



Haines Borough Administration  
Tom Bolen, Manager  
(907)766-2231 • Fax(907)766-2716  
tbolen@haines.ak.us

# Manager's Report

May 22, 2009

## General

As a result of direction given to me by the Government Affairs & Services Committee which met on May 5, I have met with the Well & Fit Community Center group and fleshed out a draft MOA which helps to define ways in which the Borough and WFCC may cooperate to facilitate the creation of a new Wellness and Fitness Center in Haines. The Government Affairs & Services Committee met on May 21, and has reviewed this draft. Their recommendation will no doubt be forth coming under committee reports. A copy of this draft is in your packet under "New Business."

In the last two weeks I have attended several meetings, including the Planning Commission meeting on May 14, the BOE on May 20, and a presentation on LED lighting put on by Rich Bosela of Arctic Sales, Inc., the distributor who has provided the Borough with test LED fixtures for the harbor. The presentation was extremely informative. I also attended the Chamber of Commerce Luncheon which hosted Representative Bill Thomas as the speaker.

I have engaged in discussions with CIA's Greg Stuckey about the possibility of utilizing more than \$1 million of tribal road money to upgrade borough roads area wide, in exchange for the Borough using an equivalent amount of its own funds to do water and sewer main extensions on behalf of CIA. More will follow on this topic.

## Departmental Notes

**A. Legal:** In the past two weeks, The Borough Attorney has worked on several issues for us. These issues included the following:

- 1) The Attorney re-drafted a proposed agreement between the First National Bank Alaska, Haines Branch, and the Borough regarding emergency assistance. The Borough is being asked to temporarily assist the bank in the

event of a catastrophic disruption to their business location. The original document proposed by FNBA was deemed not suitable in that its format was one used between two banks. The re-draft by the attorney was aimed at removing liability to the Borough. Entering into this agreement would seem to be in the community's best interest. I am asking your approval to execute this or a similar agreement. A copy of the draft agreement is attached for your review.

- 2) The attorney has also been asked to weigh in on several land use questions which have arisen due to inadequate or vague Borough Code. One of these has resulted in my issuance of a "Cease & Desist Order" to Susan Rex and John Floreske, as a result of continuing resource extraction activities at Jones Point Road without a valid conditional use permit, which is required by HBC.
- 3) The Attorney has also helped draft a settlement agreement related to a personnel issue.
- 4) Finally, the attorney has done some work on making changes to administrative code provisions regarding persons authorized to sign borough documents.

**B. Finance:** The CFO and I are still preparing final documents for FY 10 budget passage. In light of the fact that the COW was unable to complete its budget work during the 5/12/09 meeting, and scheduled an additional COW for 5/26/09, I am recommending that the proposed budget be moved for a third public hearing and final passage on June 9, 2009. A memo capturing all recommended changes to the FY10 proposed budget will be provided at that time.

**C. Tourism:** Because our temporary restrooms have not been completed, I have rented Portable Toilets for one month, for use at the PC Dock. We have completed installation of new electrical at the PC Dock to allow for re-charging of the People Mover and power usage at the lightering float. Summer flowers have been installed. The first big cruise ship has come and gone on May 20<sup>th</sup>. The day went pretty smoothly. There were noticeably more people on the streets all day.

**D. Swimming Pool:** Our new swimming pool manager, Patti Peters has traveled to Anchorage to obtain training as a Certified Pool Operator (CPO). She has passed her test and is now a CPO. Each pool facility is required to have a CPO under employment.

**E. Ports & Harbors:** We have signed documents this week to close out the ACMP consistency review regarding the Letnikof Cove Boarding Ramp project. The next step is final conveyance of tidelands, which will enable us to advertise the project for bid.

The newly completed Haines Borough Portage Cove Master Plan is under going one more round of changes including an upgrade of some digital images and the inclusion of some cost estimating for alternative options.

I received a call from the USACE project manager for Portage Cove Harbor Expansion, asking what message we wanted COE headquarters to convey to Representative Don Young's office. A copy of my email response is attached for your information.

**F. Fire:** Haines Volunteer Fire Fighters had a busy week, responding to a chimney fire at the Mayor's home and to a brush fire on the hillside below Highlands subdivision. Thanks to the quick response and precise action by our aging, but somehow bionic force, damage was limited. Great job guys, thanks for all you do.

#### **G. Public Facilities / Capital Projects**

- 1) **Chilkat Center Pedestrian Bridge:** Brad Maynard and I are in the process of re-formulating this project. I expect to have a new RFP out within a week.
- 2) **Wood Heat Feasibility Study:** Pursuant to Assembly direction, I have asked CE2 Engineers to submit a scope of work and detailed cost proposal to conduct the Feasibility Study. At this writing I have not received a proposal.
- 3) **Haines Streets Phase 1:** Work continues on this project with culvert and other underground features being installed. Surface preparations for paving will follow in June.
- 4) **PC Dock Waterfront Improvements.** There is a new problem with this project, which will impact our use of space or our schedule. Please see the attached drawings and I will give a verbal explanation.
- 5) **New Maintenance Projects:** We are currently planning several new maintenance projects in the coming weeks:  
1) to upgrade several of our public restrooms, one at the Fort Seward parade grounds and one at the Boat Harbor. 2) Another project is a sidewalk repair-replacement project. 3) The last project is to clear

alders, cottonwoods, and other brush which obstruct waterfront views along the sidewalk heading from the Pt. Lookout Pavilion toward the PC Dock. Clearing will take place only on Borough property. All of these will be done by RFP.

- 6) **Water/Sewer:** W/S and Public works responded to a water leak this week on Oceanview Drive. Once again, the problem was AC pipe failure. PW crew is installing water/sewer taps at the PC Dock for the new restrooms.

**H. Lands:** A number of land use issues have come to our attention in the last few weeks, continuing to punctuate the message that Title 18 problems never seem to end. More code revisions will result. The staff and I will make every attempt to consolidate these changes to reduce the number of ordinances that come before the Assembly.

**I. Administration:** Clerk Julie Cozzi issued a denial of a tour permit for Captain's Choice Motel, based on the provision in Title 5 that states that Tour Permits cannot be renewed when outstanding taxes are due. Mr. Laperi, who is the owner of Captain's Choice, owes back taxes, penalties, and interest on his Chilkoot Lumber Property.

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## **AGREEMENT IN PRINCIPLE FOR DISASTER RECOVERY ASSISTANCE**

This **Agreement in Principle for Disaster Recovery Assistance** ("Agreement") is effective as of \_\_\_\_\_, 2009 between the **Haines Borough** ("HB") and **FIRST NATIONAL BANK ALASKA** ("FNBA"). HB and FNBA may be referred to in this Agreement individually as a "Party."

**1. Agreement in Principle.** This Agreement sets forth the conceptual understanding and agreement in principle of the Parties regarding support and assistance to a FNBA by the HB in the event that First National Bank Alaska experiences a sudden occurrence of an event which destroys or severely damages its branch or business location and renders it wholly unusable (each, a "Branch Disaster").

**2. Branch Disaster Event.** If FNBA experiences a Branch Disaster, such Party may request assistance and support from the HB in order to permit FNBA to continue its operations in the Haines Borough Public Safety Building. In particular the assistance and support required is: 1) a desk with a chair or an office space within the Borough's public safety building large enough for a desk and chair with an adequate space within the community center where a teller station and locking drawers can be set up; and 2) a space for storage of a FNBA provided fire proof vault for the overnight storage of cash.

**3. Support and Assistance.** HB may, but is not obligated to, provide support and assistance to FNBA during a Branch Disaster. If the HB provides assistance to FNBA, it may discontinue any and all such support and assistance at any time upon notice, without liability of any nature whatsoever to FNBA. Any support and assistance offered will be provided to the extent practically, physically, logistically and operationally feasible, and to the extent permitted by applicable law, rule and regulation, all as determined by the HB, in its sole and absolute discretion. Any and all cost and expense incurred by HB in providing support or assistance to FNBA shall be reimbursed, at cost, by FNBA.

**4. Resumption of Operations.** Any support and assistance provided by HB to FNBA is intended to be temporary. FNBA shall use its best efforts to resume its operations without the support and assistance provided by the HB as soon as practically possible.

**5. Business Continuity Plan.** FNBA acknowledges that it is required to adopt a disaster recovery plan which, among other things, establishes back-up or alternative operation site for FNBA in order to respond to an event or occurrence that could suspend, delay, inhibit or otherwise interrupt its business operations to

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ensure that its business continues unaffected ("Business Continuity Plan"). The Parties agree such obligations are separate and independent of this Agreement, and that nothing in this Agreement shall replace or is intended to replace any such Business Continuity Plan.

**6. Termination Without Cause.** A Party may withdraw from this Agreement at any time without cause by giving written notice thereof to the other Party. Such withdrawal shall be effective upon receipt by all Parties.

**7. Modification and Waiver.** This Agreement may be amended or modified only by a written agreement expressly executed for the purpose of effecting such amendment or modification and does not become binding until signed by all Parties.

**8. Governing Law.** This Agreement will be construed as having been made in, and will be governed in accordance with the laws of the State of Alaska.

**9. Entire Understanding.** This Agreement constitutes the exclusive and entire understanding between and among the Parties with respect to the subject matter hereof, and, as of the Effective Date, supersedes all prior or contemporaneous agreements, negotiations, representations and proposals of any kind, whether written or oral, either express or implied, relating to the subject matter hereof.

**10. Reservation of Rights. Nothing herein contained is intended to diminish the right of HB to enforce all applicable provisions of law.**

**11. Definitive Agreement. The definitive agreements with respect to the transactions contemplated hereby will contain mutually agreeable representations and warranties, mutually agreeable provisions for defense and indemnification and other appropriate and customary terms and conditions.**

IN WITNESS WHEREOF, the parties hereto, by the signatures of their duly-authorized representatives below, intending to be legally bound, agree to all of the provisions of this Agreement as of the date first above written.

**HAINES BOROUGH  
ALASKA**

**FIRST NATIONAL BANK**

By: \_\_\_\_\_

By: \_\_\_\_\_

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

Its: \_\_\_\_\_

Its: \_\_\_\_\_

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

**Tom Bolen**

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**From:** Tom Bolen [tbolen@haines.ak.us]  
**Sent:** Thursday, May 21, 2009 11:14 AM  
**To:** 'Anderson, Julie L POA'  
**Cc:** 'Christian Racich'; 'jhill@haines.ak.us'  
**Subject:** Haines Harbor Expansion

Julie,

Thanks for the call back today regarding our project. In response to your inquiry about what message is appropriate to convey to both the USACE and Congressional folks in D.C., I would offer the following:

It is the Haines Borough position that our community wants and needs harbor expansion at Portage Cove, and that our preferred design is the one referred to as COE Alternative IV, modified. COE Alternative IV (without modification) included a \$9 million "nose" to the existing breakwater at the south entrance to the existing harbor, and has been estimated to cost \$33 million or more, due to poor soils conditions and other design features. By eliminating the \$9 million "nose" from our concept, and by eliminating the "causeway" feature of our proposed new breakwater, we believe that our current COE Alt. IV modified might have a revised cost of perhaps \$23 million instead of \$33 million. Haines Borough would choose to move forward with a \$23 million project concept either through re-authorization, or through receipt of FFY 10 start-up funding and further value engineering to bring project cost within reach, provided that these methods are actually possible within a reasonable time frame. Haines Borough is also willing to consider shouldering greater than the currently required 20% cost share, if this can move the project forward.

If the ideas expressed above are not supported by USACE headquarters or by our Congressional delegation, then the Haines Borough is prepared to advance the alternate design concept Option #2 as identified in our soon to be published Harbor Master Plan. Option #2 proposes a different expansion concept which combines the new and existing basins and brings the new breakwater shoreward a sufficient distance to reduce costs further based on firmer soils and less water depth. Berthing capacity would be maintained by adjusting other design features, and by doing locally funded dredging in the near-shore area of the basin. We are requesting to work with USACE and others to better identify the cost savings potential (to the federal portion of the project) of Option #2, but we believe that it may be possible to get to a project cost of \$18 million.

In summary, Haines Borough maintains that a failure to secure the required federal appropriation of "start-up" funding in FFY 10 will spell either the death of this long anticipated project, or at least the onset of indefinite project comatose. We are committed to preventing this from happening and are willing to make any reasonable effort to move this project forward. The lack of sufficient harbor space is currently the single most significant economic limitation for our Borough. Failure to expand our harbor is not an option.

I look forward to discussing this matter with you and others in person in the very near future. I look forward to receiving your proposed fees for cost estimating Option #1 and Option# 2 as alternative designs.

Tom Bolen  
Haines Borough Manager  
P.O. Box 1209, Haines AK 99827  
(907) 766-2231 ext 29  
(907)-314-0655





# Haines Tourism Department Monthly Report for Manager

## April 2009 Report

- ❖ I attended the SATC retreat in which I am president. Topics of discussion were cruise ships, the economic impacts on tourism, trade shows to participate in, web designs and promotions, advertising options, etc. We secured a quarter-page ad in *O Magazine (Oprah Magazine)* for the July issue featuring a girl-friend's getaway theme. I was kept in my position of president of the organization until at least January 2010.
- ❖ The Haines High School Senior Luncheon was arranged to take place on Wednesday, May 20, at 11:30 a.m. Cruise ship budget issues were a concern in regards to this annual even taking place this year but approval was given. I will be out of town on personal business at that time but have arranged for Visitor Center staff person, Angie Robinson, and TAB Chair, Judy Heinmiller, to participate in the event.
- ❖ Alaska Cruise Association has initiated another Environmental Tour to take place Memorial Day, May 25, on board the Ryndam at 10:00 a.m. I am working with the Haines Chamber to compile a list of participants which will be submitted to ACA by May 15.
- ❖ I worked with the Haines Chamber to organize preparations for the Yukon Trade Show in Whitehorse the end of the month. CJ Jones assisted with working the booth as did Ride Yukon representatives. Additional calls were arranged for the time in Whitehorse to provide vacation planners to RV and Car rentals. Remaining vacation planners needed by PR Services were arranged along with additional distribution locations discussed.
- ❖ I'll be assisting to promote the Smithsonian New Harmonies Exhibit by providing literature to the Yukon Trade Show, arranged distribution with PR Services, and mail posters to other communities.
- ❖ The Tourism Advisory Board met on April 14.
- ❖ The seasonal visitor center staff aide position was posted. Interviews took place with the result of Tracy Hyder being hired for this season. She began work on May 4.
- ❖ A Facebook page has been created for Haines. This is a first step in to trying out the multi-media options for Haines.
- ❖ An accommodations FAM trip for Visitor Center staff was organized for the beginning portion of May so new staff could become familiar with accommodations in town and other staff could refresh the memory.
- ❖ A travel authorization for the WACVB CEO Forum was submitted in order to secure the lowest rate possible at the resort for the conference in August. Making this reservation is still pending confirmation of signing the TA.

- ❖ The American Legion held its annual state convention in Haines this year. We were honored to have the rolling memorial Hummer present for the duration of the convention. Reports were all had a great time and enjoyed exceptional Haines hospitality.
- ❖ I was able to meet and greet Governor Palin upon her visit to Haines and participate in accompanying her group for the tour throughout town.
- ❖ Cruise ship calendars were created and are being passed out to businesses.
- ❖ Advertising for Haines appeared in or was arranged for *Sunset Magazine* April issue, *RV West* April issue, Spring edition of *Outside Go*, *The Last Great Road Trip – Alaska/Yukon* visitor Guide in German and English, Air North *In-Flight Magazine*, June through August edition, What's Up Yukon, Capital City Weekly print edition and web banner all-season.
- ❖ Bulk mailings resulted in 1,014 vacation planners being mailed out for the month of April. Foreign mailings totaled 74.
- ❖ Tire traffic numbers and Visitor Statistics

<b>NORTHBOUND BORDER CROSSINGS*</b>		
	<b>April</b>	<b>Total Vehicles for 08/09 To date(April)</b>
<b>2009</b>	897	2,010
<b>2008</b>	941	2,590
<b>Variation</b>	Down 44	Down 580

\*Southbound border crossings into the US are currently unavailable to us due to new US Customs procedures

<b>Visitor Stats 08 &amp; 09 To Date (April)</b>		
	<b>April</b>	<b>Total for year</b>
<b>2009</b>	218	373
<b>2008</b>	247	434
<b>Variation</b>	Down 29	Down 61

<b>Phone Inquiries 08 &amp; 09 To Date (April)</b>		
	<b>April</b>	<b>Total for year</b>
<b>2009</b>	43	137
<b>2008</b>	62	194
<b>Variation</b>	Down 19	Down 57

\*TIA Yukon held their conference in Haines in 2008 resulting in more Tourism related individuals visiting and calling our Visitor Center.

## April 2009 Haines Vol. Fire Dept. Monthly Report

The Haines Vol. Fire Dept. had two fire callouts in April. The first call was for a helicopter accident standby. Responders came to the firehall, but were told that there was no access to the scene. The second call was for a MVA. Rescue 1 responded to standby at the scene. Fire callouts for 2009 total 6. The Haines Vol. Fire Dept. responded to 18 ambulance callouts in April. Calls included 3 with altered level of consciousness, one with chest pain, one with abdominal pain, an assessment of a helicopter accident victim, a MVA, a cardiac arrest, 9 medivac/ transports and a funeral transport. Ambulance callouts for 2009 total 69. There were no SAR callouts in April.

The first joint meeting for April was a business meeting followed by general Officer Training with a focus on ICS (Incident Command System). Thanks goes out to Asst. Chief Roc Ahrens for his development and presentation of this class. The ambulance training was a run review of the recent cardiac arrest and training on our new Easy IO (a device that allows resuscitation fluids and medications to be injected into the bone marrow). The fire training meeting was Wildland Fire interface. This class presented by Fire Lt. & Area Forester Roy Josephson reviewed the department's role in a fire not associated with any structures burning, but trees & brush. We also deployed our foldatank and setup portable pumps that would be used in this type of fire.

Thank Eric Kocher for his pursuing a grant for rural AEDs. Five new AEDs are now being placed throughout the valley to provide a life saving piece of medical in the case of a cardiac arrest.

Julie Anderson, Jerry Blood, Cindy CJ Jones attended the SEREMS Symposium in Sitka. A variety of topics like Resuscitation Science, Pediatrics, Orthopedics, Pseudoseizures, Case Reviews, Compromised Airway, Abdominal Complaints, Altered Mental Status, Volunteer Recruitment, Search & Rescue Topics and much more. Some of the best information comes from the interfacing with other EMS responders.

Four members (Thom Andriesen, Anne Boyce, Eliza Lende, & Chuck Mitman) performed blood draws at the local Health Fair. The fire department voted to pay for any member of the department to have their blood checked to get a baseline and many took advantage of the opportunity.

During the last school fire drill, the HVFD responded as if it were for real. Placement of apparatus and rescue procedures were practiced.

Al Badgley, Scott Bradford, Vince Hansen, Cindy Jones, Roy Josephson, and Greg Palmieri completed their yearly Red Card recertification that allows them to respond to wildland fires in remote areas away from the roadways.

### Volunteer Hours for April 2009

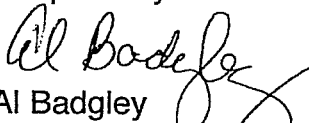
HVFD Fire	193	HVFD Ambulance	216	HVFD SAR	8
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### Volunteer Hours for 2009

HVFD Fire	613	HVFD Ambulance	921	HVFD SAR	32
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Total volunteer hours HVFD for 2009	1566 Hours				
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Respectfully submitted,

  
Al Badgley  
HVFD Training Officer

RECEIVED Haines Borough

MAY 03 2009

Clerk's Office