




THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

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TO: APOC Commissioners
DATE: October 13, 2017
FROM: Delight K. Mells, Paralegal II 
SUBJECT: Staff Report – 17-02-POFD, *Roger Griffin v. Daniel Henry*

SUMMARY OF COMPLAINT

On September 11, 2017, Roger Griffin (Complainant) filed an Expedited Complaint alleging that Daniel Henry (Respondent) violated AS 39.50.030 when he filed Public Official Financial Disclosure (POFD) statements that failed to disclose:¹

1. Gifts of travel provided by TWC Enterprises Limited (d/b/a ClubLink and the White Pass Yukon Route) with cumulative values exceeding \$250 in calendar years 2013 and 2014; and
2. Debts to the Internal Revenue Service and the Alaska Public Offices Commission incurred during calendar year 2016.

The Commission heard and denied the request for expedited consideration on September 13, 2017.² In its Order Denying Expedited Consideration, the Commission noted the allegation of undisclosed debts had already been considered under considered in 17-01-POFD, *Cameron v. Henry* and referred the undisclosed gifts allegation to staff for investigation.³

ISSUE

Did Respondent violate AS 39.50.030(b)(1) when he failed to disclose gifts of travel costs paid for by third-parties, other than the Municipality of Skagway (MOS), when working in his official capacity as an Assemblyman?

¹ Exhibit 1: Expedited Complaint 17-02-POFD.
² Exhibit 2: Order Denying Expedited Consideration.
³ *Id.*

FACTS

- Respondent was an Assemblyman for the MOS from 1996 to 2016.⁴
- The MOS leases tideland property to Pacific Arctic Railway and Navigation Company.⁵
- Pacific Arctic Railway and Navigation Company d/b/a White Pass & Yukon Route Railroad (WP) is a subsidiary of TWC Enterprises Limited (TWC).⁶
- WP operates a seasonal passenger railway whose route runs from Skagway to Whitehorse, Yukon.⁷ WP also operates three docks in Skagway, used primarily for cruise ships.⁸
- In addition to WP, TWC also owns ClubLink, Canada's largest owner and operator of golf clubs with courses in Ontario, Quebec, and Florida.⁹
- Beginning in 2011, Respondent was placed on the negotiation team to represent MOS and participate in ongoing negotiations with TWC related to the tideland lease agreement between the MOS and WP.¹⁰
- Respondent could not document or recall specific dates for all negotiation meetings and related travel. He generalized that a typical negotiation trip to meet TWC representatives in Florida entailed checking into the Herron Bay Marriott the night before a meeting and staying one to two nights.¹¹ Respondent maintains that his out-of-pocket travel costs were all reimbursed by the MOS; costs where no reimbursement occurred were paid by TWC.¹² Meals were provided by TWC at no cost to Respondent and, in some instances, golfing was also provided free of charge.¹³ Respondent noted that he also received a sleeve or two of golf balls on occasion.¹⁴

⁴ Ex. 1 at p. 48.

⁵ Exhibit 3: 2010 Memorandum of Understanding

⁶ Exhibit 4: WP Dock Information.

⁷ Exhibit 5: WP TWC Enterprises.

⁸ Exhibit 6: TWC Company Overview.

⁹ *Id.*

¹⁰ Exhibit 7: Excerpt of 4/21/2011 MOS Assembly Meeting Minutes.

¹¹ 9/25/2017, Staff interview with Respondent.

¹² *Id.*

¹³ *Id.*

¹⁴ Exhibit 8: Respondent's Answer; Exhibit 9: 10/9/2017, Response from Dan Henry; and 9/25/2017, Staff interview with Respondent.

TRAVEL RELATED TO NEGOTIATION MEETINGS

On February 21, 2012, Respondent attended a negotiation meeting with TWC at ClubLink's Herron Bay Golf Resort in Coral Springs, Florida. The MOS reimbursed Respondent's costs for a rental car and hotel accommodations at the Marriott Coral Springs Hotel, adjacent to Herron Bay.¹⁵ Respondent cannot recall specific details related to his airfare but claims that no entity other than the MOS ever paid the airfare for anyone on the negotiation team.¹⁶ Respondent surmises that either the MOS owes him reimbursement for the trip, or, he was already in Florida visiting relatives.¹⁷

MOS Assembly meeting minutes indicate Respondent attended a meeting with TWC in Florida on February 20, 2013.¹⁸ Respondent cannot recall the location of the meeting, but again surmises that he would have submitted receipts for reimbursement if he traveled on municipal business. The MOS has no record of costs associated with this travel.¹⁹

It appears that Respondent attended another 2013 negotiating session in Coral Springs in October of 2013.²⁰ However, staff has been unable to obtain any records documenting the dates and duration of this meeting, and Respondent does not recall. Limited records provided to staff indicate the MOS reimbursed Respondent for his airfare.²¹

On December 6 - 7, 2013, Respondent met with TWC at the Herron Bay Golf Resort in Coral Springs, Florida.²² The MOS reimbursed Respondent for air travel.²³

On September 4, 2014, Respondent traveled to Juneau, Alaska for negotiations related to the WP lease and returned to Skagway the same day. The MOS directly paid his transportation.²⁴

From February 19 - 27, 2015, Respondent traveled to and from Florida to meet with TWC at ClubLink's Herron Bay Golf Resort for meetings held on February 23 - 24.²⁵ Respondent

¹⁵ Exhibit 10: 2/21/2012 Travel Reimbursement.

¹⁶ Ex. 9.

¹⁷ *Id.*

¹⁸ Exhibit 11: Excerpt of 2/7/2013 MOS Assembly Meeting Minutes.

¹⁹ Exhibit 12: 10/3/2017, Email from Skagway Clerk, Emily Deach.

²⁰ Exhibit 13: Excerpt of 10/3/2013 MOS Assembly Meeting Minutes and Exhibit 14: Travel Reimbursement records for 10/26/2013 travel.

²¹ Ex. 14.

²² Exhibit 15: 9/28/2017, Email from MOS Clerk, Emily Deach.

²³ Exhibit 16: December 2013 Travel Reimbursement.

²⁴ Exhibit 17: September 2014 Invoice.

²⁵ Ex. 15 and Exhibit 18: 2015 Reimbursements pp. 1-2.

received 9 days of per diem and reimbursement for his airfare, rental car, and five nights of accommodations.²⁶

The following table summarizes Respondent's known travel costs that were not reimbursed by the MOS. Based on Respondent's assertions, these are the costs that were paid by TWC. In addition to the travel costs, TWC also provided various meals and rounds of golf, but Respondent is unable to provide details that would substantiate the amount or frequency of such.

Meeting Dates	Travel Costs Paid by TWC ²⁷	
February 20, 2013	Hotel	\$172.05
October 2013	Hotel	\$172.05
December 6-7, 2013	Hotel	\$172.05
	CY 2013 TOTAL	\$516.15

LAW AND ANALYSIS

The question in this matter is whether Respondent was required to disclose gifts of travel accommodations and entertainment received while conducting official business on behalf of the MOS. Based on reasoning set forth below, Staff's conclusion is yes, if the value of accommodations and entertainment exceeded \$250 in a calendar year, Respondent was required to disclose it as a gift.

The purpose of Alaska's disclosure law is to discourage public officials from acting upon a private or business interest during the performance of their official duties, and to ensure that in conducting their official duties, public officials are free from the influence of undisclosed interests.²⁸ Public officials must disclose all gifts from a single source with a cumulative value exceeding \$250 in a calendar year.²⁹ Gift is defined, in part, as a payment or item received without consideration of equal or greater value and includes payments made by third parties, the provision of accommodations, tickets for travel or entertainment, and goods or services provided for personal

²⁶ Ex. 18 pp. 3-17.

²⁷ Ex. 18 at p. 5. [MOS reimbursed the Respondent for hotel accommodations during a WP meeting on February 23 & 24, 2015. Staff can conclude that the Respondent was charged a rate of \$172.05 per night, including taxes, while negotiation with WP at the Marriott Hotel based on itemized charges and the dates of arrival and departure. The MOS hotel reimbursement from the February 2012 meeting did not itemize charges.]

²⁸ AS 39.50.010.

²⁹ AS 39.50.030(b)(1).

or professional use, including expenses connected with holding public office.³⁰ Financial disclosure law does not contemplate the purpose of a gift or whether it is given for personal or official business. Rather, the regulation is written in broad terms. In reaching its conclusion staff also looked to similar gift disclosure requirements under other ethics and disclosure laws with similar purposes – to ensure public officers will not base official decisions and actions based on their own personal or professional benefit.

Under the Legislative Ethics Act (AS 24.60), travel and hospitality provided with the primary purpose of obtaining information of legislative concern are deemed to be gifts that a legislator may accept.³¹ Similar to AS 39.50, such gifts, if valued over \$250, must be disclosed to the ethics committee.³² Similarly, gifts received by state executive branch employees must also be disclosed under Alaska’s Executive Branch Ethics Act.³³

In a May 11, 2007, Memorandum to Executive Branch Designated Ethics Supervisors, the Department of Law explains the distinction between gifts that must be refused and those that may be accepted.³⁴ Although APOC does not regulate ethics or whether certain gifts may be accepted, the analysis is still helpful. First, the ethics act defines a gift similarly to APOC’s, as “a transfer or loan of property or provision of services for less than full value.”³⁵ The analysis goes on to explain that gifts fall within three categories: 1) gifts that must be refused; 2) gifts that may be accepted and reported; and 3) gifts that may be accepted and not reported. In the matter at hand, AS 39.50 does not contemplate the propriety of the gift or whether it can be accepted, it only dictates when it must be reported. Applying the ethics analysis that leaves only two categories of gifts: those that exceed \$250 in value and require reporting, and those with a value less than \$250 that do not require reporting.

Here, Respondent contends that travel expenses paid by TWC were benefits to the MOS which defrayed their costs to conduct negotiations.³⁶ Although the municipality may have benefited from the relief of some of its expenses, the goods and services were provided directly to

³⁰ 2 AAC 50.990(13).

³¹ AS 24.60.080(c)(4).

³² AS 24.60.080(d).

³³ AS 39.52.130(b).

³⁴ Exhibit 19: 5/11/2007 Memorandum to Designated Ethics Supervisors.

³⁵ 9 AAC 52.060(a). [APOC defines it as “a payment or item received without consideration of equal or greater value;” *See*, 2 AAC 50.990(13)].

³⁶ Ex. 8 and Staff interview with Respondent.

Respondent who was engaged in negotiation activities related to a matter where both parties, TWC and the MOS, had substantial interests.³⁷ These were payments made by a third-party for hotel accommodations and entertainment which, by definition, are gifts. As such, if the cumulative value exceeded \$250 in a calendar year the costs required disclosure.

Although the Complaint alleges that meals provided to Respondent were also gifts that required disclosure, APOC's gift definition specifically excludes the provision of food and beverages for immediate consumption.³⁸ Accordingly, staff concludes that meals provided by TWC during the negotiation trips do not require valuation or disclosure.

CONCLUSION

As a public official, Respondent received gifts in the form of accommodations and entertainment from TWC, that exceeded \$250 in the 2013 calendar year which were not disclosed on his 2014 POFD. Meals provided for immediate consumption from TWC are not gifts and do not required disclosure.

Given the lack of available records, staff is unable to determine exact amounts paid by TWC for Respondent's travel costs and entertainment expenses related to negotiations in 2014 or 2015 and therefore cannot definitively conclude that they were reportable.

MAXIMUM CIVIL PENALTIES

Respondent's 2014 POFD failed to report gifts of lodging and entertainment received from a single source, during calendar year of 2013 rendering his statement incomplete.³⁹ Violations of AS 39.50 incur a daily penalty of \$10.⁴⁰ Respondent filed his 2014 statement on March 15, 2014 and the Complaint was filed on September 11, 2017, tolling the penalty accrual. This represents a penalty period of 1,276 days or a maximum civil penalty of \$12,760.

³⁷ It is possible that a municipal officer may also have interests secondary to the municipality's when engaged in official business. Such allegations, however, are beyond the purview of this agency, which only requires disclosure of the official's financial interests.

³⁸ 2 AAC 50.990(13)(C)(iv).

³⁹ *Id.*

⁴⁰ AS 39.50.135.

MITIGATION AND RECOMMENDATION

Staff has considered mitigation criteria that would allow for reduction of the maximum penalties. A reduction of more than 50 percent up to a complete waiver is appropriate when the penalty is significantly greater and out of proportion to the degree of harm to the public.⁴¹ The Respondent failed to disclose gifts in a range of \$251-\$1,000. A penalty of \$12,760 is significantly out of proportion to the activity that went undisclosed. Staff recommends reducing the maximum civil penalty by 90 percent to \$1,276. Given Respondent's prior violations recently before the Commission, staff does not recommend further reduction. Staff further recommends that the Respondent amend his 2014 Public Official Financial Disclosure Statement to accurately reflect the gifts received from TWC and attend a Public Official Financial Disclosure Statement training within one year.

Staff expended approximately 11 hours investigating this matter with costs of \$467.50. Staff does not recommend the imposition of investigation costs in this matter.

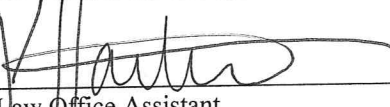
CERTIFICATE OF SERVICE:

I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered as indicated to the following:

Daniel Henry P.O. Box 279 Skagway, AK 99840 sfcalska@hotmail.com	<input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Email
Roger Griffin P.O. Box 423 Skagway 99840 taiyamarine@gmail.com	<input checked="" type="checkbox"/> First Class Mail <input checked="" type="checkbox"/> Email

9171-9690-0935-0151-2668-95

9171-9690-0935-0151-2669-01


Law Office Assistant

10.13.2017
Date



Alaska Public Offices Commission

EXPEDITED COMPLAINT



17-02-POFD

EXPEDITED COMPLAINT REQUEST PRIOR to requesting expedited review, ensure your filing meets the factors required for expedited approval in AS 15.13.380(c). Those factors are whether the alleged violation: <input checked="" type="checkbox"/> if not immediately restrained (stopped), could materially affect the outcome of an election or other impending event; <input checked="" type="checkbox"/> could cause irreparable harm that penalties could not adequately remedy; and <input checked="" type="checkbox"/> whether there is reasonable cause to believe that a violation has occurred or will occur Expedited review requires the <u>complainant</u> to prove the violation by a preponderance of the evidence.	ALL COMPLAINTS MUST INCLUDE: 1. Complainant's name + contact info 2. Respondent's name + contact info 3. Laws, regulations allegedly violated 4. Description of allegations 5. Basis of knowledge of alleged facts 6. Documentation to support allegations 7. Notarized signature of the complainant 8. Proof that complaint and all supporting documents were served on respondent APOC LAWS ALLEGEDLY VIOLATED Specify section of law or regulation <table border="1"> <tr> <td data-bbox="682 567 1104 672"> Campaign Disclosure Law <input type="checkbox"/> AS 15.13 <input type="checkbox"/> 2 AAC 50.250-405 </td> <td data-bbox="1104 567 1546 672"> Public Official Financial Disclosure <input checked="" type="checkbox"/> AS 39.50 <input checked="" type="checkbox"/> 2 AAC 50.680-799 </td> </tr> <tr> <td data-bbox="682 672 1104 779"> Lobbying Regulation <input type="checkbox"/> AS 24.45 <input type="checkbox"/> 2 AAC 50.550-590 </td> <td data-bbox="1104 672 1546 779"> Legislative Financial Disclosure <input type="checkbox"/> AS 24.60 <input type="checkbox"/> 2 AAC 50.680-799 </td> </tr> </table>	Campaign Disclosure Law <input type="checkbox"/> AS 15.13 <input type="checkbox"/> 2 AAC 50.250-405	Public Official Financial Disclosure <input checked="" type="checkbox"/> AS 39.50 <input checked="" type="checkbox"/> 2 AAC 50.680-799	Lobbying Regulation <input type="checkbox"/> AS 24.45 <input type="checkbox"/> 2 AAC 50.550-590	Legislative Financial Disclosure <input type="checkbox"/> AS 24.60 <input type="checkbox"/> 2 AAC 50.680-799	APOC case name/number/date <div style="text-align: center;"> ARRIVED SEP 11 2017 APOC - ANCH PM HC FAX ELE 9/08 </div>
Campaign Disclosure Law <input type="checkbox"/> AS 15.13 <input type="checkbox"/> 2 AAC 50.250-405	Public Official Financial Disclosure <input checked="" type="checkbox"/> AS 39.50 <input checked="" type="checkbox"/> 2 AAC 50.680-799					
Lobbying Regulation <input type="checkbox"/> AS 24.45 <input type="checkbox"/> 2 AAC 50.550-590	Legislative Financial Disclosure <input type="checkbox"/> AS 24.60 <input type="checkbox"/> 2 AAC 50.680-799					

<input type="checkbox"/> APOC <input checked="" type="checkbox"/> Person <input type="checkbox"/> Party <input type="checkbox"/> Group	COMPLAINANT ROGER W. GRIFFIN	RESPONDENT <i>Person or group allegedly violating law</i> <input checked="" type="checkbox"/> Person <input type="checkbox"/> Party <input type="checkbox"/> Group DANIEL J. HENRY
Address City/Zip	P.O. BOX 423 SKAGWAY 99840	P.O. BOX 279 SKAGWAY 99840
Phone/Fax	907-983-2871	907-983-2010
E-mail	TAYAMARINE@GMAIL.COM	SFCARASHA@HOTMAIL.COM

COMPLAINANT'S REPRESENTATIVE If complainant or respondent is political party or group, list contact person. If complainant or respondent is represented by attorney, list name + contact info Name/Title Address Phone/Fax E-mail	RESPONDENT'S REPRESENTATIVE Name/Title Address Phone/Fax E-mail
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DESCRIPTION or SUMMARY of ALLEGED VIOLATION 2 AAC 50.685(b) DID NOT REPORT GIFT OR TRAVEL EXPENSES 2 AAC 50.740(a)(1) DID NOT REPORT TAX LIE OR INDEBTEDNESS	Use extra pages if needed	<input checked="" type="checkbox"/> SUPPORTING DOCUMENTS - DESCRIBE: SEE ATTACHMENTS
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PROOF of SERVICE ATTACHED:
☐ Fax - receipt confirmation
 ☐ Certified mail - signed receipt
 ☐ Process server - return of service
 ☐ E-mail - delivery/read receipt
 ☐ Other:

COMPLAINANT'S SWORN STATEMENT: To the best of my knowledge and belief, these statements are true

Signature <i>Roger W. Griffin</i> Subscribed and sworn to or affirmed by me at	Title <i>CITIZEN</i> on	State of Alaska Notary Public Michelle Gihl Date <i>SEPT 1, 2017</i>
Signature <i>Michelle Gihl</i>	Title <i>Notary Public</i>	April 23, 2021

APOC COMPLAINTS, RESPONSES, INVESTIGATION REPORTS & COMMISSION ACTIONS ARE PUBLIC DOCUMENTS

APOC ANCHORAGE 2221 E. NORTHERN LIGHTS #128 ANCHORAGE, AK 99508 907-276-4176 / FAX 907-276-7018 TOLL-FREE 800-478-4176 WEB: http://doa.alaska.gov/apoc/	APOC JUNEAU 240 MAIN STREET #500 P.O. BOX 110222 JUNEAU, AK 99811 465-4864 / FAX 465-4832 APOC FORMS: http://doa.alaska.gov/apoc/forms_all.html	APOC COMPLAINT PROCESS: 2 AAC 50.450 - 476 FILING COMPLAINTS: 2 AAC 50.870 ANSWERING COMPLAINTS: 2 AAC 50.880 APOC CRITERIA for ACCEPTING COMPLAINTS: 2 AAC 50.870 INVESTIGATIONS & HEARINGS: 2 AAC 50.875-891 RULES for REQUESTING EXPEDITED CONSIDERATION: AS 15.13.380(c) APOC LAWS: http://doa.alaska.gov/apoc/apoclaws.html
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2 AAC 50.685(b): *Gifts greater than \$250 must be reported. This includes travel expenses and discounts not available to the public.*

In 2013 and early 2014, Mr. Henry led the assembly's negotiating team for the so-called White Pass lease. The lease was worth many millions of dollars to the White Pass and Yukon Railroad and imposed substantial liabilities on the Municipality of Skagway (MOS). ClubLink (also known as TWC), White Pass' parent company, owns and operates a number of high end golf resorts, some of them in Florida. Between January of 2013 and February of 2014, at least four negotiating trips were made to Florida, each of 4 to 5 days duration. While the Municipality covered the airfares for the negotiating team, ClubLink took care of their lodging and meal expenses while in Florida. The likely venue for the negotiations were the golf resorts owned and operated by ClubLink. The total value of these travel expenses – or gifts – to Mr. Henry are estimated to be at least \$4,000 to \$8,000.

Mr. Henry admitted that ClubLink covered these expenses when challenged in the assembly meeting of February 20, 2014 by Mr. Ken Russo of Skagway. Attached are the minutes from this assembly meeting. Mr. Russo's challenge is highlighted on page 2 and Mr. Henry's response is highlighted on page 3.

It should be noted that, contrary to Mr. Henry's assertion that the Municipality of Skagway requested the meeting (2-20-14 Minutes, page 3), the process was initiated by Mr. Rai Sahi, the owner of ClubLink, in a conversation with Mayor Stan Selmer on January 17, 2013. This contact by Mr. Sahi is documented in the minutes of the assembly meeting of January 17, 2013, which are attached.

Also attached are minutes from the assembly meeting of May 17, 2013 in which Mayor Selmer discussed traveling to Florida to meet with Mr. Sahi. The minutes note that Assemblyman Henry stated that the "trip was for municipal business," The assembly agreed.

Again, on November 12, 2013, after an executive session on the White Pass lease negotiations, the assembly voted to "send the negotiating committee and legal counsel to meet with White Pass. . ." (This was one of the four negotiating trips to Florida).

On January 2, 2014, after an executive session, the assembly voted to accept and release the product of these negotiations, a Memorandum of Understanding (MOU) between the MOS and the Pacific & Arctic Railway and Navigation Company (PARN). PARN is a White Pass company. The minutes from this assembly meeting are attached.

Mr. Henry's 2014 and 2015 POFD filings, which covers the period from January 1 through December 31, 2013 and 2014 are attached. For both filings, Mr. Henry checked "None" for the section where gifts greater than \$250 must be reported.

If the negotiating trips to Florida had really been necessary, the Municipality of Skagway should have covered the per diem expenses of the negotiating team at the established rate. Because the Municipality should have paid these expenses, the value of ClubLink's largesse during the Florida negotiations should have been reported on Mr. Henry's POFD filings as a gift or travel expenses under the provisions of AS 39.50.030(b)(1).

There is very little in the public record regarding the substance of these negotiations, for they were either conducted in Florida or in executive session. When considered in its entirety, if this isn't corrupt behavior by an elected official, it certainly looks like it. "If it walks like a duck, looks like a duck and sounds like a duck, then it must be a duck."

August 31, 2017

2 AAC 50.740(a)(1): *Any government entity that has filed a tax lien. . . or that claims any other indebtedness must be reported.*

In February, 2016, Mr. Henry signed a plea agreement with the federal government (No. 1:16-cr-00001-LCL) in which he acknowledged that he hadn't paid federal taxes and that he had falsified his Alaska Public Offices Commission (APOC) Public Official Financial Disclosure (POFD) filings. As part of the plea agreement, Mr. Henry was ordered to pay back taxes in the amount of \$600,000 plus penalties and interest. Mr. Henry was also sentenced to serve a year and a day in a federal prison.

Mr. Henry was in prison from November 1, 2016 through August 11, 2017. It is not known if he has paid his back taxes plus penalties and interest.

In March of 2016, this complainant filed a POFD complaint with the APOC (16-02 POFD). The complaint was based upon the admission in the federal plea agreement that he falsified his POFD filings. The APOC hearing was held on October 25, 2016 and in November, 2016 the APOC issued a decision in which Mr. Henry was fined \$22,000. It is not known if he has paid this fine.

Mr. Henry was released from prison on August 11, 2017 and returned to Skagway. On August 14, 2017, he filed the paperwork, to include a POFD, to run for a seat on the assembly.

The POFD that Mr. Henry filed on August 14, 2017 is the basis for the current complaint.

Page 6 of 7 of the POFD addresses Loans, Loan Guarantees & Debts over \$1,000. It is in this section that Mr. Henry should have reported his federal tax liabilities as well as the fine owed APOC. Mr. Henry checked the box "None." Given that Mr. Henry checked this box, one of two conclusions are possible:

1. Mr. Henry has falsified his POFD filing and is not disclosing his liabilities, or:
2. Mr. Henry has paid off his tax liability and APOC fine. If this is the case, this raises another question:
3. What was the source of the money used to pay off these liabilities?

Was it a gift? If it was a gift, it should have been reported on Page 4 of 7 (Gifts worth more than \$250), but this section is blank. He didn't answer the question.

Did he sell real estate, stocks and bonds or an annuity? If he did, it should have been reported on Page 4 of 7 (Other Income), but this section also is blank. He didn't answer the question.

Mr. Henry and his wife own a home in Skagway that is located at 560 11th Avenue. Did he take out an equity loan on his home? If he did, this loan should have been disclosed on Page 6 of 7 (Loans, Loan Guarantees & Debts over \$1,000), but Mr. Henry checked "None" for this section.

Under the provisions of 2 AAC 50.865(d), "A civil penalty . . . may be increased to the maximum amount allowed . . . if a person required to file a statement or other filing has (1) failed to substantially comply with financial disclosure requirements by omitting a significant source of income . . . or (2) a poor reporting history; indicators of a poor reporting history include any of the following: (A) more than one late filing in the immediately preceding five years; (B) evidence suggesting deliberate non-reporting." For the second time in two years, Mr. Henry meets these criteria.

The municipal election for which Mr. Henry is a candidate will be held on October 3, 2017. Because Mr. Henry is a repeat offender who treats the financial disclosure requirements of Alaska and municipal law in a cavalier manner, his fitness to serve is at issue. For this reason an expedited review is requested.



RETURN OF SERVICE

Municipality of Skagway Police Department

P.O. Box 518 · Skagway, Alaska 99840
Emergency Dial 911 · Office (907) 983-2232 · Fax (907) 983-3632

Roger W. Griffin

Plaintiff / Petitioner

vs.

Daniel Henry

Defendant / Respondent

ARRIVED

9/8 SEP 11 2017

**APOC - ANCH
PM HC FAX ELE**

COURT CASE NO. _____

PEACE OFFICER'S RETURN
OF WRIT SERVED

SPD # _____

I hereby certify that on the 6th day of September, 2017, At Skagway, Alaska, I

received the following documents:

Sealed manila envelope containing papers

For the therein named Daniel Henry
(Name of individual or corporation)

☐ I hereby certify and return that I am returning the above documents unserved for the reason that:

☒ I hereby certify that on the 7th day of September, 2017, I served the above documents by handing to and leaving a true and correct copy with Dan Henry

personally, at 11th Avenue between Main and Alaska in the Municipality of Skagway, Alaska in the First Judicial District.

Service Fees: \$45.00

Chief Ray Deggett
(Printed)

[Signature]
(Signature)

ALASKA PUBLIC OFFICES COMMISSION
2015 Public Official Financial Disclosure
Covering Jan. 1–Dec. 31, 2014

Clerk Received Date

RECEIVED

MAR 16 2015

APOC Received Date

MUNICIPALITY OF SKAGWAY

POFD for Municipal Officers and Candidates

You may file this paper POFD if you are a municipal officer or municipal candidate and serving or seeking office in a municipality with a population less than 15,000.
All other filers must file electronically via myAlaska: <https://my.alaska.gov/>

Contact APOC

Anchorage: 2221 E. Northern Lights Blvd., Room 128, Anchorage, AK 99508 / 907-276-4176 / Fax 907-276-7018. Juneau: 240 Main St., Room 500 / P.O. Box 110222, Juneau, AK 99811 / 907-465-4864 / Fax 907-465-4832. Toll-free in-state: 800-478-4176 Online: <http://doa.alaska.gov/apoc/> E-mail: doa.apoc@alaska.gov

This document is public— Do not include information such as social security or account numbers.

If you have nothing to report in a section, check NONE. Attach additional pages where needed.

Filing as Municipal: ☒ Office Holder ☐ Candidate

☐ Candidate POFD: Due when filing declaration of candidacy or nominating petition.

☐ Initial POFD: Due 30 days from appointment.

☒ Annual POFD: Due by March 15 each year after appointment.

☐ Final POFD: Due 90 days after leaving office (Include information not reported on previous POFDs).

Municipality: SKAGWAY MOS

Position: ☐ Borough/City Mayor ☒ Assembly member ☐ Councilmember ☐ School Board Member

☐ Elected Utility Board Member ☐ Borough/City Manager ☐ Planning or Zoning Commission

NAME: DANIEL J. HENRY

E-MAIL: SFCALASKA@HOTMAIL.COM

PHONE: 907-983-2010 Fax: 907-983-3733

MAILING ADDRESS: P.O. Box 279 SKAGWAY, AK. 99840

SPOUSE'S NAME: EILEEN M. HENRY

NUMBER OF DEPENDENT CHILDREN: 0

SEP 11 2017

Exhibit 1

Page 5 of 90

ALASKA PUBLIC OFFICES COMMISSION
2015 Public Official Financial Disclosure
Covering Jan. 1 - Dec. 31, 2014

SALARIED EMPLOYMENT

NONE: ☒

Income is anything of value and covers all forms of compensation or benefits from an employer including wages, salary, commissions, tips, bonuses, housing, use of an automobile and deferred compensation. Report each employer who paid you, your spouse, or children more than \$1,000. Include amount, dates and terms of employment, and time worked.
Amounts of income may be stated in these ranges: (1) \$250 - \$1,000 gifts only; (2) \$1,000 - \$2,000; (3) \$2,000 - \$5,000; (4) \$5,000 - \$10,000; (5) \$10,000 - \$20,000; (6) \$20,000 - \$50,000; (7) \$50,000 - \$100,000; (8) \$100,000 - \$200,000; (9) \$200,000 - \$500,000; (10) \$500,000 - \$1,000,000; (11) \$1,000,000 plus.

Earned By: ☐ Filer ☐ Spouse ☐ Child

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly

Income Amount: \$ _____

Dates and amount of time worked: _____

Employer: _____

Address: _____

Description: _____

Earned By: ☐ Filer ☐ Spouse ☐ Child

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly

Income Amount: \$ _____

Dates and amount of time worked: _____

Employer: _____

Address: _____

Description: _____

Earned By: ☐ Filer ☐ Spouse ☐ Child

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly

Income Amount: \$ _____

Dates and amount of time worked: _____

Employer: _____

Address: _____

Description: _____

ALASKA PUBLIC OFFICES COMMISSION
2015 Public Official Financial Disclosure
Covering Jan. 1– Dec. 31, 2014

SELF-EMPLOYMENT

NONE: ☐

List each source of self-employment income over \$1,000. See AS 39.50.200(10), source of income, 2 AAC 50.799(a), definition of self-employment, 2 AAC 50.695, reporting deferred income; and 2 AAC 50.700 for details. Disclose each client, customer or business that paid you and/or your family members more than \$1,000. Self-employment includes sole proprietors, partnerships, limited liability companies and professional corporations. Disclose income from corporations in which the filer and/or family members hold a controlling interest (2 AAC 50.700(b)). **Exemptions:** To obtain an exemption you must file a written request and receive an exemption from the commission (2 AAC 50.775, 2 AAC 50.821).

Earned By: ☒ Filer ☐ Spouse ☐ Child

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly

Income Amount: \$ 125 K

Dates worked: YEAR ROUND Amount of time worked: APRIL 15 - OCT 15
12 HOURS PER DAY

Business name: SKAGWAY FISH COMPANY

Client name and address: CANTRAV

Client name and address:

Description of services: FOOD & BEVERAGE - RESTAURANT

Earned By: ☐ Filer ☐ Spouse ☐ Child

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly

Income Amount: \$

Dates worked: Amount of time worked:

Business name:

Client name and address:

Client name and address:

Description of services:

RENTAL INCOME

NONE: ☒

If any person paid you and/or your family members more than \$1,000 in rent during the preceding calendar year, report the name of the person and amount paid. If the property is managed by a person other than the filer or a family member, list the manager's name. Disclose the location of the property under Real Property Interests.

OWNER:	TENANT NAMES	AMOUNT
<input type="checkbox"/> Filer		
<input type="checkbox"/> Spouse		
<input type="checkbox"/> Child		
<input type="checkbox"/> Co-owners		

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2015 Public Official Financial Disclosure
 Covering Jan. 1–Dec. 31, 2014

DIVIDENDS and INTERESTS

NONE: ☐

If more than \$1,000, disclose dividends, interest and other distributions of earnings from a business or investment. Include dividends or interest from bank accounts, capital gains, money market accounts, certificates of deposit, and Native corporation dividends. PFDs are only applicable if more than \$1,000.

RECIPIENT	SOURCE	AMOUNT
<input checked="" type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse	ALASKA PERMANENT FUND	1884
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		

OTHER INCOME

NONE: ☐

List source and amount of income over \$1,000 not listed elsewhere on this form, including sale of goods or property, taxable capital gains, pensions, retirement cash-outs, government entitlements, alimony or child support payments, honoraria and any other payments not otherwise accounted for.

RECIPIENT	SOURCE	AMOUNT
<input checked="" type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse	ASSEMBLY STIPEND	5K
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		

GIFTS WORTH MORE THAN \$250

NONE: ☒

Include travel expenses, discounts not available to the public, loans forgiven or paid by a third party. Do not report gifts from spouse, domestic partner, parent, dependent child, sibling, grandparent, aunt, uncle, niece or nephew.

RECIPIENT	DESCRIPTION	SOURCE	VALUE
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse			
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse			
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse			

ALASKA PUBLIC OFFICES COMMISSION
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BUSINESS INTERESTS

NONE: ☐

Report businesses in which the filer or family member: 1) Served as stockholder, owner, officer, director, partner, proprietor, employee, or held an interest. 2) Had ownership interests of more than \$1,000 in a publicly traded corporation, a business, shares in non-publicly traded corporations, sole proprietorships, or limited liability companies. Include options to buy, non-profit organizations, corporations, businesses, associations, and trade groups.

☒ Filer ☒ Spouse ☐ Child Position/Type of interest: OWNER
Business name: SKAGWAY FISH COMPANY
Address: 210 CONGRESS WAY
Description: RESTAURANT

☐ Filer ☐ Spouse ☐ Child Position/Type of interest: _____
Business name: _____
Address: _____
Description: _____

☐ Filer ☐ Spouse ☐ Child Position/Type of interest: _____
Business name: _____
Address: _____
Description: _____

REAL PROPERTY INTERESTS

NONE: ☐

A primary residence or recreational property held for personal use may be described only by zip code (2 AAC 50.720). (Enter 'Not Reported' for address if this applies to you.) Report the nature of the interest held in the property; including fee simple ownership, tenancy in common, general or limited partnership, and holder of an option to purchase. If property is jointly owned, check applicable boxes.

Owner(s): ☒ Filer ☒ Spouse ☐ Child ☐ Co-owner: _____
Address or description and zip-code: 560 11TH AVE 99840
Ownership interest: DANIEL J. & EILEEN M. HENRY

Owner(s): ☐ Filer ☐ Spouse ☐ Child ☐ Co-owner: _____
Address or description and zip-code: _____
Ownership interest: _____

Owner(s): ☐ Filer ☐ Spouse ☐ Child / ☐ Co-owner: _____
Address or description and zip-code: _____
Ownership interest: _____

ALASKA PUBLIC OFFICES COMMISSION
2015 Public Official Financial Disclosure
Covering Jan. 1– Dec. 31, 2014

TRUSTS, RETIREMENT ACCOUNTS OR OTHER BENEFICIAL INTEREST

NONE: ☒

Report each trust, retirement account or beneficial interest that exceeded \$1,000 during the reporting period, including a retirement plan, employee pension plans, profit-sharing, family, or education trusts, deferred compensation plans, annuity plans or any other similar arrangements intended to provide future income for the filer and/or family member. Identify individual investments accounts if you and/or family members manage or personally control the investments.

Owned By: ☐ Filer ☐ Spouse ☐ Child Percent Owned: _____

Managed By: _____

Fund or Companies: _____

Owned By: ☐ Filer ☐ Spouse ☐ Child Percent Owned: _____

Managed By: _____

Fund or Companies: _____

Owned By: ☐ Filer ☐ Spouse ☐ Child Percent Owned: _____

Managed By: _____

Fund or Companies: _____

LOANS, LOAN GUARANTEES & DEBTS OVER \$1,000

NONE: ☐

Report each creditor, lender or guarantor to whom more than \$1,000 was owed during the reporting period. List financial obligations, including property owned or sold during the reporting period; loans that have been guaranteed; delinquent taxes; alimony; child support payments; medical bills; boat and vehicle loans; business and personal loans; escrows; student loans; signature loans and promissory notes. Loans include secured, unsecured and contingent loans. Do not list credit card obligations or revolving charge accounts.

Debtor: ☒ Filer ☐ Spouse ☐ Child

Type: ☐ Lender ☐ Creditor ☐ Guarantor and Name: WELLS FARGO

Debtor: ☒ Filer ☐ Spouse ☐ Child

Type: ☐ Lender ☐ Creditor ☐ Guarantor and Name: FIRST MORTGAGE INC.

Debtor: ☐ Filer ☐ Spouse ☐ Child

Type: ☐ Lender ☐ Creditor ☐ Guarantor and Name: _____

ALASKA PUBLIC OFFICES COMMISSION
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GOVERNMENT CONTRACTS & OFFERS TO CONTRACT

NONE: ☒

List contracts, bids and offers to contract with the state or any state or municipal agency or entity. Report contract interests as individual, sole proprietor, family member, partnership, professional corporation, limited liability company, or through a corporation in which filer or family member/s held a controlling interest.

Contractor: ☐ Filer ☐ Spouse ☐ Child

Type of Interest: _____

☐ Bid ☐ Offer ☐ Held Contract ID: _____

Contracting Agency: _____

Description: _____

NATURAL RESOURCE LEASES

NONE: ☒

List mineral, timber, oil and gas leases – held, bid or offered. Report lease interests as individual, sole proprietor, family member, partnership, professional corporation, limited liability company, or corporation in which you and/or a family member held a controlling interest.

Leaseholder: ☒ Filer ☐ Spouse ☐ Child

Type of Interest: LESSEE NA

☐ Bid ☐ Offer ☐ Held Lease ID: _____

Description: _____

CERTIFICATION

I certify under penalty of perjury that the foregoing is true and the information in this disclosure statement is, to the best of my knowledge, true, correct and complete. A person who knowingly makes a false sworn certification is guilty of perjury.

SIGNATURE: _____

DANIEL J. HENRY

NAME

3/16/15

DATE SIGNED

Public Officials and Candidates required to file POFDs are solely responsible for filing complete, accurate and truthful forms by the deadlines.

File this POFD with the municipal clerk where you hold or seek office.

THIS IS A PUBLIC DOCUMENT

ARRIVED

APR 08 2014

**APOC - ANCH
PM HC FAX (ELE)**

**ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013- Dec. 31, 2013**

**FINANCIAL DISCLOSURE STATEMENT FOR:
PUBLIC OFFICIALS, LEGISLATORS & CANDIDATES**

EXECUTIVE BRANCH: Governor, Lt. Gov., commissioners, directors, special assistants and legislative liaisons; state boards and commissions; procurement and investment officers; city/borough officials; candidates.
JUDICIAL BRANCH: Justices, judges and magistrates.
LEGISLATIVE BRANCH: Legislators, legislative directors, Select Committee on Legislative Ethics.
FOR MORE INFORMATION, LAWS AND REGULATIONS: visit APOC online at: doa.alaska.gov/apoc.

Contact APOC directly:

- ANCHORAGE: 2221 E. Northern Lights Blvd., Room 128, Anchorage, AK 99503 / 907-276-4176 / Fax 907-276-7018
- JUNEAU: 240 Main St., Room 500 / P.O. Box 110222, Juneau, AK 99811 / 907-465-4864 / Fax 907-465-4832
- TOLL-FREE: 800-478-4176 / Online contact info: <http://doa.alaska.gov/apoc/>

**THIS IS A PUBLIC DOCUMENT - DO NOT INCLUDE CONFIDENTIAL INFORMATION
(i.e., SOCIAL SECURITY NUMBERS, ACCOUNT NUMBERS)**

**THIS REPORT IS A SWORN STATEMENT. YOUR SIGNATURE ON THE LAST PAGE CERTIFIES
THAT THIS DISCLOSURE IS TRUE, CORRECT and COMPLETE.**

NAME: DANIEL J. HENRY
MAILING ADDRESS: P.O. Box 279 SKAGWAY, AK. 99840
Street Address or P.O. Box, City, Zip Code
CONTACT PHONE(S): 907-983-2010 Fax: 3733
E-MAIL: SFCALASKA@HOTMAIL.COM
SPOUSE / DOMESTIC PARTNER: EILEEN M. HENRY
DEPENDENT CHILDREN: NA NON-DEPENDENT CHILDREN LIVING WITH YOU: NA
Report number of children, including stepchildren, adoptive children. Legislative filers: List non-dependent children living with you.
NAME NON-DEPENDENT CHILDREN LIVING WITH YOU: NA

WHY ARE YOU FILING? ☒ OFFICE HOLDER or ☐ CANDIDATE

OFFICE HELD OR SOUGHT: ASSEMBLY MEMBER
(Municipal Filers: Include the office and the name of your Municipality)

- ☐ INITIAL STATEMENT: Due 30 days from appointment for new public officials (and annually thereafter).
- ☒ ANNUAL STATEMENT: Due by March 15 - for incumbent officials.
- ☐ FINAL STATEMENT: Due 90 days after leaving office - From _____ through _____.
(Include all information not reported on a previously filed statement through your last day of office.)
- ☐ CANDIDATE STATEMENT: Due when filing declaration of candidacy

GIVE DETAILED DESCRIPTIONS WHERE REQUESTED. USE EXTRA PAGES IF NECESSARY.

CHECK ALL BOXES THAT APPLY.
For example, check multiple boxes for joint property owners

IF YOU HAVE NOTHING TO REPORT or A SECTION DOES NOT APPLY TO YOU, CHECK "NONE"

ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013
SCHEDULE A: SOURCES OF INCOME OVER \$1,000

1. SALARIED EMPLOYMENT

NONE: check box → ☒

- Income means anything of value and covers all forms of compensation or benefits received from an employer; compensation or benefits include wages, salary, commissions, tips, bonuses, housing, use of an automobile and deferred compensation.
- Report each employer who paid you, your spouse, domestic partner or children covered by reporting requirements more than \$1,000. Include amount of income, dates of employment, terms of employment, amount of time worked. Describe the work performed in sufficient detail to make it clear to a person of ordinary understanding.
- PLEASE NOTE: 2 AAC 50.685(c) The amount of any income more than \$1,000 that must be reported, or the value of a gift more than \$250 that must be reported, may be stated in a range rather than as an exact amount. The ranges to be used for this purpose are the following: (1) more than \$250 and no more than \$1,000, for gifts only; (2) more than \$1,000 and no more than \$2,000; (3) more than \$2,000 and no more than \$5,000; (4) more than \$5,000 and no more than \$10,000; (5) more than \$10,000 and no more than \$20,000; (6) more than \$20,000 and no more than \$50,000; (7) more than \$50,000 and no more than \$100,000; (8) more than \$100,000 and no more than \$200,000; (9) more than \$200,000 and no more than \$500,000; (10) more than \$500,000 and no more than \$1,000,000; (11) more than \$1,000,000.

EARNED BY: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / Total income: \$ _____

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly / Dates: _____

If work is not full-time, specify amount of time worked (months/days/hours): _____

Employer: _____

Address: _____

DETAILED DESCRIPTION of SERVICES PROVIDED: _____

EARNED BY: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / Total income: \$ _____

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly / Dates: _____

If work is not full-time, specify amount of time worked (months/days/hours): _____

Employer: _____

Address: _____

DETAILED DESCRIPTION of SERVICES PROVIDED: _____

EARNED BY: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / Total income: \$ _____

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly / Dates: _____

If work is not full-time, specify amount of time worked (months/days/hours): _____

Employer: _____

Address: _____

DETAILED DESCRIPTION of SERVICES PROVIDED: _____

GIVE DETAILED DESCRIPTIONS WHERE
REQUESTED. USE EXTRA PAGES IF
NECESSARY.

CHECK ALL BOXES THAT APPLY.
For example, check multiple boxes
for joint property owners

IF YOU HAVE NOTHING TO REPORT or
A SECTION DOES NOT APPLY TO YOU,
CHECK "NONE"

APR 08 2014

ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013

SCHEDULE A: SOURCES OF INCOME OVER \$1,000

2. SELF-EMPLOYMENT

NONE: check box → ☐

- List each source of self-employment income over \$1,000 by name and amount. Income means anything of value and covers all forms of compensation, including deferred income and attorney contingency fees. For clarification, see AS 39.50.200(10), "source of income"; 2 AAC 50.799(a), definition of self-employment—if you are actively involved with customers as a business owner you may be required to report each client who paid you over \$1,000; 2 AAC 50.695, reporting deferred income; and 2 AAC 50.704 – reporting income from attorney contingency fee agreements.
- Disclose each client, customer or business that paid you, your spouse/domestic partner or child more than \$1,000. Self-employment includes sole proprietors, partnerships, limited liability companies, professional corporations. See 2 AAC 50.700(a)
- Disclose income from corporations in which the filer, alone or in combination with one or more family members, holds a controlling interest as defined under 2 AAC 50.700(b)
- Exemptions: To obtain an exemption, you must qualify under the law, you must file a written request, and you must receive an exemption from the commission. Exemption rules: AS 39.50.035, 2 AAC 50.775, 2 AAC 50.821
- For detailed information on source of income see AS 39.50.200(10) "source of income".

EARNED BY: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / Total income: \$ 125K

☒ Full-time ☒ Part-time ☒ Seasonal ☐ Commission ☐ Project ☐ Hourly / Dates: _____

If work is not full-time, specify amount of time worked (months/days/hours): _____

Business name: SKAGWAY FISH COMPANY

Client / Customer name: _____

Client / customer address: _____

DETAILED DESCRIPTION of services provided: RESTUARANT

EARNED BY: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / Total income: \$ _____

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly / Dates: _____

If work is not full-time, specify amount of time worked (months/days/hours): _____

Business name: _____

Client / customer name: _____

Client / customer address: _____

DETAILED DESCRIPTION of services provided: _____

Client / customer address: _____

DETAILED DESCRIPTION of services provided: _____

GIVE DETAILED DESCRIPTIONS WHERE REQUESTED. USE EXTRA PAGES IF NECESSARY.

CHECK ALL BOXES THAT APPLY.
For example, check multiple boxes for joint property owners

IF YOU HAVE NOTHING TO REPORT or A SECTION DOES NOT APPLY TO YOU, CHECK "NONE"

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ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013

4. RENTAL INCOME

NONE: check box → ☒

- If any person paid more than \$1,000 in rent during the preceding calendar year, report the name of the person and the amount of the rent paid, and, if the property is managed by a person other than the filer or a family member of the filer, additionally report the manager's name. 2 AAC 50.725 Disclose the location of the property under "Real Property Interests"

OWNER:	TENANTS WHO PAID > \$1,000	AMOUNT
<input type="checkbox"/> Filer		
<input type="checkbox"/> Spouse or domestic partner		
<input type="checkbox"/> Child		
<input type="checkbox"/> Co-owner with others		

5. DIVIDENDS and INTEREST

NONE: check box → ☐

- The 2013 PFD amount is \$900.00. Add PFDs to this section, only if applicable (more than \$1,000).
- Disclose source and amount of income over \$1,000 received from dividends, interest and other distributions of earnings from a business or investment
- Include dividends or interest received from bank accounts, capital gains, money market accounts, certificates of deposit, Native corporation dividends, Permanent Fund dividends
- Note: This section refers only to amounts received during the reporting period; there is a separate section for disclosing business interest information.

RECIPIENT	SOURCE	AMOUNT
<input type="checkbox"/> Filer <input type="checkbox"/> Child		
<input type="checkbox"/> Spouse/ partner		
<input type="checkbox"/> Filer <input type="checkbox"/> Child		
<input type="checkbox"/> Spouse/ partner		
<input type="checkbox"/> Filer <input type="checkbox"/> Child		
<input type="checkbox"/> Spouse/ partner		
<input type="checkbox"/> Filer <input type="checkbox"/> Child		
<input type="checkbox"/> Spouse/ partner		
<input type="checkbox"/> Filer <input type="checkbox"/> Child		
<input type="checkbox"/> Spouse/ partner		

GIVE DETAILED DESCRIPTIONS WHERE REQUESTED. USE EXTRA PAGES IF NECESSARY.	CHECK ALL BOXES THAT APPLY: For example, check multiple boxes for joint property owners	IF YOU HAVE NOTHING TO REPORT or A SECTION DOES NOT APPLY TO YOU, CHECK "NONE"
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**ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT**
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013

6. OTHER INCOME

NONE: check box → ☒

List source and amount of income over \$1,000 not listed elsewhere in this form, including sale of goods or property, taxable capital gains, pensions, retirement account cash-outs, government entitlements, alimony or child support payments, honoraria and any other payments not otherwise accounted for.

RECIPIENT	SOURCE	AMOUNT
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner		

7. GIFTS WORTH MORE THAN \$250

NONE: check box → ☒

- Public Official Filers ONLY - Legislative filers are NOT required to fill in this section.
- Legislators must submit more detailed disclosure reports to the Legislative Ethics Committee.
- Report all gifts worth more than \$250 (including gifts from a single source with a cumulative value of more than \$250). Include travel expenses, discounts not available to the public, loans forgiven or loans paid by a third party. Do not report gifts from spouse, domestic partner, parent, dependent child, sibling, grandparent, aunt, uncle, niece or nephew.

RECIPIENT	DESCRIPTION	SOURCE	VALUE
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner			
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner			
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner			
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner			
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse/ partner			

GIVE DETAILED DESCRIPTIONS WHERE REQUESTED. USE EXTRA PAGES IF NECESSARY.

CHECK ALL BOXES THAT APPLY.
For example, check multiple boxes for joint property owners

IF YOU HAVE NOTHING TO REPORT or A SECTION DOES NOT APPLY TO YOU, CHECK "NONE"

APR 08 2014

ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013
SCHEDULE B

BUSINESS INTERESTS

NONE: check box → ☒

Report business interests even if they were NOT a source of income, including businesses in which the filer or family member (spouse, domestic partner, dependent children and, for legislative branch filers ONLY - nondependent children living with the filer):

- 1) Served as stockholder, owner, officer, director, partner, proprietor, employee, or held an interest.
 - 2) Had ownership interests of more than \$1,000 in a publicly traded corporation.
 - 3) Had any other ownership interest in a business, including shares in non-publicly traded corporations, sole proprietorships, or limited liability companies. Include options to buy.
 - 4) Include non-profit organizations, corporations, businesses, associations, trade groups.
- If the business was a source of income over \$1,000, it must also be reported in Schedule A.

☐ Filer / ☐ Spouse/domestic partner / ☐ Child / Position/Type of interest: _____

Business name: _____

Business address: _____

DETAILED DESCRIPTION of business activity: _____

☐ Filer / ☐ Spouse/domestic partner / ☐ Child / Position/Type of interest: _____

Business name: _____

Business address: _____

DETAILED DESCRIPTION of business activity: _____

☐ Filer / ☐ Spouse/domestic partner / ☐ Child / Position/Type of interest: _____

Business name: _____

Business address: _____

DETAILED DESCRIPTION of business activity: _____

☐ Filer / ☐ Spouse/domestic partner / ☐ Child / Position/Type of interest: _____

Business name: _____

Business address: _____

DETAILED DESCRIPTION of business activity: _____

GIVE DETAILED DESCRIPTIONS WHERE REQUESTED. USE EXTRA PAGES IF NECESSARY.

CHECK ALL BOXES THAT APPLY.
For example, check multiple boxes for joint property owners

IF YOU HAVE NOTHING TO REPORT or A SECTION DOES NOT APPLY TO YOU, CHECK "NONE"

APR 08 2014

ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013
SCHEDULE C

REAL PROPERTY INTERESTS

NONE: check box → ☒

- PLEASE NOTE: Report an interest in real property by the address or other legal description of the property, except that a primary residence or recreational property held for personal use may be described only by zip code. 2 AAC 50.720 (Enter 'Not Reported' for Address and City if this applies to you.)
 - Report the nature of the interest that the filer or family member held in the property; the nature of interests to be reported includes fee simple ownership, tenancy in common, general or limited partnership interest, and holder of an option to purchase. If property is jointly owned, check all boxes that apply

OWNER(S): ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / ☐ Other co-owner: _____

Street address or legal description: _____

City or Borough / State: _____

Ownership interest: _____
(Such as fee simple ownership, tenancy in common, general or limited partnership interest, and holder of an option to purchase)

OWNER(S): ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / ☐ Other co-owner: _____

Street address or legal description: _____

City or Borough / State: _____

Ownership interest: _____
(Such as fee simple ownership, tenancy in common, general or limited partnership interest, and holder of an option to purchase)

OWNER(S): ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / ☐ Other co-owner: _____

Street address or legal description: _____

City or Borough / State: _____

Ownership interest: _____
(Such as fee simple ownership, tenancy in common, general or limited partnership interest, and holder of an option to purchase)

OWNER(S): ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / ☐ Other co-owner: _____

Street address or legal description: _____

City or Borough / State: _____

Ownership interest: _____
(Such as fee simple ownership, tenancy in common, general or limited partnership interest, and holder of an option to purchase)

OWNER(S): ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / ☐ Other co-owner: _____

Street address or legal description: _____

City or Borough / State: _____

Ownership interest: _____
(Such as fee simple ownership, tenancy in common, general or limited partnership interest, and holder of an option to purchase)

GIVE DETAILED DESCRIPTIONS WHERE REQUESTED. USE EXTRA PAGES IF NECESSARY.	CHECK ALL BOXES THAT APPLY. For example, check multiple boxes for joint property owners	IF YOU HAVE NOTHING TO REPORT OR A SECTION DOES NOT APPLY TO YOU, CHECK "NONE"
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ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013

SCHEDULE D

TRUSTS, RETIREMENT ACCOUNTS OR OTHER BENEFICIAL INTERESTS OVER \$1,000 /
NONE: ☒

- Report each trust, retirement account or other beneficial interest that exceeded \$1,000 during the reporting period, including a state or federally administered retirement system plan, employee pension plans, profit-sharing trusts, family trust, education trusts, deferred compensation plans, annuity plans or any other similar arrangement intended to provide future income the filer or family member.
- Identify individual investments accounts if you or family members manage or personally control the investments.

ASSETS – OWNED BY: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / PERCENT: _____

ASSETS – MANAGED BY: _____

ASSETS – IDENTIFY FUND or COMPANIES: _____

ASSETS – OWNED BY: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / PERCENT: _____

ASSETS – MANAGED BY: _____

ASSETS – IDENTIFY FUND or COMPANIES: _____

ASSETS – OWNED BY: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / PERCENT: _____

ASSETS – MANAGED BY: _____

ASSETS – IDENTIFY FUND or COMPANIES: _____

ASSETS – OWNED BY: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / PERCENT: _____

ASSETS – MANAGED BY: _____

ASSETS – IDENTIFY FUND or COMPANIES: _____

ASSETS – OWNED BY: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / PERCENT: _____

ASSETS – MANAGED BY: _____

ASSETS – IDENTIFY FUND or COMPANIES: _____

GIVE DETAILED DESCRIPTIONS WHERE
REQUESTED. USE EXTRA PAGES IF
NECESSARY.

CHECK ALL BOXES THAT APPLY.
For example, check multiple boxes
for joint property owners

IF YOU HAVE NOTHING TO REPORT or
A SECTION DOES NOT APPLY TO YOU,
CHECK "NONE"

APR 08 2014

ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013
SCHEDULE E

1. LOANS, LOAN GUARANTEES & DEBTS OVER \$1,000

NONE: check box → ☐

- Report each creditor or lender to whom more than \$1,000 was owed during the reporting period.
- Report guarantor of each loan.
- List financial obligations, including mortgages on property owned or sold during the reporting period; loans that have been guaranteed; delinquent taxes; alimony; child support payments; medical bills; boat and vehicle loans; business and personal loans; escrows; student loans; signature loans and promissory notes.
- Loans include secured, unsecured and contingent loans.
- Do NOT list credit card obligations or revolving charge accounts.

DEBTOR: ☒ Filer / ☐ Spouse/domestic partner / ☐ Child

☒ LENDER / ☐ CREDITOR / ☐ GUARANTOR / NAME: WELLS FARGO BANK

DEBTOR: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child

☐ LENDER / ☐ CREDITOR / ☐ GUARANTOR / NAME: _____

DEBTOR: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child

☐ LENDER / ☐ CREDITOR / ☐ GUARANTOR / NAME: _____

DEBTOR: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child

☐ LENDER / ☐ CREDITOR / ☐ GUARANTOR / NAME: _____

2. FOR LEGISLATIVE BRANCH FILERS ONLY

NONE: check box → ☒

Legislative branch filers must report additional details: original amount of the obligation, the current balance owed, interest rate, length of the loan and whether a written agreement exists for a creditor or lender who:

- Lobbies or hired lobbyists
- Had contracts or sought contracts worth more than \$10,000 with any state agency
- Was a municipal or local government entity
- Was affected financially – in an amount exceeding \$1,000 – by an act of the legislature or state agency decision, including actions affecting professional or occupational licenses; natural resource permits or quotas; assessments; tax rates; health, safety or environmental standards; insurance or business practices.

DEBTOR: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child

☐ LENDER or ☐ CREDITOR / Name: _____

Address: _____

Original loan: \$ _____ Balance owed: \$ _____ Interest rate: _____ %

Term: ☐ _____ years ☐ _____ months / WRITTEN LOAN AGREEMENT? ☐ Yes / ☐ No

GIVE DETAILED DESCRIPTIONS WHERE REQUESTED. USE EXTRA PAGES IF NECESSARY.

CHECK ALL BOXES THAT APPLY:
For example, check multiple boxes for joint property owners

IF YOU HAVE NOTHING TO REPORT OR A SECTION DOES NOT APPLY TO YOU, CHECK "NONE"

APR 08 2014

ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013
SCHEDULE F

1. GOVERNMENT CONTRACTS & OFFERS TO CONTRACT

NONE: check box → ☒

- List all contracts, bids and offers to contract with the state or any state or municipal agency or entity.
- Report contract interests as individual, sole proprietor, family member, partnership, professional corporation, limited liability company, or through a corporation in which filer or family members held a controlling interest.

CONTRACTOR: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / TYPE of INTEREST: _____

☐ Bid / ☐ Offer / ☐ Held / CONTRACT ID (name/number): _____

CONTRACTING AGENCY: _____

CONTRACT DESCRIPTION: _____

CONTRACTOR: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / TYPE of INTEREST: _____

☐ Bid / ☐ Offer / ☐ Held / CONTRACT ID (name/number): _____

CONTRACTING AGENCY: _____

CONTRACT DESCRIPTION: _____

2. NATURAL RESOURCE LEASES

NONE: check box → ☐

- List natural resource leases – including mineral, timber, oil and gas leases – held, bid or offered during the reporting period.
- Report lease interests as individual, sole proprietor, family member, partnership, professional corporation, limited liability company, or corporation in which you or family (individually or together) held controlling interest.

LEASEHOLDER: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / TYPE of INTEREST: _____

☐ Bid / ☐ Offer / ☐ Held / LEASE ID (name/number): _____

LEASE DESCRIPTION: _____

LEASEHOLDER: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child / TYPE of INTEREST: _____

☐ Bid / ☐ Offer / ☐ Held / LEASE ID (name/number): _____

LEASE DESCRIPTION: _____

GIVE DETAILED DESCRIPTIONS WHERE REQUESTED. USE EXTRA PAGES IF NECESSARY.

CHECK ALL BOXES THAT APPLY.
For example, check multiple boxes for joint property owners

IF YOU HAVE NOTHING TO REPORT or A SECTION DOES NOT APPLY TO YOU, CHECK "NONE"

APR 03 2014

ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013
SCHEDULE G

1. CLOSE ECONOMIC ASSOCIATIONS

NONE: check box → ☒

- **EXEMPT:**
- Municipal and local officials and members of state boards and commissions are exempt from reporting close economic associations. Check the box for NONE.
- **NOT EXEMPT:**
- **STATE PUBLIC OFFICIALS:** Disclose financial relations with legislators, other public officials and lobbyists.
- **LEGISLATIVE BRANCH:** Disclose financial relations with public officials, lobbyists, other legislators, and legislative employees. Report close economic association detailed information to the Legislative Ethics Committee.
- **DEFINITION:**
- **CLOSE ECONOMIC ASSOCIATION** means a financial relationship between public officials, legislators and lobbyists; including shared interests in a business, property, association, partnership, corporation or LLC.
- **CHANGES:** Report new close economic associations within 60 days.

PERSON DISCLOSING ECONOMIC ASSOCIATION: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child

PERSON with WHOM ASSOCIATION EXISTS: _____

DESCRIPTION of ECONOMIC ASSOCIATION: _____

PERSON DISCLOSING ECONOMIC ASSOCIATION: ☐ Filer / ☐ Spouse/domestic partner / ☐ Child

PERSON with WHOM ASSOCIATION EXISTS: _____

DESCRIPTION of ECONOMIC ASSOCIATION: _____

2. FILERS WITH A LOBBYIST SPOUSE or DOMESTIC PARTNER NONE: check box → ☒

- **EXEMPT:** Local officials and members of state boards and commissions are exempt. Check NONE.
- **STATE PUBLIC OFFICIALS** with a lobbyist spouse or domestic partner: Report names and addresses of each employer of the lobbyist and the total monetary value received from each of the lobbyist's employers.
- **LEGISLATIVE BRANCH** filers with a lobbyist spouse or domestic partner: Disclose employer of lobbyist and compensation, and report details to the Legislative Ethics Committee.
- **CHANGES:** Report changes in lobbyist's employer within 48 hours of the change.

LOBBYIST'S EMPLOYER: NAME & ADDRESS	COMPENSATION

GIVE DETAILED DESCRIPTIONS WHERE REQUESTED. USE EXTRA PAGES IF NECESSARY.

CHECK ALL BOXES THAT APPLY.
For example, check multiple boxes for joint property owners

IF YOU HAVE NOTHING TO REPORT or A SECTION DOES NOT APPLY TO YOU, CHECK "NONE"

APR 08 2014

ALASKA PUBLIC OFFICES COMMISSION
2014 FINANCIAL DISCLOSURE STATEMENT
Covers the reporting period Jan. 1, 2013– Dec. 31, 2013

CERTIFICATION

I certify under penalty of perjury that the foregoing is true and the information in this disclosure statement is, to the best of my knowledge, true, correct and complete. A person who makes a false sworn certification which he or she does not believe to be true is guilty of perjury.

SIGNATURE: _____

If you are filing online, you must have an Electronic Filing Agreement with APOC to use an electronic signature.

DANIEL J. HENRY

NAME of FILER

3/15/14
DATE & PLACE SIGNED / FILED

All officials and candidates who are required to file disclosure statements are solely responsible for filing complete, accurate and truthful statements by the deadlines.

WHERE TO FILE THIS STATEMENT

STATE OFFICIALS: File initial, annual and final statements with the Alaska Public Offices Commission.

STATE CANDIDATES: File with the Division of Elections along with Declaration of Candidacy.

BOROUGH / MUNICIPAL / CITY OFFICIALS and CANDIDATES: File with city or borough clerk where you hold or seek office.

FILE ELECTRONICALLY to APOC: doa.apoc.reports@alaska.gov

THIS IS A PUBLIC DOCUMENT

NOTE: Public officials who are required to file this disclosure statement may have additional obligations to disclose conflicts of interest or potential conflicts under state executive, legislative or judicial ethics rules or personnel rules. Legislators who are required to file this disclosure statement have additional disclosure and reporting requirements imposed by the Select Committee on Legislative Ethics. Local officials may also be governed by local ethics ordinances or personnel rules.

Laws and regulations are online at <http://doa.alaska.gov/apoc/> or are available from APOC offices.

ALASKA PUBLIC OFFICES COMMISSION

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Fax 907-276-7018

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Mail: P.O. Box 110222
Juneau, AK 99811-0222
907-465-4864 / Fax 907-465-4832

E-mail APOC: doa.apoc@alaska.gov

File electronic disclosure statements to: doa.apoc.reports@alaska.gov

GIVE DETAILED DESCRIPTIONS WHERE REQUESTED. USE EXTRA PAGES IF NECESSARY.

CHECK ALL BOXES THAT APPLY.
For example, check multiple boxes for joint property owners

IF YOU HAVE NOTHING TO REPORT or A SECTION DOES NOT APPLY TO YOU, CHECK "NONE"

APR 08 2014

SER 11 2017
Exhibit 1



MUNICIPALITY OF SKAGWAY, ALASKA
REGULAR ASSEMBLY MEETING

February 20, 2014
Page 1 of 6

1. **Call To Order:**

Mayor Schaefer called the meeting to order at 7:00 p.m.

2. **Roll Call:**

Present: Mayor: Mark Schaefer **Assembly Members:** Steve Burnham Jr., Tim Cochran, Gary Hanson, Dan Henry, Spencer Morgan, Jim Sager

Absent:

3. **Approval of Minutes:**

Minutes for the October 3, 2013, and October 9, 2013, regular Assembly meetings were approved as presented by voice vote, 6 yes, 0 no, 0 absent.

4. **Approval of Agenda:**

The agenda of the February 20, 2014, regular Assembly meeting was approved as presented with no objection.

5. **Reports of Officials and Committees:**

A. **Mayor's Report:**

Mayor Schaefer indicated that the Borough Manager hiring process is moving forward with initial phone interviews. Mayor Schaefer noted that Chuck Eaton's plan was approved by the Alaska Industrial Development and Export Authority (AIDEA). Mayor Schaefer indicated that the Alaska Power Company (APC) posited that the Municipality cannot intervene on behalf of the citizens. Mayor Schaefer noted that Cruise Line Agencies has requested funding from excise tax.

B. **Finance Committee:**

Motion/Second: Henry/Cochran

To approve General checks 105373 through 105449 totaling \$450,147.16.

Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

C. **Public Safety Committee:**

Assemblyman Hanson thanked Fire Chief Jeremy Simmons for the Fire Department report on the training grounds development plan. Assemblyman Hanson indicated that the Municipality should contact the Legislature regarding funding for the Public Safety Facility; a location for the facility has been decided and the geotechnical work can begin because funding for the work is in the budget.

SEP 11 2017

D. Public Works Committee:

Assemblyman Burnham noted that LED lights have been installed in town on Alaska and Main Streets and they look great. Assemblyman Burnham thanked Alaska Power and Telephone for its work.

E. Civic Affairs Committee:

Assemblyman Sager indicated that at the last committee meeting trapping was discussed and trapping area maps are being developed.

F. Health, Education and Welfare Committee:

Assemblyman Cochran reported that the Local Emergency Planning Commission (LEPC) chair Sara Kinjo-Hischer indicated that since the School is a muster area for evacuation it should be furnished with a backup generator. Assemblyman Cochran noted that the School has sent a letter to the Municipality to add the generator as a line item in the budget. Assemblyman Cochran indicated the Clinic received an eye care grant for 65 people to receive free eye exams and glasses.

G. Parks and Recreation Committee:

Assemblyman Morgan indicated that at the next meeting the committee will discuss the Bicycle Friendly Community application as well has get an update on trail marking. Assemblyman Morgan noted that the West Creek Master Plan will be available on March 3, 2014.

H. Manager's Report:

6. Communications to the Assembly:

A. Correspondence:

No additional correspondence was received.

B. Hear Citizens Present:

Ken Russo asked if Tom Healy's comments on the White Pass memorandum of understanding (MOU) were delivered before the last Assembly meeting. Assemblyman Henry noted that Mr. Healy's comments were received the Tuesday after the last meeting, and after speaking to Mr. Healy, it seemed that there was confusion but Mr. Healy's understanding is better now. Mr. Russo asked if the big questions in the letter were going to be addressed, and indicated that it is the Assembly's responsibility to inform the public. Mr. Russo questioned why the Assembly traveled to Florida to negotiate when the negotiations should have been held in Skagway.

Thor Henricksen indicated that 150 yards is too far off of the road for trapping because of Skagway's mountainous terrain, and noted that the words, "liberally interpreted" should be removed from the draft ordinance. Assemblyman Sager indicated that the language to which Mr. Henricksen is referring was already removed. Mr. Henricksen indicated that all elected officials should be present to hear the public testimony before advertising their intention regarding how they will vote on the ordinance; Mr. Henricksen indicated that he believes one member of the Assembly is showing discriminatory intentions and that member should step down on this subject.

Superintendent Mike Tranel with the National Park Service (NPS) gave a brief overview of the NPS Dyea area plan and environmental assessment. Mr. Tranel noted that the public meeting is on March 12, 2014, and the public comment period closes on March 28, 2014. Mr. Tranel indicated that this project has been in the works for 10 years. Mr. Tranel indicated that the plan was shared with the Dyea Community Advisory Board and it was well received with only a few issues. Assemblyman Cochran asked if tree harvesting is allowed with the trail changes, and asked if there is a stipulation that the wood will be given to locals. Mr. Tranel noted that it is a complicated issue because of certain restrictions, but Mr. Tranel indicated NPS will take every opportunity to address the matter.

Clinic Executive Director Shelly O'Boyle reported that at the next Clinic Board meeting the Board will grant permission to proceed with the Behavioral Health grant, to be awarded after September 1, 2014. Ms. O'Boyle indicated that the timing of the award leaves a few months during which Behavioral Health is not covered financially, and the Municipality may have to get involved by providing funding.

Assemblyman Henry spoke to Mr. Russo's comments and indicated that the Municipality requested the meeting with White Pass and that White Pass covered all accommodation and meal expenses during the negotiations.

7. **Ordinances, Resolutions & Proclamations:**

A. **First Reading of Ordinance No. 14-03;** Amending Title 9 to Provide Regulations Specific to Trapping (*Tabled from February 6, 2014, Assembly Meeting*)

Motion/Second: Cochran/Morgan

To take first reading of Ordinance No. 14-03 from the table.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

Motion/Second: Cochran/Henry

To postpone first reading of Ordinance 14-03 to the March 20, 2014 meeting.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

B. **Consideration and Citizen Participation of Resolution No. 14-02R;** Approving Certain Unincorporated Communities and Their Respective Native Village Council and/or Incorporated Nonprofit Entity for Participation in the FY15 Community Revenue Sharing Program

Motion/Second: Henry/Cochran

To adopt Resolution 14-02R.

Mayor Schaefer opened the discussion to the public. No comments were made; Mayor Schaefer closed the discussion to the public.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

8. **Unfinished Business:** None.

9. **New Business:**

A. **Draft Memorandum of Understanding – Ore Terminal Environmental Compliance**

Dr. Chad Gubala was present via telephone, and indicated that with Mr. Eaton's operation through Eagle Minerals being approved by AIDEA, the ore terminal has become a multi-user facility. Dr. Gubala indicated that the Alaska Dept. of Environmental Conservation (ADEC) has changed its procedures for monitoring waste discharge and requires inspection by a third party; also, when the contaminated materials in the ore basin are contained on the uplands, that uplands area will become a hazardous material site and the Municipality needs to ensure environmental compliance because of potential liability posed by current users. Dr. Gubala indicated that the MOU is functional in that it facilitates consistent reporting to regulators. Dr. Gubala noted that the MOU is currently in review with AIDEA's attorneys.

B. **Recreation Center Addition Contract Amendment – NorthWind Architects**

Assemblyman Cochran asked if there is any more information on the maintenance costs of the proposed lap pool. Recreation Director Katherine Nelson indicated the cost would increase with a lap pool, and would include staffing and operation costs. Assemblyman Burnham asked if the Municipality would be shooting itself in the foot if a lap pool is done now instead of a larger pool later. Manager Deach indicated that doing the conceptual work up front will save money in the long run. Assemblyman Morgan indicated that the logical choice for the location of the lap pool, with staffing considerations, is next to the Recreation Center.

Mayor Schaefer asked for no objection to include the lap pool in the Recreation Center addition design contract as an amendment. The Assembly had no objection to the contract amendment.

C. **Comments on National Park Service Draft Dyea Area Plan & Environmental Assessment**

Assemblyman Cochran asked if the Kalvick house will be replaced. Mr. Tranel indicated that substandard buildings will be replaced and the Kalvick house is not included in that. Mr. Tranel indicated that public comments on the plan are due by March 28, 2014.

D. **West Creek Culvert Replacement Project - Mitigation**

Manager Deach indicated that she wanted to update the Assembly on the project, as the Assembly had previously authorized U.S. Fish and Wildlife to access the land for the project; however the State of Alaska now plans to use the project as mitigation for the Dyea Road Project.

10. **Executive Session:**

A. **Consideration of Confidential Info. Related to Borough Manager Candidates**

Motion/Second: Henry/Cochran

To recess the Assembly meeting and reconvene in executive session.

Motion passed unanimously by voice vote, 6 yes, 0 no, 0 absent.

Executive Session: 8:10 p.m. – 9:10 p.m.

Motion/Second: Henry/Cochran

To adjourn the executive session and reconvene the Assembly meeting.

Motion passed by voice vote, 6 yes, 0 no, 0 absent.

11. Mayor and Assembly Discussion Items:

Mayor Schaefer asked Manager Deach to convey to Tom Ebner of Cantrav that the requested tented party with beer and wine on July 29, 2014, is not practical and is a potential liability, and the Assembly is not in favor of it.

Mayor Schaefer indicated that the preferred spot for the water tank is the community garden next to the school.

Assemblyman Morgan indicated that the Healy building will be demolished in March and if the Assembly is interested in acquiring the property, action is required soon. Assemblyman Morgan indicated that stop signs in the alley may alert drivers to stop at the intersections. Mayor Schaefer asked the Public Safety Committee to review the idea of adding stop signs in the alleys downtown. Assemblyman Burnham noted the signs may inhibit the garbage route.

Assemblyman Morgan indicated that that it is not the role of the Historic District Commission to police the Historic District looking for code violations, the Code Enforcement officer was hired for this purpose. Mayor Schaefer indicated that inappropriate behavior by commission members needs to stop, and could be a liability issue that could cause the Municipality to get sued.

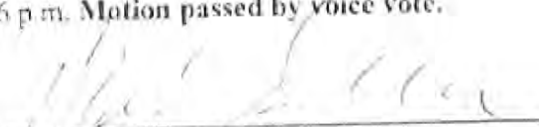
Assemblyman Cochran indicated that certain citizens are not getting ARCS, and this needs to be fixed since the Municipality is paying for the service. Manager Deach indicated that the signal is not making it all the way to the south end of town, and the State of Alaska has minimal staff to assist the Municipality.

Assemblyman Burnham indicated that the right of way on the 17th Ave. site is a good location for the water tank, leaving plenty of room for the Public Safety Facility.

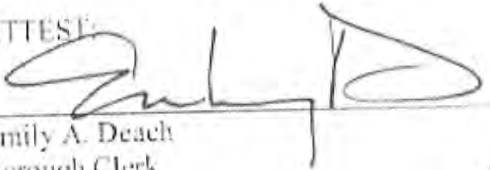
Assemblyman Hanson indicated that the Senior Ad Hoc Committee is interested in hiring NorthWind Architects to design the new Senior Center, and asked if the old Clinic site needs to be surveyed. Assemblyman Hanson asked Manager Deach to find out the cost for a survey of the old clinic property.

12. Adjournment:
Motion/Second: Henry/Cochran

To adjourn the meeting of February 20, 2014, at 9:36 p.m. Motion passed by voice vote.


Mark Schaefer, Mayor

ATTEST:


Emily A. Deach
Borough Clerk

(SEAL)

Approved: June 5, 2014





MUNICIPALITY OF SKAGWAY, ALASKA
REGULAR ASSEMBLY MEETING

January 2, 2014
Page 1 of 6

1. **Call To Order:**

Mayor Schaefer called the meeting to order at 7:00 p.m.

2. **Roll Call:**

Present: Mayor: Mark Schaefer **Assembly Members:** Steve Burnham Jr. (via telephone),
Tim Cochran, Gary Hanson, Dan Henry, Spencer Morgan, Jim Sager

Absent:

3. **Approval of Minutes:**

Minutes for the July 18, 2013, regular Assembly meeting were approved as presented by voice vote, 6 yes, 0 no, 0 absent.

4. **Approval of Agenda:**

The agenda of the January 2, 2014, regular Assembly meeting was approved by voice vote, 6 yes, 0 no, 0 absent.

5. **Reports of Officials and Committees:**

A. **Mayor's Report:**

Mayor Schaefer asked if any of the Assembly would like to go to Mineral Roundup in Vancouver. Mayor Schaefer appointed Michael Klensch to the Museum Board; the Assembly had no objection to the appointment. Mayor Schaefer noted that teleconferencing into an Assembly meeting is difficult.

B. **Finance Committee:**

Motion/Second: Henry/Cochran

To approve General checks 1005002 through 105079 totaling \$821,799.55.

Assemblyman Henry indicated that Treasurer Heather Rodig is doing a fine job presenting a clear idea of where the Municipality is at with finances by providing updated financial statements every thirty days.

Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

C. **Public Safety Committee:** None

D. **Public Works Committee:** None

E. **Civic Affairs Committee:**

Assemblyman Sager indicated that the Civic Affairs Committee discussed trapping regulations and had good attendance, which produced useful information to help both sides.

F. Health, Education and Welfare Committee:

Assemblyman Cochran indicated that the Clinic Board policies have been reviewed for 2013.

G. Parks and Recreation Committee: None

H. Manager's Report:

6. Communications to the Assembly:

A. Correspondence:

No additional correspondence was received.

B. Hear Citizens Present:

Eric Hosford of Dyea indicated that he disagrees with the proposed firearms regulations for the West Creek road. Mr. Hosford indicated the original purpose of the road was for logging, trapping, ATVs and shooting firearms, which is a citizen's right. Mr. Hosford noted that supervision is not needed because of a few bad apples.

Robert Perdue indicated his disagreement with the proposed firearm limitations and noted that a gun is needed for protection when a person is in the wilderness. Mr. Perdue indicated that it is a citizen's right to have firearms for protection.

Thor Henricksen indicated that more laws and boundaries are a waste of time until the current laws are enforced. Mr. Henricksen noted that littering is already illegal, along with shooting across a maintained road or trail, and these laws are adequate. Mr. Henricksen indicated that the National Park Service (NPS) should not be involved and the Municipality should look after its own assets. Mr. Henricksen recommended that hunting and firearm safety be taught as a class at the school.

Randy Fecteau indicated that he does not agree with the proposed regulations and noted that the locals are informed and know what they are shooting at. Mr. Fecteau noted that West Creek is used for recreation and is a safe place to take children to and he does not want to see it change.

Kevin Grieser indicated that there is no need for more laws because of a few individuals, and he does not think NPS should monitor any activity in West Creek because it is municipal land.

Wayne Selmer indicated his concern about the manager search and the pay for that position. Mr. Selmer noted that the Assembly should offer Interim Manager Emily Deach an 18-month contract, and noted that he is concerned about her dual salary. Mr. Selmer asked that before extra holidays are given to the municipal staff that there be an agenda item and information regarding the cost. Mr. Selmer suggested the Municipality use a nice picture of Skagway on its Christmas cards instead of a plain card, and to include staff and assembly email addresses on the municipal Web site.

Andrew Cremata indicated the condition of the roads is a problem and the Municipality may need to hire help to plow and sand the roads properly. Mr. Cremata indicated a plowing plan would help

inform the community regarding which streets are plowed and when, and would let citizens know to move their vehicles if necessary. Mr. Cremata noted that the Municipality could assist with the Yuletide Ball by providing rides home after the event, to prevent drunken driving or accidents.

7. **Ordinances, Resolutions & Proclamations:**

- A. **Second Reading and Public Hearing of Ordinance No. 13-29;** Authorizing the Disposal of 5,004 Square Feet of Tract B, ASLS 97-61, of the Taiya Inlet Subdivision to the State of Alaska for Improvements to the Dyea Road (*Postponed from December 19, 2013, Assembly Meeting*)

Motion/Second: Cochran/Henry

To have second reading and adoption of Ordinance No. 13-29.

Mayor Schaefer opened the hearing to the public. No comments were made; Mayor Schaefer closed the hearing to the public.

Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

- B. **First Reading of Ordinance No. 14-01;** Amending Municipal Code Section 9.02.010, Use of Firearms

Motion/Second: Hanson/Morgan

To have first reading of Ordinance No. 14-01.

Assemblyman Morgan indicated that this was a recommendation from Barb Sheinberg, the consultant working on the West Creek Master Plan, due to the informal shooting range and the garbage left behind, which is currently being cleaned up by the Public Works Department.

Assemblyman Sager indicated that Ms. Sheinberg noted the shooting range may be a liability to the Municipality and is a public safety issue. Assemblyman Morgan noted that the Municipality already provides a place to shoot.

Assemblyman Henry asked if the Assembly is attempting to legislate firing guns on the road. Assemblyman Cochran noted that the regulations for shooting are already in place by the State of Alaska, and the Assembly should leave it alone. Assemblyman Hanson noted if this is already a State law then the Municipality only needs to enforce it when complaints are made.

Mayor Schaefer indicated that the ordinance could go back to the Public Safety Committee for more work. Assemblyman Burnham indicated that the Assembly may be jumping ahead of itself with the ordinance, as the West Creek Plan is only in draft form. Assemblyman Morgan indicated that if use of the current shooting range is too burdensome, the Assembly could consider changing the fee structure for its use.

Motion failed by roll call vote, 0 yes, 6 no, 0 absent.

8. **Unfinished Business:** None.

9. **New Business:**

A. **Recommendation and Award of Recreation Center Addition Design Project**

Motion/Second: Henry/Cochran

To award the Recreation Center Addition Design project to NorthWind Architects.

Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

B. **Approval of FY13 Draft Audited Financial Statements**

Motion/Second: Henry/Cochran

To approve the audited financial statements.

Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

10. **Executive Session:**

A. **AIDEA Lease Negotiations**

B. **White Pass Lease Negotiations**

Motion/Second: Henry/Cochran

To recess the Assembly meeting and reconvene in executive session.

Motion passed unanimously by voice vote, 6 yes, 0 no, 0 absent.

Executive Session: 8:07 p.m. – 8:58 p.m.

Motion/Second: Henry/Cochran

To adjourn the executive session and reconvene the Assembly meeting.

Motion passed by voice vote, 6 yes, 0 no, 0 absent.

Motion/Second: Henry/Cochran

To accept and release the MOU between PARN and the Municipality of Skagway.

Motion passed by voice vote, 6 yes, 0 no, 0 absent.

11. **Mayor and Assembly Discussion Items:**

Mayor Schaefer noted that he and Assemblyman Sager may make a legislative trip to Juneau soon.

The Assembly scheduled a Committee of the Whole meeting at 2:00 p.m. on January 13, 2014, to vet Borough Manager candidates.

Assemblyman Hanson noted he will call in to the February 6, 2014, Assembly meeting.

Assemblyman Hanson noted that the old Clinic demolition project went well, and Carson Dorn and NorthPoint Construction did a good job. Assemblyman Hanson indicated that NorthPoint will hold off on the final grading of the site until it warms up; \$2,500 of the contract will be held by the Municipality until the grading is complete.

Assemblyman Hanson indicated he has been working with the Senior Ad Hoc Committee on design plans for a new Senior Center, and the committee has spoken to NorthWind Architects on the phone. Assemblyman Hanson noted that there is \$12,500 in the FY14 budget for the committee's use, and the Skagway Development Corporation is working with the committee to procure grants. Assemblyman Hanson indicated that having a housing component in the project could help secure grants.

Assemblyman Burnham noted he is not certain if he will be in attendance at the January 16, 2014, Assembly meeting; he will return to town on February 4, and will be in attendance at the February 6, 2014, Assembly meeting.

Assemblyman Sager indicated the Municipality does not own a proper plow truck. Assemblyman Burnham indicated this can be discussed at a Public Works Committee meeting when he returns. Assemblyman Hanson noted that a plowing plan is a good idea.

Assemblyman Henry noted the Municipality could schedule shuttles to address the Yuletide Ball issue. Assemblyman Henry indicated that Buffalo, New York, has extensive snow-plowing equipment and the community still has problems with snow removal; the Municipality will have problems regardless of whether or not a snow plow is purchased. Assemblyman Henry indicated that the sand truck was out of order but is now back online.

Assemblyman Cochran indicated that Skagway has always had an ice problem and procuring more equipment will not help. Assemblyman Cochran noted that the berm left after the State plows State Street is hard and citizens should not attempt to get over it in inclement weather conditions.


Assemblyman Henry indicated that citizens can park strategically when they know snow plows will be out, and a plowing plan is a good idea. Assemblyman Henry noted that Public Works does an outstanding job.

Assemblyman Morgan commended Public Works on their performance, and indicated that staff is out plowing as needed, including holidays. Assemblyman Morgan noted that it would be good for the Municipality to acquire Industrial land for a Public Works shop, as the current building does not provide enough space.


Assemblyman Morgan noted that Dustin Craney will have a Bicycle Friendly Community application ready for review in March.

12. Adjournment:
Motion/Second: Henry/Cochran

To adjourn the meeting of January 2, 2014, at 9:25 p.m. Motion passed by voice vote.


Mark Schaefer, Mayor

ATTEST.


Emily A. Deach
Borough Clerk

(SEAL)

Approved: May 1, 2014





MUNICIPALITY OF SKAGWAY, ALASKA
SPECIAL ASSEMBLY MEETING

November 12, 2013
Page 1 of 2

1. **Call To Order:**

Mayor Schaefer called the meeting to order at 10:00 a.m.

2. **Roll Call:**

Present: Mayor: Mark Schaefer Assembly Members: Steve Burnham Jr., Tim Cochran,
Gary Hanson, Dan Henry, Spencer Morgan, Jim Sager

Absent:

3. **Proof of Notice:**

Public notice was posted on November 8, 2013, and proof of notice is printed on the back of the agenda.

4. **Hear Citizen Present:** None

5. **Executive Session:**

A. White Pass Lease Negotiations

Motion/Second: Cochran/Morgan

To recess the Assembly meeting and reconvene in executive session.

Motion passed unanimously by voice vote, 6 yes, 0 no, 0 absent.

Executive Session: 10:02 a.m. – 11:50 a.m.

Motion/Second: Cochran/Morgan

To adjourn the executive session and reconvene the Assembly meeting.

Motion passed unanimously by voice vote, 6 yes, 0 no, 0 absent.

Motion/Second: Henry/Burnham

To send the negotiating committee and legal counsel to meet with White Pass, the date to be determined.

Motion passed unanimously by voice vote, 6 yes, 0 no, 0 absent.

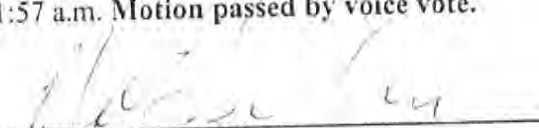
11. **Mayor and Assembly Discussion Items:**

12. **Adjournment:**

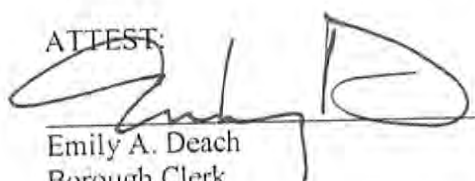
Motion/Second: Henry/Cochran

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Exhibit 1

To adjourn the meeting of November 12, 2013, at 11:57 a.m. Motion passed by voice vote.


Mark Schaefer, Mayor

ATTEST:


Emily A. Deach
Borough Clerk

(SEAL)

Approved: April 17, 2014





MUNICIPALITY OF SKAGWAY, ALASKA
REGULAR ASSEMBLY MEETING

May 17, 2013
Page 1 of 10

1. **Call To Order:**

Mayor Selmer called the meeting to order at 7:00 p.m.

2. **Roll Call:**

Present: Mayor: Stan Selmer **Assembly Members:** Steve Burnham Jr., Gary Hanson (via telephone), Dan Henry, Mike Korsmo, Paul Reichert, Mark Schaefer

Absent:

3. **Approval of Minutes:** None.

4. **Approval of Agenda:**

The agenda of the May 17, 2013, regular Assembly meeting was approved by voice vote with the removal of item 11C, TIGER V Grant Application, 6 yes, 0 no, 0 absent.

5. **Reports of Officials and Committees:**

A. Mayor's Report:

Mayor Selmer reported that he has no teleconference opportunities left per code, if the municipal trip to Florida to meet with Rai Sahi counts. Assemblyman Henry indicated that the trip was for municipal business. The Assembly agreed that the Florida trip was municipal business and would not count toward the teleconference limit.

Mayor Selmer indicated he met with the Alaska Industrial Development & Export Authority (AIDEA) on May 13, and went over the points in the draft lease that were highlighted by AIDEA's attorney; Mayor Selmer will discuss this with the Assembly in executive session.

Mayor Selmer indicated he introduced Borough Lobbyist John Walsh to Manager Edes.

Mr. Walsh indicated he is looking forward to working with Manager Edes. Mr. Walsh indicated that the Legislature is behind the Municipality on many issues; there is a new majority that is fiscally conservative. Mr. Walsh indicated that oil tax revenue is less and there is a lower flow of oil; with SB21 the State of Alaska will see less oil tax revenue until production goes up, and the State hopes for more investment.

Mr. Walsh indicated that the operating budget has been reduced, though the reduction does not directly affect the Municipality; Mr. Walsh indicated that the public may feel the reduction in State services. Mr. Walsh indicated that there is a multi-year endeavor to consult with efficiency experts to make a recommendation to the Legislature regarding department efficiencies.

Mr. Walsh indicated that in regards to a future harbor grant from the Dept. of Transportation & Public Facilities (DOT&PF), the Municipality cannot apply for a new grant before the current grant is closed out; the Municipality may be allowed to apply late. Assemblyman Korsmo indicated that he is not sure the engineering for Phase II of the Small Boat Harbor Improvement

project will be ready in time. Mr. Walsh indicated the Municipality may be able to get points for 35% drawings, and indicated he would check with DOT&PF.

Mayor Selmer asked if the Municipality should do anything about the potential \$1.5 million funding for the Gateway Project. Mr. Walsh indicated that even if the Governor is comfortable with the request, Mr. Walsh recommends that the Municipality send a letter in support of the funding.

Mayor Selmer indicated that he, Mr. Walsh and Manager Edes will work together to forward a thank-you letter to the Governor and the Office of Management and Budget (OMB).

Mayor Selmer indicated that Matt Deach has resigned from the Planning and Zoning Commission; before the resignation is accepted Mayor Selmer will discuss it with Mr. Deach.

B. Finance Committee:
Motion/Second: Henry/Reichert

To approve General checks 103274 through 103364 totaling \$735,081.95.

Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

Assemblyman Henry asked if a hard copy of the Garden City RV Park assessment has been received by the Municipality. Manager Edes indicated that it has not been received. Assemblyman Henry indicated that he feels confident the Diocese of Juneau will accept \$1.7 million with \$500,000 down, with a 15-year note at between 2.5% and 2.75%; this offer is better than the original offer of \$1.8 million, \$500,000 down, with a 15-year note at between 4.75% and 5%. Assemblyman Henry noted that the Municipality will save \$100,000 from the original offer as well as over \$214,000 in interest costs over the 15-year term.

Assemblyman Henry indicated that the Diocese is concerned about the Municipality's plan for the property; it will likely remain an RV park for at least a couple of seasons and could be the setting for the new Public Safety Facility. Assemblyman Henry indicated it might be a good idea to meet on this issue specifically.

C. Public Safety Committee:

Assemblyman Hanson indicated that the committee met to go over the Police Department and Fire Department budgets line by line. Assemblyman Hanson indicated that they discussed capital projects, and Fire Chief Jeremy Simmons indicated that a new trailer will be beneficial to the department and can also be used for training. Assemblyman Hanson noted that the Police Department will have a surplus car and it could be used by the manager.

Assemblyman Hanson indicated that he received reports from citizens about bus traffic and called Steve Funk of Holland America-Princess to touch base with him. Assemblyman Hanson indicated that Mr. Funk said he is working with all 62 drivers but some are new. Assemblyman

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Hanson recommended that the Municipality continue with a verbal agreement with the bus companies for the time being.

Assemblyman Korsmo asked if the Fire Dept. trailer is in the budget; Assemblyman Reichert verified that it is budgeted under equipment. Chief Simmons indicated that the Fire Dept. is required to test its fire pumps annually; the new trailer is self-contained and will allow the Fire Dept. to test all of its pumps and is more cost-effective than the alternatives.

D. Public Works Committee:

Assemblyman Burnham indicated he met with Mayor Selmer regarding the establishment of a Solid Waste Advisory Committee, and that prior to its establishment there will be a Solid Waste Advisory Ad Hoc Committee. Mayor Selmer directed the clerk to draft an ordinance to establish the committee, similar to the code in place for the Dyea Community Advisory Board; Mayor Selmer appointed Cory Thole, Rod Jensen, Julene Fairbanks and Kim Burnham to the ad hoc committee, with Assemblyman Burnham as the ex-officio member. The Assembly had no objection to the appointments.

E. Civic Affairs Committee: None.

F. Health, Education and Welfare Committee:

Assemblyman Schaefer noted that the committee held a budget meeting.

G. Parks and Recreation Committee:

Assemblyman Reichert noted that the committee held two budget meetings.

H. Manager's Report:

Manager Edes indicated that he attended a Customs and Border Protection (CBP) meeting to discuss issues related to Canadian-owned boats in the Skagway Harbor. Manager Edes indicated that federal regulations had not previously been enforced; these regulations are now being enforced by the new port director, who indicated that she does not have the authority to change the regulations, only enforce them. Manager Edes reported that there will be further meetings on the subject coming up in June. Manager Edes indicated that there were many unhappy attendees, as the regulations require those affected to go through additional processes.

Manager Edes indicated that he spoke with Annemarie Hasskamp of the Garden City Market, and they discussed the importance of self-policing and focusing on local products, and agreed on the use of a sign-in sheet for the market.

Manager Edes indicated that regarding the sewer line extension issue from the last Assembly meeting, he spoke to Public Works Foreman Grant Lawson and Water Superintendent Tim Gladden and they could not recall an instance of when water or sewer lines were extended and the Municipality paid for them. Manager Edes indicated that there may be possible municipal development at the Recreation Center grounds across the alley from the property in question, and there may be a municipal benefit to extending the sewer main. Manager Edes indicated he intends to speak to the Greenstreets about sharing the cost of the extension installation. Manager

Edes indicated that next week Public Works will dig a hole at the end of the sewer header to provide an elevation estimate to the Greenstreets.

Assemblyman Korsmo suggested the manager look at the Recreation Center master plan and talk to Recreation Center Director Katherine Nelson. Assemblyman Reichert indicated he does not think the master plan currently has facilities in the corner of the property; however the plan is not final and there is room to change and develop.

Manager Edes indicated that the siding has been installed on the east and west walls of the Recreation Center, and noted that additional insulation may be needed in the attic and there are some issues with the ceilings in the facility. Manager Edes indicated the Municipality has not yet purchased additional siding, as he would like to get a further look at what is needed for the property. Manager Edes indicated he would speak with Hunz & Hunz Enterprises to see if the siding should be ordered now or later.

Manager Edes indicated he met with PND Engineers to get them information for the conceptual design of phase II of the Small Boat Harbor Improvement project. Assemblyman Korsmo asked what the completion date is for the conceptual design from PND. Manager Edes indicated the completion date is undetermined, as PND is still gathering information for the drawings.

Manager Edes indicated that there is a report from Permitting Official David Van Horn as well as other reports from individuals who inspected the old City Hall building; the inspection period closed the day before and the Municipality has five days to decline the purchase if desired.

Motion/Second: Henry/Schaefer

To purchase the old City Hall building.

Mayor Selmer indicated he recognizes the historic significance of the building, and the Municipality needs to come up with a facility use plan.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

Manager Edes indicated that there may be staffing matters in fiscal year 2014, and he may be asking for budget amendments at a later date.

Manager Edes indicated he met with a U.S. Department of Agriculture (USDA) officer regarding the Municipality's annual certificate for handling of regulated garbage seized at the border. Manager Edes indicated that municipal staff signed off on the certificate and the USDA officer was happy.

6. Communications to the Assembly:

A. Correspondence:

No additional correspondence was received.

B. Hear Citizens Present:

Katie Emmets of the Skagway News introduced Elise Giordano, the new intern reporter at the organization.

Barb Brodersen, member of the Senior Ad Hoc Committee, thanked the Assembly for adopting the resolution designating the old clinic property for a senior facility. Mrs. Brodersen encouraged the Assembly to pursue plans to demolish the old clinic building. Mrs. Brodersen thanked Assemblyman Hanson for attending the committee meetings, as the information he brings is invaluable.

Carl Mulvihill indicated he was present at the meeting to listen to deliberations.

Mayor Selmer noted that Bob Cameron, a Canadian user of the Skagway Small Boat Harbor, was present at the meeting. Mayor Selmer noted that he presented the Alaska Marine Highway System (AMHS) with a plaque thanking all the AMHS staff since 1963.

Ginny Cochran, member of the Senior Ad Hoc Committee, reiterated Mrs. Brodersen's comments and indicated she hopes to see the demolition of the clinic in the FY14 budget. Mrs. Cochran indicated that the committee has involved the entire community in the development of the senior center, and the committee has asked local Computer Aided Drafting (CAD) students to develop designs for the facility (these were given to the Assembly for viewing).

Nola Lamken indicated she was present at the CBP meeting and it was severe; long-term Canadian boaters contribute to the economy and the new regulations came out of the blue and involve spending more money. Ms. Lamken indicated that she is very concerned about the situation. Ms. Lamken also indicated she is upset that AMHS has taken away its discounts for round-trip fares and drivers and there is a huge increase in cost; AMHS is a highway that is funded through the State's budget.

Jan Tronrud indicated she endorses the Assembly working to further the needs of the community's seniors.

Break: 8:11 p.m. – 8:21 p.m.

7. Ordinances, Resolutions & Proclamations:

- A. **Second Reading and Public Hearing of Ordinance No. 13-11; Providing for the Establishment and Adoption of the Budget for the Fiscal Year 2014**

Motion/Second: Schaefer/Henry

To have second reading of Ordinance No. 13-11.

Mayor Selmer opened the hearing to the public. No comments were made; Mayor Selmer closed the hearing to the public.

Borough Treasurer Heather Rodig was present to address the budget. Mayor Selmer indicated he spoke with Ms. Rodig and there are no funds available to reduce the mill rate this year. Ms. Rodig indicated that the deficit in the General Fund is because of an excess of Clinic bond funds; the auditors rolled the amount over and the bond payment reserves can only be utilized for bond service, not as a revenue source; this excess constitutes a portion of the deficit.

Mayor Selmer asked if the Municipality needs to raise taxes; Ms. Rodig indicated she would have more information for a determination next week. Assemblyman Korsmo indicated the Assembly needs a clear understanding of the deficit. Assemblyman Henry indicated that the third reading of the budget is scheduled for June 20; there is no pressure for immediate resolution. Assemblyman Korsmo noted that after the first meeting in June the budget can be adjusted; Assemblyman Henry agreed that the final cleanup could happen on June 20. Manager Edes indicated that if there are questions action can be postponed to the June 6 meeting.

Motion/Second: Henry/Schaefer

To postpone second reading of Ordinance No. 13-11 to the June 6, 2013, Assembly meeting.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

B. Second Reading and Public Hearing of Ordinance No. 13-13; Amending Title 10 Traffic Code by Amending Section 10.02.070 Parking Restrictions

Motion/Second: Henry/Schaefer

To have second reading and adoption of Ordinance No. 13-13.

Mayor Selmer opened the hearing to the public. No comments were made; Mayor Selmer closed the hearing to the public.

Assemblyman Schaefer noted the ordinance will clean up the municipal code due to changes in State law. Assemblyman Hanson noted that the borough attorney did a fine job suggesting amendments.

Motion/Second: Henry/Schaefer

To amend Ordinance No. 13-13 as suggested by the borough attorney.

Mayor Selmer opened the hearing on the amendment to the public. No comments were made; Mayor Selmer closed the hearing on the amendment to the public.

Main motion as amended passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

C. Second Reading and Public Hearing of Ordinance No. 13-14; Amending the FY13 Capital Projects Fund and Land Fund Budgets to Allocate Additional Funding for the Dyea Flats Road Improvements Project

Motion/Second: Henry/Korsmo

To have second reading and adoption of Ordinance No. 13-14.

Mayor Selmer opened the hearing to the public. No comments were made; Mayor Selmer closed the hearing to the public.

Assemblyman Hanson indicated the project is a good idea and it is time the Municipality completed the project.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

8. Unfinished Business:

A. Skagway Recreation Center Siding Proposal; Determination of Funding Source

Mayor Selmer indicated that no action was taken by the Assembly at the last meeting. Assemblyman Korsmo indicated that the direction from the Assembly was to stop the project instead of siding the north wall. Manager Edes indicated that because the north wall is not being sided at this time the Municipality will save approximately \$5,000; storage needs to be determined for the unused siding, and there is a prospect to purchase additional panels.

Assemblyman Korsmo indicated the siding cannot be purchased without engineering the expansion first. Mayor Selmer indicated that the existing material can be stored for now and the decision can be made later if the expansion will be pursued; Mayor Selmer suggested the Assembly make a motion to stop, store and wait.

Motion/Second: Korsmo/Reichert

To stop the Recreation Center siding project, store the excess materials, and wait.

Assemblyman Hanson indicated he agrees that the Municipality should stop the project and store the materials; Assemblyman Hanson indicated he understands the insulation is already attached to the paneling and therefore the paneling will have to be in dry storage.

Mayor Selmer encouraged Manager Edes to look into options for storage. Assemblyman Schaefer asked Manager Edes to check on siding availability. Manager Edes indicated he can ask for notice from the manufacturers if any changes are made to the specifications of the siding currently being used.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

B. Dyca Flats Road Improvements Project Bid Award

Assemblyman Korsmo suggested the Assembly accept the low bid from Hunz & Hunz Enterprises.

Motion/Second: Korsmo/Henry

To accept the Hunz & Hunz Enterprises base bid and alternatives #1 and #2, for a total project award of \$82,575.00.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

9. **New Business:**

A. Tongass National Forest Land Management Plan Comments (6/30 deadline)

Mayor Selmer indicated there is no public meeting for this plan in Skagway, and suggested the Parks and Recreation Committee review the plan and make a recommendation to the Assembly prior to the June 30 deadline. Mayor Selmer noted that there are two hydro-electric projects in the Tongass and no likelihood for another, but there are many recreational opportunities.

The Assembly had no objection to referring the item to the Parks and Recreation Committee for a recommendation to the Assembly prior to June 30.

B. Canadian Citizens' Use of Boats In and Out of Skagway

Mayor Selmer noted a letter was received by the Municipality from the Camerons regarding their treatment by the Skagway CBP. Mayor Selmer noted a letter to Ryan Leef MP of the Canadian government has been approved by the Assembly, and includes a request for dialogue with Washington D.C. Mayor Selmer indicated he contacted Sally Smith of Sen. Begich's office, and subsequently did not send the letter to Mr. Leef until he had heard back from Sen. Begich's office. Mayor Selmer indicated that enforcement of boaters getting a cruising permit for foreign-documented vessels has not happened before, and Mayor Selmer questioned the purpose of this procedure as it creates issues for Southeast Alaska ports of call.

Harbormaster Matt O'Boyle indicated that he has received no new information from CBP and encouraged the Assembly to address the issue as it affects Skagway's economy greatly. Assemblyman Korsmo asked what the next step will be after following through with Ms. Smith. Mr. O'Boyle indicated that the Municipality should request a formal letter from the Anchorage CBP addressing the issue of a U.S.-registered vessel owned by a Canadian citizen. Mayor Selmer noted that Ms. Smith found that the cruising permit only applies to a foreign-documented vessel. Mr. O'Boyle indicated that Alaska Statutes require a vessel to be registered in Alaska if it is in U.S. waters more than 90 days.

Mr. Walsh noted that the issue needs more vetting. Ms. Giordano of the Skagway News, who is doing research for her story on the subject, indicated that different ports are giving different information to the public. Bob Cameron, Canadian citizen and Skagway Small Boat Harbor user, indicated that long-time Skagway boaters did not know of the procedures or required documentation until Monday, and the information left Canadian boaters confused.

Assemblyman Korsmo indicated that the information being received is unclear, and pressure needs to be put on the appropriate authority to get solid information. Mayor Selmer asked if the letter should be sent to Mr. Leef, or if the manager should talk to the former port director first.

The Assembly had no objection to the manager getting additional information from the former port director, Boyd Worley, then moving on to the regional authority and reporting back to the Assembly. Mayor Selmer indicated that if advised by Mr. Worley to do so, the letter to Mr. Leef will be sent.

Roger Griffin indicated he appreciates the discussion. Mr. Cameron thanked the Assembly for its support.

C. Smith Request to Close Portion of 4th Ave. for Fundraiser on June 1, 2013

Clerk Deach clarified that this is actually two requests: one for a Fourth Ave. closure on June 1 for a fundraiser; and one for a Fourth Ave. closure on July 4.

The Assembly had no objection to Beth Smith's request to close a portion of Fourth Avenue on June 1, 2013, and July 4, 2013.

10. Executive Session:

- A. Matters, the Immediate Knowledge of Which Would Adversely Affect the Municipality's Finances – Ore Dock Access Agreement(s) Response**
- B. Matters, the Immediate Knowledge of Which Would Adversely Affect the Municipality's Finances – AIDEA Lease**

Motion/Second: Henry/Reichert

To recess the Assembly meeting and reconvene in executive session.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

Executive Session: 9:32 p.m. – 11:38 p.m.

Motion/Second: Henry/Reichert

To adjourn the executive session and reconvene the Assembly meeting.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

11. Mayor and Assembly Discussion Items:

A. Ore Terminal Tour and AIDEA Presentation – May 22, 2013


The Assembly discussed the draft trip itinerary for the visit from AIDEA and the Haines Borough on May 22, 2013.

B. Small Boat Harbor Project Completion Issues


Assemblyman Korsmo indicated that there has been correspondence from URS and discussion regarding a dispute on costs; the Municipality should not be on the hook for an engineer failure. Assemblyman Korsmo indicated that more information on the issue is forthcoming.

12. Adjournment:
Motion/Second: Henry/Reichert

To adjourn the meeting of May 17, 2013, at 11:45 p.m., and to schedule a special meeting for 6:00 p.m. on Thursday, May 23, 2013. Motion passed unanimously by voice vote.


Stan Selmer, Mayor

ATTEST:


Emily A. Deach
Municipal Clerk

(SEAL)

Approved: August 1, 2013



SEP 11 2017

Skagway Assemblyman resigns months after federal tax charges conviction

Posted On Oct 21 2016 By : Emily Files Comment: 0

Longtime Skagway Assemblyman Dan Henry resigned his seat this week, less than a month before he must report to prison. In February, Henry pleaded guilty to federal tax charges.

Henry was absent from the last two assembly meetings, leaving the question of whether he planned to resign up in the air. That question was finally answered at Thursday's meeting.

"We did receive a resignation from Assemblyman Henry," said Mayor Mark Schaefer.

Henry wasn't there, so Schaefer read the letter, which Henry addressed to Borough Clerk Emily Deach.

He wrote:

Emily, Please inform the Mayor and Assembly that as of today, I am resigning from the Skagway City Assembly, and please relay to all that it has been my pleasure and most profound honor to serve on the Council and Assembly for the past 20 years. I believe Skagway to be in the best position financially in its existence and with a bright future ahead. I would like to feel that I may have aided in that evolution and hope for Skagway's continued growth and prosperity. Best Regards, Dan Henry.



Dan Henry. (Photo courtesy of The Skagway News)

"And we wish him luck in what he's facing," Schaefer added.

What he's facing is a year and a day in federal prison and possible penalties from the Alaska Public Offices Commission.

00:00

04:18

Henry's case came to light early this year when he was convicted of willful failure to timely file federal income tax returns. He pleaded guilty to four misdemeanor charges after two years of plea deal negotiations.

Henry is the owner of the Skagway Fish Company restaurant. According to court documents, he failed to file his income taxes from 2004 to 2012. He also failed to disclose any annual income over a thousand dollars on years of financial disclosure reports to APOC.

Henry was ordered to pay more than \$600,000 in restitution to the IRS. In September, a judge sentenced him to a year and a day in prison. At that hearing, Henry gave an explanation for his behavior, saying he struggled with drinking and gambling that led to a number of financial losses.

There may be more repercussions on the way for Henry. An APOC case involving his incomplete filings is set to go before the commission at its regular meeting Tuesday. APOC staff recommended a fine of \$22,000 for the violations. The commission will make a final decision on the penalty Tuesday.

Henry never publicly addressed the situation at assembly meetings, although he did write a letter to the editor in the local newspaper. As is the case for this story, Henry has not returned KHNS's requests for comment.

Although Henry didn't speak about the matter at assembly meetings, some residents did. Several people called on him to step down from elected office. Bob Carlson spoke at a meeting in August.

"I believe assembly members should be of the highest character and moral," Carlson said. "I just feel that you failed me, and our community too."

Carlson was one of a few residents who asked Henry to resign in time for his seat to be placed on the Oct. 4 municipal election ballot. But that did not happen.

Now, the mayor will appoint someone to the seat Henry vacated. There were four candidates who ran for two open assembly seats in the recent election. Some have asked for one of the two candidates who were not the top vote-getters to be appointed to the vacant seat. They are David Brena and write-in candidate Spencer Morgan.

Mayor Schaefer plans to address the appointment at the next assembly meeting. KHNS could not reach Schaefer for comment by air time.

Meanwhile, Schaefer appointed different assembly members to fill Henry's spot as vice mayor and chair of the assembly finance committee. Tim Cochran takes over as vice mayor and Steve Burnham Jr. as finance chair.

Henry has been ordered to report to a federal prison facility to serve out his sentence by Nov. 1.

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SEP 11 2017



MUNICIPALITY OF SKAGWAY, ALASKA
REGULAR ASSEMBLY MEETING

January 17, 2013

Page 1 of 12

1. **Call To Order:**

Mayor Selmer called the meeting to order at 7:00 p.m.

2. **Roll Call:**

Present: Mayor: Stan Selmer **Assembly Members:** Steve Burnham Jr., Gary Hanson, Dan Henry, Mike Korsmo, Paul Reichert, Mark Schaefer

Absent:

3. **Approval of Minutes:**

Minutes for the December 6, 2012, regular Assembly meeting were approved as presented by voice vote, 6 yes, 0 no, 0 absent.

4. **Approval of Agenda:**

The agenda of the January 17, 2013, regular Assembly meeting was approved by voice vote with the removal of item 10A, 6 yes, 0 no, 0 absent.

5. **Reports of Officials and Committees:**

A. Mayor's Report:

Mayor Selmer reported he spoke that day with Mr. Sahi of ClubLink Enterprises Ltd., and indicated that Mr. Sahi would like Mayor Selmer to meet with him in Florida; Mayor Selmer indicated to Mr. Sahi that he needs Assembly approval first. Mayor Selmer indicated he will be out of town from January 20 through the second week of February.

Mayor Selmer reported he attended a teleconference regarding the ferry, and there was a heavy focus on a possible shuttle ferry between Skagway and Haines. Assemblyman Korsmo indicated that there will be public testimony on the matter on January 24, and Assemblyman Korsmo may testify.

Mayor Selmer asked that the most recent letter regarding the Port Lecture Series be forwarded to the Assembly; Mayor Selmer indicated he and Tourism Director Buckwheat Donahue are concerned about one sentence in the letter. Mayor Selmer indicated he is impressed with the efforts put forth by Princess Cruises last year in regards to the Port Lecture Series.

B. Finance Committee:

Motion/Second: Henry/Reichert

To approve General checks 102293 through 102390 totaling \$1,570,362.59.

Assemblyman Henry noted that the manager will check on the validity of travel expenses claimed by SCS Engineers prior to sending out the payment.

Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

Assemblyman Henry reported that the treasurer is almost to the point of having a 30-day financial report cycle; in the future these reports will be included in the meeting packet for the second Assembly meeting of the month.

Assemblyman Henry indicated that Skip Elliott is supposed to be in town and will meet with Manager Healy and the treasurer regarding moving stagnant investment monies. Assemblyman Henry reported that the Land Fund returns are currently at 3.9-percent; the Sales Tax Fund is at 4.9-percent; and the General Fund is at 3.5-percent, for a total return of about \$500,000.

Assemblyman Korsmo indicated he is impressed with the quarterly treasurer's report.

C. Public Safety Committee:

Assemblyman Hanson reported that Bettisworth North Architects has proposed an outline for 35% construction drawings of the Public Safety Facility; this portion of the project is in the FY13 budget. Assemblyman Hanson indicated the Bettisworth memo includes design changes from the original design, and the committee will look at ways to lower the estimated \$17 million cost and look at opportunities for energy efficiency.

Assemblyman Hanson indicated he attended the Northern Southeast Local Emergency Planning Committee (LEPC) meeting, which was five days after the recent earthquake off the coast of Southeast Alaska. Assemblyman Hanson indicated the committee discussed developing an evacuation plan for Skagway. Assemblyman Hanson indicated that there are emergency food supplies in Skagway, and they are stored near the firing range as well as at the Fire Dept. emergency trailer. Assemblyman Hanson indicated there are federal grants available for tsunami siren systems, and Police Chief Ray Leggett will look into the grants.

Assemblyman Hanson asked Chief Leggett to talk about Nixle, a program that will text your phone in the event of an emergency. Chief Leggett indicated that there is a link on the Police Department Web site (www.skagwaypolice.org) to Nixle, a free software program that is now used by the Police Dept. to distribute emergency information. Chief Leggett indicated that the public can sign up online and emergency information will be sent to the contact information users provide. Assemblyman Korsmo asked if the information is confidential. Chief Leggett indicated that it is; the Police Dept. sends the emergency message but does not manage the users of the service. Assemblyman Hanson indicated there is also an earthquake application that can be used on mobile devices.

Assemblyman Hanson indicated that he spoke with FEMA, and Skagway is on the list to get a new flood map. Clerk Deach indicated that R&M Engineers has been contracted to produce the new map, but because of their work on the municipal entitlement mapping project the new flood map completion has been delayed. Assemblyman Hanson recommended doing hydrology tests at the future Seven Pastures dike site.

D. Public Works Committee:

Assemblyman Burnham reported that there have been several Recycling Committee meetings at which recycling and solid waste management scenarios were scored; the highest score went to the option of having a recycling and composting facility in addition to the incinerator. Assemblyman Burnham indicated that second-highest score was for the option to close the incinerator and have a recycling and composting facility; the third-highest option is having a recycling facility in addition to the incinerator. Assemblyman Burnham indicated that SCS Engineers will detail out the three options for Assembly consideration.

Assemblyman Burnham reported that the permitting official will provide a memo to the Assembly regarding the Planning and Zoning Commission's (P&Z) recommendation regarding buses and van tours in residential areas and washing tour buses and vans on residential streets.

E. **Health, Education and Welfare Committee:** None.

F. **Civic Affairs Committee:**

Assemblyman Korsmo indicated that the Coastal Zone Management code language has been sent to the borough attorney for review; Assemblyman Korsmo has spoken with Marj Harris, who is willing to work on updating Title 17.

G. **Parks and Recreation Committee:**

Assemblyman Reichert reported that the committee met to review the playground equipment proposal. Assemblyman Reichert indicated that funding was budgeted for playground equipment in FY13 but it was not enough to equip both the school and Mollie Walsh playgrounds; the initial plan was to replace the school equipment this year and budget for Mollie Walsh Park in FY14. Assemblyman Reichert indicated that due to a generous donation from Alaska Marine Lines of \$60,000 worth of shipping, both parks can be upgraded this fiscal year.

H. **Manager's Report:**

Manager Healy reviewed his written report, and noted that the Municipality is working on resolving issues related to the Wastewater Treatment Plant Upgrade project; notice has been given to the contractor and liquidated damages are accruing.

6. **Communications to the Assembly:**

A. **Correspondence:**

No additional correspondence was received.

B. **Hear Citizens Present:**

Emily Willis indicated that it is good to make the playground improvements at Mollie Walsh Park. Ms. Willis indicated that the playgrounds in Haines and Juneau had a lot of thought put into planning; the playgrounds are unique and interesting and children enjoy them. Ms. Willis asked the Assembly to consider planning a playground similar to the Haines or Juneau playgrounds.

Mike Tranel indicated he supports the playground improvements.

Jasmine Viehe indicated that there are alternatives to the proposed playground structures that help with child development and provide age-appropriate play. Ms. Viehe indicated that typical playground structures are not played with optimally, and children need options for more imaginative play. Ms. Viehe indicated more public input and discussion is needed on the proposed playgrounds.

Break: 7:40 p.m. – 7:50 p.m.

Wayne Greenstreet, chair of the Dyea Community Advisory Board (DCAB), indicated there is a memo from DCAB in the packet regarding the Dyea Flats Management Plan; improvements outlined in the plan are currently incomplete. Mr. Greenstreet indicated that most proposed improvements are not costly and the Public Works Dept. has a lot of the material needed on-hand; the road work is the most costly facet of the improvement plan. Assemblyman Reichert noted that there is \$30,000 in the FY13 budget for Dyea improvements; Assemblyman Hanson indicated he spoke with Grant Lawson of Public Works and there also an additional \$7,000 available. Assemblyman Hanson indicated that it is hard for Public Works to mobilize in Dyea, and asked that the Assembly direct Manager Healy to develop a request for proposals (RFP) for the completion of the first phase of Dyea improvements; the second phase could be budgeted in FY14 if needed. The Assembly had no objection to Manager Healy putting the RFP together.

7. **Ordinances, Resolutions & Proclamations:**

- A. **First Reading of Ordinance No. 13-03;** Authorizing the Municipality of Skagway to Lease Waterfront Property to Taiya Marine Services

Motion/Second: Henry/Schaefer

To accept Ordinance No. 13-03 for first reading.

Manager Healy explained that this ordinance ratifies previous action taken.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

- B. **First Reading of Ordinance No. 13-04;** Amending the FY13 Sales Tax, Capital Project and General Fund Budgets to Adjust Allocations for Capital Projects and Equipment Purchases

Motion/Second: Henry/Korsmo

To accept Ordinance No. 13-04 for first reading.

Manager Healy indicated the ordinance addresses several items for which funding was not budgeted, and the funds need to be appropriated by ordinance. Manager Healy indicated the items include the recent additional school funding, which the auditor indicated needs to come from the General Fund, and the purchase of the Public Works truck that was budgeted and ordered in FY12 but not paid for until FY13.

Assemblyman Korsmo asked who brought the items to the manager's attention. Manager Healy indicated that the treasurer did so.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

- C. **Second Reading and Public Hearing of Ordinance No. 13-01;** Amending Title 19 Section 19.08.012, Sign Standards by District, to Update Historic District Fonts

Motion/Second: Henry/Reichert

To have second reading and adoption of Ordinance No. 13-01.

Mayor Selmer opened the hearing to the public. No comments were made; Mayor Selmer closed the hearing to the public.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

- D. **Second Reading and Public Hearing of Ordinance No. 13-02;** Amending Title 19 by Amending Chapter 19.10, Historic District Commission and Administrative Provisions, to Amend the Role of the National Park Service Liaison to the Historic District Commission and Reduce Historic District Commission Membership from Seven (7) to Five (5)

Motion/Second: Henry/Schaefer

To have second reading and adoption of Ordinance No. 13-02.

Mayor Selmer opened the hearing to the public.

Mike Tranel, superintendent of the Klondike Gold Rush National Historic Park (NPS), thanked the Assembly for its patience in transitioning to more limited roles for NPS employees serving on public boards and commissions; the ordinance is part of the effort to work out an appropriate role for Karl Gurcke on the Historic District Commission (HDC). Mr. Tranel indicated that the ordinance language works well for NPS; the accompanying memorandum of understanding (MOU) for Mr. Gurcke's service has some editorial corrections to be made and Mr. Tranel will then resubmit the MOU for signature. The Assembly had no objection to signing the updated MOU.

No additional comments were made; Mayor Selmer closed the hearing to the public.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

8. **Unfinished Business:**

- A. **Discussion of Draft Ordinance Amending Title 16 Public Lands by Repealing Section 16.05.025, Referral to Voters**

Mayor Selmer indicated the Municipality currently has a number of leases that are covered by the ordinance that have not been voted on by the public, and the public did not vote to put the requirement in place. Mayor Selmer indicated the requirement is not exclusive of municipal property in control of others, and it is likely that the four White Pass subleases required a vote of the people. Mayor Selmer indicated that the Pullen Creek RV lease would also require a vote of the people, in addition to the leases for the waterfront restaurants.

Mayor Selmer noted that at the last meeting the manager indicated that a 100-foot by 100-foot lease is the biggest lease allowed without a public vote, and yet the Assembly can build a \$17 million facility without a vote. Mayor Selmer indicated that he would like the ordinance to come forward.

Assemblyman Schaefer indicated he is good with removing the restriction and due public process will still occur without it.

Assemblyman Hanson indicated that the purpose of adopting the ordinance in the 1990s was to make sure the public could weigh in on large leases and make sure the 1969 tidelands lease did not happen again. Assemblyman Hanson indicated he is in favor of increasing the limit, but the ultimate decision on long-term leases should be left to the public; a good lease should convince the public to vote in favor of it. Mayor Selmer asked that the ordinance be brought forward, and at that time Assemblyman Hanson can amend the dollar amount.

Assemblyman Burnham agreed with the suggestion to delete the requirement entirely. Assemblyman Burnham indicated his only concern is that the public be encouraged to comment on the leases. Assemblyman Burnham indicated that the Assembly is elected and ought to be able to represent the people. Assemblyman Hanson indicated that many who run are unopposed, and the restriction protects against future candidates with their own agendas.

Mayor Selmer indicated that the Assembly did not discuss or even know of the requirement until December of 2011; prior to that date the Assembly was operating under the misunderstanding that a vote was not needed. Mayor Selmer indicated he will vote on the ordinance if needed and will vote in favor of removing the requirement.

Assemblyman Henry indicated that all leases have to come before the Assembly for approval; if citizens have issues they can come to a meeting and comment, which is part of the democratic process.

Assemblyman Reichert indicated that both arguments are valid, and he would like to see the ordinance come forward. Assemblyman Reichert indicated that the Municipality needs to get rid of archaic language that the public will vote on every lease; however Assemblyman Hanson makes a good point and the threshold could be set beyond the small lease values. Assemblyman Reichert indicated he does not know which way he will decide, but he would like to have the discussion.

Manager Healy indicated that the ordinance would also need preclearance by the U.S. Dept. of Justice before it can become effective, which provides another layer of protection. The Assembly had no objection to bringing the ordinance forward.

9. **New Business:**

A. **Transportation Workers Identification Card (TWIC) Enrollment Workstation Request from Cruise Line Agencies of Alaska**

Mayor Selmer indicated he would like Cruise Line Agencies of Alaska (CLAA) to fund the workstation. Assemblyman Korsmo indicated that the Police Dept. has taken on responsibilities for TWIC; the TWIC card is similar to identification provided by the Division of Motor Vehicles (DMV). Assemblyman Korsmo indicated that sending an employee to Juneau for a TWIC card involves a big expense, and the program is required for many workers. Assemblyman Korsmo indicated he believes it is an appropriate use of head tax funding.

Mayor Selmer indicated that last year CLAA asked for head tax funding for security at the Railroad Dock; why did other entities not pay? Assemblyman Korsmo noted that many companies need TWIC, not just CLAA. Assemblyman Schaefer noted that Chief Leggett and Harbormaster Matt O'Boyle are currently issuing the cards. Assemblyman Korsmo indicated that if the Municipality funds it, we should be sure that CLAA is helping to facilitate the program.

Mayor Selmer indicated that when the TWICs are issued through the Police Dept., the Municipality pays for the program as well as for maintenance and staff time. Assemblyman Korsmo asked if the TWIC could be issued securely at CLAA; there could be a caveat to funding that the TWIC work station is set up in the CLAA office instead of the Police Dept.

Manager Healy indicated that facilitating the TWIC program at the Police Dept. takes up a lot of staff time, and the in-kind services provided by the Municipality are worth quite a bit of money. Mayor Selmer asked Manager Healy to speak with CLAA about the issue.

B. **Award of Recreation Center Siding Project Bid**

Motion/Second: Korsmo/Henry

To award the Recreation Center Siding Project bid to Hunz and Hunz Enterprises in the amount of \$179,696.24.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

C. **Liquor License Renewals: Fraternal Order of Eagles; Skagway Brewing Co.**

The Assembly had no objection to the liquor license renewals.

D. **Review and Discussion of FY14 Capital Project Funding Requests**

Manager Healy noted that the document in the packet is the final draft of the requests being submitted to CAPSIS and is based on the capital project priorities as outlined in the two resolutions adopted by the Assembly.

Manager Healy indicated funding for the projects was requested in order of priority, with the exception of the Liarsville Bike Path because he could not find any information on the project. Manager Healy indicated that if changes need to be made after the February 4 deadline, they can be made with approval from Skagway's senator.

Assemblyman Burnham asked that the Assembly consider submitting a request for the Recycling and Solid Waste Management plan that is nearly finished; detailed numbers are not available yet but funding for the recycling transfer facility could be added. Manager Healy indicated that projects submitted to CAPSIS need to be at a certain stage of development; he has no problem adding the recycling facility to the request but is that what the Municipality wants to do? Mayor Selmer indicated that adding the project may be inappropriate without a resolution in place to justify it. Assemblyman Korsmo indicated it does not look good if the project is not ready; a specific request can be made during the legislative session.

E. Draft Letter to Legislators re: Alaska Marine Highway

The Assembly had no objection to Mayor Selmer signing the Alaska Marine Highway letter.

F. Approval of a Cooperative Purchasing Agreement with Krauss Craft, Inc., for the Purchase of Playground Equipment

Assemblyman Reichert indicated that a proposal came forward for upgrading both playgrounds, and if the Municipality enters a cooperative purchasing agreement the project does not have to go out to competitive bid.

Gregg Kollasch, lead groundskeeper, indicated that the project started a year ago and now involves upgrading a portion of the school playground and upgrading the entirety of Mollie Walsh Park. Mr. Kollasch indicated that there is character to the structures and both are durable, as replacement costs are expensive. Mr. Kollasch indicated that the area at Mollie Walsh Park with the hazardous cottonwoods is an area at which future structures can be added, and the Recreation Center master plan provides another opportunity for more public input on the playground there.

Assemblyman Reichert indicated that comments were made at committee meetings regarding the incorporation of a more natural setting, which is a great idea; the current project does not preclude this in the future as the footprint of the structures at Mollie Walsh Park does not take up the entire area. Assemblyman Reichert indicated that there will be other opportunities for incorporating other types of play when the Mollie Walsh bathrooms are redone or with the StreamWalk project, Recreation Center projects or even at Seven Pastures. Assemblyman Reichert noted that the current project does not cut the Municipality off from pursuing other avenues in the future, and a lot of work has gone into the current proposals. Assemblyman Reichert indicated that this is an opportunity to replace outdated and unsafe playground equipment.

Assemblyman Burnham indicated he is concerned that there are no project support letters from the school; does the School Board support the project? Assemblyman Burnham indicated that the public planning process did not happen; the project was worked on by two people and then

brought forward. Assemblyman Burnham indicated he supports further planning for the project, and does not support the current proposal.

Mayor Selmer noted that the school is contributing \$25,000 toward the playground improvements, which the School Board approved.

Assemblyman Reichert indicated that the Municipality needs to have compliant and durable playground equipment that is low-maintenance; the Municipality does not know what costs are associated with the playgrounds in Haines and Juneau. Assemblyman Reichert indicated there was an effort to get the playground equipment at a good price in order to be compliant, and School Superintendent Jefferie Thielbar is happy with the proposal. Assemblyman Reichert indicated that the Municipality thought it could not upgrade both locations at once but now it can. Assemblyman Reichert commended Mr. Kollasch on his work, and indicated there have been no less than two Parks and Recreation Committee meetings regarding playground equipment; there will be plenty of opportunities in the future for more public input.

Motion/Second: Henry/Schaefer

To approve the playground equipment proposal for a total of \$216,833.29, including authorization to enter into an agreement with Krauss Craft for \$175,533.29, which is a portion of the total amount.

Assemblyman Reichert indicated he likes the suggestions made at the last Parks and Recreation Committee meeting; Assemblyman Reichert indicated he will support the current proposal but with the other playgrounds would like to see more public process and incorporation of those ideas. Assemblyman Reichert indicated that Haines built its playground with the use of community volunteers and noted that the current project covers heavily used locations.

Assemblyman Burnham indicated that the Mollie Walsh playground should not have bright colors and should look historic.

Assemblyman Hanson indicated he appreciates comments made by the public; however he is worried about having homemade equipment at Mollie Walsh Park. Assemblyman Hanson indicated that the proposed equipment will alleviate potential legal concerns.

Motion passed by roll call vote with Assemblyman Burnham dissenting, 5 yes, 1 no, 0 absent.

G. Borough Manager Selection Committee Recommendation

Assemblyman Henry indicated the item may need to be delayed because more follow-up is needed on the candidates. Assemblyman Schaefer indicated he was glad to see the Assembly at the in-person interviews. Manager Healy recommended that the Assembly make the job offer, conditional on the outcome of the background checks. Mayor Selmer expressed concern with supporting one candidate without knowing the outcome of the background checks. The

Assembly discussed possible issues with revealing the name of the preferred candidate prior to receiving the results of the background checks.

Motion/Second: Henry/Schaefer

To offer Robin Bennett the borough manager position, contingent on the background follow up by Chief Leggett.

Assemblyman Henry indicated that once the offer is no longer contingent the mayor and vice-mayor will negotiate a contract. The Assembly had no objection.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

10. **Executive Session:**

A. ~~White Pass Lease Negotiations~~

B. **AIDEA Lease Negotiations**

Motion/Second: Henry/Schaefer

To recess the Assembly meeting and reconvene in executive session.

Motion passed unanimously by voice vote, 6 yes, 0 no, 0 absent.

Executive Session: 9:45 p.m. – 10:24 p.m.

Motion/Second: Henry/Schaefer

To adjourn the executive session and reconvene the Assembly meeting.

Motion passed unanimously by voice vote, 6 yes, 0 no, 0 absent.

11. **Mayor and Assembly Discussion Items:**

Mayor Selmer indicated that the Alaska Energy Authority (AEA) scored Skagway's application for grant funding worse this year than last; Mayor Selmer indicated he will set up a meeting with Gene Therriault of AEA. Mayor Selmer noted that the Roundup in Vancouver is an opportunity to comment on West Creek hydro-electricity feasibility and noted that Yukon Energy has offered to provide funding for a stream gauge.

Mayor Selmer indicated he will decide in February if he wants to form an ad hoc senior task force to work with the Borough to turn the old clinic site into senior housing and lunch facilities.

The Assembly had no objection to Mayor Selmer traveling to Florida to meet with Rai Sahi.

The Assembly had no objection to Sharon Bolton participating in the Municipality's discussion with the Skagway Chamber of Commerce.

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Mayor Selmer indicated he believes the most recent letter from Mr. Sahi regarding the Ore Dock is reasonable; there has been a separate request from the Port Commission to have Moffatt and Nichol review the subsequent plans for dock repair. Assemblyman Korsmo agreed that Moffatt and Nichol should review the plans. Manager Healy agreed that the response is reasonable, as ClubLink addressed all of the items in the January 7 letter from the Municipality.

Assemblyman Korsmo noted that the Port Commission was also concerned that the hazardous area of the Ore Dock was not roped off; Manager Healy indicated that White Pass addressed those concerns. Assemblyman Hanson indicated ClubLink's newest response is much better but does not address putting workers in an unsafe situation. Mayor Selmer indicated he hopes the workers on the dock would let the Municipality know if there are unsafe conditions. Assemblyman Hanson indicated he is worried about possible accidents, and the Municipality needs to hold ClubLink to the timeline. Manager Healy indicated he will get the response letter to ClubLink out next week after review by the Assembly.

Assemblyman Reichert indicated that Barb Sheinberg of Sheinberg Associates will be in town tomorrow to research current uses of the West Creek area. Mayor Selmer asked that the AEA grant application be forwarded to Ms. Sheinberg.

Assemblyman Korsmo indicated that at the last Harbors Advisory Board meeting URS admitted fault with an aspect of the Small Boat Harbor Upgrade project and will incur those costs. Manager Healy indicated he asked URS for confirmation in writing. Assemblyman Korsmo indicated that there was good collaboration to rectify the situation, and the project should be back on schedule.

Assemblyman Korsmo noted that the Harbors Advisory Board also discussed slip assignments; the Canadian representative on the board indicated that there is a change in border regulations that could restrict bringing vessels into the United States. Assemblyman Korsmo indicated he will look into it further with Manager Healy. Mayor Selmer suggested they call Boyd Worley.

Assemblyman Korsmo indicated the Recreation Center report is awesome and gave kudos to the new borough treasurer for her quarterly report. Assemblyman Korsmo indicated he might call in to the February 7 Assembly meeting.

Assemblyman Henry asked Assemblyman Reichert about the bike racks. Assemblyman Reichert indicated they are in town, assembled and placed.

Assemblyman Henry indicated that regarding discussion about difficulties with attendance at Assembly meetings, it is not unusual around Christmas for there to be conflicting schedules and this year was no different than in the past. Assemblyman Henry indicated that the discussion at the last meeting about attendance was not germane to the ordinance that was on the table; three years ago an ordinance was passed that allowed teleconferencing by Assembly members. Assemblyman Henry indicated that he has met his obligations as an Assembly member per code.

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Assemblyman Henry indicated he will teleconference in to the February 7 Assembly meeting. Mayor Selmer indicated he will not be in attendance for the February 7 Assembly meeting, and noted that because Assemblyman Schaefer has seniority he will preside at the meeting in the absence of the mayor and vice-mayor.

Assemblyman Schaefer indicated that the Municipality needs site control of the Ore Dock and should get moving on it.

Assemblyman Hanson indicated he would like to get the Liarsville bike path back on the legislative funding list along with a recycling center. Assemblyman Hanson indicated he may be gone for the February 21 Assembly meeting.

12. **Adjournment:**

Motion/Second: Schaefer/Henry

To adjourn the meeting of January 17, 2013, at 10:57 p.m. **Motion passed by voice vote.**



Stan Selmer, Mayor

ATTEST:


Emily A. Deach
Municipal Clerk

(SEAL)

Approved: February 7, 2013



SEP 11 2017

Exhibit 1

ALASKA PUBLIC OFFICES COMMISSION
2017 Public Official Financial Disclosure
Covering Jan. 1– Dec. 31, 2016

RECEIVED
Clerk Received Date

AUG 14 2017

MUNICIPALITY
OF SKAGWAY

ARRIVED

8/17/17

APOC - ANCH
PM HC FAX ELE

POFD for Municipal Officers and Candidates

You may file this paper POFD if you are a municipal officer or municipal candidate and serving or seeking office in a municipality with a population less than 15,000.

All other filers must file electronically via myAlaska: <https://my.alaska.gov/>

If you are a municipal candidate and already have a current POFD on file you do not need to file a candidate POFD (AS 15.13.030)

Contact APOC

Anchorage: 2221 E. Northern Lights Blvd., Room 128, Anchorage, AK 99508 / 907-276-4176 / Fax 907-276-7018. Juneau: 240 Main St., Room 500 / P.O. Box 110222, Juneau, AK 99811 / 907-465-4864 / Fax 907-465-4832. Toll-free in-state: 800-478-4176 Online: <http://doa.alaska.gov/apoc/> E-mail: doa.apoc@alaska.gov

This document is public— Do not include information such as social security or account numbers.

If you have nothing to report in a section, check NONE. Attach additional pages where needed.

Filing as Municipal: ☐ Office Holder ☒ Candidate

☒ **Candidate POFD:** Due when filing declaration of candidacy or nominating petition.

☐ **Initial POFD:** Due 30 days from appointment.

☐ **Annual POFD:** Due by March 15 each year after appointment.

☐ **Final POFD:** Due 90 days after leaving office (Include information not reported on previous POFDs).

Municipality:

SKAGWAY

Position: ☐ Borough/City Mayor ☒ Assembly member ☐ Councilmember ☐ School Board Member

☐ Elected Utility Board Member ☐ Borough/City Manager ☐ Planning or Zoning Commission

NAME:

DANIEL J. HENRY

E-MAIL:

SFCALASKA@HOTMAIL.COM

FAX
PHONE:

907-983-3474

PHONE
FAX:

907-983-2010

MAILING ADDRESS:

P.O. BOX 279 SKAGWAY, AK. 99840

SPOUSE'S NAME:

EILEEN M. HENRY

NUMBER OF DEPENDENT CHILDREN:

0

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ALASKA PUBLIC OFFICES COMMISSION
2017 Public Official Financial Disclosure
Covering Jan. 1–Dec. 31, 2016

SALARIED EMPLOYMENT

NONE: ☒ 1

Income is anything of value and covers all forms of compensation or benefits from an employer including wages, salary, commissions, tips, bonuses, housing, use of an automobile and deferred compensation. Report each employer who paid you, your spouse, or children more than \$1,000. Include amount, dates and terms of employment, and time worked.
Amounts of income may be stated in these ranges: (1) \$250-\$1,000 gifts only; (2) \$1,000-\$2,000; (3) \$2,000-\$5,000; (4) \$5,000-\$10,000; (5) \$10,000-\$20,000; (6) \$20,000-\$50,000; (7) \$50,000-\$100,000; (8) \$100,000-\$200,000; (9) \$200,000-\$500,000; (10) \$500,000-\$1,000,000; (11) \$1,000,000 plus.

Earned By: ☐ Filer ☐ Spouse ☐ Child

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly

Income Amount: \$ _____

Dates and amount of time worked: _____

Employer: _____

Address: _____

Description: _____

Earned By: ☐ Filer ☐ Spouse ☐ Child

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly

Income Amount: \$ _____

Dates and amount of time worked: _____

Employer: _____

Address: _____

Description: _____

Earned By: ☐ Filer ☐ Spouse ☐ Child

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly

Income Amount: \$ _____

Dates and amount of time worked: _____

Employer: _____

Address: _____

Description: _____

ALASKA PUBLIC OFFICES COMMISSION
 2017 Public Official Financial Disclosure
 Covering Jan. 1- Dec. 31, 2016

SELF-EMPLOYMENT

NONE: ☐

List each source of self-employment income over \$1,000. See AS 39.50.200(10), source of income, 2 AAC 50.799(a), definition of self-employment, 2 AAC 50.695, reporting deferred income; and 2 AAC 50.700 for details. Disclose each client, customer or business that paid you and/or your family members more than \$1,000. Self-employment includes sole proprietors, partnerships, limited liability companies and professional corporations. Disclose income from corporations in which the filer and/or family members, hold a controlling interest (2 AAC 50.700(b)). **Exemptions:** To obtain an exemption you must file a written request and receive an exemption from the commission (2 AAC 50.775, 2 AAC 50.821).

Earned By: ☒ Filer ☐ Spouse ☐ Child

☐ Full-time ☐ Part-time ☒ Seasonal ☐ Commission ☐ Project ☐ Hourly

Income Amount: \$ 12.5 K

Dates worked: 4-1 THRU 11-1 Amount of time worked: DING TO DONG

Business name: SKAGWAY FISH COMPANY

Client name and address: NONE - I HAVE NO CUSTOMERS

Client name and address: PAYING 1000.00 OR MORE

Description of services: FOOD AND BEVERAGE

Earned By: ☐ Filer ☐ Spouse ☐ Child

☐ Full-time ☐ Part-time ☐ Seasonal ☐ Commission ☐ Project ☐ Hourly

Income Amount: \$ _____

Dates worked: _____ Amount of time worked: _____

Business name: _____

Client name and address: _____

Client name and address: _____

Description of services: _____

RENTAL INCOME

NONE: ☐

If any person paid you and/or your family members more than \$1,000 in rent during the preceding calendar year, report the name of the person and amount paid. If the property is managed by a person other than the filer or a family member, list the manager's name. Disclose the location of the property under Real Property Interests.

OWNER:	TENANT NAMES	AMOUNT
<input checked="" type="checkbox"/> Filer	KIRSTEN SHELLIN	1600.00
<input type="checkbox"/> Spouse	PETER METZER	1400.00
<input type="checkbox"/> Child	ALEX MARTIN	1200.00
<input type="checkbox"/> Co-owners	SAL CAMPAGNA	1200.00

ALASKA PUBLIC OFFICES COMMISSION
 2017 Public Official Financial Disclosure
 Covering Jan. 1- Dec. 31, 2016

DIVIDENDS and INTERESTS

NONE: ☐

If more than \$1,000, disclose dividends, interest and other distributions of earnings from a business or investment. Include dividends or interest from bank accounts, capital gains, money market accounts, certificates of deposit, and Native corporation dividends. PFDs are only applicable if more than \$1,000.

RECIPIENT	SOURCE	AMOUNT
<input checked="" type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse	ALASKA PFD	1022.00
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		

OTHER INCOME

NONE: ☐

List source and amount of income over \$1,000 not listed elsewhere on this form, including sale of goods or property, taxable capital gains, pensions, retirement cash-outs, government entitlements, alimony or child support payments, honoraria and any other payments not otherwise accounted for.

RECIPIENT	SOURCE	AMOUNT
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse		

GIFTS WORTH MORE THAN \$250

NONE: ☐

Include travel expenses, discounts not available to the public, loans forgiven or paid by a third party. Do not report gifts from spouse, domestic partner, parent, dependent child, sibling, grandparent, aunt, uncle, niece or nephew.

RECIPIENT	DESCRIPTION	SOURCE	VALUE
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse			
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse			
<input type="checkbox"/> Filer <input type="checkbox"/> Child <input type="checkbox"/> Spouse			

ALASKA PUBLIC OFFICES COMMISSION
2017 Public Official Financial Disclosure
Covering Jan. 1– Dec. 31, 2016

BUSINESS INTERESTS

NONE: ☐

Report businesses in which the filer or family member: 1) Served as stockholder, owner, officer, director, partner, proprietor, employee, or held an interest. 2) Had ownership interests of more than \$1,000 in a publicly traded corporation, a business, shares in non-publicly traded corporations, sole proprietorships, or limited liability companies. Include options to buy, non-profit organizations, corporations, businesses, associations, and trade groups.

☒ Filer ☐ Spouse ☐ Child

Position/Type of interest: OWNER

Business name: SKAGWAY FISH COMPANY

Address: 201 CONGRESS WAY SKAGWAY, AK. 99840

Description: RESTAURANT

☐ Filer ☐ Spouse ☐ Child

Position/Type of interest: _____

Business name: _____

Address: _____

Description: _____

☐ Filer ☐ Spouse ☐ Child

Position/Type of interest: _____

Business name: _____

Address: _____

Description: _____

REAL PROPERTY INTERESTS

NONE: ☐

A primary residence or recreational property held for personal use may be described only by zip code (2 AAC 50.720). (Enter 'Not Reported' for address if this applies to you.) Report the nature of the interest held in the property; including fee simple ownership, tenancy in common, general or limited partnership, and holder of an option to purchase. If property is jointly owned, check applicable boxes.

Owner(s): ☒ Filer ☐ Spouse ☐ Child ☐ Co-owner: THE YELLOW HOUSE

Address or description and zip-code: 13TH & MAIN ST. SKAGWAY, AK. 99840

Ownership interest: SUB-LEASE FOR EMPLOYEES

Owner(s): ☒ Filer ☐ Spouse ☐ Child ☒ Co-owner: EILEEN M. HENRY

Address or description and zip-code: 560 11TH AVE SKAGWAY, AK. 99840

Ownership interest: CO-OWNER

Owner(s): ☐ Filer ☐ Spouse ☐ Child / ☐ Co-owner: _____

Address or description and zip-code: _____

Ownership interest: _____

ALASKA PUBLIC OFFICES COMMISSION
2017 Public Official Financial Disclosure
Covering Jan. 1– Dec. 31, 2016

TRUSTS, RETIREMENT ACCOUNTS OR OTHER BENEFICIAL INTEREST

NONE: ☒

Report each trust, retirement account or beneficial interest that exceeded \$1,000 during the reporting period, including a retirement plan, employee pension plans, profit-sharing, family, or education trusts, deferred compensation plans, annuity plans or any other similar arrangements intended to provide future income for the filer and/or family member. Identify individual investments accounts if you and/or family members manage or personally control the investments.

Owned By: ☐ Filer ☐ Spouse ☐ Child Percent Owned: _____

Managed By: _____

Fund or Companies: _____

Owned By: ☐ Filer ☐ Spouse ☐ Child Percent Owned: _____

Managed By: _____

Fund or Companies: _____

Owned By: ☐ Filer ☐ Spouse ☐ Child Percent Owned: _____

Managed By: _____

Fund or Companies: _____

LOANS, LOAN GUARANTEES & DEBTS OVER \$1,000

NONE: ☒

Report each creditor, lender or guarantor to whom more than \$1,000 was owed during the reporting period. List financial obligations, including property owned or sold during the reporting period; loans that have been guaranteed; delinquent taxes; alimony; child support payments; medical bills; boat and vehicle loans; business and personal loans; escrows; student loans; signature loans and promissory notes. Loans include secured, unsecured and contingent loans. Do not list credit card obligations or revolving charge accounts.

Debtor: ☐ Filer ☐ Spouse ☐ Child

Type: ☐ Lender ☐ Creditor ☐ Guarantor and Name: _____

Debtor: ☐ Filer ☐ Spouse ☐ Child

Type: ☐ Lender ☐ Creditor ☐ Guarantor and Name: _____

Debtor: ☐ Filer ☐ Spouse ☐ Child

Type: ☐ Lender ☐ Creditor ☐ Guarantor and Name: _____

ALASKA PUBLIC OFFICES COMMISSION
2017 Public Official Financial Disclosure
Covering Jan. 1– Dec. 31, 2016

GOVERNMENT CONTRACTS & OFFERS TO CONTRACT

NONE: ☒

List contracts, bids and offers to contract with the state or any state or municipal agency or entity. Report contract interests as individual, sole proprietor, family member, partnership, professional corporation, limited liability company, or through a corporation in which filer or family member/s held a controlling interest.

Contractor: ☐ Filer ☐ Spouse ☐ Child

Type of Interest: _____

☐ Bid ☐ Offer ☐ Held Contract ID: _____

Contracting Agency: _____

Description: _____

NATURAL RESOURCE LEASES

NONE: ☒

List mineral, timber, oil and gas leases – held, bid or offered. Report lease interests as individual, sole proprietor, family member, partnership, professional corporation, limited liability company, or corporation in which you and/or a family member held a controlling interest.

Leaseholder: ☐ Filer ☐ Spouse ☐ Child

Type of Interest: _____

☐ Bid ☐ Offer ☐ Held Lease ID: _____

Description: _____

CERTIFICATION

I certify under penalty of perjury that the foregoing is true and the information in this disclosure statement is, to the best of my knowledge, true, correct and complete. A person who knowingly makes a false sworn certification is guilty of perjury.

SIGNATURE: _____

DANIEL J. HENRY

NAME

8/14/17

DATE SIGNED

Public Officials and Candidates required to file POFDs are solely responsible for filing complete, accurate and truthful forms by the deadlines.

File this POFD with the municipal clerk where you hold or seek office.

THIS IS A PUBLIC DOCUMENT

attachment 2, 3 of 4

THE SKAGWAY NEWS.

SERVING THE GATEWAY TO THE KLONDIKE SINCE 1897.

Assemblyman Dan Henry pleads guilty to four counts of federal tax charges



BY ELISE GIORDANO

Assemblyman Dan Henry has pleaded guilty to four misdemeanor counts of federal tax charges for failing to file timely income tax returns for his business, The Skagway Fish Company. Henry agreed to pay \$600,064 in restitution to the Internal Revenue Service, not including penalties or interest. The agreement also recommended no more than 24 months of imprisonment and no less than eight.

According to the plea agreement, which was signed last week and submitted to the federal court on Tuesday, Henry knowingly failed to file returns from 2004 to 2012. From at least 2008 to 2012, Henry and an immediate family member, who acted without criminal intent,

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conducted deposits and purchased bank checks between \$9,000 and \$9,900 for the purpose of evading the reporting requirements. From 2009 to 2012, the restaurant earned gross income between \$529,267 and \$665,820.

Henry also concealed his income on Alaska Public Offices Commission financial disclosure statements from 2010 to 2013, wherein he indicated that he had received no income over \$1,000 from self-employment. APOC did not respond for comment.



The plea agreement states that in failing to file his returns, Henry admits to intentionally violating the known legal duty to file a return, and not through ignorance, mistake, accident, or good faith belief that he was not required to file.

Henry submitted his plea to the courts in Juneau on Tuesday, with sentencing set to occur in May. But according to Assistant U.S. District Attorney Jack Schmidt, it will likely be held off until mid-summer, as Henry has a business to run.

Though the recommendations confine the U.S. Attorney's office and Henry to a sentence of no more than 24 months incarceration and no less than eight, final sentencing is up to U.S. District Court Judge Timothy Burgess, who could decide on a longer term or simply probation.

Sentencing largely depends on the defendant's previous criminal history, the nature of the offense, and his personal background.

Henry's attorney Robert Bundy said Henry was released without restrictions and was allowed to keep his passport, should he need to travel to Whitehorse, YT for supplies.

"It's a complete release," Bundy said.

Henry has served on Skagway's assembly since 1998 and also serves as Finance Committee chair.

According to Skagway Municipal code, assembly members can be unseated for a variety of reasons, including conviction of a felony or of an offense involving a violation of the oath of office, as well as conviction of a felony or misdemeanor as described in the Election Offenses and Corrupt Practices, which states the election of a candidate to the state legislature or to municipal office who knowingly commits a corrupt practice or whose campaign treasurer or deputy campaign treasurer knowingly commits a corrupt practice is voidable under this section. According to municipal code, two-thirds of the members of the assembly must agree on the expulsion.

Henry was reached by phone on Tuesday, but declined to make comment at the behest of his attorney.

The borough assembly was made aware of the charges immediately before its meeting on Feb. 4 when the story broke on KTUU, but the issue was not addressed. Mayor Mark Schaefer said assembly members barely had any time to discuss the news before the meeting was in session.

As for Henry's position at the table, the future remains uncertain.

"What he is charged with is not a felony. It's nothing that precludes him from being able to serve," Schaefer said. "This is not anything to do with the municipality."

Schaefer couldn't say much more and directed further questions to Skagway Borough Attorney Bob Blasco, who could not be reached for comment. Schaefer did say that he's not sure what the charges mean for Henry's future on the assembly.

"We'll just wait to see what happens, and then we'll take the next step," he said.

*"WHAT HE IS CHARGED
WITH IS NOT A FELONY.
IT'S NOTHING THAT
PRECLUDES HIM FROM
BEING ABLE TO SERVE,"
SCHAEFER SAID. "THIS IS
NOT ANYTHING TO DO
WITH THE
MUNICIPALITY."*

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Henry has lived in Skagway since 1989 and purchased the Skagway Fish Co. in the late 90s and owned the Corner Café until it closed in the mid-2000s. He is a long-serving member of the Elks and is in charge of organizing events like Flag Day and the Veteran's Day dinner. While at the table, Henry has most recently been a negotiator for the municipality in regard to the Tidelands lease between the White Pass and Yukon Route railroad and MOS. His term expires in October 2017.

Elise Giordano

Leave a Reply

Name (required)

Mail (will not be published) (required)

Website

Submit Comment

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KAREN L. LOEFFLER
United States Attorney

JACK S. SCHMIDT
Assistant U.S. Attorney
Federal Building & U.S. Courthouse
709 West 9th Street, Room 937
Post Office Box 21627
Juneau, Alaska 99802
Phone: (907) 796-0400
Fax: (907) 796-0409
Email: jack.schmidt@usdoj.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	No. 1:16-cr-00001-LCL
)	
Plaintiff,)	
)	PLEA AGREEMENT
vs.)	
)	
DANIEL HENRY,)	
)	
Defendant.)	
)	

Unless the parties jointly inform the Court in writing of any additional agreements, this document in its entirety contains the terms of the plea agreement between the defendant and the United States. This agreement is limited to the District of Alaska; it does not bind other federal, state, or local prosecuting authorities.

I. TERMS OF AGREEMENT, FEDERAL RULE OF CRIMINAL PROCEDURE 11, WAIVER OF CLAIM FOR ATTORNEY'S FEES AND COSTS

A. Terms of Agreement

The defendant agrees to plead guilty to Counts One through Four of the Information in this case. The United States agrees not to prosecute the defendant further for any other offense related to the event that resulted in the charges contained in the Information. The parties are free to make sentencing recommendations consistent with this agreement. Any agreements the parties have on sentencing recommendations and guideline applications are set forth in Section III. The defendant will waive all rights to appeal the conviction and sentence imposed under this agreement, and will waive all rights to collaterally attack the conviction and sentence, except on the grounds of ineffective assistance of counsel or the voluntariness of the plea(s).

B. Federal Rule of Criminal Procedure 11

Unless the parties otherwise inform the Court in writing, Federal Rule of Criminal Procedure 11(c)(1)(A) and (B) will control this plea agreement. Thus, the defendant may not withdraw from this agreement or the guilty plea(s) if the Court rejects the parties' sentencing recommendations at the sentencing hearing.

C. Waiver of Claim for Attorney Fees and Costs

Because this is a negotiated resolution of the case, the parties waive any claim for the award of attorney fees and costs from the other party.

II. CHARGES, ELEMENTS, FACTUAL BASIS, STATUTORY PENALTIES AND OTHER MATTERS AFFECTING SENTENCE, FORFEITURE

A. Charges

The defendant agrees to plead guilty to the following count(s) of the Information:

Counts One through Four: Willful Failure to File Income Tax Return, a violation of Title 26 U.S.C. § 7203.

B. Elements

The elements of the charge(s) to which the defendant is pleading guilty are as follows:

Counts One through Four: Willful Failure to File Income Tax Return

1. Defendant was required to file an income tax return;
2. Defendant failed to file a timely return;
3. Defendant acted willfully, intentionally violating a known legal duty.

C. Factual Basis

The defendant admits the truth of the allegations in Counts One through Four of the Information and the truth of the following statement, and the parties stipulate that the Court may rely upon this statement to support the factual basis for the guilty plea(s) and for the imposition of the sentence:

//

The defendant received gross income in the years 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, and 2012 that the defendant knew required him to file a tax return by the required date. The defendant did not, however, file an individual income tax return, Form 1040, for the said years by the last day prescribed for the filing. The gross income received by the defendant in said years included gross income from the defendant's solely owned restaurant business, Skagway Fish Company, located in Skagway, Alaska.

In addition to failing to file returns in a timely manner, Defendant engaged in conduct intended, at least in part, to conceal and mislead the IRS as to his income by causing financial institutions to fail to file required reports to the United States Department of the Treasury. Separately, Defendant wrongfully failed to disclose his income in required reports to the State of Alaska.

On or about March 11, 2010, the defendant certified an Alaska Public Offices Commission (hereafter APOC) Financial Disclosure Statement covering the calendar year 2009, wherein the total income earned by the defendant from self-employment, specifically the business Skagway Fish Company, was stricken as to be illegible. The APOC form required the defendant to disclose any amounts of income over \$1,000.

On or about March 15, 2011, the defendant certified an APOC Financial Disclosure Statement covering the calendar year 2010, wherein the defendant indicated he had no income over \$1,000 from self-employment.

On or about March 15, 2012, the defendant certified an APOC Financial Disclosure Statement covering the calendar year 2011, wherein the defendant indicated he had no income over \$1,000 from self-employment.

On or about March 15, 2013, the defendant certified an APOC Financial Disclosure Statement covering the calendar year 2012, wherein the defendant indicated he had no income over \$1,000 from self-employment.

From at least December 2008, and continuing through at least November 2012, the defendant, and an immediate family member acting at his direction but without criminal intent, structured or attempted to structure, at least in part, currency transactions to evade the currency transaction reporting requirements of 31 U.S.C. § 5313(a). The defendant had knowledge of the currency transaction reporting requirements; however, he, or others directed by him, conducted deposits and/or the purchase of bank checks in amounts between \$9,000 and \$9,900 for the purpose of evading the reporting requirement to include the following:

December 5, 2008	\$9,500	Cash Deposit
December 8, 2008	\$9,700	Cash Deposit
April 23, 2009	\$9,900	Cash Deposit
August 4, 2009	\$9,900	Cash Deposit
October 16, 2009	\$9,000	Cash Deposit
October 29, 2009	\$9,000	Cash Deposit
November 12, 2009	\$9,400	Cash Deposit
November 16, 2009	\$9,500	Cash Deposit
July 23, 2010	\$9,900	Cashier's Check Purchase

July 23, 2010	\$9,900	Cashier's Check Purchase
July 26, 2010	\$9,900	Cashier's Check Purchase
July 26, 2010	\$9,900	Cashier's Check Purchase
July 26, 2010	\$9,900	Cashier's Check Purchase
July 27, 2010	\$9,900	Cashier's Check Purchase
July 27, 2010	\$9,900	Cashier's Check Purchase
April 16, 2012	\$9,500	Cash Deposit
November 6, 2012	\$9,900	Cash Deposit

In failing to file his returns, the Defendant admits that he acted willfully, meaning that he intentionally violated the known legal duty to file a return, and not through ignorance, mistake, or accident, or a good faith belief that he was not required to file.

D. Statutory Penalties and Other Matters Affecting Sentence

1. Statutory Penalties

The statutory penalties applicable to the charges to which the defendant is pleading guilty, based on the facts to which the defendant will admit in support of the guilty plea(s), are as follows:

Counts One through Four: Failure to File Tax Return

- 1) 1 year of imprisonment on each count;
- 2) a maximum \$100,000 fine on each count;
- 3) a \$25 mandatory special assessment on each count; and
- 4) one year supervised release.

2. Other Matters Affecting Sentence

a. Conditions affecting the defendant's sentence

The following conditions may also apply and affect the defendant's sentence:

1) pursuant to Comment 7 of U.S.S.G. § 5E1.2, the Court may impose an additional fine to pay the costs to the government of any imprisonment and supervised release term; 2) pursuant to 18 U.S.C. § 3612(f), unless otherwise ordered, if the Court imposes a fine of more than \$2,500, interest will be charged on the balance not paid within 15 days after the judgment date; 3) upon violating any condition of supervised release, a further term of imprisonment equal to the period of the supervised release may be imposed, with no credit for the time already spent on supervised release; 4) the Court may order the defendant to pay restitution pursuant to 18 U.S.C. § 3663 and U.S.S.G. § 5E1.1.

b. Payment of Special Assessment

The defendant agrees to pay the entire special assessment in this case on the day the Court imposes the sentence. All payments will be by check or money order, and are to be delivered to the Clerk of Court, United States District Court, 222 W. 7th Ave. Box 4, Rm. 229, Anchorage, AK 99513-7564.

E. Forfeiture

There is no agreement on Forfeiture in this case.

//

F. Restitution

Defendant agrees to a judgment of restitution in the amount of \$600,064 to the Internal Revenue Service, which represents the tax due and owing for the years 2004 through 2012, exclusive of interest and penalties. Defendant agrees to restitution in excess of the amounts related to the counts of conviction pursuant to Title 18, United States Code, Section 3663(a)(3). Defendant understands that the Internal Revenue Service may seek interest and penalties in excess of this amount.

**III. ADVISORY UNITED STATES SENTENCING GUIDELINES;
GUIDELINE APPLICATION AGREEMENTS; SENTENCING
RECOMMENDATIONS**

A. Advisory United States Sentencing Guidelines

The Court must consult the advisory United States Sentencing Commission Guidelines [U.S.S.G.] as well as the factors set forth in 18 U.S.C. § 3553(a) when considering the sentence to impose. The U.S.S.G. do not establish the statutory maximum or minimum sentence applicable to the offenses to which the defendant is pleading guilty. The U.S.S.G. are not mandatory and the Court is not bound to impose a sentence recommended by the U.S.S.G.

B. Guideline Application Agreements

The parties have no agreements on any guideline applications unless set forth below in this section.

//

1. Acceptance of responsibility

If the United States concludes that the defendant has satisfied the criteria set out in U.S.S.G. § 3E1.1 and the applicable application notes, the United States agrees to recommend the defendant for a two level downward adjustment for acceptance of responsibility and, if U.S.S.G. § 3E1.1(b) applies, to move for the additional one level adjustment for acceptance of responsibility. If, at any time prior to imposition of the sentence, the United States concludes that the defendant has failed to fully satisfy the criteria set out in U.S.S.G. § 3E1.1, or has acted in a manner inconsistent with acceptance of responsibility, the United States will not make or, if already made, will withdraw this recommendation and motion.

2. Relevant Conduct

The parties agree that the relevant conduct for sentencing purposes is \$600,064. USSG § 2T4.1(H)(Revised Nov. 1, 2015).

3. Specific Offense Characteristics

The parties agree that the income that the defendant failed to report was legal source income, pursuant to USSC 2T1.1(b)(1), and that the offense did not involve sophisticated means, pursuant to USSG §2T1.1(b)(2).

C. Sentencing Recommendations

The United States Probation Office will prepare the defendant's pre-sentence report in which it will include a recommended calculation of the defendant's sentence range under the U.S.S.G. Both the United States and the defendant will

have the opportunity to argue in support of or in opposition to the guideline sentence range calculation the U.S.P.O. recommends, as well as present evidence in support of their respective sentencing arguments. In this case, the United States agrees to recommend a sentence of not more than 24 months of imprisonment, which is anticipated to be the low end to the advisory USSG range. The Defendant agrees to recommend not less than eight months of imprisonment. These recommendations are not binding on the Court. Otherwise, the parties are free to recommend to the Court their respective positions on the appropriate sentence to be imposed in this case based on the stipulated facts set forth in Section II C, any additional facts established at the imposition of sentence hearing, the applicable statutory penalty sections, the advisory U.S.S.G., and the sentencing factors set forth in 18 U.S.C. § 3553.

IV. WAIVER OF TRIAL, APPELLATE RIGHTS, AND COLLATERAL ATTACK RIGHTS

A. Trial Rights

Being aware of the following, the defendant waives these trial rights:

- If pleading to an information, the right to have the charges presented to the grand jury prior to entering the guilty plea;
- The right to a speedy and public trial by jury on the factual issues establishing guilt or any fact affecting the mandatory minimum and

statutory penalties, and any issue affecting any interest in any assets subject to forfeiture;

- The right to object to the composition of the grand or trial jury;
- The right to plead not guilty or to persist in that plea if it has already been made;
- The right to be presumed innocent and not to suffer any criminal penalty unless and until the defendant's guilt is established beyond a reasonable doubt;
- The right to be represented by counsel at trial and if necessary to have a counsel appointed at public expense to represent the defendant at trial -- the defendant is not waiving the right to have counsel continue to represent the defendant during the sentencing phase of this case;
- The right to confront and cross examine witnesses against the defendant, and the right to subpoena witnesses to appear in the defendant's behalf;
- The right to remain silent at trial, with such silence not to be used against the defendant, and the right to testify in the defendant's own behalf;

//

- The right to contest the validity of any searches conducted on the defendant's property or person.

B. Appellate Rights

The defendant waives the right to appeal the conviction(s) resulting from the entry of guilty plea(s) to the charges set forth in this agreement. The defendant further agrees that if the Court imposes a sentence that does not exceed the statutory maximum penalties – as set forth in Section II D above in this agreement, the defendant waives without exception the right to appeal on all grounds contained in 18 U.S.C. § 3742 the sentence the Court imposes– including forfeiture (if applicable) or terms or conditions of probation (if applicable) or supervised release, and any fines or restitution.

C. Collateral Attack Rights

The defendant agrees to waive all rights to collaterally attack the resulting conviction(s) and/or sentence – including forfeiture (if applicable) or terms or conditions of probation (if applicable) or supervised release, and any fines or restitution – the Court imposes. The only exceptions to this collateral attack waiver are as follows: 1) any challenge to the conviction or sentence alleging ineffective assistance of counsel -- based on information not now known to the defendant and which, in the exercise of reasonable diligence, could not be known by the defendant at the time the Court imposes sentence; and 2) a challenge to the voluntariness of the defendant's guilty plea(s).

V. ADDITIONAL AGREEMENTS BY UNITED STATES

In exchange for the defendant's guilty plea(s) and the Court's acceptance of the defendant's plea and the terms of this agreement, the United States agrees that it will not prosecute the defendant further for any other offense -- now known -- arising out of the subject of the investigation related to the charges brought in the Information in this case and the defendant's admissions set forth in Section II C. Provided, however, if the defendant's guilty plea(s) is/are rejected, withdrawn, vacated, reversed, or set aside, or if the defendant's conviction or sentence is vacated, reversed, set aside, or modified, at any time, in any proceeding, for any reason, the United States will be free to prosecute the defendant on all charges arising out of the investigation of this case including any charges dismissed pursuant to the terms of this agreement, which charges will be automatically reinstated as well as for perjury and false statements.

VI. ADEQUACY OF THE AGREEMENT

Pursuant to Local Criminal Rule 11.2 (d)(7) and (8), this plea agreement is appropriate in that it conforms with the sentencing goals that would otherwise be applicable to the defendant's case if the defendant had gone to trial and had been convicted on all counts in the charging instrument.

//

VII. THE DEFENDANT'S ACCEPTANCE OF THE TERMS OF THIS PLEA AGREEMENT

I, Daniel Henry, the defendant, affirm this document contains all of the agreements made between me – with the assistance of my attorney – and the United States regarding my plea(s). There are no other promises, assurances, or agreements the United States has made or entered into with me that have affected my decision to enter any plea of guilty or to enter into this agreement. If there are any additional promises, assurances, or agreements, I and the United States will jointly inform the Court in writing before I enter my guilty plea(s).

I understand that no one, including my attorney, can guarantee the outcome of my case or what sentence the Court may impose if I plead guilty. If anyone, including my attorney, has done or said anything other than what is contained in this agreement, I will inform the Court when I stand before it to enter my plea. If there were, I would so inform the Court.

I enter into this agreement understanding and agreeing that the conditions set forth herein are obligatory and material to this agreement and that any failure on my part to fulfill these obligations will constitute a material breach of this agreement. If I breach this agreement, I agree the United States, in its sole discretion, may withdraw from this agreement and may reinstate prosecution against me on any charges arising out of the investigation in this matter. If my compliance with the terms of this plea agreement becomes an issue, at an appropriate hearing, during

which I agree any of my disclosures will be admissible, the Court will determine whether or not I have violated the terms of this agreement. I understand the government's burden to prove a breach will be by a preponderance of the evidence.

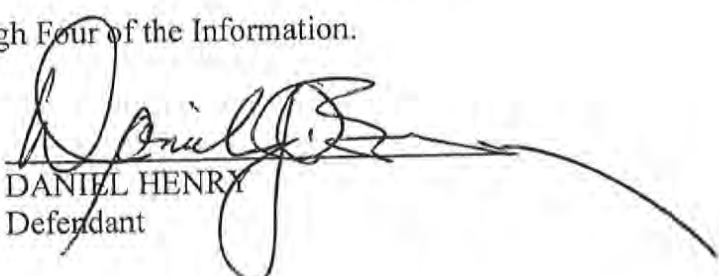
I understand the Court will ask me under an oath to answer questions about the offense(s) to which I am pleading guilty and my understanding of this plea agreement. I understand that I may be prosecuted if I make false statements or give false answers and may suffer other consequences set forth in this agreement.

I have read this plea agreement carefully and understand it thoroughly. I know of no reason why the Court should find me incompetent to enter into this agreement or to enter my plea(s). I enter into this agreement knowingly and voluntarily. I understand that anything that I discuss with my attorney is privileged and confidential, and cannot be revealed without my permission. Knowing this, I agree that this document will be filed with the Court.

I am fully satisfied with the representation given me by my attorney and am prepared to repeat this statement at the time I stand before the Court and enter my guilty plea(s). My attorney and I have discussed all possible defenses to the charges to which I am pleading guilty. My attorney has investigated my case and followed up on any information and issues I have raised to my satisfaction. My attorney has taken the time to fully explain the legal and factual issues involved in my case to my satisfaction. We have discussed the statutes applicable to my offense and sentence as well as the possible effect the U.S.S.G. may have on my sentence.

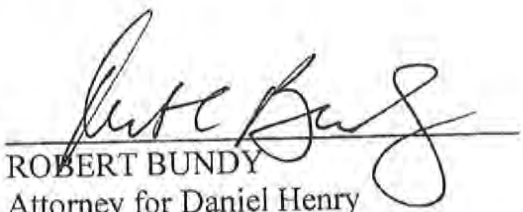
Based on my complete understanding of this plea agreement, I therefore wish to enter a plea of guilty to Counts One through Four of the Information.

DATED: 1/28/16


DANIEL HENRY
Defendant

As counsel for the defendant, I have conveyed all formal plea offers. I have discussed with the terms of this plea agreement with the defendant, have fully explained the charge(s) to which the defendant is pleading guilty and the necessary elements, all possible defenses, and the consequences of a guilty plea to a misdemeanor. I have communicated all plea offers to my client. Based on these discussions, I have no reason to doubt that the defendant is knowingly and voluntarily entering into this agreement and entering a plea of guilty. I know of no reason to question the defendant's competency to make these decisions. If, prior to the imposition of sentence, I become aware of any reason to question the defendant's competency to enter into this plea agreement or to enter a plea of guilty, I will immediately inform the court.


DATED: 2/1/16


ROBERT BUNDY
Attorney for Daniel Henry

//

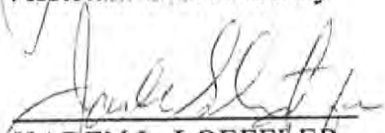
On behalf of the United States, the following accept the defendant's offer to plead guilty under the terms of this plea agreement.

DATED: February 1, 2016



JACK S. SCHMIDT
United States of America
Assistant U.S. Attorney

DATED: February 1, 2016



KAREN L. LOEFFLER
United States of America
United States Attorney

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APOC FAX FILE

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CUSTOMS DECLARATION
FUEL MAY BE REQUIRED.



July 2013 OD: 12.5 x 9.5



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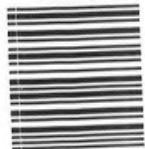
Exhibit 1
Page 90 of 90

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		\$		\$		\$			
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BEFORE THE ALASKA PUBLIC OFFICES COMMISSION

ROGER W. GRIFFIN,)	
)	
Complainant,)	
)	
v.)	Case No. 17-02-POFD
)	
DANIEL J. HENRY,)	
)	
Respondent.)	
_____)	

ORDER DENYING EXPEDITED CONSIDERATION

Roger W. Griffin requested expedited consideration of his complaint against Daniel J. Henry. The Commission denied his request at its September 13, 2017, meeting for the reasons described below.

Mr. Henry is a candidate for the Municipality of Skagway Borough Assembly in the October 3, 2017, election. Mr. Griffin alleges that Mr. Henry failed to identify the Internal Revenue Service and the Commission as creditors in the Public Official Financial Disclosure statement he filed August 14, 2017. Mr. Griffin also alleges that in prior Public Official Financial Disclosure statements Mr. Henry failed to disclose gifts he allegedly received in 2013 and 2014.

The Commission granted expedited consideration of another complaint against Mr. Henry in *Cameron v. Henry*, Case No. 17-01-POFD. Like Mr. Griffin's complaint, the complaint in *Cameron* alleged that Mr. Henry failed to identify the Internal Revenue Service and the Commission as creditors in his August 14 Public Official Financial Disclosure statement. The Commission heard that complaint at its September 13 meeting.

Thus, the Commission has already considered the allegation that Mr. Henry failed to identify the Internal Revenue Service and the Commission as creditors in his August 14 statement. And Mr. Griffin's other allegation concerns the failure to report gifts Mr. Henry allegedly received three and four years ago. Under these circumstances, the Commission finds that expedited consideration is unnecessary to ensure that the violations alleged do not materially affect the outcome of an election or cause irreparable harm. The Commission therefore denies expedited consideration and refers Mr. Griffin's complaint to staff for investigation as provided in 2 AAC 50.875.

Dated: September 21, 2017

BY ORDER OF THE ALASKA PUBLIC OFFICES COMMISSION¹

I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered as indicated to the following:

Daniel Henry PO Box 279 Skagway, AK 99840 sfcalaska@hotmail.com	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Certified Mail
Roger Griffin PO Box 423 Skagway, AK 99840 taiyamarine@gmail.com	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> U.S. Mail

9171-9690-0935-0151-2663-69

Maria Bulfa

Law Office Assistant

9/21/2017

Date

¹ Commissioners Tom Temple, Ronald King, Irene Catalone, and Robert Clift participated in this matter. The decision was made on a 4-0 vote.



MUNICIPALITY OF SKAGWAY
GATEWAY TO THE KLONDIKE
P.O. BOX 415, SKAGWAY, ALASKA 99840
(PHONE) (907) 983-2297
(FAX) (907) 983-2151
www.skagway.org

**Memorandum of Understanding
Between
Municipality of Skagway and
Pacific & Arctic Railway and Navigation Co.
For
Future Use, Creation of a Visionary Port, and Sustainability Agreement**

Whereas, the Municipality of Skagway owns Alaska Tidelands Number 4 in Skagway, Alaska; and,

Whereas, Pacific & Arctic Railway and Navigation Co. leases approximately 67 acres of said Tidelands from the Municipality of Skagway until the year 2023; and

Whereas, it is the desire of both parties to have shared mutual goals, a visionary plan for future use and sustainability of the Skagway's Tidelands, and a clear understanding of responsibilities of each party;

The Municipality of Skagway (Municipality) and Pacific & Arctic Railway and Navigation Co. (PARN) hereby enter into this Memorandum of Understanding to ensure a cooperative working relationship in reaching the goals of a sustainable port that will provide economic viability to the Skagway Community and PARN, while having a clear understanding of the role and responsibility of each party.

Responsibilities of the Municipality

The Municipality of Skagway shall:

1. Pursue economic developmental ideas and goals for the future sustainability of the Skagway Port and Tidelands;
2. Pursue funding sources to assist in the expansion, development and progression of the Skagway Port and Tidelands based on the mutual vision of both parties;
3. Schedule public meetings to share future vision, plans, and ideas with the Skagway Community and business parties who have a shared interest in the development of the Port and Tidelands;
4. Seek support and approval of the Skagway Community for the enhancement and development of the Skagway Port and Tidelands;
5. Lobby State and Federal Governments to pursue economic development for Skagway, the Yukon and upper S.E. Alaska; and
6. Work closely with Yukon Government, Canadian Federal Government and interested 3rd parties to enhance the Regional Economy.

Responsibilities of the PARN

PARN shall:

1. Contribute to the planning, vision, and development of the Skagway Port and Tidelands by working cooperatively with the Municipality and the Community;
2. Keep an open line of communication with the Municipality and the Community by attending planning and developmental meetings scheduled by the Municipality;

3. Maintain current leased property and improvements in accordance with the covenants contained in the subject lease of said Tidelands;
4. Assist the Municipality in seeking support and approval of the Skagway Community and business parties for the enhancement and development of the Skagway Port and Tidelands;
5. Pursue the goal of operating White Pass Railroad on a year-round basis if revenue streams justify the expense and the board of its parent so approves; and
6. Pursue extending rail service to Whithorse, Yukon if market conditions ensure profitability and the board of its parent so approves.

Both Parties further agree:

1. Tourism and year-round Port Commerce and Trade are needed and desired for the purposes of: sustainability, profit, economic diversification and job growth;
2. To identify all stakeholders and responsible parties and delineate duties and responsibilities of all concerned; and
3. It is to our mutual benefit to negotiate the lease of the said Tidelands beyond 2023.

Term of Agreement

This agreement is for a period of 3 years beginning at the date of final signature and expiring June 30, 2013. Either Party has the right to dissolve this MOU with 30-days written notice.

Thomas D Cochran
Thomas D Cochran, Mayor

25 JUN 10
Date

E. H. H. H.
PARN

6/25/10
Date

ATTEST

Marjorie D. Harris
Marjorie D. Harris, CMC
Municipal Clerk

6-25-10
Date





Dock Info

The Port of Skagway, Alaska is currently the number three cruise port in the State of Alaska. This ranking is by number of cruise ship passengers and Skagway is currently third behind the Alaskan ports of Juneau and Ketchikan. In 1998, Lloyd's Cruise International magazine ranked Skagway seventeenth out of the top twenty world cruise destinations. During the 1999 summer season 521,118 cruise ship passengers arrived in Skagway.

Skagway is unique in the fact that it is one of the few ports in the state which is primarily owned and operated by a private company. That private company is the Pacific and Arctic Railway and Navigation Company dba White Pass & Yukon Route Railroad. The White Pass Railroad has a 55-year lease with the City of

Company

Contact Us

TWC

**Enterprises
Limited**

Comments

Dock Info

Jobs

Rolling Stock

**Website
Feedback**

Skagway which encompasses the majority of tideland real estate in the Skagway valley.

White Pass presently owns and operates three deepwater docks capable of handling large vessel traffic: the Railroad Dock, the Broadway Dock, and the Ore Dock. Telephone landlines and fresh water are available at each dock. The local geography of the Skagway valley prohibits normal satellite communications.

The railroad dock can accommodate two large cruise vessels and does so approximately four to five times a week during the summer season. Total berthing length at this pier is just under 2000 feet. Shore bollards at the south end of the dock allow for extra ship lines increasing capacity for longer vessels. The railroad dock has on dock rail service which greatly enhances the ease and efficiency for rail shore excursions.

The Broadway dock accommodates vessels up to 860 feet in length. This dock is centrally located within the Skagway waterfront and is ideal for passenger operations and shore excursions. Rail service to Broadway dock begins at the immediate end of the dock where passengers can easily board the train.

The Ore dock was originally designed for bulk carriers in the lead and zinc ore concentrate trade. After the decline of the mineral trade in the early 1980s the Ore

dock was modified to serve as an alternate cruise ship dock. The dock was renovated and expanded to handle the new generation of large cruise ships. The Ore dock is one of the more modern berthing facilities in the State of Alaska.

The Port of Skagway has grown over the past decade into one of the premier cruise destinations in Alaska. This summer cruise season covers May through September each year. The port is ice-free year round and capable of operating as a cargo facility. The White Pass Railroad has upland staging areas and is open to the prospect of cargo vessel operations. Vessel agent and stevedoring services are available through Southeast Stevedoring Corporation located in Ketchikan, Alaska.

The Scenic Railway of the World



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Route Railroad.
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TWC Enterprises Limited

White Pass & Yukon Route is a wholly-owned subsidiary of [TWC Enterprises Limited](#).

TWC Enterprises Limited is traded on the Toronto & Winnipeg Stock Exchange as [TWC](#).

White Pass is engaged in passenger tourist transportation and related services along parts of the 110 mile White Pass & Yukon Route railway which runs from Skagway, Alaska, to Whitehorse, Yukon Territory. The railway was completed in 1900 and has operated exclusively as a historical tourist attraction since 1988.

Company

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TWC ENTERPRISES LIMITED

Company Overview

TWC is engaged in golf club operations under the trademark "ClubLink". ClubLink is Canada's largest owner and operator of golf clubs with 53 ½ 18-hole equivalent championship courses and 3.5 18-hole equivalent academy courses at 41 locations in Ontario, Quebec and Florida.

TWC is also engaged in rail and port operations based in Skagway, Alaska, which operates under the trade name "White Pass." The railway stretches approximately 177 kilometres (110 miles) from Skagway, Alaska, through British Columbia to Whitehorse, Yukon. In addition, White Pass operates three docks primarily for cruise ships.

Golf Club Operations Segment

The Golf Club clusters are located in densely populated metropolitan areas and the resort destinations frequented by those who live and work in these areas. By operating in Regions, ClubLink is able to offer golfers a wide variety of unique membership, corporate event and resort opportunities. ClubLink is also able to obtain the benefit of operating synergies to maximize revenue and achieve economies of scale to reduce costs.

Revenue at all golf club properties is enhanced by cross-marketing, as the demographics of target markets for each are substantially similar. Revenue is further improved by corporate golf events, business meetings and social events that utilize golf capacity and related facilities at times that are not in high demand by ClubLink's Members.

Member and Hybrid Golf Club revenue is maximized by the sale of flexible personal and corporate memberships that offer reciprocal playing privileges at ClubLink Golf Clubs and, on payment of an additional fee, inter-regional play within ClubLink and ClubCorp of America Golf Clubs. Daily Fee Golf Club revenue is maximized through unique and innovative marketing programs. Resort revenue is maximized by the integration of high quality golf facilities, which are recognized throughout the leisure industry as the key amenity for successfully attracting corporate groups and leisure guests.

Corporate Operations Segment

TWC's objective at the corporate level is to identify opportunities to generate incremental returns and cash flow. Historically, the nature of these investments included debt and equity instruments in both public and private organizations. Currently, management is focused on improving the returns of both operating business segments.

Rail and Port Operations Segment

The railway was constructed by White Pass during the Klondike Gold Rush of 1898/1899 and completed in 1900. From 1900 until 1982, it was used for the carriage of general freight, ore concentrates, petroleum products and passengers. Railway operations were suspended in 1982 when a major ore concentrate customer shut down its mine. The South Klondike Highway between

Whitehorse and Skagway, subsequently constructed in 1985, transferred the transportation of ore concentrates from rail to road service. The railway reopened in 1988 and has since been operating as a seasonal passenger tourism railway. ClubLink acquired White Pass in 1997.

White Pass operates three docks, which provide four berths for cruise ships operating west coast schedules throughout the May to September tourism season. The largest of the three docks, with two berths, is owned while the two remaining docks are situated on state and city property and operate under long-term tideland leases.

The primary market is the cruise industry, which recognizes Skagway as a marquee port on its Alaskan cruises. White Pass maintains a symbiotic relationship with the cruise lines - carrying almost half of all cruise passengers - making it Alaska's most popular shore excursion and a high volume, highly rated and profitable shore excursion for the cruise lines. The relationship is supported with an existing incentive program and extensive cooperative pre-cruise and on-board promotion. White Pass also markets to motorcoach tour companies and independent travelers who arrive via ferry and the South Klondike Highway.

The results of White Pass are self-sustaining and its US operations are translated into Canadian currency using average exchange rates during the period. Changes in average exchange rates will impact the net earnings of the Company.

To accept the Boreal Engineering, Ltd. cost proposal in the amount of \$72,165.60.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

B. PARN Subdivision Application #11-08; Request to Subdivide Accreted Land Adjacent to the Skagway River

Mayor Cochran indicated that the subdivision application went to the Planning and Zoning Commission a week ago, and at the direction of the Assembly Mayor Cochran attended the meeting to protest the application. Mayor Cochran indicated that municipal legal counsel reviewed the application and found it devoid of facts. Mayor Cochran indicated that because he attended the Planning and Zoning Commission meeting to protest the application at the direction of the Assembly, the Assembly sitting as the Board of Adjustments will not be able to hear an appeal on the matter and it will have to go to the state courts.

Mayor Cochran indicated that approval of the application failed at the Planning and Zoning Commission meeting and Mayor Cochran is unaware of how White Pass will proceed; the issue is currently between the State of Alaska and White Pass. Mayor Cochran indicated that the State may still decide to give the land to White Pass.

C. Tidelands Lease Negotiations

Mayor Cochran indicated that it looks like the Municipality will receive the \$10 million budgeted by the State of Alaska for the Gateway Project, and indicated that he gave testimony regarding HB119, a bill that would give AIDEA bond authority to fund ship loader improvements. Mayor Cochran indicated that the project depends on the ore dock being rehabilitated.

Mayor Cochran indicated he would like to see the Municipality get a new negotiating team together to come up with strategies and report back to the Assembly. Mayor Cochran indicated that the current stance of White Pass is unacceptable; the Municipality will have funding for the ore dock and AIDEA will have funding for the ship loader.

Mayor Cochran indicated he will replace Assemblywoman Hisman on the negotiating team with Assemblyman Henry; the Assembly had no objection. Mayor Cochran indicated the negotiating team would consist of John Tronrud, Municipal Attorney Bob Blasco, Assemblyman Henry and himself, and the team would work closely with Jim Van Altvorst and John Walsh as consultants.

Assemblyman Hunz indicated he likes this approach, and indicated that the negotiating team should be tasked with giving AIDEA an answer regarding a lease beyond 2023. Mayor Cochran indicated Ted Leonard of AIDEA requested to meet with the Assembly.

Assemblyman Korsmo indicated the Municipality needs to express its intentions and reasoning to the ClubLink board, not through Mr. Hretzay. Assemblyman Reichert requested that any letter to this effect should come back to the Assembly for review before it is sent.

D. Smith Conditional Use Permit

Assemblyman Korsmo indicated that at the last Assembly meeting, there was a letter from Mr. Blasco with direction for the Assembly. Mayor Cochran indicated that at the time the

ARRIVED

10.02.17

**APOC - ANCH
PM HC FAX ELE**

9.30.17

Read at candidates forum on 9/29/2017

With regard to Roger Griffin's complaints , the first one is still on appeal and will reach a conclusion sometime around the middle or end of October. It is based on not reporting my exact income on page 3 of the standard APOC report. I read it and interpreted it to be asking for customers of mine who pay a thousand dollars or more. I have none, it's 18.00 fish and chips and 2.00 for a Pepsi 20 buck at a time , in the same section further down it asks for the client 's name and address. Again , I have none. Now it occurred to me that APOC does not seek random information , there is a purpose , a motive, which I assumed was to see if there are possible conflicts of interest (does the official have stock in WYPR or BP, as did Bob Bell back in Oct. of 2012. His failing to list British Petroleum as a million dollar client, cost him a fine of 390.00 dollars.) That is a significant omission. Surely they are not interested in what my favorite color is or such , and surely it matter's not whether I am wildly successful or do just OK, they are motivated to prevent conflicts of interest. One thing for certain was that in that same section I list Skagway Fish Co. as my source of income, which all true Skagway residence who live here year round , and are registered voters, all know. Also on page 5 I list under business interest that I am owner of the Skagway Fish Co. where I make my income. I had fifteen years earlier (from 1998-2013) never filled that space in , it was then brought to my attention in 2013 by July Lam a representative of APOC , and it has been filled in ever since. Now let's close with a simple approach to this complaint . Does anyone base their voting choice on whether I do well or not so well with my business , no they are going to vote for me if they believe I am an active member of my community who is willing to sacrifice time from that business , so as to do city business without conflicts of interest and with positive energy , to the best of my ability. Oh, and they will vote for me because I live here year round and have been for going on 28 years. The second complaint came from Lynn Cameron for not listing my fine to APOC and monies owed to the IRS. I told the Commision that yes in my haste to get my Candidate paperwork filed I errored in not filing in those items that had been broadcast to the entire community in the Skagway News and on KHNS. Now if those media vehicles are antiquated, then maybe next year's APOC report will be on facebook. And when I asked the city clerk who has ever asked for my POFD, she said only Roger Griffin , Lynn Cameron , Howard Smith and Emily Files (KHNS). I've served on Assembly for 19 years and those are the only ones ? Emily Files works for KHNS and Howard must have chosen against filing a complaint. So that leaves Roger and Lynn...I will pay 220.00 to APOC as I said, it was clearly an oversight on my part , no appeal. The last one is under review and I am confident that I will prevail. Roger is under the impression that when WYPR said that they would meet with us , at OUR request , we the MOS, knew there would be an expense , but certainly money well spent. So, after We requested to meet them down in Florida, where the chairman of WYPR would be , we made arrangements to go south. We expected to incur the expense of travel, lodging , meals , taxi fares and so on. We were to keep all receipts and get reimbursment by the MOS. Fortunately at the conclusion of the meeting WYPR said " This is a potential agreement of two parties that have worked hand and hand for 115 years with great goals accomplished, we will pick -up the rooms and meals". WE said ABSOLUTELY , save money for the city coffers of the MOS , yes most definitely , please do , absolutely , and thank you very much. Now, to the best of my knowledge nobody representing the MOS ever was gifted anything of substantial value. As I stated , I accepted a sleeve or two of golf balls , because I knocked several in the water. End of story. We left Skagway and went to Florida and returned to Skagway knowing we represented Skagway and would not

incurr any personal expense. You would have to offset my personal cost or give me specific personal gifts to have done what Roger implies. Decision some time in Oct or Nov. the Commission rejected the request for expedited process . They said it would not effect the election. Wrong again , ranting, raving more of the usual. I will answer " Asked and answered , should any questions come remotely close these matters that I have just discussed. Don't waste anyone's time , move on to positive dialougue , that lets voters know how we feel about school funding , senoir center progress , recycling , pool or no pool, recenter developement. traffic flow , land sales and so on, and so on...ya' know positive things , things that have to do with a continuing better future for Skagway , there are a significant numbers of new young families that are growing. They tend to want to hear and see results that are positive , like knowing that they have at least two candidates rerunning for office with very long histories of serving the MOS and getting positive results. End of story.

Mells, Delight K (DOA)

From: Mells, Delight K (DOA)
Sent: Wednesday, October 04, 2017 5:55 PM
To: Daniel Henry
Subject: Follow up questions regarding 17-02-POFD, Griffin v. Henry
Attachments: Excerpt of February 7, 2013 Assembly Minutes.pdf; November 2013 Travel Reimbursement.pdf; January 2014 Travel Reimbursement.pdf

Hello Mr. Henry,

Thank you for providing a statement in response to the complaint filed against you, 17-02-POFD, Griffin v. Henry.

Some questions have come up that we hope you could clarify for Staff's report:

1. The Municipality does not have a record of purchasing or reimbursing you for airfare to the February 21, 2012 negotiation meeting with White Pass Yukon Route. Could you provide an explanation for this?
2. The Municipality is also lacking records of any expenses for your participation in the February 20, 2013 identified in the attached excerpt of meeting minutes. Do you have any information that would clarify?
3. Two municipal reimbursements processed for you in November 2013 and January of 2014 are confusing. (Attached) The November 2013 reimbursement indicates the travel was approved in the October 9, 2013 Assembly meeting, but the January 2014 reimbursement doesn't include the same form. It also appears that two separate flights were purchased. Were these reimbursements for the same negotiation meeting in December 2013 or was there a second negotiation sometime between November 2013 - January 2014?
4. At this time it appears that the Municipality did not cover hotel accommodations in Corral Springs, Florida for the meetings listed below. Did you pay for any of these hotel accommodations personally or were they complimentary provided by White Pass Yukon Route?

- February 20, 2013 (Florida)
- December 6-7, 2013 (Florida)

○ November 2013 - January 2014? (if applicable based on Q.3)

5. You have indicated that you never paid a fee for playing golf at Herron Bay. Do you recall how often you played golf with Clublink affiliates during negotiation meetings? Was it a routine part of the negotiation trips or an activity that occasionally occurred?

Thank you for your cooperation throughout this investigation and please let me know if you have any questions.

Sincerely,

Delight K. Mells

Paralegal II

Alaska Public Offices Commission

2221 E. Northern Lights Blvd., Rm. 128

Anchorage, Alaska 99508-4149

Phone: (907) 276-4176 or Toll Free in Alaska 1 (800)-478-4176

Information in this e-mail may be confidential and/or privileged. If you are not the intended recipient, please notify the sender via telephone and delete the information immediately. Thank you.

10/9/2017

APOC - ANCH
PM HC FAX ELE

1. I'm not sure what I can provide regarding a meeting on February 21, 2012 other than to say , if we had a meeting on that date my explanation would be as follows. Either, I never turned in a receipt for the flights , and the MOS owes me reimbursement , or I may have already been in Florida with my wife , as her mother's sole care provider. My mother-in-law was in the throes of Alzheimers at that time , so I would go to Florida as often as I could to help my wife. I know for certain no other entity (private or otherwise) ever paid Skagway for any of it's representatives to travel to meet with Clublink (WPYR). So, either the MOS paid and can't track down the reimbursement receipt (which is highly unlikely) or I failed to turn in a receipt (in which case I GIFTED the MOS) or I was already in Florida and drove over to Coral Springs.
2. I can' t clarify , as I don't recall if this meeting was in Coral Springs, Florida or the meeting we had in Junaeu , Alaska. If I was sent on behalf of the MOS I would bring back receipts for reimbursement. I wasn't paying to do this out of my own pocket.
3. There were two different reimbursements , so I am assuming we had two different meetings.
4. The travel down to Florida was originated by the MOS with the expectation that the MOS would absorb the entire expense down and back , as WE requested the meeting to acquire access to the leased area to build out the Gateway Project. WPYR at the conclusion of the meetings told us they had picked up the rooms and meals , I said Great , fantastic , we appreciate that. My thought was that we just reduced our cost of trying to accomplish agreement intention , even with their willingness to any said "agreement" we were powerless to outright "negotiate" anything. Every move had to be approved by the entire Assembly and then a MOU , then a ballot before the people. No one on the "team" had a position that allowed them to negotiate ANYTHING. Nor should they.
5. We played golf a couple of times in the afternoon and would chat about other peripheral items , such as , what is the time frame the Assembly can discuss any of the items from the meetings that may need review , how many town hall meetings do we think it would take to attempt to educate the public , if all goes well when could they hear back from us. When can the attorneys get together if all goes well etc., etc.,etc. There were no fees paid for golf , they own the course at Heron Bay.
6. Merriam-Webster.....Gift- something voluntarily transferred from one person to another without compensation. Clublink (WPYR) paying for rooms and meals I assume was due to the relationship they have with the owners of the Marriott at Heron Bay. Heck , if I could have gotten them to pick-up the entire expense incurred by the MOS , I would have. I suppose they approached it from the perspective that it was a two party agreement , so why not pick-up some of the expense. Great ! I know for sure I wasn't paying, and my actions were to reduce the cost to the MOS. I was no better or worse personally at the conclusion of any of these meetings , but the MOS definitely was , so I surmised that was a good thing , and that I was doing my job.

MUNICIPALITY OF SKAGWAY GENERAL FUND

100266

Payee Daniel Henry.
Vendor ID HENRY

Account #:

100266

4/4/2012

Invoice	Description	Discount	Amount
CHKREQ#032312DH	REIMBURSEMENT FOR EXPENSES FOR WPYR/CLUBLIN...	\$0.00	\$1,084.76

Total : \$0.00 \$1,084.76



MUNICIPALITY OF SKAGWAY
GENERAL FUND
P.O. BOX 415
SKAGWAY, AK 99840
(907) 983-2297

WELLS FARGO BANK, N.A.
WWW.WELLSFARGO.COM
89-5/1252

100266

100266
CHECK ARMOR
FRAUD PROTECTION

****One Thousand Eighty Four and 76/100 Dollars

DATE
4/4/2012

AMOUNT
\$1,084.76

PAY
TO THE
ORDER OF Daniel Henry
P.O. Box 279
Skagway, AK 99840
USA

MUNICIPALITY OF SKAGWAY
VOID AFTER 90 DAYS

AUTHORIZED SIGNATURE

MUNICIPALITY OF SKAGWAY GENERAL FUND

100266

Payee Daniel Henry
Vendor ID HENRY

Account #:

100266

4/4/2012

Invoice	Description	Discount	Amount
CHKREQ#032312DH	REIMBURSEMENT FOR EXPENSES FOR WPYR/CLUBLIN...	\$0.00	\$1,084.76

Total : \$0.00 \$1,084.76

Port

MOS

WPYR
CLUBBLINK

MEETING

RAI
DAN HENRYENTERED
4/3/121185.5130.70
ALL

4-2-12

3/23/2012

Exhibit 10

Page 2 of 3

21.05 +

6.2 +

748.36 +

292.71 +

16.44 +

02/29/2012 Tue

RENTAL CAR TOLLS*...866-673-7986 NY

866-673-7986

DANIEL HENRY

21.05

RENTAL CAR TOLLS

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GREAT NECK
NY

11021

UNITED STATES

320120810406508145

Other - Miscellaneous

02/25/2012 Sat

AVIS RENT A CAR TOLL888-255-6063 NY

888-255-6063

DANIEL HENRY

6.20

AVIS RENTAL CAR TOLLS

9 PARK PLACE
GREAT NECK
NY

11021

UNITED STATES

320120560370325785

Transportation - Tolls & Fees

02/25/2012 Sat

MARRIOTT MARRIOTT MACORAL SPRINGS FL

Arrival Date Departure Date

02/21/12 02/22/12

00000000

LODGING

DANIEL HENRY

748.36

MARRIOTT 80783

11775 HERON BAY BLVD
CORAL SPRINGS
FL
POMPANO BEACH
33076-1941
UNITED STATES

320120560348193511

Travel - Lodging

02/24/2012 Fri

AVIS RENT A CAR NEW PORT RICHEY FL

Location Date

Rental: NEW PORT RICHEY FL 12/02/21

Return: NEW PORT RICHEY FL 12/02/24

Agreement Number: 306060635

Renter Name: HENRY,DANIEL

DANIEL HENRY

292.71

AVIS RENT A CAR CORP

SEND ALL MAIL TO
CORR/FIN. ADDRESS
GARDEN CITY
NY
11530
UNITED STATES

320120560348193512

Travel - Vehicle Rental

02/21/2012 Tue

NEWPORT MINIMART 000NEW PORT RICHEY FL

Merchant Address:

Reference Number:

Category:

Transaction Date:

Transaction Description:

Cardmember Name:

Amount \$:

Doing Business As:

Merchant Address:

Reference Number:

Category:

Transaction Date:

Transaction Description:

Cardmember Name:

Amount \$:

Doing Business As:

Merchant Address:

Reference Number:

Category:

Transaction Date:

Transaction Description:

727-859-0160

Description	Price
GAS/MS096 26257053	\$16.44

Cardmember Name:

DANIEL HENRY

Amount \$:

16.44

Doing Business As:

CITGO OIL CO

Merchant Address:

6100 S YALE AVE
TULSA
OK
74138-1905
UNITED STATES

Reference Number:

320120520306811988

Category:

Transportation - Fuel

TOTAL

1084.76

All

Assemblyman Reichert asked about the date of the extension. Mayor Selmer indicated that it would be the end of March. Manager Healy indicated he is on the Board of Equalization for the Mat-Su Borough and tax appeals start coming in mid-April, and he has to be there for the process. Mayor Selmer indicated the extension includes a 5-day hiatus.

The Assembly had no objection to extending Manager Healy's contract to March 31, 2013.

10. **Executive Session:**

- A. **White Pass Lease Negotiations**
- B. **AIDEA Lease Negotiations**

Motion/Second: Reichert/Henry

To recess the Assembly meeting and reconvene in executive session.

Motion passed by voice vote, 5 yes, 0 no, 1 absent.

Executive Session: 9:19 p.m. – 10:58 p.m.

Motion/Second: Burnham/Reichert

To adjourn executive session and reconvene the Assembly meeting.

Motion passed by voice vote, 5 yes, 0 no, 1 absent.

Motion/Second: Burnham/Reichert

To authorize Mayor Selmer, Manager Healy, Assemblyman Henry and Borough Attorney Bob Blasco to meet and negotiate with White Pass and send a recommendation back to the Assembly.

Motion passed by roll call vote, 5 yes, 0 no, 1 absent.

11. **Mayor and Assembly Discussion Items:**

Mayor Selmer indicated that he will be in Florida on February 20 with the manager, Assemblyman Henry and the attorney to meet with Rai Sahi of ClubLink, and he does not want to come back with nothing. Mayor Selmer asked that a special Assembly meeting be scheduled for February 22 to address the matter.

Assemblyman Reichert asked if any of the required immediate repairs to the Ore Dock had been completed by White Pass. Manager Healy indicated that the service area needed immediate repairs, but he is not sure if the permits to do so are in place. Manager Healy indicated he would check on the permits and noted that Pacific Pile and Marine is going to do the work. Assemblyman Reichert indicated he has concerns about the dock getting up to safety standards.

Mells, Delight K (DOA)

From: Emily Deach <e.deach@skagway.org>
Sent: Tuesday, October 03, 2017 3:22 PM
To: Mells, Delight K (DOA)
Subject: FW: Expenses for February 20, 2013

Delight,

Please see the notes below in red from Heather.

Emily

Emily Wescott Deach, CMC
Borough Clerk

Municipality of Skagway
P.O. Box 415, Skagway, AK 99840
(Phone) 907-983-2297 option 6
(Direct) 907-983-9706
(Fax) 907-983-2151
www.skagway.org/clerksoffice

PUBLIC RECORDS LAW DISCLOSURE: This e-mail and responses to this email are subject to provisions of the Alaska Statutes and may be made available to the public upon request.

From: Heather Rodig
Sent: Tuesday, October 03, 2017 3:05 PM
To: Emily Deach <e.deach@skagway.org>
Subject: FW: Expenses for February 20, 2013

See my notes:

From: Mells, Delight K (DOA) [<mailto:delight.mells@alaska.gov>]
Sent: Tuesday, October 03, 2017 11:06 AM
To: Emily Deach <e.deach@skagway.org>
Cc: Heather Rodig <h.rodig@skagway.org>
Subject: Expenses for February 20, 2013

Good morning Emily and Heather,

Thanks for all of the information you have provided so far. After reviewing the reimbursement and invoices provided, I was hoping that you could clarify some items:

- February 21, 2017 Negotiation– Mr. Henry was reimbursed for a rental car and hotel stays from Skagway, but it does not indicate that he was reimbursed for airfare. Did the municipality pay for his airfare? **Henry may have already been in FL visiting family and rented a car to drive to meeting.**

- February 20, 2013 Negotiation (meeting identified in the attached meeting minutes) – It appears that our office does not have any records regarding the cost of this meeting. Did Skagway have any expense for Mr. Henry to participate in this travel? **Only have record of Healy & Selmer travel costs for this meeting.**
- September 4, 2014 Negotiation – Did the municipality issue any per diem or pay for any meals for Mr. Henry on this one day trip to Juneau? **I don't see record of any costs associated with Henry for this meeting.**

Please let me know if either of you have any questions about the information I'm seeking. I really appreciate your assistance!

Thanks,

Delight K. Mells

Paralegal II

Alaska Public Offices Commission

2221 E. Northern Lights Blvd., Rm. 128

Anchorage, Alaska 99508-4149

Phone: (907) 276-4176 or Toll Free in Alaska 1 (800)-478-4176

Information in this e-mail may be confidential and/or privileged. If you are not the intended recipient, please notify the sender via telephone and delete the information immediately. Thank you.

Mells, Delight K (DOA)

From: Mells, Delight K (DOA)
Sent: Tuesday, October 03, 2017 11:18 AM
To: Emily Deach
Cc: Heather Rodig
Subject: RE: Expenses for February 20, 2013

Yes, sorry! 2012!

From: Emily Deach [mailto:e.deach@skagway.org]
Sent: Tuesday, October 03, 2017 11:17 AM
To: Mells, Delight K (DOA) <delight.mells@alaska.gov>
Cc: Heather Rodig <h.rodig@skagway.org>
Subject: RE: Expenses for February 20, 2013

Delight,

Regarding the first bullet point below – is that supposed to be for 2012? Just want to make sure.

Thanks!
Emily

Emily Wescott Deach, CMC
Borough Clerk

Municipality of Skagway
P.O. Box 415, Skagway, AK 99840
(Phone) 907-983-2297 option 6
(Direct) 907-983-9706
(Fax) 907-983-2151
www.skagway.org/clerksoffice

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From: Mells, Delight K (DOA) [mailto:delight.mells@alaska.gov]
Sent: Tuesday, October 03, 2017 11:06 AM
To: Emily Deach <e.deach@skagway.org>
Cc: Heather Rodig <h.rodig@skagway.org>
Subject: Expenses for February 20, 2013

Good morning Emily and Heather,

Thanks for all of the information you have provided so far. After reviewing the reimbursement and invoices provided, I was hoping that you could clarify some items:

- February 21, 2017 Negotiation– Mr. Henry was reimbursed for a rental car and hotel stays from Skagway, but it does not indicate that he was reimbursed for airfare. Did the municipality pay for his airfare?
- February 20, 2013 Negotiation (meeting identified in the attached meeting minutes) – It appears that our office does not have any records regarding the cost of this meeting. Did Skagway have any expense for Mr. Henry to participate in this travel?
- September 4, 2014 Negotiation – Did the municipality issue any per diem or pay for any meals for Mr. Henry on this one day trip to Juneau?

Please let me know if either of you have any questions about the information I'm seeking. I really appreciate your assistance!

Thanks,

Delight K. Mells

Paralegal II

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Two Assembly Seats - 3 Year Terms				
Cochran, Timothy D.	189	26	215	61%
Morgan, Spencer R.	171	24	195	55%
Rose, Tyler D.M.	89	15	104	30%
Ticarro, "Duppy" Christophe	133	23	156	44%
Write-Ins	10		10	3%
One School Board Seat - 3 Year Term				
Belisle, Darren	246	35	281	80%
Write-Ins	9		9	3%

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

B. Jewell Easement Request

Motion/Second: Schaefer/Henry

To authorize a resolution for the Jewell easement for 30 years.

Manager Edes indicated the Jewell's are asking for a resolution for an easement at the north end of the cemetery for as long a term as possible, but Manager Edes suggested the Assembly consider a shorter term in case the Municipality finds a need for it. Assemblyman Reichert noted that Public Works Director Grant Lawson should be contacted regarding this item, he may have valuable input.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

C. Gateway Project Design Review – Dr. Chad Gubala

Motion/Second: Henry/Reichert

To authorize the White Pass negotiating team and Dr. Chad Gubala to meet with White Pass on the Gateway Plan.

Dr. Chad Gubala explained his work on the sampling plan and indicated he has compiled those results into a comprehensive look at solutions for mitigating contamination for the Gateway Project, and will soon have a plan and time table to move forward. Dr. Gubala indicated that this plan should benefit all involved parties and hopes that White Pass will agree. Assemblyman Hanson asked if the ship loader would need to be moved in this plan. Dr. Gubala indicated that AIDEA is flexible and would need to be involved in this conversation.

Dr. Gubala indicated that the timetable would be tight and the dredging needs to be done in above freezing conditions. Assemblyman Henry indicated that Dr. Gubala's role is to be informational when dealing with White Pass and AIDEA and to not be involved in any negotiations in relation to the Municipality. Dr. Gubala indicated his role is to bring recommendations to the Assembly and not to engage in negotiations.

Assemblyman Schaefer emphasized the importance of moving forward and focusing on developing conceptual drawings. Dr. Gubala indicated that there are going to be different phases to this project and challenges with contractors considering all of the different options.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

D. Outdoor Arts Facility Request for Bids – Results and Selection
Motion/Second: Hanson/Schaefer

To award the Outdoor Arts Facility project to Hunz & Hunz Enterprises in the amount of \$666,623.00, and approve additional funding of \$6,623.00.

Assemblyman Hanson indicated that 5 and 6 in the bid are over-specked, the cost is way off to install the lights and sound equipment because of misinterpretation of the design in the request for bids (RFB); this could be done later and left out of the project for now to save money.

Assemblyman Henry indicated that we could complete the project now and the Municipality should do that since the funds are there. Mayor Selmer indicated that the manager should continue to look into construction management for this project on the next agenda.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

E. Selection Committee Recommendation for Assembly Confirmation of Jeremy Simmons as Volunteer Fire Chief
Motion/Second: Henry/Schaefer

To confirm Jeremy Simmons as Volunteer Fire Chief – Elect.

Motion passed unanimously by roll call vote, 6 yes, 0 no, 0 absent.

F. Bicycle Friendly Community Application
Assemblyman Reichert indicated that this was brought forward at the Parks and Recreation Committee meeting to encourage our community to bike. Assemblyman Reichert indicated that Dustin Craney suggested this and offered to complete the application, which needs reapplication every four years with Assembly review before submittal.

Break: 9:47 p.m. – 9:54 p.m.

10. Executive Session:
A. Manager Evaluation
B. ~~White Pass Lease Negotiations~~

Motion/Second: Henry/Reichert

To recess the Assembly meeting and reconvene in executive session.

MUNICIPALITY OF SKAGWAY GENERAL FUND

Payee Daniel Henry
Vendor ID HENRY

Account #:

104765
11/26/2013

Invoice	Description	Discount	Amount
CHKREQ#111413	REIMBURSEMENT FOR TRAVEL COSTS - WHITE PASS M...	\$0.00	\$2,356.25

Total : \$0.00 \$2,356.25

SECURITY FEATURES INCLUDE: TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM



MUNICIPALITY OF SKAGWAY
GENERAL FUND
P.O. BOX 415
SKAGWAY, AK 99840
(907) 983-2297

WELLS FARGO BANK, N.A.
WWW.WELLSFARGO.COM
89-5/1252



104765
104765

****Two Thousand Three Hundred Fifty Six and 25/100 Dollars

DATE
11/26/2013

AMOUNT
\$2,356.25

PAY
TO THE
ORDER
OF

Daniel Henry
P.O. Box 279
Skagway, AK 99840
USA

MUNICIPALITY OF SKAGWAY
VOID AFTER 90 DAYS

AUTHORIZED SIGNATURE

MUNICIPALITY OF SKAGWAY GENERAL FUND

Payee Daniel Henry
Vendor ID HENRY

Account #:

104765
11/26/2013
104765

Invoice	Description	Discount	Amount
CHKREQ#111413	REIMBURSEMENT FOR TRAVEL COSTS - WHITE PASS M...	\$0.00	\$2,356.25

Total : \$0.00 \$2,356.25



Municipality of Skagway

GATEWAY TO THE KLONDIKE

P.O. BOX 415 SKAGWAY, ALASKA 99840

(PHONE) 907-983-2297 - (FAX) 907-983-2151

www.skagway.org

CHECK REQUEST

✓ VENDOR: Dan Henry

✓ DATE: 11/14/2013

VENDOR ID: HENRY

✓ AMOUNT: \$ 2,356.25

EXPLANATION:

Reimbursement for cost of airline tickets to Florida to meet with White Pass representatives. Assemblyman Henry is a member of the negotiating committee, and the Assembly approved his travel at the meeting of October 9, 2013.

✓ GL ACCOUNT: 1040-5180-GE

Dan Henry
SUBMITTED BY

[Signature]
APPROVED BY

HDR

11/15/13

Alaska Airlines Signature Visa - 0995

Balance Summary: 11/13/2013

Account Summary

Current balance:

Total credit line:

Cash credit line:

Amount over total

credit line:

Next closing date:

Last payment date:

Last payment:

Card Details

Total credit line:

Cash credit line:

Amount over total

credit line:

Next closing date:

Last payment date:

Last payment:

Pay This Card

Statement balance:

Payment due date:

Total minimum payment

due:

Rewards

* Available Credit includes purchases that have been authorized but have not yet posted to your account.

Go to: October 23, 2013

Date ↓	Description	Amount	Balance
10/23/2013	ALASKA LIQUOR STORE SKAGWAY AK	\$23.49	\$44,841.24
10/23/2013	Interest Charged on Bank Cash Advances	\$0.00	\$44,817.75
10/23/2013	Interest Charged on Dir Debit/Cash Advances	\$0.00	\$44,817.75
10/23/2013	Interest Charged on Balance Transfers	\$0.00	\$44,817.75
10/23/2013	Interest Charged on Purchases	\$419.10	\$44,817.75
10/22/2013	SKAGWAY FLKS LODGE SKAGWAY AK - 10	\$25.00	\$44,792.75
10/22/2013	CORNER STATION SKAGWAY AK	\$75.01	\$44,717.74
10/22/2013	ALASKA AIR 0272135275 PORTLAND OR - 10/17	\$20.00	\$44,697.74
10/21/2013	PDX/SEA ONEWAY	\$15.56	\$44,682.18
10/21/2013	RADIOSHACK DEAR0025843 SKAGWAY AK	\$27.68	\$44,654.50
10/21/2013	USPS 40675900234002089 PORTLAND OR - 580	\$33.04	\$44,620.82
10/21/2013	BROWNPAPERTICKETS.COM 800-8383006 WA - 7656669	\$1,188.90	\$43,431.92
10/21/2013	PETRO MARINE SERVICES SKAGWAY AK	\$1,188.90	\$42,243.02
10/21/2013	USPS 40675900234002089 PORTLAND OR - 580	\$27.68	\$42,215.34
10/21/2013	MIKE'S AIRPORT EXPRESS JUNEAU AK	\$4.50	\$42,180.84
10/21/2013	USPS 40675900234002089 PORTLAND OR - 580	\$27.68	\$42,153.16
10/21/2013	CORNER STATION SKAGWAY AK	\$74.76	\$42,078.40
10/15/2013	ALASKA AIR 0272135025 SEATTLE WA - 10/26	\$1,188.90	\$40,889.50
	JNU/SEA RNDTRP SEA/JNU - 0995		
	Transaction date:	10/13/2013	
	Card type:	Visa	
	Transaction type:	Purchases	
	Merchant description:	ALASKA AIRLINES	
		INC. -T&E SIC CODE	
	Merchant information:	SEATTLE, WA	
	Offer ID:	FFZSPF9NM	
	Dispute this transaction		

10/15/2013	ALASKA LIQUOR STORE SKAGWAY AK	\$23.49	\$41,864.38
10/15/2013	MIKE'S AIRPORT EXPRESS JUNEAU AK	\$4.50	\$41,809.88
10/15/2013	BA ELECTRONIC PAYMENT	\$1,000.00	\$40,809.88
10/15/2013	FAIRWAY MARKET SKAGWAY AK	\$500.00	\$39,809.88
10/15/2013	06195620001SPRY7002572245		
10/15/2013	TRAVEL LODGE JUNEAU JUNEAU AK - 1001000009986	\$144.48	\$39,665.40
10/15/2013	ARRIVAL DATE 9/30/13		
10/15/2013	MIKE'S AIRPORT EXPRESS JUNEAU AK	\$7.04	\$39,658.36
10/15/2013	DELTA AIR 0068225587 TAMPA FL - 09/29 TPA/TPA	\$25.00	\$39,633.36
10/15/2013	ONEWAY		
10/15/2013	A SIGNATURE CAR SERVIC 727-834-4444 FL -	\$75.00	\$39,558.36
10/15/2013	Q1450046		
10/15/2013	CORNER STATION SKAGWAY AK	\$52.01	\$39,506.35
10/15/2013	AT&T *2304088178901 800-2220300 NJ -	\$112.95	\$39,393.40
10/15/2013	LD151948268		
10/15/2013	ALLIANCEONE REC-GHA 253-620-2222 WA -	\$179.00	\$39,214.40
10/15/2013	5895210000000000		
10/15/2013	FOREIGN TRANSACTION FEE FTH	\$1.69	\$39,212.71
10/15/2013	00000000	\$36.64	\$39,176.07

Beginning balance as of 09/22/2013

\$41,902.38

AA 1188.90
 DELTA 1167.35
 TOTAL 2356.25

AMERICAN EXPRESS

MY ACCOUNT CARDS TRAVEL REWARDS BUSINESS

United States (Change Country) LOG OUT

Account Home Statements & Activity Payments Profile & Preferences Rewards & Benefits Additional Cards

VIEW BILLING STATEMENTS SETTINGS DOWNLOAD PRINT NEED HELP

Card Activity for DANIEL HENRY Time Period Narrow Results

Platinum Delta SkyMiles Busn 51005 (All Cards) Current Statement Sep 17, 2013 to Oct 17, 2013 Search Transactions FILTER OPTIONS

TRANSACTION DETAILS VIEW BY: CATEGORY MERCHANT CARDMEMBER GRAPH ON

PLEASE VIEW YOUR PDF BILLING STATEMENT FOR IMPORTANT NOTICE(S) ABOUT YOUR ACCOUNT

DATE	RECEIPT	DESCRIPTION	CARDMEMBER	AMOUNT \$
POSTED TRANSACTIONS				
1 - 5 OF 5 TRANSACTIONS				
10/14/2013	Mon	DELTA AIR LINES ATLANTA	DANIEL HENRY	56.01
10/14/2013	Mon	DELTA AIR LINES ATLANTA	DANIEL HENRY	1,111.34

OPEN Savings® Program

For OPEN Savings® benefits view your PDF account statement

REWARDS <10K

Find popular rewards for less than 10,000 points.

MEMBERSHIP REWARDS®

VIEW YOUR BILLING STATEMENT FOR THIS PERIOD

INTEREST CHARGE CALCULATION

Closing Date: 10/17/13

DISPUTE / INQUIRE ABOUT ACCOUNT ACTIVITY

* Indicates posting date

Payments

Charges 1,167.35

Fees 0.00

Interest Charged

Credits 0.00

Payment Due Date: 11/11/13

Pay Bill

Manage Your Tags

LEARN MORE

Create a new Tag

Enter Tag name

☒ Shared

This tag is shared and can also be used by Additional Cardmembers

☐ Private

This tag is private and can only be used by you

Create Tag

TAG RULES

Activity by Card

CARDMEMBER NAME	PAYMENTS	CHARGES	CREDITS
DANIEL HENRY	\$ -1,500.00	\$ 1,363.52	\$ 0.00
EILEEN HENRY	\$ 0.00	\$ 0.00	\$ 0.00

Offers For You

Avis

5% off prepaid rates

Mells, Delight K (DOA)

From: Emily Deach <e.deach@skagway.org>
Sent: Thursday, September 28, 2017 12:22 PM
To: Mells, Delight K (DOA)
Subject: RE: White Pass Lease Negotiations, Negotiating Team

Delight,

Based on detailed invoices from our attorney, I can confirm the following meeting dates:

February 21, 2013 (Florida)
December 6, 2013 (Florida)
December 7, 2013 (Florida) [these two December meetings may account for the two reimbursements to Mr. Henry]
February 23, 2015 (Florida)
February 24, 2015 (Florida)

Our attorney did not bill us for time for a February 2012 meeting in Florida but did discuss it beforehand with our manager, so I will look for other ways to verify this exact date. I will also verify the Juneau trip as well – our attorney most likely documented this meeting on an invoice.

Thanks,
Emily

Emily Wescott Deach, CMC
Borough Clerk

Municipality of Skagway
P.O. Box 415, Skagway, AK 99840
(Phone) 907-983-2297 option 6
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From: Mells, Delight K (DOA) [mailto:delight.mells@alaska.gov]
Sent: Thursday, September 28, 2017 11:59 AM
To: Emily Deach <e.deach@skagway.org>
Subject: RE: White Pass Lease Negotiations, Negotiating Team

Perfect! That's the information I'm trying to pin down. I'm specifically looking to verify meetings dates that Mr. Henry participated in to determine how many nights/days he was provided hotel accommodations and meals during negotiations. It would also be helpful to gain documentation of any other municipal costs associated with his WPYR negotiation travel.

Based on the information provided so far, it appears that Mr. Henry participated in the negotiation meetings listed below. Is this accurate and could you or another borough employee confirm the exact date(s) of each meeting? The meeting minutes and reimbursement invoices don't always clearly indicate the meeting dates.

- February 2012 - Florida
- February 2013 - Florida
- October/November/December? 2013 -Florida (Henry Reimbursement dated 11/26/2013)
- January 2014 – Florida (Henry Reimbursement dated 1/15/2014)
- September 2014 - Juneau (Wings invoice dated 9/18/2014)
- March 2015 - Florida

Thank you again for all of your assistance!

Sincerely,

Delight K. Mells

Paralegal II, POFD

Alaska Public Offices Commission

2221 E. Northern Lights Blvd., Rm. 128

Anchorage, Alaska 99508-4149

Phone: (907) 276-4176 or Toll Free in Alaska 1 (800)-478-4176

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From: Emily Deach [<mailto:e.deach@skagway.org>]
Sent: Thursday, September 28, 2017 11:18 AM
To: Mells, Delight K (DOA) <delight.mells@alaska.gov>
Subject: RE: White Pass Lease Negotiations, Negotiating Team

Sounds good! I also have an email in to the borough attorney re: meeting dates.
 Emily

Emily Wescott Deach, CMC
Borough Clerk

Municipality of Skagway

P.O. Box 415, Skagway, AK 99840

(Phone) 907-983-2297 option 6

(Direct) 907-983-9706

(Fax) 907-983-2151

www.skagway.org/clerksoffice

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From: Mells, Delight K (DOA) [<mailto:delight.mells@alaska.gov>]
Sent: Thursday, September 28, 2017 11:16 AM
To: Emily Deach <e.deach@skagway.org>
Subject: RE: White Pass Lease Negotiations, Negotiating Team

Thanks, Emily! This is really helpful! I'm going to reassess the information I have gathered so far and follow up with you shortly.

~Delight K. Mells

From: Emily Deach [<mailto:e.deach@skagway.org>]
Sent: Thursday, September 28, 2017 11:04 AM
To: Mells, Delight K (DOA) <delight.mells@alaska.gov>
Subject: White Pass Lease Negotiations, Negotiating Team

Delight,

Attached are documents showing the initiation and continuance of lease negotiations with White Pass (PARN), and the placement of Assemblyman Henry on the negotiating team, pursuant to the following Mayor/Assembly actions:

- June 17, 2010: Authorization of memorandum of understanding between the MOS and PARN (minutes and MOU attached, see page 13);
- April 21, 2011: No objection to Assemblyman Henry replacing Assemblywoman Hisman on the negotiating team (minutes attached, see page 7);
- August 8 – September 15, 2011: Approval of two letters of intent to White Pass – White Pass did not accept either letter (minutes and letters attached, see page 1);
- November 17, 2011: Approval of Assemblyman Henry as lead negotiator (minutes attached, see page 7);
- April 11, 2012: Approval of letter re: moving forward with tidelands lease (minutes and letter attached, see page 2);
- January 2, 2014: Approval of new MOU with White Pass (minutes and MOU attached, see page 4).

Thanks,
Emily

Emily Wescott Deach, CMC
Borough Clerk
Municipality of Skagway
P.O. Box 415, Skagway, AK 99840
(Phone) 907-983-2297 option 6
(Direct) 907-983-9706
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MUNICIPALITY OF SKAGWAY GENERAL FUND

Payee Daniel Henry
Vendor ID HENRY

Account #:

105114
1/15/2014

Invoice	Description	Discount	Amount
EXPREP#011314	REIMBURSEMENT FOR TRAVEL COSTS- MTG. WITH WP ...	\$0.00	\$3,320.19

Total : \$0.00 \$3,320.19

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.



MUNICIPALITY OF SKAGWAY
GENERAL FUND
P.O. BOX 415
SKAGWAY, AK 99840
(907) 983-2297

WELLS FARGO BANK, N.A.
WWW.WELLSFARGO.COM
89-5/1252



105114

****Three Thousand Three Hundred Twenty and 19/100 Dollars

DATE
1/15/2014

AMOUNT
\$3,320.19

PAY
TO THE
ORDER
OF

Daniel Henry
P.O. Box 279
Skagway, AK 99840
USA

MUNICIPALITY OF SKAGWAY
VOID AFTER 90 DAYS

AUTHORIZED SIGNATURE

MUNICIPALITY OF SKAGWAY GENERAL FUND

Payee Daniel Henry
Vendor ID HENRY

Account #:

105114
1/15/2014

Invoice	Description	Discount	Amount
EXPREP#011314	REIMBURSEMENT FOR TRAVEL COSTS- MTG. WITH WP ...	\$0.00	\$3,320.19

Total : \$0.00 \$3,320.19

EXPENSE REPORT

Period: From:

To:

Name: DANIEL J. HENRY
 Department: ASSEMBLY
 Send Check To: SAME

Address: P.O. Box 279
SKAGWAY, AK. 99840

EXPENSE REPORTS ARE DUE THE FRIDAY BEFORE BI-MONTHLY ASSEMBLY MEETINGS

DETAIL	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	TOTAL
TRAVEL FROM								
TO →								
TO →								
TO →								
Lodging								
Food @ \$58 per day								
Transportation - Cash								
Transportation - Chg.								
Local Trans.								
Auto - Personal @ current IRS rate								
Auto - Rental/Lease								
Auto - Gas & Oil								
Auto - Repair & Maint.								
Tips/Gratuities								
Telephone								
Valet/Laundry								
Entertainment								
TOTALS								

Wings Air 250.00
5 → 290.00
Alaska Airlines 1188.90
Delta 1336.54
Airlines 254.15
Lodging
3320.19
Total

Less advanced per diem:

Total Reimbursement: **\$3320.19**

DETAILS OF ENTERTAINMENT EXPENSE

DATE	PERSONS ENTERTAINED	PLACE ENTERTAINED	BUSINESS PURPOSE	AMOUNT

PURPOSE OF TRIPS

Reimbursement for travel costs → WP Mtg. in Florida

Submitted by:

Daniel J. Henry

Date:

1/13/14

Approved by:

Heather Keding

Date:

1/15/14

Account Charged:

5180.6E

1040

Acting Interim Manager

Checked by:

Check No:


FOR ACCOUNTING DEPARTMENT USE

Date:

Date:

ENTERED
1/14/14

HDR



MY ACCOUNT CARDS TRAVEL REWARDS BUSINESS

Account Home | Statements & Activity | Payments | Profile & Preferences | Rewards & Benefits | Additional Cards

VIEW BILLING STATEMENTS SETTINGS DOWNLOAD PRINT NEED HELP

Card Activity for DANIEL HENRY

Time Period

Narrow Results

Platinum Delta SkyMiles Busn 51005 (All Cards) Current Statement Nov 16, 2013 to Dec 17, 2013 Search Transactions FILTER OPTIONS

TRANSACTION DETAILS

VIEW BY: CATEGORY MERCHANT CARDMEMBER

GRAPH ON

DATE	RECEIPT	DESCRIPTION	CARDMEMBER	AMOUNT \$
POSTED TRANSACTIONS				
12/17/2013	Tue	ANNUAL MEMBERSHIP FEE	DANIEL HENRY	199.00
12/17/2013	Tue	Interest Charge on Purchases	DANIEL HENRY	199.71
12/01/2013	Sun	DELTA AIR LINES ATLANTA	DANIEL HENRY	373.01
12/01/2013	Thu	AT&T BELL PAYMENT - DALLAS TX	DANIEL HENRY	200.00
12/01/2013	Thu	ONLINE PAYMENT - THANK YOU	DANIEL HENRY	1,000.00
11/16/2013	Mon	ONLINE PAYMENT - THANK YOU	DANIEL HENRY	1,000.00
11/16/2013	Sat	DELTA AIR LINES ATLANTA	DANIEL HENRY	963.53

1 - 7 OF 7 TRANSACTIONS

VIEW YOUR BILLING STATEMENT FOR THIS PERIOD

INTEREST CHARGE CALCULATION

Closing Date: 12/17/13

DISPUTE / INQUIRE ABOUT ACCOUNT ACTIVITY

* Indicates posting date

Previous Balance as of 11/15/13

Payments

Charges

Fees

Interest Charged

Credits

New Balance

Minimum Payment Due

15,856.39

-2,000.00

1,596.56

150.00

199.71

0.00

15,802.66

356.00

Payment Due Date: 01/11/14

Pay Bill

Manage Your Rewards

Delta SkyMiles®

View Summary

View Bonus Details

OPEN Savings® Program

For OPEN Savings® benefits view your PDF account statement

Now Tap and Pay with your smartphone.

Manage Receipts

Manage Your Tags

LEARN MORE

Create a new Tag

Enter Tag name

☒ Shared

This tag is shared and can also be used by Additional Cardmembers

☐ Private

This tag is private and can only be used by you

Create Tag

TAG RULES

Offers For You

J.Crew

Spend \$100, get \$25 back

Activity by Card

CARDMEMBER NAME	PAYMENTS	CHARGES	CREDITS
DANIEL HENRY	\$ -2,000.00	\$ 1,946.27	\$ 0.00

AMERICAN EXPRESS

MY ACCOUNTCARDSTRAVELREWARDSBUSINESS

United States (Change Country)LOG OUT

Account HomeStatements & ActivityPaymentsProfile & PreferencesRewards & BenefitsAdditional Cards

VIEW BILLING STATEMENTSSETTINGSDOWNLOADPRINTNEED HELP

Card Activity for DANIEL J HENRYTime PeriodNarrow Results

Business Platinum Card®41002 (All Cards)Recent ActivityDec 24, 2013 to PresentSearch TransactionsFILTER OPTIONS

TRANSACTION DETAILSVIEW BY: CATEGORYMERCHANTCARDMEMBERBALANCE SUMMARYGRAPH ON

DATE	RECEIPT	DESCRIPTION	CARDMEMBER	AMOUNT \$	
PENDING CHARGES					
POSTED TRANSACTIONS					
01/02/2014	Thu	+	DOUBLETREE HTL AIRPSEATTLE WA	DANIEL J HENRY	100.04
01/02/2014	Thu	+	TRAVELODGE JUNEAU JUNEAU AK	DANIEL J HENRY	154.71
10/17/2014	Wed	+	SMART E CARTE VENDINGST PAUL MN	DANIEL J HENRY	9.98
01/30/2014	Mon	+	ONLINE PAYMENT - THANK YOU	DANIEL J HENRY	-6.75
01/27/2014	Fri	+	FLYING ELEPHANT FOX PORTLAND OR	JUSTIN L HENRY	6.75

1 - 5 OF 5 TRANSACTIONS

Previous Balance as of 12/23/130.00
Payments-6.75
Charges266.50
Fees0.00
Credits0.00
Outstanding Balance259.75

Closing Date: 01/23/14

DISPUTE / INQUIRE ABOUT ACCOUNT ACTIVITY

Activity by Card

CARDMEMBER NAME	PAYMENTS	PAY IN FULL CHARGES	PAY OVER TIME CHARGES	CREDITS
DANIEL J HENRY	\$ -6.75	\$ 5.00	\$ 254.75	\$ 0.00
EILEEN HENRY	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
JUSTIN L HENRY	\$ 0.00	\$ 6.75	\$ 0.00	\$ 0.00

Membership Rewards®

Program Number 1M45450511

Available Points4,136

Use Points for Your Charges

View Summary

OPEN Savings® Program

For OPEN Savings® benefits view your PDF account statement

Now Tap and Pay

with your smartphone.

Manage Receipts

Manage Your Tags

LEARN MORE

Create a new Tag

Enter Tag name

☒ Shared

This tag is shared and can also be used by Additional Cardmembers

☐ Private

This tag is private and can only be used by you

Create Tag

TAG RULES

Offers For You

J.Crew

Alaska Airlines Signature Visa - 0995

Balance Summary: 01/05/2014

Account Summary

Current balance: **\$42,964.06**
 Total credit available: \$11,189.73
 Cash credit line available: \$11,189.73

Card Details

Total credit line: **\$55,000.00**
 Cash credit line: \$16,500.00
 Amount over total credit line: \$0.00
 Next closing date: 01/23/2014
 Last payment date: 12/23/2013
 Last payment: \$5,000.00

Pay This Card

Statement balance: **\$46,736.68**
 Payment due date: **01/19/2014**
 Total minimum payment due: **\$0.00**

Rewards

* Available Credit includes purchases that have been authorized but have not yet posted to your account.

Go to:

Date ↓	Description	Amount	Balance
12/23/2013	MIKE'S AIRPORT EXPRESS JUNEAU AK	\$0.25	\$46,034.70
12/23/2013	Interest Charged on Bank Cash Advances	\$0.00	\$46,035.50
12/22/2013	Interest Charged on Dir Dep&Chk Cash Adv	\$0.00	\$46,035.50
12/22/2013	Interest Charged on Balance Transfers	\$0.00	\$46,035.50
12/23/2013	Interest Charged on Purchases	\$410.03	\$46,035.50
12/13/2013	CORNER STATION SKAGWAY AK	\$50.44	\$45,605.50
11/19/2013	ALASKA AIR 0272136824 SEATTLE WA - 11/30 JNU/SEA RNDTRP SEA/JNU - 0995	\$1,188.90	\$45,547.06
12/16/2013	PUBLIX #1020 NEW PORT RICHL	\$63.87	\$44,358.16
12/16/2013	FAIRWAY MARKET SKAGWAY AK - 06195620001SPRY7002618536	\$500.00	\$43,858.29
12/15/2013	BA ELECTRONIC PAYMENT	\$1,000.00	\$42,858.29
12/10/2013	JOCKEY.COM 262-653-3122 WI - 3841916990290176056452	\$147.00	\$41,754.29
12/12/2013	ALASKA POWER AND TELEP SKAGWAY AK	\$012.07	\$41,642.22
12/12/2013	LOWES #00724* NEW PORT RICHL - 845686420320072427108	\$327.00	\$41,315.22
12/12/2013	CORNER STATION SKAGWAY AK	\$50.93	\$41,264.29
12/12/2013	PUBLIX #1020 NEW PORT RICHL	\$75.53	\$41,188.76
12/12/2013	HESS 09359 NEW PT RICHEYFL - 01852729359MV3Y7000463905	\$35.01	\$41,153.75
12/09/2013	MIKE'S AIRPORT EXPRESS JUNEAU AK	\$1.00	\$41,154.75
12/08/2013	HESS 09359 NEW PT RICHEYFL - 01852729359MV3Y7000440883	\$45.31	\$41,109.44
12/07/2013	FAIRWAY MARKET SKAGWAY AK - 06195620001SPRY7002618536	\$500.00	\$40,609.44
12/05/2013	PUBLIX #1020 NEW PORT RICHL	\$07.68	\$40,501.76
12/04/2013	RAGETRAC200 00002009 VENICE FL	\$63.63	\$40,438.13
12/03/2013	ABC FINE WINE/SPIRITS NEW PORT RICHL	\$130.55	\$40,307.58
12/29/2013	PUBLIX #1020 NEW PORT RICHL	\$33.01	\$40,274.57
12/29/2013	HESS 09359 NEW PT RICHEYFL - 01852729359MV3Y7000419570	\$19.52	\$40,255.05
12/20/2013	PUBLIX #1020 NEW PORT RICHL	\$167.99	\$40,087.06
12/20/2013	HESS 09433 CLEARWATER FL - 01852729433MV3Y7000495379	\$50.00	\$39,937.06
12/20/2013	MIKE'S AIRPORT EXPRESS JUNEAU AK	\$4.40	\$39,892.66
12/20/2013	DELTA AIR 0068227540 SEATTLE WA - 10/25 SEA/SEA ONEWAY	\$35.00	\$39,857.66
12/24/2013	BA ELECTRONIC PAYMENT	\$2,000.00	\$37,857.66
12/24/2013	ANNUAL FEE	\$75.00	\$37,782.66

Beginning balance as of 10/24/2013

\$44,841.24

Go to:



For Reservations or Assistance:
Call (888) 573-2767
For travel within Alaska only:
Call (800) 789-9464

Confirmation number:

H3NONQ

Receipt and Itinerary as of Sun-12/01/2013 09:20 AM

You will need to provide this confirmation number and your passport/photo I.D. and valid visas (where applicable) at check-in to receive your boarding card.

SKAGWAY FISH CO.
PO BOX 364
SKAGWAY AK 99840
US

ITINERARY:

FROM/TO	FLIGHT	STOPS	DEPARTURE	ARRIVAL
SGY (Skagway, AK) / JNU (Juneau, AK)	K5 - 031	1	Sun-12/01/2013 09:10 AM	Sun-12/01/2013 10:10 AM

Passenger(s)	Charge Description	Original Amount	Amount
HENRY, DAN	Y - ECONOMY - Refundable; No fee to chg	118.14 USD	118.14 USD
	TAX - US: Federal Excise Tax - SGY (Reaccom) (Reaccom) (Reaccom) (Reaccom) (Reaccom)	8.86 USD	8.86 USD

Reservation Totals:	Air fare		118.14 USD
	Tax		8.86 USD
	Special Service		0.00 USD
	TOTAL		127.00 USD

Payment Summary:	11/29/2013, INVC	127.00 USD	127.00 USD
	TOTAL PAYMENTS		127.00 USD

IMPORTANT REMINDERS

Your itinerary/receipt does not constitute a ticket and is only a confirmation of your flight booking and receipt of your pre-payment.

Flights are operated by SeaPort Airlines. All flights are subject to governmental approval. In the event a flight is canceled for any reason, or ceases to operate a route, SeaPort Airlines shall carry the passenger



For Reservations or Assistance:
Call (888) 573-2767
For travel within Alaska only:
Call (800) 789-9464

Confirmation number: **ZIM1R9**

Receipt and Itinerary as of Thu-01/02/2014 08:58 AM

You will need to provide this confirmation number and your passport/photo I.D. and valid visas (where applicable) at check-in to receive your boarding card.

SKAGWAY FISH CO.
PO BOX 364
SKAGWAY AK 99840
US

ITINERARY:

FROM/TO	FLIGHT	STOPS	DEPARTURE	ARRIVAL
JNU (Juneau, AK) / SGY (Skagway, AK)	K5 - 030	1	Thu-01/02/2014 08:00 AM	Thu-01/02/2014 09:00 AM

Passenger(s)	Charge Description	Original Amount	Amount
HENRY, DANIEL	Y - ECONOMY - Refundable; No fee to chg	118.14 USD	118.14 USD
	TAX - US: Federal Excise Tax - JNU	8.86 USD	8.86 USD

Reservation Totals:	Air fare		118.14 USD
	Tax		8.86 USD
	Special Service		0.00 USD
	TOTAL		127.00 USD

Payment Summary:	01/02/2014, INVC	127.00 USD	127.00 USD
	TOTAL PAYMENTS		127.00 USD

IMPORTANT REMINDERS

Your itinerary/receipt does not constitute a ticket and is only a confirmation of your flight booking and receipt of your pre-payment.

Flights are operated by SeaPort Airlines. All flights are subject to governmental approval. In the event a flight is canceled for any reason, or ceases to operate a route, SeaPort Airlines shall carry the passenger at the earliest opportunity on another scheduled flight on which space is available between the same routing points (direct or indirect) or make a full refund to the passenger and having no further liability.

MUNICIPALITY OF SKAGWAY GENERAL FUND

Payee Wings of Alaska
Vendor ID WINGS

Account #:

107046
107046
9/18/2014

Invoice	Description	Discount	Amount
INV#2Q4IRB	ACCT#2205 - FROM SGY TO JNU ON 9/4 - HENRY, BURN...	\$0.00	\$230.00
INV#2YT4UN	ACCT#2205 - FROM JNU TO SGY ON 9/4 - HENRY	\$0.00	\$119.50
INV#61004728	ACCT#2205 - FROM SGY TO JNU ON 7/16 - AK AIR CARGO	\$0.00	\$50.58
INV#61008638	ACCT#2205 - FROM SGY TO JNU ON 8/27 - NAPA	\$0.00	\$11.00
INV#61009080	ACCT#2209 - FROM JNU TO SGY ON 9/2 - NAPA AUTO PA...	\$0.00	\$15.78
INV#61009144	ACCT#2205 - FROM JNU TO SGY ON 9/2 - ENVELOPES F...	\$0.00	\$30.60
INV#61009238	ACCT#2205 - FROM JNU TO SGY ON 9/3 - PW	\$0.00	\$11.00
INV#61009835	ACCT#2205 - FROM JNU TO SGY ON 9/10 - GRANT LAWS...	\$0.00	\$11.00
INV#ZRO208	PO#14-0021 - FROM JNU TO SGY ON 8/31 - RAUSCHER, ...	\$0.00	\$234.50

Total : \$0.00 \$713.96

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER HEAT SENSITIVE ICON AND FOIL HOLOGRAM



MUNICIPALITY OF SKAGWAY

GENERAL FUND
P.O. BOX 415
SKAGWAY, AK 99840
(907) 983-2297WELLS FARGO BANK, N.A.
WWW.WELLSFARGO.COM
89-5/1252107046
107046

****Seven Hundred Thirteen and 96/100 Dollars

DATE
9/18/2014AMOUNT
\$713.96PAY
TO THE
ORDER
OFWings of Alaska
DEPT LA 24148
Pasadena, CA 91185-4148
USAMUNICIPALITY OF SKAGWAY
VOID AFTER 90 DAYS

AUTHORIZED SIGNATURE

MUNICIPALITY OF SKAGWAY GENERAL FUND

Payee Wings of Alaska
Vendor ID WINGS

Account #:

107046
107046
9/20/14
PM HC FAX ELE
APOC - ANCH

Invoice	Description	Discount	Amount
INV#2Q4IRB	ACCT# - FROM SGY TO JNU ON 9/4 - HENRY, BURN...	\$0.00	\$230.00
INV#2YT4UN	ACCT# - FROM JNU TO SGY ON 9/4 - HENRY	\$0.00	\$119.50
INV#61004728	ACCT# - FROM SGY TO JNU ON 7/16 - AK AIR CARGO	\$0.00	\$50.58
INV#61008638	ACCT# - FROM SGY TO JNU ON 8/27 - NAPA	\$0.00	\$11.00
INV#61009080	ACCT# - FROM JNU TO SGY ON 9/2 - NAPA AUTO PA...	\$0.00	\$15.78
INV#61009144	ACCT# - FROM JNU TO SGY ON 9/2 - ENVELOPES F...	\$0.00	\$30.60
INV#61009238	ACCT# - FROM JNU TO SGY ON 9/3 - PW	\$0.00	\$11.00
INV#61009835	ACCT# - FROM JNU TO SGY ON 9/10 - GRANT LAWS...	\$0.00	\$11.00
INV#ZRO208	PO#1 - FROM JNU TO SGY ON 8/31 - RAUSCHER, ...	\$0.00	\$234.50

Total : \$0.00 \$713.96

Exhibit 17

Page 1 of 3



Invoice

7505 NE Airport Way
Portland, OR 97218

907-500-9927 Phone
971-340-1727 Fax

Date	Invoice #
9/1/2014	2Q4IRB

Bill To
2205

Remit To
SeaPort Airlines, Inc. dba Wings of Alaska Dept. LA 24148 Pasadena, CA 91185-4148

Account #	Due Date
2205	7/15/2014

Description	Amount
PO# ;Flt#43, SGY=>JNU, 09/04/2014, Tkt#2400050262; HENRY, DAN	115.00
PO# ;Flt#43, SGY=>JNU, 09/04/2014, Tkt#2400050261; BURNHAM JR, STEVE	115.00
<i>White Pass Lease negotiations.</i>	
<i>HDR</i>	
APPROVED TO PAY	
Approved By: <u>9AD</u> Date: <u>9/5/14</u>	
Amount: <u>\$230.00</u>	
Account Code: <u>1040 1040-5180-GE</u>	
Vendor ID: <u>WINGS</u>	
Session ID: <u>API15003</u>	
ENTERED <u>9/11/14</u>	
Total \$230.00	

NOTE: Only one leg of itinerary prints on invoice if travel is for a round trip or multiple trip fare.



Invoice

7505 NE Airport Way
Portland, OR 97218

907-500-9927 Phone
971-340-1727 Fax

Date	Invoice #
9/4/2014	2YT4UN

Bill To
2205 MUNICIPALITY OF SKAGWAY P.O. BOX 421 SKAGWAY, AK 99840

Remit To
SeaPort Airlines, Inc. dba Wings of Alaska Dept. LA 24148 Pasadena, CA 91185-4148

Ship To

Account #	Due Date
2205	10/15/2014

Description	Amount
PO# ;Flt#48, JNU=>SGY, 09/04/2014, Tkt#2400056206; HENRY, DANIEL <i>White Pass negotiations</i> <i>1402</i> APPROVED TO PAY Approved By: <i>9AD</i> Date: <i>9/12/14</i> Amount: <i>\$119.50</i> Account Code: <i>1040-5180-GE</i> Vendor ID: <i>WINGS</i> Session ID: <i>API15004</i> ENTERED <i>9/15/14</i>	119.50
Total	\$119.50


NOTE: Only one leg of itinerary prints on invoice if travel is for a round trip or multiple trip fare.

108169
108169
3/5/2015Payee Daniel Henry
Vendor ID HENRY

Account #:

Invoice	Description	Discount	Amount
PERDIEM#022515	PER DIEM FOR FOOD - WP NEG. 2/19-2/27	\$0.00	\$522.00
<p>ARRIVED</p> <p>9/28/17</p> <p>APOC - ANCH PM HC FAX ELE</p>			
Total :		\$0.00	\$522.00

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.



MUNICIPALITY OF SKAGWAY
GENERAL FUND
P.O. BOX 415
SKAGWAY, AK 99840
(907) 983-2297

WELLS FARGO BANK, N.A.
WWW.WELLSFARGO.COM
89-5/1252

108169
108169

FRAUD ARMOR

****Five Hundred Twenty Two and 00/100 Dollars

PAY TO THE ORDER OF

Daniel Henry
P.O. Box 279
Skagway, AK 99840
USA

DATE
3/5/2015

AMOUNT
\$522.00

MUNICIPALITY OF SKAGWAY
VOID AFTER 90 DAYS

MP

MP

AUTHORIZED SIGNATURE

[Redacted Signature]

MUNICIPALITY OF SKAGWAY GENERAL FUND

Payee Daniel Henry
Vendor ID HENRY

Account #:

108169
108169
3/5/2015

Invoice	Description	Discount	Amount
PERDIEM#022515	PER DIEM FOR FOOD - WP NEG. 2/19-2/27	\$0.00	\$522.00
<p>Total : \$0.00 \$522.00</p>			

PER DIEM ADVANCE REQUEST

Period: From: 2/19/2015 To: 2/27/2015

Name: Daniel J. Henry

Address:

Department: Assembly

Send Check To: Inbox

REQUESTS ARE DUE TO ACCOUNTS PAYABLE THE FRIDAY PRIOR TO THE BIMONTHLY ASSEMBLY MEETING								
DETAIL	SUN. 2/22	MON. 2/23	TUES. 2/24	WEDS. 2/25	THURS. 2/19, 2/26	FRI. 2/20, 2/27	SAT. 2/21	TOTAL
TRAVEL FROM					SKAGWAY	TAMPA		
TO →					TAMPA	SKAGWAY		
TO →								
TO →								
Food per diem (\$58)	58	58	58	58	58	58	58	406.00
(per day)					58	58		116.00
								0.00
								0.00
Lodging Advance								0.00
Mileage Advance								0.00
at IRS current rate								
TOTALS	58.00	58.00	58.00	58.00	116.00	116.00	58.00	522.00

Total Per Diem Advance: **\$522.00**

PURPOSE OF TRIPS

White Pass Lease negotiations in Florida.

Submitted by: Emily Deach Date: 2/24/2015

Approved by:  Date: 2/25/15

Account Charged: 1040-5180-GE

FOR ACCOUNTING DEPARTMENT USE

Checked by: _____ Date: _____

Check No: _____ Date: _____

ENTERED
2/26/15

Payee Daniel Henry
Vendor ID HENRY

Account #:

108256
108256
3/18/2015

Invoice	Description	Discount	Amount
EXPRPT022715	TRAVEL REIMBURSEMENT WPYR LEASE NEGOTIATIONS	\$0.00	\$3,799.08

ARRIVED

9/28/17

APOC - ANCH
PM HC FAX ELE

Total : \$0.00 \$3,799.08

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.

**MUNICIPALITY OF SKAGWAY**

GENERAL FUND
P.O. BOX 415
SKAGWAY, AK 99840
(907) 983-2297

WELLS FARGO BANK, N.A.
WWW.WELLSFARGO.COM
89-5/1252



108256
108256

***Three Thousand Seven Hundred Ninety Nine and 08/100 Dollars

PAY TO THE ORDER OF
Daniel Henry
P.O. Box 279
Skagway, AK 99840
USA

DATE 3/18/2015 AMOUNT \$3,799.08

MUNICIPALITY OF SKAGWAY
VOID AFTER 90 DAYS

AUTHORIZED SIGNATURE

MUNICIPALITY OF SKAGWAY GENERAL FUND

Payee Daniel Henry
Vendor ID HENRY

Account #:

108256
108256
3/18/2015

Invoice	Description	Discount	Amount
EXPRPT022715	TRAVEL REIMBURSEMENT WPYR LEASE NEGOTIATIONS	\$0.00	\$3,799.08

Total : \$0.00 \$3,799.08

EXPENSE REPORT

Period: From: 2/20/2015 To: 2/27/2015

Name: Dan Henry
 Department: Assembly
 Send Check To: inbox

Address:

HENRY
 15056

EXPENSE REPORTS ARE DUE THE FRIDAY BEFORE BI-MONTHLY ASSEMBLY MEETINGS

DETAIL	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	TOTAL
TRAVEL FROM								
TO →								
TO →								
TO →								
Lodging		354.05	205.00	179.00	269.73	244.16		1,251.94
Food @ \$58 per day								-
Transportation - Cash						25.00		25.00
Transportation - Chg.	1,899.00							1,899.00
Local Trans.								-
Auto - Personal @ current IRS rate								-
Auto - Rental/Lease						401.80		401.80
Auto - Gas & Oil	16.73	19.55	21.35	44.30	18.54	62.69	38.18	221.34
Auto - Repair & Maint.								-
Tips/Gratuities (AIRPORT SHUTTLES)								-
Telephone								-
Valet/Laundry								-
Entertainment								-
TOTALS	1,915.73	373.60	226.35	223.30	288.27	733.65	38.18	3,799.08


Less advanced per diem:
 Total Reimbursement: \$3,799.08

DETAILS OF ENTERTAINMENT EXPENSE

DATE	PERSONS ENTERTAINED	PLACE ENTERTAINED	BUSINESS PURPOSE	AMOUNT

PURPOSE OF TRIPS

travel to Florida for White Pass lease negotiation meetings

Submitted by: HEATHER RODIG	Date: 2/26/2015	FOR ACCOUNTING DEPARTMENT USE	
Approved by: 	Date: 3/16/15	Checked by:	Date:
Account Charged: 1040-5180-GE		Check No:	Date:

HBR

301 HENRY/DAN 155.00 02/24/15 12:00 2490
 Room Name Rate Depart Time ACCT#
 NKGf 02/22/15 18:03
 Type Arrive Time
 123

MRW#:

Room Clerk	Address	Payment			
DATE	REFERENCE		CHARGES	CREDITS	BALANCE DUE
02/22	LINK'S	1379 301	90.00		
02/22	ROOM	301, 1	155.00		
02/22	STATE TX	301, 1	9.30		
02/22	OCC TAX	301, 1	7.75		
02/22	TELECOMM	WFB	9.95		
02/23	LINK'S	1418 301	28.00		
02/23	LINK'S	1493 301	115.00		
02/23	ROOM	301, 1	155.00		
02/23	STATE TX	301, 1	9.30		
02/23	OCC TAX	301, 1	7.75		
02/24	AX CARD				\$587.05

TO BE SETTLED TO: AMERICAN EXPRESS CURRENT BALANCE .00

THANK YOU FOR CHOOSING MARRIOTT! TO EXPEDITE YOUR CHECK-OUT, PLEASE CALL THE FRONT DESK, OR PRESS "MENU" ON YOUR TV REMOTE CONTROL TO ACCESS VIDEO CHECK-OUT.

EXP. REPORT SUMMARY			
02/22	LINK'S	90.00	
	ROOM	155.00	
	STATE TX	9.30	
	OCC TAX	7.75	
	TELECOMM	9.95	
			272.00
02/23	LINK'S	143.00	
	ROOM	155.00	
	STATE TX	9.30	
	OCC TAX	7.75	
			315.05

WANT YOUR FINAL HOTEL BILL BY EMAIL? JUST ASK THE FRONT DESK! SEE "INTERNET PRIVACY STATEMENT" ON MARRIOTT.COM

Food & Bev 233.00
 Room chg 354.05

on statement



GUEST FOLIO

FT LAUDERDALE MARRIOTT NORTH

710 HENRY/DANIEL 243.00 02/25/15 11:00 12985
 ROOM NAME RATE DEPART TIME ACCT#
 GD 02/24/15 15:12
 TYPE ARRIVE TIME
 20
 ROOM
 CLERK

PAYMENT

MRW#:

DATE	ADDRESS	REFERENCE	CHARGES	CREDITS	BALANCE DUE
02/24	LOUNGE	1712 710	24.00		
02/24	LOUNGE	1735 710	56.00		
02/24	ROOM.	710, 1	243.00		
02/24	ROOM TAX	710, 1	14.58	A	
02/24	CNTY TAX	710, 1	12.15	B	
02/25	VS CARD			\$349.73	

SOURCE FOR STAYTYPE VISA

CURRENT BALANCE .00

THANK YOU FOR CHOOSING MARRIOTT! TO EXPEDITE YOUR CHECK-OUT,
 PLEASE CALL THE FRONT DESK, OR PRESS "MENU" ON YOUR
 TV REMOTE CONTROL TO ACCESS VIDEO CHECK-OUT.

DESCRIPTION	TAXED AMOUNT	TAX
F BEVERAGE TAX	.00	.00
NET CHARGES	349.73	TAX .00
		CREDITS .00
		FOLIO 349.73 ✓

EXP. REPORT SUMMARY

02/24 LOUNGE 80.00
 ROOM&TAX 269.73

WANT YOUR FINAL HOTEL BILL BY EMAIL? JUST ASK THE FRONT DESK!
 SEE "INTERNET PRIVACY STATEMENT" ON MARRIOTT.COM

on statement



FT LAUDERDALE MARRIOTT NORTH
 6650 N. ANDREWS AVE
 FT LAUDERDALE, FL 33309

This statement is your only receipt. You have agreed to pay in cash or by approved personal check or to authorize us to charge your credit card for all amounts charged to you. The amount shown in the credits column opposite any credit card entry in the reference column above will be charged to the credit card number set forth above. (The credit card company will bill in the usual manner.) If for any reason the credit card company does not make payment on this account, you will owe us such amount. If you are direct billed, in the event payment is not made within 25 days after check-out, you will owe us interest from the check-out date on any unpaid amount at the rate of 1.5% per month (ANNUAL RATE 18%), or the maximum allowed by law, plus the reasonable cost of collection, including attorney fees.

Signature X _____

412 HENRY/DAN 155.00 02/26/15 12:00 2513
 Room Name Rate Depart Time ACCT#
 NDDG 02/25/15 17:56
 Type Arrive Time
 123

MRW#: X

Room Clerk	Address	Payment				
DATE	REFERENCE		CHARGES	CREDITS	BALANCE DUE	
02/25	LD PHONE	5161 971	6.95			
02/25	BOGEY'S	2487 412	48.00			
02/25	BOGEY'S	2502 412	15.00			
02/25	ROOM	412, 1	155.00			
02/25	STATE TX	412, 1	9.30			
02/25	OCC TAX	412, 1	7.75			
02/26	VS CARD			\$242.00		

TO BE SETTLED TO: VISA CURRENT BALANCE .00

THANK YOU FOR CHOOSING MARRIOTT! TO EXPEDITE YOUR CHECK-OUT, PLEASE CALL THE FRONT DESK, OR PRESS "MENU" ON YOUR TV REMOTE CONTROL TO ACCESS VIDEO CHECK-OUT.

EXP. REPORT SUMMARY			
02/25	LD PHONE	6.95	
	BOGEY'S	63.00	
	ROOM	155.00	
	STATE TX	9.30	
	OCC TAX	7.75	
			242.00

GET ALL YOUR HOTEL BILLS BY EMAIL BY UPDATING YOUR REWARDS PREFERENCES. OR, ASK THE FRONT DESK TO EMAIL YOUR BILL FOR THIS STAY. SEE "INTERNET PRIVACY STATEMENT" ON MARRIOTT.COM

Food & Bev \$63
 Room chg \$179

Your Rewards points/miles earned on your eligible earnings will be credited to your account. Check your Rewards Account Statement for update activity.

This statement is your only receipt. You have agreed to pay in cash or by approved personal check or to authorize us to charge your credit card for all amounts charged to you. The amount shown in the credits column opposite any credit card entry in the reference column above will be charged to the credit card number set forth above. (The credit card company will bill in the usual manner.) If for any reason the credit card company does not make payment on this account, you will owe us such amount. If you are direct billed, in the event payment is not made within 25 days after checkout, you will owe us interest from the checkout date on any unpaid amount at the rate of 1.5% per month (ANNUAL RATE 18%), or the maximum allowed by law, plus the reasonable cost of collection, including attorney fees.

Signature X

 To secure your next stay, go to marriott.com

 Exhibit 18
 Page 7 of 17


<http://www.alaskaair.com?lid=nav:logo>
[Flights](#) | [Change \(/PlanBook\)](#) | [Remove](#)

Flight	Departs	Arrives	Total Price for 1 Traveler
Alaska 76 First (F) Nonstop Details	Juneau (JNU) 1:55 pm Sat (Saturday), [REDACTED]	Seattle (SEA) 5:05 pm Sat (Saturday), [REDACTED]	\$1,899.00 ✓ Taxes, Fees and Charges Low Price Guarantee
Alaska 774 First (F) Nonstop Details	Seattle (SEA) 8:30 am Sun (Sunday), [REDACTED]	Tampa (TPA) 5:02 pm Sun (Sunday), [REDACTED]	Shop again using your Discount Code (/planbook?fo
Distance: 3,423 mi (miles) Duration: 23h 7m			
Alaska 777 First (F) Nonstop Details	Tampa (TPA) 6:05 pm Mon (Monday), [REDACTED]	Seattle (SEA) 9:05 pm Mon (Monday), [REDACTED]	
Alaska 75 First (F) Nonstop Details	Seattle (SEA) 11:20 am Tue (Tuesday), [REDACTED]	Juneau (JNU) 12:50 pm Tue (Tuesday), [REDACTED]	
Distance: 3,423 mi (miles) Duration: 22h 45m			
► Fare Rules ► Baggage Rules			

Total Due Now \$1,899.00 USD

[Currency Converter](#)
[NEXT →](#)

\$ Free flight cancellation anytime



Great Hotel Deals at Your Destination

[Crowne Plaza TAMPA-WESTSHORE »](#) [Shop All Hotels](#)

Offers provided by Orbitz for hotel stays from April 5 through April 13.


 ★★★★★
 \$182
[Select](#)
[Hilton Tampa Airport Westshore »](#)

 ★★★★★
 \$188
[Select](#)
[Hilton Garden Inn Tampa Airport Wests... »](#)

 ★★★★★
 \$180
[Select](#)



Juneau Travelodge Hotel
9200 Glacier Highway
Juneau, AK 99801
Tel: (907) 789-9700 Fax: (907) 789-1969
For Reservations: (800) 578-7878

03-13-15

Daniel Henry
P.O. Box 279
Skagway AK 99840

Folio No. : 21928
A/R Number :
Group Code :
Company :
Wyndham Rewards :
Invoice No. :

Room No. : 214
Arrival : 03-11-15
Departure : 03-13-15
Conf. No. : 55732855
Rate Code : LSYSR
Page No. : 1 of 1

Date	Description	Charges	Credits
03-11-15	Lounge Charge Room# 214 : CHECK# 812980	35.34	
03-11-15	Room Charge	109.00	
03-11-15	Sales Tax (5%)	5.45	
03-11-15	Lodging Tax (7%)	7.63	
03-12-15	Restaurant Charge Room# 214 : CHECK# 813017	24.92	
03-12-15	Lounge Charge Room# 214 : CHECK# 813077	26.00	
03-12-15	Lounge Charge Room# 214 : CHECK# 813176	27.00	
03-12-15	Room Charge	109.00	
03-12-15	Sales Tax (5%)	5.45	
03-12-15	Lodging Tax (7%)	7.63	
03-13-15	Visa XXXXXXXXXXXXXXX0204		357.42
To become a Wyndham Rewards member, visit us at wyndhamrewards.com or call 1-866-WYN-RWDS.		Total	357.42
		Balance	0.00

Guest Signature: _____

Please contact the Manager about any issues with your stay. Travelodge or affiliates may contact you about goods and services unless you call 877-321-7653 or write to Wyndham Worldwide Hotels, Inc. 1 Sylvan Way, Parsippany, NJ 07054 to opt out. View our Travelodge website about privacy.

Thank you for staying with us.
It was our pleasure to serve you.

Food / Beverage \$113.26
Room Chg. 244.16

RENTAL AGREEMENT NUMBER 778306535

RECEIPT

YOUR INFORMATION

Customer Name : HENRY, DANIEL
Methods Of Payment : AMEX XX1002

YOUR VEHICLE INFORMATION

Avis Car Number : 6 6 8 2 2 9 8 0
Plate Number : MD 7BL801
Veh Grp Charged : Premium
Veh Grp Rented : Premium
Veh Description : WHI FORD TAURUS LTD FWD
Total Driven : 731 Mls Odometer In: 21705 Mls
Fuel Gauge Reading: Full

YOUR RENTAL

Pickup Date/Time : FEB 21, 2015 @ 02:34 PM
Pickup Location : 7315 US HIGHWAY 19 NORTH
NEW PORT RICHEY, FL, 34652, US
Return Date/Time : FEB 27, 2015 @ 01:53 PM
Return Location : 7315 US HIGHWAY 19 NORTH
NEW PORT RICHEY, FL, 34652, US

YOUR VEHICLE CHARGES:

MIN 97 HRS MAX 167 HRS

RATE CHART

TIME AND MILEAGE

Mls : Unlimited

HRLY : 81.75

DAILY: 109.00

AD DY: 69.00

WKLY.: 344.99

1WK0 344.99= 344.99

WNTLY:

Agreed Upon Upgrade at 9.00/Day

Time & Mileage: 344.99

TAXABLE FEES

ENERGY RECOVERY FEE .60 /DY + 3.00

STATE SURCHARGE 2.00 /DY + 12.00

TIRE BATTERY FEE .02 /DY + .12

VEH LICENSE RECOUP .80 /DY + 4.80

LATE FEE 10.00 /DY + 10.00

Subtotal Charges: 375.51

Sales Tax 7.000% + 26.29

NON TAXABLE ITEMS

Your Total Charges Paid: 401.80

Prepayment : .00

NET CHARGES: USD 401.80

Your Total Due: 0.00

Fuel service: .5205/Ml 9.890/Gal


on statement

-----NOTICES-----AVIS-----NOTICES-----AVIS-----NOTICES-----AVIS-----NOTICES

I agree to the rental charges above. I acknowledge additional charges could be added based on tolls, tickets, fines administrative charges and other fees which may be applicable. X

Thank you for renting with Avis.

If you have questions regarding this rental, call us at 727-841-7880

This vehicle was rented to you by EDWARD

This vehicle was checked in for you by EDWARD

SHELL
57543524409
5966 CORAL RIDGE DRI
PARKLAND , FL
33076
02/26/2015 571469539
12:47:36 PM

XXXX XXXX XXXX 1296
VISA
INVOICE 392696
AUTH 049810

PUMP# 4
Regular 6.700G
PRICE/GAL 2.699
FUEL TOTAL \$ 18.08

CREDIT \$ 18.08

on statement

Join the Fuel Rewards Network & get a
\$0.20/gal bonus after your first
fill-up.

Terms & Conditions apply. Learn more at
fuelrewards.com. Offer Ends 3/1/15.

SHELL
57543524409
5966 CORAL RIDGE DRI
PARKLAND , FL
33076
02/22/2015 571463790
05:51:21 PM

XXXX XXXX XXXX 1296
VISA
INVOICE 325225
AUTH 012300

PUMP# 1
Regular 14.690G
PRICE/GAL 2.599
FUEL TOTAL \$ 38.18

CREDIT \$ 38.18

on statement

Join the Fuel Rewards Network & get a
\$0.20 gal bonus after your first
fill-up.

Terms & Conditions apply. Learn more at
fuelrewards.com. Offer Ends 3/1/15.

WELCOME
TO
SUNOCO

TP12422093-001
SUNOCO 0943457200
26520 JONES LOOP ROA
PUNTA GORDA FL 3395

DATE 02/26/15
TIME 2:46 PM
AUTH# 007210

VISA

PUMP PRODUCT PPG
02 UNLD \$2.399

GALLONS FUEL TOTAL
7.730 \$18.54

on statement

THANK YOU
HAVE A NICE DAY
COME AGAIN

WELC E TO
NEWPORT MINI MART

00014247053-01
NEWPORT MINIMART
7502 US Hwy 19
NEW PORT RICHEY FL

VISA
*****1296
REF # 9800002015 0

DATE 02/27/15 10:43
PUMP # 05
SERVICE LEVEL: SELF
PRODUCT: UNLD
APPROVAL # 019630
GALLONS: 6.831
PRICE/G: \$ 2.449
FUEL SALE \$ 16.73

THANK YOU
HAVE A NICE DAY

Glacier Taxi & Tours
Serving Alaska's Capital
907.796.2300
www.glaciertaxiandtours.com

Cab # 31 Name M. Moore
From TRAVELERS To FERRY
Date 03.13.2015 Amount \$ 35.25⁰⁰

[Log Out](#)



My Cards (2)

SYNC WITH QUICKBOOKS®
Not Enrolled

Table View



TOTAL: \$1,530.41

Year End Summary

1 - 10 of 10 Transactions

Charges

TOTAL 3733.46

Gas (Speedway)
\$85.20 ✓

✓ \$285.60

- receipt ✓
- receipt ✓

receipt ✓
\$19,416.80

\$19,416.80

Go to: **Current transactions**

108351
108351
4/2/2015Payee Daniel Henry
Vendor ID HENRY

Account #:

Invoice	Description	Discount	Amount
EXPREP#040115	REIMBURSEMENT FOR FLIGHT ON WINGS - WP LEASE ...	\$0.00	\$115.00
Total :			
		\$0.00	\$115.00

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.



MUNICIPALITY OF SKAGWAY
GENERAL FUND
P.O. BOX 415
SKAGWAY, AK 99840
(907) 983-2297

WELLS FARGO BANK, N.A.
WWW.WELLSFARGO.COM
89-5/1252

108351
108351

****One Hundred Fifteen and 00/100 Dollars

DATE AMOUNT
4/2/2015 \$115.00
MUNICIPALITY OF SKAGWAY
VOID AFTER 90 DAYS

PAY
TO THE
ORDER
OF

Daniel Henry
P.O. Box 279
Skagway, AK 99840
USA

AUTHORIZED SIGNATURE

MUNICIPALITY OF SKAGWAY GENERAL FUND

Payee Daniel Henry
Vendor ID HENRY

Account #:

108351
108351
4/2/2015

Invoice	Description	Discount	Amount
EXPREP#040115	REIMBURSEMENT FOR FLIGHT ON WINGS - WP LEASE ...	\$0.00	\$115.00
Total :			
		\$0.00	\$115.00

Exhibit 18

Page 15 of 17

EXPENSE REPORT

Period: From: 2/19/2015 To: 2/19/2015

Name: Daniel J. Henry
 Department: Assembly
 Send Check To: Inbox

Address:

EXPENSE REPORTS ARE DUE THE FRIDAY BEFORE BI-MONTHLY ASSEMBLY MEETINGS

DETAIL	THURS., 2/19	TUES., 3/17	WEDS., 3/18					TOTAL
TRAVEL FROM	Skagway		Juneau					
TO →	Juneau		Skagway					
TO →								
TO →								
Lodging								0.00
Food @ \$58 per day								0.00
Transportation - Cash								0.00
Transportation - Chg.	115							115.00
Local Trans.								0.00
Auto - Personal @ \$0.56								0.00
Auto - Rental/Lease								0.00
Auto - Gas & Oil								0.00
Auto - Repair & Maint.								
Tips/Gratuities								0.00
Telephone								
Valet/Laundry								
Entertainment								
TOTALS	115.00	0.00	0.00	0.00	0.00	0.00	0.00	115.00

Less advanced per diem: \$0.00
 Total Reimbursement: \$115.00

DETAILS OF ENTERTAINMENT EXPENSE

DATE	PERSONS ENTERTAINED	PLACE ENTERTAINED	BUSINESS PURPOSE	AMOUNT

PURPOSE OF TRIPS

Travel to Florida to meet with White Pass re: lease negotiations.

Submitted by: Emily Deach

Date: 4/1/2015

FOR ACCOUNTING DEPARTMENT USE

Approved by:

[Signature]

Date: 4/1/15

Checked by:

Date:

Account Charged: 1040-5180-GE

Check No:

Date:

ENTERED
 4215

[Handwritten: LHDH]

DAN

HENRY
WINGS.

PDR * READ MODE *

SGYK50001/0057AT/GS

25MAR15/2156Z

RPD/K5047/19FEB15-HENRY/DAN

--- TST RLR DCS SFP ---

RP/SGYK50001/SGYK50001

AA/GS 19FEB15/2107Z ZVMRJ8

RF /DCS-SYNCUS

1.HENRY/DAN

2 K5 047 Y 19FEB 4 SGYJNU FLWN

3 APM 9079832442

4 TK PAX OK19FEB/SGYK50001//ETK5/S2

5 SSR DOCS K5 HK1 ////08MAY55/M//HENRY/DAN//H

6 RM NOTIFY PASSENGER PRIOR TO TICKET PURCHASE & CHECK-IN:

FEDERAL LAWS FORBID THE CARRIAGE OF HAZARDOUS MATERIALS -

GGAMAUSHAZ/S2

7 RM BOOKED TICKET ON FISH COMPANY ACCOUNT 3927 MT

8 FA PAX 609-2400050996/ETK5/USD115.00/19FEB15/SGYK50001/02990

385/S2

9 FB PAX 1900002528 TTP/T1/RT OK ETICKET/S2

10 FE PAX BG:K5/S2

11 FP INVC/3927

12 FV PAX K5/S2

>

MEMORANDUM

State of Alaska

Department of Law

TO: Linda Perez
Director
Office of the Governor

Designated Ethics Supervisors
Executive Branch Agencies

FROM: *Judy Bockmon*
Judy Bockmon
Assistant Attorney General
Opinions, Appeals and Ethics

DATE: May 11, 2007

FILE NO.: 661-07-0440

TEL. NO.: 907 269-5216

FAX:

SUBJECT: Kenai River Classic: Participation
and Gift Disclosure

ARRIVED

SEP 04 2014

**APOC - ANCH
PM HC FAX ELE**

In July, the Kenai River Sportfishing Association (KRSA) holds a fundraiser called the Kenai River Classic. In past years, state officers have been invited to attend at KRSA's expense. We understand that some state officers may attend the Classic in the course of their official duties. It is important that your agency officers understand their obligations under the Executive Branch Ethics Act regarding these invitations and participation in the Classic.

KRSA is a private nonprofit organization which seeks to preserve habitat and promote access to the sport fisheries of the Kenai River. We understand that KRSA works with state and federal agencies to determine educational or conservation programs it wishes to develop and/or support. KRSA regularly submits regulatory proposals to the Board of Fisheries and takes positions on other proposals before the board affecting Cook Inlet and Kenai sport fisheries. The Kenai River Classic fundraiser, now in its 14th year, has raised millions of dollars to support KRSA purposes. The event typically has numerous corporate sponsors and individual contributors and participants have included the state's United States senators, governors, legislators and other officials. According to the event website, this year's Classic begins with a welcome dinner followed by two full days of events, including fishing, various meals, and social activities.

The Ethics Act is intended to ensure that public officers will not base their official decisions and actions upon their own personal or financial interests.¹ A purpose of the Act is to ensure that "public officers conduct the public's business in a manner that preserves the integrity of the governmental process and avoids conflicts of interest."²

¹ AS 39.52.010.

² AS 39.52.010(a)(4).

The Act acknowledges that public officers should be free to pursue personal and financial interests, as long as the interests do not interfere or conflict with the officers' public responsibilities. The Act speaks principally to actual substantial conflicts of interest, not the appearance of conflict alone.³ However, when a public officer is given a gift, we ask whether, under the circumstances, it is reasonable to infer that the giver intended to influence the officer's official action. If so, the gift is improper and must be refused.⁴

The Ethics Act gift provision, AS 39.52.130, reads in pertinent part:

(a) A public officer may not solicit, accept, or receive, directly or indirectly, a gift, whether in the form of money, service, loan, travel, entertainment, hospitality, employment, promise, or in any other form, that is a benefit to the officer's personal or financial interests, under circumstances in which it could reasonably be inferred that the gift is intended to influence the performance of official duties, actions, or judgment.

(b) Notice of the receipt by a public officer of a gift with a value in excess of \$150, including the name of the giver and a description of the gift and its approximate value, must be provided to the designated supervisor within 30 days after the date of its receipt

- (1) if the public officer may take or withhold official action that affects the giver; or
- (2) if the gift is connected to the public officer's governmental status.

A "gift" is "a transfer or loan of property or provision of services to a public officer for less than full value."⁵ Therefore, there are three types of gifts: 1) those that must be refused; 2) those that may be accepted and if worth over \$150, reported; and 3) those that may be accepted and not reported.

Gifts that must be refused meet two conditions: First, the gift benefits a public officer's personal or financial interests. Second, the gift, regardless of value, is given

³ 9 AAC 52.010; 1993 *Inf. Op. Att'y Gen.* (Jan. 1; 663-93-0113), 1993 WL 595769 (Alaska A.G.) at *2-3, 5. We nevertheless recommend that public officers consider whether their personal activities may give the appearance of a conflict with their state position.

⁴ 2000 *Inf. Op. Atty. Gen.* (March 20; 663-00-0156), 2000 WL 875887. Actual intent to influence is not required. *Id.*

⁵ 9 AAC 52.060(a).

SEP 04 2014

under circumstances in which it could reasonably be inferred that the gift is intended to influence the performance of official duties, actions, or judgment.⁶

Gifts that must be reported are those with a value in excess of \$150, whether affording a personal or financial benefit to the public officer or not, if connected to the public officer's governmental status or if the public officer may "take or withhold official action that affects the giver." This disclosure triggers the designated ethics supervisor's review and determination whether receipt of the gift may violate the Ethics Act.

Gifts that may be accepted and not reported are those with a value of up to \$150 received in circumstances that do not require that they be refused. Gifts of less than \$50 are presumed not to be given under circumstances in which it could reasonably be inferred that the gift is intended to influence official action, unless rebutted by other evidence.⁷

Attendance as a guest at an event, such as the Classic, at someone else's expense may be permissible so long as participation does not violate the Ethics Act and appropriate disclosure is made of the benefits received.⁸ It is critical for each public officer to understand that he or she may not accept gifts, whether in some tangible form,

⁶ If the public officer is uncertain whether a gift may be accepted, the officer should seek an ethics determination from the agency's designated ethics supervisor or if the officer is the commissioner, Linda Perez, Director of the Office of the Governor.

⁷ 9 AAC 52.060(a). The original threshold for disclosure was \$50. It was raised to \$150 on January 1, 1999. We have observed that the legislature's identification of a threshold value reflects a policy that gifts of lower value are unlikely to be intended to influence judgment. It also reflects recognition that, within a certain range, it is neither uncommon nor improper for individuals or organizations to provide meals, gifts or entertainment to recognize, honor, or be cordial to a public officer. On the other hand, identification of a threshold also means that a public officer may not assume that similar gifts valued above the threshold are proper. *2000 Inf. Op. Atty. Gen.* (March 20; 663-00-0156), 2000 WL 875887 at 2-3.

⁸ Ordinarily, a public employee should use approved personal leave to attend a private event during regular duty hours. *See AS 39.52.120(b)(3) & (d)*. We understand that in the past some public employees have attended Classic activities as part of their official duties. We assume that a determination was made that attendance would benefit the state and mission of the agency. However, if a public employee attends in an official capacity and neither the state nor the employee pays for activities in which the employee participates or for gifts received, then gift disclosures must be made of benefits and gifts received, where the value totals in excess of \$150.

SEP 04 2014

such as fishing gear, or in the form of benefits or services, such as transportation, meals, lodging or guided fishing, if, under the circumstances, an impartial person could reasonably infer that the gift, regardless of its value, is intended to influence official actions or judgment.⁹

Prior to accepting an invitation to participate in an event, such as the Classic, at no cost, or other tangible gift, a public officer should consider several questions.¹⁰

1. Can I take or withhold official action that affects the giver?

Under the Ethics Act, the term "official action" means "recommendation, decision, approval, disapproval, vote, or other similar action, including inaction."¹¹ We consider the circumstances at the time of the gift. At one end of the spectrum, if the officer can take no action that affects the giver, there is little to support an inference that the gift was intended to influence the officer. At the other end, it can be reasonably inferred that a gift is intended to influence if an important decision is currently pending directly before the officer.¹² Gifts may usually be accepted and disclosed, if valued at \$150 or more, when no actual action is presently pending, even when it is possible that some action affecting the giver may come before the board in the future.¹³ However, specific circumstances may make a gift improper even if no action is pending.

2. Is the gift given to me in my personal capacity or in my capacity as a public officer?

The answer to this question is specific to the public officer and may depend on the officer's personal interests. We consider the circumstances of the gift giving. For example, we look at whether the gift is given by a family member or friend or someone with business before the officer's agency. We consider whether a gift marks a personal occasion where gifts are customarily given.

⁹ 2000 *Inf. Op. Atty. Gen.* (March 20; 663-00-0156), 2000 WL 875887 at 3.

¹⁰ *Id.* at 2-3. These are the questions that designated ethics supervisors and the Department of Law ask when reviewing the propriety of gifts received and disclosed.

¹¹ AS 39.52.960(14).

¹² 2000 *Inf. Op. Atty. Gen.* (March 20; 663-00-0156), 2000 WL 875887 at 2.

¹³ 1988 *Inf. Op. Atty. Gen.* (April 21; 663-88-0465), 1988 WL 249450.

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3. What is the value of the gift?

Value is “full value” to the recipient—not a discounted value or the cost to the giver.¹⁴ As a general rule, the greater the value, the stronger the inference is that it was intended to influence. We also consider frequency. A single small gift may not support an inference of intent to influence, but a series of small gifts, which in the aggregate represents a substantial value, may.¹⁵

Participation in all Classic activities would clearly have a value of more than the \$150 threshold for reporting gifts, although individual activities, such as a meal may not rise to that value.¹⁶ A public officer may be given in kind the value of the fishing, meals, or entertainment in which the officer participates and hotel accommodations and travel. We understand that KRSA may distribute Classic gift bags. It is incumbent upon each public officer who attends to appropriately assess the value of his or her own participation or gifts received and make a gift disclosure, if required by the Ethics Act.

As the above discussion suggests, we weigh many factors when considering the propriety of a particular gift. We may ask whether the circumstances suggest that the giver simply intends to maintain a cordial working relationship or whether the giver is so generously bestowing gifts on the public officer that one may infer the intent to influence the officer to give more weight to the giver’s viewpoint in some anticipated future action.¹⁷ If others, who are not state officers, are given the same gift, the giving of the gift may be less likely to suggest an intention to specifically influence the individual recipient. We may weigh the importance of the pending action to the giver. Is it a routine matter where the public officer has little discretion? Or will the decision have a significant impact on the giver or another third party? We may examine the benefit to the state of participation.¹⁸

¹⁴ 9 AAC 52.060(a).

¹⁵ 2000 *Inf. Op. Atty. Gen.* (March 20; 663-00-0156), 2000 WL 875887 at 3.

¹⁶ According to the Classic website, persons registering to participate in the Classic this summer are asked to make a \$4000 donation. A non-fishing participant, who accompanies a fisher, is asked to donate \$2000. These amounts as “donations” do not necessarily equate to the value of the benefits.

¹⁷ 2001 *Inf. Op. Att’y. Gen.* (September 12; 663-02-0010) discussing 2000 *Inf. Op. Atty. Gen.* (March 20; 663-00-0156), 2000 WL 875887.

¹⁸ See 2000 *Inf. Op. Atty. Gen.* (March 20; 663-00-0156), 2000 WL 875887.

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We also want to make clear that participation in the Classic or similar events sponsored by private individuals or groups may not involve gifts or may trigger other Ethics Act considerations depending on the circumstances. A public officer, who supports the KRSA or another group or simply desires to attend a fundraiser, may participate at his or her own expense using approved personal leave for time when the officer would ordinarily be at work without violating the Ethics Act. If a public employee is a KRSA member¹⁹ and volunteers to assist KRSA in putting on the Classic on the employee's own time, the Ethics Act requires the employee to make an outside services disclosure, if the employee will receive any form of compensation (including meals, travel or free participation), so that potential conflicts with the employee's state duties may be evaluated.²⁰

If you need additional advice concerning the circumstances of any individual agency officer, who may attend the Kenai River Classic, and the application of the Ethics Act, please let us know.

¹⁹ If a public officer's interest and involvement in KSRA rises to a "personal interest" or "financial interest" as those terms are used in the Act, there is an additional ethics concern. The officer may need to refrain from action in his or her state position, if the action may affect those interests. AS 39.52.120(b)(4). *1999 Inf. Op. Att'y Gen.* (Sept. 23; 663-99-0232); 1999 WL 1454824 (Alaska A.G.) at *2-3, *citing to 1994 Inf. Op. Att'y Gen.* (Nov. 29; 661-95-0214).

²⁰ AS 39.52.170. This provision applies to every "public employee." It does not apply to volunteer board and commission members. Heads of principal executive branch agencies are prohibited from outside employment for compensation. AS 39.52.170(c).

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