

**Minutes of the Regular Meeting  
Denali Borough Planning Commission  
Tri-Valley Community Center  
February 21, 2012**

**1) Call to Order**

Presiding Officer, Sid MICHAELS, called the planning commission regular meeting to order at 2:10 PM.

**2) Roll Call**

Planning commission members present were Anne CAPISTRANT, Patricia GRIGGS, Steve JONES, Sid MICHAELS, and Julia POTTER. Mark MENKE and Rick WEIBEL notified the commission that they would be unable to attend the February meeting. Bill MITCHELL was absent.

**3) Public Comments**

There were no public comments.

**4) Approval of Agenda**

Julia POTTER MOVED to approve the agenda, Patricia GRIGGS seconded. A typographical error, the date for the approval of the minutes, was noted. The VOTE to approve the agenda PASSED unanimously.

**5) Approval of Minutes**

- a) Steve JONES MOVED to approve the minutes from the January 17, 2012 Public Hearing; Julia POTTER seconded. The VOTE to approve the Public Hearing minutes PASSED unanimously.
- b) Julia POTTER MOVED to approve the minutes from the January 17, 2012 Regular Meeting; Anne CAPISTRANT seconded. A typographical error, misspelling of CAPISTRANT in the 2<sup>nd</sup> paragraph under the heading ELECTIONS, was noted. The VOTE to approve the Regular Meeting minutes PASSED unanimously.

**6) Correspondence**

There was no correspondence for this meeting.

**7) Plats and Conditional Uses**

There were no plats or conditional use issues before the commission.

**8) Reports**

- a) Mayor
  - Comprehensive Plan amendment recommendations forwarded to the Denali Borough Assembly were approved at the February 15 Regular Meeting. The mayor was asked what his opinion was on a five-year vs. the present two-year standard review schedule of the Comp Plan. The mayor responded that it was worth looking into making the period between standard reviews longer.
  - The Alaska Stand Alone Gas Pipeline group will be holding a meeting in Cantwell on February 23. A Talkeetna group and the local Denali Citizens Council requested, thru the Federal Energy Regulatory Commission, a meeting be held in Cantwell. A specific concern to these groups is a road that may be built off the Denali Highway to access the proposed project.
  - Jeremy Johnson with the Division of Community and Regional Affairs will be conducting Newly Elected Officials training in the Tri-Valley Community Center on April 23, 2012. The time of the training has yet to be set.
  - Mr. James Gorski, borough attorney, will assist the borough in writing a Request for Proposal (RFP) to secure a registered surveyor to accomplish a boundary survey of the Swan Lake parcel. The goal is to

1 complete this project within the 2012 budget cycle. The advertisement, for the RFP, will be posted in  
2 March with work potentially starting in early April.  
3

- 4
- 5 • The mayor responded to inquiries on the following issues:
    - 6 1. The mayor shared some of his perceptions gained from a recent trip to Juneau: the legislators  
7 appear somewhat distracted in that 59 of the 60 will have to run for reelection this November;  
8 land and infrastructure issues are not a major focus; some bills being introduced appear more  
9 intent on garnering media attention than doing the people's business; there is a lot of talk about  
10 state departments experiencing budget cuts due to expected declines in revenue from the  
11 federal government; the Alaska Department of Transportation and Public Facilities receives a lot  
12 of federal dollars and may be particularly impacted by cutbacks; the governor has eliminated  
13 many state jobs with an across the board cut of any positions that were vacant for over eight  
14 months. The mayor anticipates that the borough will be impacted by unfilled/eliminated state  
15 jobs and reduced department budgets.

16 The design of the Susitna Dam project has been modified to increase the height of the dam  
17 15 feet. This will increase the area to be flooded, from approximately 24 miles to 36 miles,  
18 which will extend the impacted area into the Denali Borough.  
19

20 A number of legislators commented on the plight of the Denali Borough when it comes to  
21 redistricting noting that the borough has gotten shoehorned around from being connected  
22 to the city of North Pole then to West Fairbanks and now to western Alaska.  
23

24 Representative Stoltz is working to refine the law that allows the Board of the Alaska  
25 Railroad to release nonessential railroad property. There is some talk of instituting a petition  
26 system so that citizens could propose the transfer of nonessential railroad lands. The board  
27 would be required to address these requests.  
28

- 29 2. The borough assembly opted to oppose the spraying of herbicides by the Alaska Railroad in  
30 the Denali Borough. A letter has been sent to the Alaska Department of Environmental  
31 Conservation conveying that sentiment in regards to the proposed spraying from Clear Air  
32 Force Base to Fairbanks.  
33

34 b) **Planner**

- 35 • Mr. Mercer signed his one-year temporary use permit.
- 36 • Mr. Wait, from the Department of Natural Resources, contacted the borough asking for information  
37 on the Speer easement. As part of her agreement to gain an easement across state land, Ms. Speer  
38 was required to put up a bond. Although the bond has not been secured, Ms. Speer has cleared the  
39 easement from the highway to the borough's property boundary and has not yet begun clearing  
40 borough-owned land.  
41

42 **9) Communication and Appearance Requests**

43 There were no communication or appearance requests for this meeting.  
44

45 **10) Unfinished Business**

46 a) **FY 2013 Budget**

47 Anne CAPISTRANT MOVED to put \$5,600 into the proposed budget for non-staff stipends; Julia POTTER  
48 seconded. The VOTE to include \$5,600 for this line item PASSED unanimously.  
49

50 Julia POTTER MOVED to put \$61,500 into the proposed budget for staff salaries; Patricia GRIGGS  
51 seconded. The VOTE to include \$61,500 for this line item PASSED unanimously.  
52

1  
2 Julia POTTER MOVED to put \$97,400 into the proposed budget for staff benefits; Patricia GRIGGS  
3 seconded. The VOTE to include \$97,400 for this line item PASSED unanimously.  
4

5 Julia POTTER MOVED to put \$500 into the proposed budget for non-staff benefits; Patricia GRIGGS  
6 seconded. The VOTE to include \$500 for this line item PASSED unanimously.  
7

8 The total proposed Fiscal Year 2013 budget for Land Management is \$379,200. Patricia GRIGGS MOVED to  
9 submit the proposed budget to the mayor; Julia POTTER seconded. The ROLL CALL VOTE to submit the  
10 proposed budget to the mayor PASSED unanimously, with MICHAELS, POTTER, JONES, CAPISTRANT, and  
11 GRIGGS voting in the affirmative.  
12

13 b) Draft 6 DBC Chapter 4.25 Classification of Borough-owned Land

14 Steve JONES MOVED to substitute proposed Draft 7 for Draft 6; Julia POTTER seconded. The VOTE to  
15 substitute proposed Draft 7 for Draft 6 PASSED unanimously.  
16

17 Steve JONES MOVED to amend Draft 7 by including Mark MENKE's proposed draft definition for Resource  
18 Management: "The organizing and controlling of the development of natural resources in a manner that is  
19 economically viable, socially beneficial, and ecologically sustainable."; Julia POTTER seconded. The VOTE  
20 to accept this definition PASSED unanimously.  
21

22 In Draft 7, a number of typographical errors were noted:

- 23 • Under Definitions 4.25.020, combine the two introductory statements numbered 1 and 2 and  
24 include no alphabetical or numerical reference.
- 25 • Under definitions "Heavy Industrial" first paragraph, second to last word should read 'land'.
- 26 • Under definitions "Preservation" change 'their' to 'its'.
- 27 • Under definitions "Public Facilities" add a comma after 'include' and a comma after 'to'.
- 28 • Under definitions "Recreational Cabin" add 'a' before cabin.  
29

30 Two definitions have yet to be formulated: Recreation Development and Rural Residential. Julia POTTER  
31 volunteered to work on developing these definitions; other commissioners are welcome to do so also.  
32 Proposed definitions should be sent to the clerk for inclusion in the March e-packet.  
33

34 Steve JONES queried whether the commission had the time to review the Draft Resolution Working  
35 Example for land classification. The following points were made:

- 36 • The terms 'allowed uses' and 'non-allowed uses' may be problematic in that if a property is sold,  
37 these proposed uses/non-allowed uses are null and void. The term 'non-allowed uses' indicates  
38 that only those uses listed under that category are denied and all other uses permitted. The term  
39 non-allowed uses should be replaced, perhaps with uses not recommended.
- 40 • One of the concerns initially identified, with the classification chapter, was that eleven  
41 classifications were too many. With the proposed revisions to Chapter 4.25, there are now 39  
42 classifications: five primary classifications, fifteen secondary uses, and nineteen sub-uses.
- 43 • The commission appears to have lost sight of the original intent in revising Chapter 4.25. What is  
44 in code now is better than Draft 7. The present revision of 4.25 is too complicated and confusing.  
45 In the working example, one of the parcels is recommended for seven uses.
- 46 • All classifications, including those presently labeled as primary uses, should be placed in a single  
47 list and each defined.
- 48 • The working example includes proposed classifications as uses.
- 49 • As defined, the classification 'settlement' appears to include almost every development  
50 imaginable.
- 51 • Taken all together, the present format of the classification ordinance will result in a Land  
52 Management Plan already being in place.

- There were conflicting interpretations of what the present draft does:
  - The present format defines five classifications via the primary uses listed underneath them in 4.25.030. The definition of settlement under 4.25.020 is deficient and could be deleted.
  - The primary uses are listed as what the commission feels the land is best suited for under a given land classification and is not the definition of the classification. Section 4.25.020 is meant to define the classifications.
- As now presented, the ordinance allows the possibility of all five classifications to be attributed to a single parcel of land, which results in no classification of the land at all.
- Some tweaks are all that is necessary to fix the present draft and it is better than what we had.

Julia POTTER MOVED to have a worksession on revisions for Chapter 4.25 on March 7 @ 2:30 PM in the Tri-Valley Community Center; Patricia GRIGGS seconded. The VOTE to hold a worksession PASSED unanimously.

c) Discussion DBC Chapter 4.15 Disposal of Borough Real Property

Anne CAPISTRANT MOVED to accept Draft (1) 4.15 as a working document for the commission; Steve JONES seconded. The VOTE to accept Draft (1) was unanimous.

Julia POTTER MOVED to postpone this item to the next meeting; Anne CAPISTRANT seconded. The VOTE to postpone was unanimous.

d) Discussion of DBC Chapter 4.10 Management of Borough Real Property

Anne CAPISTRANT MOVED to accept Draft (1), a proposed ordinance, as a working document for the commission; Julia POTTER seconded. The VOTE to accept Draft (1) as a working document PASSED unanimously.

Anne CAPISTRANT MOVED to amend Draft (1) 4.10 (B.) second sentence to read: "A special use permit does not convey an interest in the land and may be for exclusive or non-exclusive use at the discretion of the administrator." Steve JONES seconded. The VOTE to amend Draft (1) PASSED unanimously. Draft (1) now becomes Draft (2).

Julia POTTER MOVED to postpone Draft (2) 4.10 to the next meeting; Anne CAPISTRANT seconded. The VOTE to postpone was unanimous.

e) Update on land classification of LAS 20704 (Mercer)

The mayor indicated that Mr. Mercer had received his temporary use permit and noted that another party was interested in a portion of the involved property. The administrator is working through that issue. There has been no progress on the classification of that land.

f) Draft 2 DBC Chapter 9.10 Subdivisions

Julia POTTER MOVED to postpone this item to the next meeting; Anne CAPISTRANT seconded. The VOTE to postpone this item to the next meeting was unanimous.

g) Discussion of a Regional Airport

The new director of the Department of Transportation's Maintenance and Operations in the Northern Region is interested in coming to the borough sometime this spring to discuss the possibilities of a regional airport in the Denali Borough.

Steve JONES MOVED to postpone this item to the next meeting; Anne CAPISTRANT seconded. The VOTE to postpone this item to the next meeting PASSED unanimously.

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2 **11) New Business**

3 a) Brown's Court-Alaska State cleanup of old landfill (ADL 414908- Trespass)

4 R. Bruce Sacklinger, of the State of Alaska Department of Natural Resources, requested the Planning  
5 Commission respond to whether or not it would be interested in reselecting that section of Brown's Court  
6 encompassing the old dump, if the state were to clean it up. The commission has agreed that it is not  
7 interested in reselecting that property. The borough already has a lot of land in the northern region and would  
8 like to reserve some of its remaining selections for something in the southern portion of the borough, if and  
9 when any becomes available.

10  
11 Julia POTTER MOVED to have Drew Simmons write a letter or communicate to Mr. Sacklinger informing him  
12 that the Denali Borough Planning Commission is no longer interested in selecting this land; Anne CAPISTRANT  
13 seconded. The ROLL CALL VOTE to have Mr. Simmons communicate the Commission's position that it is no  
14 longer interested in the property PASSED unanimously, with GRIGGS, CAPISTRANT, MICHAELS, POTTER, and  
15 JONES all VOTING in the affirmative.

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17 b) Clear Sky South ADL 419352

18 Comments for the Agency Review on proposed Remote Recreational Cabin Sites are due March 28, 2012. The  
19 commission should comment on the Clear Sky South ADL 419352, which is within the borough, so that the  
20 borough is not bypassed on further developments regarding the proposal. If the commission does not come  
21 up with a set of comments, the mayor will submit comments. The commission suggested that the issues of not  
22 crossing section and boundary lines and shape of the parcels could be contained in the comments. This item  
23 should appear on the next Public Hearing agenda.

24  
25 Julia POTTER MOVED to postpone this item to the next meeting; Anne CAPISTRANT seconded. The VOTE to  
26 postpone to the next meeting PASSED unanimously.

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28 **12) Public Comments**

29 There were no public comments.

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31 **13) Commissioner Comments**

32 Julia POTTER stated that it was a good meeting and that there has been good progress made on 4.25.

33  
34 Patricia GRIGGS stated that she was happy they were able to have a meeting.

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36 **14) Time and Place of Next Meeting**

37 March 20, 2012 at 1 PM in the Tri-Valley Community Center

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39 **15) Adjournment**

40 The Presiding Officer adjourned the February 21, 2012 Regular Meeting at 3:53 PM.

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42  
43 APPROVED:

44 Sidney W. Michaels  
45 Presiding Officer

46  
47 ATTEST:

48 Linda L. Caganee  
49 Deputy Clerk

50  
51 Date Approved: March 20 2012