

I. CALL TO ORDER

The special meeting of the Matanuska-Susitna Borough Assembly was held on March 24, 2009, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:02 p.m. by Deputy Mayor Lynne Woods for the purpose of holding a joint Assembly/Planning Commission meeting.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 (*Deputy Borough Mayor*)
Mr. Pete Houston, Assembly District No. 2
Ms. Michelle R. Church, Assembly District No. 3
Mr. Mark Ewing, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5 (*Attended telephonically*)
Mr. Robert Wells, Assembly District No. 6 (*Arrived at 6:27 p.m.*)
Mr. Tom Kluberton, Assembly District No. 7

Planning Commission members present and establishing a quorum were:

Mr. Ken Klunder, District 1 (*Vice-Chair*)
Mr. Mark Masteller, District 3 (*Chair*)
Mr. Patrick Johnson, District 4
Mr. William Bruu, District 5
Mr. Dick Zobel, District 6

Planning Commission members absent and excused were:

Mr. David Cheezum, District 2
Mr. Vern Halter, District 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Ms. Elizabeth Gray, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Executive Assistant to the Borough Clerk
Ms. Eileen Probasco, Chief of Planning
Mr. Mark Mayo, Planning and Land Use Director
Ms. Linda Brenner, Community Development Director
Mr. Emerson Krueger, Planner II
Ms. Lauren Krueger, Planner II
Mr. Bill Klebesadel, Project Management and Engineering Division Manager

III. APPROVAL OF AGENDA

Deputy Mayor Woods inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved as presented without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Emerson Krueger, Planner II.

V. AUDIENCE PARTICIPATION

The following persons spoke regarding concerns with the Nelson Road Extension and the South Palmer Elementary School: Ms. Monica Swan and Ms. Theresa Armistead.

The following person thanked the Assembly and Planning Commission for providing direction to staff to move forward with the Lazy Mountain Special Land Use District and spoke regarding the South Denali Project: Mr. Jim Sykes.

The following person spoke regarding the South Palmer Elementary School site access: Mr. Bill Tucker

VI. ITEMS OF BUSINESS

A. Agricultural Land Preservation Update *(Requested by Assemblymember Church)*

Ms. Brenner:

- spoke to the funds that the Assembly approved from the areawide capital budget for the project;
- advised that the Alaska Farmland Trust added \$40,000 for the project and the United States Department of Agriculture added an additional \$300,000;
- related that the money was used to purchase the development rights of the forty acre parcel;
- advised that the Alaska State Fair is now working with the Alaska Farmland Trust for preservation of this particular parcel;
- further added that the Alaska State Fair board offered a different thirty acre parcel;
- disclosed that Northern Industrial Training actually needs forty acres to build the complex; and
- noted the participation of the community on this issue has been great.

Assemblymember Houston queried if the funds for the development rights was a determined amount.

Ms. Brenner:

- noted that she believed it is based on the appraisal of the land;
- further added that a separate appraisal is performed with the deed restrictions; and
- advised that Mr. Gallagher, of the Alaska Farmland Trust, could speak more confidently to the matter.

Mr. Steve Gallagher, Alaska Farmland Trust:

- advised that a different location and the deed restrictions will change the value of the property;
- related that they are in the appraisal process with the McCormick parcel;
- stated that they hope to get the appraisal back within the next month;
- noted that this particular parcel is probably in the \$800,000 to \$900,000 range;
- commented that the Alaska Farmland Trust has been working with the Alaska State Fair, to go forward and ensure that all the requirements are met;
- reported that the information has to be together by May 15, 2009, in order to meet the United States Department of Agriculture guidelines;
- noted that the next step is the conservation easement deed;
- related that the deed then goes to the United States Department of Agriculture in Washington, D.C. for review;
- noted that after those processes, the title is ordered and forwarded for review by a United States Attorney in Juneau; and
- commented that they are very excited about this.

Deputy Mayor Woods queried if they had the funds to move forward.

Mr. Gallagher:

- noted that they do have the funds for the McCormick property;
- stated that they do not have the funds for the Alaska State Fair;
- thanked the Borough for the funding that has been provided for this project; and
- added that it would be nice to have additional funds.

Assemblymember Church queried if the Alaska State Fair would retain ownership of the land.

Mr. Gallagher:

- affirmed the query; and
- stated that the development rights will belong to National Resources Conservation Service and Alaska Farmland Trust.

Assemblymember Church queried how the funds were earmarked.

Mr. Gallagher noted that all the money would go to this project.

Planning Commission Chair Mastellar queried the different areas the funding would come from.

Mr. Gallagher responded that they have received grants from the Borough and United States Department of Agriculture thus far.

Discussion ensued regarding:

- the need to find matching funds;
- what would occur should all the funds not be provided;
- the funds that have been requested from the State; and
- the board members for the Alaska Farmland Trust and the Alaska Rural Rehabilitation Corporation being the same.

B. Aviation Conditional Use Permit Update *(Requested by Assemblymember Church)*

Mr. Mayo:

- reported that the Borough is forming an Aviation Advisory Board;
- stated the conditional use permit is a suite of recommendations that came out of the regional conditional use plan;
- advised that the Borough will rely on the Aviation Advisory Board to assist with drafting legislation;
- reported that the Borough has the highest concentration of airports of any similar jurisdiction anywhere in the nation;
- related that aviation is a large part of the economy and lifestyle of Alaska;
- opined that it is necessary to have an Aviation Advisory Board, as a means to allow the community to have a full voice in the development of legislation that affects that kind of land use;
- stated that the Regional Aviation System Plan funded by an Federal Aviation Administration grant has been completed;
- noted that the Federal Aviation Administration (FAA) has given the Borough permission to use the monies left over from the grant to start implementing the recommendations;
- spoke to the meeting held with Borough staff and DOWL Engineers to determine a direction for the project;
- stated that they are looking at the recommendations from the FAA regarding who should become board members;
- advised that the Aviation Advisory Board could take on the conditional use permits for aviation facilities;
- explained that there is a fairly elaborate public notice process before anything moves forward to the Assembly; and
- commented that the legislation regarding the Aviation Advisory Board could be introduced as early as April 21, 2009.

Assemblymember Kluberton:

- queried the level of the aviation facilities;
- noted the Regional Aviation System Plan is directed at commercial operations;
- opined that controversy happens when people discover that they have to go through the entire conditional use permit process; and
- queried if this will be pervasive or will it be as controversial as a commercial facility.

Mr. Mayo:

- opined that this will be more comprehensive than a commercial facility;
- stated that to a large extent large facilities are funded by State and Federal monies;
- stated that smaller recreation facilities are being reviewed that would not have any particular design standard;
- related that the Regional Aviation System Plan has some suggested design standards, which at some point may be considered by the Board to move forward to the Assembly; and
- reported that this will encompass both commercial and private recreational facilities.

Assemblymember Kluberton opined that should the Borough regulate private strips, the public will be heavily involved.

Assemblymember Church:

- queried if the Assembly will be approving the formation of the Aviation Advisory Board; and
- asked if DOWL Engineers are responsible for forming the Board.

Mr. Mayo:

- advised that the Assembly will approve the formation of the Board; and
- advised that the Borough is working with recommendations from the Transportation Advisory Board for board members.

Assemblymember Church:

- stated that she would like to caution DOWL Engineers and the Transportation Advisory Board to not look at private airstrips; and
- noted that the Assembly is concerned with commercial airstrips.

Mr. Mayo noted that there is a group of aviators who will be against any kind of regulations.

Assemblymember Church stated that she thought the Regional Aviation System Plan (RASP) made recommendations on who would be on the board.

Mr. Mayo advised that the RASP only defines the general types, not the actual individuals.

Assemblymember Ewing queried the numbers DOWL Engineers used when they took on the task of identifying, counting, and determining the type of airstrips in the Borough.

Mr. Mayo:

- reported that there are 250 airports that are registered and used on a regular basis; and
- noted that there are probably some airstrips that are unknown, only used seasonally, or occasionally.

Discussion ensued regarding:

- conditional use permits;
- referral process used by the Assembly; and
- the Aviation Advisory Board.

C. Build-Out Analysis Model *(Requested by Administration)*

Mr. Krueger:

- spoke to the purpose of the Build-Out Analysis Model;
- reported that in 2008, USKH was hired to help create the Build-Out Analysis Model;
- stated that the intent was to show where property is available to be developed;
- noted that it can help officials make more informed decisions when planning in the future;
- related that the project will be complete next month; and
- advised that upon completion, it will be provided to the GIS Department.

Ms. Cathy Udenberg, GIS Manager, and Mr. Pat Coleman, Senior Planner, with USKH Engineering, provided a presentation on the Build-Out Analysis model.

Planning Commission Chair Mastellar queried if the software included transportation options.

Ms. Udenberg:

- advised that the user is able to put in cost factors, new roads, new neighborhoods, and other scenarios, in order to provide for offset densities; and
- reported that the program has addressed almost every single question conceivable.

Assemblymember Houston stated that he assumes that this program is flexible enough to address changing land use.

Ms. Udenberg advised that the program can address changing land use.

Assemblymember Ewing queried if the software is capable of identifying wetlands, sewage treatment, and solid waste treatments.

Mr. Krueger:

- reported that those are beyond the scope of the project; and
- advised that the Planning Department will eventually address those.

Assemblymember Ewing queried the cost of the software.

Mr. Krueger:

- advised that the Planning Department already had the program; and
- related that there was no staff to get the model built.

Assemblymember Church queried the parameters for determining airstrips.

Mr. Krueger reported that they come from the Regional Aviation System Plan.

Assemblymember Kluberton queried if the software had the capability of importing geographic and demographic data into the program.

Ms. Udenberg:

- affirmed the query; and
- related that census projection information can be imported as well.

Ms. Krueer:

- reported that sole purpose of the software is for planning;
- stated that the intent is to keep it affordable for communities;
- related that the software is easy to update and use; and
- noted that the software is set up to make the intangible become tangible.

Discussion ensued regarding the Build-Out Analysis Model software.

D. FCC Telecommunications Act of 1996 Update *(Requested by Assemblymember Ewing)*

Assemblymember Ewing:

- highlighted his attendance at the Telecommunications Committee that took place at the National Association of Counties (NACO) Conference in Washington, D.C.;
- spoke to the functions of interoperability;
- reported that the function is to tie all the police and fire fighter communications together;
- spoke to radio spectrum bands; and
- reported that it is hoped to be active in the lower forty-eight by 2014.

E. Flex Zoning Update *(Requested by Assemblymember Church)*

Ms. Lauren Krueer:

- noted that the Build-Out Analysis Model program will work for flex zoning;
- stated that it is officially known as the Zoning Code Update;
- reported that 1966 is when the first land use and zoning regulations came into use;
- noted that the current code has a lot of loop holes and inconsistencies;
- explained that modernization of conditional use permits is necessary;
- spoke to the need to streamline code;
- reported that the special land use districts have not been touched in phase one, as they have impact on individual communities;
- spoke to impact issues being a priority;
- noted that better ways to handle special land use districts is being looked at to help people plan their communities;
- related that parking and lighting will be reviewed next;
- opined that community outreach is essential so the public feels included in the process;
- spoke to the commercials that the Borough has done asking the community to help with updating the code; and
- advised that the first public review draft will be available in April.

Assemblymember Ewing queried when the project started.

Ms. Krueer advised that the project began August of 2008.

Assemblymember Ewing:

- noted that in May 2008 the Assembly requested the special use district for Lazy Mountain Community Council go through;
- expressed his concern with not moving forward with special land use districts; and
- queried if the Meadow Lakes residents, that are currently working on a special land use district, are aware that the Borough is considering not moving forward with special land use districts.

Ms. Kruer:

- reported that she is the planner for the Meadow Lakes area and that they have been aware of this issue for a long time;
- related that she understands that the special land use district process is lengthy and can be difficult; and
- opined that when the Borough has the opportunity to talk with a community, a better understanding will occur on how the community feels about moving over into the new system.

(The special joint meeting recessed at 7:53 p.m. reconvened at 8:03p.m.)

F. Hatcher Pass Ski Area Update *(Requested by Administration)*

Mr. Ron Swanson, RWS Consulting:

- noted that the Hatcher Pass Special Land Use District will be amended as the project proceeds;
- reported that the winter of 2010 is the major decision deadline for consideration and action;
- advised that funding and construction can move forward once action is taken; and
- related that they have worked extensively in order to get the public involved.

Mr. Stewart Osgood, P.E., President of DOWL Engineering:

- reported that part of DOWL's work is to focus on the federally funded portion of the project;
- spoke to the public scoping meeting that was held in December of 2008 at Colony High School;
- noted that the overall public comment was positive;
- commented that it is nice to be involved with a community supported project;
- related that the alpine ski area is slightly more controversial;
- stated that the Alaska State Department of Natural Resources expressed concerns about taking water out of the Little Susitna River;
- advised that the Environmental Protection Agency queried air and water quality and flood plain impacts;
- reported that a significant amount of time has been spent regarding access routes;
- stated that there are three alternative routes to reach upper elevations; and
- noted that a build out alternative will be done by fall.

Mr. Swanson:

- reported that the special land use district needs to be brought back to the Assembly to be brought in line with environmental guidelines;
- expressed his concern that everything needs to be in sync to make the project happen;
- related that the intention is to draft an ordinance that addresses management of the area;
- further added that this would be an independent corporation funded by the Borough;
- stated that employees will be employed by the authority;
- noted that a lack of funding is an ongoing issue; and
- reported that the construction timeline is set for December 2010.

Planning Commissioner Bruu queried if this will be a non-profit authority.

Mr. Swanson:

- advised that he would like to see it set up as a for profit authority;
- noted that some of the funds will remain in the authority;
- stated that the figure will have a cap; and
- related that the rest would come back to the Borough.

Planning Commissioner Bruu queried the separation of the authority and the Borough.

Mr. Swanson:

- advised that they will be separate entities; and
- noted that they will report directly to the Assembly;

Planning Commission Chair Mastellar queried the residential soil analysis on the project schedule.

Mr. Swanson:

- responded that the residential soil analysis is part of the DOWL contract;
- advised that the analysis will set up grid patterns in the area;
- noted that the analysis will be more extensive than what has been done in the past;
- related that it is to determine what kind of densities the area could support; and
- stated that the current project intent is not to have commercial residential properties.

Planning Commission Chair Mastellar:

- noted that at the public meetings it was unclear that there would be no commercial residential properties;
- commented that the federal transportation funding is for infrastructure improvements; and
- related that he does not understand how residential soil analysis is part of this.

Mr. Swanson stated that if you look at the project schedule it is noted that the environmental and commercial residential are two separate analysis.

Assemblymember Wells noted that he hopes that the grades of the access road will be part of the analysis.

Discussion ensued regarding:

- a grades analysis; and
- the commercial residential analysis.

G. South Denali Project *(Requested by Administration)*

Ms. Probasco:

- noted that the recommendation of the plan is to improve access and recreation opportunities throughout the south Denali region;
- stated that visitation in the area continues to increase;
- referred to a map on the wall that reflects the area the plan focuses on;
- noted that there are several projects that are the subject of the plan;
- stated that they are working to update the Denali Special Land Use District;
- related that they have increased the parking area at mile post 22;
- advised that they preparing a Parks Highway corridor plan in order to protect scenic by-ways;
- spoke to the website that provides continuous updates for the public;
- noted that one of the priorities for development of the area is to ensure that the beauty of the area is preserved;
- commented that concept site selection two has been chosen;
- further added that concept site two improves visibility along trails to reduce surprise wildlife encounters and less tree removal;
- stated that the environmental analysis is continuing;
- reported that partnering is being looked at to extend electrical service along the southern boundary of the Parks Highway;
- advised that road construction will not move forward until there is money for the visitor center; and
- commented that the priority is to ensure that the project is done responsibly.

Planning Commissioner Bruu queried if any study has been done pursuing alternative electricity.

Ms. Probasco:

- advised that she believes that alternative electricity has been pursued; and
- further added that there are partners who might be interested in pursuing the electrical extension.

Assemblymember Kluberton queried what caused the site selection to be moved without public comment.

Ms. Probasco:

- reported that when the environmental impact study was conducted, it identified the general site selection area;
- advised that the study area was large and not just the area around the first site selection;
- related that it was determined that the current site was more appropriate;
- stated that the conceptual site plan did note an alternative location; and
- further added that the current site is within the area of study.

Assemblymember Bettine queried the funding for the project.

Ms. Probasco reported that the funding will be coming from the National Park Service.

Planning Commission Chair Mastellar queried if whether it will be considered a seasonal use visitor center.

Ms. Probasco:

- reported that the current site will be utilized for a longer period in the summer;
- advised that it is hoped that it will be designed so that certain portions would be available for winter use; and
- noted that until the project is complete it will not be known until it is fully operational.

Discussion ensued regarding:

- the site plan change; and
- the possibility of using renewable energy.

H. South Trunk Road Funding *(Requested by Assemblymember Church)*

Mr. Bill Klebesadel:

- reported that 175 invitations were sent out to the public to invite them to participate in the public meeting;
- noted that over 100 comments were received;
- noted that alignments are being reviewed in order to refine the estimates;
- related that discussions are occurring with the Alaska State Department of Transportation about various alignments;
- advised that they hope to have the next public meeting on April 28, 2009;
- reported that some of the alignments have been ruled out; and
- advised that \$6 million has been requested from the State Legislature for the corridor.

Assemblymember Kluberton queried how this project moved from a conceptual alignment to one that is so specific.

Mr. Klebesadel advised that he would have to defer to the transportation planner.

Assemblymember Kluberton expressed his concerns about South Trunk extension turning into subdivision roads.

Mr. Klebesadel:

- noted that the philosophy for this route is to connect South trunk to Fairview Loop; and
- advised that unless the Alaska State Department of Transportation commits to the corridor, the Borough cannot conceive funding to complete the project.

Planning Commission Chair Mastellar queried if having two at-grade crossings is being seriously considered by the Borough.

Mr. Klebesadel advised the at-grade crossing issue is between the private developer and the Alaska Railroad.

Assemblymember Houston queried the thought that was given to the route.

Mr. Klebesadel:

- reported that the conception for the project was predicated on an estimate that was based on the Nelson Road at grade crossing; and
- noted that the goal was to connect to Fairview Loop.

Discussion ensued regarding:

- funding for planning and design;
- route selection; and
- school access.

I. Standardization of Meeting Procedures for the Assembly, Boards, and Commissions
(Requested by Planning Commissioner Bruu)

Commissioner Bruu provided a brief statement regarding his desire for the Assembly and Planning Commission to focus on standardizing procedures for all Borough meetings.

Ms. McKechnie:

- advised that there are standards in place for meetings within the Borough;
- noted that the Borough has over 60 boards;
- related that the size of the board affects how the rules apply;
- stated that a “one size fits all” approach may not work for a board that has three members versus a 15 member board; and
- further added that the Assembly and the Planning Commission have set their own rules, in addition to Robert’s Rules.

Assemblymember Ewing:

- advised that the Planning Commission could adopt the same rules that the Assembly uses; and
- noted that he is not in favor of changing the way things are done for the Assembly.

J. Tower Ordinance Update *(Requested by Assemblymember Church)*

Ms. Probasco:

- spoke regarding the towers work group;
- stated that City Scape Consultants were contracted in 2008 to develop a master plan;
- stated that this was done in order to analyze the current demand for wireless communications within the Borough;
- noted that the consultants were amazed by how quickly towers that do not require a conditional use permit are erected;
- advised that the contractors were here in March to review parcels where tower placement is desirable;
- related that the review of the parcels is being finalized;
- stated that the draft ordinance was started at the last towers working group meeting; and
- reported that the ordinance is due to be released for public review in April.

Assemblymember Church queried if this includes radio towers or just cell towers.

Ms. Probasco:

- reported that they did an inventory of all towers;
- stated that the focus of the study was telecommunications towers; and
- advised that they are working to incorporate this with the flex-zoning project.

Discussion ensued regarding towers.

VI. PLANNING COMMISSION, MAYOR, ASSEMBLY, AND STAFF COMMENTS

Planning Commissioner Johnson commented that he appreciated the opportunity to have joint meetings.

Planning Commissioner Klunder:

- stated that he enjoyed the meeting; and
- noted that he was not aware there was so much planning going on.

Planning Commissioner Bruu noted that he also enjoyed the opportunity to be on the commission.

Planning Commissioner Zobel commented that he was pleased to see the agriculture land preservation presentation.

Planning Commission Chair Mastellar noted that he is glad to see effort put into farm land preservation.

Assemblymember Kluberton:

- noted that when they toured the South Denali site last summer, there was a lot of talk about electricity;
- related that most of the concerns were in regard to the visibility of the power source that may be used;
- requested copies of the Trunk Road funding request; and
- noted that he would like to see Mr. Dan Elliott be appointed to the Real Property Asset Management Board.

MOTION: Assemblymember Bettine moved to extend the meeting past 10:00 p.m. and not to exceed 10:07 p.m.

VOTE: The motion passed without objection.

Assemblymember Wells:

- related that he appreciates the hard work of the Planning Commission; and
- encouraged everyone to continue to work towards preserving farm land.

Assemblymember Bettine:

- related that this was an interesting meeting; and
- commented that agriculture land development rights appear to be expensive.

Deputy Mayor Woods thanked the Planning Commission for attending;

VIII. ADJOURNMENT

The special joint meeting adjourned at 9:55 p.m.


LYNNE WOODS, Deputy Borough Mayor

ATTEST:


DONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 04/21/09

