

# Kenai Peninsula Borough Road Service Area Board Meeting Minutes

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May 10, 2022 – 7:00 PM Borough Assembly Chambers

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**A. CALL TO ORDER:**

A regular meeting of the Kenai Peninsula Borough Road Service Area Board was held on May 10, 2022, in the Kenai Peninsula Borough Assembly Chambers and via Zoom Conference Call. Hartline called the meeting to order at 7:00 pm.

**B. ROLL CALL & ESTABLISHMENT OF QUORUM:**

**Board Members in attendance:**

Robert Wall – Central Region  
Cam Shafer – South Region  
Larry Smith – At Large  
Mike Tauriainen – At Large  
Michele Hartline – North Region  
Ed Holsten – East Region

**Absent Board Members:**

West Region Board Seat - Vacant

**Quorum met.**

**Also in attendance were:**

Dil Uhlin, RSA Director  
Elaine Agosti, RSA Administrative Assistant  
Brent Johnson – Assembly Representative  
Cody McLane – McLane Engineering - (Zoom)  
Ben Soiseth – Presenter from the Army Corps of Engineers

**Public members in attendance:**

**C. PLEDGE OF ALLEGIANCE**

Hartline led the Board in the Pledge of Allegiance.

**D. APPROVAL OF AGENDA:**

Shafer moved to approve May 10, 2022, Agenda. Smith seconded. Motion to Approve Agenda: **Approved by unanimous consent.**

**E. APPROVAL OF MINUTES:**

Shafer moved to approve the April 12, 2022, RSA Board Minutes. Wall seconded. **Approved by unanimous consent.**

**F. CORRESPONDENCE: (7:51)**

**F.1 Adkins Road RIAD & Whale Of A Tail USAD, Presented by Director Uhlin.**

Holsten motioned to discuss Adkins Road RIAD & Whale of a Tail USAD. Shafer seconded.

Discussion: Wall requested a vote from the RSA board members regarding abstaining from voting as he lives near and travels Adkins road daily. Borough Attorney Sherwood stated that because he travels on the road makes it an indirect benefit which is not considered to be a conflict of interest. The board unanimously voted to allow Wall to vote on the RIAD.

Uhlin gave an overview of the Adkins Road RIAD found on pages 7-21 in the packet.

Uhlin stated the assessing department put together the RIAD application. Typically, RIADs are not run through the RSA board, but by the assessing department. However, the assessing department is asking for the RSA to approve the engineering estimate. Page 10 shows the diagram of Adkins and Whale Of A Tale assessing district. Uhlin highlighted the following RIAD information:

- KPB Code provides for road improvement assessment districts to improve local and rural roadways for utility special assessment districts, which are the USAD for extending utility companies existing mainline.
- KPB does not prohibit sponsors from applying for both the RIAD and USAD. As with all special assessment projects, once the project's construction cost estimates have been attained, the total cost can be estimated and presented to the sponsor. The RSA is only reviewing the RIAD.
- Sponsor can then make an informed decision to move forward with the proposed project or elect to withdraw the application.
- The RIAD sponsor, Mr. Reutov, submitted the application on April 5, 2021.
- The recommendation from the assessing department is Atkins road RIAD appears to be viable based on the substantial support for the project, and code requires requirements have been satisfied in regards to the unimproved parcel ratio and ownership district percentages. The assessed values of the parcels appear to be sufficient to support the maximum assessed lien the equivalent of 25% of the parcel's value for the paving project, but cannot be confirmed until the preliminary cost estimate is obtained. As of this date, three parcels are delinquent in real estate taxes representing 4.29%, meeting KPB 14.3.1.080 requirements. Therefore it's recommended that the RSA board approve the engineer's estimate for this project, your consideration is greatly appreciated.

Motion to approve the engineer's estimate for Adkins Road RIAD:

Yes: Hartline, Shafer, Smith, Holsten, Wall, , Tauriainen

No: None

Absent: None

**Motion Passed:** 6 Yes, 0 No, 0 Absent

**F.2** Ben Soiseth, Section Chief, with the Army Corps of Engineers Kenai field office presented to the RSA board KPB road development, specifically when a third party works in the right-of-way. (33:25 through 59:15)

The Corps of Engineers has the authority under Section 404 of the Clean Water Act to issue permits for the discharge of dredged or fill materials, and this does include wetlands, rivers, and lakes. Tonight will be discussing roads crossing wetlands.

Soiseth's presentation covered the following topics:

- a. Corps evaluation of the project proposal; for its purpose and design.
- b. Process on how to permit and transfer permits.
- c. Ownership/liability of the permits after construction.

## **DIRECTORS REPORT**

### **1. RSA Equipment: Condition, Service, and Usage:**

Director Uhlin reported the current equipment is being maintained through the maintenance department. There is still no update on the two new vehicles that were ordered in 2020 due to the chip shortage.

### **2. P.O. Encumbrance Report:**

Director Uhlin gave an overview of the P.O. Encumbrance report, which was provided in the board packet as a laydown.

### **3. Permit Status Report:** (1:01:25)

Uhlin gave an update of the Permit Status Report on page 22. Currently, there are thirteen (13) Driveway Permits, three (3) Citizen Maintenance Permits, and two (2) Sign Requests.

### **4. Right-of-Way Regulation and Construction:** None

### **5. Road Capital Improvement Projects Update:**

Purchasing and Contracting Director Hedges gave an update on the Capital Improvement Projects listed on pages 24-25, noting there are no new Capital Improvement Project updates to report. No comments from the board were noted.

**6. Board Request Responses from April 12, 2022:** (1:02:51)

**a. Nikiski Fire Department, ability to respond to the NRE:**

Uhlin spoke to the Nikiski Fire Chief, who stated he feels confident about responding to emergencies anywhere on the extension to the end of Construction where the turnaround is. Beyond that point, they do have ATVs that can be used for responding to emergencies.

**b. Field Report: North Road Extension:** Inspector Brian Conrad provided a field report for the North Road Extension on pages 27-37.

The following road issues and damages are as follows:

- 54 Culvert markers are damaged
- Two culverts are damaged with small tears
- Sections of the road have material scraped off and material is in ditches.
- Leif Creek Bridge: the two rails have been reattached, but there are a couple of sections on the deck that have been damaged
- Two signs on Leif Creek Bridge are damaged.
- Crimson Clover street sign is missing.

**c. Field Report: East End Road – Geogrid Exposure:** Inspector Tammaron Baxter provided a field report For East End Road on pages 38-39. The following road issues and damages are as follows:

- The current condition of East End Road where it transitions from the State DOT pavement maintenance to the KPB gravel maintenance.
- Fabric is visible throughout the first 300 feet, with a width of 28 feet.
- The thin layer of gravel causes potholes and washboard to quickly reappear after grading.
- New material is needed to prolong the health and safety of the road.

**G. PUBLIC COMMENTS AND PRESENTATION:** None

**PUBLIC HEARINGS:**

**H.1 Memo and Resignation Letter from Robert Ruffner as RSA board member.**

Robert Ruffner's letter of resignation is found on page 41.

No discussion was needed. Hartline called for the board vote:

Yes: Hartline, Shafer, Smith, Holsten, Wall, Tauriainen,

No: None

Absent: None

**Motion Passed:** 6 Yes, 0 No, 0 Absent

**H.2 Road Service Area Board Vice-Chair Nomination:**

Wall made a motion to nominate Cam Shafer, South Region board member as Vice-Chair. With no objections, the motion to approve Shafer as Vice-Chair, **Approved by unanimous consent.**

**H.3 Laydown: Resolution 2022-XXX Affirming Support for Garrison Ridge Road and Bridge upgrades: (1:10:23)**

Discussion: Assembly representative Johnson presented the Laydown Resolution for Garrison Ridge Road and Bridge upgrades. Johnson stated he has been working with Ninilchik residents who have a bridge in their subdivision that is deteriorated. The bridge was put in years ago, it has eroded a little on one end, which has caused the bridge to twist. In addition, the road that leads to the bridge on both sides is Garrison Ridge Road. Garrison is too steep for borough code and is currently about 16% slope on one side and approximately 18% on the other side. Residents have been working with Representative Sarah Vance. Recently, she is interested in securing some federal infrastructure dollars to help fix that bridge. And she asked those folks to secure a resolution from the borough saying that if the bridge was constructed up to borough standards, and the roads were built to borough standards, then they would apply for the road maintenance program in this subdivision.

The gentleman who has been spearheading this project is Arnie Mason. He was an engineer in New York and wants to put the road in Alice Avenue, which is on the Section Line easement. Johnson added he is in favor of putting roads in Section line easements when that is the best. However, the resolution isn't asking that. It's stating if the road is brought up to borough code, and the bridge is brought up to ROW Standards, then the borough will take over maintenance. That's the request for the resolution. Thanks.

Director Uhlin added Yes, he has spoken with Mr. Mason for three years now, regarding this project. Uhlin added he was in support of this resolution and if they were to realign this bridge into the Alice Avenue section line easement and build it to either an engineered and ultimate pre-approved alternate engineer design, or current borough standards we would accept the road and bring it in the road maintenance program. Uhlin concluded he was in support of the resolution and should move forward with it.

Yes: Hartline, Shafer, Smith, Holsten, Wall, Tauriainen

No: None

Absent: None

**Motion Passed:** 6 Yes, 0 No, 0 Absent

I. **OTHER ITEMS:** None

**J. BOARD & STAFF COMMENTS:**

- Uhlin: Thanked Agosti for working to get the packets done and for always showing up to the meetings on time. Uhlin also thanked the board members for all the work and appreciates their input and opinions.
- Wall: Also thanked Agosti and Director Uhlin for the work and leadership, as well as the input of the board members.
- Holsten thanked Chair Hartline for her leadership and for running a good meeting.
- Shafer: Thanked Director Uhlin for thoroughly addressing the board requests, and thank you for the vote of confidence electing him as RSA Vice-Chair.
- **Hartline:** Echoed the accolades for the RSA staff as well and appreciates their efficiency and professionalism. Hartline added she wants to also thank her fellow board members, who challenge everybody to make sure that everything is being done for the right reasons, regarding borough roads. Thanks to all for being on this board.

**K. NEXT MEETING SET FOR:** June 14, 2022, in Assembly Chambers and Zoom

**L. ADJOURNMENT:**

With no further business, Hartline motioned to adjourn the meeting at 8:23 pm.

ATTEST:

*Michele Hartline*

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Michele Hartline, Chairman