

I. CALL TO ORDER

The special joint meeting of the Matanuska-Susitna Borough Assembly and Planning Commission was held on March 25, 2002, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. J. Bruce Bush, Assembly District No. 1
Mr. Bill Allen, Assembly District No. 2 (*Oath of office to be given April 1, 2003*)
Mr. Talis J. Colberg, Assembly District No. 3
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5

Assembly members absent and excused were:

Mr. Jim Colver, Assembly District No. 6
Ms. Kelly Ladere, Assembly District No. 7

Planning commission members present and establishing a quorum were:

Mr. Chris Rose, District 1
Ms. Helga Larson, District 2 (Chair)
Mr. Lee Sharp, District 3
Mr. David Webster, District 5
Mr. Gary S. Wolf, District 6
Ms. Rose M. Jenne, District 7

Planning commission members absent were:

Ms. Faye Palin, District No. 4

Staff members in attendance were:

Ms. Sandra A. Dillon, CMC, Borough Clerk
Mr. John Duffy, Borough Manager
Ms. Teresa Williams, Borough Attorney
Ms. Michelle M. McGehee, Deputy Clerk

III. APPROVAL OF AGENDA

Mayor Anderson inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was adopted as presented.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Jim Sykes, a member of the audience.

V. AUDIENCE PARTICIPATION

The following spoke regarding the need for commuter rail services between the borough and Anchorage and the availability of federal transportation funds for commuter rail services: Cynthia Wentworth and Jim Sykes.

VI. ITEMS OF BUSINESS

A. Alternate Planning Commissioners or Change in Vote Requirement (Requested by: All Commissioners)

Commissioner Larson stated that this item of business was brought forward for discussion, as the Planning Commission has found it difficult at times to conduct meetings when there are not enough members present at a meeting to establish a quorum to transact business.

Discussion ensued regarding:

- previous discussion on the topic;
- appointing alternates and keeping them informed regarding ongoing issues of the commission;
- providing meeting information to all members, regular and alternate;
- the Planning Commission's quorum requirement being changed in 1999; and
- the number of Planning Commission meetings held since December 2001 to February 2003 and the number of those meetings that lacked a quorum (43 meetings were held, two meetings had four members in attendance, 11 had five members present, 17 had six members present, and 13 had seven members present).

Commissioner Sharp noted that he believes the quorum issue to be especially prevalent when the Planning Commission is hearing variances or conditional use permit requests.

Discussion continued regarding the basic principal of a quorum of the entire membership in parliamentary procedure and the two functions of the Planning Commission; policymaking and quasi-judicial decision-making.

B. Commuter Rail Services Between the Mat-Su Valley and Anchorage (Requested by: Commissioner Rose)

Commissioner Rose:

- spoke regarding federally approved funds that have been made available for commuter rail services;
- noted that Senator Stevens has approved funds to straighten the railroad tracks;
- referenced a report on commuter rail services from Wilbur Smith and Associates;

- opined that there is no better time to lobby for funding;
- commented that there is no commuter rail in the country that operates without subsidies;
- spoke to operating costs associated with a commuter rail service;
- stated that Wilbur Smith and Associates suggests starting off small;
- spoke to infrastructure costs in the neighborhood of \$28 million, and yearly operating costs anywhere from \$2 - \$3.5 million;
- opined that there are creative things that a municipality can do to generate local revenues; and
- remarked that a commuter rail is less hazardous than driving in winter and more economical.

Discussion continued regarding:

- the needed infrastructure for the commuter rail service between the Valley and Anchorage;
- the amount of ridership needed to sustain operations;
- a joint powers authority;
- holding discussions with Congressman Young regarding funding to do an in-depth study;
- the comprehensive study conducted by the railroad through Wilbur Smith and Associates;
- connecting to the existing Anchorage rail infrastructure; and
- placing the issue on the next Regional Transportation Planning Organization meeting agenda for discussion.

C. Clarification in the Board of Adjustment and Appeals Procedures Re: Identifying Items that May or May Not Be Appealed to the BOAA (*Requested by: Commissioner Sharp*)

Commissioner Sharp:

- spoke regarding vacations of public roads and the 30-day code requirement for automatic assembly approval;
- opined that vacations should not go forward to the Board of Adjustment and Appeals (BOAA) for appeal, as the BOAA appeal timeline conflicts with the 30-day automatic assembly approval provision;
- stated that vacations should go directly before the assembly;
- further opined that enforcement order appeals should go directly to Superior Court as a criminal complaint; and
- spoke to difficulties in receiving the cures of violations, the costs associated with filing an appeal to the BOAA vs. filing a criminal complaint in court, and the timeframe associated with the appeals process.

Mayor Anderson commented that the code currently addresses the areas of appeal to the BOAA, which includes matters of planning, platting, variances, and enforcement orders.

Discussion continued regarding the number of variances and enforcement orders that have gone forward to Superior Court from BOAA decisions.

Mr. Recor stated that the standard for review on appeals to the BOAA is for the BOAA to determine if there was an administrative error on behalf of the decision-maker.

Ms. Williams noted that she is working with the clerk to recodify the code and that she may be able to bring further direction on the matter to the assembly at that time.

VII. PLANNING COMMISSION, MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Recor:

- reminded members of the Assembly and Planning Commission regarding the upcoming public outreach program on the update of the core area comprehensive plan; noting a media blitz to reach citizens on the issue;
- encouraged all members to relay the information to their constituents;
- noted the use of both focus groups and advisory groups through the process; and
- stated that meetings will be held on April 2 from 6 – 9 p.m. at Finger Lake Elementary School and again on April 5 at 9 a.m. at Tanaina Elementary School and at noon at Cottonwood Elementary School.

Discussion ensued regarding who the members of the advisory and focus groups would be and how they would be selected.

Ms. Dillon:

- spoke regarding the proposed assembly retreat, noting that the facilitator has an opening on April 12;
- asked the assembly to contact her regarding the date; and
- welcomed Mr. Bill Allen to the assembly.

Mr. Duffy stated that Mr. Recor is currently working with the clerk to schedule a work session regarding the comprehensive plan.

Commissioner Rose thanked the members of the Planning Commission and the Assembly for the meeting.

Commissioner Webster commented on the commuter rail issue, stating that the project looks good and is highly subsidized.

Commissioner Larson also spoke regarding the commuter rail, noting some of the benefits to be clean air and less funds expended on highway maintenance.

Assemblymember Allen commented regarding the commuter rail system, noting that it would improve the safety between the Valley and Anchorage and would play a major role in transportation.

Assemblymember Kvalheim:

- noted her support of the commuter rail system; and
- encouraged the Assembly to consider the Planning Commission's request to change their quorum requirement.

Mayor Anderson:

- thanked everyone for attending the meeting;
- opined that the commuter rail system is a good idea and will have to be well planned;
- commented that public transport does not sustain itself and that the assembly will be faced with finding additional funds at some point;
- spoke to subsidies received by the MASCOT transportation system; and
- encouraged the Planning Commission to look at scheduling their meetings around requested variances in order to get a full quorum of their membership in attendance.

VIII. ADJOURNMENT

The special joint Assembly/Planning Commission meeting adjourned at 7:17 p.m.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, CMC, Borough Clerk

Minutes approved: April 15, 2003