



# State of Alaska Local Boundary Commission

550 West Seventh Avenue, Suite 1640, Anchorage, Alaska 99501, 907-269-4559, Fax 907-269-4563

## **DRAFT MINUTES FOR LOCAL BOUNDARY COMMISSION PUBLIC MEETING**

Thursday, February 4, 2016 10:00 a.m.

Atwood Building, 550 West Seventh Avenue, Room 1656, Anchorage, Alaska

### **ADMINISTRATIVE MATTERS**

#### **1. Call to order**

The meeting was called to order at 10:00 a.m.

#### **2. Roll call and determination of quorum**

Brent Williams called the roll and five members were present and represented a quorum.

Chair Lynn Chrystal, and Commissioner Hargraves were present in person. Commissioners John Harrington, Bob Harcharek, and Lavell Wilson were present via teleconference.

#### **3. Acknowledge guests and staff present at originating site and each individual teleconference site**

Present in person: Andy Varner (City Administrator of Sand Point); Marty McGee (State Assessor); via teleconference: Amy Mead (Attorney, City and Borough of Juneau)

#### **4. Approve or amend the agenda**

Commissioner Hargraves moved to approve the agenda as present. Commissioner Harrington seconded the motion. Brent Williams called the roll and the agenda was approved unanimously.

### **NEW BUSINESS**

#### **1. Public comment concerning items not on the agenda**

There was no public comment.

#### **2. Consideration of annual report**

Brent Williams introduced this item and each commissioner voice his opinion.

Commissioners concluded and directed staff to rewrite the letter from the commission in the report to reflect a more general tone without any policy suggestions. This item will be placed on the February 9, 2016 agenda.

**3. Approve minutes from**

- **September 16, 2015 meeting**
- **September 25, 2015 meeting**
- **November 16, 2015 workshop**
- **December 15, 2015 meeting**

Commissioner Harrington moved to approve all minutes at once. Commissioner Wilson seconded the motion. Brent Williams called the roll and five commissioners voted to approve four sets of minutes.

**4. Discuss commissioners' possible trip to Juneau during the legislative session**

Brent Williams introduced this item. Two commissioners will be in Juneau on non-LBC business. This action item was delayed to the February 9, 2016 meeting for a decision.

**5. Discuss potential expediting of the Juneau annexation petition**

Brent Williams introduced this discussion item. Commissioner Harrington indicated he wanted to ensure if Juneau does file, that it be a smooth process. City and Borough of Juneau attorney Amy Mead had no comment at this point before Juneau meets February 22, 2016 where this issue will be on the agenda.

Commissioner Wilson left the meeting.

**6. Suspension of 3 AAC 110.700(d) for a Sand Point annexation petition**

Brent Williams introduced this item and indicated that Sand Point will be holding a pre-submission hearing in March 2016. Commissioner Harrington moved that the commission use its powers under 3 AAC 110.660 to suspend 3 AAC 110.700(d) for the anticipated Sand Point annexation petition. 3 AAC 110.700(d) requires commenters who file electronically to then file the paper original of the comment within 10 days. Strict adherence to 3 AAC 110.700(d) would work injustice and would not serve relevant constitutional principles and the broad public interest.

Commissioner Harcharek second the motion. Brent Williams called the roll and the motion passed with four commissioners voting in favor.

**7. Resolution of appreciation and sympathy for former Assistant Attorney General to the LBC, Erling Johansen**

Commissioner Hargraves made a motion to approve a reworded resolution attached to this document with editorial privileges to staff so that the resolution could be framed by the family if they wished. Commission Harrington seconded Commissioner Hargraves rewritten

motion. After a discussion, Brent Williams called the roll and the motion passed with four votes in favor.

After revision, staff will present the resolution to the Johansen family.

**8. Election of a vice chair for a three-year term starting April 17, 2016**

Commissioner Harrington moved to nominate Commissioner Harcharek for another three-year term as Vice Chair. Commissioner Hargraves seconded the motion. Commissioner Harcharek accepted the nomination. Brent Williams called the roll and three commissioners voted in favor and one, Commissioner Harcharek, abstained.

**9. Comments from commissioners and LBC staff**

There were no comments from commissioners or staff.

**10. Adjourn**

Commissioner Hargraves moved to adjourn. Commissioner Harrington seconded the motion. Brent Williams called the roll and the motion to adjourn at 11:02 a.m. passed unanimously.

## **Local Boundary Commission Resolution 2016 -1**

In Appreciation and Sympathy for Mr. Erling T. Johansen, who passed away December 24, 2015

Whereas, Mr. Erling T. Johansen provided valuable legal service for the Local Boundary

Commission from December 1, 2009, to October 15, 2014; and

Whereas, Mr. Johansen provided wise counsel and expert lawyerly skills to the LBC; and

Whereas, Mr. Johansen brought practical knowledge of municipal law from his years serving as the

Mayor of Cordova and as legal counsel of the North Slope Borough; and

Whereas, Mr. Johansen served ably as the Royal Norwegian Honorary Consul for the State of Alaska

for many years.

Now therefore, be it resolved, that the LBC express appreciation for the enduring positive legacy

that Mr. Johansen has left to the State of Alaska and the Local Boundary Commission.



# LOCAL BOUNDARY COMMISSION

550 WEST 7<sup>TH</sup> AVENUE, SUITE 1640  
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## Draft Minutes for Public Hearing

for Fairbanks detachment petition  
Decisional meeting immediately following

**Tuesday, February 9, 2016 at 10:00 a.m. Atwood Building**

### ADMINISTRATIVE

**1. Call to order**

The meeting was called to order at 10:00 a.m.

**2. Roll call and determination of quorum**

Brent Williams called the roll and five commissioners were present and represented a quorum. Present in person were Commissioners Daroll Hargraves, Bob Harcharek, and Chair Lynn Chrystal. Commissioners Lavell Wilson and John Harrington were present via teleconference.

**3. Introduction of commissioners and staff**

In addition to the commissioners, LBC staff Brent Williams, and Eileen Collins were present. State Assessor and staff supervisor Marty McGee was also present.

**4. Identify the parties present**

In person: Paul Ewers (City Attorney, City of Fairbanks )

Via teleconference: Buzz Otis (property owner for detachment petition, Fairbanks); Cynthia Klepaski (Assistant Borough Attorney, Fairbanks North Star Borough); David Gibbs (Emergency Operations Director, Fairbanks North Star Borough); James Squyres (Delta); Pam Goode (Delta)

**5. Acknowledge if members of the public are present.**

This agenda item was redundant.

**6. Local Boundary Commission (LBC) chair remarks**

Chair Lynn Chrystal had no remarks.

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Lynn Chrystal, Chair

John Harrington, First Judicial District • Robert Harcharek, Second Judicial District  
Darroll Hargraves, Third Judicial District • Lavell Wilson, Fourth Judicial District

## **7. Approve or amend the agenda**

Commissioner Harcharek moved to approve the agenda as presented. Commissioner Harrington seconded the motion. Brent Williams called the roll and five commissioners voted in favor of approval of the agenda.

## **NEW BUSINESS**

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

Two members of the public, James Squyres and Pam Goode, provided public comments at this time.

### **2. Public hearing**

#### **a. LBC staff preliminary report**

Eileen Collins noted that staff as directed by the commission had only written a preliminary report rather than the typical additional final report due to the nature of this petition.

#### **b. Staff summary of comments**

Eileen Collins indicated that only one comment had been received and was an letter of non-objection from the Fairbanks North Star Borough.

#### **c. Fairbanks petitioner's opening statement**

Paul Ewers, the petitioner's alternative representative, gave the opening state for the City of Fairbanks detachment petition.

#### **d. LBC chair remarks**

The chair did not have any remarks.

#### **e. Public comment**

Cynthia Klepaski introduced David Gibbs. Mr. Gibbs stated that the Fairbanks North Star Borough's North Star Fire Service Area was prepared to administratively add the Open Skies Property to its fire service area (FSA) which would allow the property owner to avoid having to petition the FSA to be included.

#### **f. Fairbanks petitioner's closing statement**

The petitioner did not have a closing statement.

#### **g. Points of information or clarification by LBC staff**

None.

#### **h. Close of public hearing by chair**

The chair closed the hearing.

**3. Comments from commissioners and LBC staff**

Commissioner Hargraves provided comments.

**4. Adjourn**

Commissioner Harcharek moved to adjourn the public hearing. Commissioner Hargraves seconded the motion and Brent Williams called the roll. The vote was unanimous and the hearing was adjourned at 10:18 a.m.



## Draft Minutes for Decisional Meeting

for Fairbanks detachment petition

**Tuesday, February 9, 2016 at 10:00 a.m. Atwood Building (followed public hearing)**

### ADMINISTRATIVE

**1. Call to order**

The meeting was called to order at 10:18 a.m.

**2. Roll call and determination of quorum**

Brent Williams called the roll and five commissioners present represented a quorum.

**3. Introduction of commissioners and staff**

Present in person were Commissioners Darroll Hargraves, Bob Harcharek, and Chair Lynn Chrystal. Commissioners Lavell Wilson and John Harrington were present via teleconference.

**4. Identify the parties present**

In addition to the commissioners, LBC staff members Brent Williams and Eileen Collins were present. State Assessor and LBC staff supervisor Marty McGee was also present.

**5. Acknowledge if members of the public are present**

In person: Paul Ewers (City Attorney and Petitioner's Alternate Representative, City of Fairbanks)

Via teleconference: Buzz Otis (property owner for detachment petition, Fairbanks); Cynthia Klepaski (Assistant Borough Attorney, Fairbanks North Star Borough); David Gibbs (Emergency Operations Director, Fairbanks North Star Borough); James Squyres (Delta); Pam Goode (Delta)

**6. Local Boundary Commission (LBC) chair remarks**

Chair Chrystal had no remarks.

**7. Approve or amend the agenda**



Commissioner Harrington moved to approve the agenda as presented Commissioner Harcharek seconded the motion. Brent Williams called the roll and the agenda was approved unanimously.

## **NEW BUSINESS**

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

One member of the public, Pam Goode, provided public comment to the commission.

### **2. Decision regarding Fairbanks detachment petition**

Commissioner Harcharek moved to approve the City of Fairbanks detachment petition.

Commissioner Hargraves seconded the motion.

Chair Chrystal led the decision by going over the standards provided in the commissioner checklist.

After determining the standards had been met, Commissioner Harcharek called the motion to question and the matter was brought to a vote. Brent Williams called the roll and the motion to approve the petition passed unanimously with all five commissioners voting in favor.

### **3. Action Item: Annual Report to the Legislature**

Commissioner Harcharek moved to approve the Annual Report to the Legislature.

Commissioner Harrington called the roll and the motion passed unanimously with five commissioners voting in favor.

Staff will now submit the report to the Legislature after going through the appropriate internal channels.

### **4. Action Item: Commissioner travel or presentation to Legislature**

This agenda item died for a lack of a motion.

### **5. Comments from commissioners and LBC staff**

#### **a. Set next meeting date to approve or amend decision**

A possible meeting date was introduced as March 3, 2016, and staff indicated they would reach out to the commissioners to confirm or change this date.

### **6. Adjourn**

Commissioner Harcharek moved to adjourn. Commissioner Harrington seconded the motion. Brent Williams called the roll and the meeting was adjourned by a unanimous vote at 10:56 a.m.