MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645 - 907-861-8683

BOROUGH MAYOR
Vern Halter

BOROUGH CLERK
Lonnie R. McKechnie, CMC

BOROUGH MANAGER
John Moosey

BOROUGH ATTORNEY
Nicholas Spiropoulos

BOROUGH ASSEMBLY
Jim Sykes, District 1
Matthew Beck, District 2
George McKee, District 3
Steve Colligan, District 4
Dan Mayfield, District 5
Barbara J. Doty, District 6
Randall Kowalke, District 7

ASSEMBLY AGENDA
ASSEMBLY CHAMBERS
350 EAST DAHLIA AVENUE, PALMER

REGULAR MEETING **6 P.M.** **TUESDAY, APRIL 19, 2016**

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 03/01/16
- B. Regular Assembly Meeting: 03/01/16
- C. Joint Assembly/School Board Meeting: 03/08/15
- D. Special Assembly Meeting: 03/15/16
- E. Regular Assembly Meeting: 03/15/16

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person.)

1. Reports From Cities
2. Matanuska-Susitna Borough School District
3. Mat-Su Borough Library Board – Ms. Marci Hawkins
4. Mat-Su Convention and Visitors Bureau – Ms. Bonnie Quill

ADOPTED	AMENDED	POSTPONED	DEFEATED

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee On School Issues
2. Assembly Public Relations

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Manager Evaluation Process

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

pp. 12-84 F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

   a. Big Lake RSA Board Of Supervisors: 10/29/15
   b. Caswell Lakes RSA Board Of Supervisors: 10/07/15
   c. Central Mat-Su FSA Board Of Supervisors: 01/11/16
   d. Emergency Medical Services Board: 10/07/15
   e. Enhanced 911 Advisory Board: 12/08/15
   f. Library Board: 11/21/15
   g. Planning Commission: 12/07/15, 12/21/15, 01/04/16, 02/01/16, Resolution Nos. 16-09, 16-13, 16-18
   h. Transportation Advisory Board: Resolution No. 16-01
   i. West Lakes FSA Board of Supervisors: 01/18/16

2. Community Council Minutes:

   a. Sutton Community Council: 11/18/15

G. INFORMATIONAL MEMORANDUMS

pp. 85
Beck

1. **IM No. 16-064:** Reporting Of Conclusion Of Contract For Bid No. 15-151B To Haakenson Electric For The Matanuska-Susitna Borough School District Lighting Upgrades At 14 Schools, For The Final Contract Amount Of $686,351.74.

VII. SPECIAL ORDERS

ADOPTED	AMENDED	POSTPONED	DEFEATED

A. PERSONS TO BE HEARD (MSB 2.12.081; Three Minutes Per Person.)
(Requires 11 Days Advance Notice And Must Otherwise Be In Compliance With The Necessary Code Requirements. If No Advance Notice Is Given, Persons Wishing To Speak May Do So Under The Audience Participation Section Of The Agenda.)

B. PUBLIC HEARINGS (Three Minutes Per Person.)

pp. 86-91
Beck

1. **Ordinance Serial No. 16-027:** An Ordinance Amending MSB 2.45, Capital Projects Department.
   a. IM No. 16-044

pp. 92-98
Beck

2. **Ordinance Serial No. 16-045:** An Ordinance Amending MSB 2.27, Attorney, To Update, Organize, And More Fully Describe The Functions And Duties Of The Borough Attorney. *(Sponsored by Mayor Halter)*
   a. IM No. 16-072

pp. 99-109
Beck

3. **Ordinance Serial No. 16-036:** An Ordinance Approving Classification Of Borough-Owned Lands For Inclusion In The 2016 Competitive Sealed Bid Land Sale (MSB007129).

pp. 110-131

   a. **Resolution Serial No. 16-035:** A Resolution Approving A Best Interest Finding Recommending Classification Of Borough-Owned Lands Identified Herein For Inclusion In The 2016 Competitive Sealed Bid Land Sale (MB007129).
      (1) IM No. 16-055

pp. 132-236
Mayfield

4. **Ordinance Serial No. 16-037:** An Ordinance Amending MSB 17.28.090(A), Adding An Interim Materials District Known As Alsop East Pit, Located On A Portion Of Tract A, Point Mack Phase 1 Subdivision, Within Township 15 North, Range 4 West, Section 27, Seward Meridian.
   a. IM No. 16-056

pp. 237-241
Beck

5. **Ordinance Serial No. 16-038:** An Ordinance Accepting And Appropriating $30,000 From The Alaska State Department Of Health And Social Services Grant Program, To Fund 425, Project No. 45284, For Emergency Response Materials, Planning, Training, And Exercise, As Well As Personnel Costs For Coordinating The Support Of The Emergency Operations Plan.

pp. 242-243

   a. **Resolution Serial No. 16-036:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Department Of Health And Social Services Grant, Fund 425, Project No. 45284, For Emergency Response Materials, Planning, Training, And Exercise, As Well As Personnel Costs For Coordinating The Support Of The Emergency Operations Plan.
      (1) IM No. 16-060

ADOPTED	AMENDED	POSTPONED	DEFEATED

pp. 244-250
Mayfield

6. **Ordinance Serial No. 16-032:** An Ordinance Confirming The Assessment Roll For The West Mollies Circle Road Paving Local Improvement District No. 550 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

pp. 251-280

a. **Ordinance Serial No. 16-033:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed $44,000 Principal Amount Of Special Assessment Bonds For The West Mollies Circle Road Paving Local Improvement District No. 550, And Fixing Details Of Said Bonds.
   (1) IM No. 16-062

pp. 281-287
Colligan

7. **Ordinance Serial No. 16-034:** An Ordinance Confirming The Assessment Roll For The West Coghlan Circle Natural Gas Local Improvement District No. 557 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

pp. 288-318

a. **Ordinance Serial No. 16-035:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed $85,000 Principal Amount Of Special Assessment Bonds For The West Coghlan Circle Natural Gas Local Improvement District No. 557, And Fixing Details Of Said Bonds.
   (1) IM No. 16-063

pp. 319-323
Kowalke

8. **Ordinance Serial No. 16-039:** An Ordinance Approving A Supplemental Appropriation Of $16,000 From The Willow Fire Service Area Fund Balance, Fund 258, To The Fiscal Year 2016 Willow Fire Service Area Operating Budget To Cover Wages And Benefits For The Remainder Of Fiscal Year 2016.
   a. IM No. 16-065

pp. 324-327
Kowalke

9. **Ordinance Serial No. 16-040:** An Ordinance Approving A Supplemental Appropriation Of $24,000 From The Caswell Fire Service Area Fund Balance, Fund 248, To The Fiscal Year 2016 Caswell Fire Service Area Operating Budget To Cover Wages And Benefits For The Remainder Of Fiscal Year 2016.
   a. IM No. 16-066

pp. 328-332
Kowalke

10. **Ordinance Serial No. 16-041:** An Ordinance Amending MSB 5.25.012 Service Area No. 7: Talkeetna Flood Control Service Area, To Establish The Board Of Supervisors, And MSB 5.15.010(A), Organization Of Boards Of Supervisors. *(Sponsored By Assemblymember Kowalke)*
   a. IM No. 16-067

pp. 333-341
Kowalke

11. **Ordinance Serial No. 16-042:** An Ordinance Approving An Appropriation Of $182,500 From Meadow Lakes Road Service

ADOPTED	AMENDED	POSTPONED	DEFEATED

Area No. 27 Fund Balance, Fund 281, To Fund 410, Project No. 30047, For Meadow Lakes Road Service Area No. 27 Capital Projects.

a. IM No. 16-068

pp. 342-346
Kowalke

12. **Ordinance Serial No. 16-043:** An Ordinance Approving An Appropriation Of $220,000 From The Willow Fire Service Area Fund Balance, To Fund 258, Project No. 45274, For The Construction Of A Willow Fire Service Area Warm Storage Building At Four Mile Road.

pp. 347-349

a. **Resolution Serial No. 16-037:** A Resolution Approving The Amended Budget For Project No. 45274, To Allow For The Construction Of A Willow Fire Service Area Warm Storage Building At Four Mile Road.

(1) IM No. 16-069

pp. 350-353
Beck

13. **Ordinance Serial No. 16-044:** An Ordinance Accepting And Appropriating $4,290 From The Alaska State Division Of Homeland Security And Emergency Management Grant, Fund 425, Project No. 45158-4415, For Exercise Supplies And Contract Support.

pp. 354-355

a. **Resolution Serial No. 16-038:** A Resolution Approving The Amended Scope Of Work And Budget For The Alaska State Division Of Homeland Security And Emergency Management Grant, Fund 425, Project No. 45158-4415, For Emergency Operation Center Software, Incident Command System Training, And Exercise Supplies And Contract Support.

(1) IM No. 16-071

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

D. CONSENT AGENDA

1. RESOLUTIONS

pp. 356-359
Sykes

a. **Resolution Serial No. 16-039:** A Resolution Amending The Scope Of Work For Project No. 45051, To Include Paving, Lighting, And Safety Bollards At Sutton Fire Station 1-1.

(1) IM No. 16-075

pp. 360-364
Kowalke

b. **Resolution Serial No. 16-040:** A Resolution Approving The Use Of Material From Borough-Owned Parcel 26N04W17D001, Classified As Resource Management Lands For Talkeetna Airport Improvements.

(1) IM No. 16-081

ADOPTED	AMENDED	POSTPONED	DEFEATED

2. ACTION MEMORANDUMS

pp. 365-368
Beck

a. **AM No. 16-025:** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.

pp. 369-373
Beck

b. **AM No. 16-026:** Award Of Bid No. 16-091B To LN Curtis And Sons In The Amount Of $133,506 To Purchase A High Pressure Breathing Air Compressor System And Rehabilitation Trailer For The Greater Palmer Fire Service Area.

pp. 374-384
Sykes

c. **AM No. 16-027:** Approval Of A Contract Amendment For Purchase Order No. 2016-1589 To General Communications, Inc. In The Amount Of $119,252 For The Old Glenn Highway Pathway Extension Project.

pp. 385-396
Sykes

d. **AM No. 16-028:** Approval Of A Contract Amendment For Purchase Order No. 2016-1587 To Matanuska Telephone Association In The Amount Of $339,612 For The Old Glenn Highway Pathway Extension Project.

pp. 397-402
Beck

e. **AM No. 16-029:** Award Of Bid No. 16-094B To F-E Contracting In The Contract Amount Of $1,645,908 For Matanuska-Susitna Borough School District Heating, Ventilation, And Air Conditioning Upgrades At Palmer Middle Junior And Wasilla Middle Schools.

VIII. UNFINISHED BUSINESS

IX. VETO

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 04/28/16, Central Mat-Su Public Safety Building; 05/02/16, Mat-Su College Glenn Massay Theater; and 05/05/16, Willow Community Center)

pp. 403
Beck

1. **Ordinance Serial No. 16-016:** An Ordinance Appropriating Monies From The Central Treasury For The Borough Operating Funds, Enterprise Funds, Education Operating Fund, And Capital Funds; Establishing The Rate Of Levy For All Borough Functions For The Fiscal Year Beginning July 1, 2016, And Ending June 30, 2017, And Setting The Surcharge Rate For The Wireline And Wireless Enhanced 911 Systems For The Period Of July 1, 2016, Through June 30, 2017.

ADOPTED	AMENDED	POSTPONED	DEFEATED

B. INTRODUCTIONS (For public hearing – 05/03/16, Assembly Chambers)

pp. 404-409
Beck

1. **Ordinance Serial No. 16-047:** An Ordinance Reappropriating $125,516 From The Planning Department Fiscal Year 2016 Operating Budget, Fund 100, To Fund 480; For The Planning Office Modification Project, The Housing Analysis Project; And The Regional Transportation Project.

pp. 410-413

a. **Resolution Serial No. 16-041:** A Resolution Amending The Budgets For Project Nos. 47035, 47038, 47046, 47047, And 47520 And Extending The Time Of Completion For Project Funding And Approving The Scope Of Work And Budget For The Planning Office Modification Project, The Housing Analysis Project, And The Regional Transportation Project.

(1) IM No. 16-073

pp. 414-421
McKee

2. **Ordinance Serial No. 16-048:** An Ordinance Approving An Appropriation Of $120,000 From Bogard Road Service Area No. 25 Fund Balance, Fund 279, To Fund 410, Project No. 30045, For Bogard Road Service Area No. 25 Capital Projects.

a. IM No. 16-074

pp. 422-626
Mayfield

3. **Ordinance Serial No. 16-049:** An Ordinance Approving An Interim Materials District Known As Lakeside Sand And Gravel, Located Within The Northwest 1/4 Of The Northwest 1/4 Of Section 25, Township17 North, Range 04 West, Seward Meridian.

pp. 627-731

a. **Ordinance Serial No. 16-049 (SUB):** An Ordinance Adopting Reasons For Denial Of A Proposed Interim Materials District Known As Lakeside Sand And Gravel, Located Within The Northwest 1/4 Of The Northwest 1/4 Of Section 25, Township 17 North, Range 4 West, Seward Meridian.

(1) IM No. 16-076

pp. 732-736
Beck

4. **Ordinance Serial No. 16-050:** An Ordinance Accepting And Appropriating $13,003.20 From Matanuska Telephone Association To Fund 440, Project No. 20323, For Upgrading And Enhancing The Telecommunications And Information Services Within The Matanuska-Susitna Library Network.

a. IM No. 16-077

pp. 737-740
Kowalke

5. **Ordinance Serial No. 16-046:** An Ordinance Establishing A Temporary Moratorium On Marijuana Establishments To Expire On October 19, 2016. *(Sponsored By Assemblymember Kowalke)*

a. IM No. 16-078

ADOPTED	AMENDED	POSTPONED	DEFEATED

C. MAYORAL NOMINATIONS AND APPOINTMENTS

pp. 741-751

1. VACANCY REPORT

D. OTHER NEW BUSINESS

E. REFERRALS (For Referral To The Planning Commission For 90 Days Or Other Date Specified By The Assembly)

pp. 752-771
Beck

1. **Ordinance Serial No. 16-051:** An Ordinance Amending MSB 17.55.005, Setbacks And Screening Easements; Adopting MSB 17.55.030 Riparian Buffer Standards To Protect Anadromous Fish, Wildlife Habitat And Water Quality In Designated Streams; Amending MSB 17.55.040 Violations, Enforcement, And Penalties; And Amending MSB 17.125.010, Definitions.
   a. IM No. 16-057

XI. RECONSIDERATION

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

XIII. EXECUTIVE SESSION

XIV. ADJOURNMENT

Disabled Persons Needing Reasonable Accommodation In Order To Participate At An Assembly Meeting Should Contact The Borough ADA Coordinator At 861-8432 At Least One Week In Advance Of The Meeting.

THE MINUTES ARE LOCATED AT THE BACK OF THE PACKET.

DUE 11 DAYS PRIOR TO MEETING

OFFICIAL USE ONLY

Date Received: 3-22-16

Meeting Date Approved: 4/19/16

Clerk Approval:

MATANUSKA SUSITNA BOROUGH

AGENCY REPORTS

MEETING DATE REQUESTED: ~~Thursday~~ Tuesday, April ~~28~~ 19, 2016

NAME OF SPEAKER: Marci Hawkins

ORGANIZATION: Mat-Su Borough Library Board

PLEASE CHECK ONE OF THE FOLLOWING THAT APPLIES:

Governmental Agency _____ Have Received a Grant from the Borough _____ Borough Board X

Borough Recognized Community Council _____ None Apply _____

DAYTIME TELEPHONE: 631-2280/746-9689 FACSIMILE NO.: 745-7876

SUBJECT: Powerpoint Presentation regarding the Mat-Su Library

REQUESTED ACTION (if applicable): _____

☐ Documentation is attached for inclusion with assembly packet.

☐ Twenty-five (25) copies of a prepared statement or other pertinent document will be provided to the Clerk's Office by noon of the assembly meeting date.

THERE IS (7) MINUTES ALLOTTED FOR YOUR PRESENTATION

FOR OFFICIAL USE

Assembly Action/Comments:

CLK/FORMS/AGENCY

Revised 3/10

DUE 11 DAYS PRIOR TO MEETING

OFFICIAL USE ONLY

Date Received: 3-29-16

Meeting Date Approved: 4/19/16

Clerk Approval:

RECEIVED
MAR 29 2016
CLERKS OFFICE

MATANUSKA-SUSITNA BOROUGH
AGENCY REPORTS

MEETING DATE REQUESTED: April 19, 2016

NAME OF SPEAKER: Bonnie Quill

ORGANIZATION: Mat-Su Convention & Visitors Bureau

PLEASE CHECK ONE OF THE FOLLOWING THAT APPLIES:

Governmental Agency _____ Have Received a Grant from the Borough X Borough Board _____

Borough Recognized Community Council _____ None Apply _____

DAYTIME TELEPHONE: 746-5000 FACSIMILE NO.: _____

SUBJECT: Agency Report Update

REQUESTED ACTION (if applicable): _____

☐ Documentation is attached for inclusion with assembly packet.

☐ Twenty-five (25) copies of a prepared statement or other pertinent document will be provided to the Clerk's Office by noon of the assembly meeting date.

THERE IS (7) MINUTES ALLOTTED FOR YOUR PRESENTATION

FOR OFFICIAL USE

Assembly Action/Comments:

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MAR 17 2016
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Road Service Area #21 Big Lake Board of Supervisors Quarterly Meeting
October 29, 2015, Big Lake Library, Minutes

The quarterly RSA#21 meeting was called to order at 5:30 pm by Chairman Leo von Scheben. Supervisors Leo von Scheben, by phone, and Jill Parson were present, representing a quorum. Supervisor Clinton Lofgren was absent.

Also in attendance: Mike Lachelt, Borough Road Superintendent; RSA maintenance contractor Mokie Tew, guests Cathy Mayfield, Big Lake Community Council President Carol Kane, Gerard Billinger, Roberta Rutter, Margaret Billinger, Harry Thompson, Bill Haller, Paula Caywood. Meeting notice was published in the Frontiersman and posted at the Big Lake Library.

Agenda and the Minutes from the August 13, 2015 Special CIP meeting, were approved as submitted.

Staff Reports:
Mike Lachalt, Road Superintendent

1. Winter sand and chips ready for use.
2. Brush cutting is complete.
3. Horseshoe Lake Road potholes repaired. Paid from 2015 Reconditioned Gravel Roads budget.
4. Wilma drainage issues repaired with 2 culverts added.
5. Dip in Puritan Pkwy was filled. Cost about $1200-$2000.
6. 2.29 miles have been added to RSA#21 for W. Susitna Pkwy

Mokie Tew, Road Maintenance Contractor
Stated road conditions have been very wet with lots of potholes. Chips, sand, and trucks are ready to go.

Old Business:
Finalization of the CIP List for 2016:

1. Mike said a different method for dust control will be used, allowing material to go four times further than Calcium Chloride. Previously only 4-5 miles have been done each year.
2. Supervisors requested increasing Dust Control budget to $30,000.
3. Mike's recommendation for Susitna Pkwy to Papoose Twins was addressed. Guest Bill Haller said the borough's permit to remove gravel for the railroad included a requirement to upgrade that portion of the road. Mike was asked to research and report back at the next meeting. The item remained on the CIP list.

Motion was made to approve Resolution 15-05 approving the CIP list as changed and passed unanimously.

New Business:
Resolution 15-04, To Support Improvements to Horseshoe Lake Road, was presented and read by Supervisor Jill Parson. The resolution proposes a scope of work to modify the design and construction on Horseshoe Lake Road utilizing the remaining funds allocated for Horseshoe Lake Road. Passed unanimously.

Road Service Area #21 Big Lake Board of Supervisors Quarterly Meeting
October 29, 2015, Big Lake Library, Minutes

Persons to be heard:

1. Requested skip/spot grading be eliminated. Mike said it's allowed in contract.
2. Complaint that Lighthouse Road work was not complete.
3. Ryan Creek Road work was discussed and more than $500,000 was estimated to fix the road.
4. Some guests would like to see what options, including raising the mill rate, are available to get more work done on our roads. Mike to present options at the next meeting.
5. Concern was expressed that no barriers were placed along the road over the new Meadow Creek culvert. Mike was asked to address this with the project manager as a safety issue.

Board Comments: Thursday, February 11, 2016 was tentatively set as the date for the next quarterly meeting.

Adjournment: Adjourned at 7:20 pm.

Bill Kleyn

Leo von Scheben, Primary/Chair, Big Lake RSA #21 Board of Supervisors

Attest: Jill Parson, Secretary, RSA#21

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JAN 11 2016
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MINUTES

I. CALL TO ORDER

The regular meeting of the Caswell Road Service Area Board of Supervisors was called to order at 6:40 pm at the Caswell Fire Station, Willow, Alaska by Chair, Larry Cline. Also present were Board member Gordon Boeve; MSB Road Superintendent, Mike Lachelt; Willow residents Tamara Boeve and Linda Cline; James Ross, JA Spain and Sons, Inc.

II. ROLL CALL-DETERMINATION OF QUORUM

Roll was called, a quorum was present, and due notice had been published. Gordon Boeve was introduced as the new Board member filling the position held by Rick Davidson. Mike Lachelt stated he would be sure to get an operating manual to Gordon as quickly as possible and schedule a "drive-around" to view RSA15 roads with the board members in the near future.

III. APPROVAL OF AGENDA

MOTION: Chairperson, Larry Cline moved to accept the Agenda, Gordon Boeve seconded the motion.

IV. APPROVAL OF MINUTES

Minutes of the August 5, 2015 meeting were reviewed. MOTION: Chairperson, Larry Cline moved to accept the Minutes, Gordon Boeve seconded the motion.

V. PERSONS TO BE HEARD

None

VI. STAFF REPORTS– MIKE LACHELT

A) Caswell Lakes Road – 1 mile section –surface oiling test.

The 1-mile test was done from Hidden Hills Road in 1 mile on Caswell Lakes Road by Emulsion Products, Fairbanks, Alaska. The first ½ mile was applied with an asphalt emulsion, the second ½ mile was applied with an organic tree compound. Applied emulsions bind to the surface road material, however, this does not last forever. Mike will send application guidelines and product information via e-mail. Mike Shields has all of this information. Cost is projected to be between $2,600 to $3,000 per mile for the product plus $420 per mile to roll the surface after each blading which is recommended.

B) Future options for protecting the new road surface of the Caswell Lakes Road upgrade.
A calcium chloride application to the surface using 6+ bags of product per mile and application fee of around $3,500 per mile, will cost approximately $6,600 - $7,000 per mile. Each calcium chloride bag weighs around 2,000/2400 pounds and needs to be ordered much in advance to have it shipped to arrive before summer.

C) Update of road repairs on Hidden Hills Road.
Holes created by heavy fall rains were recently patched by MSB maintenance crews in preparation for winter weather.

D) Spain and Sons, Inc. Road Maintenance & Repair Report- James Ross
Brush cutting along roads has been done. Blading in the 3 areas, South toward Willow, Caswell, and Montana Creek will be done as soon as road conditions permit. Too dry, then too wet weather has been making this difficult.
The contractor has graders and plow truck stationed at 3 areas:
Bendapole, Future Road, and near Resolute Drive.
School bus routes are to be plowed within 12 hours and secondary roads within 12-24 hours.

VII. REPORTS OF OFFICERS:

A) Budget Report- Mike Lachelt
Budget was reviewed with a balance of $36,965.30. No remarkable concerns.

VIII OLD BUSINESS

A) Status of Emergency Vehicle access at Lower Caswell Lake at Lostaspinner and Passthebait Avenue.
The overgrown access to Lower Caswell Lake was grubbed and cleared using MSB in-house equipment at no charge. Labor cost for the two men who did the work will probably cost around $2,000. Signs were placed to establish unrestricted EMS vehicle access the lake.

B). Status of survey on right-of-way at S. Amundson Avenue where gate has been placed.
A survey at this area was done by MSB this summer before improvements to the road maintenance turn-around at the cul de sac

would be made. The survey determined that the gate placed just beyond the Borough right-of-way, at the end of the Borough maintained section of road, is actually located across the DNR right-of-way and is not within MSB jurisdiction. Survey information was forwarded to DNR.

C) Status of open Board position- Board of Supervisors.
Open Board position has been filled by Gordon Boeve. His position is confirmed to the end of December, 2015.

IX NEW BUSINESS

A) Resolution to approve CIP list.
Chairperson, Larry Cline presented a Resolution to approve the CIP list and made a MOTION to approve the Resolution. Gordon Boeve seconded the motion. Resolution was signed by both board members.

B) Determination of 2016 meeting schedule for RSA15 Board of Supervisors.
Dates for 2016 meetings will be: January 6, April 6, August 3, October 5.
To be held at 6:30pm at Caswell Fire Station 13-1.

X BOARD COMMENTS
None

XI ADJOURNMENT
Chairperson, Larry Cline motioned to adjourn the meeting at 7:35 pm; Gordon Boeve seconded the motion.

Next scheduled meeting, January 6, 2016, 6:30pm at Caswell Fire Station,19631 E. Deep Woods Way, Willow, Alaska.

Larry Cline, Chairperson

Central Mat-Su Public Safety Building – Station 61
101 West Swanson Avenue
Wasilla, Alaska 99654

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January 11, 2016

SPECIAL BUDGET MEETING MINUTES

I. CALL TO ORDER

The meeting of the Central Mat-Su Fire Service Area Board of Supervisors was called to order at 7:02 p.m. at the Central Mat-Su Public Safety Building (CMSPSB) at 101 West Swanson Avenue, Wasilla, Alaska, by Chairman, Ken Slauson on Monday, January 11, 2016.

II. ROLL CALL & DETERMINATION OF QUORUM

Board members in attendance establishing a quorum were Ken Slauson, Chairman, Dave Eller, Vice Chairman, Carol Christiansen, Dan Tucker and Jim Jameson. Also present were James Steele, Chief, Central Mat-Su Fire Department (CMSFD), Tina Kennerson, Secretary, CMSFD, and Ken Barkley, Deputy Director-FSA's, Department of Emergency Services (DES).

III. PLEDGE OF ALLEGIANCE

Mr. Slauson asked Mr. Christiansen to lead "The Pledge of Allegiance".

IV. APPROVAL OF AGENDA

MOTION: Mr. Tucker moved, Mr. Eller seconded, to approve the January 11, 2016 Special Budget Meeting Agenda.

VOTE: Voting on the motion, it passed unanimously.

V. APPROVAL OF PRECEDING MEETING MINUTES

A – November 9, 2015 Central Mat-Su Meeting Minutes

MOTION: Mr. Christiansen moved, Mr. Tucker seconded, to approve the November 9, 2015 Central Mat-Su FSA Meeting Minutes.

VOTE: Voting on the motion, it passed unanimously.

B – December 14, 2015 Joint Board Meeting Minutes

MOTION: Mr. Tucker moved, Mr. Christiansen seconded to approve the December 14, 2015 Joint Board Meeting Minutes

VOTE: Voting on the motion, it passed unanimously.

VI. BOARD REPORTS / CORRESPONDENCE

Project #10027 Update

Mr. Eller said that Chief Steele and some of the board members had a meeting with George Hayes, Assistant Borough Manager, and said they received no answers or movement on any subject matters at this time.

Mr. Eller said that Mr. Hayes suggested meeting with Tammy Clayton, Director, Finance, in a smaller group setting if no answers are received soon.

Chief Steele said the only answer that they did receive, is confirmation that the situation does exist regarding missing FSA project funds.

Chief Steele said that the documents that Mr. Hayes has, validates that the FSA paid $157,000 for the entire tract of land where Station 65 is located. He said that Mr. Hayes discussed the matter with the Borough Attorney, and after reviewing other cases and case laws, it was determined that the total amount that the MSB is liable for is $157,000, which is the original cost of the property. Chief Steele said those at the meeting had further discussion of property value changes and appreciation of the land. He said that Mr. Hayes informed everyone at the meeting that the Borough Manager's direction was to make the FSA funds whole with full restitution to account for the $446,362 allocated, and place it back into the FSA funds. Chief Steele said he was not sure where the MSB was going to get the funds to make the FSA funds whole again.

Mr. Slauson talked further on the matter and feels that the funds may have been deliberately mishandled and feels that some action may need to be taken.

Mr. Eller said he made a statement to Mr. Hayes that this matter is wasting everyone's time, in the fact that questions are not being followed up with answers and nothing is getting resolved.

Mr. Tucker said that the CMSFSA Board is a citizen board and feels that the board should be able to ask the Assembly specific questions that any other citizen would ask.

Mr. Tucker feels that Finance has been very elusive with answers to all of the questions that the board has asked over the past three years or more.

Mr. Slauson mentioned encumbered funds and invoices paid against the FSA project for non-related items and said there should be some restitution for misappropriated project funds.

Mr. Slauson suggested writing out detailed questions that can be forwarded to the Assembly regarding the misappropriated and mishandled FSA project funds.

MOTION: Mr. Tucker moved, Mr. Eller seconded to draft a letter to the Assembly with specific questions and details pertaining to the misappropriation and mishandling of FSA project funds, Project 10027, requesting Assembly action and intervention.

VOTE: Voting on the motion, it passed unanimously.

Mr. Tucker said he would work on a draft letter to the Assembly regarding the above motion.

Mr. Slauson referenced a memo from Mr. Hayes that clearly shows misappropriation of FSA funds and continued to read off information that showed in November 2010 there was $446,000 in FSA project funds. In September 2012 there was a PO for $276,000 to Cruz Construction for ingress and egress of Cottonwood Elementary School and continued to brief the board on more document details.

Mr. Barkley said that Mr. Moosey's direction at the last West Lakes and Central FSA Joint Board Meeting on December 14th was to make the funds whole again.

PERS

Mr. Eller briefed the board regarding the PERS issue and said there was one plaintiff from Central FSA, five West Lakes FSA, two Ambulance Core and one other with Central paying the highest percentage. He said that no answer was received as to why Central was paying such a high percentage amount.

Chief Steele said that in 2014 Central FSA paid roughly 37%, with larger amounts taken out in 2015. He said that Mr. Hayes was going to forward the information on to Finance for answers.

Mr. Slauson feels that the extremely high percentage amount taken out of Central FSA funds for PERS was deliberate and not an accident. He talked about the MSB Attorney getting involved in the matter. He said that the board is obligated to go outside of the MSB system if deemed necessary.

Chief Steele mentioned a revenue G/L line item in Logos (State PERS Relief) that seemed to stay at an even amount of $100,000 over a five year average until 2015 when it went up to $606,000. He said however, this amount does not show to be accounted for in the main Central FSA operating budget. He said that West Lakes FSA only showed receiving $2,900 for 2015.

Mr. Slauson said he did not recall any topic on the Assembly Agenda regarding state funds for PERS Relief and said Assembly legislative action is required in order for the MSB to accept funds.

Mr. Tucker asked about getting an outside investigator involved to investigate and research the matter further.

Mr. Slauson and the board discussed how to pursue the PERS matter and it was agreed by the board to contact the Assembly.

VIII. AGENDA TRACKING REPORT

Station 62 Training Tower Facility

No change, per Chief Steele.

Station 65 Signage

Chief Steele said lights are being replaced.

Apparatus

Chief Steele said that quick attack squads are being shipped. He said there were delays with shipping due to finding a shipper and weather and said the expected delivery date is the end of January 2016.

Firefighter/Engineer & Captain Positions

No change, per Chief Steele.

IX. FY17 Proposed Budgets & Capital Improvement Projects (CIP's)

Special Training Classes 2015

- 2 BFF
- 2 FFI
- Students - Engineer/Driver/Op
- State of AK Haz-Mat
- 1 Rescue Tech
- FF Op Training – S Trunk Road

Chief Steele gave a brief overview of the S. Trunk Road Training exercise and said that other FSA's were also invited to participate in the training exercise. However, he said that Alaska Department of Environmental Conservation (ADEC) shut the live fire training exercise down due to the proximity of the training exercise to the hospital and the Parks Highway.

Scheduled Training
- Regular Central FSA Training – Every Tuesday 7PM – 10PM (Average 60/FF's)
- Rescue Training – Now Combined with Regular Central FSA Training on Tuesdays

Aerial Ladder Training (Platform) – Chief Steele said that this is specialized training and those who participate must be recommended by their Battalion Chief or Captain.

Chief Steele said that there was a 6,000 sq. ft. house that is in the railroad right-of-away and was donated for fire training purposes. He said it is located in the Point Mackenzie area and is approximately a mile outside of Central's FSA and would require approval from Bill Gamble, Director, DES.

Hose and Ladder Testing – Chief Steele said that approximately 85,000 ft. of hose is tested each year. He said that ladder testing is new, explained how the ladder testing is done and said that approximately 125 ladders were tested this past year. He said ladder testing equipment cost $7,000, as opposed to paying an outside company $2/per ft. to do the ladder testing.

Mr. Slauson asked if the ladder testing meets National Fire Protection Association (NFPA) requirement standards.

Chief Steele said Central's ladder testing does meet NFPA standards.

Mr. Barkley said that Chief Steele and Central is working with other FSA's with testing ladders due to budget and personnel constraints and explained further.

Fire Prevention – 2015
- 35 Tours
- 15 School Programs
- 64 Public Education & Fire Prevention Presentations – 7,384 participated in program
- Active Fire Alarm Program.

Fire Code – 2015
- 169 Plan Reviews
- 160 Building Inspections
- Fees Collected - $311,424
- Weekly Customers - 28 Walk-Ins / 40 Phone Calls

Response Data
- 68 Structure Fires
- 59 Grass/Brush Fires
- 8 Chimney Fires
- 37 Vehicle Fires

172 Total Fire Related Calls

Mr. Christiansen asked about the present fire danger.

Mr. Barkley said State Forestry is aware of the fire danger and said they have a small on-call team ready to be activated if needed.

Rescue Reponses – 2015

- 270 Motor Vehicle Accidents
- 381 Medic Assists

651 Total Rescue Responses

Other Types of Responses – 2015

- 22 CO
- 85 Controlled Burns
- 116 Unauthorized Burns
- 184 Fire Alarms (no fire)
- 156 Good Intent/Service Calls
- 41 Smoke Investigations
- 23 Haz-Mat
- 307 Dispatch/Cancelled
- 22 Other

Calls – 2015

- 1,779 Fire/Rescue
- 148.25/per month average / 5 calls, per day – 3% increase from 2014

Tech Rescue – 2015

- Rope
- Confined Space
- Trench
- Structural Collapse
- Haz-Mat Decon – Level B Op

Central FSA Main Operating Budget – 250.000.000

Chief Steele said he is estimating approximately 2% growth increases for FY17 revenues.

411.100 – Permanent Wages

Chief Steele said that the figures noted are only best guess, as Finance actually determines the wage and benefit amounts.

Chief Steele said that he is estimating a 3% increase to Permanent Wages - $177,575.

Mr. Slauson inquired if there will be fire based EMS this next fiscal year.

Chief Steele said there would not be fire based EMS this fiscal year and talked about a percentage split between fire and Ambulance for wages, but said he was told by Director Gamble that the percentage split would not be taking place for FY17.

Chief Steele talked about splitting response calls for full-time personnel between fire and area-wide and said that currently only on-call responders have a system to split costs through E-Pro, but said nothing is in place for full-time personnel to split out response calls.

Chief Steele said the overall increase for both wages and benefits is estimated at $287,374.

The board briefly discussed responding to fires outside of the FSA and when response would be required and who would pay responder and personnel wages.

412's - Benefits

Chief Steele said the total requested Benefits for FY17 is $1,495,510. Total payroll/benefits requested for FY17 - $4,032,834.

414's – Expenses Outside of MSB

Chief Steele said total requested for Expenses Outside of MSB for FY17 is $50,030.

429's – Other Contractual

Chief Steele said the total requested for Other Contractual for FY17 is $152,395.

Mr. Slauson inquired about the $50,000 increase to 429.900 – Other Contractual.

Chief Steele said DES wants to convert from Red-Alert to Fire House and said the additional funds is for DES to hire its own project manager, per MSB IT Department's request, for migration and implementation of Fire House software.

Mr. Slauson asked if there would enough funds to purchase Fire House Software once the project manager has decided what components of the software are needed.

Chief Steele said the $50,000 is for hiring the project manager to oversee the migration of Fire House software. He said that this is the first initial stage of moving forward with the process and said that the MSB IT Department is on board with the migration and implementation of the software.

Mr. Barkley said that Fire Code is currently doing five different processes/per plan review and said that this new software will streamline processes. He also said that Red-Alert is not compatible with some of the state programs and said reports currently have to be converted in order for the state to read them.

Station 62 Training Tower Project

Chief Steele mentioned borrowing $5.5M to finish the training complex projects, which would be a $550,000/COP for 15-years.

Fire Code – 250.160.320

Chief Steele said there is an overall increase of $33,310 to the Fire Code budget.

CMSPSB-61 – 100.160.350 / 45% - 250.160.350 / 55%

Chief Steele said there is an overall increase of $4,542 to the CMSPSB-61 budget.

CMSPSB-51 – 100.160.351 / 56% - 250.160.351 / 46%

Chief Steele said there is actually a decrease of $24,290 to the CMSPSB-51 budget.

Chief Steele said his proposal in personnel requests, is to reduce the cost of the Fire Service Area Helper in order to offset the costs of hiring a temporary mechanic, due to Kenny Crump, Maintenance 1, Fleet Maintenance upcoming retirement the end of April 2016. He said with Mr. Crump's expertise and knowledge of Central's vehicles, he is hoping to be able to hire him back as a 1,000 hour position.

Mr. Barkley said he has already spoken with Human Resources (HR) regarding hiring Mr. Crump after he retires and said there will be a 13 week wait, but said pay could be an issue.

Mr. Barkley also mentioned hiring another 1,000 hour position that will be paid by Ambulance Operations, to help assist with vehicle repairs.

Mr. Barkley mentioned that the current Fleet Maintenance secretary, which is also a 1,000 hour position, has recently submitted her resignation.

Budget Summary

- Fund Balance – 6/30/16 - $8,000,000
- Overall Operating Budget - $8,663,000
- Capital Budget - $6,400,000
- Current Mill Rate – 1.99
- FY17 Requested Mill Rate – 2.15 = $8.76M Budget

X. OTHER BUSINESS

There were no other business items discussed.

XI. AUDIENCE PARTICIPATION & BOARD COMMENTS

Mr. Slauson suggested having another board meeting on Monday, January 25th to set the FY17 mill rate and approve the proposed operating budgets.

All board members were in agreement to schedule an additional board meeting to continue discussing and approving the proposed FY17 operating budgets and mill rate.

Mr. Slauson suggested canceling the February 8th board meeting.

All board members were in agreement to cancel the February 8th board meeting, due to many scheduling conflicts.

XII. ADJOURNMENT

MOTION: Mr. Christiansen moved, Mr. Eller seconded, to adjourn the board meeting.

VOTE: Voting on the motion, it passed unanimously.

The meeting adjourned at approximately 9:08 p.m.

The next meeting is scheduled as a regular board meeting on Monday, March 14, 2016 at 7:00 p.m. at Station 61, 101 W. Swanson Avenue.

Ken Slauson
KEN SLAUSON, Chairman, Central Mat-Su FSA B.O.S.

ATTEST:

Tina Kennerson
TINA KENNERSON, Secretary, Central Mat-Su FSA B.O.S.

Minutes approved on: 1/25/16

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MATANUSKA-SUSITNA BOROUGH
EMERGENCY MEDICAL SERVICES BOARD MINUTES

October 7, 2015

Chairwoman Mangione called the regular meeting of the EMS Advisory Board to order at 6:00 p.m. in the Cottonwood Public Safety Building.

The following members were present and established a quorum:

Jalan Van Nice, Butte;	Cheri Day, Sutton
Mia Mangione, Talkeetna;	Kara Boothby, Central
Mindy Bickle, Trapper Creek;	Christian Hartley, Fire Service Area
Roger Swingle, Medical Director	

Other persons present include: DES EMS Deputy Director, Lisa Behrens; EMS Chief of Operations, Glenn Stevens; EMS Instructor, Glori Strickler; Willow EMS Chief, Ashley Cunnington; Lake Louise EMS Chief, Mike Fassler; EMS Health & Safety, Jimmie Rogers; and Butte EMS Captain, Suesan Van Nice

A quorum was established and due notice had been published.

APPROVAL OF AGENDA

GENERAL CONSENT: The agenda was approved without objections.

APPROVAL OF THE MINUTES

June 3, 2015

MOTION: Mr. Van Nice moved and Ms. Day seconded, to approve the minutes as presented.

GENERAL CONSENT: There was no objection to the approval of the minutes.

PERSONS TO BE HEARD

There were no persons to be heard.

ADMINISTRATIVE REPORTS

EMS Deputy Director

Ms. Behrens let everyone know that the pay classification review is in process. Today was the due date for the surveys. Tomorrow is when the classification committee begins reviewing the surveys.

The e-PCR committee is moving forward, reviewing the software screen by screen. Ms. Behrens stated that during the paramedic refresher, the Getac computers should be available for responders to try out.

Shari Turner has some additional help for the e-PCR project. The "go live" date moved from March/April 2016 to early November for a small group to "go live". It will be a test phase to make sure it works properly before it is rolled out to more and more responders. There will be heavy emphasis on preceptors to teach interns the new system.

Ms. Behrens brought up the AED Project for discussion. She said the Willow Community Center is getting a low battery indication on their AED and contacted DES to find out if we maintain their AED. Stephanie Vitt did find a letter from Clint Vardeman sent to the business owners given AED's which explains the borough will no longer maintain the AED's. Ms. Behrens suggested finding the AED spreadsheet to contact the businesses with AED's and get information out as to where to find the batteries and additional pads, etc. Ms. Boothby said that it depends on the model of AED as to which supplies are needed. Someone also mentioned that they would not be able to buy pads without a prescription. Dr. Swingle said he could write a prescription. Ms. Boothby said that the GPS coordinates were logged on the spreadsheet with the physical address of the AED locations. Chief Stevens had some of the community AED's in storage sent out some to businesses in Talkeetna. He said they would like to have training before summer season. Dr. Swingle suggested giving AED's to the police departments so they are in a mobile unit.

Ms. Behrens asked for an update on the AED Work Group. Dr. Swingle said they have not been very active. Ms. Day said they were waiting for spreadsheets to be sent to them. Everyone seemed to have "old" ones. Chief Stevens said he would assign the spreadsheet updating to one of the assistants and it was also suggested to send someone around to make sure the business owners/staff knows how to maintain them and find out what they may need for batteries or other supplies.

Ms. Behrens explained to everyone who the 1000 hour EMS assistants are who has been hired recently. Jimmie Rogers, Health and Safety, was present and introduced to everyone. He asked everyone to think of him as "Asset Protection", not "OSHA".

The new EMS emblem has been created and plenty of patches have been ordered. Erica Prager is the assistant to contact for patches, gear, etc.

Director Gamble has been sharing the DES strategic planning presentation. Ms. Behrens asked if all service areas had a chance to come to one of the presentations. Chairwoman Mangione said most of the Talkeetna responders have not seen one. Ms. Behrens will help set up a time for the northern area.

Ms. Behrens said they are still working on the Medicare Correction letter for MSB. Medicare has changed some parameters and regulations for billing. It is much more complicated now. Trainings will continue to help correct some of the issues. E-PCR's will help our ability to do correct reporting. There was further discussion on communications with patients and transporting.

She stated that Glori has been working with some people outside of the borough who have expertise in using high fidelity simulation mannequins, but have no mannequins. We have the mannequins, but not the expertise. So, both halves are working together to get the training trailer around to do some really good training in all the areas.

Quality Assurance –

Ms. Strickler said Shari Turner has asked her to express her appreciation for cooperating with the PCR lock box. She said it is working very well.

EMS Chief of Operations –

Chief Stevens said that he and Scott Williamson are working with Dr. Swingle to review and update the medical standing orders and protocols. They are making fast progress. He said to expect some fairly large changes which should be very positive and bring us in line or ahead of national protocols.

Ms. Boothby said they have the app for the old standing orders and asked if it would be updated when the new ones come out. Chief Stevens agreed that it should be and asked Ms. Boothby to look into how to do the update.

For EMS Symposium, registrations will be paid for, but some of the ancillary items will not be paid for or reimbursed due to budget issues. Dorm rooms at St. 51 may be available for lodging for those in rural areas. The EMS Operating budget has taken several big hits this year so all operating expenses will be scrutinized more than usual.

Chief Stevens shared some of the changes to the upcoming standing order protocols. Even if EMT 1's or 2's aren't able to administer a drug, they still need to know about the drug. The cardiac protocols are on hold for now because the 2016 guidelines should be coming out soon. If it takes too long, they will go ahead and get the protocols out. One major change is the EMT 3/EMT 3A level will be going back to one EMT 3 level. Data from the past 18 months was

reviewed when considering any changes. Additional proposed changes were shared and discussed with Chief Stevens and Dr. Swingle.

EMS Training Coordinator -

Mr. Mackreth was not able to attend due to the paramedic refresher. He asked Ms. Strickler to inform that state applications will be strictly on-line. The state has not given all the details yet and there may be a new payment procedure. MICP applications will still be paper format.

EMS Instructor

Ms. Strickler said the Zoll X-series will be released soon and they will start training. A hand-out on upcoming training was also given to the board members and other representatives.

Chief Stevens said they are looking at outer pants for winter gear. Anchorage uses them. Lions approached him to see if MSB EMS wants to help test out this type of gear for them. He or Glori will put out a questionnaire to get a wish list for fit and other pant options.

Medical Director

Dr. Swingle went over the completed quarterly reviews and the next scheduled.

He has been enjoying the paramedic refresher and appreciates all the work Bill Mackreth has put into it. He will teach gigacodes on October 13th. He will also attend the EMS Symposium in Anchorage.

REPRESENTATIVE REPORTS

CISM –

Ms. Day reported that to her knowledge, there have not been any requests or activity for the CISM team in the last couple months.

Willow –

Ms. Cunnington said they have interviewed two EMT 3's for Willow and hope to have them hired soon.

Butte –

Mr. Van Nice said he hopes they have a place for the Unimog outside of St. 39 and should know late next week.

Sutton –

Ms. Day said that soon there should be a RFP to complete the water at St. 1-2 – hopefully by late spring/early summer.

Lake Louise – (unofficial representative)

Mr. Fassler is working on the replacement vehicle for Lake Louise. Chief Stevens said he has that in the works with Ms. Behrens and Casey Laughlin.

COMMITTEE REPORTS

AED Registry/Hands Only CPR Project Work Group

Chairwoman Mangione confirmed with Chief Stevens that Charles Darnell would be taking over the AED Registry.

OLD BUSINESS

Board Member Update -

Ms. Laughlin went over the board member vacancies and term expirations.

Legislation to add alternate positions –

Ms. Laughlin stated on behalf of Ms. Vitt that the legislation for adding the alternate positions was approved. We now have alternate positions available for all positions.

Radio Communications –

Mr. Van Nice stated that Butte still does not have their base station set up at St. 2-1. He put in the request on September 9, 2013. They can't hear much of any radio traffic while inside the station. Ms. Day reported that Sutton's base station is "there", but isn't working yet.

New Ambulances – Update -

Chief Stevens has nothing new to report of the new ambulance chassis. He is waiting for Braun to take delivery of the chassis themselves. Once delivered, he and Cody Graham will then fly down to inspect them. They are expecting them to be ready to ship in November.

State Fair Booth for Hands Only CPR for 2015

Ms. Vitt, not present, shared in an email read by Ms. Laughlin that it worked well to partner with the Red Cross and LEPC in the large tent. Staffing was the big challenge – often only 1 volunteer per shift. Ms. Vitt gave kudos to Karen Fassler and Jessie Bryant for taking on the majority of the shifts. There were about 366 people that went through the training. If it were to happen next year, it would be up to EMS Leadership and would need to be coordinated more from EMS operations, not administration. Ms. Vitt suggested they could look at also partnering more with the hospital and Job Corp for volunteers.

Everyone agreed it is difficult to get responders to commit when we can't even get ambulance shifts filled. Many offered suggestions for getting volunteers: medical students, boy scouts, and high school students. Chairwoman Mangione mentioned that we need a volunteer to coordinate the event since Chief Stevens and Ms. Vitt don't have time. The board can continue to think about it over the next few months.

NEW BUSINESS

Introductions of new EMS on-call assistants

Ms. Behrens did this during her earlier report.

Health & Safety Committee/Program

Mr. Rogers said that Johan would like to have a safety task force. They plan on having quarterly meetings with those that are excited to come. Johan would like to invite OSHA to come to some of the quarterly meetings. Chief Stevens asked if Mr. Rogers had any connections with the DEA to do an audit.

On-Call vs. Full Time EMT Pay Difference

This was talked about earlier regarding the pay re-classification process. Ms. Behrens said we should hear some recommendations sometime in January.

EMS Board Mission and Vision Review

Ms. Behrens requested that we postpone further discussion on this topic for this meeting and keep it on the next agenda. It was discussed at the August meeting, but there was not a quorum and no minutes typed from the meeting.

Off-Road Rescue and Rescue Billing

Ms. Day said she had gone to Tiffanie Robinson who does Ambulance and Rescue Billing to talk about Rescue fees. She knew about the extrication fees to charge, but didn't know about the off-road rescue fees. She also talked to Ken Barkley and learned about the Rescue Form that gets filled out. It sounds like not much gets billed out. Any funds that are collected go into the General Fund. Ms. Day said that as Ambulance personnel, we need to make sure rescue crews have the patient's information so it can be billed out. She asked everyone to communicate with their department's rescue crews about the rescue forms and what can be billed out.

Chief Stevens said they will be having the inter-agency coordination meeting on October 13th.

Community AED Program Check-Up

This was discussed previously during the meeting during the EMS Deputy Director report.

EMS Board Chair term expires December 2015

Chairwoman Mangione announced that her chair term expires at the end of December. Ms. Laughlin said that anyone can nominate a member of the board as chair, or they can even nominate themselves.

Ms. Vitt will send an email out a few weeks before to request any nominations to be emailed to her and then vote during the December meeting.

INFORMATIONAL ITEMS

Mr. Rogers requested to have any chiefs present come meet with him after the meeting so he knows who is who and he can make sure everyone has his contact information.

NEXT MEETING

Chairwoman Mangione announced that the next meeting would be held on December 2, 2015 at 6:00 p.m. at Cottonwood PSB.

ADJOURNMENT

MOTION: Mr. Van Nice motioned and Ms. Day seconded to adjourn the meeting.

All in favor

The meeting ended at 7:27 p.m.

Cheri Day, Vice Chair

ATTEST:

Stephanie Vitt, Secretary

MATANUSKA-SUSITNA BOROUGH
Enhanced 911 ADVISORY BOARD MINUTES

December 8, 2015

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The regular meeting of the Enhanced 911 Advisory Board was called to order at 9:00 a.m., at the Cottonwood Public Safety Building by Chairman Cook.

Advisory Board members in attendance establishing a quorum were:

Joel Butcher, Wasilla Police;
Mark Baker, MSB IT; and
Casey Cook, MSB DES;
Lance Ketterling, Palmer Police.

Also in attendance were: Bill Gamble, MSB DES; Eric Wyatt (via telephone), MSB IT; Eric Goudy, MSB GIS; John Rockwell, AST; and Dee Williams, MTA.

A quorum was present, and due notice had been published.

APPROVAL OF AGENDA:

GENERAL CONSENT: The agenda was approved as presented.

APPROVAL OF MINUTES

GENERAL CONSENT: There was no objection to the approval of the November 10th, 2015 minutes as presented.

PERSONS TO BE HEARD - None

Approval of Proposed FY17 Budget

Revenue: The estimated FY17 revenue of $2,397,350 is based on 99,750 subscribers @ 2.00 per month per subscriber unit, and interest revenue of $3,350.

Expenditures: The Fiscal Year 2017 expenses as proposed:

• 411.100 - 411.300 Salaries & Wages	$	142,106.00
• 412.100 - 412.990 Benefits	$	115,287.00
• 413.100 - 413.400 Mileage Expense w/in Borough	$	461.00
• 414.100 - 414.900 Expenses Outside Borough	$	11,070.00
• 421.100 - Communications	$	49,268.88*
• 421.200 - Postage	$	15,000.00
• 422.000 - Advertising	$	27,000.00*
• 423.000 - Printing	$	6,000.00
• 426.300 - Dues & Fees	$	520.00
• 426.600 - Computer Software	$	4,500.00*
• 426.900 - Other Professional Charges	$	.00

• 427.100 – 427.500 – Property/Liability Insurance	$	450.00
• 428.300 - Equipment Maintenance Services	$	2,000.00
• 428.500 - Communications Equipment Maint.	$	17,500.00
• 429.200 - Training Reimb/Conf Fees	$	13,500.00
• 429.210 - Training/Instructor Fees	$	7,500.00
• 429.900 - Other Contractual	$	917,785.67
• 431.300 - Equipment Maintenance Supplies	$	.00
• 433.300 - Books/Subscriptions	$	250.00
• 433.900 - Other Supplies	$	16,000.00
• 434.000 - Computers under $5,000	$	2,000.00
• 434.100 - Other Equipment Under $5,000	$	1,000.00
• 451.100 - Equipment over $5,000	$	.00
• 453.000 - Miscellaneous-Reserve	$	.00
Total expenses		$1,349,198.55

*421.100 Communications: It was decided to remove all communications expenses for Field Com I from the E-911 budget and transfer those costs to the Telecommunications budget.

*422.000 Advertising: Mr. Goudy advised that the funds were initially set aside many years ago for a public awareness campaign to get people to post their house numbers so responders could see them. There isn't a plan that he's aware of to push that project forward. Mr. Gamble stated that it is a worthy project and we need to continue to fund it from this budget. Mr. Rockwell stated that the other side to the project is making sure that people know their accurate physical address. Mr. Gamble asked that this item be added as an agenda item for the next meeting.

*426.600 Computer Software: Mr. Goudy advised to remove the DLT Solutions and ArcMap budget figures as that software is no longer being used.

*446.500 Transfer to Fund 480: Mr. Cook reported that Manager Moosey advised that the intention of the three capital projects the assembly has moved money aside for is for the possibility of consolidated dispatch, and the funds are to be left alone: 45184-2607, 2608, & 2609 for $1,000,000 each ($3,000,000 total).

*45184-2604 CAD to CAD & APSIN Interface: Mr. Baker stated that he couldn't locate any project history on this, however, this is something a CAD upgrade should address. We are waiting for a quote to update the CAD, and we have been tasked with forging ahead to create an RFP for the FY17 dispatch contract. In that RFP, we will be specifying that the CAD must have those interfaces and the contractor will need to provide them.

*45184-2606 E-911 Parcel Spatial Data Acquisition: Mr. Goudy stated that the focus of the project was to improve the accuracy of our GIS data in the road accessible areas of the borough. We have about another year of work to complete the project and we use the funds to lease a vehicle and personnel wages for a person in the field. He believes we need about $75,000 to complete the project. It was decided to leave the project standing as is and request an extension to carry it into FY17.

Mr. Cook asked if there were any objections to approving the budget with the current amendments. There were no objections, and it was stated that the proposed FY17 budget as discussed at this meeting was approved.

E-911 Surcharge for Call Taking/Dispatching – MSB Attorney Response

Mr. Cook stated that: He sent Mr. Butchers questions regarding the allocation of E-911 funds toward the dispatch contract to the Borough Attorney, who is currently looking into the situation. Mr. Cook will contact Mr. Spiropoulos to follow up on this and try to get an answer as soon as possible.

NEW BUSINESS – None

INFORMATIONAL ITEMS

Mr. Baker stated that:

1) We received a revised quote from TCS for the system refresh and the amount was just under $202,000, however, they did not include server replacements at each PSAP. Replacements will be necessary so that will add an additional $17,000 to the cost. Touch screen monitors will also be added. The total cost should come in around $230,000. We are working with Purchasing to get a contract in place.

2) We received an invoice from 911 Insight for services rendered. The total for this invoice is $4,824.64 and a copy is available is anyone would like to review it.

COMMENTS

NEXT MEETING DATE

Chairman Cook announced that the next meeting date would be February 9th, 2016 at the Cottonwood Public Safety Building.

ADJOURNMENT

Casey Cook, Chairman

ATTEST:

Casey Laughlin, Secretary

MATANUSKA-SUSITNA BOROUGH
LIBRARY BOARD

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Chair – Marci Hawkins - Sutton
Vice Chair – Bonnie Cavanaugh - At-Large 1
Secretary – Jennifer Rinaldi - Big Lake
Ginny Robson – Trapper Creek
Melinda Dale - Willow
Virginia Richey - At Large 2
VACANT – Wasilla
VACANT - Talkeetna
VACANT – Palmer

MINUTES

REGULAR MEETING **November 21, 2015**
Big Lake Public Library **10:00 A.M.**

I. CALL TO ORDER
Meeting was called to order at 10:06 am

II. ROLL CALL-DETERMINATION OF QUORUM
A. Members present and establishing a quorum were: Melinda Dale, Bonnie Cavanaugh Virginia Richey, Ginny Robson, and Jen Rinaldi
B. Members Absent and Excused: Marci Hawkins
C. Staff Present: Jo Cassidy, Big Lake Librarian
Hugh Leslie, Rec Services Manager
D. Guest Present: None

III. APPROVAL OF AGENDA
MOTION: Ms. Rinaldi motioned, Ms. Richey 2nd, to approve the agenda. Agenda approved as written.

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETING
A. October 17, 2015
Ms. Dale motioned, Ms. Richey 2nd, to accept minutes as written. Minutes approved.

VI. BOROUGH STAFF REPORT
Mr. Leslie reported:
- Willow Feasibility group met, and the decision from the group was to add on/expand the existing library. It was determined that keeping one building running was more cost-effective than two. The project is currently number four or five on the CIP list. The next meeting will be held on December 2nd.
- Staff will begin working on budgets in mid-December, with the Assembly discussing library budgets in the near future.
- A borough-wide staff survey and reclassification study has been completed, with results expected in approximately two weeks.

Ms. Cassidy reported:
- The Big Lake Library is attempting to increase programming needs. A Young Adult Advisory Group has just started.
- Lots of fun holiday activities for children are coming up, including gingerbread making, Santa, and a program about snow.

- The Cooperative Extension Service will hold programs on livestock, a chicken university program, and a canning and pickling program.
- Food for Kids is coming in to provide daily lunches, as well as afterschool snacks during children's programming.
- The Big Lake Library has received several grants for educational toys, a new greenhouse, and new security cameras.
- Since joining JLC, postage costs have increased dramatically due to off-road system mailings. There is no standard checkout period or hold policy among the network. One reason is that the Wasilla library lacks the space to house the books.

VII. PERSONS TO BE HEARD

None

VIII. UNFINISHED BUSINESS

A. Library Strategic Plan

Currently waiting for the Strategic Plan to return from the Law Department.

IX. NEW BUSINESS

A. 2016 Library Board meeting schedule

- Ms. Robson motioned, Ms. Dale 2nd, to approve the 2016 meeting schedule with the addition of the April 16 meeting to be held at the Big Lake Library.

X. CORRESPONDENCE

XI. MEMBER COMMENTS

- Ms. Dale commented that she has enjoyed serving on the board, and Carol Goltz should be submitting an application soon to replace her on the board.

XII. FUTURE MEETING

- January 16, 2016, 10:00 am, Wasilla Public Library

XIII. ADJOURNMENT

- Ms. Rinaldi motioned, Ms. Robson 2nd, to adjourn the meeting. Motion passed, and meeting was adjourned at 11:16 am.

Bonnie Cavanaugh, Vice-Chair

ATTEST:

Jennifer Rinaldi, Board Secretary

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on December 7, 2015, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:01 p.m. by Chair John Klapperich.

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

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Planning Commission members present and establishing a quorum:
Mr. Brian Endle, Assembly District #1
Mr. Thomas Healy, Assembly District #2
Mr. John Klapperich, Assembly District #3 *Chair*
Mr. Bruce Walden, Assembly District #4
Mr. William Kendig, Assembly District #5
Mr. Vern Rauchenstein, Assembly District #7

Planning Commission members absent and excused were:
Mr. Tomas Adams, Assembly District #6

Staff in attendance:
Ms. Lauren Driscoll, Planning Services Chief
Mr. Alex Strawn, Development Services Manager
Ms. Laura Newton, Assistant Borough Attorney
Ms. Susan Lee, Planner II
Ms. Glenda Smith, Real Property Analyst
Ms. Mary Brodigan, Planning Commission Clerk

II. APPROVAL OF AGENDA

Chair Klapperich inquired if there were any changes to the agenda.

Ms. Brodigan:
- staff has requested that Resolution 15-44 be addressed before Resolution 15-36;
- stated that they are both requests for a variance for structures on the same property; and
- staff is recommending approval of Resolution 15-44 for an existing structure, and denial of Resolution 15-36 for a new structure.

There was no objection to addressing Resolution 15-44 before 15-36.

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

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mr. Alex Strawn, a staff member.

IV. CONSENT AGENDA

A. Minutes

1. October 19, 2015, special meeting minutes
2. November 2, 2015, regular meeting minutes

A. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

(There were no introductions for quasi-judicial matters.)

B. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

1. **Resolution 15-42**, A resolution recommending Assembly adoption of the Seldon Road Extension Corridor Access Management Plan: Public Hearing: December 21, 2015. (*Staff: Mike Campfield*)
2. **Resolution 15-30**, A resolution adopting an update to the Planning Commission Policies and Procedures Manual. Public Hearing: December 21, 2015. (*Staff: Lauren Driscoll*)

Chair Klapperich read the consent agenda into the record.

Chair Klapperich inquired if there were any changes to the consent agenda.

GENERAL CONSENT: The consent agenda was approved without objection.

V. COMMITTEE REPORTS

(There were no committee reports.)

VI. AGENCY/STAFF REPORTS

(There were no agency/staff reports.)

VII. LAND USE CLASSIFICATIONS

(There were no land use classifications.)

VIII. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding a junk yard located in Big Lake: Mr. Frank Chamberlain.

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS *(Public Hearing not to begin before 6:15 P.M.)*

Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

A. **Resolution 15-44**, A resolution approving a variance to allow an existing one-story cabin to remain set back 14 feet from the Tamarack Cove Drive right-of-way, 7 feet from the side yard lot line and 55 feet from the ordinary high water mark of Big Lake, on lot 9, Clester Extension; 16587 W. Tamarack Cove Drive, within Township 17 North, Range 3 West, Section 29, Seward Meridian, Palmer Recording District. (*Staff: Susan Lee, Applicant: Ivan and Lynne Schuening*)

Chair Klapperich read the resolution title into the record.

Chair Klapperich:
- read the memorandum regarding quasi-judicial actions into the record;
- queried commissioners to determine if any of them have a financial interest in the proposed variance;
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed variance; and
- if all commissioners are able to be impartial in a decision.

Ms. Lee provided a staff report:
- staff recommended approval of the resolution.

Commissioners questioned staff regarding:
- clarification on the size of the lot; and
- what prompted the applicant to bring this request forward at this time.

Mr. Ivan Schuening provided an overview of his request for a variance.

Commissioners questioned the applicant regarding whether he paid cash for the property.

Chair Klapperich opened the public hearing.

The following person spoke in favor of Resolution 15-44: Mr. Mike Lasky.

Chair Klapperich invited the applicant to respond to questions and statements from the public.

Mr. Schuening stated that he had nothing further to add.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Kendig moved to approve Resolution 15-44. The motion was seconded.

VOTE: The motion passed without objection.

B. **Resolution 15-36,** A resolution approving a variance to allow a recently constructed two-story structure to remain set back 32 feet from the ordinary high water mark of Big Lake and 9 feet from the side yard lot line, on lot 9, Clester Extension; 16587 W. Tamarack Cove Drive, within Township 17 North, Range 3 West, Section 29, Seward Meridian. (*Staff: Susan Lee, Applicant: Ivan and Lynne Schuening*)

Chair Klapperich read the resolution title into the record.

Chair Klapperich:
- read the memorandum regarding quasi-judicial actions into the record;
- queried commissioners to determine if any of them have a financial interest in the proposed variance;
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed variance; and
- if all commissioners are able to be impartial in a decision.

Ms. Lee provided a staff report:
- staff recommended denial of the resolution.

Commissioners questioned staff regarding:
- clarification of how granting this variance may be injurious to neighboring properties and to the general public;
- what options does the applicant have if the variance is not granted; and
- are the guest accommodations in the new structure plumbed.

Mr. Schuening provided an overview of his application.

Commissioners questioned the applicant regarding whether there is enough room on the lot to move the new structure back from the waterbody.

Chair Klapperich opened the public hearing.

The following persons spoke in favor of Resolution 15-44: Mr. Max Schillinger, surveyor for Mr. Schuening; Mr. Jason Underhill, contractor for Mr. Schuening; and Mr. Hal Schuening.

The following persons spoke in opposition of Resolution 15-44: Mr. Mike Lasky and Ms. Bari Lasky.

Chair Klapperich invited the applicant to respond to questions and statements from the public.

Mr. Schuening responded to questions and statements from the public.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

Discussion ensued regarding:
- the definition of boathouses;

- options for bringing this structure into compliance;
- was the structure initially intended to be a boathouse since the As-Built did not show access to the dock;
- clarification of when the property was identified as being within the setback;
- at what point during construction were enforcement orders imposed; and
- when was the applicant informed that their structure was out of compliance.

Ms. Laura Newton, Assistant Borough Attorney:

- stated that she represents staff as an advocate, but her main role is to make certain that the law is understood and correctly applied;
- referred to state law AS 29.40.040, Land Use Regulations, and described the requirements for being able to grant a variance as well as conditions in which a variance may not be granted;
- noted that the Big Lake Comprehensive Plan addresses garages and urged the commissioners to pay attention to this; and
- stated that issues with realtors and surveyors can be remedied in courts of law through civil litigation, but it is not the role of the Planning Commission to remedy this situation for the applicant.

MOTION: Commissioner Kendig moved to approve Resolution 15-44. The motion was seconded.

(The meeting recessed at 7:59 p.m., and reconvened at 8:05 p.m.)

Discussion ensued regarding:

- the need for building permits;
- the need for a mandatory land use permit;
- a statement in the application that the applicant intends to have family and friends stay in the structure;
- whether realtors are required to disclose setback information; and
- the purpose of the second garage door.

VOTE: The main motion failed with Commissioners Klapperich and Walden in favor.

A. **Resolution 15-43**, A resolution adopting findings of fact and conclusions of law to support denial of resolution 15-36. (*Staff: Susan Lee, Applicant: Ivan and Lynne Schuening*)

Chair Klapperich read the resolution title into the record.

MOTION: Commissioner Kendig moved to approve Resolution 15-43. The motion was seconded.

MOTION: Commissioner Kendig moved a primary amendment to insert "regarding Resolution 15-36" in the second whereas statement, and strike "on this matter" from the second whereas statement to read: "whereas, the Planning Commission conducted a public hearing regarding Resolution 15-36 on December 7, 2015". The motion was seconded.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed with Commissioners Klapperich and Walden in opposition.

X. PUBLIC HEARING LEGISLATIVE MATTERS

A. **Resolution 15-41**, A resolution recommending the Assembly append the Big Lake Comprehensive Plan to include the Big Lake Community Impact Assessment. (*Staff: Sara Jansen*)

Chair Klapperich read the resolution title into the record.

Ms. Driscoll:
- stated that Resolution 15-41 did not make it into the packet;
- recommended that the public hearing be opened and then continued until December 21, 2015, if there is anyone that has signed up to speak; and
- if no one has signed up, recommended postponing the item until the December 21, 2015, regular Planning Commission meeting.

Ms. Brodigan stated that one person had signed up for the public hearing for Resolution 15-41, but they left the chambers following the previous public hearing.

MOTION: Commissioner Kendig moved to postpone Resolution 15-41 until December 21, 2015. The motion was seconded.

VOTE: The main motion passed without objection.

B. **Resolution 15-39**, A resolution recommending the Assembly place a moratorium on the acceptance and processing of applications to dispose of fee simple interests of previously disposed borough agricultural property. (*Staff: Glenda Smith*)

Chair Klapperich read the resolution title into the record.

Ms. Glenda Smith provided a staff report:
- staff recommended approval of the resolution.

Commissioners questioned staff regarding how long the Assembly wants the moratorium to be in effect.

Chair Klapperich opened the public hearing.

There being no persons to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Walden moved to approve Resolution 15-39. The motion was seconded.

Discussion ensued regarding a time limit on the moratorium.

MOTION: Commissioner Kendig moved a primary amendment to add "March 10, 2016" to the title and the "now, therefore, be it further resolved" statement. The motion was seconded.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

XI. CORRESPONDENCE AND INFORMATION

(There was no correspondence and information.)

XII. UNFINISHED BUSINESS

(There was no unfinished business.)

XIII. NEW BUSINESS

A. 2016 Planning Commission Meeting Schedule.

Ms. Mary Brodigan, Planning Commission Clerk:

- presented the draft 2016 Planning Commission Meeting Schedule;
- stated that the Planning Commission meets on the first and third Monday of the month;
- noted that per MSB 2.12.075, The Assembly and Planning Commission shall meet jointly on the fourth Tuesday of March and October; and
- recommended approval of the 2016 Planning Commission Meeting Schedule.

MOTION: Commissioner Rauchenstein moved to approve the 2016 Planning Commission Meeting Schedule. The motion was seconded.

VOTE: The motion passed without objection.

B. PC Manual Discussion.

Ms. Lauren Driscoll, Planning Services Chief, provided an overview of the PC Manual.

Discussion ensued regarding:
- whether second class cities must provide planning, platting, and land use regulations; and
- clarification of whether third class boroughs are prohibited by state statute.

XIV. COMMISSION BUSINESS

A. Upcoming Planning Commission Agenda Items

(Commission Business was presented and no comments were noted.)

XV. DIRECTOR AND COMMISSIONER COMMENTS

Ms. Driscoll stated that her Long Range Planners have started a monthly newsletter to inform the commission and public about planning projects.

Chair Klapperich:
- stated that Commissioners Endle and Walden have announced that they will not be re-applying for a second term on the Planning Commission;
- noted that there probably will not be replacements by the first meeting in January;
- requesting that Commissioners Endle and Walden consider participating in the meetings through the end of January;
- opined that it's not fair to applicants to only have five commissioners; and
- noted that it is very important to have commissioner participation from Districts 1 and 4.

Commissioner Walden stated that he will serve through January if needed, and knows of someone who will be applying for his seat.

Commissioner Rauchenstein:
- has a scheduling conflict and will be absent from the December 21st meeting; and
- wished everyone a Merry Christmas.

Chair Klapperich:
- congratulated Ms. Brodigan for her calm professionalism in chaotic situations;
- noted that when they disagree, they are not disagreeable;
- appreciates that he can vote with his heart and not feel obligated to vote in a way that might compromise his principals;
- stated that when he refers to the borough, he is not referring to any individual or any particular department;
- we can all strive for excellence in the quest for knowledge; and
- appreciates everyone's patience with him.

XVI. ADJOURNMENT

The regular meeting adjourned at 9:30 p.m.

JOHN KLAPPERICH, Planning Commission Chair

ATTEST:

MARY BRODIGAN, Planning Commission Clerk

Minutes approved: December 21, 2015

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on December 21, 2015, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 p.m. by Chair John Klapperich.

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

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Planning Commission members present and establishing a quorum:
- Mr. Brian Endle, Assembly District #1
- Mr. John Klapperich, Assembly District #3 *Chair*
- Mr. Bruce Walden, Assembly District #4
- Mr. William Kendig, Assembly District #5
- Mr. Tomas Adams, Assembly District #6

Planning Commission members absent and excused were:
- Mr. Thomas Healy, Assembly District #2
- Mr. Vern Rauchenstein, Assembly District #7

Staff in attendance:
- Ms. Lauren Driscoll, Planning Services Chief
- Ms. Laura Newton, Assistant Borough Attorney
- Ms. Sara Jansen, Planner II
- Ms. Mary Brodigan, Planning Commission Clerk

II. APPROVAL OF AGENDA

Chair Klapperich inquired if there were any changes to the agenda.

Chair Klapperich stated that Mr. Jude Bilafer, Capital Projects Director, has requested that Planning Commission Resolution 15-42 be pulled from the agenda.

MOTION: Commissioner Kendig moved to pull Resolution 15-42 from the Agenda. The motion was seconded.

GENERAL CONSENT: The motion to pull Resolution 15-42 was approved without objection.

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

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Assemblymember Mayfield.

IV. CONSENT AGENDA

A. Minutes

1. December 7, 2015, meeting minutes

A. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

B. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

1. **Resolution 16-03**, A resolution recommending Assembly approval of proposed amendments to Title 43, Subdivisions, to address inconsistencies outlined in the Planning Department staff memorandum dated March 1, 2013. Public Hearing: January 4, 2016. (*Staff: Eileen Probasco*)

Chair Klapperich read the consent agenda into the record.

Chair Klapperich inquired if there were any changes to the consent agenda.

GENERAL CONSENT: The consent agenda was approved without objection.

V. COMMITTEE REPORTS

(There were no committee reports.)

VI. AGENCY/STAFF REPORTS

(There were no agency/staff reports.)

VII. LAND USE CLASSIFICATIONS

(There were no land use classifications.)

VIII. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding concerns with public process and information included in meeting packets: Mr. Eugene Carl Haberman.

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS *(Public Hearing not to begin before 6:15 P.M.)*

Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

(There were no quasi-judicial public hearings.)

X. PUBLIC HEARING LEGISLATIVE MATTERS

A. **Resolution 15-41**, A resolution recommending the Assembly append the Big Lake Comprehensive Plan to include the Big Lake Community Impact Assessment. Postponed from December 7, 2015.

Chair Klapperich read the resolution title into the record.

Ms. Sara Jansen provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- clarification of the timeline for the Big Lake Comprehensive Plan and the Big Lake Community Impact Assessment (CIA); and
- where did funding come from for the CIA, and how did they community acquire these funds.

Chair Klapperich opened the public hearing.

The following person spoke in favor of Resolution 15-41: Assemblymember Dan Mayfield (representing the Big Lake Community Council).

The following person spoke with concerns with the public process and over Assemblymember Mayfield testifying in favor of the resolution: Mr. Eugene Carl Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Kendig moved to approve Resolution 15-41. The motion was seconded.

Commissioner Kendig noted that the motion isn't recommending approval of any route, but that the Big Lake Community Council would like to append the Comprehensive Plan with the CIA.

MOTION: Commissioner Adams moved a primary amendment to add a now, therefore, be it further resolved statement to read "The Planning Commission's approval of this resolution does not reflect support for any particular route identified within the CIA". The motion was seconded.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

B. **Resolution 15-42**, A resolution recommending Assembly adoption of the Seldon Road Extension Corridor Access Management Plan: (*Staff: Mike Campfield*)

(*This item was pulled during the approval of the agenda.*)

C. **Resolution 15-30**, A resolution adopting an update to the Planning Commission Policies and Procedures Manual. (*Staff: Lauren Driscoll*)

Chair Klapperich read the resolution title into the record.

Ms. Lauren Driscoll provided a staff report:

- stated that the contractor was not able to provide the new formatted version of the manual for tonight's meeting due to a family emergency;
- they anticipate having it ready at the last meeting in January;
- noted that a public hearing is not necessary for approval of this document since it is policy for the commission;
- in an effort to be transparent, suggested that a public hearing is a good idea, however; and
- requested that the public hearing be postponed until February to give the contractor enough time to complete the formatting.

MOTION: Commissioner Kendig moved to postpone the public hearing for Resolution 15-30 to February 2, 2016. The motion was seconded.

VOTE: The motion to postpone passed without objection.

XI. CORRESPONDENCE AND INFORMATION

(Correspondence and information was presented and no comments were noted.)

XII. UNFINISHED BUSINESS

(There was no unfinished business.)

XIII. NEW BUSINESS

(There was no new business.)

XIV. COMMISSION BUSINESS

A. **Resolution 15-45**, In appreciation for the services of Commissioner Bruce Walden

MOTION: Commissioner Kendig moved to approve Resolution 15-45. The motion was seconded.

VOTE: The motion passed without objection.

B. **Resolution 15-46**, In appreciation for the services of Commissioner Brian Endle

MOTION: Commissioner Kendig moved to approve Resolution 15-46. The motion was seconded.

VOTE: The motion passed without objection.

C. Upcoming Planning Commission Agenda Items. (*Staff: Lauren Driscoll*)

Ms. Driscoll provided a brief update on projects that will be coming before the Planning Commission.

XV. DIRECTOR AND COMMISSIONER COMMENTS

Commissioner Endle:

- stated that it has been an honor to serve on the commission;
- this will be his last meeting as a commissioner, but he will attend meetings in the future from the other side;
- he learned a lot from each and every commissioner and opined that it takes good people to stand up and do this job;
- it has been a rewarding experience; and
- thanked the commissioners for their hard work.

Commissioner Walden:

- stated that he will continue to attend meetings until a replacement is found for his position;
- it has been a distinct honor to serve on the commission;
- he served in two different wars and over four tours of duty;
- is very angry with what has happened in this country;
- has been asked to seek the office of US Senator next year by the Veterans Party;
- his platform will be to provide a voice for the grievances of veterans;
- we are here to make decisions that will help the public;
- acknowledged that the work that the commission does is not appreciated by everyone; and
- stated that he will miss everyone.

Commissioner Adams:

- hopes that we can find capable replacements for Commissioners Walden and Endle;
- it will be a challenge to find people with the same passion; and
- stated he got goose bumps listening to the passion of Mr. Walden.

Commissioner Kendig:

- stated that it has been a pleasure working with Commissioners Walden and Endle; and
- will miss their passion and commitment.

Chair Klapperich:

- strongly admires the passion and commitment of Commissioners Walden and Endle;
- opined that they are humble, but they are leaders; and
- stated that Commissioner Walden will be hearing from the Clerk to let him know if he will be sitting during the meetings in January.

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XVI. ADJOURNMENT

The regular meeting adjourned at 8:04 p.m.

JOHN KLAPPERICH, Planning Commission Chair

ATTEST:

MARY BRODIGAN, Planning Commission Clerk

Minutes approved: March 21, 2016

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on January 4, 2016, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 p.m. by Chair John Klapperich.

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

Planning Commission members present and establishing a quorum:
Mr. Thomas Healy, Assembly District #2
Mr. John Klapperich, Assembly District #3 *Chair*
Mr. Bruce Walden, Assembly District #4
Mr. William Kendig, Assembly District #5
Mr. Tomas Adams, Assembly District #6
Mr. Vern Rauchenstein, Assembly District #7

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Planning Commission members absent and excused were:
Vacant, Assembly District #1

Staff in attendance:
Ms. Eileen Probasco, Planning & Land Use Director
Ms. Laura Newton, Assistant Borough Attorney
Ms. Peggy Horton, Platting Technician
Mr. Emerson Krueger, Land Management Specialist
Ms. Mary Brodigan, Planning Commission Clerk

II. APPROVAL OF AGENDA

Chair Klapperich inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mr. Eugene Carl Haberman, a member of the audience.

IV. CONSENT AGENDA

A. Minutes

(*There were no minute available.*)

A. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

1. **Resolution 16-02**, A resolution approving a variance to allow an existing single-family residence, to remain set back 14.6 feet from a section line easement on the west side of the lot, on Block 2, lot 9, End of the Rainbow Subdivision; 420 S. Robin Circle, within Township 17 North, Range 2 West, Section 9, Seward Meridian. Public Hearing: January 18, 2016. (*Staff: Susan Lee, Applicant: Neal and Brenda Bullock*)

B. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

1. **Resolution 16-01**, A resolution recommending the Assembly approval of Ordinance Serial Number 16-003 Amending MSB 17.60 to include Permit Requirements and Standards for Marijuana Related Facilities, and Repealing Inapplicable Definitions. Referred to the Planning Commission on December 15, 2015, for 45 days. Public Hearing: January 18, 2016. (*Staff: Alex Strawn*)

Chair Klapperich read the consent agenda into the record.

Chair Klapperich inquired if there were any changes to the consent agenda.

GENERAL CONSENT: The consent agenda was approved without objection.

V. COMMITTEE REPORTS

(There were no committee reports.)

VI. AGENCY/STAFF REPORTS

(There were no agency/staff reports.)

VII. LAND USE CLASSIFICATIONS

A. **Resolution 16-04**, A resolution recommending the Assembly classify a Borough-owned Parcel, Tax ID 16N04W36D005, located in the Point MacKenzie community, containing 17.7 acres, as Reserved Use Lands for a future park, library, and community center. (MSB007127) (*Staff: Emerson Krueger*)

Mr. Emerson Krueger provided a staff report:
- staff recommended approval of the resolution.

Commissioners questioned staff regarding:
- clarification of the location of the proposed site for the park, library, and community center;
- were other sites considered and why was the proposed site selected;
- where will funds for building the playground come from;
- will this classification prevent expansion of Fire Station 64 in the future;
- clarification of the definition of reserved use lands; and
- what resources and amount of excavation will be needed on the front half of the property due to muskeg.

MOTION: Commissioner Kendig moved to approve Resolution 16-04. The motion was seconded.

Commissioner Kendig:

- stated that he is with the Knik-Fairview Community Council and they work very closely with the Point MacKenzie Community Council;
- the Point MacKenzie Community Council has been working on this project for years;
- like most community councils, the Point MacKenzie Community Council has difficulty getting people involved and getting a quorum for meetings;
- opined that this will encourage community members to participate in their community council in a park-like setting; and
- states that he is very much in favor of this resolution.

VOTE: The main motion passed without objection.

VIII. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding concerns with public process and participation: Mr. Eugene Carl Haberman.

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS *(Public Hearing not to begin before 6:15 P.M.)*

Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

(There were no quasi-judicial public hearings.)

X. PUBLIC HEARING LEGISLATIVE MATTERS

A. **Resolution 16-03**, A resolution recommending Assembly approval of proposed amendments to Title 43, Subdivisions, to address inconsistencies outlined in the Planning Department staff memorandum dated March 1, 2013.

Chair Klapperich read the resolution title into the record.

Ms. Eileen Probasco and Ms. Peggy Horton provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- examples of when the Platting Board may grant a vacation of public interest under MSB 43.10.010(A);
- why covenants, conditions, and restrictions are being removed from 43.10010(D);
- why is will no longer be necessary to provide an "affidavit of ownership" under 43.15.022(B)(4) when providing documentation of property ownership;
- clarification of the definition of a non-open space lot; and
- confirmation that all nine inconsistencies addressed in the March 2013, memo have been addressed.

Chair Klapperich opened the public hearing.

The following person spoke regarding concerns with public process and the Open Meetings Act: Mr. Eugene Carl Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Kendig moved to approve Resolution 16-03. The motion was seconded.

VOTE: The main motion passed as amended without objection.

XI. CORRESPONDENCE AND INFORMATION

A. Planning Division Newsletter

(Correspondence and information was presented and no comments were noted.)

XII. UNFINISHED BUSINESS

(There was no unfinished business.)

XIII. NEW BUSINESS

(There was no new business.)

XIV. COMMISSION BUSINESS

A. Planning Commission Election of Chair and Vice Chair

MOTION: Commissioner Kendig nominated Commissioner Klapperich for Chair and Commissioner Adams for Vice Chair. The motion was seconded.

Commissioner Adams stated that he does not want to be the Vice Chair, but will reluctantly accept if needed.

MOTION: Commissioner Healy moved to divide the question to address the nominations for Chair and Vice Chair separately. The motion was seconded.

MOTION: First Segment. Commissioner Healy nominated Commissioner Klapperich for Chair. The motion was seconded.

VOTE: The first segment passed without objection.

Discussion ensued regarding the nomination for Vice Chair:

- Commissioner Adams stated that he would prefer not to be the Vice Chair, but would reluctantly agree if no one else volunteers; and

- Commissioner Kendig stated that he volunteers to be the Vice Chair.

MOTION: Second Segment. Commissioner Healy moved to substitute Commissioner Kendig for Commissioner Adams as Vice Chair.

GENERAL CONSENT: The motion to substitute passed without objection.

VOTE: The second segment passed without objection.

A. Upcoming Planning Commission Agenda Items

Ms. Probasco provided a brief update on projects that will be coming before the Planning Commission.

XV. DIRECTOR AND COMMISSIONER COMMENTS

Director Eileen Probasco:
- stated that borough staff is working on the FY17 Budget;
- Paul Hulbert and Marilyn McGuire have recently retired;
- the Platting Chief's position has been advertised;
- the Platting Assistant position has not been advertised because the borough is going through a job evaluation update;
- the Platting Board will start meeting at 1:00 p.m. on January 7, 2016;
- marijuana regulations that are being introduced tonight for a public hearing on January 18th are on a very tight turn around due to dates established by the state; and
- we are trying to get them back to the Assembly as quickly as possible to give them time to make constructive amendments as necessary prior to the mid February adoption of state regulations.

Ms. Laura Newton, Assistant Borough Attorney:
- responded to concerns voiced by Mr. Haberman during the last public hearing that the Planning Commission is not following the Open Meetings Act; and
- stated that the commission is properly following procedures.

Commissioner Walden:
- stated that he will attend the next meeting if his position has not been filled; and
- is aware of two people who have submitted applications for the position.

Commissioner Rauchenstein congratulated Chair Klapperich and Vice Chair Kendig.

Commissioner Kendig:
- stated that this has been another interesting year, and opined that he has learned a lot; and
- he is happy to be here and is having a lot of fun.

Chair Klapperich:

- stated that he was looking forward to passing the gavel on, but is looking forward to being better prepared and doing his job better, and providing the best service to the borough and residents; and
- thanked the commission for their faith in him.

XVI. ADJOURNMENT

The regular meeting adjourned at 7:58 p.m.

JOHN KLAPPERICH, Planning Commission Chair

ATTEST:

MARY BRODIGAN, Planning Commission Clerk

Minutes approved: March 21, 2016

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on February 1, 2016, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 p.m. by Chair John Klapperich.

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

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Planning Commission members present and establishing a quorum:
- Mr. Thomas Healy, Assembly District #2
- Mr. John Klapperich, Assembly District #3 *Chair*
- Ms. Colleen Vague, District #4
- Mr. William Kendig, Assembly District #5
- Mr. Tomas Adams, Assembly District #6
- Mr. Vern Rauchenstein, Assembly District #7

Planning Commission members absent and excused were:
- Ms. Mary Anderson, Assembly District #1

Staff in attendance:
- Ms. Lauren Driscoll, Planning Services Chief
- Ms. Laura Newton, Assistant Borough Attorney
- Ms. Jessica Smith, Transportation Planner II
- Mr. Michael Campfield, Environmental Engineer
- Ms. Mary Brodigan, Planning Commission Clerk

II. APPROVAL OF AGENDA

Chair Klapperich inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mr. Eugene Carl Haberman, a member of the audience.

IV. CONSENT AGENDA

A. Minutes

(There were no minutes available.)

A. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

(There were no introductions for quasi-judicial matters.)

B. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

1. **Resolution 16-07**, A resolution recommending Assembly approval of an Interim Materials District (IMD), known as Alsop East; located on Tract A, Point MacKenzie Phase I Subdivision; within Township 15 North, Range 4 West, Section 27, Seward Meridian. Public Hearing: March 7, 2016. (*Staff: Susan Lee, Applicant: MSB Land Management*)

Chair Klapperich read the consent agenda into the record.

Chair Klapperich inquired if there were any changes to the consent agenda.

GENERAL CONSENT: The consent agenda was approved without objection.

V. COMMITTEE REPORTS

(There were no committee reports.)

VI. AGENCY/STAFF REPORTS

A. Corridor Access Management Plans.

Ms. Jessica Smith provided an overview of Corridor Access Management Plans in the Matanuska-Susitna Borough.

VII. LAND USE CLASSIFICATIONS

(There were no land use classifications.)

VIII. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding concerns with public process and Commissioners and Staff speaking clearly into the microphone: Mr. Eugene Carl Haberman.

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS *(Public Hearing not to begin before 6:15 P.M.)*

Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

(There were no quasi-judicial public hearings.)

X. PUBLIC HEARING LEGISLATIVE MATTERS

A. **Resolution 16-05**, A resolution recommending Assembly adoption of the Seldon Road Extension Corridor Access Management Plan.

Chair Klapperich read the resolution title into the record.

Mr. Steve Kari, Project Manager for Stantec, provided a PowerPoint Presentation and overview on the Seldon Road Extension Corridor Access Management Plan.

Mr. Michael Campfield provided a staff report:
- staff recommended approval of the resolution.

Commissioners questioned staff and Mr. Kari regarding:
- whether any sections of Beverly Lake Road will be obliterated, and will all of the lake access properties still be able to connect to Beverly Lake Road;
- clarification of the public process for the plan; and
- how the plan will be enforced to ensure appropriate access management.

Chair Klapperich opened the public hearing.

The following person spoke regarding concerns with public process: Mr. Eugene Carl Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Kendig moved to approve Resolution 16-05. The motion was seconded.

MOTION: Commissioner Adams moved a primary amendment to Resolution 16-05 by deleting the fourth whereas Statement. The motion was seconded.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

(*The meeting recessed at 7:35 p.m., and reconvened at 7:40 p.m.*)

B. **Resolution 15-30**, A resolution adopting an update to the Planning Commission Policies and Procedures Manual.

Chair Klapperich read the resolution title into the record.

Ms. Lauren Driscoll provided a staff report:
- staff recommended approval of the resolution.

Commissioner Healy questioned whether all future amendments and changes will need to be adopted by resolution.

Chair Klapperich stated that he found the section regarding "Conduct of Public in Attendance" to be interesting, and stated that he liked the formatting of the document.

Chair Klapperich opened the public hearing.

The following person spoke regarding concerns with public process: Mr. Eugene Carl Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Kendig moved to approve Resolution 15-30. The motion was seconded.

Commissioner Healy:

- referred to page 165 of the packet under "Conduct of Public in Attendance" and opined that it is not necessary for members of the public to be required to state the location of their residence during public testimony; and
- referred to page 170 of the packet under "Planning Commission Roles and Responsibilities", and stated that he prefers to "inform" members of the public on land use rather "educate".

MOTION: Commissioner Healy moved a primary amendment to replace the word "educate" with "inform" in the fourth bullet at the bottom of page 170 of the packet under "Commissioner Responsibilities". The motion was seconded.

VOTE: The primary amendment passed without objection.

MOTION: Commissioner Healy moved a primary amendment to delete "2015" from the resolution title and the now, therefore, be it resolved statement; and to change the date of the public hearing to February 1, 2016, in the fourth whereas statement. The motion was seconded.

VOTE: The primary amendment passed without objection.

Commissioner Adams suggested that the "Planning Powers for Alaska Communities" poster be made larger so that it is readable, and to replace the state documents for "Local Government" with legible documents.

MOTION: Commissioner Rauchenstein moved a primary amendment by adding the following verbiage as the first paragraph under Conduct of Public in Attendance" "As citizens of the United States of America, has a duty to be abreast of the activities of government, of the administration, and workings of the government. The government has a duty to inform the public in a timely manner. If the public declines to get involved, the government will have to do it's best to do its job without the public's help." The motion was seconded.

Discussion ensued as to whether this sentiment has already been conveyed in the document.

WITHDRAWN: Commissioner Rauchenstein withdrew his primary amendment. There was no objection from the second.

MOTION: Commissioner Adams moved a primary amendment to add "Borough" to the front page to read "Matanuska-Susitna Borough Planning Commission Manual". The motion was seconded.

VOTE: The primary amendment passed without objection

VOTE: The main motion passed as amended without objection.

XI. CORRESPONDENCE AND INFORMATION

(Correspondence and information was presented and no comments were noted.)

XII. UNFINISHED BUSINESS

(There was no unfinished business.)

XIII. NEW BUSINESS

(There was no new business.)

XIV. COMMISSION BUSINESS

A. Upcoming Planning Commission Agenda Items

(Commission Business was presented and no comments were noted.)

XV. DIRECTOR AND COMMISSIONER COMMENTS

Ms. Laura Newton:

- welcomed Commissioner Vague;
- opined that the commission did a really good job with the Marijuana Ordinance at the last meeting; and
- stated that she is proud to have been a part of the process.

Commissioner Healy welcomed Commissioner Vague and stated that he looks forward to working with her.

Ms. Driscoll:

- responded to comments made by a member of the audience;
- stated that there were no handouts provided with Ms. Smith's presentation;
- there were color copies of Mr. Kari's PowerPoint presentation in the back of the room;
- the previous PC Manual was only five pages long and has not been readily available to members of the public;
- opined that the new manual is the most comprehensive and educational PC Manual in the state; and
- it will be available to the public on the Planning Commission page of the borough website.

Commissioner Vague:

- said that it has been about six years since she last sat on board and she is very happy to be involved in the community again;
- appreciates the gracious way in which she has been welcomed, and is looking forward to working with everyone; and
- stated that she very much appreciates the new PC Manual, and recognizes that it is for the commissions purposes.

Chair Klapperich

- stated his appreciation for Commissioner Vague's expertise and looks forward to her contributions to the commission;
- requested that commissioners come to meetings prepared and have read their packets;
- opined that commissioner attendance has been nearly 100 percent;
- stated that he will read and follow the new PC Manual;
- encouraged members of the public to participate in PC meetings, but acknowledged that no one can make them attend; and
- wished safe travels to everyone.

XVI. ADJOURNMENT

The regular meeting adjourned at 8:57 p.m.

JOHN KLAPPERICH, Planning Commission Chair

ATTEST:

MARY BRODIGAN, Planning Commission Clerk

Minutes approved: March 7, 2016

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By: Eileen Probasco
Introduced: March 7, 2016
Public Hearing: March 21, 2016
Action: Approved

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-09

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING THE ASSEMBLY ADOPT THE PORT MACKENZIE MASTER PLAN, 2016 UPDATE.

WHEREAS, The Port MacKenzie Master Plan was adopted by the borough assembly in January 1998; and

WHEREAS, since that time, a barge dock, deep-draft dock and a bulk material conveyor have been constructed, the barge dock has been expanded, Don Young Road and the Point MacKenzie Road have been paved; and

WHEREAS, in addition, a rail loop is under construction, businesses have leased land within the Port District; and

WHEREAS, the Borough has updated the Port MacKenzie Master Plan to reflect port improvements as well as current and future port uses and needs; and

WHEREAS, the planning commission has identified several minor amendments to the plan as follows:

Page 6

MISSION

~~To develop a world class Alaskan deep-water port capable of safety and efficiently transporting people and commodities.~~

TO DEVELOP A PREMIERE DEEP-WATER PORT CAPABLE OF SAFELY AND EFFICIENTLY TRANSPORTING BULK COMMODITIES AND PROJECT CARGOES INTO AND OUT OF SOUTHCENTRAL ALASKA.

Page 7

2.1 Security

The Port Physical Security Plan was ~~recently~~ updated IN 2015 and approved by the Coast Guard. ~~The next update to the security plan will be required in 2015.~~ Port security inquiries should be forwarded to the Port Director.

Page 24

Add a paragraph at the end of Section 4.2 as follows:

CURRENTLY THE ROADS IN THE PORT ARE MAINTAINED THROUGH ROAD SERVICE AREA FUNDS. AS DEVELOPMENT EXPANDS, THE METHOD OF MAINTENANCE FUNDING SHOULD BE REVIEWED.

Page 25

4.6 Traffic Circulation, amend second paragraph as follows:

While some industrial traffic will continue to utilize Point MacKenzie Road as a means to access the docks, industrial traffic will be controlled to mitigate conflict between private vehicles and heavy industrial traffic. ~~Traffic signals at the ferry queuing area and ferry terminal will be installed when necessary.~~

Page 27

5.1 Facilities/Utilities Introduction

Add a 3rd paragraph at the end of this section as follows:

IDENTIFICATION OF LOCATIONS/ROUTES OF MAJOR INFRASTRUCTURE AND UTILITIES IN THE PORT NEEDS TO BE A PRIORITY. WHEN PARCELS ARE LEASED FOR DEVELOPMENT, IT NEEDS TO OCCUR IN A MANNER THAT ENSURES THAT PORT INFRASTRUCTURE NEEDS ARE NOT COMPROMISED.

Page 27

5.2 Terminal Building should be amended as follows:

A 7,000 square foot terminal building was constructed in 2006 at the southeast end of the barge dock. IT WAS ORIGINALLY INTENDED TO ACT AS THE TERMINAL FOR THE PROPOSED FERRY, HOWEVER, SINCE THE FERRY IS NO LONGER BEING CONSIDERED, THE BUILDING IS CURRENTLY BEING USED FOR PORT ACTIVITIES. The terminal building includes office space, A CONFERENCE ROOM, storage and restroom areas. THERE ARE 7 OFFICE SPACES, 3 WHICH ARE CURRENTLY USED BY THE BOROUGH, AND 4 WHICH ARE BEING LEASED OUT.

Page 34

At the end of 6.1 Administrative, add #9 as follows:

9) WHEN NECESSARY, PROVIDE FOR SPECIAL SUBDIVISION REGULATIONS WITHIN THE PORT DISTRICT, TO ACCOMMODATE THE UNIQUE ROAD CONSTRUCTION STANDARDS AND LEASE REQUIREMENTS WHICH MAY DIFFER FROM THE NORMAL REQUIREMENTS IN THE SUBDIVISION CODE.

WHEREAS, Appendix D "Department of Emergency Services, Port MacKenzie District Emergency Services 20-year Plan" is outdated and should be revised within a six month period, and incorporated into the plan.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends incorporation of the minor amendments identified in this resolution into the Port MacKenzie Master Plan, 2016 Update.

BE IT FURTHER RESOLVED, that the Commission recommends assembly adoption of the amended Port MacKenzie Master Plan, 2016 Update.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 21st day of March, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

PASSED UNANIMOUSLY: Klapperich, Anderson, Healy, Vague, Kendig, and Rauchenstein.

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By: Alex Strawn
Introduced: March 7, 2016
Public Hearing: March 21, 2016
Action: Approved

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-13

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE ADOPTING MSB 8.41, MARIJUANA RELATED FACILITIES LICENSE REFERRALS.

WHEREAS, on November 4, 2014, Ballot Measure 2 was approved statewide by the voters; and

WHEREAS, Ballot Measure 2 allows for the Borough to prohibit and/or implement regulations governing the number, time, place and manner of marijuana cultivation facilities, manufacturing facilities, retail stores, and testing facilities; and

WHEREAS, on January 22, 2016, the state adopted marijuana establishment regulations; and

WHEREAS, the state regulations require marijuana establishment licenses to be renewed annually. The renewal process requires notice to the local government in which area the licensed premises are located; and

WHEREAS, Assembly resolution 15-007 established a Marijuana Advisory Committee in part to advise the Assembly and Administration on how the Assembly and/or Administration should implement Alaska Statute 17.38 at the local level; and

WHEREAS, this legislation is coming forward at the request of the Marijuana Advisory Committee; and

WHEREAS, on February 16, 2016, the Assembly referred proposed Ordinance Serial Number 16-021 to the Planning Commission for 90 days; and

WHEREAS, the Planning Commission held a public hearing on the proposed ordinance on March 22, 2016; and

WHEREAS, the Planning Commission finds that ordinance 16-021 provides objective criteria by which the Borough can comment on marijuana license renewals.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of an ordinance adopting MSB 8.41, Marijuana Related Facilities License Referrals.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 21st day of March, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk
(SEAL)

YES: Klapperich, Anderson, Healy, Vague, Kendig, and Rauchenstein

NO:

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By: Mark Whisenhunt
Introduced: March 7, 2016
Public Hearing: March 21, 2016
Action: Approved

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-18

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION MAKING A RECOMMENDATION AND PROVIDING FINDINGS OF FACT TO SUPPORT DENIAL OF RESOLUTION 16-08.

WHEREAS, an application for an Interim Materials District (IMD) was submitted by William and Helen Heairet (dba Lakeside Sand & Gravel) to remove earth materials from 19116 West Belarde Boulevard, located within the northwest one-quarter of the northwest one-quarter of Section 25, Township 17 North, Range 04 West, Seward Meridian; and

WHEREAS, it is the intent of the Matanuska-Susitna Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries; and

WHEREAS, the purpose of MSB 17.28 is to establish an Interim Materials District within the borough to allow resource extraction activities as an interim use of land while promoting the public health, safety, order, prosperity, and general welfare of the borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties; and

WHEREAS, it is the further purpose of MSB 17.28 to promote compatible and orderly development; and

WHEREAS, the Planning Commission has reviewed this application, associated materials, and the staff report, with respect to standards set forth in MSB 17.28; and

WHEREAS, findings of fact and conclusions of law have been listed in the staff report; and

WHEREAS, the Planning Commission conducted a public hearing on March 21, 2016 regarding this IMD request; and

WHEREAS, the Planning Commission's vote on the motion to approve the Interim Materials District failed to garner a majority vote on March 21, 2016; and

WHEREAS, Consideration of Resolution 16-08 failed with a two to four vote; and

NOW THEREFORE BE IT RESOLVED, that the Planning Commission makes the following conclusions:

1. the proposed use, with conditions, may not be harmful to the public health, safety, convenience and welfare; and
2. the applicant has met all of the requirements of MSB 17.28.050 and MSB 17.28.060, and is in compliance with all local, State, and Federal laws.
3. Commissioners Healy, Anderson, and Vague find the request for IMD to be incompatible with the Big Lake Comprehensive Plan; and

4. Commissioners Kendig, Rauchenstein and Klapperich find the request for IMD may be compatible with the Big Lake Comprehensive Plan; and

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 21st day of March, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

PASSED UNANIMOUSLY: Klapperich, Anderson, Healy, Vague, Kendig, and Rauchenstein

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MATANUSKA-SUSITNA BOROUGH
TRANSPORTATION ADVISORY BOARD RESOLUTION NO. 16-01

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH TRANSPORTATION ADVISORY BOARD TO SUPPORT AND RECOMMEND THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMEND MSB 15.24.030 ADOPTING THE MATANUSKA-SUSISTNA BOROUGH METROPOLITAN PLANNING ORGANIZATION (MPO) SELF ASSESSMENT.

WHEREAS, in the 2011 Federal Register the US Department of Commerce Census Bureau recorded the Urban Cluster (UC) of Lakes-Knik-Fairview-Wasilla, Alaska at a population of 44,236 based on the 2010 decennial census data (Vol. 76 No. 164); and

WHEREAS, the Matanuska Susitna Borough is Alaska's fastest growing Borough with an average annual growth rate of 4% from 2000 - 2010; and

WHEREAS, the current designated Lakes-Knik-Fairview-Wasilla Urban Cluster is likely to be designated as an Urbanized Area (UZA) following the 2020 Decennial Census; and

WHEREAS, federal transportation legislation requires that a Metropolitan Planning Organization (MPO) be designated for each Urbanized Area (UZA) with a population of more than 50,000 people in order to carry out the metropolitan transportation planning process, as a condition of Federal aid (49 USC 5303-5306 and 23 USC 134); and

WHEREAS, to proactively prepare for this federal mandate, the Borough has actively engaged in research of MPO policy and interviews with regional transportation stakeholders; and

WHEREAS, the MSB MPO Self Assessment is a brief, action-oriented document tailored specifically for the anticipated MSB Urbanized Area's transportation system and its stakeholders; and

WHEREAS, by adopting this study, the Borough can move forward with implementation of the recommendations to ensure preparedness for the anticipated 2020 MPO designation.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Transportation Advisory Board hereby supports and recommends the Matanuska-Susitna Borough Assembly amendment of MSB 15.24.030 adopting the Matanuska-Susitna Borough Metropolitan Planning Organization (MPO) Self Assessment.

ADOPTED by the Matanuska-Susitna Borough Transportation Advisory Board this 23th day of March, 2016.

David Lundin, Chair

ATTEST

Josi Willcox, TAB Clerk

YES: 5 (Larkey-Walden, Elliott, Wilson, Bettine, Fread)

NO: None.

West Lakes Fire Service Area Board of Supervisors

Meeting Minutes
West Lakes Station 73
1250 Spring Drive, Meadow Lakes, Alaska
January 18, 2016

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CALL TO ORDER:

Chair William Browne called to order the regular meeting of the **West Lakes Fire Service Area Board of Supervisors** at **6:10pm on January 18, 2016** at Station 73 at 1250 Spring Drive in Meadow Lakes

ROLL CALL AND DETERMINATION OF QUORUM:

Board members present and establishing a quorum:

Chair William Browne, Vice Chair Rae Arno, Steve Simpson, and Cathi Kramer by phone.

Also present:

District Chief John Fairchild, DES Director Bill Gamble, WL Secretary LuJean Fetchenhier, Assembly members Dan Mayfield and Randall Kowalke.

APPROVAL OF AGENDA & PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – DECEMBER 14, 2015

The minutes were approved as written.

CHIEF'S REPORT:

- Welcome to new District 2 Chief John Fairchild who started his official duties on January 11.
- Tanker 721 is in Eugene, Oregon getting a new tank put on it. We found a lot of problems; H&W did not support the tank properly, there were a lot of issues with how the tank was flexing. It was just welded solid to the frame. We did find a cure to fix the problems. They found a buildable poly tank. They will have to do a few modifications including a welded support every 12 inches to support the tank properly. We have had to use up the 10% contingency, but we are fine as far as what we have allocated to the project. With the lessons learned on this truck, the other one should progress much faster.
- We have been running quite a bit, about 2 or 3 runs a day. Mostly small runs like medic assists and smoke investigations.
- We are working with Rosenbauer with some foam issues on Engine 811. After talking with them, we have the CAFS system working better.
- Hazmat Operations class starts this week and will run for 2 ½ weeks so people can get their Firefighter I and Firefighter II.
- We have had three new applications for the fire department.
- Visited Station 51 and learned some lessons there. What they have learned since moving into the building. I am compiling a list of things to consider for our new station. I'm working with Chief Steele and Richard Boothby getting their list of what they should have done, what they didn't do, what they still have to do, etc.
- We will have a meeting with the State DOT and our project manager Dave Steadman about access to new Station 73. The date has not been set, but we are corresponding.
- The new mechanic's vehicle is in service now. He's really happy with it.

UNFINISHED BUSINESS:

- Chair Browne asked Director Gamble if we had received answers to any of our budget questions from the Finance Department. The reply was No. The two Assembly members have been part of the email exchange so they have an idea of what is going on. The week before last, Ken Slauson and Dave Eller from the Central Matsu FSA Board met with the Assistant Borough Manager, Deputy Director Barkley, and Chief Steele to discuss the questions they had at the December Joint meeting also because they hadn't gotten any answers or resolutions either. Mr. Hays came in with information that was provided to him by the Finance Director. The figures she had given him for 2015 were pretty much correct with what Chief Steele had, but the figures for 2016 were way off. So Central gave Mr. Hays their information which they believe is correct and sent him back to discuss with the Finance Director to see why her numbers were not correlating with theirs. Central's numbers were checked out by the internal auditor, Mr. Wilson, and he agreed with Chief Steele's figures. Another thing that happened was that $600,000 just appeared in Central's state PERS Relief account recently. They have no idea why or where it came from.
- Last week, Deputy Director of Fire Ken Barkley and I (Director Gamble) met with Borough Manager Moosey, and Assistant Borough Manager Hays to discuss the issues because it had been a month without any answers. The questions we asked were about PERS also. For West Lakes, since the few full time employees are all Tier IV, we should only be paying 14% max. We know we are supposed to contribute 22% by state statute so have we gotten all the money back that we are supposed to? If we haven't, where did it go? What is it being used for? Those are the kind of questions we need to be able to follow and there is no transparency to what is going on with PERS.
- The other question that came up at the Board meeting was about encumbrances. At the beginning of the year, they encumber these large amounts of money in these line items, but they don't pay the bills out of what is encumbered first. They pay it out of the balance that is not encumbered so it looks like all the money is spent out of that line item when actually it's not. I asked that question again because we were supposed to have these answers to us right after the December meeting.
- The discussion then turned to the $83,966 question from line item 443.305 for Fleet Maintenance. The line item above it in our Budget Performance Report, 443.300 for Maintenance showed up about five years ago. Apparently that is for work done by Public Works. So in addition to the Public Works Department getting money from area-wide and from the taxpayers to fund the Public Works Department, any time they come out to do any work for the fire department, we get charged again. So this 443.305 shows up about three years ago. I asked what it was a couple times and we were told that at some point they were going to charge us for fleet maintenance on all the Borough vehicles because all of the Borough vehicles are used to support Emergency Services. We never got a clear definition if that explanation was true or not. We've asked for detailed explanations of what these two line items are being charged for and never got a real answer. The explanation for the big jump in the 443.305 account was explained as paying for the mechanics and whatever else Fleet Maintenance costs us. They tried to tell me former Director Brodigan made up this breakdown of the line item, but when I asked him, he said he had never seen it before. This is what they sent when I asked for it. If you look at the numbers, it shows the number of responders in each department. Based on those numbers, they calculated a percentage of what each Fire Service Area, including Admin and Ambulance, should be contributing to this Fleet Maintenance line item. The first problem is that they have Central and West Lakes backwards. Next, West Lakes has its own mechanic, who is listed here under full time employees. West Lakes pays 2% of the other fleet mechanics wages in case they have to come out and help Mr. Henderson or he goes on vacation and needs them to cover for

him. So West Lakes should not even be on this list at all. It should not be split between 4 mechanics, it should only be split among three. The Fire Service Areas should only be splitting two and Admin/Areawide has the other mechanic that works on the ambulances. So even the way they cost allocated this whole formula is wrong. Then the question becomes why are we even putting money in this Fleet Maintenance account when we already pay for all of this in our operating budget? Their wages already come out of 411.100 Permanent Wages that is cost shared among all the FSAs and Areawide. Overtime comes out of 411.300 Overtime Wages which is also cost shared. Insurance contributions and the benefits package is all in the operations budget and cost shared. Everything they need to work on vehicles, the parts, tools, oil, etc. comes out of our FSA budgets already as Vehicle Maintenance Supplies, or Equipment Maintenance Supplies, or Vehicle Maintenance Services, etc. I asked if we are already paying for all of this out of our operations budget, why was all this put into this Fleet Maintenance line item? What is that money going for? Are the FSAs being charged twice for everything? Because that's how it looks to me. I asked them to please show me where I might be wrong, especially since West Lakes has their own mechanic. That was about two weeks ago and I have not received an email since. Chair Browne wanted to know if there was any way to correct the mistakes resulting from this miscalculated formula and wrongly charged account. Ms. Clayton's response in an email was that it was a bit late now. Director Gamble's reply was that it is never too late to do the right thing.

- Vice Chair Arno expressed her frustration with the non-answers received to questions directed to the Borough Administration and the Finance Department that has been going on for at least 10 years. Also with the lack of transparency with regards to the budget. Either someone doesn't know what they are doing, making mistakes, and doesn't know how to explain them or this is intentional misdirection of funds. The answer may be that the entire Borough needs an investigative audit. Someone from the outside that has the legal powers to dig and cannot be told "no, we can't do that". Telling them no or refuse to answer by a deadline, would result in punitive consequences.
- Assemblyman Mayfield related a comment he had received from a member of the Borough administration when he expressed his concern that the Boards have a fiduciary responsibility to their taxpayers to be sure the FSA money was being spent responsibly. He was told the Boards did not have a fiduciary responsibility and that they were only advisory Boards. But as Assemblymen, he and Mr. Kowalke have a fiduciary responsibility and so does Director Gamble. Assemblyman Kowalke, Assembly member Sikes, and I are requesting an external audit. It will be an external, independent, forensic audit. Chair Browne asked if letters from the Boards in support of the audit would help. Mr. Mayfield replied yes.

MOTION: Vice Chair Arno motioned that the West Lakes fire Service Area Board of Supervisors write a letter to the Assembly with a CC: to the Manager in support of requesting an external forensic audit of the Borough due to the continued lack of response to questions. Mr. Simpson seconded.

DISCUSSION: It would be nice to get the Road Service Areas in on this as well as the other Fire Service Areas. Include a list of questions we need answers to and details of missing money.

VOTE: The motion passed unanimously.

NEW BUSINESS:

- For the 2017 budget going forward, as of today, the West Lakes fund balance is $1,803,647.46 , but if you back out of that figure what we spent on capital projects, we are right about $1.575 million. We are in good shape for reserves right now.
- We use the current year's budget to calculate the next year. There are very few changes for 2017. The only real change is the capital projects that Chief Fairchild is asking for like foam, PPE, SCBA, pagers & radios, we did put one vehicle in at $51,000 to replace the wrecked command vehicle, and reader boards for Station 81 & 71.
- With the Assembly members here, we want to let you know how we are given the worksheet for the budget regarding PERS contributions. They used to break it out into 412.210 to 412.413 for Tier IV employees, but on this worksheet they don't do that anymore. Everything is lumped into 412.400 which includes Tier 1,2, & 3 employees. *Assemblyman Mayfield asked if the PERS percentage of contributions had been lowered because he had specific direction to the Manager to adjust that downward.* The only communications we had was a one way from the Manager that said you will plan on 44% for your budgets again this year for PERS allocations. And that was after your direction to him even though the state requires only 22%. The excess is supposed to come back to us. In 2015 and 2016, West Lakes has received 0 in PERS Relief. In 2014 we got $3747 when there were only two full time employees.
- The amount in the 443.305 has been moved across because we have to plan for the worst case scenario even though we think it is wrong. If Finance turns out to be correct, they would just stick it back in there. It is better to plan for the expenditure than not.
- We anticipate that the revenues for West Lakes will increase because the growth in the area has been steady. We won't know the actual revenues until April.
- It is Director Gamble's recommendation to the West Lakes FSA Board that the mill rate be set at 2.2 to cover the operating costs and the payments for the COPs for the new Station 73. It is currently at 1.87, so this would be a .33 increase. At the last meeting, the Board voted to move forward with the COP process for financing the new station. I sent an email to Ms. Clayton, the Finance Director, asking about the items from that meeting. She said the Manager told her to stop with the COP financing because he wanted to talk to the Assembly about it. I emailed the Manager reminding him we were already at the end of the construction scheduling window to get the project done this year. He told me he was going to tell Ms. Clayton today to start the COP process again, but now we are 5 weeks farther behind. The project manager, Dave Steadman, said the window for construction was closing at our last meeting. I believe we may have the money in the DES budget to include Fleet Maintenance and DES Admin to pay their share of the cost of construction and add them into Station 73. The Board agreed that the increase in mill rate is necessary and will put it forward to the Assembly.

  MOTION: Vice Chair Arno moved to approve the proposed 2017 budget as presented. Mr. Simpson seconded.

  VOTE: The vote passed unanimously.

Chair Browne expressed the Board's thanks to Assembly members Mayfield and Kowalke for attending.

Next meeting is scheduled for February 8, 2016 at 6:00pm at Station 73.
The meeting adjourned at 7:40 PM

West Lakes Fire Service Area Board of Supervisors

William A. Browne

WILLIAM BROWNE, Chair, West Lakes FSA B.O.S.

ATTEST:

LuJean Fetchenhier

LUJEAN FETCHENHIER, Secretary, West Lakes FSA F.D.

Minutes approved: 2/8/16 (WL FSA B.O.S.)

Sutton Community Council Regular Monthly Meeting
Wednesday, November 18, 2015, 7:00 pm @ Sutton Public Library
Minutes

Board Members Present: Mark Bertels, Claudia Dolfi, Jim Tapley, Frank Buzby, Sandra Myers
Board Members Absent: Roberta Mason, Sierra Alcantra, George Rauscher
Community Members Present: Christina Overturf, Funda Irvine, Nancy Bertels, Gary Hay

RECEIVED
JAN 04 2016
CLERKS OFFICE

1. **Establish Quorum:** Yes
2. **Call to Order:** 7:00 pm
3. **Pledge:** Led by Frank Buzby
4. **Additions or Changes to Agenda:**
   a. No additions or changes
5. **Guests:**
   a. None
6. **Presentations:**
   a. None
7. **Announcements:**
   a. ***Gary Hay, Executive of* Chickaloon Village Traditional Council**
      1. Grant Opening of the community Health Clinic will be December 17 at 11:00 am
      2. You take the new road straight up the hill off of the Glenn Hwy. to get to the CVTC clinic parking lot
      3. The clinic faces the Talkeetna mountains (Granit Peak)
      4. Community Luncheon every Thursday from 12:00 to?
         - Everyone is welcome
8. **Correspondence:**
   a. Mail – Posted on the website
   b. Public and Board Correspondence
      1. Will be posted on the web
9. **Borough and State Reports:**
   a. ***Jim Sykes – MSB Assembly District 1 Representative:***
      1. Traveled to DC met with Representatives regarding Wetlands issues and the wetland bank
      2. Buyer for the ferry
         - Repairs will be made and reimbursed by insurance
         - Taxpayers will not be on the hook for the remaining
         - Export license has been approved
      3. Met with LNG, AKG, DNR in Anchorage
      4. Budgets are tight at State and Borough levels
      5. The Borough will face budget cuts
      6. Will meet with Jim Psenak on Friday regarding the Matanuska River
      7. So far 85K has been spent on river issues
      8. Borough capital projects will be complete or near completion
         - There is no money so voters will be asked for a small bond to cover cost of projects

Jim Sykes – MSB Assembly District 1 Representative: Continued

- The Borough will post the budget spread sheet on line for residents to help solve funding issues.
- Everyone is invited to share their ideas on the budget

b. ***Jim Colver – State Representative***
   1. See attached report presented by Christina Overturf, Assistant

c. ***Joshua Rockey, Principal, Sutton Elementary School***
   1. Joshua was unable to attend this meeting
   2. See attached invitation to "Breakfast with a Loved One"

10. Officer Reports:

a. **Chair** – Mark Bertels
   1. Recap of conversation with Jim Colver
      - Suggestion that the Governor, DNR, Troopers, State of Alaska all be part of the meeting to look for solutions
   2. Letter to DNR will be sent out to all of the stake holders tomorrow
   3. Mark will contact the Alaska State Troopers, Lt. French as one of the stake holders
      - Request files on number of calls made to Troopers on the Jonesville area issues

b. **Secretary** – Claudia Dolfi
   1. *Claudia moves to approve the minutes for the month October*
      - *Motion passes unanimously*

c. **Treasurer** – Jim Tapley

On hand 11/18/2015

1. Checking - $506.88
2. Savings - $25.29
3. Money Market - $37,191.21
4. 2010 Revenue Sharing - $222.57
5. 2011 Revenue Sharing – Closed out
6. 2012 Revenue Sharing - $3,345.81$
7. 2013 Revenue Sharing - $18,892.28
8. 2014 Revenue Sharing - $13,886.99

11. Committee Reports:

a. ***Comp Plan Review*** - Mark Bertels
b. ***501c (3) Committee*** – George Rauscher
   1. *Application update*
   2. *Jim says that the check had not been cashed*
c. ***Bylaws Committee*** – Roberta Mason

12. Old Business:

a. ***Update on Letter from the SCC to Mat-Su Borough regarding the Mat Su River flood funding***
   1. George was not present to address questions regarding the letter to the MSB

Old Business: Continued

b. ***Update on Letter from the SCC to all involved agencies and representatives regarding Jonesville Mine area***
   1. Letter was updated and will be sent out tomorrow

c. ***Advisory Committee for the Jonesville Mine Area***
   1. Roberta Mason did not attend this meeting to update us on the forming of the Advisory Community
   2. This will be moved to the December Council meeting

13. General Orders:

a. There are no general orders to be voted on at this time

14. New Business:

a. Public Comments and Participation will be added to the Council agenda

15. Restate motions and voting results

a. Claudia read motions and voting results

16. Meeting Adjourned: 8:45 pm

Mark Butts 12/16/15 Claudia Dolf 12/16/15

President's Signature Date Secretary's Signature Date

SUBJECT: Reporting of conclusion of contract for Bid No. 15-151B to Haakenson Electric, for MSBSD Lighting Upgrades – 14 Schools, for the final contract amount of $686,351.74.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: For information only.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator	3/30/16	
	Capital Projects Director		3/31/16
	Finance Director		4/5/16
	Borough Attorney		
	Borough Clerk		4/11/16

ATTACHMENT(S): None

SUMMARY STATEMENT: Pursuant to Matanuska-Susitna Borough (MSB) Code, 3.08-170(F), the following is a summary of Bid Solicitation #15-151B to Haakenson Electric, for MSBSD Lighting Upgrades – 14 Schools.

The MSB entered in to a contract with Haakenson Electric, on June 30, 2015, for Bid Solicitation 15-151B, MSBSD Lighting Upgrades – 14 Schools, project no. 40198. The original contract amount of $675,640 was approved through Assembly Action AM No. 15-090 presented on June 16, 2015.

One change order was issued to dispose of light fixtures and to demolish two 2-pole breakers, conduit extensions and neutral conductors in the amount of $10,711.74 for a final contract amount of $686,351.74.

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 2.45, CAPITAL PROJECTS DEPARTMENT.

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set ~~for public hearing.~~

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: _____

Route To:	Department/Individual	Initials	Remarks
	Originator	SZ	
	Capital Projects Director		
	Finance Director	N/A	
	Borough Attorney	NS	
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES ____ NO _X_
Ordinance Serial No. 16-027 (5 pp)

SUMMARY STATEMENT: The intent of this legislation is to clearly define the functions of the Capital Projects Department, add a few key definitions and enhance formatting in MSB 2.45.

A thorough review of the code has been performed to clearly define the definitions and functions of the Capital Projects Department. However, should there be an error or omission, the Clerk's office has the power to revise any mistakes by revision of ordinance to the extent that the context clearly indicates as per MSB 1.15.155 (B)(11).

RECOMMENDATION OF ADMINISTRATION: Introduce and set for public hearing.

CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-027

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 2.45, CAPITAL PROJECTS DEPARTMENT.

WHEREAS, the reasoning and rationale for the enactment of this ordinance are found in IM No. 16-044 accompanying this ordinance.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 2.45.010 (A) is hereby amended as follows:

(A) There is established [THE]**a** capital projects department. [“CAPITAL PROJECTS” AS FUTHER USED IN THIS CHAPTER REFERS TO BUILDINGS, FACILITIES, ROADS, APPURTENANCES, AND ALL OTHER TYPES OF SIMILAR PUBLIC IMPROVEMENTS.]

Section 3. Adoption of section. MSB 2.45.015 Definitions, is hereby adopted as follows:

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*** "Capital projects" as further used in this chapter refers to design, right-of-way, utility relocation, construction, renovation and major repair of all Borough owned buildings, facilities, roads, schools, appurtenances, and all other types of similar public improvements.**

*** "Construction" means the on-site erection, alteration, extension or repair of improvements to real property, including renovating buildings, roadways or other improvements, under contract for the borough.**

*** "Purchasing Officer" means the director of capital projects or designee.**

Section 4. Amendment of sections. MSB 2.45.020 Functions, is hereby amended as follows:

(1) designing of capital projects, including the preparation of plans, maps and specifications and the review of such engineering work performed by professional consultants to the borough;

(2) providing **project management and** oversight of capital project construction to assure compliance with designs and specifications;

(3) reviewing of surveying performed by consultants in support of capital projects;

(4) **reconnaissance,** [ESTIMATING]cost **estimation, budget analysis and legislation development to support** [OF]

capital projects [AND RELATED OPERATIONS];

(5) reviewing plans and specifications drawn up by architectural and engineering consultants [TO THE BOROUGH], suggesting changes, and advising the manager, the assembly, and school board on building and grounds designs;

[(6) INSPECTING OF ROADS AND OTHER FACILITY CONSTRUCTION REQUIRED IN CONNECTION WITH SUBDIVISIONS;]

[(7) REVIEWING OF PROPOSED SUBDIVISION IMPROVEMENT PLANS TO ASSURE COMPLIANCE WITH BOROUGH ORDINANCES AND REGULATIONS;]

(8) designing and constructing roads, ditches, **bridges,** pathways, and related drainage facilities related to capital projects;

(9) acquiring real property for roads and rights-of-way for any transportation purposes, public or private, and acquiring real property for associated project purposes such as trails, public facilities, utilities, transportation enhancement activities, and environmental mitigation;

(10) providing planning, rights-of-way acquisition, and engineering support to other borough departments to include assisting in the development of capital improvement plans and road and development plans;

(11) administration of inventory control over the personal property of the borough;

(12) purchasing functions of the borough;

[(13) PERFORMING OTHER RELATED FUNCTIONS AND DUTIES AS MAY BE ASSIGNED BY THE MANAGER.]

(14) inspecting borough infrastructure and facilities to ensure compliance with design and construction standards, compliance with contractual agreements and to identify and mitigate risks to public health and safety;

(15) providing environmental engineering review of all projects;

(16) collection and analysis of traffic data: review and approve temporary traffic control plans for the capital projects department; and

(17) performing other related functions and duties as may be assigned by the manager.

Section 5. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-072

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 2.27, ATTORNEY; TO UPDATE, ORGANIZE AND MORE FULLY DESCRIBE THE FUNCTIONS AND DUTIES OF THE BOROUGH ATTORNEY.

AGENDA OF: April 5, 2015

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator	NS	
	Borough Attorney	NS	
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES ___ NO X
Ordinance Serial No. 16-045 (5 pp)

SUMMARY STATEMENT: This ordinance is being sponsored by Mayor Halter at the request of the Borough Attorney's Office.

The intent of this legislation is to clearly define the functions of the Borough Attorney's Office and clearly state in code the current practice, add concepts, and clearly format MSB 2.27. The Attorney's Office was reminded to seek this clarification after reviewing IM 16-044 and the accompanying ordinance which clarified and specified the duties of the Capital Projects Department.

As part of this process, a review of other Alaska borough codes was performed and good ideas were gleaned from them (i.e. we stole their ideas). In addition, a review of code has been performed to review the functions of the Attorney's Office and it does not appear that any other provisions of code need to be changed. However, should an error or omission be found, the Borough Clerk's Office has the power to revise mistakes to the extent that the context clearly indicates as per MSB 1.15.155.

Currently, concepts such as the Attorney appointing and supervising employees in the Attorney Office are found in several areas of code such as MSB 2.52.620, MSB 2.52.640 and MSB 2.52.653. This is being consolidated into MSB 2.27. In addition, legal services are allowed to be engaged and paid for within the limits of appropriations as per MSB 3.08.300(F). Currently, reports are given to the Assembly on an on-going basis as needed. This will also be more fully spelled out in MSB 2.27.

The code here will also codify several current practices such as the Borough Attorney:
-is appointed by the Assembly;
-appoints a Deputy Borough Attorney;
-hires and manages outside counsel;
-supervises the attorney office employees;
-brings actions on behalf of the borough;
-defends actions against the borough;
-issues opinions on interpretation of law;
-reviews ordinances, resolutions, action memorandums and informational memorandums for form;
-directly procures legal services.

Changes to current code are that:
-written opinions as to the interpretation of law are binding on borough employees except elected officials;
-the attorney signs the contracts with outside counsel, not the manager because the attorney interacts with outside counsel and manages those contracts;
-mandates that the attorney report to the assembly on specific matters as necessary or requested;
-in the event the Manager or Clerk need outside counsel, or independent legal advice, they can do so and simply inform the attorney in writing.

Upon adoption, MSB 2.27 will update, organize and more fully describe the powers, functions and responsibilities of the borough attorney without the need to reference several different areas of code.

RECOMMENDATION OF ADMINISTRATION: Adoption of legislation.

CODE ORDINANCE

Sponsored by: Mayor Halter
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-045

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 2.27, ATTORNEY, TO UPDATE, ORGANIZE, AND MORE FULLY DESCRIBE THE FUNCTIONS AND DUTIES OF THE BOROUGH ATTORNEY.

WHEREAS, the intent and rationale of this ordinance are contained in IM 16-072 accompanying this ordinance.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 2.27 is hereby amended as follows:

MSB 2.27 **BOROUGH** ATTORNEY

2.27.005 ESTABLISHED, APPOINTMENT.

There is established the office of the borough attorney. The borough attorney is appointed by the borough assembly and, subject to a contract of employment, shall serve at its pleasure.

2.27.010 DUTIES.

The borough attorney:

(A) [THE ATTORNEY] **performs all legal services on behalf of the borough and** is the legal advisor of the assembly, [THE SCHOOL BOARD] **mayor, manager, clerk** and other officers of the borough;

(B) [THE ATTORNEY] represents the borough as attorney in **all** [CIVIL AND CRIMINAL] proceedings [EXCEPT THAT THE ASSEMBLY MAY APPOINT OTHER ATTORNEYS TO REPRESENT IT IN SPECIFIC CASES];

(C) administers the attorney's office and has supervision and control over all employees in the borough attorney's office;

(D) appoints a deputy who, in the absence of the borough attorney, shall perform the functions of the borough attorney;

(E) performs and exercises all powers incident to the duties of the office of borough attorney in accordance with the Alaska Rules of Professional Conduct;

(F) hires and manages outside counsel as deemed necessary to represent or advise the interests of the borough on specific matters except under MSB 2.27.060(B);

(G) performs other duties as directed by the borough assembly.

2.27.020 BOROUGH ATTORNEY'S OFFICE EMPLOYEES.

(A) The employees in the borough attorney's office are under the supervision and control of the borough attorney. Borough attorney's office employees are subject to the provisions of MSB 2.52 to the same extent as other borough employees except that the borough attorney provides the functions of the manager under

MSB 2.52 as it applies to employees in the borough attorney's office.

(B) The borough attorney and all employees in the borough attorney's office are exempt and excluded from an employee labor organization.

2.27.030 PROSECUTIONS, CIVIL ACTIONS, DEFENSE.

(A) The borough attorney may do all things necessary to prosecute violations of borough code.

(B) The borough attorney may bring civil actions against any person or entity as deemed necessary to further the interests of the borough, recover damages, and/or seek any legal or equitable relief on behalf of the borough.

(C) The borough attorney shall defend the borough against claims brought against it or its officers or employees in their official capacity.

2.27.040 OPINIONS.

The borough attorney may issue legal opinions upon any question of law. Legal opinions may be in writing, and if so, shall be filed and preserved among the records of the borough and shall be retained by the department to whom the opinion is directed. Written legal opinions are binding upon, and shall be followed by, all borough employees excluding elected officials.

2.27.050 APPROVAL AS TO FORM.

The borough attorney shall review every ordinance, resolution, action memorandum and informational memorandum before it is brought before the assembly. The borough attorney shall either approve as to form any and all such documents or submit the reasons for not doing so.

2.27.060 OUTSIDE COUNSEL.

(A) Regardless of MSB 3.08, legal services may be procured by direct negotiation by the borough attorney with an attorney or law firm qualified to handle the type of legal problem presented. No contract for the services of legal counsel may be entered into without the approval of the borough attorney. The borough attorney may procure legal services within the limits of annual appropriations and shall report on specific matters to the assembly as requested or deemed necessary by the borough attorney.

(B) In the event of a professional conflict or when the borough manager or borough clerk deem it necessary to obtain outside counsel without the borough attorney's involvement, the manager or clerk may do so and notify the attorney in writing of such action.

(C) The borough assembly may hire outside counsel to represent it in specific cases as it deems necessary and nothing in this chapter is intended to limit the borough assembly's ability to do so.

Section 3. MSB 3.08.300(F) is repealed.

Section 4. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-055

SUBJECT: A RESOLUTION AND ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CLASSIFIYING BOROUGH-OWNED LANDS AND APPROVING SAID LANDS FOR INCLUSION IN THE 2016 COMPETITIVE SEALED BID LAND SALE (MSB007129).

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set ~~for public hearing~~.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator	MSC	
	Community Development Director	SP	
	Finance Director		
	Borough Attorney		
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES X NO ____
Planning Commission Resolution No. 16-10 (4 pp)
Ordinance Serial No. 16-036 (4 pp)
Resolution Serial No. 16-035 (3 pp)
with EXHIBIT A Best Interest Finding (6 pp)
with EXHIBIT B Parcel Maps (13 pp)

SUMMARY STATEMENT:
In response to the Assembly's 2014 and 2015 priorities, an internal five year land disposal and retention plan was developed by Land and Resource Management which identified borough-wide public parcels for potential land sales and public lands to be retained for public purposes. Year 2 parcels identified in the plan are now being presented to the Assembly for approval to include in the 2016 Competitive Bid Land Sale.

There are 35 parcels encompassing a total of 635 +/- acres that were analyzed and ultimately selected to include in the proposed

land sale. A Best Interest Finding, to be approved by assembly Resolution, discusses parcel site factors and information, parcel descriptions and proposed classifications, parcel status, affected adopted plans, surrounding land use, access, public comments, public interest in the land sale program, Planning Commission Resolution, and benefits received by the borough from conveying public land into private hands.

RECOMMENDATION OF ADMINISTRATION:

The administration recommends assembly approval of the parcel land classifications as stated and approval to include the parcels in the 2016 Competitive Sealed Bid Land Sale.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 5, 2016

SUBJECT: A resolution and ordinance of the Matanuska-Susitna Borough Assembly classifying borough-owned lands and approving said lands for inclusion in the 2016 Competitive Sealed Bid Land Sale (MSB007129).

ORIGINATOR: Community Development

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED *	FUNDING SOURCE Land sales
FROM ACCOUNT #	PROJECT #
TO ACCOUNT: 203.000.000.3XX.XXX	PROJECT #
VERIFIED BY: Barbara Baumgartner	CERTIFIED BY:
DATE: 3/11/16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL						
REVENUE	*	→	→	→	→	→

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	*	→	→	→	→	→
TOTAL	*	→	→	→	→	→

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) * Sales revenue and property tax revenue cannot be determined until the property is sold and on the tax rolls

PREPARED BY: _____ PHONE: _____

DEPARTMENT: Charlene Herold DATE: _____

APPROVED BY: _____ DATE: 3/11/16

IM No. 16-055
Ordinance Serial No. 16-036
Resolution Serial No. 16-035

By: Nancy Cameron
Action: Approved

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-10

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL TO CLASSIFY BOROUGH LANDS AND APPROVE SAID LANDS FOR INCLUSION IN THE MATANUSKA-SUSITNA BOROUGH 2016 COMPETITIVE SEALED BID LAND SALE (MSB007129).

WHEREAS, MSB 23.05.030 allows for the sale of land by competitive bid when it is found to be in the best interest of the borough; and

WHEREAS, the borough's build-out analysis identified specific areas throughout the borough which should be considered for retention for future public facilities and uses; and

WHEREAS, the parcels selected for inclusion in the 2016 competitive bid land sale are not within the areas identified by the build-out analysis as those needed for public purpose; and

WHEREAS, the parcels underwent thorough inter-department and inter-agency review to determine agriculture potential and those parcels identified with such potential were set aside for future agriculture land sales; and

WHEREAS, public notice was initiated in accordance with MSB 23.05.025 and public comment is included in the Preliminary Best Interest Finding attached herein; and

IM116-055
OR16-036
RS16-035

WHEREAS, the Preliminary Best Interest Finding also provides analysis and discussion of the land classifications to include the following parcels:

	Bid Parcel Number	MSB Tax ID Number	Area	Land Classification
1	Bid Parcel 15-001	2167B26L003	Kenny Creek	Private Recreation
2	Bid Parcel 15-002	2167B26L005	Kenny Creek	Private Recreation
3	Bid Parcel 15-003	2167B26L006	Kenny Creek	Private Recreation
4	Bid Parcel 15-004	2167B24L003	Kenny Creek	Private Recreation
5	Bid Parcel 15-005	2167B24L004	Kenny Creek	Private Recreation
6	Bid Parcel 15-006	2167B20L004	Kenny Creek	Private Recreation
7	Bid Parcel 15-007	2167B11L005	Kenny Creek	Private Recreation
8	Bid Parcel 15-008	2167B11L006	Kenny Creek	Private Recreation
9	Bid Parcel 15-009	2167B11L007	Kenny Creek	Private Recreation
10	Bid Parcel 15-010	2167B11L008	Kenny Creek	Private Recreation
11	Bid Parcel 15-011	2167B11L009	Kenny Creek	Private Recreation
12	Bid Parcel 15-012	2167B04L004	Kenny Creek	Private Recreation
13	Bid Parcel 15-013	2167B03L018	Kenny Creek	Private Recreation
14	Bid Parcel 15-014	2167B03L017	Kenny Creek	Private Recreation
15	Pulled Bid Parcel 15-015	5881S07T00A	Talkeetna	Private Recreation
16	Bid Parcel 15-017	26N05W27C019	Petersville	General Purpose
17	Bid Parcel 15-018	6521POAL045	Shulin Lake	Private Recreation
18	Bid Parcel 15-019	6521POAL046	Shulin Lake	Private Recreation
19	Bid Parcel 15-020	6521POAL047	Shulin Lake	Private Recreation
20	Bid Parcel 15-021	22N04W10B002	Caswell	General Purpose
21	Bid Parcel 15-022	22N04W10B003	Caswell	General Purpose
22	Bid Parcel 15-024	20880000000	Lockwood Lake	Private Recreation
23	Bid Parcel 15-027	6520B04L002	Trinity Lake	Private Recreation
24	Bid Parcel 15-028	6520B04L007	Trinity Lake	Private Recreation
25	Bid Parcel 15-029	6520B04L008	Trinity Lake	Private Recreation
26	Bid Parcel 15-030	6520B04L009	Trinity Lake	Private Recreation
27	Bid Parcel 15-031	17N04W27B012	Flat Lake	General Purpose
28	Bid Parcel 15-032	1972S16T00A	Iditarod Trail	General Purpose
29	Bid Parcel 15-035	20N07E19A003	Bonnie Lake	General Purpose
30	Bid Parcel 15-036	19N05W26A007	Willow	General Purpose
31	Bid Parcel 15-037	4411000T00C-2	Bulchitna Lake	Private Recreation
32	Bid Parcel 15-038	21N09W04A006	Bulchitna Lake	Private Recreation
33	Bid Parcel 15-039	17N04W35C017	Big Lake	General Purpose
34	Bid Parcel 15-040	17N04W34B010	Burma/Purinton	General Purpose
35	Bid Parcel 15-041	2167B11L004	Kenny Creek	Private Recreation
36	Bid Parcel 15-042	2167B20L001	Kenny Creek	Private Recreation

WHEREAS, Bid Parcel 15-015 was pulled from the classification list at the request of the Matanuska-Susitna

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OR16-036
RS16-035

Borough assembly representative for District 7 in support of the Talkeetna Community Council; and

WHEREAS, pursuant to MSB 23.05.100, lands classified as private recreation lands are those lands which because of location, physical features or adjacent development are presently or potentially valuable as outdoor recreation areas and may be best utilized by private development; and

WHEREAS, pursuant to MSB 23.05.100, lands classified as general purpose lands are those lands which, because of physical features, adjacent development, location, or size of the area, may be suitable for a variety of uses, or which do not lend themselves to more limited classification under other land descriptions; and

WHEREAS, there is increased interest in acquiring public lands, especially those lands classified for private recreation; and

WHEREAS, transferring public land into private hands provides overall revenue to the borough and increases the borough tax roll for years to come; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends the assembly approves the classification of borough lands as stated in the Preliminary Best Interest Finding for purpose of inclusion in

Im16-055
OR16-036
RS16-035

the Matanuska-Susitna Borough 2016 Competitive Sealed Bid Land Sale.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 7th day of March, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

YES: Klapperich, Anderson, Healy, Vague, Adams, and Ruchenstein

NO:

IM16-055
DR16-036
RS16-035

NON-CODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-036

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING CLASSIFICATION OF BOROUGH-OWNED LANDS FOR INCLUSION IN THE 2016 COMPETITIVE SEALED BID LAND SALE (MSB007129).

WHEREAS, MSB 23.10.190 allows for the sale of land by competitive bid when it is found to be in the best interest of the Borough; and

WHEREAS, there are thirty-five selected borough parcels containing a total of 635 +/- acres to be included in the 2016 Competitive Bid Land Sale; and

WHEREAS, the parcels being considered were identified in the Land & Resource Management's internal five-year land disposal plan that was based on available inventory and the 2012 (updated in 2013 and 2014) build-out analysis; and

WHEREAS, the analysis identified future public facility needs within specific site areas providing opportunity for land outside of those site areas to be included in a disposal plan; and

WHEREAS, the parcels selected for sale are not within the "public purpose areas" identified in the build-out analysis; and

WHEREAS, the parcels have undergone significant inter-department and agency review; and

WHEREAS, public notice was initiated pursuant to MSB 23.05.025 and public comments received from the noticing are included in the Best Interest Finding attached in IM No. 16-055 as Exhibit A; and

WHEREAS, the Matanuska-Susitna Borough Planning Commission adopted Resolution Serial No. 16-10 on March 7, 2016 in support of the land classification and sale; and

WHEREAS, under MSB 23.05.100, Private Recreation Lands are those lands which because of location, physical features, or adjacent development, are presently or potentially valuable as outdoor recreational areas and may be best utilized by private development, and General Purpose Lands are those lands which because of location, physical features, or adjacent development, location, or size of area, may be suitable for a variety of uses; and

WHEREAS, selling borough-owned land provides area wide revenue to the borough by placing sold parcels on the tax roll and also provides opportunity for development and enjoyment by private citizens, which is in the best interest of the borough and the public.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Land Classification. The Assembly does hereby approve the land classification of the following parcels as designated below:

	Bid Parcel Number	MSB Tax ID Number	Area	Land Classification
1	Bid Parcel 15-001	2167B26L003	Kenny Creek	Private Recreation
2	Bid Parcel 15-002	2167B26L005	Kenny Creek	Private Recreation
3	Bid Parcel 15-003	2167B26L006	Kenny Creek	Private Recreation
4	Bid Parcel 15-004	2167B24L003	Kenny Creek	Private Recreation
5	Bid Parcel 15-005	2167B24L004	Kenny Creek	Private Recreation
6	Bid Parcel 15-006	2167B20L004	Kenny Creek	Private Recreation
7	Bid Parcel 15-007	2167B11L005	Kenny Creek	Private Recreation
8	Bid Parcel 15-008	2167B11L006	Kenny Creek	Private Recreation
9	Bid Parcel 15-009	2167B11L007	Kenny Creek	Private Recreation
10	Bid Parcel 15-010	2167B11L008	Kenny Creek	Private Recreation
11	Bid Parcel 15-011	2167B11L009	Kenny Creek	Private Recreation
12	Bid Parcel 15-012	2167B04L004	Kenny Creek	Private Recreation
13	Bid Parcel 15-013	2167B03L018	Kenny Creek	Private Recreation
14	Bid Parcel 15-014	2167B03L017	Kenny Creek	Private Recreation
15	Bid Parcel 15-017	26N05W27C019	Petersville	General Purpose
16	Bid Parcel 15-018	6521POAL045	Shulin Lake	Private Recreation
17	Bid Parcel 15-019	6521POAL046	Shulin Lake	Private Recreation
18	Bid Parcel 15-020	6521POAL047	Shulin Lake	Private Recreation
19	Bid Parcel 15-021	22N04W10B002	Caswell	General Purpose
20	Bid Parcel 15-022	22N04W10B003	Caswell	General Purpose
21	Bid Parcel 15-024	20880000000	Lockwood Lake	Private Recreation
22	Bid Parcel 15-027	6520B04L002	Trinity Lake	Private Recreation
23	Bid Parcel 15-028	6520B04L007	Trinity Lake	Private Recreation
24	Bid Parcel 15-029	6520B04L008	Trinity Lake	Private Recreation
25	Bid Parcel 15-030	6520B04L009	Trinity Lake	Private Recreation
26	Bid Parcel 15-031	17N04W27B012	Flat Lake	General Purpose
27	Bid Parcel 15-032	1972S16T00A	Iditarod Trail	General Purpose
28	Bid Parcel 15-035	20N07E19A003	Bonnie Lake	General Purpose
29	Bid Parcel 15-036	19N05W26A007	Willow	General Purpose
30	Bid Parcel 15-037	4411000T00C-2	Bulchitna Lake	Private Recreation
31	Bid Parcel 15-038	21N09W04A006	Bulchitna Lake	Private Recreation
32	Bid Parcel 15-039	17N04W35C017	Big Lake	General Purpose
33	Bid Parcel 15-040	17N04W34B010	Burma/Purinton	General Purpose
34	Bid Parcel 15-041	2167B11L004	Kenny Creek	Private Recreation
35	Bid Parcel 15-042	2167B20L001	Kenny Creek	Private Recreation

Section 3. Approval for Sale. The Assembly does hereby approve the sale of said parcels in the 2016 Competitive Bid Land Sale program.

Section 4. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this __ day of _____, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 16-035

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING A BEST INTEREST FINDING RECOMMENDING CLASSIFICATION OF BOROUGH-OWNED LANDS IDENTIFIED HEREIN FOR INCLUSION IN THE 2016 COMPETITIVE SEALED BID LAND SALE (MB007129).

WHEREAS, in response to Assembly priorities in 2014 and 2015, Land and Resource Management developed an internal five year land disposal and retention plan; and

WHEREAS, the borough's 2012 build-out analysis (updated in 2013 and 2014) identified areas throughout the borough for future public need; and

WHEREAS, parcels outside of the future public purpose areas were considered for disposal; and

WHEREAS, there are thirty-five parcels proposed to be included in the 2016 Competitive Bid Land Sale, containing a total of 635 +/- acres, which do not lie within the "public purpose" areas defined in the build-out analysis; and

WHEREAS, a Best Interest Finding, attached as EXHIBIT A, finds that the highest and best use of these parcels is to classify them as private recreation and general purpose and offer them in a borough land sale; and

WHEREAS, maps and information for the parcels are attached as EXHIBIT B; and

WHEREAS, classifying and offering these parcels for sale and potentially placing sold parcels on the borough tax rolls is in the best interest of the borough.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly approves the Best Interest Finding that recommends the subject parcels be classified as follows:

	Bid Parcel Number	MSB Tax ID Number	Area	Land Classification
1	Bid Parcel 15-001	2167B26L003	Kenny Creek	Private Recreation
2	Bid Parcel 15-002	2167B26L005	Kenny Creek	Private Recreation
3	Bid Parcel 15-003	2167B26L006	Kenny Creek	Private Recreation
4	Bid Parcel 15-004	2167B24L003	Kenny Creek	Private Recreation
5	Bid Parcel 15-005	2167B24L004	Kenny Creek	Private Recreation
6	Bid Parcel 15-006	2167B20L004	Kenny Creek	Private Recreation
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9	Bid Parcel 15-009	2167B11L007	Kenny Creek	Private Recreation
10	Bid Parcel 15-010	2167B11L008	Kenny Creek	Private Recreation
11	Bid Parcel 15-011	2167B11L009	Kenny Creek	Private Recreation
12	Bid Parcel 15-012	2167B04L004	Kenny Creek	Private Recreation
13	Bid Parcel 15-013	2167B03L018	Kenny Creek	Private Recreation
14	Bid Parcel 15-014	2167B03L017	Kenny Creek	Private Recreation
15	Bid Parcel 15-017	26N05W27C019	Petersville	General Purpose
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17	Bid Parcel 15-019	6521POAL046	Shulin Lake	Private Recreation
18	Bid Parcel 15-020	6521POAL047	Shulin Lake	Private Recreation
19	Bid Parcel 15-021	22N04W10B002	Caswell	General Purpose
20	Bid Parcel 15-022	22N04W10B003	Caswell	General Purpose
21	Bid Parcel 15-024	20880000000	Lockwood Lake	Private Recreation
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23	Bid Parcel 15-028	6520B04L007	Trinity Lake	Private Recreation
24	Bid Parcel 15-029	6520B04L008	Trinity Lake	Private Recreation
25	Bid Parcel 15-030	6520B04L009	Trinity Lake	Private Recreation
26	Bid Parcel 15-031	17N04W27B012	Flat Lake	General Purpose
27	Bid Parcel 15-032	1972S16T00A	Iditarod Trail	General Purpose
28	Bid Parcel 15-035	20N07E19A003	Bonnie Lake	General Purpose
29	Bid Parcel 15-036	19N05W26A007	Willow	General Purpose
30	Bid Parcel 15-037	4411000T00C-2	Bulchitna Lake	Private Recreation
31	Bid Parcel 15-038	21N09W04A006	Bulchitna Lake	Private Recreation
32	Bid Parcel 15-039	17N04W35C017	Big Lake	General Purpose
33	Bid Parcel 15-040	17N04W34B010	Burma/Purinton	General Purpose
34	Bid Parcel 15-041	2167B11L004	Kenny Creek	Private Recreation
35	Bid Parcel 15-042	2167B20L001	Kenny Creek	Private Recreation

BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Assembly further finds that conveying these parcels through public land sales is in the best interest of the borough.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

BEST INTEREST FINDING
For the
Classification of Borough-owned Land

I. Summary of Proposed Action

In response to Assembly priorities, a five-year land retention and disposal plan was developed by the Land & Resource Management Division identifying borough-wide parcels for future land sales or retention for public purposes. The accordance with the plan, thirty-five (35) borough-owned parcels have been selected for potential land classification and sale in the 2016 Competitive Bid Land Sale. A total of 635+/- combined acres make up the parcels herein discussed.

II. Property Site Factors

A. Location: The subject parcels are located throughout the borough and are part of a development phase plan including five key areas.
Area 1 encompasses areas north of Willow and beyond Petersville.
Area 2 encompasses Willow, Houston, Big Lake, Knik and Wasilla.
Area 3 encompasses areas south of Knik and outside of the Port District.
Area 4 encompasses parcels from Palmer, Butte-south, Sutton, and Chickaloon-east.
Area 5 includes the remainder of the borough.

For purpose of this land classification and sale, the parcels offered in this disposal are mainly located in the western and northern Susitna Valley, areas of Petersville, Caswell Willow, Big Lake, Point McKenzie, and north of Sutton. The parcels range in size from 2 to 152+ acres. Acreage and price are based on the 2015 borough tax assessment.

B. Parcel Information:

Parcels 15-001 thru 014 and 15-041 & 42 range from 2-5 acres and are located within a remote platted subdivision approved by the state and borough, known as Kenny Creek. The borough received title to the properties by state patent. This high recreation area is popular with snow machine enthusiast offers private cabin sites and is typically accessed during the winter when the ground is frozen.

Parcel 15-015 has been withdrawn from the 2016 Competitive Bid parcel list for further review and consideration. Staff received nine public comments in opposition of selling this parcel, along with request from the Talkeetna Community Council and Assembly Member Kowalke to pull it from the sale.

Parcel 15-017 is a small lot suited for residential use. Access is from E. Susitna River Road in the Petersville area.

Parcels15-018, 019 & 020 are remote parcels are located on Shulin Lake within a platted subdivision approved by the state and borough. The borough received title to the properties by state patent.

Parcel 15-021 & 022 are located north of Caswell Lake Subdivision. Both have access from constructed roads and a small portion of unconstructed section line easement as noted on the parcel map. Majority of land contains wet area, but there is 3 to 5 acres of good upland for home sites within each parcel.

Parcel 15-024 is a remote fly-in cabin site located on Lockwood Lake. It is within a platted subdivision approved by the state and borough. The borough received title to the properties by state patent.

Parcels 15-027 through 030 are located on Trinity Lake, a remote platted subdivision approved by the state and borough. The borough received title to the properties by state patent.

Parcel 15-031 is located between two lake front parcels on Flat Lake (Big Lake area). The parcel does not have access via the water or overland and best lends itself to purchase by an adjacent property owner.

Parcel 15-032 is located in the Pt McKenzie area and lies adjacent to the old historic Iditarod Trail. The land over which the trail is physically located is a 300 foot wide tract of land owned by the State of Alaska, and is identified as Tract B, according to Alaska State Land Survey 79-14. Two public comments were received citing concerns over conserving the historic Iditarod Trail and adjacent borough lands. One of the commenters met with borough staff to discuss the parcel in depth. Main concerns evolve around protecting existing wildlife and fish habitat in and around Fish Creek, and preserving the land for future educational opportunities as the borough parcel can be accessed by pedestrian traffic year-round. Public access within the historic trail itself provides connectivity to other trail systems, and can be achieved from the roadway.

Parcel 15-035 is located on Upper Bonnie Lake (just east of Bonnie Lake in the Chickaloon area. Access to this pristine parcel is challenging from the Glenn Highway, but section line easements do exist for access.

Parcels 15-037 & 038 are remote fly-in parcels on Bulchitna Lake. There is significant interest in disposal of these parcels which have been on the borough books for a very long time. If sold, they will be placed on the borough tax rolls. Easements will be reserved around the perimeter of both parcels to ensure access to adjacent lands.

Parcel 15-039 is a level 5 acre lot that would be ideal for residential purposes. It is accessed from W. Susitna parkway on the southwest end of Big Lake.

Parcel 15-040 is located off Burma Road and is accessed from S Purinton Parkway near Sara Lake (Big Lake area). The parcel has up and down topography, but a home site could easily be constructed on one of the beautiful hilltops.

C. Parcel Descriptions: All parcel descriptions are included on the individual parcel maps and Parcel Description List attached as part of the Best Interest Finding.

D. Land Status: All parcels were received from State of Alaska by Patent.

E. Adopted Plans and Title Restrictions:
   1. Adopted Land Use Plans include the Big Lake, Chickaloon, Point McKenzie, Trapper Creek and Willow Comprehensive Plans, Susitna Area Plan, Willow Sub-Basin Area Plan, and Natural Resource Management Units Plan (NRMU).

   2. Title Restrictions – No title restrictions affect any of the proposed parcels.

F. Surrounding Land Uses: Recreational, residential

G. Natural resources within parcels: Timber and watershed

H. Access Defined: Constructed and unconstructed roads, trails (winter and summer), section line easements, water, and by air, defined as follows:

Access Type "A": Parcel may be accessed from platted, dedicated, granted, reserved or permitted right-of-way which is constructed and may be maintained either by State of Alaska, MSB, or city government. The level of continued maintenance is subject to the future availability of funds and budgetary appropriations.

Access Type "B": Parcel may be accessed from platted, dedicated, granted, reserved or permitted right-of-way which may not be constructed or publicly maintained, or only maintained on a seasonal basis, or be privately maintained. It is the responsibility of the bidder to determine the status of the right-of-way with regard to construction and maintenance.

Access Type "C": Parcel is located near an existing road system and the MSB owns all the land between the parcel and the road. Public access easements from the existing road system may be reserved, granted or dedicated across the MSB-owned lands as indicated. It is the responsibility of the bidder to determine the feasibility of utilizing such easements. Constructing access shall include obtaining necessary permits, with repair and maintenance of the access being the sole responsibility of the Purchaser. In the event the access cannot be constructed, the Purchaser may apply to MSB Land & Resource Management for an alternate public access route across MSB-owned land which can meet construction standards.

Access Type "D": Parcel is located near existing road system but the MSB does not own all the land between the parcel and the road. It is the responsibility of the Purchaser to determine, acquire, construct, maintain and/or defend the right to use an access route outside of borough-owned land.

Access Type "E": Parcel is not located near the existing road system; access is by air, trail (potentially seasonal), or water. It is the responsibility of the Purchaser to determine, acquire, construct, maintain and/or defend the right to use any alternate access route.

III. Review and Comments

All parcels have undergone significant departmental review. Such review includes historical data, topography, access, adopted borough plans, desirability of location, land value, and highest and best use of land. Inter-department review revealed no objection to the classification and sale of the final parcels included herein. Cultural Resources has been notified of upcoming land sale potential and will be provided opportunity to perform a cultural survey to document any findings. Both the Planning Commission and Assembly were provided a written overview of the 5-year land plan prior to implementation in 2014.

The Planning Commission unanimously approved Resolution 16-10 at their regularly scheduled public meeting on March 7, 2016 to recommend assembly approval regarding disposition of the parcels included herein.

Public notice was provided in accordance with MSB 23.05.025. Property owners within a quarter mile of the proposed parcels received notification, along with community councils, chambers of commerce, post offices, emergency services, fire and road services, MSB Parks & Recreation Advisory Board, Alaska Department of Fish and Game, Alaska Department of Agriculture, and the Upper Susitna Soil and Water Conservation District. It should be noted that no comments were received from the Alaska Department of Fish and Game. Also of note is the Alaska Department of Agriculture reviewed all of the proposed parcels and provided soils information of those parcels with agriculture potential. Those parcels were pulled from the list and will be further reviewed for potential inclusion in future agriculture land sales.

All public comments received are attached as part of this Best Interest Finding and noted within "Parcel Information, Section B" in regard to specific parcels cited. Numerous phone calls have been received by MSB Land Management staff regarding parcels, proposed sale dates, how the competitive bid process works, and requests to add their names to the Land & Resource Management sale notification list wherein customers are specifically notified when any borough land sale is commencing. This list contains over 700 names to be notified by email and twice as many receive notification by postcards through the US mail. Several callers have indicated strong interest in submitting bids.

IV. Analysis & Discussion

The Borough Assembly identified public land sales as a priority in recent years, though that sentiment may be shifting. For many years borough land sales were stagnant but housing and land markets have been on a slow, steady increase. Interest in acquiring public land has risen sharply since 2014 partly due to more reasonable terms coming from lenders to purchase vacant land, which the borough has mirrored. This year the borough will adopt the state's form of land contracts to include affordable down payments and reasonable monthly terms. Conveying public lands into private hands increases the tax rolls and vacant land when developed gains economic value by virtue of the development – whether for recreation cabin, single family residence or commercial use.

Land & Resource Management began an extensive review of the borough build out analysis and vacant borough-owned parcels. Included in this review was identifying areas for future public facilities wherein borough parcels within those specific areas were carefully vetted for future public need and retention. A five-year plan to dispose of appropriate borough land was created for implementation in phases to ensure the market was not over saturated in any given year. Many of the potential sale parcels are remote and would be well-suited for private recreational purpose. Lands selected for disposal are being reviewed for their agriculture potential, and if found to have the right soils for crops or if located in a high agriculture area, are being set aside for further review and possible inclusion in a separate agriculture land sale if so recommended by the MSB Agriculture Advisory Board.

Lands are classified in accordance with MSB 23.05.100. The selected sale parcels fall under *Private Recreation Lands* which are those lands that, because of location, physical features, or adjacent development, are presently or potentially valuable as outdoor recreational areas and may be best utilized by private development; or *General Purpose Lands* which are those lands that, because of location, physical features, or adjacent development, location, or size of area may be suitable for a variety of uses.

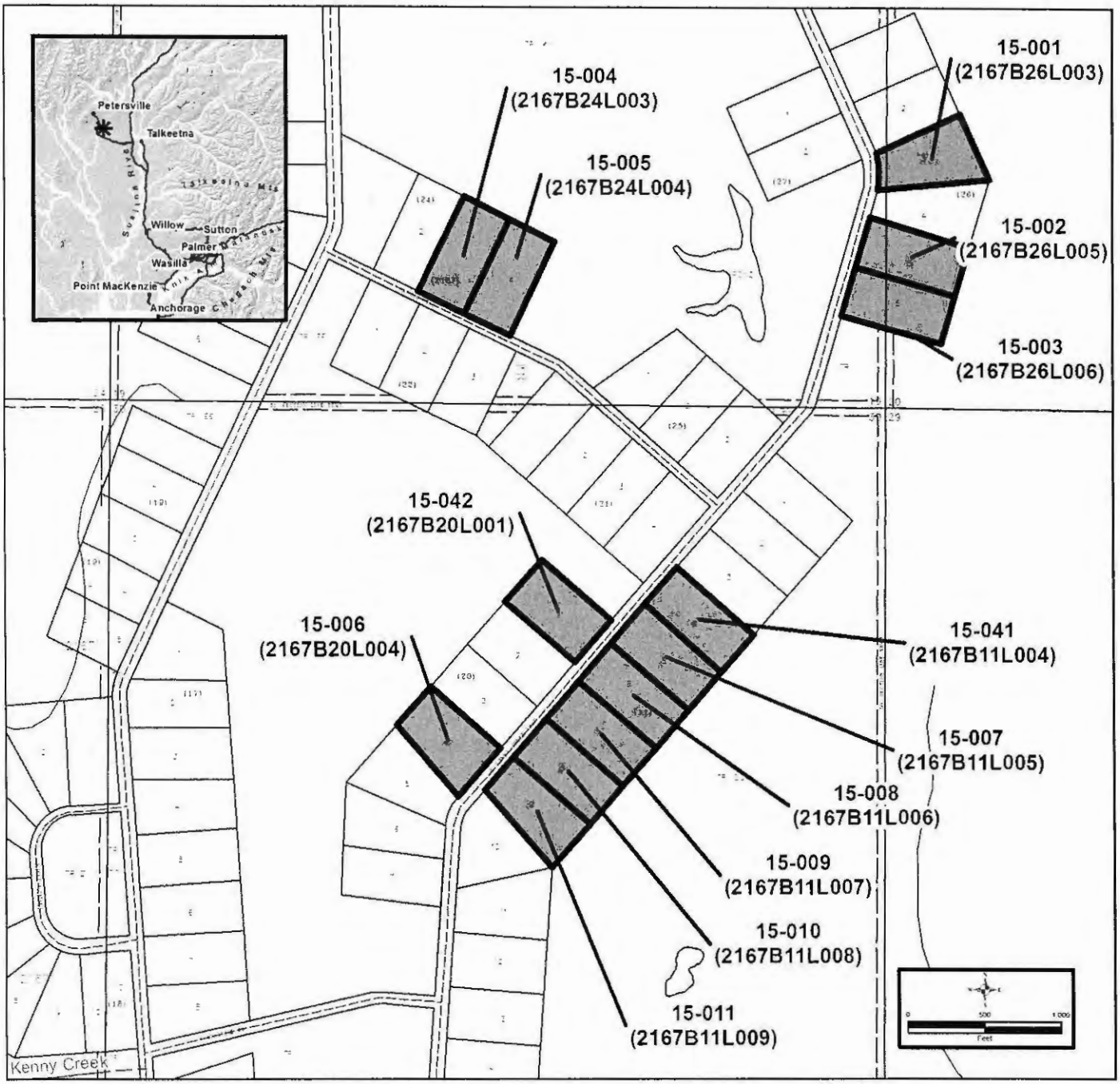
V. Parcel List

	Bid Parcel Number	MSB Tax ID Number	Area	Land Classification
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33	Bid Parcel 15-040	17N04W34B010	Burma/Purinton	General Purpose
34	Bid Parcel 15-041	2167B11L004	Kenny Creek	Private Recreation
35	Bid Parcel 15-042	2167B20L001	Kenny Creek	Private Recreation

VI. Administrative Recommendation

The Community Development Department, Land & Resource Management Division respectfully requests assembly approval to classify those parcels listed herein for purpose of inclusion in the 2016 Competitive Bid Land Sale.



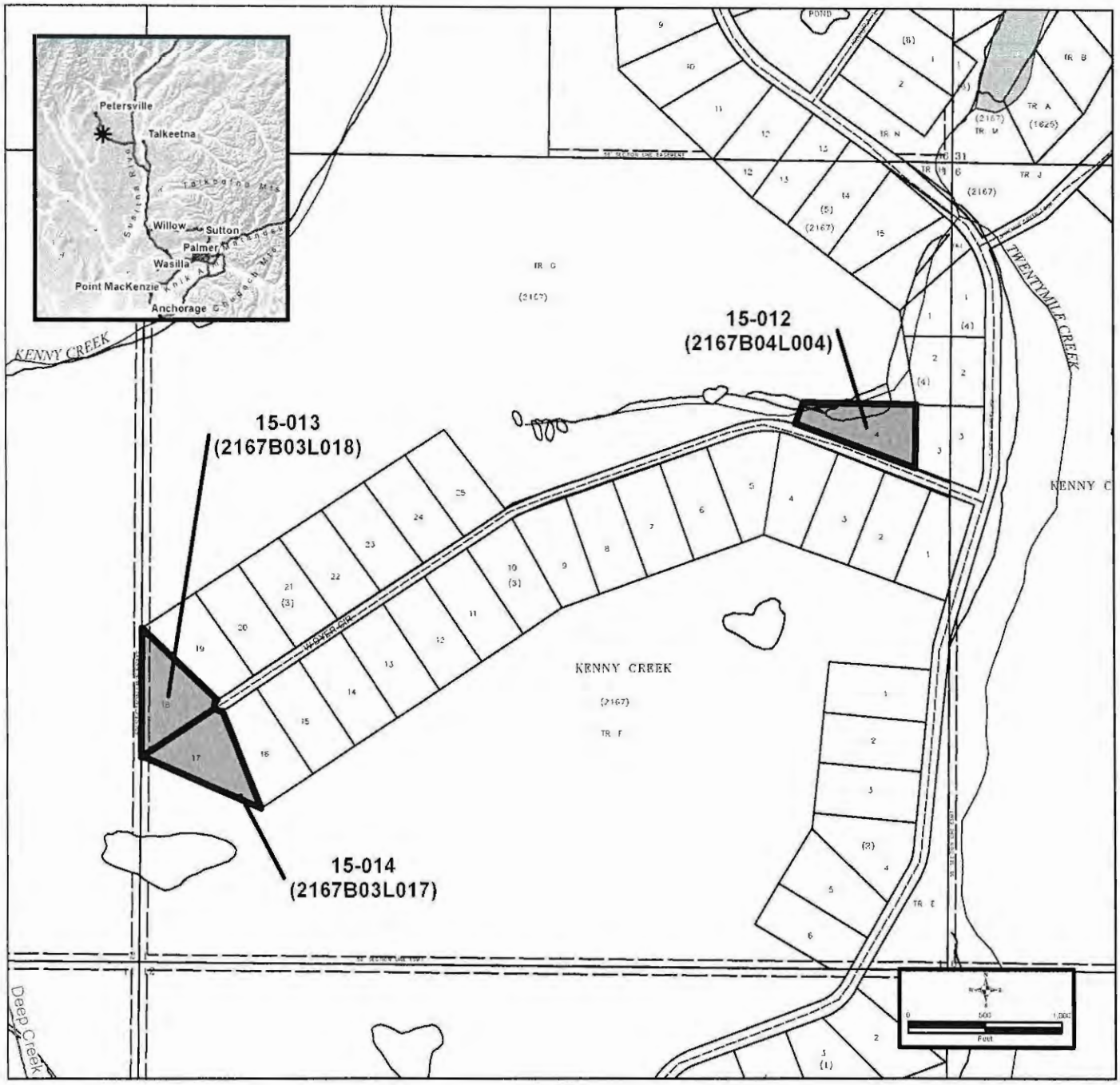
BID PARCEL No. 15-001 thru 15-011, 15-041, and 15-042

ACREAGE (APPROX): 5.00 each
MSB MAP No.: PV29
SUBD / TRS: T27N, R07W, Sec 19, 20, 30, S.M.

ADDITIONAL CONDITIONS OF SALE: None

MINIMUM BID: $9000 each
MSB TAX ID: 2167B26L003, L005, L006
2167B24L003, L004
2167 B20L001, L004
2167B11L004, L005, L006, L007, L008, and L009

COMMENTS: Kenny Creek remote cabin sites are located in Petersville Area. ACCESS (B): There are platted roads w/in the subdivision that are not constructed or maintained; ADL 228839-D "Kenny Creek Access Trail" begins at the old Forks Roadhouse site off Petersville Road; winter access is typical.



BID PARCEL No. 15-012 through 15-014

ACREAGE (APPROX): 5.00 acres (15-012)
4.99 acres (15-013)
4.97 acres (15-014)

MINIMUM BID: $9000 (15-012)
$9000 (15-013)
$8900 (15-014)

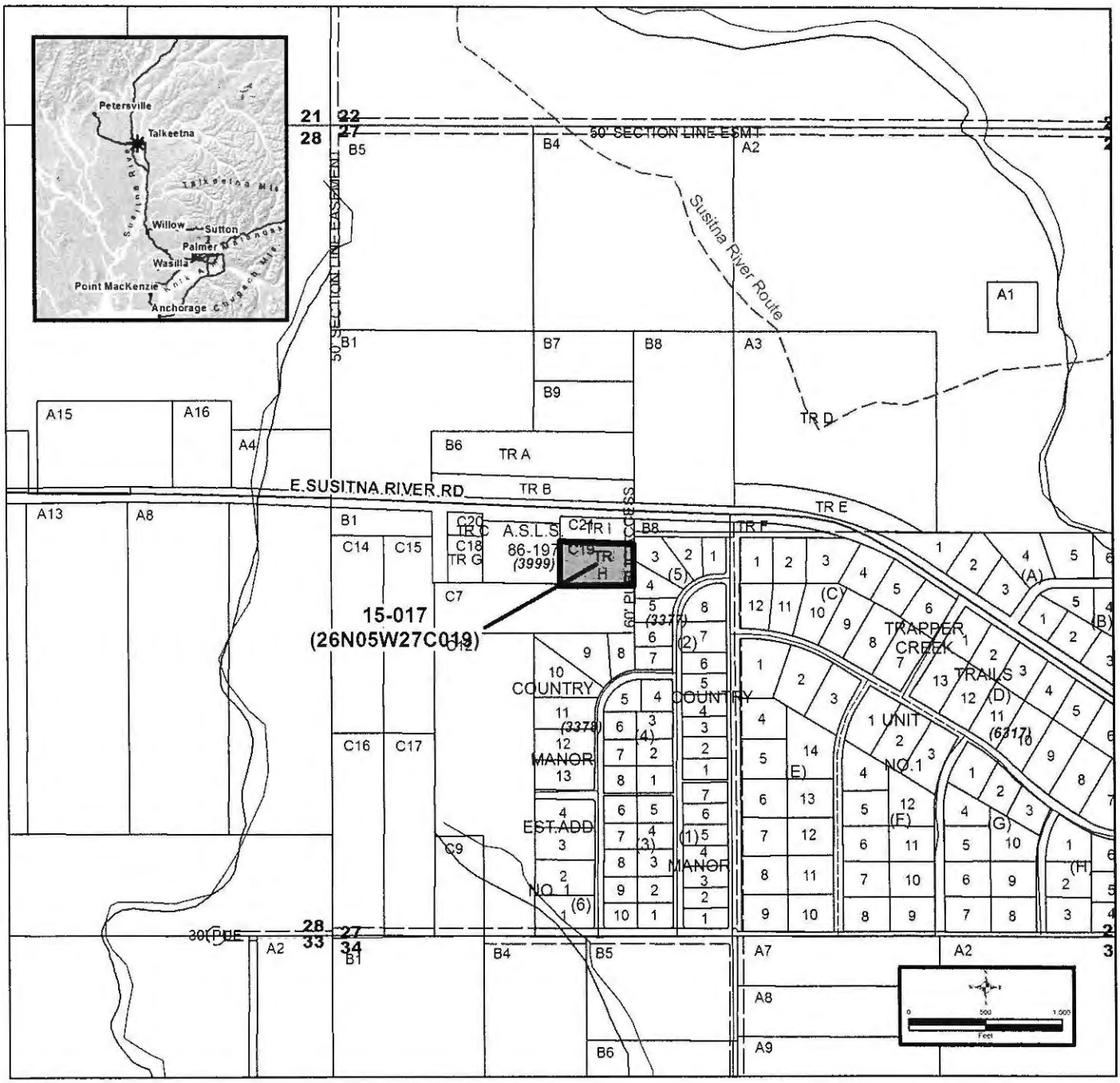
MSB MAP No.: PV37

MSB TAX ID: 2167B04L004
2167B03L018, 2167B03L017

SUBD / TRS: T26N, R08W, Sec 1, S.M.

ADDITIONAL CONDITIONS OF SALE: None

COMMENTS: Kenny Creek remote cabin sites are located in Petersville Area. ACCESS (B): There are platted roads w/in the subdivision that are not constructed or maintained; ADL 228839-D "Kenny Creek Access Trail" begins at the old Forks Roadhouse site off Petersville Road; winter access is typical.



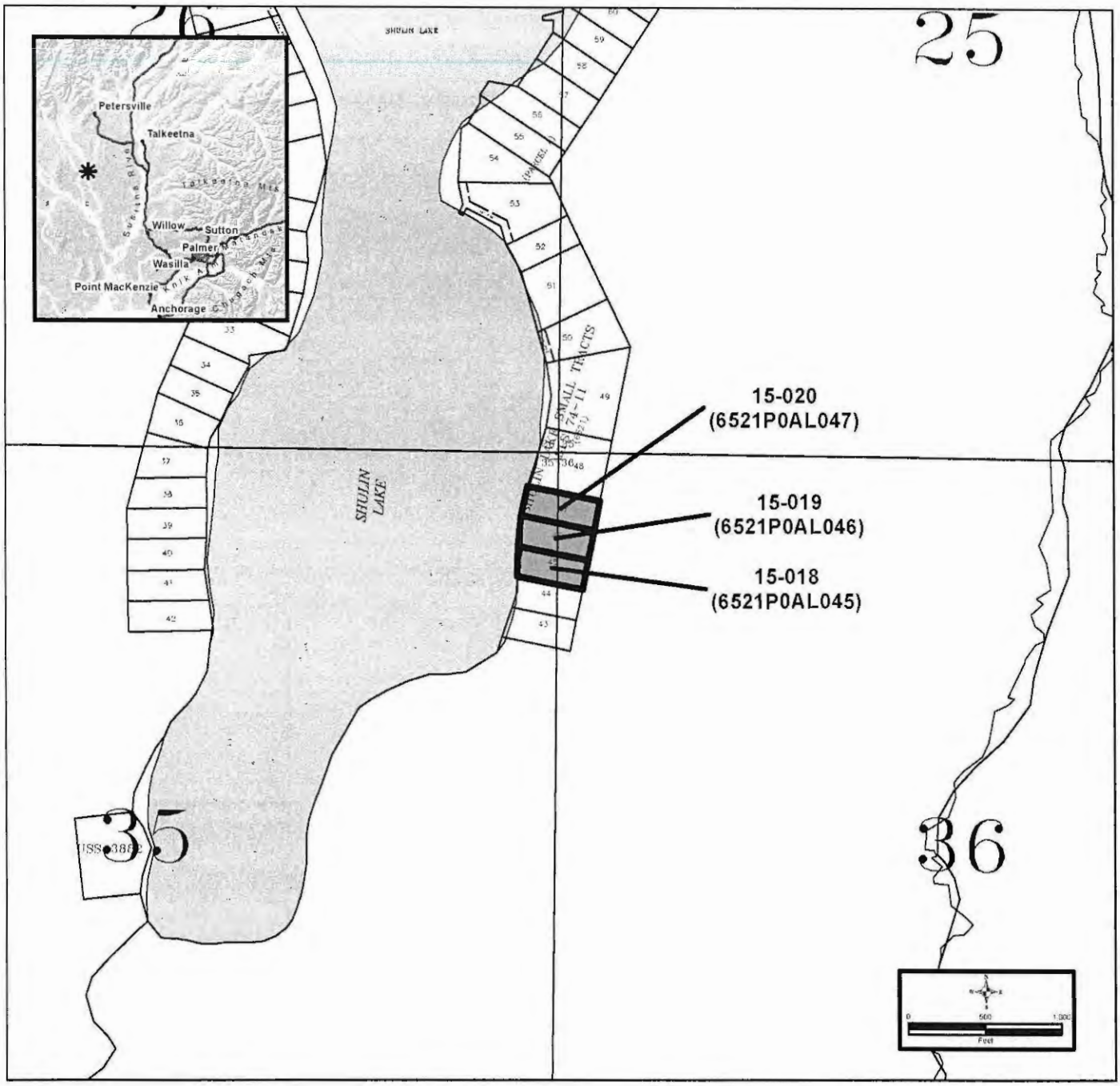
BID PARCEL No. 15-017

ACREAGE (APPROX): 3.12
MSB MAP No.: TA06
SUBD / TRS: T26N, R05W, Sec 27, S.M.

MINIMUM BID: $14,000
MSB TAX ID: 26N05W27C019

ADDITIONAL CONDITIONS OF SALE: None.

COMMENTS: Located east of Parks Highway, at approximate MP 114.9 where Petersville Rd intersects the highway. ACCESS (B): A 60' public access easement lies within the east boundary and abuts the south right-of-way line of E. Susitna River Road. Easement is unconstructed. Permit is required from MSB permitting office to construct road or driveway within reserved easement area.



BID PARCEL No. 15-018 through 15-020

ACREAGE (APPROX): 2.03 (15-018), 2.21 (15-019), 2.19 (15-020)

MINIMUM BID: $5500 (15-018, 15-019), $5900 (15-020)

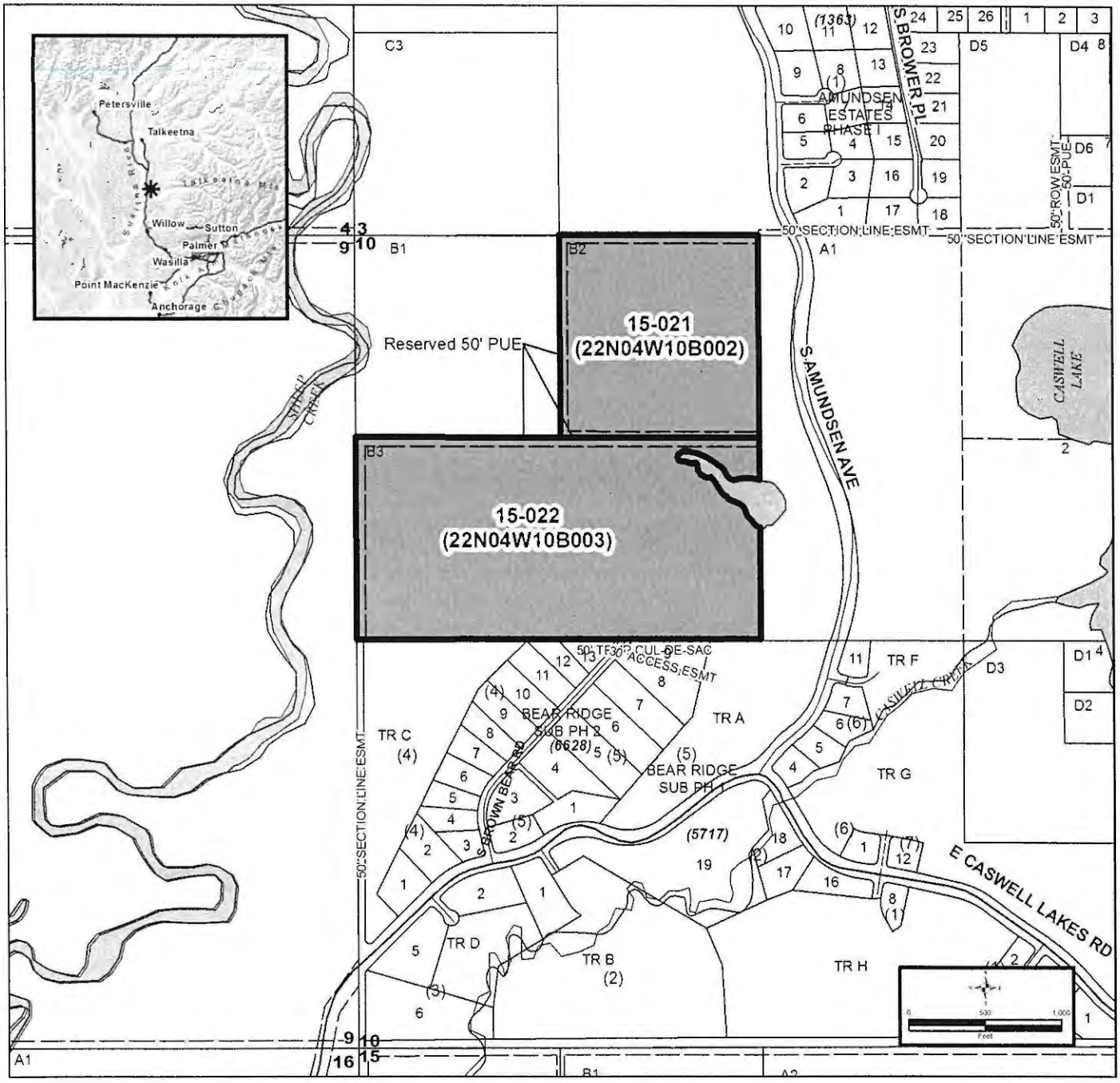
MSB MAP No.: SH06

MSB TAX ID: 6521P0AL045, L046, L047

SUBD / TRS: T24N, R09W, Sec 35 & 36, S.M.

ADDITIONAL CONDITIONS OF SALE: None.

COMMENTS: Section line bisects all three parcels. ACCESS (E): Remote. It is responsibility of Buyer to determine, acquire, construct, maintain and/or defend the right to use any alternate access.



BID PARCEL No. 15-021 and 15-022

ACREAGE (APPROX): 40.00 (15-021)
80.00 (15-022)

MINIMUM BID: $54,000 (15-021)
$40,000 (15-022)

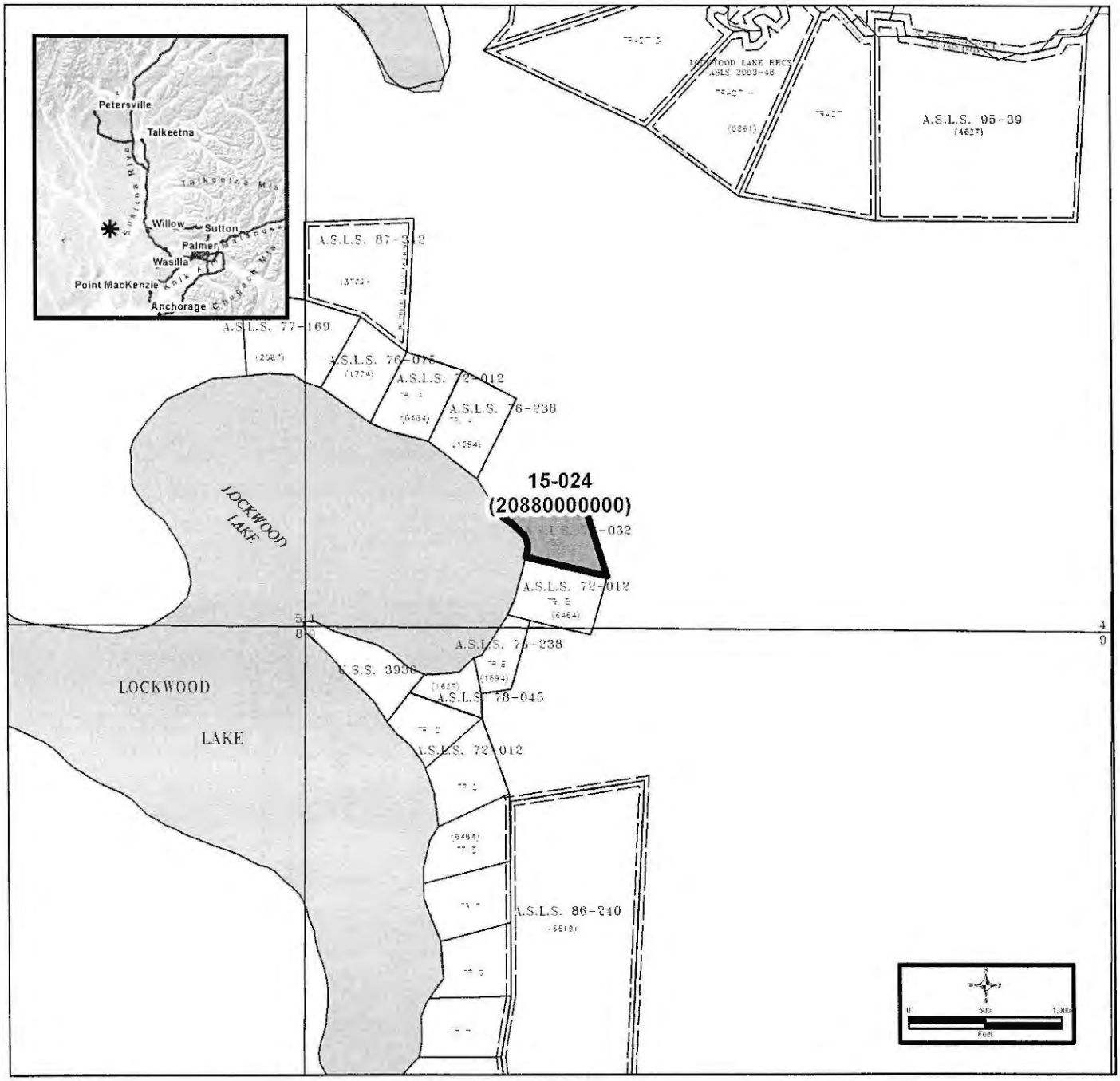
MSB MAP No.: CA0

MSB TAX ID: 22N04W10B002 (15-021)
22N04W10B003 (15-022)

SUBD / TRS: T22N, R04W, Sec 10, S.M.

ADDITIONAL CONDITIONS OF SALE: Reservation of 50' wide public access easement within the west and south boundaries of Parcel 15-021 and within the north boundary of parcel 15-022.

COMMENTS: ACCESS (D) for 15-021 access from Amundsen Ave via section line easement (unconfirmed) and ACCESS (B) for Parcel 15-022 from S. Brown Bear Rd via Caswell Lakes Rd. Both parcels are wet but appear to have 3&5 acres of developable land, respectively. Buyer's responsibility to confirm developable land and access.



BID PARCEL No. 15-024

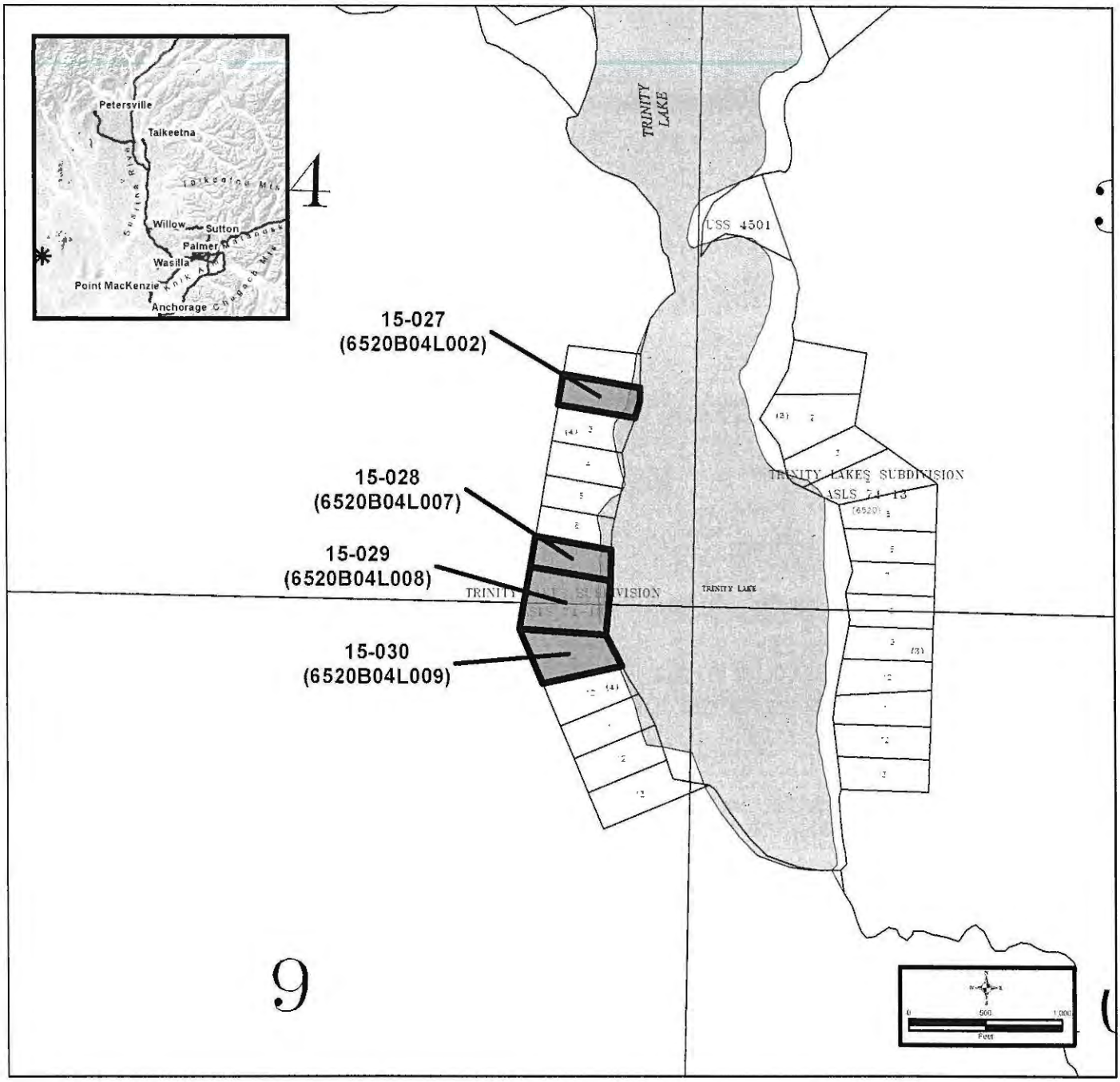
ACREAGE (APPROX): 4.16
MSB MAP No.: DK04

MINIMUM BID: $15,600
MSB TAX ID: 20880000000

SUBD / TRS: T19N, R07W, Sec 04, S.M.

ADDITIONAL CONDITIONS OF SALE: None.

COMMENTS: ACCESS (E): Parcel is not located near an existing road system; access is by air or snow machine, or water. It is the responsibility of Buyer to determine, acquire, construct, maintain, and/or defend the right to use any alternate access route.



BID PARCEL No. 15-027 through 15-030

ACREAGE (APPROX): 2.39 (15-027, 15-028), 4.81 (15-029), 3.61 (15-030)

MINIMUM BID: $12,500 (15-027, 15-028)
$19,200 (15-029), $15,300 (15-030)

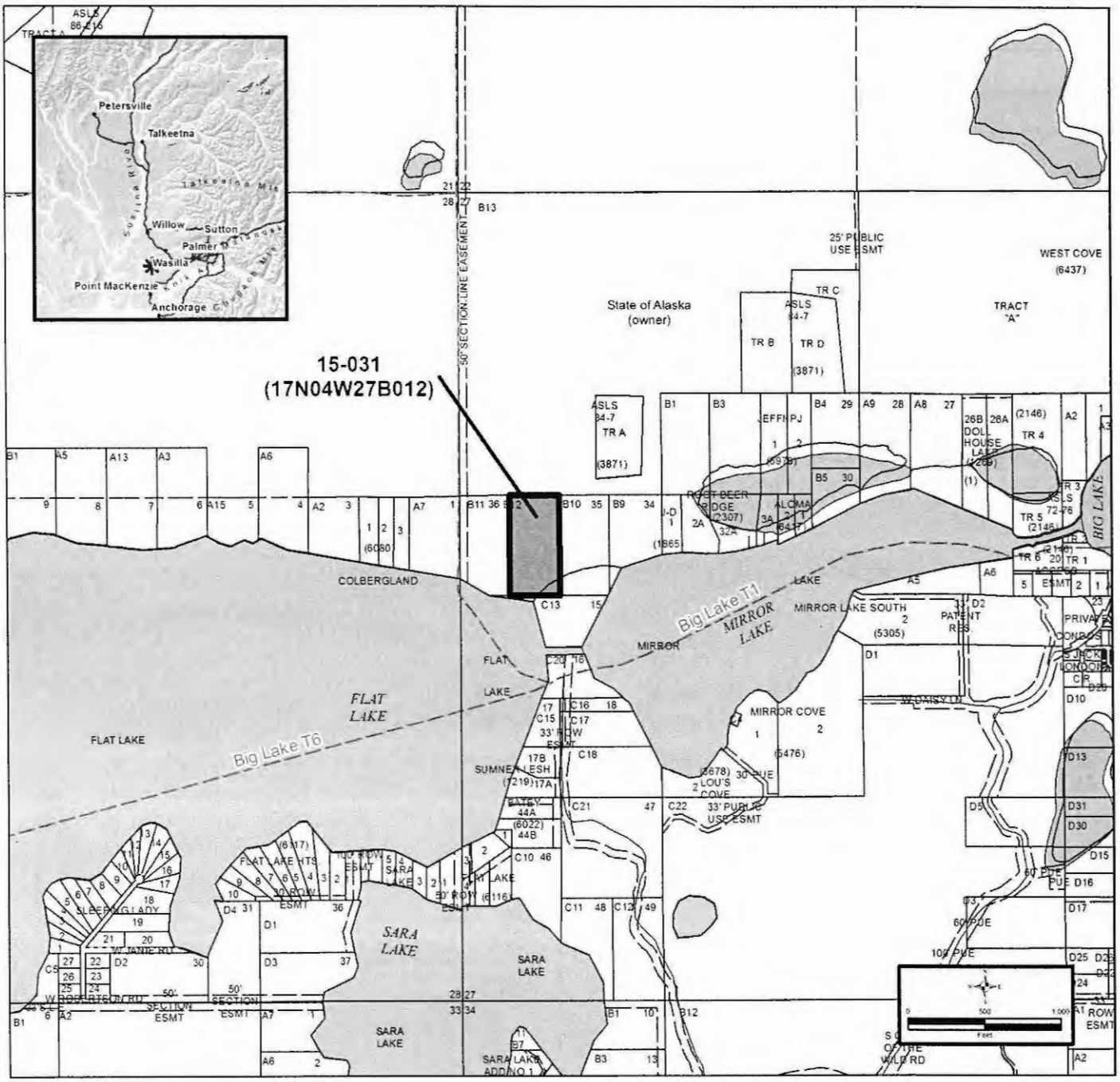
MSB MAP No.: TL20

MSB TAX ID: 6520B04L002, L007,L008,L009

SUBD / TRS: T17N, R12W, 5ec 4 and 9, S.M.

ADDITIONAL CONDITIONS OF SALE: None

COMMENTS: Remote. ACCESS (E): Parcels are remote and access is by air or snow machine. It is the responsibility of Buyer to determine best access route and defend the right to use said route(s).



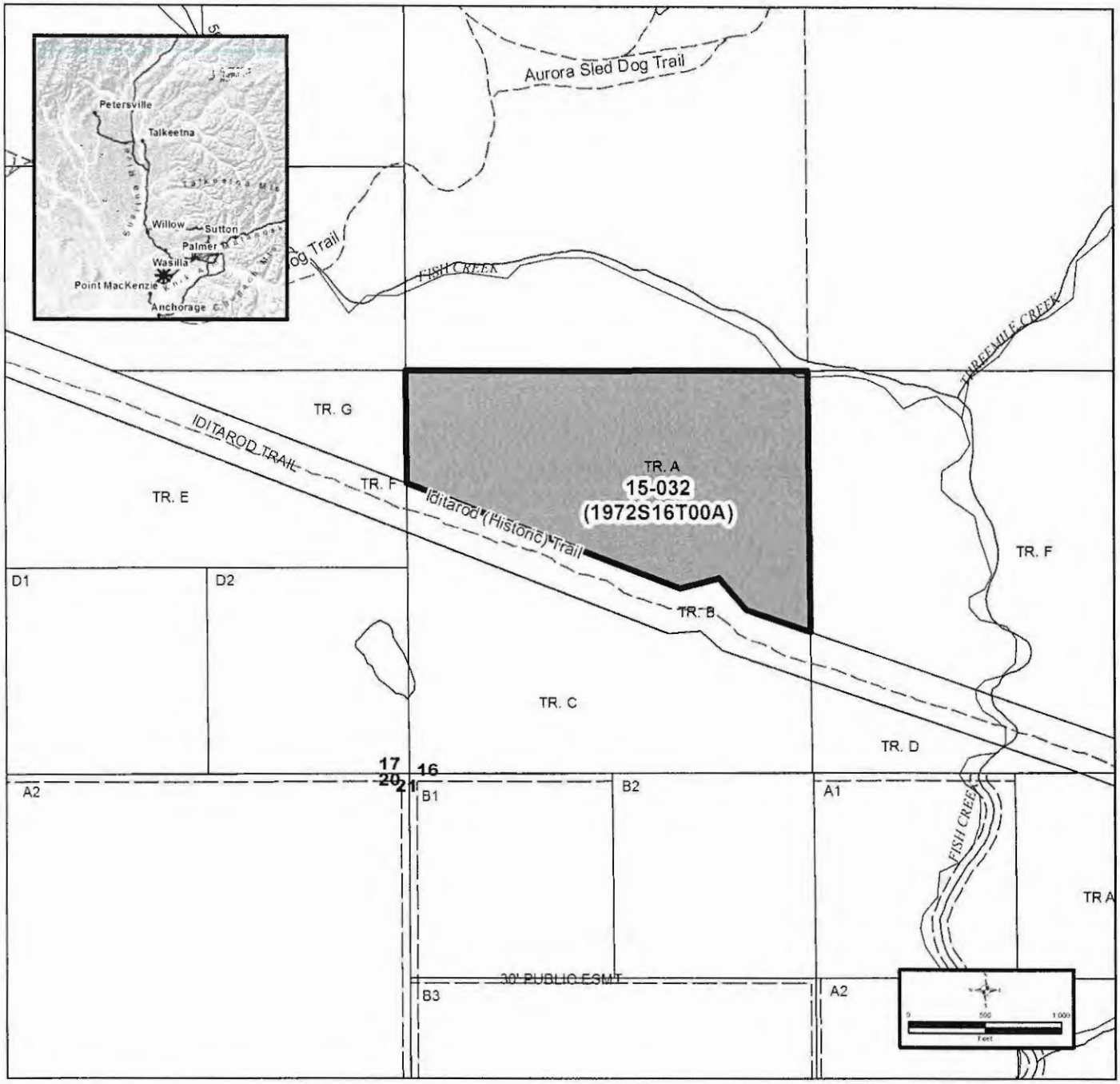
BID PARCEL No. 15-031

ACREAGE (APPROX): 5.00
MSB MAP No.: LS16
SUBD / TRS: T17N, R4W, Sec 27, S.M.

MINIMUM BID: $27,000
MSB TAX ID: 17N04W27B012

ADDITIONAL CONDITIONS OF SALE: None.

COMMENTS: Located west of Big Lake and Mirror Lake. Parcel is landlocked and has no dedicated legal access. ACCESS (E): Parcel is not located near existing road system. It is Buyer responsibility to determine, acquire, construct, maintain and defend the right to use any alternate access route.



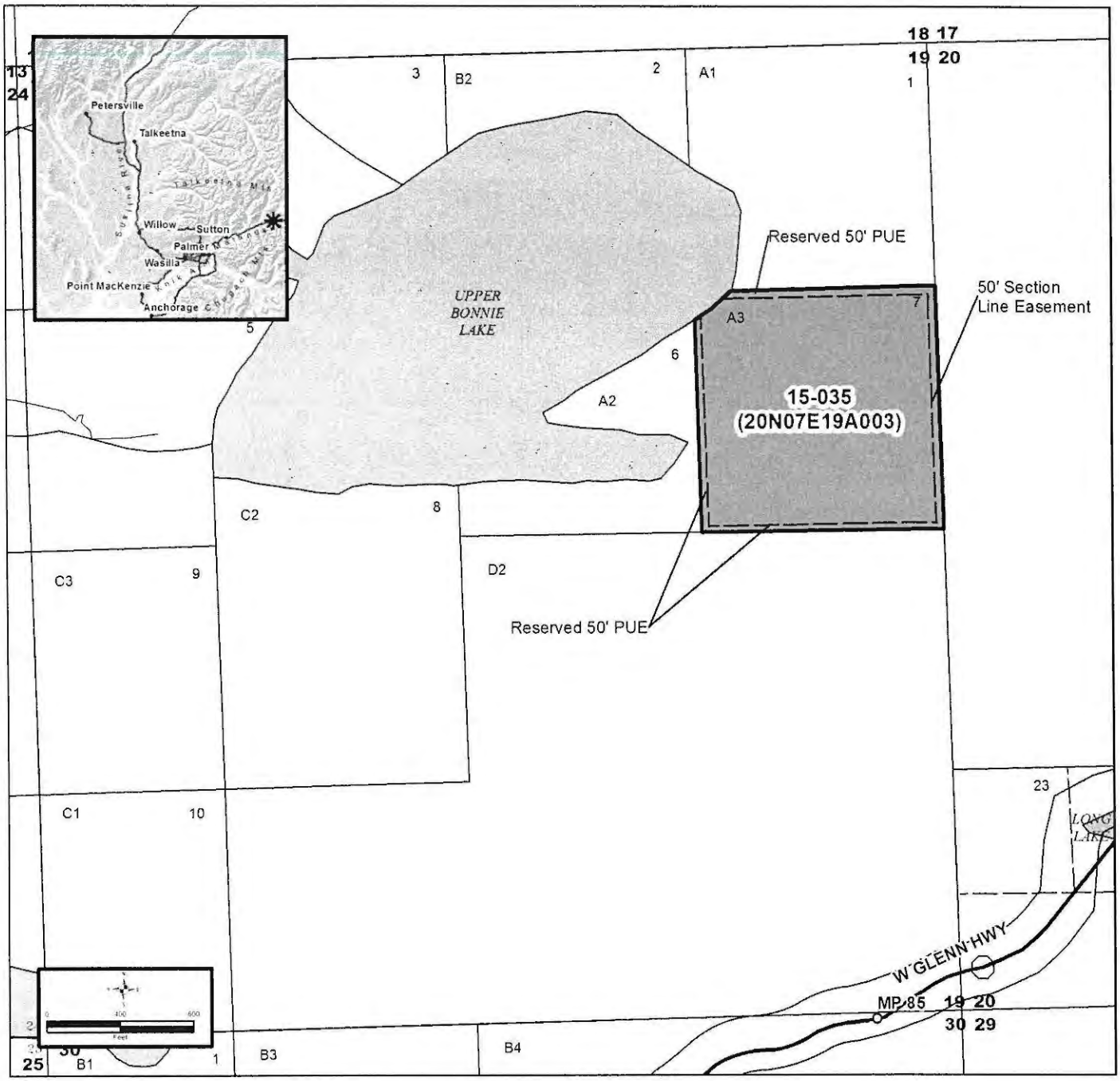
BID PARCEL No. 15-032

ACREAGE (APPROX): 73.81
MSB MAP No.: GB02
SUBD / TRS: T16N, R03W, Sec 16, S.M.

MINIMUM BID: $132,900
MSB TAX ID: 1972S16T00A

ADDITIONAL CONDITIONS OF SALE: None.

COMMENTS: Located in Point McKenzie area. ACCESS (E): Parcel is accessed via air, snow machine, ATV or dog sled. Old historic Iditarod Trail lies adjacent to south boundary and is connected to the Aurora Sled Dog Trail and Big Lake (16 Mile) Trail systems.



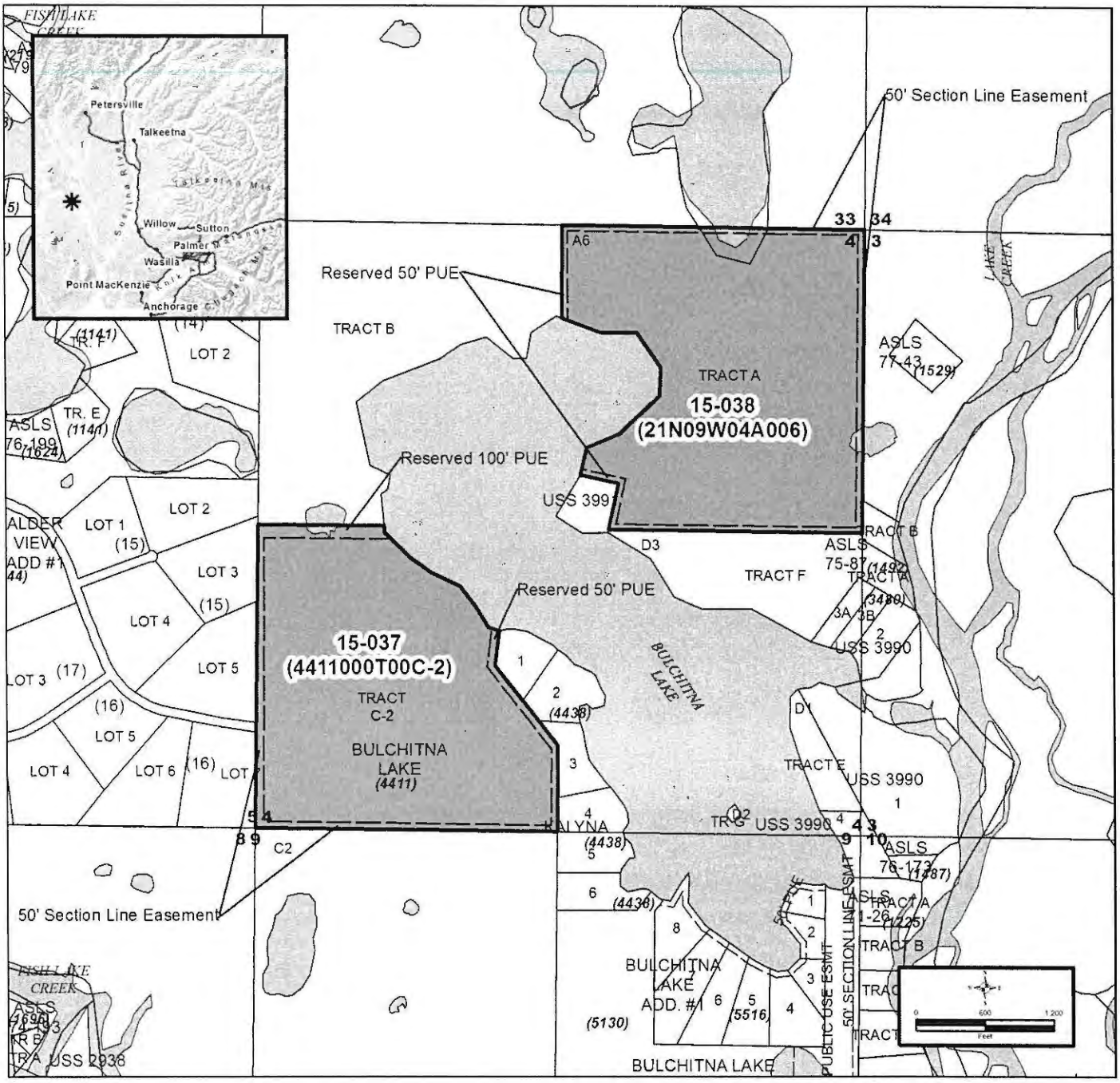
BID PARCEL No. 15-035

ACREAGE (APPROX): 39.85
MSB MAP No.: AR05
SUBD / TRS: T20N, R07E, Sec 19, S.M.

MINIMUM BID: $62,300
MSB TAX ID: 20N07E19A003

ADDITIONAL CONDITIONS OF SALE: Reservation of a 50' wide public access easement within the north, west and south boundaries of parcel.

COMMENTS: 50' wide section line easement from the Glenn Hwy through the east boundary of the subject parcel. ACCESS (E): parcel is not located near a road system. It is Buyer responsibility to determine, acquire, construct, maintain and defend the right to use any alternate access routes. Very steep terrain from Hwy.



BID PARCEL No. 15-037 and 15-038

ACREAGE (APPROX): 132.39 (15-037)
138.66 (15-038)

MINIMUM BID: $120,100 (15-037)
$131,700 (15-038)

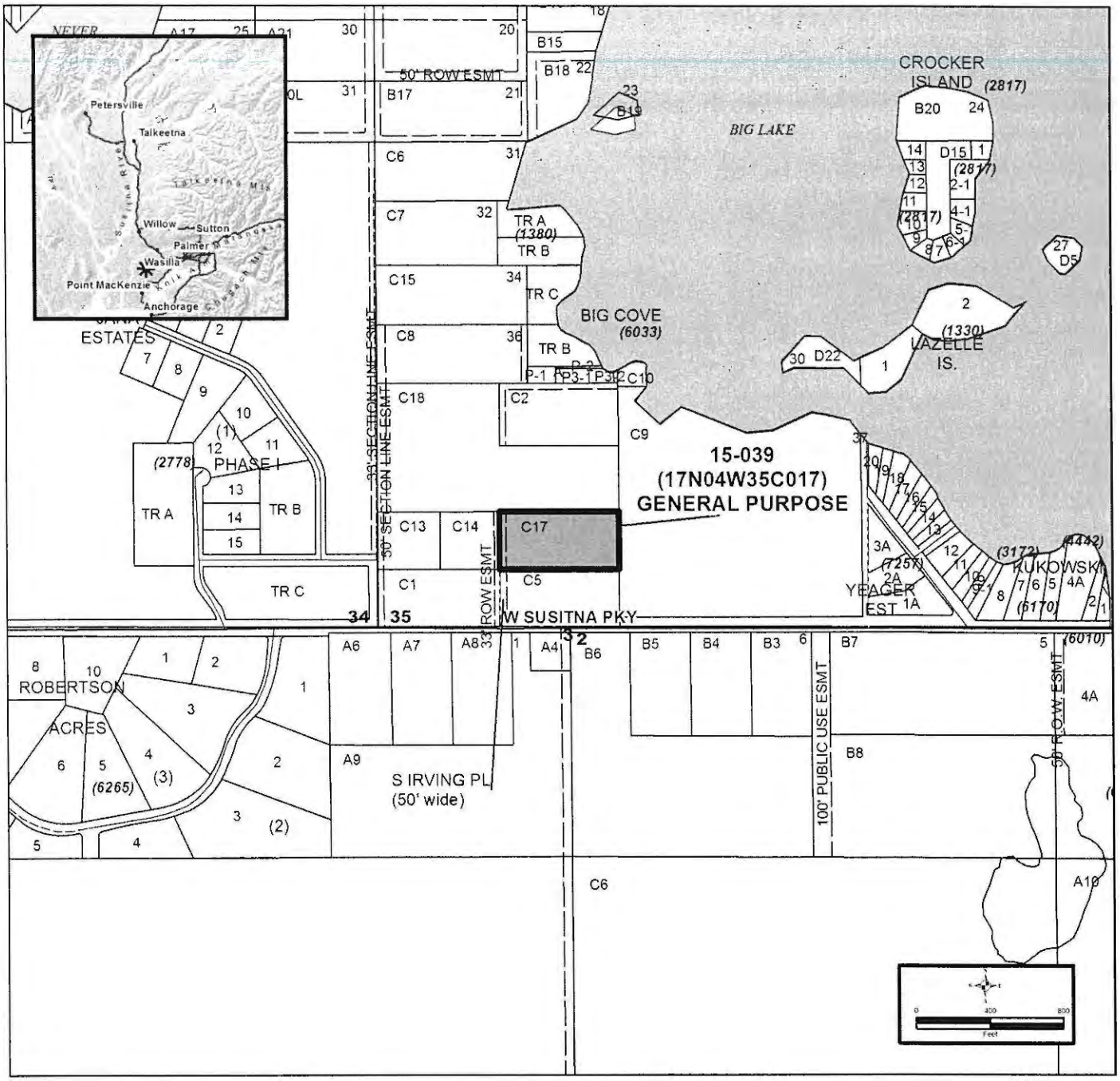
MSB MAP No.: BL12

MSB TAX ID: 4411000T00C-2, 21N09W04A006

SUBD / TRS: T21N, R09W, Sec 04, S.M.

ADDITIONAL CONDITIONS OF SALE: Reservation of public access easements within Parcel 15-037 being the north 100' and the east 50'; and within Parcel 15-038 being the east 50' and south 50'.

COMMENTS: Subject to 50' wide section line easements within both parcels and a 50' public access easement along the ordinary high water mark of Bulchitna Lake. ACCESS (E) Remote fly-in.

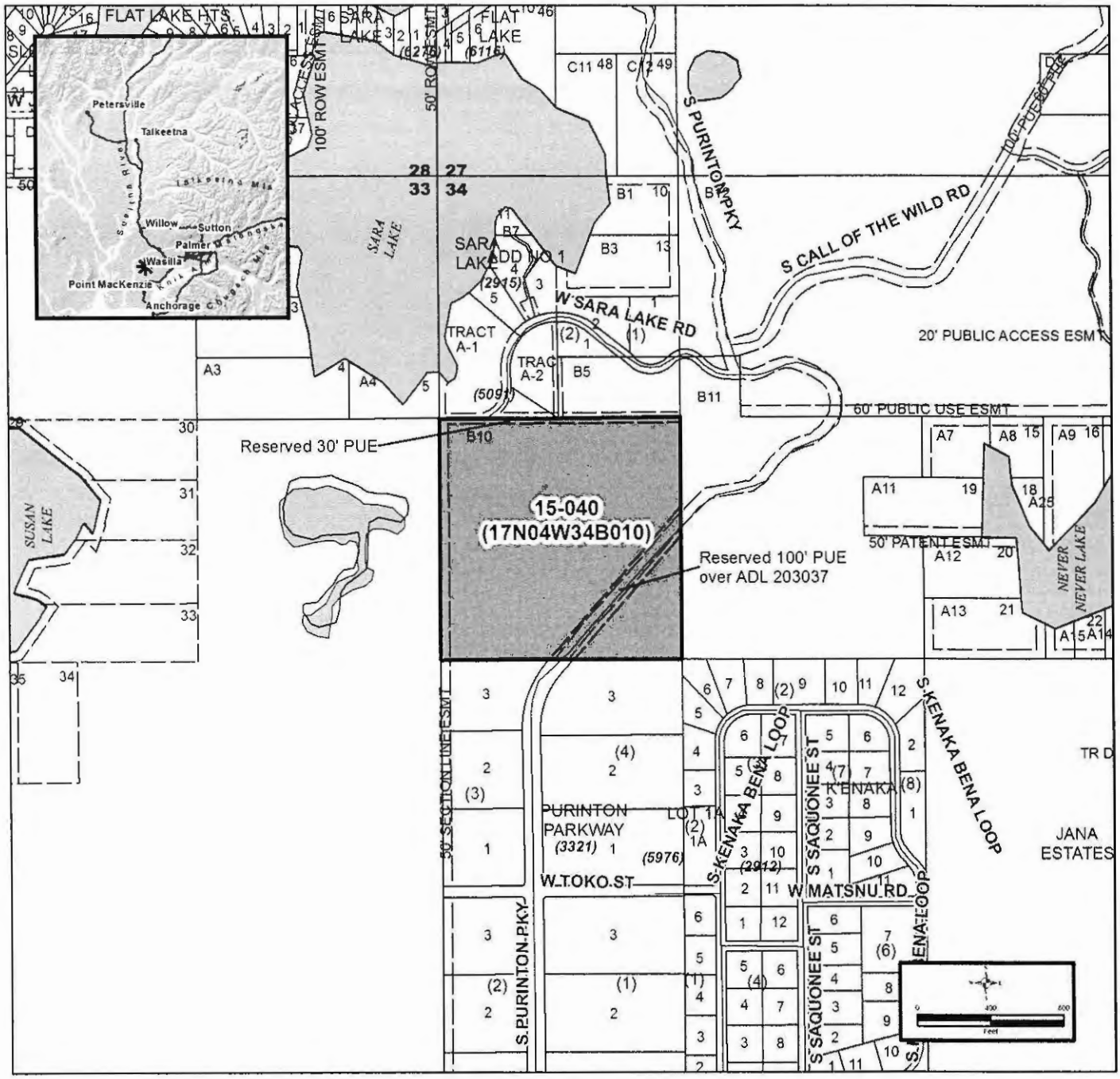


BID PARCEL No. 15-039

ACREAGE (APPROX): 5.00
PURCHASE PRICE: $40,000
MSB MAP No.: LS16
MSB TAX ID: 17N04W35C017
SUBD / TRS: T17N, R04W, Sec 35, S.M.

ADDITIONAL CONDITIONS OF SALE: None.

COMMENTS: ACCESS (B) for further access information. Access is from Susitna Parkway, a borough maintained road, via Irving Place which is an unconstructed 50' wide easement (length approx. 330' from Susitna Pkwy to SW corner of subject parcel). Buyer will be required to obtain a permit from MSB permitting before starting construction of road or driveway.



BID PARCEL No. 15-040

ACREAGE (APPROX): 40.00
MSB MAP No.: LS16
SUBD / TRS: T17N, R04W, Sec 34, S.M.

PURCHASE PRICE: $72,000
MSB TAX ID: 17N04W34B010

ADDITIONAL CONDITIONS OF SALE: Reservation of a public use easement being the North 30 feet and a public use easement centered over and upon S. Puritan Parkway as constructed this date. Puritan Parkway is a floating easement until such time a Record of Survey is recorded and provided to the Mat-Su Borough.

COMMENTS: Subject to section line easement being the West 50 feet. ACCESS (B) for further access information. Located in the Big Lake Community Council area.

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-056

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING AN INTERIM MATERIALS DISTRICT KNOWN AS ALSOP EAST PIT, LOCATED ON A PORTION OF TRACT A, POINT MACK PH. I SUBDIVISION, WITHIN TOWNSHIP 15 NORTH, RANGE 4 WEST, SECTION 27, SEWARD MERIDIAN.

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: _____

Route To:	Department/Individual	Initials	Remarks
	Originator - Susan Lee	SL	
	Planning and Land Use Director		
	Community Development Director		
	Borough Attorney		
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES ____ NO __X___
Ordinance Serial No. 16-037 (7 pp)
Staff Report (97 pp)
Planning Commission Resolution 16-07 (7 pp)

SUMMARY STATEMENT:
An Interim Materials District (IMD) application has been submitted for an IMD designation on Tract A, Point Mack Subdivision Phase I. The request is to extract up to 6,285,000 cubic yards of material until the year 2050 within 110 acres of a 968 parcel of property. The goal of the material extraction is for nearby projects including but not limited to Alsop Road upgrades, development of the Point MacKenzie Townsite, the Port MacKenzie Rail Extension project, and other Point MacKenzie Road improvements. The site's future use is intended to be the Point MacKenzie Townsite.

An Interim Materials District (IMD) may be established on private or public lands for earth materials extraction and processing activities on 20 contiguous acres or greater, where material extraction is intended to last for more than two years. The subject property is located in Assembly District 5 and within the Point MacKenzie Community Council planning boundary.

The property is located within the boundary of the Point MacKenzie Community Comprehensive Plan (2011). The intent of the comprehensive plan is to identify and encourage a general pattern of development that best meets the community goals. The plan does not map or designate land use areas.

The plan conveys under its Economic Development section, that the primary options for local resource development include timber harvests, natural gas extraction, sand and gravel extraction, and agriculture. The one Economic Development goal states: *"Encourage development that will benefit the Point MacKenzie community. To create stable economy and job market, Point MacKenzie residents want a balanced economy; one that avoids over reliance on any one sector, seasonal lulls, and dependence on out-of-town resources."*

On March 7, 2015 the Planning Commission conducted a public hearing concerning this IMD request. Concerns were voiced regarding maintenance of the roads in the area. As a condition of approval the Commission addressed this concern by recommending addition of the following condition: *"A performance bond as well as any other bonds necessary to cover road maintenance shall be included in the contract with the operator."* After consulting with the Land & Resource Management Division and the Borough Attorney, staff concludes that this condition as written is problematic from a legal and practical standpoint and recommends not adding this condition to the ordinance.

RECOMMENDATION OF ADMINISTRATION:
Staff respectfully requests approval of an interim materials district, known as Alsop East Pit.

STAFF REPORT

Im16-056
OR16-037

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-7876
www.matsugov.us

DEVELOPMENT SERVICES DIVISION STAFF REPORT

File Number:	172820150003
Applicant/Property Owner:	MSB Land & Resource Management Division
Request:	Planning Commission Resolution 16-07 A resolution recommending Assembly approval of an Interim Materials District (IMD), known as Alsop East Pit, in accordance with MSB 17.28 - Interim Materials District, for the extraction of up to 6,285,000 cubic yards of material within 110 acres of a 968 acre parcel of property
Location:	Point Mack Ph. I Subdivision, Tract A; 21601 W. Alsop Road; within Township 15 North, Range 4 West, Section 27, Seward Meridian
Public Hearing:	March 7, 2016
Planning Commission Action:	The planning commission shall conduct a public hearing and render a recommendation to Borough Assembly on a designation for an Interim Materials District
Reviewed By:	Eileen Probasco, Planning & Land Use Director Alex Strawn, Development Services Manager
Staff:	Susan Lee, Planner II
Staff Recommendation:	Approval with conditions

EXECUTIVE SUMMARY

An Interim Materials District (IMD) application has been submitted for an IMD designation on the above referenced parcel where a mining operation is proposed. The request is to extract up to 6,285,000 cubic yards of material until the year 2050 within 110 acres of a 968 parcel of property. The goal of the material extraction is for nearby projects including but not limited to Alsop Road upgrades, development of the Point MacKenzie Townsite, the Port MacKenzie Rail

Extension project, and other port and Point MacKenzie Road improvements. The site's future use is intended to be the Point MacKenzie Townsite.

For sites where extraction activities are greater than 20-acres an IMD designation is required under MSB 17.28 – Interim Materials District. An IMD may be established on private or public parcels and where extraction activities occur on 20 contiguous acres or greater. The subject parcel is located in Assembly District 5.

LAND USE

Existing Land Use:
The subject parcel is currently undeveloped. The property is located approximately one mile east along Alsop Road from the intersection of Point MacKenzie Road. Tract A, Point Mack Ph. I Subdivision is 968 acres in size. The proposed IMD is 110 acres in size and is located south of Alsop Road.

Staff conducted a site visit on February 11, 2016 and observed the following:

- The property is undeveloped.
- There is a small area of the site adjacent to Alsop Road where gravel has been removed illegally.
- The site terrain is varied.
- Site is covered in natural vegetation consisting of birch and spruce trees, willow and alder bushes.

Surrounding Land Uses:
Land uses within one mile the subject parcel include a sawmill to the north, various undeveloped privately owned parcels, several developed residential parcels to the north, west, and east, Goose Creek Correctional Center and associated water treatment plant to the west, and an old gravel pit and a couple of agricultural parcels across Point MacKenzie Road to the west.

COMPREHENSIVE PLAN

This property is located within the boundary of the Point MacKenzie Community Comprehensive Plan (2011). The intent of the comprehensive plan is to identify and encourage a general pattern of development that best meets the community goals. The plan does not map or designate specific land use areas.

The plan conveys under its Economic Development section, that the primary options for local resource development include timber harvests, natural gas extraction, sand and gravel extraction, and agriculture. The lone Economic Development goal states:

Goal 1: *Encourage development that will benefit the Point MacKenzie community.*

To create stable economy and job market, Point MacKenzie residents want a balanced economy; one that avoids over reliance on any one sector, seasonal lulls, and dependence on out-of-area resources.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification

Notices were mailed to all property owners within a one-mile radius of the proposed IMD site. A total of 95 notices were mailed. Notification of this request was published in the January 12, 2016 edition of the Frontiersman. The application material was also posted on the Borough website. Notice was also sent to the Point MacKenzie Community Council. The community council did not submit comments. One written comment opposing the IMD was submitted by a member of the public.

The Knik Road Service Area 17 Board of Supervisors submitted comments with the following concerns:

- Impacts to residents and roads.
- Point MacKenzie Road not built to withstand 100% load limits.
- Weight restrictions should be observed in the spring and fall.
- Concerns that the application material states that the borough and contractor not responsible for repairs or maintenance of the roads from damages that may occur from equipment.
- Should not impose added costs to the road service area from costs associated with developing the IMD.
- Provide a funding mechanism to maintain roads.
- Limit hours of operation to eliminate unnecessary noise at night and weekends.

Section 17.28.040 Required Compliance With State And Federal Laws

(A) All applicants for interim materials district designation are required to demonstrate compliance with state and federal law. Prior to final approval of the interim materials district, the applicant or agent shall provide written documentation of compliance with the following:

> *(1) mining license as required by the Alaska State Department of Revenue, pursuant to A.S. 42.65;*
> *(2) mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land;*
> *(3) reclamation plan as required by ADNR, pursuant to A.S. 27.19;*
> *(4) notice of intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the Alaska Pollutant Discharge Elimination System (APDES) requirements; and*
> *(5) United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.*

Finding: A State of Alaska Department of Revenue license is not required for this application because Alaska law was amended in 2012 and rock, sand and gravel quarries are now exempt from the requirement.

Finding: A State of Alaska Department of Natural Resources (ADNR) mining permit is not required for this application because the extraction activities will not take place on state land.

Finding: In 1999 a Memorandum of Understanding (MOU) was signed between the State of Alaska, Department of Natural Resources and the Matanuska-Susitna Borough (MSB). In the MOU both parties agree the MSB will implement the state mining requirements on sites owned by the MSB (copy of MOU in application material).

Finding: The application material states that a performance bond, as well as any other bonds deemed necessary to protect the best interests of the Borough, may be required to be filed by the contractor prior to development of the site.

Finding: A Storm Water Pollution Prevention Plan (SWPPP) is required and will be submitted to the Environmental Protection Agency (EPA) when a contractor is selected by the Borough to operate the proposed site.

Finding: A United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act is not required for this application as the applicant is not proposing any extraction activity to take place within identified wetlands, lakes, streams, or other waterbodies. A Jurisdictional Determination (DA) issued by the U.S. Army Corps of Engineers has been provided by the applicant.

Finding: Cook Inlet Alaska Wetland Classification and Mapping System and National Wetlands Inventory identified some wetland formations on or within one mile of the site.

Conclusion of Law: All of the requirements to demonstrate compliance with state and federal law have been met (MSB 17.28.040(A)).

Section 17.28.050 Site Development Plan Required

(A) The application for an interim materials district shall include a site development plan. The site development plan shall include, but not be limited to the following, as required by the conditions of the site, and shall be consistent with the standards in MSB 17.28.060:

(1) identification of surrounding property owners, existing land uses, and wetlands and waterbodies within one-quarter mile of the site;

Finding: Maps are included in the record identifying surrounding property ownership, wetlands and waterbodies, and existing surrounding land uses within one mile of the site.

Finding: Cook Inlet Alaska Wetland Classification and Mapping System and National Wetlands Inventory identified some wetland formations on or within one mile of the site.

Conclusion of Law: The surrounding property ownership, existing land uses, and wetlands and waterbodies within the notification area have been identified (MSB 17.28.050(A)(1)).

(2) planned location of permanent and semipermanent structures for verification of setback requirements;

Finding: Structures planned on the site include a rock screener and crusher, office trailer, and portable toilet to be placed in the designated staging and operations area within each phase.

Finding: The applicant's site plan shows the planned location of the structures.

Finding: The application material states that the relocation of structures within the operations area may be necessary depending on the project and will be determined by the contractor. Modifications will be included in the development plan required from the contractor prior to their operations within the pit.

Conclusion of Law: According to the site plan, all proposed permanent and semi-permanent structures are sufficiently set back from property lines and right-of-ways to meet MSB 17.55 setback requirements (MSB 17.28.050(A)(2)).

(3) proposed phases of mining activities;

Finding: The proposed phases of mining have been identified in the site plan and application, which are included in the record showing the location of each phase of mining activity within the subject parcel.

Finding: According to the application material, there are two phases of mining. Phase I, Cell A will be mined first, followed by Cells B through D. When the useful material of Phase I has been exhausted, mining in Phase II will begin as needed.

Conclusion of Law: Phases of proposed mining activities have been identified on the site plan (MSB 17.28.050(A)(3)).

(4) roads and access plan;

Finding: According to the application material, there are two access points.

Finding: The driveways will access directly onto Alsop Road.

Finding: The application material states that all necessary approvals will be obtained prior to development of access drives into the Alsop East Pit.

Finding: Construction-related traffic may be expected to generate a maximum of 40 trips (80 round trips) per hour, during the peak construction season.

Finding: The application material states that the level of services will still stay above a C level of service during hours of construction.

Finding: A traffic control plan is not required by the State of Alaska.

Finding: Point MacKenzie Road and Alsop Road are Borough-maintained roads located within Knik Road Service Area 17.

Finding: The borough contract requires that the contractor repair and maintain roads satisfactorily to the borough.

Conclusion of Law: The proposed traffic route and traffic volumes have been identified. Traffic generated from the proposed use will not exceed 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles a day, as specified in MSB 17.61.090, Traffic Standards (MSB 17.28.050(A)(4)).

(5) visual screening measures;

Finding: A 100-foot wide natural vegetation buffer will be retained around the west, south, and east perimeters of the site.

Finding: An additional 300-foot wide natural vegetation buffer will remain between the project boundaries and Alsop Road.

Finding: In areas of the site where the natural vegetation has been previously logged up to the property line, a berm at least 10 feet in height between the work area and the 100-foot wide buffer strip will be constructed.

Finding: The only developed property adjacent to the project site, is the sawmill to the north of Alsop Road, which will be buffered by over 300 feet of natural vegetation and Alsop Road.

Conclusion of Law: Natural vegetation and earth berms will be used to meet the visual screening methods (MSB 17.28.050(A)(5)).

(6) noise mitigation measures; and

Finding: Gravel extraction will take place below grade excavated pit cells; which will become deeper as material extraction progresses.

Finding: The below-grade location of mining and processing operations will help attenuate work area noise.

Finding: The site will be buffered with berms and natural vegetation.

Finding: There are no identified significant or sensitive sound receptors within the vicinity of the proposed developed.

Finding: Hours of operation may vary depending on the project schedule, but operations may take place 24 hours per day/seven days per week.

Finding: Extraction operations will take place from March 31 through November 30, annually.

Conclusion of Law: Noise mitigation measures include retaining natural vegetation, erecting earth berms at least ten feet in high, below grade work areas and the general location of the site away from sound receptors should result in reduction of construction related noise to ensure that sounds generated from earth material extraction activities do not exceed sound levels set forth in

MSB 17.28.060(A)(5)(a). Noise levels exceeding the levels in 17.28.060(A)(5)(a) are prohibited (MSB 17.28.050(A)(6)).

(7) proposed lighting.

Finding: Most of the work will be conducted during the summer and operations will primarily occur during daylight hours.

Finding: If lighting is needed it will only be used to illuminate activities in the work area.

Finding: Any lighting will be focused away from Alsop Road and will be directed only onto the work area.

Finding: Any exterior lighting will be located and shielded to direct the light towards the ground to minimize light spillage onto adjacent properties and upward into the night sky.

Finding: Illumination or other fixtures mounted higher than 20 feet or 150 watts or more must have downward directional shielding.

Conclusion of Law: Based on the findings above, the applicant meets lighting standards in accordance with MSB 17.28.050(A)(7).

Section 17.28.060 Site Development Standards

(A) Standards for the interim materials district site development plan are as follows:

(1) identification of surrounding property owners, existing land uses, and wetlands and waterbodies within one-quarter mile of the site;

Finding: Maps are included in the record identifying surrounding property ownership, wetlands and water bodies, and existing surrounding land uses within one mile of the site.

Finding: Cook Inlet Alaska Wetland Classification and Mapping System and National Wetlands Inventory identified some wetland formations on or within one mile of the property.

Finding: The proposed activities will not take place within any wetlands.

Finding: An undisturbed buffer of 100 linear feet will be maintained between all earth material extraction activities and all identified wetlands and waterbodies.

Conclusion of Law: Based on the above findings, the surrounding property ownership, existing land uses, and wetlands and water bodies within one mile have been identified (MSB 17.28.060(A)(1)).

(2) phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc.

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Finding: The proposed phases of mining have been identified in the site plan and application, which are included in the record showing the location of each phase of mining activity within the subject parcel.

Finding: According to the application material, there are two phases of mining. Phase I, Cell A will be mined first, followed by Cells B through D. When the useful material of Phase I has been exhausted, mining in Phase II will begin as needed.

Finding: The application material states that areas within the active cell that are mined of their useful material will be stabilized in accordance with the reclamation plan.

Finding: The applicant's site plan shows the planned location of the structures conform to the setback requirements.

Finding: Maps showing topography, bare earth, and vegetation are included in the record.

Conclusion of Law: Phases of proposed mining activities, description of the topography and vegetation, and approximate time sequence for the duration of the mining activity have been determined. Semi-permanent equipment will not be located within the required setbacks (MSB 17.28.60(A)(2)).

(3) The road and access plan shall include anticipated routes and traffic volumes, and shall be approved by the director. If the level of activity exceeds the minimum levels specified in MSB 17.61.090*, traffic standards, a traffic control plan consistent with state regulations may be required;*

Finding: According to the application material, there are two access points.

Finding: The driveways will access directly onto Alsop Road.

Finding: The application material states that all necessary approvals will be obtained prior to development of access drives into the Alsop East Pit.

Finding: Construction-related traffic may be expected to generate up to a maximum of 40 trips (80 round trips) per hour, during the peak construction season.

Finding: The application material states that the level of service will stay above a C level of service during hours of construction.

Finding: A traffic control plan is not required by the State of Alaska.

Conclusion of Law: The proposed traffic route and traffic volumes have been identified. Traffic generated from the proposed use will not exceed 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles a day, as specified in MSB 17.61.090, Traffic Standards (MSB 17.28.60(A)(3)).

(4) visual screening measures shall include a detailed description of the type of visual screening to be utilized, and shall be maintained as necessary during the course of

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extraction activities. Visual screening may include, but is not limited to, berms, natural vegetation, solid fences, walls, evergreen hedges or other means as approved by the commission. If mining is planned to be conducted within 300 feet of the property line, berms or other visual screening methods shall be a minimum of ten feet in height. If mining is planned to be conducted greater than 300 feet from the property line, the applicant shall utilize commission-approved screening methods to minimize visual impacts of the mining operation. The commission shall adopt policies and procedures to assist applicants in developing screening plans. In its discretion, the commission may waive screening requirements where the topography of the property or the placement of natural barriers makes screening not feasible or not necessary. Screening requirements shall be required in consideration of and in accordance with existing uses of adjacent property at the time of designation of the interim materials district. An interim materials district shall not be required to screen the district from uses which arise after the designation of the interim materials district;

Finding: A 100-foot wide strip of natural vegetation will be retained around the west, south, and east perimeters of the site.

Finding: The north perimeter of the site is Alsop Road, which will be buffered by retaining a 300-foot wide strip of natural vegetation, as required by the 2010 Natural Resource Management Unit Plan.

Finding: In areas of the site where the natural vegetation has been previously logged up to the property line, a berm at least 10 feet in height between the work area and the 100-foot side buffer strip will be constructed.

Finding: All wetlands and waterbodies will be buffered by a 100 foot wide strip of natural vegetation.

Finding: Fifty-foot wide section line easements exist along the east and south boundaries of Phase I and along the west and south boundaries of Phase II. All section line easements will remain undisturbed and will be buffered by an additional 50 feet of natural vegetation.

Finding: The 100 foot wide Chugach Electric association transmission line traverses between Phase I and Phase II. This public utility easement is outside of the material site boundaries and will be buffered both from Phase II on the west and Phase I on the east by an additional 100 feet of natural vegetation.

Conclusion of Law: Natural vegetation and earth berms at least 10-feet in height will be used to meet the visual screening measure (MSB 17.28.60(A)(4)).

(5) noise mitigation measures shall include a description of measures to be taken by the applicant to mitigate or lessen noise impacts to surrounding properties and shall include, but not be limited to, hours of operation of noise-producing equipment, erecting noise barriers (i.e., berms a minimum of ten feet in height) between noise-producing equipment and adjacent uses, location of noise-producing equipment (i.e.,

below grade in excavated pit areas), and measures to utilize equipment with noise reduction features.

(a) no sound resulting from the earth materials extraction activities shall create a sound level that exceeds the limits set forth for the existing receiving land use category in Table 1 when measured at or within the property boundary of the receiving land us:

Table 1. Sound Levels by Receiving Land Use

Receiving Land Use Category	***Time***	***Sound Level Limit (dB(A))***
Residential Use	*7 a.m. – 10 p.m.*	*60*
	10 p.m. – 7 a.m.	*50*
Commercial Use	*7 a.m. – 10 p.m.*	*70*
	10 p.m. – 7 a.m.	*60*
Industrial Use or Undeveloped Land	*At all times*	*80*

(b) [Repealed by Ord. 08-150, § 2, 2008]

(c) for any sound that is of short duration, between the hours of 7 a.m. and 7 p.m. the levels established in Table 1 may be increased by:

(i) five dB(A) for a total of 15 minutes in any one hour; or

(ii) ten dB(A) for a total of five minutes in any hour; or

(iii) fifteen dB(A) for a total of one and one-half minutes in any one-hour period.

(d) an interim materials district or a conditional use permit for earth materials extraction activities shall not be required to provide noise mitigation measures to mitigate or lessen noise impacts if a land use requiring lesser noise levels than for an industrial area arises on properties adjacent to earth materials extraction sites after the designation of the interim materials district or the effective date of the conditional use permit.

Finding: Gravel extraction will take place within below grade excavated pit cells; which will become deeper as material extraction progresses. The below grade location of mining and processing operations will help attenuate work area noise.

Finding: Hours of operation may vary depending on the project schedule, but work may take place 24 hours per day/7 days a week.

Finding: Extraction operations will take place from March 31 to November 31 annually.

Conclusion of Law: Noise mitigation measures include retaining vegetation, constructing earth berms at least ten feet in high, and below grade extraction activities to ensure that sounds generated from earth material extraction activities do not exceed sound levels set forth in MSB 17.28.060(A)(5)(a). Noise levels exceeding the levels in 17.28.060(A)(5)(a) are prohibited.

(6) lighting standards are:

(a) exterior lighting shall be located and shielded to direct the light towards the ground, in order to minimize light spillage onto adjacent properties and upward into the night sky.

(b) illumination or other fixtures mounted higher than 20 feet or 150 watts or more shall have downward directional shielding.

Finding: According to the application material most of the work will be conducted during the summer season and operations will primarily occur during daylight hours without the need for artificial lighting.

Finding: If lighting is needed it will only be used to illuminate activities in the work area.

Finding: Any lighting will be focused away from Alsop Road and will be directed only onto the work at hand.

Finding: Exterior lighting will be located and shielded to direct light towards the ground in order to minimize light spillage onto adjacent properties and upward into the night sky.

Finding: Illumination or other fixtures mounted higher than 20 feet or 150 watts or more just have downward directional shielding.

Conclusion of Law: Based on the above finding, the applicant meets lighting standards in accordance with MSB 17.28.060(A)(6).

(7) Except as permitted by MSB 17.30.037, the following restrictions shall apply: an undisturbed buffer shall be left and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including wetlands (unless permitted by U.S. Army Corps of Engineers 404 Permit, MSB 17.28.040(A)(5)).

Finding: A map is included in the record identifying surrounding property ownership, wetlands, and water bodies, and existing surrounding land uses within one mile of the site.

Finding: Cook Inlet Alaska Wetland Classification and Mapping System and National Wetlands Inventory identified some wetland formations on and within one mile of the property.

Finding: The proposed activities will not take place within any wetlands.

Finding: The application material indicates an undisturbed buffer of 100 linear feet will be maintained between all earth material extraction activities and all identified wetlands and waterbodies.

Finding: There is a lake southeast of Phase I which will be protected by a greater than 400 foot naturally vegetated buffer and a pond west of Phase II which will be protected by a greater than 150 foot naturally vegetated buffer zone.

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Finding: The application material states that the contractor will be required to survey the outer limit of the wetland buffers and stake or demarcate the boundary prior to commencement of any work in the borrow area to ensure that no work is conducted, including, but not limited to, clearing, grubbing, staging of equipment or materials, etc., within this boundary.

Conclusion of Law: Based on the above findings, the applicant will not conduct earth material extraction activities within 100 linear feet of any identified wetland, stream, river or other waterbody (MSB 17.28.60(A)(7)).

Section 17.28.080 Procedures For Initiating An Interim Materials District (IMD)

17.28.080(C)(2) The commission shall report to the assembly on whether the applicant has met the standards delineated in MSB 17.28.050 and 17.28.060 and what effect the proposed interim materials district would have on the public health, safety, and general welfare of the Matanuska-Susitna Borough. The commission in its report to the assembly shall recommend to the assembly approval, denial, modifications, or conditions of approval for the proposed action, and shall include findings on the following:

(a) whether the proposed interim materials district is compatible with the goals and objectives of the comprehensive plan;

Finding: The proposed site is located within the Point MacKenzie Comprehensive Plan (2011) planning area.

Finding: The comprehensive plan identifies this area as the proposed Point MacKenzie townsite.

Finding: The proposed site will directly support the construction of transportation projects identified in the comprehensive plan.

Finding: Under its Economic Development section, the comprehensive plan identifies gravel extraction as a primary option for resource development.

Conclusion of Law: Based on the above findings, the proposed IMD is consistent with the Point MacKenzie Comprehensive Plan (2011) (17.28.080(C)(2)(a)).

(b) whether the proposed interim materials district negatively affects public health, safety or general welfare; and

Finding: According to the application material, a water truck and/or sweeper will be used for dust control.

Finding: According to the application material, the contractor will be required to install at least three monitoring wells per phase to monitor ground water levels and depth to ground water. Monitoring wells will be installed to a depth of at least six feet below the lowest level of excavation that takes place.

Finding: According to the application material, the operation will stay at a minimum four feet above the water table.

Finding: Slopes will be no steeper than 2H:1V to provide acceptable public safety, stability and erosion control.

Finding: The reclamation plan states that organic overburden will be stockpiled for use in reclamation and revegetation of the slopes within each respective phase.

Finding: The only developed property adjacent to the project site, is the sawmill to the north of Alsop Road, which will be buffered by over 400 feet of natural vegetation and Alsop Road.

Finding: Land uses within one mile of the site include a sawmill to the north, various undeveloped privately owned parcels, several developed residential parcels to the north, west and east, Goose Creek Correctional Center and associated water treatment plant to the west, an old gravel pit and a couple of agricultural parcels across Point MacKenzie Road to the west.

Finding: A Storm Water Pollution Prevention Plan (SWPPP) is required and will be submitted to the Environmental Protection Agency (EPA) when a contractor is selected by the Borough to operate the proposed site.

Conclusion of Law: Based on the information provided, no evidence shows the proposed use with conditions, will be harmful to the public health, safety, convenience and welfare (MSB 17.28.080(C)(2)(b)).

> *(c) whether the proposed interim materials district has met the site development standards of this chapter including compliance with all required local, state, and federal laws.*

Finding: All of the site plan and site development requirements have been provided.

Conclusion of Law: The applicant has met all of the requirements of MSB 17.28.050 and 17.28.060 and the applicant has demonstrated the ability to comply with State and Federal laws (17.28.080(C)(2)(c)).

STAFF RECOMMENDATIONS

Staff recommends approval of the Interim Materials District with conditions and recommends the Planning Commission forward that recommendation to the Borough Assembly:

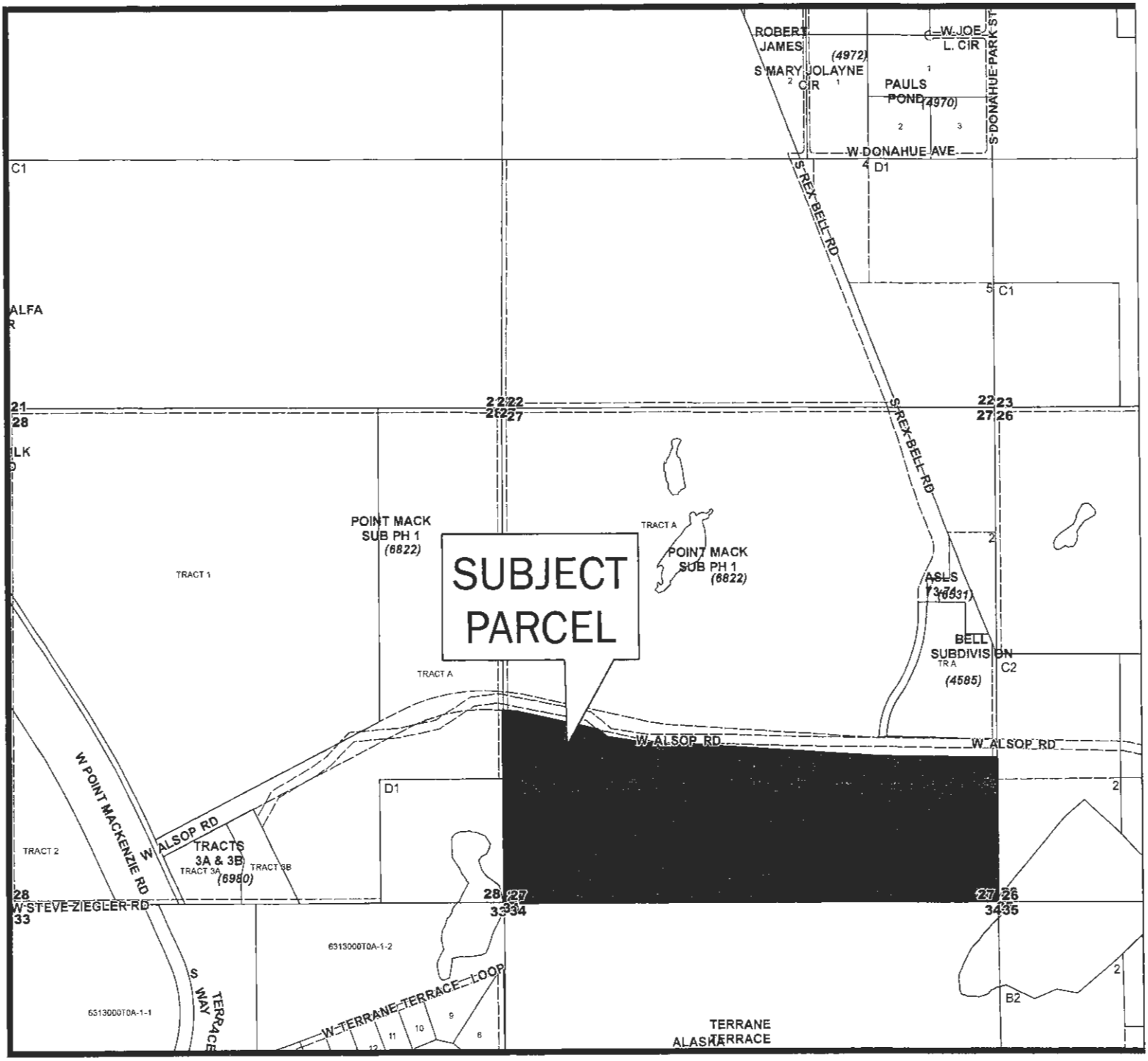
1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and an amendment to the IMD shall be required prior to any alteration or expansions of the material extraction operation.
3. Material extraction shall be limited to the areas identified in the application site plans dated August 11, 2015 and February 22, 2016.
4. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected by the operator for leaks at the end of each day.
5. On-site maintenance of vehicles shall be done in an area where all leaks can be contained with drip pans or other discharge prevention devices.

6. All hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.
7. A Storm Water Pollution Prevention Plan (SWPPP) approved by the Environmental Protection Agency (EPA) for the cumulative impact of the IMD shall be provided to the Planning Department prior to operating.
8. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to storm water.
9. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.
10. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) – Site Development Standards and MSB 8.52 – Noise, Amplified Sound, and Vibration.
11. If illumination devices are required, they shall not be greater than 20 feet in height, shall utilize downward directional shielding devices, and shall meet the requirements of MSB 17.28.060(A)(6) Lighting Standards.
12. If cultural remains are found during material extraction activities, the MSB Cultural Resources Division shall be contacted immediately so the remains can be documented.
13. Borough staff shall be permitted to enter onto any portion of the property to monitor compliance with permit requirements. Such access will at a minimum be allowed on demand when activity is occurring and, with prior verbal or written notice, and at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of the Interim Materials District.
14. The applicant and/or operator shall comply with the reclamation standards of MSB 17.28.067.
15. Reclamation shall be executed in accordance with the Memorandum of Understanding (MOU) dated April 26, 1999, included in the application material.
16. Visual screening shall be achieved and maintained by using a combination of a 100-foot wide natural vegetation buffer around the west, south and east perimeters of the site and an additional 300-foot wide vegetation buffer between the project boundaries and Alsop Road, as described in the application material. In areas of the site where the natural vegetation has been previously logged up to the property line, a berm at least 10 feet in height between the work area and the 100-foot wide buffer strip shall be constructed.
17. An undisturbed buffer shall be left and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including wetlands. The 100-foot buffer shall be clearly demarcated prior to any work conducted, including, but not limited to, clearing, grubbing, and staging of equipment or materials, etc.
18. All permits related to access development shall be obtained prior to operating.
19. All activity shall be conducted in compliance with state or federal regulations governing the items listed in MSB 17.28.040(B)(1), 17.28.040(B)(2), and 17.28.040(B)(3).
20. The IMD must be approved by the Matanuska-Susitna Borough Assembly.

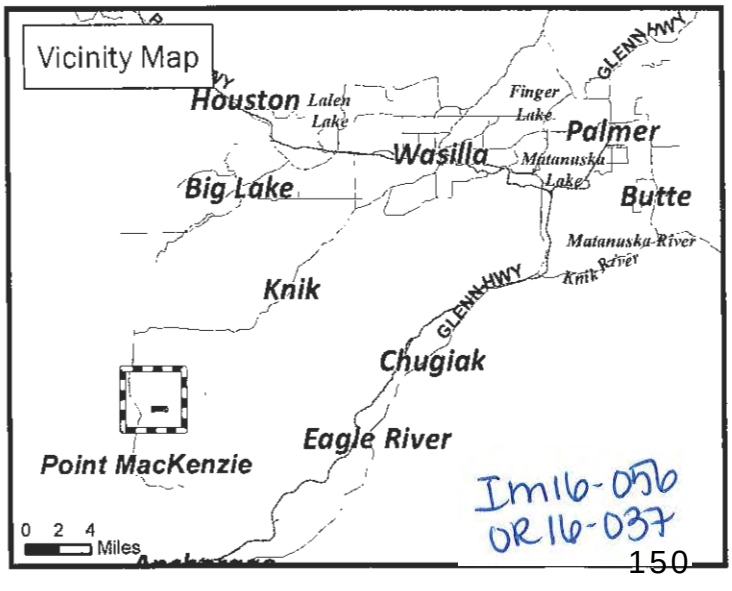
If the Planning Commission chooses to recommend denial of this IMD, findings for denial must be prepared by the Commission.

VICINITY MAP

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MSB Information Technology/GIS
Map: 12/4/2015

0 500 Feet

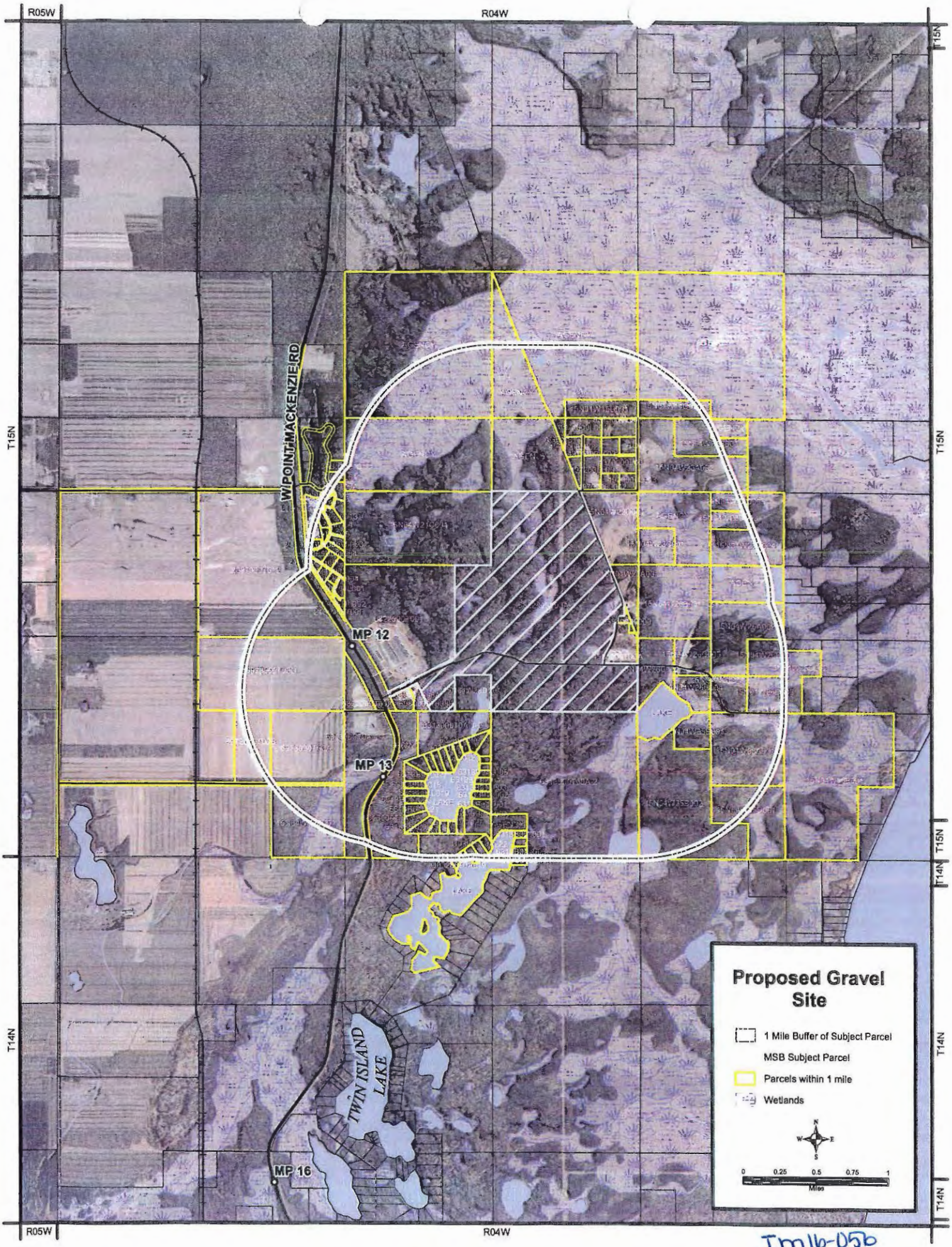
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SITE PLAN

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APPENDIX A-2
Site Map
showing wetlands and properties
within a 1-mile radius of the
IMD boundaries
with attached list of
associated property owners

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215N04W35D001	1	ALASKA GROWTH PROP LLC	529 W THIRD AVE	ANCHORAGE AK 99501-2209
56980000T003A	2	ALASKA INDUSTRIAL DEVELOP	& EXPORT AUTHORITY	813 W NORTHERN LIGHTS BLVD
52130000T00D	3	ALASKA STATE OF	AK MENTAL HEALTH TR AUTH DEPT OF NATURAL	TRUST LAND OFFICE STE 100
52130B04L002	3	ALASKA STATE OF	DEPT OF NATURAL RESOURCES DIV OF LANDS	STE 1050A
52130000T00F	3	ALASKA STATE OF	DEPT OF NATURAL RESOURCES DIV OF LANDS	STE 1050A
52130000T00A	3	ALASKA STATE OF	DEPT OF NATURAL RESOURCES DIV OF LANDS	STE 1050A
52130B05L001	3	ALASKA STATE OF	DNR DIV OF LANDS	STE 1050A
52130B01L014	3	ALASKA STATE OF	DNR DIV OF LANDS	STE 1050A
52130B05L002	3	ALASKA STATE OF	DNR DIV OF LANDS	STE 1050A
215N04W26D002	4	BELL GREG W & LANA L	2048 ESQUIRE DR	ANCHORAGE AK 99517
565310000000	5	BELL GREGORY W	2048 ESQUIRE DR	ANCHORAGE, AK 99517
215N04W35A001	5	BELL GREGORY W	2048 ESQUIRE DR	ANCHORAGE, AK 99517
54585000T00A	6	BELL GREGORY W & LANA L	2048 ESQUIRE DR	ANCHORAGE, AK 99517
215N04W23C001	7	BELL GREGORY WAYNE	BELL E S TR WILLET W E & D M	2048 ESQUIRE DR
215N04W22D001	7	BELL GREGORY WAYNE	BELL E S TR WILLET W E & D M	2048 ESQUIRE DR
215N04W27A001	7	BELL GREGORY WAYNE	BELL E S TR WILLET W E & D M	2048 ESQUIRE DR
215N04W35B001	8	BICKFORD JAY & COLLEEN	% HARRY BROD # A	3507 WILLOW ST
52130B01L012	9	BUCARIA GARVAN PAT LVG TR	PO BOX 870298	WASILLA, AK 99687-0298
52130B01L010	10	BUCARIA GARVAN PAT TR	PO BOX 870298	WASILLA, AK 99687-0298
52097000T012	11	BYLER DENNIS E & CRYSTAL	PO BOX 877750	WASILLA, AK 99687-7750
52130B05L005	12	CONNOR KEITH J & JUNKO	4381 S DEANIE DR	WASILLA AK 99654
56313B01L019	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L011	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L022	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
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56313B01L010	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L026	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L027	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L016	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
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56313B01L021	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
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56313B01L002	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
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56313B01L004	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
215N04W26C002	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
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56313000T0A-1-3	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L001	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330

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56313B01L017	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
215N04W28D001	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L007	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01T00A	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L008	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313000T0A-1-2	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L003	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L025	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L024	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L018	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B01L014	13	COOK INLET REGION INC	PO BOX 93330	ANCHORAGE, AK 99509-3330
56313B02L004	14	CUSACK MICHAEL L TRE	B L C TR	% MICHAEL L CUSACK SR
4U03286T0AL22	15	DAVIS CHAS L & MARY TRTRE	1359 GREAT VIEW LN	FAIRBANKS, AK 99712-2136
4U03286T0AL20	16	DAVIS DONALD L	PO BOX 674	GIRDWOOD, AK 99587-0674
4U03286T0AL21	16	DAVIS DONALD L	PO BOX 674	GIRDWOOD, AK 99587-0674
54971000L002	17	DONAHUE JOSEPH A JR	8238 S A ST	WASILLA AK 99623-4926
54973000L001	18	DONAHUE LAWRENCE J	4500 MONTROSE CIR	ANCHORAGE, AK 99502-1437
54971000L001	18	DONAHUE LAWRENCE J	4500 MONTROSE CIR	ANCHORAGE, AK 99502-1437
54972000L002	19	DONAHUE MARK A	6701 HOLLY LN	ANCHORAGE, AK 99502
54973000L002	20	DRAKE MARK	2140 S HIGH RD	PALMER AK 99645-8994
52130B04L006	21	ELLIS DOUGLAS LEROY II	PO BOX 48	ORONO ME 04473-0048
52130B04L001	22	ERICKSON ANN M TR TRE	188 LIONS HEAD BLVD SOUTH	BRICK, NJ 08723
56313B02L001	23	FORTIER SAMUEL J	MIKKO DAGMAR C	6800 SEQUOIA CIR
52130B05L004	24	GEIGER ROBT GEO	447 BLISS ST	ANCHORAGE, AK 99508
215N04W26D001	25	GEORGE THOMAS P & TAMI M		PO BOX 671589
52130B04L005	26	GRIFFIN DIANNE K	% DIANNE K MURRAY	PO BOX 2320
52130B03L006	27	HINGST ALLEN LEE	4641 CANTERBURY WAY	ANCHORAGE AK 99503-7021
215N04W23B001	28	HORST MARY J	155 TAYLOR CUTOFF RD	SEQUIM, WA 98382
215N04W14C001	28	HORST MARY J	155 TAYLOR CUTOFF RD	SEQUIM, WA 98382
215N04W15D001	28	HORST MARY J	155 TAYLOR CUTOFF RD	SEQUIM, WA 98382
56313B02L002	29	HUGHES FAMILY LLC	1592 COFFEY LN	ANCHORAGE, AK 99501-4977
52130B04L003	30	JENKS BOBBY L JR & P M	3311 S JENKS DR	WASILLA AK 99654-0308
215N04W25C002	31	JOHNSON LARRY E & CHRISTINE A	25847 W CROWN KING RD	BUCKEYE AZ 85326-9138
215N04W23D005	32	KAPPER LVG TR	KAPPER HOWARD C TRE KAPPER BETTY R TRE	10120 N SEMINOLE DR
54970000L002	33	KELLY SHIRLEY J	7161 VIBURNUM DR	ANCHORAGE AK 99507-2473
54970000L003	33	KELLY SHIRLEY J	7161 VIBURNUM DR	ANCHORAGE AK 99507-2473
52130B03L005	34	KING SUSAN K TR/TRE	20528 STATE ROUTE 9	SNOHOMISH WA 98296-8316
52130B01L011	35	KURPIUS GARY L	PO BOX 879795	WASILLA, AK 99687-9795
52130B01L013	36	LOGAN PHILLIP M	6961 WINDSOR PL	ANCHORAGE, AK 99502
215N04W32D001	37	MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE	PALMER AK 99645-6488
56313000T0A-1-1	37	MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE	PALMER AK 99645-6488
215N04W26B001	37	MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE	PALMER AK 99645-6488

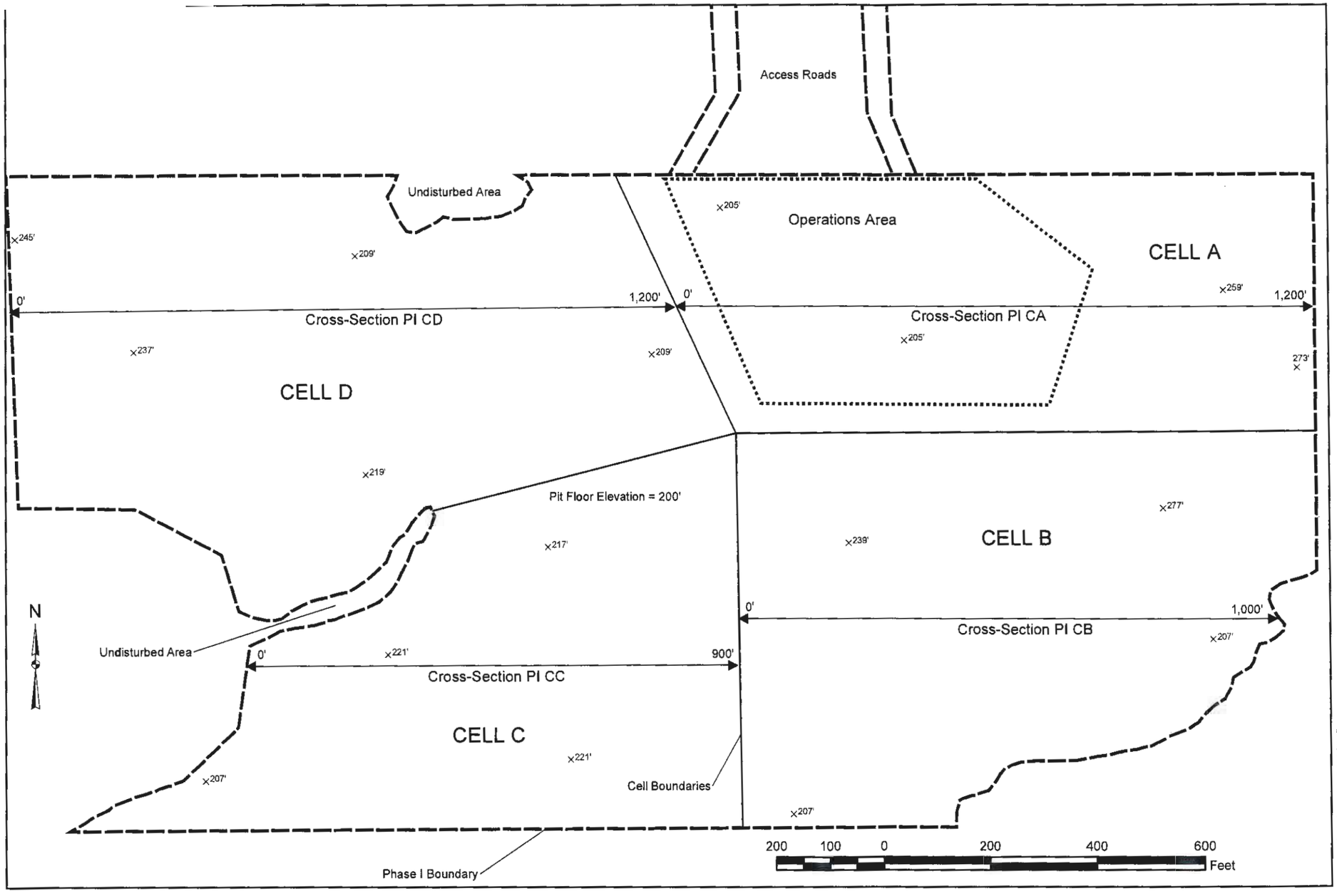
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215N04W35B002	37	MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE		PALMER AK 99645-6488
56313000T00A-2	37	MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE		PALMER AK 99645-6488
215N04W21C001	37	MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE		PALMER AK 99645-6488
56822000T002	37	MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE		PALMER AK 99645-6488
56822000T00A	37	MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE		PALMER AK 99645-6488
56980000T003B	37	MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE		PALMER AK 99645-6488
56822000T001	37	MATANUSKA-SUSITNA BOROUGH	MSB/PRISON SITE		350 E DAHLIA AVE
215N04W36B001	38	MATTHEW FAM CR SHELTER TR	MATTHEW PHILIP J TRE		2045 ROSE COTTAGE WAY
215N04W23D003	39	MATTHEWS VERAY H	8068 DORINDA AVE		LAS VEGAS NV 89147-5041
4U03286T0AL19	40	MATTHEWS W W JR & DONNA	8916 GLORALEE ST		ANCHORAGE, AK 99502-5135
215N04W23A002	41	MESHKIN LAWRENCE D & MARIE H	20175 W DONAHUE AVE		WASILLA, AK 99654-4945
215N04W26C004	42	MONSTER PROPERTIES INC	BELL GREG W & LANA L		PO BOX 92397
54973000L003	43	MULLICAN JEREMIAH R MULLICAN J R	MULLICAN J R TRAXINGER L J JR		311 ROGERS RD
52130B03L004	44	PAULSON DEAN & MINDY	736 WINTER HAVEN ST		ANCHORAGE, AK 99504
52130B03L002	45	RISCH WM F	1341 SHORE DR		ANCHORAGE, AK 99515-3204
52130B04L004	46	ROBAR KURT	SCHIMMEL CASSANDRA		1717 TALKEETNA ST
54970000L001	47	RODGERS JAS BRADLEY	RODGERS DONNA JEAN		3602 CHECKMATE DR
52130B03L003	48	SICHI MARK P	711 W SCHOOL ST		COTATI, CA 94931
215N04W26D003	49	STRATMAN OMAR N LIV TR	STRATMAN OMAR N & JANET G TRES		2441 OAK DR
215N04W26A002	49	STRATMAN OMAR N LIV TR	STRATMAN OMAR N & JANET G TRES		2441 OAK DR
215N04W26C005	49	STRATMAN OMAR N LIV TR	STRATMAN OMAR N & JANET G TRES		2441 OAK DR
52130B05L003	50	SUMMERS JAS R REV TR TRE	% DARRELL YORK		25049 BARTON
56313B02L003	51	TOOHEY CAMDEN & MICHELLE	WHITMORE JAY REED		2214 SUSITNA DR
215N04W23D004	52	TRAXINGER DANIEL J & NICOLE C	22700 JUDD DR		CHUGIAK AK 99567
54972000L001	53	TRAXINGER ROBERT J IRREV LIV TRUST	TRAXINGER ROBERT & JAMES TRES		APT 1903
54971000L003	53	TRAXINGER ROBERT J IRREV LIV TRUST	TRAXINGER ROBERT & JAMES TRES		APT 1903
56980000T003A	54	VALLEY UTILITIES LLC	4237 E MERIDIAN LOOP		WASILLA AK 99654
56973000T00A	54	VALLEY UTILITIES LLC	4237 E MERIDIAN LOOP		WASILLA AK 99654
4U03286T0AL23	55	WEAVER GREG G & PAMELA	2213 S FOOTHILLS BLVD		WASILLA, AK 99654
56973000T00B	56	WILLIAMS THOMAS E	5561 S BODENBURG LOOP		PALMER AK 99645-7630
56973000T00D	56	WILLIAMS THOMAS E	5561 S BODENBURG LOOP		PALMER AK 99645-7630

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APPENDIX A-3
Site Layout Maps

IM16-056
OR16-037



Matanuska - Susitna Borough
Land and Resource Management Division

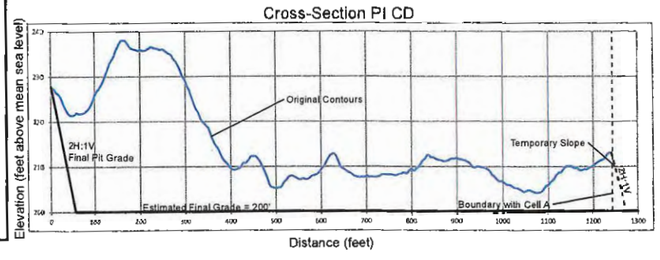
Alsop East IMD Cross-Sections Map Phase I

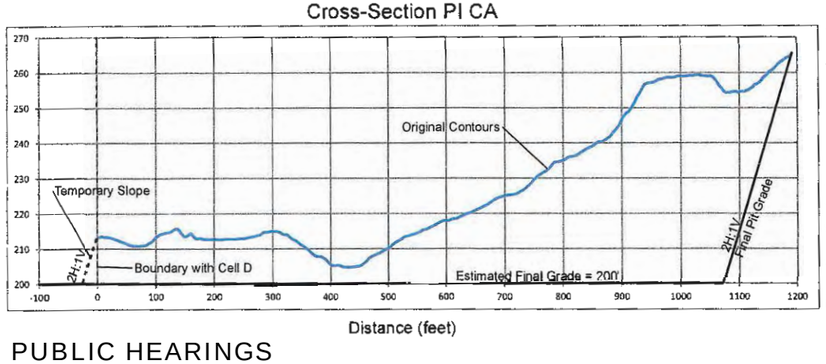
Sec. 27, T15N, R04W, S.M.
Tax Maps GB13 & GB14
August 11, 2015

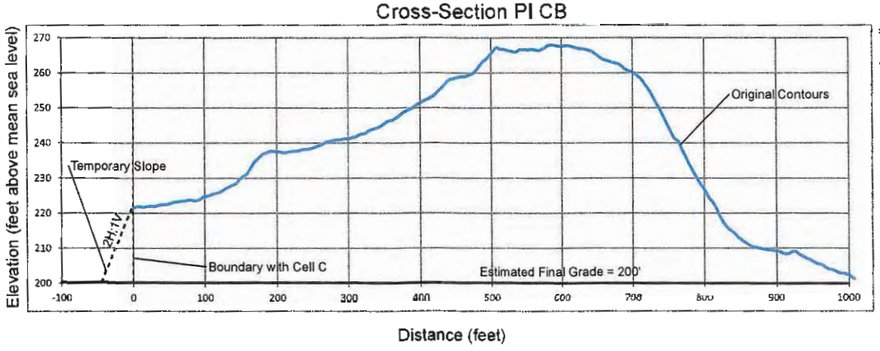
CELL	ACREAGE	APPROXIMATE VOLUME	TIME SEQUENCE
A	12.8	525,640	2016
B	15.0	867,769	2017, 2018
C	12.4	219,927	2019
D	17.8	402,744	2020

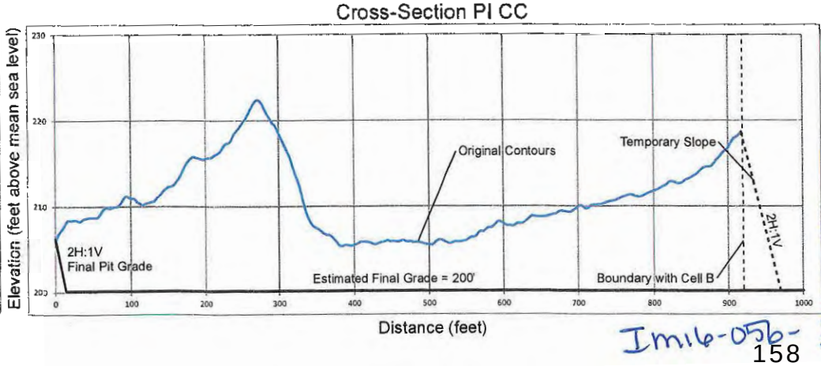
NOTES:

1. Contours are taken from "Lidar Collection Matanuska-Susitna Borough, Alaska" 2011-2012 by Aerometric - Project No. 6110401 with no horizontal or vertical changes made to the data as shown hereon.
2. Subject parcel is located in Section 27, Township 15 North, Range 04 West, Seward Meridian, Alaska. Subject parcel is referenced as tax parcel 6822000T00A with the Matanuska-Susitna Borough.









IM16-056-E2-0-0120

Matanuska - Susitna Borough
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Alsop East IMD Cross-Sections Map Phase II

Sec. 27, T15N, R04W, S.M.
Tax Maps GB13 & GB14
August 11, 2015

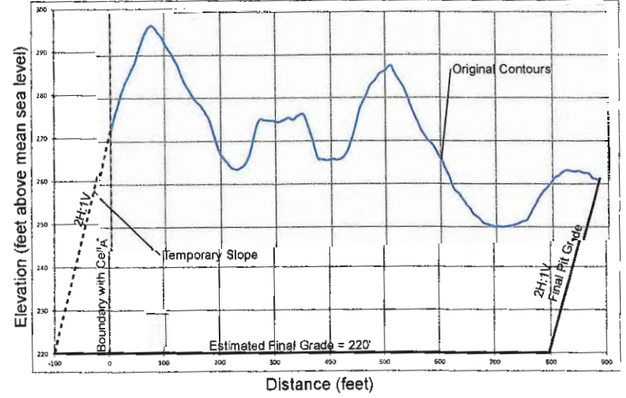


CELL	ACREAGE	APPROXIMATE VOLUME	TIME SEQUENCE
A	14.2	1,006,132	2021-2023
B	13.2	442,672	2024
C	14.2	1,949,254	2025-2029
D	11.2	831,670	2030

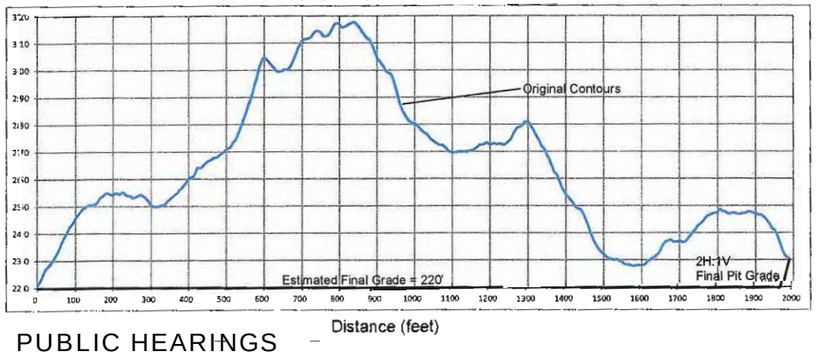
NOTES:

1. Contours are taken from "Lidar Collection Matanuska-Susitna Borough, Alaska" 2011-2012 by Aerometric - Project No. 6110401 with no horizontal or vertical changes made to the data as shown hereon.
2. Subject parcel is located in Section 27, Township 15 North, Range 04 West, Seward Meridian, Alaska. Subject parcel is referenced as tax parcel 6822000T00A with the Matanuska-Susitna Borough.

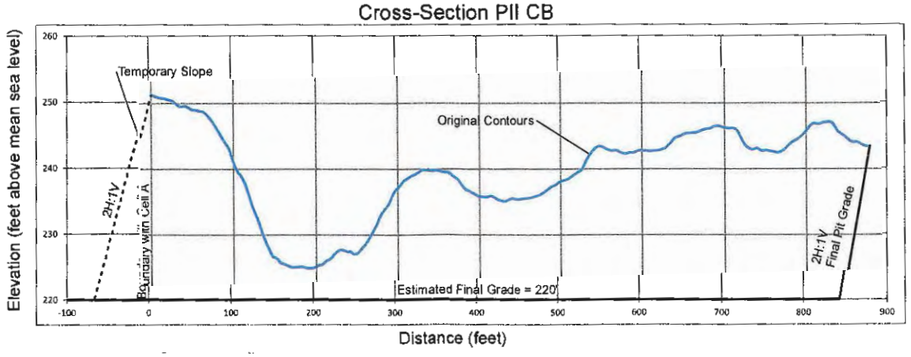
Cross-Section PII CD



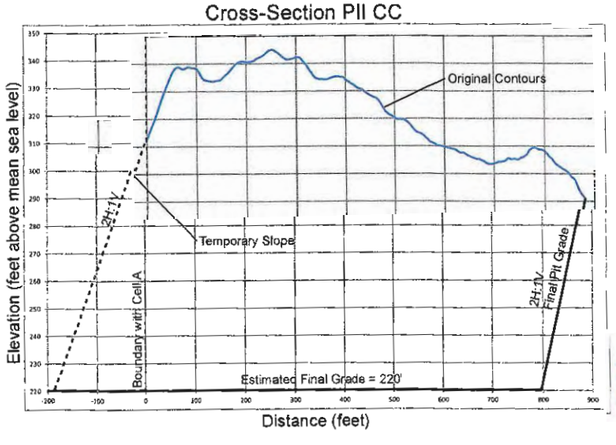
Cross-Section PII CA



Cross-Section PII CB



Cross-Section PII CC



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Matanuska - Susitna Borough
Land and Resource Management Division

Alsop East IMD
Driveway Access - Phase I

Sec. 27, T15N, R04W, S.M.
Tax Maps GB13
August 11, 2015

REX BELL ROAD
Gravel Roadbed (Residential Road)

Road Centerline

Ditch Flow Line

Ditch Flow Line

ALSOP ROAD
Gravel Roadbed (Residential Road)

Borough Maintained ROW

Return Curve with 20' Radius

Borough Maintained ROW

32'
Entrance

32'
Exit

172'

235'
Vegetated
Median

202'

N

50 25 0 50 100 150
Feet

172'

9' wide ditch
on both sides
of driveway

9' wide ditch
on both sides
of driveway

121'

369'
Vegetated

Phase I Boundary

Phase I Operations Area

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Matanuska - Susitna Borough
Land and Resource Management Division

Alsop East IMD Access Phase II

Sec. 27, T15N, R04W, S.M.
Tax Maps GB13 & GB14
August 11, 2015

ALSOP

50'
Entrance

50'
Exit

43'
Vegetated
Median

390'

265'

N

50 25 0 50 100 150
Feet

145 degree angle

150'

113'
Vegetated

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APPLICATION MATERIAL

IM16-056
OR16-037

EARTH MATERIAL EXTRACTION APPLICATION

INTERIM MATERIALS DISTRICT

ALSOP EAST PIT

MATANUSKA-SUSITNA BOROUGH

Im16-056
OR16-037

MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
350 East Dahlia, Palmer, Alaska 99645
(907)861-7822 * fax (907)861-7876
PermitCenter@matsugov.us

Matanuska - Susitna Borough
Development Services

JUN 04 2015

RECEIVED

APPLICATION
Earth Materials Extraction

Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.

*THIS APPLICATION IS FOR MATERIALS EXTRACTION THAT **DOES NOT** OCCUR WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE. IF YOUR PLAN INCLUDES EXTRACTION WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE YOU MUST COMPLETE THE APPLICATION SPECIFIC TO THAT PURPOSE.*

Application fee must be attached, check one:

____ **$100** for **Administrative Permit**
____ **$500** for **Conditional Use Permit** > earth materials extraction on sites of 20 acres or less
_X_ **$1,000** for **Interim Materials District** - earth materials extraction on sites greater than 20 acres

Prior to public hearing, the applicant must also pay for costs of advertising and mailing of public notices.

Subject property Township: 15N, Range: 04W, Section: 27, Meridian Seward

MSB Tax Account # 6822000T00A

SUBDIVISION: Point MacK Phase 1 BLOCK(S): ____, LOT(S): ____ Tract A

STREET ADDRESS: ____

(US Survey, Aliquot Part, Lat. /Long. etc) ____

** A legal description must be provided for partial-lot Interim Materials Districts**

5

Ownership If the applicant is different from the owner, then a Letter of Authorization must be included. Is authorization attached? o Yes o No X N/A

Name of Property Owner	**Name of Agent/ Contact for application**
Matanuska-Susitna Borough	Ryan Johnston
Address: 350 E. Dahlia Ave.	Address: 350 E. Dahlia Ave.
Palmer, AK 99645	Palmer, AK 99645
Phone: Hm ____ Fax ____	Phone: Hm ____ Fax ____
Wk 907-861-8572 Cell 907-355-9607	Wk 907-861-8572 Cell 907-355-9607
E-mail ryan.johnston@matsugov.us	E-mail ryan.johnston@matsugov.us

Description What type(s) of material is being extracted? Sand & gravel

Total acreage area of all parcels on which the activity will occur: 968

Total acreage area of earth material extraction activity: 110.8

Total cubic yards extraction per year: 1,000,000

Total projected cubic yards to be extracted: 6,285,000

What is the estimated final year extraction will occur? 2050

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Required information

1. Attach a plan of sufficient detail to demonstrate compliance with the requirements of MSB 17.28.050 and MSB 17.28.060.

Plan of Operation	Attached
Provide seasonal start and end dates	Mining Plans
Provide days of the week operations will take place.	
Provide hours of operation.	
Estimated end date of extraction	
Estimated end date of reclamation	
Describe all other uses occurring on the site	
Describe methods used to prevent problems on adjacent properties, such as lateral support (steep slopes), water quality, drainage, flooding, dust control and maintenance of roads	
Provide quantity estimates and topographical information such as cross section drawings depicting depth of excavation, slopes and estimated final grade	Appendix A

2. Submit a site plan. Drawings must be detailed and **drawn to scale**. Drawings under seal of an engineer or surveyor are recommended but not required.

SITE PLAN REQUIREMENTS	Attached
Identify location of permanent and semi-permanent structures on the site for verification of setback requirements. Include wells and septic systems.	App. A-3
Depict buffer areas, driveways, dedicated public access easements, and noise buffers (such as fences, berms or retained vegetated areas), and drainage control such as ditches, settling ponds etc.	App. A-3
Identify wetlands and waterbodies on site and within one mile	App. A-2
Identify existing surrounding land uses within one mile	Mining Plans
Identify surrounding property ownership (i.e. public vs. private) within one mile of exterior boundaries	App. A-2
Show entire area intended for gravel/material extraction activity and the boundary of the lot(s) containing the operation. Identify areas used for past and future phases of the activity. Identify phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc.	App. A-3 App. A-4
Road and access plan that includes anticipated routes and traffic volumes. If the level of activity exceeds the minimum levels specified in MSB 17.61.090, traffic standards, a traffic control plan consistent with state regulations may be required	Mining Plan
Visual screening measures that include a detailed description of the type of visual screening to be utilized. Visual screening may include, but is not limited to, berms, natural vegetation, solid fences, walls, evergreen hedges or other means as approved by the commission	Mining Plan
Noise mitigation measures that include a description of measures to be taken by the applicant to mitigate or lessen noise impacts to surrounding properties. Measures shall include, but not be limited to, hours of operation of noise-producing equipment,	Mining Plan

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OR16-037

erecting noise barriers (i.e., berms a minimum of 10 feet in height) between noise-producing equipment and adjacent uses, location of noise-producing equipment (i.e., below grade in excavated pit areas), and measures to utilize equipment with noise reduction features	
Proposed lighting plan	Mining Plan
Other (as required by MSB Planning Department)	

3. Submit a reclamation plan including the following:

Reclamation Plan	Attached
Provided timeline for reclamation at particular locations	Mining Plan
Provide copy of reclamation financial assurance filed with the State of Alaska(If exempt, provide qualifying documents for exemption)	App. B

4. Submit documentation of compliance with borough, state and federal laws:

COMPLIANCE WITH BOROUGH, STATE AND FEDERAL LAWS	Applied for (list file #)	Attached (list file #) or N/A
Mining license as required by the Alaska State Department of Revenue, pursuant to A.S.42.65		N/A - App. C-2
Mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land		N/A - App. C-2
Reclamation plan as required by ADNR, pursuant to A.S. 27.19		N/A - App. B
Notice of intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements		To be acquired by Contractor
United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.		N/A - App. C-3
Others (list as appropriate)		

5. **OWNER'S STATEMENT:** I am owner of the following property:

MSB Tax parcel(s) ID #(s) 6822000T00A
and,
I hereby apply for approval of material extraction activity on that property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17. 28, MSB 17.30 and with all other applicable borough, state or federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.28.040.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

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I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to operators on this property, and to the buyer when I sell the land.

I understand that changes from the approved operational plan may require further authorization by the borough planning commission or Assembly. I understand that failure to provide applicable documentation of compliance with approved requirements, or violation of such requirements will nullify legal status, and may result in penalties.

I understand it is my responsibility to provide the borough code compliance division with up to date reports, notification of proposed changes, and contact information for approved person(s) to whom I sell this property and to whom I assign responsibility for daily operations on the site.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance with permit requirements. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

Signature: Property Owner	Printed Name	Date
	Eric Phillips	6/4/15
Signature: Agent	Printed Name	Date
	Ryan Johnston	6/4/15

****

MSB USE ONLY: MSB file #_____

Date complete application received: _____, **Approved**, Yes___ No ___

Additional conditions: Yes___ (see attached) No ____ Comments: _____

Planning Commission Action (date):_____ Resolution No.:_____

Assembly Action (date):_____ Ordinance No.:_____

Date permit (circle one) issued or denied: _____

****

IM16-056
OR 16-037

Susan Lee

From: Ryan Johnston
Sent: Tuesday, November 24, 2015 10:42 AM
To: Susan Lee
Subject: Alsop East Pit IMD - Legal Description
Attachments: Legal Description.docx

Ryan Johnston
Land Management Specialist
Matanuska-Susitna Borough
907-861-8572 (office)
907-355-9607 (cell)

Im16-056
0R16-037

Township 15 North, Range 4 West, Seward Meridian, Alaska

Section 27: S1/2 S1/2

Containing 160 acres, more or less, according to the Point Mack Subdivision, Phase I, Tracts 1 through 3 and Tract A, recorded in the Palmer Recording District on August 28, 2008, as Plat 2008-68.

Subject to:

A setback 300-feet in width from Alsop Road, pursuant to the Natural Resource Management Unit Plan.

A setback 100-feet in width around any wetlands or water bodies, pursuant to the Natural Resource Management Unit Plan.

A setback 100-feet in width along the west, south, and east boundaries of S1/2 S1/2 Section 27, pursuant to the Natural Resource Management Unit Plan.

A utility right-of-way 300-feet in width along the east boundary of the S1/2 SW1/4.

Matanuska - Susitna Borough
Development Services

NOV 24 2015

Received

IM16-056
OR16-037

MATANUSKA-SUSITNA BOROUGH
LAND AND RESOURCE MANAGEMENT DIVISION
ALSOP EAST PIT
PROPOSED GRAVEL MINING PLAN OF OPERATIONS AND SITE PLAN REQUIREMENTS

Location: Sections 22, 27, & 28,
Township 15 North, Range 4 West, Seward Meridian
Tax ID: 56822000T00A

The following information is an attachment to the Matanuska-Susitna Borough (MSB) application for Earth Materials Extractions activities that do not occur within four feet of the water table under MSB 17.28, Interim Materials District (IMD).

I. Plan of Operations General Description

The Alsop East Pit is located approximately 1 mile east along Alsop Road from the intersection with Point MacKenzie Road, approximately mile post 12.5. This Proposed Gravel Mining Plan of Operations and Site Plan (Plan) details the activities and dates of operation of the Alsop East Pit relative to MSB Parcel Tax ID No. 56822000T00A.

The general location, adjacent landowners, buffers, wetlands and waterbodies, site access, site plans, and cross sections of the proposed gravel pit are included in Appendix A. The location of the parcel is shown in Appendix A-1, Proposed Gravel Site Vicinity Map. The landowners within one-mile, wetlands, waterbodies, and other features are shown in Appendix A-2, Alsop East Pit Site Map. Appendix A-3 depicts the site layouts for each phase of operations and shows proposed access, existing topography, buffers, cell size and boundaries, approximate cell volumes and time sequencing. Appendix A-4 shows the site plans for each phase of operations and depicts the proposed operation areas, depth of excavation, slopes, and estimated final grade. Appendix A-5 depicts the cross sections for each cell within each phase of operations.

The Alsop East Pit is located on a 968-acre parcel occupied by a portion of Alsop Road, a portion of Rex Bell Road, ponds, wetlands, a wildlife corridor, and an electric intertie, none of which are included in the current Plan. The current Plan includes two borrow sources located in the south one-half of the south one-half of Section 27 (160-acres), Township 15 North, Range 4 West, Seward Meridian. The maximum area available for gravel extraction within this 160-acre section of the larger 968-acre parcel is approximately 110.8 acres; the remaining acreage contains wetlands with buffers, a public utilities easement with buffers, section line easements with buffers, undisturbed areas with elevations below proposed pit depth, and all necessary boundary setbacks and screening.

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OR16-037

The goal of the gravel extraction activities are to extract up to approximately 6,285,000 cubic yards of material for nearby projects, with mining extraction coordinated through MSB Land and Resource Management Division (MSB-LRMD), including but not limited to Alsop Road upgrades, development of the Point MacKenzie Town-site, the Port MacKenzie Rail Extension project, and other Port & Point MacKenzie Road improvements. The property is currently owned by the MSB. The development plan included herein is the initial proposal. Modifications to the development plan will be submitted to MSB-LRMD, as needed, by the Contractor authorized to develop the site prior to the commencement of any mining activities. Full development of the borrow source is anticipated to be complete by 2050. Intermediate reclamation will be ongoing throughout development. Final reclamation will be concurrent with closure, in 2050 (Appendix B).

Operations in the pit are expected to begin approximately March 1st and continue through November 30th, annually. Hours of operation may be up to 24 hours per day, seven days per week, based on the undeveloped land setting, absence of nearby residential/commercial receiving lands, and allowances specified in Chapter 17.28.060(5) of the MSB IMD Ordinance.

Phased development will commence with the construction of the access roads to the staging and processing area for Phase I. These areas will then be constructed and Phase I, Cell A will be mined first, followed by Cells B through D. Phase II will be reserved by the Borough for future use, or when the useful material in Phase I has been exhausted. Once Phase I has been depleted of materials in conjunction with the contracted requirements, the access roads for Phase II will be constructed to the staging and processing area for Phase II, Cells A through D. These areas will then be developed and the mining of Phase II will commence. Reorientation of equipment, trailers, and other structures may be required depending on the contractor activities.

A development plan will be prepared by the Contractor, based on project needs and request for access and/or use made to the MSB-LRMD. If a modification of the site plan, development plan, or location of structures is unavoidable, a modified plan will be submitted to MSB-LRMD to determine if an amendment to the IMD will be required. No structures will be moved outside of the IMD designated operations area prior to a written determination. All contract specifications or use agreements for authorized use of this site shall require the following to be submitted to the MSB-LRMD by the Contractor for review and approval prior to site development and/or material extraction.

MSB Borrow Sources [1]

General Requirements:

a. Prior to beginning work in the MSB Borrow Pit the Contractor shall be required to provide a detailed plan to the MSB-LRMD which includes the following at a minimum:
    1) Planned location of permanent and semi permanent structures.
    2) Identification of any marketable timber to be cut or removed.
    3) Proposed phases of mining activities: Each phase will include a detailed

[1] Extracted from Bid Specifications for project segments pertaining to the Port Mackenzie Rail Extension (PMRE). Specifically bid specifications for Segment 3. These requirements were generalized to accommodate multiple users and identify the MSB-LRMD as the owner. Some modifications have been made for this IMD based on solutions to questionable interpretations in prior contracts.

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description of the work to take place at the borrow source site, equipment to be used, staging areas, duration of activities, and the approximate volume and type of material to be excavated.

4) An approved Traffic Control Plan to include anticipated routes and traffic volumes.
5) Proposed lighting.
6) Proposed dust control methods and permitted water source(s).
7) Reclamation plan showing the proposed grades upon completion of the work in the borrow source site.

b. Upon approval from the MSB-LRMD the Contractor may dispose of grubbing and/or unsuitable materials in the MSB Borrow Source. Items that will be taken into consideration prior to approval of the disposal of grubbing and/or unsuitable materials:
   1) The Contractor shall submit a detailed plan showing the location, placement details, volumes and types of materials being proposed for disposal.
   2) Materials shall be accessible by the MSB for possible sale or processing.
   3) The disposed of materials must not interfere with the future development plans of the borrow source site.
   4) Location, height, width, length and finished slopes of any proposed permanent stockpiles of grubbing and/or unsuitable material.
   5) The disposal of the materials must meet the requirements of the Contract Documents and any Local, State and/or Federal requirements.
   6) Living trees may not be buried or partially buried by disposal of grubbing and/or unsuitable materials.
   7) Stumps and root wads shall be stockpiled separately from other grubbing and/or unsuitable materials.

c. The Contractor shall be required to provide original and final cross sections necessary for determination of excavation quantities. Cross sections shall be taken after clearing and grubbing. Cross section surveying shall be conducted. No excavation may begin until a satisfactory cross section survey has been submitted and approved.
   - Quantities of gravel mined will be provided to MSB-LRMD on a monthly basis for resource reports and invoicing.
   - After all work on the borrow source is completed the Contractor shall provide final cross section and compute the yardage of material removed from the borrow source and provide this information to the MSB-LRMD.

d. The Contractor is responsible for the clearing of timber. The disposition of any marketable timber will be at the discretion of the MSB-LRMD. The Contractor is responsible for the appropriate notification of MSB-LRMD personnel prior to any clearing activities.

e. On an as-needed basis, the Contractor may cut brush and alders along access roadways for vehicular passage. Trees and substantial growth vegetation may not be cut without a prior plan with written approval from the MSB-LRMD that shall include appropriate disposal of marketable timber.

f. The MSB shall not provide security of any kind and shall not be liable to anyone for, or for lack of, security.

g. The Contractor shall maintain the occupied borrow sources to ensure compliance with the provisions of all erosion, sediment control and pollution prevention plans, MSB permits and any Federal, State and/or Local agency requirements; and, shall restore all occupied

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borrow sources as stated in applicable permits and/or plans prior to completion of the project. All debris, contaminated soil, fencing, and other objectionable materials shall be removed. No fueling or similar operations with potential for site contamination will be allowed without prior approval of a hazardous material handling plan by the MSB-LRMD.

h. If topsoil, grubbing, or other excavation materials (not including processed ballast or sub-ballast) are to be stockpiled on these sites for periods over one year, the soil piles must be contoured and permanently stabilized which includes revegetation as necessary.

i. Restoration will be completed in accordance with required permits and plans allowing the work. Additional requirements may be identified by the MSB-LRMD and shall include but not be limited to the following revegetation protocol:
   - The contractor will revegetate disturbed areas using native vegetation where necessary following development. Natural vegetation may be given the opportunity to recolonize in areas of small disturbance to maintain native plant communities. Revegetation will be used only in large areas and approved seed mixes will be used based upon seed mixes recommended by the Alaska Plant Material Center or similar to plant species in the vicinity of the disturbed area.

j. Site Use – Contractor may utilize this site for processing, crushing, and/or stockpiling gravel in conjunction with the approved development plan. Stockpiles of processed materials must be graded to drain. Any permits required to perform work at the MSB borrow source not obtained by the MSB shall be the Contractor's responsibility to obtain and follow.

k. Access Roads – Currently proposed access routes to borrow source sites are indicated on the attached site plans (Appendix A-3). Any additional access roads or alterations to the approved site plans shall be subject to review by the MSB-LRMD. Construction of steep hillside roads shall be avoided. Temporary access roads shall be rehabilitated upon termination of the use of the road. The roads shall be graded to conform to original topography to the degree possible. Cut slopes shall be reduced to a grade consistent with adjacent topography, erosion protected, and revegetated. All cost associated with leasing, constructing, using, maintaining and rehabilitating roads and/or trails shall be at the Contractor's expense.
   - No payment will be made to the Contractor by the MSB for any work done in constructing, improving, using, repairing or maintaining any road or structure thereon for use in the performance of the work. The MSB assumes no responsibility for the condition or maintenance of any road or structure thereon that may be used by the Contractor in performing the work or in traveling to and from the site of the work.
   - All haul routes and access roads within the project property shall be reviewed and approved by the MSB-LRMD.

l. Utilities – A water source for gravel operation and dust control shall not be furnished by the MSB.

Areas of proposed development are included in Appendix A; however, further plans for the development within these areas will be as identified and submitted by the Contractor and approved by the MSB-LRMD.

Geotechnical studies were conducted by Shannon and Wilson in January 2007, February 2008, and January 2011. Copies of both reports are on file at MSB-LRMD. The reports include field logs of the

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borings and test pits and laboratory testing results on field samples obtained from the borings and test pit excavations.

The schedule for phase and individual cell excavation and reclamation are proposed on the attached site plans, will be more thoroughly defined by the Contractor developing the site, and will be required in all contractor bid packages. It is anticipated that material extraction will begin in 2016, but is dependent on the need and schedule of the Contractor. Reclamation will begin after material extraction has ceased for each identified phase of development. A reclamation plan will be submitted to the MSB-LRMD by the Contractor. MSB-LRMD may accept or amend the plan. Final reclamation is anticipated to occur in 2050. Planned uses for the property are likely to include gravel extraction, gravel processing, and reclamation. The site will be developed, managed, and reclaimed with the objective to convert the location to commercial and residential parcels, post closure. The site's future use is intended to be the Point MacKenzie Town-site, as specified in the Point MacKenzie Community Comprehensive Plan, adopted July 2011.

II. Site Plan Description of Activities

Sand and Gravel Extraction

An estimated 100,000 to 1,000,000 cubic yards (CY) of material will be extracted annually from one of two phases (Appendix A-2). Phase I, contains four cells (A-D), is 58 acres in size, is located on the southeast side of the parcel, and contains approximately 2,015,000 CYs of material. Phase I, Cells A through D contain approximately 525,000 CYs, 870,000 CYs, 220,000 CYs, and 400,000 CYs, respectively. Phase II, also contains four cells (A-D), is 52.8 acres in size, is located on the southwest side of the parcel and contains approximately 4,270,000 CYs of materials. Phase II, Cells A through D contain approximately 1,000,000 CYs, 440,000 CYs, 2,000,000 CYs, and 830,000 CYs, respectively. The borrow sources include approximately 18 inches to 35 inches of overburden followed by gravel, sand, and other materials.

Hours of operation may vary depending on the project schedule, but because the site is not located in or near a commercial or residential area, work may take place 24 hours per day/seven days per week.

Conventional bulldozers, track-mounted backhoes, rubber-tired loaders, and 10-12 cubic yard (CY) capacity dump trucks, and 18-30 CY capacity side or belly dump trucks will be used in the operation of the mine. Additional equipment, including a screener, crusher, office trailer, and portable toilets are likely to be used on site, but equipment and structures will be considered on a project specific basis. Additionally, relocation of these structures may be considered once development of Phase I is complete and development of Phase II commences.

The Contractor will be responsible for detailing equipment and operations in their development plan, to be submitted for review prior to operating in the site. All activity will be kept within the IMD designated operations area.

No blasting is anticipated to occur on site. The working depth will typically be 20-75 feet below original ground, as long as the depth of excavation remains a minimum of four feet above the ground water

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level. Ground water monitoring wells will be installed prior to mining activities to ensure that excavation does not encroach within four feet of the ground water level. During active mining, working faces will be as natural angle of repose (approx. 1.5 horizontal (H): 1 vertical (V)), to maximize amount of material extracted from a given cell. Upon cessation of mining all slopes will be graded to maximum steepness of 2H:1V to provide for public safety.

Most of the material extracted will be leaving the site via haul truck. Truck haul routes will occur on a project specific basis. A water truck and/or sweeper may be used for dust control as needed.

Site Preparation and Phasing

Proposed phasing of the Alsop East Borrow Pit is expected to proceed as follows:

1) Removal of trees within Phase I access roads and Phase I Cell A, with marketable timber disposed of per the plan approved by MSB-LRMD (This applies to all tree removal associated with all phases of material extraction site development). All organic overburden and topsoil for Phase I will be stockpiled within the cell from which it was removed, as per the attached Site Plans. All inorganic overburden from Phase I will be removed and relocated to the Alsop Pit. These resources will be utilized in the backfilling of the Alsop Pit. No burning of material will be permitted.
2) Construction of access roads to Phase I
3) Material Extraction within Phase I Cell A and development of staging and processing areas
4) Removal of trees and overburden within Phase I Cell B, followed by material extraction
5) Removal of trees and overburden within Phase I Cell C, followed by material extraction
6) Removal of trees and overburden within Phase I Cell D, followed by material extraction
7) Remediation and reclamation of Phase I to final grade.
8) Removal of trees within Phase II access roads and Phase II Cell A. All organic overburden and topsoil for Phase II will be stockpiled within the cell from which it was removed, as per the attached Site Plans. All inorganic overburden from Phase II will be removed and relocated to the Alsop Pit. These resources will be utilized in the backfilling of the Alsop Pit. No burning of material will be permitted.
9) Construction of access roads to Phase II
10) Material Extraction within Phase II Cell A and development of staging and processing areas
11) Removal of trees and overburden within Phase II Cell B, followed by material extraction
12) Removal of trees and overburden within Phase II Cell C, followed by material extraction
13) Removal of trees and overburden within Phase II Cell D, followed by material extraction
14) Remediation and reclamation of Phase II to final grade.

Phased development is expected to begin in Phase I Cell A, where the site has less variable terrain. After the construction of the approved site access roads, material will be extracted from the proposed staging and processing area first. A flat pad at 200-feet above mean sea level will be constructed as an operating area for activities pertaining to the development of Phase I. The primary processing, staging, stockpiling, and operations area for Phase I will be approximately 6 acres, to accommodate for maneuvering of trucks, placement of structures, and stockpiles (if necessary).

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Once the staging and processing area is developed, material extraction will continue within the remaining cells of Phase I. Topsoil and organic material will be stripped conservatively to reduce the open and erodible face to the maximum extent practicable, in order to minimize implementation and maintenance of BMPs around the site. The Contractor will be required to submit a development plan identifying specific locations, quantities, and practices for working in the borrow site. Areas within the active cell that are mined of their useful material will be stabilized in accordance with the reclamation plan.

Phase II will likely be reserved by the Borough for future use, or when the useful material in Phase I has been exhausted. Once the majority of the useful material has been mined from Phase I, Phase II's access roads, staging and processing areas will be constructed. Phase II will then be developed and mined similarly to Phase I. The primary processing, staging, stockpiling, and operations area for Phase II will be approximately 6 acres.

All staging and processing will occur in the area designated as such for each phase of operations; proposed staging and processing areas are indicated on site plans. These processing areas are intended for placement of a site trailer, screening and crushing equipment, portable toilets, and other necessary equipment as described herein.

Organic overburden and topsoil from both Phases, Cells A-D, will be removed and stockpiled, within the cell from which it was removed, for use in final reclamation, remediation and revegetation of all mined areas. Surplus inorganic overburden from both Phases, Cells A-D, will be removed and relocated to the Alsop Pit. Both phases' post mining use is intended to be commercial and residential parcels, however, there is no timeframe for when this conversion may take place. Therefore, the mined areas will be excavated to create a flat surface for the intended conversion, but also reclaimed and revegetated until which time they are converted to residential and commercial parcels. All excavation cut will be flattened and boundaries stabilized and sloped to 2H:1V or flatter using excavated materials from the cell, as specified in Appendix A-4 Site Plans. After the desired gradation is achieved, all mined areas within both phases will be covered by a minimum compaction depth of four (4) inches of organic materials and topsoil, and revegetated with approved seed mix, applied in accordance with state specifications. In cases where there is insufficient organic material and topsoil within a cell to provide this minimum coverage, all available organic material and topsoil will be stockpiled and utilized for reclaiming and revegetating the cell.

There are approximately 185,000 cubic yards of overburden for each phase. Overburden is approximately 18 inches to 35 inches thick, but may vary. Overburden and Peat not needed for reclamation may be sold by MSB-LRMD and/or processed.

III. Structures

A 25-foot setback is required from all property lines for structures, permanent or portable facilities, and equipment or material storage per MSB code (17.28.070(A)). Structures planned on the site include a rock screener and crusher, office trailer, and portable toilet to be placed in the designated staging and operations area within each phase (Appendix A). The relocation of structures within the operations area

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may be necessary depending on the project and will be determined by the Contractor. Modifications will be included in the development plan required from the Contractor prior to their operations within the pit. There are no septic systems or water wells planned to be constructed on the site. Three ground water monitoring wells will be constructed prior to developing each phase, and will be capped during reclamation of the site.

IV. Buffer areas, Driveways, Drainage Control

Buffers

Buffers will be achieved by retaining a 100-foot wide strip of natural vegetation around the west, south, and east perimeters of the site on the inside of the property line. Alsop Road, the north perimeter of the site, will be buffered by retaining a 300-foot wide strip of natural vegetation, as per 2010 Natural Resource Management Unit Plan requirements. All wetlands, as well as the electrical transmission line easement, bordering the site boundaries will be buffered by 100-foot wide strips of natural vegetation.

Driveways

All traffic will ingress and egress the site via one or both of two proposed access points for each phase of development. These access roads will be directly onto Alsop Road, which is an unpaved MSB road that is outside road service area coverage. An MSB driveway permit application has been submitted for the access roads to Phase I (Appendix C-1). Phase II access roads will be permitted once the materials have been exhausted from within Phase I.

Easements

An ADL public use easement, serialized as ADL 32386, travels diagonally through the southeast corner of Phase I and north-south through the eastern portion of Phase II. State of Alaska, Department of Natural Resources was contacted on February 13, 2015 in regards to this easement, and stated that, "It appears that subsurface hydrocarbons were conveyed to the Mental Health Trust while surface lands, subject to the easement, were conveyed to Mat Su Borough some time ago. The area of the easement was not charged against Mat-Su's Municipal Entitlement acreage since it was authorized for public access, but so far I do not see that we reserved management of it to the State." Due to the layout of the land, the ADL public use easement across the material sites will be impeded only during the operation activities and will retain viability once the project has been completed.

Fifty foot section line easements exist along the east and south boundaries of Phase I and along the west and south boundaries of Phase II. All section line easements will remain undisturbed and are to be buffered by an additional 50-foot strip of natural vegetation. A 100-foot public utility easement, ADL 63268, for a Chugach Electric Association transmission line traverses north-south between Phase I and Phase II of pit operations. This public utility easement is outside of the material site boundaries and will be buffered both from Phase II on the west and Phase I on the east by an additional 100-foot strip of natural vegetation.

V. Wetlands and Waterbodies

Wetland mapping for this site was conducted using National Wetland Inventory (NWI) and delineation using stereoscopic high resolution aerial photography. No wetlands or other jurisdictional waters of the

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United States were identified on the project parcels and were confirmed in a Jurisdictional Determination issued by the U.S. Army Corps of Engineers dated June 4, 2015 (Appendix C-3). No wetland impacts are authorized in the development of this project. Project areas are all located in upland locations, including steeply sloping ridges up to 100-foot or more high. There are two NWI recognized wetlands between Phase I and II. Neither of these wetlands are within the project boundaries and both will be protected by a 100-foot naturally vegetated buffer zone. There is a lake to the southeast of Phase I which will be protected by a greater than 400-foot naturally vegetated buffer zone, and a pond to the west of Phase II which will be protected by a greater than 150-foot naturally vegetated buffer zone. Any use of water from these water bodies has not been authorized. Temporary Water Use Permits (TWUP) from the Alaska Department of Natural Resources would be required and will be the responsibility of the contractor to secure. Copies of any TWUP will be provided to MSB-LRMD for inclusion in the IMD case file.

The contractor will be required to install at least three monitoring wells per phase to monitor ground water levels and depth to ground water. Monitoring wells shall be installed to a depth of at least 6 feet below the lowest level of excavation that takes place.

The contractor will be required to survey the outer limit of the wetland buffers and clearly stake or otherwise demarcate this boundary prior to commencement of any work in the borrow area to ensure that no work is conducted, including, but not limited to, clearing, grubbing, staging of equipment or materials, etc., within this boundary.

VI. Existing and Surrounding Land Uses

The Alsop East Pit is currently undeveloped land owned by the MSB. Surrounding lands within a mile radius of the IMD parcel include a neighboring sawmill to the north, various undeveloped parcels under private ownership, several developed residential parcels to the north, west and east, a correctional facility and associated water treatment plant to the west, and an old gravel pit and a couple of agricultural parcels across Point MacKenzie Road to the west. It is expected that MSB lands are used by the public for recreational purposes. Surrounding properties are identified in Appendix A-2.

VII. Road and Access Plan

All traffic will ingress and egress the site via one or both of two proposed access points for each phase of development. These access roads will be directly onto Alsop Road, an unpaved MSB road. All necessary approvals will be obtained prior to development of access drives into the Alsop East Pit.

Construction-related traffic may be expected to generate up to 40 trips maximum per hour, during the peak construction season. This will change the current level of service on the roadway, but level of service will still stay well above a C level of service (see MSB 17.61.090) during hours of construction. No additional stop signs are anticipated to be required on Alsop Road. Neither is it anticipated that the truck loadings will have any detrimental effect on the roadway.

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Currently, there are no access restrictions to the parcel. When the site is finished being mined and reclamation has been achieved by the Contractor, MSB will gate and lock the access or ditch and berm the access to prevent access by highway vehicles, if necessary.

VIII. Visual Screen Measures

Visual screening will be achieved by retaining a 100-foot wide buffer strip of natural vegetation around the entire perimeter of the site on the inside of the property line. An additional 200-foot strip of natural vegetation will remain between the project boundaries and Alsop Road. In areas of the site where the natural vegetation has been previously logged up to the property line, the contractor will be required to construct a berm at least 10 feet in height between the work area and the 100-foot wide buffer strip. There are no developed properties adjacent to the project sites aside from the sawmill to the north of Alsop Road, which will be buffered by over 400-feet of natural vegetation and Alsop Road.

IX. Noise Mitigation

There are no identified significant or sensitive sound receptors within the vicinity of the proposed area of development. This area is currently undeveloped and therefore it is not anticipated that noise will exceed levels set forth for the undeveloped land use category. It is anticipated gravel extraction will take place within below grade excavated pit cells; which will become deeper as material extraction progresses. These below-grade excavated cells will also provide potential set up sites for crushing and screening operations. The below-grade location of mining and processing operations will help attenuate work area noise. The combination of berms, buffer areas, below-grade work areas, and the general location of the site away from sound receptors should result in reduction of construction-related noise to acceptable levels consistent with the stipulations of MSB 17.28.060(A)(5).

X. Lighting Plan

Most of the work will be conducted during the summer season and operations will primarily occur during daylight hours without the need for artificial lighting. The contractor will be required to obtain approval from MSB for any artificial lighting. Lighting may be used to illuminate activities in the work area, if needed. All lighting will be focused away from Alsop Road and will be directed only onto the work at hand. Exterior lighting must be located and shielded to direct light towards the ground, in order to minimize light spillage onto adjacent properties and upward in to the night sky. Illumination or other fixtures mounted higher than 20 feet or 150 watts or more must have downward directional shielding, in accordance with MSB 17.28.060(A)(6).

XI. Dust Plan

Road dust control is a concern of high priority. The Contractor involved in development of this mine site shall contain a specific bid item to provide watering for dust control. The Contractor will be required to obtain a temporary water use permit from the Alaska Department of Natural Resources (ADNR). Borough staff or their agent will monitor conditions throughout construction and direct the construction contractor to water the roadway and haul routes as needed to prevent dust from becoming a problem.

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Is it also anticipated that measures to reduce any by-product dirt transport from the borrow site by vehicle tires will be implemented within the borrow pit as described in the SWPPP.

XII. Stormwater Pollution Prevention Plan (SWPPP)

This project is subject to the Alaska Pollution Discharge Elimination System (APDES) for construction projects disturbing greater than one acre of soil, therefore the project shall be subject to the Alaska Department of Environmental Conservation Construction General Permit (AK-CGP). The Contractor authorized to operate in the Alsop East Pit will be required to acquire an AK-CGP and produce a SWPPP meeting all requirements of the AK-CGP and submit it to the Borough for review and approval. The contractor will be responsible for submitting all notifications, maintaining all records, and documenting compliance with the AK-GCP. The Contractor will be responsible for installing, maintaining, updating, and removing all Best Management Practices (BMPs) in accordance with detailed bid specifications (Department of Transportation Standard Bid Specifications Section 641; Appendix C-4) to be incorporated into every contract.

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ALSOP EAST PIT – APPENDIX B

RECLAMATION PLAN

APPENDIX B-1: Reclamation MOU, Matanuska-Susitna Borough letter dated April 26, 1999

APPENDIX B-2: Cooperative Management Agreement between Alaska Department of Natural Resources and Matanuska Susitna Borough for Mining Reclamation on Borough-Owned Land.

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MATANUSKA-SUSITNA BOROUGH

ALSOP EAST PIT RECLAMATION PLAN

Reclamation on lands owned by the Matanuska-Susitna Borough is subject to a Memorandum of Understanding between the Matanuska-Susitna Borough and the Alaska Department of Natural Resources allowing for reclamation requirements on borough-owned lands to be set by the Matanuska-Susitna Borough. The MOU is included with this reclamation plan (Appendix B-1).

Schedule

The schedule for interim reclamation is dependent on the Contractor's schedule. Interim reclamation plans will be required of the Contractor authorized to use the Alsop East Pit and will be submitted to the MSB-LRMD for review and acceptance. Final reclamation should occur no later than December 2050. Reclamation of the proposed mine will generally occur according to the following schedule:

1. Reclamation will take place as developed areas of the mine are closed, with no further plan for material extraction.
2. Reclamation of Phase I will take place prior to the development of Phase II.
3. Organic overburden and topsoil from all cells of both phases of mining will be stockpiled for use in reclamation and revegetation of the mined areas within that respective cell.
4. Phase I will be converted to a flat tract at 200-feet above mean sea level with boundaries consisting of stabilized 2H:1V or less slopes. Any erosion or destabilization of boundary slopes will be remediated by the contractor.
5. Phase II will be converted to a flat tract at 220-feet above mean sea level with boundaries consisting of stabilized 2H:1V or less slopes. Any erosion or destabilization of boundary slopes will be remediated by the contractor.
6. All mined areas, including slopes, within the Alsop East Pit will be covered by a minimum of four (4) inches of organic materials and topsoils, and stabilized with approved seed mix applied in accordance with state specifications. Appropriate BMPs will be required to assess site drainage, and will be the responsibility of the contractor.
7. Surplus inorganic overburden from both Phases will be used to backfill the Alsop Pit and will not be left within the boundaries of the Alsop East Pit.

Temporary Stabilization

In accordance with the Alaska Pollution Discharge Elimination System Construction General Permit, temporary stabilization will be initiated as soon as practicable in areas of the site where construction activities have temporarily or permanently ceased, but no later than 14 days after the construction activities have temporarily or permanently ceased. Temporary stabilization is not needed if construction activities are scheduled to resume within 14 days. In the event that temporary stabilization is precluded

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by snow cover or frozen ground, the temporary stabilization measures will be implemented as soon as practicable.

Final Grading

Cut slopes may be no steeper than 2H:1V to provide acceptable public safety, stability, and erosion protection, but variability in the grade averaging to approximately 3H:1V is preferred. Bottom grades must be 2% or less across or to one corner of each cell. Phase I shall be graded flat with natural draining corridors to the north, southwest, and southeast of the cell. Phase II shall be graded to drain to the east side of the cell. Slight gradations will be made within each phase to ensure that no intermediate collection points or ponds occur within the phase boundaries post mining activities. Stabilization must be conducted in accordance with Best Management Practices called out in the SWPPP, and to a standard equal to or greater than that stipulated in Alaska Statute 27.19.

Stabilization

Organic overburden and topsoils from each cell will be stockpiled within the respective cell, as indicated by the attached Site Plans. Immediately following mining activities for each phase, the organic material and topsoil stockpiled within each cell will be utilized in the reclamation of both the pit floor and the bordering slopes within that respective cell. All mined areas within both phases will be covered by a minimum of four (4) inches of organic materials and topsoil, and revegetated with approved seed mix, applied in accordance with state specifications. Slopes will be cut no steeper than 2H:1V, and will require proper stabilization techniques to include at a minimum tracking and blading the soil to a stable compaction, after which the slopes will be revegetated as per state specifications. All surplus inorganic overburden removed within both Phases will be relocated and used to backfill the Alsop Pit.

Revegetation

The objective of the revegetation procedures for mined areas will be to grow native grasses, without introducing non-native species. This will be accomplished by first using mineral waste material (silt and sand) to cover cut slopes. Next, stockpiled organic material and topsoils will be spread over the cut slopes to provide growing medium for approved seed and native plants to establish themselves. The organic material will be spread in a layer not less than four (4) inches thick or more than 2 feet in thickness, except such material may be placed in greater thickness as required to flatten cut slopes out to no steeper than 2H:1V. The spread organic material shall be tracked, bladed, or otherwise manipulated so that no tree trunks, branches, roots, or stumps protrude more than four (4) inches above the finished ground surface.

To assist in the re-establishment of native species, and to help to control erosion during the revegetation period, the spread of organic overburden material will receive an application of temporary grass seed mixture and fertilizer. The fertilizer application will consist of standard nitrogen, phosphorus, and potassium (N-P-K) 20-20-10 mix applied at a rate of 500 pounds per acre. The temporary seed mixture will be applied at a rate of 43 pounds per acre and will meet the applicable requirements of the

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State of Alaska Seed Regulations, 11 AAC 34, Article 1 and Article 4, using a seed mixture for the area as outlined in *A Revegetation Manual for Alaska*, by Stony J. Wright, Alaska Plant Materials Center and will use a seed product certified not to include prohibited and restricted noxious weeds.

Annual Reclamation Statement

An Annual Reclamation Plan shall be submitted to MSB-LRMD. The LRMD will administer reclamation to standards no less than that required by the State of Alaska.

Financial Assurance

Reclamation financial assurance filed with the State of Alaska is not required for governmental units. Since the site is owned by the MSB, no financial assurances are required through the State. However, a performance bond, as well as any other bonds deemed necessary to protect the best interests of the MSB, may be required to be filed by the Contractor prior to development of the site. A final site investigation prior to reclamation of both phases will made by MSB-LRMD staff to determine the disposition of said bonds.

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APPENDIX B-1
Reclamation MOU

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MATANUSKA-SUSITNA BOROUGH

Borough Manager

350 E. Dahlia Avenue, Palmer, Alaska 99645-6488
Phone (907) 745-9689 FAX (907) 745-9669

RECEIVED
MAY 3 1999
LAND MANAGEMENT

April 26, 1999

Jane Angvik, Director
Division of Land
3601 C Street, Suite 1122
Anchorage, AK 99503-5947

RE: Reclamation MOU

Alaska Statute (27.19) requires DNR to administer mining reclamation on all state, federal, municipal and private land subject to mining operations which includes sand, gravel and other material.

The Borough has similar provisions to AS 27.19 in our ordinances. We feel it would much easier and efficient to administer these reclamation requirements on our own land. This would relieve some potential work load requirements from DNR and ensure that the Borough is in compliance with both state and Borough reclamation requirements.

Working with your staff, we have drafted the enclosed MOU dealing with the reclamation issue for material sites on Borough owned land.

There are two originals. After your review and signature please return one original to Ron Swanson, Community Development Director at the above address.

Thank you for your help and consideration on this issue.

Sincerely,

Michael J. Scott
Borough Manager

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APPENDIX B-2
DNR MSB Reclamation
Cooperative Management Agreement

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COOPERATIVE MANAGEMENT AGREEMENT BETWEEN
ALASKA DEPARTMENT OF NATURAL RESOURCES AND
MATANUSKA-SUSITNA BOROUGH FOR
MINING RECLAMATION ON BOROUGH-OWNED LAND

Under the authority of Alaska State Constitution Article X Section 13, AS 27.19.060, AS 29.35 and 11 AAC 97.700, the Department of Natural Resources and the Matanuska-Susitna Borough hereby enter into a cooperative management agreement by which the Matanuska-Susitna Borough will implement state mining reclamation requirements (AS 27.19 and 11 AAC 97) for material sites owned by the Matanuska-Susitna Borough. The Department of Natural Resources and the Matanuska-Susitna Borough find that this agreement will promote uniform compliance with state reclamation requirements and those set by municipal ordinances, providing for more consistent and effective reclamation of borough-owned land and reducing government paperwork costs. The Department of Natural Resources further finds that this agreement is in the state's best interests.

Jane Angvik, Director
Division of Land
Alaska Department of Natural Resources

4/30/99
Date

Michael J. Scott, Manager
Matanuska-Susitna Borough

4/28/99
Date

Im16-056
OR16-037

ALSOP EAST PIT- APPENDIX C
COMPLIANCE WITH BOROUGH, STATE, AND FEDERAL LAWS

Appendix C-1: Matanuska-Susitna Borough Driveway Permit Application (Permit # P015194)

Appendix C-2: Statement addressing: Mining License as required by the Alaska State Department of Revenue & Mining Permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land.

Appendix C-3: United States Army Corps of Engineers (USACE) Jurisdictional Determination (JD) pursuant to Section 404 of the Clean Water Ace 33. USC 1344. No material extraction is to take place within wetlands, lakes, and streams in the development of this project. Also attached is a letter of "No objection" from the MSB Cultural Resource Division made in conjunction with the USACE JD.

Appendix C-4: Alaska Department of Transportation Erosion, Sediment, and Pollution Control Specification Section No. 641

Others: At this time, no other permits are required. If at any time, additional authorizations are required, they shall be submitted to the MSB as an addendum to this application. If the Phase II Access is to be constructed a Driveway and Construction Permit will be required from the MSB.

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APPENDIX C-1
MSB Driveway Permit

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Matanuska-Susitna Borough
Planning and Land Use Department
Permitting Center
350 East Dahlia Ave, Palmer AK 99645

AUTHORIZATION TO CONSTRUCT DRIVEWAY
PERMIT # I015194
TAX PARCEL ID # 56822000T00A

May 15, 2015

The Matanuska-Susitna Borough has authorized the construction of your driveway. Please construct your driveway in accordance with the conditions below, and provisions and standards listed on the 'Acknowledgement of Application'. Please reference these provisions to determine required culvert size and type.

This authorization to construct your driveway will expire **one year** from the date of this letter. If you are unable to construct the driveway within that time frame, please call the office to request an extention of the permit.

Please be aware that if this property is in a Special Flood Hazard Area a Flood Plain Development Permit is Required. Please contact the Permit Center to help determine if you are in a Designated Flood Plain Area.

PLEASE POST THIS PERMIT IN A CONSPICUOUS PLACE AT THE ACCESS POINT.

When driveway construction is complete, please call the Inspection Request Call-In Line at **861-7822** or by e-mail at PermitCenter@masugov.us, to request a Final Inspection. Be sure to reference the permit number above.

____ NO CULVERT REQUIRED X CULVERT REQUIRED (SEE NOTES BELOW)

NOTES:

Culvert is needed
gr05058 - 5/13/2015 3:37:50 PM

Sincerely,

Michelle Olsen

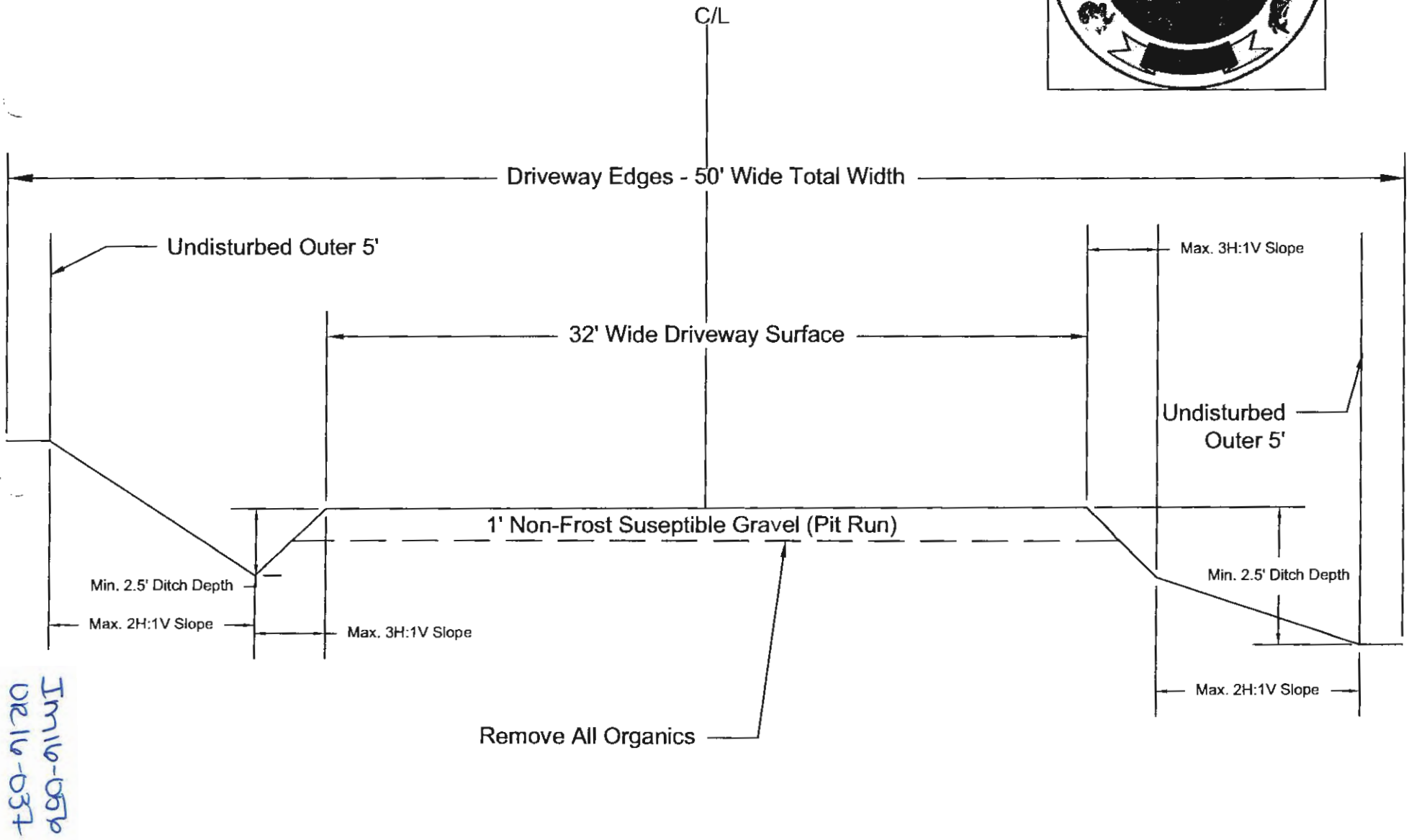
Michelle Olsen, CFM
Permit Technician

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Alsop East IMD - Phase I Driveway Cross-Section

Not to Scale





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021620

APPENDIX C-2
Mining License

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MINING LICENSE – A mining license is not required for the Alsop East Pit.

On May 24, 2012, Governor Parnell signed legislation (HB 298) into Law. This legislation, with a retroactive effective date of January 1, 2012, exempts quarry rock, sand and gravel, and marketable earth mining operations from the mining license tax. Anyone who mines quarry rock, sand and gravel, and/or marketable earth exclusively is no longer required to obtain a mining license or file a mining license tax return for activities conducted on or after the effective date.

MINING PERMIT – A mining permit is not required for the Alsop East Pit. A mining permit is required if extraction activities are to take place on State-owned lands. The Alsop East Pit is located on Matanuska-Susitna Borough-owned lands.

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APPENDIX C-3
US ACE Jurisdictional Determination
&
MSB Cultural Resource Division
Letter of "No Objection"

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UR16-037

DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

JUN 04 2015

Regulatory Division
POA-2015-225

Matanuska-Susitna Borough LMD
Attention: Mr. Ryan Johnston
350 East Dahlia Ave
Palmer, AK 99645

Dear Mr. Johnston:

This letter responds to your April 28, 2015, request for a Department of the Army (DA) jurisdictional determination for your proposed gravel extraction. It has been assigned number POA-2015-225, Lost Lake, which should be referred to in all correspondence with us. The property is located within Section 27, T. 15 N., R. 4 W., Seward Meridian, USGS map AK-Anchorage B-8; at Latitude 61.3575° N., Longitude 149.9740° W.; Matanuska-Susitna Borough, in Wasilla, Alaska.

Based on our review of the information you provided, we have determined that although the subject property may contain waters of the United States (U.S.), including wetlands, your proposed project would not involve an activity we regulate. Therefore, a DA permit is not required. However, a permit may be required if you alter the method, scope, or location of your proposed work. You should contact us if you make changes to your project.

Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including jurisdictional wetlands (33 U.S.C. 1344). The Corps defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Section 10 of the Rivers and Harbors Act of 1899 requires that a DA permit be obtained for structures or work in or affecting navigable waters of the U.S. (33 U.S.C. 403). Section 10 waters are those waters subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or other waters identified by the Alaska District.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

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Please contact me via email at michael.r.gala@usace.army.mil, by mail at the address above, by phone at (907) 753-2821, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory Program, please visit our website at http://www.poa.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,

Michael R. Gala
Regulatory Specialist

Enclosures

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MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Cultural Resources Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 745-9859 • Fax (907) 745-9876

MEMORANDUM

DATE: 28 April 2015
TO: Michael Gala, Regulatory Specialist, USACE
FROM: Heather Ralston, Archaeological Site Supervisor
SUBJECT: POA-2015-225, Lost Lake
LEGAL: Sec. 27, T15N, R04W, SM
TAX MAP: GB 14

SPECIAL NOTE: NO OBJECTION – GENERAL CAUTION

The Cultural Resources Division has determined that is one known Cultural Resources site on above said property. This conclusion was derived through research of the documented sites on file in the Cultural Resources Division of the Matanuska-Susitna Borough and sites documented in Alaska Heritage Resource files at the State Office of History and Archaeology.

We recommend caution during site prep or related ground disturbance activities in the event cultural remains may come to light or be recovered. If cultural resources are found as a result of the above mentioned activity we request the chance to document them and to determine their augment our knowledge of local history. Cultural remains may be found on the surface and subsurface and include features such as cache pits, house pits, garbage pits, depressions and/or other non removable indications of human activity, as well as, artifacts, buildings, machinery, etc.

Note: recording of cultural resources or other remains does **not** change ownership status of materials found, they belong to the property owner, **nor** does it prohibit your activity request. If cultural remains are located please contact this office at (907) 861-8655 as soon as possible. This would enable us to photograph and record any cultural materials that may be observed. Thank you for your cooperation. We appreciate you helping us learn more about our past.

Sincerely,

Heather Ralston

Heather Ralston
Archaeological Site Supervisor
Heather.ralston@matsugov.us

NOTE§A.S.11.46.482 (a) of the Alaska Statutes states that

(a) A person commits the crime of criminal mischief in the third degree if, having not right to do so or any reasonable grounds to believe the person have such a right…

(3) If a person knowingly

(A) defaces, damages or desecrates a cemetery or the contents of a cemetery or a tomb, grave, or memorial regardless of whether the tomb, grave, or memorial is in a cemetery or whetber the cemetery, tomb, grave, or memorial appears to be abandoned, lost, or neglected; (B) removes human remains or associated burial artifacts from a cemetery, tomb grave, or memorial regardless of whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost or neglected.

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APPENDIX C-4
Alaska Department of Transportation Erosion, Sediment, and Pollution Control Specification Section No. 641

IM16-056
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Standard Modification

Replace Section 641 with the following:

SECTION 641

EROSION SEDIMENT AND POLLUTION CONTROL

641-1.01 DESCRIPTION. As approved by the Engineer, provide project administration and construction activities to control erosion, sedimentation, and pollution from the Project, according to this section and applicable local, state and federal requirements, including the Construction General Permit.

Utilities will be relocated by others concurrently with construction of this project. The Contractor will be responsible for controlling sediment and erosion and stabilizing areas disturbed during underground and aboveground utility relocation.

The Borough will develop a Storm Water Pollution Prevention Plan (SWPPP) necessary to cover certain utility relocation work that may precede issuance of a Notice to Proceed. The Contractor will incorporate the provisions of that SWPPP document into any documents prepared by the Contractor under this Section.

641-1.02 DEFINITIONS.

Alaska Certified Erosion and Sediment Control Lead (AK-CESCL). Certification documenting the person has completed training, testing and other requirements recognized by the Borough to satisfy the APDES Construction General Permit for "qualified personnel". AK-CESCL certificates issued in conformance with, and under authority of the AK-CESCL Memorandum of Understanding are recognized by the Borough as meeting this standard. An AK-CESCL certification must be recertified every three years. CPESC, Certified Professional in Erosion and Sediment Control: CISEC, Certified Inspector in Sediment and Erosion Control; and CESCL, Washington Department of Ecology Certified Erosion and Sediment Control Lead are the only other recognized substitution for the AK-CESCL certification.

Alaska Department of Conservation (ADEC). The State Department that has been authorized to administer the Clean Water Act's National Pollutant Discharge Elimination System in a phased process.

Alaska Pollutant Discharge Elimination System (APDES). The Alaska Pollutant Discharge Elimination System, administered by ADEC.

Area of Land Disturbance. The area of land (soil) that will be disturbed by Construction Activity. Area of Land Disturbance does not include pavement removal or pavement milling if the activity does not remove aggregate underlying the pavement.

Best Management Practices (BMPs). Temporary or permanent structure and non structural devices, schedules of activities, prohibition of practices, maintenance procedures and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal.

Clean Water Act (CWA). United States Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)

Construction Activity. Physical activity by the Contractor or any Subcontractor or Utility Company that may result in land disturbance, erosion, sedimentation, or a discharge of pollutants in storm water. Construction activity includes, but is not limited to, grubbing, excavation, constructing embankment, grading, stockpiling erodible material, processing material and installation or maintenance of BMP's.

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Construction General Permit (CGP). The Alaska Pollutant Discharge Elimination System General Permit for Discharges from Large and Small Construction Activities.

Electronic Notice of Intent (eNOI). The Electronic Notice of Intent submitted to ADEC, to begin Construction Activities under the CGP.

Electronic Notice of Termination (eNOT). The Electronic Notice of Termination submitted to ADEC, to end coverage under the CGP.

Erosion and Sediment Control Plan (ESCP). A project-specific document that illustrates measures to control erosion and sediment problems on a project. The ESCP normally consists of a general narrative and a map or site plan. It is developed by the Borough and may be included in the project plans and specifications. It serves as a resource for bid estimation and a frame work from which the Contractor develops the project SWPPP.

Final Stabilization. Soil disturbing activities at the site have been completed and one of the following methods, as identified in the contract, has been completed:

- Establish a uniform and evenly distributed perennial vegetative cover with a density of 70 percent of the native background vegetative cover, or
- Construct non-erodible permanent stabilization measures (such as riprap, gabions, geotextiles, pavement, or crushed aggregate base course) where vegetative cover is not required or practical.

Hazardous Material Control Plan (HMCP). The Contractor's detailed project-specific plan for the prevention of pollution from storage, use, transfer, containment, cleanup, and disposal of hazardous material, including but not limited to, petroleum products related to construction activities and equipment. The HMCP is included as an appendix to the SWPPP.

Operator(s). The party or co-parties associated with a regulated activity that has responsibility to obtain storm water permit coverage. "Operator" for the purpose of CGP and in context of stormwater associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:

1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
2. The party has day to day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions (e.g. they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with permit conditions).

Pollutant. Any substance or item meeting the definition of pollutant contained in 40 CFR 122.2
Project Area. The physical limits of the construction site, Borough furnished project staging and equipment areas, Borough furnished haul routes where deposition of sediments or erodible materials may result from material hauling activities and Borough furnished material and disposal sites directly related to the Contract. The project area also includes all areas of utility relocation and installation, including adjacent utility easements and tie-ins that may extend beyond the defined project limits. Contractor or Commercial Operator furnished material sites material processing sites, disposal sites, haul routes, staging areas and equipment storage are not included in the Project Area.

Spill Prevention, Control, and Countermeasure Plan (SPCC). The Contractor's detailed plan for petroleum spill prevention and control measures that meet the requirements of 40 CFR 112.

Storm Water Pollution Prevention Plan (SWPPP). The Contractor's detailed project -specific plan to minimize erosion and contain sediment within the Project site and to prevent discharge of pollutants that exceed applicable water quality standards. The SWPPP includes, but may not be limited to, amendments, records of activities, inspection schedules and reports, qualifications of key personnel and all other documentation required by the CGP and this specification.

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Temporary Stabilization. The protection of exposed soils (disturbed land) from wind, and water erosion during construction process, until final stabilization is established.

Utility Company. A Utility Company or their contractor performing work concurrently with the construction of this project.

641-1.03 SUBMITTALS. Submit three signed copies of the SWPPP and HMCP to the Engineer. Submit two signed copies of the SPCC Plan (if required under subsection 641-2.03) to the Engineer at or before the pre-construction meeting.

The Borough will review the SWPPP and HMCP submittals within fourteen (14) calendar days. Submittals will be returned to the Contractor as either requiring modification, or as approved by the Borough. The 14 day review period will restart when the Contractor submits to the Borough the revised SWPPP and or HMCP. The approved SWPPP must contain certification, and be signed according to the Standard Permit Conditions of the APDES Construction General Permit.

Upon acceptance of the SWPPP by the Borough submit an eNOI for the Project to ADEC with the required fee. Submit a copy of the eNOI to the Project Manager when the eNOI is submitted to ADEC. The Borough will submit the Borough's eNOI to the ADEC and provide a copy to the Contractor for inclusion in the SWPPP.

No construction activities will take place on the Project until the eNOI has been posted on the ADEC website for seven (7) calendar days.

The active status NOI's, SWPPP, HMCP and SPCC Plan (when required) become the basis of the work required for the project's erosion, sediment, and pollution control.

Within fifteen (15) calendar days after the Engineer has determined you may end SWPPP activities for the Project, submit your eNOT for the Project to ADEC and send a copy of the eNOT to the Engineer. Within fifteen (15) calendar days of the Project Manager's determination the Borough will submit the Borough's eNOT to the ADEC and send a copy to the Contractor.

When CGP, Part 10, F requires ADEC SWPPP review: transmit a copy of the SWPPP with the required fee to ADEC using delivery receipt confirmation. Transmit a copy of the delivery receipt confirmation to the Engineer within seven (7) calendar days of receiving the confirmation. Transmit a copy of the ADEC SWPPP review letter to the Project Engineer within seven (7) calendar days of receipt from ADEC. Amend the SWPPP as necessary to address ADEC comments and transmit a copy of the SWPPP amendments to the Engineer within seven (7) calendar days of receipt of ADEC review comments. Include a copy of the ADEC SWPPP review letter in the SWPPP.

641-1.04 PERSONNEL QUALIFICATIONS. The Superintendent and any designated Relief Superintendent must meet the following qualifications:

- Current certification as AK-CESCL
- Duly authorized representative, as defined in Appendix F of the CGP.

641-1.05 SIGNATURE/CERTIFICATION REQUIREMENTS AND DELEGATIONS.

eNOI and eNOT. The eNOI and eNOT must be signed and certified by a responsible corporate officer, in accordance with the CGP Appendix F. Signature and certification authority, for eNOI and eNOT, cannot be delegated.

Delegation of Signature Authority for Other SWPPP Documents and Reports. Delegate signature and certification authority to the Superintendent, in accordance with CGP Appendix F, for the SWPPP inspections, and other reports required by the CGP. Include a copy of the written delegation in the

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SWPPP. Delegation is not required if the Superintendent is a responsible corporate officer for the Contractor, as defined in CGP Appendix F.

Subcontractor Certification. Subcontractors must certify that they have read and will abide by the CGP and the conditions of the project SWPPP.

641-2.01 STORM WATER POLLUTION PREVENTION PLAN. Prepare a Storm Water Pollution Prevention Plan. When provided in the plan set use the Borough's ESCP to develop a SWPPP based on scheduling, equipment, and use of alternative BMPs. The SWPPP preparer must visit the project site before preparing the SWPPP. The plan must include both erosion control and sediment control measures. The plan must first address preventing erosion, then minimizing erosion and finally trapping sediment before it leaves the project site.

The SWPPP must follow the format presented in Appendix A, of Developing Your Storm Water Pollution Prevention Plan (EPA 833-R-060-04 May 2007). An electronic copy of the SWPPP template is available on EPA's web site at http://www.epa.gov/npdes/swpppguide

The plan must address the site specific controls and management plan for the construction site as well as for material sites, waste disposal sites, haul roads and other affected areas, public or private. The plan must also include copies of and incorporate the requirements of the project permits.

The contractor is responsible for identifying, in their SWPPP, other work that is on-going or will be undertaken within or adjacent to the project during the contract period and to coordinate erosion and sediment control measures with the other operators.

641-2.02 HAZARDOUS MATERIAL CONTROL PLAN (HMCP) REQUIREMENTS.
Prepare a HMCP for handling, storage, cleanup and disposal of petroleum products and other hazardous substances. (See 40 CFR 117 and 302 for listing of hazardous materials).

Compile Material Safety Data Sheets in one location and reference in the HMCP. List and give location of hazardous materials, including office materials, to be used and/or stored on site, and estimated quantities. Detail a plan for storing these materials as well as disposing of waste petroleum products and other hazardous materials generated by the project.

Identify the locations where storage, fueling and maintenance activities will take place, describe the maintenance activities and list controls to prevent the accidental spillage of oil, petroleum products, and other hazardous materials.

Detail procedures for containment and cleanup of hazardous substances, including a list of types and quantities of equipment and materials available on site to be used.

Detail a plan for the prevention, containment, cleanup and disposal of soil and water contaminated by accidental spills. Detail a plan for dealing with unexpected contaminated soil and water encountered during construction.

Detail methods of disposing of waste petroleum products and other hazardous materials generated by the project. Identify haul methods and final disposal areas. Assure final disposal areas are permitted for hazardous material disposal.

Specify the line of authority and designate a field representative for spill response and one representative for each subcontractor. Include their names and contact information in the SWPPP.

641-2.03 SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC) PLAN REQUIREMENTS.

Control

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Prepare and implement a SPCC Plan when required by 40 CFR 112, including:

1. When oil spills may reach navigable waters; and
2. Total above ground oil storage capacity is greater than 1,320 gallons.

Prevention and Countermeasures

Comply with 40 CFR 112 and address the following issues in the SPCC Plan:

1. Operating procedures that prevent oil spills;
2. Control measures installed to prevent a spill from reaching navigable waters; and
3. Countermeasures to contain, cleanup and mitigate the effects of an oil spill.

Self-certify the SPCC Plan if the total above ground oil storage capacity is 10,000 gallons or less, and the requirements for self certification in 40 CFR 112 are met. Otherwise the SPCC Plan must be certified, stamped with the seal of, date by, and signed by a Professional Engineer registered in the State of Alaska.

641-2.04 RESPONSIBILITIES AND AUTHORITY OF THE SUPERINTENDENT.
The Superintendent is responsible for the overall operations of the Project and all Contractor-furnished sites and facilities directly related to the Project. The Superintendent shall sign and certify the SWPPP, SWPPP inspections, and other reports required by the CGP, except the NOI and NOT. The Superintendent may not delegate the task or responsibility of signing and certifying the SWPPP, SWPPP inspections, and other reports required by the CGP. If the Superintendent is unavailable, a relief Superintendent may sign and certify reports required by the CGP. If the relief Superintendent is used, document the personnel change, including a photo copy of their AK-CESCL certification, and include their beginning and ending dates in the SWPPP.

641–2.05 MATERIALS. Comply with the material requirements described in the Plans and Specifications.

Use materials suitable to withstand hydraulic, wind, and soil forces, and to control erosion and trap sediments in accordance with the requirements of the CGP.

Straw that is certified as free of noxious weed by the United States Department of Agriculture, Natural Resources Conservation Service, Local Soil and Water Conservation District, Alaska Weed Free Forage Certification Program must be used when available. Hay may not be substituted for straw.

Silt fences	Subsection 729-2.04,
Sediment Control	
Temporary Seed	Section 724
Erosion, Sediment, and Pollution Control-Material	Section 744

641-3.01 CONSTRUCTION REQUIREMENTS. Comply with the SWPPP and the requirements of the CGP.

Ensure all subcontractors and utility companies understand and comply with the SWPPP and the CGP. Provide SWPPP information to the utility companies. Notify the Project Manager immediately if actions of any utility company or subcontractor do not comply with the SWPPP and the CGP. Provide training to subcontractors & utility companies on control measures at the site and applicable storm water pollution prevention procedures and document the dates and attendees to these trainings in Appendix J of the SWPPP.

Post notices on the outside wall of the Contractor's project office, and at publicly accessible locations near the beginning and end of the Project. Protect postings from the weather and locate so the public can read them without obstructing construction activities (for example, at an existing pullout). Include the following information in each of the posted notices:

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- Copy of all eNOIs related to this project
- Name and phone number of Project Superintendent
- Location of the SWPPP available for public viewing.

Comply with requirements of the HMCP, the submitted SPCC Plan, and the State and Federal regulations that pertain to handling, storage, cleanup and disposal of petroleum products or other hazardous substances. Contain, cleanup and dispose of discharges of petroleum products and other materials hazardous to the land, air, water and organic life forms. Perform fueling operations in a safe and environmentally responsible manner. Comply with requirements of 18 AAC 75 and AS 46, Oil and Hazardous Substance Pollution Control. Report oil spills as required by Federal, State and local Law and, as described in the SPCC Plan.

Comply with requirements of the APDES Construction General Permit, implement temporary and permanent erosion and sediment control measures identified in the SWPPP, and ensure that the SWPPP remains current. Maintain temporary and permanent erosion and sediment control measures in effective operating condition.

Coordinate BMPs with Utility Companies doing work in the project area.

641-3.02 INSPECTIONS

Perform inspections and prepare inspection reports to comply with the project SWPPP and the APDES Construction General Permit.

1. Joint Inspections. Before start of construction, conduct a joint on-site inspection with the Engineer, the SWPPP Preparer, and the Contractor's Superintendent for the project to discuss the implementation of the SWPPP.

a. Before each winter shutdown, to ensure that the site has been adequately stabilized and devices are functional.

b. At project completion, to ensure final stabilization of the project.

2. During Construction. In addition, the Contractor will perform inspections meeting the requirements of the ADPES Construction General Permit. The project Superintendent shall review the Project Site, Materials Sites, Waste Sites and the SWPPP for conformance with the APDES Construction General permit at least once per month and after every major change in earth disturbing activities for compliance with the Construction General Permit.

3. Inspection Reports. Prepare and submit, within three (3) working days of each inspection, a Inspection Report. At a minimum the report will contain the following:

a. A summary of the scope of the inspection
b. Name(s) and titles of personnel making the inspection
c. The date of the inspection
d. Observations relating to the implementation of the SWPPP
e. Any actions taken as the result of the inspection
f. Incidents of non-compliance

Where a report does not identify and incidents of noncompliance, certify that the facility is in compliance with the SWPPP and the APDES Construction General Permit.

The Contractor's Superintendent will sign the report according to the Standard Permit Conditions of the APDES Construction General Permit. Include reports as an appendix to the SWPPP.

Record Retention

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Keep the SWPPP up to date at all times. The SWPPP shall denote location, date of installation, date maintenance was performed and the date of removal of BMPs. It shall also contain copies of inspection reports and amendments.

Maintain the following records as part of the SWPPP:

1. Dates when major grading activities occur;
2. Dates when construction activities temporary or permanently cease on a portion of the site: and
3. Dates when stabilization measures are initiated.

Provide the Engineer with copies of SWPPP revisions, updates, records and inspection reports at least weekly.

Retain copies of the SWPPP and other records required by the APDES Construction General Permit for at least three years from the date of final stabilization.

If unanticipated or emergency conditions threaten water quality, take immediate suitable action to preclude erosion and pollution.

Amendments

Submit amendments to the SWPPP to correct problems identified as a result of:

1. Storm or other circumstance that threatens water quality, and
2. Inspection that identifies existing or potential problems.

Submit SWPPP amendments to the Engineer within seven (7) calendar days following the storm or inspection. Detail additional emergency measures required and taken, to include additional or modified measures. If modifications to existing measures are necessary, complete the implementation before the next storm event whenever practicable.

Stabilize area disturbed before the seeding deadline or within seven (7) calendar days of the temporary or permanent cessation of ground-disturbing activities.

Notice of Termination

For projects that require an eNOI, submit the signed eNOT to the ADEC with a copy to the Project Manager when the Project Manager notifies that:

1. The project site (including material sources, and disposal sites) has been finally stabilized and that storm water discharges from construction activities authorized by the permit have ceased, or
2. The construction activity operator (as defined in the APDES Construction General Permit) has changed.

641-4.01 METHOD OF MEASUREMENT.

Items 641(2) and (4) will be measured as specified in the Contract or Owner's Action authorizing the work.

641-5.01 BASIS OF PAYMENT.

1. Item 641(1) Erosion and Pollution Control Administration. At the Contract lump sum price for administration of work under this Section. Includes, but is not limited to, plan preparation, plan amendments and updates, inspections, monitoring, reporting and record-keeping.

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2. Item 641(2) Temporary Erosion and Pollution Control. At the prices specified in the Contract or as provided in the Owner's action authorizing the work to install and maintain temporary erosion, sedimentation and pollution control measures.

3. Item 641(3) Temporary Erosion and Pollution Control. At the Contract lump sum price to install and, maintain temporary erosion, sedimentation and pollution control measures required to complete the project according to the Plan and with the current approved SWPPP and HMCP.

4. Item 641 (4) Temporary Erosion and Pollution Control Amendments. At the price specified in the Owner's action for extra, additional or unanticipated work to install and maintain temporary erosion, sedimentation and pollution control measures. Work paid under this item will be shown as amendments to the original SWPPP or HMCP.

   Temporary erosion and pollution control measures that are required at Contractor -furnished sites are subsidiary to Pay Item 641(3).

   Work that is paid for directly or indirectly under other pay items will not be measured and paid under this Section, including but not limited to dewatering, shoring, bailing, installation and removal of temporary work pads, temporary accesses, temporary drainage pipes and structures and diversion channels.

   Perform temporary erosion and pollution control measures that are required due to negligence, carelessness, or failure to install permanent controls as a part of the work scheduled or ordered by the Project Manager, or for the Contractor's convenience, at the Contractor's expense.

   Permanent erosion and pollution control measures will be measured and paid for under other Contract items, when shown on the bid schedule.

   Failure

   If the Contractor fails to coordinate temporary or permanent stabilization measures with the earthwork operations in a manner to effectively control erosion and prevent water pollution, the Project Manager may suspend the earthwork operations and withhold monies due on current estimates for such earthwork items until aspects of the work are coordinated in a satisfactory manner.
   If there is failure to:

1. Pursue the work required by the SWPPP,
2. Respond to inspection recommendations and/or deficiencies in the SWPPP, or
3. Implement erosion and sedimentation controls identified by the Project Manager.

   The Project Manager may suspend construction activities and withhold monies due on current estimates until the SWPPP is in compliance with the APDES Construction General Permit.

   The Contractor shall be due no additional monies or Contract time extension as result of delays resulting from suspension of earthwork for failure to perform required erosion, sedimentation, or pollution duties as outlined in this Section 641.

   If listed in the bid schedule payment will be made under:

Pay Item No.	Pay Item	Pay Unit
641(1)	Erosion and Pollution Control Administration	Lump Sum
641(2)	Temporary Erosion and Pollution Control	Contingent Sum
641(3)	Temporary Erosion and Pollution Control	Lump Sum
641(4)	Temporary Erosion Pollution Control Amendments	Contingent Sum

MSB 061213

Im16-056
OR16-037

COMMENTS

IM16-056
OR16-037

Susan Lee

From: Toby Riddell <mackenziekayaker@gmail.com>
Sent: Tuesday, January 19, 2016 9:39 AM
To: Susan Lee
Cc: John Moosey; Terry Dolan; Scott Sanderson; Dan Huttunen; debsu20@hotmail.com; Tammy Hoerauf; Jennifer Ballinger; Dan Mayfield; Debra Wetherhorn
Subject: Alsop Rd. IMD
Attachments: RSA 17-MSB Planning-IMD Signed.tiff

Hi Susan,

Attached is a letter from our Knik RSA #17 board regarding the planned IMD for Alsop Road. Please call me at 373-7768 if you have any questions or new information. Thank you.

Toby Riddell, Chair

Knik RSA #17

mackenziekayaker@gmail.com

IM16-056
OR16-037

Knik Road Service Area 17
Board of Supervisors
Art and Boot Scates Public Safety Building
Station 6-4

January 19, 2016

Susan Lee, Planner II
Matanuska-Susitna Borough
350 E. Dahlia
Palmer, AK 99645

Matanuska - Susitna Borough
Development Services

JAN 19 2016

Received

RE: Interim Materials District; Alsop Road

Dear Ms. Lee:

The Board of Supervisors of Knik RSA #17 reviewed the documents concerning establishing an Interim Materials District (IMD) adjacent to Alsop Road at our regular board meeting on October 13, 2016. Though the board recognizes the need to set aside and develop resources for projects we have concerns on the impacts to our residents and roads.

The documents state the contractors are permitted to work 24 hours per day, 7 days a week from March through November. Contractors would be utilizing 10-30 cubic yard trucks to transport the gravel products. Point Mackenzie road was not built to withstand 100% load limits and contractors should be required to observe weight restrictions during spring and fall. The documents further state that the borough and contractors are not responsible for repairs or maintenance of our roads from damages that may occur from heavy equipment.

The first 7 miles of Point Mackenzie Rd. is in poor condition and the pavement is basically being held together by crack sealing materials. Estimates to repave or rebuild this portion of the road range from $1.3M to $13M depending upon the scope of work. This far exceeds our area's taxpayers' ability to address repaving without alternative funding sources. We do not believe it is fair to impose added costs to our road service area due to the borough's development of the IMD without some method to cover the costs associated with developing this resource. Possibly a cost/cubic yard could be required to address the maintenance of our area roads utilized by the contractors. The approximately 6.2M cubic yards at $3.00/cy would generate about $18.6M for the expected life of the IMD (35 years). Rebuilding 17-22 miles of Pt. Mackenzie Rd. could easily surpass this amount.

We realize our area is not the only area with mineral resource development but without providing a funding mechanism to maintain our roads other than relying on the local taxpayers contributions we may be sacrificing our infrastructure without gain.

IM16-056
OR16-037

Another concern is noise associated with the IMD development and operation. There is a nearby subdivision to the Southwest that may be impacted by prolonged hours of operation. Limiting the hours the contractor may work would eliminate unnecessary noise levels at night and weekends.

Please call me at 982-8535 or 373-7768 if you have any questions regarding our concerns. Thank you.

Sincerely,

Toby Riddell, Chair
Knik RSA #17

cc: MSB Assembly
John Moosey, MSB Manager
Terry Dolan, MSB O&M
Point Mackenzie Community Council
MSB Local Road Service Advisory Board

IM16-056
OR 16-037

February 19, 2016

Attention: Susan Lee

Subject: Application for an Interim Materials District (IMD), MSB17.28 – Interim Materials District MSB Land & Resource Management Division Tract A, Point Mack Phase 1 Subdivision; 21601 W. Alsop Road, T15N, R4W, Sec. 27, Seward Meridian

Position: I must oppose this application!

History has a way of repeating itself. In a Frontiersman Opinion Spectrum article dated Friday, May 7, 1999, I described a proposal by Valley Sawmill to manage some 9,500 acres of the Point MacKenzie mixed coniferous/deciduous forest and wetlands of the Point MacKenzie area. That proposal was roundly defeated, yet much has transpired subsequently to degrade the area:

- The Port has been developed and the Port Commission has taken over on reclassified MSB lands.
- A failed State Agricultural Project has transitioned to secondary ownerships including a State Prison farm
- A LNG processing facility – now State owned
- A costly Goose Creek Correctional center
- An Alaska Railroad takeover of much of the formerly designated agricultural lands including a two mile long AK RR siding, and an incomplete unfunded route to be deforested for the railroad link to Houston
- A private utility buyout of an agricultural parcel for an "arsenic free" water source for the prison
- The distribution of human waste from the Goose Creek Correctional Center (illegally at first) and the City of Seward (under private contract) applied to agricultural lands
- An essentially failed Knik Arm Crossing that was used to justify a MSB town site

This demonstrates a plethora of broken promises by the MSB Assembly and Planning Commission relating to Point MacKenzie Community Council (PMCC)/public concerns. I refer to Planning Commission Resolution 06-056, 12/18/2006 and MSB Assembly Resolution 07-002, 1/16/2007. Both resolutions "Designates a site for the prison and states concerns raised by the community need to be addressed during the design, construction and operation of the prison, including protection of watershed and wildlife corridors between Goose Bay and Susitna Flats State Game Refuge."

These aforementioned developments have deforested considerable areas and have shifted formerly Borough public use lands to the MSB Port Commission, and to the Alaska Railroad. This will result in continued reduction of forest canopy and loss to the essential watershed, water quality, and free access by the public.

The Alsop East Pit proposal needs revision: "... the sites future use is intended to be the Point MacKenzie town site as specified in the Point MacKenzie comprehensive plan adopted July 2011." This

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reference needs updating since the PMCC subsequently retracted a position of support for the Point MacKenzie Town Site. Please correct this oversight. Projecting a town site located at the proposed Alsop east pit after 2050 is somewhat speculative.

A town site is poor justification to establish the proposed Alsop East Pit.

The MSB may be seduced to approve the proposed contractor development of Alsop East Pit, yet caution is the byword. Too much reliance seems to be placed upon the good faith performance by contractors. A criteria of low bid competition for selection may result in poor performance. I refer to the Saturday February 6, Alaska Dispatch News (ADN) article specifically describing MSB rejection of permits for the Meadow Lakes and Trapper Creek private gravel pits. B & E Construction and Trapper Creek Gravel have violated Borough and DEC regulations by illegally dumping construction & other waste. ADN has identified owners of these pits as "bad actors."

This Alsop East Pit proposal and potential future development as a town site needs special scrutiny in light of the failed Knik Arm Crossing and potential future development. Specifically:

1. Alteration of the Elmendorf Moraine uplands would potentially negatively affect the watershed of nearby lakes, natural seeps and temporary ponds and springs and alter subterranean water flow serving the wetlands of the Goose Bay State Game Refuge, Dollar Lake, and Mule Creek – an anadromous fish stream.
2. Deforestation with delayed remediation would adversely affect native wildlife in particular owls and other raptors dependent on climax forest. These avian species are now establishing and occupying nest sites from late February through July.
3. Increased fire hazard is a given with current prolonged early spring breakup, tinder dry vegetation and potential use of heavy equipment. The area is far outside the Art and Boots Scates Public Safety Building fire service. A fire in the Alsop Road area would threaten the safety of nearby Prison inmates and local residents. Immense volumes of smoke generated would virtually block sunlight and preclude safe escape travel. More importantly Alsop Road offers only one entrance and exit – a potential Millers Reach/ Sockeye Fire catastrophe.
4. Heavy truck use of gravel and paved roads will surely impact these road beds and greatly increase the hazard to road travelers

Retention of natural topography and forested watershed for public uses is the highest and best use of the PMCC area now and in the future.

The Borough Planning Commission should forgo development at Alsop Road as a gravel removal site and shift emphasis to already committed gravel sites (Section 9 Pit) near the intersection of Point Mack with Ayrshire Road. I understand this site has already been committed to for Alaska Railroad purposes.

A real opportunity and benefit exists within the Matanuska River floodplain as a gravel resource. I propose joining with the Alaska Department of Transportation and Public Facilities and the Borough to access and extract floodplain gravel sources for:

IM16-056
OR16-037

1. Protection of the Glenn Highway from stream erosion by rerouting the streambed away from the road.
2. Use as an easily accessible, continuously replaceable source of gravel for rail transportation to complete the railroad bed from Port MacKenzie to Houston and for gravel shipments statewide.

Please carefully consider these recommendations before committing to any future Alsop East Pit and future town site development.

Sincerely,

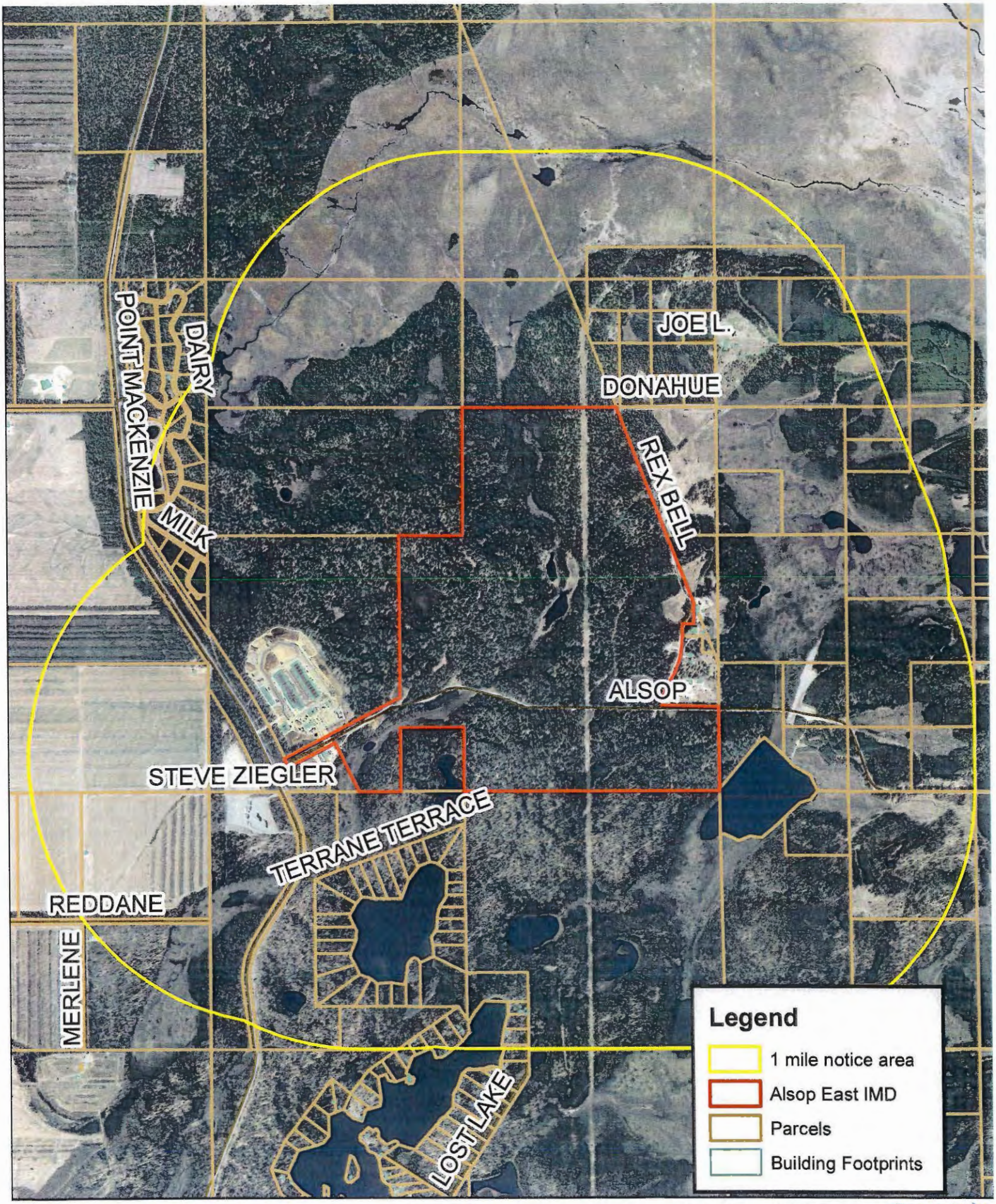
Garvan P. Bucaria

Cc: PMCC

IM16-056
DR16-037

MAPS

IM16-056
OR16-037



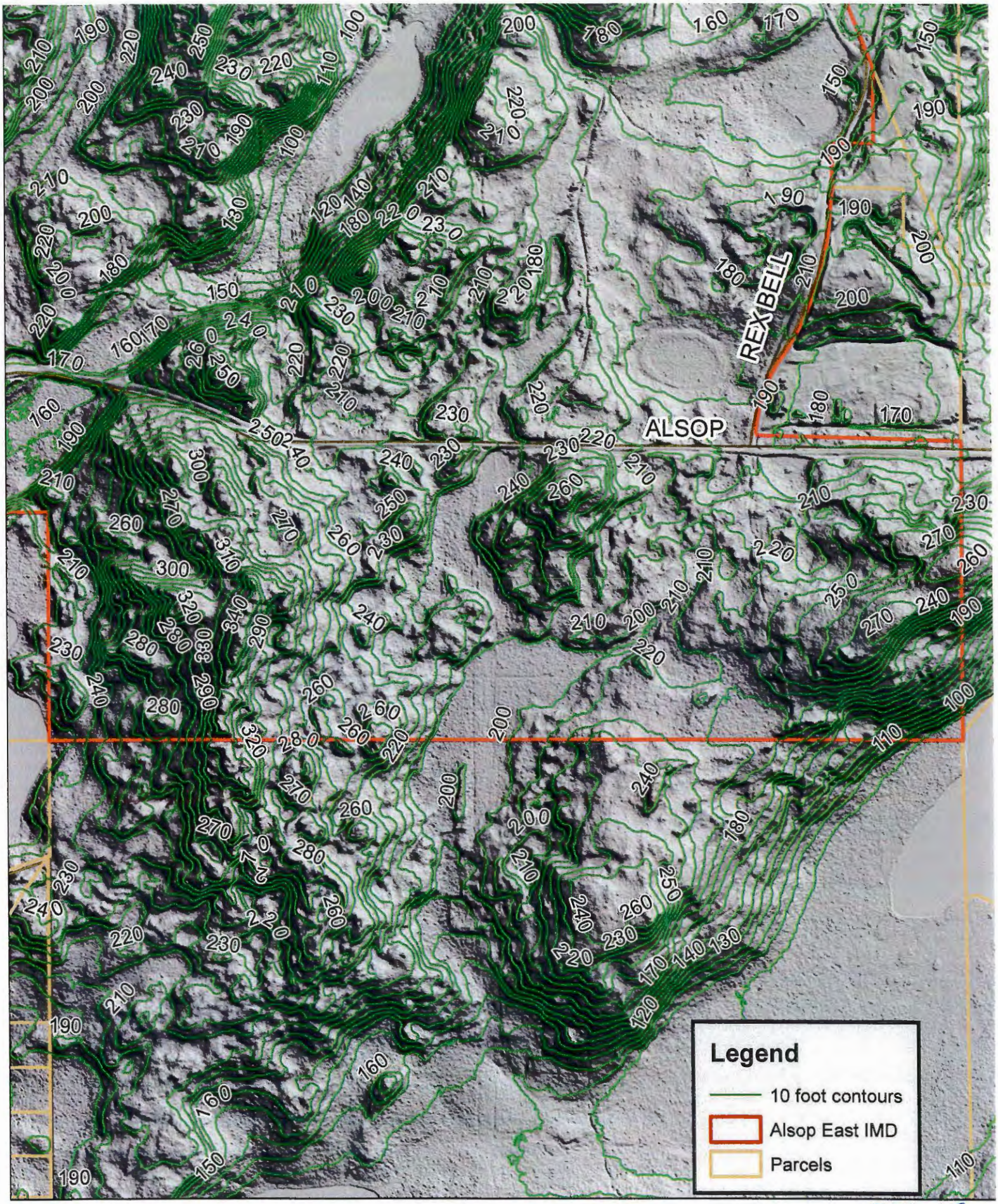
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6822000T00A

1 inch = 2,500 feet

0 2,500 5,000 Feet

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OR16-037



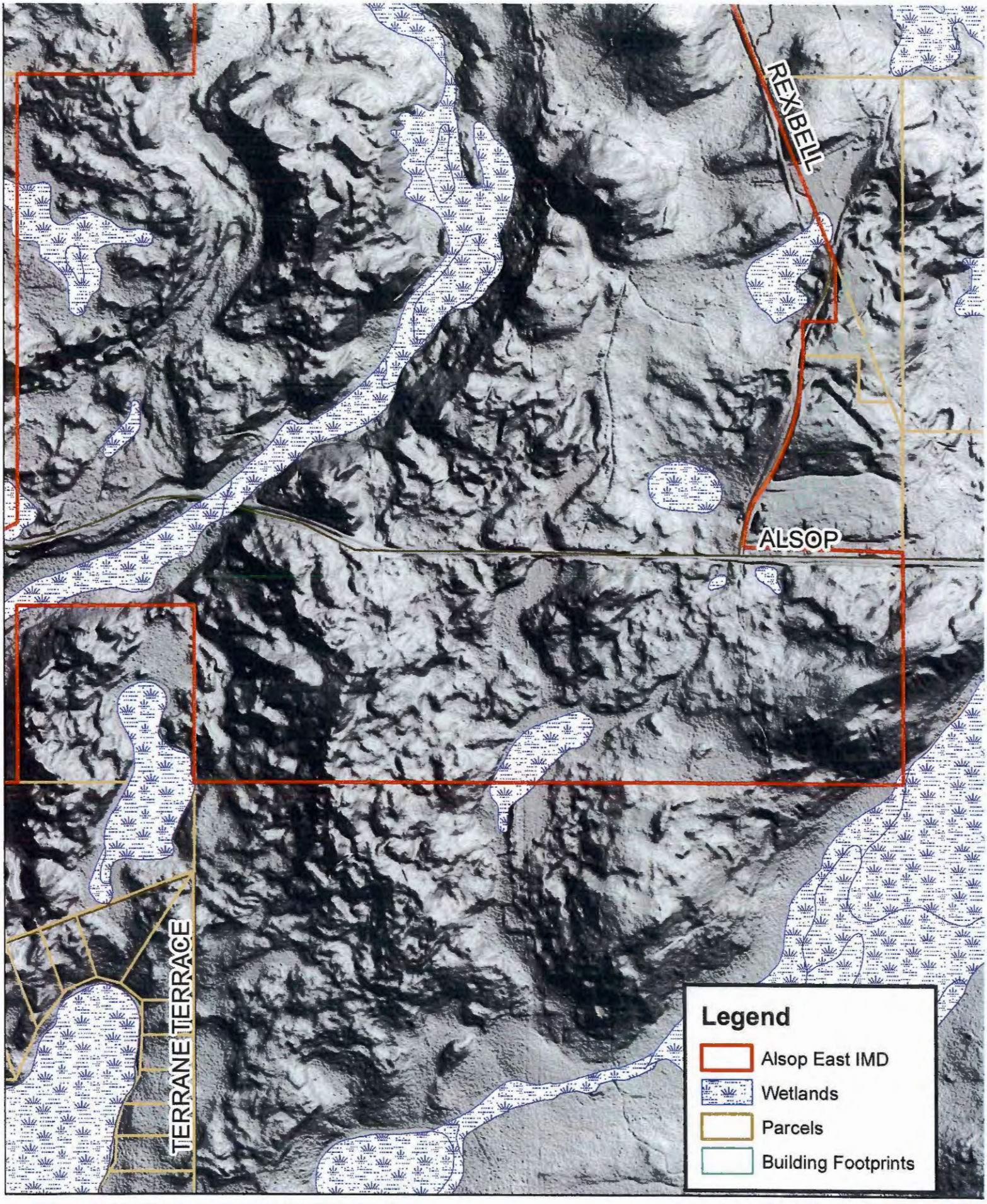
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1 inch = 700 feet

0 700 1,400 Feet

IM16-056
OR16-087



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6822000T00A

1 inch = 900 feet

0 900 1,800 Feet

IM16-056
OR16-037

COMMENTS RECEIVED MARCH 8, 2016

(After Planning Commission Public Hearing)

IM16-056
OR16-037

Susan Lee

From: Mary Brodigan
Sent: Tuesday, March 08, 2016 10:38 AM
To: Susan Lee
Subject: FW: convey to PC?
Attachments: pc alsop gravel 7mar16.pdf

FYI. Please call me about this

From: Patty Rosnel [mailto:pattyrosnel@gmail.com]
Sent: Tuesday, March 08, 2016 9:40 AM
To: Mary Brodigan
Subject: convey to PC?

Mary:

Would you please forward the attached to the MSB Planning Commission - my comments for last night too late finished to be delivered in person. Please do so with my apologies to the new members saddled with an even more stressful task considering the state's fiscal implosion the valley surely cannot escape.

I submit these comments, assuming last night's positive vote on PC RS 16-07, with the hope that particularly in light of the latest ISER predictions, someone might wish to reconsider finally putting residents and land before development.

Thanks,
P.

IM16-056
OR16-037

To the Planning Commission
Re PC Resolution 16-07

Patricia Rosnel. Palmer, Alaska. 7 March 2016

Recommendation 1:
Continue the public hearing on PC Resolution 16-07 to a date no earlier than completion of a program update and overhaul, and in line with reconfirmed borough and local community vision, purpose, and goals.

Justification:
The planning staff report (p. 12/package, p. 252) states that the Point MacKenzie comprehensive plan identifies gravel as an option for resource development, but gravel is only one of a list including timber, natural gas, and agriculture. The community vision is to provide for conscientious environmentally sound development, but the staff report does not address how the proposed project will accomplish this, either in the short term or in the long term through 2030. And the community's single economic development goal is identified as to benefit the Point MacKenzie community (not community economy, borough economy, or private sector), yet the staff report neglects to address how this IMD contributes to that goal without imposing human or environmental costs.

Recommendation 2:
Immediate moratorium on accepting, reviewing, or approving administrative, CUP, and IMD applications in any form, to allow time to overhaul the program to correct substantive lapses in policy, procedure, implementation, compliance, and enforcement, and to begin to realign borough development with unfolding state and local economic long term reality.

Justification:
A local government like ours that cannot label its residential areas and refuses to enforce ordinances has system problems more critical than approving more gravel pits to make those unidentified residential areas even more unfit to reside in.

1. At last Tuesday's regular assembly meeting, the development services manager stated the borough does not identify the residential areas variously addressed in borough code and comprehensive plan. As a result, the borough cannot effectively restrict commercial or industrial activities, such as gravel pits, from residential areas where property value is negatively affected by these incompatible activities. This can be corrected.
2. The development services manager states in an email addressing another IMD that he will not attempt to enforce conditions referred to in that IMD's governing ordinance. How is this not a veneer of propriety over a reality of anarchy? This also can be corrected.
3. No borough entity appears to consider cumulative effects of commercial and/or industrial activities in residential areas it also refuses to or cannot identify, witness the seven pits, asphalt plant, and racetracks in Butte, close to the EPA stamp and resulting consequences of poor air quality. Considering the number and potential negative impact of cell towers, gravel pits, and other unregulated commercial and industrial activities, this must be corrected.
4. Serious consideration of this IMD application highlights the apparent bedazzlement of elected representatives and staff with economic development over critical local government services, highly questionable considering the failures and mounting unplanned costs of ferry, port, and solid waste enterprise endeavors not to mention state and local economic conditions and unaddressed social problems. Public funds can and must be turned to solve resident issues.

Action: The Planning Commission's response to the public on these matters within 15 calendar days.

IM16-056
OR16-037

PLANNING COMMISSION RESOLUTION

IM16-056
OR16-037

By: Susan Lee
Introduced: February 1, 2016
Public Hearing: March 7, 2016
Action: Approved

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-07

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY APPROVAL OF AN INTERIM MATERIALS DISTRICT, KNOWN AS ALSOP EAST PIT, LOCATED ON POINT MACK PH. I IN SUBDIVISION, TRACT A, WITHIN TOWNSHIP 15 NORTH, RANGE 4 WEST, SECTION 27, SEWARD MERIDIAN.

WHEREAS, an application for an Interim Materials District (IMD) was submitted by the MSB Land & Resource Management Division to remove earth materials from Tract A, Point Mack Ph. I Subdivision, located within Township 15 North, Range 4 West, Section 27, Seward Meridian; and

WHEREAS, it is the intent of the Matanuska-Susitna Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries; and

WHEREAS, the purpose of MSB 17.28 is to establish an Interim Materials District within the Borough to allow resource extraction activities as an interim use of land while promoting the public health, safety, order, prosperity, and general welfare of the borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties; and

WHEREAS, it is the further purpose of MSB 17.28 to promote compatible and orderly development; and

IM16-056
OR16-037

WHEREAS, the Planning Commission has reviewed this application, associated materials, and the staff report, with respect to standards set forth in MSB 17.28; and

WHEREAS, findings of fact and conclusions of law have been listed in the staff report; and

WHEREAS, the Planning Commission conducted a public hearing on March 7, 2016 regarding this IMD request; and

WHEREAS, the Planning Commission finds that the proposed Interim Materials District is compatible with the goals and policies of the Point MacKenzie Community Comprehensive Plan (2011); and

WHEREAS, the Planning Commission finds that the proposed Interim Materials District does not negatively affect public health, safety or general welfare; and

WHEREAS, the Planning Commission finds that the proposed Interim Materials District has met the site development standards of this chapter including compliance with all required local, state, and federal laws; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby finds this application does meet the standards of MSB 17.28 and adopts the findings of fact and conclusions of law within the staff report and hereby recommends approval of the designation of Interim Materials District known as Alsop East Pit, with the following conditions:

IM16-037
OR16-050

1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and an amendment to the IMD shall be required prior to any alteration or expansion of the material extraction operation.
3. Material extraction shall be limited to the areas identified in the application site plans dated August 11, 2015 and February 22, 2016.
4. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected by the operator for leaks at the end of each day.
5. On-site maintenance of vehicles shall be done in an area where all leaks can be contained with drip pans or other discharge prevention devices.
6. All hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.
7. A Storm Water Pollution Prevention Plan (SWPPP) approved by the Environmental Protection Agency (EPA) for the cumulative impact of the IMD shall be provided to the Planning Department prior to operating.
8. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System

requirements to minimize off-site vehicle tracking of sediments and discharges to storm water.

9. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.

10. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) - Site Development Standards and MSB 8.52 - Noise, Amplified Sound, and Vibration.

11. If illumination devices are required, they shall not be greater than 20 feet in height, shall utilize downward directional shielding devices, and shall meet the requirements of MSB 17.28.060(A)(6) Lighting Standards.

12. If cultural remains are found during material extraction activities, the MSB Cultural Resources Division shall be contacted immediately so the remains can be documented.

13. Borough staff shall be permitted to enter onto any portion of the property to monitor compliance with permit requirements. Such access will at a minimum be allowed on demand when activity is occurring and, with prior verbal or written notice, and at other times as

necessary to monitor compliance. Denial of access to Borough staff shall be a violation of the Interim Materials District.

14. The applicant and/or operator shall comply with the reclamation standards of MSB 17.28.067.

15. Reclamation shall be executed in accordance with the Memorandum of Understanding (MOU) dated April 26, 1999, included in the application material.

16. Visual screening shall be achieved and maintained by using a combination of a 100-foot wide natural vegetation buffer around the west, south and east perimeters of the site and an additional 300-foot wide vegetation buffer between the project boundaries and Alsop Road, as described in the application material. In areas of the site where the natural vegetation has been previously logged up to the property line, a berm at least 10 feet in height between the work area and the 100-foot wide buffer strip shall be constructed.

17. An undisturbed buffer shall be left and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including wetlands. The 100-foot buffer shall be clearly demarcated prior to any work

conducted, including, but not limited to, clearing, grubbing, and staging of equipment or materials.

18. All permits related to access development shall be obtained prior to operating.

19. All activity shall be conducted in compliance with state or federal regulations governing the items listed in MSB 17.28.040(B)(1), 17.28.040(B)(2), and 17.28.040(B)(3).

20. A performance bond as well as any other bonds necessary to cover road maintenance shall be included in the contract with the operator.

21. The hours of operation shall be limited to 7 a.m. to 10 p.m., Monday through Saturday.

22. Dust control shall be achieved at the gravel pit, rock screener, crusher, and roads as necessary.

23. The IMD must be approved by the Matanuska-Susitna Borough Assembly.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Planning Commission recommends approval of the designation of Interim Materials District for the Alsop East Pit.

/

/

/

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 7th day of March, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

YES: Klapperich, Anderson, Healy, Vague, and Rauchenstein

NO: Adams

IM16-056
UR16-037

CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-037

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.28.090(A), ADDING AN INTERIM MATERIALS DISTRICT KNOWN AS ALSOP EAST PIT, LOCATED ON A PORTION OF TRACT A, POINT MACK PH. I SUBDIVISION, WITHIN TOWNSHIP 15 NORTH, RANGE 4 WEST, SECTION 27, SEWARD MERIDIAN.

WHEREAS, the rationale and intent of this ordinance are found in IM 16 - 056 which accompanies this ordinance; and

WHEREAS, an application for an Interim Materials District was submitted by the MSB Land & Resource Management Division to remove earth materials from a portion of Tract A, Point Mack Phase I Subdivision, located within Township 15 North, Range 4 West, Section 27, Seward Meridian; and

WHEREAS, it is the intent of the Matanuska-Susitna Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries; and

WHEREAS, the purpose of MSB 17.28 is to establish an Interim Materials District within the Borough to allow resource extraction activities as an interim use of land while promoting the public health, safety, order, prosperity, and general welfare of the borough through regulation of land use to reduce the adverse impacts of land uses and development between and

among properties; and

WHEREAS, it is the further purpose of MSB 17.28 to promote compatible and orderly development; and

WHEREAS, the Planning Commission has reviewed this application, associated materials, and the staff report, with respect to standards set forth in MSB 17.28; and

WHEREAS, the Planning Commission conducted a public hearing on March 7, 2016 regarding this IMD request; and

WHEREAS, the Planning Commission found that the proposed Interim Materials District is compatible with the goals and policies of the Point MacKenzie Community Comprehensive Plan (2011); and

WHEREAS, the Planning Commission found that the proposed Interim Materials District has met the site development standards of MSB 17.28 including compliance with all required local, state, and federal laws; and

WHEREAS, on March 7, 2016 the Planning Commission adopted Resolution 16-07 recommending approval of the interim materials district.

BE IT ENACTED:

Section 1. Classification. Sections 1, 3, and 4 are non-code, Section 2 of this ordinance is of a general and permanent nature and shall become part of the Borough Code.

Section 2. Amendment of section. MSB 17.28.090(A) is

hereby amended as follows:

(12) Alsop East Pit, within Township 15 North, Range 4 West, Seward Meridian, Section 27: South one-half South one-half containing 160 acres, more or less, according to the Point Mack Subdivision, Phase I, Tracts 1 through 3 and Tract A, recorded in the Palmer Recording District on August 28, 2008, as Plat 2008-68. Excluding: A setback 300-feet in width from Alsop Road, pursuant to the Natural Resource Management Unit Plan. A setback 100-feet in width around any wetlands or water bodies, pursuant to the Natural Resource Management Unit Plan. A setback 100-feet in width along the west, south, and east boundaries of the South one-half South one-half Section 27, pursuant to the Natural Resource Management Plan. A utility right-of-way 300-feet in width along the east boundary of the South one-half Southwest one-quarter, located in the Palmer Recording District, Third Judicial District, State of Alaska.

Section 3. Special Conditions. The approved Interim Materials District shall be subject to the following conditions:

1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the

description detailed in the application material and an amendment to the IMD shall be required prior to any alteration or expansion of the material extraction operation.

3. Material extraction shall be limited to the areas identified in the application site plans dated August 11, 2015 and February 22, 2016.
4. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected by the operator for leaks at the end of each day.
5. On-site maintenance of vehicles shall be done in an area where all leaks can be contained with drip pans or other discharge prevention devices.
6. All hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.
7. A Storm Water Pollution Prevention Plan (SWPPP) approved by the Environmental Protection Agency (EPA) for the cumulative impact of the IMD shall be provided to the Planning Department prior to operating.
8. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to storm water.
9. A four-foot vertical separation shall be maintained between

all excavation and the seasonal high water table.

10. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) - Site Development Standards and MSB 8.52 - Noise, Amplified Sound, and Vibration.

11. If illumination devices are required, they shall not be greater than 20 feet in height, shall utilize downward directional shielding devices, and shall meet the requirements of MSB 17.28.060(A)(6) Lighting Standards.

12. If cultural remains are found during material extraction activities, the MSB Cultural Resources Division, shall be contacted immediately so the remains can be documented.

13. Borough staff shall be permitted to enter onto any portion of the property to monitor compliance with permit requirements. Such access will at a minimum be allowed on demand when activity is occurring and with prior verbal or written notice, and at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of the Interim Materials District.

14. The applicant and/or operator shall comply with the reclamation standards of MSB 17.28.067.

15. Reclamation shall be executed in accordance with the

Memorandum of Understanding (MOU) dated April 26, 1999, included in the application material.

16. Visual screening shall be achieved and maintained by using a combination of a 100-foot wide natural vegetation buffer around the west, south and east perimeters of the site and an additional 300-foot wide vegetation buffer between the project boundaries and Alsop Road, as described in the application material. In areas of the site where the natural vegetation has been previously logged up to the property line, a berm at least 10 feet in height between the work area and the 100-foot wide buffer strip shall be constructed.

17. An undisturbed buffer shall be left and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including wetlands. The 100-foot buffer shall be clearly demarcated prior to any work conducted, including but not limited to, clearing, grubbing, and staging of equipment or materials.

18. All permits related to access development shall be obtained prior to operating.

19. All activity shall be conducted in compliance with state or federal regulations governing the items listed in MSB 17.28.040(B)(1), 17.28.040(B)(2), and 17.28.040(B)(3).

20. The hours of operation shall be limited to 7 a.m. to 10 p.m., Monday through Saturday.

21. Dust control shall be achieved at the gravel pit, rock screener, crusher, and roads as necessary.

22. The IMD must be approved by the Matanuska-Susitna Borough.

Section 4. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

SUBJECT: ACCEPTING, APPROPRIATING, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR A GRANT IN THE AMOUNT OF $30,000 FROM THE STATE OF ALASKA, DEPARTMENT OF HEALTH AND SOCIAL SERVICES GRANT PROGRAM, TO FUND 425, PROJECT NUMBER 45284, FOR EMERGENCY RESPONSE MATERIALS, PLANNING, TRAINING, AND EXERCISE, AS WELL AS PERSONNEL COSTS FOR COORDINATING THE SUPPORT OF THE EMERGENCY OPERATIONS PLAN.

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator/Gamble	BG	
	Finance Director		
	Borough Attorney	NS	
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES X NO ____
Ordinance Serial No. 16-038 (2 pp)
Resolution Serial No. 16-036 (2 pp)

SUMMARY STATEMENT:

The borough has been awarded a State of Alaska, Department of Health and Social Services grant in the amount of $30,000 and the funds will be used for emergency response materials, planning, training, and exercise, as well as personnel costs for coordinating the support of the Emergency Operations Plan.

The scope of work and budget are contained in Resolution Serial Number 16-036 and the borough assembly must accept and appropriate the $30,000 from the State of Alaska, Department of Health and Social Services grant prior to the expenditure of said funds.

RECOMMENDATION OF ADMINISTRATION:

The administration supports the grant and recommends approval of the attached legislation, which will accept and appropriate a State of Alaska, Department of Health and Social Services grant in the amount of $30,000 and set the scope of work and budget for emergency response materials, planning, training, and exercise, as well as personnel costs for coordinating the support of the Emergency Operations Plan.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 5, 2016

SUBJECT: Accepting, appropriating, and approving the scope of work and budget for a grant in the amount of $30,000 from the State of Alaska, Department of Health of Social Services grant program, to fund 425, project number 45284, for emergency response materials, planning, training, and exercise, as well as personnel costs for coordinating the support of the Emergency Operations Plan.

ORIGINATOR: Bill Gamble

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED $30,000	FUNDING SOURCE State DHSS Grant
FROM ACCOUNT #	PROJECT #
TO ACCOUNT : 425.000.000.BXX.XXX	PROJECT # 45284
VERIFIED BY: Barbara Gruenpeter	CERTIFIED BY:
DATE: 3/22/16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						

REVENUE	30					

FUNDING: (Thousands of Dollars)

General Fund						
(State/Federal Funds)	30					
Other						
TOTAL	30					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____

DEPARTMENT: _____ DATE: _____

APPROVED BY: _____ per JM DATE: 3/22/16

IM No. 16-060
Ordinance Serial No. 16-036
Resolution Serial No. 16-036

NON-CODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-038

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ACCEPTING AND APPROPRIATING $30,000 FROM THE STATE OF ALASKA, DEPARTMENT OF HEALTH AND SOCIAL SERVICES GRANT PROGRAM, TO FUND 425, PROJECT NUMBER 45284, FOR EMERGENCY RESPONSE MATERIALS, PLANNING, TRAINING AND EXERCISE, AS WELL AS PERSONNEL COSTS FOR COORDINATING THE SUPPORT OF THE EMERGENCY OPERATIONS PLAN.

WHEREAS, the borough has been awarded a State of Alaska, Department of Health and Social Services grant in the amount of $30,000; and

WHEREAS, the funds will be used for for emergency response materials, planning, training, and exercise, as well as personnel costs for coordinating the support of the Emergency Operations Plan; and

WHEREAS, the scope of work and budget are contained in Resolution Serial Number 16-036; and

WHEREAS, the borough assembly must accept and appropriate the $30,000 from the State of Alaska, Department of Health and Social Services grant prior to the expenditure of said funds.

WHEREAS, no expenditures can be made until the scope of work and budget have been approved by the Assembly.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Acceptance and Appropriation source. The Matanuska-Susitna Borough Assembly hereby approves an appropriation in the amount of $30,000 from the State of Alaska, Department of Health and Social Services grant program, to Fund 425, Project No. 45284, for emergency response materials, planning, training, and exercise, as well as personnel costs for coordinating the support of the Emergency Operations Plan.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this __ day of _____, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 16-036

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE SCOPE OF WORK AND BUDGET FOR THE STATE OF ALASKA, DEPARTMENT OF HEALTH AND SOCIAL SERVICES GRANT, PROJECT NUMBER 45284, FUND 425, FOR EMERGENCY RESPONSE MATERIALS, PLANNING, TRAINING AND EXERCISE, AS WELL AS PERSONNEL COSTS FOR COORDINATING THE SUPPORT OF THE EMERGENCY OPERATIONS PLAN.

WHEREAS, the borough has received a grant from the State of Alaska, Department of Health and Social Services; and

WHEREAS, the assembly has accepted and appropriated funds in the amount of $30,000 with the approval of Ordinance Serial Number 16-038; and

WHEREAS, the assembly is required to approve and adopt a scope of work and budget for each capital project prior to the expenditure of said funds.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly approves the scope of work and budget for the State of Alaska, Department of Health and Social Services Grant, Project Number 45284, Fund 425.

SCOPE OF WORK

Personnel and material costs, planning, training, and exercise for Points of Dispensing (POD); integration to support all aspects of the Mat-Su Borough's Emergency Operations Plan to include Points of

Dispensing or Medical Counter Measures; personnel costs for coordinating the support of all EOP sections including but not limited to, memorandums of understanding and emergency preparedness and response.

BUDGET

State of Alaska

Department of Health and Social Services $30,000

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

SUBJECT: **Ordinance authorizing issuance and sale of bonds and confirming the assessment roll for West Mollies Circle road paving Local Improvement District No. 550.**

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing on April 19, 2016.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator	MVE	3-22-16
	Finance Director	JTM	
	Borough Attorney		Pending review of Bond Counsel
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES ____ NO X
Ordinance Serial No. 16-032 (5 pp)
Exhibit "A" (2 pp)
Ordinance Serial No. 16-033 (27 pp)
Map (1 p)

SUMMARY STATEMENT:
On December 2, 2014 the Assembly adopted Ordinance Serial No.14-141 creating West Mollies Circle Road Paving Local Improvement District. The construction has been completed and this ordinance is now before the Assembly to finance the improvements.

Ordinance Serial No. 16-032 confirms the assessment roll and Ordinance Serial No. 16-033 authorizes the issuance and sale of bonds for West Mollies Circle Local Improvement District No. 550 as required by MSB 3.28.080 and MSB 3.28.120. Both ordinances are necessary to complete the process for this local improvement district.

The total cost is to be equally assessed against the properties within the improvement district, including those properties not meeting MSB 3.28.080(B) criteria.

The West Mollies Circle Road Paving Local Improvement District is located in Assembly District #5.

RECOMMENDATION OF ADMINISTRATION:

NON-CODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-032

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CONFIRMING THE ASSESSMENT ROLL FOR THE WEST MOLLIES CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 550 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

WHEREAS, the assembly, by Ordinance Serial No. 14-141 established the West Mollies Circle Road Paving Local Improvement District No. 550 (the "LID"); and

WHEREAS, the actual costs of the improvement, including construction cost and the amounts required for administrative costs, bond counsel fees, reserves and related costs are $3,080.96 per lot; and

WHEREAS, the LID special assessment roll has been prepared, and the total costs of the improvement are spread equally among all the properties within the LID as shown on the attached assessment roll marked Exhibit A; and

WHEREAS, the assembly held a hearing on the assessment roll at which time all the written objections to the assessment roll were considered and all persons present who objected in writing were given the opportunity to be heard; and

WHEREAS, notice of the assessment and hearing was mailed to each owner of record more than 15 days before the hearing; and

WHEREAS, the assembly found no errors or inequalities in the assessment roll; and

WHEREAS, the assembly finds that the assessment roll should be confirmed.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Confirmation of roll. Each property within the West Mollies Circle Road Paving Local Improvement District No. 550 as shown on the attached assessment roll marked Exhibit A, is hereby assessed $3,080.96 and such assessment roll is hereby confirmed. Notwithstanding MSB 3.28.080(B), an assessment levied under this ordinance may exceed 25 percent of the assessed value for real property taxation of the property assessed.

Section 3. Notice of assessment. Within 30 days after the date of the adoption of this ordinance, the finance director shall mail to the record owner of each property assessed a statement with the property description, the assessment amount, the method of payment, the rate of interest on the unpaid balance of the assessment, the time of delinquency, and penalties on delinquent payments. Within five days after the statements are mailed, the

finance director shall publish a notice in a newspaper of general circulation of the mailing of the statements.

Section 4. Payment of assessment. The entire assessment may be prepaid without interest or penalty within 30 days of the date of mailing of the assessment statement. Thereafter the assessment may be prepaid in whole or in part with interest to the payment date. Interest on the unpaid amount of the assessment shall accrue at a rate per annum equal to the rate of interest on the bonds issued to finance the improvement. Assessments that are not prepaid shall be paid in 20 semiannual installments on March 1 and September 1 of each year, commencing September 1, 2016. Installments shall consist of equal amounts of principal, plus accrued interest. Payments of principal and interest on the assessments confirmed by this ordinance shall be deposited in the sinking fund established pursuant to section 19 of Ordinance Serial No. 16-033 of the borough.

Section 5. Delinquencies. Upon the delinquency of an installment there shall be due and payable in addition to the delinquent installment a penalty on the delinquent installment equal to the penalty for second half real property taxes in effect on the date of delinquency. Notice of the delinquency shall be mailed to the owner of record. The notice shall describe the delinquency and state that the balance of the assessment, plus

penalty and accrued interest, will be due and payable if the delinquent installment, plus penalty and accrued interest, is not paid. If any payment has been delinquent for more than 60 days as of January 1 the assessed property will be placed on the borough's foreclosure list. At that time, the entire principal balance of the assessment plus accrued interest and penalty on the principal balance, and applicable foreclosure costs, shall be due and payable.

Section 6. Termination of assessments and refund of prorata share of assessment prepayments.

A. Upon the discharge of the bonds, all unpaid, nondelinquent assessment installments are cancelled. The finance director shall refund to the owner of record at the time of discharge of each property whose assessment was prepaid, an amount equal to the difference in the total assessment paid on account of the property and the amount paid on account of properties for which no prepayments were made.

B. For any properties upon which foreclosure proceedings to recover delinquent assessment installments have been commenced prior to the cancellation of remaining assessment installments, the amount due shall be recomputed as provided in subsection (A), except there will be no refund.

Section 7. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this __ day of _____, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Non-Code Ordinance

By: Borough Manager
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-033

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED $44,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE WEST MOLLIES CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 550, AND FIXING DETAILS OF SAID BONDS.

WHEREAS, the Assembly of the Matanuska-Susitna Borough (the "borough") has determined and does hereby determine that it is necessary to proceed to plan, design, develop, construct, equip, acquire property for, or otherwise provide for road paving in the West Mollies Circle Road Paving Local Improvement District (the "project"); and

WHEREAS, a local improvement district known as the West Mollies Circle Road Paving Local Improvement District No. 550 (the "LID") has been formed for the project, special assessments will be levied on properties in the LID that are specially benefited by the project, and said special assessments, with interest thereon, will be sufficient (together with other amounts) and available to pay the principal of and interest on the hereinafter defined bonds; and

WHEREAS, it is deemed necessary and advisable and in the best interests of the borough and its inhabitants that not to exceed $44,000 principal amount of special assessment bonds be issued at this time in a single series, as hereinafter fixed and determined, for the purpose of paying the cost (as hereinafter defined) of the project; and

WHEREAS, the proper officials of the borough have negotiated an agreement (the "agreement") with Wells Fargo Bank, National Association (the "purchaser"), which provides, inter alia, for the issuance and sale by the borough and the purchase by the purchaser of the hereinafter defined bonds; and

WHEREAS, it is hereby found to be in the best interest of the borough that the agreement be approved and executed and that certain matters relating to such bonds and the use of the proceeds of such sale be established.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE MATANUSKA-SUSITNA BOROUGH:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Purpose. The purpose of this ordinance is to authorize the issuance and sale of not to exceed $44,000 of special assessment bonds to be sold in one series to provide funds

to pay the capital costs of the project, to pay the costs of issuance of the bonds authorized herein and to fix certain details of said bonds to be issued.

Section 3. Definitions. The following terms shall have the following meanings in this ordinance:

A. "Agreement" means the Agreement 12-185 dated June 8, 2012, from Wells Fargo Bank, National Association, and accepted by the borough for the sale of the bonds by the borough to the purchaser.

B. "Assembly" means the borough assembly, as the general legislative authority of the borough, as the same shall be duly and regularly constituted from time to time.

C. "Authorized Denomination" means the lower of (i) two hundred fifty thousand dollars ($250,000) and integral multiples of one dollar ($1) in excess thereof or (ii) the aggregate principal amount of the bonds outstanding.

D. "Bond" or "Bonds" means any of the Matanuska-Susitna Borough Special Assessment Bonds, West Mollies Circle Road Paving Local Improvement District No. 550, 2016, the issuance and sale of which are authorized herein.

E. "Bond register" means the registration books maintained by the borough, which include the names and addresses of the

owners or nominees of the owners of the Bonds.

F. "Cost" or "Costs" means all costs of the project allowable in special assessments under AS 29.46.110.

G. "1986 Code" means the Internal Revenue Code of 1986, as amended from time to time, together with all regulations applicable thereto.

H. "Ordinance" shall mean this Ordinance Serial No. 16-033 of the borough.

I. "Purchaser" means Wells Fargo Bank, National Association, the purchaser of the bonds.

J. "LID" means Local Improvement District No. 550.

Section 4. Authority for ordinance. The borough has ascertained and hereby determines that each and every matter and thing as to which provision is made in this ordinance is necessary in order to carry out and effectuate the purposes of the borough in accordance with the Constitution and statutes of the state of Alaska, and the code of ordinances of the borough, and to issue the bonds.

Section 5. Obligation of bonds. The bonds are a special obligation of West Mollies Circle Road Paving Local Improvement District No. 550 of the borough and are payable solely from assessments levied against the properties which are specially

benefited by the project within the West Mollies Circle Road Paving Local Improvement District No. 550 and funds pledged for the payment of the bonds under this ordinance. Said assessments shall constitute a sinking fund for the payment of principal of and interest on the bonds. Neither the faith and credit nor the taxing power of the borough are pledged to the payment of the principal of and interest on the bonds.

Section 6. Authorization of bonds and purpose of issuance. For the purpose of providing part of the funds required to pay the cost of the project, and to provide for original issue discount, if any, and to pay all costs incidental thereto and to the issuance of the bonds, the borough hereby authorizes and determines to issue and sell the bonds in one series in the aggregate principal amount of not to exceed $44,000.

Section 7. Maturities, payment dates, designation and form of bonds. The bonds shall be designated Matanuska-Susitna Borough Special Assessment Bonds, West Mollies Circle Road Paving Local Improvement District No. 550, 2016, shall be dated the date of their delivery to the purchaser, and shall mature on April 1, 2026.

The bonds shall bear interest from their date at a rate determined in accordance with the Agreement, which shall not

exceed 4.29 percent per annum. Installments of principal and interest on the bonds (the "installment payments") shall be payable semiannually on April 1 and October 1 of each year, commencing October 1, 2016. Each installment payment shall consist of an equal amount of principal, plus accrued interest.

The bonds shall be issued as fully registered bonds, without coupons, in physical form, and may not be issued as book-entry bonds. The bonds shall be registered as to principal and interest as herein provided. The bonds shall each be in an authorized denomination and of the same interest rate and maturity, approved by the borough, such approval to be evidenced by the execution of such bonds. The bonds shall be numbered separately in the manner and with such additional designation as the borough deems necessary for purposes of identification. The bonds shall be substantially in the form of such bond hereinafter set forth, with such appropriate variations, omissions or insertions as are permitted or required by this ordinance, and may have endorsed thereon such legends or text as may be necessary or appropriate to conform to the rules and regulations of any governmental authority, or any usage or requirement of law with respect thereto. Each bond shall bear a number or letter, or a number and letter, distinguishing it from every other bond.

Section 8. Details of bonds. Each of the bonds shall be signed by the manual signature of the mayor and the official seal of the borough (or a facsimile thereof) shall be affixed, imprinted or otherwise reproduced on the bonds, and attested by the manual signature of the borough clerk. In case any officer whose signature shall appear on any bonds shall cease to be such officer before the delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if he or she had remained in office until such delivery.

The principal, redemption price of, and the interest on the bonds shall be payable in any coin or currency of the United States of America, which at the respective dates of payment thereof, is legal tender for the payment of public and private debts.

Payment of the principal and interest on the bonds shall be made by check or draft mailed to the registered owner of record as of the 15th day of the month preceding each installment payment date at the address appearing on the bond register of the borough.

Section 9. Transfer and exchange of bonds and delivery of new bonds. Any bond may be transferred only upon the books kept for the registration and transfer of bonds by the borough, upon surrender thereof at the office of the borough, together with an

assignment duly executed by the registered owner or the owner's attorney in such form as shall be satisfactory to the borough. Upon the transfer of any such bond, there shall be executed in the name of the transferee, and the borough shall authenticate and deliver, a new registered bond or bonds of the same maturity in any of the authorized denominations.

In all cases in which bonds may be transferred or exchanged under this ordinance, there shall be executed, and the borough shall authenticate and deliver, bonds in accordance with the provisions of this ordinance. Any such transfer or exchange shall be without cost to the registered owner, except that the borough may make a charge for every such registration, transfer or exchange of bonds sufficient to reimburse it for any tax, fee, or other governmental charge required to be paid with respect to such registration, exchange or transfer, and such charge or charges shall be paid before any such new bond shall be delivered. The borough shall not be required to make any such registration, transfer or exchange of a bond during the fifteen (15) days next preceding an interest payment date on such bond.

Notwithstanding the foregoing, bonds may be transferred only in authorized denominations and only to (i) an affiliate of an owner of the bonds, (ii) a trust or custodial arrangement

established by an owner of the bonds or one of its affiliates, the owners of the beneficial interests in which are limited to qualified institutional buyers, as defined in Rule 144A promulgated under the Securities Act of 1933, as amended, or (iii) to a person that is a qualified institutional buyer that is a commercial bank having a combined capital and surplus, determined as of the date of any transfer pursuant to this section, of five billion dollars ($5,000,000,000) or more that has executed and delivered to the borough an investor letter in the form of Exhibit A hereto.

Section 10. Ownership of bonds. As to any bond, the person in whose name the same shall be registered on the bond register shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of such bond and the interest on such bond shall be made only to or upon the order of the registered owner thereof or the owner's legal representative, but such registration may be changed as hereinabove provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such bond, including the interest thereon, to the extent of the sum or sums so paid.

Section 11. Mutilated, destroyed, stolen or lost bonds. In

case any bond shall become mutilated or be destroyed, stolen or lost, the borough may cause to be executed, and shall deliver, a new bond of like interest rate, principal amount and maturity in exchange and substitution for and upon cancellation of such mutilated bond, or in lieu of and in substitution for such bond destroyed, stolen or lost, upon the owner thereof paying the reasonable expenses and charges of the borough in connection therewith and in the case of a bond destroyed, stolen or lost, filing by the owner with the borough evidence satisfactory to the borough that such bond was destroyed, stolen or lost, and of the owner's ownership thereof, and furnishing the borough with indemnity satisfactory to it. Any new bond so delivered may bear a number differing from the number of the bond it replaces.

Section 12. Redemption of bonds. The bonds are subject to redemption at the option of the borough, in whole or in part, at any time. Any redemption of bonds shall be at a redemption price of the principal amount of the bonds to be redeemed, plus accrued interest.

Section 13. Notice of redemption. When the borough determines to redeem any bonds, it shall give notice of such redemption in the manner then provided by law, which notice shall state the redemption date and identify the bonds to be redeemed by

reference to their numbers and further state that on such redemption date there shall become due and payable upon each such bond the principal amount thereof plus the applicable premium, if any (the "redemption price"), together with interest accrued to the redemption date, and that from and after such date interest thereon shall cease to accrue. Such notice shall be given at least 30 days but not more than 45 days prior to the redemption date by first class mail, postage prepaid, to the registered owner of any Bond to be redeemed at the address of the registered owner appearing on the bond register.

Section 14. Payment of redeemed bonds. Notice of redemption having been given in the manner provided in this ordinance, the bonds so called for redemption shall become due and payable on the redemption date stated in said notice at the applicable redemption price on said date plus interest accrued and unpaid to the redemption date upon presentation and surrender thereof at the office of the borough. If, on the redemption date, moneys for the redemption of all the bonds to be redeemed, together with interest accrued and unpaid to the redemption date, shall be held on behalf of the borough at the office of the borough so as to be available therefor on said date and if notice of redemption shall have been given as aforesaid, then from and after the redemption date the

bonds so called for redemption shall cease to bear interest.

Section 15. Form of bond. Each bond shall be in substantially the following form, with such variations, omissions and insertions as may be required or permitted by this ordinance:

THIS BOND MAY NOT BE TRANSFERRED EXCEPT IN ACCORDANCE WITH SECTION 9 OF THE ORDINANCE AND AS PROVIDED HEREIN

UNITED STATES OF AMERICA
STATE OF ALASKA
MATANUSKA-SUSITNA BOROUGH
Special Assessment Bond
West Mollies Circle Road Paving
Local Improvement District No. 550
2016

NO. $

INTEREST RATE

Registered Owner

Principal Amount DOLLARS

The Matanuska-Susitna Borough (the "borough"), a municipal corporation of the state of Alaska, for value received, acknowledges itself indebted and hereby promises to pay (but only out of the sources hereinafter mentioned) to the registered owner identified above, or registered assigns, the principal amount shown above, and to pay (but only out of the sources hereinafter

mentioned) interest on the unpaid principal sum from the date hereof at the interest rate per annum shown above. Installments of principal and interest (the "installment payments") shall be payable semiannually on April 1 and October 1 of each year commencing October 1, 2016 until April 1, 2026, when the entire remaining principal balance hereof plus accrued interest shall be paid in full. Each installment payment shall consist of an equal amount of principal, plus accrued interest. The principal, interest and redemption price of this bond shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Payment of principal and interest shall be made by check or draft mailed to the registered owner of record as of the 15th day of the month preceding each installment payment date at the address appearing on the bond register of the borough.

This bond is one of the 2016 special assessment bonds, West Mollies Circle Road Paving Local Improvement District No. 550, of the Matanuska-Susitna Borough, Alaska, of like tenor and effect except as to serial numbers, aggregating not to exceed $44,000 in principal amount, and constituting bonds authorized for the purpose of raising funds to pay the cost of road paving in the West Mollies Circle Road Paving Local Improvement District No. 550 of the borough, and is issued under Ordinance Serial No. 16-033 of the borough entitled:

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY

PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED $44,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE WEST MOLLIES CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 550, AND FIXING DETAILS OF SAID BONDS.

(herein called the "ordinance") adopted on - , 2016.

This bond is issuable as a fully registered bond in the principal amount of the lower of (i) two hundred fifty thousand dollars ($250,000) and integral multiples of one dollar ($1) in excess thereof or (ii) the aggregate principal amount of the bonds outstanding (an "Authorized Denomination"). This bond, upon surrender hereof at the designated office of the borough with a written instrument of transfer satisfactory to the borough executed by the registered owner hereof or such owner's attorney duly authorized in writing, may, at the option of the registered owner hereof, be exchanged for an equal aggregate principal amount of bonds of the same aggregate principal amount and tenor as the bond being exchanged and of any authorized denomination. This bond may be registered as transferred as provided in the Ordinance, subject to certain limitations therein contained, only upon the bond register, and only upon surrender of this bond for registration of transfer to the borough accompanied by a written instrument of transfer (in substantially the form of the assignment attached hereto) duly executed by the registered owner hereof or such owner's duly authorized attorney. Thereupon, one or more new bonds of any authorized denomination and in the same aggregate principal amount

and tenor as the bond surrendered (or for which registration of transfer has been effected) will be issued to the designated transferee or transferees.

The bonds are subject to redemption by or on behalf of the borough prior to maturity and upon notice as set forth in the ordinance in whole or in part on any date at a redemption price of the principal amounts thereof, together with interest thereon to the redemption date.

This bond is transferable as provided in the ordinance (i) only upon the bond register of the borough kept for that purpose at the office of the borough, and (ii) upon surrender of this bond together with a written instrument of transfer duly executed by the registered owner or the attorney of the registered owner duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and maturity shall be issued to the transferee in exchange therefor as provided in the ordinance and upon the payment of charges, if any, as therein prescribed. The borough may treat and consider the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price, if any, hereof and interest due hereon and for all other purposes whatsoever.

This bond is payable solely from assessments levied against properties specially benefited within the borough local improvement district known as West Mollies Circle Road Paving Local Improvement District No. 550

and is a special obligation of said local improvement district. Said assessments constitute a sinking fund for the payment of principal of and interest on the bond and the properties specially benefited are pledged to secure the bond.

The registered owner of this bond shall not have any claim thereunder against the borough except for payment from special assessments made for the improvements for which the bond was issued and except for payment from the funds pledged for that purpose under the ordinance. The remedy of the registered owner of this bond shall be confined to the enforcement of such assessments and to such funds. The borough shall not be liable to the registered owner of this bond for any loss to such funds occurring in the lawful operation thereof.

THIS BOND IS NOT A GENERAL OBLIGATION OF THE BOROUGH AND NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE BOROUGH IS PLEDGED TO ITS PAYMENT.

IT IS HEREBY CERTIFIED AND RECITED that all conditions, acts, or things required by the constitution or statutes of the state of Alaska and the code of ordinances of the borough to exist, to have happened or have been performed precedent to or in the issuance of this bond, exist, have happened and have been performed, and that the series of bonds of which this is one, together with all other indebtedness of the borough, is within every debt and other limit prescribed by said constitution, statutes or code of ordinances.

IN WITNESS WHEREOF, THE MATANUSKA-SUSITNA BOROUGH, ALASKA, has caused this bond to be signed in its name and on its behalf by the signature of its mayor and its corporate seal to be hereunto affixed, imprinted or otherwise reproduced, and attested by the signature of its clerk, all as of the - day of - , 2016.

_____

VERN HALTER, Borough Mayor

ATTEST:

_____

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Section 16. Establishment of guaranty fund. There is established the West Mollies Circle Road Paving Local Improvement District No. 550 special assessment bond guaranty fund (The "guaranty fund") to which the assembly shall annually appropriate a sum the assembly determines to be adequate, with other available funds, to cover a deficiency in meeting payments of principal and interest on the bonds if the reason for the deficiency is nonpayment of assessments when due. Money received from actions taken against property for nonpayment of assessments confirmed by Ordinance Serial No. 16-032 of the borough shall be credited to the guaranty fund. Amounts in the guaranty fund shall be used to

pay principal and interest on the bonds when other funds are not available for that purpose.

Section 17. Disbursement of bond proceeds for project costs. That part of the bond proceeds required for costs of the project shall be deposited in the West Mollies Circle Road Paving Local Improvement District No. 550 construction account, which is hereby established within the West Mollies Circle Road Paving fund 830, heretofore established by the borough. There shall be paid from this account all amounts required for costs of the project.

Section 18. Establishment of reserve and refund account.

A. There is established the West Mollies Circle Road Paving Local Improvement District No. 550 reserve and refund account (the "reserve and refund account") within the West Mollies Circle fund 830.

B. There shall be paid into the reserve and refund account:

1. That part of the bond proceeds not expended or required for the initial LID expenses such as construction of the road improvements, bond counsel fees, and similar expenses, and all anticipated administrative costs; and

2. Any sinking fund and guaranty fund balances after discharge of the bond.

C. At the end of each fiscal year, interest on the average

reserve and refund account balance during the fiscal year at the rate determined by the finance director to be the average interest earned on borough investments during the fiscal year shall be transferred from the general fund to the reserve and refund account.

D. Until the bonds have been discharged, the funds within the reserve and refund account may be used only to pay the difference between the amount of principal and interest due on the bonds and the amount of special assessment payments including interest, received and available to pay that amount; provided, if the finance director determines that the amount of funds available in the reserve and refund account substantially exceeds that which is reasonably expected to be needed to meet assessment delinquencies, the finance director may, to the extent of such excess, make a prepayment on the bonds.

E. At such time as the finance director determines that the sum of the amounts in the reserve and refund account, the guaranty fund and the sinking fund equals or exceeds the amount required to (i) discharge the bonds, (ii) pay all refunds of assessments required upon discharge of the bonds, and (iii) pay any other amounts that may be owing on the bonds, the finance director shall cause such payment to be made and the bonds to be discharged.

Section 19. Establishment of sinking fund. There is established the West Mollies Circle Road Paving Local Improvement District No. 550 sinking fund (the "sinking fund"). Payments of principal and interest on assessments confirmed by Ordinance Serial No. 16-032 of the borough shall be deposited in the sinking fund. Amounts in the sinking fund shall be used to pay principal and interest on the bonds, and are hereby pledged for that purpose. At the end of each fiscal year, interest on the average sinking fund balance during the fiscal year at the rate determined by the finance director to be the average interest earned on borough investments during the fiscal year shall be transferred from the general fund to the sinking fund.

Section 20. Distribution of reserve and refund account funds.

A. Upon the discharge of the bonds, and the payment of all refunds of assessments required upon the discharge of the bonds, the funds remaining in the reserve and refund account shall be distributed as provided under this section.

B. The finance director shall distribute the balance of the reserve and refund account by sending to each owner of record as shown on the most recent records of the borough assessor an amount equal to the fund balance divided by the number of lots within the LID. If any lot or tract within the LID is divided into two or

more lots, the refund for such resubdivided lots shall be computed by counting the resubdivided lots as a single lot for purposes of determining the initial refund entitlement. The initial refund entitlement shall then be divided equally among the resubdivided lots.

Section 21. Arbitrage covenant. The borough covenants with the registered owners of all bonds at any time outstanding that it will make no use of the proceeds of the bonds which will cause the bonds to be "arbitrage bonds" subject to federal income taxation by reason of section 148 of the 1986 code. To that end, so long as any of the bonds are outstanding, the borough, with respect to the proceeds of the bonds, shall comply with all requirements of said section 148 and of all regulations of the United States Department of Treasury issued thereunder, to the extent that such requirements are, at the time, applicable and in effect.

Section 22. Compliance with 1986 code. The borough hereby covenants to comply with any and all applicable requirements set forth in the 1986 code in effect from time to time to the extent that such compliance shall be necessary for the exemption from federal income taxes of the interest on the bonds. The borough hereby further covenants to observe any and all applicable requirements in any future federal tax legislation to the extent

that such compliance is determined by the borough to be legal and practicable and required for such exemption.

Section 23. Bond sale and agreement. The sale to the purchaser of not to exceed $44,000 principal amount of the bonds as provided in the Agreement, is hereby authorized and approved.

Section 24. Delivery of the bonds. The proper officials of the borough are authorized and directed to execute all documents and to do everything necessary for the preparation and delivery of a transcript of proceedings pertaining to the bonds and the printing, authentication and delivery of the bonds in definitive form to the purchaser.

Section 25. Ratification. All actions taken by the mayor, manager and the finance director relative to the sale of the bonds are hereby in all respects ratified and confirmed. The appropriate officers of the borough are hereby authorized and directed to do all things necessary for the prompt execution, issuance and delivery of the bonds and for the proper application and use of the bond proceeds.

Section 26. Authority of officers. The mayor, the acting mayor from time to time, the borough manager, the acting borough manager from time to time, the finance director, the acting finance director from time to time, the borough clerk and the

acting borough clerk from time to time, are, and each of them hereby is, authorized and directed to do and perform all things and determine all matters not determined by this ordinance, to the end that the borough may carry out its obligations under the bonds and this ordinance.

Section 27. Pledge of funds. All assessments levied in the LID, interest thereon and foreclosure proceeds thereof, are hereby irrevocably pledged to the payment of the principal of and interest on the bonds. The pledge under this section remains in effect until all of the bonds have been discharged.

Section 28. Miscellaneous. No recourse shall be had for the payment of the principal of or the interest on the bonds or for any claim based thereon or on this ordinance against any member of the assembly or officer of the borough or any person executing the bonds. The bonds are not and shall not be in any way a debt or liability of the state of Alaska or of any political subdivision thereof and shall not create or constitute an indebtedness or obligation, either legal, moral or otherwise, of said state or of any political subdivision thereof.

Section 29. Severability. If any one or more of the covenants and agreements provided in this ordinance to be performed on the part of the borough shall be declared by any

court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements shall be null and void and shall be deemed separable from the remaining covenants and agreements in this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the bonds.

Section 30. Appropriation. There is appropriated for the purposes set out in this ordinance, all assessments and interest thereon from the assessments levied in the LID and assessment foreclosure proceeds. The appropriation under this section does not lapse until the final refund required under Section 20.B. of this ordinance has been made.

Section 31. Effective date. Ordinance Serial No. 16-033 shall take effect upon adoption by the borough assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of - , 2016.

_____

VERN HALTER, Borough Mayor

ATTEST:

_____

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

EXHIBIT A

FORM OF INVESTOR LETTER

[Date of Purchase]

Matanuska-Susitna Borough

[Name of Bond]

Ladies and Gentlemen:

[Name of Purchaser] (the "Purchaser") has agreed to purchase the above-referenced bonds (the "Bonds") in the amount of [Amount] which were issued in the original aggregate principal amount of [Amount] by the Matanuska-Susitna Borough (the "Borough") bearing the interest rate as set forth in Ordinance Serial No. [No.] of the Borough Assembly (the "Ordinance"). All capitalized terms used herein, but not defined herein, shall have the respective meanings set forth in the Ordinance. The undersigned, an authorized representative of the Purchaser, hereby represents to you that:

1. The Purchaser has sufficient knowledge and experience in financial and business matters, including purchase and ownership of municipal and other tax-exempt obligations, to be able to evaluate the risks and merits of the investment represented by the purchase of the Bonds.

2. The Purchaser has authority to purchase the Bonds and to execute this letter and any other instruments and documents required to be executed by the Purchaser in connection with the purchase of the Bonds.

3. The undersigned is a duly appointed, qualified and acting representative of the Purchaser and is authorized to cause the Purchaser to make the certifications, representations and warranties contained herein by execution of this letter on behalf of the Purchaser.

4. The Purchaser is [(a) an affiliate of an owner of the Bonds,] [(b) a trust or other custodial arrangement established by an owner of the Bonds or one of its affiliates, the owners of the beneficial interests in which are limited to "qualified" institutional buyers" as defined in Rule 144A promulgated under the Securities Act of 1933, as amended (the "1933 Act")] or [(c) a qualified institutional buyer that is a commercial bank having a combined capital and surplus of $5,000,000,000 or more].

5. The Purchaser understands that no official statement, prospectus, offering circular, or other comprehensive offering statement is being provided with respect to the Bonds. The Purchaser has made its own inquiry and analysis with respect to the Borough, the Project, the Bonds and the security therefor, and other material factors affecting the security for and payment of the Bonds.

6. The Purchaser acknowledges that it has either been supplied with or been given access to information, including financial statements and other financial information, regarding the Borough, to which a reasonable investor would attach significance in making investment decisions, and has had the opportunity to ask questions and receive answers from knowledgeable individuals concerning the Borough, the Project, the Bonds and the security therefor, so that as a reasonable investor, it has been able to make its decision to purchase the

Bonds.

7. The Purchaser understands that the Bonds (i) are not registered under the 1933 Act and are not registered or otherwise qualified for sale under the "Blue Sky" laws and regulations of any state, (ii) are not listed on any stock or other securities exchange, and (iii) carry no rating from any credit rating agency.

8. The Bonds are being acquired by the Purchaser for investment for its own account and not with a present view toward resale or distribution; provided, however, that the Purchaser reserves the right to sell, transfer or redistribute the Bonds in Authorized Denominations, but agrees that any such sale, transfer or distribution by the Purchaser shall be to a person:

(a) that is an affiliate of an owner of the Bonds;

(b) that is a trust or other custodial arrangement established by an owner of the Bonds or one of its affiliates, the owners of any beneficial interest in which are limited to qualified institutional buyers; or

(c) that is a qualified institutional buyer that is a commercial bank having a combined capital and surplus of $5,000,000,000 or more who executes an investor letter substantially in the form of this letter.

EXHIBIT A **$3,080.96 PER LOT**

Matanuska-Susitna Borough

Real Property Selection List by Account Number

March 21, 2016

LID550 W MOLLIES CIR

Tax Account/Owner Name and Addr	Zone	Map#: / Subdivision	Land Appraisa	Building Appraisal	Total Appraisal	Acre
57152B01L001 KIEHN BRADLEY MICHAEL AASTROM JESSICA A 4780 W NORTHERN ROSE LN WASILLA AK 99623-0729	0030 HO	16 HALLEAH EST	$30,000.00	$181,000.00	$211,000.00	1.04
57152B01L002 RYKS TROY A 4820 W NORTHERN ROSE LN WASILLA AK 99623-9558	0030 HO	16 HALLEAH EST	$30,000.00	$188,400.00	$218,400.00	1.10
57152B02L002 WAINWRIGHT CALEB J PO BOX 872710 WASILLA AK 99687-2710	0030 HO	16 HALLEAH EST	$30,000.00	$211,100.00	$241,100.00	0.95
57152B02L003 PARKER MARGARET 4915 W MOLLIES CIR WASILLA AK 99623-0725	0030 HO	16 HALLEAH EST	$30,000.00	$174,300.00	$204,300.00	0.93
57152B02L004 BARANOV DMITRY 3203 TAMAR RD WASILLA AK 99654-1204	0030 HO	16 HALLEAH EST	$30,000.00	$0.00	$30,000.00	0.92
57152B02L005 GOLDMAN SAMUEL J 3150 N SEAGULL DR PALMER AK 99645-9630	0030 HO	16 HALLEAH EST	$30,000.00	$280,500.00	$310,500.00	0.92
57152B02L006 JONES SUMMER CRIDDLE 4955 W MOLLIES CIR WASILLA AK 99654	0030 HO	16 HALLEAH EST	$30,000.00	$222,500.00	$252,500.00	0.93
57152B02L007 HARDING JAMES ROBERT HARDING CHRISTA	0030 HO	16 HALLEAH EST	$30,000.00	$198,800.00	$228,800.00	0.93

IM 16-062
OR 16-032
OR 16-033

EXHIBIT A **$3,080.96 PER LOT**

Matanuska-Susitna Borough

Real Property Selection List by Account Number

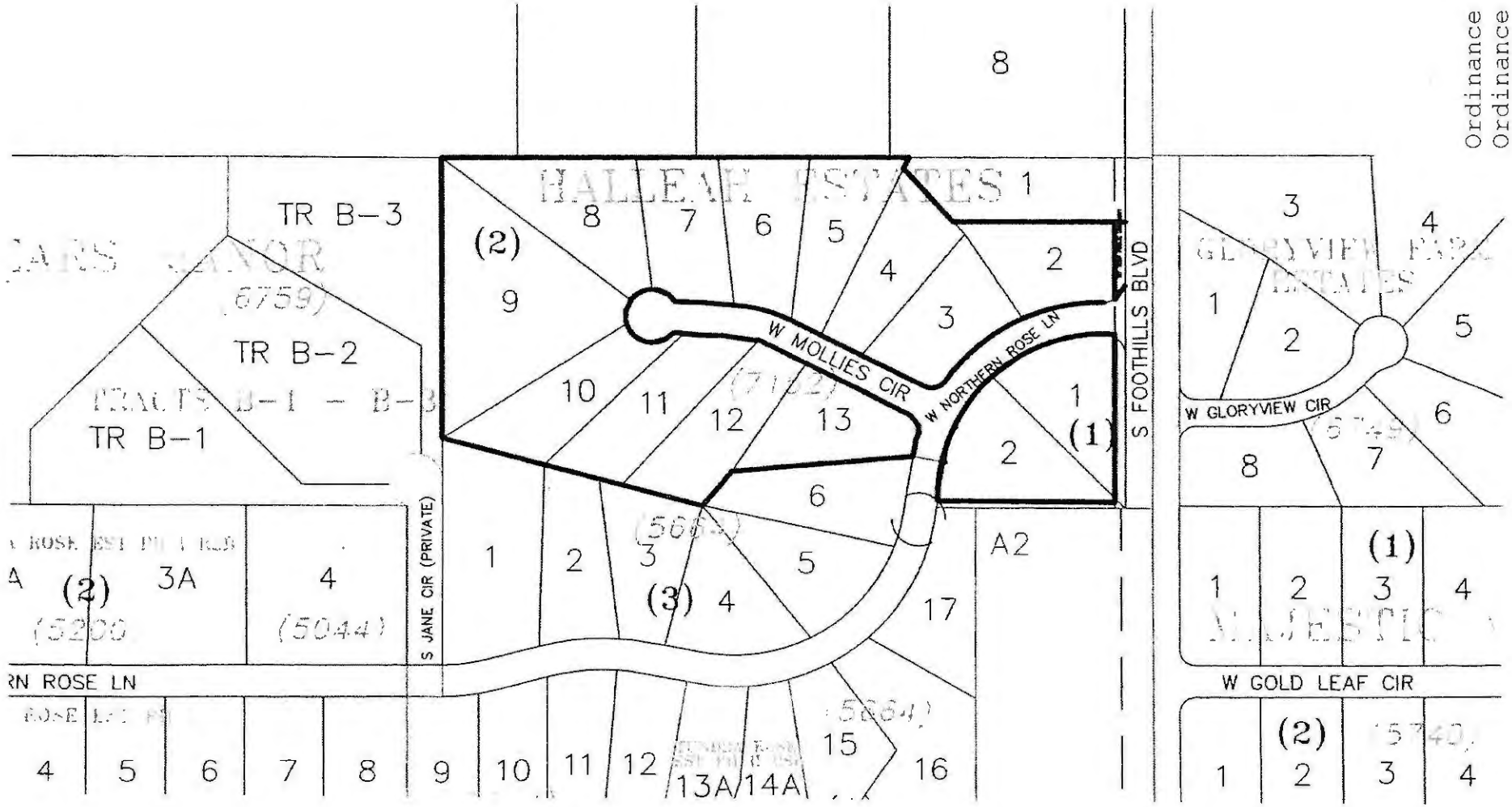
March 21, 2016

LID550 W MOLLIES CIR

Tax Account/Owner Name and Addr	Zone	Map#: / Subdivision	Land Appraisa	Building Appraisal	Total Appraisal	Acre
PO BOX 872861 WASILLA AK 99687-2861						
57152B02L008 ANDERSON DANIEL	0030 HO	16 HALLEAH EST	$32,000.00	$207,200.00	$239,200.00	1.24
PO BOX 870281 WASILLA AK 99687-0281						
57152B02L009 MCDANIELS LLOYD & AMY	0030 HO	16 HALLEAH EST	$39,000.00	$246,000.00	$285,000.00	2.30
5035 W MOLLIES CIR WASILLA AK 99623						
57152B02L010 DURBIN NATHAN L	0030 HO	16 HALLEAH EST	$30,000.00	$189,200.00	$219,200.00	0.98
6310 N TALGACH VIEW DR WASILLA AK 99654-9089						
57152B02L011 DROPIK GEORGE M	0030 HO	16 HALLEAH EST	$30,000.00	$215,600.00	$245,600.00	1.00
4976 W MOLLIES CIR WASILLA AK 99623						
57152B02L012 PACIFIC RIDGE HOMES LLC	0030 HO	16 HALLEAH EST	$30,000.00	$249,300.00	$279,300.00	0.98
PO BOX 875787 WASILLA AK 99687-5787						
57152B02L013 JAMES PHILIP II & TAMMY C	0030 HO	16 HALLEAH EST	$30,000.00	$220,100.00	$250,100.00	0.93
4902 W MOLLIES CIR WASILLA AK 99623						
Total Parcels in LID550: 14			**$431,000.00**	**$2,784,000.00**	**$3,215,000.00**	15.15

IM 16-062
OR 16-032
OR 16-033

IM No. 16-062
Ordinance Serial No. 16-032
Ordinance Serial No. 16-033



SUBJECT: **Ordinance authorizing issuance and sale of bonds and confirming the assessment roll for West Coghlan Circle natural gas Local Improvement District No. 557.**

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing on April 19, 2016.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator	MLF	3-22-16
	Finance Director		
	Borough Attorney		Pending review of Bond Counsel
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES ____ NO X
Ordinance Serial No. 16-034 (5 pp)
Exhibit "A" (3 pp)
Ordinance Serial No. 16-035 (27 pp)
Map (1 p)

SUMMARY STATEMENT:

On March 3, 2015 the Assembly adopted Ordinance Serial No.15-009 creating West Coghlan Circle Natural Gas Local Improvement District. The construction has been completed and this ordinance is now before the Assembly to finance the improvements.

Ordinance Serial No. 16-034 confirms the assessment roll and Ordinance Serial No. 16-035 authorizes the issuance and sale of bonds for West Coghlan Circle Local Improvement District No. 557 as required by MSB 3.28.080 and MSB 3.28.120. Both ordinances are necessary to complete the process for this local improvement district.

The total cost is to be equally assessed against the properties within the improvement district, including those properties not meeting MSB 3.28.080(B) criteria.

The West Coghlan Circle Natural Gas Local Improvement District is located in Assembly District #4.

RECOMMENDATION OF ADMINISTRATION:

NON-CODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-034

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CONFIRMING THE ASSESSMENT ROLL FOR THE WEST COGHLAN CIRCLE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 557 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

WHEREAS, the assembly, by Ordinance Serial No.15-009 established the West Coghlan Circle Natural Gas Local Improvement District No. 557 (the "LID"); and

WHEREAS, the actual costs of the improvement, including construction cost and the amounts required for administrative costs, bond counsel fees, reserves and related costs are $4,038.71 per lot; and

WHEREAS, the LID special assessment roll has been prepared and the total costs of the improvement are spread equally among all the properties within the LID as shown on the attached assessment roll marked Exhibit A; and

WHEREAS, the assembly held a hearing on the assessment roll at which time all the written objections to the assessment roll were considered and all persons present who objected in writing were given the opportunity to be heard; and

WHEREAS, notice of the assessment and hearing was mailed to each owner of record more than 15 days before the hearing; and

WHEREAS, the assembly found no errors or inequalities in the assessment roll; and

WHEREAS, the assembly finds that the assessment roll should be confirmed.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Confirmation of roll. Each property within the West Coghlan Circle Natural Gas Local Improvement District No. 557 as shown on the attached assessment roll marked Exhibit A, is hereby assessed $4,038.71 and such assessment roll is hereby confirmed. Notwithstanding MSB 3.28.080(B), an assessment levied under this ordinance may exceed 25 percent of the assessed value for real property taxation of the property assessed.

Section 3. Notice of assessment. Within 30 days after the date of the adoption of this ordinance, the finance director shall mail to the record owner of each property assessed a statement with the property description, the assessment amount, the method of payment, the rate of interest on the unpaid balance of the assessment, the time of delinquency, and penalties on delinquent payments. Within five days after the statements are mailed, the finance director shall publish a notice in a newspaper of general circulation of the mailing of the statements.

Section 4. Payment of assessment. The entire assessment may be prepaid without interest or penalty within 30 days of the date of mailing of the assessment statement. Thereafter the assessment may be prepaid in whole or in part with interest to the payment date. Interest on the unpaid amount of the assessment shall accrue at a rate per annum equal to the rate of interest on the bonds issued to finance the improvement. Assessments that are not prepaid shall be paid in 20 semiannual installments on March 1, and September 1 of each year, commencing September 1, 2016. Installments shall consist of equal amounts of principal, plus accrued interest. Payments of principal and interest on the assessments confirmed by this ordinance shall be deposited in the sinking fund established pursuant to section (19) of Ordinance Serial No. 16-035 of the borough.

Section 5. Delinquencies. Upon the delinquency of an installment there shall be due and payable in addition to the delinquent installment a penalty on the delinquent installment equal to the penalty for second half real property taxes in effect on the date of delinquency. Notice of the delinquency shall be mailed to the owner of record. The notice shall describe the delinquency and state that the balance of the assessment, plus penalty and accrued interest, will be due and payable if the delinquent installment, plus penalty and accrued interest, is not

paid. If any payment has been delinquent for more than 60 days as of January 1, the assessed property will be placed on the borough's foreclosure list. At that time, the entire principal balance of the assessment plus accrued interest and penalty on the principal balance, and applicable foreclosure costs, shall be due and payable.

Section 6. Termination of assessments and refund of prorata share of assessment prepayments.

A. Upon the discharge of the bonds, all unpaid, non-delinquent assessment installments are cancelled. The finance director shall refund to the owner of record at the time of discharge of each property whose assessment was prepaid, an amount equal to the difference in the total assessment paid on account of the property and the amount paid on account of properties for which no prepayments were made.

B. For any properties upon which foreclosure proceedings to recover delinquent assessment installments have been commenced prior to the cancellation of remaining assessment installments, the amount due shall be recomputed as provided in subsection (A), except there will be no refund.

Section 7. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this __ day of _____, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Non-Code Ordinance

By: Borough Manager
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-035

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED $85,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE WEST COGHLAN CIRCLE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 557, AND FIXING DETAILS OF SAID BONDS.

WHEREAS, the Assembly of the Matanuska-Susitna Borough (the "borough") has determined and does hereby determine that it is necessary to proceed to plan, design, develop, construct, equip, acquire property for, or otherwise provide for Natural Gas in the West Coghlan Circle Natural Gas Local Improvement District (the "project"); and

WHEREAS, a local improvement district known as the West Coghlan Circle Natural Gas Local Improvement District No. 557 (the "LID") has been formed for the project, special assessments will be levied on properties in the LID that are specially benefited by the project, and said special assessments, with interest thereon, will be sufficient (together with other amounts) and available to pay the principal of and interest on the hereinafter defined bonds; and

WHEREAS, it is deemed necessary and advisable and in the best interests of the borough and its inhabitants that not to exceed $85,000 principal amount of special assessment bonds be issued at this time in a single series, as hereinafter fixed and determined, for the purpose of paying the cost (as hereinafter defined) of the project; and

WHEREAS, the proper officials of the borough have negotiated an agreement (the "agreement") with Wells Fargo Bank, National Association (the "purchaser"), which provides, inter alia, for the issuance and sale by the borough and the purchase by the purchaser of the hereinafter defined bonds; and

WHEREAS, it is hereby found to be in the best interest of the borough that the agreement be approved and executed and that certain matters relating to such bonds and the use of the proceeds of such sale be established.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE MATANUSKA-SUSITNA BOROUGH:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Purpose. The purpose of this ordinance is to authorize the issuance and sale of not to exceed $85,000 of special assessment bonds to be sold in one series to provide funds

to pay the capital costs of the project, to pay the costs of issuance of the bonds authorized herein and to fix certain details of said bonds to be issued.

Section 3. Definitions. The following terms shall have the following meanings in this ordinance:

A. "Agreement" means the Agreement 12-185 dated June 8, 2012, from Wells Fargo Bank, National Association, and accepted by the borough for the sale of the bonds by the borough to the purchaser.

B. "Assembly" means the borough assembly, as the general legislative authority of the borough, as the same shall be duly and regularly constituted from time to time.

C. "Authorized Denomination" means the lower of (i) two hundred fifty thousand dollars ($250,000) and integral multiples of one dollar ($1) in excess thereof or (ii) the aggregate principal amount of the bonds outstanding.

D. "Bond" or "Bonds" means any of the Matanuska-Susitna Borough Special Assessment Bonds, West Coghlan Circle Natural Gas Local Improvement District No. 557, 2016, the issuance and sale of which are authorized herein.

E. "Bond register" means the registration books maintained by the borough, which include the names and addresses of the

owners or nominees of the owners of the Bonds.

F. "Cost" or "Costs" means all costs of the project allowable in special assessments under AS 29.46.110.

G. "1986 Code" means the Internal Revenue Code of 1986, as amended from time to time, together with all regulations applicable thereto.

H. "Ordinance" shall mean this Ordinance Serial No. 16-035 of the borough.

I. "Purchaser" means Wells Fargo Bank, National Association, the purchaser of the bonds.

J. "LID" means Local Improvement District No. 557.

Section 4. Authority for ordinance. The borough has ascertained and hereby determines that each and every matter and thing as to which provision is made in this ordinance is necessary in order to carry out and effectuate the purposes of the borough in accordance with the Constitution and statutes of the state of Alaska, and the code of ordinances of the borough, and to issue the bonds.

Section 5. Obligation of bonds. The bonds are a special obligation of West Coghlan Circle Natural Gas Local Improvement District No. 557 of the borough and are payable solely from assessments levied against the properties which are specially

benefited by the project within the West Coghlan Circle Natural Gas Local Improvement District No. 557 and funds pledged for the payment of the bonds under this ordinance. Said assessments shall constitute a sinking fund for the payment of principal of and interest on the bonds. Neither the faith and credit nor the taxing power of the borough are pledged to the payment of the principal of and interest on the bonds.

Section 6. Authorization of bonds and purpose of issuance. For the purpose of providing part of the funds required to pay the cost of the project, and to provide for original issue discount, if any, and to pay all costs incidental thereto and to the issuance of the bonds, the borough hereby authorizes and determines to issue and sell the bonds in one series in the aggregate principal amount of not to exceed $85,000.

Section 7. Maturities, payment dates, designation and form of bonds. The bonds shall be designated Matanuska-Susitna Borough Special Assessment Bonds, West Coghlan Circle Natural Gas Local Improvement District No. 557, 2016, shall be dated the date of their delivery to the purchaser, and shall mature on April 1, 2026.

The bonds shall bear interest from their date at a rate determined in accordance with the Agreement, which shall not

exceed 5.09 percent per annum. Installments of principal and interest on the bonds (the "installment payments") shall be payable semiannually on April 1 and October 1 of each year, commencing October 1, 2016. Each installment payment shall consist of an equal amount of principal, plus accrued interest.

The bonds shall be issued as fully registered bonds, without coupons, in physical form, and may not be issued as book-entry bonds. The bonds shall be registered as to principal and interest as herein provided. The bonds shall each be in an authorized denomination and of the same interest rate and maturity, approved by the borough, such approval to be evidenced by the execution of such bonds. The bonds shall be numbered separately in the manner and with such additional designation as the borough deems necessary for purposes of identification. The bonds shall be substantially in the form of such bond hereinafter set forth, with such appropriate variations, omissions or insertions as are permitted or required by this ordinance, and may have endorsed thereon such legends or text as may be necessary or appropriate to conform to the rules and regulations of any governmental authority, or any usage or requirement of law with respect thereto. Each bond shall bear a number or letter, or a number and letter, distinguishing it from every other bond.

Section 8. Details of bonds. Each of the bonds shall be signed by the manual signature of the mayor and the official seal of the borough (or a facsimile thereof) shall be affixed, imprinted or otherwise reproduced on the bonds, and attested by the manual signature of the borough clerk. In case any officer whose signature shall appear on any bonds shall cease to be such officer before the delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if he or she had remained in office until such delivery.

The principal, redemption price of, and the interest on the bonds shall be payable in any coin or currency of the United States of America, which at the respective dates of payment thereof, is legal tender for the payment of public and private debts.

Payment of the principal and interest on the bonds shall be made by check or draft mailed to the registered owner of record as of the 15th day of the month preceding each installment payment date at the address appearing on the bond register of the borough.

Section 9. Transfer and exchange of bonds and delivery of new bonds. Any bond may be transferred only upon the books kept for the registration and transfer of bonds by the borough, upon surrender thereof at the office of the borough, together with an

assignment duly executed by the registered owner or the owner's attorney in such form as shall be satisfactory to the borough. Upon the transfer of any such bond, there shall be executed in the name of the transferee, and the borough shall authenticate and deliver, a new registered bond or bonds of the same maturity in any of the authorized denominations.

In all cases in which bonds may be transferred or exchanged under this ordinance, there shall be executed, and the borough shall authenticate and deliver, bonds in accordance with the provisions of this ordinance. Any such transfer or exchange shall be without cost to the registered owner, except that the borough may make a charge for every such registration, transfer or exchange of bonds sufficient to reimburse it for any tax, fee, or other governmental charge required to be paid with respect to such registration, exchange or transfer, and such charge or charges shall be paid before any such new bond shall be delivered. The borough shall not be required to make any such registration, transfer or exchange of a bond during the fifteen (15) days next preceding an interest payment date on such bond.

Notwithstanding the foregoing, bonds may be transferred only in authorized denominations and only to (i) an affiliate of an owner of the bonds, (ii) a trust or custodial arrangement

established by an owner of the bonds or one of its affiliates, the owners of the beneficial interests in which are limited to qualified institutional buyers, as defined in Rule 144A promulgated under the Securities Act of 1933, as amended, or (iii) to a person that is a qualified institutional buyer that is a commercial bank having a combined capital and surplus, determined as of the date of any transfer pursuant to this section, of five billion dollars ($5,000,000,000) or more that has executed and delivered to the borough an investor letter in the form of Exhibit A hereto.

Section 10. Ownership of bonds. As to any bond, the person in whose name the same shall be registered on the bond register shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of such bond and the interest on such bond shall be made only to or upon the order of the registered owner thereof or the owner's legal representative, but such registration may be changed as hereinabove provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such bond, including the interest thereon, to the extent of the sum or sums so paid.

Section 11. Mutilated, destroyed, stolen or lost bonds. In

case any bond shall become mutilated or be destroyed, stolen or lost, the borough may cause to be executed, and shall deliver, a new bond of like interest rate, principal amount and maturity in exchange and substitution for and upon cancellation of such mutilated bond, or in lieu of and in substitution for such bond destroyed, stolen or lost, upon the owner thereof paying the reasonable expenses and charges of the borough in connection therewith and in the case of a bond destroyed, stolen or lost, filing by the owner with the borough evidence satisfactory to the borough that such bond was destroyed, stolen or lost, and of the owner's ownership thereof, and furnishing the borough with indemnity satisfactory to it. Any new bond so delivered may bear a number differing from the number of the bond it replaces.

Section 12. Redemption of bonds. The bonds are subject to redemption at the option of the borough, in whole or in part, at any time. Any redemption of bonds shall be at a redemption price of the principal amount of the bonds to be redeemed, plus accrued interest.

Section 13. Notice of redemption. When the borough determines to redeem any bonds, it shall give notice of such redemption in the manner then provided by law, which notice shall state the redemption date and identify the bonds to be redeemed by

reference to their numbers and further state that on such redemption date there shall become due and payable upon each such bond the principal amount thereof plus the applicable premium, if any (the "redemption price"), together with interest accrued to the redemption date, and that from and after such date interest thereon shall cease to accrue. Such notice shall be given at least 30 days but not more than 45 days prior to the redemption date by first class mail, postage prepaid, to the registered owner of any Bond to be redeemed at the address of the registered owner appearing on the bond register.

Section 14. Payment of redeemed bonds. Notice of redemption having been given in the manner provided in this ordinance, the bonds so called for redemption shall become due and payable on the redemption date stated in said notice at the applicable redemption price on said date plus interest accrued and unpaid to the redemption date upon presentation and surrender thereof at the office of the borough. If, on the redemption date, moneys for the redemption of all the bonds to be redeemed, together with interest accrued and unpaid to the redemption date, shall be held on behalf of the borough at the office of the borough so as to be available therefor on said date and if notice of redemption shall have been given as aforesaid, then from and after the redemption date the

bonds so called for redemption shall cease to bear interest.

Section 15. Form of bond. Each bond shall be in substantially the following form, with such variations, omissions and insertions as may be required or permitted by this ordinance:

THIS BOND MAY NOT BE TRANSFERRED EXCEPT IN ACCORDANCE WITH SECTION 9 OF THE ORDINANCE AND AS PROVIDED HEREIN

UNITED STATES OF AMERICA
STATE OF ALASKA
MATANUSKA-SUSITNA BOROUGH
Special Assessment Bond
West Coghlan Circle Natural Gas
Local Improvement District No. 557
2016

NO. $

INTEREST RATE

Registered Owner

Principal Amount DOLLARS

The Matanuska-Susitna Borough (the "borough"), a municipal corporation of the state of Alaska, for value received, acknowledges itself indebted and hereby promises to pay (but only out of the sources hereinafter mentioned) to the registered owner identified above, or registered assigns, the principal amount shown above, and to pay (but only out of the sources hereinafter

mentioned) interest on the unpaid principal sum from the date hereof at the interest rate per annum shown above. Installments of principal and interest (the "installment payments") shall be payable semiannually on April 1 and October 1 of each year commencing October 1, 2016 until April 1, 2026, when the entire remaining principal balance hereof plus accrued interest shall be paid in full. Each installment payment shall consist of an equal amount of principal, plus accrued interest. The principal, interest and redemption price of this bond shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Payment of principal and interest shall be made by check or draft mailed to the registered owner of record as of the 15th day of the month preceding each installment payment date at the address appearing on the bond register of the borough.

This bond is one of the 2016 special assessment bonds, West Coghlan Circle Natural Gas Local Improvement District No. 557, of the Matanuska-Susitna Borough, Alaska, of like tenor and effect except as to serial numbers, aggregating not to exceed $85,000 in principal amount, and constituting bonds authorized for the purpose of raising funds to pay the cost of Natural Gas in the West Coghlan Circle Natural Gas Local Improvement District No. 557 of the borough, and is issued under Ordinance Serial No. 16-035 of the borough entitled:

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY

PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED $85,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE WEST COGHLAN CIRCLE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 557, AND FIXING DETAILS OF SAID BONDS.

(herein called the "ordinance") adopted on - , 2016.

This bond is issuable as a fully registered bond in the principal amount of the lower of (i) two hundred fifty thousand dollars ($250,000) and integral multiples of one dollar ($1) in excess thereof or (ii) the aggregate principal amount of the bonds outstanding (an "Authorized Denomination"). This bond, upon surrender hereof at the designated office of the borough with a written instrument of transfer satisfactory to the borough executed by the registered owner hereof or such owner's attorney duly authorized in writing, may, at the option of the registered owner hereof, be exchanged for an equal aggregate principal amount of bonds of the same aggregate principal amount and tenor as the bond being exchanged and of any authorized denomination. This bond may be registered as transferred as provided in the Ordinance, subject to certain limitations therein contained, only upon the bond register, and only upon surrender of this bond for registration of transfer to the borough accompanied by a written instrument of transfer (in substantially the form of the assignment attached hereto) duly executed by the registered owner hereof or such owner's duly authorized attorney. Thereupon, one or more new bonds of any authorized denomination and in the same aggregate principal amount

and tenor as the bond surrendered (or for which registration of transfer has been effected) will be issued to the designated transferee or transferees.

The bonds are subject to redemption by or on behalf of the borough prior to maturity and upon notice as set forth in the ordinance in whole or in part on any date at a redemption price of the principal amounts thereof, together with interest thereon to the redemption date.

This bond is transferable as provided in the ordinance (i) only upon the bond register of the borough kept for that purpose at the office of the borough, and (ii) upon surrender of this bond together with a written instrument of transfer duly executed by the registered owner or the attorney of the registered owner duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and maturity shall be issued to the transferee in exchange therefor as provided in the ordinance and upon the payment of charges, if any, as therein prescribed. The borough may treat and consider the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price, if any, hereof and interest due hereon and for all other purposes whatsoever.

This bond is payable solely from assessments levied against properties specially benefited within the borough local improvement district known as West Coghlan Circle Natural Gas Local Improvement District No. 557

and is a special obligation of said local improvement district. Said assessments constitute a sinking fund for the payment of principal of and interest on the bond and the properties specially benefited are pledged to secure the bond.

The registered owner of this bond shall not have any claim thereunder against the borough except for payment from special assessments made for the improvements for which the bond was issued and except for payment from the funds pledged for that purpose under the ordinance. The remedy of the registered owner of this bond shall be confined to the enforcement of such assessments and to such funds. The borough shall not be liable to the registered owner of this bond for any loss to such funds occurring in the lawful operation thereof.

THIS BOND IS NOT A GENERAL OBLIGATION OF THE BOROUGH AND NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE BOROUGH IS PLEDGED TO ITS PAYMENT.

IT IS HEREBY CERTIFIED AND RECITED that all conditions, acts, or things required by the constitution or statutes of the state of Alaska and the code of ordinances of the borough to exist, to have happened or have been performed precedent to or in the issuance of this bond, exist, have happened and have been performed, and that the series of bonds of which this is one, together with all other indebtedness of the borough, is within every debt and other limit prescribed by said constitution, statutes or code of ordinances.

IN WITNESS WHEREOF, THE MATANUSKA-SUSITNA BOROUGH, ALASKA, has caused this bond to be signed in its name and on its behalf by the signature of its mayor and its corporate seal to be hereunto affixed, imprinted or otherwise reproduced, and attested by the signature of its clerk, all as of the - day of - , 2016.

_____

VERN HALTER, Borough Mayor

ATTEST:

_____

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Section 16. Establishment of guaranty fund. There is established the West Coghlan Circle Natural Gas Local Improvement District No. 557 special assessment bond guaranty fund (The "guaranty fund") to which the assembly shall annually appropriate a sum the assembly determines to be adequate, with other available funds, to cover a deficiency in meeting payments of principal and interest on the bonds if the reason for the deficiency is nonpayment of assessments when due. Money received from actions taken against property for nonpayment of assessments confirmed by Ordinance Serial No. 16-034 of the borough shall be credited to the guaranty fund. Amounts in the guaranty fund shall be used to

pay principal and interest on the bonds when other funds are not available for that purpose.

Section 17. Disbursement of bond proceeds for project costs. That part of the bond proceeds required for costs of the project shall be deposited in the West Coghlan Circle Natural Gas Local Improvement District No. 557 construction account, which is hereby established within the West Coghlan Circle Natural Gas fund 825, heretofore established by the borough. There shall be paid from this account all amounts required for costs of the project.

Section 18. Establishment of reserve and refund account.

A. There is established the West Coghlan Circle Natural Gas Local Improvement District No. 557 reserve and refund account (the "reserve and refund account") within the West Coghlan Circle fund 825.

B. There shall be paid into the reserve and refund account:

1. That part of the bond proceeds not expended or required for the initial LID expenses such as construction of the road improvements, bond counsel fees, and similar expenses, and all anticipated administrative costs; and

2. Any sinking fund and guaranty fund balances after discharge of the bond.

C. At the end of each fiscal year, interest on the average

reserve and refund account balance during the fiscal year at the rate determined by the finance director to be the average interest earned on borough investments during the fiscal year shall be transferred from the general fund to the reserve and refund account.

D. Until the bonds have been discharged, the funds within the reserve and refund account may be used only to pay the difference between the amount of principal and interest due on the bonds and the amount of special assessment payments including interest, received and available to pay that amount; provided, if the finance director determines that the amount of funds available in the reserve and refund account substantially exceeds that which is reasonably expected to be needed to meet assessment delinquencies, the finance director may, to the extent of such excess, make a prepayment on the bonds.

E. At such time as the finance director determines that the sum of the amounts in the reserve and refund account, the guaranty fund and the sinking fund equals or exceeds the amount required to (i) discharge the bonds, (ii) pay all refunds of assessments required upon discharge of the bonds, and (iii) pay any other amounts that may be owing on the bonds, the finance director shall cause such payment to be made and the bonds to be discharged.

Section 19. Establishment of sinking fund. There is established the West Coghlan Circle Natural Gas Local Improvement District No. 557 sinking fund (the "sinking fund"). Payments of principal and interest on assessments confirmed by Ordinance Serial No. 16-034 of the borough shall be deposited in the sinking fund. Amounts in the sinking fund shall be used to pay principal and interest on the bonds, and are hereby pledged for that purpose. At the end of each fiscal year, interest on the average sinking fund balance during the fiscal year at the rate determined by the finance director to be the average interest earned on borough investments during the fiscal year shall be transferred from the general fund to the sinking fund.

Section 20. Distribution of reserve and refund account funds.

A. Upon the discharge of the bonds, and the payment of all refunds of assessments required upon the discharge of the bonds, the funds remaining in the reserve and refund account shall be distributed as provided under this section.

B. The finance director shall distribute the balance of the reserve and refund account by sending to each owner of record as shown on the most recent records of the borough assessor an amount equal to the fund balance divided by the number of lots within the LID. If any lot or tract within the LID is divided into two or

more lots, the refund for such resubdivided lots shall be computed by counting the resubdivided lots as a single lot for purposes of determining the initial refund entitlement. The initial refund entitlement shall then be divided equally among the resubdivided lots.

Section 21. Arbitrage covenant. The borough covenants with the registered owners of all bonds at any time outstanding that it will make no use of the proceeds of the bonds which will cause the bonds to be "arbitrage bonds" subject to federal income taxation by reason of section 148 of the 1986 code. To that end, so long as any of the bonds are outstanding, the borough, with respect to the proceeds of the bonds, shall comply with all requirements of said section 148 and of all regulations of the United States Department of Treasury issued thereunder, to the extent that such requirements are, at the time, applicable and in effect.

Section 22. Compliance with 1986 code. The borough hereby covenants to comply with any and all applicable requirements set forth in the 1986 code in effect from time to time to the extent that such compliance shall be necessary for the exemption from federal income taxes of the interest on the bonds. The borough hereby further covenants to observe any and all applicable requirements in any future federal tax legislation to the extent

that such compliance is determined by the borough to be legal and practicable and required for such exemption.

Section 23. Bond sale and agreement. The sale to the purchaser of not to exceed $85,000 principal amount of the bonds as provided in the Agreement, is hereby authorized and approved.

Section 24. Delivery of the bonds. The proper officials of the borough are authorized and directed to execute all documents and to do everything necessary for the preparation and delivery of a transcript of proceedings pertaining to the bonds and the printing, authentication and delivery of the bonds in definitive form to the purchaser.

Section 25. Ratification. All actions taken by the mayor, manager and the finance director relative to the sale of the bonds are hereby in all respects ratified and confirmed. The appropriate officers of the borough are hereby authorized and directed to do all things necessary for the prompt execution, issuance and delivery of the bonds and for the proper application and use of the bond proceeds.

Section 26. Authority of officers. The mayor, the acting mayor from time to time, the borough manager, the acting borough manager from time to time, the finance director, the acting finance director from time to time, the borough clerk and the

acting borough clerk from time to time, are, and each of them hereby is, authorized and directed to do and perform all things and determine all matters not determined by this ordinance, to the end that the borough may carry out its obligations under the bonds and this ordinance.

Section 27. Pledge of funds. All assessments levied in the LID, interest thereon and foreclosure proceeds thereof, are hereby irrevocably pledged to the payment of the principal of and interest on the bonds. The pledge under this section remains in effect until all of the bonds have been discharged.

Section 28. Miscellaneous. No recourse shall be had for the payment of the principal of or the interest on the bonds or for any claim based thereon or on this ordinance against any member of the assembly or officer of the borough or any person executing the bonds. The bonds are not and shall not be in any way a debt or liability of the state of Alaska or of any political subdivision thereof and shall not create or constitute an indebtedness or obligation, either legal, moral or otherwise, of said state or of any political subdivision thereof.

Section 29. Severability. If any one or more of the covenants and agreements provided in this ordinance to be performed on the part of the borough shall be declared by any

court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements shall be null and void and shall be deemed separable from the remaining covenants and agreements in this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the bonds.

Section 30. Appropriation. There is appropriated for the purposes set out in this ordinance, all assessments and interest thereon from the assessments levied in the LID and assessment foreclosure proceeds. The appropriation under this section does not lapse until the final refund required under Section 20.B. of this ordinance has been made.

Section 31. Effective date. Ordinance Serial No. 16-035 shall take effect upon adoption by the borough assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of - , 2016.

_____

VERN HALTER, Borough Mayor

ATTEST:

_____

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

EXHIBIT A

FORM OF INVESTOR LETTER

[Date of Purchase]

Matanuska-Susitna Borough

[Name of Bond]

Ladies and Gentlemen:

[Name of Purchaser] (the "Purchaser") has agreed to purchase the above-referenced bonds (the "Bonds") in the amount of [Amount] which were issued in the original aggregate principal amount of [Amount] by the Matanuska-Susitna Borough (the "Borough") bearing the interest rate as set forth in Ordinance Serial No. [No.] of the Borough Assembly (the "Ordinance"). All capitalized terms used herein, but not defined herein, shall have the respective meanings set forth in the Ordinance. The undersigned, an authorized representative of the Purchaser, hereby represents to you that:

1. The Purchaser has sufficient knowledge and experience in financial and business matters, including purchase and ownership of municipal and other tax-exempt obligations, to be able to evaluate the risks and merits of the investment represented by the purchase of the Bonds.

2. The Purchaser has authority to purchase the Bonds and to execute this letter and any other instruments and documents required to be executed by the Purchaser in connection with the purchase of the Bonds.

3. The undersigned is a duly appointed, qualified and acting representative of the Purchaser and is authorized to cause the Purchaser to make the certifications, representations and warranties contained herein by execution of this letter on behalf of the Purchaser.

4. The Purchaser is [(a) an affiliate of an owner of the Bonds,] [(b) a trust or other custodial arrangement established by an owner of the Bonds or one of its affiliates, the owners of the beneficial interests in which are limited to "qualified" institutional buyers" as defined in Rule 144A promulgated under the Securities Act of 1933, as amended (the "1933 Act")] or [(c) a qualified institutional buyer that is a commercial bank having a combined capital and surplus of $5,000,000,000 or more].

5. The Purchaser understands that no official statement, prospectus, offering circular, or other comprehensive offering statement is being provided with respect to the Bonds. The Purchaser has made its own inquiry and analysis with respect to the Borough, the Project, the Bonds and the security therefor, and other material factors affecting the security for and payment of the Bonds.

6. The Purchaser acknowledges that it has either been supplied with or been given access to information, including financial statements and other financial information, regarding the Borough, to which a reasonable investor would attach significance in making investment decisions, and has had the opportunity to ask questions and receive answers from knowledgeable individuals concerning the Borough, the Project, the Bonds and the security therefor, so that as a reasonable investor, it has been able to make its decision to purchase the

Bonds.

7. The Purchaser understands that the Bonds (i) are not registered under the 1933 Act and are not registered or otherwise qualified for sale under the "Blue Sky" laws and regulations of any state, (ii) are not listed on any stock or other securities exchange, and (iii) carry no rating from any credit rating agency.

8. The Bonds are being acquired by the Purchaser for investment for its own account and not with a present view toward resale or distribution; provided, however, that the Purchaser reserves the right to sell, transfer or redistribute the Bonds in Authorized Denominations, but agrees that any such sale, transfer or distribution by the Purchaser shall be to a person:

(a) that is an affiliate of an owner of the Bonds;

(b) that is a trust or other custodial arrangement established by an owner of the Bonds or one of its affiliates, the owners of any beneficial interest in which are limited to qualified institutional buyers; or

(c) that is a qualified institutional buyer that is a commercial bank having a combined capital and surplus of $5,000,000,000 or more who executes an investor letter substantially in the form of this letter.

EXHIBIT A **$4,038.71**

Matanuska-Susitna Borough

Real Property Selection List by Account Number

March 21, 2016

LID557 W COGHLAN CIR

Tax Account/Owner Name and Addr	Zone	Map#: / Subdivision	Land Appraisa	Building Appraisal	Total Appraisal	Acre
217N02W12A008 SCHACHLE L JR&TJ&TA&TW&RG JR&CR&DM GRIFFIN & SEIME & SPICER & LACHE 1811 S RIDGECREST RD WASILLA AK 99623-1957	0037 HO	9	$265,500.00	$0.00	$265,500.00	5.08
217N02W12A009 LONG STANLEY A & F K 3436 UPLAND DR ANCHORAGE, AK 99504-4072	0037 HO	9	$278,100.00	$0.00	$278,100.00	6.08
54705000L001 KUBAT WAYNE & MARILYN PO BOX 874867 WASILLA, AK 99687-4867	0037 WA	12 JACOBSEN LK	$112,000.00	$132,500.00	$244,500.00	1.72
56774B01L001 COGHLAN FAMILY TR PO BOX 71404 FAIRBANKS AK 99707-1404	0037 WA	12 COGHLAN EST	$115,200.00	$0.00	$115,200.00	1.76
56774B01L002 COGHLAN FAMILY TR PO BOX 71404 FAIRBANKS AK 99707-1404	0037 WA	12 COGHLAN EST	$123,900.00	$0.00	$123,900.00	1.90
56774B01L003 MURRI ADAM D PO BOX 873626 WASILLA AK 99687-3626	0037 WA	12 COGHLAN EST	$76,800.00	$328,600.00	$405,400.00	1.18
56774B01L004 FORBESS FLOOR COVERING LLC PO BOX 877777 WASILLA, AK 99687-7777	0037 WA	12 COGHLAN EST	$73,400.00	$0.00	$73,400.00	1.12
56774B01L005 FORBESS FLOOR COVERING LLC PO BOX 877777	0037 WA	12 COGHLAN EST	$60,400.00	$170,300.00	$230,700.00	0.93

IM 16-063
OR 16-034
OR 16-035

Matanuska-Susitna Borough

Real Property Selection List by Account Number

March 21, 2016

LID557 W COGHLAN CIR

Tax Account/Owner Name and Addr	Zone	Map#: / Subdivision	Land Appraisa	Building Appraisal	Total Appraisal	Acre
WASILLA, AK 99687-7777						
56774B01L006 FORBESS FLOOR COVERING LLC PO BOX 877777 WASILLA, AK 99687-7777	0037 WA	12 COGHLAN EST	$60,000.00	$0.00	$60,000.00	0.92
56774B01L007 BRESHEARS DAVID & JANE E 2890 S JANE CIR WASILLA AK 99623-0327	0037 WA	12 COGHLAN EST	$63,000.00	$0.00	$63,000.00	0.96
56774B01L008 BRESHEARS DAVID & JANE E 2890 S JANE CIR WASILLA AK 99623-0327	0037 WA	12 COGHLAN EST	$66,800.00	$0.00	$66,800.00	1.02
56774B01L009 COGHLAN FAMILY TR PO BOX 71404 FAIRBANKS AK 99707-1404	0037 WA	12 COGHLAN EST	$34,000.00	$0.00	$34,000.00	0.92
56774B01L010 KREUN STEVEN PO BOX 489 WILLOW AK 99688-0489	0037 WA	12 COGHLAN EST	$34,000.00	$481,800.00	$515,800.00	0.92
56774B02L001 COGHLAN FAMILY TR PO BOX 71404 FAIRBANKS AK 99707-1404	0037 WA	12 COGHLAN EST	$34,000.00	$0.00	$34,000.00	1.09
56774B02L002 COGHLAN FAMILY TR PO BOX 71404 FAIRBANKS AK 99707-1404	0037 WA	12 COGHLAN EST	$34,000.00	$0.00	$34,000.00	0.92
56774B03L001 COGHLAN FAMILY TR PO BOX 71404	0037 WA	12 COGHLAN EST	$34,000.00	$0.00	$34,000.00	0.92

IM 16-063
OR 16-034
OR 16-035

Matanuska-Susitna Borough

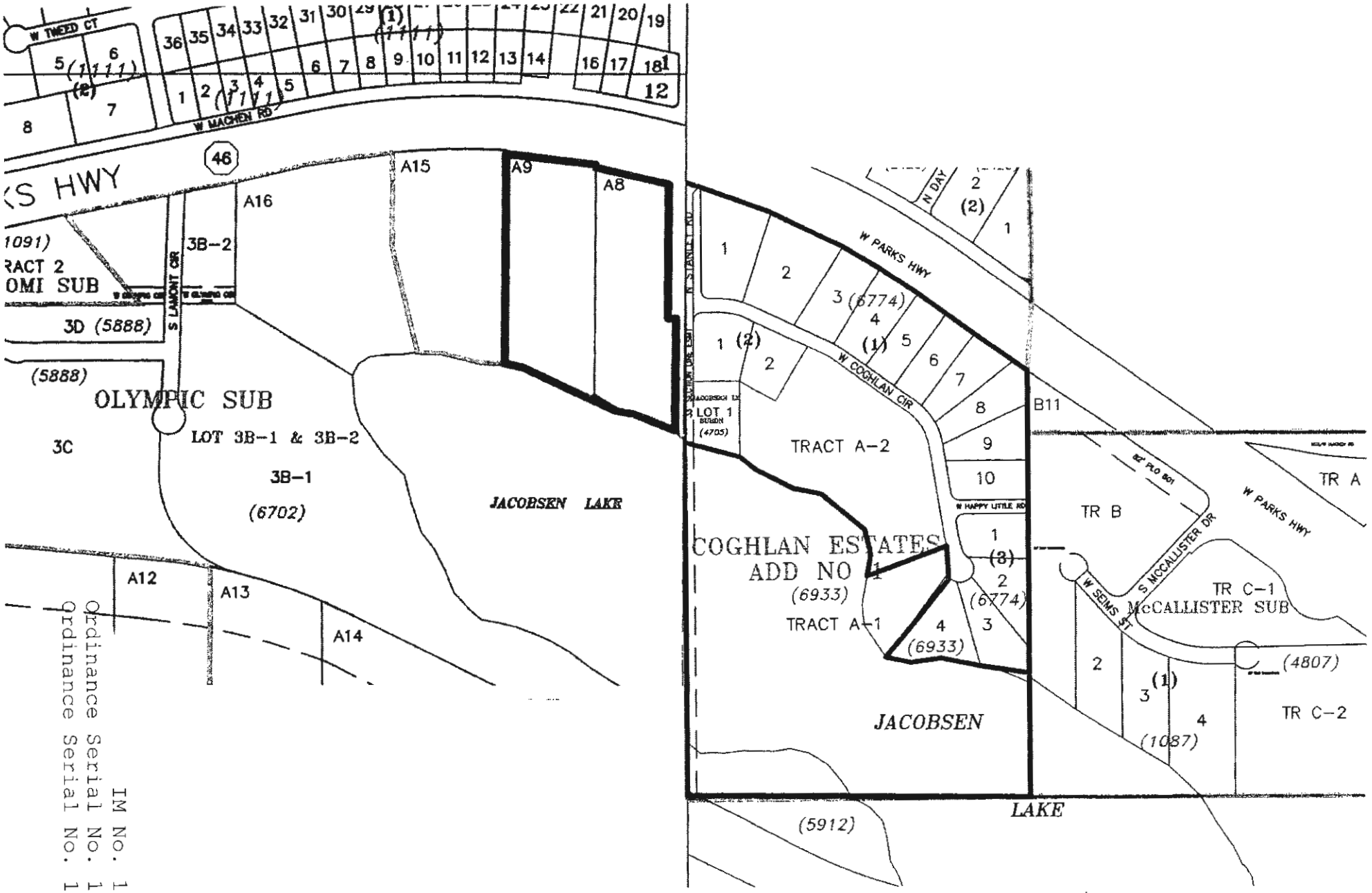
Real Property Selection List by Account Number

March 21, 2016

LID557 W COGHLAN CIR

Tax Account/Owner Name and Addr	Zone	Map#: / Subdivision	Land Appraisa	Building Appraisal	Total Appraisal	Acre
FAIRBANKS AK 99707-1404						
56774B03L002 WEBB RICHARD L APT 1C 111 KENT AVE BROOKLYN NY 11249-2915	0037 WA	12 COGHLAN EST	$34,000.00	$0.00	$34,000.00	0.92
56774B03L003 WEBB RICHARD L APT 1C 111 KENT AVE BROOKLYN NY 11249-2915	0037 WA	12 COGHLAN EST	$104,000.00	$0.00	$104,000.00	1.11
56933000L004 WEBB RICHARD L & KATHERINE M PO BOX 872325 WASILLA AK 99687-2325	0037 WA	12 COGHLAN EST ADD NO 1	$121,000.00	$92,400.00	$213,400.00	1.33
56933000T00A-1 COGHLAN FAMILY TR PO BOX 71404 FAIRBANKS AK 99707-1404	0037 WA	12 COGHLAN EST ADD NO 1	$121,000.00	$0.00	$121,000.00	25.60
56933000T00A-2 COGHLAN FAMILY TR PO BOX 71404 FAIRBANKS AK 99707-1404	0037 WA	12 COGHLAN EST ADD NO 1	$233,200.00	$0.00	$233,200.00	7.70
Total Parcels in LID557: 21			**$2,078,300.00**	**$1,205,600.00**	**$3,283,900.00**	**64.10**

IM 16-063
OR 16-034
OR 16-035



IM No. 16-063
Ordinance Serial No. 16-034
Ordinance Serial No. 16-035

SUBJECT: A SUPPLEMENTAL APPROPRIATION OF $16,000 FROM THE WILLOW FIRE SERVICE AREA FUND BALANCE, FUND 258, TO THE FISCAL YEAR 2016 WILLOW FIRE SERVICE AREA OPERATING BUDGET TO COVER WAGES AND BENEFITS FOR THE REMAINDER OF FISCAL YEAR 2016.

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: _____

Route To:	Department/Individual	Initials	Remarks
	Originator/Bill Gamble	BG	
	Finance Director	JM	
	Borough Attorney		
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES __X__ NO _____
Ordinance Serial No. 16-039 (2 pp)

SUMMARY STATEMENT:

The Willow Fire Service Area was hard hit with expenses related to fighting the Sockeye Fire in the summer of 2015. The Willow Fire Service Area personnel costs for fighting the Sockeye Fire were reimbursed by FEMA, however, reimbursement was deposited into the Willow Fire Service Areas fund balance rather than their operating budget. The Willow Fire Service Area's Fiscal Year 2016 Operating Budget is currently in a deficit due to the unbudgeted expenses paid related to the Sockeye Fire and the Willow Fire Service Area Board of Supervisors has approved a $16,000 fund balance appropriation to reimburse the Fiscal Year 2016 operating budget for payroll expenses.

RECOMMENDATION OF ADMINISTRATION:

Approval of the attached legislation, which will appropriate $16,000 from the Willow Fire Service Area Fund Balance, Fund 258, to the Willow Fire Service Area Fiscal Year 2016 Operating

Budget to reimburse for payroll expenses related to the Sockeye Fire.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 5, 2016

SUBJECT: A supplemental appropriation of $16,000 from the Willow Fire Service Area Fund Balance, Fund 258, to the fiscal year 2016 Willow Fire Service Area Operating Budget to cover wages and benefits for the remainder of Fiscal Year 2016.

ORIGINATOR: Bill Gamble – Emergency Services

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED $16,000	FUNDING SOURCE Fund 258 Fund Balance
FROM ACCOUNT # 258.272.000	PROJECT #
TO ACCOUNT: 258.000.000.3xx.xxx	PROJECT #
VERIFIED BY: Barbara Baumgart	CERTIFIED BY:
DATE: 3/22/16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL	16					
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	16					
TOTAL	16					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____

DEPARTMENT: Cheyenne Heindel (@ pwsm DATE: _____

APPROVED BY: _____ DATE: 3/22/16

IM No. 16-065
Ordinance Serial No. 16-039

NON-CODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-039

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING A SUPPLEMENTAL APPROPRIATION OF $16,000 FROM THE WILLOW FIRE SERVICE AREA FUND BALANCE, FUND 258, TO THE FISCAL YEAR 2016 WILLOW FIRE SERVICE AREA OPERATING BUDGET TO COVER WAGES AND BENEFITS FOR THE REMAINDER OF FISCAL YEAR 2016.

WHEREAS, the Willow Fire Service Area was hard hit with expenses related to fighting the Sockeye Fire in the summer of 2015; and

WHEREAS, the Willow Fire Service Area personnel costs for fighting the Sockeye Fire were reimbursed by FEMA; and

WHEREAS, the FEMA reimbursement was deposited into the Willow Fire Service Areas fund balance rather than their operating budget; and

WHEREAS, the Willow Fire Service Area's Fiscal Year 2016 Operating Budget is currently in a deficit due to the unbudgeted expenses paid related to the Sockeye Fire; and

WHEREAS, the Willow Fire Service Area Board of Supervisors has approved a $16,000 fund balance appropriation to reimburse the Fiscal Year 2016 operating budget for payroll expenses.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Supplemental Appropriation source. The Matanuska-Susitna Borough Assembly hereby approves a supplemental appropriation in the amount of $16,000 from the Willow Fire Service Area Fund Balance, Fund 258 to the Willow Fire Service Area Fiscal Year 2016 Operating Budget to cover wages and benefits for the remainder of fiscal year 2016.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this __ day of _____, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-066

SUBJECT: A SUPPLEMENTAL APPROPRIATION OF $24,000 FROM THE CASWELL FIRE SERVICE AREA FUND BALANCE, FUND 248, TO THE FISCAL YEAR 2016 CASWELL FIRE SERVICE AREA OPERATING BUDGET TO COVER WAGES AND BENEFITS FOR THE REMAINDER OF FISCAL YEAR 2016.

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator/Bill Gamble	BG	
	Finance Director		
	Borough Attorney	NS	
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES X NO
Ordinance Serial No. 16-040 (2 pp)

SUMMARY STATEMENT:

The Caswell Fire Service Area was fortunate to add seven new responders to their roster in Fiscal Year 2016. The addition of the new responders was unanticipated and therefore adequate wages and benefits were not included during the budgeting process. The Caswell Fire Service Area's Fiscal Year 2016 Operating Budget is currently in a deficit due to the unbudgeted expenses related to the addition of the new employees and the Caswell Fire Service Area Board of Supervisors has approved a $24,000 fund balance appropriation to supplement the Fiscal Year 2016 operating budget for payroll expenses.

RECOMMENDATION OF ADMINISTRATION:

Approval of the attached legislation, which will appropriate $24,000 from the Caswell Fire Service Area Fund Balance, Fund 248, to the Caswell Fire Service Area Fiscal Year 2016 Operating Budget to supplement the Fiscal Year 2016 Operating Budget for payroll expenses.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 5, 2016

SUBJECT: A supplemental appropriation of $24,000 from the Caswell Fire Service Area Fund Balance, Fund 248, to the fiscal year 2016 Caswell Fire Service Area Operating Budget to cover wages and benefits for the remainder of Fiscal Year 2016.

ORIGINATOR: Bill Gamble – Emergency Services

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED $24,000	FUNDING SOURCE Fund 248 Fund Bal
FROM ACCOUNT # 248.272.000	PROJECT #
TO ACCOUNT: 248.000.000.3XX.XXX	PROJECT #
VERIFIED BY: Barbara Gruenstein	CERTIFIED BY:
DATE: 3/22/16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL	24					
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	24					
TOTAL	24					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____

DEPARTMENT: _____ DATE: _____

APPROVED BY: _____ DATE: 3/22/16

IM No. 16-066
Ordinance Serial No. 16-040

NON-CODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-040

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING A SUPPLEMENTAL APPROPRIATION OF $24,000 FROM THE CASWELL FIRE SERVICE AREA FUND BALANCE, FUND 248, TO THE FISCAL YEAR 2016 CASWELL FIRE SERVICE AREA OPERATING BUDGET TO COVER WAGES AND BENEFITS FOR THE REMAINDER OF FISCAL YEAR 2016.

WHEREAS, the Caswell Fire Service Area was fortunate to add seven new responders to their roster in Fiscal Year 2016; and

WHEREAS, the addition of the new responders was unanticipated and therefore adequate wages and benefits were not included during the budgeting process; and

WHEREAS, the Caswell Fire Service Area's Fiscal Year 2016 Operating Budget is currently in a deficit due to the unbudgeted expenses related to the addition of the new employees; and

WHEREAS, the Caswell Fire Service Area Board of Supervisors has approved a $24,000 fund balance appropriation to supplement the Fiscal Year 2016 operating budget for payroll expenses.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Supplemental Appropriation source. The Matanuska-Susitna Borough Assembly hereby approves a supplemental appropriation in the amount of $24,000 from the

Caswell Fire Service Area Fund Balance, Fund 248 to the Caswell Fire Service Area Fiscal Year 2016 Operating Budget to cover wages and benefits for the remainder of fiscal year 2016.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this __ day of _____, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-067

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 5.25.012 SERVICE AREA NO. 7: TALKEETNA FLOOD CONTROL SERVICE AREA, TO ESTABLISH THE BOARD OF SUPERVISORS, AND MSB 5.15.010(A), ORGANIZATION OF BOARDS OF SUPERVISORS.

AGENDA OF:

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator	LM/JK	For Assemblymember Kowalke
	Borough Attorney	NS	
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES X NO ___
Ordinance Serial No. 16-041 (3 pp)

SUMMARY STATEMENT:

This legislation is being brought forward at the request of Assemblymember Kowalke.

MSB 5.25.012 - Service Area No. 7: Talkeetna Flood Control Service Area, is being amended to add a subsection (C) to provide provisions for a board of supervisors to include two members who are qualified voters residing in the service area, and one member who either resides or owns real property within the service area. Currently this Board is not active and by opening it up to real property owners there will be greater number of people to select from to fill the seats.

MSB 5.15.010(A) - Organization of Boards of Supervisors, is being amended to clarify that if a board of supervisors has not

been created by the ordinance that established the service area or by resolution that the provision within this section automatically creates the board of supervisors.

CODE ORDINANCE

Sponsored by: Assemblymember Kowalke
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-041

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 5.25.012 SERVICE AREA NO. 7: TALKEETNA FLOOD CONTROL SERVICE AREA, TO ESTABLISH THE BOARD OF SUPERVISORS, AND MSB 5.15.010(A), ORGANIZATION OF BOARDS OF SUPERVISORS.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 5.25.012 (C) is hereby adopted as follows:

(C) *Board of Supervisors.* The Talkeetna Flood Control Service Area shall have a board of supervisors consisting of three qualified voters, two (2) of whom who reside within the service area, and one (1) of whom must reside in or own real property in the service area. The board of supervisors shall operate pursuant to MSB 5.15.010. The three-year term shall be calculated on a calendar year basis.

Section 3. Amendment of section. MSB 5.15.010(A) is hereby amended as follows:

(A) Unless otherwise provided [IN THE] **by**

ordinance **there shall be a board of supervisors established for each service area and** [ESTABLISHING A SERVICE AREA, OR AS PROVIDED BY SUBSEQUENT RESOLUTION OF THE ASSEMBLY,] the board of supervisors for each service area shall be composed of three persons who are qualified voters residing within the service area, appointed by the mayor and approved by the assembly. Each supervisor shall serve a term of three years and may serve additional terms. The three-year term shall be calculated on a calendar year basis. The terms of members initially appointed shall be staggered so that as nearly as possible an equal number of vacancies occur each year on a board. Vacancies occurring on a board of supervisors shall be filled for terms remaining by the mayor, subject to assembly confirmation.

Section 4. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

SUBJECT: Appropriation of $182,500 from Meadow Lakes Road Service Area No. 27 fund balance, Fund 281, to Fund 410, Project No. 30047, for Meadow Lakes Road Service Area No. 27 Capital Projects.

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set ~~for public hearing~~.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator		3/22/16
	Public Works Director		22 Mar 16
	Finance Director		3/23/16
	Borough Attorney		
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: Yes x No
Ordinance Serial No. 16-042 (2pp)
Resolution nos. 15-02 and 16-01 from the Road Service Area No. 27, Board of Supervisors (2pp.)
Road Maintenance & Repair Capital Projects List for RSA 27, approved with AM 15-157, (3pp)

SUMMARY STATEMENT: The Meadow Lakes Road Service Area No. 27 Board of Supervisors and the Public Works Department would like to support as many road capital projects as possible and ensure that the capital projects previously approved by the assembly with AM 15-010 are fully funded. Funds from the RSA No. 27 Meadow Lakes Fund Balance can be used to fund Road Capital Improvement Projects. The Meadow Lakes Board of Supervisors and the Public Works Department would like to transfer $182,500 from the Meadow Lakes Road Service Area No. 27 fund balance, Fund 281, to Project No. 30047, Fund 410 for Meadow Lakes Road Service Area No. 27 Capital Projects.

RECOMMENDATION OF ADMINISTRATION: Approve an appropriation of $182,500 from Meadow Lakes Road Service Area No. 27 fund balance, Fund 281, to Fund 410, Project No. 30047, for Meadow Lakes Road Service Area No. 27 Capital Projects.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 5, 2016

SUBJECT: Appropriation of $182,500 from Meadow Lakes Road Service Area No. 27 fund balance, Fund 281, to Fund 410, Project No. 30047, for Meadow Lakes Road Service Area No. 27 Capital Projects.

ORIGINATOR: Public Works, Operations & Maintenance

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED *182,500	FUNDING SOURCE RSA FUND BALANCE -Fund 281
FROM ACCOUNT # 281.272.000	PROJECT #
TO ACCOUNT : 410.000.000.4xx.xxx	PROJECT # 30047
VERIFIED BY: Barbara Gamgort	CERTIFIED BY:
DATE: 3/23/16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY14	FY15	FY16	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL			182.5			
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other			182.5			
TOTAL			182.5			

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: *The estimated remaining amount in fund balance, Fund 281is 50,548 with this appropriation. if adopted.

PREPARED BY: _____ PHONE: _____

DEPARTMENT: _____ DATE: _____

APPROVED BY: _____ DATE: 3/23/16

IM No. 16-068
OR16-042

A RESOLUTION OF THE ROAD SERVICE AREA #27, MEADOW LAKES BOARD OF SUPERVISORS REQUESTING THE TRANSFER OF $82,500 FROM THE FUND BALANCE TO THE CAPITAL IMPROVEMENTS PROGRAM.

WHEREAS, the Road Service Area #27, Meadow Lakes Fund Balance has a balance of approximately $132,465; and

WHEREAS, it is the desire of the Road Service Area #27, Meadow Lakes Board of Supervisors to add funding to the capital projects list; and

WHEREAS, the excess funds from the RSA #27, Meadow Lakes Fund Balance can be used to fund Capital Improvement Projects; and

WHEREAS, the RSA #27, Meadow Lakes Board of Supervisors request $82,500 be transferred to the Capital Improvement Projects Program;

NOW, THEREFORE, BE IT RESOLVED, that the Road Service Area #27, Meadow Lakes Board of Supervisors requests the Matanuska-Susitna Borough Assembly approve the transfer of $82,500 from Fund Balance 281.272.000 to Capital Improvements Project 30047.6600

APPROVED by the Road Service Area #27, Meadow Lakes Board of Supervisors:

RSA #27 Supervisor — Date: Dec 1 2015

RSA #27 Supervisor — Date: 12-1-15

RSA #27 Supervisor — Date: Dec 1-15

Resolution #15-02

IM16-068
OR16-042

A RESOLUTION OF THE ROAD SERVICE AREA #27, MEADOW LAKES BOARD OF SUPERVISORS REQUESTING THE TRANSFER OF $100,000 FROM THE FUND BALANCE TO THE CAPITAL IMPROVEMENTS PROGRAM.

WHEREAS, the Road Service Area #27, Meadow Lakes Fund Balance has a balance of approximately $150,557; and

WHEREAS, it is the desire of the Road Service Area #27, Meadow Lakes Board of Supervisors to add funding to the capital projects list; and

WHEREAS, the excess funds from the RSA #27, Meadow Lakes Fund Balance can be used to fund Capital Improvement Projects; and

WHEREAS, the RSA #27, Meadow Lakes Board of Supervisors request $100,000 be transferred to the Capital Improvement Projects Program;

NOW, THEREFORE, BE IT RESOLVED, that the Road Service Area #27, Meadow Lakes Board of Supervisors requests the Matanuska-Susitna Borough Assembly approve the transfer of $100,000 from Fund Balance 281.272.000 to Capital Improvements Project 30047.6600

APPROVED by the Road Service Area #27, Meadow Lakes Board of Supervisors:

RSA #27 Supervisor — Date: 3-15-16

RSA #27 Supervisor — Date: 3/15/16

RSA #27 Supervisor — Date: 3-15-16

Resolution #16-01 IM16-068 OR16-042

IM 16-068
DR 16-042

MATANUSKA-SUSITNA BOROUGH
PUBLIC WORKS DEPARTMENT
ROAD MAINTENANCE & REPAIR CAPITAL PROJECTS
SUMMER 2016

ASSEMBLY PERSON: Dist 7 Randall Kowalke
RSA SUPER: Scott Sanderson
PRIMARY: Stephen Edwards
ALT: Michael Fulton
ALT: Robert Cassell

RSA: 27 Meadow Lakes

PROJECT # 30047

APPROX AVAILABLE FUNDING $ 1,298,881
APPROX AVAILABLE GRANT FUNDING $74,150.75

PRIORITY	PROJECT LOCATION	DESCRIPTION OF WORK	TOTAL EST COST	RSA	MSB	GRANTS	GRANT DETAILS	FUND: YES/NO
1	RSA ROADS	CALCIUM PURCHASE	$11,250	$8,438	$2,813			YES
2	RSA ROADS	CALCIUM APPLICATION	$15,000	$11,250	$3,750			YES
3	RSA ROADS	RECONDITION ROADS	$75,000	$75,000				YES
4	RSA ROADS	PAVEMENT MAINTENANCE	$80,000	$80,000				YES
5	Forest Lake Dr (.58)	Design / Upgrade (.58)	$250,000	$250,000				YES
6	Gunflint Trail (1.32)	Design / Upgrade (1.32)	$74,150.75			$74,150.75	FY14 SOA Legis Grant	YES
7	Carousel Way (.58)	Design / Upgrade (.58)	$120,000	$120,000				YES
8	Kalmbach Lake Dr (.14)	Pave w/2" A.C. 50% MSB Match	$45,000	$22,500	$22,500			YES
9	Ridgecrest (.42) W Jay J St (.18)	Design / Upgrade (.60)	$250,000	$250,000				YES
10	Alma (.80)	Design / Upgrade (.80)	$320,000	$320,000				Yes
	TOTAL FUNDED PROJECTS		**$1,240,401**	**$1,137,188**	**$29,063**			
11	Larry Trail (.89)	Design / Upgrade (.89)	$400,000	$400,000				NO
					FUNDING NOT YET IDENTIFIED			

12	W. Captian Hook Dr. (.36) W. Captain Hook Ave. (.17) Golden Ln (.08) Ruby Cir. (.02) Topaz Ln. (.05) Opal Ct. (.03) Silver Cir. (.05)	Design/ Upgrade (.76)	$340,000	$340,000				NO
					FUNDING NOT YET IDENTIFIED			
13	Charlene Street (.40)	Pave w/2" A.C. 50% MSB Match	$120,000	$60,000	$60,000			NO
					FUNDING NOT YET IDENTIFIED			
14	Tweed Court (.47)	Pave w/2"A.C. 50% MSB Match	$141,000	$70,500	$70,500			NO
					FUNDING NOT YET IDENTIFIED			
15	N Day Road (.49)	Pave w/2"A.C. 50% MSB Match	$147,000	$73,500	$73,500			NO
					FUNDING NOT YET IDENTIFIED			
16	Sasbo Bluff (.62)	Design/Upgrade (.62)	$250,000	$250,000				NO
					FUNDING NOT YET IDENTIFIED			
17	Silver Dr. (.26)	Design/Upgrade (.26)	$104,000	$104,000				NO
					FUNDING NOT YET IDENTIFIED			
18	W. Swan Dr. (.63) S. Rainbow St. (.08)	Design/Upgrade (.71)	$285,000	$285,000				NO
					FUNDING NOT YET IDENTIFIED			
19	N. Doubloon Dr. (.30) W. Cove Dr. (.17)	Design/Upgrade (.47)	$190,000	$190,000				NO
					FUNDING NOT YET IDENTIFIED			
20	N. Phillips Dr. (.25) Dean Dr. (.48)	Design/Upgrade (.73)	$300,000	$300,000				NO
					FUNDING NOT YET IDENTIFIED			
21	N. Coronado St. (.10)	Pave w/2"A.C. 50% MSB Match (.10)	$30,000	$15,000	$15,000			NO
					FUNDING NOT YET IDENTIFIED			
	TOTAL UNFUNDED PROJECTS		**$2,307,000**	**$2,088,000**	**$219,000**			

IM16-068
080-016

	Source	Grant # / Account Code	Grant Amount					
Line	FY14 SOA Legis Grant	14-DC-082 30047.9200.9202	$74,150.75	Mdw Lakes-N. Gunflint Trail				

INFORMATION ONLY, GRANTS PREVIOUSLY ACCEPTED & APPROPRIATED

IM16-068
OR16-072

NON-CODE ORDINANCE

By: Borough Manager
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-042

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING AN APPROPRIATION OF $182,500 FROM MEADOW LAKES ROAD SERVICE AREA NO.28 FUND BALANCE, FUND 281, TO FUND 410, PROJECT NO. 30047, FOR MEADOW LAKES ROAD SERVICE AREA NO. 27 CAPITAL PROJECTS.

WHEREAS, the Meadow Lakes Road Service Area No. 27 Board of Supervisors and the Public Works Department would like to ensure all approved projects on the Capital List are fully funded; and

WHEREAS, the Meadow Lakes Road Service Area No. 27 Board of Supervisors and the Public Works Department would like to support as many future capital projects as possible; and

WHEREAS, transferring funds to the capital projects will ensure all projects on the capital projects list have adequate funding and support additional future capital projects; and

WHEREAS, excess funds from the RSA no. 27 Meadow Lakes fund balance can be used to fund Capital Improvement Projects; and

WHEREAS, the Meadow Lakes Road Service Area No. 27 Board of Supervisors and the Public Works Department would like to transfer $182,500 from Greater Meadow Lakes Road Service Area No. 27 fund balance, Fund 281, to Fund 410, Project No. 30047, for the Meadow Lakes Road Service Area No. 27 Capital Projects.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Appropriation source. The Matanuska-Susitna Borough Assembly hereby approves the appropriation of $182,500 from Meadow Lakes Road Service Area No. 27, fund balance, Fund 281, to Fund 410, Project No. 30047, Meadow Lakes Road Service Area No. 27 Capital Projects.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

SUBJECT: AN APPROPRIATION OF $220,000 FROM THE WILLOW FIRE SERVICE AREA FUND BALANCE, FUND 258, TO PROJECT 45274 FOR THE CONSTRUCTION OF A WILLOW FIRE SERVICE AREA WARM STORAGE BUILDING AT FOUR MILE ROAD.

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator/Bill Gamble	BG	
	Finance Director	pw/TM	
	Borough Attorney		
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES X NO
Ordinance Serial No. 16-043 (2 pp)
Resolution Serial No. 16-037 (3 pp)

SUMMARY STATEMENT:

On August 26, 2014, with Ordinance Serial No. 2014-103 the Matanuska-Susitna Borough Assembly accepted and appropriated a grant in the amount of $388,000 from the Department of Commerce, Community, and Economic Development for the construction of a Willow warm storage building at Four Mile Road. The grant funds remaining after the deduction of borough administrative fees is $368,600, and it has been determined that this amount of funding will be inadequate to complete the new warm storage building.

The Willow Fire Service Area board of Supervisors has approved a $220,000 fund balance appropriation to the project for the construction of the Willow warm storage building at Four Mile Road.

RECOMMENDATION OF ADMINISTRATION:

Approval of the attached legislation, which will appropriate $220,000 from the Willow Fire Service Area Fund Balance, Fund 258, to project 45274 for the construction of a Willow Fire Service Area warm storage building at Four Mile Road.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 5, 2016

SUBJECT: A supplemental appropriation of $220,000 from the Willow Fire Service Area Fund Balance, Fund 258, to Project No. 45274 for the construction of a Willow Fire Service Area warm storage building at Four Mile Road.

ORIGINATOR: Bill Gamble – Emergency Services

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED $220,000	FUNDING SOURCE Fund 258 Fund Bal.
FROM ACCOUNT # 258.272.000	PROJECT #
TO ACCOUNT : 405.000.000.3XX.XXX	PROJECT # 45274
VERIFIED BY: Barbara Gruenstein	CERTIFIED BY:
DATE: 3/22/16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL	220					
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	220					
TOTAL	220					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____

DEPARTMENT: Cheyenne Heindel per TM DATE: _____

APPROVED BY: _____ DATE: 3/22/16

IM No. 16-069
Ordinance Serial No. 16-043
Resolution Serial No. 16-037

NON-CODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-043

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING AN APPROPRIATION OF $220,000 FROM THE WILLOW FIRE SERVICE AREA FUND BALANCE, FUND 258, TO PROJECT 45274 FOR THE CONSTRUCTION OF A WILLOW FIRE SERVICE AREA WARM STORAGE BUILDING AT FOUR MILE ROAD.

WHEREAS, on August 26, 2014, with Ordinance Serial No. 2014-103 the Matanuska-Susitna Borough Assembly accepted and appropriated a grant in the amount of $388,000 from the Department of Commerce, Community, and Economic Development for the construction of a Willow warm storage building at Four Mile Road; and

WHEREAS, the grant funds remaining after the deduction of borough administrative fees is $368,600, and it has been determined that this amount of funding will be inadequate to complete the new warm storage building; and

WHEREAS, the Willow Fire Service Area Board of Supervisors has approved a $220,000 fund balance appropriation to Project 45274 to construct the warm storage building at Four Mile Road.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Appropriation source. The Matanuska-Susitna Borough Assembly hereby approves an appropriation in the amount of $220,000 from the Willow Fire Service Area Fund Balance, Fund 258 to Project No. 45274 for the costruction of the Willow warm storage building at Four Mile Road.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this __ day of _____, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 16-037

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE AMENDED BUDGET FOR PROJECT NO. 45274, TO ALLOW FOR THE CONSTRUCTION OF A WILLOW FIRE SERVICE AREA WARM STORAGE BUILDING AT FOUR MILE ROAD.

WHEREAS, on August 26, 2014, with Ordinance Serial No. 2014-103 the Matanuska-Susitna Borough Assembly accepted and appropriated a grant in the amount of $388,000 from the Department of Commerce, Community, and Economic Development for the construction of a Willow warm storage building at Four Mile Road; and

WHEREAS, the grant funds remaining after the deduction of borough administrative fees is $368,600, and it has been determined that this amount of funding will be inadequate to complete the new warm storage building; and

WHEREAS, the Willow Fire Service Area board of Supervisors has approved a $220,000 fund balance appropriation to the project for the construction of the Willow warm storage building at Four Mile Road; and

WHEREAS, the borough assembly is required to approve and adopt a scope of work and budget prior to the expenditure of said funds.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the scope of work and budget for Project No. 45274 as follows.

SCOPE OF WORK

Four Mile Road Warm Storage Building - Project includes, but is not limited to, necessary aspects of land survey, testing, and development; building design services and construction, equipment and furnishings for a new warm storage building in the Willow Fire Service Area.

BUDGET

Alaska State Department of Commerce, Community and Economic Development	$ 388,000
Willow Fire Service Area Fund Balance Appropriation	$ 220,000
TOTAL	$ 608,000

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

SUBJECT: ACCEPTING, APPROPRIATING, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR A GRANT IN THE AMOUNT OF $4,290 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, PROJECT NUMBER 45158-4415, FUND 425, FOR EXERCISE SUPPLIES AND CONTRACT SUPPORT.

AGENDA OF: April 5, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator/Gamble	BG	
	Finance Director		
	Borough Attorney		
	Borough Clerk		3/25/16

ATTACHMENT(S): Fiscal Note: YES X NO
Ordinance Serial No. 16-044 (2 pp)
Resolution Serial No. 16-038 (2 pp)

SUMMARY STATEMENT:
On November 19, 2014, with Ordinance Serial No. 2014-153, the borough accepted and appropriated an Alaska State Division of Homeland Security and Emergency Management grant in the amount of $68,420 for EOC Software and ICS Training. The Alaska State Division of Homeland Security and Emergency Management has awarded the Matanuska-Susitna Borough additional funding in the amount of $4,290 under the 2014 Alaska State Division of Homeland Security and Emergency Management grant for exercise supplies and contract support.

RECOMMENDATION OF ADMINISTRATION:
The administration recommends approval of the attached legislation, which will accept and appropriate an Alaska State Division of Homeland Security and Emergency Management grant in the amount of $4,290 and amend the scope of work and budget.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 5, 2016

SUBJECT: Accepting, appropriating, and approving the scope of work and budget for a grant in the amount of $4,290 from the Alaska State Division of Homeland Security and Emergency Management Grant, Project No. 45158-4415, Fund 425, for exercise supplies and contract support.

ORIGINATOR: Bill Gamble

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED $4290	FUNDING SOURCE State grant
FROM ACCOUNT #	PROJECT #
TO ACCOUNT: 425.000.000.3xx.xxx	PROJECT # 45158
VERIFIED BY: Barbara Bacon	CERTIFIED BY:
DATE: 3/22/16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						

REVENUE	4.3					

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds	4.3					
Other						
TOTAL	4.3					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____

DEPARTMENT: Cheyenne Hendrickson per TM DATE: _____

APPROVED BY: _____ DATE: 3/22/16

IM No. 16-071
Ordinance Serial No. 16-044
Resolution Serial No. 16-038

NON-CODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-044

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ACCEPTING AND APPROPRIATING $4,290 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, PROJECT NUMBER 45158-4415, FUND 425, FOR EXERCISE SUPPLIES AND CONTRACT SUPPORT.

WHEREAS, on November 19, 2014, with Ordinance Serial No. 2014-153, the borough accepted and appropriated an Alaska State Division of Homeland Security and Emergency Management grant in the amount of $68,420 for EOC Software and ICS Training; and

WHEREAS, the Alaska State Division of Homeland Security and Emergency Management has awarded the Matanuska-Susitna Borough additional funding in the amount of $4,290 under the 2014 Alaska State Division of Homeland Security and Emergency Management grant for exercise supplies and contract support; and

WHEREAS, the scope of work and budget are contained in Resolution Serial Number 16-038; and

WHEREAS, the borough assembly must accept and appropriate the $4,290 from the State of Alaska, Division of Homeland Security and Emergency Management grant prior to the expenditure of said funds.

WHEREAS, no expenditures can be made until the scope of work and budget have been approved by the Assembly.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Acceptance and Appropriation source. The Matanuska-Susitna Borough Assembly hereby approves an appropriation in the amount of $4,290 from the State of Alaska, Division of Homeland Security and Emergency Management grant program, to Fund 425, Project No. 45284-4415, for exercise supplies and contract support.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this __ day of _____, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 16-038

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE AMENDED SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, PROJECT NUMBER 45158-4415, FUND 425, FOR EOC (EMERGENCY OPERATION CENTER) SOFTWARE, ICS (INCIDENT COMMAND SYSTEM) TRAINING, AND EXERCISE SUPPLIES AND CONTRACT SUPPORT.

WHEREAS, on November 19, 2014, with Ordinance Serial No. 2014-153, the borough accepted and appropriated an Alaska State Division of Homeland Security and Emergency Management grant in the amount of $68,420 for EOC Software and ICS Training; and

WHEREAS, the Alaska State Division of Homeland Security and Emergency Management has awarded the Matanuska-Susitna Borough additional funding in the amount of $4,290 under the 2014 Alaska State Division of Homeland Security and Emergency Management grant for exercise supplies and contract support; and

WHEREAS, the assembly is required to approve and adopt a scope of work and budget for each capital project prior to the expenditure of said funds.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly approves the amended scope of work and budget for the State of Alaska, Division of Homeland Security and Emergency Management Grant, Project Number 45158-4415, Fund 425.

AMENDED SCOPE OF WORK

EOC Software, ICS Training, and Exercise

Supplies and Contract Support.

AMENDED BUDGET

State of Alaska Division of Homeland Security and Emergency Management	$72,710

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-075

SUBJECT: AMENDING THE SCOPE OF WORK FOR PROJECT NO. 45051, TO INCLUDE PAVING, LIGHTING, AND SAFETY BOLLARDS.

AGENDA OF: April 19, 2016

Assembly Action:

MANAGER RECOMMENDATION: Present to the Assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator/ Bill Gamble	BG	
	Finance Director		4/7/16
	Borough Attorney	NS	Form Only
	Borough Clerk		4/11/16

ATTACHMENT(S): Fiscal Note: YES X NO
Resolution Serial No. 16-039 (2pp)

SUMMARY STATEMENT:

On January 26, 2016, with Resolution No. 2016-005, the borough assembly approved an amended scope of work and budget for project 45051-6603. Since the adoption of Resolution 2016-005, the scope of work has expanded on this project to include safety related upgrades and access road paving.

It is considered prudent to install safety bollards to help prevent accidental damage to the structures while filling and exterior lighting will provide the responders with a safer work area after dark and deter vandalism and theft from the station. The access road paving will enable easier fill access and prevent road deterioration.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 19, 2016

SUBJECT: Approving the amended scope of work for Project No. 45051 to include paving, lighting, and safety bollards.

ORIGINATOR: Bill Gamble

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED 332,000	FUNDING SOURCE FY 14 Capital Budget Sutton PSA
FROM ACCOUNT # 405,000.000 4XX.XXX	PROJECT # 45051
TO ACCOUNT :	PROJECT #
VERIFIED BY:	CERTIFIED BY:
DATE: 4-5-16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL	332					

REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	332					
TOTAL	332					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____

DEPARTMENT: _____ DATE: _____

APPROVED BY: _____ DATE: 4/7/16

IM No. 16-075
Resolution Serial No. 16-039

Action:

MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 16-039

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING THE SCOPE OF WORK FOR PROJECT NO. 45051, TO INCLUDE PAVING, LIGHTING, AND SAFETY BOLLARDS.

WHEREAS, on January 26, 2016, with Resolution No. 2016-005, the borough assembly approved an amended scope of work and budget for project 45051-6603; and

WHEREAS, since the adoption of Resolution 2016-005, the scope of work has expanded on this project to include safety related upgrades and access road paving; and

WHEREAS, it is considered prudent to install safety bollards to help prevent accidental damage to the structures while filling; and

WHEREAS, exterior lighting will provide the responders with a safer work area after dark and deter vandalism and theft from the station; and

WHEREAS, the access road paving will enable easier fill access and prevent road deterioration.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the amended scope of work for Project No. 45051.

SCOPE OF WORK

Water storage tank, pump, well, and paved access driveway; safety upgrades to include exterior lighting and bollards, for Station 1-1.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. MCKECHNIE, CMC, Borough Clerk
(SEAL)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-081

SUBJECT: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE USE OF MATERIAL FROM BOROUGH-OWNED PARCEL 26N04W17D001, CLASSIFIED AS "RESOURCE MANAGEMENT LANDS" FOR TALKEETNA AIRPORT IMPROVEMENTS.

AGENDA OF: April 19, 2016

Assembly Action:

MANAGER RECOMMENDATION: Present to the Assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: _____

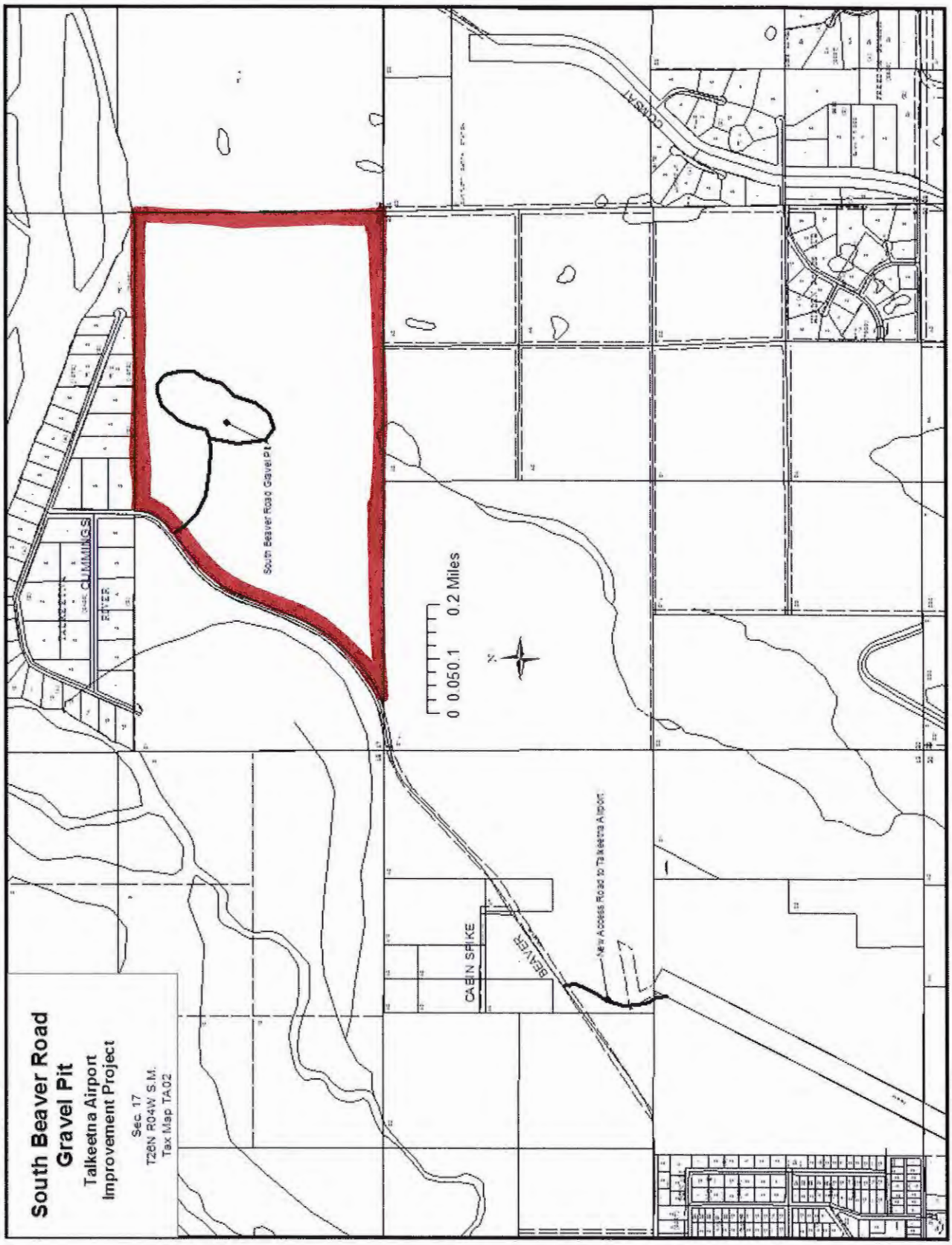
Route To:	Department/Individual	Initials	Remarks
	Originator	RT	
	Community Development Director	CP	
	Borough Attorney	NS	
	Borough Clerk	[illegible]	4/11/16

ATTACHMENT(S): Fiscal Note: YES _____ NO X
Site map (1pp)
Resolution Serial No. 16-040 (2 pp)

SUMMARY STATEMENT:
A portion of a borough-owned parcel 26N04W17D001 is classified as "Resource Management Lands" to provide a gravel source for road maintenance in the Talkeetna area and could be used to reduce the cost to tax payers and negative effects on the Talkeetna community and road system for a summer 2016-2017 airport improvement project.

BACKGROUND:
The MSB Land and Resources Management Division recently received requests from multiple contractors seeking to use the material site in bids to Alaska Department of Transportation (ADOT) to improve the Talkeetna Airport. While Land Management has no objections, the document classifying the parcel specified that the gravel was to be used for roads. The ADOT contract includes a road as well as airport improvements.

RECOMMENDATION OF ADMINISTRATION: Respectfully request Assembly approval for the use of material from borough-owned parcel 26N04W17D001, classified as "resource management lands" for Talkeetna Airport Improvements.



IM No. 16-081
Resolution Serial No. 16-040

Action:

MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 16-040

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE USE OF MATERIAL FROM BOROUGH-OWNED PARCEL 26N04W17D001, CLASSIFIED AS "RESOURCE MANAGEMENT LANDS" FOR TALKEETNA AIRPORT IMPROVEMENTS.

WHEREAS, on December 7, 1982, the Borough Assembly classified borough-owned parcel 26N04WD001 as "Resource Management Lands" to provide a gravel source for road maintenance in the Talkeetna Area; and

WHEREAS, on April 8, 1986, the Borough Assembly approved legislation broadening the scope of possible material uses to include the Talkeetna Sewer Project; and

WHEREAS, The Alaska Department of Transportation is seeking a contractor to make improvements to the Talkeetna Airport and build a new access road to the airport; and

WHEREAS, the borough-owned material site is the closest material site in the area and the only material site where haul trucks would not have to drive through downtown Talkeetna to access the airport.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the use of material from borough-owned parcel 26N04W17D001 for Talkeetna Airport improvements and access road construction.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

MATANUSKA-SUSITNA BOROUGH ACTION MEMORANDUM **AM No. 16-025**

SUBJECT: Acceptance of late filed and retroactive Senior Citizen and Disabled Veteran exemption applications.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Present to the assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: _____

Route To:	Department/Individual	Initials	Remarks
1	Originator	BL	
2	Finance Director		4/5/16
3	Borough Attorney	NB	
4	Borough Clerk		4/11/16

ATTACHMENT(S): Fiscal Note: Yes X No
Senior Citizen and Disabled Veteran Tax Exemptions. (2 pp)

SUMMARY STATEMENT: Attached is a listing of individuals who are requesting exceptions for late filed and retroactive applications for Senior Citizen and Disabled Veteran exemption. In 2002, the state of Alaska enacted legislation whereby Disabled Veterans and Senior Citizens may request retroactive exemption. MSB Code was amended accordingly. MSB Code 3.15.030(c) now establishes authority for the assembly with good cause to accept the late filed applications as timely.

RECOMMENDATION OF ADMINISTRATION: Acceptance of late filed and retroactive requests for tax exemption.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 19, 2016

SUBJECT: Acceptance of retroactive and late filed Senior Citizen and Disabled Veteran exemption applications.

ORIGINATOR: Brad Pickett, Borough Assessor

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED (118,910)	FUNDING SOURCE AKA/NAR/FSA/RSA/SSA
FROM ACCOUNT # 100/2xx.000.000.311xxx	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY:	CERTIFIED BY:
DATE: 4-4-16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						

REVENUE	(118.9)					

FUNDING: (Thousands of Dollars)

General Fund	(73.7)					
State/Federal Funds						
Other NAR/FSA/RSA	(45.2)					
TOTAL	(118.9)					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: Brad Pickett, Borough Assessor PHONE: 861-8647

DEPARTMENT: DATE:

APPROVED BY: DATE: 4/5/16

Senior Citizen and Disabled Veteran Tax Exemptions

Account #	Name	Exemption	Tax Year	Amount
2377B01L015	Jared Travis	DVET	2015	$218,000
19N04E15D001	James Talcott	DVET	2015	$127,800
6100B03L006	Joseph Stanistreet	DVET	2015	$10,000
6612B13L045	Mason Spott	DVET	2015	$216,200
6070000L0515	Elizabeth Lewis	DVET	2014	$12,700
6070000L0515	Elizabeth Lewis	DVET	2015	$12,600
3965B15L002A	James Duffy	DVET	2015	$218,000
5175B06L004	Brittany Barber	DVET	2015	$218,000
1313B03L005	Anna Ancheta	DVET	2014	$218,000
1313B03L005	Anna Ancheta	DVET	2015	$218,000
4468B02L007	George Costley	DVET	2014	$63,000
4468B02L007	George Costley	DVET	2015	$74,900
2818B12L015	Simon Brown	DVET	2015	$218,000
6412B06L007	Eric Young	DVET	2015	$218,000
6647B02L003C	Reginald Drummond	DVET	2015	$218,000
2428B02L004	James Palembas	DVET	2015	$213,100
5708000L003	David Schurman	DVET	2015	$206,600
1190B04L004	Kathleen Werginz	SCIT	2015	$199,700
23N04W17B001	Steve Lankford	SCIT	2015	$17,000
23N04W18A007	Steve Lankford	SCIT	2015	$50,500
23N04W18C002	Steve Lankford	SCIT	2015	$52,766
2982B01L004	James Fleming	SCIT	2014	$112,300
2982B01L004	James Fleming	SCIT	2015	$113,400
17N02E18A008	Russell Frantzich	SCIT	2014	$218,000
17N02E18A008	Russell Frantzich	SCIT	2015	$218,000
7115000T00A	William Cramp III	SCIT	2015	$154,984
6540B01L022	Lynette Drumbarger	SCIT	2015	$83,800
5024B06L004	Clarence Briscoe	SCIT	2014	$98,500
5024B06L004	Clarence Briscoe	SCIT	2015	$99,800
2508B07L001	Rita Andrews	SCIT	2014	$218,000
2508B07L001	Rita Andrews	SCIT	2015	$218,000

Account #	Name	Exemption	Tax Year	Amount
17N02E22D007	Ronald Smith	SCIT	2015	$218,000
5701B07L016	Amy Pigg	SCIT	2014	$218,000
5701B07L016	Amy Pigg	SCIT	2015	$218,000
25N04W29A006	Jeffrey Robinson	SCIT	2015	$25,900
2384B02L011-1	Joan Medbery	SCIT	2014	$13,500
2384B02L011-1	Joan Medbery	SCIT	2015	$13,500
5849B03L013	Theresa Dobbins	SCIT	2014	$218,000
5849B03L013	Theresa Dobbins	SCIT	2015	$218,000
5021B14L004	Nathan Hooks	SCIT	2014	$162,400
5021B14L004	Nathan Hooks	SCIT	2015	$166,300
25N04W28C004	Richard Kjar	SCIT	2014	$148,100
25N04W28C004	Richard Kjar	SCIT	2015	$163,200
6441B03L010	Frederick Ickes	SCIT	2015	$127,600
6441B03L004	Frederick Ickes	SCIT	2015	$12,000
6434B03L002	Curtis Behn	SCIT	2014	$8,050
6434B03L002	Curtis Behn	SCIT	2015	$8,050
1896000T006A	Roger Merrill	SCIT	2014	$218,000
1896000T006A	Roger Merrill	SCIT	2015	$218,000
17N01E03D013	Joseph Muth	SCIT	2014	$218,000
17N01E03D013	Joseph Muth	SCIT	2015	$218,000

MATANUSKA-SUSITNA BOROUGH ACTION MEMORANDUM **AM No. 16-026**

SUBJECT: Award of Bid #16-091B Purchase a High Pressure Breathing Air Compressor System & Rehabilitation Trailer to LN Curtis & Sons for the amount of $133,506.00.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Present to the assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Emergency Services Director	for BG	
	Finance Director		4/6/16
	Borough Attorney	NS	
	Borough Clerk		4/11/16

ATTACHMENT(S): Fiscal Note: Yes X No _____
Advertisement (1pg)
Analysis Sheet (1pg)

SUMMARY STATEMENT: The Greater Palmer Fire Service Area (GPFSA) is requesting a High Pressure Breathing Air Compressor System & Rehabilitation Trailer. The intent is to provide the service area with an enclosed trailer for filling empty Self-Contained Breathing Air (SCBA) cylinders that can be used both in a storage bay powered by a shoreline or on a fire scene powered by a diesel generator.

Within the next three years the MSB fire departments are preparing to upgrade from 2216psi to 4500psi SCBA equipment. This upgrade will be to replace old and antiquated SCBA equipment that has reached the end of its National Fire Protection Association (NFPA) recommended useful life. This new trailer/SCBA fill system will allow GPFSA to service these new

SCBA, as it takes a 6000psi fill station to fill 4500psi SCBA cylinders. Currently GPFSA does not have this capability.

This SCBA compressor trailer system will be capable of being towed to an emergency scene by a light duty vehicle and will be able to respond to other MSB fire department incidents as requested.

This trailer will allow for extended incidents to continue without critical (and potentially life threatening) interruption by keeping vital SCBA cylinders full and available on the fire scene and not having to transport empty bottles back and forth to a compressor system at a fire station. Currently at structure fires a rescue vehicle from the City of Palmer with a limited refill system is being used. This current resupply operation takes the rescue vehicle out of service for its primary duty of rescue response.

This trailer will also provide a warm working space with a folding table for firefighter medical checks and rehabilitation. The trailer will also be constructed with auxiliary scene lighting for safer night time operations.

On March 4, 2016 the Matanuska-Susitna Borough issued a solicitation requesting bids from qualified suppliers to furnish this trailer.

In response to the advertisement, three (3) bids were received. Award recommendation is being made to the lowest responsive and responsible bidder. Delivery is expected within 180 days upon receipt of order.

RECOMMENDATION OF ADMINISTRATION: Award of **BID NO. 16-091B, PURCHASE HIGH PRESSURE BREATHING AIR COMPRESSOR SYSTEM & REHABILITATION TRAILER** to **LN CURTIS & SONS** for the amount of **ONE HUNDRED THIRTY THREE THOUSAND FIVE HUNDRED SIX AND NO/100 DOLLARS ($133,506.00).**

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 19, 2016

SUBJECT: Award of Bid #16-091B Purchase a High Pressure Breathing Air Compressor System & Rehabilitation Trailer to LN Curtis & Sons for the amount of $133,506.00.

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED 133,506.	FUNDING SOURCE FSA
FROM ACCOUNT # 405.000.000 4XX.XXX	PROJECT # 45215-2100-2105
TO ACCOUNT :	PROJECT #
VERIFIED BY:	CERTIFIED BY:
DATE: 4-7-16	DATE:

EXPENDITURES REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL	133.5					
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	133.5					
TOTAL	133.5					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____

DEPARTMENT: _____ DATE: _____

APPROVED BY: _____ DATE: 4/6/16

AM No. 16-026

MATANUSKA-SUSITNA BOROUGH
350 East Dahlia Ave.
Palmer, Alaska 99645

A D V E R T I S E M E N T

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Frontiersman		CONTRACT	March 6, 2016
Alaska Dispatch News		MATA 0070	March 4, 2016
TYPE OF AD:	( ) Display	(X) Classified	( ) Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

MATANUSKA-SUSITNA BOROUGH
REQUEST FOR BID #16-091B

Purchase High Pressure Breathing Air Compressor System & Rehabilitation Trailer

The Matanuska-Susitna Borough is soliciting bids to purchase a High Pressure Breathing Air Compressor System & Rehabilitation Trailer which must meet the specifications contained in the scope of work and bid documents.

Bid documents are available beginning **March 4, 2016** from the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer AK 99645. For information call (907) 861-8601, Fax (907) 861-8617, or e-mail purchasing@matsugov.us. This bid document may be available on the internet at www.matsugov.us. A document fee of $10.00 will be charged for materials picked-up and $15.00 for materials mailed.

Bids open: **March 28, 2016 @ 3:30 PM in the Purchasing Division**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Each sealed bid must be received before the date and time due and must be marked with the appropriate Bid Number to be considered.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Date:	Requested by:	Approved by:
2/3/16		

DEPARTMENT ACCOUNT NUMBER: **405.000.000.463.940 ~ 45215-2100-2105**

AM16-026

AM16-026

MATANUSKA-SUSITNA BOROUGH

MSB-PURCH'16MAR29PM03:30

BID #16-091B
Purchase High Pressure Breathing Air Compressor System & Rehabilitation Trailer

MSB-PURCH'16MAR29PM03:29

ANALYSIS SHEET

BIDDER		CLEGG INDUSTRIES	L.N. CURTIS & SONS	J&S SERVICES
Signed Bid Form		Okay	Okay	Okay
Acknowledgement of Addendum ~~(1)~~ 2		Okay	Okay	Okay
Descriptive Literature		Okay	Okay	Okay
BID ITEM	**DESCRIPTION**	**BID PRICE**	**BID PRICE**	**BID PRICE**
1.	High Pressure Breathing Air Compressor System & Rehabilitation Trailer per Bid Documents & Specifications	194,943.25	133,506.00	140,926.24

RECOMMENDATION: ALL BIDS TAKEN UNDER ADVISEMENT

PURCHASING OFFICER	ASST PURCHASING OFFICER	BUYER	CONST PROCUREMENT SPECIALIST
DATE 3/29/16	WITNESS	WITNESS	WITNESS

SUBJECT: **Approval of a contract amendment to General Communications, Inc. for Purchase Order 2016-1589 in the amount of $119,252 for the Old Glenn Pathway Extension project.**

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Present to the assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: _____

Route To:	Department/Individual	Initials	Remarks
	Capital Projects Director: Jude Bilafer		
	Purchasing Officer		
	Finance Director		4/5/16
	Borough Attorney		
	Borough Clerk		4/11/16

ATTACHMENT(S): Fiscal Note: Yes __X__ No _____
Attachments (__8__ pp)

SUMMARY STATEMENT: Assembly approval of contract amendments (change orders) is required by MSB 3.08.161(A) for contracts with an original award value less than $100,000 where a contract amendment or change order, or cumulative contract amendments or change orders, will cause the total contract amount as amended, to exceed $100,000.

On April 16, 2013, the Matanuska-Susitna Borough issued a contract to design upgrades to the Old Glenn Highway, specifically a paved pathway near the Old Glenn Highway. In order to facilitate the construction of this project, existing telephone, cable and other utilities require relocation. The utility company, General Communications, Inc. (GCI), has agreed to relocate their utilities for the project in accordance with the attached Cost Estimate, which includes an estimated total cost to the Matanuska-Susitna Borough of $119,252 for

relocation. The original contract with GCI (PO 2016-1589) provided $5,000 for utility design services.

If approved, this change order will increase the total contract amount to $124,252.

RECOMMENDATION OF ADMINISTRATION: Recommend approval of a contract amendment for Purchase Order 2016-1589 in the amount of $119,252 to General Communications, Inc. for the Old G1enn Highway Pathway Extension project.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 19, 2016
SUBJECT: Approval of a contract amendment to General Communications, Inc. for Purchase Order 2016-1589 in the amount of $119,252 for the Old Glenn Pathway Extension project.

ORIGINATOR: Rick Antonio

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED 119,252	FUNDING SOURCE Bonds
FROM ACCOUNT # 430.000.000 4xx.xxx	PROJECT # 35412
TO ACCOUNT :	PROJECT #
VERIFIED BY:	CERTIFIED BY:
DATE: 4-5-16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL	119.2					
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	119.2					
TOTAL	119.2					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____

DEPARTMENT: _____ DATE: _____

APPROVED BY: _____ DATE: 4/5/16

AM No. 16-027

EXHIBIT "A"
SUMMARY OF ESTIMATE FOR ADJUSTMENT OF FACILITIES REQUIRED BY ROAD CONSTRUCTION

The **GENERAL COMMUNICATIONS, INC,** estimate of work and materials required in connection with Project No.: **35412**,
Project Name: **Old Glenn Highway Pathway Extension, MP 10.2 - 11.5,** Utility Work Order No. **15-7870,** Agreement No. **35412-2016-02**

	BOROUGH PARTICIPATION		UTILITY COST NON-REIMBURS.	TOTALS
PART I. UTILITY WORK				
RIGHT OF WAY (Acquisition Only)	-	-	-	-
Preliminary Engineering	8,210			8,210
Preliminary Engineering Overhead	-			-
TOTAL PRELIMINARY ENGINEERING	8,210	-	-	8,210
Construction Engineering	13,910			13,910
Construction Engineering Overhead	-			-
TOTAL CONSTRUCTION ENGINEERING	13,910	-	-	13,910
Construction Labor	-			-
Materials & Supplies	5,214			5,214
Materials Handling Charges	-			-
Transportation & Equipment	-			-
Contract Construction	91,008			91,008
DOL Fee 1% of Contract Construction	910	-	-	910
Miscellaneous Expenses	-			-
Construction Subtotal	97,132	-	-	97,132
Construction Overhead	-			-
GROSS CONSTRUCTION COSTS	97,132	-	-	97,132
(Credits)				-
Betterments	-			-
Non-Reimbursable				-
TOTAL CREDITS	-	-	-	-
NET CONSTRUCTION COSTS	97,132	-	-	97,132
TOTAL UTILITY WORK	**119,252**	-	-	**119,252**

PART II. BOROUGH WORK FOR UTILITY				
Preliminary Engineering @ 5%				-
Contract Construction				-
Construction Engineering @ 15%				-
TOTAL BOROUGH WORK FOR UTILITY	-	-	-	-
TOTAL ESTIMATED RELOCATION COSTS (Parts I & II)	**119,252**	-	-	**119,252**

UTILITY CONCURRENCE, BY: _____ SUBMITTED BY: _____

DATE: _____, 20_____ TITLE: _____

AM 16-087

Agreement No. 35412-2016-02
EXHIBIT "A"
Page 1 of 9

OLD GLENN HIGHWAY PATHWAY EXTENSION, MP 10.2 - 11.5
MSB PROJECT 35412
GCI WO # 15-7870

Preliminary Engineering:			
GCI Engineering Labor	440.00		
Contract Design	1,200.00		
In House Project Manager	850.00		
Contract Project Manger	5,000.00		
In House Business Administrator	220.00		
Permits	500.00		
Preliminary Engineering Overhead	-		
Total Preliminary Engineering		**$**	**8,210.00**
Construction Engineering:			
In House Project Manager	850.00		
Contract Project Manger	5,000.00		
Contract Inspector	3,840.00		
Survey	2,700.00		
In House Construction Manager	1,300.00		
In House Business Administrator	220.00		
Construction Engineering Overhead:	-		
Total Construction Engineering		**$**	**13,910.00**
Construction Labor	-		
Materials & Supplies	5,213.97		
Materials Handling Charges	-		
Transportation & Equipment	-		
Contract Construction	91,007.86		
DOL/WD Fee @1%	910.08		
Miscellaneous Expenses	-		
Construction Subtotal		$	97,131.91
Construction Overhead	-		
GROSS CONSTRUCTION COSTS		**$**	**97,131.91**
Betterments	-		
Non-reimbursable	-		
TOTAL CREDITS		**$**	**-**
NET CONSTRUCTION COSTS		**$**	**119,251.91**

AM116-027

OLD GLENN HIGHWAY PATHWAY EXTENSION, MP 10.2 - 11.5
MSB PROJECT 35412
GCI WO # 15-7870

QUANTITY	Item #		U / M	Unit Labor	Total Labor	Unit Materials	Total Materials	Total
		DESIGN						
8		In-House Design	EACH	$55.00	$440.00	n/a	n/a	**$440.00**
16		Contractor Design Hourly Rate	EACH	$75.00	$1,200.00	n/a	n/a	**$1,200.00**
15		Survey	EACH	$180.00	$2,700.00	n/a	n/a	**$2,700.00**
		Pole Engineering Load Calculations	EACH	$285.00	$0.00	n/a	n/a	**$0.00**
		WILDCARD SPACE	EACH	$0.00	$0.00	n/a	n/a	**$0.00**
		TOTAL DESIGN			$4,340.00		$0.00	**$4,340.00**
		PERMITS						
1		Mat-Su Borough Permit	EACH	$500.00	$500.00	n/a	n/a	**$500.00**
		Municipality of Anchorage permit fee	EACH	$500.00	$0.00	n/a	n/a	**$0.00**
		Alaska Department of Transportation	EACH	$600.00	$0.00	n/a	n/a	**$0.00**
		Alaska Department of Transportation fee per foot	PER FT.	$1.00	$0.00	n/a	n/a	**$0.00**
		Alyeska	EACH	$400.00	$0.00	n/a	n/a	**$0.00**
		DNR	EACH	$400.00	$0.00	n/a	n/a	**$0.00**
		BLM	EACH	$400.00	$0.00	n/a	n/a	**$0.00**
		ARR	EACH	$300.00	$0.00	n/a	n/a	**$0.00**
		SWPPP	EACH	$0.00	$0.00	n/a	n/a	**$0.00**
		TOTAL PERMITS			$500.00		$0.00	**$500.00**
		MAKE READY WORK						
		GVEA/Chugach/ Local Power Co.	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		ACS/Local Telco.	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		Alas connect	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		Pole engineering review	EACH	$350.00	$0.00	$0.00	$0.00	**$0.00**
		WILDCARD SPACE	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		TOTAL MAKE READY WORK			$0.00		$0.00	**$0.00**
		UNDERGROUND CONSTRUCTION						
1		Highest Cost Contractor	EACH	$89,425.42	$89,425.42	$5,213.97	$5,213.97	**$94,639.39**
		WILDCARD SPACE	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		Materials	EACH	$0.00	$0.00	$2,728.00	$0.00	**$0.00**
		TOTAL UNDERGROUND CONSTRUCTION			$89,425.42		$5,213.97	**$94,639.39**
		AERIAL CONSTRUCTION, CAX & FIBER SPLICING						
1		Highest Cost Contractor	EACH	$1,582.44	$1,582.44	$0.00	$0.00	**$1,582.44**
		WILDCARD SPACE	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		Materials	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		TOTAL AERIAL CONSTRUCTION			$1,582.44		$0.00	**$1,582.44**
		PROJECT MANAGEMENT						
80		PROJECT MANAGER CONTRACTED	PER HR.	$125.00	$10,000.00	$0.00	$0.00	**$10,000.00**
40		CONSTRUCTION MANAGER INSPECTOR CONTRACTED	PER HR.	$96.00	$3,840.00	$0.00	$0.00	**$3,840.00**
20		Project Manager IN HOUSE ADD BENEFITS	PER HR.	$85.00	$1,700.00	$0.00	$0.00	**$1,700.00**
20		Construction Manager / QC IN HOUSE ADD BENEFITS	PER HR.	$65.00	$1,300.00	$0.00	$0.00	**$1,300.00**
8		Business Administrator IN HOUSE ADD BENEFITS	PER HR.	$55.00	$440.00	$0.00	$0.00	**$440.00**
		TRAVEL	TRIP	$0.00	$0.00	$0.00	$0.00	**$0.00**
		MEALS	DAY	$0.00	$0.00	$0.00	$0.00	**$0.00**
		HOTEL	DAY	$0.00	$0.00	$0.00	$0.00	**$0.00**
		VEHICLE RENTAL	DAY	$0.00	$0.00	$0.00	$0.00	**$0.00**
		WILDCARD SPACE	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		WILDCARD SPACE	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		WILDCARD SPACE	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		WILDCARD SPACE	EACH	$0.00	$0.00	$0.00	$0.00	**$0.00**
		TOTAL PROJECT MANAGEMENT COSTS			$17,280.00		$0.00	**$17,280.00**
		TOTAL PROJECT COSTS			$113,127.86		$5,213.97	**$118,341.83**
210		TOTAL AERIAL ROUTE CONSTRUCTION FOOTAGE						
450		TOTAL UNDERGROUND ROUTE CONSTRUCTION FOOTAGE						
660		TOTAL FIBER/COAX INSTALLATION FOOTAGE						

AM16027

	Address or Project Name :	Mat-Su Borough Project #35412 - Old Glenn Highway Path Extension				
	OSP WO# :	15-7870				
	Cost Estimate Completed By :	Whit Willson				
	Date of this Estimate :	Revised 12-22-2015	**U / M**	**UNIT COST Labor**	**Total labor**	**Total Materials**	**Total**
Quantity	**System Design**					
8	In-House Design hourly rate		**EACH**	$55.00	$440.00	$0.00	$440.00
16	Contractor Design hourly rate		**EACH**	$75.00	$1,200.00	$0.00	$1,200.00
15	Survey hourly rate		**EACH**	$180.00	$2,700.00	$0.00	$2,700.00
	TOTAL COST FOR SYSTEM DESIGN				$4,340.00	$0.00	$4,340.00
Quantity	**PERMITS**					
1	Matsu Borough Permit Fee		**EACH**	$500.00	$500.00	$0.00	$500.00
	TOTAL PERMITS				$500.00	$0.00	$500.00
Quantity	**UNDERGROUND CONSTRUCTION**					
1	Highest Cost Contractor		**EACH**	$89,425.42	$89,425.42	$5,213.97	$94,639.39
	TOTAL UNDERGROUND CONSTRUCTION				$89,425.42	$5,213.97	$94,639.39
Quantity	**AERIAL CONSTRUCTION, COAX & FIBER SPLICING**					
1	Highest Cost Contractor		**EACH**	$1,582.44	$1,582.44	$0.00	$1,582.44
	TOTAL AERIAL CONSTRUCTION				$1,582.44	$0.00	$1,582.44
Quantity	**PROJECT MANAGEMENT**					
80	PROJECT MANAGER CONTRACTED		**Per Hr**	$125.00	$10,000.00	$0.00	$10,000.00
40	CONSTRUCTION MANAGER INSPECTOR CONTRACTED		**Per Hr**	$96.00	$3,840.00	$0.00	$3,840.00
20	Project Manager IN HOUSE ADD BENEFITS		**Per Hr**	$85.00	$1,700.00	$0.00	$1,700.00
20	Construction Manager / QC IN HOUSE ADD BENEFITS		**Per Hr**	$65.00	$1,300.00	$0.00	$1,300.00
8	Business Administrator IN HOUSE ADD BENEFITS		**Per Hr**	$55.00	$440.00	$0.00	$440.00
	TOTAL PROJECT MANAGEMENT COSTS				$17,280.00	$0.00	$17,280.00
	TOTAL PROJECT COST				$113,127.86	$5,213.97	$118,341.83
'	**Total Aerial Route Construction Footage**						
1908'	**Total Underground Route Construction Footage**						
2238'	**Total Fiber/Coax Installation Footage**						

COMMENTS:

Am 16-027

Central Region Aerial Bid Unit Sheet — **Technical** — *Exhibit E PROJECT NAME:*

Enable Davis Bacon Unit Rates (Y/N)?	Y	

Contractor: Contract No.

ITEM	DESCRIPTION AERIAL	Type	Amount	UTI Line Item Total Cost	BSE Line Item Total Cost
202a	Lash 1 (ea.) Coax Cable (less than 500')	Per ft.	100	$200.00	$185.00
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX		100			
205a	Over-lash ea. Additional Coax / Fiber Cable (less than 500')	Per ft.	100	$100.00	$65.00
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX		100			
206b	Remove Aerial messenger cable	Per ft.	200	$200.00	$100.00
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX		200			
	DROP				
603	Place New Drop, aerial or TOG	Each	1	$150.00	$100.00
STA 92+10 REPLACE UG/OH RG6 COAX SERVICE DROP		1			
	Davis Bacon Hourly Rate Schedule				
Position No.	**Description**	**Typical Eqpt Used**			
A0706	Tele Com Journeyman Lineman	bucket truck	Hourly	6	$772.44	$780.00
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX			6			
	Davis Bacon Equipment Use/Hour				
704,706,2105?	Bucket Truck		Hourly	4	$160.00	$160.00
STA 92+10 REPLACE UG/OH RG6 COAX SERVICE DROP			1			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX			3			
Total Line Items Cost					$1,582.44	$1,390.00
Percent Calculator (Insert amount)				0%	$0.00	$0.00
NTP AMOUNT					$1,582.44	$1,390.00

Total Aerial Const Ftg **0**
Total Cable Install Ftg **200**

Note: DB Unit Rates only available in this sheet for BSE and UTI. To ensure only DB rates are used in Summary, zeros are entered for other contractors' DB rates.

For DB Contractors Only:

	No DB Rate Available
	No STD Rate Available
	No Rate Available

AM16-027

Central Region Underground
Technical Bid Unit Sheet

Exhibit E

Enable Davis Bacon Unit Rates (Y/N)?	Y	

Contractor: Contract No.

ITEM	DESCRIPTION	BURIED	Type	Amount	UTI Line Item Total Cost	BSE Line Item Total Cost
101d	Trench 36" - 48" Depth (Dirt) >500'		Per ft.	1828	$29,248.00	$29,248.00
STA 76+17 - REPLACE UG .500 COAX W/ .625 C.I.C.			283			
STA 84+00 - 88+60 - REPLACE UG .500 COAX W/ .625 C.I.C.			545			
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX			390			
STA 88+60 - REPLACE UG RG11 COAX SERVICE DROP			200			
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX			330			
STA 92+10 REPLACE UG/OH RG6 COAX SERVICE DROP			40			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX			40			
104h	Directional Bore - 6" (Cobble)		Per ft.	80	$12,000.00	$12,000.00
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX			80			
108	Place Coax Cable in Conduit		Per ft.	2038	$4,076.00	$3,566.50
STA 76+17 - REPLACE UG .500 COAX W/ .625 C.I.C.			283			
STA 84+00 - 88+60 - REPLACE UG .500 COAX W/ .625 C.I.C.			545			
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX			390			
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX			660			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX			160			
	BURIED					
121	Pull MAXCELL SUB DUCT		Per ft.	720	$1,260.00	$900.00
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX			390			
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX			330			
	Davis Bacon Hourly Rate Schedule					
Position No.	Description	Typical Eqpt Used				
A0704	Tele Com Cable Splicer	bucket truck	Hourly	22	$2,905.10	$2,970.00
STA 76+17 - REPLACE UG .500 COAX W/ .625 C.I.C.			2			
STA 76+17 - ADJUST PEDESTAL AND EQUIPMENT			2			
STA 84+00 - ADJUST PEDESTAL AND EQUIPMENT			2			
STA 84+00 - 88+60 - REPLACE UG .500 COAX W/ .625 C.I.C.			2			
STA 85+66 - ADJUST PEDESTAL AND EQUIPMENT			1			
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX			2			
STA 88+60 - REPLACE UG RG11 COAX SERVICE DROP			2			
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX			4			
STA 92+10 REPLACE UG/OH RG6 COAX SERVICE DROP			1			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX			4			
A0706	Tele Com Equipment Operator	flatbed	Hourly	97	$12,487.78	$12,610.00
STA 76+17 - REPLACE UG .500 COAX W/ .625 C.I.C.			13			
STA 76+17 - ADJUST PEDESTAL AND EQUIPMENT			2			
STA 84+00 - ADJUST PEDESTAL AND EQUIPMENT			2			
STA 84+00 - 88+60 - REPLACE UG .500 COAX W/ .625 C.I.C.			25			
STA 85+66 - ADJUST PEDESTAL AND EQUIPMENT			2			
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX			18			
STA 88+60 - REPLACE UG RG11 COAX SERVICE DROP			8			
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX			23			
STA 92+10 REPLACE UG/OH RG6 COAX SERVICE DROP			2			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX			2			
(S or N)1201	Laborer group 1 & 2 (including ditch digger)	one tone	Hourly	186	$16,068.54	$15,810.00
STA 76+17 - REPLACE UG .500 COAX W/ .625 C.I.C.			26			
STA 76+17 - ADJUST PEDESTAL AND EQUIPMENT			4			
STA 84+00 - ADJUST PEDESTAL AND EQUIPMENT			4			
STA 84+00 - 88+60 - REPLACE UG .500 COAX W/ .625 C.I.C.			50			
STA 85+66 - ADJUST PEDESTAL AND EQUIPMENT			4			
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX			36			
STA 88+60 - REPLACE UG RG11 COAX SERVICE DROP			8			
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX			46			
STA 92+10 REPLACE UG/OH RG6 COAX SERVICE DROP			4			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX			4			
	Davis Bacon Equipment Use/Hour					
706, 710?, 1201, 1603, 2105?	One ton utility truck		Hourly	97	$2,667.50	$2,425.00
STA 76+17 - REPLACE UG .500 COAX W/ .625 C.I.C.			13			
STA 76+17 - ADJUST PEDESTAL AND EQUIPMENT			2			
STA 84+00 - ADJUST PEDESTAL AND EQUIPMENT			2			
STA 84+00 - 88+60 - REPLACE UG .500 COAX W/ .625 C.I.C.			25			
STA 85+66 - ADJUST PEDESTAL AND EQUIPMENT			2			
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX			18			
STA 88+60 - REPLACE UG RG11 COAX SERVICE DROP			8			

AM16-027

Central Region Underground Technical Bid Unit Sheet

Exhibit E

Enable Davis Bacon Unit Rates (Y/N)? Y

Contractor: Contract No.

ITEM	DESCRIPTION BURIED	Type	Amount	UTI Line Item Total Cost	BSE Line Item Total Cost
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX		23			
STA 92+10 REPLACE UG/OH RG6 COAX SERVICE DROP		2			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX		2			
706, 710?, 1201, 1603, 2105?	F 450/550 flatbed	Hourly	87	$2,392.50	$1,914.00
STA 76+17 - REPLACE UG .500 COAX W/ .625 C.I.C.		13			
STA 76+17 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 84+00 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 84+00 - 88+60 - REPLACE UG .500 COAX W/ .625 C.I.C.		25			
STA 85+66 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX		18			
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX		23			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX		2			
ALL	Air Compresser portable 185 CFM	Hourly	84	$1,470.00	$1,428.00
STA 76+17 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 84+00 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 84+00 - 88+60 - REPLACE UG .500 COAX W/ .625 C.I.C.		25			
STA 85+66 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX		18			
STA 88+60 - REPLACE UG RG11 COAX SERVICE DROP		8			
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX		23			
STA 92+10 REPLACE UG/OH RG6 COAX SERVICE DROP		2			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX		2			
706, 1201, 2105	Backhoe	Hourly	97	$3,880.00	$3,880.00
STA 76+17 - REPLACE UG .500 COAX W/ .625 C.I.C.		13			
STA 76+17 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 84+00 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 84+00 - 88+60 - REPLACE UG .500 COAX W/ .625 C.I.C.		25			
STA 85+66 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX		18			
STA 88+60 - REPLACE UG RG11 COAX SERVICE DROP		8			
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX		23			
STA 92+10 REPLACE UG/OH RG6 COAX SERVICE DROP		2			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX		2			
706, 1201, 2105	Wacker	Hourly	97	$970.00	$1,455.00
STA 76+17 - REPLACE UG .500 COAX W/ .625 C.I.C.		13			
STA 76+17 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 84+00 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 84+00 - 88+60 - REPLACE UG .500 COAX W/ .625 C.I.C.		25			
STA 85+66 - ADJUST PEDESTAL AND EQUIPMENT		2			
STA 85+66 - 88+60 - REPLACE UG .750 COAX W/ .875 COAX		18			
STA 88+60 - REPLACE UG RG11 COAX SERVICE DROP		8			
STA 88+60 - 92+10 REPLACE UG .750 W/ .875 COAX & .500 W/ .625 C.I.C.COAX		23			
STA 92+10 REPLACE UG/OH RG6 COAX SERVICE DROP		2			
STA 92+20 REPLACE UG/OH .500 W/ .625 C.I.C & UG/OH .750 W/ .875 COAX		2			
TOTAL Project Cost Per Contractor				$89,425.42	$88,206.50
Percent calculator (insert amount)			0%	$0.00	$0.00
NTP AMOUNT				$89,425.42	$88,206.50

Total UG Const Ftg 1908
Total Cable Install Ftg 2038

Note: DB Unit Rates only available in this sheet for BSE and UTI. To ensure only DB rates are used in Summary, zeros are entered for other contractors' DB rates.

For DB Contractors Only:

	No DB Rate Available
	No STD Rate Available
	No Rate Available

AM16-027

Parts Order Sheet

Job Name:	MSB 35412 - Old Glenn Highway Path Ext (Revised 12-22-2015)
WO#:	15-7870

Part Number	Part Description	Cost Per Item	Location	Category	Requested	Unit of Measure	Total
010100010	CABLE RG6 QUAD SHIELD PLAIN BLACK (COMMSCOPE)	$ 0.08		FS/Drop	200	FT	$16.93
010100019	Cable 875 Flooded JCASS	$ 1.00	OS	Underground	770	FT	$770.00
010100050	Cable 625 Flooded	$ 0.40	OS	Underground	190	FT	$76.00
013800016	Cable 625 1-1/4" CIC Innerduct	$ 1.33	OS	Underground	1238	FT	$1,646.54
030000044	Sub Duct 4" 3 Cell, Green Max-Cell	$ 2.30	OS	Underground	620	FT	$1,426.00
030000053	2" Innerduct, Smooth W/Pull Rope	$ 0.80	OS	Underground	40	FT	$32.00
030000056	4" Innerduct Single	$ 2.00	OS	Underground	620	FT	$1,240.00
092800003	Tubing Heat Shrink CFT1500	$ 6.50	G2	Underground	1	Each	$6.50
						TOTAL	$5,213.97

AM16-027

Agreement No. 35412-16-02
Exhibit "A"
Page 9 of 9

SUBJECT: Approval of a contract amendment to Matanuska Telephone Association for Purchase Order 2016-1587 in the amount of $339,612 for the Old Glenn Pathway Extension project.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Present to the assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Capital Projects Director: Jude Bilafer		
	Purchasing Officer		
	Finance Director		4/5/16
	Borough Attorney		
	Borough Clerk		4/11/16

ATTACHMENT(S): Fiscal Note: Yes X No _____
Attachments (9 pp)

SUMMARY STATEMENT: Assembly approval of contract amendments (change orders) is required by MSB 3.08.161(A) for contracts with an original award value less than $100,000 where a contract amendment or change order, or cumulative contract amendments or change orders, will cause the total contract amount as amended, to exceed $100,000.

On April 16, 2013, the Matanuska-Susitna Borough issued a contract to design upgrades to the Old Glenn Highway, specifically a paved pathway near the Old Glenn Highway. In order to facilitate the construction of this project, existing telephone, cable and other utilities require relocation. The Matanuska Telephone Association (MTA) has agreed to relocate their utilities for the project in accordance with the attached Cost Estimate, which includes an estimated total cost to the

Matanuska-Susitna Borough of $339,612 for relocation. The original contract with MTA (PO 2016-1587) provided $5,000 for utility design services.

If approved, this change order will increase the total contract amount to $344,612.

RECOMMENDATION OF ADMINISTRATION: Recommend approval of a contract amendment for Purchase Order 2016-1587 in the amount of $339,612 to Matanuska Telephone Association for the Old Glenn Highway Pathway Extension project.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 19, 2016

SUBJECT: Approval of a contract amendment to Matanuska Telephone Association for Purchase Order 2016-1587 in the amount of $339,612 for the Old Glenn Pathway Extension project.

ORIGINATOR: Rick Antonio

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED 339,612	FUNDING SOURCE Bonds
FROM ACCOUNT # 430.000.000 4XX.XXX	PROJECT # 354112
TO ACCOUNT :	PROJECT #
VERIFIED BY:	CERTIFIED BY:
DATE: 4-5-16	DATE:

EXPENDITURES REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL	339,6					
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
State Federal Funds						
Other	339.6					
TOTAL	339.6					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separatepage if necessary)

PREPARED BY: _____ PHONE: _____

DEPARTMENT: _____ DATE: _____

APPROVED BY: _____ DATE: 4/5/16

AM No. 16-028

EXHIBIT "A"
SUMMARY OF ESTIMATE FOR ADJUSTMENT OF FACILITIES REQUIRED BY ROAD CONSTRUCTION

The **MATANUSKA TELEPHONE ASSOCIATION INC,** estimate of work and materials required in connection with Project No.: **35412,**
Project Name: **OLD GLENN PATHWAY EXTENSION, MP 10.2 - 11.5,** Utility Work Order No. **22731,**
Agreement No. **35412-2016-04**

	BOROUGH PARTICIPATION		UTILITY COST NON-REIMBURS.	TOTALS
PART I. UTILITY WORK				
RIGHT OF WAY (Acquisition Only)	-	-	-	-
Preliminary Engineering	33,749			33,749
Preliminary Engineering Overhead	-			-
TOTAL PRELIMINARY ENGINEERING	33,749	-	-	33,749
Construction Engineering	8,437			8,437
Construction Engineering Overhead	-			-
TOTAL CONSTRUCTION ENGINEERING	8,437	-	-	8,437
Construction Labor	239,853			239,853
Materials & Supplies	27,800			27,800
Materials Handling Charges	3,703			3,703
Transportation & Equipment	-			-
Contract Construction	17,921			17,921
DOL Fee 1% of Contract Construction	179	-	-	179
Miscellaneous Expenses	7,971			7,971
Construction Subtotal	297,427	-	-	297,427
Construction Overhead	-			-
GROSS CONSTRUCTION COSTS	297,427	-	-	297,427
(Credits)				-
Betterments	-			-
Non-Reimbursable				-
TOTAL CREDITS	-	-	-	-
NET CONSTRUCTION COSTS	297,427	-	-	297,427
TOTAL UTILITY WORK	**339,612**	**-**	**-**	**339,612**

PART II. BOROUGH WORK FOR UTILITY				
Preliminary Engineering @ 5%				-
Contract Construction				-
Construction Engineering @ 15%				-
TOTAL BOROUGH WORK FOR UTILITY	-	-	-	-
TOTAL ESTIMATED RELOCATION COSTS (Parts I & II)	**339,612**	**-**	**-**	**339,612**

UTILITY CONCURRENCE, BY: _____ SUBMITTED BY: _____

DATE: _____, 20_____ TITLE: _____

AM 16-028

Agreement No. 35412-2016-04
EXHIBIT "A"
Page 1 of 9

Billing Format

Costs associated with Matanuska Telephone Association (MTA) Project Work Order No. 22731 are reimbursable subject to the terms and conditions of this agreement.

Billings shall include proper supporting documentation, which shall include but not limited to the following:

a. Journal entry reports or timesheets detailing the employee's name, pay rate, hours
charged and total costs.
b. Invoices for contract services including unit prices or hours and costs billed.
c. Material issue/return tickets verifying actual materials installed or returned.
d. Receipts or invoices for miscellaneous expenses with cost breakdown by item.

The attached estimate differs from MTA's cost estimate due to the addition of DOL Fee added to the contract construction items. Minor difference also due to rounding.

NOTICE OF WORK
Before work commences, the Company shall file a *Notice of Work* (NOW) with the Alaska Department of Labor and Workforce Development (DOL/WD). This requirement does not apply if the *total reimbursable* portion of the Agreement is less than $2,000.

FILING FEE
Per AS 36.05, the DOL/WD will assess a 1% filing fee with the NOW. The fee is calculated as 1% of the *reimbursable contract construction* amount and is capped at $5,000. The filing fee is not required when the *total reimbursable agreement amount* is less than $25,000.

Per WHPL #198 (October 15, 2004) the Company must provide DOL/WD a swom affidavit that their company labor wages and benefits meet or exceed the total prevailing wage requirements for the specific classification or worker listed in the applicable Laborers' and Mechanics' Minimum Rates of Pay pamphlet.

COMPLETION OF WORK
Upon completion of construction the Company will re-calculate the DOL/WD filing fee using the actual *reimbursable contract construction* amount. With this information, the Company shall file a *notice of completion* with DOL/WD and will either pay additional fees owed or receive a refund, as appropriate.

SUMMARY OF ESTIMATED COSTS

Old Glenn Highway Pathway Extension, MP 10.2 - 11.5
Matanuska Telephone Association, Inc.
MTA Work Orders: 22731

REIMBURSABLE RELOCATION COSTS

57282 PRELIMINARY ENGINEERING

OSP Preliminary Engineering (270.16 hrs @ $124.92/hr)	$ 33,748.50		
ROW (0 hrs @ $124.92/hr)	$ -		
Total Preliminary Engineering		$	**33,748.50**

57720 CONSTRUCTION ENGINEERING

OSP Construction Engineering (67.54 hrs @ $124.92/hr)	$ 8,437.13		
Survey (0 hrs @ $124.92/hr)	$ -		
Total Construction Engineering		$	**8,437.13**

57719 CONSTRUCTION COSTS

Construction Labor			
Placing Labor (430.45 Hrs x $166.29 per/hr)	$ 160,370.10		
Splicing Labor (37.64 Hrs x $169.54 per/hr)	$ 79,483.14		
Materials & Supplies			
Placing Materials	$ 27,786.77		
Splicing Materials	$ 12.85		
Material Overhead (27,799.61 x .1332)	$ 3,702.91		
Contract Construction			
Clearing - R1-15	$ -		
Bore - BM 60 ( )	$ 17,920.70		
Cut & Patch Asphalt	$ -		
Traffic Control	$ -		
Misc.Expenses	$ 7,971.00		
Total Construction Costs		$	**297,247.48**
DOL fee of 1% of Contract Construction ($5,000 max)		$	**179.21**
Less Credits		$	-
TOTAL ESTIMATED RELOCATION COSTS:		$	**339,612.31**

AM 16-028

Summary of Estimate for MTA Relocation Work

Old Glenn Highway Pathway Extension, MP 10.2 - 11.5
Matanuska Telephone Association, Inc.
MTA Work Order No: 22731

Placing - Reimbursable Costs

Func Code	Description	Est qty Labor Hrs	Labor $/unit	Total Labor	Est qty Material	Material $/unit	Total Materials
BA22	Post, Wood, Rect, 3.5x4.5in x 8ft	11.50	$ 162.12	$ 1,864.39	20	$ 14.00	$ 280.00
BD-4 AH	Pedestal, cable, CAD8, GL ST (Max 400 PR)	55.20	$ 162.12	$ 8,949.05	16	$ 86.20	$ 1,379.20
BD-5 AH	Pedestal, cable, CAD12, GL ST (Max 900 PR)	6.90	$ 162.12	$ 1,118.63	2	$ 151.98	$ 303.96
BD-7	Pedestal, cable, UPCBDS-300	4.60	$ 162.12	$ 745.75	1	$ 475.83	$ 475.83
BFC 100-24T	Cable 100-24 trench	9.25	$ 162.12	$ 1,499.62	134	$ 2.40	$ 321.12
BFC 25-24T	Cable 25-24 trench	63.34	$ 162.12	$ 10,268.72	918	$ 0.75	$ 690.70
BFC 400-24T	Cable 400-24 trench	171.87	$ 162.12	$ 27,863.26	2,135	$ 5.32	$ 11,357.35
BFC 50-24T	Cable 50-24 trench	408.62	$ 162.12	$ 66,245.38	5,922	$ 1.32	$ 7,811.71
BHF-3 KIT	Handhole 4'x6'x42" cover & knouts (w/ assc.)	13.80	$ 162.12	$ 2,237.26	1	$ -	$ -
BHF-3 Cover	Handhole 4'x6 Lid w/ 30" cover	0.00	$ 162.12	$ -	1	$ 840.00	$ 840.00
BHF-3 Vault	Handhole 4'x6 no bottom w/ knockouts	0.00	$ 162.12	$ -	1	$ 730.00	$ 730.00
BA 22	Post, Wood, Rect, 3.5x4.5in x 8ft	0.58	$ 162.12	$ 93.22	1	$ 14.00	$ 14.00
BM 11	Marker, pedestal, ylw, 4ft, clamps	0.35	$ 162.12	$ 55.93	1	$ 7.13	$ 7.13
BM 2 5/8	Rod, Ground, 5/8 IN x 8 FT	0.58	$ 162.12	$ 93.22	1	$ 14.64	$ 14.64
BM 53-1	Sign Warning FO Buried	0.35	$ 162.12	$ 55.93	1	$ 21.50	$ 21.50
BM 92-1.25T	Innerduct, 1.25in, blk/org strip	0.69	$ 162.12	$ 111.86	10	$ 0.34	$ 3.44
BM 11	Marker, pedestal, ylw, 4ft, clamps	6.56	$ 162.12	$ 1,063.51	19	$ 7.13	$ 135.47
BM 2 5/8	Rod, Ground, 5/8 IN x 8 FT	2.30	$ 162.12	$ 372.88	4	$ 14.64	$ 58.54
BM 40SIP- KIT	FO Locate Assy.	0.00	$ 162.12	$ -	1	$ -	$ -
BA 22	Post, Wood, Rect, 3.5x4.5in x 8ft	0.58	$ 162.12	$ 93.22	1	$ 14.00	$ 14.00
BM 11	Marker, pedestal, ylw, 4ft, clamps	0.35	$ 162.12	$ 55.93	1	$ 7.13	$ 7.13
BM 2 5/8	Rod, Ground, 5/8 IN x 8 FT	0.58	$ 162.12	$ 93.22	1	$ 14.64	$ 14.64
BM 53-1	Sign Warning FO Buried	0.35	$ 162.12	$ 55.93	1	$ 21.50	$ 21.50
BLANK SIGN	Sign, Blank, Yellow, 4-Holes	0.23	$ 162.12	$ 37.29	1	$ 4.66	$ 4.66
BM 92-1.25D	Innerduct, 1.25in, blk/org strip	1.38	$ 162.12	$ 223.73	20	$ 0.34	$ 6.89
BM 92-1.25D	Innerduct, 1.25in, blk/org strip	27.24	$ 162.12	$ 4,416.16	4,738	$ 0.34	$ 1,631.29
BM 92-2	Innerduct, 2in, blk/org strip	0.46	$ 162.12	$ 74.58	20	$ 0.79	$ 15.83
BM 92-2T	Innerduct, 2in, blk/org strip	5.31	$ 162.12	$ 861.35	77	$ 0.79	$ 60.96
BM 92-4T	Innerduct, 4in, blk/org strip	12.08	$ 162.12	$ 1,958.42	150	$ 1.99	$ 298.31
SEA 2-22	Wire, Aerial Drop, 2 PR x 22	6.74	$ 162.12	$ 1,091.88	590	$ -	$ -
UFO 72	Cable, FO 72- Dbl Jkt, UG in Duct (Labor for BlowingFO)	17.40	$ 162.12	$ 2,820.44	1,891	$ 0.67	$ 1,266.97
WBD C	Pedestal rearrangement	8.63	$ 162.12	$ 1,399.10	10	$ -	$ -
WBFC	Lower Buried Filled Cable	0.76	$ 162.12	$ 123.05	11	$ -	$ -
WBFO	Lower Buried Fiber Optic Cable	13.80	$ 162.12	$ 2,237.26	200	$ -	$ -
WBH	Handhole Rearrangement	17.25	$ 162.12	$ 2,796.58	3	$ -	$ -
WC	Rearrange Cable Attachment	10.93	$ 162.12	$ 1,771.30	19	$ -	$ -
XBA	Remove Stub Pole	4.03	$ 162.12	$ 653.35	7	$ -	$ -
XBD	Remove pedestal (3,4, or 5)	10.35	$ 162.12	$ 1,677.95	18	$ -	$ -
XBH	Remove Handhole	9.20	$ 162.12	$ 1,491.51	1	$ -	$ -
XBM 92-1.25	Abandon Duct, 1.25	0.00	$ 162.12	$ -	4,467	$ -	$ -
XCRW	Removal of C Wire	1.88	$ 162.12	$ 304.83	327	$ -	$ -
XSEA	Remove Aerial Drop	3.89	$ 162.12	$ 630.16	338	$ -	$ -
MOBP	MOBILIZATION & TRAVEL TIME	79.35	$ 162.12	$ 12,864.27	0	$ -	$ -

Total Labor Hours: 989.20

Total Labor Costs: **$ 160,370.10**

Total Material Costs: **$ 27,786.77**

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Summary of Estimate for MTA Relocation Work

Old Glenn Highway Pathway Extension, MP 10.2 - 11.5
Matanuska Telephone Association, Inc.
MTA Work Order No: 22731

Splicing - Reimbursable Costs

Func Code	Description	Est qty Labor Hrs	Labor $/unit	Total Labor	Est qty Material	Material $/unit	Total Materials
BM 2C	Existing PedNew Cable bonding	3.80	$ 165.92	$ 630.50	11	$ -	$ -
BM 2D	New Ped Existing Cable bonding	0.35	$ 165.92	$ 58.07	1	$ -	$ -
BM 30-(25)	PC Stub 25 pr	7.48	$ 165.92	$ 1,240.26	13	$ -	$ -
BM 30-(6)	PC Stub 6 pr	0.58	$ 165.92	$ 95.40	1	$ -	$ -
BM 50(6/12)	Terminal 6 or 12 pr	0.58	$ 165.92	$ 95.40	1	$ 12.85	$ 12.85
HC-1	Cable splicing w/indiv. Connector	0.46	$ 165.92	$ 76.32	20	$ -	$ -
HC-3	Cable splicing w/mod	13.80	$ 165.92	$ 2,289.71	1,200	$ -	$ -
PEDS-C	Splice Set-up BD-3, 4, 5 & 7	10.35	$ 165.92	$ 1,717.28	18	$ -	$ -
WHC-1	Cable throw w/indiv. Conn.100 pr	0.37	$ 165.92	$ 61.39	4	$ -	$ -
WHC-3	Cable throw w/mod 100 pr	84.04	$ 165.92	$ 13,943.99	1,218	$ -	$ -
WHO-1	Fiber Optic Cutover Rearrange	165.60	$ 165.92	$ 27,476.49	144	$ -	$ -
WHUO	UG FO Spl. Case Rearrange	55.20	$ 165.92	$ 9,158.83	8	$ -	$ -
WDF JUMPER	Rearrange MDF Jumpers	0.69	$ 165.92	$ 114.49	6	$ -	$ -
WSEA	Rearrange Aerial Drop	0.58	$ 165.92	$ 95.40	1	$ -	$ -
WSEB	Rearrange Buried Drop	10.93	$ 165.92	$ 1,812.69	19	$ -	$ -
XBM 30	Remove PC Stub	5.46	$ 165.92	$ 906.34	19	$ -	$ -
XNID	Remove NID	0.35	$ 165.92	$ 57.24	1	$ -	$ -
XSEB	Remove Buried Drop	0.00	$ 165.92	$ -	2,998	$ -	$ -
WHUO	Rearrange UG Closure FO	55.20	$ 165.92	$ 9,158.83	8	$ -	$ -
MOB	MOBILIZATION & STAGING	63.25	$ 165.92	$ 10,494.49	1	$ -	$ -
	Total Labor Hours:	479.04					
	Total Labor Costs:			**$ 79,483.14**			
	Total Material Costs:						**$ 12.85**

AM16-028

MATANUSKA TELEPHONE ASSOCIATION, INC.
COST ESTIMATE

TO: MSB
FROM: Robbie Nash
DATE: December 3, 2015
SERVICE ORDER #:
WORK ORDER #: 22731
WORK ORDER DESCRIPTION: Old Glenn Path Change #1

LABOR	Total Cost
Placing	160,374.52
Splicing	79,481.07
Engineering	42,185.63
Other:	17,920.70
TOTAL LABOR	$299,961.92
MATERIALS	
Placing & Splicing	31,502.52
TOTAL MATERIALS	$31,502.52
ROW COST	7,971.00
TOTAL COST	$339,435.44

RIGHT OF WAY INFORMATION

- ☐ MTA TO OBTAIN
- ☐ CUSTOMER TO OBTAIN PRIVATE R/W
- ☐ MTA TO OBTAIN FOR CUSTOMER

TYPE OF PLANT:

SUMMER CONSTRUCTION ☐ YES ☐ NO

ADDITIONAL COMMENTS: Relocate MTA facilities in conflict with MSB Project No. 35412: Old Glenn Highway Pathway Extension MP 9 to MP 11.5.

Am 16-028

OSP Work Order Cover Sheet

WO #:	745-22731	Eng:	HLA
Project Description:	OldGlennPath(REB)CO1	CLLI:	BUTE
*Purpose:		Bud#:	345
Relocate MTA facilities in conflict with MSB Project No. 35412: Old Glenn Highway Pathway Extension MP 9 to MP 11.5		Exch:	745
		Acct. Code:	UFO

Work Order Tracking

OSP Engineer	01/14/16 HLA	To ROW	__/__/__ ___	To Construction	__/__/__ ___	Testing Comp	__/__/__ ___
OSP Ntwrk Engr	__/__/__ ___	Out of ROW	__/__/__ ___	To Contract	__/__/__ ___	Final Post	__/__/__ ___
OSP E&C MGR	1/18/16 RWR	Permit Req'd (Y/N)	___	Contract Comp	__/__/__ ___	OSP Engr Review	__/__/__ ___
ECO DIR	__/__/__ ___	Verbal (Y/N)	___	Placing Comp	__/__/__ ___	OSP Ntwrk Engr	__/__/__ ___
		Time	___	Plac Rem Comp	__/__/__ ___	OSP E&C MGR	__/__/__ ___
		Date	__/__/__	SPL Comp	__/__/__ ___		
		AGENCY	___	SPL Rem Comp	__/__/__ ___		
		Per ___ Intials	___	F/O SPL Comp	__/__/__ ___		

Template: ADOT DB Rate

Original Change Orders: Number / Date / Initial
#1 / 01-15-2016 / HLA
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Estimate Summary	Hours	Dollars
Engineering	337.70	$ 42,185.63
Engineering addtl hrs	0.00	$ -
Survey - Crew	0.00	$ -
Inspector	0.00	$ -
Placing	909.88	$ 147,510.30
Mobilization & Staging - Placing	79.35	$ 12,864.22
Splicing	415.78	$ 68,986.63
Mobilization & Staging - Splicing	63.25	$ 10,494.44
Sub Contract		0.00
ROW Permits/Easements/Fees		7,971.00
Materials		27,799.61
Material Overhead		3,702.91
Boring - Contractor		17,920.70
Clearing - Contractor		0.00
Lodging		0.00
Per Diem		0.00
Meals/Mileage		0.00
Other		0.00
Aid to Construction		0.00
Material + Overhead:		$ 31,502.51
Labor Sub Total:		$ 282,041.23
Other Sub Total:		$ 25,891.70
TOTAL Work Order:		$ 339,435.44

NOTES:

Old Glenn Path Reimbursable (REB): original estimate = $ 359,740.94
MTA material downgrade NOT included - 2135' from BFC 400-24 TO BFC 200-24
MTA betterments NOT included,
13319' BM 92-1.25D, 1914' BM 92-16.0mmOR, 4 BHF-2 KIT, 4 BM 40SIP - KIT,
9 BA 22, 9 BD-4 AH, 9 BM 11
0
CO#1 = reduction of $ 20,305.50
RETAIN UFO 24 ON EAST SIDE OF GLENN HWY @ PLUMLEY. CHANGE COUNT OF PROPOSED
UFO 96 ON WEST SIDE OF GLENN @ PLUMLEY. CHANGE RUNNING LINE THROUGH BUTTE SUBD.
CHANGE RUNNING LINE THROUGH BUTTE SUBD.
CO#1 Betternents not included: Material upgrade UFO 72 to UFO 96

AM16-028

Warehouse Pick List

WO#: 745-22731
Name: OldGlennPath(REB)CO1
Exch: 745
CLLI: BUTE

Employee Name: _____
Employee #: _____
Staging Area: _____
Expected Pickup Date: _____

IM #	Qty	Unit	DESCRIPTION	Reel#	DEPT	Material Cost	DB Labor Hours
	60	BM 60 (2)	BORED Duct Plastic, 2"		Contract	2,950.80	0
	45	BM 60 (3.5)	BORED Duct Plastic, 3.5", (4" O.D.)		Contract	2,767.50	0.00
1601	20	BA 22	POSTWOODRECT3.5x4.5IN x 8FT		PLC	280.00	11.50
23994	16	BD-4 AH	PEDESTAL,CABLE,CAD8,GLV ST (MAX 400PR)		PLC	1,379.20	55.2
23995	2	BD-5 AH	PEDESTAL,CABLE,CAD12,GLV ST (MAX 900PR)		PLC	303.96	6.90
1822	1	BD-7	PEDESTAL,CABLE,UPCBDS-300 *		PLC	475.83	4.60
16880	134	BFC 100-24T	CABLE 100-24 TRENCH		PLC	321.12	9.25
16864	918	BFC 25-24T	CABLE 25-24TRENCH		PLC	690.70	63.34
17187	2135	BFC 400-24T	CABLE 400-24 TRENCH		PLC	11,357.35	171.8675
16984	5922	BFC 50-24T	CABLE 50-24 TRENCH		PLC	7,811.71	408.618
	1	BHF-3 KIT	HANDHOLE 4FTx6FTx42IN, w/30" cover & knockouts w/accessories		PLC	-	13.8
21482	1	*Includes BHF-3 Cover:	HANDHOLE 4FTx6FT Lid, w/30" cover		PLC	840.00	#VALUE!
21481	1	*Includes BHF-3 Vault:	HANDHOLE 4FTx6FTx42IN, no bottom, w/knockouts		PLC	730.00	#VALUE!
1601	1	*Includes BA 22	POST, WOOD, RECT, 3.5x4.5IN x 8FT		PLC	14.00	0.575
16008	1	*Includes BM 11	MARKER,PEDESTAL,YLW,4FT,CLAMPS		PLC	7.13	0.345
1610	1	*Includes BM 2 5/8	ROD,GROUND,5/8IN x 8FT,BLACK-		PLC	14.64	0.575
8251	1	*Includes BM 53-1	SIGN WARNING F/0 BURIED CABLE		PLC	21.50	0.345
17096	10	*Includes BM 92-1.25T	INNERDUCT,1.25IN,BLK/ORG STRIP		PLC	3.44	0.69
16008	19	BM 11	MARKER,PEDESTAL,YLW,4FT,CLAMPS		PLC	135.47	6.56
1610	4	BM 2 5/8	ROD,GROUND,5/8IN x 8FT,BLACK-		PLC	58.54	2.30
	1	BM 40SIP - KIT	FO LOCATE ASSEMBLY - Placing Units		PLC	-	0
1601	1	*Includes BA 22	POST, WOOD, RECT, 3.5x4.5IN x 8FT		PLC	14.00	0.575
16008	1	*Includes BM 11	MARKER,PEDESTAL,YLW,4FT,CLAMPS		PLC	7.13	0.345
1610	1	*Includes BM 2 5/8	ROD,GROUND,5/8IN x 8FT,BLACK-		PLC	14.64	0.575
8251	1	*Includes BM 53-1	SIGN WARNING F/0 BURIED CABLE		PLC	21.50	0.345
1894	1	*Includes blank sign	SIGN, BLANK, YELLOW, 4 Holes		PLC	4.66	0.23
17096	20	*Includes BM 92-1.25T	INNERDUCT,1.25IN,BLK/ORG STRIP		PLC	6.89	1.38
17096	4738	BM 92-1.25D	INNERDUCT,1.25IN,BLK/ORG STRIP		PLC	1,631.29	27.24
17197	20	BM 92-2	INNERDUCT,2IN,BLK W/ORG STRIPE		PLC	15.83	0.46
17197	77	BM 92-2T	INNERDUCT,2IN,BLK W/ORG STRIPE		PLC	60.96	5.313
2046	150	BM 92-4T	CONDUIT,PVC,4IN X 10FT,SCH 40		PLC	298.31	12.08
FRE	590	SEA 2-22	WIRE,AERIAL,DROP,0002PR X 22		PLC	-	6.785
	1891	UFO 72	CABLE F/O 72 -Dbl Jkt, Sngl-Armor,Underground in Conduit *Labor rate is for Blowing Fiber		PLC	1,266.97	17.3972
	10	WBD C	PEDESTAL REARRANGEMENT		PLC	-	8.63
	11	WBFC	LOWER BURIED FILLED CABLE		PLC	-	0.759
	200	WBFO	LOWER BURIED FIBER OPTIC CABLE		PLC	-	13.80
	3	WBH	HANDHOLE REARRANGEMENT		PLC	-	17.25
	19	WC	REARRANGE CABLE ATTACHMENT		PLC	-	10.925
	7	XBA	REMOVE STUB POLE		PLC	-	4.03
	18	XBD	REMOVE PEDESTAL (3 4 OR 5)		PLC	-	10.35
	1	XBH	REMOVE HANDHOLE		PLC	-	9.2
	4467	XBM 92-1.25	ABANDON DUCT, 1.25"		PLC	-	0.00
	327	XCRW	REMOVAL OF C WIRE		PLC	-	1.88025
	338	XSEA	REMOVE AERIAL DROP		PLC	-	3.887
	11	BM 2C	EXISTING PED NEW CA BONDING		SPL	-	3.80
	1	BM 2D	NEW PED EXISTING CABLE BOND		SPL	-	0.35
	13	BM 30-(25)	PC STUB 25 PR		SPL	-	7.475
	1	BM 30-(6)	PC STUB 6 PR.		SPL	-	0.575
19337	1	BM 50 (6/12)	TERMINAL 6 OR 12 PR		SPL	12.85	0.575
	20	HC-1	CABLE SPLICING W/INDIV. CONN.		SPL	-	0.46
	1200	HC-3	CABLE SPLICING W/MOD		SPL	-	13.80

10:16 AM1/14/2016

AM16-028

Warehouse Pick List

	18	PEDS-C	SPL SET-UP BD3,4,5,&7		SPL	-	10.35
	4	WHC-1	CABLE THROW W/INDIV. CONN 100 PR		SPL	-	0.37
	1218	WHC-3	CABLE THROW W/MOD 100 PR		SPL	-	84.04
	144	WHO-1	Fiber Optic Cutover rearrange		SPL	-	165.6
	8	WHUO	UG FO SPL CASE REARR(BOM REQ)		SPL	-	55.2
	6	WMDF JUMPER	REARRANGE MDF JUMPERS		SPL	-	0.69
	1	WSEA	REARRANGE AERIAL DROP		SPL	-	0.575
	19	WSEB	REARRANGE BURIED DROP		SPL	-	10.925
	19	XBM 30	REMOVE PC STUB		SPL	-	5.4625
	1	XNID	REMOVE NID		SPL	-	0.345
	2998	XSEB	REMOVE BURIED DROP		SPL	-	0
	8	WHUO	REARRANGE UG CLOSURE FO		SPL	-	55.2

10:16 AM 1/4/2016

Am16-028

SUBJECT: Award of Bid 16-094B, MSBSD HVAC Upgrades; 2 Schools, to F-E Contracting, in the contract amount of $1,645,908

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Present to the assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator (Purchasing)		
	Capital Projects Director		
	Finance Director		4/6/16
	Borough Attorney		
	Borough Clerk		4/11/16

ATTACHMENT(S): Fiscal Note: Yes X No ____
Advertising: 1 page
Bid Analysis: 2 page(s)

SUMMARY STATEMENT: On March 1, 2016, the Matanuska-Susitna Borough issued solicitation 16-094B requesting bids to perform HVAC upgrades to two borough schools. The work consists of modification of the existing mechanical control systems to direct digital controls (DDC). The work also includes removal of pneumatic systems and associated equipment and the replacing various pieces of mechanical equipment.

As a result of the advertising, the borough received 4 bids. The Purchasing Division is recommending award of Schedule A, Lines 1 and 2 be made to F-E Contracting as the lowest, responsive and responsible bidder.

Work progress on this contract would be monitored and administered by the Capital Projects Department, Project Management Division. Work is expected to be completed by September 1, 2017.

RECOMMENDATION OF ADMINISTRATION: Award of **BID 16-094B, MSBSD HVAC UPGRADES; 2 SCHOOLS** to **F-E CONTRACTING** in the contract amount of **ONE MILLION SIX HUNDRED FORTY FIVE THOUSAND NINE HUNDRED EIGHT DOLLARS ($1,645,908.00).**

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 19, 2016
SUBJECT: Award of Bid, MSBSD HVAC Upgrades

ORIGINATOR:

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED 1,645,908	FUNDING SOURCE Bonds
FROM ACCOUNT # 400.000.000 4xx.xxx	PROJECT # 40199-1000-1004
TO ACCOUNT :	PROJECT #
VERIFIED BY:	CERTIFIED BY:
DATE: 4-7-16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL	1645.9					

REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other Bonds	1645.9					
TOTAL	1645.9					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____

DEPARTMENT: _____ DATE: _____

APPROVED BY: _____ DATE: 4/6/16

AM16-029

MATANUSKA-SUSITNA BOROUGH
350 East Dahlia
Palmer, Alaska 99645

ADVERTISEMENT

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Alaska Dispatch News		MATA 0070	MAR 1 & 8, 2016
Frontiersman		CONTRACT	MARCH 4, 2016
TYPE OF AD:	( ) Display	(X) Classified	( ) Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

MATANUSKA-SUSITNA BOROUGH
BID #16-094B
MSBSD HVAC UPGRADES; 2 SCHOOLS

The Matanuska-Susitna Borough is soliciting bids to perform HVAC Upgrades at two MSB Schools. The scope of work for this project consists of modification of existing building mechanical control systems to direct digital controls (DDC). This work requires removal of pneumatic systems and associated equipment, replace with electronic DDC control valves, actuators and other sensing equipment and control devices as indicated in the contract documents. The scope of work also includes replacing various pieces of mechanical equipment as indicated in the contract documents.

Bid documents are available **beginning March 1, 2016** from the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. For information call (907) 861-8601, Fax (907) 861-8617. This bid document may be available on the internet at www.matsugov.us. Cost of bid documents picked up $10.00; if mailed, $15.00.

Pre-bid: **March 8, 2016 at 10:00 AM in the P2 Conference Room** in the Purchasing Division.

Bids open: **MARCH 22, 2016 at 2:30 PM in the Purchasing Division**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8404.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by: Signature on File	Approved by: Signature on File

DEPARTMENT ACCOUNT NO.: 400.000.000.463.940 ~ 40199-1000-1004

AM16-039

MATANUSKA-SUSITNA BOROUGH
BID #16-094B
MSBSD HVAC Upgrades; 2 Schools

ANALYSIS SHEET

BIDDER		Wolverine Supply	FE Contracting	Wirtanen Comm.
Signed Bid Form		✓	✓	✓
Receipt of Addendum (#) 2		✓	✓	✓
Bid Guarantee		BB	BB	BB
Other items as required in Instructions to Bidders and Specifications/Scope of work				
LINE ITEM	**DESCRIPTION**	**BID PRICE**	**BID PRICE**	**BID PRICE**
1.	Upgrade the HVAC system at Palmer Junior Middle School in accordance with the plans and specifications.	$1,097,000.00	$977,235.00	$1,111,896.60
2.	Upgrade the HVAC system at Wasilla Middle School in accordance with the plans and specifications	$787,000.00	$668,673.00	$767,539.25
	TOTAL SCHEDULE A PRICE	$1,884,000.00	$1,645,908.00	$1,879,435.85
1.	Upgrade the HVAC system at Palmer Junior Middle School in accordance with the plans and specifications	$1,110,000.00	$977,235.00	$1,111,896.60
	TOTAL SCHEDULE B PRICE	$1,110,000.00	$977,235.00	$1,111,896.60

AM16-089

RECOMMENDATION: _____

PURCHASING OFFICER	ASST PURCHASING OFFICER	BUYER	CONST PROCUREMENT SPECIALIST
DATE	WITNESS	WITNESS	WITNESS

MATANUSKA-SUSITNA BOROUGH
BID #16-094B
MSBSD HVAC Upgrades; 2 Schools

ANALYSIS SHEET

BIDDER		ATS Alaska		
Signed Bid Form		✓		
Receipt of Addendum (#) 2		✓		
Bid Guarantee		BB		
Other items as required in Instructions to Bidders and Specifications/Scope of work				
LINE ITEM	**DESCRIPTION**	**BID PRICE**	**BID PRICE**	**BID PRICE**
1.	Upgrade the HVAC system at Palmer Junior Middle School in accordance with the plans and specifications.	$ 1,280,955.00		
2.	Upgrade the HVAC system at Wasilla Middle School in accordance with the plans and specifications	$ 880,593.00		
	TOTAL SCHEDULE A PRICE	$ 2,161,548.00		
1.	Upgrade the HVAC system at Palmer Junior Middle School in accordance with the plans and specifications	$ 1,280,955.00		
	TOTAL SCHEDULE B PRICE	$ 1,280,955.00		

RECOMMENDATION: Bid taken under advisement

PURCHASING OFFICER	ASST PURCHASING OFFICER	BUYER	CONST PROCUREMENT SPECIALIST
3/23/16			
DATE	WITNESS	WITNESS	WITNESS

AM16-029

THE BUDGET ORDINANCE, ORDINANCE SERIAL NO. 16-016 WILL BE PROVIDED AT THE MEETING FOR INTRODUCTION OF THE ORDINANCE.

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-073

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REAPPROPRIATING $125,516 FROM THE PLANNING DEPARTMENT FISCAL YEAR 2016 OPERATING BUDGET, FUND 100, TO FUND 480; AND A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NOS. 47035, 47038, 47046, 47047, 47520; EXTENDING THE TIME OF COMPLETION FOR THE PROJECT FUNDING AND APPROVING THE SCOPE OF WORK AND BUDGET FOR PLANNING OFFICE MODIFICATION PROJECT; HOUSING ANALYSIS PROJECT, AND THE REGIONAL TRANSPORTATION PROJECT.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator L Driscoll	EP for L. Driscoll	
1	Planning and Land Use Director	EPrisco	
2	Finance Director		4/7/16
3	Borough Attorney	NS	
4	Borough Clerk		4/11/16

ATTACHMENT(S): Fiscal Note: NO ____ YES X
Ordinance Serial No. 16-047 (2 pp)
Resolution Serial No. 16-041 (4 pp)

SUMMARY STATEMENT:
The planning department's fiscal year 2016 budget contained funding for a Platting Officer, a Cultural Resource Specialist, and a Platting Assistant. The Platting Officer and Platting Assistant positions will be filled prior to June 30, 2016, however there will be excess funding due to the time both

positions were vacant. The Cultural Resource Specialist position will not be filled until after July 1, 2016.

In addition, there are project accounts that have remaining funding that is not needed for the project; this remaining funding will be moved, and the time of completion extended, so to ensure that the funding is not lost.

The planning department has identified projects that can be worked on when staffing levels increase and funding becomes available; as well as other tasks that need completion and are not currently funded. Completion of these projects will not occur prior to June 30, 2016. As a result, it is necessary to reappropriate these funds into a non-lapsing capital project fund.

Housing Analysis $55,550:
In early 2015 the Mat-Su Borough, in partnership with the Valley Board of Realtors, held a Housing forum; several community groups were formed from those in attendance to study several aspects of housing and work with stakeholders to develop new tools for use in the Mat-Su; this funding will be used to continue working with these groups and analyzing the current future housing needs in the borough.

Planning Office Modification Project $14,416
With work underway on the Planning Department section of the DSJ Building, additional tasks are necessary to increase the security of the permit center and Planning Department offices. This funding will be used to offset some of those additional costs.

REGIONAL TRANSPORTATION $55,550
In response to exponential growth and increased population density in the Borough, regional transportation planning efforts have become a priority for Mat-Su. Recommendations from the 2014 Transportation Strategy and Development Workshop Action Plan and the MSB Long Range Transportation Plan (LRTP) are being coordinated by the MSB Transportation Planner. These efforts include: 1) An update to the LRTP, 2) regional coordination meetings with the Alaska Department of Transportation & Public Facilities (DOT&PF), neighboring Metropolitan Planning Organizations (AMATS, FMATS), local and statewide elected officials, and 3) increased opportunity for public involvement through regional citizen's advisory councils (i.e., the MSB Aviation Advisory and Transportation Advisory Boards) and project-specific workshops.

RECOMMENDATION OF ADMINISTRATION: Staff respectfully requests Assembly adoption of the legislation reappropriating $125,516 from the planning department fiscal year 2016 operating budget, fund 100, to fund 480; and a resolution amending the budgets for project nos. 47035, 47038, 47046, 47047, 47520; extending the time of completion for the project funding and approving the scope of work and budget for the Planning Office Modification project; Housing Analysis project, and the Regional Transportation Project.

MATANUSKA-SUSITNA BOROUGH - FISCAL NOTE

Agenda Date April 19, 2016 ORIGINATOR: Pamela Graham, Grant Coordinator

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REAPPROPRIATING $125,516 FROM THE PLANNING DEPARTMENT FISCAL YEAR 2016 OPERATING BUDGET, FUND 100, TO FUND 480; AND A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NOS. 47035, 47038, 47046, 47047, 47520; EXTENDING THE TIME OF COMPLETION FOR THE PROJECT FUNDING AND APPROVING THE SCOPE OF WORK AND BUDGET FOR PLANNING OFFICE MODIFICATION PROJECT; HOUSING ANALYSIS PROJECT, AND THE REGIONAL TRANSPORTATION PROJECT.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT? (YES) NO
AMOUNT REQUESTED $ 295,369.17	FUNDING SOURCE Planning Oper. Budget
FROM ACCOUNT # 480.000.000 4xx.xxx $ 169,853.17 100.130.130/131/132.4xx.xxx $ 125,516	PROJECT # 47035 / 47046
TO ACCOUNT # 480.000.000 4XX.XXX	PROJECT # 47035/47046/47047/47520/47038
VERIFIED BY:	CERTIFIED BY:
DATE: 4-7-16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL			295.3			
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
Federal Funds						
Other			295.3			
TOTAL			295.3			

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ Phone: _____

DEPARTMENT: _____ Date: _____

APPROVED BY: _____ Date: 4/7/16

OR 16-047
RS 16-041

NON-CODE ORDINANCE

By: Borough Manager
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-047

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REAPPROPRIATING $125,516 FROM THE PLANNING DEPARTMENT FISCAL YEAR 2016 OPERATING BUDGET, FUND 100, TO FUND 480; FOR THE PLANNING OFFICE MODIFICATION PROJECT, THE HOUSING ANALYSIS PROJECT; AND THE REGIONAL TRANSPORTATION PROJECT.

WHEREAS, the planning department's fiscal year 2016 budget contained funding that was not used for its intended purpose due to staffing shortages and is available for other tasks; and

WHEREAS, several projects, including the Point MacKenzie Townsite and the Artifact Inventory & Relocation project have been completed or canceled with funding remaining in the project accounts, that can now be used for other tasks; and

WHEREAS, the planning department has identified project that are in need of additional funding, including Regional Transportation, the Housing Analysis, and the planning office modifications.

WHEREAS, it is necessary to reappropriate these funds into a non-lapsing capital project accounts in order to complete the projects.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Reappropriation source. The Matanuska-Susitna Borough Assembly does hereby reappropriate $125,516 from the planning department fiscal year 2016 operating budget, fund 100, to fund 480, $55,550 to project 47038 for Regional Transportation, $55,550 to project 47047 for the Housing Analysis, $14,416 to project 47520 for the Planning Office Modification project.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 16- 041

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AMENDING THE BUDGETS FOR PROJECT NOS. 47035, 47038, 47046, 47047, AND 47520 AND EXTENDING THE TIME OF COMPLETION FOR PROJECT FUNDING AND APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PLANNING OFFICE MODIFICATION PROJECT, THE HOUSING ANALYSIS PROJECT, AND THE REGIONAL TRANSPORTATION PROJECT.

WHEREAS, the planning department's fiscal year 2016 budget contained funding that was not used for its intended purpose due to staffing shortages and is available for other tasks; and

WHEREAS, several projects, including the Point MacKenzie Townsite; and the Artifact Inventory & Relocation project have been completed or canceled with funding remaining in the project accounts, that can now be used for other tasks; and

WHEREAS, the planning department has identified project that are in need of additional funding, including Regional Transportation, the Housing Analysis, and the planning office modifications.

WHEREAS, the Assembly reappropriated funds in the amount of $125,516 with Ordinance Serial No. 16-047 for these projects; and

WHEREAS, the Assembly is required to approve the scope of work and budget prior to any expenditures.

NOW THEREFORE BE IT RESOLVED that the Matanuska-Susitna Borough Assembly hereby approves the following scopes of work and budgets.

SCOPE OF WORK

PROJECT 47047 HOUSING ANALYSIS: Staff will continue working with the Valley Board of Realtors on compiling and analyzing housing data in the Mat-Su Borough.

PROJECT 47520 PLANNING OFFICE MODIFICATION PROJECT: Staff will work to relocate existing planning department staff and modify the work area during the renovations to the Dorothy Swanda-Jones Building.

PROJECT 47038 REGIONAL TRANSPORTATION: This funding will be utilized to conduct regional transportation planning efforts, fund continuing education opportunities, and implement recommendations from adopted transportation-related plans.

BUDGET

AMENDED BUDGETS

Project/Account No.	Previously Approved Budgets	Amended Budgets
Point MacKenzie Townsite Project No. 47035-1800-1801 & 47035-4200-4201		
Fiscal Year 2014 Areawide Budget Appropriation	$100,000	$-0-
To: Regional Transportation Project No. 47038	$-0-	$100,000
Fiscal Year 2013 Areawide Planning Department Operating Budget Reappropriation	$110,000	$60,198.67
To: Regional Transportation Project No. 47038	$-0-	$49,801.33
Artifact Inventory & Relocation Project No. 47046-4200-4201		
Fiscal Year 2015 Areawide Planning Department Operating Budget Reappropriation	$30,000	$9,948.16
To: 47520 Planning Office Modifications	$-0-	$20,051.84
Total Amended Budgets	**$240,000**	**$240,000**
Housing Analysis Project No. 47047		
Fiscal Year 2016 Areawide Planning Department Operating Budget Reappropriation		$ 55,550

Project/Account No.	Previously Approved Budgets	Amended Budgets
Planning Office Modifications **Project No. 47520** Fiscal Year 2016 Areawide Planning Department Operating Budget Reappropriation		$ 14,416
Regional Transportation **Project No. 47038** Fiscal Year 2016 Areawide Planning Department Operating Budget Reappropriation		$ 55,550
Project - Total		***$125,516***

NOW THEREFORE BE IT FURTHER RESOLVED that the Matanuska-Susitna Borough Assembly hereby extends the time of completion on the project funding to June 30, 2019.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

SUBJECT: Appropriation of $120,000 from Bogard Road Service Area No. 25 fund balance, Fund 279, to Fund 410, Project No. 30045, for Bogard Road Service Area No. 25 Capital Projects.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator	4/5/16	
	Public Works Director		6 APR 16
	Finance Director		4/7/16
	Borough Attorney		
	Borough Clerk		4/11/16

ATTACHMENT(S): Fiscal Note: Yes x No
Ordinance Serial No. 16-048 (2 pp)
Resolution no. 16-01 from the Road Service Area No. 25, Board of Supervisors (1pp)
Road Maintenance & Repair Capital Projects List for RSA 25, approved with AM 15-157, (3pp)

SUMMARY STATEMENT: The Bogard Road Service Area No. 25 Board of Supervisors and the Public Works Department would like to support as many road capital projects as possible and ensure that the capital projects previously approved by the assembly with AM 15-157 are fully funded. Funds from the RSA No. 25 Bogard Fund Balance can be used to fund Road Capital Improvement Projects. The Bogard Board of Supervisors and the Public Works Department would like to transfer $120,000 from the Bogard Road Service Area No. 25 fund balance, Fund 279, to Project No. 30045, Fund 410 for Bogard Road Service Area No. 25 Capital Projects.

RECOMMENDATION OF ADMINISTRATION: Approve an appropriation of $120,000 from Bogard Road Service Area No. 25 fund balance, Fund 279, to Fund 410, Project No. 30045, for Bogard Road Service Area No. 25 Capital Projects.

ORNO.16-048

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 19, 2016

SUBJECT: Appropriation of $120,000 from Bogard Road Service Area No. 25 fund balance, Fund 279, to Fund 410, Project No. 30045, for Bogard Road Service Area No. 25 Capital Projects.

ORIGINATOR: Public Works, Operations & Maintenance

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED *120,000	FUNDING SOURCE RSA FUND BALANCE
FROM ACCOUNT # 279.272.000	PROJECT #
TO ACCOUNT : 410.000.000.4xx.xxx	PROJECT # 30045
VERIFIED BY:	CERTIFIED BY:
DATE: 4-6-16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY14	FY15	FY16	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL			120			
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other RSA Fund Balance			120			
TOTAL			120			

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: *The estimated remaining amount in fund balance, Fund 279 is $68,744 with this appropriation, if adopted.

PREPARED BY: _____ PHONE: _____

DEPARTMENT: _____ DATE: _____

APPROVED BY: _____ DATE: 4/7/16

IM No. 16-074

OR16-048

A RESOLUTION OF THE ROAD SERVICE AREA #25, BOGARD BOARD OF SUPERVISORS REQUESTING THE TRANSFER OF $120,000 FROM THE FUND BALANCE TO THE CAPITAL IMPROVEMENTS PROGRAM.

WHEREAS, the Road Service Area #25, Bogard Fund Balance has a balance of approximately $189,770; and

WHEREAS, it is the desire of the Road Service Area #25, Bogard Board of Supervisors to add funding to the capital projects list; and

WHEREAS, the excess funds from the RSA #25, Bogard Fund Balance can be used to fund Capital Improvement Projects; and

WHEREAS, the RSA #25, Bogard Board of Supervisors request $120,000 be transferred to the Capital Improvement Projects Program;

NOW, THEREFORE, BE IT RESOLVED, that the Road Service Area #25, Bogard Board of Supervisors requests the Matanuska-Susitna Borough Assembly approve the transfer of $120,000 from Fund Balance 279.272.000 to Capital Improvements Project 30045.

APPROVED by the Road Service Area #25, Bogard Board of Supervisors:

RSA #25 Supervisor — Date 3/2/16

RSA #25 Supervisor — Date 3/7/16

RSA #25 Supervisor — Date

RSA #25 Supervisor — Date

Resolution 16-01 IM16-074 UR16-048

MATANUSKA-SUSITNA BOROUGH
PUBLIC WORKS DEPARTMENT
ROAD MAINTENANCE & REPAIR CAPITAL PROJECTS
SUMMER 2016

ASSEMBLY PERSON: Dist 1 Jim Sykes
ASSEMBLY PERSON: Dist 3 George McKee
ASSEMBLY PERSON: Dist 4 Steve Colligan
ASSEMBLY PERSON: Dist 6 Barbara Doty
RSA SUPER: Will Barickman
PRIMARY: Gary Hessmer
ALT: Carol Christiansen
ALT: VACANT

ROAD SERVICE AREA: 2S Bogard

PROJECT # 30045

APPROX AVAILABLE FUNDING $ 2,238,551
APPROX AVAILABLE GRANT FUNDING $0

PRIORITY STATUS	PROJECT LOCATION	DESCRIPTION OF WORK	TOTAL EST COST	RSA	MSB	GRANTS	GRANT DETAILS	FUND: YES/NO
1	RSA ROADS	CALCIUM PURCHASE	$0					N/A
2	RSA ROADS	CALCIUM APPLICATION	$0					N/A
3	RSA ROADS	RECONDITION ROADS	$150,000	$150,000				YES
4	RSA ROADS	PAVEMENT MAINTENANCE	$160,000	$160,000				YES
5	Echo Ave (.38) Golf St (.13) Foxtrot Ave (.47) Quebec St (.21) Sierra St (.45) Shaw's Dr (.49) Delta Dt. (.06)	Design / Utility Relocate and Upgrade (2.19)	$800,000	$800,000				YES
6	Highline Lane (.33) Biltmore Ct (.09) Claridge Ct (.06)	Design / Utility Relocate and Upgrade (.48)	$100,000	$100,000				YES
7	Waldron Cove Ct (.21) Finger Cove Ct (.08) Finger Lake Rd (.04)	Design / Utility Relocate and Upgrade (.33)	$400,000	$400,000				YES
8	Verboncoeur Dr (.26) LaGoon Drive (.27)	Design / Upgrade (.53)	$325,000	$325,000				YES
9	Highline Lane (.33) Biltmore Ct (.09) Claridge Ct (.06)	Pave w/2" A.C. (.47) 50% MSB Match	$144,000	$72,000	$72,000			YES

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10	Waldron Cove Ct (.21) Finger Cove Ct (.08) Finger Lake Rd (.04)	Pave w/2" A.C. (.33) 50% MSB Match	$99,000	$49,500	$49,500			YES
11	Verboncoeur Dr (.26) LaGoon Drive (.27)	Pave w/2" A.C. (.53) 50% MSB Match	$159,000	$79,500	$79,500			YES
	TOTAL FUNDED PROJECTS		**$2,337,000**	**$2,136,000**	**$201,000**			
12	Echo Ave (.38) Golf St (.13) Foxtrot Ave (.47) Quebec St (.21) Sierra St (.45) Shaw's Dr (.49) Delta Dt. (.06)	Pave w/2" A.C. (2.19) 50% MSB Match	$657,000	$328,000	$328,000			NO
					FUNDING NOT YET IDENTIFIED			
13	Terrell Drive (.40) Tambert Drive (.40	Design / Upgrade (.80)	$350,000	$350,000				NO
					FUNDING NOT YET IDENTIFIED			
14	E Wolverine Ave (.50)	Design / Upgrade (1.0)	$400,000	$400,000				NO
					FUNDING NOT YET IDENTIFIED			
15	E Beaver Ave (.50)	Design / Upgrade (.50)	$200,000	$200,000				NO
					FUNDING NOT YET IDENTIFIED			
16	E Alder Cir (.17) E Juniper Rd (.10) E Fir Rd (.08) E Rose Bud Cir (.18) E	Design / Upgrade (.56)	$300,000	$300,000				NO
					FUNDING NOT YET IDENTIFIED			
17	Tamera Ck Cir (.25) E Cherry Dr (.19) E	Design / Upgrade (.85)	$350,000	$350,000				NO
					FUNDING NOT YET IDENTIFIED			

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18	Terrel Dr (.40) Tambert Dr. (.40)	Pave w/2" A.C. (.80) 50% MSB Match	$240,000	$120,000	$120,000			NO
					FUNDING NOT YET IDENTIFIED			
19	E Wolverine Ave (.50) E Porcupine Ave (.50)	Pave w/2" A.C. (1.0) 50% MSB Match	$300,000	$150,000	$150,000			NO
					FUNDING NOT YET IDENTIFIED			
20	E Beaver Ave (.50)	Pave w/2" A.C. (.50) 50% MSB Match	$300,000	$150,000	$150,000			NO
					FUNDING NOT YET IDENTIFIED			
21	E. Alder Cir (.17) Junipar Rd. (.10) Fir Rd. (.08) Rose Bud Cir. (.18) Rose Bud	Pave w/2" A.C. (.56) 50% MSB Match	$168,000	$84,000	$84,000			NO
					FUNDING NOT YET IDENTIFIED			
22	Tamera Ck Ct. (.25) Cherry Dr. (.19) Cherry Cir. (.18) Hemlock Dr. (.23)	Pave w/2" A.C. (.85) 50% MSB Match	$255,000	$127,500	$127,500			NO
					FUNDING NOT YET IDENTIFIED			
	TOTAL UNFUNDED PROJECTS		**$2,863,000**	**$2,231,500**	**$631,500**			

IM16-07
OR16-048

NON-CODE ORDINANCE

By: Borough Manager
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-048

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING AN APPROPRIATION OF $120,000 FROM BOGARD ROAD SERVICE AREA NO.28 FUND BALANCE, FUND 279, TO FUND 410, PROJECT NO. 30045, FOR BOGARD ROAD SERVICE AREA NO. 25 CAPITAL PROJECTS.

WHEREAS, the Bogard Road Service Area No. 25 Board of Supervisors and the Public Works Department would like to ensure all approved projects on the Capital List are fully funded; and

WHEREAS, the Bogard Road Service Area No. 25 Board of Supervisors and the Public Works Department would like to support as many future capital projects as possible; and

WHEREAS, transferring funds to the capital projects will ensure all projects on the capital projects list have adequate funding and support additional future capital projects; and

WHEREAS, excess funds from the RSA no. 25 Bogard fund balance can be used to fund Capital Improvement Projects; and

WHEREAS, the Bogard Road Service Area No. 25 Board of Supervisors and the Public Works Department would like to transfer $120,000 from Greater Bogard Road Service Area No. 25 fund balance, Fund 279, to Fund 410, Project No. 30045, for the Bogard Road Service Area No. 25 Capital Projects.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Appropriation source. The Matanuska-Susitna Borough Assembly hereby approves the appropriation of $120,000 from Bogard Road Service Area No. 25, fund balance, Fund 279, to Fund 410, Project No. 30045, Bogard Road Service Area No. 25 Capital Projects.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-076

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REGARDING A PROPOSED INTERIM MATERIALS DISTRICT KNOWN AS LAKESIDE SAND & GRAVEL, LOCATED WITHIN THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 04 WEST, SEWARD MERIDIAN.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator - Mark Whisenhunt	MW	
	Planning and Land Use Director	EP	
	Borough Attorney	NS	
	Borough Clerk	[illegible]	9/12/16

ATTACHMENT(S): Fiscal Note: NO _X_ YES ___
Ordinance Serial No. 16-049 (6 pp) (SUB)
Ordinance Serial No. 16-049 (7 pp)
Staff Report (292 pp)
Planning Commission Resolution 16-08 (7pp)

SUMMARY STATEMENT:
An Interim Materials District (IMD) application has been submitted for an IMD designation on the above referenced parcel where a mining operation is proposed. The permit request is to remove 750,000 cubic yards of material from a 25 acre area within a 40 acre parcel. The applicant has indicated that extraction activities are expected to conclude in 2040.

For sites where extraction activities are greater than 20 acres, an IMD designation is required under MSB 17.28 - Interim Materials District. An IMD may be established on private or public parcels and where extraction activities occur on 20 contiguous acres or greater. The site is located within Big Lake Road Service Area, West Lakes Fire Service Area, and Assembly

District #5.

The Planning Commission's vote on the motion to approve the Interim Materials District failed to garner a majority vote on March 21, 2016. Planning Commission Resolution 16-18 was adopted unanimously and references the findings of fact and conclusions of law made in the staff report associated with this Interim Materials District request. As outlined in said staff report, staff found the application has met the operational requirements, but found that an Interim Materials District at this location is incompatible with the Big Lake Comprehensive Plan. Time and again the Comprehensive Plan states the community's priorities are to protect and preserve the natural beauty and character of the Big Lake Community. The plan encourages light industrial uses in only two areas, near the airport and an area south of Susitna Parkway. The plan does not specifically address gravel extraction; however, with the repeated effort to protect and preserve the natural beauty and character of the Big Lake Community it seems implicit that operating a large gravel extraction operation in the Dispersed Residential area is inconsistent with the Comprehensive Plan.

The Planning Commission could not agree on the compatibility of the request with the Big Lake Comprehensive Plan. Planning Commission Resolution 16-08 was for recommending approval of the request and it failed by garnering a 2-4 vote.

BACKGROUND:
The subject parcel has been used for gravel extraction since approximately 2007. According to the applicant, there has been less than 2,000 yards of material extracted from the parcel annually, with the exception of 2013. A site extracting 2,000 cubic yards or less annually on any one parcel does not require an administrative or conditional use permit.

In 2009, the applicant applied for a Conditional Use Permit for extraction of 138,000 cubic yards of material from a 9.7 acre site on the subject parcel. Staff recommended denial of the request noting it did not meet all of the standards set forth in MSB 17.30. The applicant decided to pull the application request prior to the public hearing.

In 2013, an administrative permit was issued to extract 5,000 cubic yards of material from a 1-acre mining site on the subject parcel. The administrative permit was issued on July 31, 2013 and expired 92 days later on October 31, 2013.

There have been four complaint cases from 2009 to 2014 related to gravel extraction occurring at the subject parcel. The Code Compliance Officer for each case was not able to establish a violation in any of the four cases. All four complaint cases have been closed.

RECOMMENDATION OF ADMINISTRATION:
Staff respectfully requests denial of the interim materials district, known as Lakeside Sand & Gravel, as it is inconsistent with the Big Lake Comprehensive Plan.

By: Mark Whisenhunt
Introduced: March 7, 2016
Public Hearing: March 21, 2016
Action: Approved

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-18

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION MAKING A RECOMMENDATION AND PROVIDING FINDINGS OF FACT TO SUPPORT DENIAL OF RESOLUTION 16-08.

WHEREAS, an application for an Interim Materials District (IMD) was submitted by William and Helen Heairet (dba Lakeside Sand & Gravel) to remove earth materials from 19116 West Belarde Boulevard, located within the northwest one-quarter of the northwest one-quarter of Section 25, Township 17 North, Range 04 West, Seward Meridian; and

WHEREAS, it is the intent of the Matanuska-Susitna Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries; and

WHEREAS, the purpose of MSB 17.28 is to establish an Interim Materials District within the borough to allow resource extraction activities as an interim use of land while promoting the public health, safety, order, prosperity, and general welfare of the borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties; and

WHEREAS, it is the further purpose of MSB 17.28 to promote compatible and orderly development; and

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WHEREAS, the Planning Commission has reviewed this application, associated materials, and the staff report, with respect to standards set forth in MSB 17.28; and

WHEREAS, findings of fact and conclusions of law have been listed in the staff report; and

WHEREAS, the Planning Commission conducted a public hearing on March 21, 2016 regarding this IMD request; and

WHEREAS, the Planning Commission's vote on the motion to approve the Interim Materials District failed to garner a majority vote on March 21, 2016; and

WHEREAS, Consideration of Resolution 16-08 failed with a two to four vote; and

NOW THEREFORE BE IT RESOLVED, that the Planning Commission makes the following conclusions:

1. the proposed use, with conditions, may not be harmful to the public health, safety, convenience and welfare; and
2. the applicant has met all of the requirements of MSB 17.28.050 and MSB 17.28.060, and is in compliance with all local, State, and Federal laws.
3. Commissioners Healy, Anderson, and Vague find the request for IMD to be incompatible with the Big Lake Comprehensive Plan; and

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4. Commissioners Kendig, Rauchenstein and Klapperich find the request for IMD may be compatible with the Big Lake Comprehensive Plan; and

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 21st day of March, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

PASSED UNANIMOUSLY: Klapperich, Anderson, Healy, Vague, Kendig, and Rauchenstein

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STAFF REPORT

IM16-076
OR16-046

By: Mark Whisenhunt
Introduced: March 7, 2016
Public Hearing: March 21, 2016
Action: Failed

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-08

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY APPROVAL OF AN INTERIM MATERIALS DISTRICT, KNOWN AS LAKESIDE SAND & GRAVEL; IN TOWNSHIP 17 NORTH, RANGE 4 WEST, SECTION 25, PARCEL# B19 (TAX ID# 17N04W25B019), SEWARD MERIDIAN.

WHEREAS, an application for an Interim Materials District (IMD) was submitted by William and Helen Heairet (dba Lakeside Sand & Gravel) to remove earth materials from 19116 West Belarde Boulevard, located within the northwest one-quarter of the northwest one-quarter of Section 25, Township 17 North, Range 04 West, Seward Meridian; and

WHEREAS, it is the intent of the Matanuska-Susitna Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries; and

WHEREAS, the purpose of MSB 17.28 is to establish an Interim Materials District within the borough to allow resource extraction activities as an interim use of land while promoting the public health, safety, order, prosperity, and general welfare of the borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties; and

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WHEREAS, it is the further purpose of MSB 17.28 to promote compatible and orderly development; and

WHEREAS, the Planning Commission has reviewed this application, associated materials, and the staff report, with respect to standards set forth in MSB 17.28; and

WHEREAS, findings of fact and conclusions of law have been listed in the staff report; and

WHEREAS, the Planning Commission conducted a public hearing on March 21, 2016 regarding this IMD request; and

WHEREAS, the Planning Commission finds that the proposed Interim Materials District is compatible with the goals and policies of the Big Lake Comprehensive Plan; and

WHEREAS, The Big Lake Community Council submitted comments on March 9, 2016, indicating the Council has no objection to the Interim Materials District request; and

WHEREAS, the applicant has met all of the requirements of MSB 17.28.050 and 17.28.060, and is in compliance with all local, State, and Federal laws; and

WHEREAS, the Planning Commission finds that the proposed Interim Materials District, when in compliance with local, State, and Federal laws does not negatively affect public health, safety or general welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby finds this application does

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meet the standards of MSB 17.28 and adopts the findings of fact and conclusions of law within the staff report and hereby recommends approval of the designation of Interim Materials District known as B&E Construction with the following conditions:

1. The operation shall comply with all other applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and an amendment to the Interim Materials District shall be required prior to any alteration or expansion of the material extraction operation.
3. Material extraction shall be limited to the areas identified in the applicant's site plan with the Matanuska-Susitna Borough "Received" date stamp of October 28, 2015.
4. Prior to operating, the IMD boundary shown in the applicant's site plan with the Matanuska-Susitna Borough "Received" date stamp of October 28, 2015, shall be located and marked on the property by a surveyor licensed to operate in the State of Alaska. Said markers shall be maintained in a visible condition to ensure extraction activities stay within the extraction area boundary.

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5. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected for leaks daily.

6. On-site maintenance of vehicles shall be done in an area where all leaks can be contained with drip pans or other discharge prevention devices.

7. All hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.

8. Visual screening shall be achieved and maintained by using a combination of earthen berms 10-feet in height to north and south, and maintaining the topographical buffer as described in the application material.

9. A Matanuska-Susitna Borough Driveway Permit shall be obtained for access onto Belarde Boulevard prior to operating.

10. Large "side dump" vehicles or tandem end dumps shall not be used in conjunction with this use unless certification from a professional engineer has deemed access to and from the subject parcel and use of the intersection of Belarde Boulevard and West Lake Boulevard is safe for said vehicles and other motorists to use. If upgrading the intersection and/or Belarde Boulevard is necessary, a construction permit

shall be obtained from the Matanuska-Susitna Borough prior to beginning any work in a public right-of-way.

11. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to storm water.

12. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) – Site Development Standards and MSB 8.52 – Noise, Amplified Sound, and Vibration.

13. All extraction activities, including all activities that cause noise, dust, or traffic, shall be limited to 8am to 6pm, Monday through Saturday, except rock crushing and screening activities are limited to 8am to 5pm, Monday through Friday.

14. If cultural remains are found during material extraction activities, the MSB Cultural Resources Division shall be contacted immediately so the remains can be documented.

15. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.

16. Borough staff shall be permitted to enter onto any portion of the property to monitor compliance with permit requirements. Such access will at a minimum be allowed on demand when activity is occurring and, with prior verbal or written notice, and at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of the Interim Materials District.

17. The operation shall comply with the reclamation standards of MSB 17.28.067.

18. If reclamation information is updated annually with the State of Alaska, Department of Natural Resources, the applicant shall provide a copy of the updated information to the MSB Planning Department.

19. An asphalt plant (aka hot mix or batch plant) shall not be operated at this site.

20. Dust control shall be achieved at the gravel pit, rock screener, crusher, and roads as necessary.

21. If illumination devices are required, they shall not be greater than 20 feet in height, shall utilize downward directional shielding devices, and shall meet the requirements of MSB 17.28.060(A)(6) Lighting Standards.

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22. All activity shall be conducted in compliance with state or federal regulations governing the items listed in MSB 17.28.040(B)(1), 17.28.040(B)(2), and 17.28.040(B)(3).

23. Authorization for earth material extraction activities approved by this legislation shall expire on December 31, 2040.

24. The IMD must be approved by the Matanuska-Susitna Borough Assembly.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Planning Commission recommends Assembly approval of the designation of Interim Materials District for the 40 acres within the property located at 19116 W. Belarde Boulevard.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this ___ day of ___, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

YES: Kendig and Rauchenstein

NO: Anderson, Healy, Klapperich, and Vague

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MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-7876
www.matsugov.us

DEVELOPMENT SERVICES DIVISION STAFF REPORT

File Number:	172820150004
Applicant and Property Owner:	William & Helen Heairet (dba Lakeside Sand & Gravel)
Request:	Planning Commission Resolutions 16-08 & 16-16 A resolution with a recommendation to the Assembly for a proposed Interim Materials District (IMD) in accordance with MSB 17.28—Interim Materials District, for the extraction of up to 750,000 cubic yards of material within a 25 acre area of a 40 acre parcel of property
Location:	19116 W Belarde Boulevard (MSB Tax ID# 17N04W25B019); within Township 17 North, Range 4 West, Section 25, Seward Meridian
Legal Description:	The Northwest one-quarter of the Northwest one-quarter of Section 25, Township 17 North, Range 04 West, Seward Meridian, Palmer Recording District, Third Judicial District, State of Alaska.
Public Hearing:	March 21, 2016
Planning Commission Action:	The planning commission shall conduct a public hearing and render a recommendation to Borough Assembly on a designation for an Interim Materials District
Reviewed By:	Eileen Probasco, Planning & Land Use Director Alex Strawn, Development Services Manager
Staff:	Mark Whisenhunt, Planner II

Im16-076
OR16-049

EXECUTIVE SUMMARY

An Interim Materials District (IMD) application has been submitted for an IMD designation on the above referenced parcel where a mining operation is proposed. The permit request is to remove 750,000 cubic yards of material from a 25 acre area of a 40 acre parcel. The applicant has indicated that extraction activities are expected to conclude in 2040.

For sites where extraction activities are greater than 20-acres, an IMD designation is required under MSB 17.28 – Interim Materials District. An IMD may be established on private or public parcels and where extraction activities occur on 20 contiguous acres or greater. The site is located within Big Lake Road Service Area, West Lakes Fire Service Area, and Assembly District #5.

BACKGROUND

The subject parcel has been used for gravel extraction since approximately 2007. According to the applicant, there has been less than 2,000 yards of material extracted from the parcel annually, with the exception of 2013. A site extracting 2,000 cubic yards or less annually on any one parcel does not require an administrative or conditional use permit.

In 2009, the applicant applied for a Conditional Use Permit for extraction of 138,000 cubic yards of material from a 9.7 acre site on the subject parcel. Staff recommended denial of the request noting it did not meet all of the standards set forth in MSB 17.30. The applicant decided to pull the application request prior to the public hearing.

In 2013, an administrative permit was issued to extract 5,000 cubic yards of material from a 1-acre mining site on the subject parcel. The administrative permit was issued on July 31, 2013 and expired 92 days later on October 31, 2013.

There have been four complaint cases from 2009 to 2014 related to gravel extraction occurring at the subject parcel. The Code Compliance Officer for each case was not able to establish a violation in any of the four cases. All four complaint cases have been closed.

LAND USE

Existing Land Use:
The site is a partially wooded, 40-acre parcel. The southwest property corner is approximately 550 feet from the Big Lake shore. Several trails exist onsite and a portion the northern area of the parcel has been cleared as earth material extraction activity has previously occurred. The site has no permanent structures or buildings. The site contains mature vegetation, including cottonwood and birch trees, as well as various bushes and shrubs. The site has undulating hills with topography that varies approximately 60 feet in elevation.

A driveway permit application is currently being processed for the existing access onto on Belarde Blvd. Belarde Blvd. is classified as an unpaved residential road constructed to the minimum access standards and located within Big Lake RSA. Belarde Boulevard is not maintained by the Matanuska-Susitna Borough.

Surrounding Land Uses:
Land uses immediately surrounding the subject parcel are under private ownership. Residential neighborhoods are located immediately adjacent to the west and south with parcels ranging from 0.33 to three acres in size. Belarde Boulevard runs east to west on the north side of the site. A 127-acre parcel with residential home is positioned north of the site across from Belarde Boulevard and 40-acre parcel with a private airstrip lies adjacent to the site to the east.

COMPREHENSIVE PLAN

This property is located within the boundary of the Big Lake Comprehensive Plan, updated and adopted in August, 2009. The intent of the Comprehensive Plan is to identify and encourage a general pattern of development that best meets the community goals and to *"accommodate growth while holding onto characteristics that make Big Lake a good place to live and visit."* A Guide map of Land Uses, included in chapter III – Land Use and Environment, describes a spectrum of land use areas ranging from more concentrated to more dispersed types of development.

Excerpts from the Big Lake Comprehensive Plan which relate to the proposed IMD are outlined below.

> ***Land Use and Environment Goals***
> *The overarching goal of this plan is protect Big Lake's special character as a place to live and visit while accepting and even encouraging growth. Without guidance, as the area grows, the community risks losing these qualities that makes Big Lake a distinctive place – its undeveloped open spaces, good views, wildlife, and out-the-door access to recreation. At the same time, growth in the community can bring many benefits, providing new places for people to live, creating new opportunities for local employment, and generally leading to a more vital community.*
>
> - ***Coordinate the Planning of Land Use and Community Services and Facilities*** *– Plan for and coordinate expansion of the community and of associated public services. Public services can be provided more efficiently and at lower cost if the community anticipates and plans for the location and quantity of growth.*
> - ***Strengthen the Big Lake Economy*** *– Improve local opportunities for jobs and businesses, to help Big Lake become a stronger, more stable year round community. Business development is encouraged to provide a stable economic financial base in addition to a more stable tax base.*
> - ***Protect the Natural Environment*** *– As the area grows, actions are needed to avoid detrimental effects on well water, quality of surface water, habitat, wetlands and other natural environmental features.*
> - ***Provide for Freedom to Enjoy our Properties*** *– The plan supports a balance of freedom to use property as individuals chose up to that point where one person's use limits the rights of neighbors to enjoy their property. Responsible land use should be in harmony with surrounding land use without damaging the health, safety and welfare of adjacent property.*

Strategies to Achieve Land Use Goals

Strategy 1: *Develop a land use "roadmap" setting out general intentions for the location and intensity of development – to provide for growth, protect Big Lake's environment and rural character, encourage concentrated commercial development, and allow for the efficient provision of community infrastructure.*

Residential Areas

Four types of residential areas are identified. In all four of these areas, the predominate character is encouraged to remain residential, as it is today; however home-based businesses and other commercial uses are acceptable. If and when such non-residential occurs, such uses are encouraged be developed in a manner that is compatible with the predominately residential character of these areas.

The subject parcel is located within the *Dispersed Residential* land use district as identified in the Big Lake Comprehensive Plan. This district is described as *"rural residential areas, where lots sizes are larger and the natural setting is more dominant. This is currently the most predominant land use density in the Big Lake area."*

Strategy 3: Identify and Protect Key Features of the Natural Environment

The Big Lake natural environment is at the heart of the community's quality of life and economy. Over the course of the meetings to prepare this plan, the public was clear on what they value about the Big Lake natural environment:

- *Clean water – keep lakes, streams, wetlands, etc. free from septic pollution, hydrocarbons, non-point source pollution such as nitrates & fertilizers, etc.*
- *Clean air – keep it clean; discourage air polluting industries*
- *Natural beauty – retain the landscape that reflects the natural beauty of the land*
- *Dark night skies – minimize light pollution*
- *"Natural quiet" – minimize noise pollution*

Strategy 4: Establish Community-Wide Development Guidelines

Previous sections have addressed the general locations and intensity of development; this section presents guidelines that address the character of development. The intent of these guidelines is to allow for a wide range of uses to coexist in Big Lake, but to encourage these uses to occur in a way that minimize impacts on the quality of life of neighbors and the natural environment.

The same use – say a new store – can have very different impacts, depending on how it is developed. For example, in one instance the developer might clear all the vegetation from the site and direct runoff from parking lots into a nearby stream. A different developer might leave more of the original vegetation, and direct runoff to a swale where dirt and oil are filtered out before the runoff goes into the adjoining creek. Below is a list of general development guidelines. The community may later wish to refine these and adopt them as enforceable regulations.

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Development Guidelines

- *Natural Vegetation/Site Disturbance – Encourage retention of existing natural vegetation and replant disturbed areas. Grading and clear cutting the entire parcel prior to selling or developing land is strongly discouraged.*
- *Commercial Uses/Home-based Businesses in Predominately Residential Areas – The plan supports a variety of home based businesses and residential-compatible commercial uses in predominately residential areas, but encourages these uses to be designed to not impact neighbors. Subdivisions can address this to some extent through protective covenants. Guidelines for home-based businesses and other commercial activities in predominately residential areas include:*
  - *Discourage high-volume or high-traffic activities; businesses should not create nuisances of excessive people and vehicle traffic*
  - *Minimize the offsite evidence of business operation - noise, smells, litter, odors, and public safety calls*
  - *Use special screening and wider setbacks to reduce visual impacts of business operations on surrounding residences.*
  - *Screen dumpsters, service entries*
  - *Avoid using bright lights that wash onto adjoining properties*
  - *Use unobtrusive signage.*

ECONOMIC DEVELOPMENT PRIORITY GOALS

1. Keep the natural environment clean and green.

It is arguable that Big Lake's most important economic resource is its natural setting – its lakes, streams, views and open space. These are the features that attract and hold many year round and seasonal residents, as well as short term visitors.

7. Develop commercial lands around certain business/industry types.

If the railroad and through highways currently being discussed for Big Lake eventually are built, the Big Lake area could become an attractive destination for expanded commercial and industrial development. In the Land Use and Transportation chapters the community has mapped out proposed land use guidelines and has outlined a set of development standards for each of the land use categories. The guidelines and standards will ensure that current and future businesses, both small and larger scale, are developed in a way that preserves the beauty and character of Big Lake.

Discussion

While reviewing the current request, staff considered the guidelines offered in the comprehensive plan. Staff also considered factors, such as standards of Matanuska-Susitna Borough code and potential off-site impacts.

Time and again the Comprehensive Plan states the community's priorities are to protect and preserve the natural beauty and character of the Big Lake Community. The plan encourages light industrial uses in only two areas, near the airport and an area south of Susitna Parkway. The plan does not specifically address gravel extraction, however, with the repeated effort to protect and preserve the natural beauty and character of the Big Lake Community it seems implicit that

operating a large gravel extraction operation in the Dispersed Residential area is inconsistent with the Comprehensive Plan.

It is staff's opinion that the proposed use is inconsistent with the Big Lake Comprehensive Plan.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification

Notices were mailed to all property owners within a one mile radius of the property. A total of 204 notices were mailed on January 29, 2016. The public hearing notice was published in the January 29, 2016 publication of the Frontiersman. The application material was posted on the borough web site for public review. The public notice was also mailed to the Big Lake Community Council. The Big Lake Community Council submitted comments on March 9, 2016, indicating the Council has no objection to the Interim Materials District request. Staff received 68 written comments from the public in reference to the proposed IMD. Comments conveying concerns, neutral statements or suggestions, and potential benefits of the proposed IMD are listed below:

Concerns:

- General opposition
- Noise
  - Currently peaceful outdoor living
  - Expect boating noise but "do not expect/deserve" gravel activity noise
- Potential road damage
  - W Lakes Blvd already in deteriorated shape
  - Belarde not built for truck traffic
- Additional truck traffic
  - Danger to children, pedestrians, and bicyclists riding on road
  - Poor visibility at Lakes and Belarde due to hill
  - Bus stop at Lakes and Belarde
- Air pollution/dust
- Disregard for quality of life
- Residential / recreational area
  - Proximity to lake and residential homes
  - Will change the character of neighborhood
- Blight to the neighborhood
- Negative impact to property values
- Water table / drainage concerns
- #1 Economic Development Priority Goal: clean and green
- Inconsistent with Intent and Purpose for 17.28: Will not preserve quality peace quiet and safety of area
- Can hear existing operation, expanding size would cause greater impact from dust and noise

Neutral Comments or Suggestions:

- Could applicant compromise on project magnitude?
- Reduce size to balance industrial use with residential use

- Limit hours of operation and expand buffer to reduce impact to residential neighbors
- Property owners should be able to do as they please as long as it is legal and not negatively impacting neighbors
- Consider limiting crushing to 30 days a year

Comments of Potential Benefits:

- Local gravel source needed:
  - Road projects
  - Local / neighborhood needs
  - Local development
- More expensive to get gravel trucked in from other communities
- Local gravel takes additional truck traffic off Parks highway that bring material from other communities (Making Parks highway safer)
- Applicants are residents and a valuable asset to Big Lake
- Good for Big Lake economy
- Cheaper rate for local contractors
- Cheaper local gravel means more can be done for road service
- Truck traffic no different than existing tour bus traffic
- Existing gravel extraction activities have not disturbed neighbors
- Currently operate with thought to neighbors
- Location of processing has sufficient buffering
- Two other small pits near by

Based on the above comments and concerns, should the Planning Commission recommend approval, staff recommends conditions to address said concerns and to protect the health, safety, and welfare of the community.

Section 17.28.040 Required Compliance With State And Federal Laws

(A) All applicants for interim materials district designation are required to demonstrate compliance with state and federal law. Prior to final approval of the interim materials district, the applicant or agent shall provide written documentation of compliance with the following:

> *(1) mining license as required by the Alaska State Department of Revenue, pursuant to A.S. 42.65;*
> *(2) mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land;*
> *(3) reclamation plan as required by ADNR, pursuant to A.S. 27.19;*
> *(4) notice of intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the Alaska Pollutant Discharge Elimination System (APDES) requirements; and*
> *(5) United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.*

Finding: A State of Alaska Department of Revenue license is not required for this application because Alaska law was amended in 2012 and rock, sand and gravel quarries are now exempt from the requirement.

Finding: A State of Alaska Department of Natural Resources (ADNR) mining permit is not required for this application because the extraction activities will not take place on state land.

Finding: An ADNR reclamation plan was accepted by ADNR for the project site on June 29, 2015.

Finding: A letter dated July 25, 2015, from Steve Eng of Northrim Engineering, determines that a storm water pollution prevention plan is not required for phase one of the proposed Interim Materials District. Each phase will be independently inspected and a determination will be made at the time of inspection on whether a SWPPP will be required for each phase.

Finding: A United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act is not required for this application as the applicant is not proposing any extraction activity to take place within identified wetlands, lakes, streams, or other waterbodies.

Finding: Cook Inlet Alaska Wetland Classification and the application material do not identify any wetland formations within the proposed IMD.

Finding: On August 14, 2015 the US Army Corps of Engineers issued Jurisdictional Determination POA-2009-41 for the subject property, noting the site is located upland and does not contain waters of the United States.

Conclusion of Law: The applicant has demonstrated compliance with all state and federal laws (MSB 17.28.040(A)).

Section 17.28.050 Site Development Plan Required

(A) The application for an interim materials district shall include a site development plan. The site development plan shall include, but not be limited to the following, as required by the conditions of the site, and shall be consistent with the standards in MSB 17.28.060:

(1) identification of surrounding property owners, existing land uses, and wetlands and waterbodies within one-quarter mile of the site;

Finding: Maps are included in the record identifying surrounding property ownership, wetlands and waterbodies, and existing surrounding land uses within one mile of the site.

Finding: Cook Inlet Alaska Wetland Classification and the application material do not identify any wetland formations within the proposed IMD.

(2) planned location of permanent and semipermanent structures for verification of setback requirements;

Finding: The applicant's site plan shows the planned location of the scale house, screening plant and various other structures meet the setback requirements.

(3) proposed phases of mining activities;

Finding: The proposed phases of mining have been identified in the site plan and application, which are included in the record showing the location of each phase of mining activity within the subject parcel.

Finding: According to the application material, there are five planned phases of mining. A portion of phase one has been mined.

(4) roads and access plan;

Finding: The site plan shows the driveway located on Belarde Boulevard, which is the only proposed ingress and egress for the proposed use at the subject parcel.

Finding: Access to this parcel is made via Belarde Boulevard, which the according to the Borough Right-of-way Official, is a residential road constructed to the minimum access standards.

Finding: A Matanuska-Susitna Borough Driveway Permit application has been submitted to MSB Development Services and is currently being processed.

Finding: According to the application material, traffic volumes will be typically vary from "zero to 100 loads" a day which is equal to or less than 200 trips per day.

Finding: According to the application material, should there be a project that requires traffic in excess of 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles per day, the applicant will take necessary action to ensure compliance with MSB 17.61.090 Traffic Standards.

(5) visual screening measures;

Finding: According to the application material, earthen berms 10-feet in height will be constructed to screen the operation from undeveloped and residential uses to the south and from the adjacent right-of-way to the north. In addition, topography to the east and west will sufficiently screen the use from the adjacent properties.

(6) noise mitigation measures; and

Finding: According to the application material, earthen berms 10-feet in height will be constructed to screen the operation from undeveloped and residential uses to the south and from the adjacent right-of-way to the north. In addition, topography to the east and west will sufficiently screen the use from the adjacent properties.

Finding: According to the applicant, estimated normal business hours are from 8am to 6pm, Monday through Friday depending on available day light. However, the applicant stated that on occasion, operations may extend to Saturdays.

(7) proposed lighting.

Finding: The applicant is not proposing to use illumination devices.

Conclusion of Law: Based on the above findings, the applicant's site development plan includes all items listed in 17.28.050(A) (1) through (7), and is consistent with the standards in MSB 17.28.060 (MSB 17.28.050(A)).

Section 17.28.060 Site Development Standards

(A) Standards for the interim materials district site development plan are as follows:

(1) identification of surrounding property owners, existing land uses, and wetlands and waterbodies within one-quarter mile of the site;

Finding: Maps are included in the record identifying surrounding property ownership, existing land uses, and waterbodies within one mile of the proposed site.

Finding: According to the Cook Inlet wetlands data and the application material, earth material extraction activities will not take place within 100-feet of any identified wetlands or waterbodies.

Conclusion of Law: Based on the above findings, the surrounding property ownership, existing land uses, and wetlands and water bodies within one mile have been identified (MSB 17.28.060(A)(1)).

(2) phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc.

Finding: A site plan is included in the record showing the location of the earth materials extraction site, including phases of mining within the subject parcel.

Finding: A topographic contour map, bare earth map, and aerial photography are included in the record. These items show topographic features and vegetation of the subject property.

Conclusion of Law: Phases of proposed mining activities, description of the topography and vegetation, and approximate time sequence for the duration of the mining activity have been determined. No permanent, semi-permanent, or portable equipment are anticipated to be located within the required setbacks (MSB 17.28.60(A)(2)).

(3) The road and access plan shall include anticipated routes and traffic volumes, and shall be approved by the director. If the level of activity exceeds the minimum levels specified in MSB 17.61.090*, traffic standards, a traffic control plan consistent with state regulations may be required;*

Finding: The site plan shows the driveway located on Belarde Boulevard, which is the only proposed ingress and egress for the proposed use at the subject parcel.

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Finding: Access to this parcel is made via Belarde Boulevard, which the according to the Borough Right-of-way Official, is a residential road constructed to the minimum access standards.

Finding: A Matanuska-Susitna Borough Driveway Permit application has been submitted to MSB Development Services and is currently being processed.

Finding: According to the application material, traffic volumes will be typically vary from "zero to 100 loads" a day which is equal to or less than 200 trips per day.

Finding: According to the application material, should there be a project that requires traffic in excess of 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles per day, the applicant will take necessary action to ensure compliance with MSB 17.61.090 Traffic Standards.

Finding: A traffic control plan is not required by the State of Alaska.

Conclusion of Law: The proposed traffic route and traffic volumes have been identified. Traffic generated from the proposed use will not exceed 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles a day, as specified in MSB 17.61.090, Traffic Standards (MSB 17.28.60(A)(3)).

> *(4) visual screening measures shall include a detailed description of the type of visual screening to be utilized, and shall be maintained as necessary during the course of extraction activities. Visual screening may include, but is not limited to, berms, natural vegetation, solid fences, walls, evergreen hedges or other means as approved by the commission. If mining is planned to be conducted within 300 feet of the property line, berms or other visual screening methods shall be a minimum of ten feet in height. If mining is planned to be conducted greater than 300 feet from the property line, the applicant shall utilize commission-approved screening methods to minimize visual impacts of the mining operation. The commission shall adopt policies and procedures to assist applicants in developing screening plans. In its discretion, the commission may waive screening requirements where the topography of the property or the placement of natural barriers makes screening not feasible or not necessary. Screening requirements shall be required in consideration of and in accordance with existing uses of adjacent property at the time of designation of the interim materials district. An interim materials district shall not be required to screen the district from uses which arise after the designation of the interim materials district;*

Finding: According to the application material, earthen berms 10-feet in height will be constructed to screen the operation from undeveloped and residential uses to the south and from the adjacent right-of-way to the north. In addition, topography to the east and west will sufficiently screen the use from the adjacent properties.

Conclusion of Law: Natural vegetation and earth berms at least 10-feet in height will be used to meet the visual screening measure (MSB 17.28.60(A)(4)).

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(5) noise mitigation measures shall include a description of measures to be taken by the applicant to mitigate or lessen noise impacts to surrounding properties and shall include, but not be limited to, hours of operation of noise-producing equipment, erecting noise barriers (i.e., berms a minimum of ten feet in height) between noise-producing equipment and adjacent uses, location of noise-producing equipment (i.e., below grade in excavated pit areas), and measures to utilize equipment with noise reduction features.

(a) no sound resulting from the earth materials extraction activities shall create a sound level that exceeds the limits set forth for the existing receiving land use category in Table 1 when measured at or within the property boundary of the receiving land us:

Table 1. Sound Levels by Receiving Land Use

Receiving Land Use Category	***Time***	***Sound Level Limit (dB(A))***
Residential Use	*7 a.m. – 10 p.m.*	*60*
	10 p.m. – 7 a.m.	*50*
Commercial Use	*7 a.m. – 10 p.m.*	*70*
	10 p.m. – 7 a.m.	*60*
Industrial Use or Undeveloped Land	*At all times*	*80*

(b) [Repealed by Ord. 08-150, § 2, 2008]

(c) for any sound that is of short duration, between the hours of 7 a.m. and 7 p.m. the levels established in Table 1 may be increased by:

(i) five dB(A) for a total of 15 minutes in any one hour; or

(ii) ten dB(A) for a total of five minutes in any hour; or

(iii) fifteen dB(A) for a total of one and one-half minutes in any one-hour period.

(d) an interim materials district or a conditional use permit for earth materials extraction activities shall not be required to provide noise mitigation measures to mitigate or lessen noise impacts if a land use requiring lesser noise levels than for an industrial area arises on properties adjacent to earth materials extraction sites after the designation of the interim materials district or the effective date of the conditional use permit.

Finding: According to the application material, earthen berms 10-feet in height will be constructed to screen the operation from undeveloped and residential uses to the south and from the adjacent right-of-way to the north. In addition, topography to the east and west will sufficiently screen the use from the adjacent properties.

Finding: According to the applicant, estimated normal business hours are from 8am to 6pm, Monday through Friday depending on available day light. However, the applicant stated that on occasion, operations may extend to Saturdays.

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Discussion

The community has expressed concerns of potential noise impacts from the proposed operation among other things. While noise levels exceeding the levels in MSB 17.28.060(A)(5)(a) are prohibited, due to the proximity of residential homes, staff recommends limiting the operation hours to: 8am to 6pm, Monday through Saturday, except rock crushing and screening activities are limited to 8am to 5pm Monday through Friday. Staff encourages the Planning Commission to discuss this recommended condition.

Finding: The applicant is not proposing to operate an asphalt plant as a part of this operation.

Finding: The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) – Site Development Standards and MSB 8.52 – Noise, Amplified Sound, and Vibration.

Finding: Noise levels exceeding the levels in MSB 17.28.060(A)(5)(a) are prohibited.

Conclusion of Law: Noise mitigation measures include constructing earthen berms and maintaining vegetated buffers to ensure that sounds generated from earth material extraction activities do not exceed sound levels set forth in MSB 17.28.060 (A)(5)(a). Hours of operation also limit the noise to within certain hours, and noise levels exceeding the levels in 17.28.060(A)(5)(a) are prohibited (MSB 17.28.060(A)(5)).

(6) lighting standards are:

(a) exterior lighting shall be located and shielded to direct the light towards the ground, in order to minimize light spillage onto adjacent properties and upward into the night sky.

(b) illumination or other fixtures mounted higher than 20 feet or 150 watts or more shall have downward directional shielding.

Finding: The applicant is not proposing to use illumination devices.

Conclusion of Law: Based on the findings above, the applicant meets lighting standards in accordance with MSB 17.28.060(A)(6).

(7) Except as permitted by MSB 17.30.037, the following restrictions shall apply: an undisturbed buffer shall be left and no earth material extraction activities shall take place within 100 linear feet from a lake, river, stream, or other water body, including wetlands (unless permitted by U.S. Army Corps of Engineers 404 Permit, MSB 17.28.040(A)(5)).

Finding: A map is included in the record identifying surrounding property ownership, wetlands, and water bodies, and existing surrounding land uses within one mile of the site.

Finding: According to the site plan and the Cook Inlet wetlands data and the application material, earth material extraction activities will not take place within 100-feet of any identified wetlands or waterbodies.

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Conclusion of Law: Based on the above findings, earth material extraction activities will not take place within 100 linear feet of any identified wetland, stream, river or other waterbody (MSB 17.28.60(A)(7)).

Section 17.28.080 Procedures For Initiating An Interim Materials District (IMD)

17.28.080(C)(2) The commission shall report to the assembly on whether the applicant has met the standards delineated in MSB 17.28.050 and 17.28.060 and what effect the proposed interim materials district would have on the public health, safety, and general welfare of the Matanuska-Susitna Borough. The commission in its report to the assembly shall recommend to the assembly approval, denial, modifications, or conditions of approval for the proposed action, and shall include findings on the following:

(a) whether the proposed interim materials district is compatible with the goals and objectives of the comprehensive plan;

Finding: The proposed site is located within the Big Lake Community Council planning area.

Finding: The Big Lake Community Council submitted comments on March 9, 2016, indicating the Council has no objection to the Interim Materials District request.

Finding: The subject property is located within the boundary of the Big Lake Comprehensive Plan, updated and adopted in August, 2009.

Finding: The subject parcel is located within the *Dispersed Residential* land use district as identified in the Big Lake Comprehensive Plan.

Finding: According to the Big Lake Comprehensive Plan, *Dispersed Residential* is described as *"rural residential areas, where lots sizes are larger and the natural setting is more dominant. This is currently the most predominant land use density in the Big Lake area."*

Finding: The intent of the Comprehensive Plan is to identify and encourage a general pattern of development that best meets the community goals and to *"accommodate growth while holding onto characteristics that make Big Lake a good place to live and visit."*

Finding: In the Land Use and Environment Goals section of the Big Lake Comprehensive Plan it states: *"The overarching goal of this plan is protect Big Lake's special character as a place to live and visit while accepting and even encouraging growth. Without guidance, as the area grows, the community risks losing these qualities that makes Big Lake a distinctive place – its undeveloped open spaces, good views, wildlife, and out-the-door access to recreation. At the same time, growth in the community can bring many benefits, providing new places for people to live, creating new opportunities for local employment, and generally leading to a more vital community."*

Finding: In the Land Use and Environment Goals section of the Big Lake Comprehensive Plan it states: *"Provide for Freedom to Enjoy our Properties – The plan supports a balance of freedom to use property as individuals chose up to that point where one person's use limits the*

rights of neighbors to enjoy their property. Responsible land use should be in harmony with surrounding land use without damaging the health, safety and welfare of adjacent property."

Finding: In the Strategies to Achieve Land Use Goals section, Strategy 1 states: *"Develop a land use "roadmap" setting out general intentions for the location and intensity of development – to provide for growth, protect Big Lake's environment and rural character, encourage concentrated commercial development, and allow for the efficient provision of community infrastructure."*

Finding: In the Strategies to Achieve Land Use Goals section, Residential Areas it states: "*Four types of residential areas are identified. In all four of these areas, the predominate character is encouraged to remain residential, as it is today; however home-based businesses and other commercial uses are acceptable. If and when such non-residential occurs, such uses are encouraged be developed in a manner that is compatible with the predominately residential character of these areas."*

Finding: In the Strategies to Achieve Land Use Goals section, Strategy 3 it states: *"The Big Lake natural environment is at the heart of the community's quality of life and economy. Over the course of the meetings to prepare this plan, the public was clear on what they value about the Big Lake natural environment: Clean water – keep lakes, streams, wetlands, etc. free from septic pollution, hydrocarbons, non-point source pollution such as nitrates & fertilizers, etc.; Clean air – keep it clean; discourage air polluting industries; Natural beauty – retain the landscape that reflects the natural beauty of the land; Dark night skies – minimize light pollution; "Natural quiet" – minimize noise pollution"*

Finding: In the Strategies to Achieve Land Use Goals section, under the Development Guidelines of Strategy 4, it states: *"Natural Vegetation/Site Disturbance – Encourage retention of existing natural vegetation and replant disturbed areas. Grading and clear cutting the entire parcel prior to selling or developing land is strongly discouraged.*"

Finding: In the Strategies to Achieve Land Use Goals section, under the Development Guidelines of Strategy 4, it states: *"Commercial Uses/Home-based Businesses in Predominately Residential Areas – The plan supports a variety of home based businesses and residential-compatible commercial uses in predominately residential areas, but encourages these uses to be designed to not impact neighbors. Subdivisions can address this to some extent through protective covenants. Guidelines for home-based businesses and other commercial activities in predominately residential areas include: Discourage high-volume or high-traffic activities; businesses should not create nuisances of excessive people and vehicle traffic; Minimize the offsite evidence of business operation - noise, smells, litter, odors, and public safety calls; Use special screening and wider setbacks to reduce visual impacts of business operations on surrounding residences.; Screen dumpsters, service entries; Avoid using bright lights that wash onto adjoining properties; Use unobtrusive signage.*"

Discussion

While reviewing the current request, staff considered the guidelines offered in the comprehensive plan, Staff also considered factors, such as standards of Matanuska-Susitna Borough code and potential off-site impacts.

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Time and again the Comprehensive Plan states the community's priorities are to protect and preserve the natural beauty and character of the Big Lake Community. The plan encourages light industrial uses in only two areas, near the airport and an area south of Susitna Parkway. The plan does not specially address gravel extraction, however, with the repeated effort to protect and preserve the natural beauty and character of the Big Lake Community is seems implicit that operating a large gravel extraction operation in the Dispersed Residential area is inconsistent with the Comprehensive Plan.

It is staff's opinion that the proposed use is inconsistent with the Big Lake Comprehensive Plan.

Conclusion of Law: Based on the above findings, the proposed IMD is not consistent with the Big Lake Comprehensive Plan (17.28.080(C)(2)(a)).

(b) whether the proposed interim materials district negatively affects public health, safety or general welfare; and

Finding: The site plan shows the driveway located on Belarde Boulevard, which is the only proposed ingress and egress for the proposed use at the subject parcel.

Finding: A Matanuska-Susitna Borough Driveway Permit application has been submitted to MSB Development Services and is currently being processed.

Finding: The applicant is not proposing to mine below or within four feet of the water table.

Finding: According to the application material, earthen berms 10-feet in height will be constructed to screen the operation from undeveloped and residential uses to the south and from the adjacent right-of-way to the north. In addition, topography to the east and west will sufficiently screen the use from the adjacent properties.

Finding: According to the applicant, estimated normal business hours are from 8am to 6pm, Monday through Friday depending on available day light. However, the applicant stated that on occasion, operations may extend to Saturdays.

Finding: The application material states a water truck will be used to control dust at the gravel pit and haul routes, as necessary.

Discussion

The community has expressed concerns of potential noise impacts from the proposed operation among other things. While noise levels exceeding the levels in MSB 17.28.060(A)(5)(a) are prohibited, due to the proximity of residential homes, staff recommends limiting the operation hours to: 8am to 6pm, Monday through Saturday, except rock crushing and screening activities are limited to 8am to 5pm Monday through Friday. Staff encourages the Planning Commission to discuss this recommended condition.

Finding: According to the application material, slopes will be left at 2H:1V.

Finding: The applicant is not proposing to operate an asphalt plant as a part of this operation.

Finding: Noise levels exceeding the levels in MSB 17.28.060(A)(5)(a) are prohibited.

Conclusion of Law: Based on the above findings, the proposed use with conditions, will not be harmful to the public health, safety, convenience and welfare (MSB 17.28.080(C)(2)(b)).

(c) whether the proposed interim materials district has met the site development standards of this chapter including compliance with all required local, state, and federal laws.

Finding: All of the site plan and site development requirements have been provided.

Finding: An ADNR reclamation plan was accepted by ADNR for the project site on June 29, 2015.

Finding: A letter dated July 25, 2015, from Steve Eng of Northrim Engineering, determines that a storm water pollution prevention plan is not required for phase one of the proposed Interim Materials District. Each phase will be independently inspected and a determination will be made at the time of inspection on whether a SWPPP will be required for each phase.

Finding: A United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act is not required for this application as the applicant is not proposing any extraction activity to take place within identified wetlands, lakes, streams, or other waterbodies.

Finding: Cook Inlet Alaska Wetland Classification and the application material do not identify any wetland formations within the proposed IMD.

Finding: On August 14, 2015 the US Army Corps of Engineers issued Jurisdictional Determination POA-2009-41 for the subject property, noting the site is located upland and does not contain waters of the United States.

Conclusion of Law: The applicant has met all of the requirements of MSB 17.28.050 and 17.28.060, and is in compliance with all local, State, and Federal laws (17.28.080(C)(2)(c)).

STAFF RECOMMENDATIONS

If the Planning Commission recommends approval of the proposed Interim Materials District to the Borough Assembly, staff recommends the following conditions be included in the Planning Commission's recommendation:

1. The operation shall comply with all other applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and an amendment to the Interim Materials District shall be required prior to any alteration or expansion of the material extraction operation.
3. Material extraction shall be limited to the areas identified in the applicant's site plan with the Matanuska-Susitna Borough "Received" date stamp of October 28, 2015.
4. Prior to operating, the IMD boundary shown in the applicant's site plan with the Matanuska-Susitna Borough "Received" date stamp of October 28, 2015, shall be located and marked on the property by a surveyor licensed to operate in the State of Alaska. Said

markers shall be maintained in a visible condition to ensure extraction activities stay within the extraction area boundary.

5. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected for leaks daily.
6. On-site maintenance of vehicles shall be done in an area where all leaks can be contained with drip pans or other discharge prevention devices.
7. All hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.
8. Visual screening shall be achieved and maintained by using a combination of earthen berms 10-feet in height to north and south, and maintaining the topographical buffer as described in the application material.
9. A Matanuska-Susitna Borough Driveway Permit shall be obtained for access onto Belarde Boulevard prior to operating.
10. Large "side dump" vehicles shall not be used in conjunction with this use unless certification from the professional engineer has deemed access to and from the subject parcel and use of the intersection of Belarde Boulevard and West Lake Boulevard is safe. If upgrading the intersection and/or Belarde Boulevard is necessary, a construction permit shall be obtained from the Matanuska-Susitna Borough prior to beginning any work in a public right-of-way.
11. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to storm water.
12. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) – Site Development Standards and MSB 8.52 – Noise, Amplified Sound, and Vibration.
13. All extraction activities, including all activities that cause noise, dust, or traffic, shall be limited to 8am to 6pm, Monday through Saturday, except rock crushing and screening activities are limited to 8am to 5pm, Monday through Friday.
14. If cultural remains are found during material extraction activities, the MSB Cultural Resources Division shall be contacted immediately so the remains can be documented.
15. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.
16. Borough staff shall be permitted to enter onto any portion of the property to monitor compliance with permit requirements. Such access will at a minimum be allowed on demand when activity is occurring and, with prior verbal or written notice, and at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of the Interim Materials District.
17. The operation shall comply with the reclamation standards of MSB 17.28.067.
18. If reclamation information is updated annually with the State of Alaska, Department of Natural Resources, the applicant shall provide a copy of the updated information to the MSB Planning Department.
19. An asphalt plant (aka hot mix or batch plant) shall not be operated at this site.

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20. Dust caused by earth material extraction activities, shall be minimized through application of water at the gravel pit, crusher plant, and on roads.
21. If illumination devices are required, they shall not be greater than 20 feet in height, shall utilize downward directional shielding devices, and shall meet the requirements of MSB 17.28.060(A)(6) Lighting Standards.
22. All activity shall be conducted in compliance with state or federal regulations governing the items listed in MSB 17.28.040(B)(1), 17.28.040(B)(2), and 17.28.040(B)(3).
23. Authorization for earth material extraction activities approved by this legislation shall expire on December 31, 2040.
24. The IMD must be approved by the Matanuska-Susitna Borough Assembly.

Two draft resolutions have been included in this packet for the Commission's consideration. Planning Commission Resolution 16-08 is in support of recommending approval of this request. Planning Commission Resolution 16-16 is in support of recommending denial of this request.





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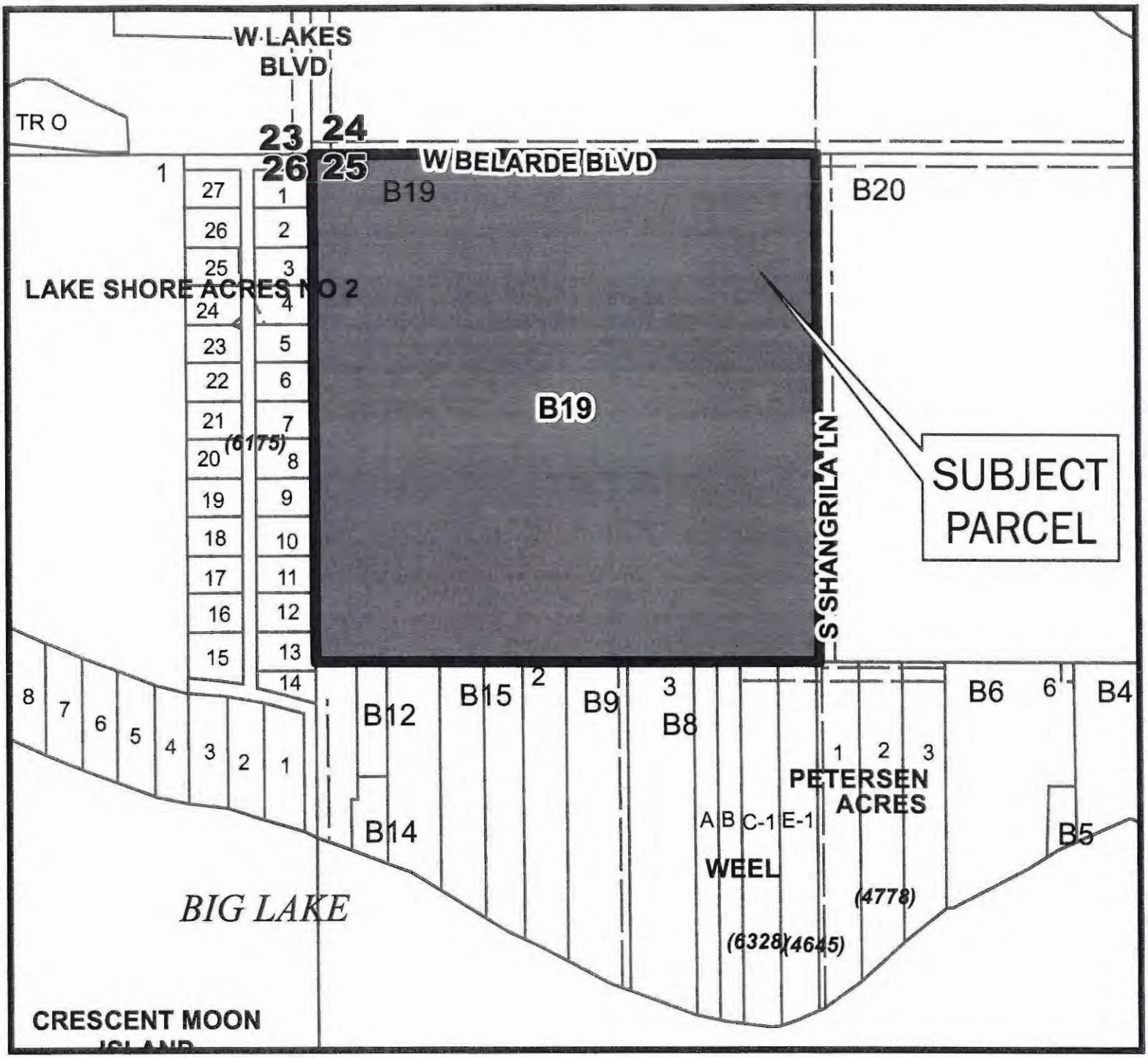
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VICINITY MAP

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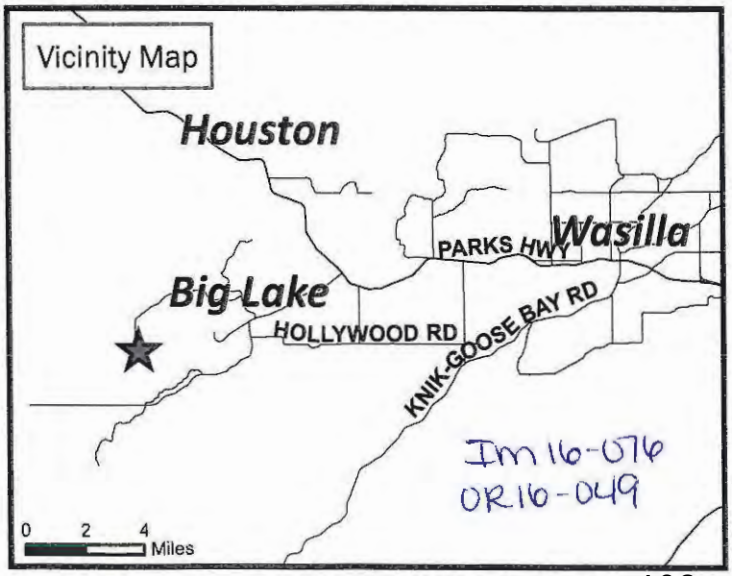
17N04W25B019

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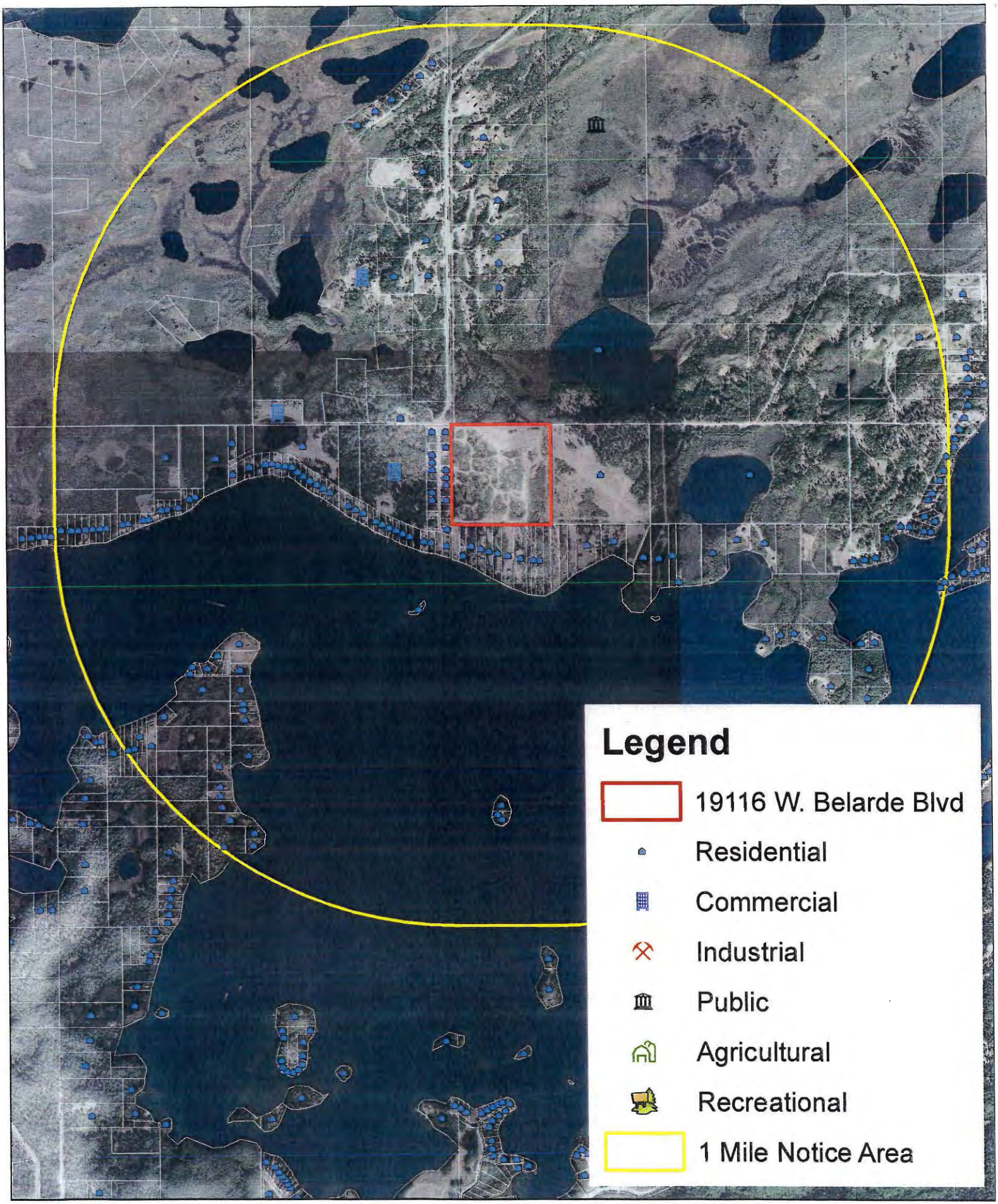
MSB Information Technology/GIS
July 23, 2015

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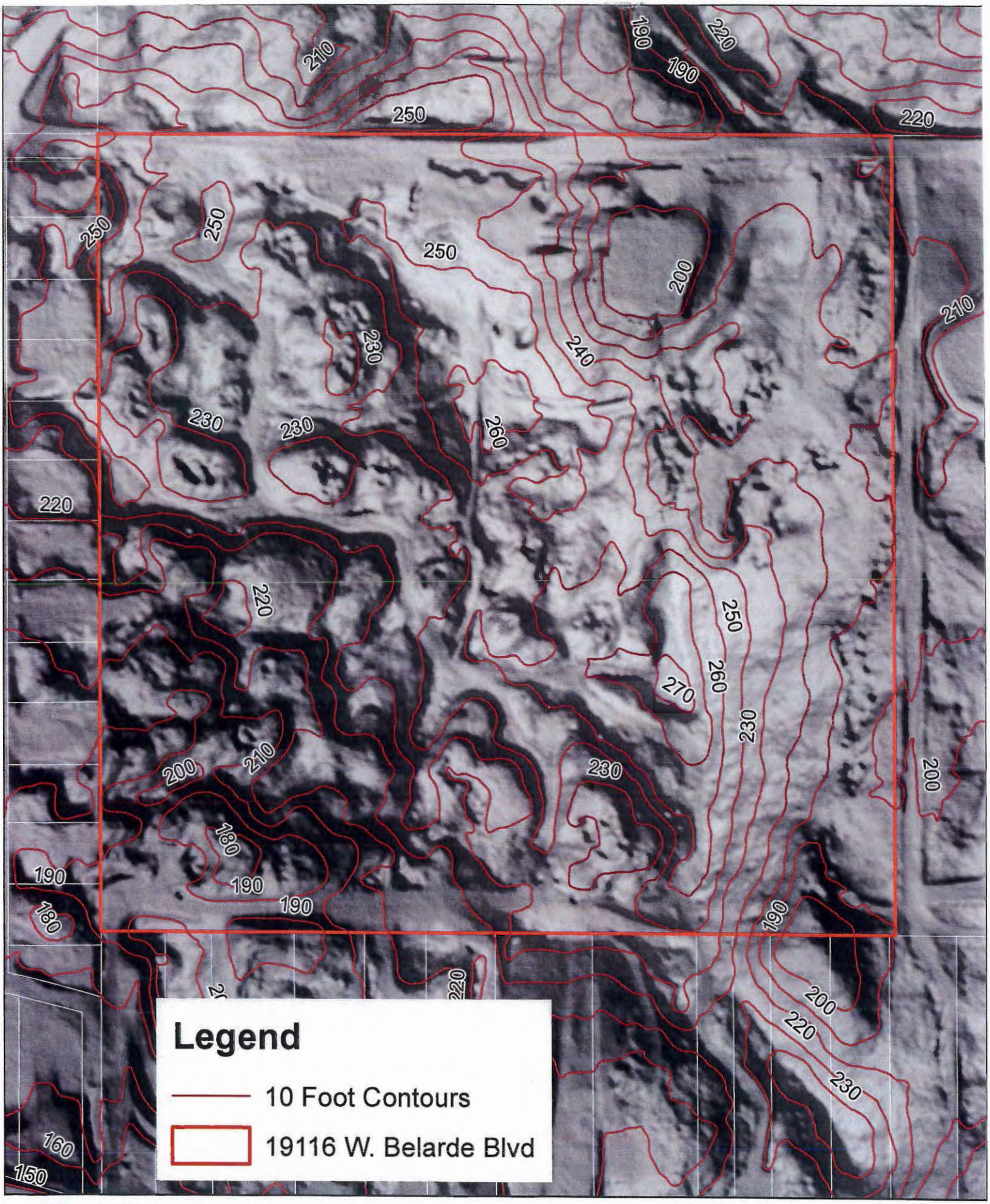


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1 inch = 1,600 feet

0 1,600 3,200 Feet

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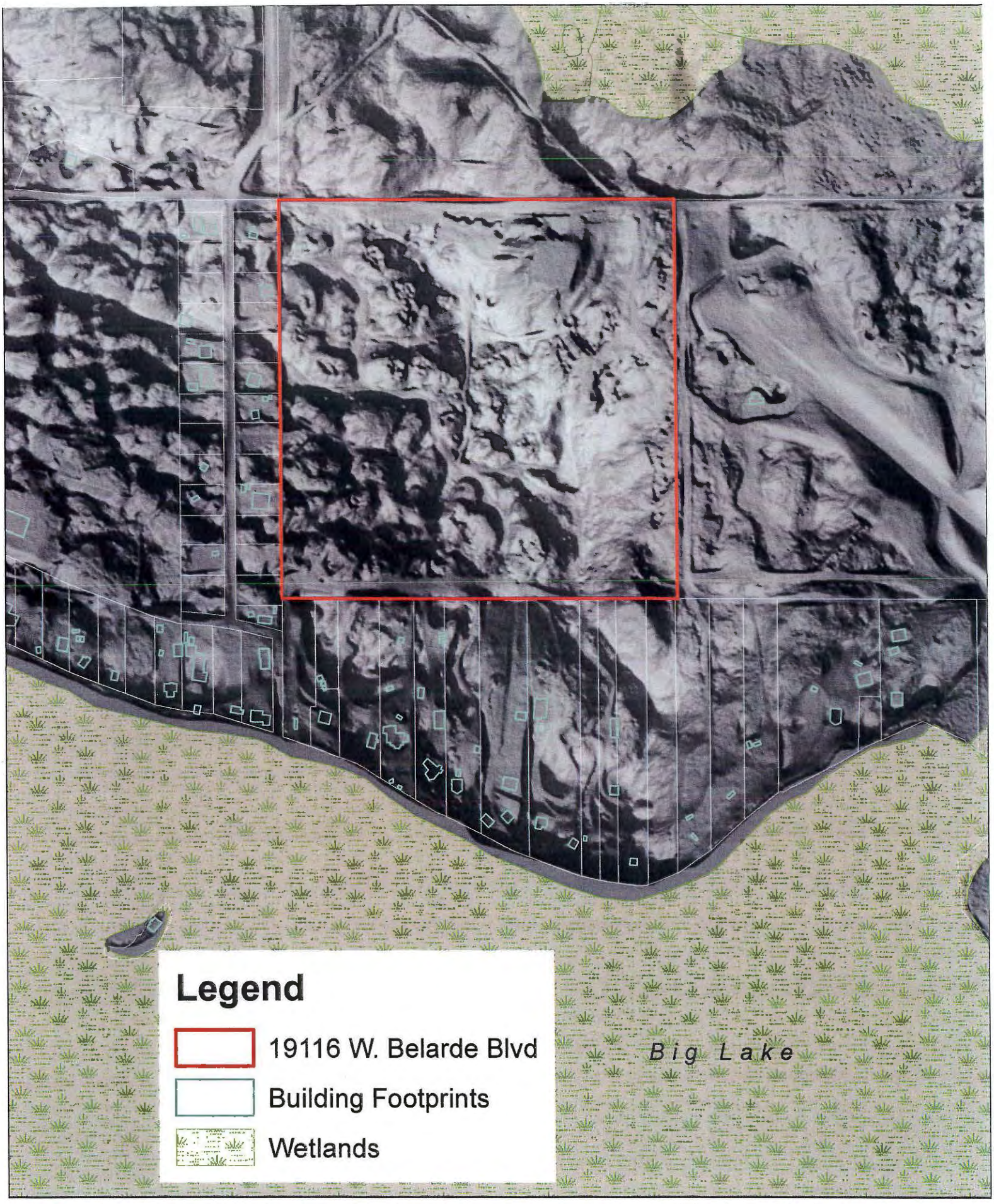
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1 inch = 200 feet

0 200 400 Feet

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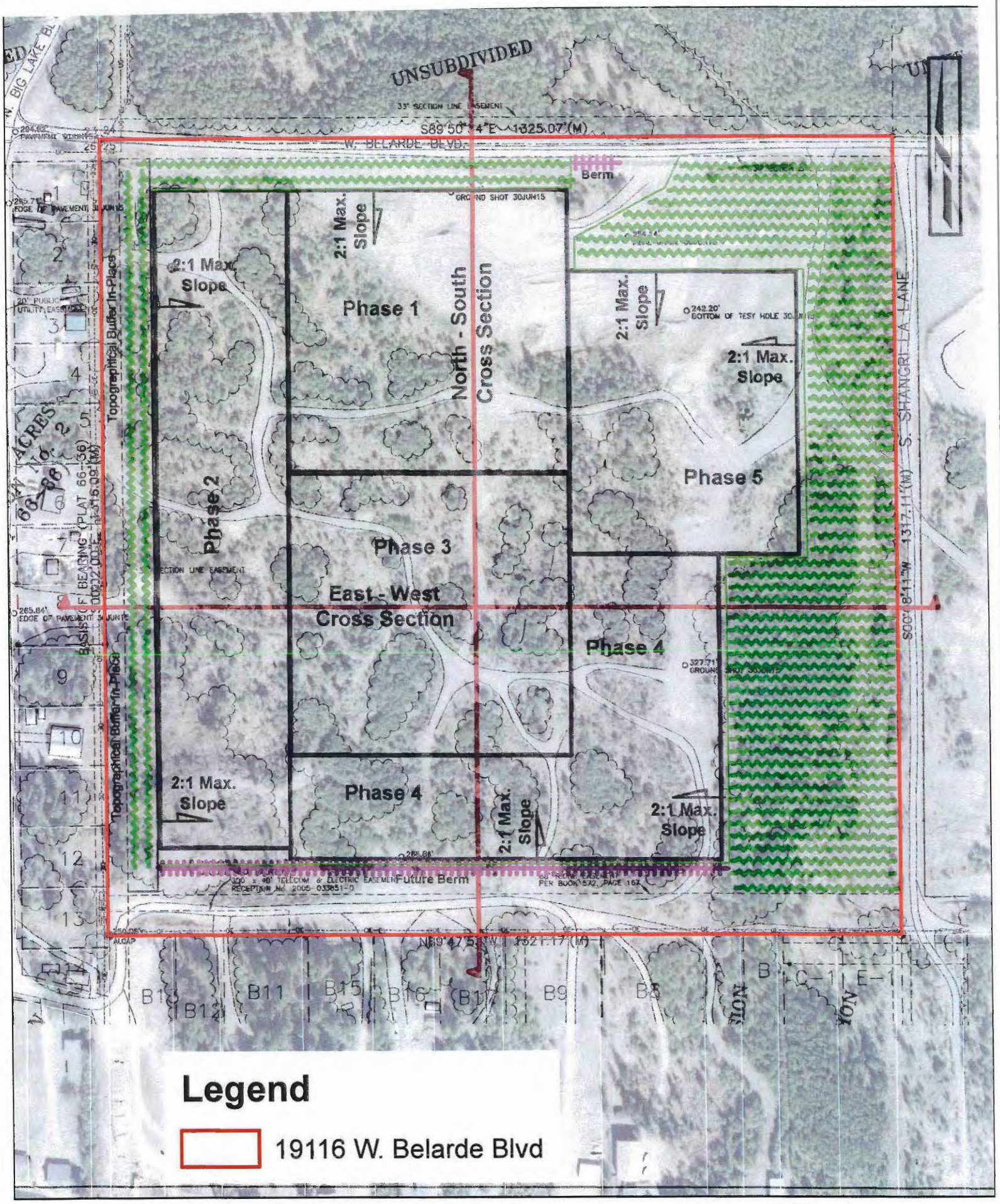


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1 inch = 400 feet

0 400 800 Feet

N



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1 inch = 200 feet

0 200 400 Feet

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SITE PLAN

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Plan View

Scale: 1" = 200'

Legend"

10' Berm:

10' Berm (Future):

Topographic Buffer in Place:

Lot Description:
NW 1/4 NW 1/4 Section 25
T27N R4W Seward Maridian

Phase 1 - Year 2015 to 2019
Phase 2 - Year 2020 to 2024
Phase 3 - Year 2025 to 2029
Phase 4 - Year 2030 to 2035
Phase 5 - Year 2036 to 2040

Matanuska - Susitna Borough
Development Services

OCT 28 2015

Received

Approximate test holes locations

William A. & Hellen L. Heairet
P.O. Box 521403
Big Lake, Ak 99652

Notes:

1. Topo taken from Borough LiDAR survey.

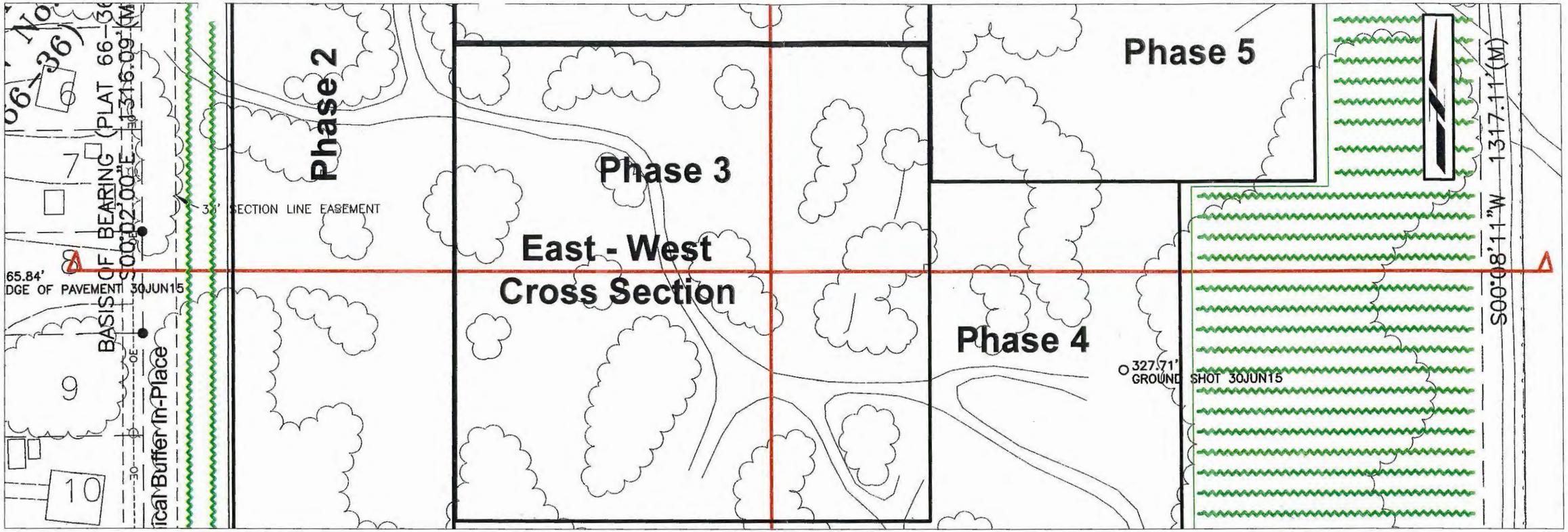
Project: **Earth Materials Extraction**

Dwg. Title: **Site Plan & Extraction Phasing**

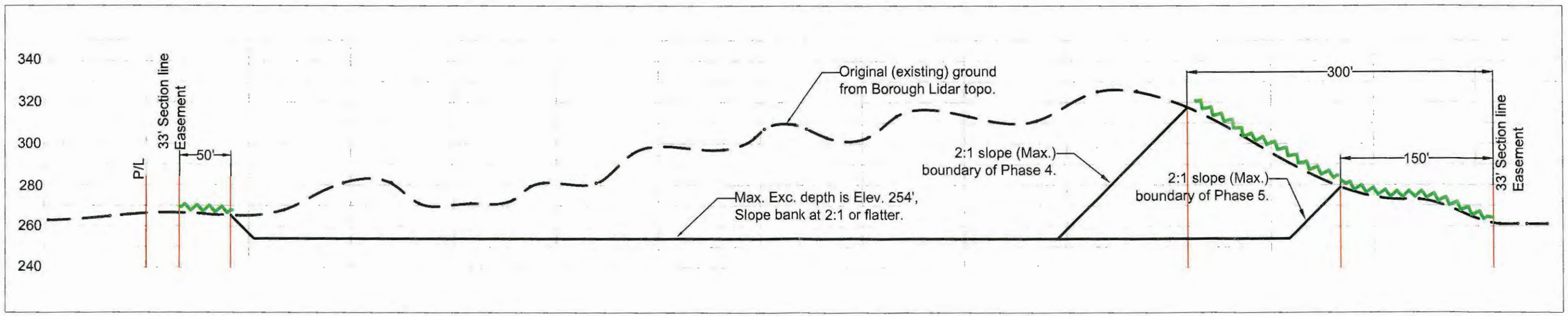
Rev. 1: 10/21/15

	Date 9/21/15	Sheet No.
	Drawn	
	Chk'd	
	Scale	

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Plan View: Scale: 1" = 100'



East/West Section - Looking North

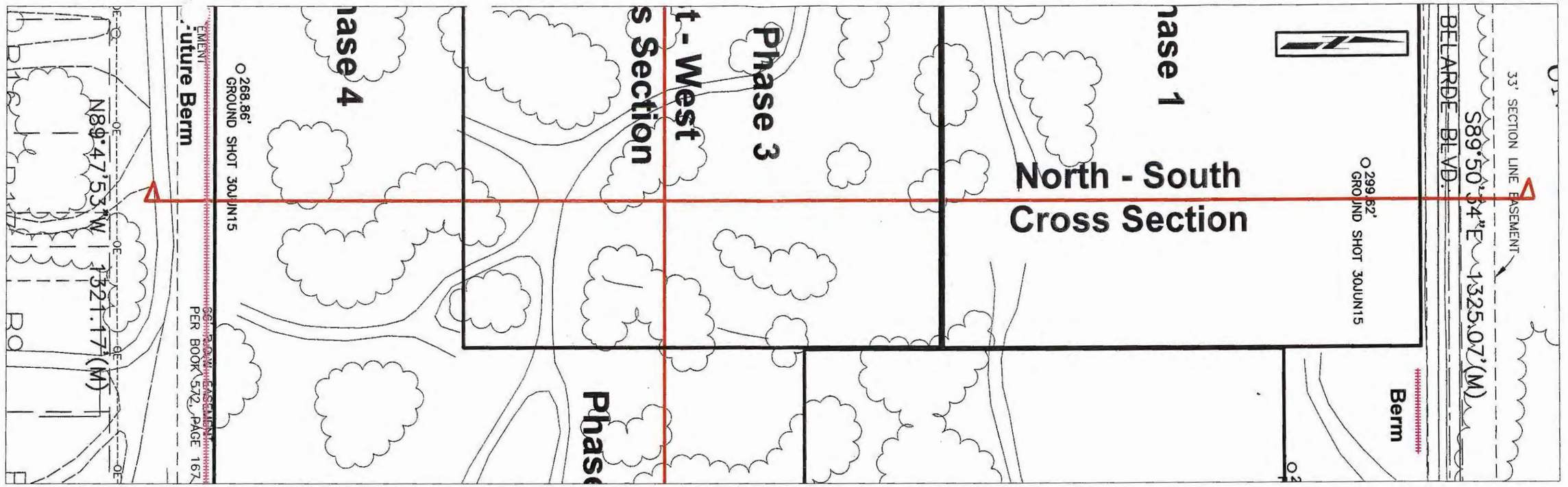
Hor. scale: 1" = 100'

Vert. Scale: 1" = 50'

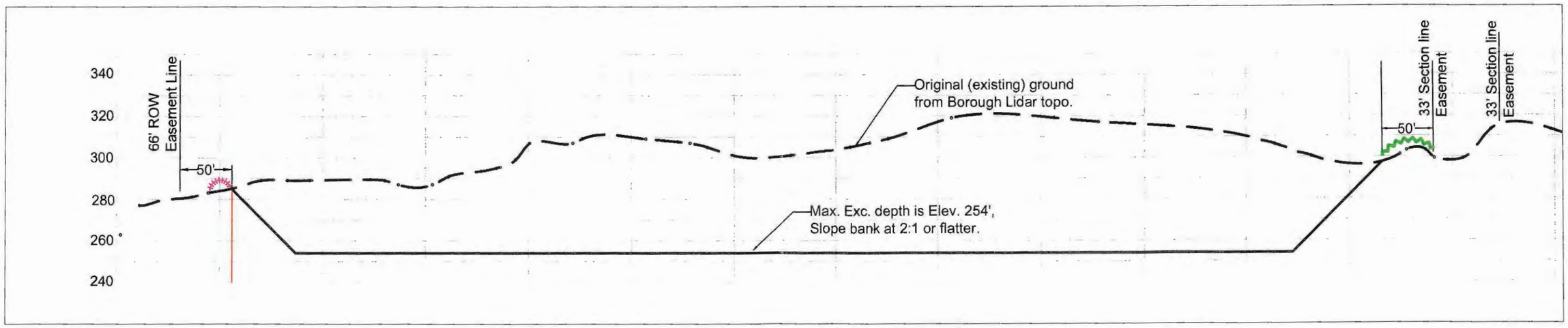
Rev.: 10/20/15

Drawing Date: 9/21/15

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Plan View: Scale: 1" = 100'



North/South Section - Looking West

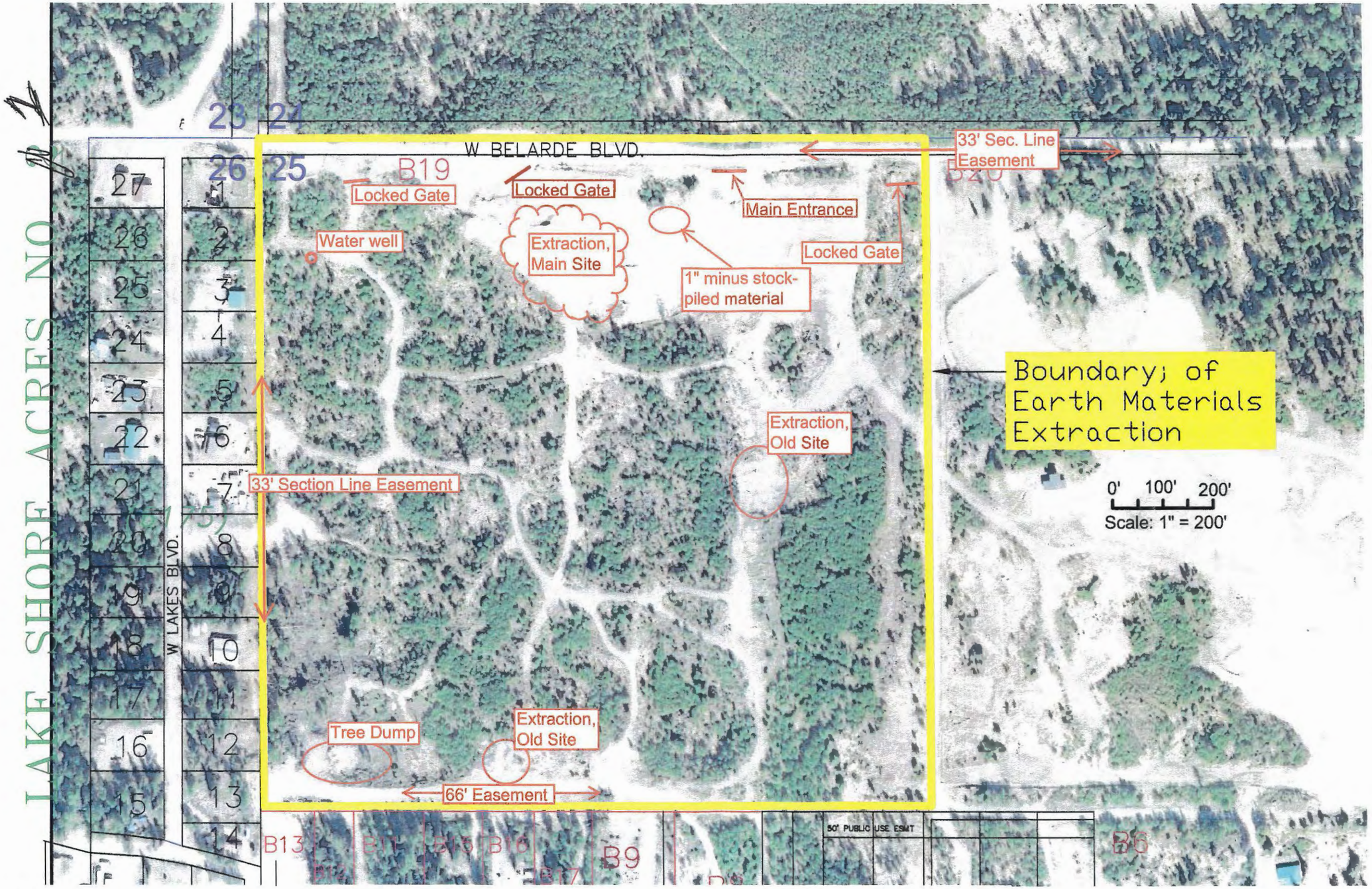
Hor. scale: 1" = 100'

Vert. Scale: 1" = 50'

Rev.: 10/20/15

Drawing Date: 9/21/15

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William A. &
Helen L. Heairet:
P.O. Box 521403
Big Lake, AK, 99652

Notes:

Project: Earth Materials Extraction

Dwg. Title: Location Map & Property Description

MAP 1
Site Notes

Lot Description: NW 1/4 NW 1/4 Section 25
T27N R4W Seward Meridian

Phase 1:	Year 2015 - 2019
Phase 2:	Year 2020 - 2024
Phase 3:	Year 2025 - 2029
Phase 4:	Year 2030 - 2035
Phase 5:	Year 2035 - 2040

Date 6/28/15
Drawn
Chk'd
Scale
Sheet N

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APPLICATION MATERIAL

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OR16-049

Mark Whisenhunt

From: dannysautobody@gci.net
Sent: Friday, February 19, 2016 3:09 PM
To: Mark Whisenhunt
Subject: Fwd:
Attachments: Big Lake.bmp.docx

Please find my attached letter with opinions on the Lakeside Sand and Gravel application.

----- Original Message -----
From:
ivm@alaska.net

To:
dannysautobody@gci.net
Sent:
Fri, 19 Feb 2016 14:39:09 -0900
Subject:

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Danny's Auto Body
7137 Old Seward Highway
Anchorage, Alaska 99518
(907)522-7888
(907)229-3606 Cell

February 19, 2016

MSB Development Services Division
Mark Whisenhunt
350 E. Dahlia Ave.
Palmer, Alaska 99645
907-861-8527
907-861-7876 Fax
mwhisenhunt@matsugov.us

Dear Mr. Whisenhunt,

I have reviewed Lakeside Sand & Gravel's application and no not oppose this. We, myself and all other surrounding property owners, have received the letter from the Longacres's. I firmly disagree with the opposition to the Heairet's application. I do not find any merit in the concerns that they have brought forth for the community to view.

I own lots 217N04W25B013, 014 & 012. I have had amply opportunity to actually witness the Heairet's hauling the allowable amount of gravel from the property in question and have yet to see any negative impact.

I have personally contracted the Heairet's to perform work on the three lots that I own, with all 3 lots sharing a property line with the 40 acre parcel listed in the application, I have always found them to conduct themselves and their business in a respectful and professional manor. I have complete confidence that the Heairet's will conduct Lakeside Sand & Gravel in a professional, responsible manner that will put the health and welfare of this community first. The Heairet's have been an integral part of this community for many years.

Thank you for your time and consideration in this matter.

Sincerely,
Danny Drum

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OR16-049

Mark Whisenhunt

From: Keith Tryck <goldak49@gmail.com>
Sent: Friday, February 19, 2016 1:12 PM
To: Mark Whisenhunt
Cc: Tryck Charles; Tryck Doug; Tryck Kathryn; Tryck James
Subject: Objection to proposed gravel pit location at R4W, Sec. 25 SM (19116 West Belarde Blvd.)

Mr. Mark Whisenhunt,

I am opposed to the proposed Interim Materials District application for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel, ID#17N04W25B019, within Township 17 North, Range 4 West, Section 25, Seward Meridian.

1 strongly object to the permitting of an industrial use "gravel pit" in what has always been a recreational and residential use area. Our property was first acquired in the mid 1960's and has served as both recreational and residential uses since that time for three generations of Tryck family members.

It has been my experience working in the engineering and construction fields in Alaska for 50 years that the negative impacts of gravel pits are not taken into account. Dust pollution, noise pollution and heavy truck traffic extend beyond the pit proper. They pose serious issues of public health and safety in the surrounding area.

A warm summer day, billowing dust, a light breeze, kids on bikes on a country road and loaded gravel trucks don't mix.

(signed)

Charles W. Tryck

Tryck Joint Revocable Trust

1801 West 13th Avenue, Anchorage, AK 99501-4219

Lots 22, 23 Davis Subdivision

Cwtryck@gmail.com

Please confirm receipt.

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Mark Whisenhunt

From: ivm@alaska.net
Sent: Friday, February 19, 2016 12:45 PM
To: Mark Whisenhunt
Subject: William & Helen Heairet application

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Mark Whisenhunt

From: Angela R. Bell <ARB@delaneywiles.com>
Sent: Friday, February 19, 2016 8:52 AM
To: Mark Whisenhunt
Cc: Timothy J. Lamb
Subject: Application for Permit by William & Helen Heairet
Attachments: 201602190848.pdf

Attached please find a letter from Mr. Lamb. If you should have any problems accessing this document, please do not hesitate to contact me.

DELANEY WILES

Angela R. Bell
Legal Assistant to Timothy J. Lamb
Delaney Wiles, Inc.
1007 W. 3rd Avenue, Suite 400
Anchorage, Alaska 99501
Direct: (907) 257-0716
Main: (907) 279-3581
Facsimile: (907) 277-1331
Email: arb@delaneywiles.com

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OR16-049

HOWARD A. LAZAR
DONALD C. THOMAS
TIMOTHY J. LAMB
CYNTHIA L. DUCEY
DONNA M. MEYERS
SCOTT J. GERLACH
WHITNEY L. TRAEGER
DANIEL E. DOTY

DELANEY WILES, INC.
ATTORNEYS AT LAW
1007 WEST THIRD AVENUE
SUITE 400
ANCHORAGE, ALASKA 99501
TELEPHONE (907) 279-3581
FAX (907) 277-1331

OF COUNSEL
STEPHEN M. ELLIS
CLAY A. YOUNG
WILLIAM E. MOSELEY

February 19, 2016

Sent Via Facsimile (907) 861-7876 and email mwhisenhunt@matsugov.us
Mat Su Borough
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

Re: Objection to Application for Permit by William and Helen Heairet dba Lake Side Sand and Gravel for a 40 acre parcel gravel pit on the corner of West Lakes Boulevard and West Florida Road

Dear Application Person:

I am the attorney in fact for Jane Lamb, the owner of ASLS 83-141 Tract B, a 4.05 acre parcel of land in the area that will be affected if this dangerous gravel pit is allowed. Jane's grandchildren, or my children, intend to build on the property she currently owns. We object to another gravel pit being developed, to go with other blights on the neighborhoods where gravel pits have been created. We also object to the numerous gravel trucks that will be going up and down the road on West Lakes Boulevard, and subjecting children and anyone who rides bikes or walks, etc. to the dangers of being struck. We also object to the pollution from the extraction, crushing, loading, etc.

Please deny the application. This area should be kept somewhat pristine and neighborhood like, not turned into an industrial gravel pit.

Please call with any questions.

Sincerely,
DELANEY WILES, INC.

Timothy J. Lamb

TJL/arb

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OR16-049

Mark Whisenhunt

From: woodside1969@gmail.com <woodsidesylvia@gmail.com>
Sent: Friday, February 19, 2016 4:00 AM
To: Mark Whisenhunt
Subject: lakeside sand&gravel

NO ! we don't need this operation in our neighborhood it would be a Health and Safety Hazard !

James woodside
20317 lakes blvd Big Lake
907-707-8310

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Mark Whisenhunt

From: Ali Alaskan Girl <allalaskangirl@yahoo.com>
Sent: Thursday, February 18, 2016 6:12 PM
To: Mark Whisenhunt
Cc: allalaskangirl
Subject: Grabbe Response to IMD - Heairet/Lakeside Sand & Gravel
Attachments: 2016 NO IMD for Haeiret_Opposition.pdf

Please see attached response against the MSB 17.28 Interim Materials District for Haeiret/Lakeside Sand and Gravel. This is submitted prior to Feb. 22, 2016 for inclusion in staff report to the Planning Commission. Please contact me if there are questions.

Regards,
Kim

Kim Grabbe allalaskangirl@yahoo.com (907) 301-2369 cell

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Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

U.S. POSTAGE PITNEY BOWES
ZIP 99645 $ 000.48⁵
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0001399405 JUN 29 2016

217N03W19C043 198
WOODBURY KIM M GRABBE
PO BOX 111693
ANCHORAGE AK 99511-1693

FIRST CLASS M

99511$1693 B022

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***March 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

›lication material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application rial may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us nents concerning the proposed action, this form may be used for your convenience by filling in the information below mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received on or before ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review a· ·n. Please be advised that comments received from the public after that date will not be included in the staff ·nning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: Kim Grabbe (Woodbury) ***Mailing Address:*** POB 111693, Anch AK 99511

Location/Legal Description of your property: Township 17N Range 3W Sect 19 Lot 043

Comments: See Attached.

No commercial or ANY gravel pit in a residential area.

Kim

Note: Vicinity Map Located on Reverse Side

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OR16-049

Kim Grabbe
PO Box 11169.
Anchorage, AK 99511
(907) 301-2369

February 18, 2016

Dear MatSu Borough,

For the current and future Big Lake residents and their families, this gravel pit should not exist. 2009 The Big Lake Comprehensive Plan does not support a gravel pit in a residential area. The Community council did not support it in 2009 and may not in 2016. Attached is my rebuttal from 2009 explicitly quoting the BLCP and why this pit cannot exist. The only change since 2009 is there are more residents, supporting a residential life, not commercialized gravel pit.

By visually gauging the pit it is completely evident he has and continues exceeding his annual 2000cu/yd. limits and has operated illegally and the borough hasn't done anything. This pit will continue to bring Illegal operations and paid under the table employees, plus typical non-DOT certified trucks tearing up, already diminishing, residential roads on the taxpayers dollars.

In addition to everything else, a reclamation plan is not in place which in should reject the application from being accepted and moving forward to the point of wasting the residents time fighting for what is right to preserve community life, in Alaska's year round recreational area. The residents take pride in the tranquility and hustle/bustle of Big Lake. The BLCP doesn't allow a commercial gravel pit to exist in this location, its operations are restricted. Below are quotes and information from the BLCP.

Quick piece from 2009 Submittal:

In 1996, the Comprehensive Plan for Big Lake was created. A comprehensive plan is "a legally recognized document, with the authority to guide decisions on land use, public facilities and services, transportation and other issues. ...then outline general strategies on how to reach these goals." In 2008 the Big Lake Comprehensive Plan (BLCP) was updated by community input and workshops, and printed in 2009.

The 1996 BLCP states on page 71 that "they encourage local light industry that is compatible with the environment...heavy industrial activity with noxious or unpleasant characteristics... (should be) prohibited."

According to the 2009 BLCP, Page3-4, 3-5, and 3-16:

- "Poorly planned land uses can have an increasingly detrimental effect on the environment in general and reduce enjoyment of each individual's home."
- "No plan can control the future, but it can help the community head in a direction that residents desire, for themselves and their children."
- "Protect the Natural environment – As the area grows, actions are needed to avoid detrimental effects on well water, quality of surface water, habitat, wetlands and other natural environmental features."
- "..Responsible land use should be in harmony with surrounding land use without damaging the health, safety and welfare of adjacent property."
- "Protect Big Lake for Future Generations – The community supports the concept that we are not only owners of our property for a period of time but that we have certain

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obligations as "caretakers" of that property for the benefit of future "owners" and obligations to the overall health of our natural and social environment."

- "to encourage these uses (community-wide development) to occur in a way that minimizes impacts on the quality of life of neighbors and the natural environment." Page 3-16.

A gravel pit will produce noxious and unpleasant characteristics with sight and sound, will have an increasingly detrimental effect on the environment, and directly reduce the enjoyment of each individual's home. It will damage the safety and welfare of the adjacent properties and will not benefit the future owners, overall health of our natural and social environment, and certainly impact the quality of life of neighbors in a negative manner.

Through the BLCP (page 3-5) "the community is establishing a generalized flexible development "roadmap" that respects individual property rights but encourages a pattern of development that protects Big Lake's environment and rural character, encourages clustering of commercial development, and allows for the efficient extension of community infrastructure."

The BLCP guidemap/roadmap on page 7 (Attachment 3) labeled West Lakes Blvd as a dispersed residential area bordered by conservation–residential area. Commercial-development area was favorably designated to occur in the Town Center or along Big Lake Road corridor (BLCP page 3-6).

At the end of West Lakes Blvd. is a priority public access point identified and reserved by the BLCP to serve local and visiting recreational users, and also provide property access, including a number of recreational cabins, and homes, see attachment 4. In the summer, water access serves many types of traffic: motor boats, houseboats, sailboats and sailboards, canoes, jet-skis, float planes, etc. As the residential community develops over the next 14 years (the duration of the proposed gravel pit) increased summertime visitors will be disturbed by thousands of trucks traveling on the same roads and within two-thousand feet of their public boat launch.

Page 5-1 of the BLCP states that "A community's transportation system influences both the way in which it functions and the way in which it is perceived. The combination of land use and transportation affect many elements of a community – most importantly livability, aesthetics, and the efficiency of movement to and from as well as around the place." Because West Lakes Blvd. is a residential area with great potential for growth, the number of residents and visitors will increase; increase motorists, increase pedestrians, and with a gravel pit transporting thousands of trucks will decrease the safety of the roads. We must ensure public safety needs are met.

In summary, the Comp Plan doesn't support a commercial gravel pit to exist in this location, and neither do I.

Regards,

Kim Grabbe (was Woodbury) 2/18/2016

IM16-076
OR16-049

Woodbury
PO Box 520957
Big Lake, AK 99652
Owners of Parcel 217N03W19C014, C034, C043 (40, 49, 50)

February 23, 2009

RE: Response to proposed CUP - Gravel extraction on Belarde Road 17N04W19C025

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To the MSB Planning Commission,

Introduction

We strongly oppose the proposed 138,000 cubic yard gravel pit to be located in a resort location; 500 feet from the shoreline of Big Lake, separated by one lot between the lake and the pit. The entire North-West Big Lake area is residential with year round residents and weekend/vacationer owners. The surrounding properties are not only home to people but also to loons, moose, fox, eagles, rabbits, owls, and numerous songbirds. Having a commercial mining operation could eliminate the pristine reasons for ownership of these properties.

Safety and the general welfare of our community is our largest concern. On the site map (attachment 1) fifty-three lakefront properties are within 2000 feet of the pit boundaries, with an additional fifty-five landlocked properties. The pit operations will affect an area far greater than 2000 feet. In one year, the operating window for a pit will be about four to five months during Alaska's prime recreational-relaxation season; *summer*.

The proposed gravel pit location is 1 mile from our home; we are permanent residents of Big Lake since 2000, and owning the land since 1970.

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OR16-046

Discussed below are the typical pit operations, hauling hazards, hazards to pedestrians and children, Big Lake Comprehensive Plan guidelines, MSB codes, noise pollution, economy, and a summary.

Pit Operations

Pit operations will include but are not limited to:

- transporting the allowed 10,000 cubic yards per year
- approximately one-thousand trucks traveling to and from the pit annually
- fuel trucks
- service trucks
- equipment delivery (dozers, loaders, scrapers, excavators, screening equipment)
- potential buyers looking at the product
- enforcement agencies (Department of Transportation weights and measures, State Troopers, Alaska Department of Natural Resources, Department of Revenue for mining, Environmental Protection Agency, State of Alaska Fish and Wildlife, Department of Environmental Conservation, Mat-Su Borough).

The area map (attachment 2) shows the communities that will be affected. One-thousand trucks a summer, weighing about 50,000 pounds each, will affect Belarde road, West Lakes Blvd., Beaver Lakes Road, to Big Lake Road. There are thousands of residential owners along these roads who will be directly affected. For starters the dump trucks must stop at the Belarde-West Lakes Blvd intersection (stop sign is present), to the left is a blind hill for oncoming traffic, and to the right is the end of a blind-sweeping corner. There have already been incidents where trucks hauling from this pit haven't stopped and have swung far out into the other lane to make the turn into oncoming traffic. Other negative facets are: Particulate dust, noise pollution, increased traffic, decreased safety, and road debris.

Hauling Hazards

Belarde road is a one lane dirt road, developed and maintained by the residents. With increased damage by one property owner who will pay for the repair the dirt road? Who will repair the paved West Lakes Blvd and other potential routes used for hauling the gravel from this pit?

The volume and weight of the gravel hauling vehicles will destroy the already deteriorated paved roads. These roads do not have a shoulder and leave no room for error, especially the two 90-degree corners and tight turns. The posted speed limit is 35 mph and rarely do cars or trucks abide by this law. With this increase in traffic how safe will it be for pedestrians, children on bicycles, or mother's pushing their baby in a stroller? No alternative path for pedestrians is present.

Other hazards include the number of trucks per season, fast moving trucks typically pushing the envelope of 45-60 mph, uncovered loads resulting in small to large rock projectiles that can fall and bounce off the road or be put into motion from another moving vehicle, or debris damaging vehicles after becoming idle on the road and no shoulder to dodge the obstacle(s). The state of Alaska does not require loads to be covered, thus it cannot be enforced.

Currently, there are established commercial pits within a 10 mile radius; Fisher's Fuel commercial pit, S. Burma Road commercial pit, a gravel cache (up to 2000 cu.yd/yr) available from Martin Buser, a small cache on Beaver Lakes Road, one across from Big Lake Elementary,

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and one on Big Lake Road across from the Big Lake Storage. The need for a commercial pit in this location at this time is not necessary when the demand for gravel is for residential use.

Hazards to Pedestrians and Children

During the trucking season, from April to October, school buses carrying children and sight-seeing buses to Martin Buser's will be traveling on West Lakes Blvd. and down the feeder roads. School buses will be making frequent stops to off-load children. The end of the bus route is at the intersection of Belarde Road and West Lakes Blvd; here the bus turns around using the clearing of the intersection of "Our Road". Once the children are off the buses they will walk to their house or a friend's house without parent supervision. How safe will these situations be with numerous trucks?

Once the school buses have stopped running for summer break the children will be riding their bicycles, four wheelers, and taking walks with their friends and family down West Lakes Blvd or Belarde Rd. The side of the road has a path cleared of trees and vegetation by the installation of ENSTAR gas line. This path was not developed or intended to be a "trail" and is not friendly to four wheelers, nor walking through mud laden areas. There are three areas that a four wheeler must travel on the paved West Lakes Blvd due to impassible conditions. Again, there is no shoulder present on West Lakes Blvd, and in some areas the road has a long-steep slope from the native land. If a four wheeler was on the road and two opposing trucks were coming, disaster would be unavoidable. A person pushing a stroller would have to physically lift the stroller and stumble to safety onto the gravel road slopes.

Safety for our community services is a priority too. For ambulance and fire station responders every second counts. The West Lakes Blvd fire station is located about a half mile from the proposed gravel pit site. When responders act upon an emergency their precious time will be spent waiting for the heavy truck to come to a stop in a location where they can safely pass. None of West Lakes Blvd. has a passing lane due to curves and limited sight distance.

Comprehensive Plan

In 1996, the Comprehensive Plan for Big Lake was created. A comprehensive plan is "a legally recognized document, with the authority to guide decisions on land use, public facilities and services, transportation and other issues. …then outline general strategies on how to reach these goals." In 2008 the Big Lake Comprehensive Plan (BLCP) was updated by community input and workshops, and printed in 2009.

The 1996 BLCP states on page 71 that "they encourage local light industry that is compatible with the environment...heavy industrial activity with noxious or unpleasant characteristics…(should be) prohibited."

According to the 2009 BLCP, Page3-4, 3-5, and 3-16:

- "Poorly planned land uses can have an increasingly detrimental effect on the environment in general and reduce enjoyment of each individual's home."
- "No plan can control the future, but it can help the community head in a direction that residents desire, for themselves and their children."
- "Protect the Natural environment – As the area grows, actions are needed to avoid detrimental effects on well water, quality of surface water, habitat, wetlands and other natural environmental features."

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- "..Responsible land use should be in harmony with surrounding land use without damaging the health, safety and welfare of adjacent property."
- "Protect Big Lake for Future Generations – The community supports the concept that we are not only owners of our property for a period of time but that we have certain obligations as "caretakers" of that property for the benefit of future "owners" and obligations to the overall health of our natural and social environment."
- "to encourage these uses (community-wide development) to occur in a way that minimizes impacts on the quality of life of neighbors and the natural environment." Page 3-16.

A gravel pit will produce noxious and unpleasant characteristics with sight and sound, will have an increasingly detrimental effect on the environment, and directly reduce the enjoyment of each individual's home. It will damage the safety and welfare of the adjacent properties and will not benefit the future owners, overall health of our natural and social environment, and certainly impact the quality of life of neighbors in a negative manner.

Through the BLCP (page 3-5) "the community is establishing a generalized flexible development "roadmap" that respects individual property rights but encourages a pattern of development that protects Big Lake's environment and rural character, encourages clustering of commercial development, and allows for the efficient extension of community infrastructure."

The BLCP guidemap/roadmap on page 7 (Attachment 3) labeled West Lakes Blvd as a dispersed residential area bordered by conservation–residential area. Commercial-development area was favorably designated to occur in the Town Center or along Big Lake Road corridor (BLCP page 3-6).

At the end of West Lakes Blvd. and end of Belarde is a priority public access point identified and reserved by the BLCP to serve local and visiting recreational users, and also provide property access, including a number of recreational cabins, and homes, see attachment 4. Two out of the seven access points will be affected by trucks hauling gravel; vehicles towing boats merging into a one lane dirt road meeting a gravel truck. In the summer, water access serves many types of traffic: motor boats, houseboats, sailboats and sailboards, canoes, jet-skis, float planes, etc. As the residential community develops over the next 14 years (the duration of the proposed gravel pit) increased summertime visitors will be disturbed by thousands of trucks traveling on the same roads and within two-thousand feet of their public boat launch.

Page 5-1 of the BLCP states that "A community's transportation system influences both the way in which it functions and the way in which it is perceived. The combination of land use and transportation affect many elements of a community – most importantly livability, aesthetics, and the efficiency of movement to and from as well as around the place." Because West Lakes Blvd. is a residential area with great potential for growth, the number of residents and visitors will increase; increase motorists, increase pedestrians, and with a gravel pit transporting thousands of trucks will decrease the safety of the roads. We must ensure public safety needs are met.

MSB Code

Matsu Borough Code Title 17.28.010 and 17.30.010 both state "to allow resource extraction activities as an interim use of land while promoting the public health, safety, order, prosperity, and general welfare of the Mat-Su Borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties. …accomplished by

(operate in) a manner that will not devalue the extraction site or neighboring properties for future beneficial uses upon completion of gravel extraction;…protecting and enhancing the quality, peace, quiet, and safety of the Mat-Su Borough neighborhoods."

For the gravel pit to be approved the director or commission must find that the following General standards were met (Title 17.30.060):

1. the use is not inconsistent with the applicable comprehensive plan
2. the use will preserve the value, spirit, character, and integrity of the surrounding area;
3. the applicant has met all other requirement of this chapter pertaining to the use in question;
4. that granting the permit will not be harmful to the public health, safety and general welfare;
5. the sufficient setbacks…buffers and other safeguards are being provided to meet the conditions listed in MSB 17.30.050.

The Area Map, Attachment 2, shows there is 40 acres of Knik Atnu native land near the proposed pit location. The land north of the Knik Atnu Native land (17N04W24D001) is hundreds of acres of Mental Health land which will depreciate the trust value with the presence of a gravel pit. In 1956, Congress granted the then Territory of Alaska the right to select one million acres of *the best available* land in Alaska for a trust for the mental health program. The state of Alaska does not support activities depreciating their trust fund.

Noise Pollution

Our house is 1.5 miles from Martin Buser's house and we are able to hear his dogs during feeding time. The noise decibel of a dog bark for 15 minutes is nothing compared to a 7am to 10pm heavy equipment gravel pit with a screening plant one-mile away. When a commercial operation has a main thoroughfare that impacts residential and recreation properties that thoroughfare should provide safe pedestrian usage. With an additional 1000 trucks in a five month season for fourteen years, the potential for a catastrophic accident is greatly increased.

The sound level limit for a receiving residential area is 60 decibels (dBA) from 7am to 10pm, and 50 dBA from 10pm to 7am (Title 17.28.060). For example, in a downtown area with construction activity the sound rating was measured at 79 dBA, and a wooded residential area is 52 dBA, cited from www.engineeringtoolbox.com/sound-level-d 719.html .

Below is a table listing construction equipment and the dBA levels produced, cited from http://www.cdc.gov/elcosh/docs/d0500/d000573/d000573.html. Our house is built upon on a hill and we can see the location of the pit and for sure we don't want to hear it.

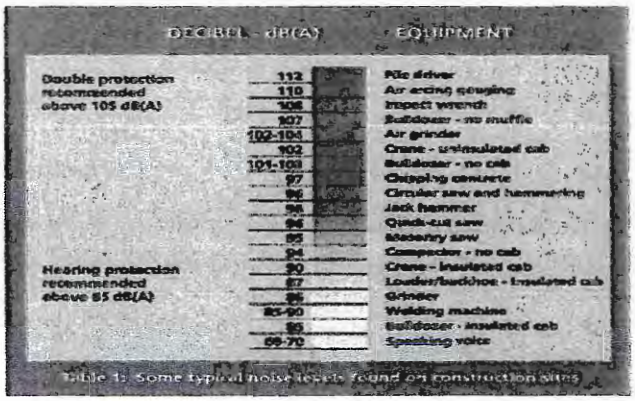


Table 1: Some typical noise levels found on construction sites

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Economy

The gravel pit will not provide new jobs or increase the economy for Big Lake. One family alone will benefit from profits of selling gravel from their 40 acres on Belarde and delivering the gravel with their trucks. Using the lowest price of pit-run gravel at $4.50/yard the income from 138,000 cubic yards of gravel will be $621,000, plus delivery truck time at $100.00 per hour with a 12 yard dump truck will need 11,500 trucks with an estimated 30 minute travel time one way produces another $1,150,000. The lowest estimated profit will be $1,771,000. Almost two million dollars at the expense of our quiet residential community, left with 14 years of noise, road damage, and detrimental effects to our life and our wildlife.

Summary

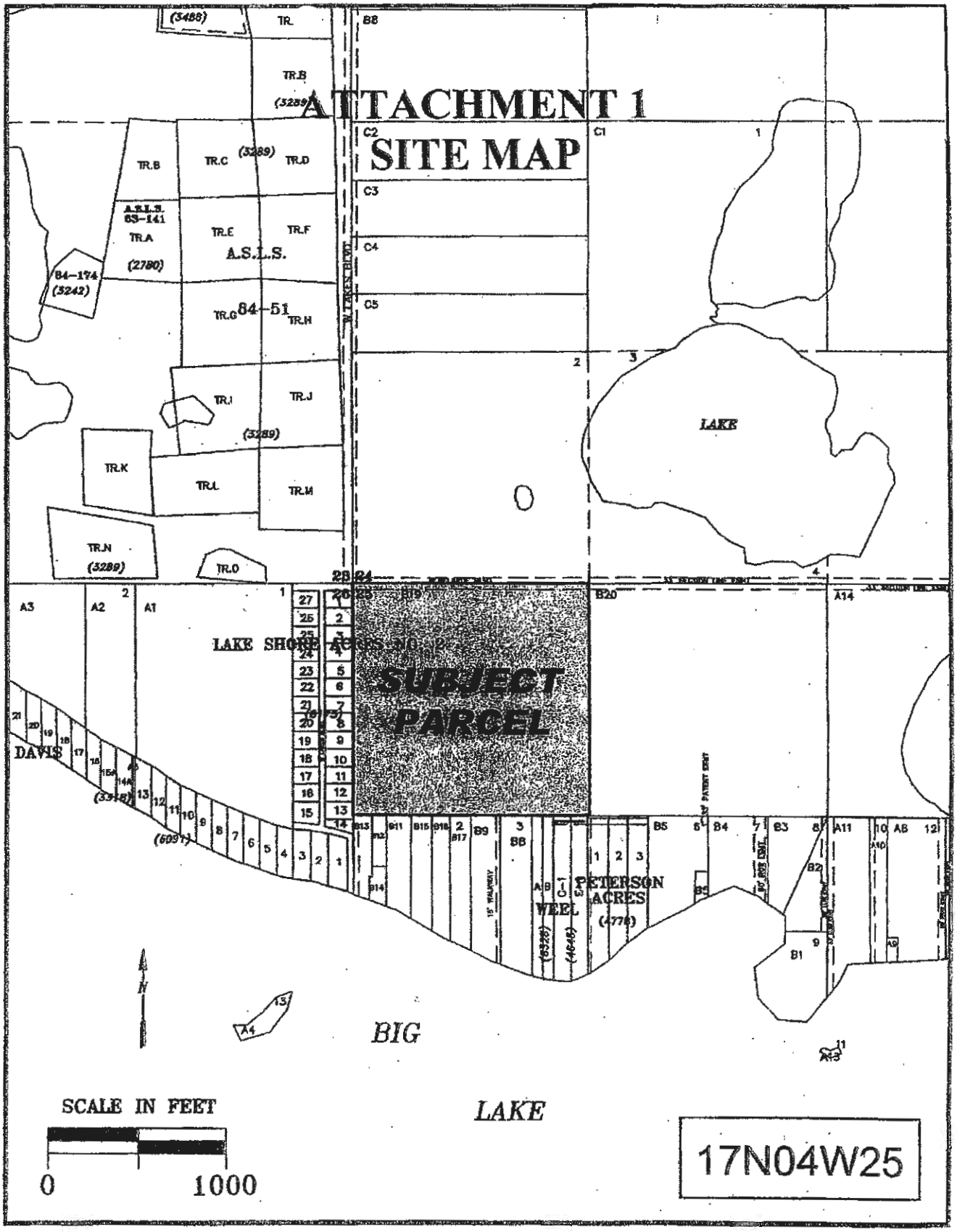
In summary, we do NOT support the gravel pit. We are highly against the traumatic affects it will have on our family, the surrounding families, and the wildlife for the next fourteen years. Knowing we couldn't feel safe allowing our child to ride her bike down a dirt road behind our house due to unsafe, fast-traveling trucks; that is wrong. Fourteen years of our life would be spent listening to noise from a pit and dodging thousands of dump trucks in our quiet community, this cannot happen. To approve a gravel pit at the 17N04W19C025 lot contradicts the 1996 and 2009 BLCP, which is to be closely followed and supported by the Community Council, Mat-Su Planning Commission, and adopted by the Borough Assembly.

Please join together to keep our neighborhood safe.

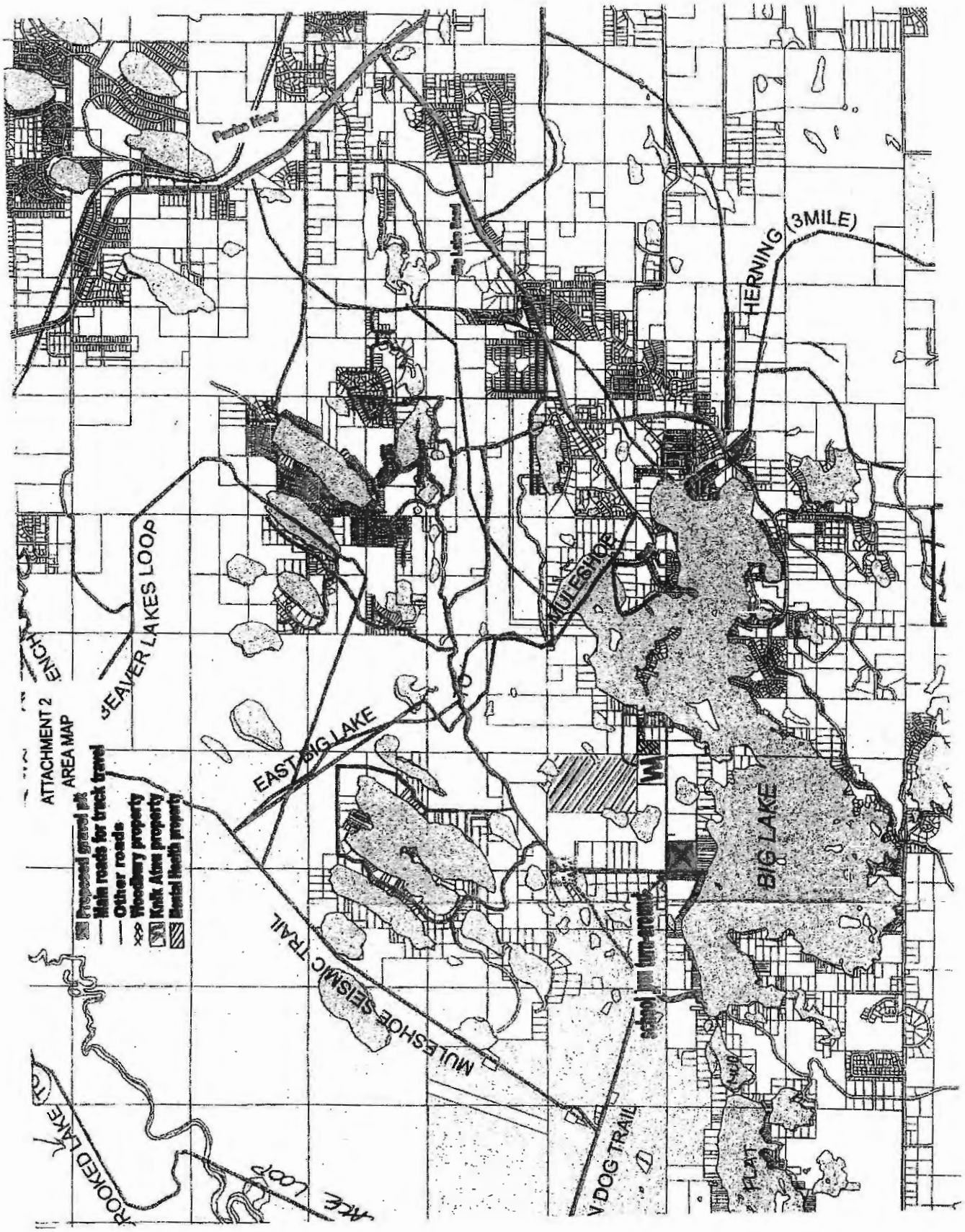
Thank you,
George (Woody), Kim, and Racynne Woodbury III

The Woodbury's

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Map 6. Land Use

Attachment 3
Big Lake Guidemap

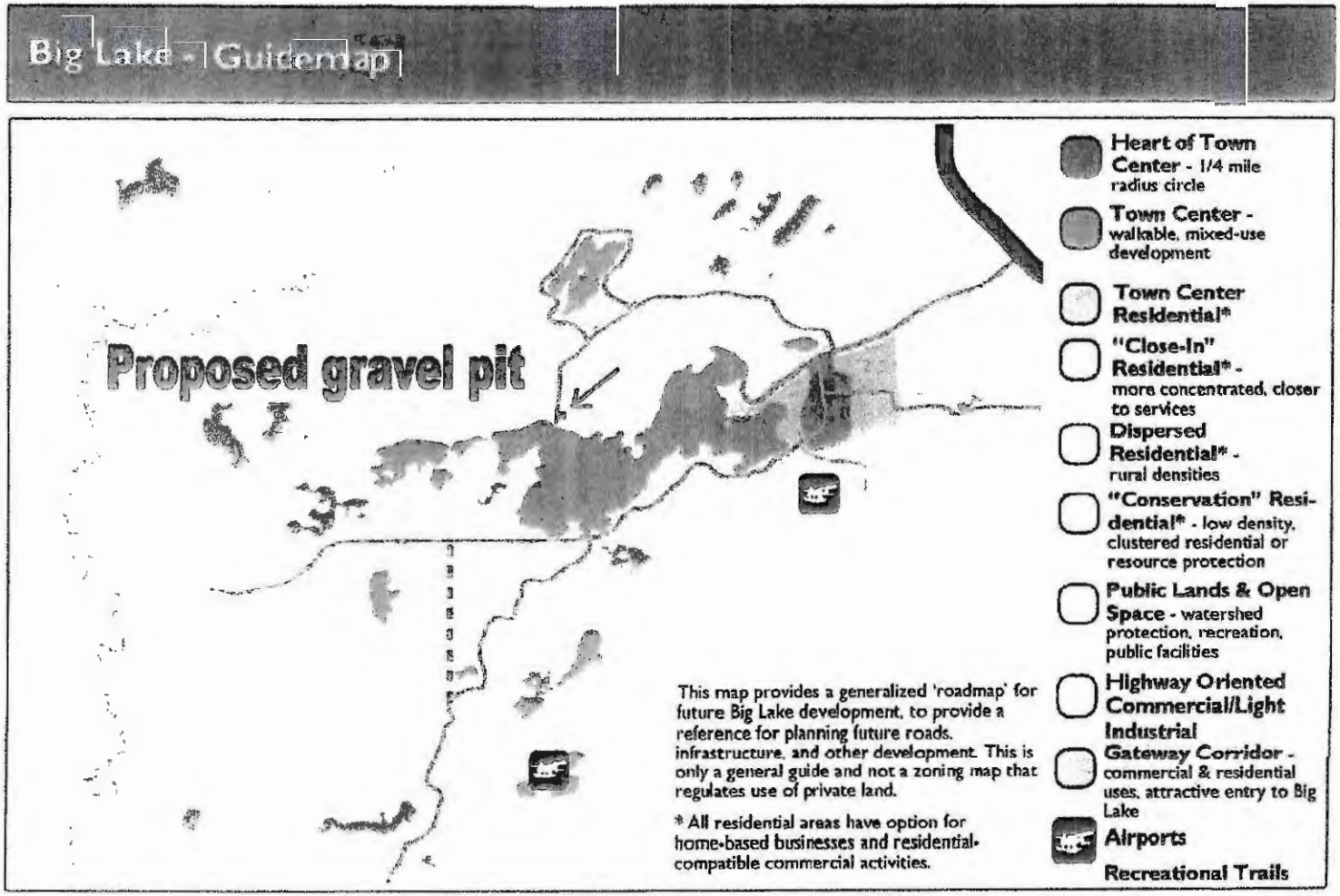
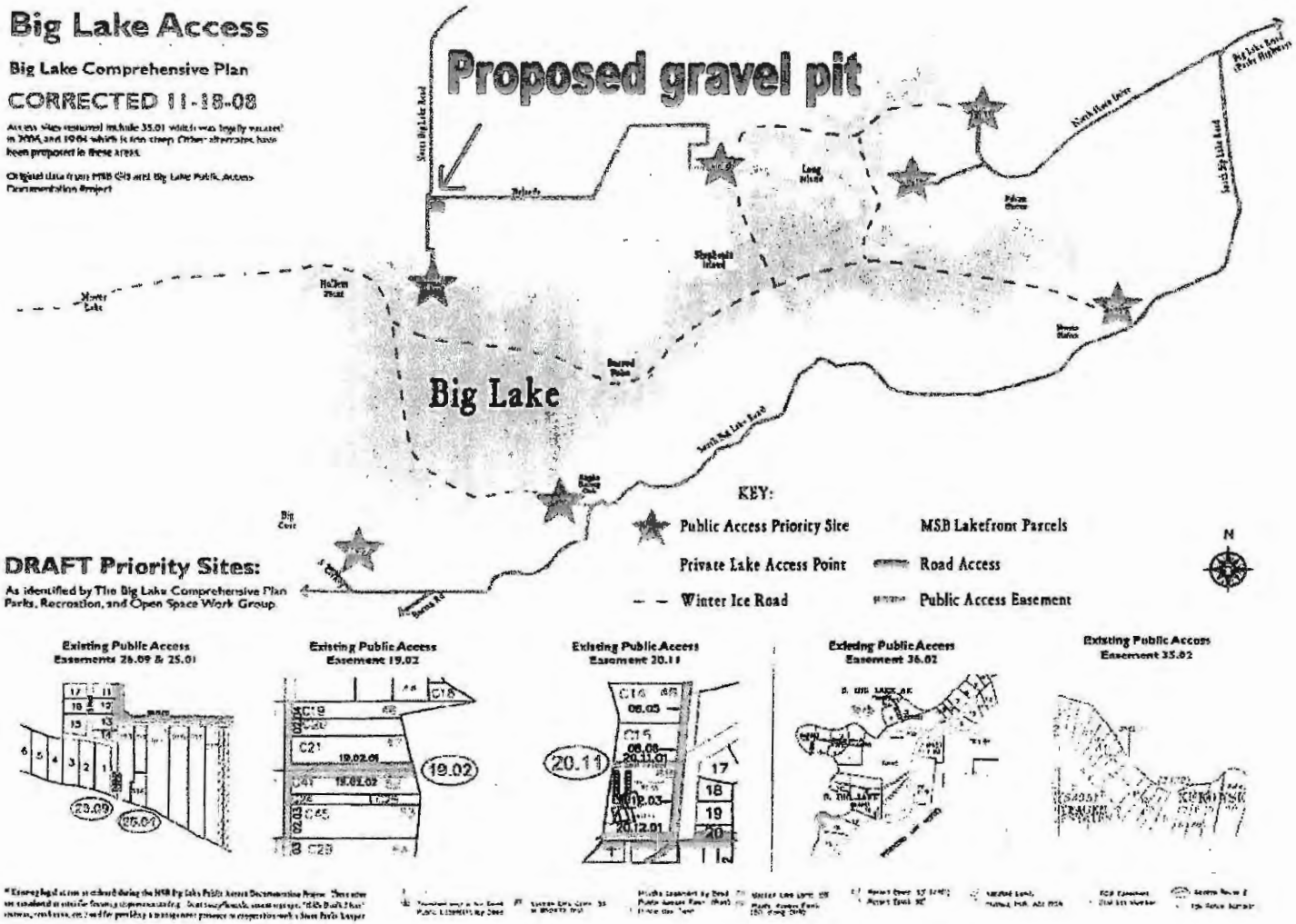


Figure 7. Big Lake Access

Attachment 4
Big Lake Access



Page 10 of 10
AR16-046
AR16-046

Mark Whisenhunt

From: John Donohue <donohue@mtaonline.net>
Sent: Wednesday, February 17, 2016 1:02 PM
To: Mark Whisenhunt
Cc: hsfirewise@gmail.com
Subject: Lakeside Sand and Gravel proposal

Dear Sir:
We are writing concerning the proposal of extraction and hauling of materials from Lakeside Sand and Gravel. Our concern is the safety of traffic on Lakes Blvd. This is a narrow two lane paved road with a high volume of traffic, narrow shoulders and blind curves with rare traffic enforcement. Meeting gravel trucks on this road is dangerous. Lakes Blvd was not intended to be a safe haul road.
Personally we have witnessed gravel trucks being driven both empty and full on Lakes Blvd. and side roads at excessive speed with no consideration for oncoming traffic or pedestrians. Noise and dust of extraction and hauled materials may also become a health issue for current residents.
We did not receive official notice re: this proposal but only received the information from a concerned neighbor. Also did not see the proposal posted at the post office.
Please do not issue this permit.
Thank you for your consideration.

John F. and Susan L. Donohue
3070 S. Horseshoe Lake Road
Big Lake

IM16-076
OR16-049

Mark Whisenhunt

From: Gordon Thompson <gordot@gci.net>
Sent: Wednesday, February 17, 2016 12:03 PM
To: Mark Whisenhunt
Subject: FW: Lakeside Sand and Gravel, Big Lake

Good afternoon.

I am writing in protest of the proposed gravel extraction project at West Lakes and West Belarde Blvd.
We have two acres to the east and adjacent to Hulen Point, our view is towards the subject site less than a mile to the north-east.
Though our view will likely not be disturbed, we are able to clearly hear noise from the area of the site on calm days and on days when the wind is blowing from the north and north/east.
In my opinion, this use is not at all in keeping with the traditional recreational use of the land and will have a very negative impact on local roads and on neighboring properties.
Even the name of the project "Lakeside Sand and Gravel" defines the use as conflicting.

Thank you for your consideration

Gordon Thompson
Cell 360-0795
Office 279-2554
711 M Street
Anchorage, Alaska 99501

This email has been checked for viruses by Avast antivirus software.
www.avast.com

IM16-076
OR16-049

Mark Whisenhunt

From:	Mary Brodigan
Sent:	Wednesday, February 17, 2016 9:52 AM
To:	Mark Whisenhunt
Subject:	FW: IMD 19116 W Belarde Blv coments
Attachments:	IMD 19116 W Belarde Blv..pdf

From: bill haller [mailto:fishlessbill@yahoo.com]
Sent: Wednesday, February 17, 2016 9:39 AM
To: Mary Brodigan
Subject: IMD 19116 W Belarde Blv coments

Mary its Bill Haller can you forward this to the correct person reviving the comments on the IMD at 19116 W Belarde Blv
Thank You
Bill Haller

IM16-076
OR16-049

February 17 2016

MSB planning commission

My Name is Bill Haller

14143 Sunrise in Big Lake

I am a resident of the Big Lake area for over 15 years and am also vary active in the local RSA board 21 in our area.

Big Lake as a community has a very distinct issue with our roads in the area with over 98% of the local roads being substandard. It has become a major factor in upgrading and rebuilding these roads with no local gravel source in the area that can meet MSB standards for road construction. Having a local source for such material will be instrumental in our ability to bring our local roads back up to a standard that meets MSB specifications. Last year all of our local construction projects and sand and chips for our RSA had to be purchased out of gravel pits in the Palmer area and trucked to Big Lake for the projects. This is a vary absorbent cost to our RSA just the sand and chips for sanding our roads we spent over $100,000 trucking the product to Big Lake from Palmer this money could desperately be used to improve and upgrade the many roads that we can't even drive fire trucks on do the their poor condition.

Screening material year round is a function that everyone can live with and fall below any noise regulations. As far as crushing

IM16-076
OR16-049

material let's consider putting a 30 day limit per year on that with a 14 day posited notice of the activity only during normal business hours. The RSA has on its list of projects to do is re build West Lakes Boulevard without local source material are small RSA will never be able to afford that project with local gravel that job is possible someday.

I strongly suggest we put the best interest of our community & the MSB first and allow this gravel pit to move forward so we can afford to maintain our local RSA road projects.

Bill Haller



IM16-076
OR16-049

Mark Whisenhunt

From: Verne Monette <ibsaalaska@gci.net>
Sent: Tuesday, February 16, 2016 8:32 AM
To: Mark Whisenhunt
Subject: RE: Public Notice: Lakeside Sand & Gravel IMD
Attachments: CCF02162016.pdf

From: Mark Whisenhunt [mailto:Mark.Whisenhunt@matsugov.us]
Sent: Wednesday, February 10, 2016 2:05 PM
To: ibsaalaska@gci.net
Subject: Public Notice: Lakeside Sand & Gravel IMD

Good Afternoon Vern,

Here is the public notice you requested. Thank you.

Respectfully,

Mark Whisenhunt, CFM
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
Fax: (907) 861-7876
mark.whisenhunt@matsugov.us

IM16-076
OR16-049

350 East Dahlia Avenue
Palmer, Alaska 99645

ZIP 99645 $ 000.48
02 1W
0001399405 JAN 29 201

217N04W25B016 129
MONETTE VERNE G & TAMI S
1720 NORTHWESTERN AVE
ANCHORAGE, AK 99508-4427

FIRST CLASS MA.

99508$4427 C012

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***March 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

pplication material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application terial may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us mments concerning the proposed action, this form may be used for your convenience by filling in the information below nd mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received - before ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review on. Please be advised that comments received from the public after that date will not be included in the staf lanning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

IM16-076
OR16-049

2/16/16

I support the gravel pit

Currently the land is distressed

Noise, dust, traffic has not been a problem thus far

If we have issues we should talk to happy

Gravel is a local commodity it is not carried any further than necessary

The borough bought gravel for West lakes

Woody who was against it picks up gravel from the pit

Martin Buser has a pit near by

Hoppie sells gravel near by

I need gravel to create access to the north shore

Now is the time to fix the Belarde intersection / hill a temporary road could be put on the borough lot /gravel pit during construction

Thanks Verne Monette 907 244 4367

Im16-076
OR16-049

Mark Whisenhunt

From: Mary Brodigan
Sent: Thursday, February 11, 2016 3:59 PM
To: Mark Whisenhunt
Subject: FW: Big Lake IMD application letter
Attachments: Letter to Dan Mayfield 2016.pdf; ATT00001.htm

From: Tom Adams [mailto:tomisty@mtaonline.net]
Sent: Wednesday, February 10, 2016 5:08 PM
To: Mary Brodigan
Subject: Fwd: Big Lake IMD application letter

Sent from my iPhone

Begin forwarded message:

From: Jess Kilborn <Jessica.Kilborn@matsugov.us>
Date: February 10, 2016 at 4:53:31 PM AKST
To: Barbara Doty <Barbara.Doty@matsugov.us>, Dan Mayfield <Dan.Mayfield@matsugov.us>, George McKee <George.McKee@matsugov.us>, "Assembly Member Jim Sykes - Dist 1" <jimsykesdistrict1@gmail.com>, Matthew Beck <Matthew.Beck@matsugov.us>, Randall Kowalke <Randall.Kowalke@matsugov.us>, Assembly Member Steve Colligan - Dist 4 <stevecolligan@mtaonline.net>, "Vern Halter" <Vern.Halter@matsugov.us>, BILL KENDIG <billydoc56@hotmail.com>, COLLEEN VAGUE <cjvague@gmail.com>, JOHN KLAPPERICH <mrjnk@hotmail.com>, "MARY ANDERSON" <mpanderson61@gmail.com>, THOMAS HEALY <trhealy@gci.net>, TOM ADAMS <tomisty@mtaonline.net>, VERN RAUCHENTSTEIN <vern@swissalaska.com>
Cc: John Moosey <John.Moosey@matsugov.us>, Nicholas Spiropoulos <Nicholas.Spiropoulos@matsugov.us>
Subject: FW: Big Lake IMD application letter

Good evening,

Assemblymember Mayfield requested that the attached letter be forwarded to you.

Thank you,

JESSICA KILBORN, CMC
Deputy Clerk

Matanuska Susitna Borough
350 E. Dahlia
Palmer, AK 99645
907.861.8675
jkilborn@matsugov.us

"The Community of Choice to Live and Work, Where Every Citizen Counts"
Visit our Website: www.matsugov.us

IM16-076
OR16-049

From: Dan Mayfield <Dan.Mayfield@matsugov.us>
Date: February 10, 2016 at 4:05:53 PM AKST
To: Lonnie McKechnie <Lonnie.McKechnie@matsugov.us>
Subject: Fw: Big Lake IMD application letter

Lonnie,
Please share with the Planning Commission, the Mayor and Assembly Members.

Thank You,

Dan Mayfield

Sent from Surface

From: Doug Longacre
Sent: Wednesday, February 10, 2016 2:46 PM
To: Dan Mayfield

Please let me know that you received this document. Thanks for your time and for your thoughtful consideration.

Suzie Longacre

IM16-076
OR16-049

Doug and Suzette Longacre
12600 Ridgewood Rd.
Anchorage, Alaska 99516

February 10, 2016

Dear Dan Mayfield,

We own a retirement home on the north shore of Big Lake (Lot 24A, Davis Subdivision) which we started working on in 1989. Currently our future enjoyment of that property is being threatened by William and Helen Heairet's application (dba Lakeside Sand and Gravel)for an Interim Materials District (IMD) to haul up to **750,000 cubic yards** of material from their 40 acre parcel at the corner of West Lakes Blvd and West Belarde Blvd. until the year **2040**. This could involve up to **100 trucks per day** hauling gravel Monday through Friday (occasional Saturdays) 8 AM to 6 PM from May 1 to October 1.

Seven years ago Big Lake and Horseshoe Lake residents banded together to oppose the Heairet's application for a Conditional Use Permit (CUP) to haul gravel from this same property for fourteen years. You may remember that battle since I believe you were present at Big Lake Community Council meetings at that time. You seemed like a nice guy who really wanted to help people protect their health, safety, well-being, and property rights. Fortunately, the Heairet's CUP permit was denied but now residents in the area are faced with an even bigger threat- an IMD which could operate for the next 24 years and pose all kinds of dangers.

As residents within a mile of Lakeside Sand and Gravel we are concerned about the air pollution (since the application submits that a screener and a crusher may be used), noise pollution from both mining, screening, loading, and truck activity, the unsafe exit on to West Belarde Blvd. from the pit, the danger of meeting trucks hauling up to 60,000 pounds of gravel on West Lakes Blvd, the wear and tear of said trucks on West Lakes Blvd., the risk to school children standing at bus stops on West Lakes Blvd., the devaluation of property values because of a gravel pit operating in the area, and the fact that this IMD would operate in a prime recreational area less than a block away from Big Lake itself.

In addition, this IMD permit would be contrary to the "Big Lake Community Council Area Comprehensive Plan Update 2009" which lists as one of its specific land use goals in section 3-4: "**Provide for Freedom to Enjoy our Properties-** the plan supports balance of freedom to use property as individuals choose up to that point where one person's use limits the rights of neighbors to enjoy their property." Clearly, the Heariets' freedom to use their property as a commercial gravel pit does limit the freedom of neighbors to enjoy their recreational property, particularly because his business is most active during the summers when people at Big Lake are trying to enjoy the peace and quiet of the lake. The Big Lake Comprehensive Plan also states that "responsible land use should be in harmony with surrounding land use without damaging the health, safety and welfare of adjacent property." This IMD would not be responsible land use in harmony

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with the surrounding land use. On the attached map (Exhibit A- 2009) each dot represents a single family residence and you can see that the "proposed gravel pit" is not in harmony with the surrounding area. In section 3-16 which discusses commercial uses in predominately residential areas, the plan "encourages these uses to be designed to not impact neighbors' including: "Discourage high-volume or high-traffic activities" and "Minimize the offsite evidence of business operation-noise, smells, litter, odors, etc." This IMD would impact neighbors (also residents using West Lakes Blvd. and West Belarde Blvd. to access their homes) with high-volume truck traffic. Moreover, the noise and odors (dust pollution) from a gravel pit using a screener and crusher would not be minimized by the buffers that Lakeside Sand and Gravel has in place. Just ask the people on West Lakes Blvd. whose homes currently butt up against Heairet's 40 acres.

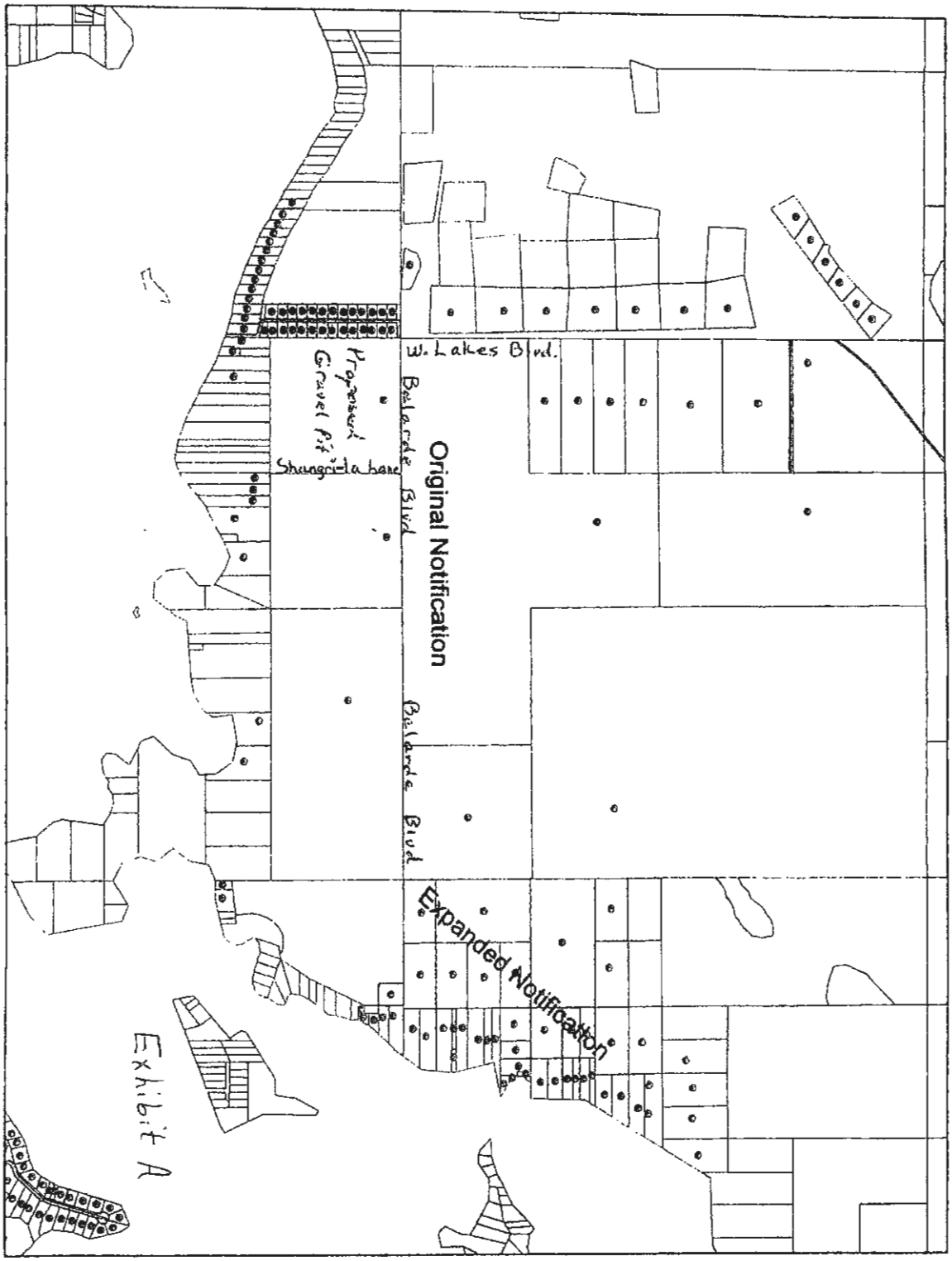
Furthermore, the wording in the Matanuska-Susitna Borough Code (17.28.010) under "intent and purpose" for an IMD states that the Matanuska-Susitna Borough accomplish its purposes by: '(6) recognizing and preserving traditional uses of land within the Matanuska-Susitna Borough and (7) by protecting and enhancing the quality, peace, quiet, and safety of the Matanuska-Susitna Borough neighborhoods." This IMD permit would not recognize the traditional use of the land on the attached Exhibit A Map which is primarily recreational. Operating an IMD at the corner of West Lakes Blvd. and West Belarde Lake Blvd. definitely will not protect **"the quality, peace, quiet and safety"** of residents in these neighborhoods.

Basically, making this decision comes down to doing what is right. Is it right for one couple to be able to operate a gravel pit until 2040 for monetary gain when such an operation endangers the health, safety, and quality of life for hundreds of residents in the area? Would you want this gravel pit in your back yard? Would you want to meet a truck carrying 60,000 pounds of gravel each time you traveled to your Horseshoe Lake or Big Lake residence? Ultimately, the decision about this IMD impacts hundreds of lives and whether our grandchildren will be able to enjoy the homes we've built in the Matanuska-Susitna Borough. I sincerely hope, Dan Mayfield, that you will choose to stand with the property owners in your district, and do everything in your power to see that this IMD application is denied. Thanks you for sharing with other assembly members, with the Mayor, and with members of the Planning Commission.

Sincerely,

Doug and Suzie Longacre

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IM16-076
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Mark Whisenhunt

From: John Brunton <jb1brumag@hotmail.com>
Sent: Thursday, February 11, 2016 8:29 AM
To: Mark Whisenhunt
Subject: MSB 17.28
Attachments: Scan0001.pdf

Attached is our opposition statement concerning this application.

John and Jackie Brunton

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OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

217N04W25A011 21
BRUNTON JOHN RAYMOND& J A
PO BOX 521918
BIG LAKE AK 99652-1918

FIRST CLASS M

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	***Application for an Interim Materials District (IMD)***
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***March 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

plication material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application terial may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us comments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received ore ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review n. Please be advised that comments received from the public after that date will not be included in the staff lanning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: JOHN & JACKIE BRUNTON ***Mailing Address:*** P.O. Box 521918 Big Lake, AK 99

Location/Legal Description of your property: 17N04W25 A10 ad A11

Comments: WE ARE IN opposition to this proposal. Similar proposal WAS REJECTED by the community And pulled for FINAL hearing at last minute by applicant. I REJECT his claim Neighbors CANNOT HEAR EXISTING OPERATION. This is our home and WE CAN HEAR it. Further the NOISE DUST And road degradation will be EXTREME. HAGES boulevard WAS NOT designed for 70,000 # truckloads of gravel. This pit is NOT good for the Neighborhood. PLEASE REJECT it for the 2nd time.

Note: Vicinity Map Located on Reverse Side

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Mark Whisenhunt

From: Butch Moore <sushores@gmail.com>
Sent: Wednesday, February 10, 2016 10:24 PM
To: Mark Whisenhunt
Subject: Heairet IMD Application Comment-MOORE 19116 W. Belarde Blvd
Attachments: Heairet IMD Application Comment-MOORE .pdf

Mark,

Please deny the MSB IMD application at 19116 W. Belarde Blvd, as it does not comply with the Big Lake Community Council Comprehensive Plan, (BLCCCP).

Link to the Big Lake Community Council Documents page with the BLCCCP: http://www.biglakecommunitycouncil.com/?page_id=15

I can hear a chainsaw and heavy equipment across the lake, producing 85 dBA. Pit equipment produces up to 111 dBA, so I can only imagine this will be heard all across Big Lake.

Link to mining noise report http://www.cdc.gov/niosh/mining/userfiles/works/pdfs/naosa.pdf

Range Leq, Mine/surface Equipment Location	dB(A)
Mine Blaster's bucket truck adjacent to and around	76-81
Mine Gorman-rupp diesel water pump adjacent to and around	89-98
Mine Gardner Denver MK45H face drill adjacent to and around	86-109
Mine Gradall XL4300 II scaler 6.1-12.2 m (20-40 ft) away	89-94
surface Jaw crusher (upper level) Outside control booth	91-99
surface Jaw crusher (lower level) Below control room	89-93
surface Jaw crusher (control booth) Inside control booth	73
surface small Tyler double shaker screen adjacent to and around	104-111
surface Large Tyler screen adjacent to and around	94-103
surface Hazemag cone crusher adjacent to and around	96-102

https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm

Equipment Description	Impact Device?	Acoustical Usage Factor (%)	Spec. 721.560 L_{max} @ 50 feet (dBA, slow)	Actual Measured L_{max} @ 50 feet (dBA, slow) (Samples Averaged)	Number of Actual Data Samples (Count)
Chain Saw	No	20	85	84	46
Dozer	No	40	85	82	55
Dump Truck	No	40	84	76	31
Excavator	No	40	85	81	170
Front End Loader	No	40	80	79	96
Generator	No	50	82	81	19
Impact Pile Driver	Yes	20	95	101	11

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Jackhammer	Yes	20	85	89	133
Mounted Impact Hammer (hoe ram)	Yes	20	90	90	212
Vibratory Pile Driver	No	20	95	101	44

Please deny this application. Thank you for your time and consideration.

Thank you,

Butch Moore
Cell 907-242-7883
sushores@gmail.com

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2/10/16

Dear Mat-Su Borough Planning Commission,

Please deny the MSB IMD application at 19116 W. Belarde Blvd, as it does not comply with the Big Lake Community Council Comprehensive Plan, (BLCCCP).

In January 2009, a CUP permit of less impact/volume was applied for by the same party and location. The BLCCCP has not changed since application was made. Recommendation for REJECTION of the CUP was made by; RSA 21, Horseshoe Lake Firewise Community, Big Lake Community Council and MSB Staff. The current BLCCCP August 2009 States: LAND USE AND ENVIRONMENT Big Lake-
Page #40- 3-12 Strategy 3: Identify and Protect Key Features of the Natural Environment
• Clean air – keep it clean; discourage air polluting industries
• "Natural quiet" – minimize noise pollution
Page #45- 3-17 Strategy 4: Establish Community-Wide Development Guidelines
• Commercial Uses/Home-based Businesses in Predominately Residential Areas – The plan supports a variety of home based businesses and residential-compatible commercial uses in predominately residential areas, but encourages these uses to be designed to not impact neighbors. Subdivisions can address this to some extent through protective covenants. Guidelines for home-based businesses and other commercial activities in predominately residential areas include:
• Discourage high-volume or high-traffic activities; businesses should not create nuisances of excessive people and vehicle traffic
• Minimize the offsite evidence of business operation - noise, smells, litter, odors, and public safety calls
Page #46- 3-18 Highway–Oriented Commercial and Light Industrial Uses
a. Highway-oriented commercial/light industrial uses are encouraged in two areas: the area around the existing airport and the area southwest of Big Lake that ultimately will be the junction of two major regional roads; the future upgraded Burma Road (at the current fire-break road) and Susitna Parkway.
b. Industrial uses in predominantly residential areas is discouraged. To maintain the quality of residential areas, industrial uses should:
i. Not be harmful to public health, safety and general welfare
ii. Minimize negative impacts on surrounding land uses from excessive traffic, noise, odors or lighting

Gregory Strong's 3/5/2009 letter, with attachments, is to the point and even more relevant today, as the residential density in the area has increased since. West Lakes Blvd, which Borders the proposed pit, is an active school bus route. School busses and gravel trucks on narrow, winding roads are a "dangerous mix". In addition, W. Lakes Blvd. is in need of repair and will not support the traffic proposed by this IMD.

Please deny this application. Thank you for your time and consideration.

Asbury C. "Butch" Moore IV
205 E Dimond Blvd #550 (17N04W25B006, 3810 S. Shangri-La Lane, Big Lake, AK 99652)
Anchorage, AK 99515
Cell 907-242-7883 sushores@gmail.com

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Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645



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550
205 E DIMOND BLVD
ANCHORAGE AK 99515-1909

FIRST CLASS MAIL

99515$1909 C032

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***rch 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning mission and you are invited to attend.

pplication material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us comments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received ore ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review n. Please be advised that comments received from the public after that date will not be included in the staff nning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

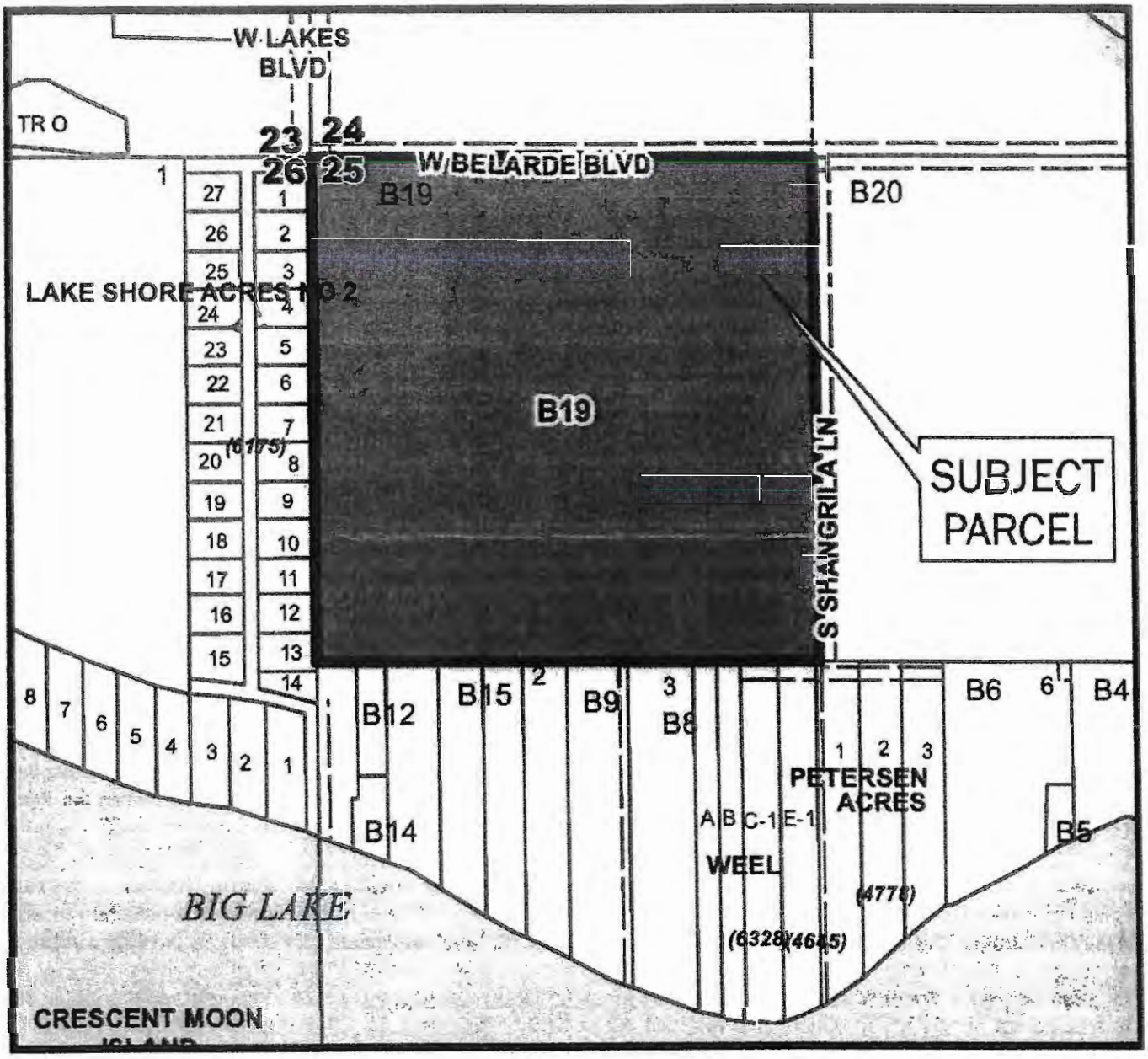
Name: _____ ***Mailing Address:*** _____

Location/Legal Description of your property: _____

Comments: _____

Note: Vicinity Map Located on Reverse Side

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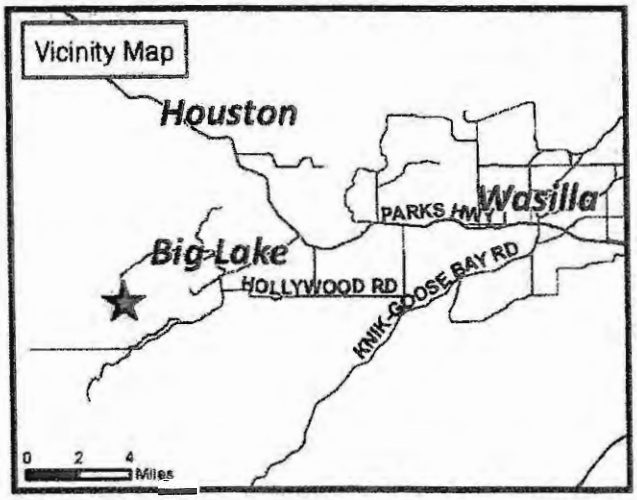
17N04W25B019

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7801.

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0 500 Feet

MSB Information Technology/GIS
July 23, 2015



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GREGORY E. STRONG

Dear Fellow Community Council Member, March 5, 2009

RE: Mr. Heairet's Conditional Use Permit Request for a Commercial Gravel Pit

Next Wednesday you will be asked to vote on Mr. Heariet's commercial gravel pit proposal for Big Lake at he Community Council meeting. Its disappointing to see how quickly an issue can so quickly become confusing and dividing.

My grandfather once told me to "never argue a fact." To that end let me briefly review the facts as they are found in (A) Mr. Hearict's Borough application, (B) the current Big Lake Comp Plan and (C) Borough code.

(A) Mr. Heariet's CUP application submitted to the Borough is to remove 138,000 cubic yards of gravel from his 40 acre parcel over a 14 year period. He estimated in that application that he'll remove 10,000 yards / year resulting in 1000 gravel trucks leaving and 1000 gravel trucks returning to the pit each year for 14 years.

(B) The current Big Lake Comp Plan states:

a. on page 71...that..."heavy industrial activity with noxious or unpleasant characteristics...(should be)...prohibited.
b. On page 67 and 68 we are "to identify and discourage uses and activities that would be objectionable in residential areas"
and we are
"to control the noise levels within residential areas."

(C) Borough Code 2.76.05 states, "community councils in regard to any comp plan adopted for the area (are to) evaluate compliance with the plan, advising local government officials (as to) any inconsistencies with the plan."

Attached is a Borough map showing the residential make up of the area surrounding Mr. Heairet's proposed pit. Each black dot is a residence, and naturally residential areas have school children. West Lakes Blvd, which borders the proposed pit, is an active school bus route. School buses and gravel trucks on narrow, winding roads are a "dangerous mix".

I ask that you take what appears to be bias out of community council decision making and vote next Wednesday on the facts alone. Doing so should increase the Council's credibility in Big Lake and with the Borough. Thank you for your time and consideration.

Sincerely,
Greg Strong

P.O. Box 875169, Wasilla, Alaska 99687
Phone: (907) 745-9096 • Fax: (907) 746-6440

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OR16-049

3/9/09

Asbury C. "Butch" Moore IV
(Owner - 17N04W25B006, 3810 S. Shangri-La Lane. Big Lake, AK 99652)
1225 E. Int'l Airport Road #107
Anchorage, AK 99518

Mat-Su Borough Planning Commission

RE: Request for conditional use permit, 19116 W. Belarde Road

Dear Planners-

I object to this permit for reasons as follows:

As a developer myself, I do not object to development of this property. I do object to "An industrial/Commercial operation" that has no different affect on the surrounding property owners than would an industrial salvage/car crusher. The permit that is being applied for is actually one that would be defined under the current Big Lake comp plan page #71 as "heavy industrial activity with noxious and unpleasant characteristics. This clearly goes against the current Big Lake comp Plan which states these activities should be prohibited. The current Big Lake comp Plan also says to discourage uses and activities that would be objectionable in residential areas. This permit is being requested in the center of a residential/recreational neighborhood.

W. Belarde Road is not to MSB code. W. Belarde Road should be brought to Borough standard code as a requirement prior to any gravel extraction permit being issued, for it is also the added traffic that will be "Permitted". W. Belarde would deteriorate quickly into an impassable road if subjected to the constant strain of large trucks and heavy equipment that would accompany the opening of a gravel pit.

West Lakes Blvd., W. Belarde Road and the surrounding road system is regularly utilized by school busses, passenger vehicles, four wheelers, dirt bikes, pedestrians, horse back riders, and other recreational activities. There are not adequate ditches or bike paths to allow any of these recreational users to avoid a possible collision with gravel trucks that are working and trying to "stay on schedule." Also the loose gravel on the roads created by this type of operation creates an additional safety hazard.

This property was purchased by the current owners in 2008 with no gravel permit or gravel operations in progress. If gravel extraction was the current owners intended activity, securing a gravel extraction permit from the MSB prior to the purchase of this property should have been a condition of the sale.

There is a reason that the MSB came up with the requirement for gravel extraction permits and this is a perfect example of why. I suggest that no permit be issued for gravel extraction, gravel screening or crushing for this property. Per MSB code, without a permit, any lot owner may remove up to 2,000 cubic yards annually from their property. This could still be 200- 10 yard gravel trucks per year without any permit.

Thank You,

Butch Moore
Cell: 907.242.7883
Office: 907.562.0224 Fax: 907.563.1993

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DISCUSSION POINTS
BIG LAKE COMMERCIAL GRAVEL PIT APPLICATION
(Taken from MSB Staff Report 3/23/09)

I. Violation of Borough Code 17.30.060
   A. The intended request is NOT consistent with the Big Lake Comp Plan:
      1. The use will NOT preserve the value, spirit, character and integrity of the surrounding area
      2. Granting the permit WILL BE harmful to the public health, safety and general welfare
      3. Granting the CUP permit WILL NOT protect and enhance the quality, peace, quiet, and safety of Mat Su Borough neighborhoods

II. Big Lake Comp Plan (existing)
   A. Proposed development in the community WILL NOT be compatible with the maintenance and conservation of the natural environment
   B. Commercial gravel pits with "noxious or unpleasant characteristics" are NOT consistent with the Comp Plan
   C. To identify and discourage uses and activities that would be objectionable in residential areas
   D. That the use will preserve the value, spirit, character and integrity of the surrounding area

III. Violation of A.S. Statute 43.65 and MSB Code 17.30.055 (A) (1)
   A. A required mining license has NOT been provided as required

IV. Big Lake Road Service Area Meeting
   A. 30 members present unanimously REJECTED this proposal
      1. Lack of sight
      2. On school bus route
      3. Access from pit to road at a school bus stop and school bus turn around
      4. West Lakes Blvd. constructed with "dust control" money. Not constructed for commercial loads and volume
      5. 1000 trucks leaving and 1000 trucks returning each year for 14 years will destroy the road
      6. When it comes to RSA taxes for the next 14 years: ONE PERSON benefits at the expense of ALL of the neighbors

V. continued.....

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V. Violates MSB Code 17.28.060 (A) (4)

A. NO "BUFFER PLAN" has been submitted as required by code to protect all the homes immediately to the West of the proposed pit. These homes are within 300' of the proposed pit

B. "If mining is planned to be conducted within 300' of the property line, berms or other visual screening shall be a minimum of 10 feet in height"

VI. The Commercial Gravel Pit was REJECTED by the following:

A. RSA 21 Unanimously REJECTED by 30 members present

B. Horseshoe Lake FIREWISE Community (representing 190 private property owners on 4) lakes REJECTED the proposal without objection

C. The proposal was REJECTED by the Big Lake Community Council

D. The Mat Su Borough Staff recommends DENIAL of the proposal

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Granting the CUP Violates borough code 17.30.060

- The pit WILL BE harmful to the public health, safety, order, prosperity, and general welfare of the Mat-Su Borough
- The pit WILL devalue the extraction site and neighboring properties now and for the next 14 years
- The pit WILL NOT reduce the adverse impacts of land uses and development between and among properties
- The pit WILL NOT protect and enhance the quality, peace, quiet, and safety of the Mat-Su Borough neighborhoods
- The use will NOT preserve the value, spirit, character and integrity of the surrounding area
- The intended request is NOT consistent with the 1996 Big Lake Comp Plan;

1996 Big Lake Comp Plan states

- Commercial gravel pits with "noxious or unpleasant characteristics" and are NOT consistent (page 71)
- Proposed development in the community WILL NOT be compatible with the maintenance and conservation of the natural environment
- define the residential Goal: "To identify and discourage uses and activities that would be objectionable in residential areas and to control the noise levels within residential areas" (Page 67 and 68)

Conditional Use Permit was **REJECTED** by the following:

- Horseshoe Lake FIREWISE Community, representing 190 private property owners REJECTED the proposal without any objection
- Big Lake Community Council REJECTED the CUP
- Road Service Area 21, with 30 members present, Unanimously REJECTED the CUP
- The Mat Su Borough Staff report recommends DENIAL of the proposal.

Big Lake Road Service Area Meeting

- 30 members present and unanimously REJECTED this proposal due to
- Lack of sight
- On school bus route
- Access from pit to road at a school bus stop and school bus turn around
- West Lakes Blvd. was constructed with "dust control" money. Not constructed for commercial loads and volume
- 1000 trucks leaving and 1000 trucks returning each year for 14 years will destroy the road
- When it comes to RSA taxes for the next 14 years: ONE PERSON benefits at the expense of ALL the neighbors (expand on this!!!!)

Gravel Pits (Handout)

- At least 26 gravel pits are located within 20 miles of the proposed pit
- 21 commercial and 5 private pits
- Pits are located on better roads/better hwys
- At least 12 other commercial pits are located in the valley beyond the 20 mile radius.
- There are numerous gravel pits already in operation in close proximity with minimal impact to residential areas.
- If the need for gravel in the West Lakes area arises, haul it in.
- Notice on the handout: West Lakes Blvd is a very windy road, many "S" turns and limited visibility

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Emergency Services

- The West Lakes Blvd fire station is located about a half mile from the proposed gravel pit site.
- When responders act upon an emergency their precious time will be spent waiting for the heavy truck to come to a stop in a location where they can safely pass.
- NONE of West Lakes Blvd. has a passing lane due to curves and limited sight distance.

Residential/School buses/ 1000's trucks

The borough map handed out by Mr. Strong shows the residential make up of the area surrounding Mr. Heairet's proposed pit. Each black dot is a residence, and naturally residential areas have school children. West Lakes Blvd, which borders the proposed pit is an active school bus route. School buses and gravel trucks on narrow, winding roads are a "dangerous mix". West Lakes Blvd and Rogers Road, Horseshoe Lake Road and Belarde Blvd. and stops in between Belarde Blvd, is also where school buses turn around. This the exact location where 1000 gravel trucks per year for the next 14 years will be entering on to West Lakes Blvd. from Mr. Heairet's proposed gravel pit. Keep in mind that each of these 1000 trucks will be returning to the pit resulting in 2000 trucks per "lane mile" per year.

We are all aware that students are "off" during the summer. Nevertheless they go to school until the middle of May and return the middle of August. In other words, during a 24 week seasonal gravel operation students and bus drivers will only have to confront this "hazard" for two-thirds of the time, or 16 weeks each year for the next 14 years.

This matter has already been addressed by Borough Code; specifically the code states in 17.30.010 that issuance of a Conditional Use Permit for Commercial Gravel Extraction are intended to "protect and enhance the quality, peace, quiet, and SAFETY of Matanuska Susitna neighborhoods:. The proposed commercial gravel operation literally at the "turn around stop" for school buses" is NOT consistent with the borough code.

Hauling hazards:

- Big trucks don't stop at Belarde Blvd Stop sign even though a stop sign is present
- Blind hill to the left for oncoming traffic, blind sweeping corner to the right
- Particulate dust, noise pollution, increased traffic, decreased safety, and road debris
- fast moving trucks typically pushing the envelope of 45-60 mph
- uncovered loads creating projectiles

Hours of Operation

- Big Lake is a resort. There are those who are retired, slope workers, self employed, home schooled, teachers out for the summer, property owners with a home, owners without a home wanting to build within the next 14 years,
- Whatever the hours of operation the pit may have the 8-5 work schedule doesn't apply to this residential area.
- The residents spoke out with a 7 to 1 ratio against the gravel pit. These residents own their property to enjoy the peace and tranquility of the natural area surrounding this resort and residential area; NOT 40 to 80 hours of gravel operations at the peak of outdoor enjoyment, our summers, for the next 14 years.
- Again the pit **Violates borough code 17.30.060:** The pit WILL NOT protect and enhance the quality, peace, quiet, and safety of the Mat-Su Borough neighborhoods

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Horseshoe Lake FIREWISE Community
Cathi Kramer Coordinator
P.O. Box 521783
Big Lake, AK
99652

Mr. Alex Strawn
Mat Su Borough
Planning and Land Use Dept.
350 E Dahlia Ave.
Palmer, AK 99645
February 28, 2009

RE: Gravel Pit CUP @ Belarde and West Lakes Blvd.

Dear Mr. Strawn,

The Horseshoe Lake Community includes Horseshoe Lake, West Lake, Hourglass Lake and Bottle Lake. This community consists of 126 homes or recreational cabins and / or 193 properties which are privately owned.

This entire community can only be accessed by one road, which is West Lakes Blvd. The gravel pit proposal submitted to the Borough for a CUP indicates that this commercial gravel operation is projected to generate up to 1000 gravel trucks per year leaving the pit and, of course, 1000 empty trucks returning for the next 14 years; all up and down West Lakes Blvd. This road is an active school bus route and the only way in or out of our residential community for "first responders".

We feel that a commercial gravel pit operation is clearly forbidden by the current Big Lake Comp Plan. Specifically the Plan recommends on page 71. "that ...heavy industrial activity with noxious or unpleasant characteristics (should be) prohibited." No one can argue that 1000 gravel trucks going and 1000 gravel trucks returning for the next 14 years would be anything less than "noxious or unpleasant".

The Horseshoe Lake community is a recreational / residential community with no exceptions. This commercial gravel operation would be but "a stones throw" from our homes. The current Comp Plan has a Residential Goal on pages 67 and 68 intended presumably to protect such distinctions. Specifically the Plan's recommendation to accommodate this goal is:

"To identify and discourage uses and activities that would be objectionable in residential areas" and

"To control the noise levels within residential areas".

IM16-076
OR16-049

On Saturday February 28, 2009 the Horseshoe Lake Firewise Community met and voted to ask the Borough through this correspondence to uphold the present Big Lake Comp Plan and deny this CUP for a commercial gravel pit in a RESIDENTIAL AREA.

Sincerely.
Cathi Kramer

Cc:
Cindy Bettine. Assembly
Bill Breu. Planning Commission
Bill Gamble. Fire Chief
Susan Taylor. Mat Su borough Risk Management

Im16-076
OR16-049

Mark Whisenhunt

From: MCALEAVEY, GERALD J GS-11 USAF PACAF 673 FSS/FSR <gerald.mcaleavey.1@us.af.mil>
Sent: Tuesday, February 09, 2016 1:49 PM
To: Mark Whisenhunt
Subject: Interim Materials District (IMD) 750,000 cubic yards
Attachments: McAleavey Response to IMD 750.0K Material Removal.pdf

Sir,

I am writing to you on this subject so you know we do NOT agree with this request. This operation is way too big for the location being proposed. This is an area made up of recreational lots where families come to enjoy the solitude of nature. This operation would eliminate all peace and quiet we currently enjoy with our family. I am also very concerned with the huge commercial vehicles that would be using the existing road system. These huge vehicles would cause great safety concerns and also destroy the roads. I appreciate it if you would ensure our concerns are brought to the attention of the people considering this request.

If you have any questions/concerns please give me a call at the phone number below or respond to this email.

Thanks,
Gerald "Mac" McAleavey
673 FSS Resource Advisor
(907) 552-4025/DSN 317-552-4025

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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0001399405 JAN 29 2016

217N04W25B002 44
~~CURREY KIRK WILLIAM~~
~~KEH, CAROLYN ANNE~~
~~2934 EMORY ST~~
~~ANCHORAGE AK 99508-4466~~

GERALD + DIANA
McALEAVEY
18027 TONSINA CT
EAGLE RIVER, AK 99577

FIRST CLASS MAIL

99508$4466 C012

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***March 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

plication material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application aterial may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us omments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received ore ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review n. Please be advised that comments received from the public after that date will not be included in the staff lanning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

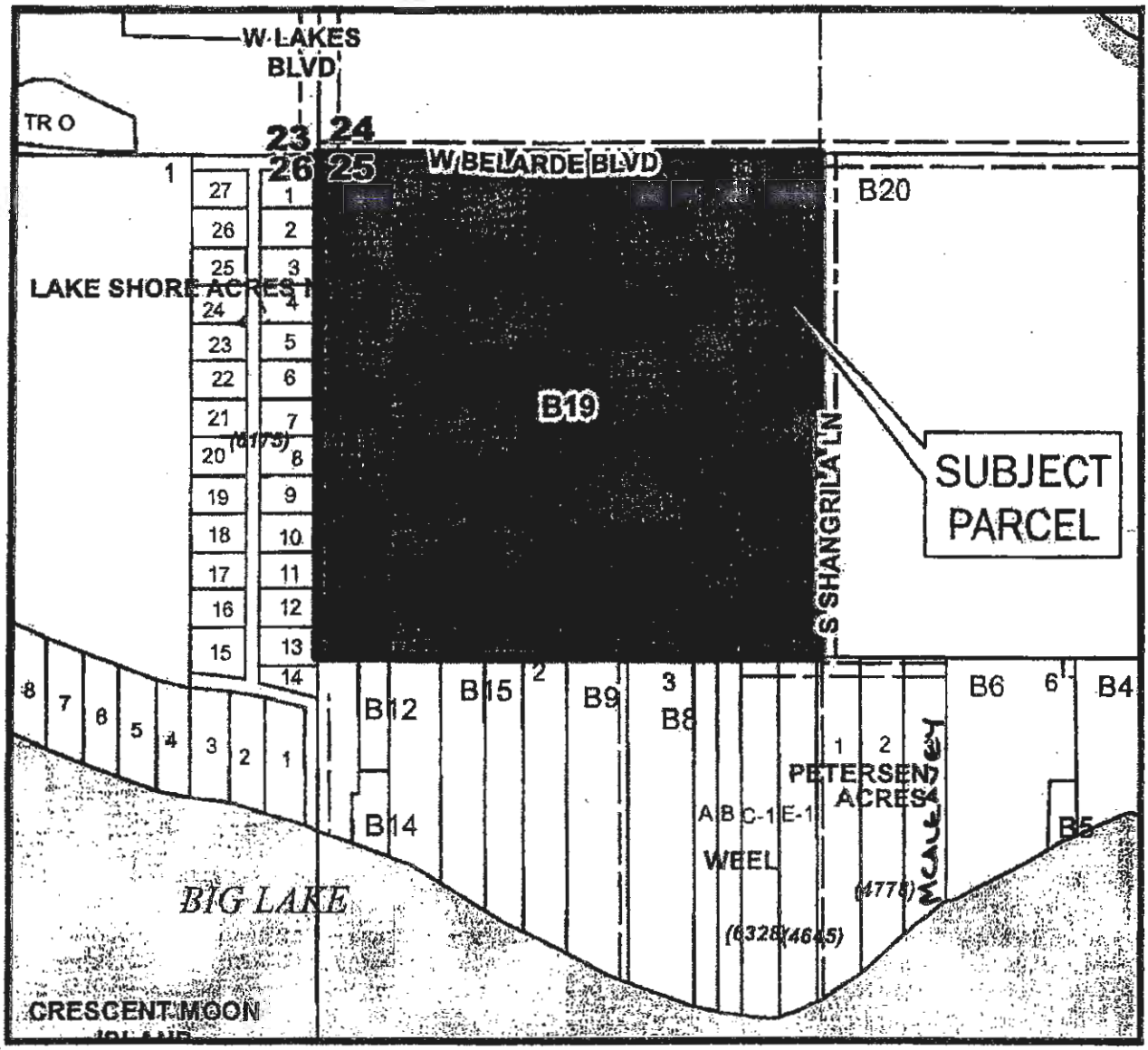
Name: GERALD + DIANA McALEAVEY *Mailing Address:* 18027 TONSINA CT EAGLE RIVER, AK 99577

Location/Legal Description of your property: PETERSEN ACRES #3

Comments: I OWN A RECREATIONAL LOT NOT FAR FROM WHERE THIS OPERATION WOULD BE OPERATING. I DID NOT PURCHASE THIS PROPERTY TO HEAR HEAVY EQUIPMENT OPERATING WHILE MY FAMILY TRIES TO ENJOY THE BEAUTY OF ALASKA. I AM ALSO CONCERNED WITH THE SAFETY ASPECT ASSOCIATED WITH LARGE COMMERCIAL VEHICLES OPERATING ON THE ROADS. THESE ROADS ARE NOT WIDE ENOUGH TO ENSURE SAFETY FOR PASSING VEHICLES. I WOULD ASSUME TOO THAT THESE VEHICLES HAULING GRAVEL WOULD DESTROY EXISTING ROAD AND INCREASE COSTS ASSOCIATED WITH MAINTENANCE. THIS REQUEST IS NOT A GOOD FIT FOR THE LOCATION PROPOSED.

Note: Vicinity Map Located on Reverse Side

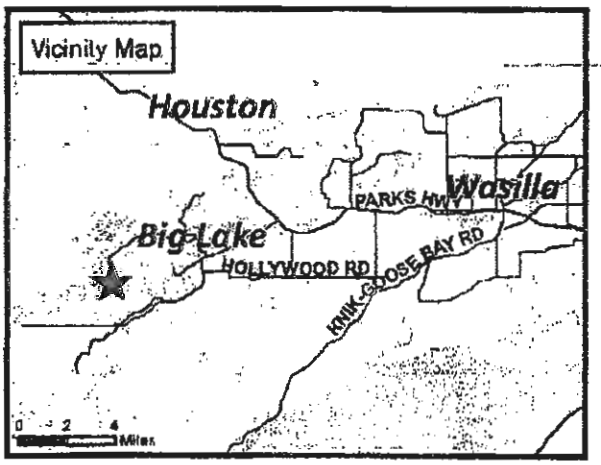
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OR16-049



17N04W25B019

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MSB Information Technology/GIS
July 23, 2015



Im16-076
OR16-049

Mark Whisenhunt

From: Kirk Currey <k.currey@cmiak.com>
Sent: Monday, February 08, 2016 11:08 PM
To: Mark Whisenhunt; hrkane@gmail.com
Cc: dlada@peakneurology.com; sushores@gmail.com; John Brunton; whalenconstruction@gci.net; Finnigan,Theresa (tfinn@acsalaska.net)
Subject: 750,000 cubic yards Interim Materials District
Attachments: Bill heairet bck.PDF; Bill Heairet frt..PDF

Mrs. Carol G. Kane
Big Lake Community Council
Home Phone: (907) 892-7738
Cell: 907 355/2467
Email: hrkane@gmail.com
And
Mr. Mark Whisenhunt
Mat-Su Borough Planning & Land Use Department
Development Services Division
m whisenhunt

Re: Written Comment for Tuesday 2/9/17 at the Big Lake Community Council, 7:00 pm. Agenda item Application for an Interim Materials District (IMD). Public comment and/or written comment.
and
Comments for the Planning Commission Packet for the Commissioner's Review on March 21, 2016 Public Hearing.

Mark and Carol,

Please accept my wife and my comments on the Application for an Interim Materials District (IMD).
My wife and I own a parcel in close proximity to the project. 217N04W25B002

First I will admit it is good to have, and I have used the supply of the Local source of pit run, screened D1, 1.5" minus and Bone Rock which is currently supplied by Bill and Helen Heairet dba Lakeside Sand & Gravel
I will support that this is a positive for the local Lakes Boulevard. In the current size.
But I need to be clear LOCAL.

So then our input: At first look without greater knowledge….And I have not heard the from the Applicant…all one can surmise is:

IM16-076
OR16-049

The permit that is being applied for would by the shear numbers allow a very large commercial operation servicing a much larger area and WOULD be a heavy industrial, commercial operation, with scales, crushing and screening and volumes of trucks on the road.

Using just what little information on the application I received from the attached notice and averaging numbers:
My math is ....
750,000/ 40 years
=18,750 yd3/year mined in a 5 month summer
= 3,750 yd3/ mon/ 12 yd3 truck load
= 312 trucks per month...
Likely the End Dump Trucks would become much larger tractor trailer rigs not compatible in numbers on Belarde, Lakes, Beaver roads.

This could be accelerated to 20 years life which would obviously double the stress on the local area roads and residences.

The Mining/ Quarrying operation to build and pay back something to support this could run 6 - 12's per week.
High yield $ products made from crushing and Screening will be a part of this large of an operation.
Noise Noise Noise Crushing is very loud.
It is NOT what the local residences bought, own, pay taxes and occupy their single family dwelling in the area for.
I submit why they own here is to enjoy Peace and Quiet at their own pace.

I understand trying to get your highest commercial yield off of a piece of property.
Likely Bill and Helen will want to sell this property with a larger mining permit for a much increased price.
And if there is a sale do the current reclamation requirements transfer?
I do not believe Bill and Helen are planning on mining here for the next **40** years.

Belarde Road from their pit to Lakes Boulevard is currently not maintained by Lakeside Sand Gravel...the only business on the road. (only in the area).
On this note regards the current status of the subject property... One comment from another neighbor who hit the definition on the head " it is a distressed property now."
All around this subject property from Lakes Boulevard to Shangri-La there has been no effort to maintain, clean as you go or to reclaim, just to extract.
Nothing to beautify and make better.
Good Neighbor(s) lend a hand to neighbors to make the area a better place to live. What will happen in the future on a much larger permit?

Things that I hope are spoken and considered:
What is the current mining permit parameters?

IM16-076
OR16-049

Current mining permit Reclamation Requirements? Is this work monthly, yearly or at the end of the permit?
Current Hours of operation?
Current Noise ordinance?
What is the current mining permit volume per year?
What is the duration of the current mining permit?
Current Commitment to the community for betterment?
Current required Buffer zone?

Under the new permit applied for.. please make it known:
Yards per year allowed?
Mining Plan and Business Plan?
Products to be offered?
Reclamation plan? Is this work monthly, yearly or at the end of the permit. (40 years later)
Hours of operation
Noise ordinance.
Commitment to the community for betterment
Required Buffer zone. And what will it consist of?

I would appreciate information on and/or links to get directly to the info, or a packet assembled and sent via E-mail or mail by the borough to send out to the community.

Sometimes a planned approach is to apply for a large permit, in hopes to settle for a much larger permit from what they have now.
This is only a caution that has happened before.

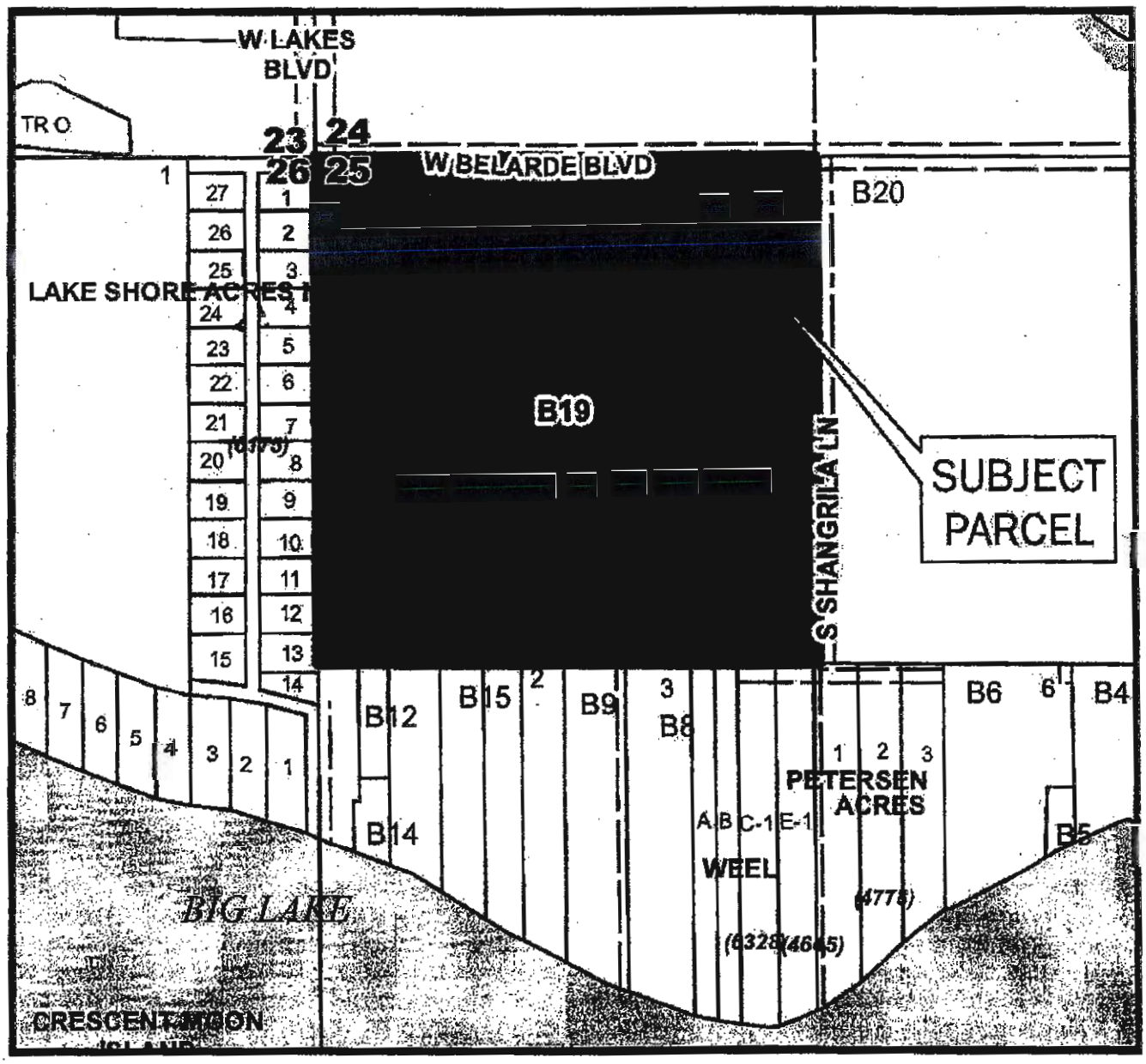
Unless the applicant can tell we as a community, how the outcome/result of this much, much, expanded permit will bring about improvements to our single family residence community, I will submit I cannot see how it can be for the greater good of the community.

Foot Note: On another borough issue The Borough does not maintain Belarde Road either. There are many taxpayers on Belarde that get nothing for the taxes they pay. But that is another issue hopefully for a day soon.

Thank-you for allowing this input.

Thank-you,
Kirk Currey

IM16-076
OR16-049



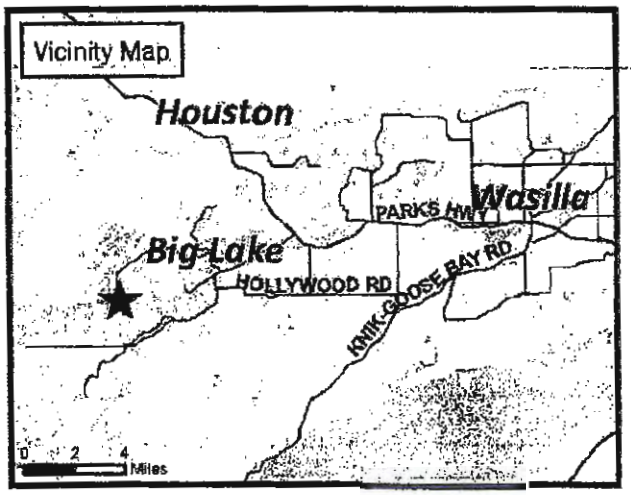
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MSB Information Technology/GIS
July 23, 2015



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Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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CURREY KIRK WILLIAM
KEIL CAROLYN ANNE
2934 EMORY ST
ANCHORAGE AK 99508-4466

FIRST CLASS MAIL

99508#4466 C012

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
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Name: _____ ***Mailing Address:*** _____

Location/Legal Description of your property: _____

Comments: _____

Note: Vicinity Map Located on Reverse Side

IM16-076
OR16-049

Mark Whisenhunt

From: John Brunton <jb1brumag@hotmail.com>
Sent: Wednesday, February 03, 2016 7:53 AM
To: Mark Whisenhunt
Subject: Lakeside Sand and Gravel app for IMD

My wife and I own two parcels in close proximity to the project. It seems to us this is a do over by Bill and Helen. A similar request was made a few years ago and the local community rallied against it.
Bill withdrew his application minutes before the final hearing as a large group of neighbors who were opposed was planning on attending the hearing. We will be filing a comment in opposition to this project.

John Brunton
Lots 17N04W25A10 and 11.

IM16-076
OR16-049

Mark Whisenhunt

From: bobnpat <bobnpat@mtaonline.net>
Sent: Tuesday, February 02, 2016 2:41 PM
To: Mark Whisenhunt
Subject: Concerning MSB 17.28- Interim Materials District

Yes, this is Robert M. Jones Po Box 521016 Big Lake, Ak., Legal address is 19077 w Lakes Blvd. Mile 4.3. I wish to go on record supporting William & Helen in this endeavor. He has proven to be honest and reliable Business Man, and very helpful to Our Community. In my mind he is only trying to make an honest living and should not be restricted or hindered in any way on an operation this small. He has countless times donated materials and equipment to people starting "Their " Alaska Dream. Driveways, roads, drain fields etc. with very little compensation.. He is also a very considerate neighbor!! Bob & Pat Jones

IM16-076
OR16-049

Mark Whisenhunt

From: Helen Heairet <hlh@mtaonline.net>
Sent: Thursday, February 18, 2016 11:48 AM
To: Mark Whisenhunt
Subject: Copy of letter to B/Lake Residents

Bill and Helen Heairet
P. O. Box 521403
Big Lake, Alaska 99652
907-232-0398

February 11th, 2016

Dear Neighbor,

I am writing this letter to explain our intentions on the "Belarde Extraction Project" due to the "WILD" rumors of misinformed locals.

First of all, this site has been a gravel extraction site prior to our purchase of the land. At that time the MSB asked the previous owner if, in fact, he would like to "grandfather" his pit at which time he declined, of course that was several years ago, now regulations have gotten considerably more astringent at the local, state & federal level. We would like to expand and improve our operation and product lines for the customers and residents of Big Lake.

At this time we, and all property owners, are allowed 2,000 yards of product per year by the MSB, as a result of this action we have seven extraction sites on W. Lakes Blvd. in operation which equals an allowance sites can extract of 14,000 cubic yards per year. With zero regulations these allowances can be extracted on their property any where along their property lines, down to ground water level, leaving a possible eye sore & truck traffic at random in all areas.

With approval of our permit we will be regulated by local, state, and federal jurisdiction for gravel extraction for the reclamation of the site in designated phases.

Addressing screening/crushing at the site: we have purchased a three product screening plant to accommodate septic rock sizes and driveway/road material. Noise created from this plant is minimal i.e. a rock rolling down a bank. The extraction site is encompassed by 25 foot high gravel walls and 10 foot berms along roadways which reduces noise. In regards to crushing we will not be investing in a crushing plant. We are looking at a minimum of $50,000.00 a week for the rental of the crushing plant. If demand warranted crushed material we would do this for one or two weeks in the Spring. The closest residence is approximately 800 feet from the Phase I proposed crushing site and the MSB code is a minimum of 300 feet. We will be well within the decimal allowance.

Being heavily invested in our Big Lake area our intention is to cut down costs for roadways and property owners by making the availability of product close.

We will be at the next meeting March 8th to hopefully answer any more questions from concerned residents.

Sincerely and Thank You, Bill & Helen Heairet

IM16-076
OR16-049

MATANUSKA-SUSITNA BOROUGH
Planning Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-8158
www.matsugov.us

Date: 2/11/2016

RE: IMD Review – Belarde Blvd (sec esmts) - dba Lakeside Sand & Gravel

Reviewed By: Andy Dean ROW Coordinator A. D

Comments:

1. **The proposed driveway for access to the north side of the property seems to not have a driveway permit application on file. Please provide for an application for the driveway. The driveway permit will need to be signed off by a professional engineer for widths greater than 25 feet at the edge of the easement. We do have on file an approved for construction driveway application to the west of Sangri-La (private) that has expired, and was physically closed off with an earthen berm, and is shown as not used on the site maps provided.**

2. **<u>Continue</u> to maintain this section of Belarde Boulevard from the proposed driveway entrance back to Lakes Boulevard especially when heavy usage is expected. I.e. Watering for dust control, re-grading, filling of potholes, restoration of road bed when needed.**

3. **Make sure roadway is of sufficient design capacity for side-dump large truck usage before used in such a manner.(in the past it is understood that 18 wheeled vehicles have not been used) If Belarde Boulevard is used in such fashion, a construction permit to make upgrades is required before making any needed improvements for use by 18 wheel large truck side dumpers. Grade, stopping distance to intersection because of grade, and turn radius may be at issue for these larger vehicles at the intersection of Belarde and Lakes Boulevards. A stamped letter from a registered P.E. addressing these issues and recommending any needed design changes to the existing roadway for this type of traffic needs to be provided before this roadway is used by 18 wheel large truck side dumpers. The radius and width of the driveway needs to be stamped off by a registered P.E. with submission of the driveway permit for safety of the two way traffic on Belarde Boulevard and designed for the type of trucks making access.**

4. **The surface of the roadway of Belarde Boulevard between the driveway access and Lakes Boulevard needs to he <u>at minimum 20 feet</u> wide at all locations. This will accommodate two way traffic safely along this section of Belarde Boulevard and reduce lane conflicts because of the use by large vehicles, that includes end dumps.**

Matanuska Susitna Borough
Planning Department
Row Coordinator

Providing Outstanding Borough Services to the Matanuska-Susitna Community.

IM16-076
OR16-019

MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-7876
www.matsugov.us

RECEIVED
FEB 18 2016
PERMIT CENTER

MEMORANDUM

DATE: February 17, 2016

FROM: Mark Whisenhunt, Planner II

SUBJECT: REQUEST FOR REVIEW AND COMMENTS

PROJECT: **Conditional Use Permit for Earth Materials Extraction**

TAX ID: 18N02E03B002 TAX MAP: PA 03

LOCATION: 8870 N. Buffalo Mine Moose Creek Road; within Township 18 North, Range 2 East, Section 3, Seward-Meridian

APPLICANT: Gary Robles (dba Moose Pit)

An application for a conditional use permit under MSB 17.30 – Conditional Use Permit for Earth Materials Extraction Activities has been submitted for the removal of 1,300,000 cubic yards of material, with extraction activities concluding in 2035. The Planning Commission will conduct a public hearing on this request on April 4, 2016. If we do not receive comments from you we will assume you have no objections to the proposed project.

Distribution:

____ Borough Manager (info only)	____ Pre-Design Division
____ Collections	____ Community Development
____ Assessment	____ Public Works Director
____ Planning Division	_X_ Right-of-Way Coordinator
____ Environmental Planning	____ Emergency Services Director
____ Platting Division	____ Cultural Resources

Comments: Return written comments by **March 14, 2016**. Thank you for your review.

No Comments A.R 2/18/16

IM16-076
OR16-049

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Cultural Resources Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 745-9859 • Fax (907) 745-9876

MEMORANDUM
DATE: 18 February 2016
TO: Mark Whisenhunt, Planner II
FROM: Sandra Cook, Architectural Historian
SUBJECT: Central Landfill, Interim Materials District
LEGAL: Section 1 and 12, T17N, R1E, SM
TAX MAP: WA09

NO OBJECTION

Cultural Resources Division staff has reviewed the above application and finds there is are no known *recorded* sites on said property. This conclusion was derived through research of the documented sites on file in the Cultural Resources Division of the Matanuska-Susitna Borough and sites documented in Alaska Heritage Resource files at the State Office of History and Archaeology.

While we have no objection to the proposed Platting action on the said property, and our records are not complete, we recommend caution during construction or related activities in the event cultural remains may come to light or be recovered. If cultural resources are found as a result of the above mentioned activity we would appreciate the chance to document them to augment our knowledge of local history. Cultural remains may include features such as cache pits, house pits, garbage pits, depressions and/or other non removable indications of human activity, as well as, artifacts, buildings, machinery, etc.

Recording of cultural resources or other remains does not change ownership status of materials found, they belong to the property owner, nor does it prohibit your activity request. If cultural remains are located please contact this office at (907) 861-8655 as soon as possible. This would enable us to photograph and record any cultural materials that may be observed. Thank you for your cooperation. We appreciate you helping us learn more about our past.

Sincerely

Sandra Cook
Architectural Historian

NOTE§A.S.11.46.482 (a) of the Alaska Statutes states that
A person commits the crime of criminal mischief in the third degree if, having not right to do so or any reasonable grounds to believe the person have such a right…
(3) If a person knowingly
(A) defaces, damages or desecrates a cemetery or the contents of a cemetery or a tomb, grave, or memorial regardless of whether the tomb, grave, or memorial is in a cemetery or whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost, or neglected; (B) removes human remains or associated burial artifacts from a cemetery, tomb grave, or memorial regardless of whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost or neglected.

IM16-076
OR16-049

ENSTAR Natural Gas Company
A DIVISION OF SEMCO ENERGY
Engineering Department
Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

February 2, 2016

Mark Whisenhunt, Planner II
Matanuska-Susitna Borough
Planning and Land Use Department
350 East Dahlia Avenue
Palmer, AK 99645-6488

Subject: Request for an Interim Materials District – T17N R04W, Section 25, S.M.

Dear Mr. Whisenhunt:

ENSTAR Natural Gas Company has reviewed Request for an Interim Materials District in Township 17 North, Range 4 West, Section 25, Seward Meridian. ENSTAR Natural Gas Company has no comments or objections.

Please feel free to contact me at 907-334-7944 if you have any questions.

Sincerely,

Cassie Wohlgemuth

Cassie Wohlgemuth
Right-of-Way and Compliance Technician
ENSTAR Natural Gas Company

IM16-076
OR16-049

PLANNING COMMISSION RESOLUTION

IM16-076
OR16-049

By: Mark Whisenhunt
Introduced: March 7, 2016
Public Hearing: March 21, 2016
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-08

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY APPROVAL OF AN INTERIM MATERIALS DISTRICT, KNOWN AS LAKESIDE SAND & GRAVEL; IN TOWNSHIP 17 NORTH, RANGE 4 WEST, SECTION 25, PARCEL# B19 (TAX ID# 17N04W25B019), SEWARD MERIDIAN.

WHEREAS, an application for an Interim Materials District (IMD) was submitted by William and Helen Heairet (dba Lakeside Sand & Gravel) to remove earth materials from 19116 West Belarde Boulevard, located within the northwest one-quarter of the northwest one-quarter of Section 25, Township 17 North, Range 04 West, Seward Meridian; and

WHEREAS, it is the intent of the Matanuska-Susitna Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries; and

WHEREAS, the purpose of MSB 17.28 is to establish an Interim Materials District within the borough to allow resource extraction activities as an interim use of land while promoting the public health, safety, order, prosperity, and general welfare of the borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties; and

IM16-076
OR16-049

WHEREAS, it is the further purpose of MSB 17.28 to promote compatible and orderly development; and

WHEREAS, the Planning Commission has reviewed this application, associated materials, and the staff report, with respect to standards set forth in MSB 17.28; and

WHEREAS, findings of fact and conclusions of law have been listed in the staff report; and

WHEREAS, the Planning Commission conducted a public hearing on March 21, 2016 regarding this IMD request; and

WHEREAS, the Planning Commission finds that the proposed Interim Materials District is compatible with the goals and policies of the Big Lake Comprehensive Plan; and

WHEREAS, The Big Lake Community Council submitted comments on March 9, 2016, indicating the Council has no objection to the Interim Materials District request; and

WHEREAS, the applicant has met all of the requirements of MSB 17.28.050 and 17.28.060, and is in compliance with all local, State, and Federal laws; and

WHEREAS, the Planning Commission finds that the proposed Interim Materials District, when in compliance with local, State, and Federal laws does not negatively affect public health, safety or general welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby finds this application does

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meet the standards of MSB 17.28 and adopts the findings of fact and conclusions of law within the staff report and hereby recommends approval of the designation of Interim Materials District known as B&E Construction with the following conditions:

1. The operation shall comply with all other applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and an amendment to the Interim Materials District shall be required prior to any alteration or expansion of the material extraction operation.
3. Material extraction shall be limited to the areas identified in the applicant's site plan with the Matanuska-Susitna Borough "Received" date stamp of October 28, 2015.
4. Prior to operating, the IMD boundary shown in the applicant's site plan with the Matanuska-Susitna Borough "Received" date stamp of October 28, 2015, shall be located and marked on the property by a surveyor licensed to operate in the State of Alaska. Said markers shall be maintained in a visible condition to ensure extraction activities stay within the extraction area boundary.

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5. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected for leaks daily.

6. On-site maintenance of vehicles shall be done in an area where all leaks can be contained with drip pans or other discharge prevention devices.

7. All hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.

8. Visual screening shall be achieved and maintained by using a combination of earthen berms 10-feet in height to north and south, and maintaining the topographical buffer as described in the application material.

9. A Matanuska-Susitna Borough Driveway Permit shall be obtained for access onto Belarde Boulevard prior to operating.

10. Large "side dump" vehicles or tandem end dumps shall not be used in conjunction with this use unless certification from a professional engineer has deemed access to and from the subject parcel and use of the intersection of Belarde Boulevard and West Lake Boulevard is safe for said vehicles and other motorists to use. If upgrading the intersection and/or Belarde Boulevard is necessary, a construction permit

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shall be obtained from the Matanuska-Susitna Borough prior to beginning any work in a public right-of-way.

11. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to storm water.

12. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) - Site Development Standards and MSB 8.52 - Noise, Amplified Sound, and Vibration.

13. All extraction activities, including all activities that cause noise, dust, or traffic, shall be limited to 8am to 6pm, Monday through Saturday, except rock crushing and screening activities are limited to 8am to 5pm, Monday through Friday.

14. If cultural remains are found during material extraction activities, the MSB Cultural Resources Division shall be contacted immediately so the remains can be documented.

15. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.

16. Borough staff shall be permitted to enter onto any portion of the property to monitor compliance with permit requirements. Such access will at a minimum be allowed on demand when activity is occurring and, with prior verbal or written notice, and at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of the Interim Materials District.

17. The operation shall comply with the reclamation standards of MSB 17.28.067.

18. If reclamation information is updated annually with the State of Alaska, Department of Natural Resources, the applicant shall provide a copy of the updated information to the MSB Planning Department.

19. An asphalt plant (aka hot mix or batch plant) shall not be operated at this site.

20. Dust control shall be achieved at the gravel pit, rock screener, crusher, and roads as necessary.

21. If illumination devices are required, they shall not be greater than 20 feet in height, shall utilize downward directional shielding devices, and shall meet the requirements of MSB 17.28.060(A)(6) Lighting Standards.

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22. All activity shall be conducted in compliance with state or federal regulations governing the items listed in MSB 17.28.040(B)(1), 17.28.040(B)(2), and 17.28.040(B)(3).

23. Authorization for earth material extraction activities approved by this legislation shall expire on December 31, 2040.

24. The IMD must be approved by the Matanuska-Susitna Borough Assembly.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Planning Commission recommends Assembly approval of the designation of Interim Materials District for the 40 acres within the property located at 19116 W. Belarde Boulevard.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this ___ day of ___, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

IM16-076
UR16-049

By: Mark Whisenhunt
Introduced: March 7, 2016
Public Hearing: March 21, 2016
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-16

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION MAKING A RECOMMENDATION AND PROVIDING FINDINGS OF FACT TO SUPPORT DENIAL OF RESOLUTION 16-08.

WHEREAS, Resolution 16-08 was for recommending Assembly approval of an Interim Materials District, known as Lakeside Sand & Gravel, located within the northwest one-quarter of the northwest one-quarter of Section 25, Township 17 North, Range 04 West, Seward Meridian; and

Whereas, the planning commission conducted a public hearing on March 21, 2016 on this matter; and

Whereas, the Planning Commission's vote on the motion to approve the Interim Materials District failed to garner a majority vote on March 21, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission reports to the Assembly per MSB 17.28.080(c) and recommends denial of the request for Interim Materials District, known as Lakeside Sand & Gravel, based on the following findings of fact and conclusions of law:

1. While the applicant has met the standards applicable in MSB 17.28.050 and MSB 17.28.060, as proposed the

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Interim Materials District would conflict with the Big Lake Comprehensive Plan.

2. The subject property is located within the boundary of the Big Lake Comprehensive Plan, updated and adopted in August, 2009.

3. The subject parcel is located within the *Dispersed Residential* land use district as identified in the Big Lake Comprehensive Plan.

4. According to the Big Lake Comprehensive Plan, *Dispersed Residential* is described as "*rural residential areas, where lots sizes are larger and the natural setting is more dominant. This is currently the most predominant land use density in the Big Lake area.*"

5. The intent of the Comprehensive Plan is to identify and encourage a general pattern of development that best meets the community goals and to "*accommodate growth while holding onto characteristics that make Big Lake a good place to live and visit.*"

6. Establishing an Interim Materials District at this location would conflict with the Land Use and Environment Goals section of the Big Lake Comprehensive Plan it states: "*The overarching goal of this plan is protect Big Lake's special character as a*

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place to live and visit while accepting and even encouraging growth. Without guidance, as the area grows, the community risks losing these qualities that makes Big Lake a distinctive place – its undeveloped open spaces, good views, wildlife, and out-the-door access to recreation. At the same time, growth in the community can bring many benefits, providing new places for people to live, creating new opportunities for local employment, and generally leading to a more vital community."

7. Establishing an Interim Materials District at this location would conflict with the Land Use and Environment Goals section of the Big Lake Comprehensive Plan: "*Provide for Freedom to Enjoy our Properties – The plan supports a balance of freedom to use property as individuals chose up to that point where one person's use limits the rights of neighbors to enjoy their property. Responsible land use should be in harmony with surrounding land use without damaging the health, safety and welfare of adjacent property*", as an Interim Materials District is not in harmony with the surrounding existing residential and recreational uses.

8. Establishing an Interim Materials District at this location would conflict with the Strategies to Achieve Land Use Goals section, under the Development Guidelines of Strategy 4: *"Natural Vegetation/Site Disturbance - Encourage retention of existing natural vegetation and replant disturbed areas. Grading and clear cutting the entire parcel prior to selling or developing land is strongly discouraged."*

9. Establishing an Interim Materials District at this location would conflict with Strategies to Achieve Land Use Goals section, under the Development Guidelines of Strategy 4: *"Commercial Uses/Home-based Businesses in Predominately Residential Areas - The plan supports a variety of home based businesses and residential-compatible commercial uses in predominately residential areas, but encourages these uses to be designed to not impact neighbors. Subdivisions can address this to some extent through protective covenants. Guidelines for home-based businesses and other commercial activities in predominately residential areas include: Discourage high-volume or high-traffic activities; businesses should not create nuisances of excessive people and vehicle traffic; Minimize the offsite evidence of*

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business operation - noise, smells, litter, odors, and public safety calls; Use special screening and wider setbacks to reduce visual impacts of business operations on surrounding residences.; Screen dumpsters, service entries; Avoid using bright lights that wash onto adjoining properties; Use unobtrusive signage", as an Interim Materials District produce high-traffic activities in an existing residential area.

10. The proposed Interim Materials District known as Lakeside Sand & Gravel is not consistent with the Big Lake Comprehensive Plan, updated and adopted in August, 2009.

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ADOPTED by the Matanuska-Susitna Borough Planning Commission this ___ day of ____, 2016.

JOHN KLAPPERICH, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

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OR16-049

Mark Whisenhunt

From: John Brunton <jb1brumag@hotmail.com>
Sent: Monday, March 28, 2016 9:56 AM
To: Barbara Doty
Cc: Randall Kowalke
Subject: MSB 17.28 IMD request for Lakeside Sand and Gravel
Attachments: letter to msb assembly.docx

Attached is a letter expressing our opposition to this proposal. Thank in advance for your consideration. We also want to thank Mr. Whisenhunt and his staff for recommending against allowing this development.

John and Jackie Brunton

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March 25, 2016

Matanuska Borough Assembly

We are writing to express our opposition to the application for an Interim Materials District(IMD) submitted by William and Helen Heairet, dba Lakeside Sand and Gravel. We own two (2) parcels on the lake less than a mile away from the proposed pit (lots 17N04w25A10 and A11). Our permanent residence is on lot A11. We have owned this property since the early 1990s. Having recently retired we moved full time to Big Lake two years ago.

The Heairets have operated a small gravel pit for the last few years. We hear the backup alarms of the equipment while they are working. It is a nuisance but not significant as the activity is relatively short lived. Similarly, we hear Happy Trails Kennel at feeding time, again not a problem. The same cannot be said about the noise that will result from ten hours a day industrial sized gravel pit.

Frankly, we find it hard to believe this proposal is being considered. You will be alerted to a variety of conditions that weigh against this project. Limited road infrastructure, health, noise, personal and vehicular safety concerns. This is a residential area consisting of permanent housing and weekend recreational cabins and houses. The Big Lake Community Council spent a lot of time and effort to draft a comprehensive development program. Any reading of that document clearly shows this type of development should not be allowed. Granted, the Big Lake Community Council voted to allow this project to go forward. We are in the process of trying to determine their justification. It appears to us the applicants packed the meeting with supporters and prevailed. The Community Council by its structure disenfranchise a great many Big Lake property owners. As residents we intend to seek some changes in the charter.

It seems obvious that the vast majority of Big Lake property owners bought their parcels for the recreational, rural, and peaceful said property would provide. To be sure we certainly did. A commercial gravel pit almost sitting on the lake shore is not a reasonable use of this property. There is no shortage of gravel in the area, any supposed economic benefits are not substantiated with any study that we have seen. We think an argument could be made the property value of adjoining parcels would be adversely affected reducing tax receipts.

We also think the development would have a negative impact on existing wildlife in the area. There are nesting loons located in front of our property and moose use the area for calving grounds.

Again we urge you to vote against this proposed gravel pit as it is not in the best interest of the Big Lake area. Only the applicants and their business colleagues will benefit from a commercial gravel pit.

Thank you,

John and Jackie Brunton

PO Box 521918

Big Lake, AK. 99652

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Mark Whisenhunt

From: John Brunton <jb1brumag@hotmail.com>
Sent: Friday, March 25, 2016 7:33 AM
To: kirk currey
Cc: Mark Whisenhunt
Attachments: Assembly Recruit for BL MSB IMD app. Sprdsht.xlsx

I noticed in Heairet IMD MSB 17.28 application package to MSB that only SOA Dept Natural Resouces paperwork was statement about land rehabilitation plan. Checked not needed as only 5 acres and 50,000 tons per year to be mined. Why then a 40 year, 750,000 mine request. Is this enough documentation from the DNR to move forward? Further if he plans on mining only 4 five acre parcels, why the request for 40 acres?

John Brunton

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Team Defeat Devaluation of our Homes, Devaluation of our Recreational and Retirement Experience — Guilt Trip

#	Full name	Oppose the IMD for 750K yd3	Will allow our Borough Account number	Will write Letter to the Assmbly.	Will Attend Assembly Meeting # How many	Will speak at the assembly meeting	Will allow your Contact Number	Will allow your email to be seen on our mailers and to the Borough	Remove me	Will attend Organizing Meeting at Suzy Longacre Sat 23rd at 2:00 PM	Will bring something to share	Will contribute effort to the cause	Want the rest to do all the work and me to do none	It would be OK if this Industrial Dev. Was in my back yard	Entry Name for the (our) Opposition Group
1	Allen S														
2	Armstrong D	undecided													
3	Belarde	yes													
4	Barrett L														
5	Boltz J&L			Done											
6	Bruton J&J	yes	7n04w25a10,1	yes	no		2234328	rumag@hotmail.com		no		yes			
7	Capps R														
8	Cardwell K														
9	Cardwell														
10	Carlson G														
11	Christiansen	yes													
12	Christie Jim														
13	Currey K&C	yes	17N04W25B002	2	1	1	244.7154	k.currey@cmiak.com		2	Yes	Yes	No	No	Big Lake Industrial
14	Dinsmore	yes													
15	Dugdale B	yes										Yes			
16	Ellis M														
17	Fessler C														
18	Finnigan T&T	yes	6091000L010	2	2	2	317.0591	'tfinn@acsalaska.net'		2	Yes	Yes	No	No	Big Industrial Lake Lots (F
19	Fridley	yes													
20	Frawner J														
21	Grabbe K	yes			2		301.2369								
22	Hoefer	yes													
23	Hoey	yes													
24	Holben B	yes		Done											
25	Hoppe G	yes													
26	Ingrim, P														
27	Johnson	yes													
28	Johson M														
29	Kane	yes													
30	Kramer C														
31	Lada R&D	yes													
32	Lindeen														
33	Longacre D&S	yes	6091000L024A				345.0234								Save Big Lake
34	Mcaleavy	yes													
35	Mesick, G	yes													
36	Moore	yes													
37	Neel T	yes													
38	Norman R														
39	Puhr	yes													
40	Rehman R														
41	Ryan B														
42	Smith Ellis	yes													
43	Smith Eric														
44	Smith T														

June 2018

45	Sordahl														
46	Strong G														
47	Tim Lamb														
48	Tryck	yes													
49	Wark	yes													
50	Whalen	yes													
51	White Jim														
52	Whitt S	yes													
53	Winter														
54	Woodbury G.	yes		Done											
55	Woodlan B														
56	Wright B														
57								ak_freerider@hotmail.com							
58								'daveca@icloud.com'							
59								'gcannelos@gmail.com'							
60								'djmann18@yahoo.com'							
61								'pwrfeb53@hotmail.com'							
62								'gordot@gci.net'							
63								'donohue@mtaonline.net'							
64								'woodside1969@gmail.com'							
65								arb@delaneywiles.com'							
66								'goldak49@gmail.com'							
67								'heldtodd@gmail.com'							
68								'skhanam@eathlink.com'							
69								'calio@gci.net'							
70								'roxannemsinz@gmail.com'							
71								skmoore@gci.net'							
72								'judydobson@gmail.com'							
73								'jmatkins71@yahoo.com'							
74								'mikewinter@mtaonline.net'							
75								'gaffeysgirl@gmail.com'							
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Mark Whisenhunt

From: Kirk Currey <k.currey@cmiak.com>
Sent: Thursday, March 24, 2016 10:07 PM
To: jimsykesdistrict1@gmail.com; Matthew Beck; George McKee; stevecolligan@mtaonline.net; Dan Mayfield; Barbara Doty; Randall Kowalke; Lonnie McKechnie; Mark Whisenhunt
Cc: Gordon Thompson
Subject: RE: pass on info to everyone...
Attachments: Big Lake Gravel Pit.pdf

Attn: Mat-Su Borough Assembly Members, Borough Clerk and Staff,

Please find the attached letter and note below from Gordon Thompson I am forwarding on his behalf.

17N04W26C006

From: Gordon Thompson [mailto:gordot@gci.net]
Sent: Thursday, March 24, 2016 9:52 PM
To: Kirk Currey <k.currey@cmiak.com>
Subject: RE: Info needed to help pass on info to everyone...

Hi Kirk.
Yes, feel free to circulate the letter if it will help, showing my email address is fine.
Since i'm not quite certain how to send to Assembly and Borough clerk please forward to them on my behalf if that works for you.

Gordon

From: Gordon Thompson [mailto:gordot@gci.net]
Sent: Thursday, March 24, 2016 2:19 PM
To: Kirk Currey <k.currey@cmiak.com>
Subject: RE: Info needed to help pass on info to everyone...

Hi Kirk.

Appreciate your efforts in trying to contain this trespass in our beautiful Big Lake recreation area.
My parents were one of the first to establish a cabin-site on the Lake, about the same time as the Hulen's.
Their original log cabin is still on the site and is in terrific shape, right next to Thompson (Ivy) Cove.
We built a small primitive log place east of Hulen's and use it regularly all summer; our eight grandkids love to visit and spend time at the lake, just as I have able to do since about 1947.

I've attached a letter stating our opposition to the proposed gravel pit...feel free to circulate as you need to help the cause.
I sent an email to the P&Z Commission in opposition some time ago, prior to their hearings, but have not sent this note.
Again, thanks for your help!

Gordon Thompson
360-0795

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This email has been checked for viruses by Avast antivirus software.
www.avast.com

IM16-076
OR16-049

Gordon Thompson Architect

711 M STREET, SUITE 101 ANCHORAGE, ALASKA 99501
TELEPHONE (907) 279-2554 FAX (907) 279-2556
gordot@gci.net

24 March 2016

To: Whom it May Concern
Re: Lakeside Sand & Gravel RSA21

This letter is to express our strong opposition to the Big Lake gravel extraction operation as proposed by Lakeside Sand & Gravel.

We are opposed because this operation would create unacceptable levels of noise and dust pollution and would be a visible eyesore within the established Big Lake recreation area.

Equipment used for gravel extraction is noisy stuff; conveyors, shaker screens, and rock extractors to name a few. I suggest it is worth a look at on-line videos to understand how loud these operations are.

Wheeled and tracked vehicles such as loaders, trucks and dozers are loud of course.....we are all aware of the constant beeping when running in reverse, and the exhaust sound from large diesel engines.

Our two acre property is 0.65 miles SW of the site and adjacent to the east side of Hulen Point. Our view is directly toward the site, over open water, so we and our shoreline neighbors would certainly and easily hear and see their noisy and dusty operations for years to come.

We agree with our Lake neighbors that this proposed use is a terrible idea and not a suitable or compatible use within the Big Lake recreation and residence area.

Gordon & Diane Thompson
17N04W26C006

IM16-076
OR16-049

2/23/16



To: Mat Su Borough/ Big Lake Community Council

Re: Gravel pit off Belarde Rd. Big Lake Ak.99652

Hello.

I live close to where the proposed gravel pit will be located.

I think a gravel pit is a needed natural resource in this area. Currently, I live without a road to my home. We do have the option of putting in a legal road, along a route listed in the Big Lake future road plan, and a gravel pit close by will be instrumental in any road upgrade in this area.

This pit would lower the costs of neighborhood road expansion by huge amounts due to the proximity of the pit to this area. (Big Lake, Horseshoe Lake, Beaver Lakes).

Bottom line, this gravel pit is needed to expand the road system along the North Shore, per Big Lake's future comprehensive road plan, approved by the Big Lake Community Council and its close proximity to this area will greatly reduce costs for road improvements.

I trust the owners will run this pit in a very responsible manner that will have very little impact on the neighborhood and will operate within the limits set by the MSB.

Thanks.

Jeff Ross

232-0321

IM16-076
OR16-049

Mark Whisenhunt

From: Bill Woodland <bill@snowwhitelinen.com>
Sent: Tuesday, March 22, 2016 4:25 PM
To: jimsykesdistrict1@gmail.com; Matthew Beck; George McKee; stevecolligan@mtaonline.net; Dan Mayfield; Barbara Doty; Randall Kowalke
Cc: Mark Whisenhunt; Dan Mayfield
Subject: No Gravel Pit on Big Lake

Dear Elected Members of Mat-Su Borough Assembly:

Just visualize this operating in your back yard for the next 25 years. We don't live or want to live in an industrial zone. All those that have never been around an operating open pit mine, its time to get the right picture. All 750,000 cubic yards of material are ripped from earth and will never be returned.

Take a close look at the picture. Looks like familiar terrain; doesn't it. You don't scrape off the top of 25 acres and get the materials that make your open pit mine profitable. You always have to dig a big, deep hole that will never be reclaimed.

I don't want this in my back yard and neither would you. Ask the voters if this is the picture of a beautiful recreation area more matter where they live in the valley.

Please give your most sincere consideration before you make a decision without recourse.

Sincerely,
Bill Woodland
Judy Woodland
and the entire Woodland Family committed to Big Lake for a lifetime



IM16-076
OR16-049

Mark Whisenhunt

From: Carol G. Kane <hrkane@gmail.com>
Sent: Friday, March 11, 2016 2:28 PM
To: Mark Whisenhunt
Subject: Big Lake Community Council Letter and Request
Attachments: 3.11.16.BLCC.Borough.Whisenhunt.Heairet.Decision.pdf

Good afternoon Mark,

The Big Lake Community Council Board is requesting the attached letter be printed and inserted into the Borough Planning Commission Public Hearing packets prior to the meeting on 3/21/16.

Your consideration of this request would be greatly appreciated.

Sincerely,

Carol

--
Carol G. Kane
PO Box 520502
Big Lake, AK 99652-0502
Cell: (907) 355-2467

"Coming together is a beginning;
Keeping together is progress;
Working together is success."
Henry Ford

IM16-076
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Big Lake Community Council
PO Box 520931
Big Lake AK, 99652-0931
www.biglakecommunitycouncil.com
Big Lake Lions Rec Center

To: Mark Whisenhunt, CFM
Planner II
Matanuska Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, AK 99645

At the Big Lake Community Council Meeting, held 2/9/16, Agenda Item 16. Correspondence, discussed was the 1/27/16 correspondence from you regarding William and Helen Heairet (dba Lakeside Sand and Gravel) Interim Materials District (IMD) application. Because the Heairet's were out of state and not able to present at the 2/9/16 Big Lake Community Council meeting, the Big Lake Community Council Board decided to provide the Heairet's application and the process as a specific agenda item at the 3/8/16 monthly Big Lake Community Council meeting. The meeting agenda was posted on the Big Lake Community Council web site as well as the various designated community display boards to comply with the necessary public notification requirements.

The Big Lake Community Council's 3/8/16, meeting was very well attended and a vigorous public discussion and debate ensued on the issue - Agenda Item 7. Presentation/Discussion - Application submitted by William and Helen Heairet (dba Lakeside Sand and Gravel) Interim Materials District (IMD). At the conclusion of the agenda item # 7, the Big Lake Community Council overwhelming voted and passed the motion, which supported the application by William and Helen Heairet (dba Lakeside Sand and Gravel) Interim Materials District (IMD).

The Big Lake Community Council is asking copies would be made of this correspondence and inserted into the Borough Planning Commission Public Hearing packets prior to the meeting on 3/21/16 at 6:00 P.M. in the Borough Assembly Chambers.

Your prompt and continued assistance is greatly appreciated. If you have any questions, please do not hesitate to contact me at hrkane@gmail.com or 907- 355-2467.

Respectfully,
Carol G Kane
Carol G Kane
President, Big Lake Community Council

Big Lake Community Council Purpose:
To provide a direct and continuing means of citizen participation in government and local affairs; to provide a method by which they can work together for expression and discussion of their opinions, needs and desires in a manner that will have an impact on our community's development and service; to provide to governmental agencies a method for receiving opinions, needs, desires and recommendations of residents and groups, and to give local governing bodies an improved basis for decision-making and assignment of priorities for all capital improvements and governmental programs affecting community development and individual well-being.

IM16-076
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Mark Whisenhunt

From: Carol G. Kane <hrkane@gmail.com>
Sent: Tuesday, March 22, 2016 9:05 AM
To: Mark Whisenhunt
Subject: Follow-up requested Planning Commission Meeting/Action 3/21/16
Attachments: 3.11.16.BLCC.Borough.Whisenhunt.Heairet.Decision.pdf

Good morning Mark,

Please accept my sincere appreciation for all the efforts and work you have conducted to provide information regarding the Heairet IMD application process.

Please find attached the 3/11/16 - *Big Lake Community Council Letter and Request.* As you will note, it does not have *draft* on this document I am sending. Please replace the *3/11/16 BLCC Borough.Whisenhunt Heariet Decision,* instead of the "draft" document you shared with me at last night's meeting. I am trying to "back track" how the *3.11.16 Big Lake Community Council Letter and Request* draft was sent to you. The "draft" copy, was the emailed copy I sent to the BLCC Board for final review and approval prior to sending on to you the attached memo.

I know the Planning Commission meeting 3/21/16 was very long and complex. Because I am having a BLCC Board meeting on 3/29/16, if you could provide me data to share with the Board to discuss the data to inform the decision making process by the Planning Commission that would be very helpful.

Clearly, there are many questions to be asked and answered regarding the data such as:

How many letters, personal testimony and emails were received indicating....

1) Letters to Approve the Application for the formulation of the Resolution to the Borough Assembly
2) Letters to Deny the Application for the formulation of the Resolution to the Borough Assembly
3) Community Council Vote to approve
4) How many testified to Approve the Application
5) How many testified to Deny the Application
6) Why did Planning Commission summary comments/vote regarding the 2009 Comp Plan as clearly stated in your Development Services Staff Report pgs. 3 of 19 - 6 of 19 not merit the conclusion as stated in the Comp Plan *Team members have emphasized the need for a Comprehensive Plan that serves the needs of all residents.* pg. 1- 2 Introduction.
7) Where can the decision be found for the 2009 - 2014 complaint cases and the response written to establish a violation did not occur?

Do you have any idea, when this might be on the Borough Assembly agenda? I have been asked to make sure specific information with sufficient notice for property owners who live out of the Big Lake area or are out of state, can either submit written responses and/or attend this very important meeting.

Again, your timely and informative assistance throughout this process is highly valued.

Carol

--
Carol G. Kane
PO Box 520502
Big Lake, AK 99652-0502
Cell: (907) 355-2467

IM16-076
OR16-049

Mark Whisenhunt

From: Carrie Currey <akcurrey@mtaonline.net>
Sent: Sunday, March 20, 2016 6:07 PM
To: Mark Whisenhunt; lonniemckechnie@matsugov.us
Cc: jimsykesdistrict1@gmail.com; Matthew Beck; George McKee; stevecolligan@mtaonline.net; Dan Mayfield; Barbara Doty; Randall Kowalke
Subject: Big Lake Gravel Pit Application from William and Heairet

March 20, 2016

To Planning Director of the Matanuska-Susitna Borough and Assembly Members,

Regarding: MSB Bode Section: MSB 17.28- Interim Materials Dsitrict
Application/Property Owners: William & Helen Heairet (DBA Lakeside Sand and Gravel)
Location: 19116 W. Belarde BLVD: MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Applicant Request: An application for the Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre Parcel.

I am very concerned about the proposal to super size the already existing Gravel Pit owned by William and Helen Heairet. A larger commercial Gravel Pit will harm our community at Big Lake and is not conducive for a recreational area:

Negative Effect Noise Pollution:
Negative impact with constant noise.
The noise from a crusher is louder than a chain saw and almost as loud as the most obnoxious boat on the lake.

Negatively affect wildlife: This noise and commercial business of a gravel pit will be disruptive for wild life, birds, moose, and other various species. Invasive to moose migration paths in the area.

Health and Safety issues and Negative Impact:
* Dust Pollution and quality of air in the overall area
* On trails along the road it may cause increased vulnerability for walkers, 3 wheelers, dog teams and automobile travel will be comprised by on coming commercial trucks.

Negative effect on our roads and access to our property:
This Super Sized Gravel Pit will compromise our roads and access to our homes and cabins by Commercial Sand and Gravel trucks and other heavy equipment. Belly and side dumps on the W. Lakes Blvd and Beaver Lake Rd. will not be safe and will beat up the road.

Negative impact on the devaluation of our property
The bottom line is altering the quality of life in a recreational community, interfering with wild life, creating wear and tear on roads, devaluing property and creating health hazards is not a good plan. The only one that profits from this is the Heariet's.
Please do not allow a entire community to be negatively affected by this self serving act by Super sizing a commercial gravel pit in a recreational area just for a financial gain for one family.

Owner, Carolyn Keil
Real Property Detail for Account: 17N04W25B002
From Account #17N04W25B002, Parcel ED 28967
Township 17N Range 4W Section 25 lot B2

IM16-076
OR16-049

You may contact me at 970-360-7577 or mail to
Carolyn Keil
2934 Emory Street Anchorage, AK 99507

IM16-076
OR16-049

Mark Whisenhunt

From: Lori Boltz <Lori@boltzfamily.net>
Sent: Sunday, March 20, 2016 4:58 PM
To: Lonnie McKechnie; Mark Whisenhunt
Subject: Big Lake Gravel Pit

Thank you for taking the time to read and give consideration to this email. As property owners on Big Lake, we are very concerned about the proposed gravel pit by William and Helen Heairet (dba Lakeside Sand & Gravel). Our concerns are noise and air pollution; safety for residents (school children, pedestrians, and homeowners); increased traffic/truck activity putting wear and tear on the borough's roads; the devaluation of Big Lake property values; disturbing and harassing wildlife; and that this IMD would operate in a prime recreational area during the summer being located only a block from Big Lake itself.

Big Lake has worked hard to achieve the reputation of being the recreational playground of the Mat-Su area and south-central Alaska, and having another enlarged gravel pit is not a move that would enhance this status.

Furthermore, the wording in the Mat-Su Borough (MSB)(Code (17.28.010) under "intent and purpose" for an IMD states that the MSB accomplish its purposes by: "recognizing and preserving traditional uses of land within the MSB and by protecting and enhancing the quality, leave, quiet, and safety of the MSB neighborhoods. This IMD permit would not help preserve the traditional use of this land which is recreational. Lakeside Sand and Gravel operating under an IMD definitely will not protect the quality, peace, quiet and safety of the properties in this area of Big Lake.

Other proposed projects that would have less impact on the community and the lake (the rifle range located off S. Big Lake Road) have been turned down. This gravel pit would have more negative impact.

Again, thank you for your time, and please determine that this proposed IMD is not necessary.

Respectfully submitted,
Jim and Lori Boltz
907-892-6464
15379 W Anderson Point Way
Wasilla, AK 99623
Physical Address:
15379 W Anderson Point Way
Big Lake, AK

Sent from my iPad

IM16-076
OR16-049

Mark Whisenhunt

From: Joyce Hoefer <jahoefer@gmail.com>
Sent: Friday, March 18, 2016 4:17 PM
To: Mark Whisenhunt
Subject: Comment Permit # 172820150004

Comment on Permit # 172820150004

Approval of this Gravel Pit goes against the very reason most of us (property owners) bought property in this place. For recreation and some full time residence, and PEACE and QUIET.

24 years of daily hauling of gravel affects the value of our property, the very reason for buying in Big Lake(recreation) and my health.

My health requires a peaceful place. I have Multiple Sclerosis and am adversely affected by noise & air quality. I'm at the lake to keep the quality of life I have and this gravel pit will take away what I have left.

Thank you for considering all of us negatively affected by this.

Joyce Hoefer
333-7969
Davis Subdivision Lot 8

Mailing address
4331 Tikishla Street
Anchorage, AK 99504

IM16-076
OR16-049

Mark Whisenhunt

From: Gmail Personal <estobuckeye49@gmail.com>
Sent: Friday, March 18, 2016 3:57 PM
To: Mark Whisenhunt
Cc: Lonnie McKechnie
Subject: Proposed gravel pit in Biglake

To whom it may concern,
I would like to express my opposition to the proposed commercial gravel pit by Mr Heairet on 19116 Belarde Rd in Big Lake.
The presence of a large industrial complex in the midst of a residential district goes against the Big Lake long term plan. It surprises me that as Big Lake is attempting to establish itself as a unique community that the council would even consider such a development for little in the way of short term gains.A similar proposal was previously rejected and the current gravel pit permit has not followed its original stipulations. I suspect that continued disregard for what is being proposed should be expected.
The effect of noise pollution can not be understated and the estimated decibels will extend well beyond those family's adjacent to the property and will effect those across the lake and into Horseshoe Lake. It is not clear if those individuals within a mile radius have even been notified about the noise they will be subjected to should this be permitted.
Other concerns that have not been addressed include the dust and particulate matter that will effect everyone down wind from this location. Those with underlying health issues will be subjected to unknown risks.
The effect that the truck traffic will have on the road system is significant and an added burden on the local tax payer.
I would ask that these concerns are addressed in a comprehensive fashion and that the well being of our community and our health is considered.

Rob Lada
3850 Shangrila Ln
Big Lake Alaska

IM16-076
OR16-019

Mark Whisenhunt

From: Lada, Diane <Diane.Lada@providence.org>
Sent: Friday, March 18, 2016 3:04 PM
To: Mark Whisenhunt
Subject: Time to clean up Big Lake No to Commercial gravel pit

Dear Mark--please consider the following letter shared with other council and concerned neighbors of beautiful Big Lake. We stand in objection to the proposed IMD for a commercial gravel pit at 19116 West Belarde (Heairet property). Being in healthcare and the daughter of a father who died from lung cancer:

Evaluations by the EPA notes one of the largest contributor to those rankings in today's toxins in air pollution, but more specifically the multiple consequences of mining operations, like ubiquitous mining dust from the common gravel pits. Gravel pit dust not only contributes to lakeside air pollution, but also contains unique toxins. Soil analysis in common areas reveal significant contamination with heavy metals, especially uranium and arsenic. Water and wells close-by are often effected in the mining process. Not to mention nearby wetlands and spawning beds. Crystalline silica is ubiquitous in the dust and chronic exposure is well known to cause destruction of lung tissue and function, and can lead to lung cancer and increased vulnerability to tuberculosis (common in Alaska). While concerns regarding chronic silicosis are usually limited to those occupationally exposed, nearby residents can be exposed 24/7 rather than merely during work hours, and the exposed residential populations include children and pregnant women, wildlife, along with water and habitat contamination risks; all these greatly magnifying the public health consequences.

Currently, communities near gravel pits are simply not being protected. The Borough will need to impose controls on dust exposure and blasting measures legally safe for this desired, recreational, residential, child-friendly area, estimating whether a certain tonnage of dust has been exceeded annually and whether the dust in the air at the property line creates a visual opacity of greater than 10 percent. Pit operators routinely have not been required to suspend operations in high winds, common in the Big Lake area. The health hazards/environmental impact of aggregate extraction from the proposed Lakeside gravel pit will be subjected to site specific monitoring, and will need to ensure nearby residents be protected from these unique hazards, which has not been the case up to this point. Vegetation destruction has been obvious without repair in good faith from the pit owner up to date, and why would the Borough believe other threats be minimized as this proposal benefits one man. The legal ramifications would be endless.

It's time to clean up crime and waste in Big Lake. This proposed commercial application for one man's gravel pit represents both.

Please stand in the gap for those families that want to improve our community.

Sincerely concerned,

Diane and Dr. Robert Lada & family.

3850 ShangriLa

Big Lake AK

99652

IM16-076
OR16-049

Exhibit 9

March 12th, 2016

WE THE UNDERSIGNED ARE IN SUPPORT OF THE IMD PETITION FOR "LAKESIDE SAND & GRAVEL" AND ITS EXISTING EXTRACTION SITE AS THERE IS A NEEDED GRAVEL SITE IN THE BIG LAKE NORTH SHORE AREA.

PRINTED NAME	SIGNATURE	ADDRESS
VERNE MONETTE		20596 WEST LAKE BLVD
Richard S Amy		11, L2 Davis 20575 West Lake Blvd
Chris Steinman		2720 Crystal Bay Circle Anchorage AK
Chris Elder		19664 W. Lakes
Robert Neumann		Horseshoe Lake 4 1/2 acres
Ross Clement		9102 Horseshoe Lk Rd... Hour Glass Lake,
Mary Sims	M. Sims	4436 Horseshoe Lk Rd PO Box 521752, Biglake
Mark Ingraham		4436 Horseshoe Lk Rd Big Lake, AK 99652
Chuck Holbrook		Davis Island Big Lake AK 99652
Barbara Holbrook		Davis Island Big Lake AK 99652
Thomas Knox		16 Otter Road Big Lake AK 99652
Juanita C Knox	Juanita C. Knox	16 Otter Road Big Lake AK 99652
Bill Bishop		P.O. Box 521701 Big Lake, AK 99652
Mike Kish		P.O. Box 521885 Big Lake AK 99652

Im16-076
OR16-049

March 12th, 2016

WE THE UNDERSIGNED ARE IN SUPPORT OF THE IMD PETITION FOR "LAKESIDE SAND & GRAVEL" AND ITS EXISTING EXTRACTION SITE AS THERE IS A NEEDED GRAVEL SITE IN THE BIG LAKE NORTH SHORE AREA.

PRINTED NAME	SIGNATURE	ADDRESS
Tonya Kish	Tonya Kish	Big Lake 99652 P.O. Box 521885
Jim Jackson	Jim Jackson	16453 Mills Park Ct. Eagle River AK 99577
Terry Livengood	Terry Livengood	PO Box 520999 Big Lake AK 99652
KEVIN COLLRAD		P.O. Box 521143 BIG LAKE AK 99652
Tyler Pereira		PO Box 521157 Big Lake AK 99650
LEON. HARTMAN		PO Box 521162 BIG LAKE, AK 99652
Deano Alvord	Deano Alvord	2921 S. Horseshoe lk Rd. Wasilla AK, 99623
MIKE FRITZ		2681 S Horseshoe Lake RD Big Lake, AK 99652
Carol Fritz	Carol Fritz	2681 – S. Horseshoe Lake Big Lake AK 99652
Kevin Berg		2780 S. Horseshoe Lake Rd. Big Lake, AK
Russell Whitfield		PO 320882 Big Lake AK
Janet Whitfield		PO Box 520882 Big Lake, AK 99652
		303 Horseshoe Lake

IM16-076
UR16-049

March 12th, 2016

WE THE UNDERSIGNED ARE IN SUPPORT OF THE IMD PETITION FOR "LAKESIDE SAND & GRAVEL" AND ITS EXISTING EXTRACTION SITE AS THERE IS A NEEDED GRAVEL SITE IN THE BIG LAKE NORTH SHORE AREA.

PRINTED NAME	SIGNATURE	ADDRESS
Craig Green		Lot 20 Davis Sub. Spearhead
Linda Taylor	Linda Taylor	20297 W. Lakes Big Lake - AK
Lee Renfrew	Lee Renfrew	4748 S Horseshoe Lake Rd
Alan Nicoll		19069 W Lakes BLVD
Kylie Nicoll		19069 W lakes Blvd
~~Amanda Nicoll~~	Amanda Nicoll	19069 W. Lakes Blvd
Valerie Arrington		20172 W. Lakes Blvd
Saygen Boehmer		Stewart Sub Lots 1 & 2

IM16-076
CR16-049

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue □Palmer, AK 99645
Phone (907) 861-7822 □Fax (907) 861-7876
www.matsugov.us

MEMORANDUM

DATE: January 27, 2016

FROM: Mark Whisenhunt, Planner II

SUBJECT: REQUEST FOR REVIEW AND COMMENTS

PROJECT: **Request for an Interim Materials District**

TAX ID: 17N04W25B019 TAX MAP: LS 16

LOCATION: Township 17 North, Range 4 West, Section 25, Seward Meridian

APPLICANT: William & Helen Heairet (dba Lakeside Sand and Gravel)

An application for an Interim Materials District (IMD) has been submitted to extract up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel. The Planning Commission will conduct a public hearing on this request on March 21, 2016. If we do not receive comments from you we will assume you have no objections to the proposed project.

Distribution:

____ Borough Manager (info only)
____ Collections
____ Assessment
____ Planning Division
____ Environmental Planning
____ Platting Division
____ Transportation Planning
____ Community Development
____ Public Works Director
____ Right-of-Way Coordinator
____ Emergency Services Director
____ Code Compliance
____ Cultural Resources

RSA #21 Big Lake Board of Supervisors made a proper motion and unanimously approved to support the above application for an Interim Materials Extraction Permit. The RSA #21 Board believes that having a local gravel source as defined in petitioners application would be advantageous for our local road construction and maintenance needs.

William L. Kramer

Primary Supervisor, RSA #21

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

FIRST CLASS MAIL

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***March 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

Application material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us comments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received on or before ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report to the Planning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: Thomas H Knox, DMD ***Mailing Address:*** PO Box 521855, Big Lake, AK 99652

Location/Legal Description of your property: Township 17N Range 4W section 26, lot B(

Comments: Mr and Mrs Heairet are extremely responsible and conscientious people.
The gravel operation will remain in the 40 acre area, a place so rugged as to be useless for any other purpose.
~~The Heairets have helped many people reclaim useless land and make it a taxable property.~~
Approval of this project will allow the Heairets to invest in better equipment to make the operation better.
As the area grows in population there is going to be a real need for their services.
Mr Heairet takes great pride in maintaining his excavation equipment and his gravel equipment.

~~Bill and Helen Heiaret are able and honest people with a desire to keep our area as clean and livable~~ as possible. Approve the project please.

See Vicinity Map Located on Reverse Side

IM16-076
OR16-079

Mark Whisenhunt

From: Thomas H Knox, DMD <tknox2013@gmail.com>
Sent: Saturday, March 05, 2016 3:53 PM
To: Mark Whisenhunt
Subject: Sorry addressed wrong first time
Attachments: Heairet IMD - Mailing Notice copy.pdf

Im16-076
OR16-049

Mark Whisenhunt

From: Ellen Bielawski <eebielawski@gmail.com>
Sent: Friday, March 04, 2016 3:39 PM
To: Mark Whisenhunt
Cc: Marybeth Bielawski-DeLeo
Subject: proposed Lakeside Sand and Gravel at Big Lake North

Dear MWhisenhunt,

I co-own a property on the north shore of Big Lake with my sister, Marybeth Bielawski-Deleo of 6827 N. Olin Drive, Portland, Oregon, 97203. She has advised me that she received documents addressed to both of us concerning a proposed gravel pit development northeast of our Big Lake property.

Please place me on your mailing list at this address:

Ellen Bielawski
7 Vimy Place
Whitehorse, Yukon
Canada Y1A 6B1.

Mail to Canada is impossibly slow. I would very much appreciate it if you can email information, notices, maps, documents, whatever is necessary, to me directly at this address: eebielawski@gmail.com.
My phone and text is 867 336 4864.

I look forward to receiving more information on this project.

FYI, I hold the MEA account for the cabin on our property, and they mail their bills and information directly to me.

Thank-you for your attention.

Sincerely,

Ellen Bielawski

IM16-076
OR16-049

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-7876
www.matsugov.us

RECEIVED
FEB 18 2016
PERMIT CENTER

MEMORANDUM

DATE: February 17, 2016

FROM: Mark Whisenhunt, Planner II

SUBJECT: REQUEST FOR REVIEW AND COMMENTS

PROJECT: **Conditional Use Permit for Earth Materials Extraction**

TAX ID: 18N02E03B002 TAX MAP: PA 03

LOCATION: 8870 N. Buffalo Mine Moose Creek Road; within Township 18 North, Range 2 East, Section 3, Seward-Meridian

APPLICANT: Gary Robles (dba Moose Pit)

An application for a conditional use permit under MSB 17.30 – Conditional Use Permit for Earth Materials Extraction Activities has been submitted for the removal of 1,300,000 cubic yards of material, with extraction activities concluding in 2035. The Planning Commission will conduct a public hearing on this request on April 4, 2016. If we do not receive comments from you we will assume you have no objections to the proposed project.

Distribution:

____ Borough Manager (info only)	____ Pre-Design Division
____ Collections	____ Community Development
____ Assessment	____ Public Works Director
____ Planning Division	X Right-of-Way Coordinator
____ Environmental Planning	____ Emergency Services Director
____ Platting Division	____ Code Compliance
	____ Cultural Resources

Comments: Return written comments by **March 14, 2016**. Thank you for your review.

No Comments A.R 2/18/16

Im16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

Matanuska - Susitna Borough
Development Services

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The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***March 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

\pplication material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application aterial may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us mments concerning the proposed action, this form may be used for your convenience by filling in the information below nd mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received on or before ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report t ning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: Samuel Gugger ***Mailing Address:*** Po. Box 521016 Big Lake AK

Location/Legal Description of your property: 19071 West Lakes Blvd. Big Lake

Comments: I fully support Lake Side Sand & Gravel IN This Application IMD.

Note: Vicinity Map Located on Reverse Side

IM16-076
UR16-04

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue □Palmer, AK 99645
Phone (907) 861-7822 □Fax (907) 861-7876
www.matsugov.us

MEMORANDUM

DATE: January 27, 2016

FROM: Mark Whisenhunt, Planner II

SUBJECT: REQUEST FOR REVIEW AND COMMENTS

PROJECT: **Request for an Interim Materials District**

TAX ID: 17N04W25B019 TAX MAP: LS 16

LOCATION: Township 17 North, Range 4 West, Section 25, Seward Meridian

APPLICANT: William & Helen Heairet (dba Lakeside Sand and Gravel)

An application for an Interim Materials District (IMD) has been submitted to extract up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel. The Planning Commission will conduct a public hearing on this request on March 21, 2016. If we do not receive comments from you we will assume you have no objections to the proposed project.

Distribution:

_____ Borough Manager (info only)
_____ Collections
_____ Assessment
_____ Planning Division
_____ Environmental Planning
_____ Platting Division
_____ Transportation Planning
_____ Community Development
_____ Public Works Director
_____ Right-of-Way Coordinator
_____ Emergency Services Director
_____ Code Compliance
_____ Cultural Resources

RSA #21 Big Lake Board of Supervisors made a proper motion and unanimously approved to support the above application for an Interim Materials Extraction Permit. The RSA #21 Board believes that having a local gravel source as defined in petitioners application would be advantageous for our local road construction and maintenance needs.

William L. Kramer

Primary Supervisor, RSA #21

IM16-076
OR16-049

607
PAGE 483

Big Lake Community Council
PO Box 520931
Big Lake AK, 99652-0931
www.biglakecommunitycouncil.com
Big Lake Lions Rec Center

30 FOR Supported
2 AGAINST

To: Mark Whisenhunt, CFM
Planner II
Matanuska Susitna Borough
Planning & Land Development Services Division
350 East Dahlia Avenue
Palmer, AK 99645 Use Development

At the Big Lake Community Council Meeting, held 2/9/16, Agenda Item 16. Correspondence, discussed was the 1/27/16 correspondence from you regarding William and Helen Heairet (dba Lakeside Sand and Gravel) Interim Materials District (IMD) application. Because the Heairet's were out of state and not able to present at the 2/9/16 Big Lake Community Council meeting, the Big Lake Community Council Board decided to provide the Heairet's application and the process as a specific agenda item at the 3/8/16 monthly Big Lake Community Council meeting. The meeting agenda was posted on the Big Lake Community Council web site as well as the various designated community display boards to comply with the necessary public notification requirements.

The Big Lake Community Council's 3/8/16, meeting was very well attended and a vigorous public discussion and debate ensued on the issue - Agenda Item 7. Presentation/Discussion - Application submitted by William and Heairet (dba Lakeside Sand and Gravel) Interim Materials District (IMD). At the conclusion of the agenda item # 7, the Big Lake Community Council overwhelming voted and passed the motion, which supported the application by William and Heairet (dba Lakeside Sand and Gravel) Interim Materials District (IMD).

The Big Lake Community Council is asking copies would be made of this correspondence and inserted into the Borough Planning Commission Public Hearing packets prior to the meeting on 3/21/16 at 6:00 P.M. in the Borough Assembly Chambers.

Your prompt and continued assistance is greatly appreciated. If you have any questions, please do not hesitate to contact me at hrkane@gmail.com or 907- 355-2467.

Respectfully,
Carol G Kane
Carol G Kane
President, Big Lake Community Council

Big Lake Community Council Purpose:
To provide a direct and continuing means of citizen participation in government and local affairs; to provide a method by which they can work together for expression and discussion of their opinions, needs and desires in a manner that will have an impact on our community's development and service; to provide to governmental agencies a method for receiving opinions, needs, desires and recommendations of residents and groups, and to give local governing bodies an improved basis for decision-making and assignment of priorities for all capital improvements and governmental programs affecting community development and individual well-being.

Im16-076
OR16-049

Mark Whisenhunt

From: Helen Heairet <hlh@mtaonline.net>
Sent: Thursday, February 18, 2016 11:48 AM
To: Mark Whisenhunt
Subject: Copy of letter to B/Lake Residents

Bill and Helen Heairet
P. O. Box 521403
Big Lake, Alaska 99652
907-232-0398

February 11th, 2016

Dear Neighbor,

I am writing this letter to explain our intentions on the "Belarde Extraction Project" due to the "WILD" rumors of misinformed locals.

First of all, this site has been a gravel extraction site prior to our purchase of the land. At that time the MSB asked the previous owner if, in fact, he would like to "grandfather" his pit at which time he declined, of course that was several years ago, now regulations have gotten considerably more astringent at the local, state & federal level.

We would like to expand and improve our operation and product lines for the customers and residents of Big Lake.

At this time we, and all property owners, are allowed 2,000 yards of product per year by the MSB, as a result of this action we have seven extraction sites on W. Lakes Blvd. in operation which equals an allowance sites can extract of 14,000 cubic yards per year. With zero regulations these allowances can be extracted on their property any where along their property lines, down to ground water level, leaving a possible eye sore & truck traffic at random in all areas.

With approval of our permit we will be regulated by local, state, and federal jurisdiction for gravel extraction for the reclamation of the site in designated phases.

Addressing screening/crushing at the site: we have purchased a three product screening plant to accommodate septic rock sizes and driveway/road material. Noise created from this plant is minimal i.e. a rock rolling down a bank. The extraction site is encompassed by 25 foot high gravel walls and 10 foot berms along roadways which reduces noise. In regards to crushing we will not be investing in a crushing plant. We are looking at a minimum of $50,000.00 a week for the rental of the crushing plant. If demand warranted crushed material we would do this for one or two weeks in the Spring. The closest residence is approximately 800 feet from the Phase I proposed crushing site and the MSB code is a minimum of 300 feet. We will be well within the decimal allowance.

Being heavily invested in our Big Lake area our intention is to cut down costs for roadways and property owners by making the availability of product close.

We will be at the next meeting March 8th to hopefully answer any more questions from concerned residents.

Sincerely and Thank You, Bill & Helen Heairet

IM16-076
OR16-049

Mark Whisenhunt

From: Helen Heairet <hlh@mtaonline.net>
Sent: Thursday, February 18, 2016 11:41 AM
To: Mark Whisenhunt
Subject: Letter of intention

WILLIAM A. & HELEN L. HEAIRET
P. O. Box 521403
Big Lake, Alaska 99652
(Cell) 907-232-2531

February 18th, 2016

MATANUSKA -SUSITNA BOROUGH
350 East Dahlia Avenue
Palmer, Alaska 99645

Attention: Mark Whisenhunt, CFM

In Re: End usage for the proposed gravel extraction site:
Location: 19166 W. Belarde Blvd: ID 17N04W25B019

Mr. Whisenhunt,

In answer to your question on the end usage of the proposed extraction site, we plan on the property becoming a nice subdivision with a park on the Northwest corner. This is the reason we have the grade of the extraction area at forty feet above Big Lake level.

Regards,

William A. Heairet

WH:hh

IM16-076
OR16-049

Results - Case File Abstract

Summary

File: LAS 30763

Customer: 000030793 HEAIRET, WILLIAM A
PO BOX 521403
WASILLA AK 99652

Case Type: 940 NONSTATE LAND RECLAMATION **DNR Unit:** 200 LAND MANAGEMENT
File Location: SCDOLD SCDO LAND SECTION
Case Status: 50 ACTIVE **Status Date:** 01/19/2016
Total Acres: 5.000 **Date Initiated:** 01/19/2016
Office of Primary Responsibility: LSC LAND-SOUTHCNTRL REG
Last Transaction Date: 01/19/2016 **Case Subtype:** 9402 LETTER OF INTENT
Last Transaction: RPACPTD RECLAMATION PLAN ACCEPTED

Land Records

Meridian: S **Township:** 017N **Range:** 004W **Section:** 25 **Section Acres:** 5

Case Actions

01-19-2016 **MULTIPLE CUSTOMERS FROM CASE INITIATION**			
	RELATION CODE A	10	OWNER
	CUSTOMER NUMBER A	000030793	HEAIRET,WILLIAM A
01-19-2016 **RECLAMATION PLAN ACCEPTED**			
	REC PLAN RECD DATE:	11-03-2015	
	ACREAGE TO BE MINED:	5	
	ESTIMATED TOTAL VOLUME:	10000	
	TYPE OF MATERIAL:	GRAVEL	GRAVEL
	MINED AREA TO BE FUTURE HOUSING SUBDIVISION		

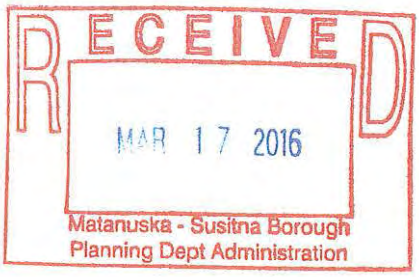
Legal Description

No legal description found

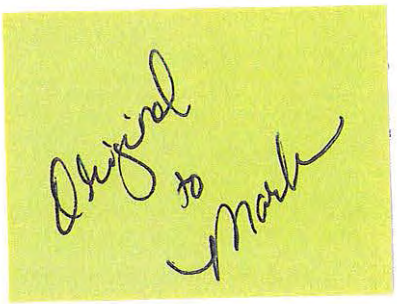
Im16-0716
OR16-049

Exhibit A

William A. and Helen L. Heairet
P. O. Box 521403
Big Lake, Alaska 99652
907-892-5023 or 232-0398



September 3rd, 2009



TO: Matanuska-Susitna Borough
350 East Dahlia Avenue
Palmer, Alaska 99645

Attention: Code Compliance, Agent Ness

Ms. Ness,

In response to your letter dated August 19th, 2009, and received by me, September 2nd, 2009, with reference to our gravel extraction operations at 19116 West Belarde Boulevard in Big Lake Alaska, I will try to address the pertinent Issues you have noted:

1. Our pit according to the previous owner, Mike Stephens, started extracting gravel in 1999, so that would be ten years ago.
2. Yes, we put our telephone number over and at the bottom of Mr. Stephens original signage after the purchase of his 40 acres.
3. **NO!!** Absolutely not, we did not and have not ever advertised on the Internet or anywhere else for truck drivers. Myself, wife, Mother, and nephew are the only drivers of our dump trucks.
4. Our Mat-Su Borough License is for construction, i.e., house sites, driveways, septic systems, waterlines, foundation excavation, parking lots, land leveling, clearing, so yes, I consider all of the above referenced to be construction which includes supplying the material to the projects.
5. Yes, we have an Alaska State Business License.
6. Yes, we have an Alaska Mining License.
7. Yes, we did supply the material to Horseshoe Lake Road improvement, through a private contractor out of Anchorage working for the MSVB.
8. Yes, we were contacted by at least four contractors to supply the material for the West Lakes Emergency Access project.

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9. Yes, I did say that Tews hauled over a 100 loads because at that time, interpreted to me by Robert Guertin from the code, I was under the impression that, "Any material given away, at no profit or Barter, would not be counted toward the 2,000 yards", as we discussed in our meeting on August 11th, 2009 with Guertin, Ness and assistant Mgr.
10. Yes, Tews Excavation hauled 1,460 yards of pit run to Jim Protzmans' job site. This was paid to Tews by Protzman for hauling and spreading the material. We did not receive any compensation.
11. Yes, I kept track on an Orbit gum wrapper because I wanted to keep track of the amount of material that went to that location.
12. We only provided 405 yards of pit run to Horseshoe Lake Road Project **NOT** 550 yards as was misquoted to Disher in the Frontiersman.

To address how we feel about this letter and it's findings:

1. I was told by your Chief, Robert Guertin, that as long as we were not in any monetary gain or Barter we could give away all of the material we wanted, so we gave it to Mr. Protzman. (We lost approximately $7,000 in material costs, plus another $7,500 in hauling that Tews received. We obviously could have done this job in its entirety on our own; now I ask you in all reality why would we have done this if it was explained in a different scenario? I had other jobs for classified materials that would have yielded more per yard than pit run. Therefore, I do not feel the 1,460 yards should count toward the 2,000 yards and should be credited back to "B" and "H" to sell in its entirety. After all, in our above referenced meeting three of you folks could not agree on interpretation.)
2. Myself, and other contractors have hauled into two locations on this 40 Acre site to the tune of three to five thousand yards of material, (Exact amount could be determined by an engineer.) and we feel this should be credited to our gravel account as well, beings we put material back on the job site to replace the gravel extraction, and the material was hauled in from other sites in the Big Lake area. This is according to federal regulations, "One load out equals one load in."

In conclusion, we feel that we have been unfairly singled out for this project, there are similar jobs going on in the Borough all the time, in fact while Mike Stephens owned this parcel we screened approximately 6,000 yards of sewer rock and ¾ minus, and Gregg Strong used thousands of yards to build access to his cabin, "Shan-gra-la Drive" and there were thousands more yards used by Pat McGhan and Charlie Hewitt to construct a one lane roadway across Stewart Lake, West of West Lakes Boulevard. So this property has been a major extraction location in this particular area for years.

Since you stopped my work in this site I have had calls for pit run, 65 loads of sewer rock, and 8 loads of ¾" minus all of which I cannot sell or haul within a five to six mile radius from my extraction site. (Not including the materials for the MSVB emergency

IM16-076
OR16-049

Access boat launch.) Also, money lost from Mr. Protzmans job to the tune of $15,000.00. In this particular economy, at present and who knows for how long, this situation really hurts, it would be like you taking a large cut in pay.

As far as being a commercial area, we have had our equipment shop at the end of "Our Road" for the past eleven years, this is on a five acre parcel. Twelve years ago to date there has not been zoning in the
Big Lake area.

I most humbly apologize for such a lengthy draft and do appreciate your time in reading it in its entirety.

Thanking you in advance, I remain,

Sincerely,

_____
William A. Heairet

Enclosure: Three (3) Pages

HH:WH

IM16-076
OR16-049

Exhibit G

RON WEBB PAVING, INC.
P. O. Box 230228
Anchorage, Alaska 99529
(907)349-3724

March 7th, 2016

Re: Bill and Helen Heairet IMD Application

To Whom It May Concern,

Our company would like to voice our support for a local gravel supplier in the Big Lake area for state spec material. We are most interested in State Spec D-1 for local road maintenance and to be used as a leveling course for prepping asphalt projects. At this present time, D-1 has to be hauled from the Palmer area costing project owners excessive costs in additional travel time in Big Lake and the surrounding areas.

We are also property owners in Big Lake with the North Shore Big Lake Condominium Association. Our association has gravel roads which need to be maintained year round. There are numerous other associations with the same needs n the area. Having a local source for clean Spec. D-1 would give us all of us a tremendous amount of money and free up funds for owner needed projects. Dust is also a great concern with gravel roads. Clean D-1 is extremely helpful with the dust problem.

Please consider approving the above application. It will be a great benefit for all construction projects in the Big Lake and surrounding areas.

Sincerely,

Trudy Webb

Vice President

COPY

Original fax machine was out of ink.....

IM16-076
UR16-049

Exhibit C

William L. Kramer
P.O. Box 521783
991 S. Horseshoe Lake Road
Big Lake, AK 99652

March 10, 2016

Matanuska Susitna Borough
350 E. Dahlia Ave.
Palmer, AK 99645

Re: Lakeside Sand and Gravel Interim Materials District,
Permit No. 172820150004

Subject: ***Letter of Support***

To whom it may concern,

I write this letter in support of the above referenced permit application based on the overall application that has been submitted to the Matanuska Susitna Borough and its residents for review and comment.

I believe the applicants have done proper due diligence with regards to mitigating potential conflicts with surrounding property owners and have also proven a need for the gravel products they will be producing will be an overall benefit to the local community.

Respectfully submitted,

William L. Kramer

IM16-076
OR16-049

Exhibit B

Helen Heairet

From: "bobnpat" <bobnpat@mtaonline.net>
Date: Wednesday, February 10, 2016 8:37 AM
To: <hlh@mtaonline.net>
Subject: Bob's Message

In Bob Jones word, " First of all Hap, is ***NOT*** some Lex Luther type of character setting out to destroy anything. He an honest Business Man who pays his dues, and is only trying to make a living. He has a needed commodity and a market. Virtually every driveway in the entire valley has hauled in gravel, and the cost is a burden to homesteaders trying to carve out of the "wilderness" a home for themselves. I know there are some in our community that want to stop progress, but they should also ask themselves how they would get to their "once" remote property if it wasn't for people like Hap." Will try to be at that meeting, we don't leave until the 9th. Thanks Bob

IM16-076
OR16-049
3/3/2016

Exhibit E

7 March, 2016

Re: Bill Heairet Gravel Operation

To whom it may concern,

As a property owner on Horseshoe Lake, I have no objection to Bill Heairet's proposed gravel operation on his property on the north side of Big Lake. I believe having access to quality gravel in the area is very beneficial for anyone in the area who wants to make improvements to their property which require gravel, including the Borough for local road improvements and future road construction projects.

Over the course of the last 10+ years I have purchased pit run material from both Bill Heairet and Martin Buser. The cost savings have been huge due to low trucking costs. The material is also of very high quality. In my opinion, Bill has always been easy to work with and as a member of the community I believe he will work with neighbors and the Borough as far as pit operation times and crusher activities go.

Tyrell C. Amberg

467 South Horseshoe Lake Road

IM16-076
OR16-049

Bill Heairet

EXHIBIT G

From: "Wayne Stackhouse" <akserv@gci.net>
To: <happy@mtaonline.net>
Sent: Monday, March 14, 2016 9:02 PM
Subject: Interim Materials District

William & Helen Heairet,

Please be advised that after both considerable thought and serious discussion with other community members and neighbors, it is my position with respect to the application by Lakeside Sand and Gravel for an Interim Materials District located at 19116 W. Belarde BLVD that I offer no objection.

Regards,

Wayne Stackhouse

Sent from my iPad

IM16-076
OR16-049
3/15/2016

To whom it may concern. Exhibit A

Matanuska Susitna Borough
350 East Dahlia Avenue
Palmer, Alaska 99645

In Regard: Lakeside Sand & Gravel Extraction of Materials Permit

Subject: Letter of Support

I am writing this letter in support of the above referenced application based on the overall application that has been submitted to the Matanuska-Susitna Borough and its residents for review and comment.

The applicants have done proper due diligence with regards to mitigating potential conflicts with surrounding property owners and have proven a need for the products they will be producing, this will be a definite benefit to the local community.

Respectfully submitted,

Robert W. Ormberg
Owner
426 North Beaver Lodge Road

Owner
7741 Cox Drive
Anchorage AK
99516

I am traveling out of state till March 23rd, If you would like to discuss this with me via phone my cell is (907) 360-2614

IM16-076
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Exhibit I

March 15, 2016

To: Whom it may concern

My name is Brian Minster and own a 4 acre lot located at 555 South Horseshoe Lake Road. For the last four years I have been improving the property and would like to build a nice home in the next couple of years as we will be re-locating there from Anchorage.

I am writing this letter in support of B&H Investments, Inc. to allow the extraction of material from their gravel pit located on West Lakes Blvd in Big Lake in excess of the annual limit of 2,000 yards.

B&H can providing me with the necessary gravel at an affordable price due to the proximity of the gravel pit in relation to my property. I anticipate that I will be needing at least 1,000 yards of gravel to start my housing project this year.

If you have any questions please to not hesitate to e-mail or call me directly.

Respectfully,

Brian Minster
(907) 227-9093
bminster@gmail.com

IM16-076
OR 16-049

WEST LAKES FIRE DEPT.

FIRE ~ RESCUE

EXHIBIT J

PO BOX 520869 Big Lake, AK 99652

MARCH 15, 2016

TO WHOM IT MAY CONCERN,

IN REGARDS TO THE IMD PETITION OF LAKESIDE SAND AND GRAVEL;

WEST LAKES FIRE DEPARTMENT INSPECTED THE AREA FOR GRAVEL EXTRACTION ON BELARDE BLVD. WE HAVE NO OBJECTION TO THE IMD PETITION.

THE GRAVEL OPERATION OF LAKESIDE SAND AND GRAVEL NEXT TO BELARDE BLVD. WILL NOT AFFECT THE CURRENT OR FUTURE ACCESS FOR THE FIRE DEPARTMENT TO THE AREAS NEEDED FOR FIRE AND MEDICAL RESPONSE WITHIN OUR FIRE SERVICE AREA.

ANY QUESTIONS CONCERNING THIS PETITION CONTACT STATION 81 IN BIG LAKE.

John Fairchild

West Lakes District Fire Chief

Office: 907-861-8084

Cell: 907-414-9393

Email: john.fairchild@matsugov.us

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OR16-049

EXTRACTION Site

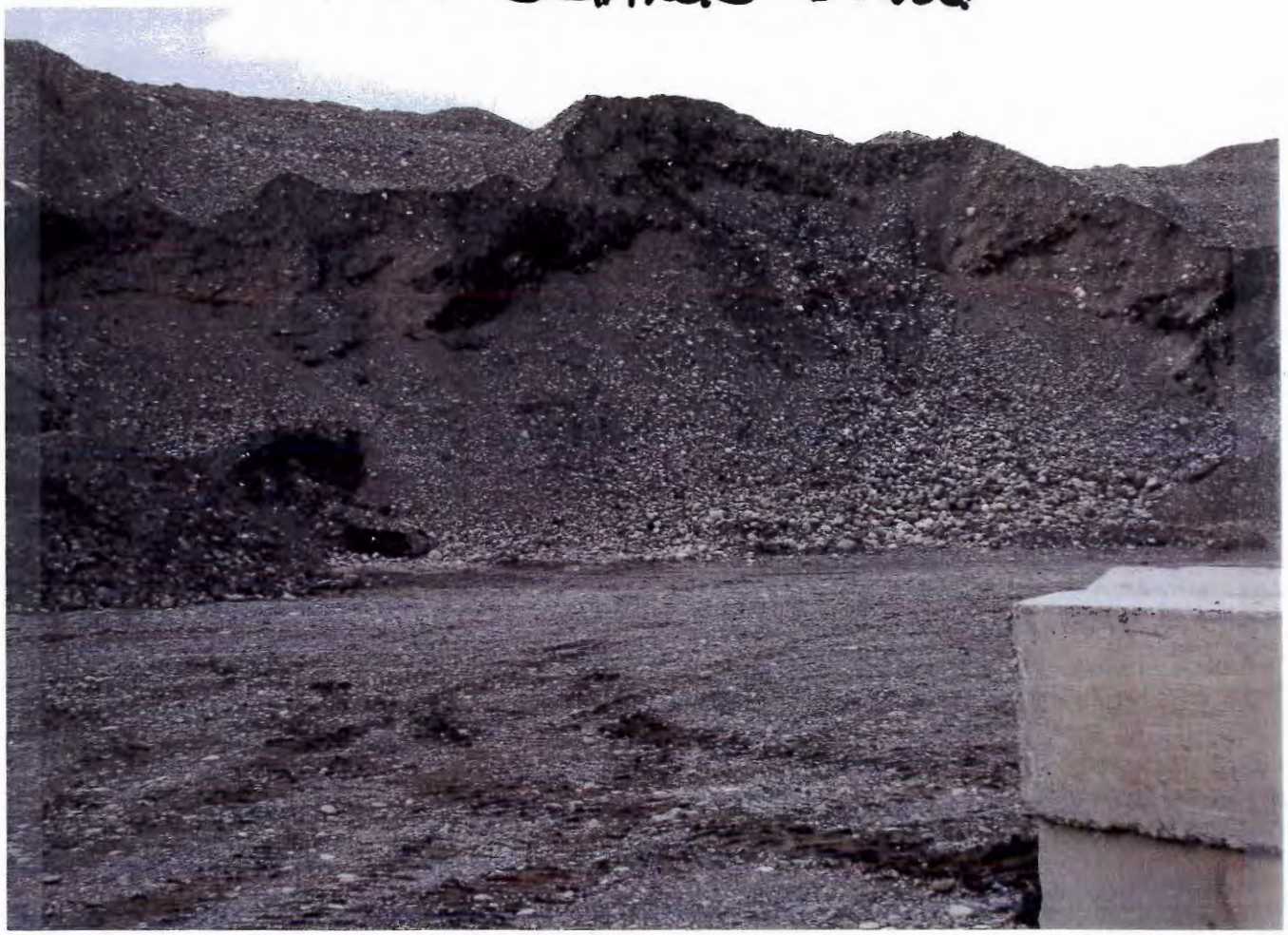
19166 Belarde Blvd.



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EXTRACTION SITE

19166 Belarde Blvd.



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EXTRACTION SITE

19166 BelARde BLvd.



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SW CORNER DAY LIGHTS OUT AT 19166 BELARDE BLVD.



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BUFFER HILL STANDS BETWEEN EXTRACTION SITE & LAKE SIDE RESIDENTS.



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Screened 7/8 Minus
19166 Belarde Blvd.



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3" MINUS SEWER ROCK
19166 BELARDE BLVD.



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OTHER PIT IN LOCAL AREA
W. LAKES Blvd.



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OTHER PIT IN LOCAL AREA

W. LAKES BLVD.



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OTHER PIT IN LOCAL AREA
W. LAKES BLVd.

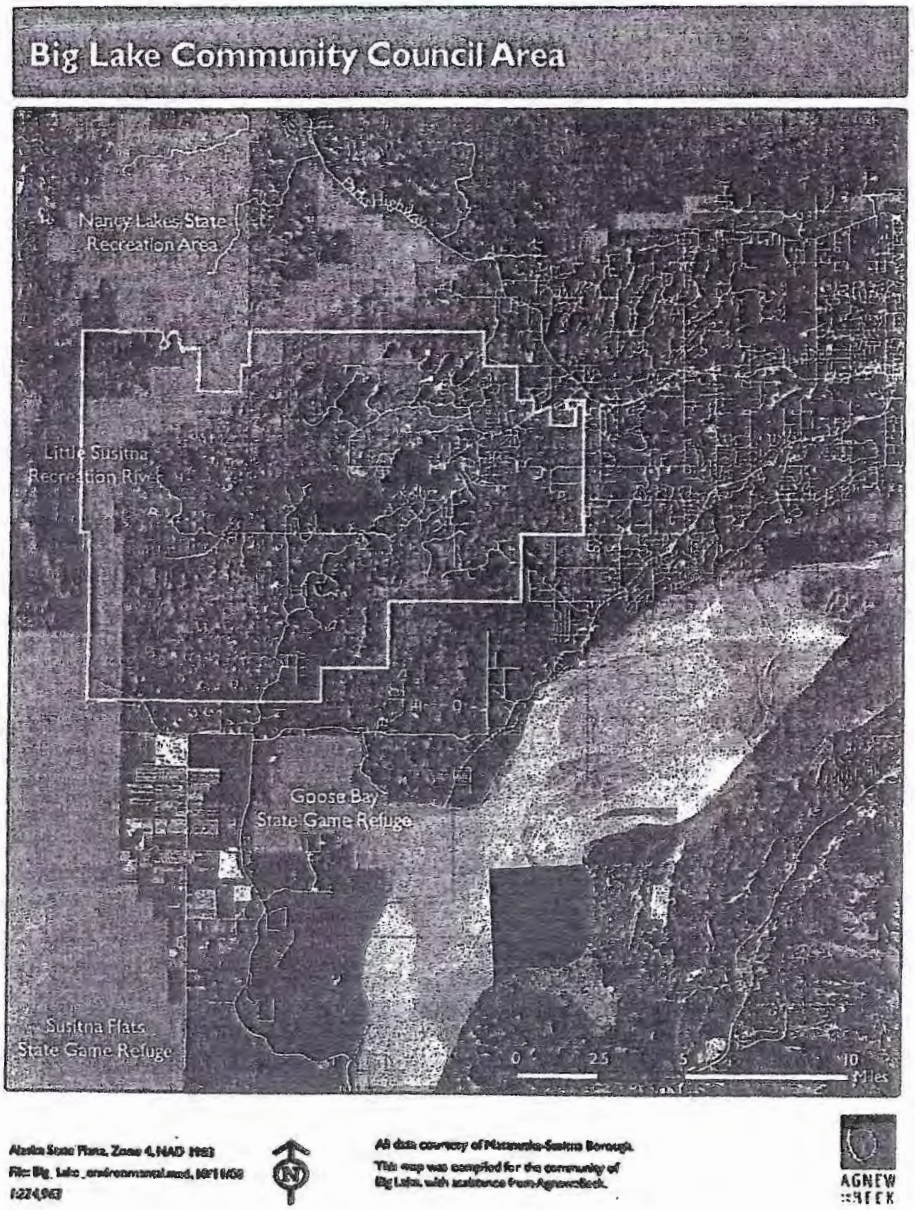


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relatively wealthy and one relatively poor." Team members have emphasized the need for a Comprehensive Plan that serves the needs of all residents.

One of the biggest challenges for this plan will be to find ways to create a more stable, prosperous community. For example, by finding resources to upgrade community facilities and social programs; by attracting new, year-round middle class residents; and by encouraging economic development that helps raise incomes for local residents.

Map 1. Big Lake Community Council Area



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The Purpose of This Plan

The purpose of comprehensive planning is to promote the type of environment that a community desires. In 1996, the Comprehensive Plan for Big Lake was created. The objective of the new plan is to update the 1996 Plan, re-visit the topics identified in 1996 in light of development over the last decade and consider current community issues and goals. Through this process, the plan can respond to new opportunities and challenges focus on current community priorities and continue to guide future development.

Key components of this plan include a broad, long-term vision for Big Lake's future; policies to guide land use, growth, and development; priorities to improve public facilities and services; and policies to promote economic development, retain community character and protect the natural environment.

In Alaska, Title 29 of the Alaska State Statutes mandates all organized municipalities to develop comprehensive plans. The key elements of the statutes (Sec. 29.40.030) are summarized below:

> The comprehensive plan is a compilation of policy statements, goals, standards and maps. They are intended to guide the physical, social, and economic development, both private and public, of the municipality. These may include, but are not limited to, the following:
>
> - Land use plan;
> - Community facilities plan;
> - Transportation plan; and,
> - Recommendations for implementing a comprehensive plan.

To be effective, this Comprehensive Plan must not only be adopted but must be used to make informed decisions on Big Lake's future growth and development. The first step in creating an effective plan will be to gain the approval of the Big Lake Community Council, followed by approval by the Matanuska-Susitna Planning Commission and then adoption by the Borough Assembly. After adoption, Big Lake will need to take actions to achieve the general goals established by the plan.

Plan Time Frame and Plan Authority

The plan takes a long-term view, establishing broad goals and policies intended to guide growth over the next 10 to 20 years. At the same time, the document recognizes the need to allow flexibility to respond to unexpected challenges and opportunities. To respond to inevitable changes in conditions, the community and the Matanuska-Susitna Borough will need to revisit and update the plan every five years. In addition, the community, working with the Mat-Su Borough, may amend the plan on an ongoing basis through a formal revision process.

A comprehensive plan is a legally recognized document, with the authority to guide decisions on land use, public facilities and services, transportation and other issues. At the same time, comprehensive plans are intended to set broad goals that will remain relevant over multiple years. Consequently, by design, this plan does not set out precise binding rules on development, such as might be established in a Special Use District. Nor does it make final decisions on the specific locations of new roads or public facilities. What it does do is present general goals on the type of place the community wants to be in the future and then outline general strategies on how to reach these goals.

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Housing Characteristics

Table 5 below shows the number of housing units for Big Lake and the MSB in 1990 and 2000. Housing units increased by three percent annually in the MSB between 1990 and 2000, growing from 20,953 housing units in 1990, to 27,329 housing units in 2000, while the number of housing units in Big Lake increased much less quickly – growing by just under one percent annually. Housing in Big Lake grew from 1,933 housing units in 1990 to 2,122 units in 2000. Many Big Lake area homes were destroyed in the 1996 fire, and not immediately rebuilt. This is likely one reason for this relatively slower growth rate.



The rapid growth of the MSB has been driven by two factors. First, the Borough's low land prices combined with proximity to Anchorage has spurred growth by residents who commute to jobs in Anchorage. Second, in the last decade, the Borough has reached a population threshold where it is large enough to support local services previously only available in Anchorage, including stores, entertainment and a major new hospital. Big Lake's relatively small growth in housing stock and modest increase in population could be explained by the large drop in the vacancy rate as people turned vacation/recreation homes into permanent residences.

More recently, the Borough-wide real estate market has showed signs of slowing. The Matanuska Electric Association reports that the number of new residential hookups for the first quarter of 2007 was down by over 50 percent when compared to the same period in 2006 (Alaska Economic Trends, June 2007). This change parallels national trends.

Table 5. Number of Housing Units in the Affected Area

	MSB		Big Lake	
	1990	2000	1990	2000
Total Housing Units	20,953	27,329	1,933	2,122
Average Annual Percent Change		3.0%		1.0%
Number of Vacant Units	7,559	6,773	1,385	1,161
Vacancy Rate	36.1%	24.8%	71.7%	54.2%

Source: U.S. Census Bureau, 2008.

Compared to typical communities, both the Borough and Big Lake have very high housing vacancy rates. The Census Bureau describes vacancy status by units that are available for rent, for sale, used for a recreation, seasonal or occasional home, for migrant workers or other. These categories also provide insight into housing uses. Table 6 shows the reasons for the vacancy status above. Two notable points are visible in this table: first, the rate of vacant homes in Big Lake fell notably between 1990 and 2000. The second point is that among vacant housing units almost 90 percent of those are vacant for seasonal, recreational or occasional use. This is greater than the borough-wide figure of 81 percent in 2000.

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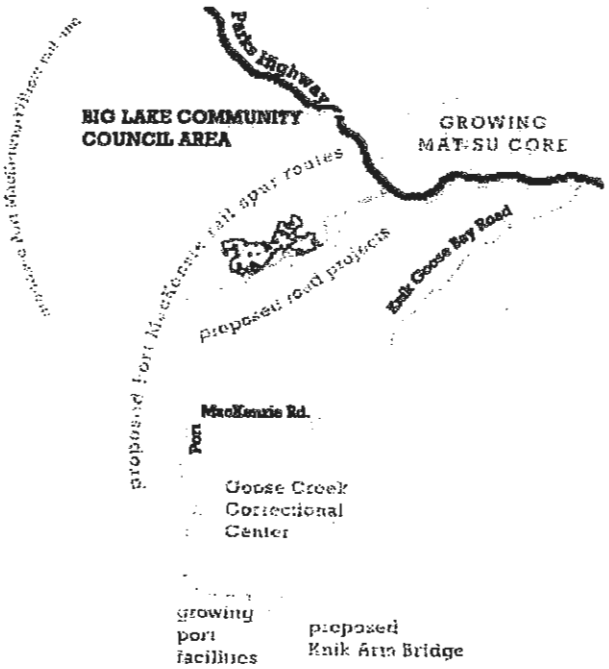
Additionally, several large projects may bring important near- and long-term changes to the Big Lake community (see Figure 4). The largest of these is the construction of the Goose Bay Correctional Center at Point MacKenzie. A joint project between the State of Alaska and the Mat-Su Borough, the Center is expected to cost an estimated 20 million dollars to build, providing 1,536 beds and will employ approximately 500 people. The construction process will bring many job seekers to the area, which in turn will look for local housing and Big Lake would be the community closest to this project. The second, less definitive project, is the construction of the Knik Arm Bridge, directly connecting Anchorage and the Borough. A third related project is a planned new road, connecting the Pt Mackenzie area to the Parks Highway, travelling directly through the Big Lake community. The last project is the proposed construction of a rail spur, which has several route alignments travelling through or near the Big Lake community.

Each of these projects will bring increased traffic, both people and vehicles, through the Big Lake area. Planning for these projects can greatly increase benefits for the developing community.

Taken together, the set of facts presented in this chapter and their impact on area growth support the conclusions below:

- Big Lake's demographics are changing. Many retirees and older workers are coming to Big Lake, changing land prices and expectations about public services and facilities.
- The natural environment is important to Big Lake's economy and way of life. The community clearly desires to maintain the natural environment. New strategies will be needed to protect this environment as the community grows.
- Meeting water quality standards in a community with so many small and substandard lots will be a significant challenge, both to the owners of these parcels, and to the community as a whole.
- While Big Lake has experienced an influx of relatively wealthy year round residents and retirees, the community remains home to many low income families. The plan must consider the needs of this segment of the community, for example, by encouraging development of new job opportunities and construction of moderate priced housing.
- Increased job prospects in and near the Big Lake area will increase both the challenges and opportunities available. Thinking about these trends now will help to maintain and develop a local economy that builds on the community's strengths and character.

Figure 4. Potential projects in Big Lake area



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UR16-049

LAND USE AND ENVIRONMENT III

"These days, no place stays special by accident"

Introduction

This purpose of this chapter is to present intentions on land use and environmental issues in the Big Lake area, including the conservation of natural resources and development of the built environment. Goals and strategies on these topics are listed below and discussed in the remainder of the chapter. Unlike other plan chapters, strategies here are tied to more than one goal. For each strategy there is a brief history of overall issues, as well as specific steps for implementing a strategy. Because this is a comprehensive plan, these goals and strategies are presented in broad terms, to provide general direction on big issues, rather than diving into details or establishing specific regulations.

Comprehensive Plan Update Priority Goals

1. Coordinate the planning of land use and community services and facilities
2. Strengthen the Big Lake economy
3. Protect the natural environment
4. Provide for freedom to enjoy our properties
5. Protect Big Lake for future generations

Strategies to Achieve Land Use Goals

1. Develop a land use "roadmap" setting out general intentions for the location and intensity of future development, to provide for growth, protect Big Lake's environment and rural character, encourage concentrated commercial development, and allow for the efficient provision of community infrastructure
2. Create a Big Lake town center, **an attractive, walkable, concentrated center for Big Lake commercial, civic, recreational and social activities**
3. Protect the natural environment, including water quality, air quality, and natural beauty of the area
4. Establish community-wide development guidelines to guide the character of future development
5. Investigate and address the issue of small lots and water quality
6. Improve awareness of and enforcement of existing land use guidelines

Background: the Big Lake Environment

The qualities that give Big Lake its unique character come from both the area's natural environment and from people -- their current and past actions, and their buildings, yards, roads and trails. The second chapter of this plan describes the character of the Big Lake built and natural setting. This section briefly summarizes the character and current health of the Big Lake natural environment.

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OR16-049

- **Protect Big Lake for Future Generations** – The community supports the concept that we are not only owners of our property for a period of time but that we have certain obligations as "caretakers" of that property for the benefit of future "owners" and obligations to the overall health of our natural and social environment.

Strategies to Achieve Land Use Goals

The remainder of this chapter presents six strategies to achieve these broad goals. In many instances one strategy (e.g. creating a town center) serves multiple goals (e.g. improving quality of life, protecting the natural environment, and strengthening the economy).

Strategy 1: Develop a land use "roadmap" setting out general intentions for the location and intensity of development – to provide for growth, protect Big Lake's environment and rural character, encourage concentrated commercial development, and allow for the efficient provision of community infrastructure

Several facts provide the background for considering this issue:

- The large majority of the Big Lake community council area is currently vacant and undeveloped.
- Significant portions of the area (about 45%) are in public ownership – state or borough lands. The state has adopted a plan for these properties (see Map 3 in Chapter 2); some are identified for sale, some for retention in public ownership. Decisions on the future use of borough lands can be affected through this community plan.
- Large portions of the Big Lake area are wetlands where development is costly and risks harm to area's water quality and habitats.
- Development in the southern Mat-Su Borough continues to increase, leading to increasing pressures for development in the Big Lake area. This includes the steady expansion of employment in the Wasilla and Big Lake area, the Pt MacKenzie Port and ferry, and significantly, the construction of the new Goose Bay prison just south of Big Lake. This project will produce the single largest building in Alaska and provide for 500 new full time, year round jobs (400 day/100 night).
- Big Lake is likely to be crossed by several major regional transportation corridors in the future, including a railroad and a major road passing north through Big Lake from Point Mackenzie. These transportation corridors will accelerate change in the area.

Perhaps the most important point on this topic is that the community can influence the future pattern of future development. There are many different ways these pressures, and others unanticipated, could play out. Through this plan the community is establishing a generalized, flexible development "roadmap" that respects individual property rights but encourages a pattern of development that protects Big Lake's environment and rural character, encourages clustering of commercial development, and allows for the efficient extension of community infrastructure.

Map 6 on page 8 and the information below presents this "roadmap" for development. Because this is a comprehensive plan, the intent is not to establish restrictions on land owners, but to identify and begin encouraging a general pattern of development that best meets community goals. By establishing this map, the community has a reference point for encouraging the location and kind of growth it wants for the future. This in turn can help identify road routes and other public services and facilities needed to serve expected growth, and help retain natural areas the protect Big Lake's special character.

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Gravel Sales	• Hollywood Sand + Gravel & Big Lake Landscaping	Closest accepted material
Greenhouses	• Lakesway Greenhouse • McGuire's Greenhouse	
Grocery + General Supplies Stores	• Steve's Food Boy	• Anchor store of East Lake Mall – full service grocery, meat, produce, bakery, floral
Helicopter Services	• Northern Pioneer Helicopters	
Insurance	• Integra Insurance Services	
Laundromats	• Doc Rockers • Bob's Mini Mart	• Doc Rocker's-built in 2007 • Bob's-Laundry and some groceries
Liquor Stores	• Big Lake Liquor • Big Lake Moonshine Shop	
Lodging Association	• Alaska's Mat-Su B & B Association	
Original Art	• Trail Doc in Alaska	
Outdoor Safety	• North American Outdoor Institute	
Phone Advertising	• PDC – Phone Directories Company	
Plastering	• Northwest Plastering & Stone	
Radio Stations	• KMBQ Radio Broadcast Company	
Railroad	• Alaska Railroad Corporation	
Realtors	• Apollo, Inc. • Century 21 North Homes Big Lake	

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Economic Development Priority Goals

1. Keep the natural environment clean and green.
2. Improve access to area lakes.
3. Advocate for improved public facilities and services that support tourism and economic development activities.
4. Market Big Lake – Attract visitors to our community.
5. Create an attractive town center.
6. Capitalize on airport as center for economic activity.
7. Develop commercial lands around certain business/industry types.
8. Support economic growth and decrease overall dependence on outside funding.
9. Build Local Capacity.

GOAL 1: Keep the Natural Environment Clean and Green

It is arguable that Big Lake's most important economic resource is its natural setting – its lakes, streams, views and open space. These are the features that attract and hold many year round and seasonal residents, as well as short term visitors. The community has identified several strategies that will both maintain the natural character of the Big Lake region while enhancing the economic vitality of the community. These include the following:

Strategy 1: Establish a Big Lake Volunteer Committee

Strategy 2: Organize cleanup efforts, organizations and groups

- Increase opportunities for clean-up efforts (once or twice a year)

Strategy 3: Obtain more trash receptacles for high use areas

- Work with local park manager to erect more signs at lake access areas that clearly state fines for littering at recreational sites

Strategy 4: Create and/or enforce existing laws preventing dumping of sewage, trash, liquids and pollutants

Strategy 5: Create new business ventures that address environmental issues

See more on this topic in the Land Use Chapter

GOAL 2: Improve Access to Area Lakes

Improved lake access is one key part of the effort to expand recreational use of the Big Lake area, and in turn, to increase spending by out of town visitors at local businesses. The Parks, Recreation & Open Space chapter provides detailed information on important issues and potential strategies for improving access to area lakes. In this chapter, the community has identified several strategies for enhancing the visibility, operations and use of recreational sites in the area as a means for drawing more local and out of town visitors to local businesses.

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GOAL 8: Support Economic Growth and Decrease Overall Dependence on Outside Funding

The community recognizes the need for more Big Lake public facilities and services that cannot all be supported by outside funding. One route to this goal would be to encourage more local growth and to then find a way to funnel more of the tax revenues from these activities back into community needs. Currently, there are an estimated 150 full-time jobs in Big Lake. These are mostly in the construction, fuel and mechanical sectors. Most year-round residents work in Anchorage, Palmer, Wasilla or on the North Slope. Successful and sustained expansion of the private sector in the community could also set the stage for improvements in Big Lake public services, such as upgrades to the school, improved trails and recreation facilities, and improved road maintenance. Potential strategies for addressing Big Lake's need for economic diversity and independence follow:

Strategy 1: Develop a comprehensive business plan – for business recruitment and to increase job opportunities.

- Plan for diverse economy that doesn't have dependence on one sector
  - Telecommuters – IT, engineers, accountants
  - Medical facilities
  - Retreat facilities

Strategy 2: Plan for infrastructure that will support different job opportunities

Strategy 3: Take advantage of job opportunities that arise from Borough development projects. For example, proposed new prison will have 1,000-2,000 prisoners with no facilities for guards. Big Lake could be home to guards and other prison staff.

Strategy 4: Establish local improvement districts, e.g., for trails and parks and/or for roads, so new businesses help to pay for needed public services and facilities

See more on this topic in the Implementation Chapter

GOAL 9: Build Local Capacity

The success of current and future economic development endeavors in Big Lake relies in part on the ability of the community to grow and maintain a trained and dedicated workforce. To do this, Big Lake must invest time and resources in the community and surrounding area schools, libraries and training programs that prepare current and future workers. The community has developed several strategies that will help address these concerns and will better prepare community members for current and future job opportunities. They are as follows:

Strategy 1: Support efforts to build Community Center (*See more on this topic in the Public Facilities Chapter*)

Strategy 2: Work with the Mat-Su Borough, Mat-Su School District and other entities to create after school and after hours education and recreational programs for youth and adults

Strategy 3: Support efforts to make capital improvements to Big Lake Elementary School

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FISHER'S FUEL, INC
10160 W. Parks Hwy
PO Box 520209, Big Lake, AK 99652
Phone: 907-892-6706
Fax: 907-892-6703
www.fishersfuel.net

RECEIVED
APR 05 2016
PERMIT CENTER

April 1, 2016

Matanuska Susitna Borough Assembly

RE: William Heairet Gravel Pit Request

To Whom It May Concern:

I signed up to speak at the public meeting, but many of my current fuel customers were in attendance. Because this is a potentially volatile issue, I did not want to appear to be taking sides, which could have an adverse effect on Fisher's Fuel.

Big Lake has a shortage of clean (silt free) pit run. I have 2 pits, both of which are very silty, and will be mined out in a few years. The pit across from the Big Lake Elementary is silty as well. Big Lake Landscaping is located on West Susitna and has clean gravel. Having a pit with clean gravel located on West Lakes Blvd. would probably create less trucking in general on the Big Lake area road system, instead of more, as is one of the big concerns.

Both Big Lake Landscaping and B&H Investments are geographically located in areas that would only serve local residents and Mat Su Borough projects. The likelihood of large gravel transportation out of the Big Lake community would be slim with so many large pits already located on the Parks Highway.

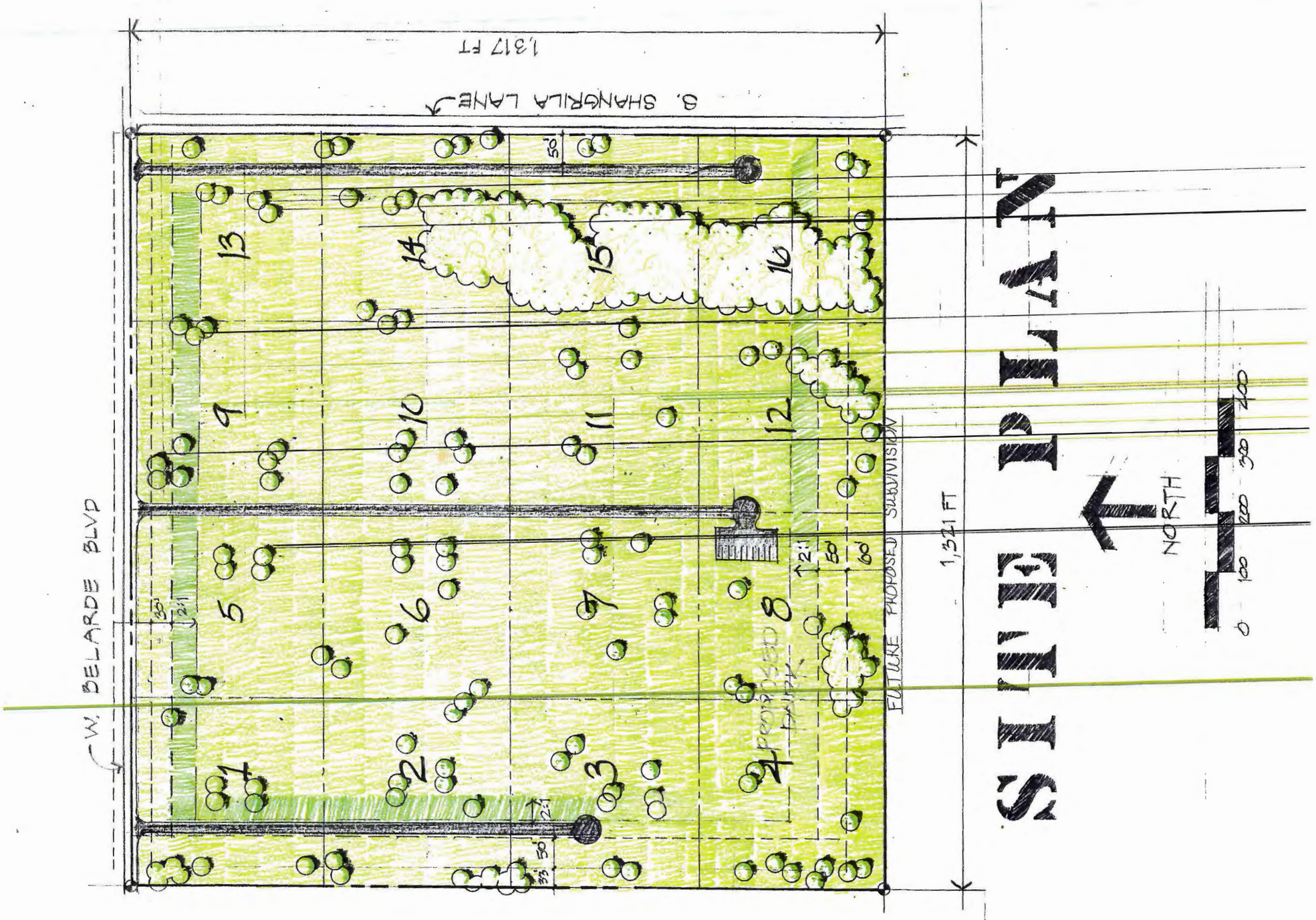
When a customer contacts us needing gravel product in an area that we know has a pit closer to them that can serve their needs, we refer them to that pit. This is done as a good faith action that not only saves the customer money on hauling, but also reduces truck traffic for the entire community.

Thank you for your time.

Sincerely,

Brad Fisher

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OR16-049

MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
350 East Dahlia, Palmer, Alaska 99645
(907)861-7822 * fax (907)861-7876
PermitCenter@matsugov.us

Matanuska - Susitna Borough Development Services
JUN 30 2015
RECEIVED

APPLICATION
Earth Materials Extraction

Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.

*THIS APPLICATION IS FOR MATERIALS EXTRACTION THAT **DOES NOT** OCCUR WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE. IF YOUR PLAN INCLUDES EXTRACTION WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE YOU MUST COMPLETE THE APPLICATION SPECIFIC TO THAT PURPOSE.*

Application fee must be attached, check one:

_____ **$100** for **Administrative Permit**
_____ **$500** for **Conditional Use Permit** > earth materials extraction on sites of 20 acres or less
_____ **$1,000** for **Interim Materials District** - earth materials extraction on sites greater than 20 acres

Prior to public hearing, the applicant must also pay for costs of advertising and mailing of public notices.

Subject property Township: 17N, Range: 04W, Section: 25, Meridian Seward
MSB Tax Account # 17N04W25B019
SUBDIVISION: _____ BLOCK(S): _____, LOT(S): _____
STREET ADDRESS: 1911L W. Bellarde Blvd.
(US Survey, Aliquot Part, Lat. /Long. etc) _____

** A legal description must be provided for partial-lot Interim Materials Districts**

Ownership If the applicant is different from the owner, then a Letter of Authorization must be included. Is authorization attached? o Yes o No o N/A

Name of Property Owner
William A. or Helen L. Heiret
Address: P.O. Box 521403
Big Lake, ALASKA 99652
Phone: Hm 892-5023 Fax 892-5024
Wk 232-0398 Cell 232-0398
E-mail hlh@mtaonline.net

Name of Agent/ Contact for application
_____
Address: _____
_____
Phone: Hm _____ Fax _____
Wk _____ Cell _____
E-mail _____

Description What type(s) of material is being extracted? Gravel

Total acreage area of all parcels on which the activity will occur: 40 Acres
Total acreage area of earth material extraction activity: 25 Acres
Total cubic yards extraction per year: Less than 50,000 Cu. Yds per year
Total projected cubic yards to be extracted: Approx. 750,000
What is the estimated final year extraction will occur? 2040

Required information

1. Attach a plan of sufficient detail to demonstrate compliance with the requirements of MSB 17.28.050 and MSB 17.28.060.

Plan of Operation	**Attached**
Provide seasonal start and end dates	PAGE 2
Provide days of the week operations will take place. Monday thru Friday	"
Provide hours of operation. 8 AM To 6 PM	"
Estimated end date of extraction 2040	
Estimated end date of reclamation 2042	
Describe all other uses occurring on the site Screening & Crushing	
Describe methods used to prevent problems on adjacent properties, such as lateral support (steep slopes), water quality, drainage, flooding, dust control and maintenance of roads	✓
Provide quantity estimates and topographical information such as cross section drawings depicting depth of excavation, slopes and estimated final grade	✓

2. Submit a site plan. Drawings must be detailed and **drawn to scale**. Drawings under seal of an engineer or surveyor are recommended but not required.

SITE PLAN REQUIREMENTS	**Attached**
Identify location of permanent and semi-permanent structures on the site for verification of setback requirements. Include wells and septic systems.	MAP 1
Depict buffer areas, driveways, dedicated public access easements, and noise buffers (such as fences, berms or retained vegetated areas), and drainage control such as ditches, settling ponds etc.	MAP 2
Identify wetlands and waterbodies on site and within one mile	~~0~~
Identify existing surrounding land uses within one mile	
Identify surrounding property ownership (i.e. public vs. private) within one mile of exterior boundaries	
Show entire area intended for gravel/material extraction activity and the boundary of the lot(s) containing the operation. Identify areas used for past and future phases of the activity. Identify phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc.	✓
Road and access plan that includes anticipated routes and traffic volumes. If the level of activity exceeds the minimum levels specified in MSB 17.61.090, traffic standards, a traffic control plan consistent with state regulations may be required	✓
Visual screening measures that include a detailed description of the type of visual screening to be utilized. Visual screening may include, but is not limited to, berms, natural vegetation, solid fences, walls, evergreen hedges or other means as approved by the commission	✓
Noise mitigation measures that include a description of measures to be taken by the applicant to mitigate or lessen noise impacts to surrounding properties. Measures shall include, but not be limited to, hours of operation of noise-producing equipment,	✓

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erecting noise barriers (i.e., berms a minimum of 10 feet in height) between noise-producing equipment and adjacent uses, location of noise-producing equipment (i.e., below grade in excavated pit areas), and measures to utilize equipment with noise reduction features	IN pit
Proposed lighting plan NONE	
Other (as required by MSB Planning Department)	

3. Submit a reclamation plan including the following:

Reclamation Plan	Attached
Provided timeline for reclamation at particular locations	
Provide copy of reclamation financial assurance filed with the State of Alaska(If exempt, provide qualifying documents for exemption)	

4. Submit documentation of compliance with borough, state and federal laws:

COMPLIANCE WITH BOROUGH, STATE AND FEDERAL LAWS	Applied for (list file #)	Attached (list file #) or N/A
Mining license as required by the Alaska State Department of Revenue, pursuant to A.S.42.65	N/A	
Mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land	N/A	
Reclamation plan as required by ADNR, pursuant to A.S. 27.19		
Notice of intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements	N/A	
United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.	N/A	
Others (list as appropriate)		

5. **OWNER'S STATEMENT:** I am owner of the following property:

MSB Tax parcel(s) ID #(s) 17N, 04W, 25, B019 Seward Meridian
and,
I hereby apply for approval of material extraction activity on that property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17. 28, MSB 17.30 and with all other applicable borough, state or federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.28.040.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

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I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to operators on this property, and to the buyer when I sell the land.

I understand that changes from the approved operational plan may require further authorization by the borough planning commission or Assembly. I understand that failure to provide applicable documentation of compliance with approved requirements, or violation of such requirements will nullify legal status, and may result in penalties.

I understand it is my responsibility to provide the borough code compliance division with up to date reports, notification of proposed changes, and contact information for approved person(s) to whom I sell this property and to whom I assign responsibility for daily operations on the site.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance with permit requirements. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

William A. Heaver Helen L. Heaivet William A./Helen L. Heaivet June 29, 2015

Signature: Property Owner | Printed Name | Date

~~Signature: Agent~~ | Printed Name | Date

****

MSB USE ONLY: MSB file #_____

Date complete application received: _____, **Approved**, Yes___ No ___

Additional conditions: Yes___ (see attached) No ____ Comments: _____

Planning Commission Action (date):_____ Resolution No.:_____

Assembly Action (date):_____ Ordinance No.:_____

Date permit (circle one) issued or denied: _____

****

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OR16-049

William A. & Helen L. Heairet
P. O. BOX 521403
BIG LAKE, ALASKA 99652
907-892-5023 / 907-232-2531

June 29th, 2015

LAKE SIDE SAND & GRAVEL

Township 17N, Range 04 West, Section 25, Block 019
Seward Meridian
19116 W BELARDE BLVD.

IM16-076
OR 16-049

Application for Earth Materials Extraction

Lake Side Sand & Gravel
P. O. Box 521403
Big Lake, Alaska 99652

a. Show entire area intended for gravel/material extraction activity and the boundary of the lot containing the operation. Identify areas used for past and future phases of the activity. Identify phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc. (Read accompanying Thumb Drive.)

The extraction area is South side of W. Belarde Boulevard, West side of West Lakes Boulevard, and the North side of Big Lake. The extraction area is depicted on the site plan (See Map #1) with a line marking a treed buffer on the South side and an 50 foot buffer embankment on the three adjoining sides.

Beyond extraction, it is anticipated that eventually a screening system will be established to scale and process materials and meet road construction needs. Scaling equipment is expected to be set up on each phase. Storage of all materials will be contained in the depicted extraction area.

b. Road and access plan which include anticipated routes.

The primary access to the extraction site is W. Belarde Boulevard which is perpendicular to West Lakes Boulevard, approximately one quarter of a mile from extraction site. A future extraction site is on the South side of the property approximately one-quarter of a mile from and perpendicular to West Lakes Boulevard.

The mining operation will be conducted in a manner that prevents unnecessary and undue degradation of the land and will be reclaimed as contemporaneously as practicable with the mining operation to leave the site in an stable condition.

Currently the site is being used for limited extraction of product annually. The final slope of the perimeter will be no greater than 2:1.

Reclamation is expected to begin after the extraction is completed. It is expected that reclamation will occur within 2 years of closing mining operations.

A Material Site Reclamation Letter of intent for exemption is filed with DNR. It is anticipated that in 2015 a total of five acres will be disturbed on the North and South ends of the property.

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Application for Earth Materials Extraction

Lake Side Sand & Gravel
P. O. Box 521403
Big Lake, Alaska 99652

Required Information

1. Plan of operation

a. Seasonal start & end dates: Start approximately May 1st; End approximately October 1st. (Note that start and end dates will be variable based on weather conditions.)

b. Days of the week operations will take place: Potentially Monday through Friday. Occasional Saturdays upon request.

c. Hours of operation: Estimated 8 a.m. to 6 p.m depending on available daylight.

d. Estimated end date of extraction: Estimated to cease operation in October 2040

e. Estimated end date of reclamation: Estimated reclamation concluded October 2042.

f. Methods used to prevent problems on adjacent properties such as drainage, dust control, and maintenance of roads: Water table is not a problem, I have a water truck available, and will grade occasionally to avoid pot-holes.

The Northern primary access to the extraction site exists, and is perpendicular approximately one-quarter of a mile, from West Lakes Boulevard, and is gated. There was an existing extraction site toward the center running on the East side of the property. The Southerly end of the property faces our recorded "License for right of way", sixty-six foot wide (66') public use easement for several property owners to ingress and egress which also is perpendicular to West Lakes Boulevard at the end of the road. (See Page "A")

The perimeter of the extraction area will have a final 2:1 slope. A SWPP plan will not be required as the area will be a 50 foot set back around the perimeter of the property. On the South side is Big Lake and will be a set back of a minimum of 200 feet from the shoreline. The extraction should have no impact on water quality as it will not be near any existing waterways and will be a minimum of 4 feet above the water table.

The expected extraction will be 50 feet deep or a minimum of 4-10 feet above the water table over an area of approximately 40 acres contained in a designated area on the northerly side and the southerly side of the parcel.

g. Identify locations of permanent and semi-permanent structures on the site for verification of setback requirements, including septic systems and wells:

There are not any existing structures, or septic systems, within the present extraction site, however, there is one well on the North/West corner of the extraction property. (Map #1)

h. Depict buffer areas, driveways, dedicated public access easements, noise buffers, and drainage control such as ditches, settling ponds etc. The parcel does not contain any dedicated public access easements on the North end. Drainage within the extraction site will be solely contained within the extraction site. The main driveway on the North end is depicted in

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Application for Earth Materials Extraction

Lake Side Sand & Gravel
P. O. Box 521403
Big Lake, Alaska 99652

the North side of the parcel is depicted in the (Map #1) Drawing and is gated. On the South end of the parcel the extraction site driveway is off of our 66' easement. (See Map #1)

i. Identify wetlands and water bodies on the site and within one mile:

There are not any wetlands on the 40 acre extraction site, however, wetlands do exist in the surrounding area:

1. A body of water across W. Belarde Boulevard North, Sec.24 Lot 4
2. Stewart Lake, NW from site, approximately 1/4 mile
3. North of Stewart Lake swamps & Lake , Sec. 23
4. A body of water due East, Sec. 25 Lot A14
5. South of extraction area is Big Lake
6. There are approximately 12-15 small lakes/swamps in the mile radius.

j. Identify existing surrounding land uses within 1 mile:

1. There are approximately 50 homes or cabins on the lake front which includes Davis Subdivision & Peterson Acres Subdivision. (SE & W)
2. 13 dwellings on LAKE shore ACRES 32 (W. Lakes Blvd. , W)
3. Approximately 16 houses on W. Lakes Blvd., which includes an active fire station, and Martin Busers dwellings, bed & breakfast, and "Showroom Commercial Building"

k. Entire area intended for gravel/material extraction activity Phase I:

Beyond extraction, it is anticipated that eventually a screening and/or crushing system will be established to scale and process materials and meet road construction needs. Scaling and crushing equipment is expected to beset up in the area of Phase I. Storage of all Materials will be contained in the extraction site.

See enclosed marked map. Plan on Phase I, North end and South end will be less than five acres. (See Map #2)

Phase I planned for 2015-2019. A description of the topography and vegetation can be identified in enclosed thumb. All phases contain approximately five acres and will take four years to do one phase, therefore, the projected excavation will be less than five acres per year.

l. Road and access plan that includes anticipated routes and traffic volumes:

The primary accesses to the extraction sites are clearly marked on the Map #1. It is anticipated that the average traffic volume would be 0 to 100 loads per day. The exception to this would be if a large contractor project such as the highway being resurfaced or widened, traffic would be temporarily higher. The primary access to the extraction area on the North end is on W. Belarde Boulevard perpendicular to West Lakes Boulevard. There are three

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Application for Earth Materials Extraction

Lake Side Sand & Gravel
P. O. Box 521403
Big Lake, Alaska 99652

gated entrances which will not be used before and after the primary entrance, these roads were in existence at the time we purchased the said property. Occasional usage of the Southern end of the property will be used for trees and organic dump site with a future road to end gravel pit. It is anticipated that we will have 0-100 loads a day coming and going and at such time as traffic demands exceed MSB 17.61.090 required permits will be obtained to insure compliance.

m. Reclamation plan 2042:

Soils are being pushed to the side and will be used in the reclamation process for cosmetics and future development. A few acres will be set aside for reclamation.

n. Compliance with Borough, State, and Laws:

Additional permits will be obtained (as appropriate) as the site develops.

Final grade is approximately 45 feet above Big Lake.

IM16-076
OR16-049

WILLIAM A. & HELEN L. HEAIRET
P. O. Box 521403
Big Lake, Alaska 99652
(Cell) 907-232-2531

Matanuska - Susitna Borough
Development Services
OCT 28 2015
Received

October 26th, 2015

MATANUSKA -SUSITNA BOROUGH
350 East Dahlia Avenue
Palmer, Alaska 99645

Attention: Mark Whisenhunt, CFM

In Re: Interim Materials District Application
Location: 19166 W. Belarde Blvd: ID 17N04W25B019

Mr. Whisenhunt,

The parcel to be used for the proposed extraction site is showing the complete forty acres, however, we are only using five - five acre phases, totaling twenty-five acres.

In response to your letter of July 20th, 2015 for earth materials extraction under MSB 17.28 on the above referenced property please acknowledge the following:

1. Reclamation of each phase will be completed within four growing seasons upon completion, plant life will be evident as per code.
2. Slope phases will be 2 to 1 (50%) upon completion of each phase. If there is existing erosion on the 2 to 1 sloping we will make the slope more gradual & stable.
3. There will be approximately 4" top soil, after compaction, on the completed outer perimeter slopes, floor will remain solid for traffic.
4. Will blend the area with surrounding topography.
5. There is to be no trash, debris, or vehicles left on premises.
6. All surface waters will be contained on site as per engineers.

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As for visual and noise mitigation, the proposed extraction site floor is a minimum of fifteen feet below surrounding areas, adjoining neighbors tell us that they cannot hear us working when we are in the extraction site. If the M.S.B. determines more noise deafening and visual impacts are necessary, we will comply. We will be adding ten foot high berms for visual screening where necessary and topographical buffers will be in place with a minimum of fifty feet from property lines and easements as per site plan.

Please omit paragraph regarding organic tree dump and future road at the end of the gravel pit.

Soils are being pushed to the side to be used in the reclamation process for cosmetics and future development.

We strongly recommend a preview visit of proposed I.M.D. Site by any person related to this permit process.

Also, we would like to say that we have furnished pit-run on two borough jobs within the past twenty-four months, 2013 Tews Inc., on the West Lakes Boulevard, road extension, and summer of 2015, Scoggin's Excavation, Horse Shoe Road repair, both with satisfied results and prompt service.

Enclosed are some pictures of our screening operations making 1" minus, 3" minus, and two sizes of sewer rock, all products needed in the Big Lake area. The location of any screening and crushing plants will be in each phase or previous phase of this project, or if entering into a new phase location of the plant and stock pile would be in the previous phase, no mater how this works we will maintain all set-backs and boundaries as described on site plan, i.e. All set back will be covered.

Last but not least, if a crusher is to be used it will be in the phase that is in progress and at least 300 feet from any residence.

Regards,

William A. Heairet

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OR16-049

October 28th 2015

We dug a test hole at the pit floor 17 feet deep, after thirty days the test hole remained dry. Site was inspected by engineer Mark Keller of Besse Engineering and it was determined that the water level was forty-five feet from final grade in the pit floor.

William G. Head

Im16-076
OR16-049

MEMO

Steve Eng, PE, PH
P.O. Box 770724, Eagle River AK 99577
(907) 694-7028
SteveEngPE@gmail.com

Date: 7/25/15 **Number of Pages: 1**

Subject: NW 1/4 NW 1/4 Section 25 T27N R4W Seward Meridian
Phase 1 Excavation, W Belarde Blvd Entrance

An inspection was conducted by NorthRim Engineering for the subject property on 7/5/15. The Phase 1 excavation is currently being used as a gravel pit to extract clean borrow material for construction. A large pit currently exists which visibly shows clean gravel and sand deposits.

This is typical of soil types in the immediate vicinity which demonstrate clean glacial deposits. This typical gravel is evidenced by other gravel borrow pits nearby. The predominately sand and gravel deposits allow rapid infiltration of surface run-off. No surface organics are present which will impede surface infiltration of precipitation events.

It is our opinion that a Storm Water Pollution Prevention Plan is not required for this Phase 1 Excavation. No storm water will run-off the site of this gravel borrow pit.

Additional project phases will be separately evaluated prior to development. Soils will be evaluated appropriately and if a SWPPP is required it will be completed prior to deveklopment.

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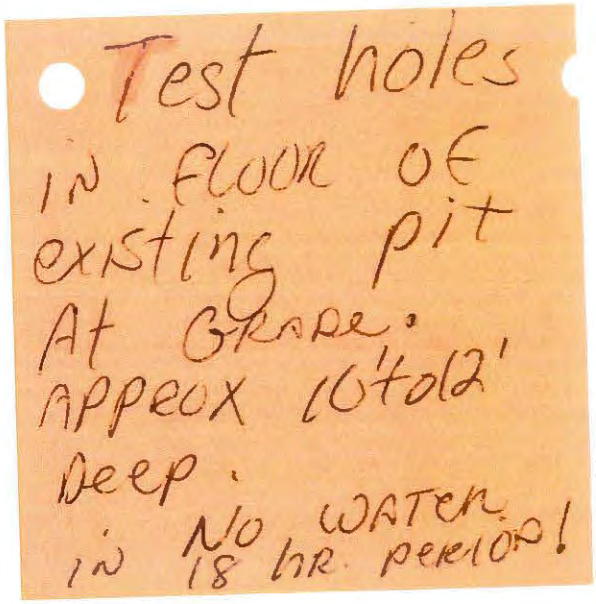








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IM16-0160
910-916-0160









IM16-576
OR16-649



IM16-076
OR16-049

Fax: (907) 861-7876

Mr Whisenhunt,

Following is our confirmation from the Corps of Engineers showing that they recieved our faxed (paper work) application yesterday 6/29/15, for your records.

Thank you

Helen Haist

p.1

IM16-076
OR16-049

ATTENTION:

Amanda Whittier

907-753-5567 Corr. of Engineers

Fax rec'd → 29 June 2015

MY FAX: 907-892-5024

IM16-076
OR16-049

AMANDA WHITTIER 753-5582
1-800-478-2712

FAX: 907-753-5567

U.S. ARMY CORPS OF ENGINEERS
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
33 CFR 325. The proponent agency is CECW-CO-R.

Form Approved - OMB No. 0710-0003 Expires: 30-SEPTEMBER-2015

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required)
First - WILLIAM Middle - A. Last - HEAIRET	First - Middle - Last -
Company -	Company -
E-mail Address - hlh@mtaonline.net	E-mail Address -
6. APPLICANT'S ADDRESS:	**9. AGENT'S ADDRESS:**
Address- P. O. Box 521403	Address-
City - Big Lake State - AK Zip - 99652 Country - USA	City - State - Zip - Country -
7. APPLICANT'S PHONE NOs. w/AREA CODE	**10. AGENTS PHONE NOs. w/AREA CODE**
a. Residence b. Business c. Fax	a. Residence b. Business c. Fax
907-892-5023 907-232-0398 907-892-5024	

STATEMENT OF AUTHORIZATION

11. I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

_____ _____
SIGNATURE OF APPLICANT DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)
LAKE SIDE SAND & GRAVEL

13. NAME OF WATERBODY, IF KNOWN (if applicable)	14. PROJECT STREET ADDRESS (if applicable)
	Address 19116 W. Belarde Blvd.
15. LOCATION OF PROJECT Latitude: °N Longitude: °W	City - BIG LAKE State- AK Zip- 99652

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)
State Tax Parcel ID 17N04W25B019 Municipality 17N04W25B019
Section - 25 B18 Township - Range -

ENG FORM 4345, DEC 2014 PREVIOUS EDITIONS ARE OBSOLETE. Page 1 of 3

IM16-076
OR16-049

ATTENTION:

AMANDA WHITTIER

907-753-5567 Cor. of Engineers

Fax rec'd → 29 June 2015

MY FAX: 907-892-5024

Im16-076
OR16-049

STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

☐ **Northern Region** **3700 Airport Way** **Fairbanks, AK 99709** **(907) 451-2740**	☒ **Southcentral Region** **550 W 7th Ave., Suite 900C** **Anchorage, AK 99501-3577** **(907) 269-8552**	☐ **Southeast Region** **400 Willoughby, #400** **P.O. Box 111020** **Juneau, AK 99801** **(907) 465-3400**

RECEIVED
JUN 29 2015
DIVISION OF LAND
SOUTHCENTRAL REGION

MATERIAL SITE RECLAMATION PLAN OR LETTER OF INTENT/ANNUAL RECLAMATION STATEMENT AS 27.19.030 – 27.19.050

Non-refundable filing fee for reclamation plan: $100

In accordance with Alaska Statute 27.19, reclamation is required of all mining operations, including sand and gravel extraction. Completion of this form will meet the law's requirements for a **reclamation plan** (see below for filing requirements; due date: at least 45 days before mining is proposed to begin; requires approval by the Division of Mining, Land and Water). Completion of this form will also serve as a **letter of intent** for operations exempt from the plan requirement (due date: before mining begins). No approval is required for a letter of intent, but a miner who files a letter of intent must, before December 31, file an **annual reclamation statement** (Section 8 of this form).

Check applicable box:

☐ A. RECLAMATION PLAN (REQUIRED if the operation will disturb five or more acres this year, OR 50,000 cubic yards, OR if the operation has a cumulative disturbed area of five or more acres)

☐ B. RECLAMATION PLAN—VOLUNTARY (for an operation below limits shown in Box A but wanting to qualify for the statewide bonding pool)

☒ C. LETTER OF INTENT (less than five acres to be disturbed AND less than 50,000 cubic yards AND less than five acres unreclaimed area) NOTE: A miner who files a letter of intent is also required to file an annual reclamation statement at the end of the year.

THIS RECLAMATION PLAN/LETTER OF INTENT IS FOR CALENDAR YEAR 2015.
(IF YOU CHECKED EITHER BOX A OR B ABOVE AND PROPOSE A MULTI-YEAR PLAN, STATE ALL YEARS COVERED.)

1. **MINER INFORMATION** (IF THERE IS MORE THAN ONE MINER, ATTACH A LIST OF THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF ALL OTHER OWNERS, OPERATORS, OR LEASEHOLDERS OF THE MINING OPERATION)

NAME OF MINER WHO WILL SERVE AS AGENT FOR NOTICE PURPOSES
William A. Heniret

ADDRESS (NOTIFY THE DEPARTMENT OF ANY LATER CHANGE OF ADDRESS)
P.O. Box 521403

CITY	STATE	ZIP CODE	TELEPHONE
Big Lake	Alaska	99652	907-232-0398

NAME OF LANDOWNER (IF OTHER THAN MINER) OR PUBLIC LAND MANAGEMENT AGENCY
N/A

FEDERAL OR STATE CASEFILE NUMBER (IF ANY) ASSIGNED TO THE SITE

102-4018 (Rev. 04/06)

Im16-076
OR16-049

Results - Case File Abstract

Summary

File: LAS 30314

Customer: 000030793 HEARET WILLIAM A
PO BOX 521403
WASILLA AK 99652

Case Type: 940 NONSTATE LAND RECLAMATION
DNR Unit: 200 LAND MANAGEMENT
File Location: SCDOLD SCDO LAND SECTION
Case Status: 50 ACTIVE
Status Date: 06/29/2015
Total Acres: 4.000
Date Initiated: 06/29/2015
Office of Primary Responsibility: LSC LAND-SOUTHCNTRL REG
Last Transaction Date: 06/29/2015
Case Subtype: 9402 LETTER OF INTENT
Last Transaction: ADDTEXT CHANGE LEGAL TEXT

Land Records

Meridian: S **Township:** 017N **Range:** 004W **Section:** 29 **Section Acres:** 4

Case Actions

Legal Description

A letter of intent for Lot B019

Im16-076
OR16-049

DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

AUG 14 2015

Regulatory Division
POA-2009-41

William Heairet
Post Office Box 521403
Big Lake, Alaska 99652

Dear Mr. Heairet:

This is in response to your request for a Department of the Army (DA) jurisdictional determination for your 40-acre gravel pit. The project site is located within Section 25, T. 17 N., R. 4 W., Seward Meridian, USGS Quad Map: Anchorage C-8, Latitude 61.5409° N., Longitude 149.9302° W., Matanuska-Susitna Borough; in Big Lake, Alaska. Please refer to file number POA-2009-41, Big Lake, in correspondence with us.

Based on our review of the information you provided, and our site visit on 6 August 2015, we have determined the subject property is uplands, and does not contain waters of the United States (U.S.) under Corps jurisdiction. Therefore, a DA permit is not required for your gravel extraction operation. A copy of the Approved Jurisdictional Determination form is available at: www.poa.usace.army.mil/Missions/Regulatory/JurisdictionalDeterminations.aspx under the above file number. Please contact us if you decide to alter the method, scope, or location of your proposed activity.

This approved jurisdictional determination is valid for a period of five (5) years from the date of this letter, unless new information supporting a revision is provided to us before the expiration date.

Enclosed is a Notification of Administrative Appeal Options and Process and Request for Appeal form regarding this approved jurisdictional determination (see section labeled "Approved Jurisdictional Determination").

Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including jurisdictional wetlands (33 U.S.C. 1344). The Corps defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

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Section 10 of the Rivers and Harbors Act of 1899 requires that a DA permit be obtained for structures or work in or affecting navigable waters of the U.S. (33 U.S.C. 403). Section 10 waters are those waters subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or other waters identified by the Alaska District.

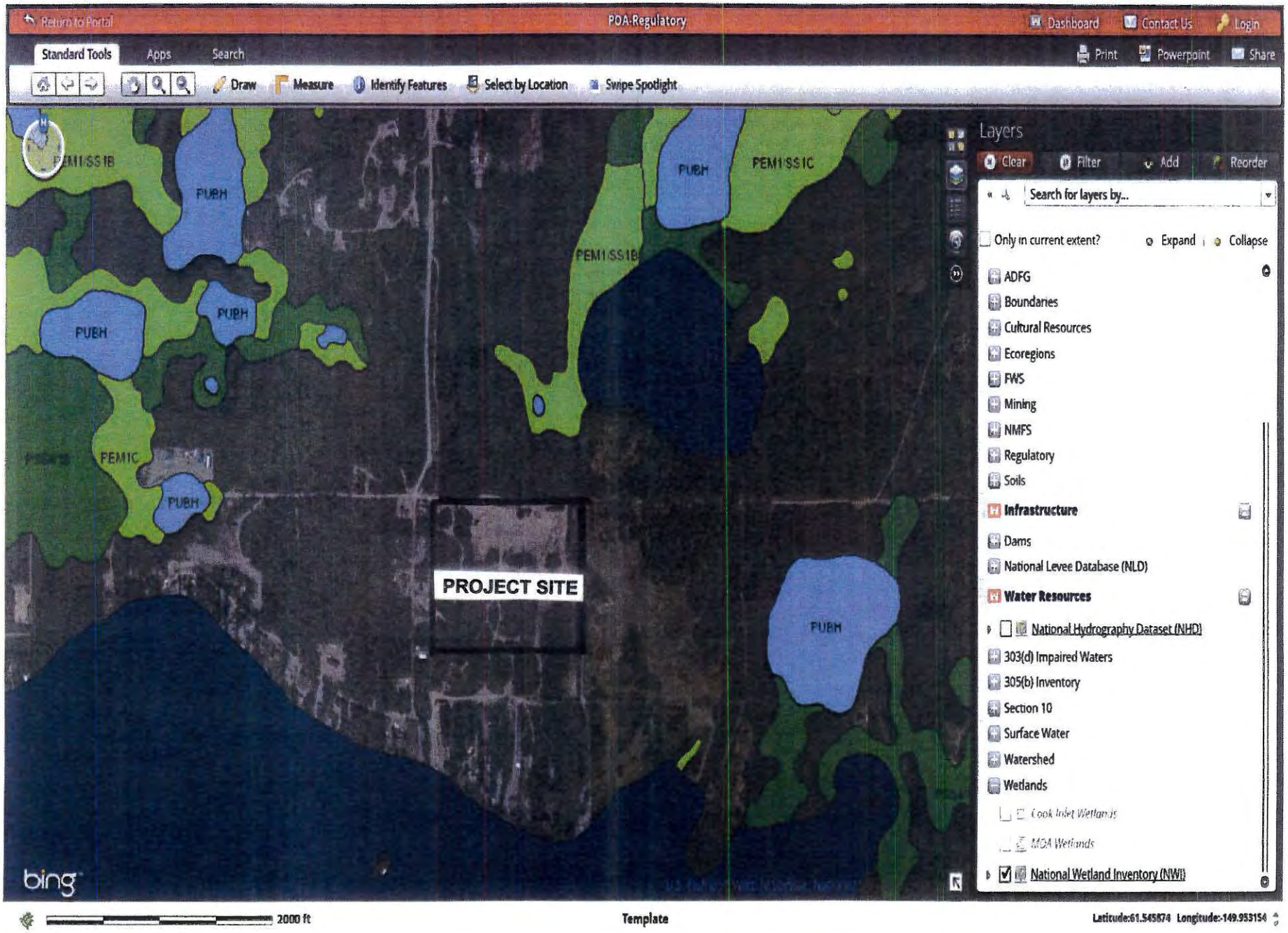
Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Thank you for your cooperation with the Corps of Engineer's Regulatory Program. If you have any questions, please contact me via email at jack.j.hewitt@usace.army.mil, in writing at the letterhead address, or by phone at (907) 753-2708.

Sincerely,

Jack Hewitt
Project Manager

IM16-076
OR16-049



POA-2016-619
JUN16-619

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: William Heairet	File Number: POA-2009-41, Big Lake	Date: 18 August 2015
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

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OR16-049

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Jack Hewitt, PM
Alaska District Corps of Engineers
CEPOA-RD-S
P.O. Box 6898
JBER, AK 99506-0898
(907) 753-2708

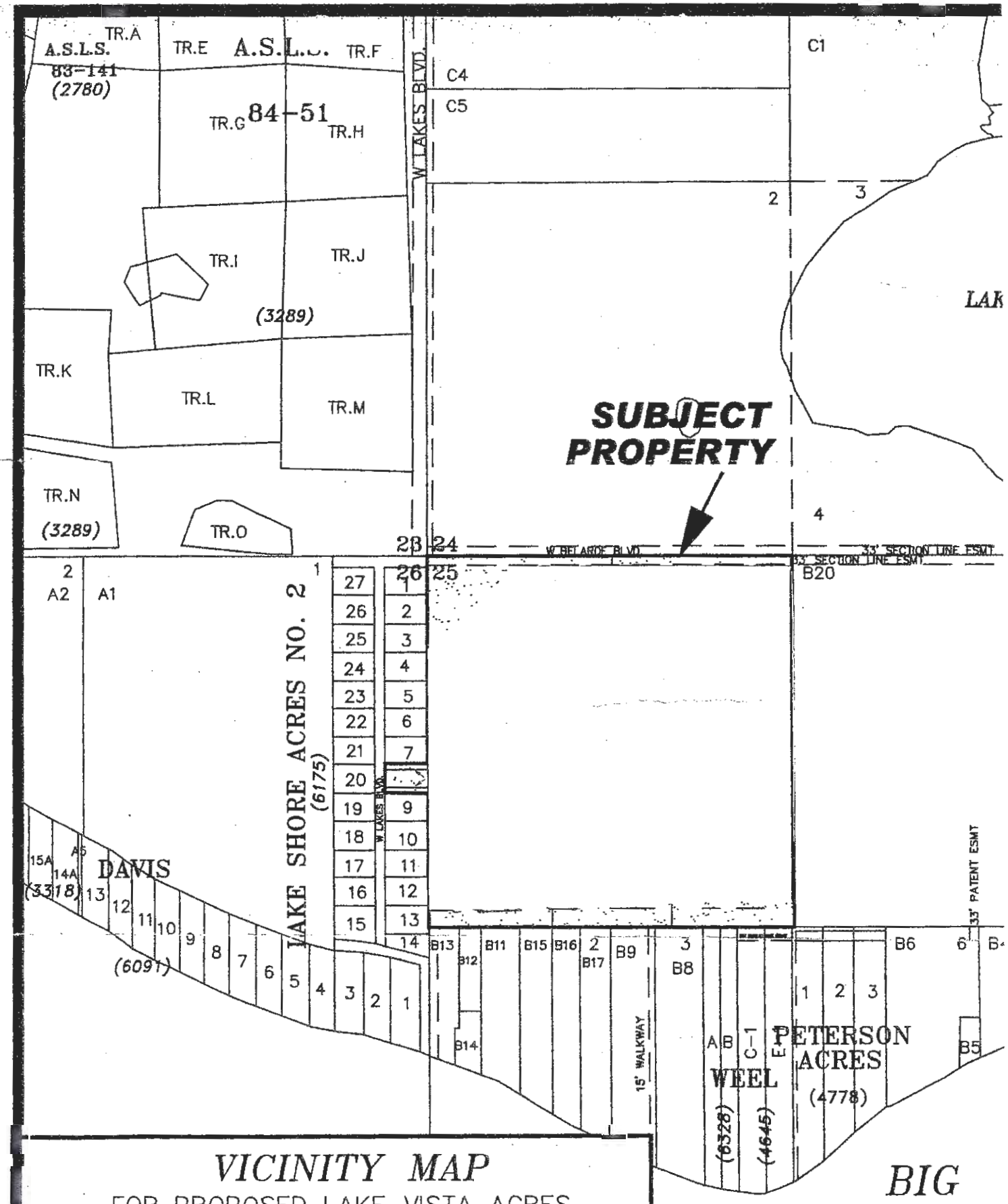
If you only have questions regarding the appeal process you may also contact:

Regulatory Program Manager
U.S. Army Corps of Engineers, Pacific Ocean Division
CEPOD-PDC, Bldg 525
Fort Shafter, HI 96858-5440

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

	Date:	Telephone number:
_____ Signature of appellant or agent.		

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OR16-049



VICINITY MAP

FOR PROPOSED LAKE VISTA ACRES
LOCATED WITHIN
SECTION 25/26, T17N, R4W, SEWARD MERIDIAN
ALASKA

LITTLE SUSITNA LS 16

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OR16-049



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Alaska Business License # **980650**

Alaska Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806, Juneau, Alaska 99811-0806

This is to certify that

"LAKESIDE SAND & GRAVEL"

PO BOX 521403 BIG LAKE AK 99652

owned by

HELEN L HEAIRET

is licensed by the department to conduct business for the period

October 20, 2014 through December 31, 2016
for the following line of business:

21 - Mining

This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Chris Hladick

Matanuska-S' 'tna Borough Business License #: `932

350 E. Dahlia Ave, Palmer, Alaska 99645

Effective Date: January 01, 2015 **Expiration Date:** December 31, 2016

This license must be prominently displayed.
It is not transferable or assignable.

This license shall not be taken as permission to do business in the State without having complied with the other requirements of the laws of the State of Alaska or the United States.

DEPARTMENT OF FINANCE

B & H INVESTORS INC
HEAIRET HELEN L & WM A
PO BOX 521403
BIG LAKE AK 99652-0000

Business Location(s): LT 5 STEWART LAKE SUB

This is to certify that the licensee named above holds a Mananuska-Susitna Borough business license covering the period listed above.

Detach Here

B & H INVESTORS INC
HEAIRET HELEN L & WILLIAM A
HEAIRET HELEN L & WM A
PO BOX 521403
BIG LAKE AK 99652-0000

Fee Paid: **$50.00**
License No.: MBL **02932**
Effective: 01/01/2015 To 12/31/2016

The above business has been licensed to conduct business in the Matanuska-Susitna Borough. The borough business license must be prominently displayed. When a business has more than one location, the original license shall be displayed at the main location and a copy of the license shall be displayed at each branch location. If the business is continued at the same location but there is a change in its form of organization, such as from a single proprietorship to a partnership or a corporation, the admission or withdrawal of a partner, or any other change, the seller making the change shall surrender his old borough business license to the borough for cancellation. When there is a change of location for the seller's place of business, the new business license is required showing the new address. Application for renewal of license shall be made before February 1 of the license year.

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BOOK 512 PAGE 167

LICENSE FOR RIGHT OF WAY PURPOSES

ALASKA BATHTIQUE INCORPORATED ("Alaska Bathtique") grants a revocable license for right-of-way purposes as follows:

RECITALS

A. Alaska Bathtique owns fee title to the following real property:

> West 1/2 of the North 1/2 of the North 1/2 of Section 25, Township 17 North, Range 4 West, Seward Meridian, Palmer Recording District, Third Judicial District, State of Alaska

B. There are numerous public easements which run from Alaska Bathtique's property south to the shore of Big Lake.

C. Many of these public easements have no connection to public roads, thus making the easements inaccessible to the public.

D. Alaska Bathtique desires, and by this instrument intends, to make the pubiic easements permanently accessible to both the public and to the land owners whose property lies between Big Lake and Alaska Bathtique's property.

E. Alaska Bathtique desires, and by this instrument intends, to reserve the right to revoke this license after equal or better access is provided to the public easements, either through Alaska Bathtique's land, or by government construction of additional roads or trails.

GRANT OF LICENSE

1. Alaska Bathtique hereby grants to the public a revocable license to use the south sixty-six feet of the following described real property as a right-of-way:

> West 1/2 of the North 1/2 of the North 1/2 of Section 25, Township 17 North, Range 4 West, Seward Meridian, Palmer Recording District, Third Judicial District, State of Alaska

2. The property included in this license may be used as a right-of-way for pedestrian and vehicular access from public roads to the public rights-of-way which run south from the property owned by Alaska Bathtique to Big Lake. All use of the licensed property must conform to applicable laws.

Return to: Delaney, Wiles, Hayes, Reitman & Brubaker, Inc. - Attn: M. Bond
1007 W. 3rd Ave., Suite 400
Anchorage, AK 99501

Im16-076
OR 16-049

3. This license does not include authority to construct improvements on the licensed property without the written consent of Alaska Bathtique, and compliance with applicable laws.

4. This license may be revoked by Alaska Bathtique, or its successor, upon the provision by Alaska Bathtique, its successor, or government authority, of equal or better access to the public rights-of-way running from the Alaska Bathtique property to Big Lake, by roads and/or trails through or across the Alaska Bathtique and/or other property.

5. Each person who uses the licensed property shall indemnify and defend Alaska Bathtique from any and all liability for personal injuries, property damage, or loss of life or property resulting from, or in any way connected with, the condition or use of the premises covered by this license, or any means of ingress thereto or egress therefrom, whether caused by the negligence of Alaska Bathtique or others.

ALASKA BATHTIQUE INCORPORATED

By: _____
Bruce F. Booher
President

ACKNOWLEDGEMENT

State of Alaska)
) ss.
Third Judicial District)

The foregoing instrument was acknowledged before me this 23rd day of December, 1988, by Bruce F. Booher, President of Alaska Bathtique Incorporated, an Alaska corporation, on behalf of the corporation.

88-20883
RECORDED - FILED 13
REC. DIST.
DATE 12/28 19 88
TIME 1:41 P.M.
Requested by BRUCE BOOHER
Address PO BOX 140765
ANCH AK 99514

_____
Notary Public for Alaska
My commission expires: 4/12/92

IM16-076
OR16-049

COMMENTS

IM16-076
OR16-049

Mark Whisenhunt

From: Carol G. Kane <hrkane@gmail.com>
Sent: Wednesday, March 09, 2016 4:03 PM
To: Mark Whisenhunt
Subject: Big Lake Community Council 3.9.16 Heairet IMD Application Decision
Attachments: BLCC.Borough.Whisenhunt.Heairet.Decision.pdf

Good afternoon Mark,

Please find attached the following:

Big Lake Community Council's Decision of **no objection** for the application request by William & Helen Heariet
for the Interim Materials District for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

Thank you for your continued assistance. Should you need any additional information please feel free to contact me
as noted.

Carol

--
Carol G. Kane
PO Box 520502
Big Lake, AK 99652-0502
Cell: (907) 355-2467

"Coming together is a beginning;
Keeping together is progress;
Working together is success."
Henry Ford

IM16-076
OR16-049

Big Lake Community Council
PO Box 520931
Big Lake AK, 99652-0931
www.biglakecommunitycouncil.com
Big Lake Lions Rec Center

To: Mark Whisenhunt, CFM
Planner II
Matanuska Susitna Borough
Planning & Land Development Services Division
350 East Dahlia Avenue
Palmer, AK 99645 Use Development

From: Carol G Kane CGK.
President Big Lake Community Council

RE: Applicant/Property Owner William & Helen Heairet (dba Lakeside Sand & Gravel)

At the Big Lake Community Council Meeting, Tuesday March 9, 2016, the Big Lake Community Council members voted to have no objection to the request by William & Helen Heairet (dba Lakeside Sand & Gravel) for the Interim Materials District for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

Should you need any additional information, please free to contact me:
Email hrkane@gmail.com
Cell: 355-2467

Big Lake Community Council Purpose:
To provide a direct and continuing means of citizen participation in government and local affairs; to provide a method by which they can work together for expression and discussion of their opinions, needs and desires in a manner that will have an impact on our community's development and service; to provide to governmental agencies a method for receiving opinions, needs, desires and recommendations of residents and groups, and to give local governing bodies an improved basis for decision-making and assignment of priorities for all capital improvements and governmental programs affecting community development and individual well-being.

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OR 16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

Matanuska-Susitna Borough
Development Services

FEB 26 2016

Received

U.S. POSTAGE PITNEY BC
ZIP 99645 $ 000.4
02 1W
0001399405 JAN 29 2

54778000L002 82
HOEY DAVID C & DEANNA R
10918 NORTH FLEET DR
ANCHORAGE, AK 99515-2579

ACCOUNTS PAYABLE
RECEIVED
FEB 29 2016

FIRST CLASS MA

99515$2579 C036

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***March 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

Application material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us comments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received on or before ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review and in... tion. Please be advised that comments received from the public after that date will not be included in the staff report t... Planning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: David & Deanna Hoey ***Mailing Address:*** 10918 Northfleet Dr. Anch. AK 9951

Location/Legal Description of your property: Petersen Acres Lot 2

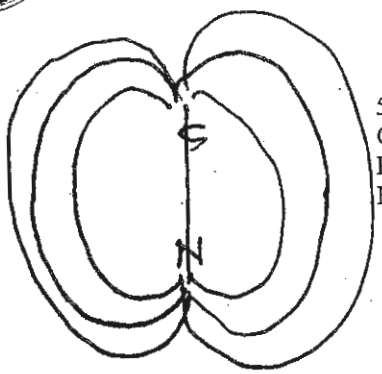
Comments: Thank you for the opportunity to comment. We strongly oppose the applicants request. We purchased the property in 2001 from Mr. Petersen & took a large leap of faith by obtaining a loan for our Alaskan Dream lake-front property. This will be my primary residence when I retire. I'm concerned about the road deteriating with heavy commercial truck traffic. I'm worried about my property value. I worry about the quality of life in this area. This should remain a residential use only area.

Note: Vicinity Map Located on Reverse Side

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

U.S. POSTAGE PITNEY BOWES
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0001399405 JAN 29 20



57159000L002 62
GAFFEY RICHARD L
PO BOX 521825
BIG LAKE, AK 99652-1825

Matanuska - Susitna Borough
Development Services
FEB 22 2016
Received

FIRST CLASS MAIL

99652#1825 B026

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***March 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

Application material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us comments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received on or before ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review on. Please be advised that comments received from the public after that date will not be included in the staff anning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: Richard + Rita Gaffey ***Mailing Address:*** PO Box 521825, Big Lake, AK 99652

Location/Legal Description of your property: 19060 W. Penny Ray Lane, Big Lake

Comments: We Reside FAR enough AWAY That Hopefully We won't Be Annoyed By The ~~Noisey~~ equipment. But How would we KNOW until its Too Late! we chose to Buy A home 4 m. les FROM The Hwy FOR That Reason. ONCE that cat is out of The Bag, you can't Put it BACK. Then There is The ISSUE OF HEAVY TRUCKS ~~and~~ damaging The ALL Ready in POOR condition PAVEMENT OF West LAKES BLVD & The COWBOYS THAT will DRIVE SAID Rigs ON The twisty-Turny Hilly Rd. That is West LAKE BLVD, complete with ~~the~~ POOR Sight LINES. A Recipe FOR DISASTER.

IM16-079
OR16-079

Note: Vicinity Map Located on Reverse Side

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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56292000L005 75
HEAIRET WM A & HELEN L
CHERRIER DEAN R
PO BOX 521403
BIG LAKE, AK 99652-1403

Matanuska - Susitna Borough
Development Services
FEB 22 2016
Received

FIRST CLASS M

99652$1403 B018

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
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Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

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Name: WILLIAM HEAIRET ***Mailing Address:*** P.O. Box 521403

Location/Legal Description of your property: L 8 LAKE SHORE ACRES Add 2

Comments: THANK YOU! BUT some of our neighbors DID not realize there was a comment portion for this NOTICE. I think that this gravel extraction site is very well needed in the Big Lake area for roads and also neighbors who need the gravel

Note: Vicinity Map Located on Reverse Side

IM 16-076
OR 16-049

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-7876
www.matsugov.us

Matanuska-Susitna Borough
Development Services

FEB 22 2016

Received

MEMORANDUM

DATE: January 27, 2016

FROM: Mark Whisenhunt, Planner II

SUBJECT: REQUEST FOR REVIEW AND COMMENTS

PROJECT: **Request for an Interim Materials District**

TAX ID: 17N04W25B019 TAX MAP: LS 16

LOCATION: Township 17 North, Range 4 West, Section 25, Seward Meridian

APPLICANT: William & Helen Heairet (dba Lakeside Sand and Gravel)

An application for an Interim Materials District (IMD) has been submitted to extract up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel. The Planning Commission will conduct a public hearing on this request on March 21, 2016. If we do not receive comments from you we will assume you have no objections to the proposed project.

Distribution:

____ Borough Manager (info only)	____ Transportation Planning
____ Collections	____ Community Development
____ Assessment	____ Public Works Director
____ Planning Division	____ Right-of-Way Coordinator
____ Environmental Planning	____ Emergency Services Director
____ Platting Division	____ Code Compliance
	____ Cultural Resources

Comments: Return written comments by **February 22, 2016**. Thank you for your review.

See attached letter

Im16-076
OR16-048

Michael & Tonya Kish
PO Box 521885
Big Lake, AK 99652
(907) 350-9519

Mat-Su Borough
Planning and Land Use Department
Development Services Division
350 East Dahlia Ave
Palmer, AK 99645

Re: Request for an interim Materials District/Township 17 North, Range 4 West, Section 25, Seward Meridian/ Applicants- William & Helen Heairet (dba Lakeside Sand and Gravel)

February 18, 2016

To whom it may concern:

We are writing this letter in favor of the above application. William Heairet has provided many services for us including dirt work, removing material from our property, bringing in material for our driveway, yard and septic system. On many of these occasions due to the current limitations on his pit, he had to get the material elsewhere which in turn took longer and was more expensive.

The Heairet's have followed all the rules and guidelines from the Borough; they are honest hard working people who have a resource that is very valuable for the Big Lake area. We would much rather support the economy of Big Lake than other areas. Our current road service provider Tew's for instance could get his material at a cheaper rate which in turn he would be able to provide more service with the savings he would receive.

We feel that there is a lot of misinformation about the Heairet's intentions with this pit, which in turn causes panic. We have tour buses up and down Lakes Blvd all summer long, I have no issue with that, but that has to have some sort of effect on the road. People are going to continue to do their projects and get the material needed to do so anyway.

Again we have no issuses with the approval of this request, as full time residents of Horseshoe Lake we feel it is a huge benefit for the local residents and we are sure that the Heairet's will take every caution to keep noise to a minimum.

Thank-you
Mike & Tonya Kish
Horseshoe Lake Residents

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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HIEBERT CATHERINE J
4050 MARIAH DR
EAGLE RIVER, AK 99577

FIRST CLASS MAIL

99577$9752 H083

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
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Name: Theresa L. Hiebert-Puhr ***Mailing Address:*** 4050 Mariah Dr, Eagle River, AK 99577

Location/Legal Description of your property: Davis Subdivision - Lots 25 + 26 / 56091000L025 + L026

Comments: I OPPOSE this application!

Reasons: 1) Extraordinary wear and tear on West Lakes Blvd., which is already in a deteriorated state.

2) Excessive noise pollution

3) Excessive air pollution

4) Blatant disregard for quality of Life. Big Lake is a recreational area, as well as residential. We expect boating noise, children laughing and enjoying the lake. We DO NOT expect/deserve to live with extraction & gravel activities!

Note: Vicinity Map Located on Reverse Side

Theresa L Hiebert-Puhr

IM16-076
OR16-049

Mildred Drum
11850 Ellen Avenue
Anchorage, Alaska 99515

February 17, 2016

Mark Whisenhunt
MSB Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645
861-8527
861-7876 Fax
mwhisenhunt@matsugov.us

Dear Mr. Whisenhunt,

I own the 3 lots directly adjacent to the properties that William & Helen Heairet have submitted the application for. I have read the concerns that the Longacres have sent to the Big Lake Property Owners and do not have the same concerns that they are alleging.

The Heairets (dba Lakeside Sand and Gravel) have shown that they are extremely conscience of the community and do everything in their power to help and better the community. In the past when removing material from their acreage they have not disturbed anyone and have removed it with extreme thought to neighbors. I have no doubt what so ever that they will do everything in their power to limit the "air pollution" as well as the noise. I have personally witnessed him sanding all of the surrounding roads, including West Lakes Blvd in the winter when they were hazardous. While doing this he pulls over when vehicles approach so they may pass as well as helps everyone in need. I have never witnessed him drive his vehicles recklessly as to endanger children or anyone else for that matter.

I do appreciate the concerns brought forth but also would like to point out that William & Helen Heairet have been residents of this community for several years and have been a wonderful asset. They themselves personally at their own cost have put in roads and accesses to better the community for others. They have proven that they do have the best interest of everyone around them at heart.

Sincerely,

Mildred Drum

Mildred Drum

IM16-076
OR16-049

Feb 19 16 12:49p Indian Valley Meats, Inc. 907-653-7694 p.1

HOWARD A. LAZAR
DONALD C. THOMAS
TIMOTHY J. LAMB
CYNTHIA L. DUCEY
DONNA M. MEYERS
SCOTT J. GERLACH
WHITNEY L. TRAEGER
DANIEL E. DOTY

DELANEY WILES, INC.
ATTORNEYS AT LAW
1007 WEST THIRD AVENUE
SUITE 400
ANCHORAGE, ALASKA 99501
TELEPHONE (907) 279-3581
FAX (907) 277-1331

OF COUNSEL
STEPHEN M. ELLIS
CLAY A. YOUNG
WILLIAM E. MOSELEY

February 19, 2016

Sent Via Facsimile (907) 861-7876 and email mwhisenhunt@matsugov.us
Mat Su Borough
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

Re: Objection to Application for Permit by William and Helen Heairet dba Lake Side Sand and Gravel for a 40 acre parcel gravel pit on the corner of West Lakes Boulevard and West Florida Road

Dear Application Person:

I am the attorney in fact for Jane Lamb, the owner of ASLS 83-141 Tract B, a 4.05 acre parcel of land in the area that will be affected if this dangerous gravel pit is allowed. Jane's grandchildren, or my children, intend to build on the property she currently owns. We object to another gravel pit being developed, to go with other blights on the neighborhoods where gravel pits have been created. We also object to the numerous gravel trucks that will be going up and down the road on West Lakes Boulevard, and subjecting children and anyone who rides bikes or walks, etc. to the dangers of being struck. We also object to the pollution from the extraction, crushing, loading, etc.

Please deny the application. This area should be kept somewhat pristine and neighborhood like, not turned into an industrial gravel pit.

Please call with any questions.

Sincerely,
DELANEY WILES, INC.

Timothy J. Lamb

TJL/arb

IM16-076
OR16-049



"The Solutions Company"

FACSIMILE TRANSMITTAL SHEET

To:	From:
Mark Whisenhunt	Stuart Jacques
FAX NUMBER:	**Date:**
907 861 7876	2/18/16
COMPANY:	**TOTAL NO. OF PAGES INCLUDING COVER:**
Matsu gov.	4
PHONE NUMBER:	**SENDER'S REFERENCE NUMBER:**
907 861 8527	
Re:	**YOUR REFERENCE NUMBER:**

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT x PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Attention:

Mark
Whisenhunt

Central Environmental, Inc.

311 N. Sitka Street
Anchorage, AK 99501
(907)561-0125
(907)561-0178 fax

5375 S. Cameron, Unit A
Las Vegas, NV 89118
(702)362-5470
(702)873-4046 fax

P.O. Box 70212
Fairbanks, AK 99707
(907)590-3000

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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JACQUES STUART M REV TR
311 N SITKA ST
ANCHORAGE, AK 99501-1841

FIRST CLASS MA

99501$1841 C025

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

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Name: _____ ***Mailing Address:*** _____

Location/Legal Description of your property: _____

Comments: _____

Note: Vicinity Map Located on Reverse Side

IM16-076
OR16-049

February 18, 2016

From: Stuart Jacques
Lot 19, Davis Subdivision
Big Lake, AK

To: Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Ave.
Palmer, AK 99645

RE: Application for Interim Materials District (IMD)
William and Helen Heairet, (dba Lakeside Sand and Gravel)
19116 West Belarde Blvd
Big Lake, AK

Dear Planning Commission Board Members,

I have reviewed the application for an Interim Materials District submitted by Lakeside Sand and Gravel to extract up to 750,000 cubic yards of materials from the 40 acre parcel located at the intersection of W. Lakes Blvd and W. Belarde Blvd, Big Lake, and strongly urge the Board to decline this application for the following reasons:

1. As the Board is aware, this proposed gravel pit is located only a couple hundred feet off of Big Lake which is a major recreation site in addition to being located immediately adjacent to numerous residential properties. This IMD is inconsistent with the adjoining land uses and in fact will create a significant nuisance with significantly increased traffic, dust and noise.
2. West Lakes Blvd, the main access road to this site was not constructed to the standards to handle the amount of heavy truck traffic from this operation. The current paving on W. Lakes Blvd is rapidly deteriorating with substantial pavement cracking occurring throughout. Adding approximately 62,500 truckloads of gravel (750,000 cyds/12 cyds, assuming 42,000 to 45,000 pounds per truck load = 62,500 truckloads) to be hauled over this road over the next 24 years will destroy whatever road surface is placed onto this road. If the traffic from this IMD was spread out evenly over twelve months per year, there would be 2,605 truckloads per year or a minimum of 10 truckloads a day. Since we all know that the IMD will generally only be in full operation for about six months of the year, there will more realistically be a minimum of 20 to 25 truckloads of gravel hauled per day on W. Lakes Blvd. This added heavy truck traffic will destroy the paved road surfacing without extensive and very expensive maintenance from the Mat-Su Borough. It will be the residents of Big Lake and the Mat-Su Borough that will have to pay to maintain and repair this road, not the IMD operator.

IM16-076
OR16-049

3. As noted above, the increased heavy truck traffic on this narrow winding W. Lakes Blvd will result in the potential for more accidents and will in general make this road far more dangerous to traverse.
4. The actual operations of the gravel extraction operation will create substantial noise in a fairly high density residential neighborhood. Between the excavators, loaders, crushing and screening equipment and the trucks, there will be a substantial amount of noise and dust generated that will disrupt the quiet enjoyment of the neighboring properties.
5. The gravel extraction operation will have a negative impact on the surrounding property values. My home is less than 1/2 mile from this proposed IMD and we will be negatively impacted by the approval of this application.

Again, I respectfully urge the Board to reject this IMD application.

Thank you for your consideration.

Stuart Jacques

IM16-676
OR16-049

Danny's Auto Body
7137 Old Seward Highway
Anchorage, Alaska 99518
(907)522-7888
(907)229-3606 Cell

February 19, 2016

MSB Development Services Division
Mark Whisenhunt
350 E. Dahlia Ave.
Palmer, Alaska 99645
907-861-8527
907-861-7876 Fax
mwhisenhunt@matsugov.us

Dear Mr. Whisenhunt,

I have reviewed Lakeside Sand & Gravel's application and no not oppose this. We, myself and all other surrounding property owners, have received the letter from the Longacres's. I firmly disagree with the opposition to the Heairet's application. I do not find any merit in the concerns that they have brought forth for the community to view.

I own lots 217N04W25B013, 014 & 012. I have had amply opportunity to actually witness the Heairet's hauling the allowable amount of gravel from the property in question and have yet to see any negative impact.

I have personally contracted the Heairet's to perform work on the three lots that I own, with all 3 lots sharing a property line with the 40 acre parcel listed in the application, I have always found them to conduct themselves and their business in a respectful and professional manor. I have complete confidence that the Heairet's will conduct Lakeside Sand & Gravel in a professional, responsible manner that will put the health and welfare of this community first. The Heairet's have been an integral part of this community for many years.

Thank you for your time and consideration in this matter.

Sincerely,
Danny Drum

IM16-076
VR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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Matanuska - Susitna Borough
Development Services

FEB 18 2016

Received

5609100OL02

FIRST CLASS M

Robert E. & Cara L. Lilly
Lot 24, Davis Subdivision
Big Lake, AK

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
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Name: Robert & Cara Lilly ***ng Address:*** P.O. Box 520396 Big Lake AK 99652-039

Location/Legal Description of your property: Lot 24, Davis Subdivision Big Lake, AK

Comments: I protest this due to West Lake Blvd. is not built for this type of heavy traffic, safety, spilled gravel & the road will be destroyed

Note: Vicinity Map Located on Reverse Side

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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RUDD STEVE
PO BOX 111734
ANCHORAGE, AK 99511

Matanuska - Susitna Borough
Development Services
FEB 18 2016
Received
FIRST CLASS M

99511$1734 B022

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Name: Steven C. Rudd ***Mailing Address:*** PO Box 111734 Anchorage, AK 99511

Location/Legal Description of your property: 217N03W19A006 19CSC-S1-S2-S3 MB003-E07 MA010

Comments: This Commercial operation is located in a Residential Neighborhood. This increase in Noise and dirt would be a health hazard and a disruption to the residents.
W. Lakes Blvd is in poor condition currently, and the heavy truck traffic would present a danger to the residents of this community, and increase deterioration of a road already in need of repair.
There is poor visibility at the intersection of Belarde Blvd and W. Lakes Blvd due to a hill at the entrance to this intersection. This would be an imminent danger to both vehicles and pedestrians with this Commercial operation being allowed to operate in this residential area.

Note: Vicinity Map Located on Reverse Side

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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HOLLINGER LVG TR
PO BOX 520495
BIG LAKE, AK 99652-0495

Matanuska - Susitna Borough
Development Services
FEB 17 2016

FIRST CLASS MA

Received

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The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***March 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

Application material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us comments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received on or before ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review and consideration. Please be advised that comments received from the public after that date will not be included in the staff report to the Planning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: Judy & Mike Hollinger ***Mailing Address:*** PO Box 520495 Big Lake AK 996

Location/Legal Description of your property: 20509 W Lakes Blvd. Big Lake, AK 99652

Comments: We are against This As iT will bring The Value of our properTy. It is also a noise issue. The location is close To The lake and The gravel ThaT has already been extracted has made an eyesore for The area! It also will cause much more wear on The road.

Note: Vicinity Map Located on Reverse Side

IM16-076
OR16-649

MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-7876
www.matsugov.us

Matanuska - Susitna Borough
Development Services

FEB 17 2016

Received

MEMORANDUM

DATE: January 27, 2016

FROM: Mark Whisenhunt, Planner II

SUBJECT: REQUEST FOR REVIEW AND COMMENTS

PROJECT: **Request for an Interim Materials District**

TAX ID: 17N04W25B019 TAX MAP: LS 16

LOCATION: Township 17 North, Range 4 West, Section 25, Seward Meridian

APPLICANT: William & Helen Heairet (dba Lakeside Sand and Gravel)

An application for an Interim Materials District (IMD) has been submitted to extract up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel. The Planning Commission will conduct a public hearing on this request on March 21, 2016. If we do not receive comments from you we will assume you have no objections to the proposed project.

Distribution:

____ Borough Manager (info only)	____ Transportation Planning
____ Collections	____ Community Development
____ Assessment	____ Public Works Director
____ Planning Division	____ Right-of-Way Coordinator
____ Environmental Planning	____ Emergency Services Director
____ Platting Division	____ Code Compliance
	____ Cultural Resources

Comments: Return written comments by **February 22, 2016.** Thank you for your review.

(PLEASE ATTACHED LETTER)

IM16-076
OR16-049

Matanuska - Susitna Borough
Development Services

COMMENTS ON INTERIM MATERIALS DISTRICT FOR MATANUSKA-SUSITNA BOROUGH PLANNING AND LAND USE DEPARTMENT DEVELOPMENT SERVICES DIVISION
February 11, 2016

FEB 17 2016
Received

My name is John Stallone and I live at 3980 S. Casey Drive in Big Lake, Alaska. I would like to share my comments on the development of gravel pit located at 19116 Belarde Blvd. in Big Lake.

Background: I retired from the State of Alaska as the Chief of Enforcement for the State of Alaska Occupational Safety and Health. I'm very familiar with noise levels and dust levels on many industrial job sites. Since my retirement I am the Corporate Safety Officer for Neeser Construction, Inc. (NCI) located in Anchorage. NCI owns and operates a gravel pit off of Trunk Road approximately half way between the Parks Highway and the Palmer-Wasilla Highway. We have operated crushers and screening plants and we also ran a crusher and screening plant when we were building the prison at Goose Creek. To date the company has not received complaints due to noise or dust from the residents who live close to the Trunk Road gravel pit. I'm authorized to train employees on the safe operation of crushers and screening plants per MSHA requirements.

With my experience and given the location of the above referenced gravel pit I have no concerns for the noise and dust levels that might be created by a crusher and screening plant located on Belarde Blvd. I am very familiar with the proposed gravel pit location and have traversed all over the property. The location if far enough away from residences that is should not pose any problems. The decibel levels from a crusher normally run from 115 to 140 db which is not much louder than a heavy piece of equipment. The crusher and screening plant are to be located below the surface of the surrounding land which will also act as a buffer. Dust can be eliminated by using watering trucks and keeping the material wet. It's my understanding the crusher will only be used for short period of time (one to two weeks) and the screening plant which will operate for a longer period makes even less noise than the crusher. With this gravel pit location it will help to eliminate a lot of truck traffic on Big Lake Road and the Parks Highway if the

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gravel has to be hauled in from another part of the Borough. Cutting down on gravel truck traffic could be a big safety factor to consider.

In my professional opinion and as a resident of Big Lake I see no real issues with the Borough going forward with this permit. Also, this pit could provide much needed gravel for the continued growth of the Big Lake area at a reduced cost, due to less travel time for hauling, for certain areas of the Lake. Big Lake needs economic growth and my wife and I welcome any new enterprise that will keep this community vibrant.

Should you have any questions please give me a call at 907-351-8534.



John Stallone
3980 S. Casey Dr.
Big Lake, AK 99652

Mailing Address:
PO Box 201172
Anchorage, AK 99520

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OR16-049

Notice Type Interim Materials District

Lakeside Sand & Gravel – Interim Materials District

An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

Location:

19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian

Applicant:

William & Helen Heairet (dba Lakeside Sand and Gravel)

Public Hearing:

The Planning Commission will conduct a public hearing concerning this application on Monday, March 21, 2016 at 6:00 p.m. in the Borough assembly chambers at 350 E. Dahlia Avenue, Palmer, Alaska.

The application materials may also be reviewed in the Borough Permit Center. If you have questions or want to submit comments, please contact Mark Whisenhunt at 861-8527 or email: mwhisenhunt@matsugov.us. Comments may also be faxed to 861-7876 or mailed to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

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Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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ANCHORAGE AK 99516-2984

Matanuska - Susitna Borough
Development Services
FIRST CLASS M.

FEB 09 2016

Received

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The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
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Name: Doug & Suzette Longacre ***ng Address:*** 12600 Ridgewood Rd. Anchorage, AK 99516
Location/Legal Description of your property: Lot 24A, Davis Subdivision, Big Lake
Comments: Attached letter

Note: Vicinity Map Located on Reverse Side

IM16-076
OR16-049

Doug & Suzette Longacre
12600 Ridgewood Rd.
Anchorage, AK 99516

February 7, 2016

Dear Planning Director of the Matanuska-Susitna Borough,

We are definitely against granting an Interim Materials District (IMD) to Lakeside Sand and Gravel. To begin with, in the beginning of 2009 several neighborhoods at Big Lake fought to keep William and Helen Heairet from getting a Conditional Use Permit (CUP) to haul gravel for fourteen years from their property. If you would access the paperwork from that CUP hearing seven years ago, you would find that the Big Lake and Horseshoe Lake residents came out resoundingly against trucks exiting the gravel pit onto West Belarde Blvd and hauling gravel on West Lakes Blvd. Concerns included noise and air pollution in the neighborhood, a gravel pit not belonging in a historically prime recreational neighborhood, danger to residents from increased truck traffic using West Lakes Blvd.(which is a windy and worn road with many patched cracks), increased wear on West Lakes Blvd., an unsafe exit from the gravel pit onto West Belarde Blvd. which many residents use to access their property on Big Lake, concerns about the safety of school children who are still at bus stops along West Lakes Blvd., and concerns about devaluation of recreational property because of the gravel pit.These same concerns still exist! In general, the gravel pit activity would negatively impact the quality of life for residents in the general area. That CUP was turned down by the MatSu Borough and Mr. Heairet continued to haul gravel regularly without a permit (as evidenced by trucks pulling out of his pit on a regular basis and the change in topography on his property). This activity was not just for special projects.

Now the Heairets have applied for an IMD which would have an even greater impact on the area because of up to 100 trucks hauling gravel Monday through Friday 8 AM to 6 PM (and on some Saturdays according to the application) up to the year **2040**. The use of a screener and a crusher is also planned which will certainly not enhance the peace and health of the neighborhood. How would you feel if you built and owned a beautiful retirement home on the north shore of Big Lake (Lot 24A, Davis Subdivision) since 1989, in 2015 paid $4,453.90 in borough taxes, and some individual wants to turn his 40 acres down the road (which could easily be developed into a subdivision with lake views at present) into a gravel pit because of the value of gravel? A gravel pit does not belong in this recreational area a block away from Big Lake! Should the well-being of hundreds of property owners in the area be put at risk because of one man's greed? And why until the year 2040? This IMD (if in the worst circumstance a permit was granted) would need to be closely monitored for compliance by the Matsu Borough because of risk to area residents health and safety wise and why not give a 5 year permit with conditions for renewal instead of a 24 year permit? If one person dies on West Lakes Blvd because of a truck filled with gravel, the MatSu Borough could easily face a lawsuit.

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In addition, this IMD permit would be contrary to the "Big Lake Community Council Area Comprehensive Plan Update 2009" which lists as one of its specific land use goals in section 3-4: "**Provide for Freedom to Enjoy our Properties-** the plan supports balance of freedom to use property as individuals choose up to that point where one person's use limits the rights of neighbors to enjoy their property." Clearly, the Heariets' freedom to use their property as a commercial gravel pit does limit the freedom of neighbors to enjoy their recreational property, particularly because his business is most active during the summers when people at Big Lake are trying to enjoy the peace and quiet of the lake. The Big Lake Comprehensive Plan also states that "responsible land use should be in harmony with surrounding land use without damaging the health, safety and welfare of adjacent property." This IMD would not be responsible land use in harmony with the surrounding land use. On the attached map (Exhibit A- 2009) each dot represents a single family residence and you can see that the "proposed gravel pit" is not in harmony with the surrounding area. In section 3-16 which discusses commercial uses in predominately residential areas, the plan "encourages these uses to be designed to not impact neighbors' including: "Discourage high-volume or high-traffic activities" and "Minimize the offsite evidence of business operation-noise, smells, litter, odors, etc." This IMD would impact neighbors (also residents using West Lakes Blvd. and West Belarde Blvd. to access their homes) with high-volume truck traffic. Moreover, the noise and odors (dust pollution) from a gravel pit using a screener and crusher would not be minimized by the buffers that Lakeside Sand and Gravel has in place. Just ask the people on West Lakes Blvd. whose homes currently butt up against Heairet's 40 acres.

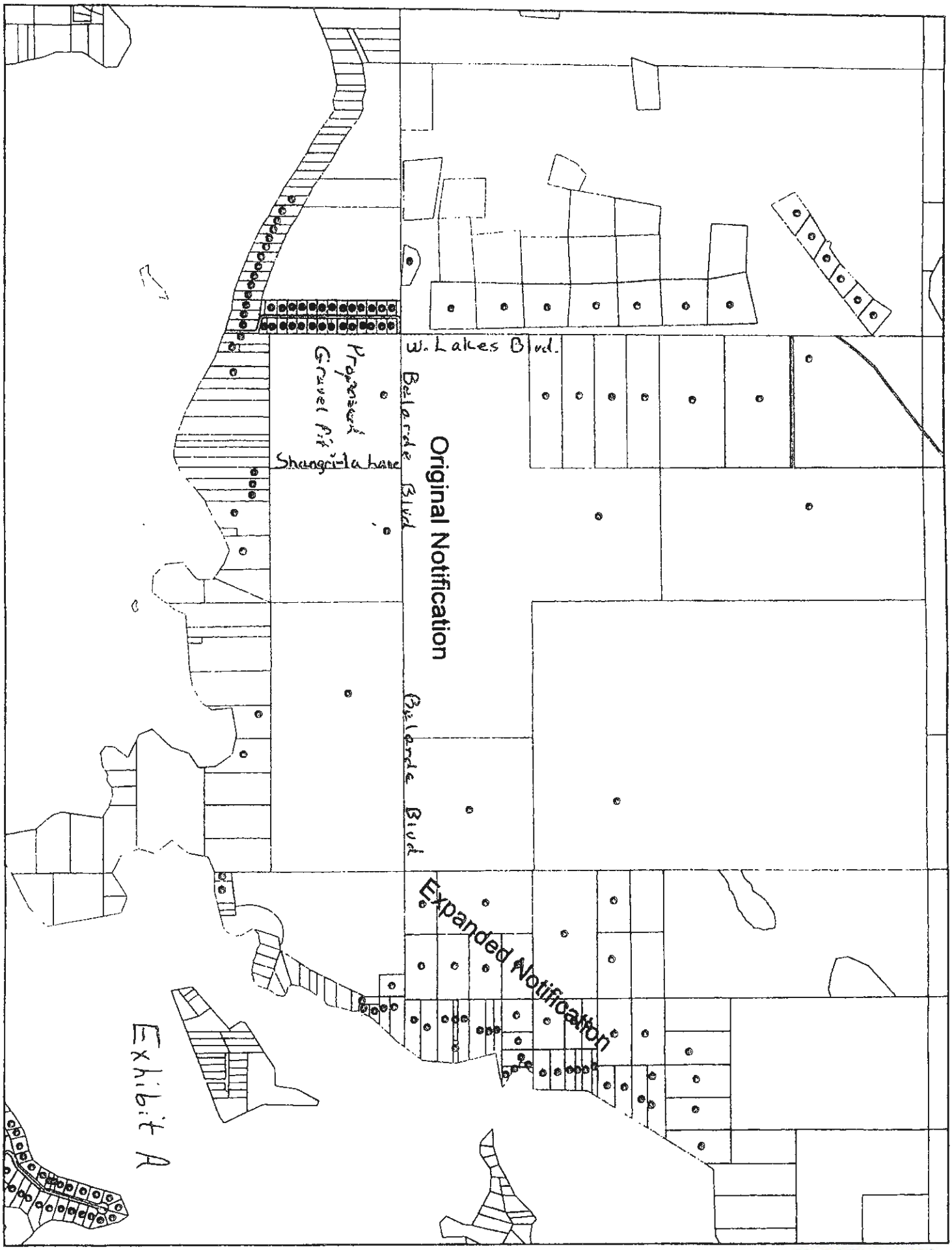
Furthermore, the wording in the Matanuska-Susitna Borough Code (17.28.010) under "intent and purpose" for an IMD states that the Matanuska-Susitna Borough accomplish its purposes by: '(6) recognizing and preserving traditional uses of land within the Matanuska-Susitna Borough and (7) by protecting and enhancing the quality, peace, quiet, and safety of the Matanuska-Susitna Borough neighborhoods." This IMD permit would not recognize the traditional use of the land on the attached Exhibit A Map which is primarily recreational. Operating an IMD at the corner of West Lakes Blvd. and West Belarde Lake Blvd. definitely will not protect **"the quality, peace, quiet and safety"** of residents in these neighborhoods.

Basically, this whole review process comes down to doing what is right. Is it right for one couple to be able to operate a gravel pit until 2040 for monetary gain when such an operation endangers the health, safety, and quality of life for hundreds of residents in the area? Would you want this gravel pit in your back yard? Would you want to meet a truck carrying 60,000 pounds of gravel each time you traveled to your Horseshoe Lake or Big Lake residence? Ultimately, the decision about this IMD impacts hundreds of lives and whether our grandchildren will be able to enjoy the homes we've built in the Matanuska-Susitna Borough.

Sincerely,

Doug and Suzette Longacre

IM16-076
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IM16-076
OR 16-049

Mark Whisenhunt

From: Michelle Steinman <steinmanak@gmail.com>
Sent: Wednesday, February 24, 2016 3:17 PM
To: Mark Whisenhunt
Subject: IMD Comments - Big Lake
Attachments: BIG LAKE GRAVEL PIT.pdf

Please find attached my comments regarding the application for an IMD by William & Helen Heairet.

Chris Steinman

Im16-076
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Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

FIRST CLASS MAIL

The Planning Director of the Matanuska-Susitna Borough will consider the following:

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Name: CHRIS STERNMAN ***Mailing Address:*** 2720 Crystal Bay Circle Anch AK 99507

Location/Legal Description of your property: 17N04W25B008

Comments: IMD Yes, my property Borders on 40 acres

THIS will help everyone IN the AREA this IS part of Developing AREA's. Gravel, Sewer Rock, DI ARE all Commodities surrounding Residents need and will use for there own properties without having to have trucked on Long distances. Answer IS Yes - Do It.

Note: Vicinity Map Located on Reverse Side

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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Anch. AK. 99507

Name: CHRIS STRINMAN ***Mailing Address:*** 2720 Crystal Bay Circle

Location/Legal Description of your property: 6175000L011

Comments: Would like to see 1st Develop
starting with extraction of material.
Yes on Gravel Pit.

* My property borders me 40 ACRES

Note: Vicinity Map Located on Reverse Side

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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Name: CHRIS STEINMAN ***Mailing Address:*** 2720 CRYSTAL BAY Circle ANCH AK 99507

Location/Legal Description of your property: 6175000L017

Comments: I'm all for Developing Gravel Pits.

* My property borders the 40 acres

Note: Vicinity Map Located on Reverse Side

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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Matanuska - Susitna Borough
Development Services
FEB 09 2016
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Name: ERNEST F. HAWKINS ***Mailing Address:*** 2221 Muldoon Rd., SPC 53 Anchorage, AK

Location/Legal Description of your property: 6175000L007 (Lot 7) Lakeshore Acres # 2

Comments: 20346 W Lakes Blvd

I do not want this Activity by the Above Entity to be Approved Because of Changes it may Make to the water table & drainage in the area, The Noise for the next 34 years & the damage trucks with heavy loads & other equipment will make to the Roadway from The Parks Hy to the End of W Lakes Blvd

Ernest F. Hawkins

Note: Vicinity Map Located on Reverse Side

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OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

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Matanuska - Susitna Borough
Development Services

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16400 W SILVER CRK DR
SURPRISE, AZ 85374-4979

FEB 08 2016

FIRST CLASS

Received

Protest

85374#4979 RD12

The Planning Director of the Matanuska-Susitna Borough will consider the following:

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Name: MARVEL J OPP & GILBERT M. OPP ***Mailing Address:*** 16400 W SILVER CREEK DR, SURPRISE, 85374

Location/Legal Description of your property: LAKESHORE ACRES #2 LOT 8 & LOT 26

Comments: Lakeshore Acres is a nice residential area located on Big Lake. Who would want a gravel pit in our backyard? No one! This would totally destroy property values in the entire Big Lake area and destroy future development of the area. The pollution from this gravel pit would cause nothing but complaints to the Borough. Please deny the request from Lakeside Sand and Gravel. A gravel pit should never be located near a Lake Recreational Area

Note: Vicinity Map Located on Reverse Side

Imlo-016
ORD 044

Mark Whisenhunt

From: Bill Dugdale <bill.biglake@gmail.com>
Sent: Tuesday, February 23, 2016 5:02 PM
To: Mark Whisenhunt
Subject: gravel pit

Sorry if I am late. I live just across the lake down from Hulen's point. I am opposed to the rock crusher gravel operation. The current operation in a much smaller scale is noisy to my property. The increased activity and rock crusher activity will make it even worse. Big Lake is a recreational area and this kind of business does not belong in a close proximity to the lake. Thank you for your consideration in this matter.

William Dugdale I would give you my address, but we do not have a road to our property. I have owned the property for over 22 years and an semi retired and enjoy the quite on the lake without this kind of activity.

IM16-076
OR16-049

Mark Whisenhunt

From: Dave Carvalho <daveca@icloud.com>
Sent: Tuesday, February 23, 2016 6:53 AM
To: Mark Whisenhunt
Subject: Comments for Lakeside Sand & Gravel – Interim Materials District

Hello Mark,

I just wanted to pass along my comments, as a property owner of parcel 217N04W26C015, on the subject of the Lakeside Sand and Gravel Interim Materials District application. I think this application is not aligned with the current uses of near by Big Lake properties and it will have a negative impact on those other properties in terms of noise pollution, traffic, and property values. I don't think this application should be approved.

Regards,
David Carvalho

IM16-076
OR16-049

Mark Whisenhunt

From: George Cannelos <gcannelos@gmail.com>
Sent: Tuesday, February 23, 2016 5:08 AM
To: Mark Whisenhunt
Cc: Katie & George Hill
Subject: Lakeside Sand & Gravel IMB proposal comments - revised
Attachments: letter Mat Su sand & gravel proposal Big Lake 2 16.pdf

Mark,

Please replace my previous email comments with the letter below...I neglected to sign the email. Thank you.

George Cannelos

Im16-076
OR16-049

433 M Street
Anchorage, AK 99501
gcannelos@gmail.com

February 22, 2016

Mr. Mark Whisenhunt
Planning & Land Use Department
Matanuska-Susitna Borough

Dear Mr. Whisenhunt,

I am writing to voice objection to the Lakeside Sand & Gravel IMD proposal. Our family owns 5 acres on Big Lake at T17N, R4W, Section 35, Lot B4.

We believe the Big Lake Comprehensive Plan agrees with our concerns. The #1 Economic Development Priority Goal is to "Keep the natural environment clean and green." The Community-Wide Development Guidelines discourage industrial uses in predominantly residential areas.

We are concerned about the proposed volume of truck traffic (up to 100 trucks per day or more), dust, noise and incompatibility with the residential and recreational character of the Big Lake area.

We look forward to reviewing the staff recommendation. Thank you for the opportunity to comment.

Sincerely,

George J. Cannelos, AICP
for Donald & Dorothy Wilcox

Im16-076
OR16-049

Mark Whisenhunt

From: David <djmann18@yahoo.com>
Sent: Monday, February 22, 2016 4:30 PM
To: Mark Whisenhunt
Subject: Lakeside sand and gravel

To whom it may concern:

I'm writing this email in regards to the application to haul gravel from lakes Blvd. I am a land owner right across from the gravel pit. I do not want trucks hauling in and out of this area I have children that spent time out there in the summer and I think this would be a hazard and a danger to them. I work at a gravel pit in anchorage so I know how busy things get at a pit. So in conclusion I would hope that this application doesn't get approved thank you for your time.

David Mann
9973156063

Sent from my iPhone

IM16-076
OR16-049

Mark Whisenhunt

From: Paul W. Royal <pwrfeb53@hotmail.com>
Sent: Monday, February 22, 2016 3:45 PM
To: Mark Whisenhunt
Subject: Application for an interim Materials District (IMD)
Attachments: Gravel Pit 022216.pdf

Please see the attached 2 page request for refusal of said permit.

Thank you
Paul W Royal

IM16-076
OR16-049

The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	Application for an Interim Materials District (IMD)
MSB Code Section:	MSB 17.28 - Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belard BLVD, MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within the 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly Chambers, Palmer, Alaska, on this item on March 21, 2016. The meeting begins at 6 p.m. This may be the only presentation of this item before the Planning commission and you are invited to attend.

Application material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us your comments concerning the proposed action this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development services Division, 350 Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-8527 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received on or before February 22, 2016 will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report to the planning commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: PAUL W ROYAL

Mailing Address PO Box 520021, Big Lake, AK 99652

Location/Legal Description of your property 799 S. Horseshoe Lake Rd. Big Lake

Comments: See Attached (1-pg)

Im16-076
OR16-0

February 21, 2016

Planning Director, Planning Commission Matanuska-Susitna Borough,

As a property owner and full time resident of the adjacent area I am extremely opposed to the issuing of a permit to open a gravel pit at or near 19116 W. Belarde Blvd in the north Big Lake area.

A similar request was denied by the Borough in the recent past and nothing has changed to warrant a reversal of that decision.

Thank you,

Paul W Royal

PO Box 520031

(799 S. Horseshoe Lake Rd.)

Big Lake, AK 99652

IM16-076
OR16-049

Mark Whisenhunt

From: John F. Belarde <john@belardeco.com>
Sent: Monday, February 22, 2016 3:37 PM
To: Mark Whisenhunt
Subject: Big Lake Gravel Pit IMD application permit 18655 W. Belarde BLVD.

Mark Whisenhunt and the Matanuska-Susitna Borough Planning and Land Use Commission,

My name is John F Belarde. I represent my father, John J Belarde, owner of the Belarde family property on W. Belarde Blvd. Our 160 acre property is located directly across W. Belarde Blvd. from the gravel pit that William and Helen Heairst our applying for an IMD permit. We have owned and enjoyed this property for almost 50 years and have kept our area pristine and mostly undisturbed for all this time. All of the neighbors have as well. **We are Against the approval of this or any other IMD permit.** This area has been used by the entire neighborhood for recreation and peaceful outdoor living and is the reason many of us moved here years ago and still do. The entire Big Lake area is based on outdoor recreation and a "get away from it all" lifestyle. My mother and father raised me at our Big Lake, my children were raised here as well, and my grandchildren are currently enjoying the Big Lake experience. Belarde BLVD, which used to be a dirt trail that was all but impassable, was never intended to be used as a commercial haul road for heavy 80,000 lb trucks with loads and loads of gravel, and equipment, coming and going. This will damage the road. A gravel pit includes stripping, grubbing, and removal of the vegetation and the soil layer before you can get to the gravel and is nasty business. The next thing will be the installation of rock crushers, screening plants, and much more equipment and trucks. This will cause pot holes and other damage to Belarde BLVD. Additional maintenance will be required by the Borough with drainage issues, noise and air pollution, and an overall changing of the lifestyle quality of the entire neighborhood that this area represents to so many people. Again, we are against this IMD permit and this activity at 18655 W. Belarde Blvd.

I ask that you please include these comments in the upcoming Planning Commissioners Review. Thank you.

John F Belarde
15305 210th Ave NE
Woodinville, WA 98077
(206) 510-3290

IM16-076
OR16-049

Mark Whisenhunt

From: Rita Gaffey <gaffeysgirl@gmail.com>
Sent: Monday, February 22, 2016 1:59 PM
To: Mark Whisenhunt
Subject: Interim Materials District, Lakeside Sand & Gravel

Regarding the permit for the gravel pit to be operated by Lakeside Sand & Gravel, NO.
No Way should this be approved.

For a multitude of reasons, among which but not limited to, noise, dust and overweight trucks on an already overstressed roadbed.
The risk to the children waiting for school bus and recreational walkers along the narrow, winding roadway.

And just to be clear, NO WAY should a permit be granted for the operation of an industrial scale gravel pit in a recreational/residential area.

Thank you for giving us an opportunity to respond.

Rita Gaffey & Virginia McClain
19060 W. Penny Kay Lane
Big Lake, AK 99652

Im16-076
OR16-049

Mark Whisenhunt

From: Brad <brads@mba-consulting.net>
Sent: Monday, February 22, 2016 1:54 PM
To: Mark Whisenhunt
Cc: brads@mba-consulting.net
Subject: MSB 17.28

I am hoping I can briefly weigh in on a gravel pit on Big Lake. Seems like an awful big development next to recreational property. I am not opposed to a guy making a buck on his property, it is his or her right.

Would there be a way to compromise on project magnitude? I would think there would be a way to balance between that enterprise and the homeowners on the lake. Please consider strongly hours and days of operation, maybe a buffer zone of some sort and consider the safety of residents that share access infrastructure to the area.

Thanks,
Brad Sordahl

IM16-076
OR16-049

Mark Whisenhunt

From: mikewinter@mtaonline.net
Sent: Sunday, February 21, 2016 8:01 PM
To: Mark Whisenhunt
Subject: Re: IMD application

We are stating a "NO" on this proposed gravel pit that Mr.
Heairet's is planning. It would diminish our peace and quiet as homeowners on Big Lake. The noise and traffic on a daily basis that this proposed gravel pit is unacceptable. We live here to be away from the noise and commotion. We have a young child who likes the outdoors and we don't want the danger of commercial vehicles going back and forth such as the proposed trucks hauling gravel away on a daily basis.

We are strongly against this gravel pit. We vote "NO" to the IMD application

Thank you,
Mike Winter

Bigger. Stronger. Faster.
Sign up for a New Free Email Account at http://MyEmail.com

IM16-076
OR16-049

Mark Whisenhunt

From: M Atkins <jmlatkins71@yahoo.com>
Sent: Sunday, February 21, 2016 7:38 PM
To: Mark Whisenhunt
Cc: matkins@yukonfire.com
Subject: MSB 17.28 - IMD_William & Helen Heairet (dba Lakeside Sand & Gravel), 19116 W Belarde BLVD; MSB Tax ID 17N04W25B019

Mr. Whisenhunt,
Please consider this email notice of my objection to the application noted above.
As a property owner within 1mile of the above noted parcel I strongly object to the intent of the owners to extract material from a near lakeside parcel. There is plenty of outlying acreage where a "gravel pit" would not so closely impact property owners who have made a substantial investment in lakefront land. This is just too close to a recreation heavy location and should be denied by the MSB as this application does not meet the intent of MSB Code 17.28.010.

Thank you for your consideration.

Regards,
Matt & Brandy Atkins
WELLS LOT 15

IM16-076
OR16-049

Mark Whisenhunt

From: Carol G. Kane <hrkane@gmail.com>
Sent: Sunday, February 21, 2016 7:06 PM
To: Mark Whisenhunt
Subject: Kane MSB.Application. Interim Materials District Comment of Objection Please confirm receipt
Attachments: Kane.MSB.Application.Interim Materials District(IMD).2.22.16.pdf

Please find attached:

William D. Kane & Carol G. Kane *objections* for the Application for Interim Materials District as submitted by William & Helen Heairet.

Should you need any additional information, please free to contact me at 355-2467 or email hrkane@gmail.com

Thank you for your assistance.

Carol

--
Carol G. Kane
PO Box 520502
Big Lake, AK 99652-0502
Cell: (907) 355-2467

"To educate a person in the mind but not in morals is to educate a menace to society."
Theodore Roosevelt

IM16-076
OR16-049

William D & Carol G Kane
PO Box 520502
Big Lake, AK 99652 – 0502
Phone: (907) 892-7738
Email: hrkane1@mtaonline.net

2/9/16

Attention: Mark Whisenhunt, CFM
Planner II
Matanuska Susitna Borough
Planning & Land Use Department
350 East Dahila Avenue
Palmer, AK 99645

Location/Legal Description of Property:
17N03W30B003 17800 W Belarde Blvd. Big Lake, AK 99652
17N03W30B004 17790 W Belarde Blvd. Big Lake, AK 99652
17N03W30B028 17802 W Belarde Blvd. Big Lake, AK 99652
17N03W30B030 17850 W Belarde Blvd. Big Lake, AK 99652

Comments: We are **opposed** to the application for an Interim Materials District for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel, owned by William & Helen Heairet (dba Lakeside Sand and Gravel), 19116 W Belarde BLVD; MSB Tax ID# 17NO4W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridan.

We have been property owners in Big Lake since 1987 when we purchased our first cabin on the northshore of Big Lake. Since that time we have purchased the above properties and built our permanent residence in 2001 - 17N03W30B028, 17802 W Belarde Blvd. Big Lake, AK.

W. Belarde Blvd. is the only road access to each of these identified properties as noted above. W. Belarde Blvd. is not a Borough maintained road, thus because we are the only full time homeowners at the end of W Belarde Blvd. road maintenance has been our primary responsibility for basic maintenance, snow removal, etc., which on occasion required rental of equipment to improve basic grade of the road.

If this application is approved, critical areas, which will be impacted are health and safety not only for the traffic on W. Belarde Blvd, but year around traffic, which utilizes W. Lakes Blvd. twelve months out of the year. More specifically....

- The W. Belarde Blvd. hill adjacent to the proposed extraction area compromises the relative risk of site distance when any type of vehicle or dump trucks/equipment turn onto or off W. Belarde Blvd.
- There is no Borough road maintenance for W. Belarde Blvd, which results in a less than standard road surface.
- Traffic has been stopped during operation hours of the extraction area until the trucks clear the area.
- W. Lakes Blvd. is a very substandard road with limited pull off areas, numerous curves, and limited safe sight distances,
- School buses pick up and drop off students at the intersection of W. Lakes Blvd and W. Belarde Blvd.

IM16-076
OR16-049

- The non-lighted intersection at W. Lakes Blvd. and W. Belarde Blvd. will be comprised as dusk/darkness increases and will become a major safety issue with the increased truck traffic of 1 million 125,000 tons material exclusive of the weight of the truck and variable weather conditions.
- Oversight and assurances must be held to the highest test to include but not limited to number of truck loads, weight compliance, elevation of the pit to the water table, the maintenance of W. Belarde Blvd., maximize for dust and noise control and road surface to address on-going safety.

As noted in the Big Lake Community Council Area Comprehensive Plan Update, August 2009, TRANSPORTATION V 5-I:

- Improve Big Lake area roads: develop safe and efficient system that provides connection to the Parks Highway and access to land in the Big Lake Area.

- Expand existing road system to provide access to resident currently without access ensuring public safety needs are met.

The Transportation Priority Goals stated above, directly validates the safety/health issues and our objection to this application, which indicates there will be "approximately 750,000 cubic yards to be extracted beginning 2016 and the final extraction will occur in 2040".

As the record will reflect, the proposal for the commercial gravel pit as previously submitted was rejected, which included parallel issues expressed by residents in the area of W. Lakes Blvd. and W. Belarde Blvd. as noted above and should be once again rejected.

For the above stated issues and the increase of full time residents in 2016 and until 2040, the compelling answer should be do not approve this application as submitted.

Sincerely,

William D Kane_____ Carol G Kane_____

IM16-076
UR16-049

Mark Whisenhunt

From: Theresa Finnigan <tfinn@acsalaska.net>
Sent: Sunday, February 21, 2016 5:43 PM
To: Legislative Comments; Mark Whisenhunt
Cc: 'Tim Finnigan'; tfinn@acsalaska.net
Subject: NO to IMD Heairet Gravel Pit Operations application from Finnigan's form Matsu B. for Opinion 2-21-16
Attachments: Heairet Gravel Pit from Finnigan form Matsu B. for Opinion 2-21-16.pdf.pdf

Please see attached.

We oppose application for many reasons including but not limited to:

- devaluation of property value and impact to the road.
- Matsu Code (17.28.010)
  - Preserving traditional uses
  - Protecting and enhancing the quality, peace, quiet, and safety of the Matsu neighborhoods
- Matsu Code (17.28.040) no issues or plans have been addressed
- Matsu Code (17.28.060) no issues or plans have been addressed

Also we have many other concerns as outlined in our attachment.

Respectfully
Tim and Theresa Finnigan

IM16-076
OR16-049

Submit Via Email

Sent 1-21-16 U.F. LS. mm

MATANUSKA-SUSITNA BOROUGH
PUBLIC OPINION MESSAGE

A COPY OF THIS PUBLIC OPINION MESSAGE WILL BE PROVIDED TO THE MAYOR AND BOROUGH ASSEMBLY

Public opinion messaging allows you to send a message to the Mayor and all members of the Borough Assembly. If you have any questions, please call (907) 861-8683.

* The email button above only works if you are using Adobe Reader or Acrobat. There are several other ways to submit after you fill out this form and save it.

- Email: Attach it in an email to leg.com@matsugov.us
- Fax: Print and Fax to (907) 861-7845.
- Hand Deliver or Mail: The form may be printed and delivered to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, Alaska 99645.

Title (Mr. Mrs. Ms.):	First Name:	Initial:	Last Name:	Suffix (Jr. Sr. II.):
Mr.	Tim	B	Finnigan	

Mailing Address (Address, City, State, and Zip):
6101 Moose meadow Lane Cir. Anchorage, Ak. 99516

Phone:	Group or Affiliation, if any:	Date:
907 346-4842		2-21-2016

SUBJECT: ☐ Ordinance No.: _____ ☐ Resolution No.: 15116 W. Bellaire Blvd. MS8 17. ■ Action Memorandum (AM) No.: _____

I **support** the legislation: ☐ I **oppose** the legislation : ■ I recommend amendment: ☐

OTHER SUBJECT:

An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until 2040 within a 40 acre parcel

MESSAGE:

A application by William & Helen Heariet (dba Lakeside Sand and Gravel) .
WE STRONGLY OPPOSE ANY REQUEST OR CONSIDERATION OF THIS APPLICATION!!
Just the name of the existing business Lakeside Sand and Gravel causes a concern.
1) Are they currently in compliance or have they addressed the Clean Water Act (CWA), from an independent Consulting firm?
2) Has an Environmental Impact Statement (EIS) been completed, or to be required as a condition of the permit?
3) Has an EPA application been applied for for future particulate matter releases into the environment?
4) Have the Nonpoint source (NPS) environmental regulations bean addressed, per ADEC guidelines?
It appears from current operations that Lakeside Gravel is not currently in compliance!
5) 750,000 CY excavated over an area of 40 acres would be an average depth of approximately 12' would this create ponds, pits or trenches? Have we seen a detailed excavation plan, a phasing plan?
6) How would it affect the alteration of groundwater flows to surface waters into Big Lake?
7) How would it affect the Anadromous fish population. The salmon use the North shore of Big Lake extensively, has this issued been addressed? Sediments, noise, water temperatures, pollutants, what about a fuel spill, has a SPCC plan been prepared?
8) The SW corner of the proposed development is approximately 425' away from Big Lake!
9) Has a Noise Feasibility study been completed? What are the proposed hours of operation?
10) What about the noise pollution, that would affect neighbors in close proximity, as outlined on the map? How does it affect the people across the lake as the sound will carry across the lake, have they been notified? The notice states that a flier was sent out to some Big Lake area residents. The notification needs to be sent out to those people as well.
12) What about the impact to the road?
13) Has the impact to the devaluation of adjacent property values been addressed, and the impact to the Matsu Borough and the tax base?

ADEC NPS Guidelines clearly state "PROTECTION of receiving waters with designated uses such as recreation and wildlife habitat."
Allowing a Commercial Gravel within 450' of the Big Lake recreation and wildlife area would be a complete violation of the NPS ADEC guidelines.

THERE ARE TO MANY UNKNOWNS AND TO MUCH RISK TO EVEN CONSIDER THIS AS A WORTHWHILE PROJECT

Revised: 02/15

Im 16-096
OR 16-049

Mark Whisenhunt

From: Judy Dobson <judyanndobson@gmail.com>
Sent: Sunday, February 21, 2016 2:45 PM
To: Mark Whisenhunt
Subject: MSB-17-28 Interim Materials District Permit

Feb 21,2016

To Whom it may concern,

Yesterday we became aware of a permit application for a gravel pit off of West Lakes Blvd It is my understanding that up to 100 trucks could be driving along W Lakes Blvd. I feel that could become a very unsafe road. I take that road to get to my property on West Lake. There are many curves and heaves in the road. Bus stops are also on W. Lakes.

I also feel it was unfair to not have a survey go out to all owners in the area. Please do not approve this unsafe business in a residential area,

Judy Dobson
Location:3514 Horseshoe Lake
Big Lake, AK

mailing address
Dimond Vision Clinic
1000 E Dimond Blvd Suite 101
Anchorage, AK 99515

judyanndobson@gmail.com

Im16-076
OR16-048

Mark Whisenhunt

From: Terry & Greg Puhr <puhr@mtaonline.net>
Sent: Sunday, February 21, 2016 12:17 PM
To: Mark Whisenhunt
Subject: Comments on William & Helen Heairet Application
Attachments: Big Lake-Heairet Gravel app-2-2016.pdf

Dear Mark,

Attached is a document with my comments on the William & Helen Heairet application if an IMD.

I also faxed the same document to you folks as well. Apologies for redundancy, but I just wanted to make sure my comments were received.

Sincerely,

Theresa L. Hiebert-Puhr
Davis Subdivision, Lots 25 & 26
Big Lake, Alaska

This email has been sent from a virus-free computer protected by Avast.
www.avast.com

IM16-076
OR16-049

Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

faxed 11:45am 2/21/16

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4050 MARIAH DR
EAGLE RIVER, AK 99577

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The Planning Director of the Matanuska-Susitna Borough will consider the following:

Application:	*Application for an Interim Materials District (IMD)*
MSB Code Section:	MSB 17.28 – Interim Materials District
Applicant/Property Owner:	William & Helen Heairet (dba Lakeside Sand and Gravel)
Location:	19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian
Request:	An application for an Interim Materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of material until the year 2040 within a 40 acre parcel.

The Planning Commission will conduct a public hearing in the Borough Assembly chambers, Palmer, Alaska, on this item on ***March 21, 2016.*** The meeting begins at 6:00 p.m. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

Application material may be viewed online at www.matsugov.us and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or would like to send us comments concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to mwhisenhunt@matsugov.us. For more information, please contact Mark Whisenhunt at 861-8527. Comments received on or before ***February 22, 2016*** will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report for the Planning Commission. If there is not enough room below, please attach this sheet to another piece of paper.

Name: Theresa L. Hiebert-Puhr ***Mailing Address:*** 4050 Mariah Dr, Eagle River, AK 99577

Location/Legal Description of your property: Davis Subdivision - Lots 25 & 26 / 56091000L025 & L026

Comments: I OPPOSE this application!

Reasons: 1) Extraordinary wear and tear on West Lakes Blvd, which is already in a deteriorated state.

2) Excessive noise pollution

3) Excessive air pollution

4) Blatant disregard for quality of Life. Big Lake is a recreational area, as well as residential. We expect boating noise, children laughing and enjoying the lake. We DO NOT expect/deserve to live with extraction of gravel activities!

Note: Vicinity Map Located on Reverse Side

Theresa L Hiebert-Puhr

IM 16-016
OR16-049

Mark Whisenhunt

From: Jamie Woodside <woodsideak@gmail.com>
Sent: Sunday, February 21, 2016 11:13 AM
To: Mark Whisenhunt
Subject: Application for an Interim Materials District (IMD) MSB 17.28 - 19116 W. Belarde BLVD; MSB Tax ID#17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian

Re: Application for an Interim materials District (IMD) has been submitted for the extraction of up to 750,000 cubic yards of amterial until the year 2040 within a 40 acre parcel

To Whom it May Concern:

I am the owner of property 19586 W Lakes Blvd, located approximately 1/2 mile from the subject property. I am writing in concern of this Application for an Interim Materials District. This application appears to propose approximately 12 - 13 dump trucks traveling on W Lakes Blvd per day, 8 months of the year.

750,000 Cubic Yards Total
30,000 Cubic Yards per year (over 25 years)
8 months per season = 240 days
30,000 Cubic Yards / 240 days = 125 Cubic Yards per Day
125 Cubic Yards / 10 Cubic Yard Large Dump Truck = 12.5 Trucks per Day

W Lakes Blvd is currently degrading very badly, with the first 2 miles being especially dangerous. The road is narrow, often with no shoulder at all. There are many sharp, blind corners, and the 35 mph speed limit is usually ignored. As a homeowner who drives the road daily, I have been run off the road more than once by dump trucks driving far to fast to be safe (50+ mph). 12 trucks per day, hauling gravel, are going to demolish this road. Not only will the weight be a factor, the inevitable loose gravel on the road will chew up the pavement and create a road hazard that will cause danger to other drivers and cost taxpayers money to clean up continuously.

In addition to my concerns for the safety and integrity of the road itself, there are several other issues that should be noted. W Lakes has an extremely high moose population. Driving the 5 mile stretch of road, you are likely to encounter multiple moose in a single, one-way trip. The road is hilly in several areas, and the use of Jake Brakes would have to be banned completely. Noise from not only the trucks, but the operation itself would not just devalue the properties, but completely destroy the peaceful lakeside community which is established right next door to the proposed operation.

I feel that this Application should be denied, as this proposed operation would too severely impact the surrounding properties and taxpayers.

Thank you for your time and consideration,
Jamie Woodside
19586 W Lakes Blvd

IM16-076
OR16-044

Mark Whisenhunt

From: Scott Moore <skmoore@gci.net>
Sent: Saturday, February 20, 2016 5:40 PM
To: Mark Whisenhunt
Subject: Application for IMD - & Helen Heairet (dba Lakeside Sand And Gravel)

Dear Mr. Whisenhunt,

It is with concern my wife and I would like to forward comments regarding the application for material removal from 19116 W. Belarde BLVD; MSB Tax ID# 17N04W25B019; within Township 17 North, Range 4 West, Section 25, Seward Meridian

As property owners within a mile of the Heairet's gravel pit we are concerned about:

- The devaluation of our property that is located in a **recreational area**.
- Air pollution
- Noise pollution
- Additional use of truck activity increasing the dangers of meeting a truck hauling 50,000 pounds of gravel traveling down winding West Lake Blvd.
    - School buses running on West Lake Blvd
    - Recreational users : Children playing, bike riders, 4 wheelers, especially during the summer months in the area being put in harm's way by truck activity
    - Trail crossing : 4 wheelers, Dog Teams, snow machines, x-country skiers
    - Unsafe exit on to West Lake Blvd from Belarde Blvd (from the pit)
    - The additional wear and tear that will occur on West Lakes Blvd

Please take in consideration our **No** vote for this application.

Thank you for your time,

Scott and Debra Moore
Lake Shore AC #2 Lot16
20457 West Lakes Blvd

IM16-076
OR16-049

Mark Whisenhunt

From: Barry Thompson <barryt60@gmail.com>
Sent: Saturday, February 20, 2016 4:56 PM
To: Mark Whisenhunt
Subject: IMD Application by Lakeside Sand And Gravel

Owners of property should be able to do whatever they want with the property as long as it is legal AND they do not disturb their neighbors right to peace and quiet- if that still exists in todays world.

Barry Thompson- Big Lake property owner Ivy Cove Big Lake
60 Miretta Lane
Sedona, Arizona 86336

IM16-076
OR16-049

Mark Whisenhunt

From: Roxanne Sinz <roxannemsinz@gmail.com>
Sent: Saturday, February 20, 2016 2:49 PM
To: Mark Whisenhunt
Subject: IMD permit West Lake

Please block the gravel use permit requested by Lakeside Sand and Gravel. Not only will it tear up our roads, but with the amount of gravel trucks being proposed, safety is a huge concern.
Thank you.
Roxanne Sinz
3631 S Horseshoe Lake, Wasilla AK 99652

Sent from my iPhone

Sent from my iPhone

IM16-076
UR16-049

Mark Whisenhunt

From: Maureen ONeill <calio@gci.net>
Sent: Saturday, February 20, 2016 1:59 PM
To: Mark Whisenhunt
Subject: Application for IMD; Heairet, dba Lakeside Sand and Gravel

Dear Mr. Whisenhunt,

I am the owner of two properties on Big Lake (217N04W25A004, 217N04W25A005). I am writing in response to the application of an IMD (MSB 17.28-Interim Materials District) by William & Helen Heairet (dba Lakeside Sand and Gravel) which is located on a 40 acre parcel on the corner of West Lakes Blvd and West Belarde Blvd.

I am opposed to this request. The Matanuska-Susitna Borough Code (17.28.010) under 'intent and purpose' for an IMD states that the Matanuska-Susitna Borough accomplish its purposes by: "(6) recognizing and preserving traditional uses of land within the Matanuska-Sustna Borough and (7) by protecting and enhancing the quality, peace, quiet, and safety of the Matanuska-Susina Borough neighborhoods."

This IMD permit would not help preserve the traditional use of this land which has been recreational. Lakeside Sand and Gravel operating under an IMD definitely will not protect 'the quality, peace, quite and safety" of my property as well as the surrounding area at Big Lake for the following reasons:

1. Increased air pollution (since the application submits that a screener and crusher may be used)
2. Noise pollution from both mining, screening, crushing, loading gravel, and truck activity
3. Unsafe exit on to West Belarde Blvd from the pit
4. Danger of meeting trucks hauling up to 50,000 pounds of gravel on the winding West Lakes Blvd.
5. Causing wear and tear on West Lakes Blvd due to increased truck activity... it is my understanding that the West Lake Blvd road was paved for the intent of dust suppression, not as a heavy use road.
6. Risk to school children standing at bus stops on West Lakes Blvd
7. Devaluation of Big Lake and surrounding property due to a gravel pit operating in the area

I respectfully submit that the above application be rejected.

Thank You,

Maureen A. O'Neill

IM16-076
UR16-049

Mark Whisenhunt

From: Lovely <skhanam@earthlink.net>
Sent: Saturday, February 20, 2016 12:41 PM
To: Mark Whisenhunt
Subject: NO to MSB 17.28-IMD

Dear Sir/Madam:
We are saying "NO", again "NO" to
the application by William and Helen Heairet (dba Lakeside Sand and Gravel) to haul material from their parcel.
Again, we say "NO". No hauling gravel from our neighborhood.
Thanks.
CHOWDHURY NAIMUL HASAN
KHANAM SYEDA SALMA
2421 Trisha Ave

Sent from my iPhone

IM16-076
OR16-049

Mark Whisenhunt

From: Suzanne Whitt <suziewhitt@yahoo.com>
Sent: Saturday, February 20, 2016 11:10 AM
To: Mark Whisenhunt
Subject: Comments on MSB-17.28

FROM: Suzanne Whitt
Linda Ray
P O Box 521593
Big Lake, Ak. 99652
Lot 24, Block C, Davis Subdivision

Our answer is NO!! We do not want up 100 trucks a day speeding in and out of winding and narrow, W Lakes Blvd. The posted limit is 35 and that will be totally exceeded. It is now and no one stops them!! Especially when they are loaded with 50,000 pounds of rocks, gravel or sand.

The noise from the mining equipment will be awful in a quiet neighborhood on the lake. Also, the noise and smell of the diesel trucks and equipment will be horrendous!!

And if there is an accident from a truck hitting a moose, which the moose population has grown, will shut down our ONLY access in or out.

Please don't let this permit be granted, Mark.

IM16-076
OR16-079

Mark Whisenhunt

From: Todd Held <heldtodd@gmail.com>
Sent: Saturday, February 20, 2016 8:50 AM
To: Mark Whisenhunt
Subject: Application for permit Lakeside Sand and Gravel

Hello,
My name is Todd Held and I am the owner of 3951 and 3957 Crozier Lane, Big Lake.
I purchased this property in the fall of 2015 and for some reason the borough has not listed me as the new owner.
I am sending this email to state my strong opposition to allowing William and Helen Heairets dba Lakeside Sand and Gravel to operate their gravel pit on the corner of West Lakes Blvd under an IMD.
I purchased my property so that my family could spend quality time together and enjoy the peaceful setting of our cabin. Allowing this operation is certain to cause noise pollution at an unacceptable level.
If this permit is approved, I do believe that the operation of the gravel pit will affect the quality of life for the surrounding area in a very negative way. Heavy machinery will disturb the tranquility and quite probably reduce air quality. This point, and large trucks traveling our "back roads" are also a safety concern.
One final thought is my property's value. I am a licensed real estate broker, and I know for a fact, that the operation of this gravel pit will have a negative impact on property values.

I ask that this permit be denied.

Todd Held
907-522-7653
2018 E. 36th Ave.
Anchorage, Ak. 99508

Im16-076
OR16-047

Mark Whisenhunt

From: Tyrone Neel <neelclan1@yahoo.com>
Sent: Friday, February 19, 2016 6:18 PM
To: Mark Whisenhunt
Subject: Lakeside Sand and Gravel proposed gravel pit.

To whom it may concern,

I am writing to you to express our concerns over the proposed gravel pit being considered near the intersection of West Belarde Blvd. and West Lakes Blvd. near Big Lake.

My wife Debra and I are the owners of Petersens Acres Lot one, located almost directly behind the proposed site. our property is on the lake with our back property line abutting the proposed site. We access our property by turning off of Belarde road onto Shangra-la (which is a road that I built in 2001). Driving straight off the end of Shangra-la is our driveway and our property.

We have spent many summer weekends, and weekdays, enjoying the serenity of Big Lake. Our kids have many fond memories of the times we have spent together out at the lake. We certainly hope that they too will be able to bring their kids some day to experience the beauty and solitude of the area.

I have looked over the IMD application on the boroughs website. I don't think having an operation of this size, for this long, is in anyone's interest except for the owners of the site itself. For many years I was in the sand and gravel business, so I don't inherently have a dislike for this kind of work. quite the opposite in fact, but having been a gravel hauler for years myself ,I know full well the noise and dust the operation can't help but create. Even more worrisome to me is the toll those trucks will take on an already fragile West Lakes road. When we first bought the property that road was a gravel , wash boarded mess. I remember well when it got paved. No more pounding our vehicles to pieces just to get to our property. It has been steadily declining ever since and running loaded trucks on there will certainly cause a more rapid demise. Another concern we have regarding the trucks on that road is the narrow, shoulder less , un-cantered curves and blind corner design of the road to begin with. It is common for people to be speeding on that road and we really feel like having trucks running up and down it is just asking for a bad accident.

We have no problem with the small, quiet, operation that has been operating at the site for years and are happy to see that continue, But we strongly urge you all to consider how many neighbors will be adversely affected by allowing the proposal to move forward. I, like many of my neighbors, have invested a great deal of time and money into my property in the hopes that the area would remain more like it was when we bought it (a beautiful, quiet place filled with wildlife) and less like an industrial area.

Please do not allow this to move forward.

Thank you Tyrone and Debra Neel

Tyrone Neel 907-223-9414

IM16-076
OR16-044

CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-049

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING AN INTERIM MATERIALS DISTRICT KNOWN AS LAKESIDE SAND & GRAVEL, LOCATED WITHIN THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 04 WEST, SEWARD MERIDIAN.

WHEREAS, an application for an Interim Materials District (IMD) 40 acres in size, was submitted by William & Helen Heairet (dba Lakeside Sand & Gravel) to remove earth materials from 19116 W Belarde Boulevard, located within the Northwest one-quarter of the Northwest one-quarter of Section 25, Township 17 North, Range 04 West, Seward Meridian; and

WHEREAS, it is the intent of the Matanuska-Susitna Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries; and

WHEREAS, the purpose of MSB 17.28 is to establish an Interim Materials District within the borough to allow resource extraction activities as an interim use of land while promoting the public health, safety, order, prosperity, and general welfare of the borough through regulation of land use to reduce the adverse impacts of land uses and development between and among properties; and

WHEREAS, it is the further purpose of MSB 17.28 to promote compatible and orderly development; and

WHEREAS, the Planning Commission has reviewed this application, associated materials, and the staff report, with respect to standards set forth in MSB 17.28; and

WHEREAS, the Planning Commission conducted a public hearing on March 21, 2016 regarding this IMD request; and

WHEREAS, the applicant has met all of the requirements of MSB 17.28.050 and 17.28.060; and

WHEREAS, the Matanuska-Susitna Borough Assembly finds that the proposed Interim Materials District, when in compliance with local, State, and Federal laws does not negatively affect public health, safety or general welfare; and

WHEREAS, the Matanuska-Susitna Borough Assembly hereby finds this application does meet the standards of MSB 17.28 and adopts the findings of fact and conclusions of law within the staff report and hereby approves of the designation of the Interim Materials District known as Lakeside Sand & Gravel with conditions;

BE IT ENACTED:

Section 1. Classification. Sections 1, 3, and 4, are non-code, Section 2 of this ordinance is of a general and permanent nature and shall become part of the Borough Code.

Section 2. Amendment of section. MSB 17.28.090(A) is hereby amended as follows:

(12) Lakeside Sand & Gravel, within Township 17 North, Range 4 West, Section 25, Seward Meridian, and more specifically described as:

The Northwest one-quarter of the Northwest one-quarter of Section 25, Township 17 North, Range 04 West, Seward Meridian, Palmer Recording District, Third Judicial District, State of Alaska.

Section 3. Special Conditions. The approved Interim Materials District shall be subject to the following conditions:

1. The operation shall comply with all other applicable federal, state, and local regulations.

2. All aspects of the operation shall comply with the description detailed in the application material and an amendment to the Interim Materials District shall be required prior to any alteration or expansion of the material extraction operation.

3. Material extraction shall be limited to the areas identified in the applicant's site plan with the Matanuska-Susitna Borough "Received" date stamp of October 28, 2015.

4. Prior to operating, the IMD boundary shown in the applicant's site plan with the Matanuska-Susitna Borough

"Received" date stamp of October 28, 2015, shall be located and marked on the property by a surveyor licensed to operate in the State of Alaska. Said markers shall be maintained in a visible condition to ensure extraction activities stay within the extraction area boundary.

5. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected for leaks daily.

6. On-site maintenance of vehicles shall be done in an area where all leaks can be contained with drip pans or other discharge prevention devices.

7. All hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.

8. Visual screening shall be achieved and maintained by using a combination of earthen berms 10-feet in height to north and south, and maintaining the topographical buffer as described in the application material.

9. A Matanuska-Susitna Borough Driveway Permit shall be obtained for access onto Belarde Boulevard prior to operating.

10. Large "side dump" vehicles or tandem end dumps shall not be used in conjunction with this use unless certification from a professional engineer has deemed access to

and from the subject parcel and use of the intersection of Belarde Boulevard and West Lake Boulevard is safe for said vehicles and other motorists to use. If upgrading the intersection and/or Belarde Boulevard is necessary, a construction permit shall be obtained from the Matanuska-Susitna Borough prior to beginning any work in a public right-of-way.

11. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to storm water.

12. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) - Site Development Standards and MSB 8.52 - Noise, Amplified Sound, and Vibration.

13. All extraction activities, including all activities that cause noise, dust, or traffic, shall be limited to 8am to 6pm, Monday through Saturday, except rock crushing and screening activities are limited to 8am to 5pm, Monday through Friday.

14. If cultural remains are found during material extraction activities, the MSB Cultural Resources Division shall be contacted immediately so the remains can be documented.

15. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.

16. Borough staff shall be permitted to enter onto any portion of the property to monitor compliance with permit requirements. Such access will at a minimum be allowed on demand when activity is occurring and, with prior verbal or written notice, and at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of the Interim Materials District.

17. The operation shall comply with the reclamation standards of MSB 17.28.067.

18. If reclamation information is updated annually with the State of Alaska, Department of Natural Resources, the applicant shall provide a copy of the updated information to the MSB Planning Department.

19. An asphalt plant (aka hot mix plant) shall not be operated at this site.

20. Dust control shall be achieved at the gravel pit, rock screener, crusher, and roads as necessary.

21. If illumination devices are required, they shall not be greater than 20 feet in height, shall utilize downward directional shielding devices, and shall meet the requirements of MSB 17.28.060(A)(6) Lighting Standards.

22. All activity shall be conducted in compliance with state or federal regulations governing the items listed in MSB 17.28.040(B)(1), 17.28.040(B)(2), and 17.28.040(B)(3).

23. Authorization for earth material extraction activities approved by this legislation shall expire on December 31, 2040.

Section 4. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

NON-CODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-049 (SUB)

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING REASONS FOR DENIAL OF A PROPOSED INTERIM MATERIALS DISTRICT KNOWN AS LAKESIDE SAND & GRAVEL, LOCATED WITHIN THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 04 WEST, SEWARD MERIDIAN.

WHEREAS, the rationale and intent of this ordinance are found in IM 16-076 and the staff report which accompanies this ordinance; and

WHEREAS, an application for an Interim Materials District (IMD) 40 acres in size, was submitted by William & Helen Heairet (dba Lakeside Sand & Gravel) to remove earth materials from 19116 W Belarde Boulevard, located within the Northwest one-quarter of the Northwest one-quarter of Section 25, Township 17 North, Range 04 West, Seward Meridian; and

WHEREAS, it is the intent of the Matanuska-Susitna Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries; and

WHEREAS, the purpose of MSB 17.28 is to establish an Interim Materials District within the Borough to allow resource extraction activities as an interim use of land while promoting the public health, safety, order, prosperity, and general welfare of the borough through regulation of land use to reduce the

adverse impacts of land uses and development between and among properties; and

WHEREAS, it is the further purpose of MSB 17.28 to promote compatible and orderly development; and

WHEREAS, the Planning Commission has reviewed this application, associated materials, and the staff report, with respect to standards set forth in MSB 17.28; and

WHEREAS, the Planning Commission conducted a public hearing on March 21, 2016 on this IMD request; and

WHEREAS, the Planning Commission adopted Planning Commission Resolution 16-18 recommending denial of the proposed Interim Materials District known as Lakeside Sand & Gravel; and

WHEREAS, the subject property is located within the boundary of the Big Lake Comprehensive Plan planning area; and

WHEREAS, the subject property is in the land use district designated as *Dispersed Residential Area by the Big Lake Comprehensive Plan*; and

WHEREAS, according to the Big Lake Comprehensive Plan, *Dispersed Residential* is described as "*rural residential areas, where lots sizes are larger and the natural setting is more dominant. This is currently the most predominant land use density in the Big Lake area.*"; and

WHEREAS, the intent of the Big Lake Comprehensive Plan is to identify and encourage a general pattern of development that best meets the community goals and to "*accommodate growth while*

holding onto characteristics that make Big Lake a good place to live and visit."; and

WHEREAS, in the Land Use and Environment Goals section of the Big Lake Comprehensive Plan it states: "*The overarching goal of this plan is protect Big Lake's special character as a place to live and visit while accepting and even encouraging growth. Without guidance, as the area grows, the community risks losing these qualities that makes Big Lake a distinctive place - its undeveloped open spaces, good views, wildlife, and out-the-door access to recreation. At the same time, growth in the community can bring many benefits, providing new places for people to live, creating new opportunities for local employment, and generally leading to a more vital community.*"; and

WHEREAS, in the Land Use and Environment Goals section of the Big Lake Comprehensive Plan it states: "*Provide for Freedom to Enjoy our Properties - The plan supports a balance of freedom to use property as individuals chose up to that point where one person's use limits the rights of neighbors to enjoy their property. Responsible land use should be in harmony with surrounding land use without damaging the health, safety and welfare of adjacent property.*"; and

WHEREAS, in the Strategies to Achieve Land Use Goals section, Strategy 1 states: "*Develop a land use "roadmap" setting out general intentions for the location and intensity of development - to provide for growth, protect Big Lake's environment and rural character, encourage concentrated*

commercial development, and allow for the efficient provision of community infrastructure."; and

WHEREAS, in the Strategies to Achieve Land Use Goals section, Residential Areas it states: *"Four types of residential areas are identified. In all four of these areas, the predominate character is encouraged to remain residential, as it is today; however home-based businesses and other commercial uses are acceptable. If and when such non-residential occurs, such uses are encouraged be developed in a manner that is compatible with the predominately residential character of these areas."*; and

WHEREAS, in the Strategies to Achieve Land Use Goals section, Strategy 3 it states: *"The Big Lake natural environment is at the heart of the community's quality of life and economy. Over the course of the meetings to prepare this plan, the public was clear on what they value about the Big Lake natural environment: Clean water – keep lakes, streams, wetlands, etc. free from septic pollution, hydrocarbons, non-point source pollution such as nitrates & fertilizers, etc.; Clean air – keep it clean; discourage air polluting industries; Natural beauty – retain the landscape that reflects the natural beauty of the land; Dark night skies – minimize light pollution; "Natural quiet" – minimize noise pollution"*; and

WHEREAS, in the Strategies to Achieve Land Use Goals section, under the Development Guidelines of Strategy 4, it states: *"Natural Vegetation/Site Disturbance – Encourage retention of existing natural vegetation and replant disturbed*

areas. Grading and clear cutting the entire parcel prior to selling or developing land is strongly discouraged."; and

WHEREAS, in the Strategies to Achieve Land Use Goals section, under the Development Guidelines of Strategy 4, it states: *"Commercial Uses/Home-based Businesses in Predominately Residential Areas - The plan supports a variety of home based businesses and residential-compatible commercial uses in predominately residential areas, but encourages these uses to be designed to not impact neighbors. Subdivisions can address this to some extent through protective covenants. Guidelines for home-based businesses and other commercial activities in predominately residential areas include: Discourage high-volume or high-traffic activities; businesses should not create nuisances of excessive people and vehicle traffic; Minimize the offsite evidence of business operation - noise, smells, litter, odors, and public safety calls; Use special screening and wider setbacks to reduce visual impacts of business operations on surrounding residences.; Screen dumpsters, service entries; Avoid using bright lights that wash onto adjoining properties; Use unobtrusive signage."*; and

WHEREAS, while the applicant has met the applicable standards in MSB 17.28.050 Site Development Plan Required and MSB 17.28.060 Site Development Standards, as proposed the Assembly finds the proposed Interim Materials District is inconsistent with the Big Lake Comprehensive Plan; and

WHEREAS, the Matanuska-Susitna Borough Assembly denies this request.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Assembly Action. The Assembly hereby adopts each and every reason outlined in the above statements, and the reasons included in the Planning Commission Resolution 16-18, explicitly incorporated herein. As a result, the Assembly hereby rejects the proposed Interim Materials District, known as Lakeside Sand & Gravel and there will be no amendment to Title 17.

Section 3. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this __ day of _____, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-077

SUBJECT: Accept and appropriate Matanuska Telephone Association's E-rate funds in the amount of $ 13.003.20 to fund 440, project 20323, for upgrading and enhancing the telecommunications and information services within the Matanuska-Susitna Library Network.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Community Development Director		
2	Finance Director		4/07/16
3	Borough Attorney		
4	Borough Clerk		4/11/16

ATTACHMENT(S): Fiscal Note: Yes X No _____
Ordinance Serial No. 16-050 (2 pp)

SUMMARY STATEMENT:
On May 7, 1997, the Federal Communications Commission (FCC) adopted a Universal Service Order implementing the Telecommunications Act of 1996. The Order ensures that all eligible schools and libraries have affordable access to modern telecommunications and information services. Up to $2.25 billion annually is available to provide eligible schools and public libraries with discounts, often referred to as the "E-rate," for authorized services.

These discounts range from 20 to 90 percent, depending on economic need and location (urban or rural). The level of discount is based upon the percentage of students eligible for participation in the federal free and reduced price school lunch program. The borough's public libraries will use the discount percentage of their local school district. The discount percentage for fiscal year 2015 was seventy percent (70%).

The intent of the FCC is for the businesses to use their discounted funds and reimbursements to purchase equipment that would enhance and/or upgrade their telecommunications and information services.

RECOMMENDATION OF ADMINISTRATION:

The administration recommends accepting and appropriating Matanuska Telephone Association's E-rate funds in the amount of $ 13,003.20 to fund 440, project 20323, for upgrading and enhancing the telecommunications and information services within the Matanuska-Susitna Library Network.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 19, 2016

ORIGINATOR: Community Development

SUBJECT: Accept and appropriate Matanuska Telephone Association's E-rate funds in the amount of $13,003.20 to fund 440, project 20323, for upgrading and enhancing the telecommunications and information services within the Matanuska-Susitna Library Network.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT? (YES) NO
AMOUNT REQUESTED $ 13,003.20	FUNDING SOURCE MTA E Rate Check
FROM ACCOUNT #	PROJECT #
TO ACCOUNT # 440.000.000 3XX.XXX	PROJECT # 20323
VERIFIED BY:	CERTIFIED BY:
DATE: 4-7-16	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL						
REVENUE	13					

FUNDING: (Thousands of Dollars)

General Fund						
Federal Funds						
Other	13					
TOTAL	13					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ Phone: _____
DEPARTMENT: _____ Date: _____
APPROVED BY: _____ Date: 4/7/16

NON-CODE ORDINANCE

By: Borough Manager
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-050

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ACCEPTING AND APPROPRIATING $13,003.20 FROM MATANUSKA TELEPHONE ASSOCIATION TO FUND 440, PROJECT 20323, FOR UPGRADING AND ENHANCING THE TELECOMMUNICATIONS AND INFORMATION SERVICES WITHIN THE MATANUSKA-SUSITNA LIBRARY NETWORK.

WHEREAS, on May 7, 1997, the Federal Communications Commission (FCC) adopted a Universal Service Order implementing the Telecommunications Act of 1996; and

WHEREAS, the Order ensures that all eligible schools and public libraries have affordable access to modern telecommunications and information services; and

WHEREAS, up to $2.2 billion annually is available to provide eligible schools and public libraries with discounts, often referred to as the "E-rate" for authorized services; and

WHEREAS, discounts can be applied to commercially available telecommunications services, Internet access and internal connections; and

WHEREAS, the borough libraries received from the Matanuska Telephone Association $13,003.20 as a portion of the E-rate discount for the 2015 fiscal year; and

WHEREAS, these funds are to be used for upgrading and enhancing the telecommunications information services within the

Matanuska-Susitna Library Network by purchasing hardware and or software.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Acceptance and appropriation source. The Matanuska-Susitna Borough Assembly hereby accepts a portion of the libraries E-rate discount and appropriates the amount of $ 13,003.20 to fund 440, project 20323, for upgrading and enhancing the telecommunications and information services within the Matanuska-Susitna Library Network.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. MCKECHNIE, Borough Clerk

(SEAL)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-078

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ESTABLISHING A TEMPORARY MORATORIUM ON MARIJUANA ESTABLISHMENTS TO EXPIRE ON OCTOBER 19, 2016.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER: for George Utermohle

Route To:	Department/Individual	Initials	Remarks
	Originator	NS	For R. Kowalke
	Planning and Land Use Director	EP	
	Borough Attorney	NS	
	Borough Clerk	JAM	4/11/16

ATTACHMENT(S): Fiscal Note: YES ____ NO X
Ordinance Serial No. 16-046 (3 pp)

SUMMARY STATEMENT: This ordinance is being brought forward at the request of Assemblymember Kowalke.

The moratorium will give the Matanuska-Susitna Borough more time to carefully consider the rules and standards to apply to marijuana establishment permits. In addition, at upcoming October 4, 2016 regular Borough election there is a voter sponsored initiative related to marijuana. This voter initiative will ask whether marijuana establishments should be prohibited in the Borough (outside the cities) except for industrial hemp.

This moratorium will prohibit: 1) the processing of applications for approval of marijuana establishments; and 2) operation of marijuana establishments. "Marijuana establishment" is defined as per AS 17.38.900 and further includes all forms of commercial marijuana activity and marijuana clubs whatever their nature.

RECOMMENDATION OF ADMINISTRATION: Adoption of legislation.

NON-CODE ORDINANCE

Sponsored By: Assemblymembers Kowalke and Sykes
Introduced:
Public Hearing:
Adopted:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-046

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ESTABLISHING A TEMPORARY MORATORIUM ON MARIJUANA ESTABLISHMENTS TO EXPIRE ON OCTOBER 19, 2016.

WHEREAS, AS 17.38.900 defines "marijuana establishment" to include marijuana cultivation facilities, marijuana testing facilities, marijuana product manufacturing facilities, and marijuana retail stores; and

WHEREAS, the Marijuana Control Board has also addressed marijuana clubs which allow consumption of marijuana on premises and which the Matanuska-Susitna Borough considered included in the definition of marijuana establishments; and

WHEREAS, AS 17.38.110 allows municipalities to limit or prohibit operation of marijuana establishments; and

WHEREAS, at the October 4, 2106 regular election, Matanuska-Susitna Borough voters will decide whether to prohibit all marijuana establishments except industrial hemp; and

WHEREAS, the Matanuska-Susitna Borough has not yet established local rules regarding the operations of marijuana establishments; and

WHEREAS, it is in the public interest that the Matanuska-Susitna Borough Assembly thoughtfully consider and adopt rules and regulations that ensure the orderly development and regulation of marijuana establishments; and

WHEREAS, implementation of State of Alaska licensing rules is still unknown and public concern has been raised about enacting Borough regulations prior to consideration of a marijuana ballot initiative on October 4, 2016, and

WHEREAS, it is also in the best interest of the Matanuska-Susitna Borough to establish a moratorium until issues regarding locations of businesses and residential areas is more fully addressed; and

WHEREAS, state law on licensing requires background checks but the Alaska Legislature still needs to pass a bill allowing the State Marijuana Control Board to perform those checks; and

WHEREAS, no matter how voters decide the October 4, 2016, ballot question on marijuana, local rules will still be needed to regulate marijuana establishments; and

WHEREAS, nothing in this ordinance infringes on the personal use rights guaranteed by AS 17.38; and

WHEREAS, this moratorium is temporary in nature and expires the day after the certification date for the results of the October 4, 2016, regular borough election.

BE IT ENACTED:

Section 1. Classification and Applicability. This Ordinance is a non-code ordinance and applies to all areas of the Matanuska-Susitna Borough outside the incorporated cities of Palmer, Wasilla and Houston.

Section 2. Moratorium. As per the authority granted by AS 17.38.110, the Matanuska-Susitna Borough establishes a moratorium and prohibits: 1) the processing of applications for approval of marijuana establishments; and 2) operation of marijuana establishments.

Section 3. Definitions. In this ordinance, "marijuana establishment" is defined as per AS 17.38.900 and further includes all forms of commercial marijuana activity and marijuana clubs whatever their nature.

Section 4. Effective Date. This ordinance shall take effect upon adoption.

Section 5. Sunset Clause. This ordinance shall expire October 19, 2016.

ADOPTED by the Matanuska-Susitna Borough Assembly this __ day of _____, 2016.

_____
VERN HALTER, Borough Mayor

ATTEST:

_____
LONNIE R. McKECHNIE, CMC, Borough Clerk
(SEAL)

BOARD AND COMMISSION VACANCY REPORT April 19, 2016

N = New Application R = Reappointment ***Vacant since 12/31/2013 **Vacant since 12/31/2014 *Vacant since 12/31/2015

Board - Applicant	Applicants Under Consideration by Mayor	Mayor's Appointments for Confirmation by the Assembly
Agriculture Advisory Board *12 members – 1 vacancy* 06 Knowledge/Experience Productions of Wool, Qiviut, Fiber, Hair, Feathers, etc. (At-Large)	.....	Ken Peltier - N
Aviation Advisory Board *9 members – 1 vacancy* Member 8		
Board of Adjustment and Appeals *5 members/3 alt. – 1 vacancy – **(3) 3 year terms*** ***Alternate 2		
Board of Equalization *15 members - 6 vacancies - **(3) 3 year terms*** ***Member 4 **Member 6 ***Member 7 Member 12 ***Member 13 ***Member 14		
Board of Ethics *15 members - 11 vacancies* Member 1 Member 3 ***Member 5 ***Member 7 ***Member 9 ***Member 10 ***Member 11 **Member 12 ***Member 13 **Member 14 **Member 15		
Borough Area Schools Site Selection Committee *7 or 8 members/3 alt. – 3 vacancies* *Assembly Alternate *Assembly Representative 2 Planning Commission Rep 2 .....William Kendig – N		

Board - Applicant	Applicants Under Consideration by Mayor	Mayor's Appointments for Confirmation by the Assembly
Commission on Salaries and Emoluments *5 members – 5 vacancies* ***Member 1 (Business Executive) ***Member 2 (General Public) ***Member 3 (Experience in Public Admin) ***Member 4 (Labor Organization) ***Member 5 (Any 1-4 Qualifications)		
Emergency Medical Services Board *13 members/13 alt. – 1 vacancy* *West Lakes Ambulance Alternate		
Enhanced 911 Advisory Board *5 members/5 alt. – 2 vacancies* City of Houston **City of Houston Alternate		
Health and Social Services Board *13 members – 5 vacancies* Member 06 – District 3 Member 07 - District 7 Member 08 – At-Large Districts 2, 3, 4, or 6 Member 10 – District 4 Member 13 – District 1		
Historical Preservation Commission *9 members – 1 vacancy* Member 5		
Jt. Assembly/School Board Committee on School Issues *6 members – 1 vacancy* *Assembly Member 2		
Labor Relations Board *5 members - 3 vacancies* Member 1 Member 2 Member 4		
Local Emergency Planning Committee *33 members – 14 vacancies* ***Alaska Railroad ***Borough Government *City of Houston (non law enforcement) *City of Palmer (non law enforcement) ***City of Wasilla (non law enforcement)		

Board - Applicant	Applicants Under Consideration by Mayor	Mayor's Appointments for Confirmation by the Assembly
Local Emergency Planning Committee (continued) *Civil Defense ***Elected Official Emergency Medical Services Env/Bus/Tech 5 Law Enforcement AK State Troopers ***Law Enforcement Houston Police **Law Enforcement Palmer Police Public Health Agency Tribal Government		
Marijuana Advisory Committee *17 members/17 alternates – 4 vacancies* Member 05A - Local Business Organization Alternate Member 06A - Law Enforcement Alternate Member 09A - Planning/Zoning Type Experience Alternate Member 10A - Sales/Marketing Advertising Alternate		
Office of Administrative Hearings *5 members – 4 vacancies* ***(2 year terms)*** ***Seat A Seat B ***Seat C ***Seat E		
Parks, Recreation, and Trails Advisory Board *11 members – 2 vacancies* *District 4 District 7		
Butte FSA # 2 *3 members – 3 vacancies* ***Member 1 ***Member 2 ***Member 3		
Sutton FSA # 4 *3 members – 3 vacancies* ***Member 1 ***Member 2 ***Member 3		
Alpine RSA # 31 *3 members – 1 vacancy* Member 1		
Gold Trail RSA # 28 *3 members – 1 vacancy* Member 3		

Board - Applicant	Applicants Under Consideration by Mayor	Mayor's Appointments for Confirmation by the Assembly
Lazy Mountain RSA # 19 *3 members – 1 vacancy* Member 2		
Midway RSA # 9 *3 members – 1 vacancy* Member 3		
North Colony RSA # 23 *3 members – 2 vacancies* ***Member 1 ***Member 2		
South Colony RSA # 16 *3 members – 1 vacancy* Member 3	.....	John (Marty) Van Diest - N
Circle View & Stampede Estates Flood & Water Erosion # 131 *5 members – 1 vacancy* Member 5		
Talkeetna Flood Control Service Area # 7 *3 members – 2 vacancies* ***Member 1 ***Member 3		
Talkeetna Sewer & Water Service Area # 36 *5 members – 1 vacancy* *Member 2 CC	.....	Paul Button – N

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE
350 E. Dahlia Avenue Palmer, AK 99645
Phone: 861-8683 Fax: 861-7845

RECEIVED
MAR 21 2016
CLERKS OFFICE

DATE RECEI

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to **debra.wetherhorn@matsugov.us** or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: AG Board - Any seat is fine with me.
(For example, Board of Equalization, Member 3)

Applicant Name: Ken Peltier

Residence Address: M 55 Glen Hwy Sutton 99674

Mailing Address: Po Box 2433 Palmer, AK 99645

Home phone: _____ Work phone: 244-0238 Email: alaskenp@kw.com

Name and Address of Employer: Self Employed

Can you regularly attend meetings? Yes ☒ No ☐ *(Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause."*

Do you or any family member have a personal or financial interest with the Borough? Yes ☐ No ☒

If yes, list positions and or interest: _____
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? Since 1986

Briefly explain, why you are you interested in serving on the board in which you are applying? I have a passion for agriculture. I feel I can make a positive contribution.

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: Grew up on farms. Currently own a farm. Have extensive leadership background. Worked for a Board. Still serve on Exec Committee of the Alaska Workforce Investment Board - Appt by the governor

List three **professional or personal** references:

Name: Louisa Dean		Phone: 269-7487
Name: Adam Boyd		Phone: 355-2966
Name: Ray Depriest		Phone: 631-9922

Applicant Signature: [signature] **Date:** 5/21/15

(N)

Office Use Only: Precinct: 09-645 Assembly District: 1 Service Area: N/A

Position on Board: AGAB 6 Term Ends: 12/31/2017

Residence Checked: ☑ Yes Map Checked: ☑ Yes Code Checked: 1st ☑ 2nd ☑

PER Glenda

Applicant Name: Ken Peltier

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner? X NO ____ YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?
X NO ____ YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

From: Mary Brodigan
Sent: Tuesday, December 08, 2015 3:09 PM
To: Debra Wetherhorn
Subject: RE: Borough Area Schools Site Selection

Please see that highlighted section.

XIV. COMMISSION BUSINESS

A. Planning Commission Elections

1. Planning Commission Chair and Vice Chair

MOTION: Commissioner Kendig moved to nominate Commissioner Klapperich to be the Planning Commission Chair for 2015. The motion was seconded.

VOTE: The motion passed without objection.

MOTION: Commissioner Adams moved to nominate Commissioner Walden to be the Planning Commission Vice-Chair for 2015. The motion was seconded.

VOTE: The motion passed without objection.

2. School Site Selection Committee Representative 2

MOTION: Commissioner Adams moved to nominate Commissioner Kendig to be the Planning Commission Representative 2 on the School Site Selection Committee. The motion was seconded.

VOTE: The motion passed without objection.

SBA Planning Com Rep 2
12.31.2017

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE
350 E. Dahlia Avenue Palmer, AK 99645
Phone: 861-8683 Fax: 861-7845

RECEIVED
DATE RECEIVED:
MAR 09 2016
CLERKS OFFICE

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to **debra.wetherhorn@matsugov.us** or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Road Service Advisory Board South Colony #16
(For example, Board of Equalization, Member 3)

Applicant Name: John Martin Van Diest

Residence Address: 680 Wildrose Circle, Palmer

Mailing Address: 680 Wildrose Circle, Palmer Alaska 99645

Home phone: 907-232-7900 Work phone: same Email: marty@valleymarket.com

Name and Address of Employer: Valley Market Real Estate

Can you regularly attend meetings? Yes ☒ No ☐ *(Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause."*

Do you or any family member have a personal or financial interest with the Borough? Yes ☐ No ☒

If yes, list positions and or interest:
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? 37 years

Briefly explain, why you are you interested in serving on the board in which you are applying? I am interested in maintaining our infrastructure while using public money in the most efficient manner.

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: Local realtor for 26 years, served on platting board. Currently an alternate on that board

List three **professional or personal** references:

Name:	Kevin Crozier	Phone:	232-7649
Name:	Larry Ficek	Phone:	232-6711
Name:	Uli Johnson	Phone:	357-1770

Applicant Signature: John Martin Van Diest (N) **Date:** 3/9/16

Office Use Only: Precinct: 11-060 Assembly District: 2 Service Area: RSA-South Colony
Position on Board: RSA 16 member 3 Term Ends: 12/31/2018
Residence Checked: ☑ Yes Map Checked: ☑ Yes Code Checked: 1st ☑ 2nd ☑

Applicant Name: John Martin Van Diest

1. Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner? x NO _____YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

2. Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?
x NO _____YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE
350 E. Dahlia Avenue Palmer, AK 99645
Phone: 861-8683 Fax: 861-7845

RECEIVED
DATE RECEIVED:
MAR 09 2016
CLERKS OFFICE

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to **debra.wetherhorn@matsugov.us** or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: TALKEETNA SEWER/WATER SERVICE AREA #36
(For example, Board of Equalization, Member 3) BOARD OF SUPERVISORS

Applicant Name: PAUL J. BUTTON

Residence Address: 14101 E. ASPEN CIRCLE, TALKEETNA AK 99676

Mailing Address: PO BOX 991, TALKEETNA AK 99676

Home phone: 733-5264 Work phone: ——— Email: paulbutton907@gmail.com

Name and Address of Employer: NONE - RETIRED

Can you regularly attend meetings? Yes ☒ No ☐ *(Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause."*

Do you or any family member have a personal or financial interest with the Borough? Yes ☐ No ☒

If yes, list positions and or interest: N/A
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

How long have you lived in the Borough? 1.5 YEARS

Briefly explain, why you are you interested in serving on the board in which you are applying? AS A RETIRED ENGINEER I WELCOME THE CHALLENGES THIS SYSTEM PRESENTS

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: AK REGISTERED PROF. MECHANICAL ENGINEER (RETIRED); FORMER FACILITY MANAGER/CHIEF OF MAINTENANCE

List three **professional or personal** references:

Name: WHITNEY WOLFF Phone: 733-2713
Name: JOHN STRASENBURGH Phone: 733-6874
Name: JAMES TRUMP Phone: 733-1045

Applicant Signature: Paul J Button (N) **Date:** MAR 5, 2016

Office Use Only: Precinct: 10-035 Assembly District: 7 Service Area: Comm Talkeetna

Position on Board: SSA 36 member 2 - CC Term Ends: 12-31-2017

Residence Checked: ☑ Yes Map Checked: ☑ Yes Code Checked: 1st ☑ 2nd ☑

Applicant Name: PAUL J. BUTTON

1. Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner? X NO ___ YES
PJB

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

N/A

2. Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?
X NO ___ YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

N/A

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 16-057

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY; AMENDING 17.55.005 GENERAL; ADOPTING MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMENDING 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES AND AMENDING MSB 17.125.010 DEFINITIONS.

AGENDA OF: April 19, 2016

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Refer to Planning Commission for review.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator	FB	
1	Planning and Land Use Director	EP	
2	Finance Director		4/5/16
3	Borough Attorney	NS	Review Pending
4	Borough Clerk		4/11/16

ATTACHMENT(S): Fiscal Note: YES ____ NO __x__
Ordinance Serial No. 16-051 (7pp)
Letters (7pp)
Fact Sheet (2pp)

SUMMARY STATEMENT:

The Matanuska-Susitna Borough (MSB) has taken significant actions over the years to protect fisheries and fish habitat in the region. In 2007, the Assembly created the Mayor's Blue Ribbon Sportsman's Committee which was later renamed the MSB Fish and Wildlife Commission. This commission has successfully advocated for increased resources for the Mat-Su to improve fishery management in Upper Cook Inlet over the past several years.

The Mat-Su Basin Salmon Habitat Partnership was organized in 2005 and recognized by the National Fish Habitat Partnership as one of 19 fish habitat partnerships in the country. MSB was a founding member of the Partnership and continues to have a representative on the Steering Committee. Since 2006, the Partnership has awarded nearly $2 million for more than 70 science, conservation and restoration projects to improve fish habitat in the Mat-Su.

MSB has worked with a variety of partners to improve fish passage by replacing culverts under borough roads that block fish. As of 2013, over 80 culverts have been replaced with funds totaling $6 million from federal, state and local sources. In 2013, the Assembly unanimously approved an ordinance (OR 13-083) to require all new culverts installed along anadromous streams to be designed and constructed to allow for fish passage.

In 2013, MSB requested capital funding from the State of Alaska and was awarded a $2.5 million grant for fisheries protection. This grant funding is being used to replace culverts that are barriers to fish and to conduct fisheries research to improve fishery management in Upper Cook Inlet.

Salmon are a highly valued resource in the Mat-Su and throughout the state. In order for salmon to thrive, they need cool, clean water and healthy freshwater habitats. This ordinance is proposed to address concerns about habitat degradation caused by removal of vegetation in and around stream banks, otherwise known as riparian areas.

Removal of vegetation along stream banks can negatively affect salmon and other aquatic life by increasing pollution entering streams, increasing sedimentation, removing shade and vegetation cover that provides habitat for juvenile fish and increasing water temperatures. Several streams in the rapidly developing areas of the borough have been listed as having impaired or threatened water quality by the Department of Environmental Conservation.

Riparian buffers, in addition to protecting fish habitat, can prevent bank erosion, reduce flooding impacts, decrease stormwater runoff and protect private property from damage caused by high water events.

Alaska Department of Fish and Game, U.S. Fish and Wildlife Service, MSB and other partners have completed numerous stream bank restoration projects to replace vegetation that has been damaged or removed along salmon streams in locations such as

damaged or removed along salmon streams in locations such as Willow Creek, Cottonwood Creek, and Sunshine Creek and Big Lake. ADF&G and USFWS have an ongoing restoration cost-share program to assist private property owners with restoration of vegetation on their stream banks and lake shores. In recent assessments of riparian habitat by the Palmer Soil and Water Conservation District, they found 1821 sites and 123,000 feet of riparian habitat that is impacted in the Mat-Su. ADF&G and USFWS have been able to restore approximately 10 sites (1,000 feet) per year through their cost-share program.

The Kenai Peninsula Borough (KPB) in 1996 designated portions of the Kenai River for riparian buffer protection to protect salmon spawning and rearing habitat. Since then, KPB has increased the number of water bodies protected and now has almost all anadromous rivers, streams and lakes in the borough included in their stream protection ordinance (KPB 21.18.025).

Through the Alaska Forest Resources and Practices Act (AS 411.7), the State of Alaska requires riparian buffers "to protect riparian areas from the adverse effects of timber harvest activities on fish habitat and water quality" (FRPA Pg11). The State requires riparian buffers of 100-325 feet depending on the size and characteristics of the water body, anadromous designation and the slope of adjacent land. MSB Community Development Department follows the FRPA requirements when permitting timber harvest on borough land.

Salmon runs have been declining in the Mat-Su in the past decade. Commercial fishing organizations have claimed that the primary cause of Mat-Su's declining salmon runs is that the Mat-Su Borough has not sufficiently protected fish habitat. Although many other groups would dispute their claims, including the MSB Fish and Wildlife Commission, taking this step to establish riparian buffer standards demonstrates the Borough's continued commitment to fish habitat protection.

The specific streams and rivers designated in this ordinance were selected by an interagency team of local, state and federal land managers and scientists in 2013 as high priority water bodies. This designation was based on their importance for salmon spawning, rearing and overwintering habitat. This list of water bodies has been subsequently used to identify high priority land and water areas for conservation.

MSB can continue to grow, build and develop communities and maintain healthy fisheries. This ordinance adds to the many positive steps that the Borough has taken to protect fish and fish habitat.

RECOMMENDATION OF ADMINISTRATION: Staff respectfully recommends referring Ordinance 16-057 AMENDING 17.55.005 GENERAL; ADOPTING MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMENDING 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES AND AMENDING MSB 17.125.010 DEFINITIONS to the Planning Commission for 60 days for review.

Mat-Su salmon PARTNERSHIP

18 March, 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

Re: Establishment of Riparian Buffer Standards for Anadromous Streams - IM 16-057

Dear Mayor Halter and Assembly members,

I am writing on behalf of the Mat-Su Basin Salmon Habitat Partnership in support of the establishment of riparian buffer standards for anadromous streams (IM 16-057). The Mat-Su Salmon Partnership formed in 2005 to address increasing human use and development related impacts to salmon and their habitat in the Mat-Su Basin. Over 60 tribal, local, state and federal governments, businesses, private land-owners, fishing interests and non-profits are now partners. The Mat-Su Borough is a founding member and has a permanent seat on the Steering Committee.

In 2008, the Partnership completed a comprehensive Strategic Action Plan, revised in 2013, that outlines goals for conserving and restoring salmon habitat in the Mat-Su Basin. **In 2015, the Partnership identified maintenance of intact riparian areas along lakes, streams and rivers as one of its top four conservation priorities.**

Alteration of riparian habitat can have numerous negative consequences for healthy salmon populations including loss of cover and potentially increasing stream temperatures - a concern for developing salmon fry. Decreases in large instream woody debris can also potentially increase vulnerability to predation, lower winter survival, decrease spawning gravel and reduce food availability. Impacts to riparian areas can ultimately reduce the capacity of waterbodies to produce salmon. It is also important to know that intact riparian areas benefit both salmon and people. They protect human infrastructure and reduce the impacts of floods. For these reasons, many partners have focused their efforts on both conserving intact areas and restoring degraded streambank and streamside habitats, as well as educating landowners about how to care for habitat.

Palmer Soil and Water Conservation District recently completed an assessment of riparian impacts on 35 priority waterbodies in the Mat-Su. Although some waterbodies like Big Lake, Blodgett Lake and Cottonwood Creek had 27%, 12% and 4% impacted shorelines respectively, the overall percentage of impacted shorelines remains relatively low. This underscores both the recognition there are areas of concern, and there is a great opportunity in the Mat-Su to conserve riparian salmon habitats before they are impacted and financial resources expended in their restoration.

IM16-057
OR16-051

There are precedents for these important standards. Two examples include the Alaska Forest Resources and Practices Act (AS 411.7), where the State of Alaska requires riparian buffers to protect fish and water quality for timber harvest activities, and in the Kenai Peninsula Borough. In response to increased urbanization effects, the Kenai Peninsula Borough designated portions of the Kenai River for riparian buffer protection to safeguard salmon spawning and rearing habitat in 1996. Today nearly all anadromous rivers, streams and lakes in the borough are included in the ordinance (KPB 21.18.025).

Adopting standards for riparian buffers next to streams and rivers that are recognized as high priority habitat for salmon will address critical goals for salmon conservation identified in the Partnership's Strategic Action Plan. Specifically, this project will address the plan's Overall Riparian Goal: to prevent alteration of riparian areas that provide valuable salmon habitat in the Mat-Su. It also directly meets Strategic Action 2.2.2 to protect riparian habitat with local mechanisms that maintain a riparian buffer along all priority waterbodies in the Mat-Su Borough.

Proactive policies are key to keeping Mat-Su salmon and their habitat intact, and not in a damaged state like much of the lower 48 states. In the Mat-Su, we still have intact salmon habitat and the Mat-Su Borough has exhibited great commitment and leadership in supporting that healthy freshwater habitat essential to wild abundant salmon runs. We encourage you to establish riparian buffer standards for anadromous streams (IM 16-057) that will help maintain healthy salmon habitat on top priority salmon streams in the Mat-Su. Thank you.

On behalf of the Steering Committee of the Mat-Su Salmon Partnership,

Jessica Speed
Mat-Su Basin Salmon Habitat Partnership Coordinator
907-865-5713
matsusalmon@tnc.org
www.matsusalmon.org

Mat-Su Basin Salmon Habitat Partnership Steering Committee:
Roger Harding, Alaska Department of Fish and Game
Erika Ammann, National Oceanic and Atmospheric Administration
Lee Stephan, Native Village of Eklutna
Arni Thomson, Alaska Salmon Alliance
Jon Gerken, U.S. Fish and Wildlife Service
Corinne Smith, The Nature Conservancy
Frankie Barker, Mat-Su Borough
Christy Cincotta, Tyonek Tribal Conservation District
Jessica Winnestaffer, Chickaloon Village Traditional Council

IM16-057
OR16-051

MATANUSKA-SUSITNA BOROUGH
Fish and Wildlife Commission
350 East Dahlia Avenue • Palmer, AK 99645

March 21, 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

RE: Riparian Buffers for Salmon Streams

Dear Mayor Halter and Assembly members;

This letter is to express the Fish and Wildlife Commission's (FWC) support for establishing riparian buffer standards for salmon streams and rivers. An ordinance will be coming forward to the Assembly to adopt standards for riparian buffers next to streams and rivers that are recognized as high priority habitat for salmon. This action is a wise investment for our community since it will enhance salmon habitat, prevent stream bank erosion and create greater resistance to flood damage on properties adjacent to flowing water bodies.

MSB has made considerable investment in improving fish habitat over the years recognizing the importance of maintaining areas for juvenile salmon rearing and spawning. Through the fish passage program, MSB and partners have replaced 102 culverts at a cost of over $12 million, restoring access to miles of fish habitat and protecting our road infrastructure from flood damage. As a founding member of the Mat-Su Salmon Habitat Partnership, MSB has participated in efforts to educate the public about salmon life cycles and to provide grants to local organizations conducting salmon habitat projects.

We greatly appreciate the Mayor and Assembly's support for fisheries issues and the work of the Fish and Wildlife Commission. With your support, the FWC asked and received $2.5 million in state assistance to improve our fisheries and is now embarking on a multi-year fisheries research program. It is important that the MSB demonstrate through our own actions that we are adopting local measures to keep salmon habitat healthy in order to continue to receive support from the state and other partners.

Establishing standards for riparian buffers along high priority salmon streams is a well-tested, cost effective approach to maintain healthy salmon habitat. We hope you will support this effort for the benefit of our fisheries and community.

Sincerely,

Terry Nininger, Chair
MSB Fish and Wildlife Commission

cc: John Moosey, Borough Manager

IM16-057
OR16-051

GREAT LAND TRUST
SOUTHCENTRAL ALASKA

Conserving and stewarding the lands and waterways essential to the quality of life and economic health of Alaskans

RE: Letter of Support: Riparian Buffer Ordinance (16- 057)

Assembly Members and Planning Commission,

Great Land Trust (GLT) is a non-profit land trust serving Southcentral Alaska. Our mission is to conserve and steward lands and waters essential to the quality of life and economic health of all Alaskans. This letter is to express our support for establishing riparian buffers along high priority salmon streams in the Mat-Su through the passage of Ordinance 16-057.

Since its founding, GLT has partnered with organizations, government entities, private landowners, and funders to conserve over 47,000 acres of land including 16,000 acres of wetlands, over 65 miles of salmon streams, eight historic homesteads and seven new community parks. Many of these parcels are open to the public and provide access to other public lands such as Palmer Hay Flats State Game Refuge and Chugach State Park.

In 2009, our board made the strategic decision to expand our presence in the Mat-Su Valley by opening an office in Palmer. To make sure we were focusing our efforts in the Mat-Su on the lands that have the highest conservation value, in 2012, we completed a Geographic Information System (GIS) based parcel prioritization to identify lands that contain priority habitat for salmon.

For the prioritization, we hosted a series of information gathering meetings with representatives from the Alaska Department of Fish and Game, Palmer Office, U.S. Fish and Wildlife Service, U.S. Geological Survey, Mat-Su Borough, Mat-Su Salmon Habitat Partnership, The Nature Conservancy, Chickaloon Native Village, Environmental Protection Agency, local fishing guides and community members. We asked them to identify the most important waterbodies for salmon in the Mat-Su. The result was a catalog of 35 streams, lakes and rivers that contained the highest quality salmon habitat in the MSB. In our efforts to better understand community interest and concerns regarding salmon streams it became very clear that there was overwhelming support for maintaining and restoring the salmon populations that make the MSB such a vibrant place to live.

Once the waterbodies were identified we used a series of filters to score parcels along each waterbody. Water quality concerns, declining populations, development density, wetland function and sport fishing were considered when assessing parcels along each system. Once the parcels were scored we used the prioritization to help identify and conserve over 7,000 acres of land including 5,000 acres of wetlands and 44 miles of stream corridor important for salmon in the Mat-Su.

In 2014, we mailed information packets to all 2,500 private landowners identified in our prioritization to provide them with resources to help care for their important salmon habitat. We also launched our King Makers campaign to celebrate the voluntary action landowners were taking to restore and conserve habitat on their property and we started our Baby Salmon Live Here sign campaign to install signs along Mat-Su roadways aimed at to highlighting that salmon live all around us all year long.

Great Land Trust | P.O. Box 101272 | Anchorage, AK 99510 | (907) 278-4998 | www.greatlandtrust.org

John Baker |Mark Dalton | Shelda Duff | Mark Kroloff | Dick LeFebvre | Molly McCammon | Curtis McQueen | Caryn Rea | Corinne Smith | Cathie Straub | Jim Stratton | Ken Taylor

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All three of our initiatives are focused on identifying and conserving the riparian corridor so that salmon have the habitat necessary to spawn and rear now and into the future. We continue to receive very strong support and feedback from these efforts to maintain salmon streams in the MSB. Having the MSB institute riparian buffer standards would further support salmon, their habitat and the continuation of healthy populations in the region.

Sincerely,

Kim Sollien
Mat-Su Program Director

IM16-057
OR16-051

Box 923
Talkeetna, AK 99676
arri@arrialaska.org
907.315.4631

ARRI
Aquatic Restoration & Research Institute

March 16, 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

Dear Mayor Halter and Assembly members;

Re: Support for Mat-Su Borough Ordinance 16-057
Riparian buffers on anadromous streams

The protection of natural vegetation along streams, rivers, and lakes is the single most important thing we can do to protect water quality, fish habitat, and our fisheries. Naturally vegetated streambanks filter pollutants and slow down surface runoff. The vegetation strengthens streambanks reducing erosion rates during floods. Trees and shrubs along the shore and wood within streams also slows down and reduces the energy of flood waters. Shoreline vegetation provides shade and food for fish from leaf litter to insects. Wood in streams helps store leaves and other food sources and provides important habitat for aquatic insects. Wood in streams creates pools and provides cover for fish.

The importance and benefits of natural vegetation along streams and lakes is unquestionably supported by the scientific community. There are literally thousands of scientific articles that have investigated and support the benefits of protecting riparian vegetation. We have attended a number of conference presentations that link the impacts to water quality and fish habitat to the loss of riparian vegetation, and the extraordinary costs and effort put toward habitat restoration. Protecting riparian areas is one of the cornerstones of the Mat-Su Borough Stormwater Management Plan.

We support the ordinance approach of standardized riparian widths on designated streams. Having served on the committee that developed riparian standards for timber harvest in the Mat-Su, I can attest to the difficulty of determining variable protection zones for different stream types or stream sizes. By adopting standard riparian protection zones, you will avoid the need for borough staff to devote time to interpreting and enforcing an ordinance that varies among locations.

We are Aquatic Ecologists with the Aquatic Restoration and Research Institute (www.arrialaska.org), and property owners that would be affected by this ordinance. We support the Mat-Su Borough's efforts toward protecting water quality and fish habitat and maintaining our fisheries.

Sincerely,

Jeff and Gay Davis

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SUSTAINABLE DESIGN GROUP

Riparian Buffer Support

17 March 2016

Mayor Vern Halter and Assembly Members
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer, Alaska 99645

Re: Endorsement of riparian buffers for andromous streams ordinance (IM-16-057)

Dear Mayor Halter and Assembly members,

SDG would like to express our support for the anadromous streams and rivers ordinance (IM-16-057) addressing riparian buffers. Riparian buffers offer a critical protection to salmon habitat and ecosystems by improving water quality in developed and/or impacted areas. Riparian buffers provide vegetation that filter stormwater runoff of toxins, sediment, and other contaminants before they enter our local water bodies.

Riparian buffers have been regulated and protected throughout the world with outstanding results in increasing water quality and hydrologic function. In addition to water quality, these buffers provide critical habitat for aquatic species and land mammals along with other wildlife who use these fringe habitats for food, cover and as movement corridors.

The buffer widths as proposed within this ordinance (50'/100') will have a large and dramatic impact on water quality and salmon population. Buffer widths, as proposed, are small relative to the full scope of riparian habitat impacts. Fragile salmon fry habitat can be protected by these types of buffers that also serve to keep waters at more consistent temperatures. Riparian buffers offer predator protection, constant water temperatures, and a healthy aquatic environment as part of the success in maintaining salmon populations.

Healthy waterways and environments are part of the quality of life that defines the MatSu Borough. Thriving salmon populations encourage opportunities to contribute to economic growth, recreation, and wholesome lifestyles. SDG appreciates the planning departments work to prepare this comprehensive approach to implementing riparian buffers. We fully support approval of this important Borough ordinance to regulate and require riparian buffers as a part of development standards.

Sincerely,

Luanne Urfer

Luanne Urfer PLA ASLA
Principal
CLARB Certified Landscape Architect

Sustainable Design Group

247 S. Alaska Street
Palmer, Alaska 99645
907 745 3500

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RIPARIAN BUFFERS

Frequently Asked Questions

1) What are Riparian Buffers?

Riparian buffers are vegetated areas along the edges of water bodies such as streams, lakes and rivers that provide shade and protect the water from adjacent land uses. Riparian comes from the Latin word "ripa" meaning river bank.

2) What are the benefits of riparian buffers?

Depending on their size and effectiveness, riparian buffers can prevent bank erosion, provide protection from flooding, protect salmon habitat and improve water quality by preventing sediments and pollutants from entering water bodies.

3) How do riparian buffers improve salmon habitat?

Salmon need cool, clear streams to live in. Juvenile salmon rely on plant cover and roots to provide slow-moving pools to hide from predators. Vegetation along rivers, streams and lake edges prevents sediment from getting into the water which can clog fish gills. Plants along the water's edge provide shade and help to keep waters cool during the summer months.

4) What kind of vegetation should be in the buffers?

Native plants that occur naturally in the area are the best plants for riparian buffers. They require less maintenance and are used to the local climate. Plant species might include willow, alder, native grasses and other common wetland plants.

4.5) What about lawns?

Lawns and gardens can help trap and filter pollution and sediment before it gets into the water. However, shrubs, grasses and trees are better at slowing runoff. Fertilizers and chemicals used on lawns can get into water bodies, so it's best to locate lawns as far away from the edge of the water as possible.

5) How big do riparian buffers need to be?

Buffer size may vary according to the size, speed and volume of a water body and the nature of adjacent land uses. For instance, on a small lake a buffer of 50-75 feet might be sufficient to prevent erosion, provide

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habitat for salmon and protect water quality. On a larger water body such as a river, a riparian buffer of 100-200 feet might be necessary to stabilize the banks and provide flood prevention.

6) Is there a riparian buffer requirement in the Mat-Su?

There is no overall requirement to maintain vegetated riparian buffers along waterbodies in the Mat-Su, except on Borough or State owned lands when they are used for natural resource extraction. There is a structural buffer that requires property owners to build habitable structures at least 75 feet from the edge of a water body. There is also a *Voluntary Best Practices for Development Around Water Bodies* policy that recommends 75 foot riparian buffers.

7) What can I do if vegetation along the water's edge has been removed or disturbed?

Shorelines can be restored through replanting of native plants, and in some cases, rebuilding the shorelines using biological restoration techniques. There are agencies that can assist with shoreline restoration including Alaska Department of Fish and Game.

8) Water quality in the Mat-Su is generally good? Why would we need riparian buffers?

To keep our clean, cool water for people, wildlife and fish. There are several "impaired" water bodies in the Mat-Su as identified by ADEC. As the Mat-Su population grows, more riparian areas are disturbed or converted to non-native plants. Alaska streams and fish are very sensitive to changes in levels of nutrients from sources such as fertilizers, septic systems, pet waste and street deicers that can cause excessive plant growth, plant decay and reductions in water quality.

Air and water temperatures are rising throughout the area, threatening the cool waters that are important to salmon. There have been declines in salmon runs over the past decade causing the ADF&G to declare 8 salmon stocks in the Mat-Su as "stocks of concern". Small modifications of riparian habitat by individual landowners can lead to large-scale water quality changes when multiplied throughout an area.

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CODE ORDINANCE

By: Borough Manager
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 16-051

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY; AMENDING 17.55.005 GENERAL; ADOPTING MSB 17.55.030 RIPARIAN BUFFER STANDARDS TO PROTECT ANADROMOUS FISH, WILDLIFE HABITAT AND WATER QUALITY IN DESIGNATED STREAMS; AMENDING 17.55.040 VIOLATIONS, ENFORCEMENT AND PENALTIES; AND AMENDING MSB 17.125.010 DEFINITIONS.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 17.55.005 General is hereby amended to read:

This chapter establishes minimum structural setbacks from lot lines, water courses and water bodies, rights-of-way, **riparian buffer standards**, and specific screening easements for certain lands within subdivisions in the Matanuska-Susitna Borough except where otherwise specified in special land use district regulations within this title.

Section 3. Adoption of section. MSB 17.55.030 Riparian Buffer Standards is hereby adopted to read:

17.55.030 RIPARIAN BUFFERS FOR ANADROMOUS WATER BODIES

(A) The following anadromous streams, as identified in the "Atlas and Catalogue of Waters Important for Spawning,

Rearing or Migration of Anadromous Fish" published by the Alaska Department of Fish and Game are subject to this chapter:

1) Cache Creek

2) Cottonwood Creek

3) Fish Creek

4) Goose Creek

5) Jim Creek

6) Lake Creek

7) Little Meadow Creek

8) Lucille Creek

9) McRoberts Creek

10) Meadow Creek

11) Montana Creek

12) Queer Creek

13) Rabideaux Creek

14) Sawyer (Buddy) Creek

15) Sheep Creek

16) Sunshine Creek

17) Swift Creek

18) Trapper Creek

19) Twister Creek

20) Wasilla Creek

21) Whiskers Creek

22) Wiggle Creek

23) Willow Creek

24) Little Susitna River

25) Matanuska River

26) Susitna River

(B) As of the effective date of this section, the natural vegetation within the following specified distances of the Ordinary High Water Mark (OHW) of the designated bodies of water or watercourses shall be retained as a riparian buffer. The width of the riparian buffer is based on the particular land use.

(1) The riparian buffer width on parcels developed for private residential or recreational use shall be fifty feet (50') from the OHW mark.

(2) The riparian buffer width on parcels developed for multi-family residential or public use shall be one hundred feet (100') from the OHW mark.

(3) The riparian buffer width on parcels developed for commercial or industrial use shall be one hundred feet (100') from the OHW mark.

(4) If riparian buffers required by other permits or regulations are larger than those specified above, the larger buffer widths shall stand.

(C) The area within riparian buffers may be 'minimally disturbed,' and developed in accordance with the relevant

provisions of MSB code, state, federal, or other authorities.

(1) 'Minimal disturbance' allows for limited vegetation removal (e.g., to eliminate hazards or open a view), and a provision for water access.

(2) 'Minimal disturbance' does not allow the conversion of the buffer to another use.

(3) Where the vegetation within a riparian buffer is principally composed of species considered by the MSB to pose a 'Very High' or 'Extreme Fire Risk Hazard' Rating (i.e., black spruce), such vegetation may be thinned in accordance with MSB Community Wildfire Protection Plan recommendations to reduce fire risk.

(D) Unless specifically authorized under other sections of this or other MSB Titles, the following activities are prohibited within the riparian buffer:

(1) Complete removal of native vegetation from more than 10 percent (10%) of the surface area.

(2) Alteration of original land contours (grading and filling) of more than ten percent (10%) of the surface area.

(3) Storing or discharging solid or liquid waste, including debris, and animal and yard wastes.

(4) Stockpiling and storing snow.

(E) Herbaceous vegetation and tree root masses shall not be disturbed when removing trees from the buffer; nor shall wetlands within riparian buffers be disturbed or filled except as specifically provided for within this Title (such as to establish the waterfront access allowed under 17.55.040).

(F) Roads, utilities, and other linear developments (e.g., trails, railroad), shall cross watercourses and their associated riparian buffers at as close to a perpendicular angle as possible. Bridge deck height and abutment setback distances shall be sufficient to support natural bank vegetation.

(G) Roads, utilities and other linear development shall not result in the modification of riparian buffers, natural stream banks and shorelines, or other provisions for vehicles to ford streams unless specifically authorized by local, state or federal permits.

(H) Construction or other development within a riparian buffer may require a MSB Flood Hazard Development Permit.

Section 4. Amendment of section. MSB 17.55.040 Violations, Enforcement and Penalties is hereby amended to read:

(A) Except as otherwise specified in this chapter, violations of this chapter are infractions.

(B) Violations of parts 17.55.030 of this chapter which occur solely as a result of natural actions beyond the land owner's control (e.g., the migration of river channels) shall not be subject to enforcement actions.

(C) Remedies, enforcement actions, and penalties shall be consistent with the terms and provisions of MSB 1.45.

Section 5. Amendment of section. MSB 17.125.010 Definitions is hereby amended to read:

"Anadromous" means pertaining to fish such as salmon that

"Minimal disturbance" means to retain the principal character and function of a land characteristics.

"Ordinary High Water Mark (OHW)" means (A) in the non-tidal portion of a river, lake, or stream: the portion of the bed and banks up to which the presence and action of the water is so common and usual, and so long continued in all ordinary years, as to leave a natural line or "mark" impressed on the bank or shore as indicated by erosion, shelving, changes in soil characteristics, destruction of terrestrial vegetation, or other distinctive physical characteristics; (B) in a braided river, lake, or stream: the area delimited by the natural line or "mark" as defined in part A above, impressed on the bank or shore of the outside margin on

the most distant channels; or (C) in the tidally influenced portion of a river, lake, or stream: the portion of the bed(s) and banks below the OHW as described in A or B above, or mean high water elevation; whichever is higher at the project site. (11 AAC 195.010).

"Public Use" means the use of land or building that includes as its principal activity the provision of goods or services to the general public or community at large on other than a for-profit basis including but not limited to parks, trails, open space, recreation areas, schools, churches, libraries, fire, law enforcement and the offices of governmental or non-profit agencies.

"Riparian" means pertaining to anything connected with or the area immediately adjacent to a body of water or watercourse.

Section 6. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

I. CALL TO ORDER

The special meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, March 1, 2016, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 4 p.m. by Mayor Vern Halter.

II. ROLL CALL

Assembly members present and establishing a quorum were:
Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2 *(Deputy Mayor)*
Mr. George McKee, Assembly District No. 3
Mr. Dan Mayfield, Assembly District No. 5
Ms. Barbara Doty, Assembly District No. 6 *(arrived at 4:10 p.m.)*
Mr. Randall Kowalke, Assembly District No. 7

Assembly members absent and excused were:
Mr. Steve Colligan, Assembly District No. 4

Staff in attendance were:
Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Mr. Terrance Dolan, Public Works Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Mr. Eric Wyatt, Information Technology Director
Mr. Marc Van Dongen, Port Director
Mr. Stefan Hinman, Media Design Specialist
Ms. Therese Dolan, Administrative Specialist
Mr. James Wilson, Internal Auditor

III. APPROVAL OF AGENDA

Mayor Halter 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. Marc Van Dongen, Port Director.

V. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to concerns with the public process: Mr. Eugene Carl Haberman.

The following person spoke to the need for a regional wastewater and septage facility: Ms. Helen Munoz.

The following person spoke in support of port development: Mr. Chris Hayes, Port Commission Member.

VI. ITEMS OF BUSINESS

A. Port Operational Overview

Mr. Marc Van Dongen, Port Director, provided an operational overview of Port MacKenzie.

B. Future Opportunities

Mr. Paul Metz, Professor of Geological Engineering with the University of Alaska Fairbanks, reported on future opportunities for the Borough, regarding the railroad project and natural resource commodities.

VII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

(There were no comments provided.)

VIII. ADJOURNMENT

The meeting adjourned at 5:42 p.m.

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on Tuesday, March 1, 2016, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Halter.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2 *(Deputy Mayor)*
Mr. George McKee, Assembly District No. 3
Mr. Steve Colligan, Assembly District No. 4 *(Arrived at 6:06 p.m.)*
Mr. Dan Mayfield, Assembly District No. 5
Ms. Barbara Doty, Assembly District No. 6
Mr. Randall Kowalke, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Mr. Jude Bilafer, Capital Projects Director
Ms. Cheyenne Heindel, Financial Analyst
Mr. Terrance Dolan, Public Works Director
Ms. Eileen Probasco, Planning and Land Use Director
Mr. Alex Strawn, Development Services Manager
Mr. Bill Gamble, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Mr. Eric Wyatt, Information Technology Director

III. APPROVAL OF AGENDA

Mayor Halter inquired if there were any changes to the agenda.

Ms. McKechnie:

- advised that Ordinance Serial No. 16-023 and Resolution Serial No. 16-016 were inadvertently added to the agenda;
- noted that they would be up for public hearing on March 15; and
- requested that they be pulled from the agenda and no action taken.

Mayor Halter queried if there was any objection.

There was no objection noted.

Mayor Halter queried if there were any additional changes to the agenda.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Patricia Fischer, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

(There were no minutes presented.)

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Mayor Bert Cottle announced the following:

- the Mat-Su Military and Veterans Resource Fair would be held on March 4, 2016, at the Menard Center, from 11 a.m. to 7 p.m.;
- the Boom Town Derby Dames would hold a Roller Derby Event on March 5, 2016, at the Menard Center, at 6 p.m.;
- a hockey tournament, hosted by the Junior Avalanche Hockey Association, would be held March 4 through 6, 2016, at the Menard Center;
- the Outdoor Show would be held March 18 through 20, 2016, at the Menard Center; and
- the deadline to get names on the wall at the new Wasilla Library, was April 1, 2016.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Manager Evaluation Process
4. Assessor's Report

Mr. Brad Pickett, Borough Assessor, reported on the property assessment process.

Mr. Moosey:
- spoke to a trip to Junear with Mr. Spiropoulos to discuss the proposed E-911 legislation with the Legislative Delegation;
- noted that a Senatorial sponsor for the legislation might be sought; and
- spoke to the use of the E-911 program in regards to emergency communications.

D. ATTORNEY COMMENTS

1. M/V Susitna Discussion (As Needed)

Mr. Spiropoulos:
- spoke to discussing the proposed E-911 legislation with the Legislative Delegation;
- noted they were working with Emergency Services Director Gambell on the language for the legislation;
- briefed the Assembly on a pending State Legislative bill regarding economic development and how it relayed to property assessments and tax exemptions;
- spoke to the number of marijuana applications/notice of state filings received through the Clerk's office;
- advised that the State would be requested to provide notification to applicants that a voter sponsored initiative would be placed on the ballot for the 2016 election;
- spoke to an order of disbursement regarding the rail extension project;
- spoke to a pending lawsuit case that would be mediated on Wednesday, March 2, 2016, with the trial being held during the month of April; and
- announced that an executive session to discuss the lawsuit would be held on Tuesday, March 8, 2016, after the joint meeting with the School Board.

E. CLERK COMMENTS

Ms. McKechnie:
- spoke regarding the upcoming meeting schedule;
- spoke to the proposed budget meetings; and
- inquired if the dates would work for the Assembly.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
a. Agricultural Advisory Board: 11/25/15, 12/17/15, Resolution Nos. 15-05, 15-06
b. Fairview RSA Board of Supervisors: 08/18/15
c. MSB Fish and Wildlife Commission: 11/19/15, 11/23/15, 12/17/15
d. Meadow Lakes RSA Board of Supervisors: 03/27/15
e. Trapper Creek RSA Board of Supervisors: 05/13/15, 08/12/15, 11/04/15

2. Community Council Minutes:
a. Big Lake Community Council: 12/08/15
b. Butte Community Council: 02/11/15, 03/11/15, 04/08/15, 05/13/15, 09/09/15, 10/14/15, 12/09/15
c. Chickaloon Community Council: 06/10/15, 07/08/15, 08/12/15, 09/09/15, 10/14/15, 11/11/15
d. Gateway Community Council: 12/03/15
e. Meadow Lakes Community Council: 11/11/15
f. Pt. MacKenzie Community Council: 10/08/15, Resolution No. 15-004

The citizen and other correspondence were presented.

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VII. SPECIAL ORDERS

A. PERSONS TO BE HEARD (Three minutes per person.)

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. **Ordinance Serial No. 16-001:** An Ordinance Creating 2207 And 2287 East Carney Road Noncontiguous Natural Gas Local Improvement District No. 577, Approving The Improvement Plan For The District, Authorizing The Manager To Proceed With The Improvement, And Assessing Equally Among The Properties Within The District The Costs Of The Improvement.
a. IM No. 16-003

Mayor Halter opened the public hearing.
The following person spoke to concerns that the legislation, which stated it was noncontiguous and the Borough Attorney noted that it was contiguous: Mr. Eugene Carl Haberman.

There being no others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Doty moved to adopt Ordinance Serial No. 16-001.

VOTE: The motion passed without objection.

2. **Ordinance Serial No. 16-003:** An Ordinance Amending MSB 17.60 To Include Permit Requirements And Standards For Marijuana Related Facilities; And Repealing Unapplicable Definitions. *(Sponsored by Assemblymember Sykes)*

a. IM No. 16-001

Mayor Halter opened the public hearing.

The following persons spoke in support of the State's regulations for commercialized marijuana and in favor of commercialized marijuana in the Borough: Ms. Amy Tuma, Mr. Tim Clark, Mr. Joe McAneney, Mr. Kenyon DePriest, Ms. Ronda Marcy, and Mr. David Straub.

The following persons spoke to concerns regarding the proposed: Ms. Sherry Stefano and Mr. Caleb Saunders.

The following persons spoke in support of commercialized marijuana in the Borough and to concerns with the proposed setbacks: Mr. Miles France, Mr. Tim Hale, Ms. Sara Williams, Mr. Nick Miller, Mr. Clint Tuma, Ms. Beatrice Ingram, Ms. Cheryl Bowie, Ms. Marissa Miller, and Mr. Robert Brown.

The following person spoke in opposition of commercialized marijuana: Mr. Brad Empey.

The following person spoke in opposition of Ordinance Serial No. 16-003: Mr. Larry DeVilbiss.

The following person spoke to concerns with the content of Ordinance Serial No. 16-003: Mr. Don Hart.

The following person spoke to concerns with the Marijuana Advisory Commitee and with the public process: Ms. Savon Duchein.

The following person spoke to concerns with the public hearing process: Mr. Eugene Carl Haberman.

There being no others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 16-003.

(The meeting recessed at 7:36 p.m. and reconvened at 7:45 p.m.)

Mr. Strawn reported on the staff memorandum and the Planning Commission recommendations attached to Ordinance Serial No. 16-003.

MOTION: Assemblymember Sykes moved to postpone Ordinance Serial No. 16-003 to a time certain of March 15, 2016.

VOTE: The motion to postpone passed without objection.

3. **Ordinance Serial No. 16-011:** An Ordinance Amending MSB 19.04 And MSB 25.15 To Implement The 2015 Initiative Proposition B-1 Approved By The Voters To Require That School Board Members Be Elected By Districts. *(Sponsored By Mayor Halter)*

a. IM No. 16-026

Mayor Halter opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 16-011.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 16-014:** An Ordinance Requesting A Reappropriation Of $13,968 From Project No. 45225, Fund 425, To Project No. 10179, Fund 425, To Allow For Additional Funding To Continue With Phase I Of The Sutton Ambulance Building Renovation.

a. **Resolution Serial No. 16-013:** A Resolution Amending The Budgets For Project Nos. 10179 And 45225 To Allow For Additional Funding To Continue With Phase I Of The Sutton Ambulance Building Redesign Project.

(1) IM No. 16-014

Mayor Halter opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 16-014 and Resolution Serial No. 16-013.

VOTE: The motion passed without objection.

5. **Ordinance Serial No. 16-015:** An Ordinance Amending MSB 3.28.010 Creation Of Improvement Districts; MSB 3.28.020, Initiation By Petition; MSB 3.28.050, Decision

And Notice; And MSB 3.28.062, Ballots And Revisions, To Provide For A Process For Noncontiguous Local Improvement Districts.

a. IM No. 16-025

Mayor Halter opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 16-015.

MOTION: Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 16-015 by striking "50 percent" throughout the legislation and inserting in its place "70 percent".

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

6. **Ordinance Serial No. 16-017:** An Ordinance Reappropriating $288,474.23 From The Reserve For School Site Acquisitions, Fund 400, To The Ingress And Egress Access For The Cottonwood Creek Public Safety Building, Fund 405, Project No. 10027.

a. IM No. 16-028

Mayor Halter opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember McKee moved to adopt Ordinance Serial No. 16-017.

VOTE: The motion passed without objection.

7. **Ordinance Serial No. 16-018:** An Ordinance Amending MSB Title 43, Subdivisions, To Address Inconsistencies Outlined In The Staff Memorandum Dated March 1, 2013.

a. IM No. 16-029

Mayor Halter opened the public hearing.

The following person spoke to concerns with the public hearing process for Ordinance Serial No. 16-018: Mr. Eugene Carl Haberman.

There being no others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Beck moved to adopt Ordinance Serial No. 16-018.

VOTE: The motion passed without objection.

8. **Ordinance Serial No. 16-019:** An Ordinance Accepting And Appropriating $25,000 From The Mat-Su Ski Club To Fund 490, Project No. 75005, For Trail Lighting For The Government Peak Recreation Area.

a. **Resolution Serial No. 16-014:** A Resolution Approving The Scope Of Work And Budget For The Government Peak Recreation Area.

(1) IM No. 16-032

Mayor Halter opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 16-019 and Resolution Serial No. 16-014: Mr. Hans Hill, Ms. Tammy Sipos, and Mr. Ed Strabel.

There being no others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Doty moved to adopt Ordinance Serial No. 16-019 and Resolution Serial No. 16-014.

VOTE: The motion passed without objection.

9. **Ordinance Serial No. 16-020:** An Ordinance Amending MSB 5.25.060(D), Service Area No. 36: Talkeetna Sewer And Water Service Area, So That The Board Of Supervisors Shall Consist Of Five Qualified Voters, Up To Two Of Whom May Reside In The Community Council Area, And Three Of Whom Must Reside In Or Own Real Property In Or Own Or Operate A Business In The Service Area And/Or Have An Active Sewer And Water Account. *(Sponsored By Assemblymember Kowalke)*

a. IM No. 16-036

Mayor Halter opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Kowalke moved to adopt Ordinance Serial No. 16-020.

VOTE: The motion passed without objection.

~~10. **Ordinance Serial No. 16-023:** An Ordinance Amending MSB 5.25.140, To Annex Property Located In Secluded Point Estates Area Into The Central Mat-Su Fire Service Area No. 130.~~

~~a. **Resolution Serial No. 16-016:** A Resolution Finding The Annexation Of Properties Located In Secluded Point Estates Area Into The Central Mat-Su Fire Service Area No.~~

~~130 Serves The Public Interest Without The Placement Of The Question On The Ballot.~~ ~~*(Sponsored by Assemblymember Mayfield)*~~

~~(1) IM No. 16-030~~

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to the need for a regional wastewater and septage facility: Ms. Helen Munoz.

The following person spoke in opposition to the trial security measures for the Borough building: Mr. John Vinduska.

The following persons spoke in support of Resolution Serial No. 16-006: Ms. Shanae Harrison, Ms. Penny Westing, Ms. Lisa Wade, Ms. Bridget Calvery, Ms. Liz Whaley, and Ms. Alice Ciostek.

The following person spoke to concerns with the M/V Susitna and road service areas: Mr. Brad Empey.

The following person spoke to concerns with the public process: Mr. Eugene Carl Haberman.

The following person spoke to concerns with tax assessments of properties impacted by the Sockeye Wildfire: Ms. Tam Boeve.

The following person spoke in support of the Assembly putting a question regarding marijuana sales tax on the ballot in October: Mr. Tim Hale.

The following person spoke to the purpose and actions of the Marijuana Advisory Committee: Ms. Sara Williams.

D. CONSENT AGENDA

1. RESOLUTIONS

b. **Resolution Serial No. 16-017:** A Resolution Amending The Scope Of Work For Hatcher Pass Road And Transit Facility, Project No. 35187, To Include Improvements And Upgrades To The Hatcher Pass/Government Peak Recreation Area Trails System.

(1) IM No. 16-039

c. **Resolution Serial No. 16-018:** A Resolution Amending The Budgets For Project Nos. 10140 And 10175, To Allow For The Completion Of The Carpet Replacement At Station 6-1.

(1) IM No. 16-042

2. ACTION MEMORANDUMS

a. **AM No. 16-012:** Award of Bid No. 16-057B To Wolverine Supply, Inc. In The Contract Amount Of $2,145,000 For School District Generators And Switch Gear at Nine Schools.

b. **AM No. 16-013:** Vacate A 116 Square Foot Triangular Portion Of East Timber Way Right-Of-Way Located Within Timber Ridge Subdivision, Plat No. 2009-87, Section 10, Township 17 North, Range 1 East, Seward Meridian.

c. **AM No. 16-015:** Approval Of Change Order No. 2 To D&S Road Services In The Amount Of $204,491 To Add Additional Crack Sealant As Part Of The Crack Sealing Services For Multiple Projects.

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Beck moved to approve the consent agenda as read into the record by the Clerk.

VOTE: The motion passed without objection.

a. **Resolution Serial No. 16-006:** A Resolution Recognizing The Second Monday In October As Indigenous Peoples' Day. *(Sponsored By Assemblymember Sykes)*
(1) IM No. 16-010

MOTION: Assemblymember Sykes moved to adopt Resolution Serial No. 16-006.

VOTE: The motion passed with Assemblymembers McKee and Kowalke opposed.

d. **Resolution Serial No. 16-019:** A Resolution Approving The Financial Responsibility For The M/V Susitna For April, May, And June 2016.
(1) IM No. 16-043

MOTION: Assemblymember Colligan moved to adopt Resolution Serial No. 16-019.

MOTION: Assemblymember Colligan moved to postpone Resolution Serial No. 16-019 to a time certain of March 15, 2016.

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Colligan declared a conflict of interest on AM Nos. 16-016, 16-017, 16-018, and 16-019 as he had done business with one or more of the companies over the last 20 years.

RULING: Mayor Halter ruled Assemblymember Colligan had a conflict and would be recused from voting.

(Assemblymember Colligan exited the meeting)

Mayor Halter queried if there was any objection to taking up Action Memorandum Nos. 16-016, 16-017, 16-018, and 16-019 together.

There was no objection noted.

d. **AM No. 16-016:** Award Of Proposal No. 16-069P To the Firms Of Resource Data, Inc., Alaska IT Group, Inc., And GeoNorth, LLC In The Contract Amount Not To Exceed $150,000 Per Year Per Firm For Up To Three Years For Information Technology Term Contracts For Project Management.

e. **AM No. 16-017:** Award Of Proposal No. 16-069P To the Firms Of Resource Data, Inc., Alaska IT Group, Inc., And Sockeye Business Solutions, Inc. In The Contract Amount Not To Exceed $150,000 Per Year Per Firm For Up To Three Years For Information Technology Term Contracts For Business Analyst.

f. **AM No. 16-018:** Award Of Proposal No. 16-069P To The Firms Of Resource Data, Inc. And Government Computer Sales, Inc. In The Amount Not To Exceed $150,000 Per Year Per Firm For Up To Three Years For Information Technology Term Contracts For Document Specialist.

g. **AM No. 16-019:** Award Of Proposal No. 16-069P To The Firms Of Resource Data, Inc. And Alaska IT Group, Inc. In The Amount Not To Exceed $150,000 Per Year Per Firm For Up To Three Years For Information Technology Term Contracts For Web/Application Specialist.

MOTION: Assemblymember Beck moved to adopt AM Nos. 16-016, 16-017, 16-018, and 16-019.

MOTION: Assemblymember Doty moved a primary amendment to AM Nos. 16-016, 16-017, 16-018, and 16-019 by inserting “subject to annual budget limitations” to all four of the contracts.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Beck moved a primary amendment to AM No. 16-019 by striking the firm GeoNorth, LLC from the last paragraph of the Action Memorandum.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

(Assemblymember Colligan re-entered the meeting.)

h. **AM No. 16-020:** Award of Bid No. 16-068B To Yukon Electric, Inc. In The Amount Of $607,124 For Government Peak Trail Illumination.

MOTION: Assemblymember Beck moved to adopt AM No. 16-020.

VOTE: The motion passed without objection.

(The meeting recessed at 9:39 p.m. and reconvened at 9:44 p.m.)

VIII. UNFINISHED BUSINESS

A. **Resolution Serial No. 16-012:** A Resolution Approving Certain Unincorporated Communities And The Incorporated Nonprofit Entity For Participation In The Fiscal Year 2017 Community Revenue Sharing Program.

1. IM No. 16-033

MOTION PENDING: Assemblymember Doty moved to adopt Resolution Serial No. 16-012.

MOTION: Assemblymember Sykes moved to postpone Resolution Serial No. 16-012 to a time certain of March 15, 2016.

MOTION: Assemblymember Doty moved a primary amendment to postpone Resolution Serial No. 16-012 to a time certain of April 5, 2016.

VOTE: The primary amendment passed without objection.

VOTE: The motion passed as amended without objection.

B. **Ordinance Serial No. 16-013:** An Ordinance Appropriating $1,993,488 From The Land Management Permanent Fund 203, For M/V Susitna Engine Repairs, Project No. 70013, As A Loan To The Ferry Fund 450 And Reappropriating The $1,993,488 Back To The Land Management Permanent Fund 203 Once The Anticipated Vessel Sale Funds And Insurance Funds Are Received.

a. **Resolution Serial No. 16-015:** A Resolution Approving The Scope Of Work And Budget For The M/V Susitna Ferry Engine Repairs, Project No. 70013; And Authorization To Enter Into A Contact With Associated Maritime Providers, Inc. In The Amount Of $1,993,488.

(1) IM No. 16-037

MOTION PENDING: Assemblymember Beck moved to adopt Ordinance Serial No. 16-013 and Resolution Serial No. 16-015.

MOTION: Assemblymember Colligan moved to postpone Ordinance Serial No. 16-013 and Resolution Serial No. 16-015 to a time certain of March 8, 2016.

Mayor Halter queried if there was objection to suspending the rules to extend the meeting past 10 p.m. and not to exceed 10:30 p.m.

There was no objection noted.

MOTION: Assemblymember Beck moved to suspend the rules to extend the meeting to no later than 10:45 p.m.

VOTE: The motion passed without objection.

VOTE: The motion to postpone passed with Assemblymembers Sykes and Mayfield opposed.

IX. VETO

(There were no vetoes presented.)

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 03/15/16 Assembly Chambers)

1. **Ordinance Serial No. 16-024:** An Ordinance Accepting Title To The Bodenburg Butte Summit (MSB Tax Parcel 17N02E23C001), And Authorizing The Manager To Enter Into A Conservation Easement Agreement With Great Land Trust, Inc. For The Purpose Of Conserving The Summit In Perpetuity (MSB007033).

a. **Resolution Serial No. 16-020:** A Resolution Amending The Scope Of Work For Project No. 15015, Fund 440 To Include The Remaining Acquisition Cost To Purchase The Bodenburg Butte Summit (MSB007033).

(1) IM No. 16-035

2. **Ordinance Serial No. 16-025:** An Ordinance Approving The Acceptance And Appropriation Of Fiscal Year 2016 Community Revenue Sharing Program Funds In The Amount Of $405,300 To Fund 475, Project No. 47033.

a. **Resolution No. 16-021:** A Resolution Approving The Scope Of Work And Budget For The Fiscal Year 2016 Community Revenue Sharing Program, Project No. 47033.

(1) IM No. 16-038

3. **Ordinance Serial No. 16-026:** An Ordinance Accepting And Appropriating $15,000 From The Alaska State Department Of Environmental Conservation, Division Of Water, And Reappropriating $10,000 From The Fiscal Year 2015 Areawide Grant Match Appropriation To Fund 480, Project No. 47514, For The Purpose Of Conducting A Stormwater Analysis On Cottonwood Creek.

a. **Resolution Serial No. 16-022:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Enter Into A Grant Agreement With The Alaska State Department Of Environmental Conservation, Division Of Water, For The Purpose Of Conducting A Stormwater Analysis On Cottonwood Creek.

(1) IM No. 16-041

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Beck moved to introduce the legislation as read into the record by the Clerk and set the public hearings for March 15, 2016.

VOTE: The motion passed without objection.

MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Halter requested the following appointments for confirmation:

Board of Equalization
Robert Tracy
Library Board
Janel Gagnon
Port Commission
Michael Janecek
Greater Willow RSA No. 20
Thomas Phillips
Gregg Origer
Talkeetna Sewer and Water Service Area No. 36
Shawn Standley

MOTION: Assemblymember Beck moved to confirm the Mayor's appointments.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

(There was no other new business.)

D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

(There were no referrals presented.)

XI. RECONSIDERATION

(There was no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Spiropoulos noted that he and Deputy Attorney Aschenbrenner were working on getting the answers to the M/V Susitna insurance questions that had been posed.

Ms. McKechnie noted that the Joint Assembly/School Board meeting agenda of March 8, 2016, would be revised and disseminated to the Assembly.

Assemblymember McKee spoke in opposition of the Borough building security measures.

Assemblymember Sykes:
- thanked the Assembly for supporting the Indigenous Peoples' Day;
- spoke in opposition of the Borough building security measures;
- spoke to concerns that the Assembly was not receiving necessary information regarding the M/V Susitna prior to meetings; and
- wished everyone a good evening.

Assemblymember Kowalke:
- spoke to concerns with the Borough building security measures;
- reiterated his concerns with the resolution regarding the Indigenous Peoples' Day;
- requested that the Manager bring forward the recreation maintenance bond for action;
- spoke to the email from the Clerk regarding the cost of the election contest; and
- suggested that the Assembly receive reports on the public records requests that were submitted.

Assemblymember Mayfield:
- opined that tax payers would benefit more from the sale of the ferry rather than it being scrapped;
- commented that he and Assemblymember Colligan had a mutual interest in acting on the public's behalf in the best way possible;
- requested the Assembly to diligently research the current status of the M/V Susitna in order to move forward in a decisive and timely manner; and
- expressed appreciation for the testimony during the meeting.

Assemblymember Doty:
- spoke in support of the Indigenous Peoples' Day;
- voiced appreciation for the efforts on lighting the Hatchers Pass trail;
- recommended a proposal be brought forward that included only the Brett Ice Arena, Wasilla and Palmer pools, and one ice rink improvement for either the Willow or Talkeetna area, with the associated cost for the bond project;
- opined that the current cost of the bond would not be received well by the public;
- spoke to concerns with the Borough building security measures; and
- recommended postings around the building encouraging good behavior rather than additional security measures.

MOTION: Assemblymember Beck moved to suspend the rules to extend the meeting past 10:45 p.m. and not to exceed 10:55 p.m.

VOTE: The motion passed without objection.

Assemblymember Colligan:
- spoke in opposition of moving forward with the M/V Susitna repairs without a signed agreement;
- spoke in support of the Borough building security measures, during specific times of the year; and
- asked the Manager to evaluate the need of security measures during the tax assessment and appeal period.

Assemblymember Beck:
- spoke in support of moving forward with the M/V Susitna repairs with a signed agreement;
- spoke in support of the Borough building security measures, with a more subtle presence; and
- opined that there were times when additional security measures could be necessary.

Mayor Halter:
- spoke in opposition of moving forward with the M/V Susitna repairs without a signed agreement;
- opined that there were other issues that the Assembly could be spending its time on, rather than the M/V Susitna;
- spoke in support of the Indigenous Peoples' Day; and
- thanked staff for its efforts on the M/V Susitna issues.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 10:51 p.m.

I. CALL TO ORDER

The joint Assembly/School Board meeting was held on March 8, 2016, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Vern Halter.

II. ROLL CALL

Assembly Members present and establishing a quorum were:
Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2 *(Deputy Mayor)*
Mr. George McKee, Assembly District No. 3
Mr. Steve Colligan, Assembly District No. 4
Mr. Dan Mayfield, Assembly District No. 5
Ms. Barbara Doty, Assembly District No. 6 *(entered telephonically at 6:01 p.m.)*
Mr. Randall Kowalke, Assembly District No. 7

School Board Members present and establishing a quorum were:
Ms. Deborah Retherford, Seat A
Ms. Sarah Welton, Seat B
Ms. Susan Pougher, Seat C
Mr. Ole Larson, Seat D
Mr. Kelsey Trimmer, Seat E
Ms. Donna Dearman, Seat F
Mr. Ray Michaelson, Seat G

Staff in attendance were:
Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Mr. Eric Phillips, Community Development Director

III. APPROVAL OF AGENDA

Mayor Halter 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 Dr. Deena Paramo, School District Superintendent.

V. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person opined that the School District's proposed budget is not consistent and should be reviewed: Mr. Steve St. Clair.

The following person spoke to concerns with the public process: Mr. Eugene Carl Haberman.

VI. JOINT ITEMS OF BUSINESS

A. Annual Budget And Bonding For Schools *(MSB 2.12.075(A))*

Dr. Paramo, Superintendent and Mr. Luke Fulp, Assistant Superintendent, reported on funding needs for the School District's fiscal year 2017 budget.

B. Land Acquisition Near Joe Redington Sr. Junior/Senior High School For Shooting Sports *(Requested By School Board Member Larson)*

School Board Member Larson:
- requested an update regarding the attempted land acquisitions for shooting sports; and
- spoke in support of securing land for shooting sports.

Mayor Halter reported on the different failed attempts to acquire land for shooting sports.

C. Palmer and Wasilla Pools Recreation Bond Proposal Update *(Requested By School Board Member Larson)*

Mr. Eric Phillips, Community Development Director, reported on the needed repairs for the Palmer and Wasilla pools.

VII. SCHOOL BOARD, MAYOR, ASSEMBLY, AND STAFF COMMENTS

(Assemblymember Doty exited the meeting.)

School Board Member Larson:
- thanked the body for their patience while receiving the budget presentation;
- spoke in support of the School District;
- spoke in support of the open boundaries providing educational options for students and parents; and
- opined that the School District is the best in the State.

School Board Member Trimmer:
- thanked the body for listening to the budget proposal;
- spoke in support of schools being fully funded; and
- noted that children are the future.

School Board Member Welton:
- thanked the Assembly for hosting the meeting;
- spoke to her appreciation of the presentations made this evening;
- stated that the Technology Expo was a success; and
- wished everyone a good spring break.

School Board Member Michaelson:
- noted his appreciation of the presentations;
- commented that he is pleased that the bodies are able to work together to support children;
- opined that the School District is the best in the state;
- spoke to the need to continue to meet the needs of students as growth continues; and
- spoke to the need to keep the student/teacher ratio low.

School Board Member Dearman:
- thanked the Assembly for hosting the meeting;
- thanked School District staff for attending the meeting; and
- thanked the Assembly for receiving the budget presentation.

School Board Member Retherford:
- spoke in support of the School District's budget;
- noted that the School District is the most efficient in the State;
- stated that classroom size is a large parental concern; and
- spoke in support of federal funding for schools.

School Board President Pougher:
- encouraged the Assembly to seek out constituents to find out what is important to them;
- opined that the top concern would be education; and
- spoke to her concerns over losing teachers if the budget is not fully funded.

Assemblymember Sykes:
- noted student growth in the Borough;
- spoke in support of the School District;
- stated that he is unsure if the Assembly will be able to fund the full budget request; and
- noted that the Assembly would do the best they can.

Assemblymember McKee:
- summarized the recent oil field job losses;
- noted that oil provides a significant revenue source for the State;
- opined that without oil, there is no money; and
- stated that during his campaign the biggest request from constituents was to not raise property taxes.

Assemblymember Kowalke:
- opined that the budget presentation was well laid out and thoughtfully presented;
- spoke in support of the School District;
- spoke in support of a shooting range for shooting sports; and
- recognized the excellence of the School District.

Assemblymember Mayfield:
- noted his appreciation of the presentations provided;
- thanked the School District for their hard work;
- noted that oil revenue is much lower than anyone would like;
- spoke to the growing educational needs within his district; and
- spoke in opposition to bifurcating the recreational bond package.

Assemblymember Colligan:
- thanked the body for the meeting;
- noted that the Assembly and the School Board both have their own roles;
- opined that the bodies have worked well together; and
- spoke in support of continuing to have open communication between the bodies.

Assemblymember Beck:
- noted that strong families are the foundation of society;
- stated that he is proud to be a part of the Matanuska-Susitna Borough;
- spoke in support of the School District's curriculum;
- commented that the School District has the most educational options in the State; and
- thanked the School District staff for a good budget presentation.

Mayor Halter:
- spoke in support of the School District;
- noted the many components to the educational partnerships within the Borough;
- noted the State's fiscal crisis could impact the Borough's budget;
- spoke to the need to keep the mill rate low; and
- stated that he is proud to work with the School Board.

(The meeting recessed at 8:11 p.m. and reconvened at 8:20 p.m.)

VIII. ASSEMBLY ITEMS OF BUSINESS

A. UNFINISHED BUSINESS

1. **Ordinance Serial No. 16-013:** An Ordinance Appropriating $1,993,488 From The Land Management Permanent Fund 203, For M/V Susitna Engine Repairs, Project No. 70013, As A Loan To The Ferry Fund 450 And Reappropriating The $1,993,488 Back To The Land Management Permanent Fund 203 Once The Anticipated Vessel Sale Funds And Insurance Funds Are Received.

a. **Resolution Serial No. 16-015:** A Resolution Approving The Scope Of Work And Budget For The M/V Susitna Ferry Engine Repairs, Project No. 70013; And Authorization To Enter Into A Contact With Associated Maritime Providers, Inc. In The Amount Of $1,993,488.

(1) IM No. 16-037

MOTION PENDING: Assemblymember Beck moved to adopt Ordinance Serial No. 16-013 and Resolution Serial No. 16-015.

MOTION: Assemblymember Mayfield moved a primary amendment to Resolution Serial No. 16-015, by inserting the words "and/or Foss Maritime, as need" after the words "Associated Maritime Providers, Inc." to read: "FURTHER BE IT RESOLVED, that the Assembly authorizes a contract with Associated Maritime Providers, Inc. and/or Foss Maritime, as needed for repairs to the M/V Susitna engines in the amount of $3,093,488.

VOTE: The primary amendment passed with Assemblymembers McKee and Colligan opposed.

VOTE: The main motion passed as amended with Assemblymembers McKee and Colligan opposed.

B. EXECUTIVE SESSION *(For Matters, The Immediate Public Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Borough And Matters Which By Law, Municipal Charter, Or Ordinance Are Required To Be Confidential; And Matters Involving Consideration Of Government Records That By Law Are Not Subject To Public Disclosure; And For Discussion Of Pending Litigation.)*

1. Bell Vs. MSB et. al. – 4NE-14-05 CI

MOTION: Assemblymember Beck moved to enter into executive session for matters, which immediate public knowledge of which would clearly have an adverse effect upon the finances of the Borough; and matters which by law, municipal charter, or ordinance are required to be kept confidential; and discussion of matters subject to the attorney-client privilege. In particular to discuss the Bell Vs. MSB litigation. Those present during executive session were the Mayor, the Assembly, the Attorney, the Manager, the Clerk, and the Assistant Borough Manager.

VOTE: The motion passed without objection and the Assembly entered into executive session at 8:55 p.m.

MOTION: Assemblymember Beck moved to exit executive session.

VOTE: There was no objection noted and the Assembly exited executive session at 9:07 p.m.

IX. ADJOURNMENT

The meeting adjourned at 9:08 p.m.

I. CALL TO ORDER

The special meeting of the Matanuska-Susitna Borough Assembly was held on March 15, 2016, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Beck for the purpose of receiving a presentation regarding the classification and compensation study.

II. ROLL CALL

Assembly members present and establishing a quorum were:
Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2 *(Deputy Mayor)*
Mr. Steve Colligan, Assembly District No. 4 *(arrived at 4:38 p.m.)*
Mr. Dan Mayfield, Assembly District No. 5
Ms. Barbara Doty, Assembly District No. 6 *(arrived at 4:08 p.m.)*
Mr. Randall Kowalke, Assembly District No. 7

Assemblymembers absent and excused:
Mr. George McKee, Assembly District No. 3

Staff in attendance were:
Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Ms. Sonya Conant, Human Resources Director
Mr. Jude Bilafer, Capital Projects Director
Mr. Terrance Dolan, Public Works Director
Mr. Bill Gamble, Emergency Services Director
Ms. Lisa Behrens, Deputy Director EMS
Mr. Eric Phillips, Community Development Director

III. APPROVAL OF AGENDA

Deputy Mayor Beck 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 Deputy Mayor Beck.

V. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to concerns with the public process: Mr. Eugene Carl Haberman.

VI. ITEMS OF BUSINESS

A. Classification And Compensation Study

Ms. Sonya Conant, Human Resources Director, and Mr. Mark Knowles, Principal Consultant with Condrey and Associates, reported on the classification and compensation study.

VII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Sykes spoke to his desire to be updated throughout the compensation and classification process.

Assemblymember Colligan:
- apologized for arriving late to the meeting; and
- spoke in support of the classification and compensation study.

Deputy Mayor Beck spoke to his appreciation of the presentation.

VIII. ADJOURNMENT

The meeting adjourned at 5:07 p.m.

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on March 15, 2016, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Beck.

II. ROLL CALL

Assembly members present and establishing a quorum were:
Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2 *(Deputy Mayor)*
Mr. Steve Colligan, Assembly District No. 4
Mr. Dan Mayfield, Assembly District No. 5
Ms. Barbara Doty, Assembly District No. 6
Mr. Randall Kowalke, Assembly District No. 7

Assemblymembers absent and excused were:
Mr. George McKee, Assembly District No. 3

Staff in attendance were:
Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Mr. Jude Bilafer, Capital Projects Director
Ms. Tammy Clayton, Finance Director
Mr. Terrance Dolan, Public Works Director
Mr. Bill Gamble, Emergency Services Director
Ms. Lisa Behrens, Emergency Services Deputy Director - EMS
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Mr. Eric Wyatt, Information Technology Director
Ms. Nancy Cameron, Land Management Agent
Ms. Amy Bohmbach, Administrative Assistant I

III. APPROVAL OF AGENDA

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

Mr. Moosey requested to pull Ordinance Serial No. 16-027 from introduction.

Deputy Mayor Beck queried if there was any objection.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Captain Brinke of the Alaska State Troopers.

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: 02/10/16
B. Regular Assembly Meeting: 02/16/16
C. Special Assembly Meeting: 02/23/16

Deputy Mayor Beck inquired if there were any changes/corrections to the special meeting minutes of February 10, 2016, the regular meeting minutes of February 16, 2016, or the special meeting minutes of February 23, 2016.

GENERAL CONSENT: The minutes were approved as presented without objection.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Mayor Bert Cottle:
- stated that this coming Friday there will be the Alaska Sportsman Show at the Menard Sports Center;
- noted that it will be double the size of previous years with a lot of varied content;
- related that the City is advertising for 12 new summer positions; and
- spoke to "Kick Butts" a stop smoking event, from 6:30 p.m. to 8:30 p.m. at the Menard Sports Center, on March 24.

Palmer City

Mr. Nathan Wallace, City Manager:
- noted that all the necessary permits for the construction of the new Fred Meyer are in;
- advised that the City received an extension on the grant from the State to continue water main work;
- spoke to recent graffiti around Palmer and that a suspect has been identified;
- noted that the Palmer Golf course is open and so are the tennis courts;
- spoke to the sixth annual "Who Let The Girls Out" event on April 23, that is put on by local merchants;

- stated that the Alaska Railroad is participating by bringing a train from Anchorage to the fairgrounds; and
- commented that April 30 is the 65th anniversary of Palmer becoming city.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Deputy Mayor Beck and Assemblymember Sykes reported on the recent committee meeting.

2. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Manager Evaluation Process
4. Alaska's Future – State's Fiscal Crisis Presentation
5. Update On Alaska State Trooper Post On Pittman Road – Captain Brinke

Mr. Ethan Tyler, Development Manager with the Alaska State Department of Commerce, Community, and Economic Development reported on the Alaska State Regional Development program.

Assemblymember Sykes provided an update regarding the manager evaluation process.

Ms. Crystal Nygard, of Alaska's Future, provided a presentation regarding the state of Alaska's fiscal crisis.

Captain Brinke, of the Alaska State Troopers, provided an update on the status of the trooper post located on Pittman Road.

Ms. Kim Sollien, Mat-Su Program Director with Great Land Trust, reported on the land conservation easement efforts for the Butte summit and trails that are the subject of Ordinance Serial No. 16-024 and Resolution Serial No. 16-020.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule; and
- noted that the locations of the budget public hearings have not been set yet, as she is waiting to hear back from Mat-Su College.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

a. Bogard RSA Board Of Supervisors: Resolution 16-01
b. Enhanced 911 Advisory Board: 11/10/15
c. Fairview RSA Board Of Supervisors: 11/17/15
d. Greater Palmer Consolidated FSA Board Of Supervisors: 01/06/15, 08/25/15
e. Local Road Service Area Advisory Board: 11/19/15
f. Marijuana Advisory Committee: 01/25/16
g. Trapper Creek RSA Board Of Supervisors: Resolution Nos. 14-05, 15-02

2. Community Council Minutes:

a. Fishhook Community Council: 05/07/15
b. Louise/Susitna/Tyone Community Association: 04/25/15, 06/20/15, 09/05/15
c. South Knik River Community Council: 02/19/15, 04/16/15, 05/21/15, 08/20/15, 09/17/15, 10/15/15, 11/19/15
d. Trapper Creek Community Council: 12/17/15

The citizen and other correspondence were presented and no comments were noted.

G. INFORMATIONAL MEMORANDUMS

1. **IM No. 16-045:** Reporting Of Conclusion Of Contract For Bid No. 15-009B To Orion Construction, Inc. For Matanuska-Susitna Borough School District Washroom Upgrades – Multiple Schools, For The Final Contract Amount Of $462,191.15.

The informational memorandum was presented.

VII. SPECIAL ORDERS

A. PERSONS TO BE HEARD (Three minutes per person.)

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. **Ordinance Serial No. 16-023:** An Ordinance Amending MSB 5.25.140, To Annex Property Located In Secluded Point Estates Area Into The Central Mat-Su Fire Service Area No. 130.

a. **Resolution Serial No. 16-016:** A Resolution Finding The Annexation Of Properties Located In Secluded Point Estates Area Into The Central Mat-Su Fire Service Area No. 130 Serves The Public Interest Without The Placement Of The Question On The Ballot. *(Sponsored By Assemblymember Mayfield)*

(1) IM No. 16-030

Deputy Mayor Beck opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Mayfield moved to adopt Ordinance Serial No. 16-023 and Resolution Serial No. 16-016.

VOTE: The motion passed without objection.

2. **Ordinance Serial No. 16-024:** An Ordinance Accepting Title To The Bodenburg Butte Summit (MSB Tax Parcel 17N02E23C001), And Authorizing The Manager To Enter Into A Conservation Easement Agreement With Great Land Trust, Inc. For The Purpose Of Conserving The Summit In Perpetuity (MSB007033).

a. **Resolution Serial No. 16-020:** A Resolution Amending The Scope Of Work For Project No. 15015, Fund 440 To Include The Remaining Acquisition Cost To Purchase The Bodenburg Butte Summit (MSB007033).

(1) IM No. 16-035

Deputy Mayor Beck opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 16-024 and Resolution Serial No. 16-020.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 16-025:** An Ordinance Approving The Acceptance And Appropriation Of Fiscal Year 2016 Community Revenue Sharing Program Funds In The Amount Of $405,300 To Fund 475, Project No. 47033.

a. **Resolution No. 16-021:** A Resolution Approving The Scope Of Work And Budget For The Fiscal Year 2016 Community Revenue Sharing Program, Project No. 47033.

(1) IM No. 16-038

Deputy Mayor Beck opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 16-025 and Resolution Serial No. 16-021.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 16-026:** An Ordinance Accepting And Appropriating $15,000 From The Alaska State Department Of Environmental Conservation, Division Of Water, And Reappropriating $10,000 From The Fiscal Year 2015 Areawide Grant Match Appropriation To Fund 480, Project No. 47514, For The Purpose Of Conducting A Stormwater Analysis On Cottonwood Creek.

a. **Resolution Serial No. 16-022:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Enter Into A Grant Agreement With The Alaska State Department Of Environmental Conservation, Division Of Water, For The Purpose Of Conducting A Stormwater Analysis On Cottonwood Creek.

(1) IM No. 16-041

Deputy Mayor Beck opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Sykes moved to adopt Ordinance Serial No. 16-026 and Resolution Serial No. 16-022.

VOTE: The motion passed without objection.

(The meeting recessed at 7:10 p.m. and reconvened at 7:16 p.m.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in support of postponement of Ordinance Serial No. 16-003 until after the October 2016 election and in opposition to commercial marijuana: Mr. Larry DeVilbiss, Mr. Brian Endle, Ms. Edna DeVries, Mr. Noel DeVries, Mr. Shawn Weisler, Ms. Janet Johnson, Mr. Greg Jacobs, Ms. Ruth Jacobs, Mr. Jachin Jacobs, Ms. Pamela Jacobs, Mr. Mike Frahm, Mr. John Moropoulos, Mr. Gordon DeVries, Mr. Vince Venson, Mr. Joseph Hale, Mr. Steve Alexander, Ms. Kari Crow, Mr. Donald Ridge, and Mr. Daniel Bracken.

The following person spoke to the need to increase the user fees for the Brett Memorial Ice Arena: Mr. Bill Haller.

The following person invited the body to see the area where his proposed interim materials district will be located in Big Lake: Mr. Bill Heairet.

The following persons spoke in opposition to Ordinance Serial No. 16-003: Mr. Nick Braman and Ms. Margaret Bear.

The following persons spoke to concerns with property tax assessments on properties that were impacted by the Sockeye fire: Mr. Gordon Boeve, Ms. Talon Boeve, and Ms. Carrie Smolden.

The following persons spoke in support of Ordinance Serial No. 16-003 and to keep marijuana related facilities out of residential areas: Mr. Don Hart, Ms. Kirstin Koivunen, Ms. Marilyn Parker, Ms. Valerie Koivunen, and Ms. Michelle Latham.

The following person spoke in opposition to Ordinance Serial No. 16-003, to concerns with funding for Port MacKenzie and in support of consolidating trooper stations: Mr. Brad Empey.

The following persons spoke in support of Ordinance Serial No. 16-003 and to concerns with the proposed 100-foot setback: Mr. Tim Hale, Mr. Brian Beattie, Mr. Robert McMaster, Mr. Conrad Daley, Mr. Joe McAneney, and Mr. Caleb Saunders.

The following person spoke to concerns with the public process: Mr. Eugene Carl Haberman.

The following person spoke to concerns with the Planning Commission's recommendations regarding Ordinance Serial No. 16-003 not being sent to the Marijuana Advisory Committee: Ms. Ronda Marcy.

The following person spoke in support of increased user fees for the Brett Memorial Ice Arena and to concerns with property tax assessments of properties impacted by the Sockeye fire: Mr. Tom Smolden.

The following person spoke in support of postponement of Ordinance Serial No. 16-003 and to concerns with downsizing Alaska State Trooper posts: Mr. Joseph Hale.

The following persons spoke in support of cannabis commercialization and regulation: Ms. Sara Williams, Mr. Dan Kirshbaum, Mr. Lee Havemeister, and Ms. Elizabeth Truitt.

The following person spoke in support of increased user fees for recreational facilities within the Borough and in support of the public process: Mr. Jay Van Diest.

The following person spoke to concerns with Ordinance Serial No. 16-023 and Resolution Serial No. 16-016, to concerns with the compensation and classification study, and to concerns with pay raises for top level executives: Ms. Patty Rosnel.

(The meeting recessed at 9:04 p.m. and reconvened at 9:16 p.m.)

D. CONSENT AGENDA

1. RESOLUTIONS

c. **Resolution Serial No. 16-025:** A Resolution Supporting A Coordinated Public/Private Partnership On Housing And Housing Affordability In The Matanuska-Susitna Borough.
(1) IM No. 16-052

2. ACTION MEMORANDUMS

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Sykes moved to approve the consent agenda as read into the record by the Clerk.

VOTE: The motion passed without objection.

a. **Resolution Serial No. 16-023:** A Resolution To Adopt The Fiscal Year 2017 Schedule Of Rates And Fees, Effective July 1, 2016, In Order To Have A Single Document For All Fees In The Matanuska-Susitna Borough.
(1) IM No. 16-046

MOTION: Assemblymember Kowalke moved to adopt Resolution Serial No. 16-023.

MOTION: Assemblymember Mayfield moved a primary amendment to IM No. 16-046, Matanuska-Susitna Borough Fiscal Year 2017 Schedule of Rates and Fees, line 77, by striking "$225" and inserting "$275" in its place.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Sykes moved a primary amendment to IM No. 16-046, Matanuska-Susitna Borough Fiscal Year 2017 Schedule of Rates and Fees, as follows:

- line 78, by striking "$180" and inserting "$200" in its place;
- line 79, by striking "$250" and inserting "$300" in its place;
- line 80, by striking "$200" and inserting "$225 in its place; and
- line 81, by striking "$50" and inserting "$60" in its place.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Mayfield moved a primary amendment to IM No. 16-046, Matanuska-Susitna Borough Fiscal Year 2017 Schedule of Rates and Fees, as follows:

- line 532, by striking "$100" and inserting "$125" in its place;
- line 533, by striking "$200" and inserting "$250" in its place;
- line 558, by striking "$120" and inserting "$125" in its place;

- line 559, by striking "$220" and inserting "$250" in its place;
- line 560, by striking "$120" and inserting "$125" in its place; and
- line 561, by striking "$220" and inserting "$250" in its place.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Mayfield moved a primary amendment to IM No. 16-046, Matanuska-Susitna Borough Fiscal Year 2017 Schedule of Rates and Fees, as follows:

- line 567, by striking "$39" and inserting "$35" in its place;
- line 568, by striking "$52" and inserting "$48" in its place; and
- line 569, by striking "$65" and inserting "$62" in its place.

VOTE: The primary amendment failed (tie vote) with Assemblymembers Sykes, Kowalke, and Mayfield in support and Assemblymembers Doty, Colligan, and Beck opposed.

VOTE: The main motion passed as amended without objection.

b. **Resolution Serial No. 16-024:** A Resolution Amending The Scope Of Work And Budgets For Two Elevator Projects Within Project No. 10141, Maintenance Facility In The Dorothy Swanda Jones Building.

(1) IM No. 16-051

MOTION: Assemblymember Kowalke moved to adopt Resolution Serial No. 16-024.

VOTE: The motion passed with Assemblymember Mayfield opposed.

a. **AM No. 16-008:** Award Of Bid No. 16-087B To Anchorage Sand And Gravel For The Contract Amount Of $201,780 To Purchase Crack Sealant.

CONFLICT OF INTEREST: Assemblymember Colligan declared a conflict of interest due to a remote financial interest.

RULING: Deputy Mayor Beck ruled Assemblymember Colligan had a conflict and would be recused from voting.

(Assemblymember Colligan exited the meeting.)

MOTION: Assemblymember Sykes moved to adopt AM No. 16-008.

VOTE: The motion passed without objection.

(Assemblymember Colligan re-entered the meeting.)

b. **AM No. 16-021:** Approval Of A Contract Amendment To Contract No. 06-134 With DOWL In The Amount Of $550,455 For The Bogard Road Extension East Project Construction Management Services And Approval Of Additional Change Order Authority.

MOTION: Assemblymember Sykes moved to adopt AM No. 16-021.

MOTION: Assemblymember Colligan moved a primary amendment to AM No. 16-021, in the title of the legislation and in the recommendation, by striking the word "of" after the word "amount" and inserting the words "up to" in its place.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

Deputy Mayor Beck queried if there was any objection to suspending the rules and extending the meeting past 10 p.m. and not to exceed 10:30 p.m.

There was no objection noted.

VIII. UNFINISHED BUSINESS

A. **Ordinance Serial No. 16-003:** An Ordinance Amending MSB 17.60 To Include Permit Requirements And Standards For Marijuana Related Facilities; And Repealing Unapplicable Definitions. *(Sponsored By Assemblymember Sykes)*

1. IM No. 16-001

MOTION PENDING: Assemblymember Sykes moved to adopt Ordinance Serial No. 16-003.

Deputy Mayor Beck queried if there was any objection to suspending the rules to extend the meeting past 10:30 p.m. and not to exceed 11 p.m.

There was no objection noted.

MOTION: Assemblymember Mayfield moved to postpone Ordinance Serial No. 16-003 to a time certain of April 5, 2016, and to hold a work session for discussion at 4 p.m. on April 5, 2016.

VOTE: The motion to postpone passed without objection.

B. **Resolution Serial No. 16-019:** A Resolution Approving The Financial Responsibility For The M/V Susitna For April, May, And June 2016.

1. IM No. 16-043

MOTION PENDING: Assemblymember Colligan moved to adopt Resolution Serial No. 16-019.

MOTION: Assemblymember Sykes moved to postpone Resolution Serial No. 16-019 to a time certain of April 5, 2016.

VOTE: The motion failed with Assemblymember Sykes in support.

MOTION: Assemblymember Mayfield moved to postpone Resolution Serial No. 16-019 indefinitely.

VOTE: The motion passed without objection.

IX. VETO

(There were no vetoes presented.)

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 04/05/16 Assembly Chambers)

~~1. **Ordinance Serial No. 16-027:** An Ordinance Amending MSB 2.45, Capital Projects Department.~~

~~a. IM No. 16-044~~

2. **Ordinance Serial No. 16-028:** An Ordinance Approving An Appropriation Of $62,000 From The Willow Fire Service Area Fund Balance, Fund 258, To Fund 405, Project No. 45282, To Allow For The Purchase And Installation Of An Electric Fill Pump At Willow Fire Station 12-6.

a. **Resolution Serial No. 16-026:** A Resolution Approving The Scope Of Work And Budget For Project No. 45282, To Allow For The Purchase And Installation Of An Electric Fill Pump At Willow Fire Station 12-6.

(1) IM No. 16-047

3. **Ordinance Serial No. 16-029:** An Ordinance Reappropriating $10,663 From Fund 435, Project No. 10145, Mat-Su Convention And Visitors Bureau Roof Repairs To Fund 440, Project No. 15040, Parks And Recreation Shop Upgrades, $20,667 From Fund 440; Project No. 15002, Knik Museum Upgrade/Improvements To Fund 480, Project No. 15035, Recreational Highway Signage.

a. **Resolution Serial No. 16-027:** A Resolution Amending The Budgets For Project Nos. 10145, 15002, 15032, 15036, 15039, 15040, And 15035; And Amending The Scope Of Work For Project No. 10173.

(1) IM No. 16-049

4. **Ordinance Serial No. 16-030:** An Ordinance Approving An Appropriation Of $13,140 From Fund 100 To Project No. 45267, Fund 425, To Allow For The Replacement Of An Emergency Medical Services Vehicle That Was Destroyed In A Collision.

a. **Resolution Serial No. 16-028:** A Resolution Approving The Scope Of Work And Budget For Project No. 45267, To Allow For The Replacement Of An Emergency Medical Services Vehicle That Was Destroyed In A Collision.

(1) IM No. 16-050

Ms. McKechnie read the above legislation into the record.

Deputy Mayor Beck queried if there was any objection to introducing the legislation as read into the record by the Clerk and setting the public hearings for April 5, 2016.

There was no objection noted.

MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Deputy Mayor Beck requested the following resignation and appointments and resignation for confirmation:

Local Emergency Planning Committee
Robert French, resignation
Transportation Advisory Board
Lance Wilson

MOTION: Assemblymember Sykes moved confirm the Mayor's appointments.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

(There was no other new business.)

D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

(There were no referrals presented.)

XI. RECONSIDERATION

Assemblymember Mayfield stated that he is providing notice that he would like to move for reconsideration of Resolution Serial No. 16-023, at the April 5, 2016, regular Assembly meeting in order for the whole body to be present to discuss the failed primary amendment regarding transfer station fees.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Spiropoulos:
- noted that he was appointed the lead in negotiations regarding the M/V Susitna;
- stated that he does not understand that to mean that he is the project manager for repairs;
- commented that project management is not his area of expertise; and
- advised that he will continue to work closely with everyone.

Ms. McKechnie advised the body that she will be out of the office March 24 through April 1.

Assemblymember Doty:
- noted her desire for the Borough to look at by-mail elections;
- noted that she appreciated the discussion regarding trooper posts, but she would like to see data on the number of responses from each post;
- spoke to her concerns with the inconsistencies in the property tax assessments for properties impacted by the Sockeye fire; and
- opined that even though topics can be controversial, that she appreciates the fact that civil discussions can occur.

Assemblymember Colligan stated that he would like a GANTT chart that outlines the costs and timeline events for the M/V Susitna.

Assemblymember Sykes:
- spoke in support of the public process;
- thanked Captain Brinke for the presentation this evening; and
- spoke in support of neighborhood watch programs.

Assemblymember Kowalke:
- thanked everyone who participated in the meeting;
- commented that he knows of nowhere that land has burned and still holds the same value;
- stated that he hopes that the Manager will work with the Appraiser to address tax assessment concerns; and
- noted that he looks forward to resolving the ferry issue.

Assemblymember Mayfield:
- spoke to his history in working with the Miller's Reach fire;
- noted his agreement with Assemblymember Kowalke regarding post-fire land values;
- stated that he is hopeful that the Assessment Division can work with residents who were impacted by the Sockeye fire to address tax assessment concerns; and
- spoke to his concerns with protecting residential areas from commercial marijuana businesses.

Deputy Mayor Beck:

- noted that property assessments are likely bound by State law;
- spoke to the possibility of a rebate program due to damages incurred as a result of the fire; and
- opined that although it was a long meeting, that it was a good one with a lot of public participation.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 10:58 p.m.