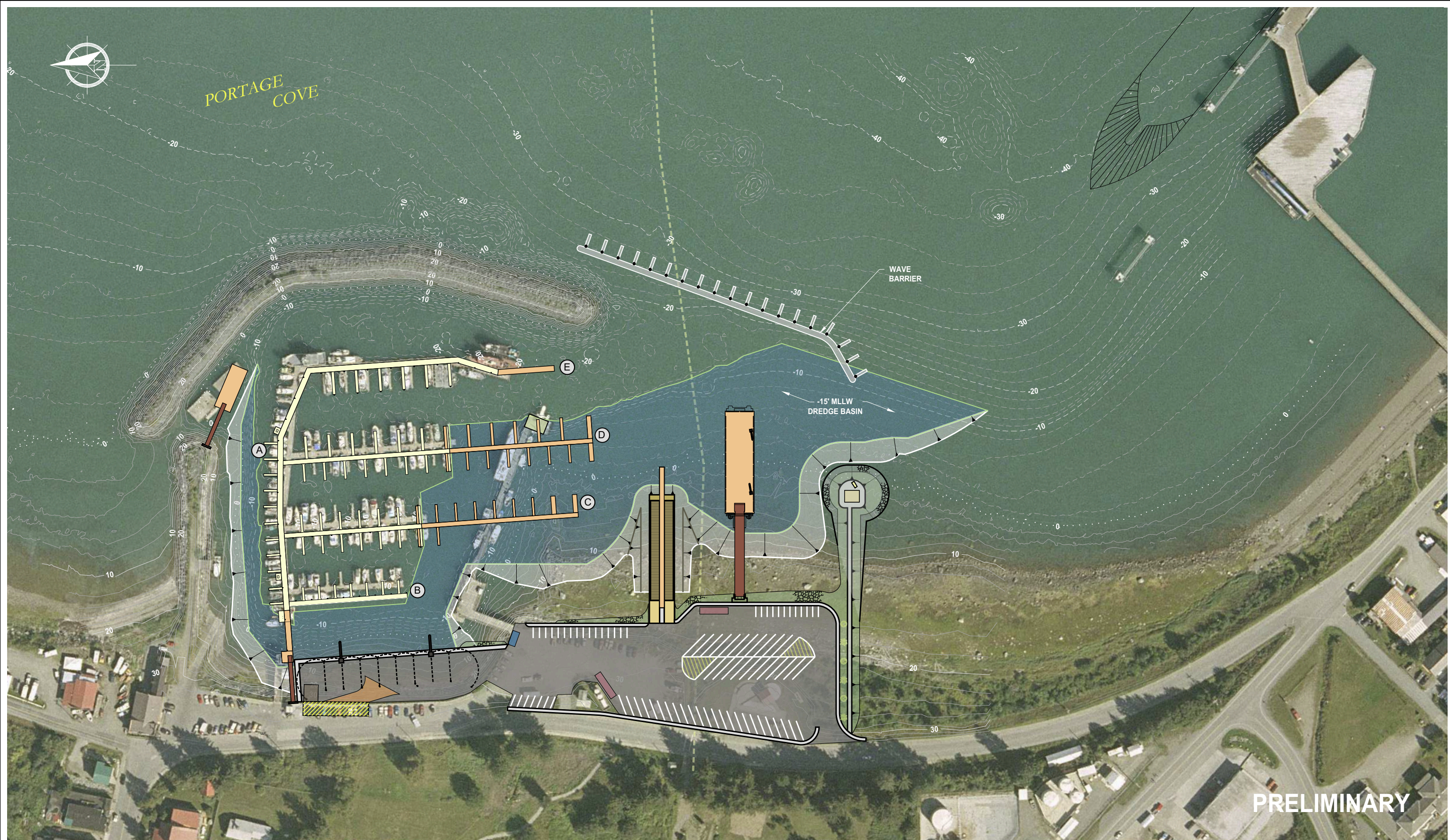
**HAINES BOROUGH
SOUTH PORTAGE COVE HARBOR
MOORAGE FLOATS & GRAVEL PARKING AREA
CONCEPT NO. 14**



**BUDGET LEVEL ESTIMATE
February 11, 2014**

Item	Item Description	Units	Quantity	Unit Cost	Amount
1505.1	Mobilization	LS	All Reqd	8%	\$360,160
2201.1	Clearing	AC	1	\$10,000	\$10,000
2202.1	Excavation & Waste	CY	5,000	\$12	\$60,000
2202.2	Place Dredge Material in Base of Parking Pad	CY	20,000	\$8	\$160,000
2202.3	Shot Rock Borrow	CY	25,000	\$25	\$625,000
2204.1	Base Course, Grading C-1	CY	2,000	\$50	\$100,000
2205.1	Armor Rock	CY	4,000	\$50	\$200,000
2501.1	Storm Drain System	LS	All Reqd	\$75,000	\$75,000
2601.2	Domestic Water System on Floats	LS	All Reqd	\$170,000	\$170,000
2611.1	Fire Suppression Standpipe System	LS	All Reqd	\$90,000	\$90,000
2702.1	Construction Surveying	LS	All Reqd	\$50,000	\$50,000
2714.1	Geotextile Fabric	SY	12,000	\$5	\$60,000
2726.1	Approach Dock, 20' x 40'	SF	800	\$200	\$160,000
2894.1	7' x 80' Covered Aluminum Gangway	EA	1	\$120,000	\$120,000
2895.1	Headwalk Float, 10' x 312'	SF	3,120	\$100	\$312,000
2895.2	Main Float 1, 10' x 136'	SF	1,360	\$100	\$136,000
2895.3	Main Float 2, 10' x 228'	SF	2,280	\$100	\$228,000
2895.4	Main Float 3, 10' x 275'	SF	2,750	\$100	\$275,000
2895.5	Finger Float 4' x 32'	EA	19	\$16,000	\$304,000
2895.6	Finger Float 6' x 42'	EA	12	\$25,000	\$300,000
2895.7	8' x 12' Electrical Substation Float	EA	2	\$9,000	\$18,000
2895.8	16' x 20' Gangway Landing Float	EA	1	\$42,000	\$42,000
2896.1	Steel Pipe Pile, 16" dia. x 0.500" thick	EA	37	\$9,000	\$333,000
2897.1	Supply & Install Flotation Billet	EA	40	\$600	\$24,000
2899.1	Life Ring Cabinet and Base	EA	8	\$1,000	\$8,000
2899.2	Fire Extinguisher Cabinet and Base	EA	8	\$1,000	\$8,000
2899.3	Hose Mount and Base	EA	8	\$500	\$4,000
3305.1	Approach Dock Abutment	EA	1	\$30,000	\$30,000
5120.1	Electrical Support Assemblies	LS	All Reqd	\$25,000	\$25,000
16000.1	Power Service & Utility Transformer	LS	All Reqd	\$60,000	\$60,000
16000.2	Power & Lighting on Floats	LS	All Reqd	\$500,000	\$500,000
16000.3	Spare Electrical Equipment	LS	All Reqd	\$15,000	\$15,000
ESTIMATED CONSTRUCTION BID PRICE					\$4,862,160
CONTINGENCY (15%)					\$729,324
ENVIRONMENTAL PERMITTING & COMPENSATORY MITIGATION					\$100,000
FINAL ENGINEERING DESIGN & BID READY CONTRACT DOCUMENTS (8%)					\$388,973
CONTRACT ADMIN & CONSTRUCTION INSPECTION (8%)					\$388,973
TOTAL RECOMMENDED PROJECT BUDGET					\$6,469,430

NOTE: This budget has been prepared prior to final engineering design. It should be regarded as a preliminary budget subject to change as the final scope of improvements is determined by the Borough and the site conditions are thoroughly investigated. Costs for the parking area assume a gravel surface. Paving, sidewalks, curbs, landscaping, restrooms and lighting improvements are not included in this estimate.



REVISIONS

REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.



9360 Glacier Highway Ste 100
 Juneau, Alaska 99801
 Phone: 907-586-2093
 Fax: 907-586-2099
 www.pnd-anc.com

DESIGN: CRS CHECKED: CRS
 DRAWN: PJD APPROVED: CRS

SCALE: SCALE IN FEET
 0 80 160 FT.



DATE: NOV. 2013

**HAINES BOROUGH
 SOUTH PORTAGE COVE
 HARBOR EXPANSION**

SHEET TITLE: **SITE PLAN
 CONCEPT 3A - WAVE BARRIER**

PND PROJECT NO.: 102029.04 DWG. FILE:

2
 SHEET
 2 OF 6



SOUTH PORTAGE COVE HARBOR EXPANSION

**PARTIALLY PENETRATING WAVE BARRIER - 550 FEET: CONCEPT 3A
INCLUDING ENTRANCE & BASIN DREDGING**

ENGINEER'S COST ESTIMATE

February 11, 2014

Item Description	Units	Quantity	Unit Cost	Item Cost
Furnish Fabricated Barrier Piles	LB	1,500,000	\$1.20	\$1,800,000
Install Barrier Piles	EA	105	\$2,000	\$210,000
Furnish Steel Barrier Cap	LB	140,800	\$2.25	\$316,800
Install Steel Barrier Cap	LF	550	\$200	\$110,000
Furnish Bearing Piles	LB	1,000,000	\$1.10	\$1,100,000
Install Bearing Piles	EA	38	\$10,000	\$380,000
Rock Anchor Contingency	EA	38	\$30,000	\$1,140,000
Furnish Bearing Box Caps	LB	158,445	\$3.00	\$475,335
Install on Bearing Piles	EA	19	\$6,000	\$114,000
Connection to Barrier Cap	EA	19	\$2,000	\$38,000
Navigational Aid	LS	2	\$10,000	\$20,000
Misc. Amenities	LS	1	\$150,000	\$150,000
Entrance and Basin Dredging	CY	131,000	\$30	\$3,930,000
Mobilization/Demobilization (10%)	LS	All Req'd	\$978,414	\$978,414
Construction Subtotal				\$10,762,549
Construction Contingency (20%)				\$2,152,510
Tier II Chemical Screening - Environmental Dredge Testing & Geotechnical Investigation (3%)				\$322,876
Environmental Permitting and Design (10%)				\$1,076,255
Construction Administration and Inspection (10%)				\$1,076,255
1-year Price Escalation (3%)				\$461,713
ESTIMATED TOTAL COST				\$15,852,158

Assumptions:

1. All Material Costs FOB Seattle - Freight Included in Mobilization/Demobilization
2. Galvanizing/Spray Metalizing Included in Unit Steel Prices Where Applicable
3. Cost Estimate Does Not Include Relocating Sewer Outfall or Other Harbor Improvements
4. Costs Based on New Bathymetric Survey Data
5. Dredging & Disposal Costs Include Inner Harbor Scope and 1' Overdredge Allowance & Assumes Favorable



**HAINES BOROUGH
SOUTH PORTAGE COVE HARBOR
MOORAGE FLOATS & GRAVEL PARKING AREA
CONCEPT NO. 3A**

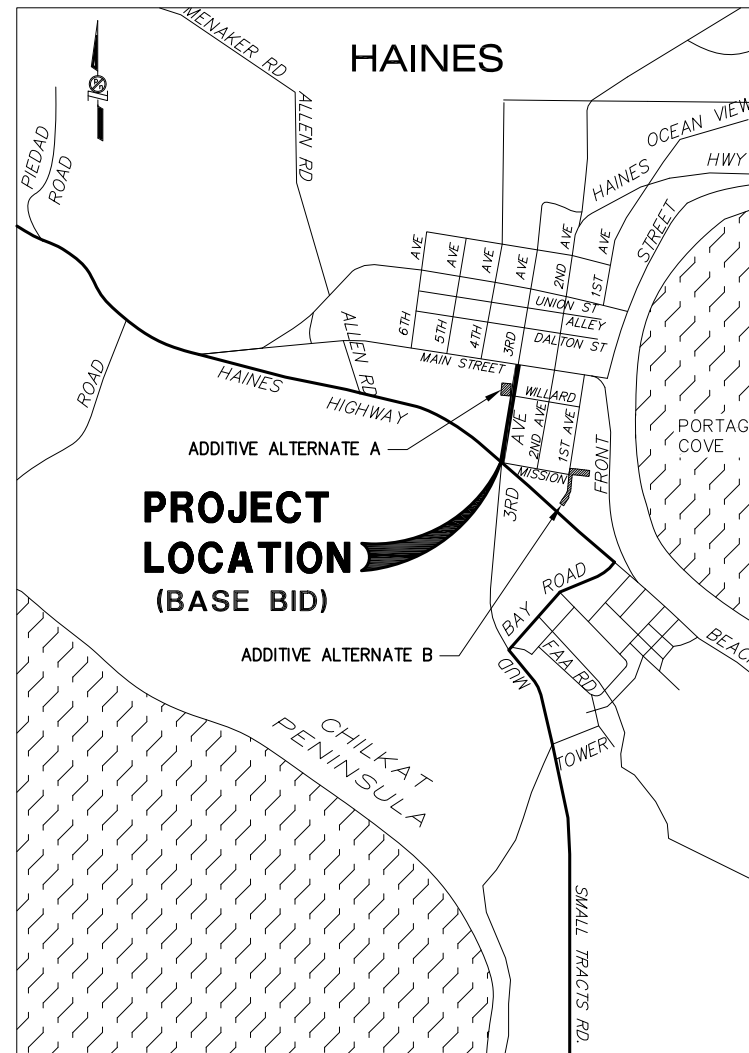
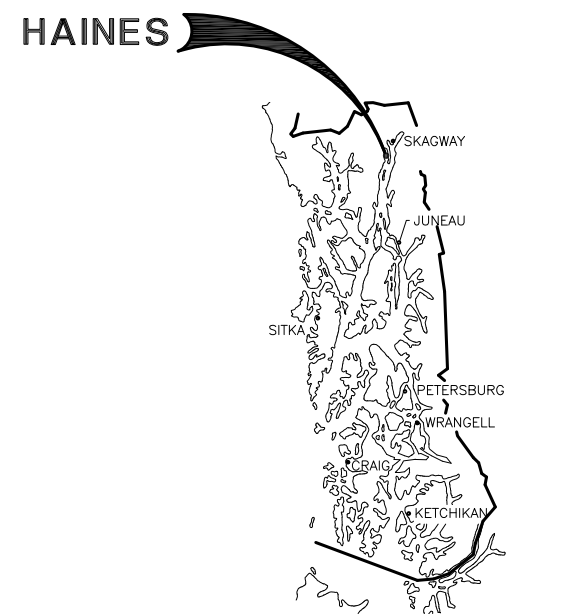


**BUDGET LEVEL ESTIMATE
February 11, 2014**

Item	Item Description	Units	Quantity	Unit Cost	Amount
1505.1	Mobilization	LS	All Req'd	8%	\$313,251
2060.1	Demolition & Disposal	LS	All Req'd	\$100,000	\$100,000
2201.1	Clearing	AC	1	\$10,000	\$10,000
2202.1	Excavation & Waste	CY	5,000	\$12	\$60,000
2202.2	Place Dredge Material in Base of Parking Pad	CY	20,000	\$8	\$160,000
2202.3	Shot Rock Borrow	CY	25,000	\$25	\$625,000
2204.1	Base Course, Grading C-1	CY	2,000	\$50	\$100,000
2205.1	Armor Rock	CY	4,000	\$50	\$200,000
2501.1	Storm Drain System	LS	All Req'd	\$75,000	\$75,000
2601.2	Domestic Water System on Floats	LS	All Req'd	\$170,000	\$170,000
2611.1	Fire Suppression Standpipe System	LS	All Req'd	\$90,000	\$90,000
2702.1	Construction Surveying	LS	All Req'd	\$50,000	\$50,000
2714.1	Geotextile Fabric	SY	12,000	\$5	\$60,000
2726.1	Approach Dock, 20' x 40'	SF	400	\$200	\$80,000
2894.1	7' x 80' Covered Aluminum Gangway	EA	1	\$120,000	\$120,000
2895.1	Headwalk Float, 10' x 72'	SF	720	\$125	\$90,000
2895.2	Main Float C, 8' x 276'	SF	2,208	\$110	\$242,880
2895.3	Main Float D, 8' x 252'	SF	2,016	\$110	\$221,760
2895.4	Main Float E, 10' x 100'	SF	1,000	\$110	\$110,000
2895.5	Finger Float 4' x 32'	EA	19	\$16,000	\$304,000
2895.6	Finger Float 6' x 42'	EA	7	\$25,000	\$175,000
2895.7	8' x 12' Electrical Substation Float	EA	2	\$9,000	\$18,000
2895.8	16' x 20' Gangway Landing Float	EA	1	\$42,000	\$42,000
2896.1	Steel Pipe Pile, 16" dia. x 0.500" thick	EA	32	\$9,000	\$288,000
2897.1	Supply & Install Flotation Billet	EA	40	\$600	\$24,000
2899.1	Life Ring Cabinet and Base	EA	8	\$1,000	\$8,000
2899.2	Fire Extinguisher Cabinet and Base	EA	8	\$1,000	\$8,000
2899.3	Hose Mount and Base	EA	8	\$500	\$4,000
3305.1	Approach Dock Abutment	EA	1	\$30,000	\$30,000
5120.1	Electrical Support Assemblies	LS	All Req'd	\$25,000	\$25,000
16000.1	Power Service & Utility Transformer	LS	All Req'd	\$60,000	\$60,000
16000.2	Power & Lighting on Floats	LS	All Req'd	\$450,000	\$450,000
16000.3	Spare Electrical Equipment	LS	All Req'd	\$15,000	\$15,000
ESTIMATED CONSTRUCTION BID PRICE					\$4,328,891
CONTINGENCY (15%)					\$649,334
ENVIRONMENTAL PERMITTING & COMPENSATORY MITIGATION					\$100,000
FINAL ENGINEERING DESIGN & BID READY CONTRACT DOCUMENTS (8%)					\$346,311
CONTRACT ADMIN & CONSTRUCTION INSPECTION (8%)					\$346,311
TOTAL RECOMMENDED PROJECT BUDGET					\$5,770,847

NOTE: This budget has been prepared prior to final engineering design. It should be regarded as a preliminary budget subject to change as the final scope of improvements is determined by the Borough and the site conditions are thoroughly investigated. Costs for the parking area assume a gravel surface. Paving, sidewalks, curbs, landscaping, restrooms and lighting improvements are not included in this estimate.

HAINES BOROUGH, ALASKA STREET IMPROVEMENTS - 3RD AVENUE 2014



DRAWING INDEX		
SHEET NO.	SHEET	TITLE
1 OF 23	A1	COVER, VICINITY MAP AND DRAWING INDEX
2 OF 23	B1	ESTIMATE OF QUANTITIES
3 OF 23	C1	GENERAL NOTES, LEGEND, ABBREVIATIONS, SURVEY CONTROL
4 OF 23	D1	3RD AVENUE, MAIN STREET TO STA. 6+25 DEMOLITION PLAN
5 OF 23	D2	3RD AVENUE, STA. 6+25 TO HAINES HIGHWAY DEMOLITION PLAN
6 OF 23	E1	3RD AVENUE, MAIN STREET TO STA. 4+00
7 OF 23	E2	3RD AVENUE, STA. 4+00 TO STA. 7+00
8 OF 23	E3	3RD AVENUE, STA. 7+00 TO STA. 10+00
9 OF 23	E4	3RD AVENUE, STA. 10+00 TO HAINES HIGHWAY
10 OF 23	F1	SUMMARY TABLES
11 OF 23	F2	SUMMARY TABLES
12 OF 23	F3	ROAD ALIGNMENT AND LAYOUT TABLES
13 OF 23	G1	TYPICAL SECTIONS
14 OF 23	G2	TYPICAL SECTIONS
15 OF 23	H1	MISCELLANEOUS DETAILS
16 OF 23	H2	MISCELLANEOUS DETAILS
17 OF 23	H3	MISCELLANEOUS DETAILS
18 OF 23	H4	MISCELLANEOUS DETAILS
ADDITIVE ALTERNATE A		
19 OF 23	J1	HAINES BOROUGH PARKING LOT PLAN (ADDITIVE ALTERNATE A)
20 OF 23	J2	HAINES BOROUGH PARKING LOT TYPICAL SECTION
ADDITIVE ALTERNATE B		
21 OF 23	K1	SENIOR CENTER PARKING LOT PLAN (ADDITIVE ALTERNATE B)
22 OF 23	K2	1ST AVE EXTENSION PLAN AND PROFILE (ADDITIVE ALTERNATE B)
23 OF 23	K3	TYPICAL SECTIONS (ADDITIVE ALTERNATE B)

MAJOR ITEMS OF WORK INCLUDE

- 3RD AVENUE MAIN STREET TO HAINES HIGHWAY (BASE BID)
- HAINES BOROUGH ADMINISTRATION PARKING LOT (ADDITIVE ALTERNATE A)
- HAINES SENIOR CENTER (ADDITIVE ALTERNATE B) AND 1ST AVENUE EXTENSION

PROJECT SCHEDULE		
ITEM NO.	ITEM	DATE
	SUBSTANTIAL COMPLETION	AUGUST 15, 2014
	FINAL COMPLETION	AUGUST 31, 2014

HAINES BOROUGH	
MAYOR	STEPHANIE SCOTT
INTERIM BOROUGH MANAGER	JULIE COZZI
PUBLIC WORKS DIRECTOR	CARLOS JIMENEZ

95% REVIEW SUBMITTAL

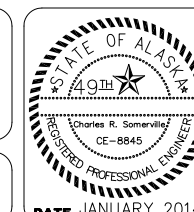


REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.

PND ENGINEERS, INC.

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Juneau, Alaska 99801
Phone: 907-586-2093
Fax: 907-586-2099
www.pndengineers.com

DESIGN: _____ CHECKED: _____ SCALE: _____
DRAWN: _____ APPROVED: _____



HAINES BOROUGH STREET IMPROVEMENTS 3RD AVENUE

SHEET TITLE: **COVER, VICINITY MAP AND DRAWING INDEX**

PND PROJECT NO. 072071.04 DWG. FILE: A1.DWG

A1
SHEET 1 OF 23

**BASE BID ESTIMATE OF QUANTITIES
3RD AVENUE**

ITEM NO.	ITEM	UNIT	QUANTITY
201 (3B)	CLEARING AND GRUBBING	LUMP SUM	ALL REQUIRED
201 (6)	SELECT TREE REMOVAL	EACH	5
202 (1)	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	LUMP SUM	ALL REQUIRED
202 (2)	REMOVAL OF PAVEMENT	SQUARE YARD	7,800
202 (3)	REMOVAL OF SIDEWALK	SQUARE YARD	540
202 (4)	REMOVAL OF CULVERT PIPE	LUMP SUM	ALL REQUIRED
202 (9)	REMOVAL OF CURB & GUTTER	LINEAR FOOT	740
203 (3)	UNCLASSIFIED EXCAVATION	CUBIC YARD	7,800
301 (1)	AGGREGATE BASE COURSE, GRADING D-1	TON	4,500
303 (3)	DITCH RECONDITIONING	LINEAR FOOT	300
304 (1)	SUBBASE, SHOTROCK	CUBIC YARD	6,100
401 (1)	ASPHALT CONCRETE, TYPE II, CLASS B	TON	1,500
401 (2)	ASPHALT CEMENT, GRADE PG 58-28	TON	90
603 (1-18)	18-INCH CSP	LINEAR FOOT	1,200
603 (1-24)	24-INCH CSP	LINEAR FOOT	1000
604 (4)	ADJUST EXISTING MANHOLE	EACH	5
604 (8)	STORM SEWER CATCH BASIN, TYPE IV W/ FRAME & GRATE	EACH	15
604 (9)	STORM SEWER CATCH BASIN, TYPE IV W/ AREA DRAIN	EACH	1
604 (10)	STORM SEWER CATCH BASIN, TYPE V W/ FRAME & GRATE	EACH	7
608 (1B)	SIDEWALK (4" THICK CONCRETE)	SQUARE YARD	1,300
609 (2-R)	CURB AND GUTTER, TYPE ROLLED	LINEAR FOOT	1,400
609 (2-S)	CURB AND GUTTER, TYPE STANDARD	LINEAR FOOT	1,000
615 (7)	SIGN REMOVAL AND RELOCATION	LUMP SUM	ALL REQUIRED
618 (4)	SEEDING	LUMP SUM	ALL REQUIRED
626 (2)	SEWER SERVICE CONNECTION	EACH	1
627 (8)	WATER SERVICE CONNECTION	EACH	3
627 (10)	ADJUSTMENT OF VALVE BOX	EACH	4
633 (1)	SILT FENCE	LINEAR FOOT	1,500
640 (1)	MOBILIZATION AND DEMOBILIZATION	LUMP SUM	ALL REQUIRED
641 (1)	EROSION AND POLLUTION CONTROL ADMINISTRATION	LUMP SUM	ALL REQUIRED
641 (2)	TEMPORARY EROSION AND POLLUTION CONTROL	LUMP SUM	ALL REQUIRED
641 (3)	TEMPORARY EROSION AND POLLUTION CONTROL AMENDMENTS	CONTG SUM	ALL REQUIRED
642 (1)	CONSTRUCTION SURVEYING	LUMP SUM	ALL REQUIRED
643 (2)	TRAFFIC MAINTENANCE	LUMP SUM	ALL REQUIRED

**ADDITIVE ALTERNATE A ESTIMATE OF QUANTITIES
HAINES BOROUGH ADMINISTRATION BUILDING PARKING LOT**

ITEM NO.	ITEM	UNIT	QUANTITY
201 (3B)	CLEARING AND GRUBBING	LUMP SUM	ALL REQUIRED
203 (3)	UNCLASSIFIED EXCAVATION	CUBIC YARD	670
301 (1)	AGGREGATE BASE COURSE, GRADING D-1	TON	400
303 (3)	DITCH RECONDITIONING	LINEAR FOOT	300
304 (1)	SUBBASE, SHOTROCK	CUBIC YARD	450
401 (1)	ASPHALT CONCRETE, TYPE II, CLASS B	TON	165
401 (2)	ASPHALT CEMENT, GRADE PG 58-28	TON	10
603 (1-18)	18-INCH CSP	LINEAR FOOT	85
604 (8)	STORM SEWER CATCH BASIN, TYPE IV WITH FRAME & GRATE	EACH	1
608 (1B)	SIDEWALK (4" THICK CONCRETE)	SQUARE YARD	60
609 (2-R)	CURB AND GUTTER, TYPE ROLLED	LINEAR FOOT	180
609 (2-S)	CURB AND GUTTER, TYPE STANDARD	LINEAR FOOT	110
609 (8-W)	CURB WALL	LINEAR FOOT	85
615 (7)	SIGN REMOVAL AND RELOCATION	LUMP SUM	ALL REQUIRED
618 (4)	SEEDING	LUMP SUM	ALL REQUIRED
633 (1)	SILT FENCE	LINEAR FOOT	200
640 (1)	MOBILIZATION AND DEMOBILIZATION	LUMP SUM	ALL REQUIRED
641 (1)	EROSION AND POLLUTION CONTROL ADMINISTRATION	LUMP SUM	ALL REQUIRED
641 (2)	TEMPORARY EROSION AND POLLUTION CONTROL	LUMP SUM	ALL REQUIRED
641 (3)	TEMPORARY EROSION AND POLLUTION CONTROL AMENDMENTS	CONTG SUM	ALL REQUIRED
642 (1)	CONSTRUCTION SURVEYING	LUMP SUM	ALL REQUIRED
643 (2)	TRAFFIC MAINTENANCE	LUMP SUM	ALL REQUIRED

**ADDITIVE ALTERNATE B ESTIMATE OF QUANTITIES
SENIOR CENTER AND 1ST AVE EXTENSION**

ITEM NO.	ITEM	UNIT	QUANTITY
201 (3B)	CLEARING AND GRUBBING	LS	ALL REQUIRED
202 (2)	REMOVAL OF PAVEMENT	SY	600
202 (3)	REMOVAL OF SIDEWALK	SY	6
202 (9)	REMOVAL OF CURB AND GUTTER	LF	10
203 (3)	UNCLASSIFIED EXCAVATION	CY	1300
301 (1)	AGGREGATE BASE COURSE, GRADING D-1	TON	630
304 (1)	SUBBASE SHOTROCK	CY	870
401 (1)	ASPHALT CONCRETE, TYPE II, CLASS B	TON	305
401 (2)	ASPHALT CEMENT, GRADE PG 58-28	TON	18
603 (1-18)	18" CSP	LF	370
604 (8)	STORM SEWER CATCH BASIN, TYPE IV WITH FRAME AND GRATE	EA	4
608 (1B)	SIDEWALK (6" THICK CONCRETE)	SY	130
609 (2-R)	CURB AND GUTTER, TYPE ROLLED	LF	380
609 (2-S)	CURB AND GUTTER, TYPE STANDARD	LF	580
609 (8-W)	CURB WALL	LF	40
615 (7)	SIGN REMOVAL AND RELOCATION	LS	ALL REQUIRED
618 (4)	SEEDING	LS	ALL REQUIRED
627 (10)	ADJUSTMENT OF VALVE BOX	EA	1
633 (1)	SILT FENCE	LF	500
640 (1)	MOBILIZATION	LS	ALL REQUIRED
641 (1)	EROSION AND POLLUTION CONTROL ADMINISTRATION	LS	ALL REQUIRED
641 (2)	TEMPORARY EROSION AND POLLUTION CONTROL	LS	ALL REQUIRED
641 (3)	TEMPORARY EROSION AND POLLUTION CONTROL AMENDMENTS	CS	ALL REQUIRED
642 (1)	CONSTRUCTION SURVEYING	LS	ALL REQUIRED
643 (2)	TRAFFIC MAINTENANCE	LS	ALL REQUIRED

BASIS OF ESTIMATE

ITEM	PAY ITEM	ESTIMATING FACTOR
301(1)	AGGREGATE BASE COURSE, GRADING D-1	2.2 TON/CY
401(1)	ASPHALT CONCRETE, TYPE II, CLASS B	125 LB/SY/IN
401(2)	ASPHALT CEMENT, GRADE PG 58-28	6.0% OF ITEM 401 (1)

95% REVIEW SUBMITTAL



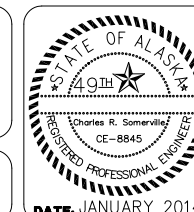
REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.



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www.pndengineers.com

DESIGN: SCS CHECKED: NAM
DRAWN: SCS APPROVED: CRS

SCALE:



DATE: JANUARY 2014

**HAINES BOROUGH
STREET IMPROVEMENTS
3RD AVENUE**

SHEET TITLE:

**ESTIMATE OF
QUANTITIES**

PND PROJECT NO. 072071.04 DWG. FILE: B1.DWG

B1

SHEET
2 OF 23

GENERAL NOTES

- SEE BASE BID AND ADDITIVE ALTERNATES.
- INFORMATION CONTAINED IN THESE DOCUMENTS HAS BEEN COMPILED FROM EXISTING INFORMATION PROVIDED BY THE HAINES BOROUGH. FIELD VERIFY ALL EXISTING SITE CONDITIONS AND DIMENSIONS.
- SUMMARY TABLES ARE FOR BIDDING INFORMATION ONLY. ALL MANHOLES, VALVE BOXES, ETC. SHALL BE FIELD LOCATED AND ADJUSTED PRIOR TO PAVEMENT.
- MATCH EXISTING FINISH GRADES AT BEGINNING AND END OF PROJECTS AND WHERE REQUIRED TO MATCH EXISTING ROADS, CONCRETE CURB, GUTTERS OR SIDEWALKS.
- ALL REMOVED MATERIALS THAT ARE NOT SUITABLE FOR REUSE ON THE PROJECT SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND PROPERLY DISPOSED OF AT AN APPROVED SITE.
- THE LOCATIONS OF EXISTING FEATURES AND UTILITIES SHOWN ON THE DRAWINGS ARE APPROXIMATE. ADDITIONAL UTILITIES MAY BE PRESENT HOWEVER ARE NOT SHOWN. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS IN THE FIELD AS NECESSARY, PRIOR TO BEGINNING WORK. THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL UTILITIES ENCOUNTERED IN THE FIELD SHALL BE RECORDED ON THE CONTRACTOR'S RECORD DRAWINGS. CONTACT LOCAL UTILITY COMPANIES PRIOR TO ANY/ ALL EXCAVATIONS AT THE FOLLOWING TELEPHONE NUMBERS:

WATER AND WASTEWATER: (907) 766-2237 OR 766-2200
 POWER & LIGHT, AP&T: (907) 766-2331
 CATV: (907) 766-2137
 TELEPHONE, GTE ALASKA: (907) 766-2311

DIAL BEFORE YOU DIG

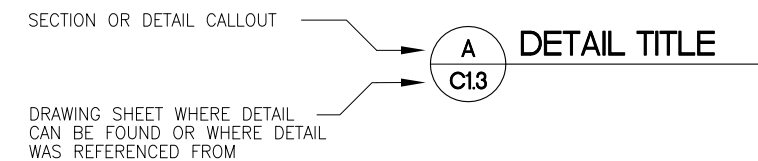
- ALL WORK UNDER THIS PROJECT SHALL BE PERFORMED IN ACCORDANCE WITH THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION 2004 EDITION.

ABBREVIATIONS

ACP	ASPHALT CONCRETE PAVEMENT	IE	INVERT ELEVATION
APPROX	APPROXIMATE	INV	INVERT
ASTM	AMERICAN SOCIETY FOR TESTING MATERIALS	LB	POUND
AVE	AVENUE	LF	LINEAR FOOT
BK	BACK	LS	LUMP SUM
BLDG	BUILDING	LT	LEFT
BOP	BEGINNING OF PROJECT	LVC	LENGTH OF VERTICAL CURVE
BVCE	BEGIN VERTICAL CURVE ELEVATION	MAT'L	MATERIAL
BVCS	BEGIN VERTICAL CURVE STATION	MH	MANHOLE
CB	CATCH BASIN	MIN	MINIMUM
C&G	CURB AND GUTTER	N	NORTH
CIP	CAST IN PLACE	NFS	NON-FROST SUCCEPTIBLE
CL	CENTERLINE	NO	NUMBER
CLR	CLEAR	OC	ON CENTER
CMP	CORRUGATED METAL PIPE	OD	OUTSIDE DIAMETER
CO	CLEANOUT	OSHA	OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
CONC	CONCRETE	PC	POINT OF CURVATURE
CPP	CORRUGATED POLYETHYLENE PIPE	PND	PND ENGINEERS, INC.
CSP	CORRUGATED STEEL PIPE	PP	POWER POLE
CY	CUBIC YARD	PT	POINT OF TANGENCY
D/DIA	DIAMETER	PVC	POLYVINYL CHLORIDE
DOT&PF	DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES	PVI	POINT OF VERTICAL INTERSECTION
DR	DRIVE	R	RADIUS
E	EAST	RD	ROAD
EA	EACH	REQ'D	REQUIRED
EL/ELEV	ELEVATION	ROW	RIGHT OF WAY
EOP	END OF PROJECT	RT	RIGHT
EP	EXISTING PAVEMENT	S	SOUTH
EVCS EVE	END VERTICAL CURVE STATION ELEVATION	SDWK	SIDEWALK
EXIST	EXISTING	SPEC	SPECIFICATION
HB	HAINES BOROUGH	SY	SQUARE YARD
IN	INCH	SSMH	SANITARY SEWER MANHOLE
FT	FOOT	ST	STREET
H/V	HORIZONTAL/VERTICAL	STA	STATION
HYD	FIRE HYDRANT	STD	STANDARD
		TYP	TYPICAL
		VC	VERTICAL CURVE
		W	WEST
		W/	WITH
		WV	WATER VALVE

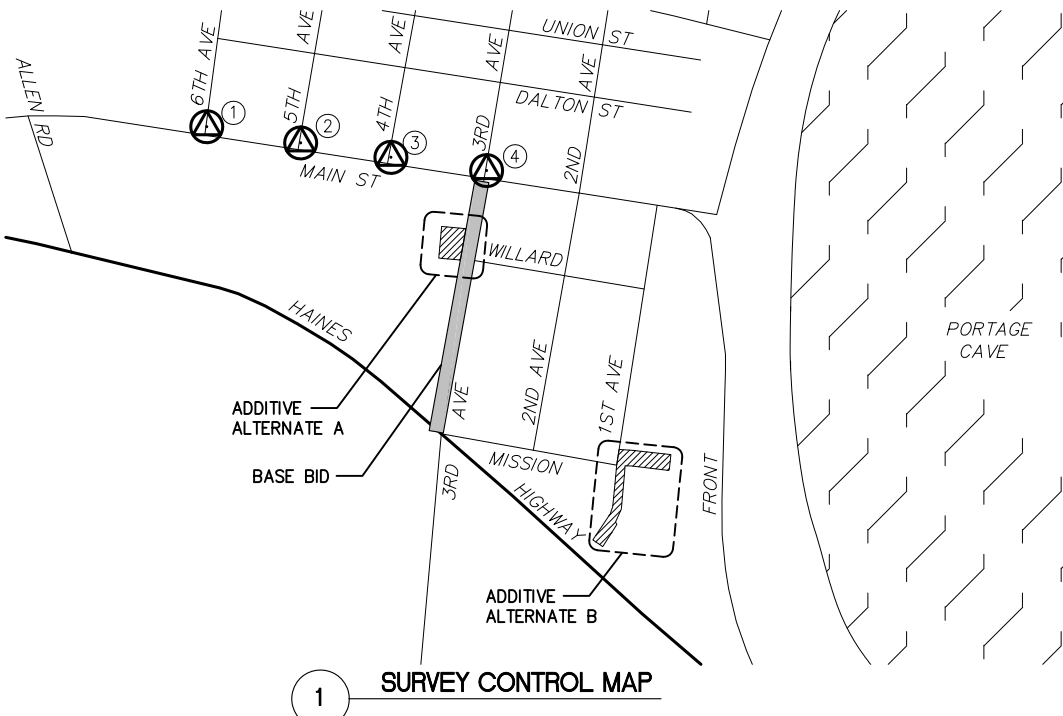
LEGEND

EXISTING	PROPOSED	
		ACP
		WATER SERVICE
		SANITARY SEWER SERVICE
		COMMUNICATION (UNDERGROUND)
		POWER AND COMMUNICATION (OVERHEAD)
		EDGE PAVEMENT
		PROPERTY LINE
		SWALE
		CONCRETE C&G
		SILT FENCE
		STORMWATER PIPE
		WATER VALVE
		CONCRETE AREA DRAIN
		STORM SEWER INLET
		RADIUS
		RIGHT OF WAY
		GUY WIRE
		SIGN
		SURVEY CONTROL POINT
		UTILITY POLE
		MANHOLE
		FIRE HYDRANT
		TEST PIT
		ROAD LAYOUT POINT
		ADA TACTILE STRIP



95% REVIEW SUBMITTAL

SURVEY CONTROL				
POINT	NORTHING	EASTING	ELEV.	DESCRIPTION
①	15938.6857	53253.2963	61.58	BC MON. AT 6TH AVE. & MAIN ST.
②	15880.0333	53623.6488	66.63	BC MON. AT 5TH AVE. & MAIN ST.
③	15821.2518	53993.9482	71.43	BC MON. AT 4TH AVE. & MAIN ST.
④	15762.4044	54364.1557	78.38	BC MON. AT 3RD AVE. & MAIN ST.



1 SURVEY CONTROL MAP

REVISIONS

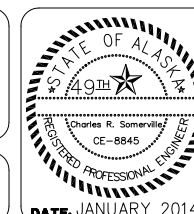
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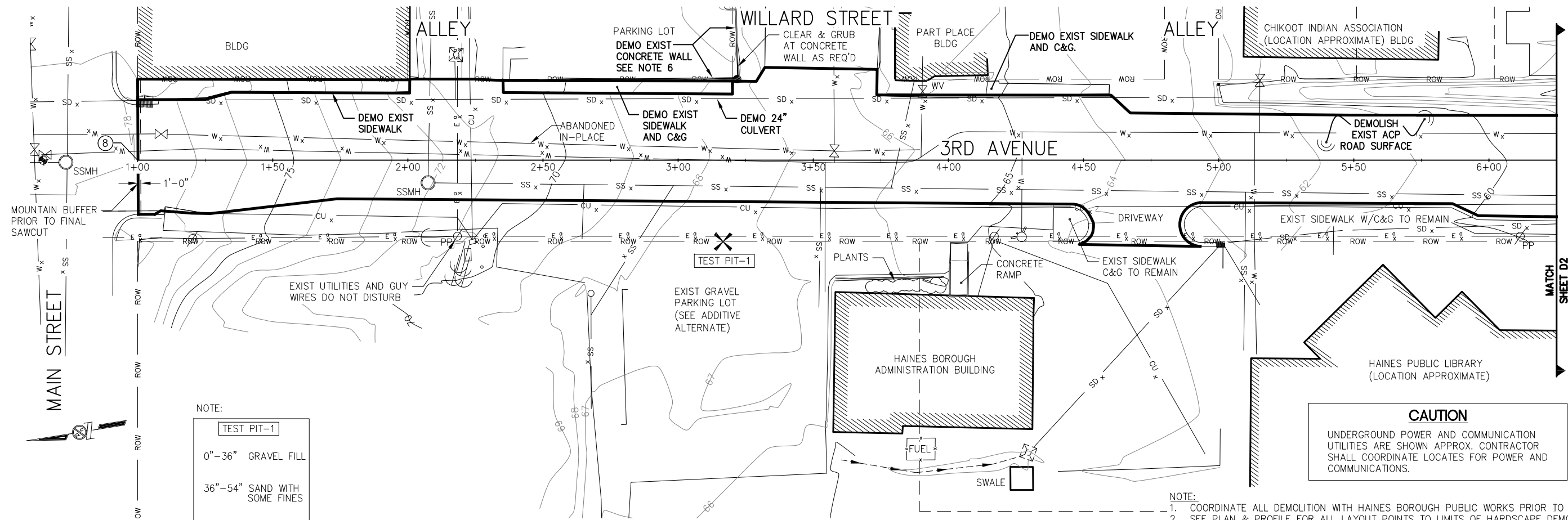
**HAINES BOROUGH
 STREET IMPROVEMENTS
 3RD AVENUE**

SHEET TITLE:
**GENERAL NOTES, ABBREVIATIONS,
 LEGEND, SURVEY CONTROL**

PND PROJECT NO. 072071.04 DWG. FILE: C1.DWG

C1
 SHEET
 3 OF 23



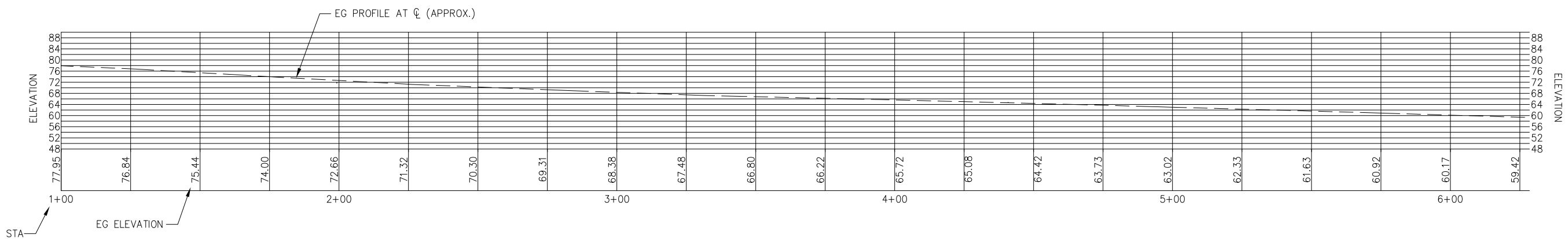


NOTE:
 TEST PIT-1
 0"-36" GRAVEL FILL
 36"-54" SAND WITH SOME FINES

CAUTION
 UNDERGROUND POWER AND COMMUNICATION UTILITIES ARE SHOWN APPROX. CONTRACTOR SHALL COORDINATE LOCATES FOR POWER AND COMMUNICATIONS.

- NOTE:
1. COORDINATE ALL DEMOLITION WITH HAINES BOROUGH PUBLIC WORKS PRIOR TO START OF WORK.
 2. SEE PLAN & PROFILE FOR ALL LAYOUT POINTS TO LIMITS OF HARDSCAPE DEMOLITION.
 3. EXIST CONTOURS SHOWN AT 1' INTERVALS. FIELD VERIFY CONDITIONS.
 4. BASE BID DEMOLITION ONLY SHOWN SEE ADDITIVE ALTERNATES FOR OTHER DEMOLITION.
 5. COORDINATE ALL TRAFFIC CONTROL W/ OWNERS AND RESIDENTS.
 6. COORDINATE DEMOLITION OF EXIST CONCRETE WALL ALONG WILLARD STREET WITH HAINES BOROUGH. APPROX. 100' LF DEMO FIELD VERIFY.

**MAIN STREET TO STA. 6+25
 DEMOLITION PLAN**



**3RD AVENUE ROAD PROFILE
 MAIN STREET TO STA. 6+25**

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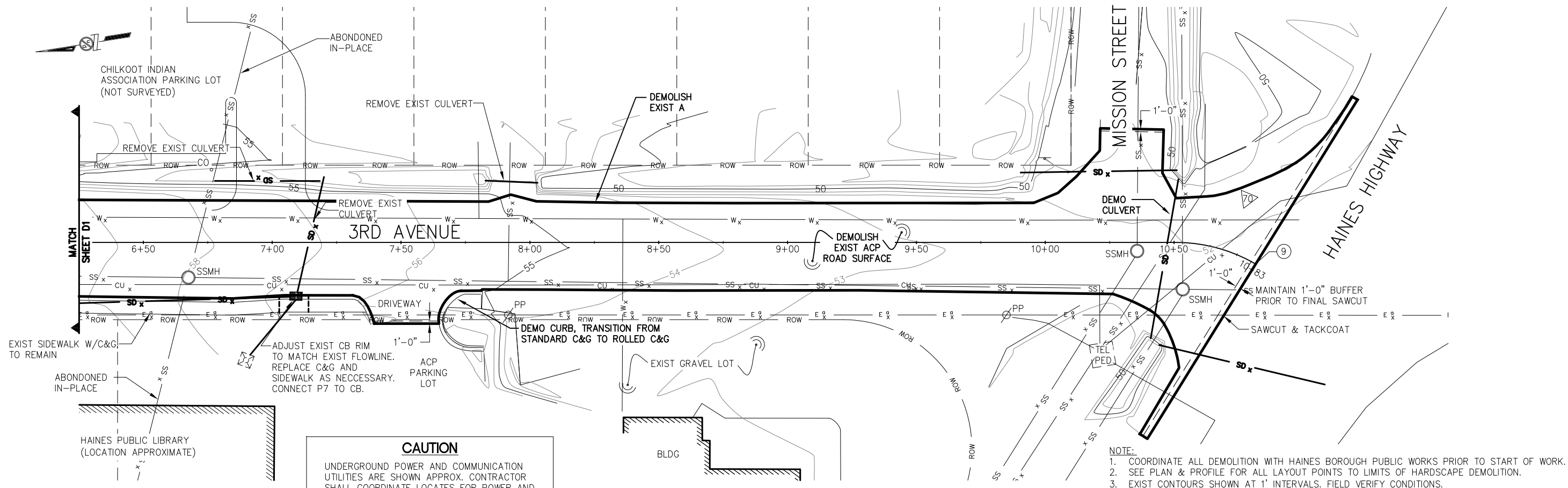
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**HAINES BOROUGH
 STREET IMPROVEMENTS
 3RD AVENUE**

SHEET TITLE: **3RD AVENUE
 MAIN STREET TO STA. 6+25
 DEMOLITION PLAN**
 PND PROJECT NO. 072071.04 DWG. FILE: D1-D2.DWG

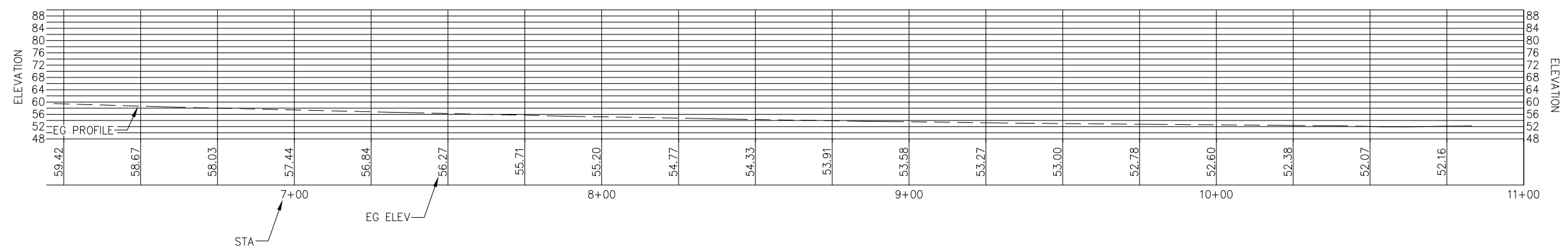
D1
 SHEET
 4 OF 23



CAUTION
 UNDERGROUND POWER AND COMMUNICATION UTILITIES ARE SHOWN APPROX. CONTRACTOR SHALL COORDINATE LOCATES FOR POWER AND COMMUNICATIONS.

- NOTE:**
1. COORDINATE ALL DEMOLITION WITH HAINES BOROUGH PUBLIC WORKS PRIOR TO START OF WORK.
 2. SEE PLAN & PROFILE FOR ALL LAYOUT POINTS TO LIMITS OF HARDSCAPE DEMOLITION.
 3. EXIST CONTOURS SHOWN AT 1' INTERVALS. FIELD VERIFY CONDITIONS.
 4. BASE BID DEMOLITION ONLY SHOWN SEE ADDITIVE ALTERNATES FOR OTHER DEMOLITION.
 5. COORDINATE ALL TRAFFIC CONTROL W/ OWNERS AND RESIDENTS.
 6. COORDINATE DEMOLITION OF EXIST CONCRETE WALL ALONG WILLARD STREET WITH HAINES BOROUGH. APPROX. 100' LF DEMO FIELD VERIFY.

**STA. 6+25 TO HAINES HIGHWAY
 DEMOLITION PLAN**



**3RD AVENUE ROAD PROFILE
 STA. 6+25 TO HAINES HIGHWAY**

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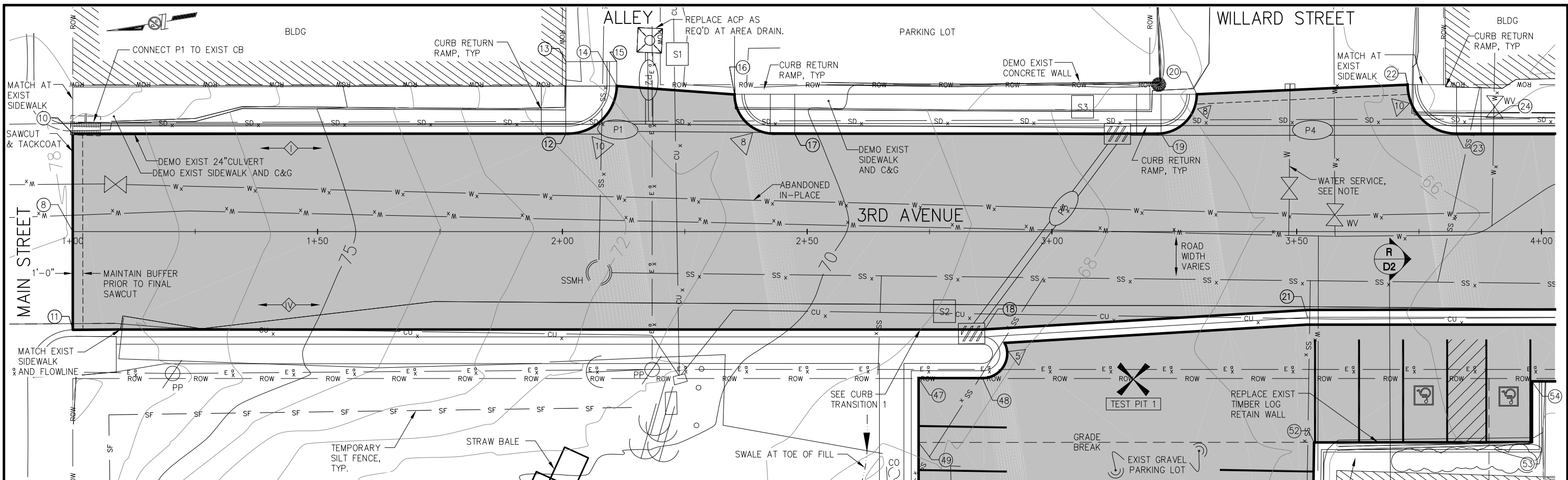
**HAINES BOROUGH
 STREET IMPROVEMENTS
 3RD AVENUE**

SHEET TITLE: **3RD AVENUE
 STA. 6+25 TO HAINES HIGHWAY
 DEMOLITION PLAN**

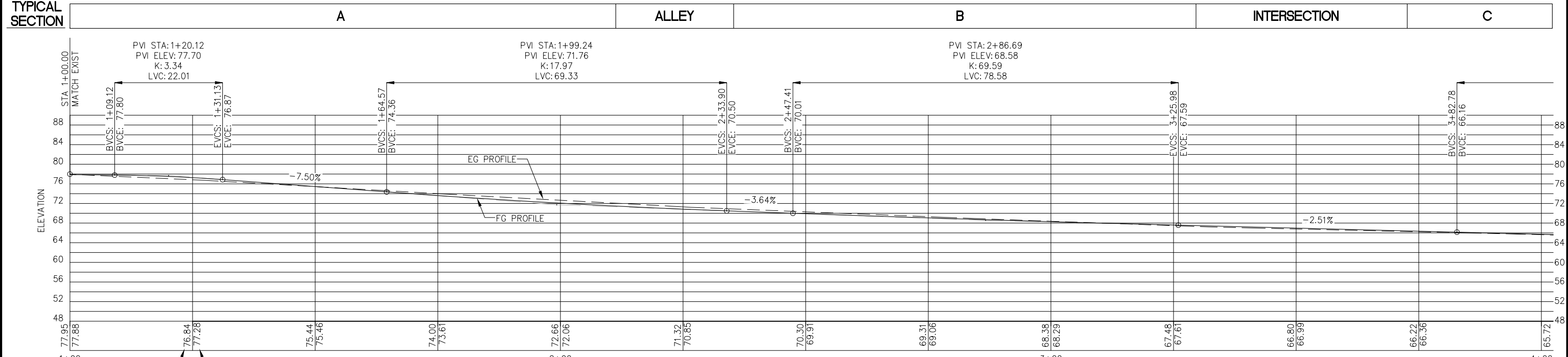
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D2
 SHEET
 5 OF 23

DATE: JANUARY 2014



3RD AVENUE ROAD PLAN
MAIN STREET TO STA. 4+00



3RD AVENUE ROAD PROFILE
MAIN STREET TO STA. 4+00

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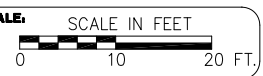


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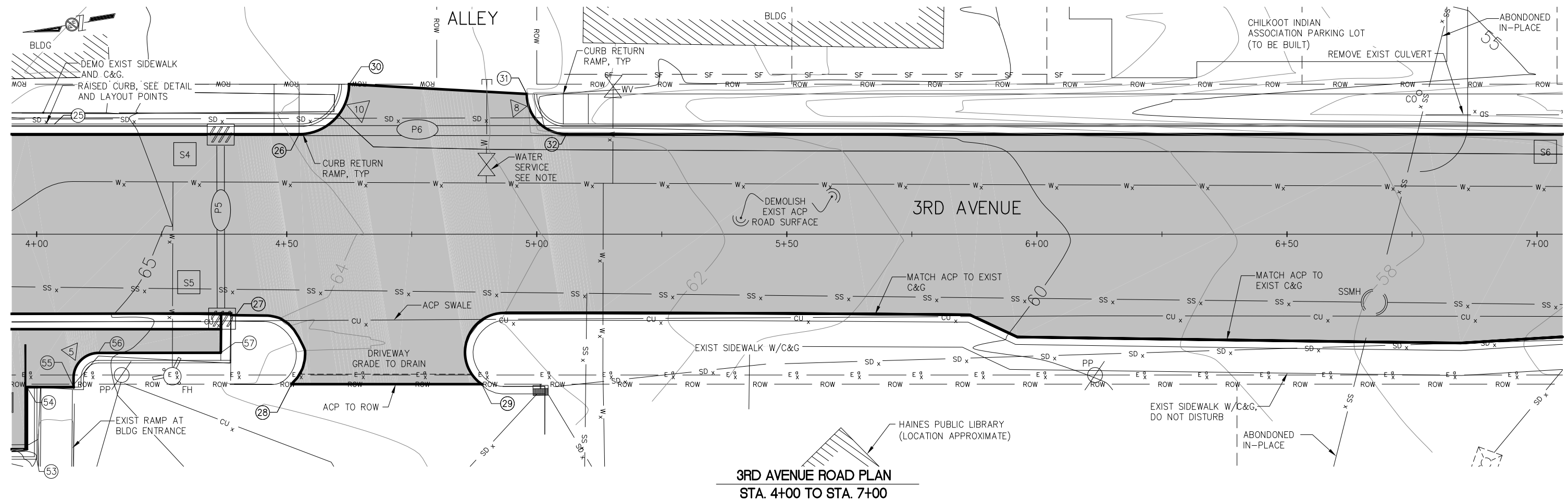
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**HAINES BOROUGH
STREET IMPROVEMENTS
3RD AVENUE**

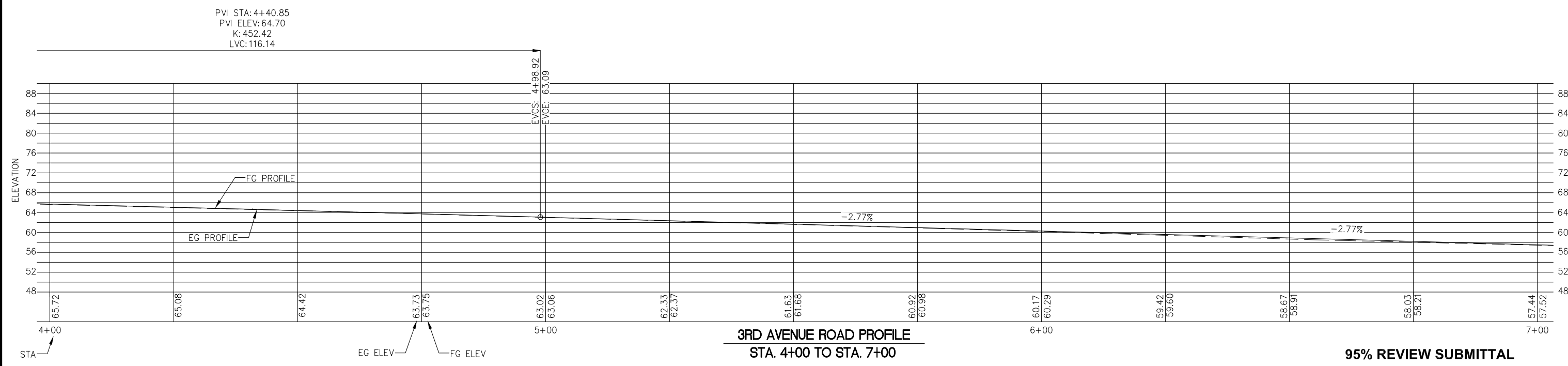
SHEET TITLE:
**3RD AVENUE
MAIN STREET TO STA. 4+00**

PND PROJECT NO. 072071.04 DWG. FILE: E1-E4,K1-J1.DWG

E1
SHEET
6 OF 23



TYPICAL SECTION C ALLEY D



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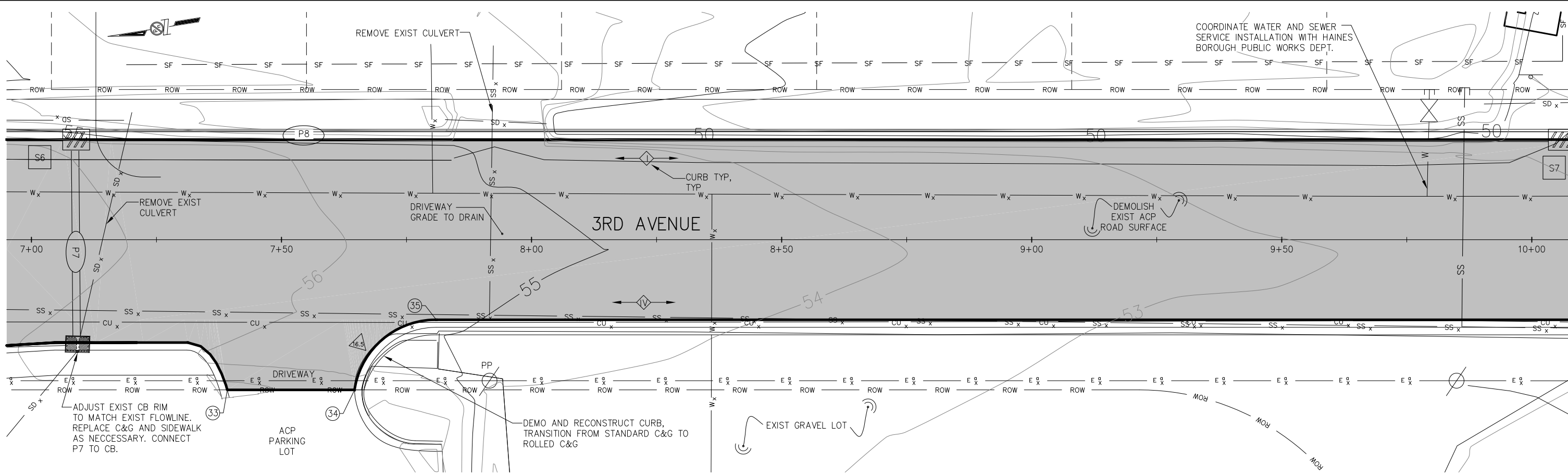


HAINES BOROUGH STREET IMPROVEMENTS 3RD AVENUE

SHEET TITLE: **3RD AVENUE STA. 4+00 TO STA. 7+00**

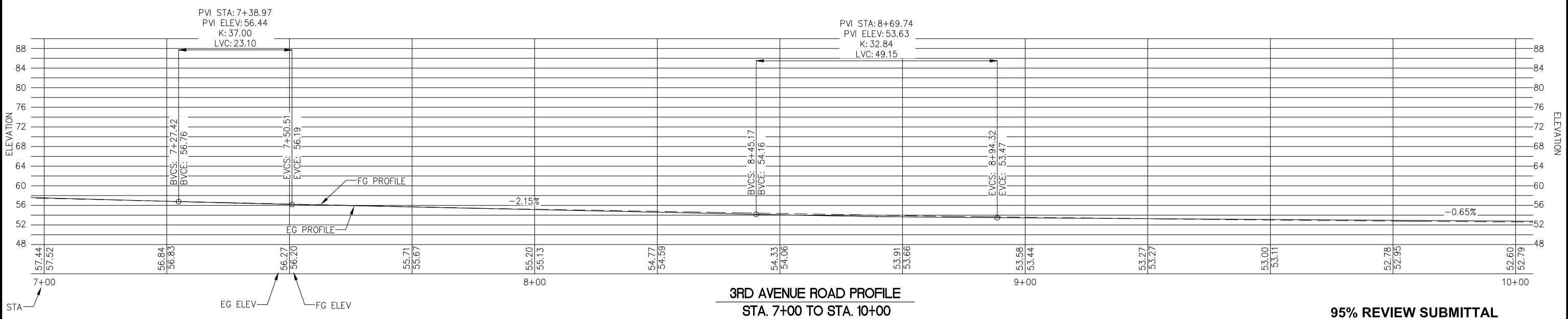
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E2
SHEET 7 OF 23



**3RD AVENUE ROAD PLAN
STA. 7+00 TO STA. 10+00**

TYPICAL SECTION **D** **DRIVEWAY** **E**



**3RD AVENUE ROAD PROFILE
STA. 7+00 TO STA. 10+00**

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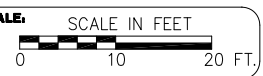


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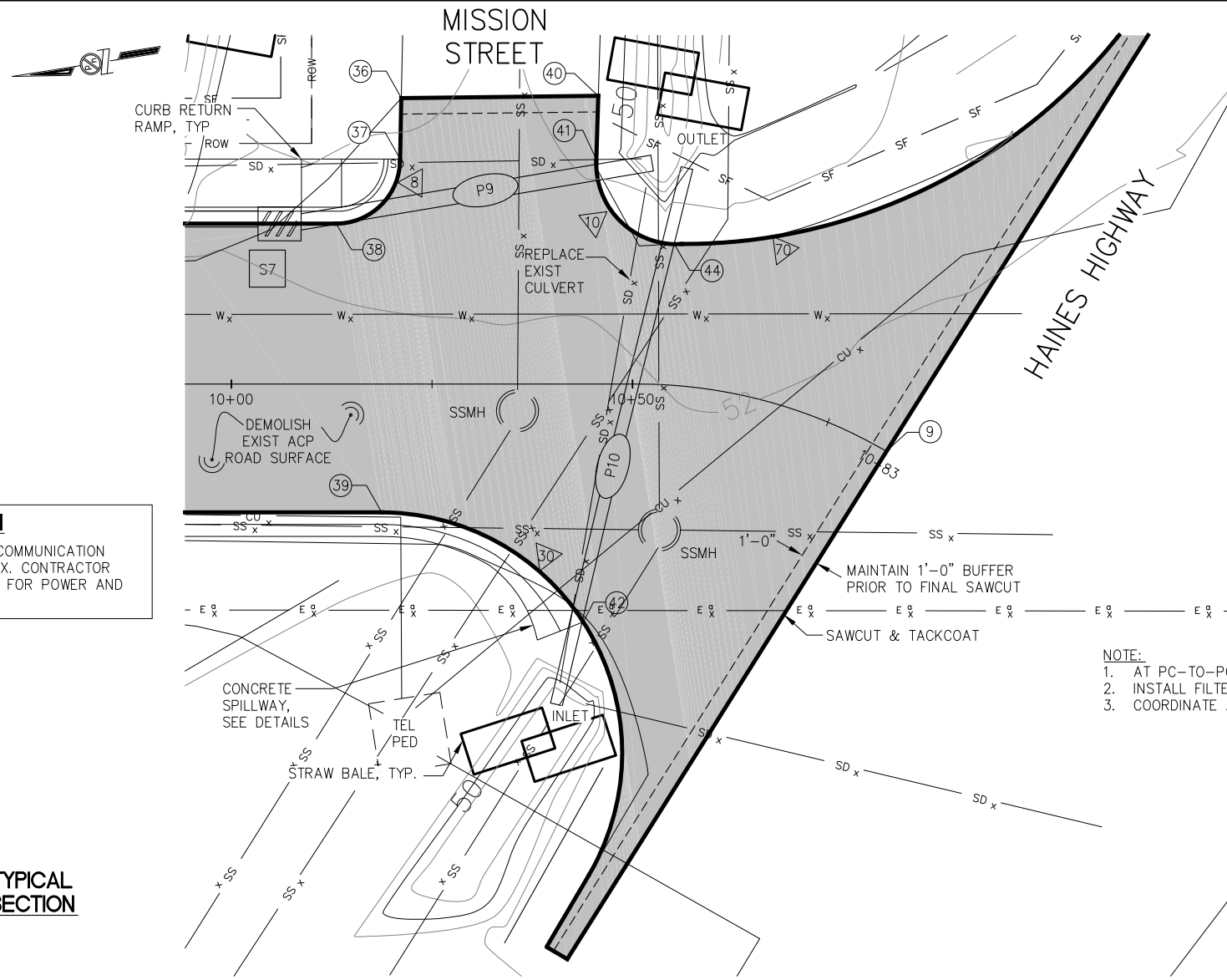


**HAINES BOROUGH
STREET IMPROVEMENTS
3RD AVENUE**

SHEET TITLE: **3RD AVENUE
STA. 7+00 TO STA. 10+00**
PMD PROJECT NO. 072071.04 DWG. FILE: E1-E4,K1-J1.DWG

E3
SHEET
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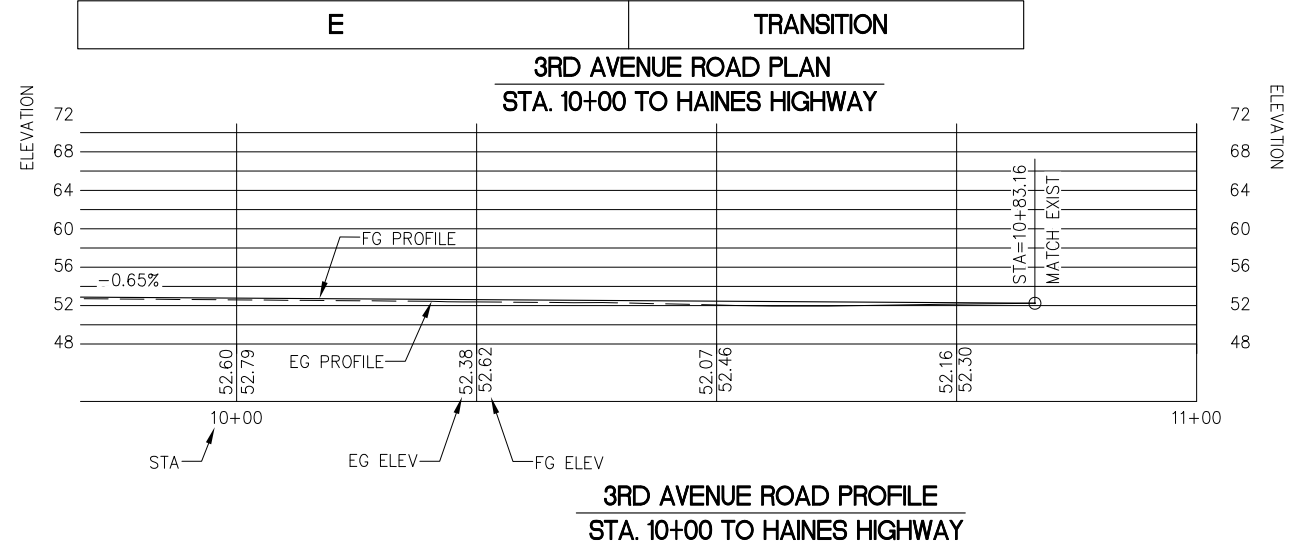
DATE: JANUARY 2014



CAUTION
 UNDERGROUND POWER AND COMMUNICATION UTILITIES ARE SHOWN APPROX. CONTRACTOR SHALL COORDINATE LOCATES FOR POWER AND COMMUNICATIONS.

- NOTE:**
1. AT PC-TO-PC ROLLED CURBS, LAYOUT RADIUS IS GIVEN TO THE FACE OF CURB.
 2. INSTALL FILTER FABRIC AT ALL EXISTING INLETS.
 3. COORDINATE ALL WATER AND SEWER SERVICE INSTALLATION WITH HAINES BOROUGH PUBLIC WORKS

TYPICAL SECTION



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HAINES BOROUGH STREET IMPROVEMENTS 3RD AVENUE

SHEET TITLE: **3RD AVENUE STA. 10+00 TO HAINES HIGHWAY**

PND PROJECT NO. 072071.04 DWG. FILE: E1-E4,K1-J1.DWG

E4
 SHEET 9 OF 23

603 (1) & (9) CULVERT SUMMARY

PIPE	PIPE INLET		PIPE OUTLET		LENGTH (FT)	SIZE/TYPE	REMARKS
	STRUCTURE	INVERT ELEV	STRUCTURE	INVERT ELEV			
(P1)	EXIST	73.00	(S3)	62.10	215	24" CSP	CONNECT TO EXIST CB AT STA 1+00, 20 FT LT
(P2)	(S1)	67.25	TEE	67.05	20	18" CSP	REMOVE AND REPLACE EXIST PIPE AND OUTLET TEE
(P3)	(S2)	64.87	(S3)	62.10	50	18" CSP	
(P4)	(S3)	62.10	(S4)	60.65	125	24" CSP	
(P5)	(S5)	61.05	(S4)	60.65	40	18" CSP	
(P6)	(S4)	60.65	(S6)	53.00	270	24" CSP	
(P7)	EXIST	54.15	(S6)	53.50	45	18" CSP	
(P8)	(S6)	53.00	(S7)	48.00	300	24" CSP	
(P9)	(S7)	48.00	--	47.50	45	24" CSP	DAYLIGHT OUTLET AT DITCH
(10)	--	48.20	--	47.50	70	24" CSP	REMOVE AND REPLACE EXIST PIPE. DAYLIGHT ENDS AT DITCHES.

- NOTE:
- FIELD VERIFY ALL EXISTING INVERT ELEVATIONS.
 - ALL PIPE LENGTHS ARE APPROXIMATE. ADJUST LENGTHS AS REQ'D IN FIELD.

604 (5) STORM SEWER STRUCTURE SUMMARY

STRUCTURE	LOCATION			STRUCTURE INLET		STRUCTURE OUTLET		SIZE/TYPE	REMARKS
	STATION	OFFSET	RIM ELEV	PIPE	INVERT ELEV	PIPE	INVERT ELEV		
(S1)	3RD AVE. 2+17	39.00 LT	70.25	--	--	(P2)	67.25	TYPE IV	AREA DRAIN
(S2)	3RD AVE. 2+83	21.5 RT	67.96	--	--	(P3)	64.87	TYPE IV	
(S3)	3RD AVE. 3+13	21.5 LT	67.15	(P1) (P3)	62.10	(P4)	62.10	TYPE V	
(S4)	3RD AVE. 4+37	21.5 LT	64.00	(P4) (P5)	60.65	(P6)	60.65	TYPE V	
(S5)	3RD AVE. 4+36.50	17.50 RT	64.06	--	--	(P5)	61.05	TYPE IV	
(S6)	3RD AVE. 7+08.70	21.5 LT	56.51	(P6) (P7)	53.00	(P8)	53.00	TYPE V	
(S7)	3RD AVE. 10+07.50	21.5 LT	53.84	(P8)	48.00	(P9)	48.00	TYPE V	

- NOTES:
- ALL EXIST STRUCTURE RIM ELEVATIONS ARE REFERENCED TO ORIGINAL GRADE. SEE STRUCTURE ADJUSTMENT TABLE FOR FINISHED GRADE ELEVATION.
 - ALL EXIST PIPE LENGTHS AND LOCATIONS PROVIDED ARE APPROXIMATE. FIELD VERIFY.

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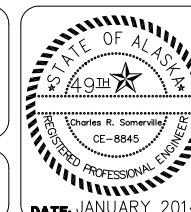
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**HAINES BOROUGH
STREET IMPROVEMENTS
3RD AVENUE**

SHEET TITLE:

SUMMARY TABLES

PND PROJECT NO. 072071.04 DWG. FILE: F1-F3.DWG

F1

SHEET
10 OF 23

202 (2) REMOVAL OF PAVEMENT				
	STATION	OFFSET (FT)		REMARKS
		LEFT	RIGHT	
START	3RD AVE. 1+00	ALL	ALL	SEE ROAD LAYOUT POINTS FOR LIMITS
END	3RD AVE. 10+83	ALL	ALL	SEE ROAD LAYOUT POINTS FOR LIMITS

626 (2) SEWER SERVICE CONNECTION			
STATION	OFFSET (FT)		REMARKS
	LEFT	RIGHT	
3RD AVE. 9+86	30		

NOTE: COORDINATE SERVICE LOCATIONS WITH HAINES BOROUGH PUBLIC WORKS DEPARTMENT.

202 (3) REMOVAL OF SIDEWALK				
	STATION	OFFSET (FT)		REMARKS
		LEFT	RIGHT	
START	3RD AVE. 1+00	ALL		SEE ROAD LAYOUT POINTS FOR LIMITS
END	3RD AVE. 2+25	ALL		SEE ROAD LAYOUT POINTS FOR LIMITS
START	3RD AVE. 2+75	ALL		SEE ROAD LAYOUT POINTS FOR LIMITS
END	3RD AVE. 3+30	ALL		SEE ROAD LAYOUT POINTS FOR LIMITS
START	3RD AVE. 3+75	ALL		SEE ROAD LAYOUT POINTS FOR LIMITS
END	3RD AVE. 4+60	ALL		SEE ROAD LAYOUT POINTS FOR LIMITS

627 (8) WATER SERVICE CONNECTION			
STATION	OFFSET (FT)		REMARKS
	LEFT	RIGHT	
3RD AVE. 3+48	30		
3RD AVE. 4+90	30		
3RD AVE. 9+80	30		

NOTE: COORDINATE SERVICE LOCATIONS WITH HAINES BOROUGH PUBLIC WORKS DEPARTMENT.

627 (10) ADJUST VALVE BOX			
STATION	OFFSET (FT)		REMARKS
	LEFT	RIGHT	
3RD AVE. 1+09	9.51		FG = XXXX
3RD AVE. 3+58	3.39		FG = XXXX
3RD AVE. 3+90	25.43		FG = XXXX
3RD AVE. 5+15	29.57		FG = XXXX

202 (4) REMOVAL OF CULVERT PIPE								
INLET			OUTLET			LENGTH (FT)	SIZE/TYPE	REMARKS
STATION	ELEVATION	OFFSET	STATION	ELEVATION	OFFSET			
3RD AVE. 1+02	73.00	22 LT	3RD AVE. 5+01	59.98	23 LT	400	24" MP	TO BE REPLACED. SEE CULVERT SUMMARY
3RD AVE. 2+17	--	37 LT	3RD AVE. 2+17	--	22 LT	15	-	TO BE REPLACED. SEE CULVERT SUMMARY
3RD AVE. 7+10	54.17	22 RT	3RD AVE. 7+20	52.51	25 LT	50	12" CMP	TO BE REPLACED. SEE CULVERT SUMMARY
3RD AVE. 6+78	53.35	24 LT	3RD AVE. 7+18	52.13	24 LT	21	18" CPP	TO BE REPLACED. SEE CULVERT SUMMARY
3RD AVE. 7+83	50.56	24 LT	3RD AVE. 8+03	50.51	23 LT	20	18" CMP	TO BE REPLACED. SEE CULVERT SUMMARY
3RD AVE. 9+90	47.19	27 LT	3RD AVE. 10+51	47.15	28 LT	61	18" CMP	TO BE REPLACED. SEE CULVERT SUMMARY
3RD AVE. 10+41	48.18	37 RT	3RD AVE. 10+51	47.91	24 LT	63	18" CMP	TO BE REPLACED. SEE CULVERT SUMMARY

633 (1) TEMPORARY SILT FENCE				
	STATION	OFFSET (FT)		REMARKS
		LEFT	RIGHT	
START	3RD AVE. 1+00		X	
END	3RD AVE. 2+25		X	
START	3RD AVE. 2+00		X	STRAW BALE
END				
START	3RD AVE. 2+50		X	ADD ALT 1
END	3RD AVE. 4+00		X	
START	3RD AVE. 5+00		X	
END	3RD AVE. 10+10		X	
START	3RD AVE. 6+25		X	STRAW BALE
END				
START	3RD AVE. 10+00		X	STRAW BALE
END				
START	3RD AVE. 10+50		X	
END	3RD AVE. 10+83		X	
START	3RD AVE. 10+55		X	STRAW BALE
END				

NOTE: ALL STATIONS PROVIDED ARE APPROXIMATE AS SHOWN IN PLANS. FIELD VERIFY.

303 (3) DITCH RECONDITIONING					
ALIGNMENT	START	END	OFFSET		REMARKS
			LEFT	RIGHT	
3RD AVE.	-	-		X	SWALE AT BOROUGH ADMIN PARKING LOT, SEE PLAN

604 (4) ADJUST EXISTING MANHOLE				
STATION	OFFSET (FT)		TYPE	REMARKS
	LEFT	RIGHT		
3RD AVE. 2+07		8.36	SS	FG = XXXX
3RD AVE. 6+67		13.63	SS	FG = XXXX
3RD AVE. 10+36		3.36	SS	FG = XXXX
3RD AVE. 10+55		18.12	SS	FG = XXXX

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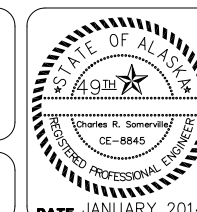


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**HAINES BOROUGH
STREET IMPROVEMENTS
3RD AVENUE**

SHEET TITLE: **SUMMARY TABLES**

PND PROJECT NO. 072071.04 DWG. FILE: F1-F3.DWG

F2
SHEET
11 OF 23

3RD AVENUE ROAD LAYOUT					
POINT	STATION	OFFSET (FT)		ELEV.	DESCRIPTION
		LEFT	RIGHT		
10	3RD AVE. 1+00.00	20.00		MATCH	COR, ACP
11	3RD AVE. 1+00.00		20.00	MATCH	PC, ACP
12	3RD AVE. 2+01.13	20.00		--	PT, ACP
13	3RD AVE. 2+00.70	34.70		71.06	COR, CONC
14	3RD AVE. 2+11.13	29.72		71.00	PT, ACP
15	3RD AVE. 2+11.13	34.72		70.90	COR, ACP
16	3RD AVE. 2+35.17	28.00		--	COR/PC, ACP
17	3RD AVE. 2+43.17	20.00		--	PT, ACP
18	3RD AVE. 2+85.88		20.00	--	COR, ACP
19	3RD AVE. 3+21.59	20.00		--	PC, ACP
20	3RD AVE. 3+29.59	28.04		--	COR/PT, ACP
21	3RD AVE. 3+52.38		16.00	--	COR, ACP
22	3RD AVE. 3+72.66	30.00		MATCH	COR/PC, ACP
23	3RD AVE. 3+82.66	20.00		--	PT, ACP
24	3RD AVE. 3+92.04	22.00		65.93	TBC
25	3RD AVE. 4+14.58	22.00		65.89	TBC
26	3RD AVE. 4+52.48	20.00		--	PC, ACP
27	3RD AVE. 4+38.88		15.85	--	END CURB, ACP
28	3RD AVE. 4+50.92		30.00	MATCH	COR, ACP
29	3RD AVE. 4+88.97		30.00	MATCH	COR, ACP
30	3RD AVE. 4+62.48	30.00		--	COR/PT, ACP
31	3RD AVE. 4+98.00	28.00		--	COR/PT, ACP
32	3RD AVE. 5+06.00	20.00		--	PC, ACP
33	3RD AVE. 7+39.16		30.00	MATCH	COR, ACP
34	3RD AVE. 7+64.60		30.00	MATCH	COR, ACP
35	3RD AVE. 7+80.96		16.00	--	PC, ACP
36	3RD AVE. 10+21.18	35.65		MATCH	COR, ACP
37	3RD AVE. 10+21.02	27.84		--	PT, ACP
38	3RD AVE. 10+13.03	20.00		--	PC, ACP
39	3RD AVE. 10+18.71		16.00	--	PC, ACP
40	3RD AVE. 10+45.73	35.92		MATCH	COR, ACP
41	3RD AVE. 10+45.49	27.74		--	PC, ACP
42	3RD AVE. 10+43.87		29.66	--	END CURB, ACP
43	3RD AVE. 10+44.55		61.25	--	PT, ACP
44	3RD AVE. 10+54.91	17.65		--	PCC, ACP
45	3RD AVE. 10+41.87		71.69	MATCH	COR, ACP
46				MATCH	COR, ACP

NOTE: WHERE ELEVATIONS ARE NOT PROVIDED, DETERMINE BY TYPICAL ROAD SECTIONS

ADDITIVE ALTERNATE A LAYOUT					
POINT	STATION	OFFSET (FT)		ELEV.	DESCRIPTION
		LEFT	RIGHT		
47	3RD AVE. 2+72.76		29.92	68.61	COR, ACP
48	3RD AVE. 2+85.82		29.92	68.36	PC, ACP
49	3RD AVE. 2+72.76		43.05	68.87	GRADE BREAK, ACP
50	3RD AVE. 2+72.76		122.26	67.21	COR, ACP
51	3RD AVE. 3+52.31		122.26	65.71	COR, ACP
52	3RD AVE. 3+53.55		43.05	67.21	COR, ACP
53	3RD AVE. 3+98.06		43.01	65.70	COR, ACP
54	3RD AVE. 3+98.06		30.59	65.46	COR, ACP
55	3RD AVE. 4+07.38		30.54	65.51	COR, ACP
56	3RD AVE. 4+12.38		23.74	65.08	COR, ACP
57	3RD AVE. 4+36.82		23.72	64.45	COR, ACP

NOTE: WHERE ELEVATIONS ARE NOT PROVIDED, DETERMINE BY TYPICAL ROAD SECTIONS

HORIZONTAL ALIGNMENT				
POINT	NORTHING	EASTING	ELEV.	DESCRIPTION
8	15727.86	54358.70	MATCH	3RD AVE. BEGINNING POINT: STA. 1+00
9	14759.64	54196.57	MATCH	3RD AVE. END POINT: STA. 10+83.16

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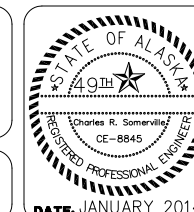


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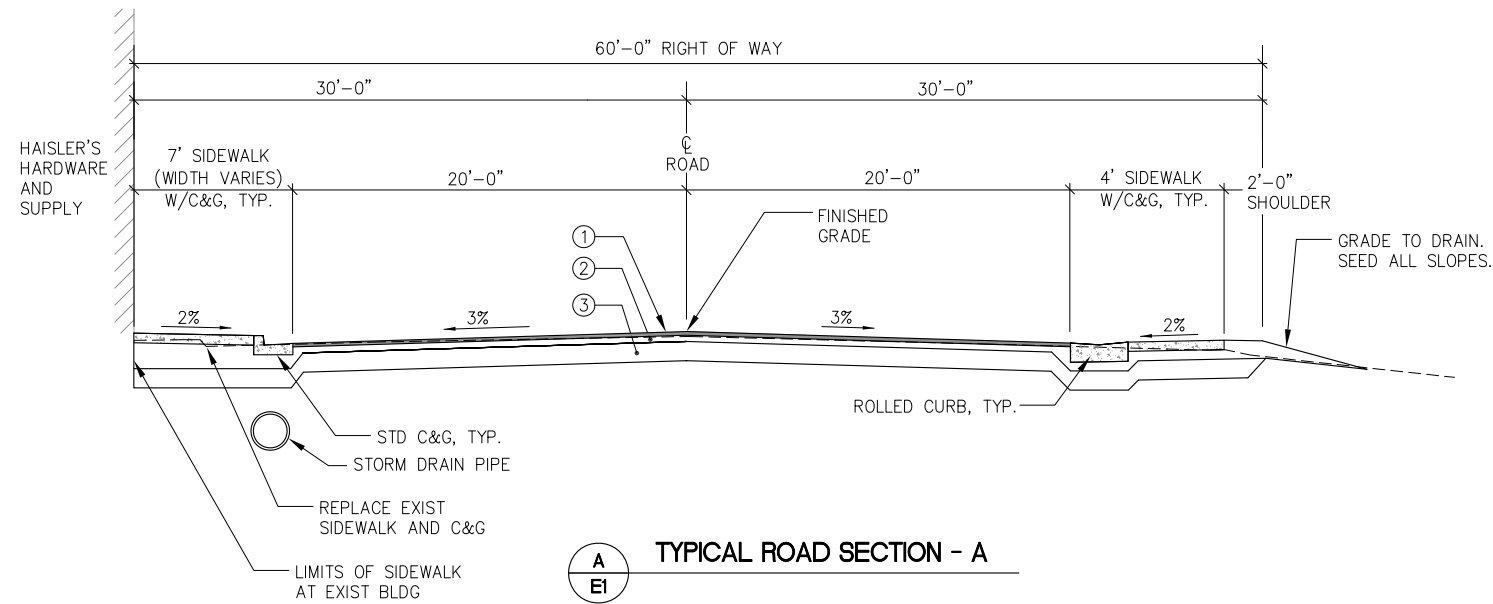


**HAINES BOROUGH
STREET IMPROVEMENTS
3RD AVENUE**

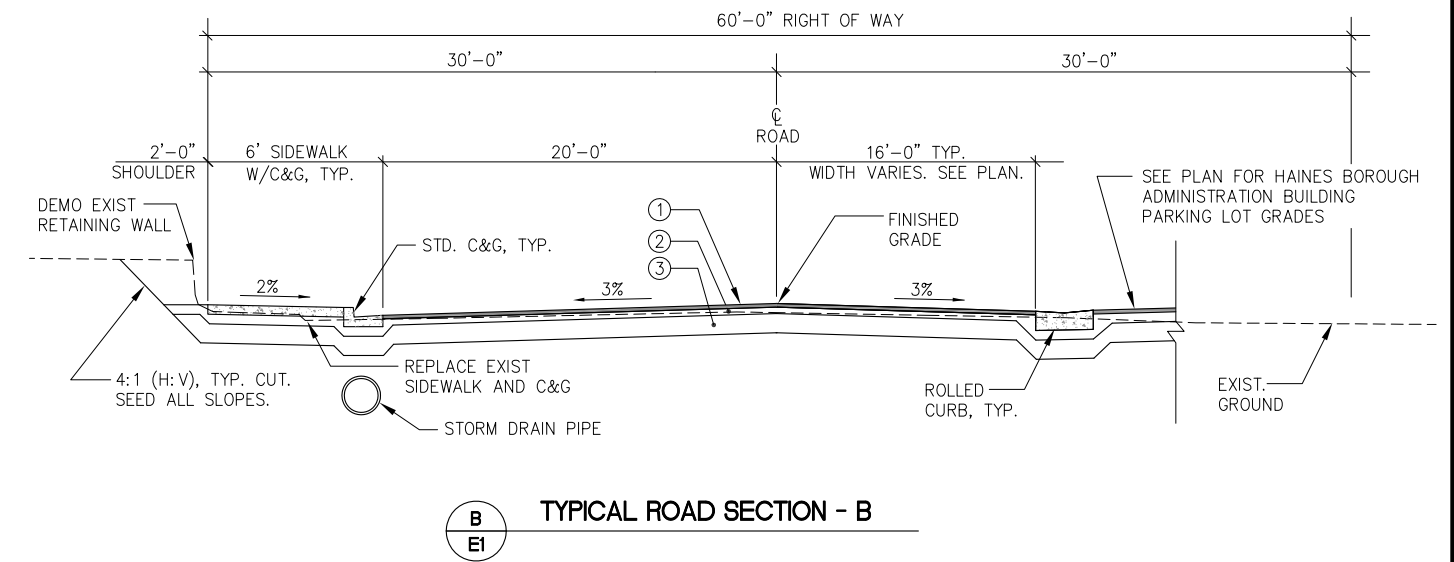
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LAYOUT TABLES**

PND PROJECT NO. 072071.04 DWG. FILE: F1-F3.DWG

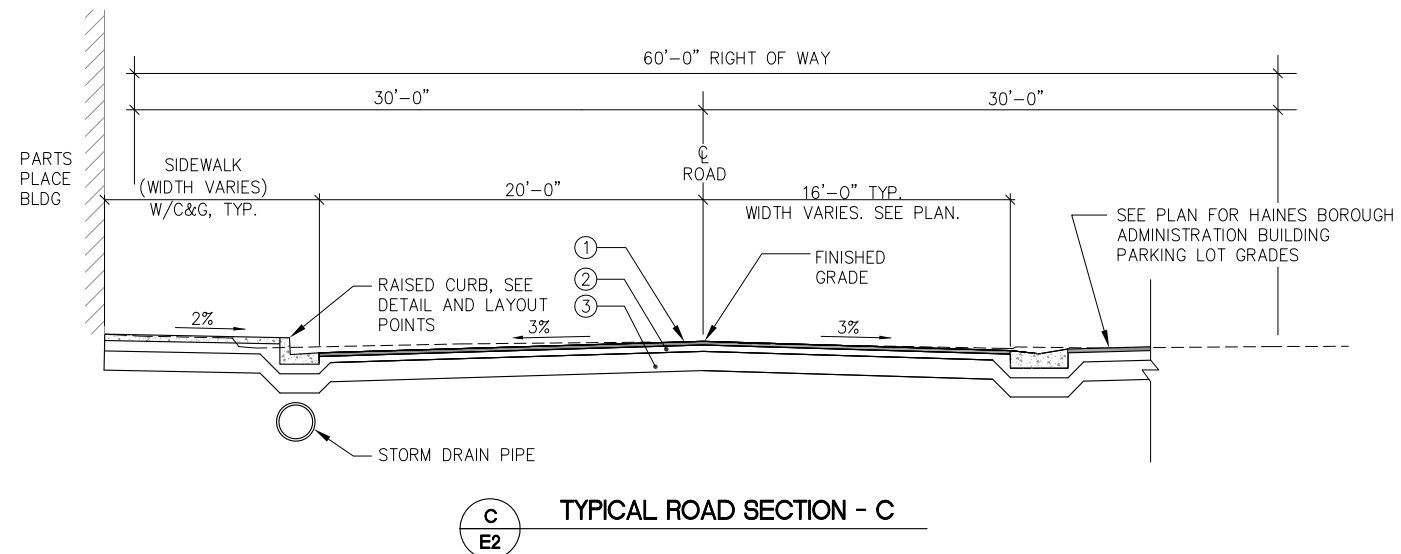
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SHEET
12 OF 23



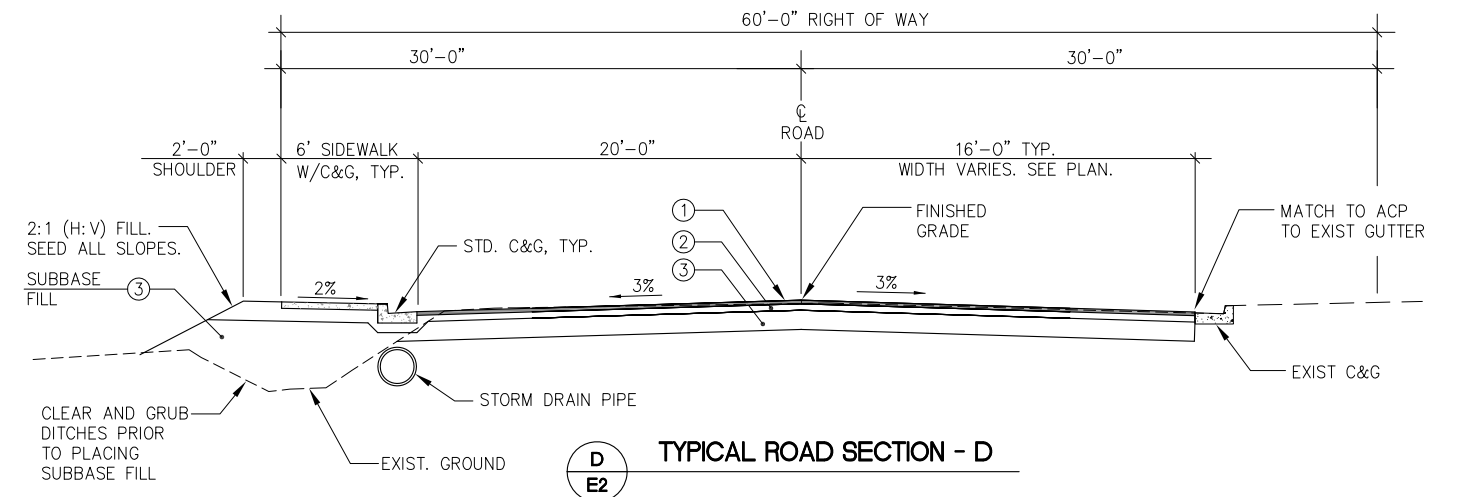
A
E1
TYPICAL ROAD SECTION - A



B
E1
TYPICAL ROAD SECTION - B



C
E2
TYPICAL ROAD SECTION - C



D
E2
TYPICAL ROAD SECTION - D

MATERIAL SCHEDULE	
SYMBOL	MATERIAL DESCRIPTION
①	2 1/4" ACP, TYPE II, CLASS B
②	4" AGGREGATE BASE COURSE, GRADING D-1
③	12" MIN SUBBASE (TO COMPETENT MAT'L), GRADING A

NOTES:

1. SEE PLAN VIEW FOR TYPICAL SECTION APPROXIMATE STATION RANGES.
2. SUB-EXCAVATE ALL AREAS DEEMED UNSUITABLE AND BACKFILL WITH SUBBASE AS SHOWN. COMPACT SUBBASE IN LIFTS PRIOR TO INSTALLING BASE COURSE.
3. SEE TYPICAL DETAILS FOR DITCH RECONDITIONING.
4. DO NOT DISTURB EXISTING FENCES, UTILITIES, CONCRETE DRIVEWAYS, OR OTHER HARDSCAPES. ANY DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER.

CAUTION

UNDERGROUND POWER AND COMMUNICATION UTILITIES ARE SHOWN APPROXIMATE. CONTRACTOR SHALL COORDINATE LOCATES FOR ALL UTILITY LOCATES AS REQUIRED DURING CONSTRUCTION. SEE GENERAL NOTES FOR CONTACTS.

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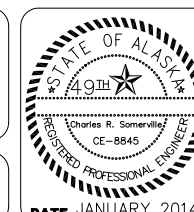


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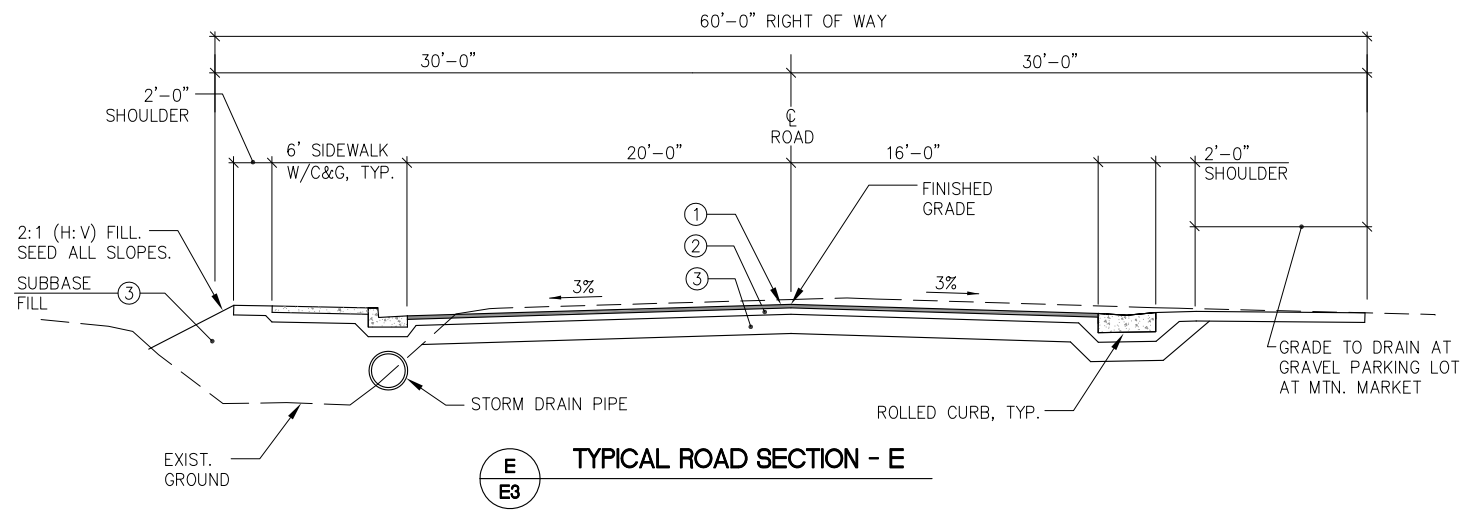
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TYPICAL SECTIONS

PND PROJECT NO. 072071.04 DWG. FILE: G1.DWG

G1

SHEET
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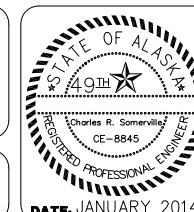


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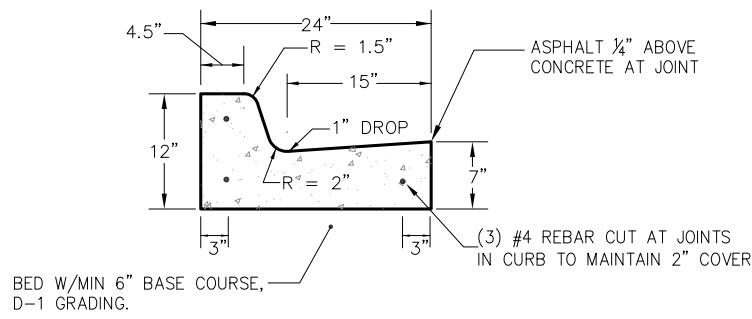
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TYPICAL SECTIONS

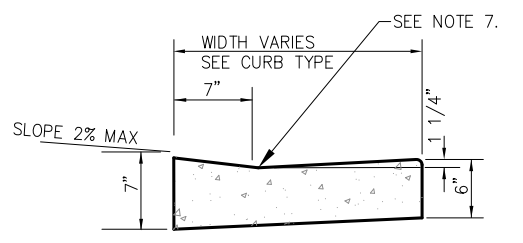
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G2

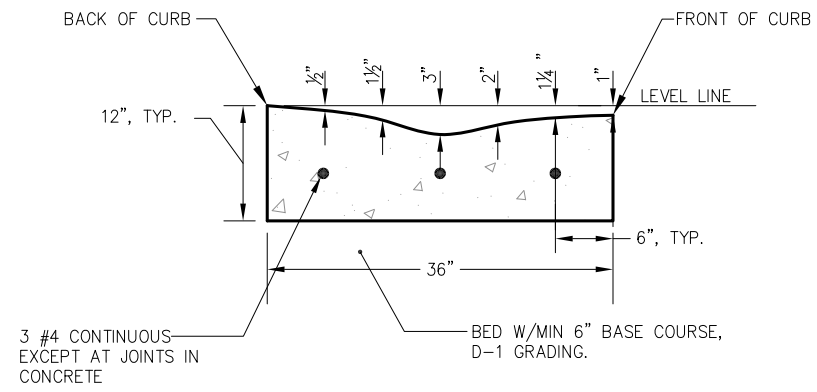
SHEET
14 OF 23



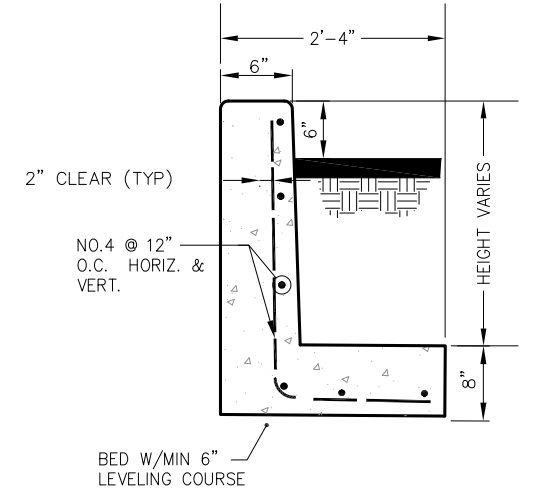
1 TYPICAL STANDARD CURB AND GUTTER SECTION



4 TYPICAL CURB CUT DETAIL

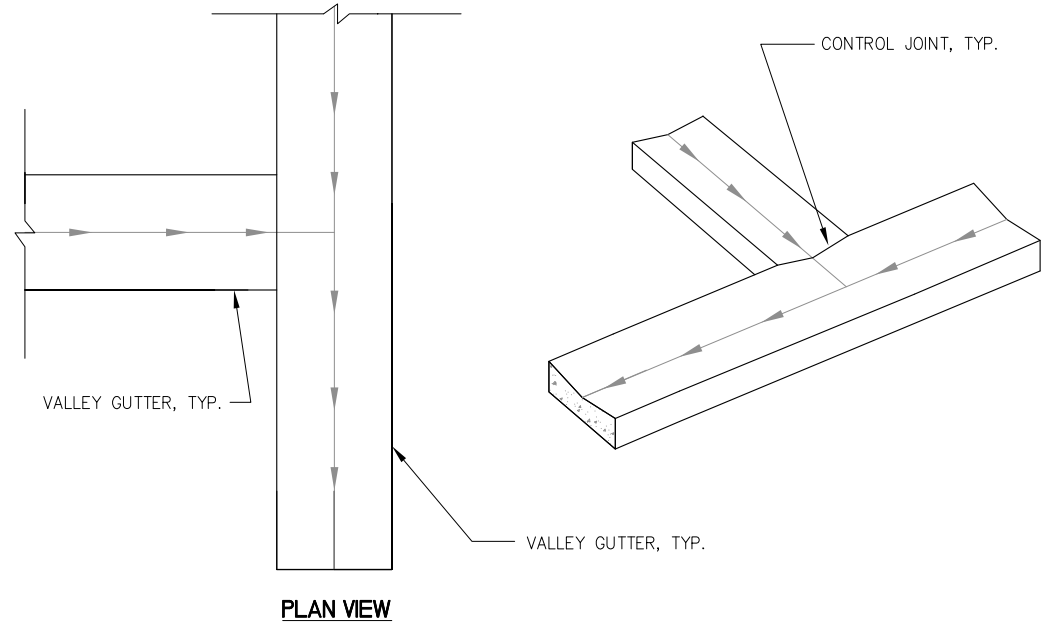


2 TYPICAL ROLLED CURB AND GUTTER SECTION

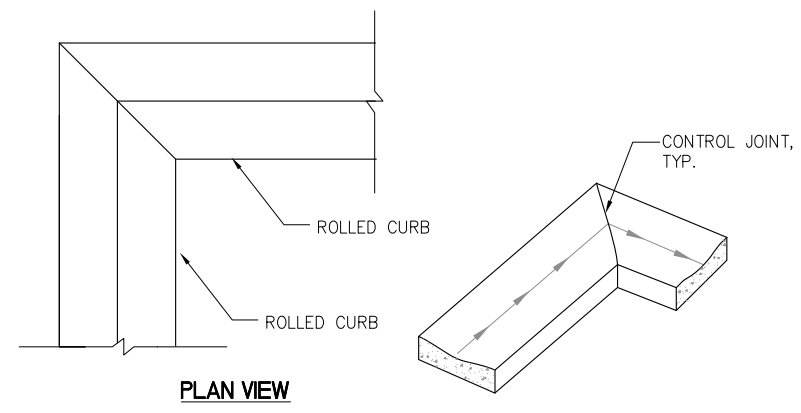


3 CURB WALL

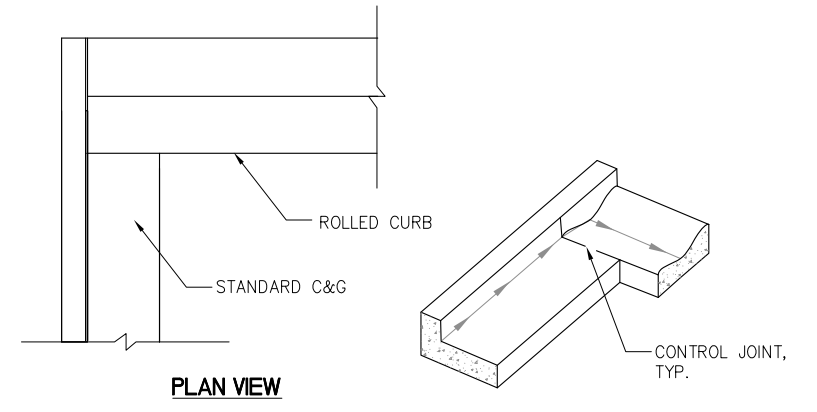
- NOTES
1. CURB AND GUTTER TRANSITION DESIGN TO BE APPROVED BY THE ENGINEER.
 2. ALL STEEL MUST HAVE A MINIMUM OF 2" OF CONCRETE COVER.
 3. ALL JOINTS AND SEAMS SHALL BE EDGED.
 4. EXPANSION JOINTS SHALL BE MAX 1/2", MIN 1/4", WITH NO GAPS FOR WATER INTRUSION. JOINTS SHALL BE A MAXIMUM OF 30' O.C.
 5. STEEL TROWELING FINISH REQUIRED PRIOR TO BROOM FINISHING OF ALL SURFACES.
 6. CONCRETE INTERNATIONAL CORPORATION ASHFORD FORMULA OR APPROVED EQUAL SHALL BE APPLIED AS A CURING COMPOUND. APPLICATION SHALL CONFORM TO THE MANUFACTURER'S RECOMMENDATIONS.
 7. TRANSITION AT ADA CURB CUTS SHALL BE FLUSH (LEVEL) AND FREE OF ABRUPT CHANGES, AS SHOWN.



5 ROLLED CURB-TO-ROLLED CURB TRANSITION 1



6 ROLLED CURB-TO-ROLLED CURB TRANSITION 2



7 STANDARD CURB-TO-ROLLED CURB TRANSITION 3

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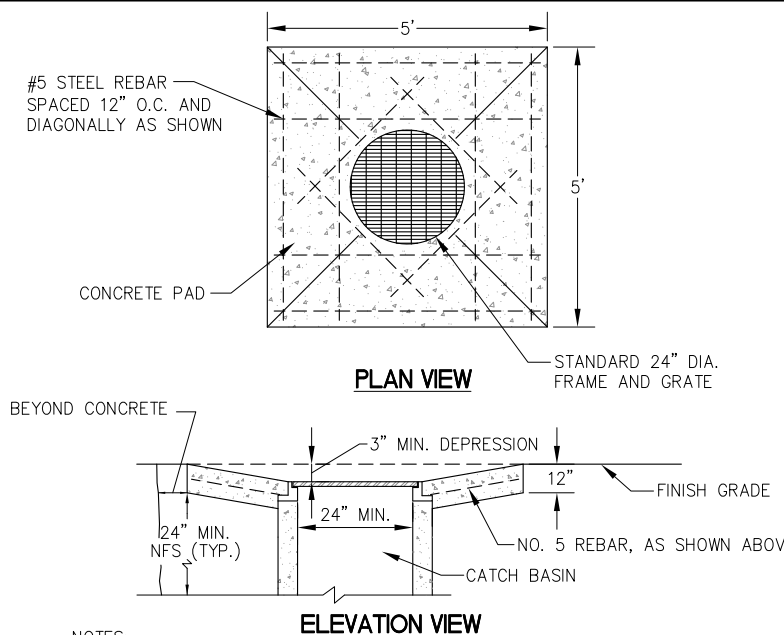


**HAINES BOROUGH
STREET IMPROVEMENTS
3RD AVENUE**

SHEET TITLE: **MISCELLANEOUS
DETAILS**

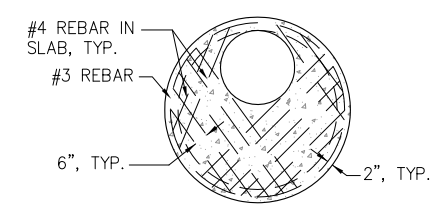
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H1
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15 OF 23

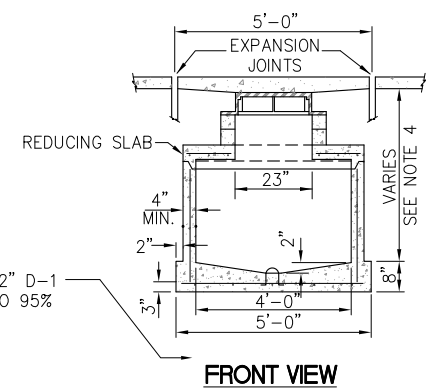


NOTES:
 1. FRAME AND GRATE MUST BE OF A TYPE THAT WILL NOT CREATE A HAZARD FOR BICYCLE TRAFFIC.
 2. COMPACT BACKFILL TO 95% OF MAXIMUM DENSITY.

1 CONCRETE AREA DRAIN



REDUCING SLAB

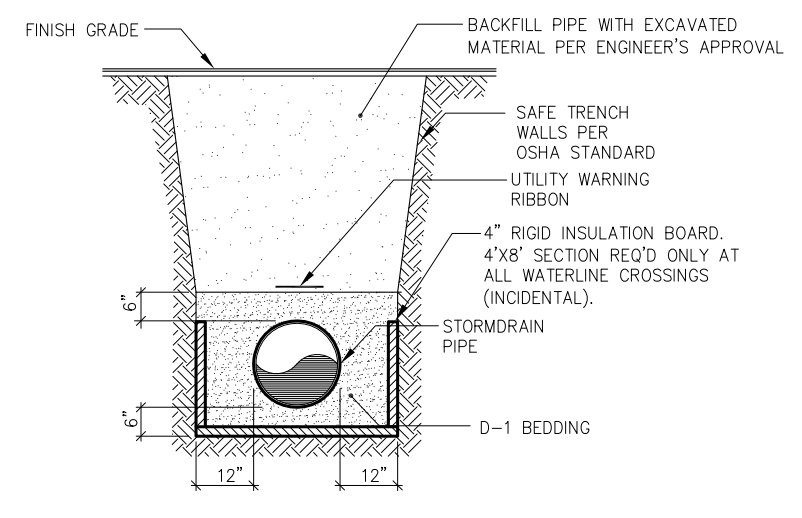


FRONT VIEW

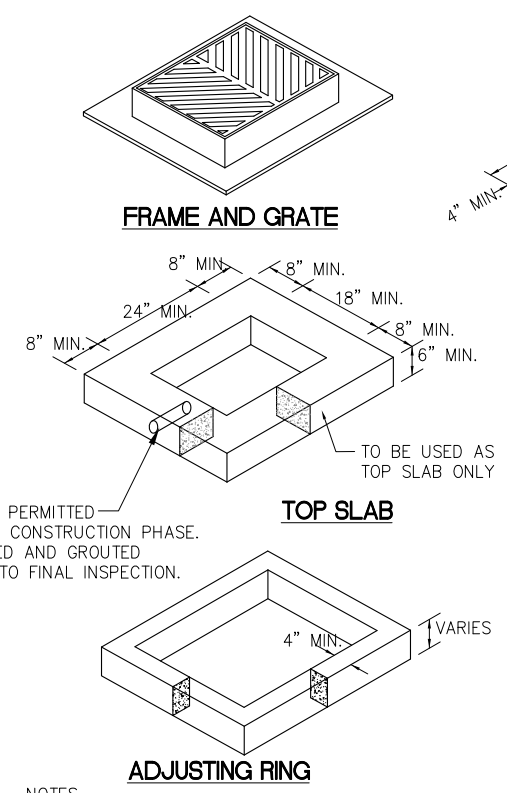
BED W/MIN. 12" D-1 COMPACTED TO 95% MAX. DENSITY

NOTES:
 1. COMPRESSIVE STRENGTH OF CONC. SHALL BE MINIMUM 4000 P.S.I., EXCEPT BASE SLAB WHICH MAY BE 3000 P.S.I. BASE AND BARREL SHALL BE CONNECTED BY CONTINUOUS STEEL.
 2. SEE ASTM C-478-64T FOR DESIGN REQUIREMENTS.
 3. AT CATCH BASIN, DELETE CONC. CURB AND GUTTER, PAVE TO FACE OF CATCH BASIN INLET.
 4. PROVIDE MIN. 6" BEDDING AROUND BASE AND SIDES OF ALL DRAINAGE STRUCTURES.
 5. BASE SHALL BEAR ON COMPETENT SUBGRADE.

3 STORM DRAIN MANHOLE W/REDUCING SLAB



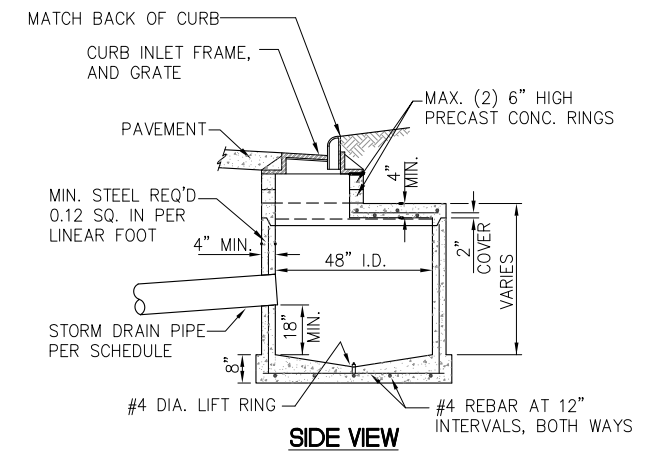
2 TYPICAL PIPE BEDDING SECTION



ADJUSTING RING

NOTES:
 1. ALL JOINTS BETWEEN SECTIONS AND BETWEEN FRAME AND CONCRETE SECTIONS SHALL BE GROUTED INSIDE AND OUTSIDE.
 2. ENTIRE KNOCKOUT IS TO BE REMOVED AND SEALED SHUT AROUND PIPE. ALL PIPES ARE TO EXTEND MIN. 1" AND MAX. 2" INTO CATCH BASIN.
 3. FRAME AND GRATE SHALL BE DUCTILE IRON. FRAME MAY BE CAST INTO THE TOP UNIT OF PLACED OVER THE OPENING AS APPROVED BY THE ENGINEER. FRAME AND GRATE MUST BE OF A TYPE THAT WILL NOT CREATE A HAZARD FOR BICYCLE TRAFFIC.
 4. CATCH BASIN SHALL MEET HIGHWAY STANDARD-20 LOAD REQUIREMENTS.
 5. MINIMUM STEEL REQUIRED AS PER ASTM C-478-69.
 6. MINIMUM SUMP DEPTH SHALL BE 16".
 7. ADJUSTING RING SHALL BE THE SAME SIZE AS THE CATCH BASIN.
 8. NO BRICKS, WOOD, OR OTHER MATERIALS PERMITTED FOR ADJUSTING GRADE, SOLID RISER OR FORMED TYPE II ONLY.
 9. FRAME AND GRATE SHALL MATCH CURB TYPE. SEE PLAN FOR CURB TYPES AND STRUCTURE LOCATIONS.

5 TYPE IV CATCH BASIN



SIDE VIEW

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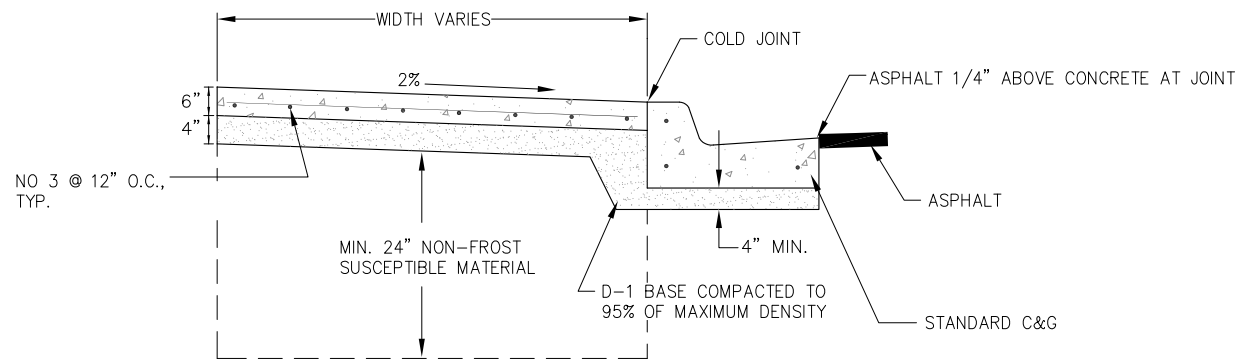
HAINES BOROUGH STREET IMPROVEMENTS 3RD AVENUE

SHEET TITLE: **MISCELLANEOUS DETAILS**

PND PROJECT NO. 072071.04 DWG. FILE: H1-H4.DWG

H2
SHEET 16 OF 23

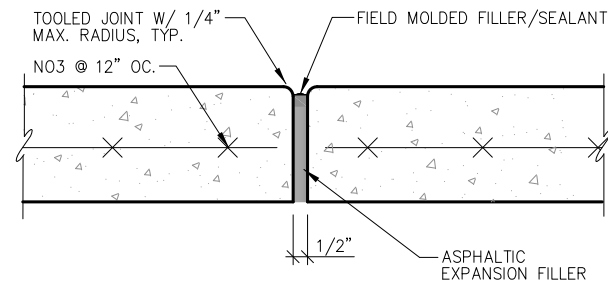




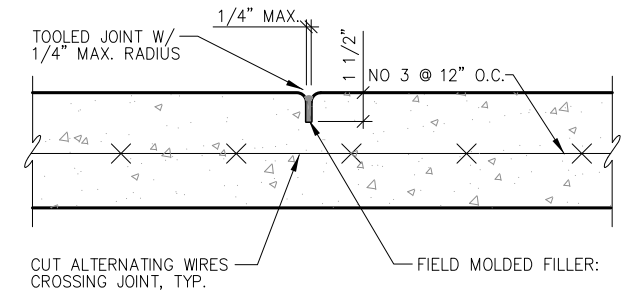
NOTES:

1. ALL STEEL MUST HAVE A MINIMUM OF 2" OF CONCRETE COVER. FIBER REINFORCING SHALL BE ALLOWED PER ENGINEER OF PLANS.
2. ALL JOINTS AND SEAMS SHALL BE EDGED.
3. EXPANSION JOINTS SHALL BE MAX 1/2", MIN 1/4", WITH NO GAPS FOR WATER INTRUSION. STEEL TROWELING FINISH REQUIRED PRIOR TO BROOM FINISHING ON ALL SURFACES.
4. CONCRETE INTERNATIONAL CORPORATION ASHFORD FORMULA OR APPROVED EQUAL SHALL BE APPLIED AS A CURING COMPOUND. APPLICATION SHALL CONFORM TO THE MANUFACTURERS RECOMMENDATIONS.

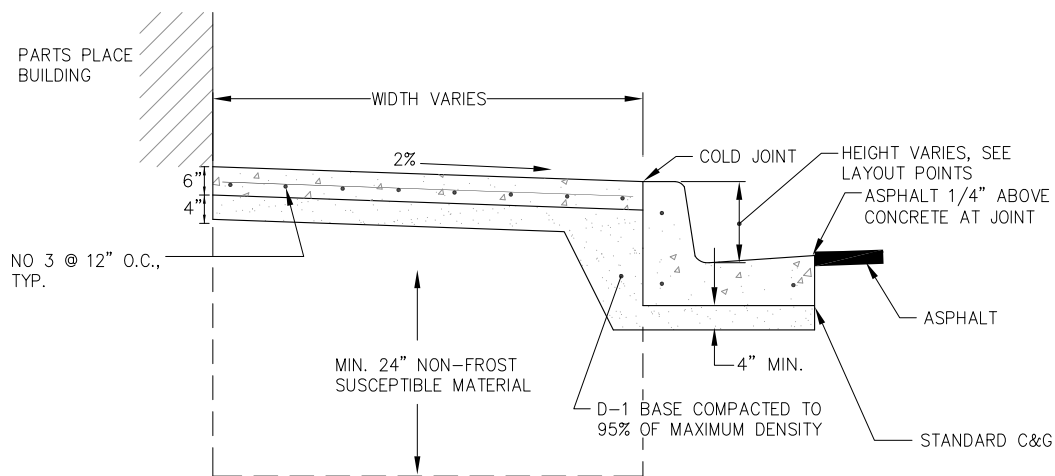
1 TYPICAL CONCRETE SIDEWALK



2 TYPICAL EXPANSION JOINT



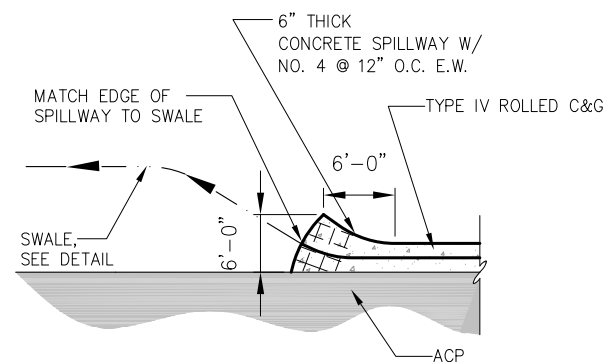
3 TYPICAL CONTROL JOINT



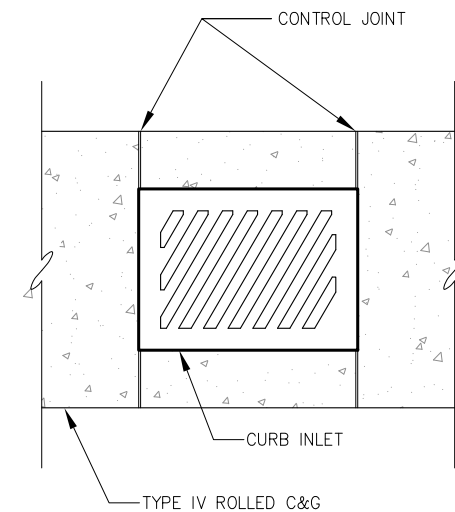
NOTES:

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2. ALL JOINTS AND SEAMS SHALL BE EDGED.
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4. CONCRETE INTERNATIONAL CORPORATION ASHFORD FORMULA OR APPROVED EQUAL SHALL BE APPLIED AS A CURING COMPOUND. APPLICATION SHALL CONFORM TO THE MANUFACTURERS RECOMMENDATIONS.

4 RAISED CURB AT PARTS PLACE BUILDING



5 CONCRETE SPILLWAY



NOTE: WHERE C&G INLET FRAME AND GRATE IS NARROWER THAN CURB, CONSTRUCT CONTROL JOINTS AT CORNERS OF FRAME AS SHOWN.

6 ROLLED CURB INLET PLAN DETAIL

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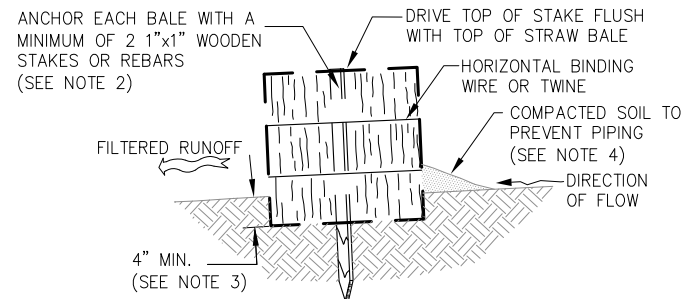
**HAINES BOROUGH
STREET IMPROVEMENTS
3RD AVENUE**

SHEET TITLE: **MISCELLANEOUS
DETAILS**

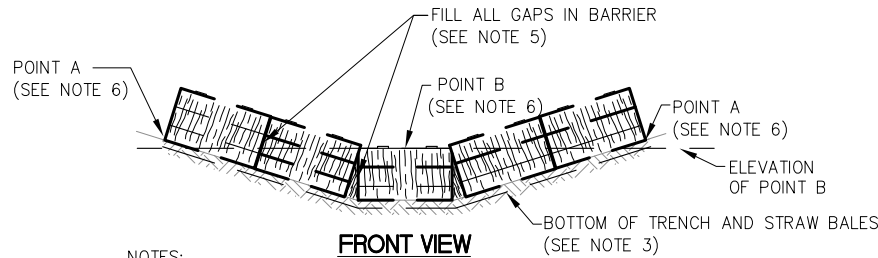
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H3

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SIDE VIEW

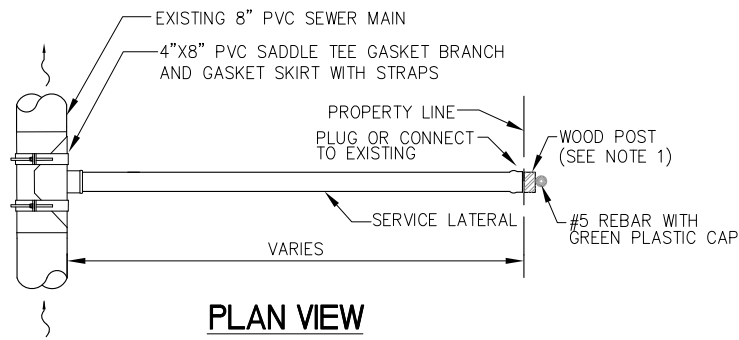


FRONT VIEW

NOTES:

- BALES SHALL BE PLACED IN A SINGLE ROW, LENGTHWISE ON THE CONTOUR, WITH ENDS OF ADJACENT BALES TIGHTLY ABUTTING ONE ANOTHER.
- DRIVE THE FIRST STAKE IN EACH BALE TOWARDS THE PREVIOUSLY LAID BALE TO FORCE THE BALES TOGETHER.
- TRENCH DEPTH SHALL BE A MINIMUM OF 4". ALL GRASS AND OTHER MATERIAL THAT WILL ALLOW UNDERFLOW SHALL BE REMOVED. TRENCH WIDTH SHALL BE EQUAL TO THE WIDTH OF THE BALES.
- BACKFILL SHALL BE BUILT UP 4" AND COMPACTED ON UPHILL SIDE OF BARRIER.
- FILL CHINKS BY WEDGING LOOSE STRAW BETWEEN BALES ON UPHILL SIDE PRIOR TO BACKFILLING AND COMPACTING.
- POINT A SHALL BE HIGHER THAN POINT B.

1 STRAW BALE BARRIER

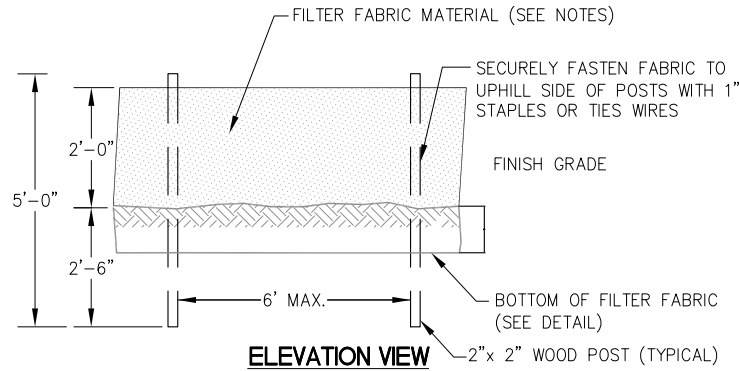


PLAN VIEW

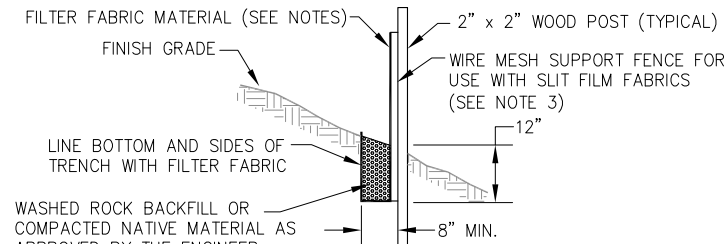
NOTES:

- MARK SERVICE WITH GREEN PAINTED 2"x4" POST OR STAMP "S" IN TOP OF CURB. POST SHALL EXTEND TO DEPTH OF SERVICE LATERAL. REBAR SHALL BE DRIVEN TO GROUND LEVEL.
- ACCEPTABLE PIPE FOR USE WITHIN R.O.W. INCLUDES SDR 35 PVC.
- MINIMUM CLEARANCE OF 18" REQUIRED BENEATH DITCH LINE. PIPE WITH LESS THAN 44" OF COVER SHALL BE INSULATED AS APPROVED BY THE ENGINEER.
- USE GPK 4"x8" PVC SADDLE TEE GASKET BRANCH, PART NO.136-0084.
- SERVICE LATERAL SHALL END AT STAKE WITH A BELL END OF PIPE.
- LATERAL DEPTH AT PROPERTY LINE SHALL ACCOMMODATE EXISTING BUILDING SEWER OR FUTURE BUILDING SITE(S).

3 SANITARY SEWER SERVICE LATERAL



ELEVATION VIEW

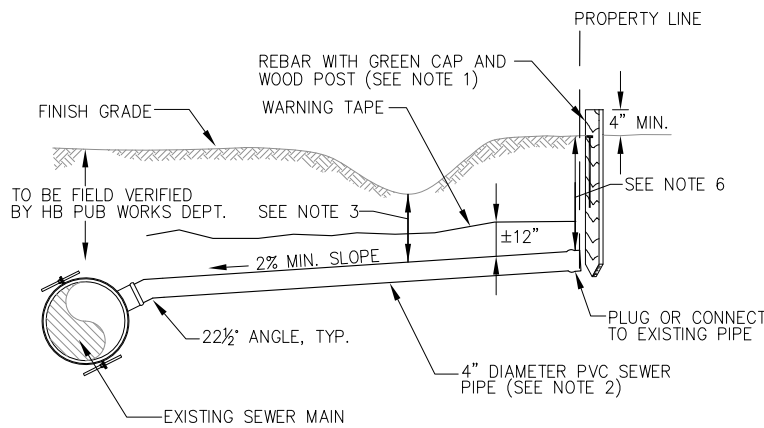


SIDE VIEW

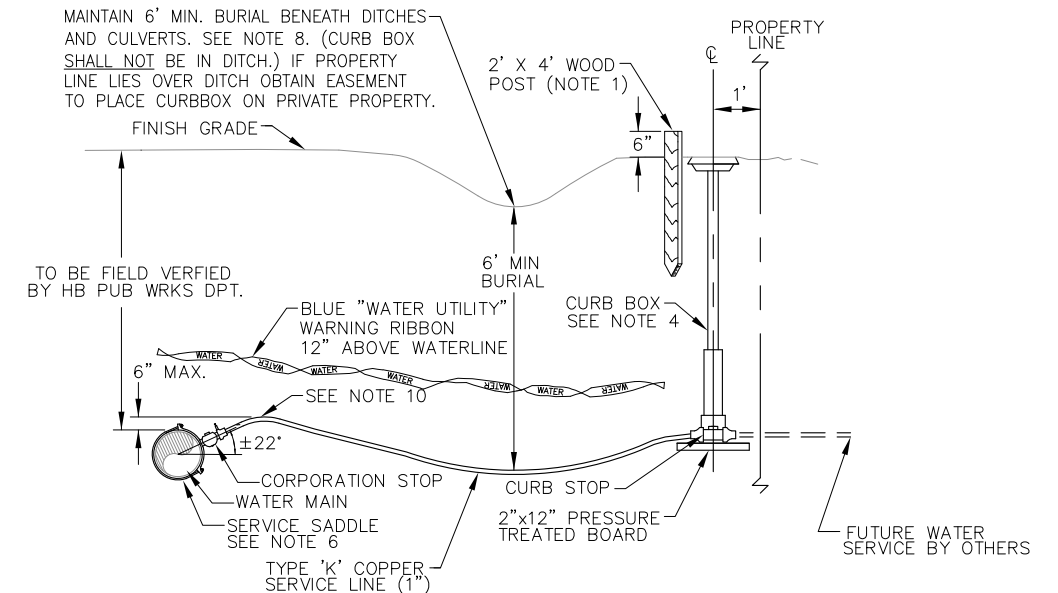
NOTES:

- FILTER FABRIC SHALL BE CUT FROM A CONTINUOUS ROLL OF FABRIC. JOINTS SHALL BE KEPT TO A MINIMUM. JOINTS SHALL BE AT SUPPORT POSTS WITH A MINIMUM OF 6" OVERLAP.
- FILTER FABRIC TYPE SHALL BE APPROVED BY THE ENGINEER.
- MORE SUPPORT POSTS MAY BE SUBSTITUTED FOR WIRE MESH AS APPROVED BY THE ENGINEER.
- FILTER FABRIC FENCE SHALL BE REMOVED AFTER UPSLOPE HAS BEEN STABILIZED. RETAINED MATERIALS SHALL BE REMOVED FROM SITE AND PROPERLY DISPOSED OF.

2 FILTER FABRIC FENCE



ELEVATION VIEW



NOTES:

- AT CURB STOP CONNECT TO EXISTING LINE OR MARK CURB WITH BLUE 2' X 4" TIMBER OR "W" ON CONCRETE CURB.
- USE MUELLER CORPORATION STOP NO. B25028 CORPORATION STOP SHALL BE MALE IRON PIPE THREAD INLET BY FLARED COPPER OUTLET.
- USE MUELLER CURB STOP NO. H15219 (1") WITH DRAIN.
- CURB BOX SHALL BE MUELLER NO. H10306 WITH STATIONARY ROD NO. 84341.
- ALL COPPER TUBE CONNECTIONS FOR 1" AND 3/4" PIPE SHALL BE FLARED UNIONS.
- USE MUELLER SERVICE SADDLE (1" IPT) WITH STAINLESS STEEL DOUBLE-STRAP BANDS.
- ALL SERVICES MUST BE 5' BELOW EXISTING CULVERTS.
- HOLE DRILLED IN THE MAIN SHALL BE THE SAME DIAMETER AS THE SERVICE PIPE.
- PROVIDE AN ADDITIONAL 12" OF SERVICE PIPE BEYOND STRAIGHT LINE LENGTH REQUIRED. LOOP AS SHOWN. MAINTAIN 6' BURIAL AT HIGH POINT OF SERVICE LINE.
- MAINTAIN A MINIMUM OF 18" OF SEPARATION BETWEEN VALVE BOXES, AND BETWEEN VALVE BOXES AND OTHER STRUCTURES.
- ALL NEW SERVICES SHALL BE TESTED FOR ELECTRICAL CONTINUITY AND CURB BOX LOCATION RECORDED WITH SWING-TIES.

4 WATER SERVICE



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DATE: JANUARY 2014

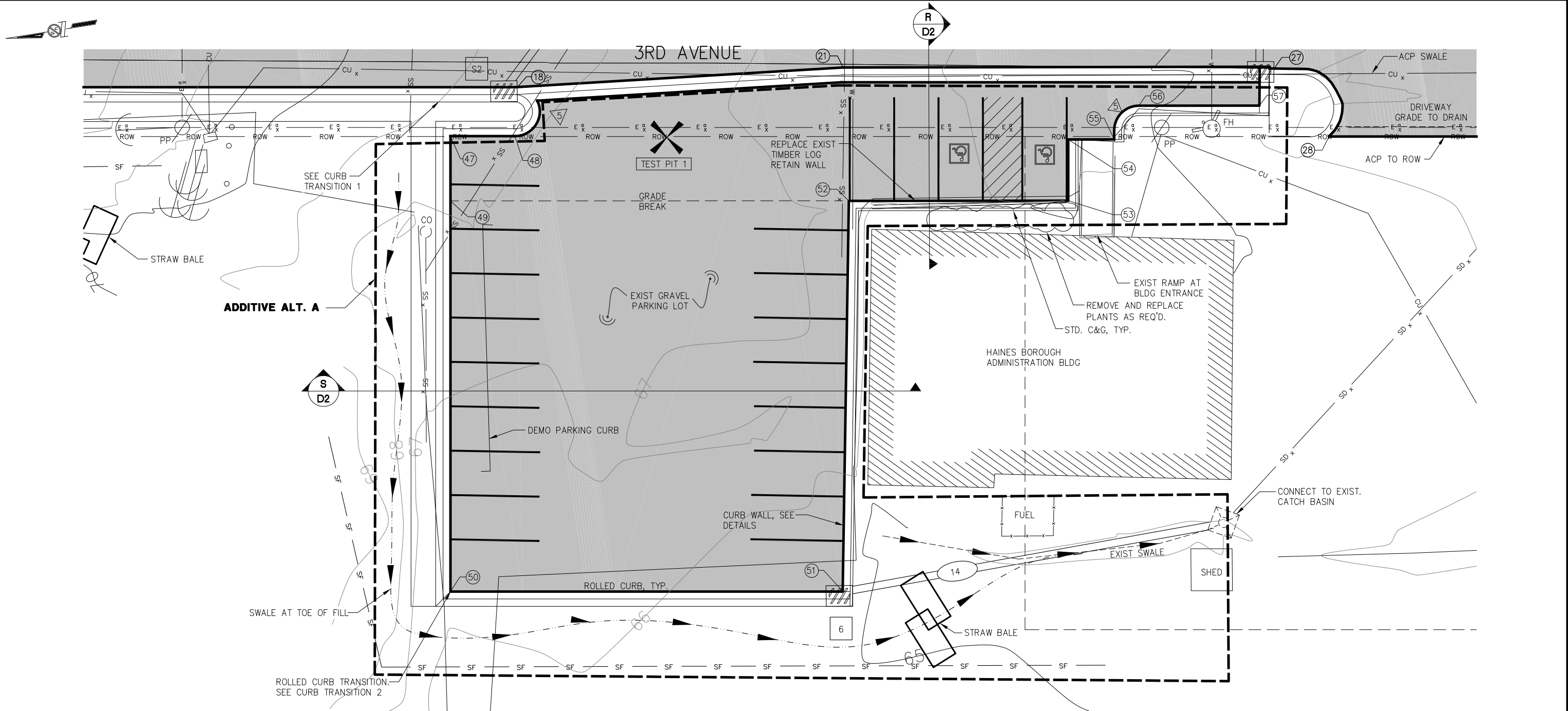


HAINES BOROUGH STREET IMPROVEMENTS 3RD AVENUE

SHEET TITLE: **MISCELLANEOUS DETAILS**

PND PROJECT NO. 072071.04 DWG. FILE: H1-H4.DWG

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SHEET 18 OF 23



ADDITIVE ALT. A

**HAINES BOROUGH PARKING LOT PLAN
ADDITIVE ALTERNATE A**

NOTE:
 TEST PIT-1
 0"-36" GRAVEL FILL
 36"-54" SAND WITH SOME FINES

CAUTION
 UNDERGROUND POWER AND COMMUNICATION UTILITIES ARE SHOWN APPROX. CONTRACTOR SHALL COORDINATE LOCATES FOR POWER AND COMMUNICATIONS.

- NOTE:
- COORDINATE ALL DEMOLITION WITH HAINES BOROUGH PUBLIC WORKS PRIOR TO START OF WORK.
 - SEE PLAN & PROFILE FOR ALL LAYOUT POINTS TO LIMITS OF HARDSCAPE DEMOLITION.
 - EXIST CONTOURS SHOWN AT 1' INTERVALS. FIELD VERIFY CONDITIONS.
 - BASE BID DEMOLITION ONLY SHOWN SEE ADDITIVE ALTERNATES FOR OTHER DEMOLITION.
 - COORDINATE ALL TRAFFIC CONTROL W/ OWNERS AND RESIDENTS.
 - COORDINATE DEMOLITION OF EXIST CONCRETE WALL ALONG WILLARD STREET WITH HAINES BOROUGH. APPROX. 100' LF DEMO FIELD VERIFY.

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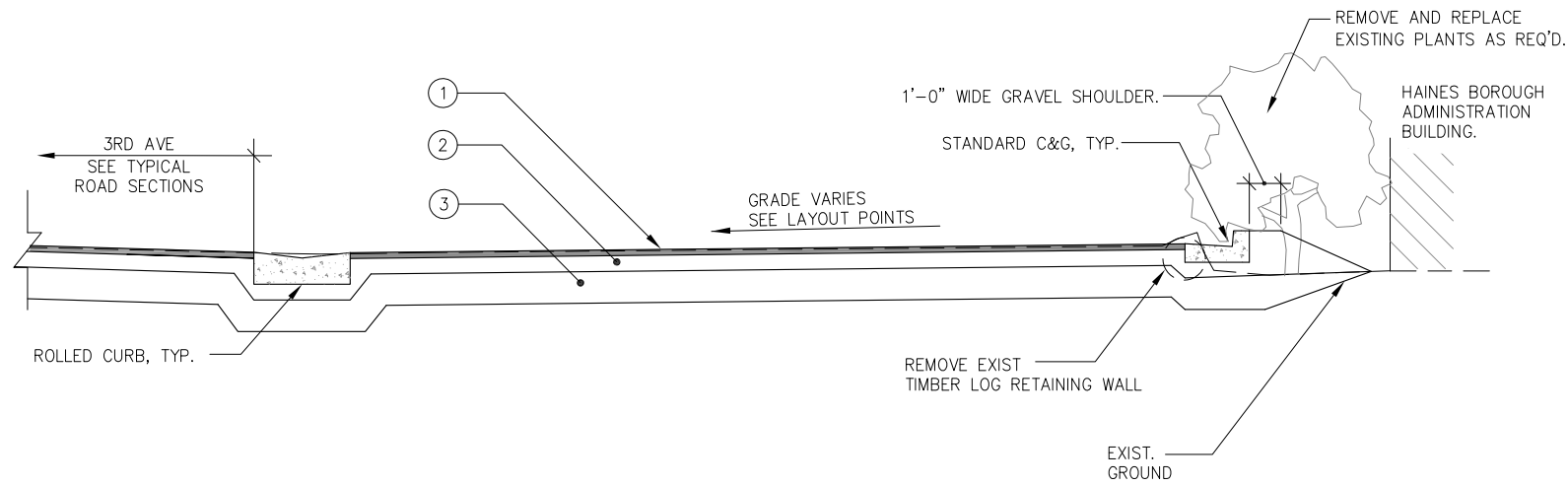


**HAINES BOROUGH
 STREET IMPROVEMENTS
 3RD AVENUE**

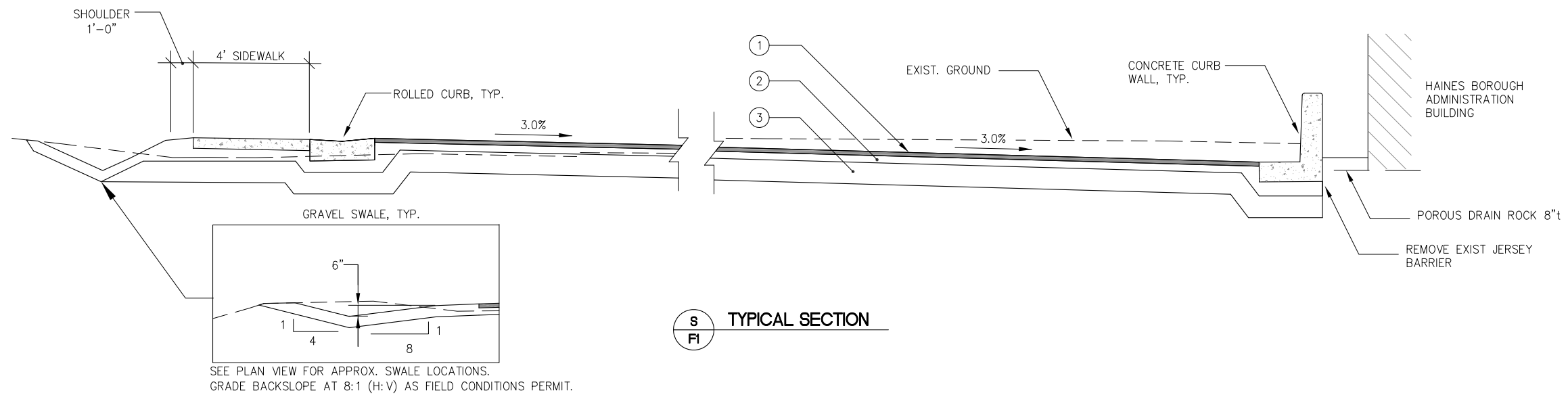
SHEET TITLE:
**HAINES BOROUGH PARKING LOT PLAN
 ADDITIVE ALTERNATE A**

PMD PROJECT NO. 072071.04 DWG. FILE: E1-E4,K1-J1.DWG

J1
 SHEET
 19 OF 23



R
FI TYPICAL SECTION



S
FI TYPICAL SECTION

MATERIAL SCHEDULE	
SYMBOL	MATERIAL DESCRIPTION
①	2 1/4" ACP, TYPE II, CLASS B
②	4" AGGREGATE BASE COURSE, GRADING D-1
③	12" MIN SUBBASE (TO COMPETENT MAT'L), GRADING A

- NOTES:
- SEE PLAN VIEW FOR TYPICAL SECTION APPROXIMATE STATION RANGES.
 - SUB-EXCAVATE ALL AREAS DEEMED UNSUITABLE AND BACKFILL WITH SUBBASE AS SHOWN. COMPACT SUBBASE IN LIFTS PRIOR TO INSTALLING BASE COURSE.
 - SEE TYPICAL DETAILS FOR DITCH RECONDITIONING.
 - DO NOT DISTURB EXISTING FENCES, UTILITIES, CONCRETE DRIVEWAYS, OR OTHER HARDSCAPES. ANY DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER.

CAUTION
UNDERGROUND POWER AND COMMUNICATION UTILITIES ARE SHOWN APPROXIMATE. CONTRACTOR SHALL COORDINATE LOCATES FOR ALL UTILITY LOCATES AS REQUIRED DURING CONSTRUCTION. SEE GENERAL NOTES FOR CONTACTS.

95% REVIEW SUBMITTAL



REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.

P | N | D
ENGINEERS, INC.

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DESIGN: SCS CHECKED: NAM SCALE: NTS
DRAWN: SCS APPROVED: CRS



HAINES BOROUGH STREET IMPROVEMENTS 3RD AVENUE

SHEET TITLE: **HAINES BOROUGH PARKING LOT TYPICAL SECTIONS**

PMD PROJECT NO. 072071.04 DWG. FILE: J2.DWG

J2
SHEET 20 OF 23

Mayor Stephanie Scott

Haines Assembly Members

P.O. Box 1209

Haines, AK 99827

February 11, 2014

Dear Stephanie and Haines Assembly Members,

The Haines Borough Public Safety Commission met last night at the request of Haines Area professionals and yourself to address domestic violence and other related issues that are serious enough as to pose a possible threat to the wellbeing of our general population. As a result of these discussions, it was determined that the best course of action would be to approach the Haines Borough Assembly to assist in the following ways:

1. There exists a serious need for permanent safe houses in the Haines area. To date, ordinary citizens have taken this task on at their own expense and this has been problematic in that it lacks permanency. It is for this reason that the PSC recommends that the Assembly, in conjunction with staff, find a way to assist financially in this matter. Whether this means simply funding hotel rooms periodically, or providing for a permanent safe place within the existing facilities to be determined at a later date.
2. It was also identified that one of the best ways to impact this problem is education for the general public in the areas of domestic violence and mental illness. Through the professionals at the meeting, it was learned that there is available training for mental health first aid responders. This training could provide the community with a permanent training base that could be used to educate all segments of the population to identify possible areas of concern. Lynn Canal Counseling is willing to front the cost of travel and related expenses. They are asking that the Borough pick up the cost of the training, which is \$2000 apiece for two trainers, thus \$4000 total. It is the recommendation of the PSC that the Assembly seriously consider assisting with this expense as these trainers would be a permanent part of the community and are currently involved in our public safety infrastructure.

The professionals in this field will be glad to assist with statistics or other facts if needed.

Sincerely,

Jim Stanford, Chairperson

Haines Borough Public Safety Commission

Mental Health First Aid

Mental Health First Aid is an adult public education program designed to improve participants' knowledge and modify their attitudes and perceptions about mental health and related issues, including how to respond to individuals who are experiencing one or more acute mental health crises (i.e., suicidal thoughts and/or behavior, acute stress reaction, panic attacks, and/or acute psychotic behavior) or are in the early stages of one or more chronic mental health problems (i.e., depressive, anxiety, and/or psychotic disorders, which may occur with substance abuse).

The intervention is delivered by a trained, certified instructor through an interactive 12-hour course, which can be completed in two 6-hour sessions or four 3-hour sessions. The course introduces participants to risk factors, warning signs, and symptoms for a range of mental health problems, including comorbidity with substance use disorders; builds participants' understanding of the impact and prevalence of mental health problems; and provides an overview of common support and treatment resources for those with a mental health problem. Participants also are taught a five-step action plan, known as ALGEE, for use when providing Mental Health First Aid to an individual in crisis:

- A--Assess for risk of suicide or harm
- L--Listen nonjudgmentally
- G--Give reassurance and information
- E--Encourage appropriate professional help
- E--Encourage self-help and other support strategies

In addition, the course helps participants to not only gain confidence in their capacity to approach and offer assistance to others, but also to improve their personal mental health. After completing the course and passing an examination, participants are certified for 3 years as a Mental Health First Aider.

In the studies reviewed for this summary, Mental Health First Aid was delivered as a 9-hour course, through three weekly sessions of 3 hours each. Participants were recruited from community and workplace settings in Australia or were members of the general public who responded to recruitment efforts. Some of the participants (7%-60% across the three studies reviewed) had experienced mental health problems.

Descriptive Information

Areas of Interest	Mental health promotion
Outcomes	<p>Review Date: May 2012</p> <p>1: Recognition of schizophrenia and depression symptoms</p> <p>2: Knowledge of mental health support and treatment resources</p> <p>3: Attitudes about social distance from individuals with mental health problems</p> <p>4: Confidence in providing help, and provision of help, to an individual with mental health problems</p> <p>5: Mental health</p>
Outcome Categories	<p>Mental health</p> <p>Social functioning</p>
Ages	<p>18-25 (Young adult)</p> <p>26-55 (Adult)</p> <p>55+ (Older adult)</p>
Genders	<p>Male</p> <p>Female</p>
Races/Ethnicities	Non-U.S. population
Settings	<p>Workplace</p> <p>Other community settings</p>

Geographic Locations	Urban Suburban Rural and/or frontier
Implementation History	Mental Health First Aid was developed in 2001 at the Australian National University. The program was first used in the United States in 2007, and since then, the program has trained over 1,500 instructors in 45 States, the District of Columbia, and Puerto Rico. These instructors have taught the course to more than 38,000 people in a variety of communities. The program has been implemented internationally in Australia, Cambodia, China, England, Finland, Hong Kong, Ireland, Japan, Nepal, New Zealand, Scotland, Singapore, South Africa, Sweden, Thailand, and Wales.
NIH Funding/CER Studies	Partially/fully funded by National Institutes of Health: No Evaluated in comparative effectiveness research studies: No
Adaptations	Mental Health First Aid has been adapted for youth participants (i.e., those under age 18), using age-appropriate examples and format. The program has been translated into Vietnamese for use in Vietnamese communities in Australia.
Adverse Effects	No adverse effects, concerns, or unintended consequences were identified by the developer.
IOM Prevention Categories	Universal Selective Indicated

Quality of Research

Review Date: May 2012

Documents Reviewed

The documents below were reviewed for Quality of Research. The research point of contact can provide information regarding the studies reviewed and the availability of additional materials, including those from more recent studies that may have been conducted.

Study 1

[Kitchener, B. A., & Jorm, A. F. \(2002\). Mental Health First Aid training for the public: Evaluation of effects knowledge, attitudes and helping behavior. *BMC Psychiatry*, 2\(10\), 1-6. !\[\]\(c694a3ff3b077d76910920a6a1593ab4_img.jpg\)](#)

Study 2

[Kitchener, B. A., & Jorm, A. F. \(2004\). Mental Health First Aid training in a workplace setting: A randomized controlled trial. *BMC Psychiatry*, 4\(23\), 1-8. !\[\]\(05be7c7a8995decd503647c99211f7c2_img.jpg\)](#)

Study 3

[Jorm, A. F., Kitchener, B. A., O'Kearney, R., & Dear, K. \(2004\). Mental Health First Aid training of the public in a rural area: A cluster randomized trial. *BMC Psychiatry*, 4\(33\), 1-9. !\[\]\(dd161862f9164df98f62b726e9846241_img.jpg\)](#)

Supplementary Materials

Overview of intervention fidelity

Outcomes

Outcome 1: Recognition of schizophrenia and depression symptoms

Description of Measures

Recognition of schizophrenia and depression symptoms was assessed using vignettes and items from the National Survey of Mental Health Literacy, a self-completed survey. Participants were presented with a vignette of a person who had major depression ("Mary") and/or a vignette of a person who had schizophrenia ("John"). After reading the vignette, participants were asked the following open-ended question: "From the information given, what, if anything is wrong with Mary/John?" The percentage of participants who correctly identified the disorder described was calculated on the basis of the responses.

Key Findings

A study was conducted with members of the public who responded to recruitment information distributed within a community in Australia to participate in Mental Health First Aid. All participants received the intervention. Participants were randomly assigned to receive the schizophrenia vignette or the depression vignette, and the same vignette was presented to each participant at three

assessment points: before (pretest) and after (posttest) the intervention and 6 months after the posttest (follow-up). Combined data from both vignette groups indicated that over time, there was an increase in the percentage of participants who correctly recognized symptoms of schizophrenia or depression ($p < .001$). Data from the schizophrenia vignette group indicated that over time, there was an increase in the percentage of participants who correctly recognized symptoms of schizophrenia ($p < .001$). Although data from the depression vignette group indicated that over time, there was an increase in the percentage of participants who correctly recognized symptoms of depression, these findings were not statistically significant.

In another study, community residents in a large rural area in southern Australia were matched and grouped into pairs and then randomly assigned to the intervention group, whose participants received Mental Health First Aid immediately, or the wait-list control group. Participants in the intervention group also were randomly assigned to receive the schizophrenia vignette or the depression vignette, and the same vignette was presented to each participant at two assessment points: approximately 2 months before the intervention (pretest) and approximately 6 months after the pretest (at a follow-up occurring approximately 4 months after the intervention). Combined data from both vignette groups indicated that the percentage of participants who improved from incorrectly recognizing symptoms of schizophrenia or depression at pretest to correctly recognizing them at the 4-month follow-up was greater for the intervention group than the control group ($p < .001$). Data from each individual vignette group were not analyzed.

Studies Measuring Outcome Study 1, Study 3

Study Designs Experimental, Preexperimental

Quality of Research Rating 2.7 (0.0-4.0 scale)

Outcome 2: Knowledge of mental health support and treatment resources

Description of Measures

Knowledge of mental health support and treatment resources was assessed using vignettes and items from the National Survey of Mental Health Literacy, a self-completed survey. Participants were presented with a vignette of a person who had major depression ("Mary") and/or a vignette of a person who had schizophrenia ("John"). Participants were then given a list of people, treatments, and actions that the person described in the vignette might use as a resource. Using a response of "helpful," "harmful," or "neither," participants rated each item in the list (e.g., "a typical GP [general practitioner] or family doctor"; "a chemist or pharmacist"; "a psychiatrist"; "Mary/John tries to deal with her/his problem on her/his own"; "pain relievers such as aspirin, codeine or panadol"; "antidepressants"; "courses on relaxation, stress management, meditation or yoga"; "a special diet or avoiding certain foods"). To assess this outcome, a scale was created showing the extent of the participant's knowledge of which support and treatment resources were helpful, as agreed on by health professionals. Six of the list items were classified as helpful for schizophrenia, and participants received a score ranging from 0 to 6, depending on the number of items correctly classified; five of the list items were classified as helpful for depression, and participants received a score ranging from 0 to 5, depending on the number of items correctly classified. Because of the difference in the total number of helpful items (i.e., 6 vs. 5), participants' scores were converted to percentages.

Key Findings

A study was conducted with members of the public who responded to recruitment information distributed within a community in Australia to participate in Mental Health First Aid. All participants received the intervention. Participants were randomly assigned to receive the schizophrenia vignette or the depression vignette, and the same vignette was presented to each participant at three assessment points: before (pretest) and after (posttest) the intervention and 6 months after the posttest (follow-up). Combined data from both vignette groups indicated that over time, there was an increase in the percentage of items correctly classified by participants as helpful for schizophrenia and depression ($p < .001$), although there was a slight decrease from posttest to the 6-month follow-up in the percentage of items correctly classified. There were no statistically significant changes in participants' knowledge of mental health support and treatment resources over time when data from each individual vignette group were analyzed.

In a second study, employees from two large government departments in Australia were randomly assigned to the intervention group, whose participants received Mental Health First Aid immediately during work time, or the wait-list control group. Participants in the intervention group were presented with both the depression and schizophrenia vignettes and assessed approximately 1 month before (pretest) and approximately 5 months after (follow-up) Mental Health First Aid was received. Combined data from both vignette groups indicated that from pretest to the 5-month

follow-up, compared with participants in the control group, those in the intervention group had a greater improvement in the percentage of items correctly classified as helpful for schizophrenia and depression ($p = .036$). There were no statistically significant changes between groups in regard to participants' knowledge of mental health support and treatment resources over time when data from each individual vignette group were analyzed.

In a third study, community residents in a large rural area in southern Australia were matched and grouped into pairs and then randomly assigned to the intervention group, whose participants received Mental Health First Aid immediately, or the wait-list control group. Participants in the intervention group also were randomly assigned to receive the schizophrenia vignette or the depression vignette, and the same vignette was presented to each participant at two assessment points: approximately 2 months before the intervention (pretest) and approximately 6 months after the pretest (at a follow-up occurring approximately 4 months after the intervention). Combined data from both vignettes indicated that from pretest to the 4-month follow-up, compared with participants in the control group, those in the intervention group had a greater improvement in the percentages of items correctly classified as helpful for schizophrenia or depression ($p = .001$). Data from each individual vignette group were not analyzed.

Studies Measuring Outcome Study 1, Study 2, Study 3

Study Designs Experimental, Preexperimental

Quality of Research Rating 2.6 (0.0-4.0 scale)

Outcome 3: Attitudes about social distance from individuals with mental health problems

Description of Measures Attitudes about social distance from individuals with mental health problems were assessed using the 4-item Social Distance Scale, a self-report questionnaire. Participants were presented with a vignette of a person who had major depression ("Mary") and/or a vignette of a person who had schizophrenia ("John"). Using a scale ranging from 1 (definitely willing) to 4 (definitely unwilling), participants responded to four questions regarding how willing they would be to move next door to, socialize with, become friends with, or work with the individual described in the vignette.

Key Findings A study was conducted with members of the public who responded to recruitment information distributed within a community in Australia to participate in Mental Health First Aid. All participants received the intervention. Participants were randomly assigned to receive the schizophrenia vignette or the depression vignette, and the same vignette was presented to each participant at three assessment points: before (pretest) and after (posttest) the intervention and 6 months after the posttest (follow-up). Combined data from both vignette groups indicated that over time, participants had an improvement in attitudes about social distance from individuals with mental health problems ($p < .001$). There were no statistically significant changes in attitudes about social distance from individuals with mental health problems over time when data from each individual vignette group were analyzed.

In a second study, employees from two large government departments in Australia were randomly assigned to the intervention group, whose participants received Mental Health First Aid immediately during work time, or the wait-list control group. Participants in the intervention group were presented with both the depression and schizophrenia vignettes and assessed approximately 1 month before (pretest) and approximately 5 months after (follow-up) Mental Health First Aid was received. Combined data from both vignette groups indicated that from pretest to the 5-month follow-up, compared with participants in the control group, those in the intervention group had a greater improvement in attitudes about social distance from individuals with mental health problems ($p = .020$). Data from the depression vignette group indicated that over time, compared with participants in the control group, those in the intervention group had a greater improvement in attitudes about social distance from individuals with mental health problems ($p = .005$). There were no statistically significant changes between groups in regard to attitudes about social distance from individuals with mental health problems over time when data from the schizophrenia vignette group were analyzed.

In a third study, community residents in a large rural area in southern Australia were matched and grouped into pairs and then randomly assigned to the intervention group, whose participants received Mental Health First Aid immediately, or the wait-list control group. Participants in the intervention group also were randomly assigned to receive the schizophrenia vignette or the depression vignette, and the same vignette was presented to each participant at two assessment points: approximately 2 months before the intervention (pretest) and approximately 6 months after

the pretest (at a follow-up occurring approximately 4 months after the intervention). Combined data from both vignette groups indicated that from pretest to the 4-month follow-up, compared with participants in the control group, those in the intervention group had a greater improvement in attitudes about social distance from individuals with mental health problems ($p = .032$). Data from each individual vignette group were not analyzed.

Studies Measuring Outcome	Study 1, Study 2, Study 3
Study Designs	Experimental, Preexperimental
Quality of Research Rating	3.1 (0.0-4.0 scale)

Outcome 4: Confidence in providing help, and provision of help, to an individual with mental health problems

Description of Measures	<p>Confidence in providing help, and provision of help, to an individual with mental health problems was measured with items from a self-assessment questionnaire. Using a scale ranging from 1 (not at all) to 5 (extremely), participants responded to the first item: "How confident do you feel in helping someone with a mental health concern?" Confidence in helping someone with mental health problems was defined as a response of 3 (moderately), 4 (quite a bit), or 5. Using a choice of "yes," "no," or "don't know," participants responded to a second item: "In the last 6 months have you had contact with anyone with a mental health problem?" Participants who responded "yes" were asked to respond to additional items: "How many people?"; "Have you offered any help?" (using a scale ranging from 1, not at all, to 4, a lot); and "What type of help?" (which had an open-ended response).</p>
Key Findings	<p>A study was conducted with members of the public who responded to recruitment information distributed within a community in Australia to participate in Mental Health First Aid. All participants received the intervention. Participants, who were randomly assigned to receive a schizophrenia vignette or a depression vignette (both of which were used as part of the measures of other outcomes), were assessed before (pretest) and after (posttest) the intervention and 6 months after the posttest (follow-up). Combined data from both vignette groups indicated that over time, more participants were confident in providing help to an individual with mental health problems ($p < .001$) and more participants who had contact with someone with a mental health problem provided some or a lot of help to that individual ($p = .036$). Data for each individual vignette group were not analyzed.</p> <p>In a second study, employees from two large government departments in Australia were randomly assigned to the intervention group, whose participants received Mental Health First Aid immediately during work time, or the wait-list control group. Participants in the intervention group, who were presented with schizophrenia and depression vignettes (both of which were used as part of the assessment of other outcomes), were assessed approximately 1 month before (pretest) and approximately 5 months after (follow-up) Mental Health First Aid was received. Combined data from both vignette groups indicated that from pretest to the 5-month follow-up, compared with participants in the control group, more participants in the intervention group were confident in providing help to an individual with mental health problems ($p = .001$). Also from pretest to the 5-month follow-up, the percentage of participants advising professional help to anyone with a mental health problem increased in comparison with the percentage of those in the control group, which decreased ($p = .007$). Data from each individual vignette group were not analyzed.</p> <p>In a third study, community residents in a large rural area in southern Australia were matched and grouped into pairs and then randomly assigned to the intervention group, whose participants received Mental Health First Aid immediately, or the wait-list control group. Participants in the intervention group, who were randomly assigned to receive a schizophrenia vignette or a depression vignette (both of which were used as part of the assessment of other outcomes), were assessed approximately 2 months before the intervention (pretest) and approximately 6 months after the pretest (at a follow-up occurring approximately 4 months after the intervention). Combined data from both vignette groups indicated that from pretest to the 4-month follow-up, the percentage of participants in the intervention group offering help to a person with a mental health problem increased in comparison with the percentage of those in the control group ($p = .031$). Also from pretest to the 4-month follow-up, compared with participants in the control group, participants in the intervention group had a greater increase in confidence in providing help to an individual with mental health problems ($p = .001$). Data from each individual vignette group were not analyzed.</p>
Studies Measuring Outcome	Study 1, Study 2, Study 3

Study Designs	Experimental, Preexperimental
Quality of Research Rating	2.3 (0.0-4.0 scale)

Outcome 5: Mental health	
Description of Measures	The mental health of participants was assessed using the mental health scale of the 12-item Short-Form Health Survey (SF-12), a self-report questionnaire. Using a yes/no response or a response on a Likert-type scale, participants responded to each item (e.g., whether they accomplished less than they would like or did work or other activities less carefully than usual during the past 4 weeks because of any emotional problems [such as feeling depressed or anxious]).
Key Findings	<p>In one study, employees from two large government departments in Australia were randomly assigned to the intervention group, whose participants received Mental Health First Aid immediately during work time, or the wait-list control group. Participants in the intervention group received a depression vignette and a schizophrenia vignette (both of which were used as part of the measures of other outcomes) and were assessed approximately 1 month before (pretest) and approximately 5 months after (follow-up) Mental Health First Aid was received. Combined data from both vignette groups indicated that from pretest to the 5-month follow-up, participants in the intervention group had a greater improvement in self-reported mental health compared with the wait-list group, which had a decline ($p = .035$). Data from each individual vignette group were not analyzed.</p> <p>In another study, community residents in a large rural area in southern Australia were matched and grouped into pairs and then randomly assigned to the intervention group, whose participants received Mental Health First Aid immediately, or the wait-list control group. Participants in the intervention group, who were randomly assigned to receive a schizophrenia vignette or a depression vignette (both of which were used as part of the assessment of other outcomes), were assessed approximately 2 months before the intervention (pretest) and approximately 6 months after the pretest (at a follow-up occurring approximately 4 months after the intervention). Combined data from both vignette groups indicated that from pretest to the 4-month follow-up, the percentage of intervention group participants who reported experiencing a mental health problem increased in comparison with the percentage of those in the control group ($p = .045$). Data from each individual vignette group were not analyzed.</p>
Studies Measuring Outcome	Study 2, Study 3
Study Designs	Experimental
Quality of Research Rating	3.3 (0.0-4.0 scale)

Study Populations

The following populations were identified in the studies reviewed for Quality of Research.

Study	Age	Gender	Race/Ethnicity
Study 1	18-25 (Young adult) 26-55 (Adult) 55+ (Older adult)	84% Female 16% Male	100% Non-U.S. population
Study 2	18-25 (Young adult) 26-55 (Adult) 55+ (Older adult)	78% Female 22% Male	100% Non-U.S. population
Study 3	18-25 (Young adult) 26-55 (Adult) 55+ (Older adult)	82% Female 18% Male	100% Non-U.S. population

Quality of Research Ratings by Criteria (0.0-4.0 scale)

External reviewers independently evaluate the Quality of Research for an intervention's reported results using six criteria:

1. Reliability of measures
2. Validity of measures

3. Intervention fidelity
4. Missing data and attrition
5. Potential confounding variables
6. Appropriateness of analysis

For more information about these criteria and the meaning of the ratings, see [Quality of Research](#).

Outcome	Reliability of Measures	Validity of Measures	Fidelity	Missing Data/Attrition	Confounding Variables	Data Analysis	Overall Rating
1: Recognition of schizophrenia and depression symptoms	2.0	2.0	2.0	4.0	2.0	4.0	2.7
2: Knowledge of mental health support and treatment resources	2.0	2.0	2.0	3.5	2.0	4.0	2.6
3: Attitudes about social distance from individuals with mental health problems	3.5	3.5	2.0	3.5	2.0	4.0	3.1
4: Confidence in providing help, and provision of help, to an individual with mental health problems	0.5	1.5	2.0	3.5	2.0	4.0	2.3
5: Mental health	4.0	4.0	2.0	3.5	2.0	4.0	3.3

Study Strengths

The Social Distance Scale and Short-Form Health Survey are well-researched measures with strong psychometric properties. In one study, fidelity was measured with a checklist that was created by the program developers to assess intervention adherence, which was demonstrated to be very high. Attrition was low in the three studies. Two studies employed random assignment into study groups. A variety of appropriate analyses, including intent-to-treat analysis, were used across the studies.

Study Weaknesses

The National Survey of Mental Health Literacy and the self-assessment questionnaire regarding help provided to an individual with mental health problems had face validity, but other types of psychometric information were not provided. In two studies, no instrument was used to measure fidelity. Some potential confounds were introduced. One study lacked a control or comparison group. In another study, participants in the intervention group had a lower response rate to the follow-up questionnaires than control group participants. In a third study, information on participants' attendance was not collected by all instructors.

Readiness for Dissemination

Review Date: May 2012

Materials Reviewed

The materials below were reviewed for Readiness for Dissemination. The implementation point of contact can provide information regarding implementation of the intervention and the availability of additional, updated, or new materials.

Gibb, B., & Browning-McNee, L. (n.d.). Mental Health First Aid: Curriculum modules [PowerPoint slides].

Goon, E., & Dayak, M. (n.d.). Mental Health First Aid: Accomplishments and priorities 2010-2011 [PowerPoint slides].

Jorm, A. F., Kitchener, B. A., Kanowski, L. G., & Kelly, C. M. (2006). Mental Health First Aid training for members of the public. *International Journal of Clinical and Health Psychology*, 7(1), 141-151.

[Kitchener, B. A., & Jorm, A. F. \(2006\). Mental Health First Aid Training: Review of evaluation studies. *Australian and New Zealand Journal of Psychiatry*, 40\(1\), 6-8. !\[\]\(799877f5c2f906134441300079881630_img.jpg\)](#)

Kitchener, B. A., & Jorm, A. F. (2007). Mental Health First Aid [PowerPoint slides].

[Kitchener, B. A., & Jorm, A. F. \(2007\). Mental Health First Aid: An international programme for early intervention. *Early Intervention in Psychiatry*, 2\(1\), 55-61. !\[\]\(7bc43b319a082987e20f7bf78f4bab80_img.jpg\)](#)

Kitchener, B. A., Jorm, A. F., Kelly, C. M., Maryland Department of Health and Mental Hygiene, Missouri Department of Mental Health, & National Council for Community Behavioral Healthcare. (2009). Mental Health First Aid USA [Participant manual]. Annapolis, MD: Anne Arundel County Mental Health Agency.

Kitchener, B. A., Jorm, A. F., Kelly, C. M., Maryland Department of Health and Mental Hygiene, Missouri Department of Mental Health, & National Council for Community Behavioral Healthcare. (2009). Mental Health First Aid USA: Teaching notes. Annapolis, MD: Anne Arundel County Mental Health Agency.

Mental Health First Aid handouts:

- ALGEE Jigsaw
- Auditory Hallucination Script
- Depression/Anxiety Scenarios
- Disability Weights Exercise
- Disability Weights Templates
- Eating Disorders Scenarios
- Eating Disorders Scenarios Answer Key
- Eating Disorders: Where Do You Stand?
- Eating Disorders: Where Do You Stand? Quiz
- Handouts & Exercises Overview
- Helpful Things to Say?
- Mental Health Opinions Quiz
- Myths & Facts About Suicide
- Panic Attack Scenarios
- Self-Injury: Fact, Fiction or Somewhere in Between
- Standard Drinks
- Standard Drinks Answer Key
- Substance Use Scenarios
- Suicidal Thoughts & Behaviors Scenarios
- Traumatic Event Scenarios
- What's Your Booze IQ?
- Wheel of Pour-tune
- Who Am I? Answer Key
- Who Am I? Worksheet

Mental Health First Aid USA: Course Films [DVD]

Mental Health First Aid USA Facebook page, <http://www.facebook.com/pages/Mental-Health-First-Aid-USA/262722766319>

National Institute of Mental Health. (2003). Real men: Real depression. Bethesda, MD: Author.

National Institute of Mental Health. (2007). Depression. Bethesda, MD: Author.

National Institute of Mental Health. (2007). Medications. Bethesda, MD: Author.

National Institute of Mental Health. (2008). Bipolar disorder. Bethesda, MD: Author.

Office of Applied Studies, Substance Abuse and Mental Health Services Administration. (2008). The National Survey on Drug Use and Health report: Major depressive episode and treatment for depression among veterans aged 21 to 39. Rockville, MD: Author.

Office on Women's Health, U.S. Department of Health and Human Services. (n.d.). Women's mental health: What it means to you. Washington, DC: Author.

Program Web site, <http://www.mentalhealthfirstaid.org>

Other dissemination materials:

- Mental Health First Aid Exam for Instructors
- Mental Health First Aid Instructor Training Course Agenda
- Mental Health First Aid: 12 Hour Course Evaluation Form
- Mental Health First Aid USA Certification Standards (May 2010)
- Presentation Schedule for 30
- 2nd Annual Mental Health First Aid USA Instructor Summit Agenda
- Tenets of Fidelity

Readiness for Dissemination Ratings by Criteria (0.0-4.0 scale)

External reviewers independently evaluate the intervention's Readiness for Dissemination using three criteria:

1. Availability of implementation materials

2. Availability of training and support resources
3. Availability of quality assurance procedures

For more information about these criteria and the meaning of the ratings, see [Readiness for Dissemination](#).

Implementation Materials	Training and Support Resources	Quality Assurance Procedures	Overall Rating
4.0	4.0	4.0	4.0

Dissemination Strengths

The implementation materials for instructors are comprehensive and provide all resources needed to deliver the intervention, including teaching notes, a DVD, a participant handbook and handouts, and a USB flash drive with support resources. The teaching notes are filled with eye-catching icons that facilitate instruction. Three videos depict how to interact and intervene with people experiencing a mental health problem using the action plan presented throughout the curriculum. The program Web site is easy to navigate and is continuously updated with new materials, Webinars, and podcasts; it also includes a forum where instructors can have discussions and network. Initial and ongoing certification requirements and standards for instructors are presented in detail, and adherence to requirements are monitored to support fidelity. Participants must pass an examination at the conclusion of the course to become certified as a Mental Health First Aider. In addition, a participant course evaluation is available to provide feedback for ongoing program improvement.

Dissemination Weaknesses

No weaknesses were identified by reviewers.

Costs

The cost information below was provided by the developer. Although this cost information may have been updated by the developer since the time of review, it may not reflect the current costs or availability of items (including newly developed or discontinued items). The implementation point of contact can provide current information and discuss implementation requirements.

Item Description	Cost	Required by Developer
Participant manual	\$14.95 each	Yes
12-hour, off-site certification course (includes participant manual, handouts, and resources; certification is valid for 3 years)	Free or \$120-\$180 per person, if a fee is charged by the instructor	Yes
5-day, off-site instructor certification course (includes instructor manual and all course materials, as well as access to online technical assistance and support resources; certification is valid for 3 years)	\$1,850 per person	No
Implementation consultation	Free	No
Course evaluation	Free	Yes
Program audit conducted by the National Council for Community Behavioral Healthcare	Free	No

Additional Information

Groups that want to schedule an on-site training can contract with an instructor to conduct the training for a flat group fee.

Replications

Selected citations are presented below. An asterisk indicates that the document was reviewed for Quality of Research.

* Jorm, A. F., Kitchener, B. A., O'Kearney, R., & Dear, K. (2004). Mental Health First Aid training of the public in a rural area: A cluster randomized trial. *BMC Psychiatry*, 4(33), 1-9. 

* Kitchener, B. A., & Jorm, A. F. (2004). Mental Health First Aid training in a workplace setting: A randomized controlled trial. *BMC Psychiatry*, 4(23), 1-8. 

Contact Information

To learn more about implementation or research, contact:

Bryan V. Gibb, M.B.A.

(202) 684-7457 ext 243

bryang@thenationalcouncil.org

Consider these [Questions to Ask](#) (PDF, 54KB) as you explore the possible use of this intervention.

Web Site(s):

- <http://www.mentalhealthfirstaid.org>

This PDF was generated from <http://nrepp.samhsa.gov/ViewIntervention.aspx?id=321> on 2/16/2014

Michelle Webb

From: Stephanie Scott
Sent: Tuesday, February 18, 2014 2:37 PM
To: Michelle Webb
Subject: Fwd: Medical Service Area Fund Balance
Attachments: Fund Balances FY15.pdf; ATT00001.htm

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Agenda Business

Please attach this info: email and spread sheet, to the agenda bill for the recommendation from the PSC re Mental Health First Aid. Thanks!

S

Stephanie Scott
Mayor, Haines Borough
907-766-2231 ext.30

Begin forwarded message:

From: Jila Stuart <jstuart@haines.ak.us>
Date: February 18, 2014, 12:31:21 PM AKST
To: Stephanie Scott <sscott@haines.ak.us>, Julie Cozzi <jcozzi@haines.ak.us>
Cc: Michelle Webb <mwebb@haines.ak.us>
Subject: RE: Medical Service Area Fund Balance

See attached. Projected fund balance for the medical service area fund at the end of this FY is \$107,054. The operating budget (not including transfers for e911 and dispatch equipment upgrades) is \$254,000. So the projected fund balance for this fund is about 42% of the annual operating budget. Since this is a special revenue fund I'm not sure the same principal applies of keeping 3-6 months of operating revenues in reserve. If the fund was completely depleted government would not screech to a halt (as it would if the general fund had no reserve or operating revenue). If the reserve were completely depleted the worst case scenario is that the particular activity supported by the special revenue may cease. Please let me know if you have any questions regarding the attached.

-----Original Message-----

From: Stephanie Scott
Sent: Tuesday, February 18, 2014 8:39 AM
To: Julie Cozzi
Cc: Jila Stuart; Michelle Webb
Subject: Medical Service Area Fund Balance

Hi Julie,

I don't know if you are aware of the recommendation from the PSC Commission for borough support to train two locals in Mental Health First Aid that the Assembly will take up at the next

meeting. It is an intervention we are proposing to address citizen level recognition of serious emotional distress and to facilitate intervention before there is a medical or legal emergency. We are seeking a \$4000 grant for Lynn Canal Counseling Services to pay the tuition for two trainers. LCCS has committed to all other costs - including travel to the training, lodging, etc. and the administration of the delivery of the course to the community upon successful completion of the training. There will be more materials in the packet as well as a memo from the LCCS director, Kelly Williamson.

I am hoping that Jila will be able to indicate a couple of possible funding sources. I know there is a fund balance in 01 but it is less than I would like it to be (43% of a 6-month cushion); I don't know what the balance is in the medical service area fund. Can we attach the fund balance for those two funds to the agenda bill for this item? Ultimately we will need a budget amendment since the nearest training takes place in Portland in June and if our locals are going to be admitted to that training, they have to apply for spots ASAP.

Of course, if the Assembly feels this is a good thing to do, we can delay and wrap it into the FY15 budget.

S

Stephanie Scott
Mayor, Haines Borough
907-766-2231 ext.30



Haines Borough

Projected Fund Balance

As of June 30, 2015

	FY11		FY12		FY13		FY14 Budgeted		6/30/2014 Projected Fund Balance	FY15	
	Revenue		Revenue		Revenue		Revenue			PROPOSED	6/30/2015 Projected Fund Balance
	6/30/2010 Fund Balance	Over (under) Expenses	6/30/2011 Fund Balance	Over (under) Expenses	6/30/2012 Fund Balance	Over (under) Expenses	6/30/2013 Fund Balance	Over (under) Expenses			
01 Areawide General	2,440,651	(152,835)	2,287,816	142,293	2,430,109	233,158	2,663,267	(209,022)	2,454,245	0	2,454,245
02 Townsite Service Area	1,495,944	223,304	1,719,247	364,313	2,083,560	(25,910)	2,057,650	(433,792)	1,623,857	0	1,623,857
17 Land Management	459,643	(81,634)	378,009	9,882	387,891	(2,429)	385,462	-	385,462	-	385,462
20 Medical Service Area	173,297	(2,468)	170,829	2,598	173,427	26,606	200,033	(92,979)	107,054	0	107,054
23 Economic Development	418,250	(39,453)	378,797	3,492	382,289	14,812	397,101	(95,204)	301,897	0	301,897
25 Fire Districts	84,797	15,806	100,603	37,000	137,603	7,809	145,413	(96,459)	48,954	0	48,954
50 CIP - Boroughwide	1,083,165	125,346	1,208,509	249,559	1,458,068	(169,979)	1,288,090	4,089	1,292,179	0	1,292,179
61 Equipment Sinking	143,477	(2,844)	140,633	5,000	145,633	110,000	255,633	40,000	295,633	0	295,633
75 Library Building Bonds	1,309	2	1,311	(3)	1,308	(39)	1,269	2	1,271	-	1,271
76 School G.O. Bond	27,633	(23,978)	3,656	64	3,720	(1,510)	2,210	545	2,755	0	2,755
79 LIDS	14,045	1,167	15,212	917	16,129	-	16,129	-	16,129	-	16,129
90 Water Revenue	3,407,513	962,499	4,370,012	1,030,426	5,400,438	547,571	5,948,009	(208,616)	5,739,393	0	5,739,393
91 Sewer Revenue	4,702,376	(144,554)	4,557,822	410,369	4,968,191	(135,611)	4,832,580	(252,620)	4,579,960	0	4,579,960
92 Boat Harbor	8,300,342	(259,383)	8,040,959	(347,453)	7,693,506	601,563	8,295,069	(648,759)	7,646,310	0	7,646,310
93 Lutak Dock					2,876,266	239,895	3,116,161	69,592	3,185,753	0	3,185,753
94 PC Dock					4,747,015	30,658	4,777,673	(254,077)	4,523,596	0	4,523,596
96 General Fixed Assets	31,505,463		33,176,681		29,285,114	-	31,463,261	-	31,463,261	-	31,463,261
97 Permanent Fund	6,950,749	500,487	7,451,237	167,411	7,618,648	220,843	7,839,491	213,269	8,052,760	0	8,052,760

Represents Fund Balances which include Capital Assets and Expenses which include depreciation



HAINES BOROUGH, ALASKA

P.O. BOX 1209

HAINES, AK 99827

(907) 766-2231 * FAX (907) 766-2716

To: Department of Commerce, Community and Economic Development
From: Carlos Jimenez, Director of Public Facilities
Date: February 20, 2014
RE: Energy Improvements to the Haines Senior Center

To Whom It May Concern:

The Haines Borough wishes to express its support and interest in working with Catholic Community Service to make energy saving improvements to the Haines Senior Center.

Work that will be done includes blown-in insulation in the ceiling cavity that will increase the R-Value by more than 70 percent, new thermal pane windows, and associated work and new siding. These improvement projects would be made possible with the grant funds that may be available through the submitted application. The Borough would have some matching funds available from our deferred maintenance account.

The Haines Senior Center is used four days a week to host lunch for our senior citizens. It is also widely used by the community for a variety of events, such as for sewing circles and quilters.

In the past few years, the Borough and CCS have completed other important maintenance and program improvements, such as a new covered drive-through bus port, new pellet boiler including a 15-ton pellet storage silo, new baseboard heating units, pipe insulation and a new roof. These projects prolong the useful life of the building, make it more energy efficient, and add to the quality of services for Haines seniors and other residents.

We greatly appreciate the opportunity to work with you and CCS once again. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Carlos Jimenez", is written over a light blue horizontal line.

Carlos Jimenez
Director of Public Facilities
Haines Borough
(907) 766-2231 Ext. 29



19 February 2014

Dear Mayor Scott and Assembly,

The Alaska Association of Harbormasters and Port Administrators (AAHPA) Resolution No. 2013-01 is for support of full funding for the State of Alaska Harbor Facility Grant Program in the FY 2015 State Capital budget. In 2006, the Governor and the Alaska Legislature passed legislation supported by AAHPA to create the Harbor Facility Grant Program, AS 29.60.800., this grant allows municipalities to apply and receive fifty percent matching state funding for their harbor facilities turned over to them by the State of Alaska. As you may know the South Portage Cove Harbor was built using this funding.

Over the past seven years this program has only been funded fully twice, thus leaving a backlog of projects of former state owned facilities in excess of \$90,000,000.

This year full funding for all projects submitted would be \$8,120,000, please urge the Governor and Alaska Legislature to fully fund FY 2015 Alaska's Municipal Harbor Facility Grant Program.

Thank you,

Phil Benner
President
Alaska Association of Harbormasters and Port Administrators

Alaska Association of Harbormasters and Port Administrators



RESOLUTION NO. 2013-01

A RESOLUTION OF THE ALASKA ASSOCIATION OF HARBORMASTERS AND PORT ADMINISTRATORS IN SUPPORT OF FULL FUNDING FOR THE STATE OF ALASKA HARBOR FACILITY GRANT PROGRAM IN THE FY 2015 STATE CAPITAL BUDGET.

Whereas, the Alaska Association of Harbormasters and Port Administrators recognizes the majority of the public boat harbors in Alaska where constructed by the State during the 1960s and 1970s; and

Whereas, these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

Whereas, these harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan communities; and

Whereas, the State of Alaska over the past nearly 30 years has transferred ownership of most of these State owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

Whereas, the municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the state's failure to keep up with deferred maintenance; and

Whereas, consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

Whereas, in response to this financial burden, the Governor and the Alaska Legislature passed legislation, supported by the Alaska Association of Harbormasters and Port Administrators, to create the Harbor Facility Grant program, AS 29.60.800; and

Whereas, the Alaska Association of Harbormasters and Port Administrators, is pleased with the Department of Transportation and Public Facilities administrative process to review, score and rank applicants to the Harbor Facility Grant Program, since state funds may be limited; and

Whereas, for each harbor facility grant application, these municipalities have committed to invest 100% of the design and permitting costs and 50% of the construction cost; and

Whereas, the municipalities of the Aleutians East Borough, the City and Borough of Sitka, and the City of Whittier have offered to contribute \$8,120,000 in local match funding for FY2015 towards four harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

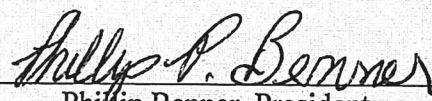
Whereas, completion of these harbor facility projects is all dependent on the 50% match from the State of Alaska's Harbor Facility Grant Program; and

Whereas, during the last seven years the Municipal Harbor Facility Grant Program has been fully funded only twice; and

Whereas, during the last seven years the backlog of projects necessary to repair and replace these former State owned harbors has increased to over \$90,000,000.

Now therefore be it resolved that the Membership of the Alaska Association of Harbormasters and Port Administrators urges full funding in the amount of \$8,120,000 by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program in the FY 2015 State Capital Budget in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

Passed and approved by a duly constituted quorum of the Alaska Association of Harbormasters and Port Administrators on this 23rd day of October, 2013.


Philip Benner, President

ATTEST:

Kim Elliot

Kim Elliot, Executive Secretary



19 February 2014

Dear Mayor Scott and Assembly,

The Alaska Association of Harbormasters and Port Administrators (AAHPA) Resolution No. 2013-02 is for support of the addition of port and harbor employees to the list of employees covered by AS 12.55.135. This resolution was submitted by Sitka Ports and Harbors and is being backed and moved forward by Senator Steadman. This would include port and harbor personnel on the list in AS 12.55.135 for increased sentences for assaulting or harassing employees. This state statute includes peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals.

In communities across Alaska port and harbor employees routinely perform enforcement and emergency response duties commensurate with those performed by those listed in AS 12.55.135, and defendants convicted in cases recently have received sentences below the minimums established in AS 12.55.135, AAHPA would like port and harbor employees included on this list.

Thank you,

Phil Benner
President
Alaska Association of Harbormasters and Port Administrators

Alaska Association of Harbormasters and Port Administrators



RESOLUTION NO. 2013-02

A RESOLUTION OF THE ALASKA ASSOCIATION OF HARBORMASTERS AND PORT ADMINISTRATORS IN SUPPORT OF THE ADDITION OF PORT AND HARBOR EMPLOYEES TO THE LIST OF EMPLOYEES COVERED BY AS 12.55.135.

Whereas, State of Alaska statute AS 12.55.135. Sentences of Imprisonment for Misdemeanors establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, port and harbor employees in communities throughout the State of Alaska routinely perform enforcement and emergency response duties commensurate with those performed by peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

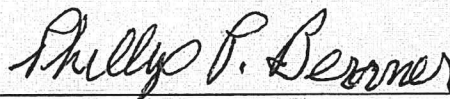
Whereas, defendants convicted of assaulting or harassing port and harbor employees in several recent cases have received sentences well below the minimums established in AS 12.55.135 for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, the Alaska Association of Harbormaster and Port Administrators desires to strengthen the deterrent to unlawfully assault or harass port and harbor employees throughout the State of Alaska.

Now therefore be it resolved that the Membership of the Alaska Association of Harbormaster and Port Administrators supports the addition of port and harbor employees to the list of employees covered by State of Alaska statute AS 12.55.135. Sentences of Imprisonment for Misdemeanors, which establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters,

correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals.

Passed and approved by a duly constituted quorum of the Alaska Association of Harbormasters and Port Administrators on this 23rd day of October, 2013.



Phillip Benner, President

ATTEST:



Kim Elliot, Executive Secretary