

MATANUSKA-SUSITNA BOROUGH

ANIMAL CARE AND REGULATION BOARD

IN RE:

Level 4 Classification of Koa

Heather Becker, Appellant

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)  
) AC&R Case No. 20-01  
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NOTICE OF RIGHT TO APPEAL AND FINAL ORDER

NOTICE IS HEREBY GIVEN, that the Matanuska-Susitna Borough Animal Care and Regulation Board, on June 3, 2020, rendered the following Findings, Conclusions, and Final Order regarding the level 4 classification in the above-captioned matter. This Final Order may be appealed to Superior Court within 30 days of the date of distribution pursuant to MSB 24.30.050 and the Alaska Rules of Appellate Procedure, Part VI, Rules 601-612.

FINDINGS

1. The Animal Care and Regulation Board has appellate jurisdiction over this matter pursuant to MSB 24.30.020(A).
2. The Chief Animal Care and Regulation Officer has the authority under MSB 24.26.010 and 24.26.030 to classify an animal as it pertains to AC&R Case No. 20-01.
3. The incident which involved the animal, "Koa", occurred on or about April 12, 2020, and is described in the Level 4 classification notice, which was issued by the Chief Animal Care and Regulation Officer on April 28, 2020.

4. On April 12, 2020, Deputy Flavin received a call from Mat-Com Dispatch and was informed of a dog bite that was just reported to them.
5. Deputy Flavin made contact with the minor victim's mother who confirmed that her daughter was bitten. The minor was outside playing with other kids in the driveway when they noticed the neighbor's dogs emerge from the bushes or small trees.
6. Ms. Hall advised that her daughter was frightened after the incident occurred.
7. When the bite report as first filed, the dog was mistaken as a corgi and in fact later reported to be a larger black and white dog.
8. Ms. Hall confirmed the dog's owner's address to be 4026 West Isla Drive, Wasilla.
9. Ms. Becker, the animal owner acknowledged that her dogs had gotten out earlier, as she noticed it on her camera system.
10. The Board finds that the animal "Koa" was unrestrained at the time of the incident on April 12, 2020, and did inflict an aggressive bite or cause physical injury to a minor human.

## CONCLUSIONS

Based upon the above Findings, the Animal Care and Regulation Board now makes the following Conclusions:

1. "Level 4 Classification" means an unrestrained animal inflicts an aggressive bite or causes physical injury to any human.
2. The incident does meet the level 4 classification as defined by MSB 24.26.010(A)(4)(a), as "Koa" was unrestrained at the time of the incident and did inflict an aggressive bite or cause physical injury to a human.
3. Pursuant to MSB 24.26.080 (A)(2), An owner of a classified animal, including an animal classified under a repealed classification scheme, may apply to the Chief Animal Care and Regulation Officer in writing, to have the classification reduced, modified, or removed in accordance with this section upon payment of outstanding fees, including a review fee of \$35, and showing that: a level three or level four animal has been classified for two years or 18 months if recommended by the animal care and regulation board after a hearing on the classification, without further incident, including any violation of this title.

4. The Animal Care and Regulation Board has the authority under MSB 24.30.040(C)(2) to affirm, reverse, or modify the classification and may modify the written administrative order issued by the chief animal care and regulation officer.
5. The activity of the Animal "Koa" subjects the dog to a level 4 classification.

ORDER

Based upon the above Findings and Conclusion, the Animal Care and Regulation Board now makes the following Order:

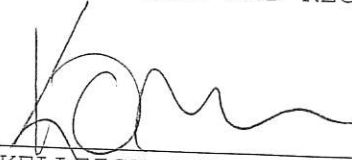
IT IS HEREBY ORDERED that the Animal Care and Regulation Board affirms the level 4 classification of "Koa" as issued by the Chief Animal Care and Regulation Officer on April 28, 2020.

It is further ordered that the animal owner, Heather Becker is eligible to request a removal, reduction or modification of classification no sooner than December 3, 2021 (18 months).

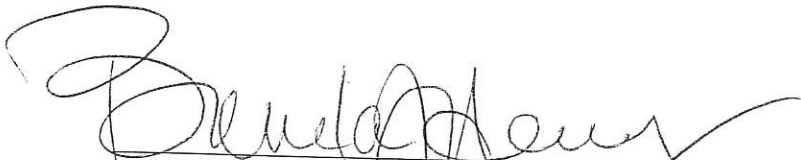


DATED at Palmer, Alaska this 3 day of June, 2020.

MATANUSKA-SUSITNA BOROUGH  
ANIMAL CARE AND REGULATION BOARD

  
\_\_\_\_\_  
KELLEIGH ORTHMANN, Chair

ATTEST:

  
\_\_\_\_\_  
BRENDA J. HENRY, CMC, Staff Support

**I. CALL TO ORDER; ROLL CALL**

A meeting of the Matanuska-Susitna Borough Board of Adjustment and Appeals was called to order at 10 a.m. by Chair Terry Nicodemus for the purpose of conducting motion hearing regarding the Borough's motion to dismiss for lack of jurisdiction.

Board members present and establishing a quorum were:

- Mr. Terry Nicodemus
- Ms. Claudia Roberts
- Ms. Tina Crawford
- Mr. Larry Schmidt

Staff in attendance were:

- Ms. Brenda J. Henry, Assistant Borough Clerk
- Mr. John Aschenbrenner, Deputy Borough Attorney

**II. APPROVAL OF AGENDA**

Chair Nicodemus queried if there were any changes to the agenda.

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

**III. APPROVAL OF MINUTES**

There were no minutes to approve.

**IV. ITEMS OF BUSINESS**

A. Election of Officers

1. Elect Chair

MOTION: Ms. Roberts nominated Mr. Nicodemus as Chair.

VOTE: The motion passed without objection.

2. Elect Vice Chair

MOTION: Ms. Crawford nominated Ms. Roberts as Vice Chair.

VOTE: The motion passed without objection.

B. Motion Hearing Regarding the Borough's Motion to Dismiss BOAA 20-01, Denial of a Public Use Easement for Floyd's Place, Platting Board Case No. 2019-139

1. John Aschenbrenner, Deputy Borough Attorney (5 Minutes)

Mr. Aschenbrenner presented his case in support of dismissal.

Mr. Nicodemus asked questions of Mr. Aschenbrenner.

2. Sean Frazier, Appellant (7 Minutes)

Mr. Frazier presented his case in opposition to dismissal.

3. John Aschenbrenner, Deputy Borough Attorney for Rebuttal (2 minutes)

Mr. Aschenbrenner provided his rebuttal.

Ms. Crawford asked questions of Mr. Aschenbrenner

C. Motion Hearing Regarding the Borough's Motion to Extend the Date for the Record

1. John Aschenbrenner, Deputy Borough Attorney (3 minutes)

There was no testimony provided.

2. Sean Frazier, Appellant (5 Minutes)

There was no testimony provided.

3. John Aschenbrenner, Deputy Borough Attorney for Rebuttal (2 minutes)

There was no testimony provided.

## V. ADJUDICATORY SESSION

MOTION: Ms. Crawford moved to enter into adjudicatory session.

VOTE: There was no objection noted and the BOAA entered into adjudicatory session at 10:26 a.m.

MOTION: Mr. Schmidt moved to exit adjudicatory session.

VOTE: There was no objection noted and the BOAA exited adjudicatory session at 10:57 a.m.

Mr. Nicodemus requested Ms. Henry read the draft order into the record.

Ms. Henry read the draft into the record.

MOTION: Ms. Roberts moved to approve the order as read into the record by the Clerk.

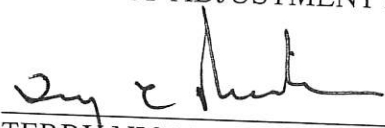
VOTE: The motion passed without objection.

**VI. BOARD COMMENTS**

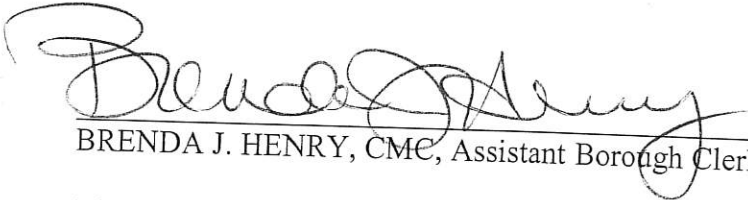
**VII. ADJOURNMENT**

The hearing adjourned at 10:59 a.m.

MATANUSKA-SUSITNA BOROUGH  
BOARD OF ADJUSTMENT AND APPEALS

  
TERRY NICODEMUS, BOAA Chairperson

ATTEST:

  
BRENDA J. HENRY, CMC, Assistant Borough Clerk

Minutes Approved: 06/11/20

MATANUSKA-SUSITNA BOROUGH

BOARD OF ADJUSTMENT AND APPEALS

IN RE:

Denial of Public Use Easement  
For Floyd's Place  
Platting Board Case No. 2019-139

Sean Frazier,  
Appellant

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)  
) BOAA Case No. 20-01  
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**NOTICE OF RIGHT TO APPEAL AND FINAL DECISION**

NOTICE IS HEREBY GIVEN, that the Matanuska-Susitna Borough Board of Adjustment and Appeals, on June 11, 2020, rendered the following final decision regarding the appeal filed in the above captioned matter. This final decision may be appealed within 30 days of the date of issuance of this decision, pursuant to MSB 15.39.250 and the Alaska Rules of Appellate Procedure, Part 600.

**COMBINED FINDINGS AND CONCLUSIONS**

1. This appeal was filed in a timely manner.
2. On December 31, 2019, the Borough filed a motion to dismiss the appeal in the captioned case arguing that the BOAA did not have jurisdiction to hear the appeal.
3. At the time the Borough's motion was filed, the record in the had not yet been received. Other than the Borough's motion and the appellant's rebuttal, there were no other facts for

the BOAA to review to determine whether they did indeed have jurisdiction because it was unknown exactly what was being appealed.

4. As a result, the BOAA scheduled a hearing for January 27, 2020, to take up the motion to dismiss. Having read the Borough's motion to dismiss, the appellant's rebuttal, reviewing applicable Borough code, taking testimony from the Borough and the appellant, and conducting an adjudicatory session, the BOAA determined that code did not expressly state that they had no jurisdiction, nor could the Borough Attorney's Office expressly tell the BOAA where in code, that they did not have jurisdiction.
5. MSB 43.15.015, Appeals, reads: "Appeals from decisions of the Platting Board may be made under the provisions of MSB 15.39."
6. MSB 15.39.030(A)(3) states that the BOAA shall hear and decide the following "(3) appeals from decisions of the Platting Board regarding preliminary plats, variances, waivers, dedications, vacations, and other quasi-judicial determinations made pursuant to MSB Title 43."
7. The BOAA voted unanimously that they did have jurisdiction to hear the appeal in the captioned case pursuant to MSB 15.39.030(A)(3) and MSB 43.15.015.

8. The BOAA points out that in the November 27, 2019, Platting Board's Notification of action states in all capital letters (as to call attention to it) that "All decisions of approval or disapproval by the Platting Authority shall be final unless appealed to the Board of Adjustment and Appeals."
9. Mr. Cottini, a member of the Platting Board, asked during the November 7, 2019, hearing, page 257 of the record, if Mr. Frazier knew that the Platting Board decision was appealable to the BOAA. Mr. Frazier affirmed the query.
10. Again on page 261 of the record, staff states that an appeal of the denial of the public use easement (PUE) could possibly go before the BOAA. Further discussion of the possibility of appealing a denial of the PUE to the BOAA, continues on pages 262 through 263 of the record.
11. If this is not the case as the Borough Attorney's Office argued in their motion for dismissal, the BOAA opines that it should have been addressed at the Platting Board hearing and made clear to the appellant, staff, and the Platting Board why it was not in fact appealable to the BOAA.
12. MSB 43.15.021, Public Use Easement Acceptance Procedure outlines a process for Staff to follow when recommending acceptance of PUE's.

13. Staff was within the requirements of code to recommend rejection of the PUE, as acceptance of it is not in the best interests of the Borough.
14. The current BOAA has already taken up an appeal for a preliminary plat and PUE in the Klinefelt Subdivision by way of BOAA Case No. 18-02, which will be discussed further.
15. There is a lengthy history to this PUE request and the BOAA will address that in this final decision in order to provide a historical timeline.
16. In 2018, the Borough appealed the approval of a preliminary plat identified as Klinefelt and PUE, Platting Board Case No. 2018-010/011, which ultimately became BOAA Case No. 18-02.
17. Borough Staff recommended approval of that preliminary plat and PUE contingent on several recommendations; one of those being "Recommendation No. 4: Provide a 60-foot wide right-of-way with adjoining 15-foot utility easement connecting West Floyd's Place to West Powder Road of residential collector standard minimum per MSB 43.20.060(D), to facilitate connectivity and public safety. No construction of this right-of-way was required, other than that portion providing physical access to the proposed Tracts 1, 2, and 3."



18. The Platting Board removed Recommendation No. 4 from their approval of the preliminary plat and PUE for Platting Board Case No. 2018-010 and 011; the Borough then appealed the removal of recommendation no. 4 to the BOAA.
19. The BOAA reversed the removal of recommendation no. 4, as MSB 43.20.060(d) requires the applicant to dedicate connecting rights-of-way between adjoining stub roads in order to improve connectivity and/or public safety unless the applicant shows the connection to be unnecessary for future development and/or public safety.
20. The applicant never provided any evidence or testimony that the connection was unnecessary for future development and/or public safety.
21. In the record, there is a hand drawn, color-keyed map, indicating that West Powder Road and West Floyd's Place connectivity as a "proposed road." That map is included in the record again for the appeal in the captioned case, beginning on page 6 of the record and duplicated several times throughout the record. The appellant in the captioned case provided the map as part of his preapplication conference, as noted on page 1 of the record on appeal.
22. After reinstating recommendation No. 4 into the preliminary plat and PUE, the BOAA added an additional condition of

approval for plat and PUE, that "the stub road to the north needs to be constructed as close to perpendicular as possible to the connector road between West Powder Road and West Floyd's Place."

23. The modified and granted preliminary plat and PUE had an expiration date of April 25, 2024. The BOAA's final decision was issued on October 18, 2018, and was appealable to the Superior Court by November 17, 2018.
24. To the BOAA's knowledge their decision was never appealed to the Superior Court.
25. In the record for the current PUE, on page 98, it states that "After the BOAA decision was rendered, that the applicants decided to "deadfile" that case in July 2019, which means they no longer have an active subdivision case file."
26. In the current PUE request, Mr. Sean Frazier is again acting as representative for the owner of the property by the authority of Mr. James Contreras, trustee for the Mary K. Klinefelt Revocable Trust.
27. The current request is to create a public use easement over the constructed bulb cul-de-sac at the end of West Floyd's Place, within Tax Parcels D1 and A12.
28. West Floyd's Place right-of-way was dedicated on the plat of Floyd's Place, Plat No. 2006-92.

29. In 2013, when Mr. Frazier began the subdivision process, Andy Dean and Peggy Horton met with him informally, at the Development Services counter.
30. Ms. Horton stated that road access would have to be provided to the lots that he wanted to construct; Mr. Frazier stated that he was capable of constructing a road.
31. Mr. Dean and Ms. Horton attempted to talk Mr. Frazier out of constructing the road, and to go through the platting process first to get preliminary approval, as building a road is a costly process.
32. Mr. Frazier refused; Ms. Horton advised him that he would be constructing the road at risk if he moved forward before a preliminary plat was granted.
33. Mr. Frazier obtained a construction permit in 2013 and constructed the road ending with a bulb cul-de-sac centered on the section line of D1 and A 12. Located within the southeast 1/4, southeast 1/4, Section 20; and northeast 1/4, northeast 1/4, Section 29, Township 18 North, Range 2 West, Seward Meridian, lying at the western end of West Floyd's Place.
34. The cul-de-sac is constructed on private property and not a part of the construction permit. By making the cul-de-sac a

public right-of-way, it would allow the appellant to go through the process to receive Borough road maintenance.

35. Since at least 2013 and possibly sooner, Platting Staff has discussed several different options for subdividing this property with Mr. Contreras and/or his representative Mr. Frazier, using the preapplication conference process.
36. The first time was July 11, 2013, to create a 10-lot subdivision. Platting Staff recommended dedicating the 60-foot wide right-of-way to the western boundary of West Floyd's Place to match up with the existing 50-foot wide Public Use Easement, which is Powder Road.
37. Later that month, Mr. Frazier emailed staff a two-lot subdivision proposal. This design showed water access only. Staff explained that water access is only available when road access is not practical or feasible. The property is fairly flat, so that was not an option available to Mr. Frazier.
38. In August 2013, staff was emailed a design for a different two-lot subdivision proposal, this time proposing a road from the eastern side extending almost to the western side of the property. This did not require an update to the preapplication conference notes because it had already been explained to Mr. Frazier what is required for a two-lot subdivision.

39. In July 2014, Mr. Frazier proposed a five-lot subdivision. Staff updated the preapplication conference notes and emailed them to Mr. Frazier on July 17, 2014. At that time, Staff again recommended dedication for connectivity of West Floyd's Place and West Powder Road.
40. On July 21, 2014, Mr. Frazier notified staff that they wanted to eliminate Government Lot 5 from the project. That change was minimal and only eliminated the need to extend Hilltop Drive into Government Lot 5.
41. In May 2017, Mr. Contreras who is the trust representative, requested to be updated on the requirements for dividing the land since Ms. Klinefelt had passed away. Mr. Contreras shared that it was the desire of Ms. Klinefelt for the land to be divided and distributed.
42. On June 22, 2017, Bull Moose Surveying forwarded three subdivision proposals. Two of those proposals showed access coming from both sides of the property. Again, staff recommended dedication for connectivity of West Floyd's Place and West Powder Road.
43. In November 2017, prior to the Klinefelt preliminary plat and PUE application going to the Platting Board, the Assembly amended Title 43.

44. In December 2017, Bull Moose Surveying emailed the preliminary plat and PUE that ultimately went before the Platting Board in April 2018.
45. Due to the Assembly amendments to Title 43, Platting Staff contacted Mr. Contreras and Mr. Frazier regarding an amendment that specifically requires connectivity of all adjacent stub roads and advised them that connectivity of West Powder Road and West Floyd's Place would be one of their recommendations in order to accept the PUE.
46. Mr. Contreras and Mr. Frazier disagreed with staff on that recommendation and requested that their request for the PUE be presented to the Platting Board. As stated earlier in this document, the BOAA ultimately partially reversed and approved the Platting Board decision for the Klinefelt Subdivision and PUE.
47. For the PUE request in the captioned case, comments from the Borough Public Works Department were that "this is an important connection that would improve access and egress, increase the safety and wellbeing of the public by providing a secondary access and egress in the event of emergencies such as fire or earthquake. It would also relieve congestion when a partial road closure exists for Troopers. Lastly, making the connection also makes future road maintenance more

efficient as equipment operators can pass through from both sides without having to turn around and drive out of an area that has already been plowed."

48. Borough Capital Projects did not support the request unless the PUE was included, which they opined is "the real key."
49. Comments in support, speak in support of improving access and egress to accommodate emergencies and in support of the connectivity of West Powder Road and West Floyd's Place.
50. Comments in opposition or partial support, speak to support of the current PUE request as long as it did NOT provide for connectivity of West Powder Road and West Floyd's Place.
51. The proposed Floyd's Place Public Use Easement is a circular cul-de-sac bulb that the appellant is requesting the Borough accept as public right-of-way.
52. Borough Staff recommended denial of the PUE unless the appellant would dedicate the public use easement for connectivity of West Powder Road and West Floyd's Place. This connectivity would be in the Borough's best interest due to the fact that the 2007 Official Streets and Highways Plan shows the connection between West Floyd's Place and West Powder Road as a future minor collector. It is the only east/west connection on the plan running north of Visnaw Lake and south of the Little Susitna River.

53. The appellant argues that Staff misapplied MSB 43.20.060(D), as it only applies to subdivisions and not PUE's.
54. MSB 43.20.606(C) states in part that "Roads shall be dedicated for access to all lots within the subdivision and parcels of land adjacent to the subdivision except that access to adjoining lands does not have to be provided where legal and constructible alternative access is available."
55. The BOAA concludes that Staff properly applied Borough code by recommending denial unless the applicant provided the PUE for connectivity of West Powder Road and West Floyd's Place.
56. Staff recommendations are No. 1 through No. 5 and found in the record on pages 101 and 102.
57. The appellant has refused numerous times to provide the PUE for West Powder Road and West Floyd's Place connectivity.
58. The appellant and the Borough were, and still are, unable to come to an agreement regarding the PUE and the connectivity for West Powder Road and West Floyd's Place.
59. At the November 7, 2019, Platting Board hearing, a motion was made to approve the PUE by striking Recommendation No. 3, which provided the connectivity for West Powder Road and West Floyd's Place.
60. The amendment to strike Recommendation No. 3 failed with two members in support and three members opposed.



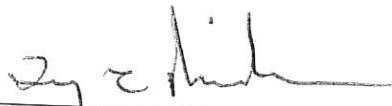
61. The main motion, which included Recommendation No. 3 also failed with one member in support and four members opposed. Because the motion failed, the PUE was denied.

**FINAL DECISION**

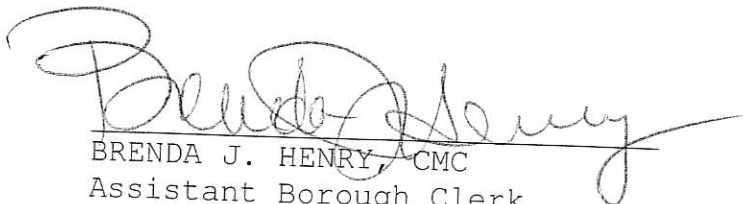
Based upon the above combined findings and conclusions, the Matanuska-Susitna Borough Board of Adjustment and Appeals affirms the denial rendered by the Platting Board for Case No. 2019-139, as the BOAA can find nowhere in code that the Borough is obligated to accept any interest, in any land, from any individual.

Dated this 11 day of June, 2020.

MATANUSKA-SUSITNA BOROUGH  
BOARD OF ADJUSTMENT AND APPEALS

  
\_\_\_\_\_  
TERRY NICODEMUS, Chair

Attest:

  
\_\_\_\_\_  
BRENDA J. HENRY, CMC  
Assistant Borough Clerk

Matanuska-Susitna Borough  
Butte Fire Service Area Board of Supervisors

RECEIVED  
JUN 16 2020  
CLERKS OFFICE

Regular meeting 13 February 2020

Meeting time: 6:30 p.m.

Location Butte Station 21

- I. Called to order at 6:35 p.m. by Gregory Nilsson, Chair.
- II. Roll Call: Mitzi Van Asdlan, Robert Hicks, Gregory Nilsson, present  
Fire department staff: Chief Louis LaRousse, Assistant Chief Michael Shipton

III. Stood for Pledge of Allegiance

IV. Minutes of 19 December 2019 read and approved.

V. Reports/Correspondence

A. Chief's report regarding sourcing equipment and programs manufacturers offer to support their products; in-depth training on maintenance and use; eg, at 33% air available a helmet alarm should sound; all packs back in service after adjustments; firefighters working in hot zones must be fit tested.

B. Financial; Stations 21 and 22 electrical; \$9000.00 for emergency exit signs, exterior wallpacks at Sta 22. No high bay lights included in estimate. Well pump needed replacement for \$1800.00

C. Chief La Rousse would like to start fire department auxiliary team, folks who would work as support for fire crews and station fundraisers, community outreach and such.

VI. No changes in CIP's or draft budget proposal - likely going to assembly in fall.

Adjourned 7:50 p.m.

Respectfully submitted,

  
Gregory S. Nilsson / Butte FSA Chair

**Minutes of the Chase Community Council  
Board of Directors Meeting**

RECEIVED  
MAY 29 2020  
CLERKS OFFICE

**Date/Time:** 1/29/2020 6:00PM

**Location:** Talkeetna Roadhouse

The meeting was called to order at \_\_\_\_6\_\_PM

A quorum was established with the following Board members present (minimum 3):

Jerry Boutte, James Tunnell, Patricia Cox

Chase Community Members present:

Molly Woods, Beth Pike, Tim Cox

**AGENDA**

James Tunnell made a motion to approve the agenda, Tim Cox seconded the motion.

All approved: Y

**MINUTES**

The minutes of the October 16, 2019 meeting were read by Patricia Cox  
James Tunnell made a motion to approve the Minutes, Beth Pike seconded the motion.

All approved: Y

**Correspondence :**

The Community Council received an email from the borough regarding meeting agendas.

**Treasurer's Report:**

Balance of funds the same from October meeting. Funds still available for trail maintenance for summer 2020.

**Announcements:**

No announcements to report.

## **Committee Reports**

### ***By-Law Committee***

The new official by-laws are posted to our web site.

### **Susitna River Dam Committee**

Mike Woods was present in Juneau to represent and express the Chase community concern for the renewed interest of the Susitna Watana Dam project by our legislature.

## **Old Business**

Discussed the cost of shipping of equipment on the Alaska Railroad.

## **New Business**

Community Assistance Grant funds awarded locally are -

Friends of the Talkeetna Library Reading programs - \$750  
KTNA Talkeetna community radio - \$1000  
Trail Maintenance for Clear Creek improvement - \$7839  
Talkeetna Elementary Field Trip Kachemak Bay/Denali - \$500  
Talkeetna Elementary PTA Healthy Snacks program - \$1000  
Susitna River Coalition Salmon education & improvements - \$4700

This year election results are as follows - Jerry Boutte re-elected as chairman, Orville James elected as vice chairman, James Tunnell is the treasurer, Paricia Cox is the secretary and Donnie Billington is a member at large.

## **Persons to be Heard**

Mabel Williams, a representative from the Census, was present to recruit and discuss the need for workers in the Talkeetna area. She provided information for the upcoming census jobs available in the state.

## **Adjourn**

James Tunnell moved to adjourn the meeting and Tim Cox seconded. The

Minutes respectfully submitted by \_\_\_\_\_ Patricia Cox (acting secretary)

Minutes Approved

Signature:  Chairperson Date: \_\_\_\_\_

Attested: , Secretary Date: 4/8/2009

Mail with agenda to:

Clerks Office: Deb Wetherhorn  
Mat-Su Borough  
350 E. Dahlia Ave.  
Palmer, AK 99645

Or via email: [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us)

MATANUSKA-SUSITNA BOROUGH  
*Enhanced 911 ADVISORY BOARD MINUTES*

February 11, 2020

RECEIVED  
JUN 15 2020  
CLERKS OFFICE

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, Casey Cook.

Advisory Board members in attendance establishing a quorum were:

Brent Johnson, AST;	Rebecca Turney, Palmer Police;
Jacob Butcher, Wasilla Police;	Joel Butcher, Wasilla Police;
Casey Cook, MSB DES;	Zack McRae, MSB DES; and
Christian Hartley, Houston Fire.	

Also in attendance were: Hillary Palmer, MSB GIS; Stephanie Nowers, Borough Assembly; and Aleeha Travis and Micah Weinstein, MTA.

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

APPROVAL OF AGENDA: The agenda was approved as presented.

APPROVAL OF MINUTES: There was no objection to the approval of the December 10th, 2019 minutes as presented.

PERSONS TO BE HEARD:

Ms. Nowers stated she was just here to observe and listen and let everyone know that with budget season upon us, if there were any concerns, she is happy to help.

## REPORTS

### GIS

Ms. Palmer:

1. She provided a handout which was an annual review of what she does in GIS that includes addressing, roads, and public outreach.
2. Since Google Maps is so out of date, Borough GIS is working on getting our data into a true networkable dataset. It will help us build our own tools better than Google Maps that will help our responders get to locations quicker.
3. There were two instances of S. Downwind Circle; one in Palmer and one in Big Lake. They have renamed the Big Lake location.

### Addressing Campaign

Mr. Cook stated: We haven't done much on our side of the addressing campaign. Kelly Clemons has been hired on full time with Forestry so we'll have to see where we go from here.



## NEW BUSINESS

### Palmer Dispatch Training Request (2020 Navigator and NENA)

Ms. Turney stated: She has a proposal to request funding for Palmer dispatchers to attend the NENA Conference in April/May 2020 for 1 dispatcher at a total cost of \$2,525 and Navigator Training in June, 2020 for 1 dispatcher at a total cost of \$4,000. There was no opposition by the board to reimbursing the City of Palmer for these two training events.

### AST Dispatch Contract Transfer

Mr. Cook stated that: The Department of Public Safety is in the process of moving to a Statewide consolidated 911 dispatch model. If this plan is to go into effect DPS anticipates having two dispatch centers; Northern and Central. They anticipate moving their current AST dispatch for the Mat-Su Borough from Mat-Com to their Anchorage (Central) location. If this occurs, the Mat-Su Borough Department of Emergency Services is concerned about the impact of having another level of communication to work through for 911 calls. There are many questions on how this may affect timely and efficient dispatching for borough services and the resulting response times for responders.

Much discussion took place and it was decided to invite members of the DPS Dispatch Transition Team to the April 15, 2020 E-911 meeting to discuss the questions and concerns the Borough has. Ms. Laughlin offered to create a Google Docs question sheet to which all E-911 members could post their questions. The list would be vetted then sent on to the DPS team to review prior to the meeting.

### Mat-Com Phone Software Change from ComTech to Solacom

Jacob Butcher stated that: They are moving forward with making a switch from ComTech XT91 to Guardian Solutions. There is much more functionality and it is built for Next Gen capability. He is going to contact Solacom about getting all their stuff transferred over since it's the same company, and they will be responsible for training and maintaining and replacing all their hardware since it's a 911 service. Palmer Dispatch agrees that this would be good transition.

### Mat-Com Reimbursement for NENA Training

Ms. Laughlin stated that: Invoices totaling \$3,211.99 have been received from Mat-Com for reimbursement of Joel and Jacob Butcher's attendance at NENA Training. She will review the available budget and process the reimbursements accordingly.

## OLD BUSINESS

### Call Location Inconsistencies

None to report.

### E-911 Legislative Amendments

No updates to report.

INFORMATIONAL ITEMS

- FY20 Surcharge Revenue Chart – no questions heard.
- FY20 E-911 Budget Performance Report – no questions heard.
- 911 Quarterly Dispatch Call Report – no questions heard.

COMMENTS

Ms. Palmer stated: she sent everyone an email with a link to the power points from the NENA Standards and Best Practices Conference.

NEXT MEETING DATE

Chairman Cook announced that the next meeting date would be April 14, 2020 at the Cottonwood Public Safety Building.

ADJOURNMENT

  
\_\_\_\_\_  
Casey Cook, Chairman

ATTEST:

  
\_\_\_\_\_  
Casey Laughlin, Secretary




Greater Talkeetna Road Service Board of Supervisors  
Minutes of Regular Meeting  
March 12, 2020

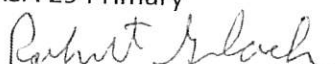
RECEIVED  
JUN 16 2020  
CLERKS OFFICE

A regular meeting of the Greater Talkeetna Road Service Area Board of Supervisors (RSA 29) was held at the Talkeetna Public Library on March 12, 2020. Board members John Strassenburgh and Robert Gerlach were present. Community member Ed Yadon also attended.

- I. There was a quorum, and the meeting was called to order at 6:33 pm.
- II. Minutes of the January 9, 2020 meeting were approved. Note that our February 13, 2020 meeting was cancelled.
- III. Robert gave a report on the LRSAAB meeting that he attended on behalf of our RSA on February 20, 2020, where the main topic of discussion was the rewrite of the Subdivision Construction Manual. Robert gave an overview, followed by discussion. No action was taken.
- IV. Ed Yadon spoke about problems with snow berms, which seemed larger than allowed by the road maintenance contract. Ed made two points that requiring follow-up. First, particularly after a heavy snow, where berms require a chase truck to clear, what is the time allowed between the time the plow creates the berm, and when the chase truck clears it? Second, who inspects a berm to verify the validity of a resident's complaint that a berm is excessive? John will look into these questions.
- V. The Board then discussed snow plowing related issues, including berms, timeliness of plowing, and ensuring fire hydrants are kept accessible in the event of an emergency. There have been instances of excessive berms, late arrival of a chase truck to clear, and one instance of a snow berm left blocking an intersection. John will discuss details with Mike Lachelt, Borough Road Superintendent.
- VI. The Board discussed HB 258 and SB 204. These are identical bills, the State House version and the State Senate version. The bills would exempt Alaska Department of Natural Resources from complying with municipal or local platting authority when the state manages and disposes its land. This has many implications, including the risk of disorderly development throughout the borough as well as adverse effect on the RSAs and the RSA taxpayers. John provided a summary of likely impacts of this legislation and the Board discussed such impacts. The Board voted to take a position accordingly and, should the legislation move, authorized John to write a letter to our Valley Legislators reflecting the Board's position.
- VII. The meeting was adjourned at 7:30 pm.

Respectfully submitted,

  
John Strassenburgh  
RSA 29 Primary





# MATANUSKA-SUSITNA BOROUGH

## Board of Ethics

c/o Office of the Borough Clerk  
350 E. Dahlia Avenue • Palmer, Alaska 99645-6488  
Phone (907) 861-8684 • Fax (907) 861-7845

Advisory Opinion No. 20-01

June 12, 2020

On June 3, 2020, the Board of Ethics received a Request for an Advisory Opinion from Mr. Joshua Cross, who is a member of the Transportation Advisory Board. The Board of Ethics met in a special meeting at 1 p.m. on June 12, 2020, to consider the request of Mr. Cross.

### *Specific Question for the Board of Ethics*

Mr. Cross has requested an Advisory Opinion from the Board on the following questions:

Does Mr. Cross have a conflict of interest with between his employment as a civil engineer and branch manager for a firm that wishes to bid on the RFP to update the Borough's Official Streets and Highways Plan and his position as Chair of the Borough's Transportation Advisory Board?

Does Mr. Cross have a conflict of interest if he participates as a consultant and recuses himself from the PMT and the Transportation Advisory Board on all matters related to the Official Streets and Highways Plan?

Is it a conflict for his employer's firm to be selected and for him to recuse himself from the consultant team?

### *Findings*

Mr. Cross is a member of the Transportation Advisory Board and is currently serving as its Chair. Mr. Cross is the branch manager of an engineering firm that wishes to bid on the Borough's RFP to update the Official Streets and Highways plan. In the RFP under Scope of Services it states that the Project Management Team (PMT) will consist of the Borough and the Transportation Advisory Board. The contractor that is awarded the RFP will be expected to work with the PMT to outline the schedule of tasks, deliverables, all meetings, and share information on project details. The contractor will be expected to prepare agendas, take notes, and draft meeting summaries.

The role and responsibility of the project management team is to make decisions regarding the scope and schedule for the project. The PMT will ensure that the selected contractor receives all documentation required from their respective agencies for full performance of the contract scope. The PMT will work to develop a consensus for acceptance and approval of project deliverables.

Members of the Transportation Advisory Board are not paid for their service but are reimbursed for mileage. As a member of the Transportation Advisory Board, Mr. Cross would be participating in the process of developing the Official Streets and Highways Plan Update, regardless of what firm is awarded the contract.

If his firm is selected, he would be responsible for making presentations, providing information, responding to questions, and interacting with the PMT as described in the RFP.

### *Conclusions*

1. The Board of Ethics concludes that Mr. Cross is eligible to sit on the Transportation Advisory Board under MSB 4.05.030.
2. The Board of Ethics concludes that Mr. Cross is subject to the Borough code, under MSB 4.05.030.
3. The Board of Ethics concludes that the code of ethics applies to Mr. Cross as a municipal official under MSB 2.71.030.
4. The Board of Ethics concludes that as a member of the Transportation Advisory Board, which will be a part of the PMT, that Mr. Cross would have the ability to take official action as he would vote at meetings on subjects that would directly develop the Official Streets and Highways Plan.
5. "Financial interest" means: (1) an interest held by a person subject to this code or an immediate family member, which includes an involvement or ownership of an interest in a business, including a property ownership, or a professional or private relationship, that is a source of income, or from which, or as a result of which, a person has received or expects to receive a financial benefit in an amount over \$1,000; or (2) holding a position in a business, such as an officer, director, trustee, partner, employee, or the like, or holding a position of management.
6. MSB 2.71.070(A) reads: (A) *Misuse of official position.*
  - (1) A municipal official may not grant, obtain, or receive directly or indirectly, any special consideration, treatment, or advantage, for themselves or others, beyond what is generally available to borough residents.
  - (2) A municipal official may not, among other things:
    - (a) seek other employment or contracts through the use or attempted use of official position;
    - (b) accept, receive, or solicit compensation for the performance of official duties or responsibilities from a person other than the borough;
    - (c) use borough time, property, equipment or other facilities to benefit substantial financial interests;
    - (d) take or withhold official action in order to affect a matter in which the municipal official has a substantial financial interest; or
    - (e) attempt to benefit a personal or financial interest through coercion of another municipal official covered by the code.
    - (f) No municipal official in his or her official capacity or using their title may publicly promote products or services. However, this does not prohibit a municipal official

from answering inquiries by other governmental officials, consumer organizations, or product information services.

7. MSB 2.71.070(D) states, (D) Improper influence in borough grants, contracts, leases, or loans includes the following: (1) A municipal official or the official's immediate family members may not attempt to acquire, receive, apply for, be a party to, or have a personal or financial interest in a borough grant, contract, lease, or loan if the municipal official may take or withhold official action that affects the award, execution, or administration of the borough grant, contract, lease, or loan. (2) The prohibition in subsection (C)(1) of this section does not apply to a borough grant, contract or lease that is competitively solicited unless the municipal official:
  - (a) is employed by the administrative unit awarding the grant, contract or lease, or is employed by the administrative unit for which the grant, contract, or lease is let; or
  - (b) takes official action with respect to the award, execution, or administration of the grant, contract, or lease.
8. MSB 2.71.070(E) reads: (E) A board, commission, committee, or assembly member may not appear on behalf of a private or public interest before any borough body of which the municipal official is a member.
9. The Board of Ethics concludes that Mr. Cross could potentially have a financial interest in the form of wages, as he is the branch manager of a firm that could potentially be awarded the RFP.
10. MSB 2.71.080, Recusal states: (A) A municipal official shall recuse himself from acting on any matter or proceeding coming before a borough-elected body, board, commission, or committee of which the official is a member when the matter or proceeding involves any person who is, or has been, a client of the official or the official's firm or partnership within the 12-month period immediately preceding the date of the action.

### *Summary of Opinion*

The Board of Ethics has determined that Mr. Cross does have a conflict under MSB 2.71.070(A)(2)(d) and MSB 2.71.070(D)(b). If Mr. Cross' employer is awarded the RFP and resulting contract, Mr. Cross shall recuse himself, as a member of the Transportation Advisory Board, from matters relating to the Official Streets and Highways Plan development that are before the Transportation Advisory Board as it applies to the RFP and resulting contract.


Should the RFP and resulting contract be awarded to Mr. Cross' employer, the Board of Ethics has determined that participation in the PMT, by Mr. Cross on behalf of his employer, shall not be perceived as a conflict of interest.

MATANUSKA-SUSITNA BOROUGH  
BOARD OF ETHICS



Daniel Bowen, Chair

Attest:



Brenda J. Henry, CMC, Staff Support



MATANUSKA-SUSITNA BOROUGH  
OFFICE OF ADMINISTRATIVE HEARINGS

IN RE: )  
 )  
Recommendation of Level 5 )  
Classification of Karma Grace )  
 )  
Solomon Harris, )  
Owner. ) OAH Case No. 20-01  
\_\_\_\_\_ )

**FINDINGS, CONCLUSIONS AND FINAL ORDER**

**Findings**

On April 16, 2020 Solomon Harris resided at 15905 Jupiter Avenue in the Matanuska-Susitna Borough ("MSB.") His dog "Karma Grace" lived with him at that address. Jerry Hupp and Gail Volt, a married couple, live nearby. On that day they took a walk on Jupiter Avenue. They were generally aware, from living in the neighborhood, of the fact that Karma Grace appeared to be an aggressive dog that if outside would normally be on a chain. Out of caution they kept to the other side of Jupiter while nearing Mr. Harris's house.

Their caution proved well-founded but unavailing. Karma Grace ran out of Mr. Harris's house, crossed the street and viciously attacked Ms. Volt, biting her repeatedly, dragging her to the ground and causing her serious physical injury. Mr. Hupp struggled to pull Karma Grace off of Ms. Volt. Karma Grace bit and attacked Mr. Hupp, causing him physical injuries. Finally, Mr. Harris himself arrived and managed to draw Karma Grace off. The attack-completely unprovoked—left Ms. Volt and Mr. Hupp injured, bleeding and traumatized.

Ms. Volt in particular suffered horribly from the attack. She testified that she continues to suffer post-attack pain, trauma and fear.

The attack was reported to MSB animal control authorities and Karma Grace was removed and quarantined. MSB authorities then applied to have Karma Grace classified as a "Level 5" animal under MSB code. Level 5 is the most-serious classification. Under MSB Code 24.26.040(B)(4), animals classified as Level 5 shall be euthanized.

Mr. Harris admitted to the material facts of the attack as set out by Ms. Volt and Mr. Hupp, though he disputed some of their descriptions of what was said by way of interaction between them at the time. The hearing officer finds that Ms. Volt and Mr. Hupp were credible and convincing.

The collateral photographic evidence and exhibits to their testimony, establishing that the attack caused serious physical injuries to Ms. Volt and physical injuries to Mr. Hupp, as well as showing that Karma Grace would have caused serious physical injury or death if not for human intervention, is also clear and convincing.

Mr. Harris, though sincere enough in apologizing to Ms. Volt and Mr. Hupp, displayed no appreciation of the threat to public safety posed by Karma Grace. In his testimony Mr. Harris even tried to blame Ms. Volt and Mr. Hupp for their injuries by positing that they should have used deterrent spray to defend themselves. His lack of empathy and appreciation for the gravity of the event creates serious doubt about the suitability of Mr. Harris to adopt an animal.

Mr. Harris adduced no evidence which otherwise materially impeached or contradicted the testimony of Ms. Volt, Mr. Hupp and Officer Uphus concerning the facts and circumstances of the attack, the injuries suffered by the victims and the extremely aggressive nature or temperament of Karma Grace.

The hearing officer finds by clear and convincing evidence that the dog Karma Grace should be and hereby is classified as a Level 5 animal under MSB Code Section 24.30 for causing serious physical injury to Gail Volt and physical injury to Jerry Hupp on April 16, 2020 on Jupiter Avenue, without justification, and that additionally and in the alternative, that Karma Grace would have caused such injury or death if not for human intervention.

The hearing officer further finds, pursuant to MSB Code Section 24.26.040(B)(4), that the right of Mr. Solomon Harris to adopt an animal from the animal care and regulation shelter should be and hereby is suspended for one year, beginning on the effective date of this Order.

### **Conclusions and Order**

The hearing officer concludes and orders as follows:

1. The application of the MSB to classify the animal Karma Grace as a Level 5 animal under MSB Code 24.26.040(A)-(B) should be and hereby is GRANTED. Karma Grace is hereby classified as a Level 5 animal for all purposes.
2. Karma Grace shall be humanely euthanized by the MSB animal control authority in accordance with safe and humane procedures and the requirements of MSB Code 24.26.040.

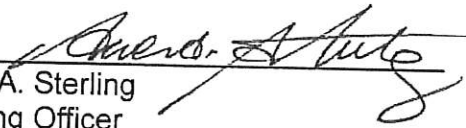


3. The right of Mr. Solomon Harris to adopt an animal from the MSB animal care and regulation shelter should be and hereby is suspended for one year, beginning on the effective date of this Order.

4. All parties shall bear their own attorney fees and costs, if any.

DATED this 12<sup>th</sup> day of June, 2020 at Wasilla, Alaska.

By:

  
Scott A. Sterling  
Hearing Officer  
MSB Office of Administrative Hearings

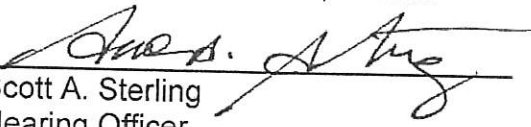
#### APPEAL NOTICE

NOTICE IS HEREBY GIVEN that the Matanuska-Susitna Borough Office of Administrative Hearings, Hearing Officer Scott Sterling, on June 12, 2020 rendered the foregoing written Findings, Conclusions and Final Order in the referenced administrative proceeding.

That Findings, Conclusions and Final Order may be appealed to the Superior Court for the State of Alaska, within 30 days of the date of distribution of the present filing, pursuant to MSB Code Section 24.30.050 and the Alaska Rules Of Appellate Procedure, Part VI, Rules 601-612.

DATED this 12<sup>th</sup> day of June, 2020 at Wasilla, Alaska.

By:

  
Scott A. Sterling  
Hearing Officer  
MSB Office of Administrative Hearings



Greater Willow

RSA 20 Advisory Board Meeting  
January 14, 2020  
Willow Area Community Center 6:30 PM

RECEIVED  
JUN 18 2020  
CLERKS OFFICE

- I. CALL TO ORDER:**  
Meeting Called to order at 6:30 PM by Tom Phillips
- II. Pledge OF ALLEGIENCE**  
Tom Phillips
- III. DETERMINATION OF QUORUM—**  
A. Tom Phillips, Bill Dale  
B. Mike Lacht, Tam Boeve and Dawn
- IV. APPROVAL OF AGENDA—** Motion by Bill Dale, Second by Tom Phillips. Motion approved.
- V. APPROVAL OF MINUTES—** Meeting minutes of December 11, 2019, motion by Bill Dale, Tom Phillips minutes approved.
- VI. AGENCY REPORTS—** Tam Boeve gave an update to Deneke Flood and said the funding for the work is being researched by borough staff in order to lighten the load on the RSA 20 revenue.
- VII. STAFF REPORTS—**Hauling away ice and heavy chips improved flow of Willow Creek. Work should be done by the end of the week. Good workmanship opening the creek. Hope to keep the cost under \$11,000.
- VIII. Contractor - D & S Road Service** Serrated the edges for gravel chips. Need a bigger sign for Abby Rd.. Asked about Shirley Town Bridge. Tam addressed that the borough is collecting design and repair-construction costs.
-

**ix. BOARD MEMBER REPORTS:** Tom Phillips has been busy communicating with several of the borough staff leaders and assembly person Tam Boeve regarding the Deneke Flood. I attended two borough meetings, one in Palmer and one in Willow. I have visited the site more than six times and spoke with our Maintenance Superintendent almost daily.

UI am disappointed that it took 18 days to provide reasonable access to Kenny Blvd.


**X. OLD BUSINESS:** None

**XI. NEW BUSINESS:** Discussed emergency access to disaster area regarding Bailey Bridge via Area Wide Funding.

**XIII. CORRESPONDENCE.** none

**XIV. Next meeting is scheduled for March 11, 2020 at 6:30 pm.**

**XV. Motioned to adjourn, by Tom, the meeting adjourned at 7:19 pm.**

  
\_\_\_\_\_  
**RSA Supervisor**

5-17-20  
\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**RSA Supervisor**

\_\_\_\_\_  
**Date**

LOCAL ROAD SERVICE AREA ADVISORY BOARD, MATANUSKA-SUSITNA BOROUGH

MEETING

Held 6:30 pm Thursday February 20, 2020 at West Lakes Fire Station #79, Spring Street

RECEIVED  
JUN 19 2020

IN ATTENDANCE:

RSA #

RSA Members Present

CLERKS OFFICE

09-Midway			
14-Fairview	Dan Elliott P	John Harris	Craig Stewart
15-Caswell Lakes	Donna McBride P tc		
16-South Colony	Rhonda Stark P tc	Phillip Cobb	
17-Knik			
19-Lazy Mountain			
20-Greater Willow	Tom Phillips P		
21-Big Lake			
23-North Colony			
25-Bogard	Gary Hessmer P		
26-Greater Butte	Mike Shields P		
27-Meadow Lakes	Stephen Edwards P		
28-Gold Trails	Micah Schoming P tc		
29-Greater Talkeetna		Robert Gerlach	
30-Trapper Creek	Donna Massay P tc		
31-Alpine		Jay Levan tc	

tc = by teleconference P = Primary

**RSAs not represented:** Midway (9)\*, Knik (17), Lazy Mountain (19), Big Lake (21), and North Colony (23). \*(excused absence)

**MSB Staff:** Public Works: Terry Dolan, Director; Jamie Taylor, Engineer

**Borough Staff** (other than Public Works): Eileen Probasco, Planning Director; Fred Wagner, Platting Director.

**Borough Mayor:** None

**Assembly Representatives:** None

**Visitors:** Josh Cross, TAB Chair; Cindy Bettine, TAB member.

**CALL TO ORDER** at 6:40 pm (following a teleconference phone disconnect which led to reliance on cell-phone), with Pledge of Allegiance, Chair Stephen Edwards presiding.

**ROLL CALL and QUORUM DETERMINATION:** 11 of 16 RSAs represented. Quorum was met.

**APPROVAL OF AGENDA:** Approved as presented.

**APPROVAL OF MINUTES:** Minutes of January 16, 2020, approved as written.

**PLANNING PRESENTATION re the draft Subdivision Construction Manual update:** Eileen gave a synopsis of the re-write process by the Working Group and the compromises that were necessarily involved, and asked for a list of suggested changes now, to be followed by a Resolution of Approval at our March 19 meeting. Fred Wagner added that the Platting Division did approve the draft version today. Lengthy discussion followed, including a number of questions from Board members which were answered at the time, and Mike presented a draft Resolution of Approval *provided* that specific amendments related to subgrade embankment construction were adopted. Further discussion of the draft Resolution followed, with one suggestion for a DOT Standards reference regarding watering during compaction. Eileen agreed to accept this draft as the Board's "List of Recommendations".



LOCAL ROAD SERVICE AREA ADVISORY BOARD, MATANUSKA-SUSITNA BOROUGH

**STAFF REPORTS:**

**A. O&M: Terry Dolan:** Handed out the CIP projects status report; projects are now going out to bid in a steady stream; call Alex with any project-specific questions. The northern RSAs received heavy snow in this latest storm, with associated problems regarding snow storage. **Matt Jacob** has been hired as Road Superintendent to replace Scott Sanderson; he was hired away from McKenna following negotiation over the cut in pay.

**BOARD MEMBER REPORTS**

**A. TAB:** Dan Elliott reported they had a February meeting at which Planning requested approval of the SCM draft but the Board had a problem with the 24" lift before compaction, and the Board's next meeting is next Monday at which they'll decide their response. Josh Cross spoke to concerns about the lack of reference to non-motorized use accommodation, possible MPO impacts, the role of possible "links and connectors" in subdivision planning and platting, and the separation of the proposed driveways Ordinance from the SCM. Cindy Bettine spoke to the fact that the TAB had "elbowed its way" onto the Working Group, and highlighted the need to balance the arguments between the taxpayers to "reduce the cost of maintenance and Bond-issue reconstruction" and the developers to "minimize the cost of road construction to lower housing cost". Discussion followed.

**UNFINISHED BUSINESS:**

**A. Status of the vacant Superintendent position:** See STAFF REPORTS above.

**NEW BUSINESS:**

**A. Subdivision Construction Manual update draft:** See PLANNING PRESENTATION and TAB REPORT above. The Board agreed to present a final Resolution of Approval *with required Amendments* immediately following its March 19 meeting, which was acceptable to Eileen.

**PERSONS TO BE HEARD:** None

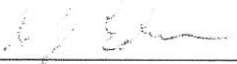
**CORRESPONDENCE AND INFORMATION:** None

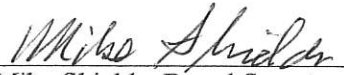
**OTHER BUSINESS:** Terry suggested that we look for another meeting place since this one is falling apart in several ways.

**BOARD COMMENTS:** Mike reminded everyone that we really *need* a quorum at the March meeting.

**ADJOURNMENT:** Unanimous motion, second, and approval; meeting adjourned at 8:45 pm.

**NEXT MEETING:** Thursday, March 19, 2020 at the West Lakes Fire Station #73, 1250 Spring Drive.

  
\_\_\_\_\_  
Stephen Edwards, Board Chair

  
\_\_\_\_\_  
Mike Shields, Board Secretary

RECEIVED

JUN 19 2020

CLERKS OFFICE

LOCAL ROAD SERVICE AREA ADVISORY BOARD

RESOLUTION 20-01

A RESOLUTION BY THE MATANUSKA-SUSITNA BOROUGH LOCAL ROAD SERVICE AREA ADVISORY BOARD TO THE BOROUGH PLANNING DIRECTOR REGARDING APPROVAL OF THE DRAFT SUBDIVISION CONSTRUCTION MANUAL CONDITIONED ON AMENDMENT

WHEREAS: The current Draft update of the Subdivision Construction Manual (SCM) is a long-overdue improvement and generally acceptable, this Board has serious concerns with portions of Section CO2.5, Embankment Construction, as follow:

WHEREAS: A significant problem with many roads, both old and new, throughout the Borough is weak and/or unstable subgrades; and

WHEREAS: The normally acceptable (and DOT maximum) uncompacted subgrade lift depth is 12 inches, with a compacted density of 95%; and

WHEREAS: The allowance of an unspecified quantity of subgrade particles of 6-inch diameter (ie., "cobble") or more (eg., 10-inch-plus diameter "boulders"), coupled with the 20-inch compacted lift depth proposed, raises experience-based questions about the at-depth accuracy of density tests, even with nuclear densimeters; and

WHEREAS: Normal design of subgrade traffic load dispersal sections (eg., the top 6 inches of this section) requires that maximum particle diameter be no more than 50% of the section depth to prevent traffic-induced migration of the largest particles to the road surface; and

WHEREAS: The normal practice nation-wide is to include watering of the fill layer both prior to and during compaction to ensure retention and distribution of the material fines (sand, silt, clay) as "binder" among the gravel particles, but there is no mention of watering in this draft; Now Therefore

BE IT RESOLVED: That the LRSAAB can approve the draft SCM only provided that Section CO2.5 (c) is Amended as follows:

CO2.5(c) "Place material meeting, or verify in-situ material meets, the requirements for Subbase specified in subsection CO7 to a minimum [compacted] depth of 20 inches with the upper 6 inches ~~having no~~ [being] material ~~with a diameter larger than 6 inches~~ [which passes through a 3 inch mesh screen]. Place embankment in horizontal layers not to exceed ~~24~~ [12] inches (uncompacted) for the full width of the embankment and compact [with moisture and density control in accordance with the Standard Specifications for Highway Construction (ADOT&PF) and any MSB Standard Modifications and] as specified [in CO2.5(e)] before the next lift is placed. [Compaction shall start at the outer edges of the road prism and proceed inward to roadway centerline.]"

APPROVED BY UNANIMOUS VOTE ON June 18, 2020

Stephen Edwards, chair 

Mike Shields, secretary 

# Meeting Minutes January 8 2020

## Meadow Lakes Community Council Inc.

‡ 3 Officers required for quorum: TOTAL = NO‡

Pres: Patricia Fisher N; Vice Pres: Linda Conover N;  
Treasurer: Cindy Michaelson Y; Sec: Camden Yehle N;  
Council Coordinator: Tim Swezey Y

‡ 13 Members of the Meadow Lakes Community required for quorum: TOTAL = No ‡

Meeting Quorum = NO

RECEIVED  
JUN 19 2020  
CLERKS OFFICE

1. **Call to Order:** The meeting was called to order at approximately 7:00 pm by Treasurer Cindy Michaelson. It was determined that a quorum was NOT present.
2. **Pledge of Allegiance:** Recited.
3. **Presentation:**  
**Presentation:** John Weaver, CEO, Valley Residential Services, "
4. **Correspondence:** The correspondence links were presented as listed in the Agenda.
5. **Persons to be Heard:**

Tom Hood spoke to the Council about the gravel pit going in on Pittman, Greensward Sub Division. The neighbors are opposed to the pit.

6. **Adjournment:** The meeting was adjourned at on schedule.

*Patricia Fisher* 6/19/2020  
Patricia Fisher, President      Date

*Camden Yehle* 6/19/20  
Camden Yehle, Secretary



# Meeting Minutes February 12, 2020

## Meadow Lakes Community Council Inc.

◆ 3 Officers required for quorum: TOTAL = YES ◆  
Y Pres: Patricia Fisher N Vice Pres: Linda Conover  
Y Treasurer: Cindy Michaelson Y Sec: Camden Yehle  
Y Council Coordinator: Tim Swezey

◆ 13 Members of the Meadow Lakes Community required for quorum: TOTAL = YES ◆

Meeting Quorum = YES

RECEIVED  
JUN 19 2020  
CLERKS OFFICE

1. **Call to Order:** The meeting was called to order at 7:08 pm by President Patti Fisher. It was determined that a quorum was present.
2. **Pledge of Allegiance:** Recited.
3. **Approval of:**
  - a. **Agenda** – The Agenda was approved.
  - b. **Minutes** – The minutes of the November, December, and January meetings were approved.
  - c. **Treasurer's Report** – Cindy Michaelson presented the treasurer's report.
4. **Board Reports**
  - Gaming:** One third of gaming proceeds will be donated \$108 each to Just Us Girls, SAR, MatSu Schools Foundation, Family Promise. Motion to approve carried.
  - Trails:** Trails meeting last month. Progress on no trespass trail to Bench Lake.
  - Safety:** About a dozen neighborhood watch packets left that include house numbers.
  - Education:** Two classes set up one for Child and Babysitting Safety Class and one Wise Family class on wilderness skills.
  - Bylaws:** No report
  - Membership:** New members every month.
  - Council Coordinator:** Some people are driving on the grass.
  - President:** \$4050 grant from MEA for solar panels and field security. \$21,000 total in grants achieved for last year.
5. **Presentation:** Steve Edwards, Chair, Road Service Area 27, "Upcoming Road Projects in Meadow Lakes." Maintenance contract was awarded to Northern Asphalt again and will cover the next five years. Optional maintenance funds cover under \$25,000 projects and included paving and smaller repairs. Let us know if you have projects in mind. We don't have a road superintendent with the Borough yet. Also have a list of main projects including Forest Lake Road to remove from road from trespass, Charlene paving to Karen, Sasbo Bluff and Silver 95% designed, Golden Road improvements, Phillips, Dean, and Milton road and culvert repair, and Herkimer improvements. There is \$1,750,000 that was collected as part of property taxes to improve the area roads this year. If there is money available, Ridgecrest and Captain Hook upgrades could be added. Let us know if there is a project you would like to add. There is a draft version of the Subdivision Construction Manual. Seldon Extension is outside the option of the RSAs, but could re-bond the package or increase mill rate temporarily to fund the 50% match. Patti brought forward a suggestion of Gunflint to Powder Road. Unfortunately, it is an uncertified road and therefore cannot be upgraded by the RSA. It can be added to the CIP list. Extending Sylvan to Hollywood would be very high because of fish passage and wetland. It would be similar issues to Vine.
6. **Presentation:** Sunshine Community Health Center presenter was not available.
7. **Correspondence:** The correspondence links were presented as listed in the Agenda.
8. **Old Business:**
9. **New Business:** MLCC Capital Improvement Plan recommendations are in the meeting packet. An attendee



## Meeting Minutes February 12, 2020

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would like to remove number 93 from the list (Little Susitna Park at Olson Bridge). Issues with trash, etc. Suggested not making it into a park. Not clear where the park would be. The council voted to remove 93 from the list. Motion to invite better proposals for the area. Motion passed. Another attendee suggested adding improvements to Gunflint Road to the CIP list. Motion to add to the list. Motion passed. Motion to approve the CIP list of a whole. Motion passed.

Council Budget for 2020: Motion to approve the budget passed.

- 10. Agency Reports:** Tam Boeve, Assembly, funeral for firefighter who died in Willow this week. Property taxes went out. Well assessments went up. Older homes also increased because retained value was higher. Talk to the Borough sooner rather than later. Assembly resolution to table the development of the permit process for commercial shooting ranges. Process would be similar to that for permitting a gravel pit. The draft is available online. It would apply Borough-wide. Board of Fisheries is meeting in Anchorage this week. This could affect fish in the MatSu.

Todd Smolden with the Governor's office introduced himself and offered to help people navigate working with the State.

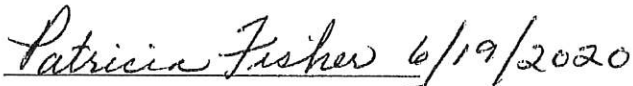
Tanya Hightower, Fire Department. Spruce beetle wood can be brought to the dump for free. Firewood can be picked up. MEA will take care of trees that could fall on power lines.

- 11. Persons to Be Heard:** Teresa Linkhart, Matanuska Federal Credit Union. Running a promotion for loans up to \$10,000 for 8.99% interest rate.

Kevin McCabe's wife let the council know that he is running as a Republican for State House.

- 12. Next Meeting:** Wednesday, March 11, 2020, 7 pm to 9 pm, at Meadow Lakes Senior Center, 1210 N Kim Drive, Meadow Lakes, Alaska 99623.

- 13. Adjournment:** The meeting was adjourned at 9:01 pm by President Patti Fisher.

 6/19/2020

Patricia Fisher, President      Date

 6/19/20

Camden Yehle, Secretary      Date

## Meeting Minutes March 11, 2020

## Meadow Lakes Community Council Inc.

## ❖ Officers ❖

Y Pres: Patricia Fisher Y Vice Pres: Linda Conover  
 N Treasurer: Cindy Michaelson Y Sec: Camden Yehle  
 Y Council Coordinator: Tim Swezey

## ❖ Committee Chairs ❖

Y Education: Cally Leader N CIP: Vacant  
 Y Bylaw: Terry Boyle Y Mem: Holly Grant  
 Y Trail: Lori Benner-Hanson Y Safety: Chad Smith  
 N Gaming: Ariel Cannon

❖ 13 Members of the Meadow Lakes Community required for quorum: TOTAL = NO ❖

Meeting Quorum = NO

1. **Call to Order:** The meeting was called to order at 7:07 pm by President Patti Fisher. It was determined that a quorum was not present.
2. **Pledge of Allegiance:** Recited.
3. **Approval of:**
  - a. **Agenda –**
  - b. **Minutes –** Vote postponed.
  - c. **Treasurer's Report –** Included in meeting packet.
4. **Presentation:** Criminal Justice in the Mat-Su Borough by Roman Kalytlak, Mat-Su District Attorney. He brought three other younger prosecutors from the office. Glenn Shagner (misdemeanor prosecutor), Mellissa Howard (felony sexual assault prosecutor), and Josh Trainer (drugs and felony prosecutor). New criminal case in 2019: 3033 in Palmer court. Still have cases from previous years. They also cover Prince Williams Sound, Cordova, Valdez, and Glennallen. SB91 brought the number of cases down by 500 to 600 cases. Once SB91 was repealed, the cases went back up to where they were before. Small office with large caseload per person. Usually 20 felon trials and 20 misdemeanor trials per year. Basically, back to pre-SB-91 law. Makes prosecutor's lives easier. Theft problem tied to drug problem. Seeing more situations that turn violent related to drugs. Too much reliance on Troopers and prosecutors in the Borough. Serious problems with court backlogs, excessive litigation, excessive delays, revolving door, two-year appellate (appeals) backlog. Higher numbers of serious offenders and gangs coming to the valley. Other major issue is the budget, affects resources. All the money comes through the central State office; the District Attorneys don't control their own budgets. More money and more prosecutors would help. Drugs and gangs make cases complicated and people too scared to come forward. 17 pending murder cases with no scheduled trial time. Lost on prosecutor and one office assistant with the budget cuts. There are many big questions out there. 1) Can the Mat-Su continue to rely on the Troopers alone? 2) How can the Mat-Su get more police and prosecutor resources? (Budget/politics) 3) Will the Mat-Su see Anchorage-type crime rates in the future?

Will a reputation of being tough on crime help keep people out? If we suggest no plea bargains it would clog up courts. Always look at the offender and risk to the community and prioritize. Work with the victims on plea bargains. The process takes a long time.

What about automatic sentencing? There are existing presumptive ranges and mandatory minimums, but they don't help move cases faster. The court system is not setup for all cases to go to trial. Cases are not as cut and dry as they seem, even if there is video and confessions.

The Troopers always have the discretion to not investigate. They have become the go to for all things, search and rescue, public safety, etc.

If a new defense attorney comes onto the case, the timeline starts over. The judge won't push defense attorneys into trial before they are ready because cases can be appealed and overturned.

If the drugs are a major part of the problem, where are the opiates coming from? The State has a special unit regarding doctors over prescribing. Drugs also come from out of state. The profit margin is high and attractive.

# Meeting Minutes March 11, 2020

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Many people are sitting in jail that haven't been sentenced. Can be caused by paperwork, court backlog, or repeat offenses. Most people bailout.

## 5. Board Reports

**Gaming:** No report.

**Trails:** Visnau trail is skiable and snow machinable.

**Safety:** More Neighborhood Watch Kits available.

**Education:** Had to cancel the classes this week due to low signup.

**Bylaws:** No changes.

**Membership:** No report.

**Council Coordinator:** No report.

**President:** Legislative meeting this weekend, 10 am to noon. Health Fair coming up March 28, 8 am to noon. No meetings will be canceled at this time. Former President Bill Brown passed away. He was instrumental in getting the land owned by the Meadow Lakes Community Council. The driveway permit application deadline will be extended.

6. **Correspondence:** The correspondence links were presented as listed in the Agenda.

7. **Old Business:** Capital Improvement Plan nominations, hold for now.

## 8. New Business:

a. Appointed Sherri Rusher, Chad Scott, and Patti Fisher for the nominating committee for May election.

b. May 11 to 16 for spring cleanup. The block party will be that Saturday, May 17.

c. The legislative grant for the "Visnau Lake to Bench Lake Trails" will close out.

President Fisher reported that the Borough has asked that we close out the grant, and apply and report 2017 Revenue Sharing expenditures against the balance of \$4,971.41 remaining in the grant. That money in the grant account will be transferred to "Revenue Sharing 2017", and can continue to be used for Trail work in the future.

## 9. Agency Reports:

Tanya Hightower, West Lakes Fire Department. 36 calls in February, 1 structure, 3 cars, alternate heating sources used to thaw pipes caused the rest. Get your beetle killed trees taken care of now. The landfill will take trees.

Tam Boeve, Assembly. The Assembly sent the outdoor shooting range discussion back to the Planning Department for more discussion.

## 10. Persons to Be Heard:

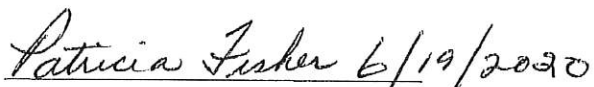
Molly Wood: running for MEA board. Please vote.

Dan Mayfield, Assembly: terming out and running for State Senate as a non-affiliated candidate.

Kevin McCabe: running for State House as a Republican.

11. **Next Meeting:** Wednesday, April 8, 2020, 7 pm to 9 pm, at Meadow Lakes Senior Center, 1210 N Kim Drive, Meadow Lakes, Alaska 99623.

12. **Adjournment:** The meeting was adjourned at 8:56 pm by President Patti Fisher.

  
Patricia Fisher, President      Date

  
Camden Yehle, Secretary      Date



# Meeting Minutes April 8, 2020

## Meadow Lakes Community Council Inc.

◆ 3 Officers required for quorum: TOTAL = YES ◆

Y Pres: Patricia Fisher Y Vice Pres: Linda Conover  
Y Treasurer: Cindy Michaelson Y Sec: Camden Yehle  
Y Council Coordinator: Tim Swezey

◆ 13 Members of the Meadow Lakes Community required for quorum: TOTAL = YES ◆

Meeting Quorum = YES

### VIRTUAL MEETING CONDUCTED ON ZOOM.

1. **Call to Order:** The meeting was called to order at 7:00 pm by President Patti Fisher. It was determined that a quorum was present.
2. **Pledge of Allegiance:** Recited.
3. **Approval of:**

#### Agenda:

Approval of the Agenda was requested. A motion to approve was made by Camden Yehle and seconded by Cindy Michalson. An objection was made by member Rich Nevitt that an electronic meeting was not legal. He referenced a number of sites for this objection, including Robert's Rules of Order. Senator Wilson, attending the meeting, said that he thought that there was an order from the Governor allowing Electronic Communication during the Corona Virus. The vote on the Agenda was tabled while Senator Wilson check for that Order.

4. **Treasurer's Report.** Treasurer Michaelson presented the report and discussed the highlights of recent financial activity.
5. **Board Reports**
  - Gaming:** No report.
  - Trails:** Dewey Bitler gave a report on activity on the Three Bees Trail which will connect to the Bench Lake Trail.
  - Safety:** More Neighborhood Watch Kits available. Chad urged members to follow Virus safety guidelines.
  - Education:** No report.
  - Bylaws:** No report
  - Membership:** 33 members and visitors signed into the meeting.
  - Council Coordinator:** Is expecting cancellations from organizations using the Sports Field for group meetings.
  - President:** Guidelines for Safe Practices during the Corona Virus were reviewed. Changes to the Community Cleanup were announced. There will continue to be collection of trash at the Fire Station during the week of May 11, but the Block Party has been cancelled. There will be a meeting of the Cleanup Committee during the week of April 13. Those interested in Volunteering to assist with Cleanup were encouraged to contact the President.
6. **Presentation:** Senator David Wilson and Representative Mark Neuman gave a report on the 2020 legislative session and the 2021 budget. Questions and comments were taken from the floor.
7. **Agenda:** Senator Wilson reported on SB 214, Section 12 regarding conducting electronic meetings:

#### MEETINGS OF SHAREHOLDERS; NOTICE OF SHAREHOLDER MEETINGS; CORPORATIONS

(a) Notwithstanding AS 10.06.405, a meeting of shareholders may be held by electronic communication to the extent the corporation's board authorizes and adopts guidelines to govern an electronic meeting.

(c) Notwithstanding AS 10.20.061 - 10.20.076, a meeting of the members of a nonprofit corporation organized under AS 10.20, including meeting notice and determination of a quorum, may be held by

# Meeting Minutes April 8, 2020

*telecommunication to the extent the corporation's board adopts or amends bylaws to allow for an electronic meeting.*

Given that SB 241 allows for electronic meetings, the President proceeded with the Agenda as presented and asked for approval. A motion was made by Camden Yehle to accept the the Agenda, seconded by Chad. The motion passed.

A motion was made by Dewey Bitler to accept the Minutes for February and March. The motions was seconded by Chad Scott and passed unanimously.

8. **Correspondence:** The correspondence links were presented as listed in the Agenda.

9. **Old Business:** None

10. **New Business:**

The report of the Nominations Committee was presented. The following members volunteered to stand for election:

Vice President:	Linda Conover
Treasurer:	Andrea Scott
Council Coordinator:	Tim Swezey
By Laws:	Terry Boyle
Membership:	Holly Grant
Parks and Recreation:	Lori Benner-Hanson

Motion was made by Tim Swezey, and seconded by Steve Edwards to accept the slate of officers. The motion passed unanimously.

The President announced that notice will be sent out shortly of the link to the election service for members to vote on the individual offices.

11. **Agency Reports:**

Tam Boeve, Assembly. Tam reported that a) the Borough's budget presentations are beginning on April 9 at 10am and are available on line, b) the Drive Way Permit free period was extended for six months, and c) the State has temporarily prohibited the use of opening burning effective May 1. (*The Alaska Division of Forestry is suspending all burn permits in anticipation of the effects of the coronavirus on firefighting personnel and responses.*)

12. **Persons to Be Heard:**


Chuck Foster, CEO of Wasilla Area Seniors (WASI), reported on WASI activities and outreach.

Dan Mayfield, Assembly: Candidate for State Senate.

Kevin McCabe: Candidate for State House of Representatives

13. **Next Meeting:** Wednesday, May 13, 2020, 7 pm to 9 pm. Meeting details to be determined.

14. **Adjournment:** The meeting was adjourned at 8:35 pm by President Fisher.

  
Patricia Fisher, President      Date

  
Camden Yehle, Secretary      Date

## Meeting Minutes April 28, 2020

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A motion was made by Camden Yehle to approve the rules as amended, seconded by Steve Edwards. Steve Edwards called for the vote.

The roll call results of the vote were as follows:

1. Chad Scott Yes
2. Sherri Rusher Yes
3. Linda Conover Yes
4. Steve Edwards Yes
5. Camden Yehle Yes
6. Kim Kambach Yes
7. Thomas Katkus Yes
8. Kendra McLean Yes
9. Terry Boyle Yes
10. Tim Swezey Yes
11. Holly Gerlach Yes
12. Dawn Houston Yes
13. Lori Benner Yes
14. Al Leonard Yes
15. Cally Leader Yes
16. Michael Knazovich Yes
17. Andrea Scott Yes
18. James Estes Yes
19. Cindy Michaelson Yes
20. Ariel Cannon Yes
21. Dewey Bitler Yes
22. Patti Fisher Yes
23. Rich Nevitt No vote

In summary: 22 votes Yes; 1 abstention.

Steve Edwards was recognized to make a comment. He felt that this focus on developing detailed rules for an electronic meeting was misdirecting the true work of the Council. Over the years volunteers have worked hard with little reward to do the business of the Council. The extensive time focused on the issue of these rules will discourage members from participating in productive events and issues that enhance and improve our community.

**Adjournment:** The meeting was adjourned at 7:50 pm by President Fisher.

Patricia Fisher 6/19/2020  
Patricia Fisher, President      Date

Camden Yehle 6/19/20  
Camden Yehle, Secretary      Date



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NORTH LAKES COMMUNITY COUNCIL  
RESOLUTION

20-01

A NORTH LAKES COMMUNITY COUNCIL (NLCC) RESOLUTION REQUESTING THE MATANUSKA SUSITNA BOROUGH (MSB) ASSEMBLY ADD THE REQUIREMENT OF A 500 FOOT SETBACK FROM MSB SCHOOL GROUNDS FOR ALL LIMITED MARIJUANA CULTIVATION FACILITY LICENSES.

WHEREAS, over 18,000 students attend 47 schools in the MSB and 11 of those schools are in the NLCC council area, and;

WHEREAS, we are concerned for the safety of our students in the MSB, and;

WHEREAS, State statute 3 AAC 306.010 requires all marijuana facilities to not be within 500 feet of a school, and;

WHEREAS, MSB Code uses a straight line of measurement for the setback from a school ground—measuring from the marijuana business facility to the outer boundary of the school lot line, and;

WHEREAS, MSB Code requirements enforce a 1,000 foot setback from schools for all Marijuana Related Facilities except Limited Marijuana Cultivation Facilities, and;

WHEREAS, MSB only requires a Limited Marijuana Cultivation Facility have paid property taxes and the borough business license fee, and does not currently specify any setback requirement, and;

WHEREAS, MSB defers to the Alaska Marijuana Control Office (AMCO) to uphold the state Limited Marijuana Cultivation Facility license 500 foot setback from all of Alaska's' schools, and;

WHEREAS, Mr. Happy Farms LLC, a Limited Marijuana Cultivation Facility, was approved at 60 feet from the John D. Shaw Elementary lot line September 2019 by the AMCO Board, and;

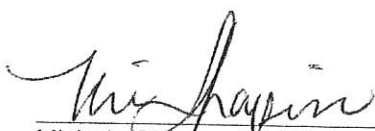
WHEREAS, MSB Planning Department currently receives all Limited Marijuana Cultivation Facility license applications and knows where all MSB schools are located making the addition of a 500 foot school setback requirement easily incorporated and upheld at the borough level; and at no additional cost to the MSB, and;

WHEREAS, MSB Assembly can protect all our MSB schools and our youth by adding this setback requirement, which mirrors the AMCO setback regulations for Limited Marijuana Cultivation Facilities, and further insures that regulations are enforced at the MSB level as they are for all other marijuana licenses.

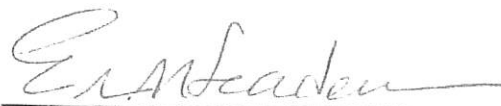
NOW, THEREFORE, BE IT RESOLVED, THAT NLCC REQUESTS THAT MSB ADD THE 500 FOOT SETBACK FROM SCHOOLS TO THE MSB CODE FOR LIMITED MARIJUANA CULTIVATION FACILITY LICENSES, FOR THE PROTECTION OF OUR SCHOOLS AND OUR YOUTH.

As approved this 28 Day of May 2020.

ATTEST:



Michele Shapiro, NLCC President



Erin Leaders, NLCC Secretary

## NORTH LAKES COMMUNITY COUNCIL MINUTES

Boys & Girls Club  
3700 E. Bogard Road

Regular Meeting February 27, 2020 | 7:00 P.M.

- I. CALL TO ORDER/DETERMINATION OF QUORUM | 7:00 P.M.
- Determination of a Quorum - Yes
  - Pledge of Allegiance
- II. AGENDA APPROVAL
- Motion (Hanson) to make an amendment to add the following under New Business:**
- NLCC to present a resolution to Matanuska-Susitna Borough (MSB) requesting the Borough add a qualifier for the limited cultivation facilities.
  - Sam Hanson- resignation.
- Motion Seconded.**  
**Motion passed unanimously.**
- III. MINUTES APPROVAL (January 30<sup>th</sup> Meeting)
- Motion (Hanson).**  
**Motion Seconded.**  
**Motion passed unanimously.**
- V. CORRESPONDENCE
- MSB- Eileen Pickett: Missing biannual report Rent-A-Can invoices were submitted by NLCC President Michele Shapiro.
  - Foraker Membership renewal notice: Due March-\$100.00
- Motion (Calandri)**  
*Direct NLCC board research services offered by Foraker to include estimated cost for those services, and add Foraker membership renewal as a discussion item on the next NLCC agenda. Shapiro to do research on cost for Foraker services.*
- Motion Seconded.**  
**Motion passed unanimously.**
- Capital improvement plan: Hanson provided members with a list of recommendations for capital projects the NLCC board will submit to the MSB. Members discussed and agreed on approving three and removing two of the items on the list.
- Motion (Pat Purcell)**  
*Approve Hanson's capital project recommendation approving three and removing two items from the capital projects list. NLCC capital project recommendations must be uploaded to Michele Shapiro by March 6, 2020.*
- Motion Seconded.**  
**Motion passed unanimously.**
- Lee Peterson-Police Powers Work Session: Work session was canceled and rescheduled for March 17<sup>th</sup> @ 3pm. *Shapiro to check MSB calendar the Friday before future Police Powers work session to confirm meeting has not been cancelled.*



- e. MVFCU monthly account statement: See treasurers report.

VI. OFFICERS/COMMITTEE REPORTS

a. Treasurers Report (Rachel Sayen): 990N Annual reporting to IRS as a non-profit has been completed. Sayen provide four reports to members – profit and loss, balance sheet, proposed budget, and a budget report. Sayen informed members she spoke with Eileen Pickett at the Mat-Su Borough (MSB) to get more familiar with CAP funds, and Pickett confirmed \$99,767 funds still sitting there from FY2014/15 till current. Pickett asked NLCC to hold off because the MSB is considering just giving those funds to the council, but it wasn't clear what she meant by that. Sayen to call Pickett back in 30 days. In 2020 NLCC had twenty (20) members pay dues so far which amounts to \$200 in dues received.

**Motion (Purcell)**

*Approve draft budget as presented.*

**Motion Seconded.**

**Motion Withdrawn (Purcell)** Purcell withdrew her motion. Sam recommended the marketing committee bring forth (at next meeting) a budget for anticipated outreach expenses.

b. Web Site Administrator (Bryan Geary): Not present. Shapiro reported website is live and MSB has a link to the new NLCC website.

c. Facebook Administrator (Pat Purcell & Louie): Purcell requested members share other subdivision pages she doesn't have so she can share them on the NLCC page. **Add Williwaw non-profit. Pat will share driveway permit regulations on the NLCC Facebook page.**

d. Website Administrator: Not present.

e. Mat-Su Community Council for Public Safety Report (Butch): Not present.

f. Finance Committee (Louie, Kirsten, Ed, Loren, Rachel, Jimmy): Loren reported deadline on the website was for 2/28 and was not the same as on the NLCC application. Hanon suggested NLCC notify applicants if they didn't get the application in February 21<sup>st</sup>, they would still have until February 28<sup>th</sup> to get it in. Discussed ensured regarding draft budget and grant that was not used prior to grant deadline. Finance committee is considering whether legal action will be taken, or another alternative such as extending the grant deadline (if grant extension is an option).

g. Marketing (Jimmy Matlock, Marlene Munsell, Pat Purcell, Louie?): Members suggested website administrator and Facebook Administrator be added under Marketing. **Marketing committee work on a NLCC picnic event to draw more members.**

h. Beetle Kill Tree Removal (Ute Tessner, Roger Brown & Stewart Smith?): Not present. President Shapiro to reach out to Stewart Smith. RFP to three tree companies, no response as of yet. **Michele Shapiro to follow up on status of RFP and cc: Stewart Smith.**

VII. REPORTS FROM GOVERNMENT ENTITIES

- a. State: None
- b. Borough: None

- c. Roads Service Area Report: None
- d. Fire Service Area Report: None

VIII. OLD BUSINESS

- a. Spruce Bark Beetle Funding:
- b. Boundaries - Wolf Lake Split: Michele Shapiro will email information from MSB to members regarding Wolf Lake split. Hanson sent email to Stewart requesting Facebook site information regarding Wolf Lake.
- c. Sign Progress:
  - i. Toilet sign is done for the portable toilet.

X. NEW BUSINESS

- a. Foraker Group legal advice on grant non-compliance issue. Issue was on the agenda prior to the finance committee meeting when they made suggestions on how to deal with grant non compliance issue. **No new discussion took place.**
- b. Sam proposed NLCC draft a resolution requesting the MSB Assembly add one more qualification to all limited cultivation facilities. The only qualification the MSB has in place for limited cultivation facilities is to be current on taxes and have paid for a business license. In NLCC area there are 11 schools. Sam is proposing the additional qualification be a request for the MSB to uphold the State's 500 feet setback requirement for limited cultivation facilities.

**Motion (Pat).**

*8:00 p.m. motion was made to extend the meeting 30 minutes.*

**Motion Seconded.**

**Motion passed unanimously.** Discussion ensued regarding proposed resolution. **Members recommend the board put the proposed resolution in writing for review at the next meeting regarding the qualifier on the marijuana cultivation setback.**

- c. Sam announced resignation– **add to next agenda to fill her position.**

IX. AUDIENCE PARTICIPATION

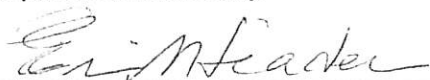
- a. Eugene – commended board on paperwork provided to members. Spoke about the flu issue and plane that came in from China and concern of representatives at meetings when sick. Students out of state (in China?) that aren't quarantined is a concern.

XI. ADJOURN at 8:11 p.m.

**Motion (Kirsten).**

**Motion Seconded.**

**Motion passed unanimously.**

Attested by: 

Secretary, Erin Leaders  
North Lakes Community Council

5-28-2020  
Date of approval

*NEXT MTG: March 26, 2020 AT 7:00 P.M. AT THE BOYS AND GIRLS CLUB, WASILLA, AK*

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on May 18, 2020, 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 Colleen Vague.

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

Planning Commission members present and establishing a quorum:

- Ms. Mary Anderson, Assembly District #1, Vice-Chair
- Mr. Jason Ortiz, Assembly District #2
- Ms. Patricia Chesbro, Assembly District #3
- Ms. Colleen Vague, Assembly District #4, Chair
- Mr. Chris Elder, Assembly District #5
- Mr. Stafford Glashan, Assembly District #6 (*Attended the meeting telephonically*)
- Mr. Sassan Mossanen, Assembly District #7 (*Attended the meeting telephonically*)

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Staff in attendance:

- Ms. Eileen Probasco, Planning Department Manager
- Mr. Alex Strawn, Development Services Manager
- Ms. Susie Lemon, Assistant Borough Attorney (*Attended the meeting telephonically*)
- Ms. Denise Michalske, Assistant Borough Attorney (*Attended the meeting telephonically*)
- Ms. Leslie Neu, Law Intern, (*Attended the meeting telephonically*)
- Ms. Nancy Cameron, Land Management Agent (*Attended the meeting telephonically*)
- Ms. Theresa Taranto, Development Services Division Administrative Specialist
- Ms. Karol Riese, Planning Division Administrative Specialist (*Attended the meeting telephonically*)
- Ms. Mary Brodigan, Planning Commission Clerk

**II. APPROVAL OF AGENDA**

Chair Vague 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 Ms. Mary Brodigan, a member of Planning Staff.

**IV. CONSENT AGENDA**

A. Minutes

1. March 2, 2020, regular meeting minutes

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

1. **Resolution PC 20-08**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana cultivation facility, located at 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West,

- Section 15, Seward Meridian. Public Hearing: June 8, 2020. (*Applicant: Michael Gallagher, on behalf of Bubba Greens, Staff: Joe Metzger*)
2. **Resolution PC 20-09**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana retail facility, located at 5675 E. Blue Lupine Drive (Tax ID# 1807B01L011); within Township 17 North, Range 1 East, Section 17, Seward Meridian. Public Hearing: June 8, 2020. (*Applicant: Chad Ragsdale, on behalf of MCC Flight, Staff: Joe Metzger*)
  3. **Resolution PC 20-13**, a Conditional Use Permit in accordance with MSB 17.70 – Regulation of Alcoholic Beverage Uses; allowing the operation of an alcoholic beverage dispensary (bar), located at 2141 S. Church Road (Tax ID# 17N01E16C012); within Township 17 North, Range 1 East, Section 16, Seward Meridian. Public Hearing: June 8, 2020. (*Applicant: Michelle Church, dba Moonstone Farm, Staff: Mark Whisenhunt*)
  4. **Resolution PC 20-16**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana retail facility, located at 2321 E. Palmer-Wasilla Highway (Tax ID# 17N01W11A020); within Township 17 North, Range 1 East, Section 11, Seward Meridian. Public Hearing: June 8, 2020. (*Applicant: Sandra Millhouse, on behalf of Canna Get Happy, Staff: Joe Metzger*)
  5. **Resolution PC 20-17**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana retail facility, located at 2323 S. Trunk Road, Suite #3 (Tax ID# 7432000L011A); within Township 17 North, Range 1 East, Section 16, Seward Meridian. Public Hearing: June 15, 2020. (*Applicant: Jane Weltzin & Country Cannabis, LLC, Staff: Mark Whisenhunt*)

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

1. **Resolution PC 20-15**, recommending Assembly approval of an ordinance amending the Definition of Encroachment in MSB 11.10.010(A)(1) and amending MSB 17.23.150 Port Development Permit Required. Public Hearing: June 8, 2020. (*Staff: Alex Strawn and Emerson Krueger*)

Chair Vague read the consent agenda into the record.

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

GENERAL CONSENT: The consent agenda was approved without objection.

Chair Vague:

- announced that tonight is Mary Brodigan’s last Planning Commission meeting; and
- read into the record a Proclamation of the Matanuska-Susitna Borough Planning Commission acknowledging Ms. Brodigan’s time with the Commission.

V. COMMITTEE REPORTS

(*There were no committee reports.*)

VI. AGENCY/STAFF REPORTS

*(There were no agency/staff reports.)*

**VII. LAND USE CLASSIFICATIONS**

- A. **Resolution PC 20-11**, recommending Assembly approval of land classification of two parcels as Reserved Use for a future fire station and future school facilities, and eight parcels for conveyance through borough land sales or other allowed methods of disposal in accordance with Title 23 and adopted Land & Resource Management Policy and Procedures (MSB007557). *(Staff: Nancy Cameron)*

Chair Vague read the resolution title into the record.

Ms. Nancy Cameron provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- clarification of whether the borough has any liability with the structures on Carpenter Lake that are falling apart; and
- clarification of why parcels were classified as general-purpose and recreation.

MOTION: Commissioner Anderson moved to approve Resolution PC 20-11. The motion was seconded.

Commissioner Anderson spoke in favor of Resolution PC 20-11.

VOTE: The main motion passed without objection.

**VIII. AUDIENCE PARTICIPATION (Three minutes per person.)**

The following persons spoke in favor of modifying setback regulations for limited marijuana cultivation facilities: Ms. Sam Hanson and Mr. John Shaw.

The following person spoke regarding concerns with public process with the land use classification item that was on the agenda and wearing masks in public: Mr. Eugene Carl Haberman.

**IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS** *(Public Hearings 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**

*(There were no legislative public hearings.)*



**XI. CORRESPONDENCE AND INFORMATION**

Mr. Strawn:

- stated that the application for Creech's Junkyard has been remanded back to the Planning Commission; and
- cautioned the Commission not to have any discussion regarding this item.

**XII. UNFINISHED BUSINESS**

*(There was no unfinished business.)*

**XIII. NEW BUSINESS**

*(There was no new business.)*

**XIV. COMMISSION BUSINESS**

- A. Adjudicatory *(if needed)*
- B. Upcoming Planning Commission Agenda Items

Mr. Strawn provided a brief update on projects that will be coming before the Planning Commission.

**XV. DIRECTOR AND COMMISSIONER COMMENTS**

Ms. Probasco:

- welcomed everyone back and stated that it is good to see everyone again;
- stated that the last Platting Board meeting went well;
- noted that over the next few months, every meeting might have a different process and requested that everyone be patient;
- thanked everyone for their efforts to be cautious during these ever-changing times;
- stated that this is Phase I and the first day that the building is open to the public;
- noted that things are changing in the Planning Department with the departures of Mary and herself;
- there are still a couple of vacant positions in Planning as well; and
- thanked the Commission for their excellent work.

Mr. Strawn:

- stated that he is feeling good about the Platting Board meeting in terms of the public being able to participate;
- everyone who wanted to speak was able to speak; and
- he is confident that we will be able to do the same with the Planning Commission going forward.

Ms. Brodigan:

- thanked the Commission for the thoughtful proclamation;

- stated that she has enjoyed working with the Planning Commission;
- acknowledged that retirement is going to be a new experience;
- stated that she is very excited about her future but sad that she is going to miss the Planning Commission and all of the changes in the way that Planning, the Planning Commission, and all of the boards and commissions will be conducting the citizens business going forward;
- she wished everyone well and stated that she would be watching from the sidelines; and
- thanked the Commission again for all of their support.

Commissioner Glashan:

- stated that he is sorry to see people leave but also jealous of new adventures;
- thanked Mary for all she has done and acknowledged that they wouldn't be where they are without her; and
- wished her the best of luck.

Commissioner Mossanen:

- offered up three cheers for Mary stating that it has been a pleasure working with her;
- he is happy that she is fulling her dreams and moving on to the next chapter of her life;
- opined that if she is as good at farming as she is at being the Planning Commission Clerk, her future will be full of fruits and vegetables as well as plenty of other things;
- best wishes and thank you;
- stated that he looks forward to rolling up his sleeves and getting back to working with his fellow Commissioners; and
- he missed everyone and will see them in June.

Commissioner Ortiz:

- best wishes and happy retirement to Mary; and
- stated that it is good to be back in the building.

Commissioner Elder:

- stated that it's really great to be back;
- looking forward to some good meetings this summer;
- stated that Mary is professional and charming; and
- he will really miss her.

Commissioner Chesbro:

- best wishes to Mary;
- acknowledged that retirement is really cool especially when you have a plan for it; and
- noted that digging in the dirt will be a lot of fun.

Commissioner Anderson:

- thanked Mary for all she has done for the Planning Commission and all of the boards that she has helped nurture along;
- acknowledged that it is like herding cats;
- stated that at times commissioners start going off in different directions, but Mary always manages to gather everyone back and keep the Commission straight;


- wished Mary all of the best and safe travels;
- advised her to enjoy the dream and have lots of fun; and
- stated that they look forward to hearing about all of her adventures.

Chair Vague:

- stated that she is glad to have some normalcy back in her life, but was not looking forward to the meeting tonight;
- stated that she has counted on Mary a lot and appreciates her keeping everyone on track;
- wished Mary the best of luck; and
- stated that she is happy for her but sad for the Commission.

**XVI. ADJOURNMENT**

The regular meeting adjourned at 6:40 p.m.

  
\_\_\_\_\_  
COLLEEN VAGUE, Planning Commission  
Chair

ATTEST:

  
\_\_\_\_\_  
MARY BRODIGAN, Planning Commission  
Clerk

*Minutes approved: June 8, 2020*



RECEIVED

JUN 09 2020

CLERKS OFFICE

By: Joe Metzger  
Introduced: May 18, 2020  
Public Hearing: June 08, 2020  
Action: *Approved*

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. PC 20-08**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA CULTIVATION FACILITY AT 108 E. SCHROCK ROAD (TAX ID# 18N01W15C009); WITHIN TOWNSHIP 18 NORTH, RANGE 1 WEST, SECTION 15, SEWARD MERIDIAN.

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WHEREAS, an application has been received from Michael Gallagher on behalf of Bubba Greens, LLC for a conditional use permit for the operation of a marijuana cultivation facility at 108 E. Schrock Road, (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian; and

WHEREAS, MSB 17.60.030(A)(5) requires a conditional use permit for the operation of a marijuana cultivation facility; and

WHEREAS, unless this type of use is maintained under and in accordance with a lawfully issued permit, marijuana cultivation facilities are declared to be a public nuisance; and

WHEREAS, the proposed use will be wholly contained within a newly constructed wood frame structure approximately 2,100 square feet in size with approximately 1,520 square feet under cultivation; and

WHEREAS, access to the proposed use is from E. Schrock Road onto an existing State authorized to construct driveway; and

WHEREAS, the closest residential structure is located to the west, and is approximately 375 feet from the proposed use; and

WHEREAS, according to the application material, the proposed use is set back 673 feet from the north lot line, 147 feet to the E. Schrock right of way on the east lot line, 190 feet from the south lot line, and 138 feet to the west lot line; and

WHEREAS, the subject parcel is approximately 6.7 acres in size and is mostly undeveloped and heavily treed with a mixture of birch and spruce; and

WHEREAS, the facility will not be open to the public; and

WHEREAS, there are no outdoor processes associated with the proposed use that generates noise or dust; and

WHEREAS, the closest school (Larson Elementary) is approximately 15,200 feet away from the proposed use; and

WHEREAS, persons under the age of 21 are prohibited from entering the premises of the proposed use; and

WHEREAS, according to the application material, the proposed use has a security plan in place, which includes education of employees on all security measures; and

WHEREAS, according to the security plan, a combination of surveillance video, alarms, and security doors and locks will be used to secure the site and monitor all activities at the facility; and

WHEREAS, the State of Alaska Fire Marshal has issued Plan Review Certificate #2019Anch1785, approving the construction of the proposed use; and

WHEREAS, the structure is in full compliance with the applicable State of Alaska fire code; and

WHEREAS, after proper notification to the State of Alaska Alcohol & Marijuana Control Office all marijuana products deemed unusable will be mixed with compostable waste, stored in a secure area, and disposed of at the landfill; and

WHEREAS, all of the required site plans and operational information have been provided by the applicant; and

WHEREAS, the surrounding parcels range in size from 1 to 20 acres and are mostly used for residential purposes; and

WHEREAS, the closest business, a commercial gravel extraction pit, is located to the east and is approximately 270 feet from the proposed use; and

WHEREAS, the facility will be fitted with charcoal canister filters to remove marijuana odors and the filters will be maintained according to the manufacturer's specifications; and

WHEREAS, Bubba Greens has received delegated approval from the State Marijuana Control Board for marijuana cultivation license #22369, in accordance with 3 AAC 306.005; and

WHEREAS, written documentation showing delegated approval from the State Marijuana Control Board for marijuana cultivation license #22369 has been provided; and

WHEREAS, according to the application material, the facility will use a hydroponic system in which water will circulate continuously. Waste water that cannot be reused will be used for surface irrigation on the property; and

WHEREAS, according to the application material, the facility will store and dispose of fertilizers, pesticides, herbicides, and any other hazardous chemicals in compliance with all local, state, and federal laws; and

WHEREAS, according to the application material, the facility will store and dispose of nutrients and chemicals in accordance with each manufacturer's recommendations; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.60.100, 17.60.150 and 17.60.170; and

WHEREAS, the Planning Commission conducted a public hearing on June 8, 2020 on this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 20-08:

1. The proposed use, with conditions, will not detract from the value, character, and integrity of the surrounding area (MSB 17.60.100(B)(1)).
2. The proposed use, with conditions, will not be harmful to the public health, safety, convenience, and welfare (MSB 17.60.100(B)(2)).
3. Sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.60.100(B)(3)).
4. The application material meets all of the requirements of this chapter (MSB 17.60.100(B)(4)).
5. The proposed use, with conditions, will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).
6. Measures are in place, with conditions, to reduce negative affects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).
7. The proposed use, with conditions, is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).
8. The proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).
9. The applicant has provided documentation demonstrating all applicable licenses pertaining to 3 AAC 306.005 have been obtained (MSB 17.60.150(D)(1)).

10. The applicant has provided documentation demonstrating the proposed use is in full compliance with all applicable fire code (MSB 17.60.150(D)(2)).
11. The wastewater and waste material disposal plan demonstrates compliance with the Alaska State Department of Environmental Conservation (MSB 17.60.160(A)).
12. The odor mitigation plan demonstrates mitigation measures will prevent odors from materially impacting adjoining properties (MSB 17.60.160(B)).
13. Storage of nutrients, natural pesticides, and cleaners will comply with all local, state, and federal laws (MSB 17.60.160(C)).
14. A security plan which includes education for employees on security measures has been provided (MSB 17.60.160(D)).
15. The proposed use meets the minimum setback requirements for marijuana cultivation facilities (MSB 17.60.160(E)).

BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the standards of MSB 17.60 and does hereby approve the conditional use permit for the operation of a marijuana cultivation facility, with the following conditions:

1. The operation shall comply with all applicable state and local regulations.

2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.

3. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.

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ADOPTED by the Matanuska-Susitna Borough Planning Commission  
this 8<sup>th</sup> day of June, 2020.

  
\_\_\_\_\_  
COLLEEN VAGUE, Chair

ATTEST

  
\_\_\_\_\_  
KAROL RIESE, Acting Planning  
Clerk

(SEAL)

YES: 6

NO: 0



RECEIVED

JUN 09 2020

CLERKS OFFICE

By: Joe Metzger  
Introduced: May 18, 2020  
Public Hearing: June 8, 2020  
Action: *Approved*

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. PC 20-09**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA RETAIL FACILITY AT 5675 E. BLUE LUPINE DRIVE (TAX ID# 1807B01L011); WITHIN TOWNSHIP 17 NORTH, RANGE 1 EAST, SECTION 17, SEWARD MERIDIAN.

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WHEREAS, an application has been received from Chad Ragsdale on behalf of MCC Flight for a conditional use permit for the operation of a marijuana retail facility at 5675 E. Blue Lupine Drive, (1807B01L011); within Township 17 North, Range 1 East, Section 17, Seward Meridian; and

WHEREAS, MSB 17.60.030(A)(4) requires a conditional use permit for the operation of a marijuana retail facility; and

WHEREAS, unless this type of use is maintained under and in accordance with a lawfully issued permit, marijuana retail facilities are declared to be a public nuisance; and

WHEREAS, the proposed retail facility will be wholly contained within the commercial structure approximately 952 square feet in size; and

WHEREAS, there is no industrial equipment or processes that generate noise associated with the proposed use; and

WHEREAS, ITE Trip Generation 10th Edition indicates a "Marijuana Dispensary" 1000-square feet in size is expected to produce 29.93 trips per peak PM hour. The structure that will contain the proposed marijuana retail facility is approximately 952 square feet and based on these calculations is expected to produce approximately 28.5 trips per peak PM hour; and

WHEREAS, ITE Trip Generation 10th Edition indicates a "Marijuana Dispensary" 1000-square feet in size is expected to produce 259.31 trips per day. The structure that will contain the proposed marijuana retail facility is approximately 952 square feet and based on these calculations is expected to produce approximately 247 trips per day; and

WHEREAS, the proposed use will not be processing, manufacturing, or storing hazardous substances identified in MSB 17.61.020(A)(3); and

WHEREAS, the proposed use is commercial retail in nature and will not generate contaminated water runoff; and

WHEREAS, the property is located in the Core Area; however, there are no other specific zoning designations for this parcel; and

WHEREAS, the proposed use accesses E. Blue Lupine Drive from an existing, State of Alaska permitted driveway; and

WHEREAS, East Blue Lupine Road is considered a collector and has many different uses on its frontage, including residential, commercial, and industrial; and

WHEREAS, the closest residential structure is located to the southeast and is approximately 115 feet away from the proposed use; and

WHEREAS, the application material indicates an illuminated sign will be installed on the roof of the proposed facility and will not interfere with any of the residential homes in the area; and

WHEREAS, the proposed hours of operation are 8:00 a.m. until 12:00 a.m., daily; and

WHEREAS, according to the application material, the proposed use is located approximately 60 feet from the E. Blue Lupine Drive right-of-way to the west and south, approximately 27 feet to the property line to the east, and approximately 115 feet to the property line to the north; and

WHEREAS, there are multiple commercial businesses in the surrounding area such as, but not limited to, a Harley Davidson Dealership, a fire suppression and prevention business, and an animal daycare; and

WHEREAS, consumption of marijuana is prohibited at the site; and

WHEREAS, persons under the age of 21 are prohibited from entering the facility; and

WHEREAS, according to the application material, loitering will not be allowed; and

WHEREAS, the closest school (Machetanz Elementary School) is approximately 6,800 feet away from the use; and

WHEREAS, according to the application material, the use has a security plan in place, which includes education of employees on all security measures; and

WHEREAS, security cameras, motion detectors, panic buttons, and lighting are used to monitor all activities at the facility; and

WHEREAS, the Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-044, for the commercial structure; and

WHEREAS, the commercial structure is in full compliance with the applicable State of Alaska fire code; and

WHEREAS, after proper notification of the State of Alaska Alcohol & Marijuana Control Office, all marijuana products deemed unusable are blended together before being mixed with compostable material, and sealed in a container. The waste will then be taken to a MSB landfill to be disposed of; and

WHEREAS, the commercial structure meets all applicable setback requirements required by MSB 17.55 - Setbacks and Screening Easements; and

WHEREAS, all of the required site plans and operational information have been provided by the applicant; and

WHEREAS, on January 24, 2020 at the State of Alaska Marijuana Control Board meeting, the Board voted to approve MCC Flight Retail Marijuana Store License #23122 with delegation; and

WHEREAS, a copy of the delegated approval for the applicant's marijuana retail facility has been provided to the MSB Development Services Division; and

WHEREAS, the applicant has provided a copy of the approved Plan Review #2020-044; and

WHEREAS, the majority of the uses situated on E. Blue Lupine Drive are commercial in nature; and

WHEREAS, a marijuana retail facility 952 square feet in size is required to provide three parking spaces with one ADA compliant space; and

WHEREAS, four (4) customer parking spaces are being provided; and

WHEREAS, each space is 20 feet in length and ten feet wide; and

WHEREAS, there are no vertical clearance limitations on site; and

WHEREAS, ADA guidelines require one van accessible parking space, 11 feet wide with a five-foot wide parking isle, for every 1 to 25 spaces; and

WHEREAS, according to the application material, one van accessible parking space, 11 feet wide with a five-foot wide parking isle is being provided; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.60.100, 17.60.150 and 17.60.170; and

WHEREAS, the Planning Commission conducted a public hearing on June 8, 2020 on this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 20-09:

1. The proposed use, with conditions, will not detract from the value, character, and integrity of the surrounding area (MSB 17.60.100(B)(1)).
2. The proposed use, with conditions, will not be harmful to the public health, safety, convenience, and welfare (MSB 17.60.100(B)(2)).
3. Sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.60.100(B)(3)).



4. The application material meets all of the requirements of this chapter (MSB 17.60.100(B)(4)).
5. The proposed use, with conditions, will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).
6. Measures are in place, with conditions, to reduce negative affects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).
7. The proposed use, with conditions, is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).
8. The proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).
9. The applicant has provided documentation demonstrating all applicable licenses pertaining to 3 AAC 306.005 have been obtained (MSB 17.60.150(D)(1)).
10. The applicant has provided documentation demonstrating the proposed use is in full compliance with all applicable fire code (MSB 17.60.150(D)(2)).
11. The proposed use is located on a parcel that is appropriate for commercial use (MSB 17.60.170(A)(1-3)).
12. The proposed use meets the minimum number of parking space for retail facilities (MSB 17.60.170(B)).

13. The proposed use complies with current ADA parking space guidelines (MSB 17.60.170(C)).

BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the standards of MSB 17.60 and does hereby approve the conditional use permit for the operation of a marijuana retail facility, with the following conditions:


1. The operation shall comply with all applicable state and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.
4. The hours of operation shall not exceed 8:00 a.m. - 12:00 a.m., daily.

5. The parking area and parking stalls shall be painted as indicated on the site plan, and shall be compliant with the current ADA guidelines, within one year of the date of decision.
6. On-site consumption of marijuana and marijuana products is prohibited.

ADOPTED by the Matanuska-Susitna Borough Planning Commission  
this 8<sup>th</sup> day of June, 2020.

  
\_\_\_\_\_  
COLLEEN VAGUE, Chair

ATTEST

  
\_\_\_\_\_  
KAROL RIESE, Acting Planning  
Clerk

(SEAL)

YES: 6

NO: 0

RECEIVED

JUN 09 2020

CLERKS OFFICE

By: Mark Whisenhunt  
Introduced: May 18, 2020  
Public Hearing: June 8, 2020  
Action: *Approved*

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. PC 20-13**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF AN ALCOHOLIC BEVERAGE DISPENSARY (BAR), LOCATED AT 2141 S. CHURCH ROAD (TAX ID# 17N01E16C012); WITHIN TOWNSHIP 17 NORTH, RANGE 1 EAST, SECTION 16, SEWARD MERIDIAN.

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WHEREAS, an application has been received from Michelle Church, dba Moonstone Farm for a conditional use permit for the operation of an alcoholic beverage dispensary (bar) at 2141 S. Church Road (Tax ID# 17N01E16C012); within Township 17 North, Range 1 East, Section 16, Seward Meridian; and

WHEREAS, MSB 17.70.020 requires a conditional use permit for the operation of an alcoholic beverage dispensary (bar); and

WHEREAS, unless this type of use is maintained under and in accordance with a lawfully issued permit, an alcoholic beverage dispensary (bar) is declared to be a public nuisance; and

WHEREAS, the subject property is 30 acres in size and is currently a homestead farm, which offers farm tours during summer months; and

WHEREAS, in 2018 the property owner began operating farm tours during the summer months. The tours offer education, information, and promotion of Alaska grown products; and

WHEREAS, according to the application material, the proposed use is intended to support the farm tours conducted at the site; and

WHEREAS, the proposed use will be approximately 900 square feet in size; and

WHEREAS, land uses to the northwest, north, and northeast are mixed with residential, commercial, and a recreational vehicle (RV) park. An industrial gravel extraction operation, approximately 100 acres in size, abuts the property to the east and southeast. A residential subdivision abuts the property to the south and west, with lots ranging from approximately one to five acres in size; and

WHEREAS, the closest residential structure, not owned by the applicant, is approximately 350 feet west of the proposed use; and

WHEREAS, the proposed use will be approximately 250 feet from the west property line, 200 feet from the Leslie Circle right-of-way, and more than 1,000 feet from the east and south side lot lines; and

WHEREAS, there is no industrial equipment or processes that generate noise associated with the proposed use; and

WHEREAS, there are no outdoor speakers or public announcement systems associated with the proposed use; and

WHEREAS, according to the application material, the proposed hours of operation are 12:00 p.m. to 8:00 p.m., daily from May 15 through October 15 in conjunction with farm tour activities; and

WHEREAS, the proposed use has Borough approved access onto South Church Street, with an alternate emergency access onto East Leslie Circle; and

WHEREAS, South Church Street is paved and classified as residential. It also has the ability to accommodate access to commercial land uses, such as the proposed use; and

WHEREAS, according to the Borough Fire Marshal, no plan review is required due to the small size of the building; and

WHEREAS, the nearest school (Machetanz Elementary School) is approximately 6,200 feet southwest of the site. State regulations preclude beverage dispensary (bar) licenses within 200 feet of a school; and

WHEREAS, the operator of the proposed use is required to operate in accordance with Alaska laws and statutes, which include but are not limited to, mandatory alcohol server education; and

WHEREAS, Alaska Statute 04.16.030 specifically prohibits the sale of alcoholic beverages to drunken persons; and

WHEREAS, the Alcoholic & Marijuana Control Office (AMCO) has no record of violations by the applicants within the last 12 months; and



WHEREAS, South Church Street is a paved and Borough maintained road; and

WHEREAS, according to the application material, there is only one porch/security light on the north and south sides of the structure; and

WHEREAS, the applicant is not proposing any lighted signage; and

WHEREAS, the applicant is not proposing any outdoor amplified sound activities; and

WHEREAS, according to the application material, the parking area will be watered as needed for dust control; and

WHEREAS, the operation must comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 - Noise, Amplified Sound and Vibration; and

WHEREAS, the proposed use is considered a "Drinking Place (Land Use Code 925)" in the Trip Generation, 10<sup>th</sup> Edition, published by the Institute of Transportation Engineers; and

WHEREAS, the Trip Generation, 10<sup>th</sup> Edition, published by the Institute of Transportation Engineers, notes the average PM (afternoon) peak hour rate to be 15.53 trips per 1,000 square feet of the gross floor area; and

WHEREAS, the average PM (afternoon) peak hour rate for the proposed use is calculated to be 14 trips; and

WHEREAS, there is a large parking area on site, which can accommodate more than 10 parking spaces, and multiple buses; and

WHEREAS, according to the site plan, 2 customer parking spaces designated for persons with disabilities will be provided; and

WHEREAS, persons under the age of 21 are prohibited from being served alcoholic beverages; and

WHEREAS, there has been no information submitted indicating the applicants, David and Michelle Church of Moonstone Farm, LLC are untrustworthy or unfit to conduct business in the borough or that the applicants are a potential source of harm to the public; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.70.100 and 17.70.110; and

WHEREAS, the Planning Commission conducted a public hearing on June 8, 2020 on this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 20-13:

1. The proposed use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area (MSB 17.70.100(A)(1)(a)).

2. The proposed use will not be harmful to the public health, safety, convenience, and welfare (MSB 17.70.100(A)(1)(b)).
3. Sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.70.100(A)(1)(c)).
4. There will not be any negative effects upon the properties in the area due to such factors as dust, noise, obtrusive advertising and glare (MSB 17.70.100(A)(2)(a)).
5. The proposed use will not negatively affect the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained (MSB 17.70.100(A)(2)(b)).
6. Measures will be in place to reduce any negative effect upon adjacent and nearby properties (MSB 17.70.100(A)(2)(c)).
7. Adequate parking is provided (MSB 17.70.100(A)(2)(d)).
8. Access to the premises will not create an unreasonable traffic hazard (MSB 17.70.100(A)(2)(e)).
9. Traffic will not overtax existing road systems (MSB 17.70.100(A)(2)(f)).
10. The proposed use is compatible with the character of the surrounding area (MSB 17.70.100(A)(2)(g)).

11. The proposed use will not increase the crime rate in the area or increase alcohol-related accidents (MSB 17.70.110(B)(1)).
12. The applicant has not had a liquor license suspended or revoked in the 12 months preceding the application (MSB 17.70.110(B)(2)).
13. The applicant is trustworthy or fit to conduct business in the borough and the applicant is not a potential source of harm to the public (MSB 17.70.110(B)(3)).

BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the standards of MSB 17.70 and does hereby approve the conditional use permit for the operation of an alcoholic beverage dispensary (bar), 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 with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB

17.61.080 - Noise Standards and MSB 8.52 - Noise, Amplified Sound and Vibration.

4. The hours of operation shall be limited to 12:00 p.m. - 8:00 p.m., daily.
5. The structure labeled as the "equipment shed" in the application material shall be moved or removed to comply with the minimum setback requirements detailed in MSB 17.55 on or before October 1, 2020.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 8<sup>th</sup> day of June, 2020.

  
\_\_\_\_\_  
COLLEEN VAGUE, Chair

ATTEST

  
\_\_\_\_\_  
KAROL RIESE, Acting Planning Clerk

(SEAL)

YES: 6

NO: 0

RECEIVED

JUN 09 2020

CLERKS OFFICE

By: Joe Metzger  
Introduced: May 18, 2020  
Public Hearing: June 8, 2020  
Action: *Approved*

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. PC 20-16**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA RETAIL FACILITY AT 2321 E. PALMER-WASILLA HIGHWAY (TAX ID# 17N01W11A020); WITHIN TOWNSHIP 17 NORTH, RANGE 1 WEST, SECTION 11, SEWARD MERIDIAN.

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WHEREAS, an application has been received from Sandra Millhouse on behalf of Canna Get Happy for a conditional use permit for the operation of a marijuana retail facility at 2321 E. Palmer-Wasilla Highway, (17N01W11A020); within Township 17 North, Range 1 West, Section 11, Seward Meridian; and

WHEREAS, MSB 17.60.030(A)(4) requires a conditional use permit for the operation of a marijuana retail facility; and

WHEREAS, unless this type of use is maintained under and in accordance with a lawfully issued permit, marijuana retail facilities are declared to be a public nuisance; and

WHEREAS, the proposed retail facility will be wholly contained within the commercial structure approximately 1,270 square feet in size; and

WHEREAS, there is no industrial equipment or processes that generate noise associated with the proposed use; and

WHEREAS, ITE Trip Generation 10th Edition indicates a "Marijuana Dispensary" 1000-square feet in size is expected to



produce 29.93 trips per peak PM hour. The structure that will contain the proposed marijuana retail facility is approximately 1,270 square feet and based on these calculations is expected to produce approximately 38 trips per peak PM hour; and

WHEREAS, ITE Trip Generation 10th Edition indicates a "Marijuana Dispensary" 1000-square feet in size is expected to produce 259.31 trips per day. The structure that will contain the proposed marijuana retail facility is approximately 1,270 square feet and based on these calculations is expected to produce approximately 330 trips per day; and

WHEREAS, the proposed use will not be processing, manufacturing, or storing hazardous substances identified in MSB 17.61.020(A)(3); and

WHEREAS, the proposed use is confined to a generally flat area on the parcel; and

WHEREAS, the proposed use is commercial retail in nature and will not generate contaminated water runoff; and

WHEREAS, the property is located in the Core Area, however, there are no other specific zoning designations for this parcel; and

WHEREAS, the proposed use accesses E. Palmer-Wasilla Highway from an existing, State of Alaska permitted driveway; and

WHEREAS, E. Palmer-Wasilla Highway is considered a highway and has many different uses on its frontage, including residential, commercial, and industrial; and

WHEREAS, the closest residential structure is located to the northeast and is approximately 585 feet away from the proposed use; and

WHEREAS, the application material indicates a "60's style" sign will be illuminated when the facility is open; and

WHEREAS, the proposed hours of operation are 10:00 a.m. until 9:00 p.m. Sunday-Thursday, and from 10:00 a.m. until 10:00 p.m. Friday-Saturday; and

WHEREAS, the proposed use is located approximately 16 feet from the E. Palmer-Wasilla Highway to the south, approximately 300 feet to the property line to the east, approximately 460 feet to Wasilla Lake and the property line to the north, and approximately 95 feet to the property line to the west; and

WHEREAS, there are multiple commercial businesses in the surrounding area such as, but not limited to, a marijuana retail facility, a tattoo shop, a gravel pit, and a tire business; and

WHEREAS, consumption of marijuana is prohibited at the site; and

WHEREAS, persons under the age of 21 are prohibited from entering the facility; and

WHEREAS, according to the application material, loitering will not be allowed; and

WHEREAS, the closest school (Wasilla Lake Christian School) is approximately 1,024 feet away from the use; and

WHEREAS, according to the application material, the use has a security plan in place, which includes education of employees on all security measures; and

WHEREAS, the Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-011 for the commercial structure; and

WHEREAS, the commercial structure is in full compliance with the applicable State of Alaska fire code; and

WHEREAS, after proper notification of the State of Alaska Alcohol & Marijuana Control Office, all marijuana products deemed unusable are blended together before being mixed with compostable material, and sealed in a container. The waste will then be taken to an approved disposal facility; and

WHEREAS, all of the required site plans and operational information have been provided by the applicant; and

WHEREAS, according to the application material, landscaping on the south side of the structure will be done during the summer and following the completion of the Palmer-Wasilla Highway road project and bike path. The landscaping will include crabapple trees and other perennials; and

WHEREAS, the majority of uses situated in the surrounding area and along the Palmer-Wasilla Highway are commercial in nature; and

WHEREAS, at the State of Alaska Marijuana Control Board meeting conducted April 2-3, 2020, the Board voted to approve Canna Get Happy Retail Marijuana Store License #22327 with delegation; and

WHEREAS, a copy of the delegated approval for the applicant's marijuana retail facility has been provided to the MSB Development Services Division; and

WHEREAS, the applicant has provided a copy of the approved Plan Review #2020-011; and

WHEREAS, E. Palmer-Wasilla Highway is classified as a highway and is capable of handling traffic from residential, commercial, and industrial uses; and

WHEREAS, a marijuana retail facility 1,270 square feet in size is required to provide four parking spaces with one ADA compliant space; and

WHEREAS, ten (10) customer parking spaces are being provided; and

WHEREAS, each space is 20 feet in length and ten feet wide; and

WHEREAS, there are no vertical clearance limitations on site; and

WHEREAS, ADA guidelines require one van accessible parking space, 11 feet wide with a five-foot wide parking isle, for every 1 to 25 spaces; and

WHEREAS, according to the application material, two van accessible parking space, 11 feet wide with a five-foot wide parking isle is being provided; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.60.100, 17.60.150 and 17.60.170; and

WHEREAS, the Planning Commission conducted a public hearing on June 8, 2020 on this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 20-16:

1. The proposed use, with conditions, will not detract from the value, character, and integrity of the surrounding area (MSB 17.60.100(B)(1)).
2. The proposed use, with conditions, will not be harmful to the public health, safety, convenience, and welfare (MSB 17.60.100(B)(2)).
3. Sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.60.100(B)(3)).

4. The application material meets all of the requirements of this chapter (MSB 17.60.100(B)(4)).
5. The proposed use, with conditions, will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).
6. Measures are in place, with conditions, to reduce negative affects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).
7. The proposed use, with conditions, is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).
8. The proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).
9. The applicant has provided documentation demonstrating all applicable licenses pertaining to 3 AAC 306.005 have been obtained (MSB 17.60.150(D)(1)).
10. The applicant has provided documentation demonstrating the proposed use is in full compliance with all applicable fire code (MSB 17.60.150(D)(2)).
11. The proposed use is located on a parcel that is appropriate for commercial use (MSB 17.60.170(A)(1-3)).
12. The proposed use meets the minimum number of parking space for retail facilities (MSB 17.60.170(B)).



13. The proposed use complies with current ADA parking space guidelines (MSB 17.60.170(C)).

BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the standards of MSB 17.60 and does hereby approve the conditional use permit for the operation of a marijuana retail facility, with the following conditions:

1. The operation shall comply with all applicable state and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.
4. The parking area shall be paved and the parking stalls shall be painted as indicated in the application

material and site plan, and within one year of the date of decision.

5. The hours of operation shall not exceed 8:00 a.m. - 12:00 a.m., daily.
6. On-site consumption of marijuana and marijuana products is prohibited.


ADOPTED by the Matanuska-Susitna Borough Planning Commission this 8<sup>th</sup> day of June, 2020.

  
\_\_\_\_\_  
COLLEEN VAGUE, Chair

ATTEST

  
\_\_\_\_\_  
KAROL RIESE, Acting Planning Clerk

(SEAL)

YES: 

NO: 

RECEIVED

JUN 16 2020

CLERKS OFFICE

By: Mark Whisenhunt  
Introduced: May 18, 2020  
Public Hearing: June 15, 2020  
Action: Approved

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. PC 20-17**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA RETAIL FACILITY AT 2323 S. TRUNK ROAD, SUITE #3 (TAX ID# 7432000L011A); WITHIN TOWNSHIP 17 NORTH, RANGE 1 EAST, SECTION 16, SEWARD MERIDIAN.

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WHEREAS, an application has been received from Jana Weltzin on behalf of Country Cannabis, LLC for a conditional use permit for the operation of a marijuana retail facility at 2323 S. Trunk Road, Suite #3 (Tax ID# 7432000L011A); within Township 17 North, Range 1 East, Section 16, Seward Meridian; and

WHEREAS, MSB 17.60.030(A)(4) requires a conditional use permit for the operation of a marijuana retail facility; and

WHEREAS, unless this type of use is maintained under and in accordance with a lawfully issued permit, marijuana retail facilities are declared to be a public nuisance; and

WHEREAS, The proposed retail facility will be wholly contained within the commercial structure approximately 1,860 square feet in size; and

WHEREAS, There is no industrial equipment or processes that generate noise associated with the proposed use; and

WHEREAS, ITE Trip Generation 10<sup>th</sup> Edition indicates a "Marijuana Dispensary" 1000 square feet in size is expected to produce 29.93 trips per peak PM hour. The structure that will contain the proposed marijuana retail facility is approximately 1,860 square feet and based on these calculations is expected to produce approximately 56 trips per peak PM hour; and

WHEREAS, ITE Trip Generation 10<sup>th</sup> Edition indicates a "Marijuana Dispensary" 1000 square feet in size is expected to produce 259.31 trips per day. The structure that will contain the proposed marijuana retail facility is approximately 1,860 square feet and based on these calculations is expected to produce approximately 483 trips per day; and

WHEREAS, The proposed use will be located in one of two colony barns located on the property, which have been remodeled to accommodate commercial uses; and

WHEREAS, The subject property has been used commercially since at least 2005; and

WHEREAS, The subject property is located approximately 200 feet southwest of the South Trunk Road and East Fireweed Road intersection (roundabout). It is located on top of a ridge and surrounded by the South Trunk Road right-of-way on three sides. Residential homes are located at the base of the ridge to the southeast. South Trunk Road fronts the property to the northwest. More commercial businesses are beyond Trunk Road to the north. The

Parks Highway and its frontage roads are to the north and northeast; and

WHEREAS, The property is located in the Core Area; however, there are no other specific zoning designations for this parcel; and

WHEREAS, The proposed use accesses South Trunk Road from an existing, Borough permitted driveway; and

WHEREAS, The closest residential structure is located to the southeast and is approximately 140 feet away from the proposed use; and

WHEREAS, The application material indicates an illuminated sign will be installed on the north side of the proposed facility and will not interfere with any of the residential homes in the area; and

WHEREAS, The proposed hours of operation are 8:00 a.m. until 12:00 a.m., daily; and

WHEREAS, According to the application material, the proposed use is located approximately 51 feet from the South Trunk Road right-of-way to the northwest, approximately 171 feet to the southwest, approximately 59 feet to the northeast, and approximately 40 feet to the property line to the southeast; and

WHEREAS, According to the application material, lighting associated with the proposed use will be shielded and downward

directional to minimize unwanted from leaving the subject property; and

WHEREAS, Consumption of marijuana is prohibited at the site; and

WHEREAS, Persons under the age of 21 are prohibited from entering the facility; and

WHEREAS, According to the application material, loitering will not be allowed; and

WHEREAS, The closest school (Machetanz Elementary School) is approximately 9,800 feet away from the proposed use; and

WHEREAS, South Trunk Road is considered a minor arterial road and is capable of safely accommodating high volumes of traffic; and

WHEREAS, According to the application material, the use has a security plan in place, which includes education of employees on all security measures; and

WHEREAS, Security cameras, motion detectors, and lighting are used to monitor all activities at the facility; and

WHEREAS, The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-093, for the commercial structure; and

WHEREAS, The commercial structure is in full compliance with the applicable State of Alaska fire code; and



WHEREAS, The commercial structure meets all applicable setback requirements required by MSB 17.55 - Setbacks and Screening Easements; and

WHEREAS, All of the required site plans and operational information have been provided by the applicant; and

WHEREAS, According to the application material, odor control measures such as, using sealed containers and pre-package products will be in place; and

WHEREAS, During the April 2-3, 2020 State of Alaska Marijuana Control Board meeting, the Board voted to approve Country Cannabis Retail Marijuana Store License #24049 with delegation; and

WHEREAS, A copy of the delegated approval for the applicant's marijuana retail facility has been provided to the MSB Development Services Division; and

WHEREAS, The applicant has provided a copy of the approved Plan Review #2020-093; and

WHEREAS, A marijuana retail facility 1,860 square feet in size is required to provide six parking spaces with one ADA compliant space; and

WHEREAS, Twelve (12) customer parking spaces are being provided; and

WHEREAS, Each space is 20 feet in length and ten feet wide;  
and

WHEREAS, There are no vertical clearance limitations on site;  
and

WHEREAS, ADA guidelines require one van accessible parking space, 11 feet wide with a five-foot wide parking aisle, for every 1 to 25 spaces; and

WHEREAS, According to the site plan, one van accessible parking space, 11 feet wide with a five-foot wide parking aisle is being provided; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.60.100, 17.60.150 and 17.60.170; and

WHEREAS, the Planning Commission conducted a public hearing on June 15, 2020 on this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 20-17:

1. The proposed use, with conditions, will not detract from the value, character, and integrity of the surrounding area (MSB 17.60.100(B)(1)).
2. The proposed use, with conditions, will not be harmful to the public health, safety, convenience, and welfare (MSB 17.60.100(B)(2)).

3. Sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.60.100(B)(3)).
4. The application material meets all of the requirements of this chapter (MSB 17.60.100(B)(4)).
5. The proposed use, with conditions, will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).
6. Measures are in place, with conditions, to reduce negative affects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).
7. The proposed use, with conditions, is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).
8. The proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).
9. The applicant has provided documentation demonstrating all applicable licenses pertaining to 3 AAC 306.005 have been obtained (MSB 17.60.150(D)(1)).
10. The applicant has provided documentation demonstrating the proposed use is in full compliance with all applicable fire code (MSB 17.60.150(D)(2)).
11. The proposed use is located on a parcel that is appropriate for commercial use (MSB 17.60.170(A)(1-3)).

12. The proposed use meets the minimum number of parking space for retail facilities (MSB 17.60.170(B)).

13. The proposed use complies with current ADA parking space guidelines (MSB 17.60.170(C)).

BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the standards of MSB 17.60 and does hereby approve the conditional use permit for the operation of a marijuana retail facility, with the following conditions:

1. The operation shall comply with all applicable state and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.

4. The hours of operation shall not exceed 8:00 a.m. - 12:00 a.m., daily.
5. On-site consumption of marijuana and marijuana products is prohibited.

ADOPTED by the Matanuska-Susitna Borough Planning Commission  
this 15 day of June, 2020.

  
\_\_\_\_\_  
COLLEEN VAGUE, Chair

ATTEST

  
\_\_\_\_\_  
KAROL RIESE, Acting Planning  
Clerk

(SEAL)

YES: 6

NO: 0

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on February 20, 2020, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The Meeting was called to order at 1:00 p.m. by Chair Jordan Rausa.

**1. CALL TO ORDER**

**A. ROLL CALL AND DETERMINATION OF QUORUM (by Administrative Specialist)**

Platting Board members present and establishing a quorum:

- Mr. LaMarr Anderson, Assembly District #2
- Mr. Jordan Rausa, Assembly District #4, Chair
- Mr. Dennis Vau Dell, Assembly District #5
- Mr. John Shadrach, Alternate
- Mr. Justin Hatley, Alternate

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Platting Board members absent and excused were:

- Mr. Pio Cottini, Assembly District #1
- Mr. Wilfred Fernandez, Assembly District #6, Vice Chair
- Mr. George Thompson, Assembly District #7
- VACANT, District #3

Staff in attendance:

- Mr. Fred Wagner, Platting Officer
- Ms. Sloan Von Gunten, Platting Administrative Specialist
- Ms. Amy Otto-Buchanan, Platting Technician
- Ms. Peggy Horton, Platting Technician

**B. THE PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Platting Board Member John Shadrach.

**C. APPROVAL OF THE AGENDA**

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

GENERAL CONSENT: The agenda was approved without objection.

**2. APPROVAL OF MINUTES**

Chair Rausa inquired if there were any changes to the minutes for January 16, 2020.

GENERAL CONSENT: The minutes for January 16, 2020 were approved without objection.

**3. AUDIENCE PARTICIPATION (Three minutes per person, for items not scheduled for public hearing)**

The following person commented on the states senate bill 204, the removal of platting regulations: Mr. Gary LoRusso.



**4. UNFINISHED BUSINESS: Quasi-Judicial Matters**  
*(There is no Unfinished Business)*

**5. RECONSIDERATIONS/APPEALS**  
*(There is no Reconsiderations/Appeals at this time)*

**6. PUBLIC HEARINGS: Quasi-Judicial Matters**

*Platting Board 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. OSTERMILLER PUE:** The request is create a t-turnaround Public Use Easement at the western terminus of E. Wagonwheel Drive, in Tax Parcel A7, to be known as **OSTERMILLER PUE**, containing 13,286 sf +/- . The proposed Public Use Easement is located west of E. Wagonwheel Drive, parcel is located west of N. Britchenstrap Drive and north of N. Farm Loop, (Tax ID #118N02E18A007); within the E ½ W ½ NE ¼ Section 18, Township 18 North, Range 02 East, Seward Meridian. Community Council Farm Loop and in Assembly District #1 Tim Hale (*Owner/Petitioner: Lanikai Estates, LLC; Surveyor: Keystone; Staff: Amy Otto-Buchanan*)

Chair Rausa:

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

Chair Rausa commented that he did work for the Ostermiller's. Does not have an current contracts with the owners. Has no financial interest and states he can be impartial on the case.

There was no objection from the platting board members.

Chair Rausa read the case title and description into the record.

Ms. Von Gunten provided the mailing report.

- Stating that 37 public hearing notices were mailed out on January 29, 2020.

Ms. Otto-Buchanan provided a staff report

- Gave an overview of the case, #2020-003.
- Answered questions from the Platting Board.
- Staff recommend approval of the case with findings of fact and conditions.

Chair Rausa invited the petitioner for a brief overview.

Mr. Gary LoRusso, the petitioner's representative, gave a brief overview.

Chair Rausa opened the public hearing for public testimony.

There being no one to be heard, Chair Rausa closed the public hearing.

Chair Rausa invited the petitioner or their representative to provide their comments.

Mr. Gary LoRusso, the petitioner's representative, answered questions from the platting board.

Chair Rausa closed the petitioner's comments and discussion moved to the Platting Board.

MAIN

MOTION: Platting Member Shadrach moved to approve the public use easement for Ostermiller PUE. With 6 recommendations and modification to recommendation #4. The motion was seconded by Platting Member Hatley.

Ms. Otto-Buchanan, the platting technician gave an explanation on the word changes added to recommendation #4.

RECOMMENDATION:

- Modify #4: Apply for a driveway permit or construction permit from right-of-way and provide a copy of the application to Platting staff.

MAIN MOTION

VOTE: The main motion passed with all in favor. There are 4 findings of fact.

**TIME: 1:23 P.M.**

**CD: 0:23:05**

**BREAK**

**TIME: 1:33 P.M.**

**CD: 0:33:34**

**B. GOODWIND ESTATES MASTER PLAN:** The request is to create a 58-lot, 2-phase master plan known as **Goodwin Estates**, containing 80 acres +/- . The property is located west of N. Palmer-Fishhook Road and north of E. Tex-Al Drive (Tax ID #18N01E10C007 & 18N01E10D006); within the S ½ Section 10, Township 18 North, Range 01 East, Seward Meridian. Community Council: Fishhook and in Assembly District #6 Jesse Sumner (*Owner/Petitioner: Mary Susanne Goodwin; Surveyor: Hanson; Staff: Peggy Horton*)

Chair Rausa:

- read the memorandum regarding quasi-judicial actions into the record;
- queried platting board members to determine if any of them have a financial interest in the proposed case;
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed case; and

- if all platting board members are able to be impartial in a decision.

There was no objection noted.

Chair Rausa read the case title and description into the record.

Ms. Von Gunten provided the mailing report.

- Stating that 67 public hearing notices were mailed out on January 29, 2020.

Ms. Horton provided a staff report

- Gave an overview of the case, #2020-005.
- Answered questions from the Platting Board.
- Staff recommend approval of the case with findings of fact and conditions.

Chair Rausa invited the petitioner for a brief overview.

The petitioner and/or the petitioner's representative did not want to give a brief overview.

Chair Rausa opened the public hearing for public testimony.

The following person spoke regarding their concerns about the Fishhook comprehensive plans and the impact of the master plan with lots that are less than an acre. Concerned out the development with 1 acres lots: Ms. Jenna Deason.

The following person spoke regarding their concerns about the development of the master plan with 1 acres lots. Would like to keep the property area more as a recreational land instead of turning it into a small city: Ms. Dawn Brettrager

There being no one else to be heard, Chair Rausa closed the public hearing.

Chair Rausa invited the petitioner or their representative to provide their comments.

Mr. Craig Hanson, the petitioner's representative, and Mr. Curt Holler, Engineer, answered questions from the platting board.

Chair Rausa closed the petitioner's comments and discussion moved to the Platting Board.

MAIN

MOTION: Platting Member Anderson moved to approve the preliminary plat for Goodwin Estates Master Plan. The motion was seconded by Platting Member Hatley.

PRIMARY AMENDED

MOTION: Platting Member Anderson moved to amend the motion to modify finding #11 and add finding #12. The amended motion was seconded by Platting Member Hatley

**FINDINGS:**

- Modify #11: There were no borough or outside agency objections to this plat.
- Add #12: Six public comments were received concerning putting additional traffic on Tex-Al and Palmer Fishhook lot size.

Discussion ensued by the platting board on the proposed Goodwin Master Plan and other adjacent subdivision actions being done at the same time.

**SECONDARY AMENDED**

**MOTION:** Platting Member Vau Dell moved to amend the motion to add a finding stating: "When the 31<sup>st</sup> residential unit is constructed this subdivision will be in violation of the international fire code if there is no additional egress points provided." The amended motion was seconded by Platting Member Anderson

Discussion took place on Platting Member Vau Dell's finding and if it is correct to add the finding this to the case.

**SECONDARY AMENDMENT**

**VOTE:** The secondary amended motion failed with 4 against (Shadrach, Hatley, Anderson, Rausa) and 1 in favor (Vau Dell).

**PRIMARY AMENDMENT**

**VOTE:** The primary amended motion passed with all in favor..

Discussion between the platting board members continued on future road transportation and the impact regarding this subdivision will make.

**MAIN MOTION**

**VOTE:** The main motion passed with 4 in favor (Shadrach, Hatley, Anderson, Rausa) and 1 against (Vau Dell). There are 12 findings of fact.

**TIME: 2:39 P.M.**

**CD: 01:39:06**

**C. RESOLUTION 2020-004: Adoption of the Subdivision Construction Manual.**

Ms. Eileen Probasco introduced the resolution for the Subdivision Construction Manual and answered questions from the platting board.

Chair Rausa opened the public hearing for public testimony.

The following person spoke regarding the subdivision construction manual on the purpose statement on page, Bicycle & sidewalks on page 13 and road service area tax with mil rate: Ms. Cindy Bettine

The following person spoke regarding the work that has already been completed by the work group: Mr. Cottini.

The Following person spoke regarding the subdivision construction manual work that has been completed and is very thankful for the changes being made: Ms. Jenna Deason

There being no one else to be heard, Chair Rausa closed the public hearing.

Chair Rausa invited Ms. Probasco, as the Resolution holder, to provide their comments.

Ms. Probasco, the Planning Director, answered questions from the platting board.

Chair Rausa closed the comments and discussion moved to the Platting Board.

**MOTION:** Platting Member Anderson moved to approve the platting board resolution 2020-004. The motion was seconded by Platting Mamber Hatley.

Discussion by the platting board ensued regarding grand fathering the manual.

#### PRIMARY AMENDED

**MOTION:** Platting Member Hatley moved to amend the motion to add to resolution 2020-004 a clause stating the effective date of the manual and public notice. The amended motion was seconded by Platting Member Anderson

#### RESOLUTION:

- Added Clause: Be it further resolved that the platting board recommends that the effective date of the manual be adequate to provide notification to the public and that a rigorous public outreach effort should occur.

Discussion on the addition to the resolution ensued by the platting.

#### PRIMARY AMENDMENT

**VOTE:** The primary amended motion to add a clause to resolution 2020-004 failed with 3 in favor (Hatley, Anderson, Rausa) and 2 against (Shadrach and Vau Dell – Abstained, which is a no vote).

#### Discussion

- Chair Rausa was concerned about getting more standards regarding bicycle and pedestrian paths.
- More Discussion on separated paths and who maintains them.

#### MAIN MOTION

**VOTE:** The Main Motion to approve the platting board resolution 2020-004 passed with 4 in favor (Shadrach, Hatley, Anderson, Rausa) and 1 against (Vau Dell – Abstained, which is a no vote).

TIME: 3:52 P.M.  
CD: 02:52:54

**7. ITEMS OF BUSINESS & MISCELLANEOUS**

**8. PLATTING STAFF & OFFICER COMMENTS**

- A. Adjudicatory (*if needed*)
- B. Upcoming Platting Board Agenda Items

Mr. Wagner provided a brief update on cases that will be coming before the Platting Board on March 5, 2020. Commented on the State proposed Senate Bill 204.

Ms. Von Gunten reminded the board on the Policy & Procedure Manual and the December 19, 2019 minutes to be on the upcoming agenda items..

**9. BOARD COMMENTS**

Platting Member Vau Dell would like the platting officer to make schedule a presentation from the fire marshal.

Platting Member Hatley thanked those who have been working on the construction manual.

Platting Member Anderson commented on when voting no on a case the board member does have a choice in explaining their actions.

Platting Member Shadrach had no comments.

Platting Member Rausa had commented on voting no and the board's option to give an explanation.


**10. ADJOURNMENT**

With no further business to come before the Platting Board, Chair Jordan Rausa adjourned the meeting at 4:00 p.m. (CD: 3:00:59)



JORDAN RAUSA, Platting Board Chair

ATTEST:

  
SLOAN VON GUNTEN,  
Platting Board Clerk

Minutes approved: May 13, 2020



The regular meeting of the Matanuska-Susitna Borough Platting Board was held on March 5, 2020, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The Meeting was called to order at 1:00 p.m. by Chair Jordan Rausa.

**1. CALL TO ORDER**

**A. ROLL CALL AND DETERMINATION OF QUORUM (by Administrative Specialist)**

Platting Board members present and establishing a quorum:

- Mr. Pio Cottini, Assembly District #1
- Mr. LaMarr Anderson, Assembly District #2
- Mr. Jordan Rausa, Assembly District #4, Chair
- Mr. Dennis Vau Dell, Assembly District #5
- Mr. George Thompson, Assembly District #7

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Platting Board members absent and excused were:

- Mr. John Shadrach, Alternate
- Mr. Justin Hatley, Alternate
- Mr. Wilfred Fernandez, Assembly District #6, Vice Chair
- VACANT, District #3

Staff in attendance:

- Mr. Fred Wagner, Platting Officer
- Ms. Sloan Von Gunten, Platting Administrative Specialist
- Ms. Peggy Horton, Platting Technician

**B. THE PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Platting Board Member Dennis Vau Dell.

**C. APPROVAL OF THE AGENDA**

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

GENERAL CONSENT: The agenda was approved without objection.

**2. APPROVAL OF MINUTES**

Chair Rausa inquired if there were any changes to the minutes for December 19, 2019.

GENERAL CONSENT: The minutes for December 19, 2019 were approved without objection.

Chair Rausa inquired if there were any changes to the minutes for February 6, 2020.

GENERAL CONSENT: The minutes for February 6, 2020 were approved without objection.

**3. AUDIENCE PARTICIPATION (Three minutes per person, for items not scheduled for public hearing)**

**4. UNFINISHED BUSINESS: Quasi-Judicial Matters**  
*(There is no Unfinished Business)*

**5. RECONSIDERATIONS/APPEALS**  
*(There is no Reconsiderations/Appeals at this time)*

**6. PUBLIC HEARINGS: Quasi-Judicial Matters**

*Platting Board 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. JAR SUBDIVISION:** The request is to create two lots from Tax Parcel B5 to be known as **JAR Subdivision**, containing 134.7 acres +/- . The project is located directly southeast of S. Glenn Highway, Milepost 38, (Tax ID# 117N02E19B005); lying within NW ¼ Section 19, Township 17 North, Range 02 East, Seward Meridian. Community Council: Greater Palmer and in Assembly District #2 Stephanie Nowers. (*Owner/Petitioner: Granite Construction Company; Surveyor: APN; Staff: Amy Otto-Buchanan*)

Chair Rausa:

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

There was no objection from the platting board members.

Chair Rausa read the case title and description into the record.

Ms. Von Gunten provided the mailing report.

- Stating that 21 public hearing notices were mailed out on February 13, 2020.

Ms. Peggy Horton provided a staff report

- Gave an overview of the case, #2020-007.
- Would like to modify recommendation 5.
- Staff recommend approval of the case with findings of fact and conditions.

Chair Rausa invited the petitioner for a brief overview.

Mr. Ryan Johnson, the petitioner's representative, gave a brief overview.

Chair Rausa opened the public hearing for public testimony.

There being no one to be heard, Chair Rausa closed the public hearing.

Chair Rausa invited the petitioner or their representative to provide their comments.

Mr. Ryan Johnson, the petitioner's representative, answered questions from the platting board.

Chair Rausa closed the petitioner's comments and discussion moved to the Platting Board.

**MAIN**

**MOTION:** Platting Member Thompson moved to approve the preliminary plat for JAR Subdivision. With 7 recommendations and modification to recommendation #5 and modification to finding #2. The motion was seconded by Platting Member Anderson.

**RECOMMENDATION:**

- Modify #5
- 5A: Provide civil engineer certification the existing road provide 60 feet of constructed access to Lot 2 meeting pioneer standard minimum or construct to provide 60 feet of pioneer standard minimum road frontage to Lot 2.
- 5B: Provide road sign-off from Department of Public Works.

**FINDINGS:**

- Modify #2: A soils report was submitted by All Point North pursuant to MSB 43.20.281(A) Engineer certified usable septic area & useable building area on Lot 1. Lot 2 is over 400,000 sq ft. and does not require useable area certification per MSB 43.20.281(A)(1)(i)(i) as detailed to geographic information was provided.

**MAIN MOTION**

**VOTE:** The main motion passed with all in favor. There are 8 findings of fact.

**TIME: 1:28 P.M.**

**CD: 0:26:25**

**B. NEW HOPE ESTATES MSP:** The request is create a 2-phase master plan of 22 lots from Lot 1, Block 1, Hatcher View Estates, Plat 77-7, and Tax Parcels C17 in Section 3 and B6 & B7 in Section 10 to be known as **NEW HOPE ESTATES MASTER PLAN**, containing 120 acres +/- . Private roads will provide access to the majority of the lots. A 60' wide public use easement extends from N. New Hope Farm Road within Hatcher View Estates to the private road. Owners are requesting to vacate a 33' road easement on Lot 1, Block 1, Hatcher View Est and include that lot in this subdivision to create a 1-acre+ lot and satisfy a 1985 Platting Board Resolution. The property is located directly south of mile 9.5 N. Wasilla-Fishhook Road (Tax ID #18N01E03C017, 18N01E10B006, 18N01E10B007); within the SW ¼ SW ¼ Section 03 and N ½ NW ¼ Section 10, Township 18 North, Range 01 East, Seward Meridian. In Community Council: Fishhook and Assembly District #6 Jesse Sumner (*Owner/Petitioner: Merle & Patricia Sikes and John & Monica James; Surveyor: Denali North; Staff: Peggy Horton*)

Chair Rausa:

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

There was no objection noted.

Chair Rausa read the case title and description into the record.

Ms. Von Gunten provided the mailing report.

- Stating that 81 public hearing notices were mailed out on February 13, 2020.

Ms. Horton provided a staff report

- Gave an overview of the case, #2020-012.
- Would like to postpone the case to April 16, 2019 to address redesign and other items that have come up.

Chair Rausa invited the petitioner for a brief overview.

Mr. Wayne Whaley, the petitioner's representative, gave a brief overview.

Chair Rausa opened the public hearing for public testimony.

There being no one to be heard, Chair Rausa closed the public hearing.

Chair Rausa invited the petitioner or their representative to provide their comments.

Mr. Wayne Whaley, the petitioner's representative, answered questions from the platting board.

Chair Rausa closed the petitioner's comments and discussion moved to the Platting Board.

**MAIN**

**MOTION:** Platting Member Thompson moved to postpone New Hope Estates Master Plan to April 16, 2020. The motion was seconded by Platting Member Cottini.

**MAIN MOTION**

**VOTE:** The main motion passed with all in favor.

**TIME: 1:38 P.M.**

**CD: 0:36:47**

## **7. ITEMS OF BUSINESS & MISCELLANEOUS**

*(There is no Items of Business & Miscellaneous)*

**8. PLATTING STAFF & OFFICER COMMENTS**

- A. Adjudicatory (*if needed*)
- B. Upcoming Platting Board Agenda Items

Mr. Wagner provided a brief update on cases that will be coming before the Platting Board on March 19, 2020. Commented on the State proposed Senate Bill 204.

**9. BOARD COMMENTS**

Platting Member Cottini had no comments.

Platting Member Anderson commented on the senate bill and would like to have a presentation on the borough's standing. Would like to have law speak on platting board's actions regarding surrounding area cases.

Platting Member Vau Dell is in agreement in having a presentation from the borough.

Platting Member Rausa had no comments.

Platting Member Thompson had no comments.

**10. ADJOURNMENT**

With no further business to come before the Platting Board, Chair Jordan Rausa adjourned the meeting at 1:43 p.m. (CD: 0:41:48)



JORDAN RAUSA, Platting Board Chair

ATTEST:



SLOAN VON GUNTEN,  
Platting Board Clerk

Minutes approved: May 13, 2020



**MATANUSKA-SUSITNA BOROUGH  
PORT COMMISSION**

**REGULAR MEETING  
February 24, 2020**

1. CALL TO ORDER; ROLL CALL; PLEDGE OF ALLIGENCE

The regular meeting of the Port MacKenzie Port Commission was called to order at 3:02 p.m. by Commissioner Anderson.

Commission members present and establishing a quorum were:

Ms. Claudia Roberts                      Mr. Tim Anderson  
Ms. Helga Larson                         Mr. Randall Kowalke (departed 4:27)  
Mr. Mike Janecek

Commission members not present: Mr. Rob Brown and Bryan Scoresby

Staff in attendance were:

Mr. John Moosey, Borough Manager  
Ms. Therese Dolan, Port Operations Manager  
Mr. James Wilson, Internal Auditor

Assembly members in attendance were: Mr. Dan Mayfield

2. APPROVAL OF AGENDA

The agenda was approved as written.

3. APPROVAL OF MINUTES

The minutes from the Port Commission meeting held on December 16, 2019 were approved as written.

4. AGENCY AND STAFF REPORTS

A. Mr. James Wilson

1) AGDC/FERC Update

- Reviewed history/actions to date
- Final EIS due out in March, followed by 90 day comment period
- Goal is to correct the federal record and have a completed EIS
- Discussion followed

B. Mr. Anderson asked Mr. Moosey to talk about his philosophy for this year's budget.

1) Mr. Moosey

- Thinks we will lose \$9M from the budget again this year
- Assembly will not want to increase the mill rate
- Cut capital projects last year – will look at doing the same this year
- Estimate 2.73% income growth based on new property taxes



C. Therese Dolan, Port Operations Manager

1) Operations

- Marine Exchange of Alaska conducted the annual audit and training to meet USCG requirements
- USCG inspection scheduled for March 10th

2) Maintenance

- FEMA/Earthquake Repair
  - State's FEMA liaison expects to have the approved project worksheets back from FEMA in the next week
  - can then move forward with formal engineering and design repair plans followed by bids
  - Provided hard copy of Conveyor Report, please review

5. PERSONS TO BE HEARD

A. Mr. Todd Smolden stated that he hopes the Borough pursues correcting the record with FERC. He agrees with Mr. Kowalke that there is a possibility of shipping LNG from the slope to Port MacKenzie for offloading and then taken to places like Fairbanks.

B. Mr. Haberman stated he attends many meetings and that the Port of Alaska has more involvement in their meetings. He asked what has Port MacKenzie accomplished and is it even feasible to continue.

6. OLD BUSINESS

A. Joint meeting with the Port of Anchorage

- Mr. Anderson stated that he would like this to remain on the agenda so that the commission can continue to think about and discuss topics.
- An emergency response plan was discussed.

7. NEW BUSINESS

A. FY21 Proposed Budget

- Reviewed last several years of expenditures and made cuts accordingly
- There is no money available for an additional part time position.
- Questions on specific lines followed

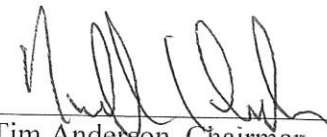
B. Annual Meeting Schedule

- The annual meeting schedule was approved as presented.

8. ADMINISTRATION AND COMMISSION MEMBER COMMENTS: Closing comments were made by Assembly persons, Borough staff and port commissioners.

9. ADJOURNMENT: The meeting adjourned at 4:33 p.m.

  
Therese M. Dolan, Port Operations Manager

  
Tim Anderson, Chairman

Minutes Approved June 15, 2020

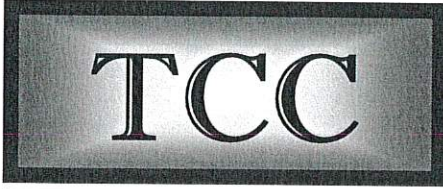


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Meeting Minutes  
March 5, 2020 7:00pm  
Upper Susitna Senior & Community Center

- I. Establish Quorum – Ned Sparks, Herman Thompson, Joe Pride, Buddy Giddens, Brian Kirby & Sheena Fort.
- II. Call Meeting to Order – 7:04pm
- III. Pledge of Allegiance
- IV. Approval of Meeting Agenda
  - a. Motion by: Herman Thompson
  - b. 2<sup>nd</sup> by: Sheena Fort
  - c.
- V. Approval of Meeting Minutes
  - a. Motion by: Herman Thompson
  - b. 2<sup>nd</sup> by: Buddy Giddens
  - c.
- VI. Treasurer's Report
  - a. Checking Account – \$ 7,324.78
  - b. Savings Account – \$225.55
- VII. Persons to be Heard (suggested 3 minutes each)
  - a. Molly Wood- Is running for the MEA board seat & wanted to introduce herself.
  - b.
  - c.
- VIII. Correspondence –
  - a. Mat Su RV Park- Combining their 6 lots into one before they are set to rebuild.
  - b.
  - c.
- IX. Committee and Governmental Reports
  - a. Road Service Areas (15 & 29) – N/A
  - b. Borough Assembly Update – Tam Boeve updated the Council about the police powers meetings this month, extended tax property assessments & changes to the outdoor shooting range policies.
  - c. Grant Expenditure Committee – FY 2019 Grant money (\$15,789.00) Nominations due April 30, 2020. Recipients will be announced May 7, 2020. Applications can be downloaded from the Susitna Community Council website.
  - d. Ways & Means Committee – N/A
  - e. Neighborhood Watch / Community Safety- N/A
  - f. Fire District- Waiting on budget talks for mill rate increase.
- X. Old Business
  - a. Email- motion was made by Joe Pride to purchase 3 year plan for domain and website
    - i. 2nd by Buddy Giddens
  - b.
- XI. New Business
  - a.
  - b.
  - c.
- XII. Adjournment – 7:42pm

*Ned Sparks 6-18-20*  
*Herman J. Thompson*



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**Wasilla, AK 99687**  
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Board Meeting minutes

June 9, 2020

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**Attendees: all Board Members**

Corine Hickey; Rachel Lund; Aaron Edwards; Michelle LaRose and Gretchen Watson.

Call to Order meeting start: 7:05 pm

Location: Virtual/Zoom

Meeting End: 8:10 pm

---

**7:05 Approval of May 26, 2020 General Meeting Minutes:**

*Motion* to approve Rachel L.; *Second* to approve Michelle L.-with no objections.

**7:05 Approval of current Board Meeting Agenda:**

*Motion* to approve Rachel L. *Second* to approve Aaron E.-with no objections

**7:06 Announcements and Project updates-N/A**

**7:07 Treasury Report:** Rachel Lund, Treasurer indicated this remains unchanged. A question of expenses owed to former TCC President John Meising, resulted in a discussion of receipts and acknowledged will be paid once funds are received from the Borough.

**7:15 Committee Reports:** Corine mentioned the community garden proposal as part of a committee item. We could possibly approach Jesse Sumner for help in a location but all agreed to focus on the Resolution this year and the garden next year. Gretchen will send communication to Mr. Sumner.

**7:20 Project Updates:** Gretchen emailed an example of a Resolution to the council members with recommendations to complete information as a generic proposal. Michelle confirmed there are 2 schools in our community area and this will be indicated on the document. Once a final draft is complete, she will email to team for approval prior to sending the Jesse Sumner. Our goal is to "join efforts" with North Lakes Community Council as they have one matter already in the works.

Michelle wanted clarification of the Resolution coverage and Corine confirmed, this would apply to all of MSB not just our community.

**7:25 Old Business**

**Survey Monkey-** Rachel has not had an opportunity to revisit this



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**Welcome Package**-Michelle read the welcome letter she prepared and saved to the shared folder.

- A question as to whether or not we include the By Laws with the package was discussed and Gretchen mentioned we should only have a statement on the letter that By Laws can be provided upon request since that document is 13 pages in itself. All council members agreed and Michelle will ensure the language is on the welcome letter.
- The Map of our community area was viewed and discussed
- The list of Businesses located within our community also discussed and Michelle agreed to validate her current list from google against the MSB lists. Additionally, Gretchen mentioned we should have this package reviewed on an Annual basis to ensure we have the most current information related to businesses in the community.
- Corine talked about the possibility of Realtors handing out these packages when appropriate. All agreed this may help expand our membership involvement.
- While reviewing the package online it was noted the Vision statement is the incorrect document. Gretchen will email Michelle the final version of Vision Statement, Sustainable Growth Policy and Procedure after the meeting.

**7:43 Voting at Annual General Membership**-Rachel presented the By Laws Page 3-4 online as council members discussed.

The current consensus is voting will be done in person in Oct 2020. We will plan to recruit candidates in August, Michelle will prepare and email the Bio's for current council members then a formal election email to be sent in Sept 2020.

*Motion* to vote in person-Rachel L *Second to Motion* Aaron E. Gretchen W and Corine H, one oppose Michelle L.

**7:50 Vacated Presidential position**- council members discussed the TCC President resignation and manner in which it was submitted.

Corine H, VP (acting President) appointed Aaron Edwards as interim President who accepted. No objections from remaining council members.

Any future resignations are to be done with 30 days advance notice according to the By Laws  
No resignations are to be submitted using TCC letterhead



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**7:55 New Business**

**Board/Directors Insurance**-Gretchen discussed the need for this coverage to protect individuals participating in the council. Michelle mentioned she felt confident the MSB would defend our actions. This item will resurface once we have funds in the account at which time, Gretchen can seek to obtain a quote and coverage details.

**Roundtable:**

Motion from Rachel to skip July General Membership meeting Second to Motion Aaron E.

**8:05 New Action Items**

- Gretchen will make sure MSB has cancellation information for July meeting
- Michelle to update the Welcome Package once all documents have been received
- Gretchen will make contact with Mr. Sumner about potential garden
- Rachel to contact John M for outstanding expense clarification
- Aaron & Michelle to make contact with optional meeting locations as the Am Vets is not officially located within our community
- Michelle expressed thoughts that all council members should take turns presenting the meetings

**Adjourn: 8:10pm**

**TCC Secretary, Gretchen H Watson**  
**TCC Interim President Aaron Edwards**



## Debra Wetherhorn

---

**From:** Gretchen Watson <gretchgreg11@gmail.com>  
**Sent:** Thursday, June 11, 2020 3:49 PM  
**To:** Debra Wetherhorn; Melissa Iverson; Aaron Edwards  
**Subject:** TCC Board Agenda & Minutes 060920  
**Attachments:** 060920 Board Minutes.pdf; Board Agenda 060920.pdf

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]  
Debra

Please find our TCC Board Agenda and Minutes from the 6/9/20 meeting.  
There will be no signature due to a virtual Zoom meeting.

Please take this email as an official submission by our interim TCC President Aaron Edwards and myself as Secretary.

Let me know if that will work for now?

Thank you

*Gretchen Watson*



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JUN 30 2020

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**General Membership Minutes**

Date: June 23, 2020

Time: 7:00pm

Location: Zoom

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Join Zoom meeting: Meeting ID: 898 6138 3709  
One tap mobile +13462487799, 89861383709# US (San Jose)

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**Requested Attendees:**

Aaron Edwards; Corine Hickey; Michelle La Rose; Gretchen Watson

Attendees: David; Bryann Zweifel, Kathy Watkins

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7:02pm Call to Order

7:03pm Approval of prior Board Meeting Minutes 6/9/2020

*Motion* by Aaron E. Second to Motion Gretchen W-no objections

7:04pm Approval of current General Meeting Agenda

*Motion* by Aaron E. *Second to Motion* Corine H-no objections

**7:05pm Announcement:** Change in TCC President-Aaron announced he was appointed interim President until the Oct 2020 Annual meeting vote.

**7:06pm Guest Speaker:** Kathy Watkins Sunshine Community Health Center, currently serving Talkeetna and Willow, they are planning to open a new office in Wasilla.

Kathy provided some background on their announcement so the community is aware of the services they will have available.

- The new office opening is scheduled for Jan 1, 2021 with advertised notice
- The location will be at Crusey and Bogard in the former Valley Hospital building above the Urgent Care.
- Partner with local providers in the area to help the 35,000 patients in the Matsu that may have little or no insurance. These numbers were obtained from the last census results.
- Providing total health services including dental and vision
- No COVID testing is expected to be provided at this office for lack of working equipment
- Location may also be used for a training site in the future
- Primary funding for this service is Federal dollars via Health Resources & Services Administration (HRSA)
- Provide some billing services for the under insured (VA/Blue Cross)
- Office hours plan to be Mon-Sat (not 24hr as they do not have the funding for that)
- Must obtain acceptance letters from Mayor and Borough to notify HRSA the clinic is in the best interest if the community.



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**7:18pm Treasury Report**-no status change as of this meeting. Rachel not present and has task to meet with former President for expense reimbursements.

**Committee Reports**-(if applicable)

**7:19pm Review of Previous Action Items:** Assembly Member, Jesse Sumner has acknowledged our email for interest in a parcel to utilize as a community garden. Nothing comes to mind at the present time but will continue to monitor for options.

**Project updates** (if applicable):

**7:20pm Old Business**

1. Resolution status-(Gretchen)-Mr. Sumner has accepted the drafted document presented as Resolution. Aaron and Gretchen will coordinate signatures if required by Jesse.
2. New Member Packet (Michelle)-no new updates as Michelle is in process of updating the Business references for the community
3. Meeting Location outreach (Aaron/Michelle) Aaron reports 2 call backs and one denial due to insurance reasons. Michelle has Alaska Waste on the list once they reopen after COVID closure.

**Review of New Assignments**

We are hoping to have an in person and Zoom meeting when the August schedule resumes.  
Aaron reminds us no meetings in July 2020

**7:23pm New Action/Business Items:**

Michelle to coordinate a guest speaker for the August General Meeting  
Corine-proposed the council to consider using some of the Borough funding to put towards a land and/or building purchase to house a potential community garden and meeting room. This may require some fund raising to supplement funding.

7:27pm Time: Adjourn

*Motion* by Corine H. *Second to Motion* Michelle L-no objections

Aaron Edwards, President

Gretchen Watson, Secretary

**Debra Wetherhorn**

---

**From:** Gretchen Watson <gretchgreg11@gmail.com>  
**Sent:** Monday, June 29, 2020 1:47 PM  
**To:** Debra Wetherhorn; Melissa Iverson; Aaron Edwards  
**Subject:** TCC General Meeting documents 062320  
**Attachments:** 062320 General Meeting Agenda.pdf; General Meeting Minutes 062320.pdf

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]  
Debra

Please find attached the TCC General Meeting Agenda and Minutes from the 6/23/20 Zoom call. There will be no hard signatures since the meeting was held virtual, please accept email as our submission.

Thank you

*Gretchen Watson*  
*TCC Secretary*

# MATANUSKA-SUSITNA BOROUGH

350 E Dahlia Ave., Palmer, Alaska 99645

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JUN 15 2020

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## CHAIRPERSON

Joshua Cross

## MSB STAFF

Kim Sollien



## BOARD MEMBERS

Jennifer Busch

Cindy Bettine

Emily Dodge

Dan Elliott

Antonio Weese

## Transportation Advisory Board

### Minutes

**REGULAR MEETING**

**9A.M.**

**January 24th, 2020**

I. CALL TO ORDER; ROLL CALL

Meeting called to order by Chair Josh Cross at 9:10am. Present Jennifer Busch, Cindy Bettine, Dan Elliott, Scott Adams, Antonio Weese.

Guests: Eileen Probasco, Jamie Taylor, Alex Strawn, and Mike Shields

II. APPROVAL OF AGENDA

Motion by Cindy Bettine, as amended moving the SCM discussion to the first staff report; seconded by Dan Elliott. *Motion passed unopposed*

III. APPROVAL OF MINUTES

a. December 19<sup>th</sup>, 2019

IV. AUDIENCE INTRODUCTION/PARTICIPATION

Mike Shields, from the RSA board

V. STAFF/AGENCY REPORTS & PRESENTATIONS

a. Eileen Probasco (MSB) Subdivision Construction Manual Update

Eileen Probasco and Jamie Taylor presented a draft resolution to support the Draft SCM.

Eileen also presented a draft schedule of the SCM review, approval and adoption. TAB members discussed the SCM development process. Scott Adams and Cindy Bettine provided comments for discussion (summarized below).

Eileen and Jamie responded to questions.



**Motion-Cindy Bettine motioned to further discuss the SCM, and to summarize the boards list of concerns, questions, and edits, and to draft a new resolution of support for the SCM with the inclusion of the TAB amendments; Jen Busch seconded**

***Motion passed unopposed***

**Motion- Cindy Bettine motioned, to move the driveway permit discussion the next meeting; Dan Elliott seconded**

***Motion passed unopposed***

**Motion- Dan Elliott motioned to hold a special meeting March 21<sup>st</sup>, amended to March 24<sup>th</sup>, to discuss the SCM; seconded by Antonio Weese**

***Motion as amended passed unopposed***

## **SCM comments by TAB Members**

### **Scott Adams Comments**

1. A04.1(b) - recommend making it clear who is responsible for calculating the ADT. Section 15 discusses how to calculate the ADT. Suggest revising the first sentence in A15 to read, "The applicant shall use the following formula to determine..." and moving the entire A15 section ahead of A04.
2. A05 - first sentence abruptly ends.
3. Table A-1 footnote 2 - suggest adding the word "minimum" at the beginning of the sentence before ROW.
4. Table A-1 - Suggest having two rows for shoulder width. One for paved shoulders, one for gravel shoulders. Include 2 foot gravel shoulders for Residential classification. For the Sub-collector and Collector classification, suggest 2 foot paved followed by 2 foot gravel shoulders.
5. A13 - Recommend adding the MUTCD as governing reference that shall be followed.
6. C02.5(c) - The DOT&PF successfully builds roads where they limit the horizontal layers of uncompacted material to 8" Why are we increasing that to 24"? We are setting up the taxpayers to pay the bill for repairing these roads that will settle and require increased maintenance after they are constructed and before the design life is reached. Recommend following the DOT&PF requirement of 8" horizontal layers.
7. C02.5(e) - the 90% and 95% compaction requirements are too low and are not what is typically done in an engineered road design. Suggest changing these to 95% and 98%, respectively, of the Modified Proctor.



8. C02.5(f) - 2 inches of asphalt over 2 inches of base course seems thin for a collector. This section is more for a driveway. I would expect to see something in the range of 3.5 - 4 inches of HMA over 4 inches of base course. Suggest revisiting this so that the taxpayers are not paying to rehab roads prior to the end of their design life.

9. Figure C-1 - same as #8 above. The typical structural section for the roadway will be driven by existing geotechnical conditions which will vary at each road location. Suggest requiring a geotechnical investigation with recommendation for each site.

### **Cindy Bettini's Comments**

1. The goal of the SCM is to promote a safer transportation system but it would appear they have left out accommodations for non-motorized
2. Can we ask for roads to be designed offset from the center line so we would have room to offer at least one 4ft shoulder on one side
3. The SCM seems to have a residential focus. What about commercial development, don't we also need standards for them that are different than residential?
4. Design deviation paragraph needs to be firmer.
5. Is there a way to offer a benefit an incentive to a developer who is willing to put in a pedestrian pathway?

FYI) Title 43.20.281 of the MSB code allows a developer to have smaller lot size if they are dedicating public opens space. Maybe language for non-motorized pathways can be included in that clause.

#### **b. Kim Sollien (MSB): Assembly Meeting update Jan 7<sup>th</sup>, 2020**

- i. MOU between MSB and DOT - This MOU was signed by the Assembly at the February 4<sup>th</sup> meeting
- ii. Ordinance for the MPO and Earmark Funding - These MOA's and the funding appropriations were adopted by the Assembly at the February 4<sup>th</sup> meeting. Staff will ask the MSB Law Department to draft a memo about forming an MPO and we will invite them to give a presentation at the April meeting.

#### **Capital Improvements Discussion (CIP)**

**Motion- by Cindy Bettine, to discuss the CIP at the next meeting on Feb 24<sup>th</sup>; seconded by Antonio Weese**

***Motion passed unopposed***

Staff will provide the CIP nominations and the resolution from 2018 submitted by TAB for review at the meeting on the 24<sup>th</sup>.

VI. New Board Member Discussion  
Laquita Chmielowski and Murph O'Brian were suggested as potential board members to fill the vacant board seat.

VII. Calendar of 2020 Meetings  
February 24<sup>th</sup> Special Meeting  
April 24<sup>th</sup>, 2020  
August 28<sup>th</sup>, 2020  
October 30<sup>th</sup>, 2020

VIII. ADJOURNMENT @ 12pm

  
\_\_\_\_\_  
Joshua Cross, Chair

02/24/20  
\_\_\_\_\_  
Date

ATTEST:

  
\_\_\_\_\_  
Kim Sollien, Planning Services Manager

02/24/2020  
\_\_\_\_\_  
Date

MINUTES

## TRAPPER CREEK COMMUNITY COUNCIL

Trapper Creek Community Center, Milepost 115.2 George Parks Highway. Turn left on E. TC Park Circle.  
 Teleconference: Locally dial 373-2663 / Participant Code 991090 or dial 907-622-2663 if not in local area

**Regular Meeting (Telephonic), 6:30 PM, Thursday, April 16, 2020**

- I. Meeting called to order: 6:33 pm
- II. Determination of Quorum
- III. Board Members in Attendance: Ritenburgh, Miller, Grelson, Twigg and Morrill. Special Guest: District 7 Borough Assembly Representative Tam Boeve
- IV. Approval of Agenda
- V. Reading and approval of Regular February Meeting minutes and March No Meeting Minutes
- VI. Borough Assembly Report, Tam Boeve, District 7: MSB Assembly telephonic meetings now. Ability to call in and comment.  
 Every Wed 11:00 am- Borough live conferences. Stream from Borough website or on Facebook. Borough Mayor Vern Halter, Emergency Services Director Ken Barkley, local doctors, etc., giving updates on COVID-19 response. Comments and questions can be made.  
 The Mat-Su driveway permit fees temporary waiver will be extended until October 7, 2020. [Permit Center: 907-861-7822].  
 Mat-Su Borough Manager John Moosey will no longer be the Mat-Su Borough Manager-he will become the new City Manager of Palmer.
- VII. Treasurer's Report: Disbursements: Check #244: \$25.00 for AK Statement of Change of Officials (necessary to reflect change in TCCC Board Members).  
 Deposits: None. Dividends: Savings, .01 on 3/31/20. Checking: \$1,111.96, Savings: \$25.44 = \$1,137.40
- VIII. Revenue Sharing/Community Assistance Program (CAP) Grant Project Updates:
  - A. FY2018:
    - Trapper Creek Volunteer Fire Dept (TCVFD): CAP: \$1,000.00. Current Expenditures: \$76.00: US Postmaster, Box Fees. Total expenditures to date: \$581.00. Remaining: \$419.00
    - TCCSA Operating – CAP: \$10,000.00. Current expenditures: \$2,420.27.
    -

- Trapper Creek Community Council (TCCC): CAP: \$1,000.00. Current expenditures: \$25.00. Remaining: \$674.27
- Upper Susitna Food Pantry Operations: CAP: \$3,789.00. Current expenditures: 274.01. Remaining: \$0

42 families were served in February and 41 families in March; 108 people in February and 118 people in March; and 27 seniors for the CSFP Boxes in February and 27 seniors in March.

In February, 15 Trapper Creek students per week and 18 Trapper Creek students at Su Valley were served in the Weekend Brown Bag Program. In March school was closed and the programs were combined and all bags were available for pick up at the Trapper Creek Elementary School.

People are carpooling to the Food Pantry and this is not practicing social distancing. It endangers the volunteers and the Coordinator and jeopardizes the communities as well as the ability to safely continue operations. Our help was requested in this matter.

IX. Committee Reports:

- TCCSA Water Committee: In March, the Water Committee met with KAE, general contractor, to review the 65% design. An amiable meeting of design construction was agreed upon, and the next meeting will be held at the 95% stage.

In April, an email was sent to KAE asking if COVID-19 has or will have any bearing on construction design and schedule as discussed in March. As of April 15, no response had been received.

TCCSA Water Committee will continue to update TCCC

- Volunteer Fire Department Committee (TCFVD): Current Expenditures: \$76.00: US Postmaster, Box Fees.

X. Correspondence/Current Mail: All mail was read at meeting, and/or previously emailed to the membership and/or posted at the TC Post Office

XI. Public Forum: None

XII. Unfinished Business:

A. Mat-Su Community Councils for Public Safety (MSCCPS) update: Meetings were not going to be held in January and February, and would resume in March (18<sup>th</sup>). Due to COVID-19, the March meeting was cancelled. No future meeting date has been set at this time.

B. FY2019 CAP Funds: Project Proposal Forms reviewed and approved to ensure program qualifications were met.



FY2019 CAP Projects submitted (in the following order):  
Pantry Operations Support (Upper Susitna Food Pantry), \$6,000.00 requested  
Operating Expenses for the Trapper Creek Park and Cemetery- \$11,000.00 requested  
Trapper Creek Volunteer Fire Department Rural Basic Firefighter Class, \$3,468.00 requested  
Total requested: \$20,468.00, FY2019 Funds available: \$15,789.00

Project community voting will begin Monday, April 20, through Saturday, May 9, 2020 at the Post Office. A CAP Project Talley Committee has been formed. Funded project list will be read at the Thursday, May 21, 2020 regular TCCC meeting

Information and deadlines for accepting proposed FY2019 CAP fund projects was sent out to TCCC e-mail list as well as posted at the Trapper Creek Post Office and the Trapper Creek Library. Applications were also available to be sent via e-mail by contacting the Council.

XIII. New Business: None

XIV. Date of next meeting: scheduled for **Thursday, May 21, 2020, 6:30 pm**

XV. Meeting adjourned: 7:01 pm

Approved: David R. [Signature] <sup>5-21-20</sup> [Signature] <sup>5/21/20</sup>  
Chairperson Date Secretary Date

(Minutes taken by Council Secretary, Janet Grelson)

RECEIVED  
JUN 24 2020

CLERKS OFFICE

MINUTES

**TRAPPER CREEK COMMUNITY COUNCIL**

Trapper Creek Community Center, Milepost 115.2 George Parks Highway. Turn left on E. TC Park Circle.  
Teleconference: Locally dial 373-2663 / Participant Code 991090 or dial 907-622-2663 if not in local area

**Regular Meeting 6:30 PM, Thursday, May 21, 2020**

- I. Meeting called to order: 6:34 pm
- II. Determination of Quorum
- III. Board Members in Attendance: Ritenburgh, Miller, Grelson, Twigg and Morrill. Special Guest: District 7 Borough Assembly Representative Tam Boeve. Members: Paula Glenka
- IV. Approval of Agenda
- V. Reading and approval of Regular April Meeting minutes
- VI. Borough Assembly Report, Tam Boeve, District 7: With COVID-19 restrictions being lifted, Borough buildings are beginning to open up. Main building is open by appt only. Weekly COVID-19 response meetings have been suspended.  
Borough Budget has a deficit of \$16 million due to Governor's veto of the School Bond Debt Reimbursement funds.  
Money was set aside last year towards these anticipated costs, but still need to make significant cuts to our current budget to hold at the current mill rate of 10.386.  
CARES funding statements are correct. Working with Borough Financial Director and Borough Legal Department to determine exactly what the grant money can be used for.  
MOU (Memorandum of Understanding) between AIDA (Alaska Industrial Development and Export Authority) and Nova Minerals is coming before the MSB Assembly in June for Phase 2 studies for a proposed bridge over the Little Su River, and road access to the Whistler Mining District.
- VII. Treasurer's Report: Disbursements: None. Deposits: None. Dividends: NONE. JRG,  
Checking: \$1,111.96, Savings: \$25.44 = \$1,137.40
- VIII. Revenue Sharing/Community Assistance Program (CAP) Grant Project Updates:
  - A. FY2018:
    - Trapper Creek Volunteer Fire Dept (TCVFD): CAP: \$1,000.00. No report
    - TCCSA Operating – CAP: \$10,000.00. Current expenditures: \$416.84. Remaining: \$1,221.17
    - Trapper Creek Community Council (TCCC): CAP: \$1,000.00. Current expenditures: None. Remaining: \$674.27



IX. Committee Reports:

- TCCSA Water Committee: The project is now at the 95% stage. KAE, Inc., will send the stamped plans via email & a hardcopy by the end of this week. Reading and discussion of draft letter sent to Governor Dunleavy, Senator Shower, Representative Eastman & Assembly member Tam Boeve, as well as TCCC, VSW, KAE, Inc., and Matt Want requesting letters of support for the SNAP, WIC and EBT recipients to be able to utilize their benefits at the TC water point as this project was created with those in need of a good water source. Once the letters and any input have been received, package will be sent to Senators Sullivan and Murkowski and Congressman Young. TCCSA Water Committee will continue to update TCCC
- Volunteer Fire Department Committee (TCFVD): No Report

X. Correspondence/Current Mail: All mail was read at meeting, and/or previously emailed to the membership and/or posted at the TC Post Office

XI. Public Forum: NONE, JRG

XII. Unfinished Business:

A. Mat-Su Community Councils for Public Safety (MSCCPS) update:  
No Report

B. FY2019 CAP Funds:

- FY2019 CAP Project Proposals voting results:

Total requested: \$20,468.00 FY2019 Funds available: \$15,789.00

**60 Points**-Project fully funded: **TCVFD Rural Basic Firefighter Class** (\$3,468.00 requested)

**57 Points**- Project fully funded: **Operating Expenses for the Trapper Creek Park and Cemetery (\$11,000.00 requested)**

~~(\$3,468.00 requested)~~ JRG

**35 Points**- Project partially funded: **Pantry Operations Support Upper Susitna Food Pantry (\$6,000.00 requested)** \$1,300.00 Funds available.

Detailed Voting Results form available for review at the Trapper Creek Post Office. JRG

- A letter will be sent to MSB with the voting results, requesting that the FY2019 CAP funds be released and sent to TCCC. Once received, they can be dispersed to the project entities, and a MOA between TCCC and the project entities will be signed.

XIII. New Business: TCCC member Paula Glenka presented a letter written to Representative David Eastman and Senator Mike Shower regarding the upgrade to the Parks Highway, MP 99-123 by the State of Alaska/General Contractor Quality Asphalt Paving (QAP), and the resulting numerous pitted, cracked and shattered windshields that local residents as well as the school bus transportation service, have endured due to the chip seal used instead of asphalt(MP 123-147 was resurfaced with asphalt). The purpose of her presentation to TCCC is a letter of support from council to Representative David Eastman

and Senator Mike Shower. Discussion ensued and all present were in favor of a letter of support.

XIV. Date of next meeting: scheduled for **Thursday, June 18, 2020, 6:30 pm**

XV. Meeting adjourned: 7:24 pm

Approved: David Ritenbaugh <sup>6/18/20</sup> [Signature] <sup>6/18/20</sup>  
Chairperson                      Date                      Secretary                      Date

(Minutes taken by Council Secretary, Janet Grelson)

# Joint Central Mat-Su & West Lakes Board of Supervisors Meeting

RECEIVED

Central Mat-Su Training Complex – Station 62  
4568 S. Knik Goose Bay Rd.  
Wasilla, AK 99654

JUN 09 2020  
CLERKS OFFICE

Chairman: D. Eller  
Vice Chairman: J. Jameson

Board Members: B. Davis  
D. Tucker  
J. Steele

March 9, 2020 – 6 P.M.

## MEETING MINUTES

### I. CALL TO ORDER

The meeting of the Central Mat-Su Fire Service and West Lakes Fire Service Area Board of Supervisors was called to order at 6 p.m. at the Central Mat-Su Training Complex at 4568 S. Knik Goose Bay Rd., Wasilla, Alaska by Chairman Dave Eller on March 9, 2020.

### II. ROLL CALL & DETERMINATION OF QUORUM

Board Members present and establishing a quorum for the Central Mat-Su FSA:

Chairman Dave Eller, Brian Davis, Jim Jameson, James Steele, and Dan Tucker

Board Members present and establishing a quorum for the West Lakes FSA:

Chairman Cathi Kramer, Larry Fetchenhier, and Steve Simpson

Also present were: Michael Keenan, Chief, Central Mat-Su Fire Department (CMSFD); Shari Lamz, Admin. Assistant, CMSFD; Tawnya Hightower, Chief, West Lakes Fire Department; Ken Barkley, Director, Department of Emergency Services (DES); Brian Davis, Deputy Director, DES; Tam Boeve, Assembly Member, MSB; Nick Spiropoulos, Attorney, MSB; Brandon Goentzel, Captain, CMSFD; Ethan Keenan, Firefighter, CMSFD; and Gabriel Barret, Firefighter, CMSFD.

### III. PLEDGE OF ALLEGIANCE

Director Barkley led the "Pledge of Allegiance."

### IV. APPROVAL OF AGENDA

MOTION: Mr Jameson moved, and Mr. Steele seconded, to approve the meeting agenda as presented.

VOTE: The motion passed unanimously.

## V. APPROVAL OF PRECEDING MEETING MINUTES

### WEST LAKES

MOTION: Mr. Fetchenhier moved, and Mr. Simpson seconded, to approve the February 10, 2020, regular meeting minutes as presented

VOTE: The motion passed unanimously.

### CENTRAL

MOTION: Mr. Tucker moved, and Mr. Jameson seconded, to approve the February 10, regular minutes as presented.

VOTE: The motion passed unanimously.

## VI. BOARD REPORTS/CORRESPONDENCE

## VII. UNFINISHED BUSINESS

### CENTRAL

Rental Income from Station 61 and the Tommy Moe Building will show up as rental income in the budget

MOTION: Mr. Steele moved, and Mr. Jameson seconded, to approve the budget with the changes.

## VIII. NEW BUSINESS

Chief Report West Lakes – Chief Hightower

- Iron Dog - Staffed 2 snow machines with 2 firefighters
- Engine 7-2 is in service
- Training – CAFs systems – Waterous, instructed 20 engineers and officers
- Applied for the Ready Set Go grant
- 827,342 people saw content and community risk reduction information through the WLFDFacebook page

Prevention and Education

- Captain Roy Roistacher read in several schools during Read Across America
- Installed 26 smoke alarms and 6 CO monitors in 4 homes

Chief Hightower stated that as our fire service area increases in population, that in turn increases the number of assisted living homes, behavior assisted community living complexes, assembly



occupancies and other high life safety targets. West Lakes continues to grow prevention programs. Pre-fire planning along with access letters continue to increase.

**Training**

- Finished the HAZMAT Ops Class
- FFI class currently going on and will test the first week of April
- Tuesday Night Training- Firefighter rescue, firefighter CPR, ropes/knots and documentation training

**Operations**

Major Incident Type	Number of Incidents		Significant Events
Fires	8	22.22%	Significant calls included 1 structure fire, 2 chimney fires and 3 vehicle fires
Rescue & Emergency Services	13	36.11%	
Hazardous Conditions (no fire)	3	8.33%	
Service & Good Intent Calls	11	30.56%	
False Alarms	1	2.78%	
<b>Emergency Responses</b>	<b>Total 36</b>	<b>100.00</b>	

**LODD**

- Participated in honoring firefighter Roger Delongchamp

**CENTRAL – Chief Keenan**

**Chiefs Report**

Jan 2020 Fire & Life Safety Division	
New Plan Reviews	13
Valuation of Construction	\$3,853,652.33
Fees Assessed	\$17,954.31
Actual Fees Collected	\$16,144.77
Plan Reviews Approved	11
Inspections	47
Fire Investigations	8
Platting Comments	17
Pre-fire Plans	0
Public Education – Events	3
Public Education – Participants	507
CMSFD Incidents	198
Alarms Installed	7

Feb 2020 Fire & Life Safety Division	
New Plan Reviews	8
Valuation of Construction	\$392,439.20
Fees Assessed	\$3,254.33
Actual Fees Collected	\$16,387.02
Plan Reviews Approved	10
Inspections	21
Fire Investigations	5
Platting Comments	16
Pre-fire Plans	39
Public Education – Events	1
Public Education – Participants	5
CMSFD Incidents	143
Alarms Installed	1

- 341 total calls this year

#### Training

- 2 - Health and wellness training (physical/mental fitness & Yoga)
- LODD training
- Enstar – Natural gas emergency
- HazMat Ops
- Officers development

#### Station 6-1

- Pre-bid meeting Thursday, March 12, 2020. It will go before the Assembly next Tuesday for permission to advertise it.

#### Station 6-3

- Repairs complete

#### Station 6-2

- Contractor is working on punch list
- Bid awarded to put a sprinkler system in old Station 6-2 where we house PPE and extra equipment

#### Training Complex CIP

- Going before the Assembly Tuesday, for approval to advertise for contractor bids
- Project will extent the road and construct a new live fire building “Haul Crawler”

#### Pumper-Tender X 2 order

- Pre-construction in June
- Delivery April 2021 (tentative)
- Pumper Tenders with go to Stations 5-1 and 6-2

#### Appreciation Night - March 24, 6 pm

- Badge pinning and swearing of new officers

#### 2019 Review

Chief Keenan handed out a 2019 Review document, which contained personnel changes, wildland season, 2019 training summary, public education tallies and run report numbers.



Open Meetings Act

Mr. Tucker stated that this is a perfect time for the Borough Attorney, Nick Spiropoulos to help us with our conduct in conducting borough business from a board prospective.

Attorney Spiropoulos talked about the Open Meeting Act Statutes

- AS 44.62.310 Government meetings public
- AS 44.62.312 State policy regarding meetings

Attorney Spiropoulos stated that if anyone has any questions to contact him.

**IX. OTHER BUSINESS** (other items of discussion not listed on agenda)

Corona Virus update – Director Barkley

Director Barkley stated that the Mat-Su Regional is going to enact their safe guards and that is going to include delays with the ambulances. We survive because we do quick turn around with the ambulances. We will break 10,000 calls this year. We are going to need a little bit of help from West Lakes and Central with some of the calls. Mat-Su Regional is being proactive. They are opening up their internal EOC tomorrow.

LODD

Director Barkley stated that Rogers Delongchamp’s LODD services was done in high honors. A lot of work went into the service. Every single department played a role. They all helped out as one unit. “Thank You.”

**X. AUDIENCE PARTICIPATION & BOARD COMMENTS**

**XI. ADJOURNMENT**

Mr. Eller adjourned the meeting at approximately 7:40 p.m.

The meeting adjourned at approximately \_\_\_\_\_ p.m.

*Cathi Kramer*

Cathi Kramer, Chairman, West Lakes FSA B.O.S.

ATTEST:

*Theresa Elliott*

Theresa Elliott, Admin. Assistant, West Lakes FSA B.O.S.

Minutes approved on: June 8, 2020



## West Lakes Fire Department

10073 W. Parks Hwy Wasilla, AK 99623

Phone: (907) 861-8200 Fax: (907) 861-8190

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### Chief's Report February 2020

The Iron Dog started in Fairbanks this year and finished on Big Lake. West Lakes Fire Department staffed 2 Snow-machines with 4 firefighters for the finish, Saturday, February 21. Eleven of the 29 teams made it to Big Lake. The Rosenbauer engine is in service at Station 72. Training has begun on the CAFs system. Mark Tracy, representing Waterous, instructed 20 Engineers and officers over a 2 day period.

West Lakes Fire Department applied for a grant from the Ready Set Go! program. The International Association of Fire Chiefs (IAFC) invited fire departments that operate in areas with high wildfire risk to apply for its new targeted risk reduction assistance opportunity. We applied and if received, West Lakes Fire Dept. would receive staff and subject matter experts' assistance to identify and address their community needs. This includes; the development and implementation of a public awareness campaign, customized education and outreach tools as well as the assistance for conduction a defensible space demonstration for the community.



*Assistant Chief Jim Keel, Captain David Kelly, Lieutenant Jimmy Rogers, Firefighter Denver Peterson and Battalion Chief Laurel Keel.*

West Lakes Fire Dept. continues to send community risk reduction messages through social media. In February we discussed; driving safety and not crowding the plow, snow removal safety, a brief history lesson about George Washington being a volunteer firefighter, and beetle kill fire hazard reduction options.

Social media

statistics showed that 827,342 people saw

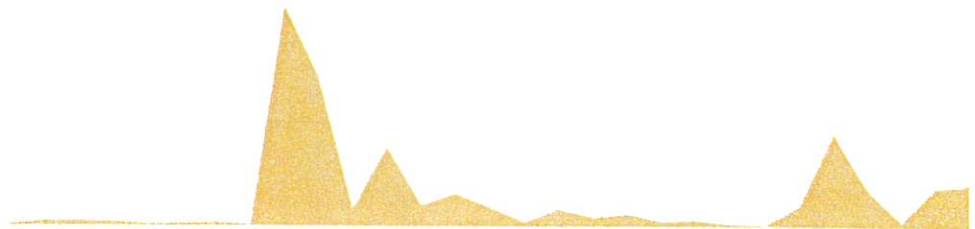
content and

community risk

reduction information

through the WLFD

Facebook page.

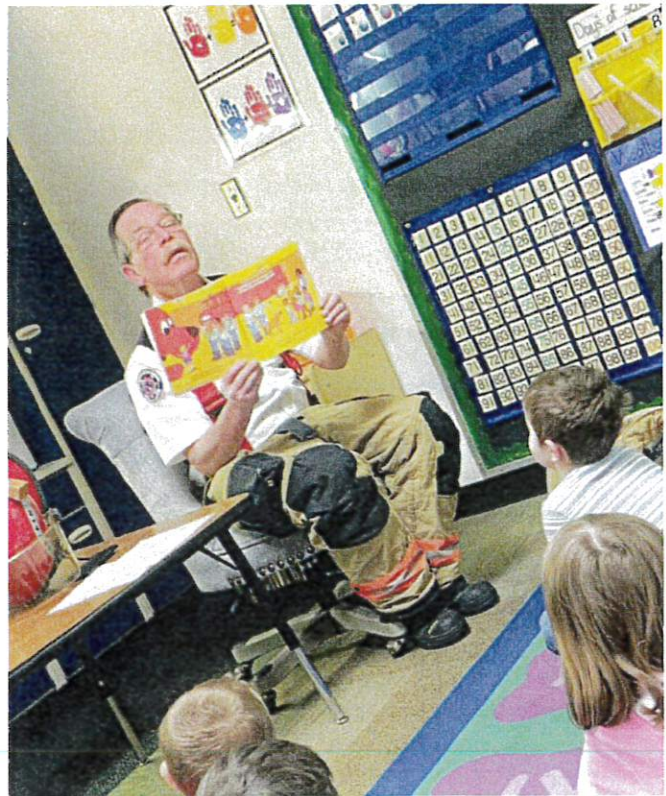


*Total Reach for February 2020 West Lakes Fire Dept.*



**Prevention and Education Division:**

Prevention/Community Risk Reduction is a priority of West Lakes Fire Department. West Lakes Fire Department currently employs one full-time prevention officer, Captain Roy Roistacher, however all firefighters are trained and encouraged to assist in prevention activities. In February, 24 smoke alarms and 6 CO monitors were installed in 4 homes. Personnel conducted a station tour and risk reduction class; 4 parents and 7 children participated. Prevention Officer, Captain Roistacher was instrumental in the submission of the RSG! grant application. Assistant Chief Keel granted one access letter as well as the accompanying pre-fire plan. As our fire service area increases in population, that in turn increases the number of assisted living homes, behavior assisted community living complexes, assembly occupancies and other high life safety targets. WLFD continues to grow prevention programs. Pre-fire planning along with access letters continue to increase.



*Captain Roistacher in a classroom during Read Across America.*

**Training Division:**

Six firefighters are currently in the Firefighter I class that will test the first week of April. February’s weekly fire training consisted of firefighter rescue and firefighter CPR, ropes/knots and scene lighting, and documentation training that includes; National Incident Fire Reporting (NFIRs) and Emergency Reporting.



*Firefighters completing Hazardous-Materials Operations Level testing.*



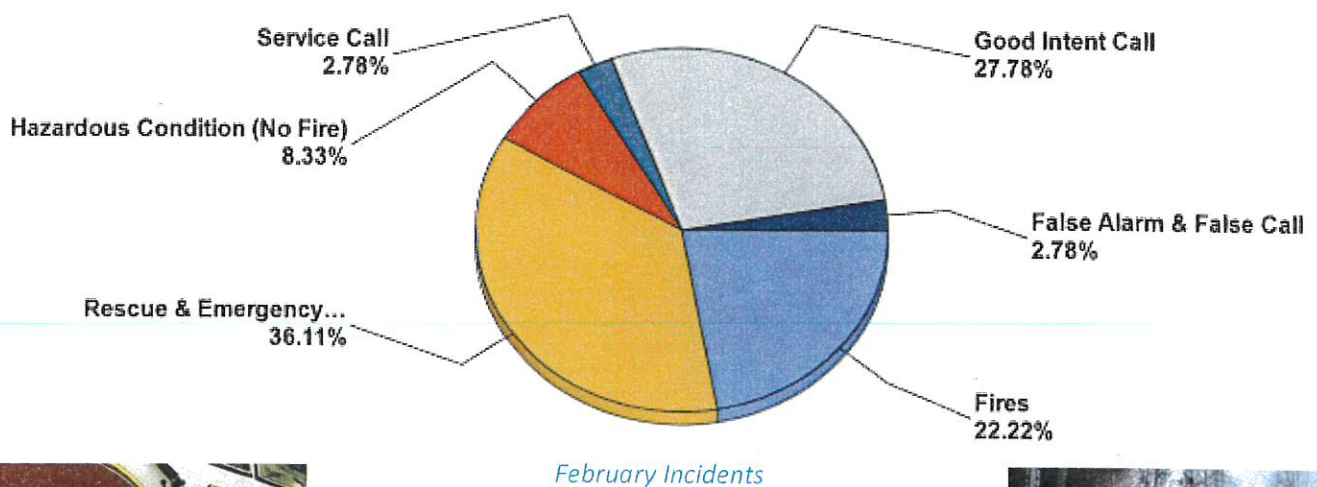
*Firefighter I training at Station 82 Training complex. Ladder rescue training and firefighter rescue.*





**Operations:**

Major Incident Type	Number of Incidents		Significant Events
Fires	8	22.22%	Significant calls included 1 structure fire, 2 chimney fires and 3 vehicle fires.
Rescue & Emergency Services	13	36.11%	
Hazardous Conditions (no fire)	3	8.33%	
Service & Good Intent Calls	11	30.56 %	
False Alarm	1	2.78 %	
<i>Emergency Responses</i>	<b>Total 36</b>	<b>100 %</b>	



*Rescue 73 is in service and responds Borough wide to Haz-Mat calls.*



*Automatic aid response to a structure fire in Houston Fire Service Area.*

February 9, 2020, West Lakes Fire Department participated in honoring neighboring Firefighter Roger DeLongchamp who passed while responding to an emergency call. We are grateful for the communities' support



through thoughts and prayers during that difficult time. We also gratefully acknowledge our families' willingness to share us when our community calls for help.