

ASSEMBLY ROAD SERVICE AREA COMMITTEE AGENDA

May 10, 2021

This meeting will be held at or hosted from the
Mona Lisa Drexler Assembly Chambers
Juanita Helms Administration Center
907 Terminal Street, Fairbanks, AK
6:00 p.m.

This meeting will be conducted in-person and by zoom or zoom-only based upon the Borough Risk Matrix FNSB Operational Status and if the Juanita Helms Administration Center is otherwise open to the public. Please visit <https://www.fnsb.gov/415/Stay-Connected-with-the-Assembly> or contact the Borough Clerk's Office (907) 459-1401.

1. CALL TO ORDER

2. ROLL CALL

3. SERVICE AREA COMMISSIONER COMMENTS

Comments are limited to 5 minutes per speaker. Committee members may ask questions of commissioners. Time allotted for commissioner comments will be 30 minutes.

4. NEW BUSINESS

- 4.a. An update on the status of Alaska Senate Bill 105 by the ARSAC Chair.

Documents:

[Alaska SB105 Backup Information.pdf](#)

- 4.b. An update on Service Area Commissioner Terms from the Administration, to include a question and answer period.

Documents:

[Ordinance No. 2020-27 Backup Information.pdf](#)

- 4.c. Discussion and possible action regarding a recommendation to the assembly for a request that if and when state motor fuel tax is ever increased that a portion be designated for Road Service Areas.

5. SERVICE AREA COMMISSIONER COMMENTS - CONTINUATION

Comments are limited to 5 minutes per speaker. Committee members may ask questions of commissioners. Time allotment is at the discretion of the ARSAC Chair.

6. COMMITTEE MEMBER AND ADMINISTRATION COMMENTS

- a. District Council 1 - Stu Davies

- b. District Council 2 - Merle Jantz
- c. District Council 3 - Gary Pedretty
- d. District Council 4 - Vacant
- e. District Council 5 - Clint Meyer
- f. District Council 6 - Rodger Hopp
- g. Public Member, Jack Phipps
- h. Mayor or Chief of Staff
- i. David Bredlie, Public Works Director
- j. Matt Cooper, FNSB Assembly, Vice Chair
- k. Jimi Cash, FNSB Assembly, Chair

7. ADJOURNMENT

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE DELETION OF ITEMS OR EXECUTIVE SESSIONS, IF NEEDED.

SENATE BILL NO. 105

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY SENATOR MYERS

Introduced: 3/10/21

Referred: Transportation, Community and Regional Affairs

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to road service area consolidation."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 29.35.450(c) is amended to read:

4 (c) If voters reside within a service area that provides road, fire protection, or
5 parks and recreation services, abolishment of the service area is subject to approval by
6 the majority of the voters residing in the service area who vote on the question. A
7 service area that provides road, fire protection, or parks and recreation services in
8 which voters reside may not be abolished and replaced by a larger service area unless
9 that proposal is approved, separately, by a majority of the voters who vote on the
10 question residing in the existing service area and by a majority of the voters who vote
11 on the question residing in the area proposed to be included within the new service
12 area but outside of the existing service area. A service area that provides road, fire
13 protection, or parks and recreation services in which voters reside may not be altered
14 or combined with another service area unless that proposal is approved, separately, by
15 a majority of the voters who vote on the question and who reside in each of the service

1 areas or in the area outside of service areas that is affected by the proposal. This
 2 subsection does not apply

3 (1) to a proposed change to a service area that provides fire protection
 4 services

5 (A) that would result in increasing the number of parcels of
 6 land in the service area or successor service area if the increase is not more
 7 than six percent and would add not more than 1,000 residents;

8 (B) in a second class borough that would result in

9 (i) decreasing the number of parcels of land in the
 10 service area or successor service area if the owner of the property to be
 11 removed from the area requests removal and the removal meets criteria
 12 adopted by ordinance; or

13 (ii) increasing or decreasing the number of parcels of
 14 land in the service area or successor service area if the parcel is
 15 transferred to a service area that provides more accessible fire
 16 protection services to the transferred parcel;

17 (2) in a second class borough to abolishment of a road service area or
 18 consolidation of two or more road service areas if

19 (A) taxes have not been levied in the service area for road
 20 maintenance or construction during the last 12 months and there is no balance
 21 in any account available to pay for these road services for the service area;

22 (B) during the last 12 months, the service area board has not
 23 met with a quorum present and in accordance with law; [OR]

24 (C) there are no road maintenance contracts in effect for the
 25 service area or the existing road maintenance contracts fail to provide for
 26 minimum road standards required by law that are necessary to protect the
 27 borough from civil liability; or

28 **(D) the service area boards of two or more service areas**
 29 **request service area consolidation for the purpose of creating a single new**
 30 **service area that includes all of the parcels from the consolidated service**
 31 **areas and no additional parcels;**

1 (3) to require approval by the voters residing in a subdivision or parcel
2 proposed to be added to a road service area if roads maintained by the service area
3 provide the only access to the subdivision or parcel or provide access to the
4 subdivision or parcel that is required by the subdivision plat or by other regulation or
5 ordinance;

6 (4) to a change in the boundaries of a road service area to exclude a
7 subdivision or parcel that does not rely on the use of roads maintained by the service
8 area for the subdivision's or parcel's only access or for access that is required by the
9 subdivision plat or by other regulation or ordinance;

10 (5) to a change in the boundaries of a road service area to include or
11 exclude a parcel that is located in more than one service area so that the parcel is only
12 located in one road service area;

13 (6) to a change in the boundaries of a road service area to include a
14 parcel that is partially located in the road service area if roads maintained by the
15 service area provide the only access to the parcel.

1 By: Marna Sanford
2 Referred to Assembly
3 Road Service Area
4 Committee: 08/13/2020
5 Introduced: 11/12/2020
6 Advanced: 11/12/2020
7 Adopted: 12/10/2020

8
9 FAIRBANKS NORTH STAR BOROUGH

10
11 ORDINANCE NO. 2020 – 27

12
13 AN ORDINANCE AMENDING FNSBC 14.04.110, COMMISSION – TERMS

14
15 WHEREAS, Appointments to Fairbanks North Star Borough (Borough)
16 boards and commissions are generally three-year terms; and

17
18 WHEREAS, Borough Service Area Commissioners are currently appointed
19 for two-year terms; and

20
21 WHEREAS, It is more efficient to have longer terms and eliminates two
22 commissioners reaching the end of their terms in the same year.

23
24 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
25 North Star Borough:

26
27 Section 1. Section 2 of this ordinance is of a general and permanent nature
28 and shall be codified. All other sections of this ordinance are not of a general and
29 permanent nature and shall not be codified.

30
31 Section 2. FNSBC 14.04.110, Commission – Terms, is hereby amended as
32 follows:

33 A. Immediately after qualifying, the commissioners first appointed after formation of
34 a service area shall draw lots at the office of the borough clerk to determine their initial
35 terms of office. ~~[TWO]~~Three classes of commissioners shall be established by said
36 drawing. In computing the membership of said classes the total number of commissioners
37 shall equal the number of commissioners established in accordance with FNSBC
38 14.04.090(A) plus the alternate commissioner.

39 The first class shall consist of commissioners approximately equal in number to
40 one-~~[HALF]~~third of the total number of commissioners, and the members of said class
41 shall serve an initial term of ~~[TWO]~~three years.

42 The second class shall consist of ~~[THE ALTERNATE COMMISSIONER AND THE~~
43 ~~REMAINING]~~ approximately one-third of the total number of commissioners, and the

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

Text to be *deleted* is [BRACKETED, CAPITALIZED]

44 members of said class shall serve an initial term of [ONE]two years. [THEREAFTER, EACH
45 COMMISSIONER AND ALTERNATE COMMISSIONER SHALL SERVE A TERM OF TWO
46 YEARS.]

47 The third class shall consist of the remaining commissioners, and the members of
48 said class shall serve an initial term of one year.

49 B. [ENACTMENT OF THE ORDINANCE CODIFIED IN THIS SECTION SHALL NOT
50 ALTER THE TERM OF OFFICE OF ANY SERVICE AREA COMMISSIONER AS SAID TERM
51 EXISTS ON THE DATE OF ENACTMENT.] As each [SAID] term of a commissioner or
52 alternate commissioner expires, the successor to the commissioner whose term has so
53 expired shall be appointed for a term of [TWO] three years. [WHEN THE FIRST SUCH
54 SUCCESSOR IS APPOINTED IN EACH SERVICE AREA IN EXISTENCE ON THE DATE OF
55 ENACTMENT OF THIS SECTION, THE ASSEMBLY SHALL ALSO APPOINT AN ALTERNATE
56 COMMISSIONER FOR SAID SERVICE AREA WHOSE TERM OF OFFICE SHALL BE TWO
57 YEARS.]

58
59 Section 3. Truncation of Existing Commissioner Terms. For service areas
60 that exist as of the effective date of this ordinance, the terms of all commissioners and
61 alternate commissioners will be truncated to expire on June 30, 2021. Commissioners will
62 then be reappointed and draw lots in accordance with FNSBC 14.04.110, in order for
63 terms to be staggered.

64
65 Section 4. Effective Date. This ordinance is effective at 5:00 p.m. on the
66 first Borough business day following its adoption.

67
68 PASSED AND APPROVED THIS 10TH DAY OF DECEMBER 2020.



69
70 Aaron Lojewski
71 Aaron Lojewski
72 Deputy Presiding Officer

73
74
75
76 ATTEST:

77 April Trickey
78 April Trickey, CMC
79 Borough Clerk

80
81
82
83 Yeses: Sanford, Tomaszewski, Wilson, Cash, Lyke, Williams, Cooper, Lojewski
84 Noes: None
85 Other: O'Neill (Excused)

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