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Latest Articles

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Publisher:

Alaska Alliance for Commerce, Inc.
P.O. Box 784
Haines, AK 99827

Editor:

Roger Maynard
editor@hainesnews.net

Production:

Kris Reeves
advertising@hainesnews.net

Printing:

King's Store
Haines, AK

Haines Borough Election Investigation Continues

Facts concerning Goodman's residency to be reviewed by Assembly

By Roger Maynard

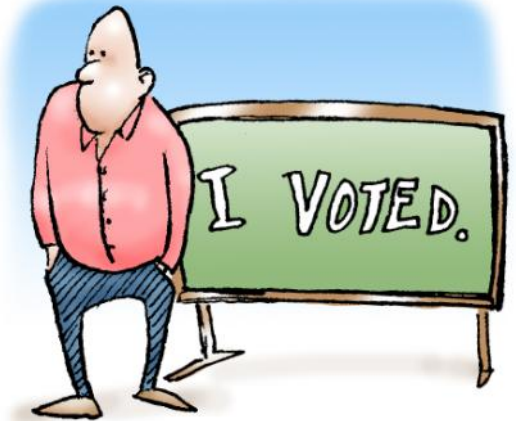
The contested election for Assembly Seat E between candidate Greg Goodman and write-in candidate Karen Hess is still under investigation by the Haines Borough clerk and manager, as required by ordinance. The results of the investigation will be presented to the Haines Borough Assembly in their packet for the next regular meeting on October 26, 2010 at 6:30 p.m.

The election contest was filed as a result of clear evidence that candidate Greg Goodman had not fulfilled

the residency requirements to run for Haines Borough Assembly, since he had been living and working in Anchorage and registered to vote there since retiring from the Haines Police Department in 2008. The Haines

Borough code requires a candidate to have resided, or been a resident of Haines for a period of one year immediately preceding an election.

"The manager is request-



ing the results be available by October 22nd," says Borough Deputy Clerk Jamie Heinz. "That way, the information will be timely for the packet

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Opinion: Open Meetings

Is the Borough Assembly too liberal with their "executive sessions?"

By Roger Maynard

We agree with Tom Morphet's opinion in the Chilkat Valley News on October 7, 2010, that the Haines Borough Assembly is pushing the limits of the open meetings act. It's too easy to call for an executive session, handle the confidential business, and then keep on talking after the conversation has drifted into matters that

should be discussed publicly.

This is exactly what appears to have happened in the September 21st executive session. We learned afterward that borough attorneys advised the borough to take certain actions regarding application of the ordinance, and that portions of the existing heli-ski ordinance are indeed illegal and

will need to be re-written. But when members of the public asked which specific parts of the ordinance were determined to be illegal, the details were not available.

Background

Over the years the assembly has crafted a heli-skiing ordinance that is, in part, illegal. Over the past several months local busi-

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Letters to the Editor

THANKS HAINES!

I want to thank the community of Haines for the votes and encouragement that I received during my campaign for Haines Borough School Board Seat E. As a parent, member of the community and Controller of a local employer, I believe that children are our future. Our obligation is to prepare them so that they are able to fully realize their aspirations and also contribute to the betterment of society.

It is still my desire to advocate for the children. I look forward to continuing to offer my assistance when the district is in need in the areas of my expertise. It is my intention to always remain involved, informed and invested for the benefit of our children.

Thank you for the votes and encouragement,

Brenda Jones

WHAT IS HAPPENING?

What has Haines Borough government come to??

I received a "PUBLIC NOTICE - Notification of In-Person Interview With Greg Goodman Friday, October 15, 2010, 5 P.M. Location: Community Room, Haines Borough Public Library".

When I got there I was advised by Deputy Clerk Jamie Heinz that I could not video record the meeting. As many know I have video recorded all the Borough Assembly meetings for over a year and they have been shown on Haines Cable TV. This service has become quite an interest to the

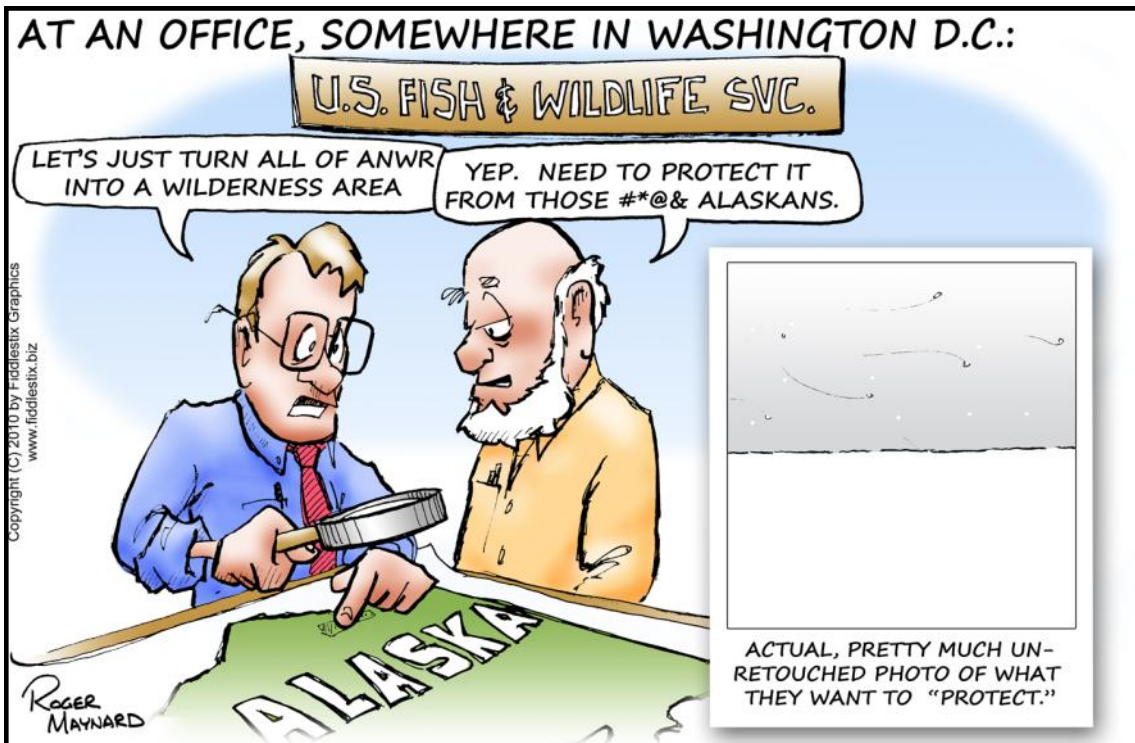
community. Needless to say I was stunned. Chilkat Valley News was also barred from sound recording the meeting. Yet we were told we could get a copy of the recording next Tuesday.

Let me make it clear I do not blame Jamie as she was following the borough attorney's direction. the official announcement is attached.

I must ask that more residents become involved at least more come to Borough meetings.

Bill Kurz

We welcome letters to the editor and opinions. Letters should be typed or neatly handwritten and not exceed 150 words. Letters must be respectful and should not be libelous or slanderous. The Haines Alaska News reserves the right to edit submissions for length, clarity, and grammar. Send letters via email to editor@hainesnews.net or mailed to Editor: Haines Alaska News, Alaska Alliance for Commerce, PO Box 748, Haines, AK 99827



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OPEN MEETINGS

(Continued from page 1)

nessmen, some of whom are pilots, informed the assembly in no uncertain terms they were making a mistake. On more than one occasion members of the public clearly told the assembly they should be consulting with their attorney because the borough would be at risk of a lawsuit if they tried enforcing an illegal ordinance. And on at least one occasion assembly member Waterman specifically dismissed the advice saying, in effect, that the borough assembly members were smart enough to weigh the issues and craft the ordinance without the help of the borough attorneys — they were just too expensive.

Now the assembly is concerned that they could be on the losing end of a lawsuit. The borough attorneys have clearly told the assembly not to take any enforcement action against SEABA based on their current, flawed ordinance. The ordinance, we are told, needs to be re-written.

So now we have a new ordinance going through the legislative process — one that the borough attorneys feel is within the power of the assembly to enforce. The assembly chose to use their flawed ordinance as a starting point, re-writing as many restrictions as possible into the new code,

but using new terms and concepts to approximate the restrictions in the old ordinance. Was this re-write initiated in executive session, outside of the view of the public?

Maybe it's time to start over with the basics, in the public forum, such as:

What is the worst that will happen if we put fewer restrictions on heli-skiers? Probably nothing. The heli-ski companies will continue to operate. They may carry a few more skiers in the short spring season, but weather conditions, travel difficulty, logistics and other factors will limit the amount of business. And Haines will benefit from the additional visitors who are willing to spend money here during the "off season."

On the other hand, what is the worst that will happen if we maximize the restrictions on the heli-ski companies? Chances are they will find a better place to operate. And when they leave, ALL of our Haines businesses will feel the hit. More businesses will close — perhaps there will be no restaurants in Haines in the winter. Maybe a few more folks will become "snowbirds" because they can't keep their business doors open with fewer customers.

We have another, more important reason to be concerned. A Haines Borough Assembly willing to

craft and pass an illegal ordinance, and then use the cloak of an executive session to try to fix that ordinance without public involvement, should worry every resident of Haines. The Haines Borough Assembly needs to be transparent without fail — otherwise we, right here in Haines, have all the ingredients necessary for tyranny.

AS 44.62.310. *Open Meetings Act*. Alaska Statutes. Downloaded from <<http://touchngo.com/Iglcntr/akstats/Statutes/Title44/Chapter62/Section310.htm>>

Local Government Meetings & Local Officials. Alaska Division of Commerce & Economic Development. 19 Oct. 2010. <http://www.commerce.state.ak.us/dca/LOGON/offc/offcopen.htm>
 Chandler, Brooks W. *Borough Attorney heli-related memo 10-8-10*. Haines Borough Manager's Report. <http://www.hainesborough.us/DeptReports/Manager/2010MgrRpts/AttorneyMemo-10-10-08.pdf>
 Chandler, Brooks W. *Borough Attorney heli-related memo 9-14-10*. Haines Borough Manager's Report. <http://www.hainesborough.us/DeptReports/Manager/2010MgrRpts/AttorneyLetter-10-09-14.pdf>

Chandler, Brooks W. Borough Attorney heli-related memo 9-17-10. Haines Borough Manager's Report. <http://www.hainesborough.us/DeptReports/Manager/2010MgrRpts/AttorneyLetter-10-09-17.pdf>

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ELECTION INVESTIGATION

(Continued from page 1)

and Assembly members will have plenty of time to review the results before the meeting. So the investigative findings will be available to the public on the day they are placed in the Assembly packet — October 22.”

An October 12, 2010 memo from the borough’s attorneys discussed the need for the investigation to be public, and methods of ensuring the public could be kept informed on progress of the investigation. The memo states, in part: “We believe the focus for the investigation should center on the time period between October 5, 2009 and October 5, 2010. In particular, you need to determine whether candidate Goodman “fixed” his place of “Habitation” in Haines during that time period. In addition, you need to determine whether candidate Goodman was absent from Haines during this time period and, if absent, was absent “for temporary purposes only” i.e. whether he had “the intent to remain in another place” or had “the intent of returning” to Haines during any periods of absence in the past year.”

The memo lists a number of documents that need to be gathered by the borough clerk and manager, and other documentation that needs to be supplied by Goodman.

A Public Interview

An October 14th memo from the attorney firm includes a list of questions to be asked of Goodman by the Borough Manager or Clerk in a public interview. The interview was conducted on Friday, October 15th in the community room at the Haines Borough Public Library, and was made public in an effort to comply with borough requirements for a “public investigation.”

Some members of the media attended, but no recordings were allowed; instead, the interview was recorded by the borough clerk, and copies of that recording are available upon request. “We discussed this and the attorney thought it would not be a good idea to let others record the interview. It was not a regular Assembly meeting or anything like that,” says Heinz, “We’re looking, instead, at making the recording available on our website. We’ve done that recently on a different Planning Commission issue.”

Coming Attractions

On October 26, the Assembly will review the evidence and could make a decision regarding Goodman’s residency. Most of the facts will be there; the Assembly will need to determine Goodman’s intent, review the ordinance including the legislative intent, and apply the law to the facts.

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