



# LOCAL BOUNDARY COMMISSION

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## Draft LBC Meeting Minutes Thursday, August 31, 2017, at 1:00 p.m. Atwood Building

### ADMINISTRATIVE

#### 1. Call to order

Chair Lynn Chrystal called the meeting to order at 1:00 p.m.

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

Eileen Raese called the roll. Commissioner Debra Mack was present in person.

Chair Lynn Chrystal, Commissioners John Harrington, Bob Harcharek, and Lavell Wilson were present via teleconference. All five commissioners present represented a quorum.

#### 3. Introduction of staff

Eileen Raese, Marty McGee, Brent Williams, Melissa Taylor (Division of Community and Regional Affairs (DCRA)), and Mary Lynn Macsalka (Department of Law) were all present in person.

#### 4. Acknowledge and identify members of the public present

Present in person: David Kroto (Tyonek Native Corporation (TNC)); Wayne Ogle (Kenai Peninsula Borough (KPB) Assembly, District 3); Heidi Covey, Bill Stevens, Paul Huber, Dave D'Amato, Terry Gifford, Nancy Whiting (Nikiski); Stacy Oliva (Nikiski, petitioner's representative); Holly Wells, Mara Michaletz, Lori Brownlee (Birch, Horton, Bittner, and Cherot, representing Tyonek Group); Kristine Schmidt (Molloy Schmidt, representing Nikiski petitioner's representatives); Shirley Marquardt (Office of the Governor, Boards and Commissions)

Present via teleconference: Holly Montague (KPB); R. Stephan (Tyonek Group, respondent); Jenny A. Stephan, Janelle Baker, Connie Downing (TNC); Richard McGahan (Nikiski); Angela Ramponi (KPB)

#### 5. Local Boundary Commission (LBC) chair remarks

The chair made brief remarks.

**6. Action item: Approve or amend the agenda**

Commissioner Harcharek moved to approve the agenda as presented. Commissioner Harrington seconded the motion. Eileen Raese called the roll and all five commissioners voted in favor of the motion.

**NEW BUSINESS**

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

There was no public comment.

**2. Nikiski incorporation petitioner's request to relax or suspend the procedural regulations under 3 AAC 110.660 to return petition to "pre-technical review" stage**

**a. Petitioner's representatives**

Stacy Oliva spoke as the petitioner's representative. Kristine Schmidt, attorney for the petitioner's representative also spoke, on behalf of Nikiski petitioner's representatives.

**b. Respondents**

**i. Wenda Kennedy**

Wenda Kennedy was not present.

**ii. Louis Oliva**

Louis Oliva was not present.

**iii. Kenai Peninsula Borough**

Holly Montague spoke via teleconference on behalf of the respondent KP.B.

**iv. Tyonek Group**

Holly Wells spoke in person on behalf of the Respondent Tyonek Group.

**c. Others**

Dave D'Amato, Paul Huber spoke in person, and Richard McGahan spoke via teleconference all in support of the Nikiski petitioner's request on the agenda. LBC staff Eileen Raese spoke on the status of the Nikiski petition process, and the current request from petitioners. Mary Lynn Macsalka of the Department of Law spoke briefly regarding the regulations being considered for suspension or relaxation.

**3. Action item: Consider a request from Nikiski city incorporation petitioners to relax or suspend procedural regulations under 3 AAC 110.660.**

Commissioner Harrington began a general discussion on the request from petitioners.

Commissioner Mack asked staff a question regarding technical reviews and departmental reports. Eileen Raese answered her question.

Commissioner Wilson moved to deny the petitioner's request to suspend or relax procedural regulations under 3 AAC 110.660 to return petition to the "pre-technical review" stage.

Commissioner Harcharek seconded the motion. A discussion on the motion following with several commissioner weighing in. After discussion, the chair called for Eileen Raese to call the roll. All five commissioners voted in favor of the motion to deny the petitioner's request.

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

There were no comments from commissioners or staff.

**5. Adjourn**

Commissioner Harrington moved to adjourn. Commission Harcharek seconded the motion. All five commissioners voted in favor of the motion and the meeting was adjourned at 2:13 p.m.