



LBC Public Meeting Draft Minutes

Tuesday, January 24, 2017, at 10:00 a.m.

Atwood Building, 550 W. 7th Ave., Room 1620; Anchorage, AK

ADMINISTRATIVE

1. Call to order

Vice chair Bob Harcharek called the meeting to order at 10:03 a.m.

2. Roll call and determination of quorum

Bob Harcharek served as chair and asked for a roll call vote. Brent Williams called the roll and two commissioners were present in person: Commissioners Darroll Hargraves and Robert Harcharek. Commissioners Harrington and Wilson were present by phone. Chair Lynn Crystal was absent.

3. Introduction of commissioners and staff

Each commissioner introduced himself. Staff present in person: Eileen Collins, Brent Williams, Marty McGee, Melissa Taylor, Jane Boer, Lynn Kenealy (DCRA); Mary Lynn Macsalka (Department of Law)

4. Identify all parties present

In person: Jim Brennan (City of Manokotak); Lea Filippi (Southwest Region School District); Brooks Chandler (City of Dillingham)

Via teleconference: Jim Baldwin (Ekuk, et al.); Melvin Andrew (City of Manokotak)

5. Acknowledge if members of the public are present

Via teleconference: Helen Smeacon; Pam Goode, James Squyres (Rural Deltana); Rose Loera, Courtenay Carty (City of Dillingham)

6. Local Boundary Commission (LBC) chair remarks

Vice Chair Bob Harcharek made brief comments regarding his serving as chair for this meeting in Chair Lynn Chrystal's absence.

7. Approve or amend the agenda

Commissioner Wilson moved to approve the agenda as presented. Commissioner Harrington seconded the motion. Vice chair noted the consent from the two commissioners on the phone and stated that the agenda was approved as presented without a formal vote.

NEW BUSINESS



LBC Public Meeting Draft Minutes

Wednesday, January 25, 2017, at 3:00 p.m.

Atwood Building, 550 W. 7th Ave., Room 1620; Anchorage, AK

ADMINISTRATIVE

1. Call to order

Vice Chair Bob Harcharek called the meeting to order at 3:30 p.m.

2. Roll call and determination of quorum

Brent Williams called the roll and four commissioners were present. Vice Chair Bob Harcharek served as chair and was present in person. Commissioner Darroll Hargraves was also present in person in Anchorage. Commissioners Lavell Wilson and John Harrington were present via teleconference. Chair Chrystal was absent.

3. Introduction of commissioners and staff

The four commissioners identified themselves. Staff present in person: Eileen Collins, Brent Williams, Marty McGee (DCRA); Mary Lynn Macsalka (Department of Law)

4. Identify all parties present

In person: Lea Filippi (Southwest Region School District); Brooks Chandler, Lamar Cotten (City of Dillingham); Jim Brennan (City of Manokotak)
Via teleconference: Jim Baldwin (Ekuk, et al.)

5. Acknowledge if members of the public are present

None were acknowledged.

6. Local Boundary Commission (LBC) chair remarks

None

7. Approve or amend the agenda

Commissioner Harrington moved to approve the agenda as presented. Commissioner Wilson seconded the motion. Eileen Collins called the roll and the agenda was approved with four commissioners voting in favor.

NEW BUSINESS

1. Public comment concerning matters that are neither on the agenda nor pending before the commission

None

2. Action item: Approve written statement of the January 24, 2017, decision on reconsideration of the Dillingham annexation petition.

Commissioner Hargraves moved to table number two under New Business on this agenda until January 30, 2017, for a special second meeting to approve the written statement of the January 24, 2017, decision on reconsideration of the Dillingham annexation petition.

Commissioner Wilson seconded the motion. Discussion ensued over the details of the meeting which were scheduled for 1:30 p.m. on January 30, 2017.

The vice chair called for a roll call vote. Brent Williams called the roll and four commissioners voted in favor of the motion. The action item was tabled for a future scheduled meeting.

3. Action item: Approve written statement of the January 24, 2017, decision on reconsideration of the Manokotak annexation petition.

Commissioner Hargraves moved to approve the written statement on reconsideration of the Manokotak annexation petition dated January 24, 2017. Commissioner Wilson seconded the motion. Commissioner Hargraves offered compliments to the staff cartographer, George Plumley. After discussion, Brent Williams called the roll. Each of the four commissioners present voted in favor.

4. Comments from commissioners and LBC staff

Commissioner Hargraves had brief remarks about his impending resignation at the end of his term, January 31, 2017. Commissioner Harrington also offered brief comments. Staff had no comments.

5. Adjourn

Commission Hargraves made a motion to adjourn at 4:00 p.m. Commission Wilson seconded the motion and the meeting was adjourned.

1. Public comment concerning matters that are neither on the agenda nor pending before the commission

Jim Brennan spoke regarding the issue of the chair's absence. Vice Chair asked other counsel present to weigh in. Mary Lynn Macsalka responded. He also sought input from each commissioner. Commissioner Hargraves moved to not accept the request from counsel (which counsel) to postpone, and for the LBC to proceed with the agenda as presented. Commissioner Harrington seconded the motion. After discussion, Commissioner Harcharek called for a roll call vote. Brent Williams called the roll and all four commissioners present voted in favor of proceeding with the agenda.

2. Action item: Issue a decision on reconsideration on the Dillingham annexation petition.

After a discussion of the standards under reconsideration, Commissioner Harrington moved that on reconsideration the LBC must reject the Dillingham petition for annexation because the petition does not meet the standards regarding need, character, boundaries, and the best interests of the state, either as originally proposed or as amended. Commissioner Wilson seconded the motion.

After discussion, Brent Williams called the roll and Commissioners Harcharek and Hargraves voted in opposition. Commissioners Harrington and Wilson voted in favor. The motion failed with a tie vote.

Commissioner Harcharek called for a motion to reconsider the vote. Three commissioners voted in favor of a revote: Commissioners Harcharek, Harrington, and Wilson.

Commissioner Hargraves opposed a revote.

The vice chair called for a roll call vote on the original motion to reject the annexation petition. Commissioners Harcharek, Harrington, and Wilson voted in favor. Commissioner Hargraves voted in opposition. The motion to reject the Dillingham annexation petition passed.

On reconsideration, the commission concluded that upon finding that the petition was not in the best interests of the state and did not meet all of the annexation standards, the petition must be rejected. Based on the findings and conclusions upon reconsideration, the Local Boundary Commission concluded that not all of the standards and requirements for annexation are satisfied by the Dillingham annexation petition. The commission rejected the January 22, 2015, petition of the City of Dillingham for the annexation of 399 square miles of land and water.

3. Action item: Issue a decision on reconsideration on the Manokotak annexation petition.

The four commissioners present engaged in a discussion regarding the Manokotak annexation petition. The commissioners asked the parties for their input and Jim Brennan and Jim Baldwin both offered comments.

After discussion of the standards under reconsideration, Commissioner Harrington moved, on reconsideration, that the commission approve the Manokotak annexation petition with the boundaries altered to include all of Tract A, all of Tract C, and to include those portions of the original Tract B shown in blue on the map on page two of the decisional statement decision. Commissioner Wilson seconded the motion. Commissioner Harrington noted that

the reduced size, in his mind, allowed the annexation by Manokotak to better meet the boundary standard and is in the best interest of the state. Vice Chair Harcharek, and Commissioners Wilson and Harrington voted in favor of the amended annexation on reconsideration; Commissioner Hargraves voiced his reluctance, and voted in opposition. The motion passed and the amended boundaries for annexation by Manokotak were approved.

4. Action item: Consider approving minutes for its December 1, 2016, December 20, 2016, and January 10, 2017, meetings.

Commissioner Hargraves moved to approve all three sets of meeting minutes together. Commissioner Harrington seconded the motion. Brent Williams called the roll and all four commissioners presented voted in favor and the minutes from the December 1, 20, and January 10 LBC meetings were approved.

5. Comments from commissioners and LBC staff

Commissioner Hargraves offered brief comments. Commissioner Harrington offered brief comments. Vice Chair Harcharek also offered brief comments. Staff had no comments.

6. Adjourn

Commissioner Hargraves moved to adjourn. Commissioner Harrington seconded the motion and the meeting was adjourned at 3:12 p.m.



LBC Public Meeting Draft Minutes

Monday, January 30, 2017, at 1:30 p.m.

Atwood Building, 550 W. 7th Ave., Room 1620; Anchorage, AK

ADMINISTRATIVE

1. Call to order

Vice Chair Bob Harcharek called the meeting to order at 1:36 p.m.

2. Roll call and determination of quorum

Brent Williams called the roll and four commissioners were present. Commissioner Hargraves was present in person. Vice Chair Bob Harcharek served as chair via teleconference. Commissioners John Harrington and Lavell Wilson were also present via teleconference. Four commissioners represented a quorum. Chair Lynn Chrystal was absent.

3. Introduction of commissioners and staff

Each commissioner identified themselves. Staff present included: Eileen Collins, Brent Williams (DCRA); Mary Lynn Macsalka, (Department of Law)

4. Identify all parties present

In person: Lea Filippi, Southwest Region School District; Brooks Chandler, City of Dillingham

Via Teleconference: Jim Brennan, City of Manokotak; Jim Baldwin, Ekuk, et al.

5. Acknowledge if members of the public are present

Courtenay Carty (Dillingham)

6. Local Boundary Commission (LBC) chair remarks

None

7. Approve or amend the agenda

Commissioner Wilson moved to approve the agenda as presented. Commissioner Harrington seconded the motion. Brent Williams called the roll and the four commissioners present voted in favor of the motion and the agenda was approved.

NEW BUSINESS

1. Public comment concerning matters that are neither on the agenda nor pending before the commission

None

2. Action item: Approve written statement of the January 24, 2017, decision on reconsideration of the Dillingham annexation petition.

Commissioner Hargraves move to approve the written statement of decision on reconsideration dated January 24, 2017, allowing staff to make any necessary technical changes. Commissioner Harrington seconded the motion. Mary Lynn Macsalka clarified that the revised version of the written statement only clarified an error in the Legislative Review section. After discussion, Brent Williams called the roll and four commissioners present voted in favor.

3. Comments from commissioners and LBC staff

None

4. Adjourn

Commissioner Wilson moved to adjourn. Commissioner Harrington seconded the motion. The meeting was adjourned at 1:46 p.m.