

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

**Minutes of the Regular Meeting
Denali Borough Planning Commission
Tri-Valley Community Center
March 19, 2013**

1) Call to Order

Presiding Officer, Sid MICHAELS, called the planning commission regular meeting to order at 7:22 PM.

2) Roll Call

Planning commission members present were Patricia GRIGGS, Steve JONES, Ryan JUSCZAK, Molly MCKINLEY, Mark MENKE, Baxter MERCER, and Sid MICHAELS.

3) Public Comments

Hannah Ragland of Panguingue Creek Subdivision provided the following:

Another bill supporting the establishment of the Stampede State Recreation Area (SSRA) in the Wolf Townships was filed by Representative Guttenberg. The new bill is identical to the one introduced during the last legislative session, which included the land surrounding Eight-Mile Lake. The Denali Borough Assembly recently passed a new resolution in support of the recreation area and it is hoped the planning commission, as it has done in the past, will do the same. The Department of Transportation and Public Facilities (DOT) has again requested a 1000' right-of-way along the road corridor thru the proposed recreation area. The Alaska Miners Association, under the impression that the proposed recreation would lock up mineral development, got involved in the last effort to create the recreation area. The language contained in the SSRA bill is one of the most liberal on this front as the bill stipulates that the commissioner can allow any mineral development where usually recreation areas are exempt from this type of activity. A lot of local residents do not want gas development in the area. Thank you to the commission for all the work it has been doing and thanks to the new members for serving.

4) Approval of Agenda

Ryan JUSCZAK MOVED to approve the agenda, Molly MCKINLEY seconded. The VOTE to approve the agenda PASSED unanimously.

5) Approval of Minutes

Patricia GRIGGS MOVED to approve the minutes from the February 19, 2013 Worksession, Public Hearing, and Regular Meeting and the March 5, 2013 Worksession; Mark MENKE seconded. The VOTE to approve the February 19 and March 5 minutes PASSED unanimously.

6) Correspondence

DNR Antler Creek Gravel Pit Final Finding

The Planning Commission filed comments with the Department of Natural Resources (DNR) regarding the proposed expansion of the gravel pit near Antler Creek. The commission has standing on this issue if it deems an appeal is warranted. All decisions by the state are based on what is in the best interest of the state. Appeals must be filed by March 27. The gravel at Antler Creek is of a better quality than that found in other nearby material sites. If the material is severed and sold to a contractor, the borough may be able to collect the severance tax. Mayor Walker has investigated this possibility with DOT and the State Tax Assessor and the conclusion drawn is that as DNR is selling the gravel to DOT the sale is a non-taxable event. This might be an issue for the borough attorney to review.

7) Plats and Conditional Uses

There were no plats or conditional uses before the commission.

1 **8) Reports**

2 a) **Mayor**

- 3 • The mayor expressed appreciation for the work the commission accomplishes and thanked the
- 4 members for their service.
- 5 • The trip to Juneau was successful. House Bill 148, SSRA, was reintroduced and is presently with
- 6 the Resource Committee. The mayor and assembly members met informally with AHTNA
- 7 representatives while in Juneau and had a productive discussion. The Cantwell School property
- 8 ownership issue was broached. It is unclear what the status/process is in the effort to have the
- 9 school grounds under Denali Borough ownership. Office staff will further research the Alaska
- 10 Native Claims Settlement Act (ANCSA) 14(c)(3). The topic of detachment/annexation of lands
- 11 from the Matanuska-Susitna was also discussed with the AHTNA representatives.
- 12 • The borough submitted comments to the Alaska Mental Health Trust on its proposed leasing of
- 13 the Liberty Bell mining area. The comment letter expressed concerns about the potential impacts
- 14 to the Ferry community, as the only access to the proposed development area, and the
- 15 classification of the area as both mineral development and recreation/wildlife with the stated
- 16 desire that recreation and hunting is able to continue in the area. Baxter MERCER expressed
- 17 concern over retaining public access to the larger area. Besides the Ferry road the nearest access
- 18 route to the east is Rex Trail.
- 19 • Leslye Langla, with the Alaska In-State Gas Pipeline Project, presented at the March assembly
- 20 meeting. The project is pretty far along as it has secured the full right-of-way and all required
- 21 permits.
- 22 • The former administration had pursued and was issued two permits (Corps of Engineers and
- 23 DOT) for the Dry Creek berm construction project. The permits were issued in 2009 and expire in
- 24 2014. The mayor recently contacted the property owners affected by the flooding issue to
- 25 remind them about the permit and to offer assistance in moving the project forward.
- 26 • DOT, Tanana Chiefs Conference, and the North Star Borough are hosting a New Passenger
- 27 Transportation Plan for the Interior – Workshop for Implementation in Fairbanks at the Noel
- 28 Wien Library on April 24. The mayor is soliciting an interested candidate from our area to
- 29 represent the borough at this meeting. The mayor may be in attendance.
- 30 • The mayor plans to attend the Alaska Railroad (AKRR) Board Meeting in May with particular
- 31 interest in receiving an update on the developing AKRR Real Estate Sale Policy.
- 32 • Governor Parnell has expanded the annual governor’s picnic beyond Alaska’s three largest cities
- 33 by offering smaller communities an opportunity to compete for hosting a “travelling picnic.”
- 34 Glenallen hosted the picnic last year. The mayor would like to see a citizen committee formed to
- 35 spearhead efforts to host the picnic and to solicit funds, as no public money may be used. It is
- 36 probably too late to begin an effort for this year’s picnic, but depending on local interest efforts
- 37 could be begun for the 2014 picnic.
- 38 • The resolution in support of the Denali Borough detaching/annexing land from the Matanuska-
- 39 Susitna borough before the assembly was tabled indefinitely at the February meeting. The status
- 40 of the resolution remains unchanged.

41

42 b) **Borough Planner**

- 43 • AKRR is updating their policy regarding residential use of the railroad’s right-of-way. In the Denali
 - 44 Borough, the use of herbicides along the track from Anderson north towards Fairbanks was
 - 45 approved. When spraying of herbicides is to occur, the railroad is required to post at crossings.
 - 46 The permit to use herbicides is for five years.
 - 47 • The Panguingue B survey instructions are for approximately 7000 acres.
 - 48 • Swan Lake final plat has not yet been recorded.
 - 49 • Mr. Kyle Davis has not contacted the planner since he attended the February commission
 - 50 meeting.
- 51
- 52

1
2 **9) Communication and Appearance Requests**

3 There were no communication or appearance requests.
4

5 **10) Unfinished Business**

6
7 **a) Draft 1 Chapter 4.01 Definitions (Proposed)**

8 With no objections made, this item was postponed to the next meeting by unanimous consent.
9

10 **b) Draft 2 Chapter 4.05 Real Property Acquisition**

11 With no objections made, this item was postponed to the next meeting by unanimous consent.
12

13 **c) Draft 7 Chapter 4.10 Management of Borough Real Property**

14 Patricia GRIGGS MOVED to substitute Draft 7 proposed edits for Draft 7 and to label the new document Draft
15 8; Mark MENKE seconded. The VOTE to substitute was unanimous. With no objections made, this item was
16 postponed to the next meeting by unanimous consent.
17

18 **d) Draft 7 Chapter 4.15 Disposal of Borough Real Property**

19 The commission continued work on editing this chapter during the worksession and will take up where
20 they left off at the next scheduled worksession. With no objections made, this item was postponed to the
21 next meeting by unanimous consent.
22

23 **e) Draft 2 Chapter 4.20 Financial Provisions for Land Sales and Leases**

24 With no objections made, this item was postponed to the next meeting by unanimous consent.
25

26 **f) Draft 13 Chapter 4.25 Classification of Borough-owned Land**

27 With no objections made, this item was postponed to the next meeting by unanimous consent.
28

29 **Draft Resolution Working Example Version 6**

30 With no objections made, this item was postponed to the next meeting by unanimous consent.
31

32 **g) Letter to the Assembly (re: recommended amendments to Title 4)**

33 With no objections made, this item was postponed to the next meeting by unanimous consent.
34

35 **h) Draft 2 Chapter 9.10 Subdivisions**

36 With no objections made, this item was postponed to the next meeting by unanimous consent.
37

38 **i) Draft Yukon-Tanana Area Plan Discussion**

39 With no objections made, this item was postponed to the next meeting by unanimous consent.
40

41 **j) Draft 1 Chapter 9.21 Zoning Scenic Corridor (Proposed New Chapter)**

42 Steve JONES will work with the planner, Marsha Lambert, to create a map and a legal description for the area
43 for the next meeting. With no objections made, this item was postponed to the next meeting by unanimous
44 consent.
45

46 **k) Draft 1 Chapter 9.22 Zoning Airport Reserve (Proposed New Chapter)**

47 Steve JONES and the planner will get together and incorporate some of the Federal Aviation Administration's
48 specifications for noise and height restrictions onto a map. With no objections made, this item was postponed
49 to the next meeting by unanimous consent.
50
51
52

1 l) **12-02-12 Jones Nomination for Classification Proposal Letter (Scenic Corridor & Airport Reserve)**

2 In the proposal for the airport reserve, there is a parcel of borough land, which will need to be classified. The
3 effort to zone state land for the airport reserve and classify borough land should occur simultaneously. At this
4 time, there is no borough land involved with the scenic corridor proposal. With no objections made, this item
5 was postponed to the next meeting by unanimous consent.
6

7 m) **Draft 1 Chapter 9.30 Zoning Signage (Proposed New Chapter)**

8 With no objections made, this item was postponed to the next meeting by unanimous consent.
9

10 n) **Discussion of Land Classification**

- 11 1. LAS 24549 T12S R8W F.M. South Stampede Rd. (Coke Wallace) – 210 acres
12 2. T12S R8W F.M. West portion of SE ¼ of Sec 2. North side of Stampede Rd at intersection with
13 highway (Baxter Mercer) – 40 acres
14

15 The clerk clarified by reading the minutes from the February meeting that the commission nominated
16 these two parcels for classification and that the issue is now before the administration.
17

18 Under borough code 4.25 all land must be classified prior to anything occurring on that land. Both parcels
19 and the associated permits were transferred to the Denali Borough from the State of Alaska. The state
20 changed its policy from long-term leasing to year-to-year permits. The borough intends to have long-term
21 leasing as an option for its lands. Under borough code, to lease land an appraisal is required; appraisals
22 are normally done for the best use of the land. At this time, the borough code stipulates that a Special Use
23 Permit is good for one year and can be renewed for only one additional year. The Wallace land has been
24 surveyed; the Mercer land has not been, but is part of the Panguingue B survey area.
25

26 With no objections made, this item was postponed to the next meeting by unanimous consent.
27

28 **11) New Business**

29 a) **AHTNA requested DB annexation of land from the Matanuska-Susitna Borough**

30 The mayor discussed this item and reiterated that the assembly's resolution regarding this issue has been
31 postponed indefinitely. Prior efforts on the detachment/annexation issue did not generate a lot of support from
32 AHTNA. The ANCSA 14 (c)(3) situation with school ground ownership was addressed during the past effort also.
33 Former Assemblyman James Caswell was heavily involved in past efforts as he represented the Cantwell area.
34 There are other state lands, which would be advantageous to select as part of the municipal entitlement
35 program in the southern portion of the borough. The commission will not keep this item on their agenda.
36
37

38 b) **Panguingue B Survey Instructions – Request for Proposal**

39 The borough has the survey instructions from the state and money to pay for the service; the survey instructions
40 are good for a two year period. Steve JONES MOVED to ask the mayor to proceed with a Request For Proposal
41 (RFP) for a boundary survey of Panguingue B; Baxter MERCER seconded. The ROLL CALL VOTE to have the mayor
42 proceed with generating a RFP for the boundary survey PASSED unanimously with GRIGGS, JONES, JUSCZAK,
43 MCKINLEY, MENKE, MERCER, and MICHAELS voting in the affirmative.
44

45 The mayor will ask for volunteers to assist in evaluating applications and selecting the firm to survey.
46

47 There were questions as to whether borough land needs to be surveyed prior to leasing or allowing use of it.
48

49 c) **Land Management and Resource Extraction Fee Schedules**

50 The mayor queried whether the commission was satisfied with the draft schedules or if they wanted to provide
51 some additional input. The commission will keep this item on their agenda with the Title 4 chapters and will
52 provide feedback to the mayor at a later date. Some additional research may be in order.

1
2 With no objections made, this item was postponed to the next meeting by unanimous consent.
3

4 **12) Public Comments**

5 There were no public comments.
6

7 **13) Commissioner Comments**

8 Steve JONES MOVED to schedule a worksession on April 2, 2013 at 5 PM focused on Title 4 Chapters; Mark
9 MENKE seconded. The VOTE to schedule the worksession PASSED unanimously.
10

11 Molly MCKINLEY will submit a resolution of support for the establishment of the SSRA to the clerk for inclusion
12 on the next meeting's agenda.
13

14 Sid MICHAELS broached the topic of the proposed closure of the Clear Air Force Station's power plant. The
15 proposal, as understood, is to shut the coal-powered plant down, obtain electrical power from Golden Valley
16 Electric Association and use fuel oil for heat. The Alaska Federal Employee Union is attempting to gain support
17 to keep the plant open and to have it hooked into the intertie grid. The air permit, to run the coal fired plant,
18 will not be transferred to a new owner. The plant is presently operating at half its capacity, partly due to the
19 change in the radar system.
20

21 The mayor noted that there are a number of issues to consider regarding the plant closure two of which are
22 1) the City of Anderson would be adversely impacted by the plant closure and 2) obtaining clean, affordable
23 energy is in everyone's best interest. There were great discrepancies in the studies that determined how much
24 the plant closure would save the Air Force. The administration is presently drafting a resolution to put before
25 the assembly that will in essence ask the Air Force to reevaluate the closure and the options open to them.
26 The Alaska Federal Employee Union will be presenting at the April 10 assembly meeting in Anderson. The
27 commission would like to see the Clear Air Force Station power plant closure resolution and this item on their
28 April meeting agenda.
29

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

31 The next meeting of the Planning Commission will be April 16, 2013 at 6:15 PM in the Tri-Valley Community
32 Center.
33

34 **15) Adjournment**

35 The Presiding Officer adjourned the March 19, 2013 Regular Meeting at 9:10 PM.
36
37
38
39

40
41 APPROVED:

Mary B. McKinley
42 Deputy Presiding Officer

43
44
45
46
47 ATTEST:

Lyndee J. Rayner
48 Deputy Clerk
49

50 Date Approved: April 16, 2013
51
52