

FAIRBANKS NORTH STAR BOROUGH  
Regular Assembly Meeting  
January 14, 2010  
6:00 p.m.

A Regular meeting of the Fairbanks North Star Borough Assembly was held Thursday, January 14, 2010, in the Assembly Chambers of the Borough Administrative Offices, 809 Pioneer Road, Fairbanks, Alaska.

There were present:

Mike Musick, Presiding Officer and

Guy Sattley	Hank Bartos
Matt Want	Nadine Winters
Joseph Blanchard II	Kelly Brown
Natalie Howard	Tim Beck

Comprising a quorum of the Assembly, and

Luke T. Hopkins, Borough Mayor  
Sallie Stuvek, Acting Chief of Staff  
Rene Broker, Borough Attorney  
Bernardo Hernandez, Director, Community Planning  
Jeff Bouten, Deputy Director, Community Planning  
David Gibbs, Director, Emergency Operations  
Michael Lamb, Chief Financial Officer  
Paul Costello, Director, Land Management  
Scott Johnson, Director, Public Works  
Glenn Miller, Director, Transportation  
Leslie Hajdukovich, School Board Representative  
Mayor Doug Isaacson, North Pole Representative  
Mona Drexler, Borough Clerk  
Nanci Ashford, Deputy Borough Clerk

ABSENT AND EXCUSED

None

## **APPROVAL OF AGENDA AND CONSENT AGENDA**

*Track 1, 1:38*

The following items were removed from the consent agenda:

### **By Assemblymember Beck under “Communications to the Assembly”:**

Memorandum from Mayor Hopkins dated January 14, 2010 regarding the appointments of various Service Area Commissioners.

### **By Assemblymember Beck under “Consideration of Calendar – New Business Resolutions”:**

RESOLUTION NO. 2010-03. A Resolution In Support Of The Governor’s Coordinated Transportation Task Force Recommendations Report.  
(Sponsor: Mayor Hopkins)

The Clerk read the consent agenda.

BECK,  
Seconded by BLANCHARD

moved to approve the agenda and  
consent agenda.

## **PRESENTATIONS**

*Track 1, 7:50*

Mayor Hopkins presented Tina Zimmerman from the Department of Land Management, as “Employee of the Month” for the month of January, 2010.

Presiding Officer Mike Musick, read Resolution No. 2010-02 thanking and honoring Luke Hopkins for his service on the Fairbanks North Star Borough Assembly.

## **APPROVAL OF MINUTES**

*Track 1, 1:38*

a. Regular Assembly Meeting minutes of November 12, 2009.

Without objection the measure was introduced, read and approved by title only.

BECK,  
Seconded by BLANCHARD

moved to approve.

WITHOUT OBJECTION, SO ORDERED.

## **APPROVAL OF MINUTES – continued**

- b. Regular Assembly Meeting minutes of December 10, 2009.

Without objection the measure was introduced, read and approved by title only.

BECK, moved to approve.  
Seconded by BLANCHARD

WITHOUT OBJECTION, SO ORDERED.

- c. Special Assembly Meeting minutes of December 15, 2009.

Without objection the measure was introduced, read and approved by title only.

BECK, moved to approve.  
Seconded by BLANCHARD

WITHOUT OBJECTION, SO ORDERED.

- d. Special Assembly Meeting minutes of December 15, 2009.

Without objection the measure was introduced, read and approved by title only.

BECK, moved to approve.  
Seconded by BLANCHARD

WITHOUT OBJECTION, SO ORDERED.

## **CITIZEN'S COMMENTS**

*Track 1, 15:08*

- a. A citizen may speak on agenda items not scheduled for public hearing. Memorandums, Bid Awards, Unfinished Business (items postponed from previous meetings, reconsideration, or notice of intent to rescind), Resolutions, or Ordinances being advanced to a public hearing on a different date.

Glen Shaw, resident of the Borough, commented on GVEA's policies regarding prepaid meters and billing practices.

Mike Prax, resident of the Borough, commented on Resolution No. 2010-01 regarding the Memorandum of Understanding between Alaska Department of Environmental Conservation and Fairbanks North Star Borough for Air Pollution Control and Specifically PM2.5.

## **CITIZEN'S COMMENTS – continued**

Mike Pollen, resident of the Borough, commented on Resolution No. 2010-01 regarding a Memorandum of Understanding between Alaska Department of Environmental Conservation and Fairbanks North Star Borough for Air Pollution Control and Specifically PM2.5.

Albert Pagh, resident of the Borough, read a prepared statement and commented on Resolution No. 2010-01 regarding a Memorandum of Understanding between Alaska Department of Environmental Conservation and Fairbanks North Star Borough for Air Pollution Control and Specifically PM2.5.

Sheridan Heinrichs, resident of the Borough, spoke against Resolution No. 2010-01 regarding a Memorandum of Understanding between Alaska Department of Environmental Conservation and Fairbanks North Star Borough for Air Pollution Control and Specifically PM2.5.

Chris Miller, resident of the Borough, spoke in support of the referral of Ordinance No. 2010 -09 Establishing a Downtown Supporting Commercial Zoning District, Retail Hot Spot District and Downtown Core Development Standards to the Planning Commission.

Jerry Koerner, resident of the Borough, expressed his concerns about PM2.5 in our community.

David Vandenberg, resident of the Borough, spoke in support of the referral of Ordinance No. 2010 -09 Establishing a Downtown Supporting Commercial Zoning District, Retail Hot Spot District and Downtown Core Development Standards to the Planning Commission.

b. Items other than those appearing on the agenda (this is the section to speak on anything **Not Scheduled** on the agenda).

Frank Turney, resident of the Borough, commented on Legislation that would allow for Industrial HEMP farming.

Mike Prax, resident of the Borough, commented on a document he provided to the Clerk for the Assembly's mailboxes regarding the proposed Title 18 changes Grandfather Rights Ordinance.

## COMMUNICATIONS TO THE ASSEMBLY

- a. Report from the City of Fairbanks Representative.

None

- b. Report from the City of North Pole Representative.

*Track 4, 0:26*

Mayor Isaacson reported on:

- The North Pole Snowflake Drop on December 31, 2009.
- Business license requirements in North Pole.
- Search for a Planning Commission Member in North Pole.
- AML.

- c. Report from the School Board Representative.

None

- d. Memorandum from Mayor Hopkins dated January 14, 2010 regarding the appointment of Kevin D. Adamson to the Board of Equalization.

*Track 1, 1:38*

Without objection the measure was introduced, read and approved by title only.

BECK, moved to concur.  
Seconded by BLANCHARD II

WITHOUT OBJECTION, SO ORDERED.

- e. Memorandum from Mayor Hopkins dated January 14, 2010 regarding the appointments of Fred Schlutt & Howard (Buzz) Otis to the Economic Development Commission.

*Track 1, 1:38*

Without objection the measure was introduced, read and approved by title only.

BECK, moved to concur.  
Seconded by BLANCHARD

WITHOUT OBJECTION, SO ORDERED.

**COMMUNICATIONS – continued**

- f. Memorandum from Mayor Hopkins dated January 14, 2010 regarding the appointments of Helen Clark, Charles Simmons, & Bill Holden to the Library Commission.  
*Track 1, 1:38*

Without objection the measure was introduced, read and approved by title only.

BECK, moved to concur.  
Seconded by BLANCHARD

WITHOUT OBJECTION, SO ORDERED.

- g. Memorandum from Mayor Hopkins dated January 14, 2010 regarding the appointments of various Service Area Commissioners.  
*Track 4, 4:30*

Clerk's Note: This item was removed from the consent agenda at the beginning of the meeting by Assemblymember Beck.

Assemblymember Beck commented on the memorandum.

Discussion ensued.

BECK, moved to concur.  
Seconded by WINTERS

VOTE ON MOTION TO CONCUR.

Ayes: Howard, Winters, Brown, Want, Blanchard,  
Beck, Bartos, Sattley, Musick

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

## **COMMUNICATIONS – continued**

- h. An Appeal for Waiver of Penalty and Interest on Property Taxes for Englander Abe Living Trust – Lot 21, Block 3, Wildview Acres, 2<sup>nd</sup> Addition, submitted by Meryl N. Pierce, c/o Englander Abe Living Trust, dated January 5, 2010.  
*Track 4, 6:06*

Michael Lamb, CFO, gave a staff report.

WINTERS,  
Seconded by BECK

moved to grant Appeal for Waiver of Penalty and Interest on Delinquent Property Tax filed by Meryl N. Pierce, c/o Englander Abe Living Trust.

VOTE ON MOTION TO GRANT THE APPEAL.

Ayes: None

Noes: Howard, Winters, Brown, Want, Blanchard, Beck, Bartos, Sattley, Musick

MOTION CARRIED 0 Ayes, 9 Noes

## **MESSAGES FROM THE BOROUGH MAYOR**

*Track 4, 13:10*

Mayor Hopkins commented on the FNSB's petition efforts regarding Statewide Initiative regarding Property Tax Exemption.

## **REPORTS OF SPECIAL AND STANDING COMMITTEES**

*Track 4, 15:29*

Assemblymember Beck commented on the Assembly Road Service Area Committee.

Assemblymember Brown commented on the Audit Committee.

Assemblymember Blanchard commented on the Emergency Access Mayor's Task Force.

**SPECIAL ORDERS – PUBLIC HEARING**

- a. Liquor License – Transfer – Package Store  
*Track 2, 0:17*

From: Wagon’s North Trading Post – License #68  
Helen M. Kennedy  
3342 Chena Hot Springs Road

To: No DBA  
Market Basket Inc.  
No Premise

Sallie Stuvek, Acting Chief of Staff, gave a staff report.

The presiding officer called for testimony, there being none public hearing was closed.

BLANCHARD, moved to file no protest.  
Seconded by SATTLEY

VOTE ON MOTION TO FILE NO PROTEST.

Ayes: Howard, Winters, Brown, Want, Blanchard,  
Beck, Bartos, Sattley, Musick

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

- b. ORDINANCE NO. 2009-52. An Ordinance Amending FNSB 2.09.010 I  
Concerning Membership Of The Assembly Road Service Area Committee.  
(Sponsor: Assemblymember Winters)  
*Track 2, 1:50*

Assemblymember Winters, sponsor of the ordinance, gave a staff report.

The presiding officer called for public testimony.

Asa Dowdy, resident of the Borough, agreed with Assemblymember Winter’s regarding possible conflicts of interest but spoke against the ordinance.

Dan Swift, resident of the Borough and Assembly Road Service Area Committee (ARSAC) District 6 Representative, stated he supports having a contractor as a member of the ARSAC.

**PUBLIC HEARING - continued**

Ron Therriault, resident of the Borough, stated that he felt the ordinance needed more specific language clarifying what a “contract” is with the Borough.

Mike Prax, resident of the Borough, spoke in support of the ordinance. He stated he felt it was important to have separation between committee members to avoid conflicts of interests.

The presiding officer called for testimony, there being none public hearing was closed.

BROWN, moved to adopt.  
Seconded by SATTLEY

BECK, moved to substitute.  
Seconded by SATTLEY

Discussion ensued.

The presiding officer ruled that an affirmative vote on the substitute would carry the main motion.

**VOTE ON MOTION TO ADOPT ORDINANCE NO. 2009-52 AS SUBSTITUTED.**

Ayes: Howard, Winters, Brown, Want, Blanchard,  
Beck, Bartos, Sattley, Musick

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

- c. ORDINANCE NO. 2009-53. An Ordinance Altering The Boundaries Of The Steese Fire Service Area To Include Tax Lots 3102 And 3213, Sections 31 And 32, T1N, R1E, Fairbanks Meridian. (Sponsor: Mayor Hopkins)  
*Track 2, 15:46*

David Gibbs, Director of the Department of Emergency Operations, gave a staff report.

The presiding officer called for testimony, there being none public hearing was closed.

BECK, moved to adopt.  
Seconded by BLANCHARD

Discussion ensued.

**PUBLIC HEARING - continued**

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2009-53.

Ayes: Howard, Winters, Brown, Want, Blanchard,  
Beck, Bartos, Sattley, Musick

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

- d. ORDINANCE NO. 2009-54. An Ordinance Adopting The North Pole Land Use Plan As An Element Of The Fairbanks North Star Borough Regional Comprehensive Plan. (Sponsor: Mayor Hopkins)

*Track 2, 18:54*

*Track 3, 0:00*

Mayor Hopkins commented on the ordinance.

Bernardo Hernandez, Director of the Department of Community Planning, gave a staff report.

The presiding officer called for public testimony.

Jerry Koerner, resident of the Borough and Trustee for the David Anley Trust, spoke in support of the ordinance.

Paul Brown, resident of the Borough and representative speaking on behalf of the Santa Clause House, stated it was a long process and the product before the Assembly was a well balanced plan.

Dick Holm, resident of the Borough and business and land owner in the City of North Pole testified that the ordinance was a well balanced plan and spoke in support of the ordinance.

Howard (Buzz) Otis, resident of the Borough and Chair of the North Pole Business Advisory Committee commented on the process and spoke support of the ordinance in its present form.

Ron Therriault, resident of the Borough and Advisory Committee Member commented on the process within North Pole.

Mike Prax, resident of the Borough, asked that the Assembly to make sure that future plans of this nature included participation of local businesses in the early planning stages.

**PUBLIC HEARING - continued**

Jeff Jacobson, resident of the Borough and North Pole City Council Member, supported the plan. He further gave a history of how the those involved changed over the decade process.

The presiding officer called for testimony, there being none public hearing was closed.

WINTERS, moved to adopt.  
Seconded by BLANCHARD

Assemblymember Bartos declared a possible conflict of interest. He stated he owned a business and several properties that would be effected by this plan.

After speaking with Rene Broker, Borough Attorney, the presiding officer ruled that he did have a conflict of interest and could not participate in debate or vote on the ordinance.

Discussion of the ordinance ensued.

Assemblymember Want declared a possible conflict of interest. He stated he owned property in North Pole.

After speaking with Rene Broker, Borough Attorney, and after she asked questions of Mr. Want, the presiding officer ruled that he did not have a conflict of interest and could debate and vote on the ordinance.

BECK, moved to amend the plan, page 5,  
Seconded by BLANCHARD "Implementation Strategies" to ready  
"...consider changes to..."

Assemblymember Beck explained his proposed amendment.

Discussion ensued.

VOTE ON MOTION TO AMEND ORDINANCE NO. 2009-54.

Ayes: Howard, Winters, Brown, Want, Blanchard,  
Beck, Sattley, Musick

Noes: None

MOTION CARRIED 8 Ayes, 0 Noes

Discussion continued.

**PUBLIC HEARING - continued**

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2009-54 AS AMENDED.

Ayes: Howard, Winters, Brown, Want, Blanchard,  
Beck, Sattley, Musick

Noes: None

MOTION CARRIED 8 Ayes, 0 Noes

Assemblymember Bartos returned to the dais.

- e. ORDINANCE NO. 2009-20-1Q. An Ordinance Amending The FY 2009-10 Budget By Appropriating \$478,200 In Federal Pass-Through Grant Funding To The Special Revenue And/Or Capital Projects Funds For Emergency Planning And The Purchase Of Communications, Security, And Hazardous Materials Response Equipment. (Sponsor: Mayor Hopkins)  
Track 3, 6:07

David Gibbs, Directory of Emergency Operations Department, gave a staff report.

The presiding officer called for testimony, there being none public hearing was closed.

BECK, moved to adopt.  
Seconded by SATTLEY

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2009-20-1Q.

Ayes: Beck, Blanchard, Bartos, Want, Brown,  
Winters, Howard, Sattley, Musick

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

**PUBLIC HEARING - continued**

- f. ORDINANCE NO. 2009-56. An Ordinance Authorizing The Issuance Of General Obligation Bonds Of Fairbanks North Star Borough (1) In A Principal Amount Not to Exceed \$11,950,000 (In one or more subseries) To Finance Capital Improvements To School Facilities, As Authorized By Ordinance No. 2009-17 And Approved By Borough Voters At An Election Held On October 6, 2009, And (2) In A Principal Amount Not To Exceed \$35,700,000 To Refinance For Savings Certain Of The Borough's Outstanding General Obligation Bonds; (3) Providing For The Date, Form, Terms And Maturities Of The Bonds, Authorizing The Competitive Sale Of The Bonds, And Authorizing The Annual Levy Of Taxes To Pay The Principal Of And Interest On The Bonds. (Sponsor: Mayor Hopkins)  
*Track 3, 9:07*

Michael Lamb, CFO, gave a staff report.

The presiding officer called for public testimony.

Mike Prax, resident of the Borough, commented on the clarity of the ordinance.

The presiding officer called for further testimony, there being none public hearing was closed.

WINTERS, moved to adopt.  
Seconded by BROWN

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2009-56.

Ayes: Howard, Bartos, Beck, Blanchard, Winters,  
Brown, Sattley, Musick

Noes: Want

MOTION CARRIED 8 Ayes, 1 No

The Assembly recessed and reconvened.

## **CONSIDERATION OF CALENDAR – New Business – Resolutions**

- a. RESOLUTION NO. 2010-02. A Resolution Thanking And Honoring Luke Hopkins For Serving Five Years On The Fairbanks North Star Borough Assembly. (Sponsor: FNSB Assembly)  
*Track 1, 1:39*

Without objection the measure was introduced, read and approved by title only.

BECK, moved to adopt.  
Seconded by BLANCHARD II

WITHOUT OBJECTION, SO ORDERED.

- b. RESOLUTION NO. 2010-03. A Resolution In Support Of The Governor's Coordinated Transportation Task Force Recommendations Report.  
(Sponsor: Mayor Hopkins)  
*Track 4, 17:26*

Clerk's Note: Assemblymember Beck removed this resolution from the consent agenda at the beginning of the meeting.

Glenn Miller, Director of the Transportation Department, gave a staff report.

BECK, moved to adopt.  
Seconded by BROWN

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2010-03.

Ayes: Howard, Winters, Brown, Want, Blanchard,  
Beck, Bartos, Sattley, Musick

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

- c. RESOLUTION NO. 2010-01. A Resolution Approving Proposed Memorandum Of Understanding Between Alaska Department Of Environmental Conservation And Fairbanks North Star Borough For Air Pollution Control And Specifically PM2.5. (Sponsor: Mayor Hopkins)  
*Track 4, 25:30*

Mayor Hopkins commented on the resolution.

Alice Edwards from the Department of Environmental Conservation was available to answer questions.

**NEW BUSINESS – RESOLUTIONS – continued**

Glenn Miller, Director of the Department of Transportation, gave a staff report.

WINTERS, moved to adopt.  
Seconded by BLANCHARD

Discussion ensued.

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2010-01.

Ayes: Howard, Winters, Brown, Want, Blanchard,  
Beck, Bartos, Sattley, Musick

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

**ORDINANCES TO BE INTRODUCED AND ADVANCED TO PUBLIC HEARING**

*Track 1, 1:38*

- a. ORDINANCE NO. 2010-01. An Ordinance Rezoning TL 2611, Township 1 North, Range 2 West From Rural Estate-4 To Rural Agricultural-5 Or Other Appropriate Zone. (RZ2010-002) (Located north of Yankovich Road and west of Lawlor Road) (Sponsor: Mayor Hopkins)

Without objection the measure was introduced, read, and advanced to public hearing by title only.

BECK, moved to advance to January 28, 2010  
Seconded by BLANCHARD for public hearing; refer to the Committee of the Whole, January 21, 2010.

WITHOUT OBJECTION, SO ORDERED.

**ORDINANCES TO BE ADVANCED – continued**

- b. ORDINANCE NO. 2010-02. An Ordinance Amending Chapter 2.48 Regarding The Air Pollution Control Commission To Change Section 2.48.020 Members Designation And Section 2.48.120 Powers And Duties To Better Reflect The New Air Quality Issues The Borough Faces Regarding Mitigation Of Fine Particulate Pollution. (Sponsor: Mayor Hopkins)

Without objection the measure was introduced, read, and advanced to public hearing by title only.

BECK, moved to advance to January 28, 2010  
Seconded by BLANCHARD for public hearing; refer to the Committee of the Whole, January 21, 2010.

WITHOUT OBJECTION, SO ORDERED.

- c. ORDINANCE NO. 2010-03. An Ordinance Amending The FY 2009-10 Budget By Transferring One Full-Time Equivalent Employee Position (FTE) From The Department Of Transportation To The Department Of Public Works. (Sponsor: Mayor Hopkins)

Without objection the measure was introduced, read, and advanced to public hearing by title only.

BECK, moved to advance to January 28, 2010  
Seconded by BLANCHARD for public hearing; refer to the Finance Committee, January 21, 2010.

WITHOUT OBJECTION, SO ORDERED.

- d. ORDINANCE NO. 2009-20-1S. An Ordinance Amending The FY 2009-10 Budget By Appropriating \$190,858 From The Wildview Road Service Area Fund Balance To The Capital Projects Fund For The Wildview Road Service Area Road Upgrade Project. (Sponsor: Mayor Hopkins)

Without objection the measure was introduced, read, and advanced to public hearing by title only.

BECK, moved to advance to January 28, 2010  
Seconded by BLANCHARD for public hearing; refer to the Finance Committee, January 21, 2010.

WITHOUT OBJECTION, SO ORDERED.

**ORDINANCES TO BE ADVANCED – continued**

- e. ORDINANCE NO. 2010-04. An Ordinance Providing For An Election For Tax Cap Revision To The Ester Lump Road Service Area. (Sponsor: Mayor Hopkins)

Without objection the measure was introduced, read, and advanced to public hearing by title only.

BECK,  
Seconded by BLANCHARD

moved to advance to February 11, 2010  
for public hearing; refer to the Committee of the  
Whole, February 4, 2010.

WITHOUT OBJECTION, SO ORDERED.

- f. ORDINANCE NO. 2010-05. An Ordinance Providing For An Election For Tax Cap Revision To The Fairhill Road Service Area. (Sponsor: Mayor Hopkins)

Without objection the measure was introduced, read, and advanced to public hearing by title only.

BECK,  
Seconded by BLANCHARD

moved to advance to February 11, 2010  
for public hearing; refer to the Committee of the  
Whole, February 4, 2010.

WITHOUT OBJECTION, SO ORDERED.

- g. ORDINANCE NO. 2010-06. An Ordinance Providing For An Election For Tax Cap Revision To The Horseshoe Downs Road Service Area.  
(Sponsor: Mayor Hopkins)

Without objection the measure was introduced, read, and advanced to public hearing by title only.

BECK,  
Seconded by BLANCHARD

moved to advance to February 11, 2010  
for public hearing; refer to the Committee of the  
Whole, February 4, 2010.

WITHOUT OBJECTION, SO ORDERED.

**ORDINANCES TO BE ADVANCED – continued**

- h. ORDINANCE NO. 2010-07. An Ordinance Providing For An Election For Tax Cap Revision To The Mckinley View Road Service Area.  
(Sponsor: Mayor Hopkins)

Without objection the measure was introduced, read, and advanced to public hearing by title only.

BECK,  
Seconded by BLANCHARD

moved to advance to February 11, 2010  
for public hearing; refer to the Committee of the  
Whole, February 4, 2010.

WITHOUT OBJECTION, SO ORDERED.

- i. ORDINANCE NO. 2010-08. An Ordinance Providing For An Election For Tax Cap Revision To The Thomas Road Service Area.  
(Sponsor: Mayor Hopkins)

Without objection the measure was introduced, read, and advanced to public hearing by title only.

BECK,  
Seconded by BLANCHARD

moved to advance to February 11, 2010  
for public hearing; refer to the Committee of the  
Whole, February 4, 2010.

WITHOUT OBJECTION, SO ORDERED.

**ORDINANCES TO BE REFERRED TO COMMITTEES OR COMMISSIONS**

- a. ORDINANCE NO. 2010-09. An Ordinance Amending Title 18 Of The Fairbanks North Star Borough Code Of Ordinances By Establishing A Downtown Supporting Commercial Zoning District, Retail Hot Spot District, Downtown Core Development Standards And Adding Definitions. (Sponsor: Mayor Hopkins)

Without objection the measure was introduced, read, and approved to by title only.

BECK,  
Seconded by BLANCHARD

moved to refer to the Planning Commission  
& City of Fairbanks for recommendations due  
by March 2, 2010.

WITHOUT OBJECTION, SO ORDERED.

**ASSEMBLYMEMBER'S COMMENTS**

*Track 4, 35:51*

Assemblymembers commented on a variety of issues.

Assembly Schedule for Week of January 18, 2010

Monday      January 18, 2010      Borough Closed in Observance of Martin Luther King, Jr. Day

Thursday    January 21, 2010      Finance & COW Worksession      5:30 p.m.

WINTERS,  
Seconded by BLANCHARD

Move to hold and executive session to discuss with the attorney's office matters within the attorney client privilege concerning the local boundary commission decision regarding the Fred Meyer annexation this would include a candid discussion of the facts, the attorney's assessment of appeal rights and/or settlement options and for the Assembly to give direction to the Borough attorney regarding the handling of the matter including any settlement authority. Included it this with be the University Fire Service Area Commissioners, David Gibbs and the Borough Attorney's Office.

**ADJOURNMENT**

There being no further business to come before the Fairbanks North Star Borough Assembly, the meeting was adjourned at 11:15 p.m.

\_\_\_\_\_  
Mike Musick  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Mona Lisa Drexler, MMC  
Borough Municipal Clerk

APPROVED: February 11, 2010