

# KENAI PENINSULA BOROUGH

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Johni Blankenship, MMC  
Borough Clerk

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## MEMORANDUM

**TO:** Kelly Cooper, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Johni Blankenship, Borough Clerk 

**FROM:** Michele Turner, Deputy Borough Clerk 

**DATE:** September 5, 2017

**RE:** Ordinance 2017-24: Recommending Decertification of Approximately 1,060 Feet of Betty Lou Drive, West of Fields Road (Mayor)

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The Road Service Area Board addressed the referenced ordinance at its last meeting. Please amend the final Whereas to read:

“**WHEREAS**, at its meeting of August 8, 2017 the Road Service Area board recommended approval by adoption of RSA Resolution 2017-06;”

Thank you.

**KENAI PENINSULA BOROUGH ROAD SERVICE AREA  
RESOLUTION 2017-06**

**A RESOLUTION RECOMMENDING DECERTIFICATION OF APPROXIMATELY  
1,060 FEET OF BETTY LOU DRIVE, WEST OF FIELDS ROAD**

- WHEREAS,** Betty Lou Drive, located between S½, NW¼, Section 22, all within T5N, R9W, Seward Meridian, is on the Kenai Peninsula Borough Road Service Area (RSA) maintenance system; and
- WHEREAS,** the most westerly 1,060 feet of Betty Lou Drive is located in platted right-of-way; and
- WHEREAS,** the most westerly 1,060 feet of Betty Lou Drive is not constructed to borough standards and is primary access to nineteen bordering parcels which are owned by the various property owners; and
- WHEREAS,** on May 31, 2017, a petition signed by all property owners that use Betty Lou Drive for primary residential access, west of Fields Road was received at the RSA office to decertify for maintenance the most westerly 1,060 feet of Betty Lou Drive; and
- WHEREAS,** no properties other than those that signed the petition utilize the subject road for access; and
- WHEREAS,** KPB 14.06.240 provides for the decertification of roads certified for borough maintenance upon meeting standards within that section and recommendation by the RSA board to the assembly; and
- WHEREAS,** the most westerly 1,060 feet of Betty Lou Drive was posted with the decertification notice required by KPB 14.06.240(B)(2); and
- WHEREAS,** the notice of public hearing on the decertification was advertised on July 5, 12, 19, 26, 2017 in the Peninsula Clarion; and
- WHEREAS,** a public hearing was held on August 8, 2017 at the RSA Board meeting held in Soldotna, Alaska; and
- WHEREAS,** no written objection to the decertification was received as per KPB 14.06.240 (B) (3);

**NOW, THEREFORE, BE IT RESOLVED BY THE KENAI PENINSULA BOROUGH ROAD SERVICE AREA BOARD:**

**SECTION 1.** That the RSA Director has made a written recommendation to the RSA Board to decertify the most westerly maintained 1,060 feet of Betty Lou Drive.

**SECTION 2.** That the most westerly maintained 1,060 feet of Betty Lou Drive meets the following decertification standards of KPB 14.06.240(C) and (D) with one noted exception:

1. Dwellings standards. *No road shall be decertified which provides the only vehicular access to dwellings.* The most westerly 1,060 feet of Betty Lou Drive provides the only vehicular access to nine residential parcels which through signed petition of 100% of the property owners requests the road be decertified. If this standard is not met, the RSA requests the assembly approve the decertification by ordinance waiving the standard set by KPB 14.06.240(C).
2. Safety. The road presents safety concerns because it's narrow and has obstruction adjacent to the driving surface.
3. Road condition. The road is not constructed to borough standards.
4. Drainage problems. Ditching is not adequate which causes drainage issues.
5. Access. The road is within platted right-of-way, but does not provide access to other maintained roads.
6. Snow storage. Snow storage is inadequate.
7. Funding. Cost will be saved by this decertification through decreased maintenance expenditures and reduced CIP expenditures.
8. Prior maintenance. The 1,060 foot portion of the road being decertified has been on road maintenance for at least 10 years. It is unknown when this section of road was accepted for maintenance

**SECTION 3.** The most westerly maintained 1,060 feet of Betty Lou Drive meets the requirements pursuant to KPB 14.06.240, with one noted exception, and the RSA Board recommends decertification to the KPB Assembly.

**ADOPTED BY THE KENAI PENINSULA BOROUGH ROAD SERVICE AREA BOARD ON THIS 8<sup>TH</sup> DAY OF AUGUST 2017.**



San McLane, RSA Chairman

ATTEST:



Pat Malone, RSA Director