

THE TAX CAP ELECTION PROCESS

All service area commission chairpersons should have received their tax cap election request letters, and the enclosed form, by now. The letter states that an average cost to maintain a road in good condition throughout its life is \$5,000 a mile, per year. An estimate of what your service area should be budgeting for your roads based on this estimate has been included in your letter. It is important to remember that this recommendation will also allow your service area to build a reserve for future road improvements. It is prudent to plan for the day when state coffers may not funnel money to the Borough for roads. Your service area roads are the responsibility of the service area to keep in good condition. An increase in your tax cap will not only insure funds are available for current maintenance, but for future capital projects as they are needed.

So your commission has received its tax cap election request letter. What now? You must properly publicize and conduct an open service area meeting to discuss among residents whether to raise your tax cap or leave it as is. Commissioners

will need to formally vote on whether or not to participate in the Spring election to increase the tax cap based on this discussion. It is not within a service area commissioner's scope of responsibility as a fiduciary of public tax dollars to simply assume the service area does not need a tax cap increase. All residents should be provided the opportunity to give input in this decision-making process if they choose to. Even discussion to leave the tax cap at its existing amount requires the commission to vote to leave it as is. After discussion at an open meeting, and voting by the commission, request forms from service areas wanting to participate in the Spring elections to increase their tax caps should be returned to our office. The deadline for this is November 25, 2009.

Just discussing, and the commission voting, in favor of increasing the tax cap doesn't make it happen. The events of this meeting are just the beginning of the process leading to the Spring tax cap election. In the interim, property owners will be notified that a public hearing and an election have been requested, and given instructions for obtaining a mail-in ballot. If property owners receive this mail-in ballot request, but do not return it as instructed, no ballot will be sent to them, and they will need to vote in person at the Borough Administration Center to participate in the election. As tax cap elections can be decided by very few votes, it is important to spread the word about the importance of returning this ballot request so everyone who can participate is able to. On Thursday, February 11, 2010, a public hearing will be held pertaining to the pending tax cap elections by the Borough Assembly. Tax cap elections will conclude on the 4th Tuesday of March, 2010, with results determined by a simple majority of those registered voters participating in the election.

If the election results authorize a tax cap increase, that authorization will be submitted to the Borough Assembly for approval. If approved by the Assembly, the new tax revenue will be included in the service area's budget beginning July, 1, 2010. Property owners will be notified of the election results as soon as the results are certified.

RURAL SERVICES OFFICE WILL BE CLOSED

November 26th and 27th
December 24th and 25th
January 1st, 2010

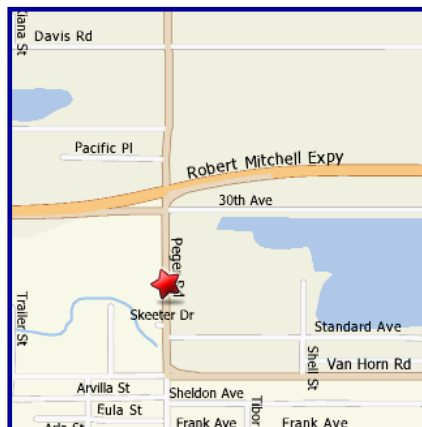
Changes?

Please contact our office if you have any changes in contact information.

Going on Vacation?

- Notify other members of your commission. Designate a call-out person.
- Notify the contractor which commissioner will be acting on your behalf.
- Notify Rural Services at 459-1223.

Rural Services Office Location



EARLY NOTICE

Your 1st quarter 2010 open meeting should be planned for between February 8th and February 26th, 2010 to accommodate discussion, and voting, on your FY 2010-2011 service area budget



Fairbanks North Star Borough
RURAL SERVICES
A Division of the Public Works Department

3175 Peger Road PO Box 71267 Fairbanks, Alaska 99707-1267 (907)459-1222 Fax 459-1499 www.co.fairbanks.ak.us/Rural_Services

THE ROAD REVIEW

FALL ISSUE
November 2009

Highlights

First Annual Road Service Commissioners Meeting

Action Items for Rural Services

Winter Purchase Order Planning

Road Encroachments

Commissioner Training Notice

Tax Cap Election Process

Office Closures

Notice of 1st Qtr Meetings



FIRST ROAD SERVICE



AREA COMMISSIONERS



ANNUAL MEETING



Photos:

First row, left to right— Mayoral candidates and commissioners make good use of break time to meet and mingle.

Second row, left to right— The panel hearing public testimony.

Bottom left— A great turn out.

Full story appears on page 2.

Rural Services Staff

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April Barnes—459-1223
purchase orders, payments, commission appointments, advertising of meetings, mailing labels
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Carrie Santoro—459-1222
budgets, tax cap changes, training, administrative questions or problems,
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ROAD SERVICE AREA COMMISSIONERS ANNUAL MEETING

The first Annual Service Area Commissioner Meeting was October 10, 2009. The meeting was held by Mayor Jim Whitaker, Assembly Presiding Officer Nadine Winters, and Assembly Road Service Area Committee Chair Tim Beck.

The meeting was attended by 60 Commissioners from 42 service areas, 8 of the 9 Assembly members, and a number of Borough staff. The agenda included:

1. Opening remarks
2. Comment period for issues that were not scheduled on the agenda for discussion.
3. Overview - Duties and Responsibilities:
4. Project funding update
5. Definition review for Maintenance, Construction and Capital
6. Review of Legal Requirements
7. EMS/RSA Task Force Update
8. Proposed Ordinance Changes:
9. Commissioner Comments/Assembly member comments.

Item 6, Review of Legal Requirements, by Borough Attorney René Broker, was of particular interest and raised issues regarding personal liability when performing acts that are outside the course and scope of your legal duties as a commissioner.

If you missed the meeting and would like to review the presentation, a PDF file of the PowerPoint slides is available on the Rural Services website at <http://co.fairbanks.ak.us/RuralServices/>. Click on the box in the upper left labeled "Annual Service Area Meeting" to download the file.

The meeting was recorded and the audio files that include the presentation and also questions and comments by commissioners and responses from staff are available at <http://co.fairbanks.ak.us/Meetings/Assembly/>. In the right column, under "Other Committee & Work Session Meetings", click on "October 10 Annual Road Service Area Commissioners meeting". You can then download the three tracks of the recording.



Borough Attorney, Rene Broker, and Rural Services Engineer/Manager, Bill Gryder, address a commissioner's concern.



Panel consisted of, from left to right, Rene Broker, Bill Gryder, Randy Johnson, Scott Johnson, Mayor Jim Whitaker, Tim Beck and Nadine Winters.

WINTER PURCHASE ORDER PLANNING

Winter has officially arrived, and now is a good time to make sure your service area is ready. All your maintenance purchase orders (PO's) should be in place to prevent delay in any maintenance your service area may need.

FNSB Title 16.30.050 states that "emergency procurements of supplies, services or construction items [can be made] when there exists a threat to public health, welfare or safety." Webster's dictionary meaning of an emergency is "an unforeseen combination of circumstances or the resulting state that calls for immediate action".

PO's take from 10-14 days to process. This means service areas need to have PO's in place prior to needing maintenance. A foot of snow on your roads due to a heavy overnight snowfall, or a frozen culvert causing flooding of a road, will not be considered an emergency when your commission has had since July 1, 2009 to have the PO prepared, and simply didn't do so in a timely manner. In the past Rural Services has responded to situations that service areas considered emergencies by setting up Advance PO's. If commissions exercised forethought regarding maintenance needed year after year, this frantic last minute flurry of activity could be avoided. This is Fairbanks, Alaska, and we all know what winter weather and resulting spring breakup can produce. That a service area may need maintenance is neither unforeseen nor an emergency. This winter, advance PO's for non-emergency procurement oversights will not be permitted. If your service area still needs to set up its PO's, please call April Barnes at 459-1223 as soon as possible so they can be in place before you need to order any work.

ROAD ENCROACHMENTS

Looking ahead to the winter months before us, it might be handy to review your commission's actions regarding road encroachments.

Snow magnifies certain road maintenance problems, such as cars parked on the roadside and residents pushing their driveway snow onto the public roadway. Borough Code prohibits encroachments on public roads. Borough Code 12.01 defines an encroachment as impairing "the proper public use of a public road or public area", and states that "no person shall cause, create, maintain or expand an encroachment".

If your commission needs to notify a resident in your service area about an encroachment violation, commissioners can find the appropriate form, called the Encroachment Form, in the Forms section of our Rural Services website at <http://co.fairbanks.ak.us/RuralServices/Forms/>. Please use this form to speak to the resident and let them know the issue involved.

Abandoned cars parked on the roadway can be towed to the landfill seven days after notification, during winter, if they have not been removed in the meantime. Notification and photo documentation is required for this process to proceed. It is recommended that you contact Kevin Hawman at 459-1217 to move forward with proper posting and ultimate removal of the vehicle(s).

The solution to snow being plowed onto the roadway is a more time consuming process. The encroachment must be posted and a certified letter sent to the property owner involved to cease such activity. This is where that initial contact by the commissioner with the resident can often stop the problem prior to moving forward with the legal process.

If your commission needs any help resolving a road encroachment problem, call Rural Services for assistance.

**MARK
YOUR CALENDARS !**

**SERVICE AREA
COMMISSIONER TRAINING
ON
BUDGET PREPARATION
AND SUBMITTAL**

***All service area
commissioners are
encouraged to attend!***

**Monday, January 25, 2010
6:00 PM –7:30 PM
Borough Administration Center,
FNSB Assembly Chambers
809 Pioneer Road**

*Refreshments, coffee and tea
will be provided
A time for answers, information
and open dialogue*

**HAPPY
HOLIDAYS**



**FROM ALL OF US AT
RURAL SERVICES**

NOTICE REGARDING ACTION ITEMS FOR RURAL SERVICES

Please note that it is not sufficient to note action items for Rural Services staff in your minutes. If you decide at a commission meeting that you need a specific action, or information, from us, please contact us directly with your request.