

**Minutes of the Regular Meeting
Denali Borough Planning Commission
Tri-Valley Community Center
April 16, 2013**

1) Call to Order

Deputy Presiding Officer, Molly MCKINLEY, called the planning commission regular meeting to order at 7:28 PM.

2) Roll Call

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

3) Public Comments

There were no public comments.

4) Approval of Agenda

The Deputy Presiding Officer requested that the Application for Temporary Use of Water submitted by Great Northwest, Inc. to the Department of Natural Resources be added to the agenda under New Business. There were no objections. Baxter MERCER MOVED to approve the amended agenda, Ryan JUSZAK seconded. The VOTE to approve the amended agenda PASSED unanimously.

5) Approval of Minutes

Baxter MERCER MOVED to approve the March 19, 2013 Worksession, Public Hearing, and Regular Meeting and the April 2, 2013 Worksession minutes; Mark MENKE seconded. The VOTE to approve the March 19 and April 2 minutes PASSED unanimously.

6) Correspondence

- a) Alaska Historical Commission Geographic Name Proposal Clarke Creek
Molly MCKINLEY drafted a comment letter, which was included in the commission's meeting packet, to the Alaska Historical Commission declaring that the planning commission had no objections to the naming of an unnamed creek located in the Denali Borough. Baxter MERCER MOVED to approve the sending of the letter with no changes; Mark MENKE seconded. The VOTE to submit the comment letter PASSED unanimously.
- b) Alaska Mental Health Trust Authority – Best Interest Decision Liberty Bell
The State of Alaska adopted the February 11, 2013 Best Interest Decision regarding the competitive lease offering as final without modification. The Denali Borough Mayor did weigh in on this issue expressing concerns regarding land classification of the area and access issues. Although the state received some mitigation measures stated to be "good and appropriate," mitigation measures will not be developed until an actual project has been scoped and defined.
- c) Alaska State Land Offering
It was noted that the state via Auction #472 – 2013 is offering 472 parcels of land in the annual sealed-bid auction. Denali Borough sites offered are contained in the June Creek and Clear Sky Subdivisions.

7) Plats and Conditional Uses

There were no plats or conditional uses before the commission.

8) Reports

a) **Mayor**

- The mayor expressed appreciation for the work the commission accomplishes and thanked the members for their service.

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- Representatives from the Alaska Department of Commerce, Community, and Economic Development (DCCED) Division of Community and Regional Affairs visited with the mayor and the planner to discuss **Community Mapping** efforts. The state has identified four profile priority areas, including the Denali Borough, to be mapped. There is special funding dedicated for this project, which is not meant to be an ongoing program. The state is offering to assist the borough in paying approximately 50% of the total cost of the mapping project estimated to be \$200,000. The state will continue to maintain the website where these maps are made available to the public. The state will be putting this project out for bid. The state needs to know if the borough is interested in pursuing this program this summer. The mayor requested this item be put on the May agenda of the commission. Questions regarding this issue should be submitted to the mayor.

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DCCED made a similar mapping proposal to the borough approximately 10 years ago. In 2009, the borough invested in purchasing Geo-database Files in ESRI ArcGIS format; other communities, which have participated in the Community Mapping program, had not made this investment. The state will use AutoCAD and aerial photographs to produce maps. There will be additional costs to the borough to convert the AutoCAD data into the borough's GIS program. In the Denali Borough, the focus of the state is to map the borough's four highway communities and the highway corridor. At this time, it is not known how far off the highway this mapping project would extend.

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- A Community Fair hosted by the Tri-Valley Community Library is scheduled for April 17 from 3:30 to 8:00 PM. The Denali Borough will have a booth and information describing some of the services the borough provides. It would be great to have a commissioner come by and join staff in this outreach effort.
 - Assistant Superintendent of Safety and Operations at Denali National Park Service & Preserve, Elwood Lynn, shared information with the mayor on the **Alaska Federal Lands Access Program**. The purpose of the program is to provide safe and adequate transportation access to and through federal lands. There is approximately \$7 million available annually for this program, which could involve rehabilitation, restoration, adjacent vehicular parking areas, provisions for pedestrians and bicycles, roadside rest areas, etc. Proposed projects should be identified in a statewide, regional, county, local, or tribal transportation plan and a Federal Land Management Plan. If the borough were interested in pursuing a portion of these funds, it would be advisable to work up a proposal and have it ready to go by January 2014.
 - The borough is putting together an **Invitation For Bid (IFB) for the boundary survey of Panguingue B**. The proposed timeline is as follows: invitation will be posted in the Fairbanks and Anchorage papers in April, the bids will be due in the office in late May, a Committee of the Mayor will evaluate the bids, the assembly will vote as to whether to approve the committee's recommendation at their June meeting, and as per the IFB, the survey should be completed by November 1, 2013. Mark MENKE and Ryan JUSZAK volunteered to be members of the committee along with the mayor. The bids will be opened and evaluated on June 3, 2013 at 6 PM in the Tri-Valley Community Center. The commission might want to begin the process of determining, with public input, the next municipal land area for surveying.
 - In regards to the **severance tax** issue arising from the situation whereby one Alaska State Department is allowing another to extract gravel for a project, the State is exempt from taxation by the Denali Borough. However, once a contractor becomes involved in doing the actual severing of material they will be charged the tax. The Denali Borough recently posted in the paper notice that it does collect severance taxes and as a result, new entities are stepping up to register and pay this tax.

- Mr. Bill Brophy, Vice President of Customer Relations, confirmed the **Usibelli Coal Mine** does not allow public use of mining roads.
- The **Alaska Railroad** has filed a permit application with the United States Army Corps of Engineers for a proposed construction project to improve services for Holland America – Princess (HAP). The proposal is to reconstruct and extend the wye track to allow trains to turn around, to provide additional area for parking and servicing trains, and to construct a pad for HAP office, employee parking, bus parking, and a service area. The proposed project is scheduled to be constructed this summer and operational for the 2014 season.

b) **Borough Planner**

The planner had no formal report, but was available to answer questions.

9) **Communication and Appearance Requests**

There were no communication or appearance requests.

10) **Unfinished Business**

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

There was no discussion on this issue. With no objections made, this item was postponed to the next meeting by unanimous consent.

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

Baxter MERCER MOVED to incorporate the proposed language changes introduced, by Sid MICHAELS and included in the commission's meeting packet, regarding Liability Assessment into 4.05.020 Procedural Requirements E; Patricia GRIGGS seconded. The VOTE to amend the language of 4.05 and to move it under E. as described was unanimous. The next draft of 4.05 will be draft 3. With no objections made, this item was postponed to the next meeting.

c) **Draft 8 Chapter 4.10 Management of Borough Real Property**

There was no discussion on this issue. With no objections made, this item was postponed to the next meeting by unanimous consent.

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

Patricia GRIGGS MOVED to accept the proposed edits made at the Planning Commission's March 19 and April 2 worksessions thereby creating Draft 8 of Chapter 4.15; Ryan JUSZAK seconded. The VOTE to adopt the edits from the worksessions PASSED unanimously. With no objections made, this item was postponed to the next meeting by unanimous consent.

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

Patricia GRIGGS MOVED to accept the changes made at the April 2 worksession; Mark MENKE seconded. The VOTE to accept the changes was unanimous. With this vote, the commission proposes no changes to Chapter 4.20 and maintains what is currently found in Denali Borough Code. With no objections made, this item will be taken off the commission's agenda.

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

During the worksession, the commission identified Section 4.25.030 Procedural Requirements as needing further scrutiny and perhaps additional language for clarification purposes. With no objections made, this item was postponed to the next meeting by unanimous consent.

1 **Draft Resolution Working Example Version 6**

2 There was no discussion on this issue. With no objections made, this item was postponed to the next
3 meeting by unanimous consent.

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

6 There was no discussion on this issue. With no objections made, this item was postponed to the next
7 meeting by unanimous consent.

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9 **h) Land Management and Resource Extraction Fee Schedules**

10 Molly MCKINLEY will submit fee schedules from the Fairbanks North Star and Haines Borough for review
11 at the next regular meeting of the commission. With no objections made, this item was postponed to the
12 next meeting by unanimous consent.

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14 **i) Draft 2 Chapter 9.10 Subdivisions**

15 There was no discussion on this issue. With no objections made, this item was postponed to the next meeting
16 by unanimous consent.

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18 **j) Draft Yukon-Tanana Area Plan Discussion**

19 There was no discussion on this issue. With no objections made, this item will be taken off the commission's
20 agenda.

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22 **k) Draft 1 Chapter 9.21 Zoning Scenic Corridor (Proposed New Chapter)**

23 Steve JONES provided information and the planner, Marsha Lambert, created a map depicting the boundaries
24 of the proposed scenic corridor based on section lines, which was included in the commission's packet. This
25 chapter proposes zoning state land. There was discussion as to whether the commission was ready to move
26 this chapter on to the assembly. With no objections made, this item was postponed to the next meeting by
27 unanimous consent.

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29 The commission would like to work towards completing chapters in Title 4 and to begin to address the
30 proposed Title 9 chapters. Ryan JUSCZAK MOVED to have Chapters 4.10, 4.25 and proposed Chapters 9.21 and
31 9.22 on the next worksession agenda; Patricia GRIGGS seconded. The VOTE to have these four chapters on the
32 next worksession PASSED unanimously.

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34 **l) Draft 1 Chapter 9.22 Zoning Airport Reserve (Proposed New Chapter)**

35 Steve JONES provided information and the planner produced a map attempting to illustrate some
36 specifications for height restrictions in the area surrounding the proposed regional airport. Patricia GRIGGS
37 referenced the 2006 Federal Aviation Administration/Aeronautical Information Manual (FAA/AIM) in regards
38 to height restrictions and assessed that the map in the commission's packet did not follow these guidelines.
39 Patricia GRIGGS will photocopy the page she was referencing from the FAA/AIM and it will be placed in the
40 AIRPORT folder along with the next meeting packet. Discussion ensued as to whether the proposed facility
41 was located in a good place. Development of an airport is very complex and has multiple issues that go beyond
42 the commission's expertise. Mayor Walker suggested that, as the commission is proposing the State of Alaska
43 construct the regional airport, the commission engage the state sooner rather than later to obtain some
44 expertise and guidance on the proposed airport; it was recommended that consultation with the state occur
45 prior to the borough zoning state land. It was determined that before taking any further action on this item
46 the commission would like to know what research Steve JONES has already accomplished and proceed from
47 there. With no objections made, this item was postponed to the next meeting by unanimous consent.

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

50 There was no discussion on this issue. With no objections made, this item was postponed to the next meeting
51 by unanimous consent.

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1 n) **Draft 1 Chapter 9.30 Zoning Signage (Proposed New Chapter)**

2 There was no discussion on this issue. With no objections made, this item was postponed to the next meeting
3 by unanimous consent.

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5 o) **Discussion of Land Classification**

- 6 1. LAS 24549 T12S R8W F.M. South Stampede Rd. (Coke Wallace) – 210 acres
7 2. T12S R8W F.M. West portion of SE ¼ of Sec 2. North side of Stampede Rd at intersection with
8 highway (Baxter Mercer) – 40 acres
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10 The land classification issue was passed onto the administration. The mayor stated that he is waiting for some
11 of the snow to melt in order to get a better sense of the land. He has discussed the issue with Coke Wallace
12 and Nick Evans. The mayor understands that this is the last year for the temporary use of borough land. He
13 has every intention of moving this issue forward this summer.

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15 With assurances from the mayor that he will keep the commission apprised of progress made on this issue,
16 Baxter MERCER MOVED to take this item off the agenda; Ryan JUSCZAK seconded. The VOTE to remove this
17 item from the agenda was unanimous.
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19 **11) New Business**

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21 a) **Resolution PC 13-04 in support of the Stampede State Recreation Area**

22 Molly MCKINLEY submitted, for the commission's packet, an updated version of the previously passed
23 Resolution PC 11-03, in support of the establishment of the Stampede State Recreation Area (SSRA), for review
24 and consideration to be approved. Representative Guttenberg introduced a new SSRA bill this legislative session.
25 The resolution is a statement in support of local efforts to gain recreation area status for the land and to urge
26 passage of the bill by the state legislature. Patricia GRIGGS MOVED to pass Resolution PC 13-04; Baxter MERCER
27 seconded. The ROLL CALL VOTE to approve Resolution PC 13-04 PASSED unanimously with GRIGGS, JUSCZAK,
28 MCKINLEY, MENKE, and MERCER voting affirmatively.
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30 b) **Resolution PC 13-05 Clear Air Force Station Power Point Closure**

31 Deputy Presiding Officer MCKINLEY offered that the intent of Resolution PC 13-05 is to encourage further review
32 of the proposed closure of the station's power plant. The Denali Borough Assembly and the City of Anderson
33 recently passed this same resolution language. Baxter MERCER MOVED to approve Resolution PC 13-05; Patricia
34 GRIGGS seconded. The ROLL CALL VOTE to approve Resolution PC 13-05 PASSED unanimously with GRIGGS,
35 JUSCZAK, MCKINLEY, MENKE, and MERCER voting affirmatively.
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37 c) **Army Corps of Engineers –Discussion AKRR Train Turn Around Healy Yard**

38 At the present time, the railroad is not using the area to be developed under the HAP proposal. If the area is
39 developed as described above under mayor's report, there may be impacts from noise to households located on
40 the bluff above the yard in the Tri-Valley Subdivision. There may be economic benefits to this proposed
41 development as personnel will be servicing trains in Healy rather than in Fairbanks or Anchorage. The
42 commission opted to take no action on this item.
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44 d) **Application for Temporary Use of Water submitted by Great Northwest, Inc. to DNR**

45 Great Northwest, Inc. is estimating that they will require up to 150,000 gallons of water per day for dust
46 control/compaction and seeding; the projected total seasonal amount is 12,000,000 gallons. Three water source
47 locations have been identified: Panguingue Creek, Little Panguingue Creek, and Gravel Pit (north driveway).
48 Concern was expressed regarding the use of the gravel pit or "fish pond" at Rock Creek and Little Panguingue
49 Creek because of traditionally low water levels in both bodies. A six inch pump will be used to extract water. The
50 deadline for comment on this issue is April 30. The commission determined a formal comment letter should be
51 written and submitted.
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1 The Deputy Presiding Officer recessed the regular meeting of the planning commission at 9:05 PM in order to
2 draft a letter to the Department of Natural Resources Division of Mining, Land, and Water (DNR) regarding the
3 proposed use of water by Great Northwest, Inc.
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5 The Deputy Presiding Officer reconvened the regular meeting at 9:30 PM.
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7 The Deputy Presiding Officer read the draft letter aloud. The main points contained in the draft letter included
8 the following: expressed concern regarding the quantity of water to be extracted from the three water bodies,
9 the Gravel Pit pond has been stocked with fish and is used for public recreation, and the public comment period
10 is very short and does not provide adequate time to evaluate the proposed action. Ryan JUSCZAK MOVED to
11 approve and send the letter to DNR; Baxter MERCER seconded. The VOTE to submit the letter to DNR as drafted
12 PASSED unanimously.
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14 **12) Public Comments**

15 There were no public comments.
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17 **13) Commissioner Comments**

18 Molly MCKINLEY requested that two items be added to the next regular meeting agenda under New Business:
19 Training – Zoning 101 and Community Mapping.
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21 **14) Time and Place of Next Meeting**

22 The next meeting of the Planning Commission will be May 21, 2013 at 6:15 PM in the Tri-Valley Community
23 Center.
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25 **15) Adjournment**

26 The Deputy Presiding Officer adjourned the April 16, 2013 Regular Meeting at 9:34 PM.
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40 APPROVED:

Sidney W. Michaels
41 Presiding Officer
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46 ATTEST:

Spencer L. Capannel
47 Deputy Clerk
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49 Date Approved:

May 21, 2013
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