



# CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559  
907-543-2087  
FAX # 543-4171

**PLANNING COMMISSION MINUTES**

**PAGE 1**

**DATE: June 8, 1995**

## City of Bethel Planning Commission

### Regular Meeting of

#### I. CALL TO ORDER

The meeting was convened at 7:30 PM, at the City Finance Conference Room, Bethel, Alaska, by Chairman Guinn.

#### II. ROLL CALL

Present: Guinn, Hickson, Metcalfe, McComas, Warner

Absent: Andrew, Hamilton

#### III. APPROVAL OF MINUTES

**motion** M/M by Metcalfe, 2nd by McComas to approve the minutes of the May 11, 1995, regular Commission meeting as presented.

#### IV. APPROVAL OF AGENDA

**motion** M/M by Warner, 2nd by Metcalfe to approve the agenda posted. Voice vote. Motion carried unanimously.

#### V. COMMUNICATIONS

Mr. Nolan indicated that the Planning Department had received a request from Lenny Welch, acting on behalf of Bethel Utilities Corporation (BUC), and the Port Director to place two utility poles on lot 8, block 18, USS3230, a City owned lot. The poles were to be used to provide electrical power for a fish processor that was docked along the seawall. The processor was placed in this position by the Port Director with the promise that power could be provided. This lot is zoned industrial and is used by the Port.

*"Deep Sea Port and Transportation Center of the Kuskokwim"*

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After looking through the codes it was his understanding that BMC 14.02.030B(3) allows the Port Director to have these poles put in without an easement. An easement could have been requested by BUC at a later date. After consulting with the City Manager he was asked to refer this matter to the City attorney. The response from the attorney was that the placement of the poles would amount to granting of an easement and would require the City to pursue the disposal process.

It was his opinion that the City's attorney is being used to run the City on a day to day basis which is unjustified and expensive. This policy is costing the City large amounts of money and, as in this case, much needed revenue. He thought that the codes, as written, need to be adjusted to provide adequate control over problems that could be handled by the appropriate departments.

Lenny Welch was present and was asked by the council if placing the poles would necessitate an easement. He said that once the poles are in place the power company would have the right of access from then on. The City Attorney indicated that allowing the power company to place the poles on City property would imply the granting of an easement.

Mr. Warner gave a brief history of the lot. He said that the portion of the lot in question was designated to be left as open space. It is not really part of the port.

The Port Director was present and told the committee that there was a pressing need for power to the processor to ensure a competitive fish market.

A representative for the processor gave the committee an idea of what their needs were. He indicated that the City would benefit from their presence.

Mr. Warner said that the question for the Planning Commission was whether or not the City needs to go through the disposal process to grant an easement. There was agreement that this was a matter for City management.

Mr. Nolan presented a request from Walter Larson concerning the Tsikoyak Subdivision. Mr. Larson was requesting that his original 60' road easement be acceptable. He indicated that the Alaska Department of Transportation had suggested a 100' right of way but because of a Native allotment certificate he could only provide 60'.

The committee needed to know if this 100' easement was a stipulation or a suggestion.

#### VI. PLANNER'S REPORT

Mr. Nolan indicated that there had been a considerable amount of building activity in Bethel this month. The Planning Department has issued 18 Site Plan Permits and was reviewing several others. The ability of the Planner to physically visit each site is severely restricted due to the staffing problem.

The annual budget process is coming to a close and the Planning Department is making some gains. The Planning Department received a new computer which will be capable of performing future needs. Money is being made available for a land records system in the new budget. Mr. Nolan thanked Mr. McComas for his work on the City Council to provide an increase in the Planning Department budget.

The new Planning Manager position is being reopened due to a limited list of applicants.

#### VII. PEOPLE TO BE HEARD

Ted Simmons brought to the attention of the committee a continuing problem in the Tundra North Subdivision. He wanted to encourage the City to deny any permits in this area for non residential uses. They have a perpetual problem with one lot in the subdivision whose owner persists on trying to lease the property for commercial purposes.

Mr. Nolan indicated that he had talked with Jim Murphy, the project engineer for AHFC, and informed him of the residential restrictions in this area. The contractor is aware of the problem.

Mr. Warner was concerned with the residential developments around the airport. He wanted to know what type of zoning surrounded the airport area. He requested that an item for discussion on the next agenda be the zoning requirements, present and future, around the airport.

**VIII. OLD BUSINESS**

**ITEM A: RECOMMENDATION TO THE CITY COUNCIL TO ADOPT ORDINANCE HOLDING CONTRACTORS LIABLE FOR WORK COMMENCED WITHOUT A SITE PLAN PERMIT - 18.84.040**

The ordinance was referred back to the Planning Commission for re-evaluation. Harry Faulkner Jr., of Foundation Services, had stated the need for more information on the site plan permit. He had requested the permit to be more specific and to be able to call in and get the information needed to verify the information quickly.

Mr. Nolan was asked if more information could be supplied on the permit form. He stated that the permit form would take little work to provide the needed information. He asked that he be given a short period of time to update the form. The members agreed that the 1st of July would be acceptable.

**motion** M/M by Warner, 2nd by McComas that the ordinance be approved with an effective date of July 1, 1995. Voice vote. Motion carried unanimously.

**ITEM B: DISPOSAL OF CITY PROPERTY KNOWN AS PARCEL C-1, SECTION 13, T8N, R72W TO THE FAA**

Mr. Warner asked if the City Council agreed to the disposal of the property. The process has taken such a long time that there is some concern as to what actually was agreed upon. The commission decided that they needed to find out if a plat was ever approved by the Planning Commission. If it was not then a public hearing needs to be held for plat approval.

Mr. McComas asked if they could go back and request that a larger pipe be used for the sewer if the plat was never approved. There was concern that the sewer line should not be accepted unless it could be used for other purposes.

Mr. Guinn asked for research into what happened in the past at this level and what happened in the past at Council level.

**motion** M/M by Warner 2nd by Metcalfe to table the discussion pending further investigation. Voice vote. Motion carries unanimously.

**IX. NEW BUSINESS**

**ITEM A: RECOMMENDATION TO CITY COUNCIL ON PROPOSED LEASE OF TRACT A-1 AND A-2, TURNKEY III SUBDIVISION - OMNI ENTERPRISES, INC.**

Omni Enterprises, Inc. has requested an extension of their lease on tract A1, Turnkey III. The current building on tract A1 is encroaching on lot A2. To alleviate the encroachment problem Omni has asked to lease lot A2 also. This is the current site of the QFC #1 convenience store.

The property appraisal completed by Stan Dunigan of Affiliated Appraisers of Alaska indicates that the property is valued at \$18,548.00 and after completing a market rent analysis concluded that \$1,500.00 per annum for 5 years would be a fair annual market rent. The City Manager and Finance Director have decided that the City will offer Omni the property for \$1,900.00 per annum over a ten year period.

The Planning Department advocates recommendation of this lease proposal to the City Council.

**motion** M/M by Warner 2nd by Metcalfe to recommend the City Council lease Tract A-1 and A-2, Turnkey Subdivision to Omni Enterprises for the dollar amounts and the time period stipulated with the further restriction that the lots could not be subleased by Omni. Voice vote. Motion carries unanimously.

**ITEM B: RECOMMENDATION TO CITY COUNCIL TO ADOPT ORDINANCE REQUIRING TELEPHONE AND CATV CABLES TO BE BURIED - 15.12**

A copy of the proposed new ordinance was presented. Mr Nolan indicated that he was expecting a written response from the Utility companies involved. He Had spoken with local technicians who did not think that this was a feasible plan due to the problems they have encountered previously with buried lines. He asked them to respond by mail with their concerns.

The committee discussed the possible problems and the advantages of buried lines.

**motion** M/M by McComas 2nd by Warner to recommend the City Council adopt the proposed ordinance with the change to 15.12.070B of "2% of its gross revenue over 15 years". Voice vote. Motion carries unanimously.

**ITEM C: WAIVER REQUEST FOR SUBDIVISION OF TRACT 5A1, USS4000 - YKHC**

The Yukon Kuskokwim Health Corporation (YKHC) submitted a waiver request to the Planning Commission for an abbreviated plat of tract 5A1, USS4000. Section 17.04.050B states that the transaction not fall within the intent of AS 29.33.150--.240 and AS 41.5. The latter was removed from the Alaska Statutes.

Mr. Guinn declared that he was involved with this project and said that he would remove himself from the decision making. He explained YKHC's plans and gave the committee a description of the proposed lots and their uses.

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Mr. Nolan indicated a need for an abbreviated process for simple subdivisions. The Planning Department should have the ability to approve short plats without a lengthy process. The Planning Department would still like to have abbreviated plats recorded.

Mr. Warner proposed the plat be put on the agenda for the next meeting for approval. The item was tabled.

**X. ADJOURNMENT**

**motion** M/M by Warner 2nd by Metcalfe to adjourn the meeting. Voice vote. Motion carried unanimously.

**PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1995.**

\_\_\_\_\_  
**John Guinn, Chairman**

**ATTEST:**

\_\_\_\_\_  
**Richard Nolan, Acting Planning Manager**

## **V. COMMUNICATIONS**

Tom Warner requested that his comments on ITEM B under New Business be made a matter of public record.

## **VI. PLANNER'S REPORT**

The Planning Department has just completed its quarterly report to the Corps of Engineers which is required for the General Permit (GP). We had 23 of 35 permits approved under the GP this quarter compared to 7 of 14 last quarter.

The Planning Department is completing work on the district's final progress and financial report and annual report for the Alaska Coastal Management Plan.

There are presently four applicants for the position of Planning Manager. An additional four application packets have been mailed. We are having a better response to our latest advertisement. I think that the wording of the new announcement and the change in salary are the major factors in the increased interest.

## **VII. PEOPLE TO BE HEARD**

6 July 1995

To: Bethel Planning Commission

From: Tom Warner *TW*

I am out of town, so am not able to be at the July 13 Planning Commission meeting. I would like this to be part of the record on the issue of the preliminary plat for the YKHC subdivision south of the airport. I have several concerns:

1. Three members of the commission have a conflict of interest, as YKHC employees. John Guinn has an obvious conflict, since he is in charge of this development. Louie Andrew and Joan Hamilton both work for Gene Peltola, and since Gene is pushing this project, they too have a conflict.
2. The location so close to the airport will, in my opinion, lead to serious long term noise complaint problems. The large aircraft are one obvious problem, but perhaps worse would be the steady stream of small aircraft. When aircraft depart to the south and turn southwest or west they would be passing right over this development, often at very low (legal) levels at high power settings. Anyone who has listened to the scream of a Cessna-207 overhead at high power settings will recognize the problem. I think there is great potential for serious, long term problems.
3. There has been no discussion of water and sewer services. Is the City expected to provide service, and if so at what rates? The City cannot provide service at current rates and even break even, due to the distance involved. In addition, development in that area would preclude a piped system connected to the city piped system. Is YKHC proposing to provide water and sewer service or a piped system of it's own?
4. Road maintenance will be a problem in the winter. Who will provide maintenance, the City or some other entity?

All of these concerns need to be thoroughly discussed before any plat approvals are granted. The commission should not rush into a decision; to do so would simply be poor planning. As the Planning Commission, we should do our best to avoid hasty decisions with long range consequences.

**VIII. OLD BUSINESS**

**ITEM A: SUBDIVISION OF TRACT 5A1, USS 4000 - YKHC**

The Yukon Kuskokwim Health Corporation (YKHC) has submitted a request to subdivide Tract 5A1, USS 4000 into three lots. Tract 5A1 is 5.536 acres in size. The subdivision breaks Tract 5A1 into lot 1 (14,257 sq. ft), lot 2 (13,050 sq. ft.) and lot 3 ( 4.909 acres). A Supportive Living unit is being built on lot 1.

The Planning Department finds no problems with this subdivision.

*McComas Hickson*

ITEM B: SUBDIVISION OF PARCEL C-1, USS 3729 - FAA

At the last meeting of the Planning Committee we were asked to investigate and provide information on the disposal of this property by the City. I have provided copies of the Planning Commission and City Council meetings which covered this process.

The request by the FAA first came before this body on February 17, 1993. There was no decision made at this meeting.

It was next heard at the March 11, 1993 meeting. It was tabled until the next meeting.

In the April 8, 1993 session a motion was made, and passed, to recommend to the Council they enter into negotiations for the disposal of the land with the Commission's concern about "compounding" noted.

March 10, 1994 a motion was made to recommend the sale of City land, if the City Council amended the ordinance to drop the reverter clause, if the sewer line is built and if there are no hook-up costs to future customers of the sewer line.

The City Council approved Ordinance 94-06, which approved the disposal, on March 22, 1994.

McLomas      Anderson

roads.

Mr. Warner said that the City has three options: do nothing, build the roads, or vacate the right-of-way.

Chairman Guinn asked Mr. Bianchi to look at what roads are dedicated and to report back to the Commission.

**NEW BUSINESS**

**Item A: Request  
from FAA**

**REQUEST FROM FAA REGARDING CITY OWNED LAND  
ADJACENT TO FAA HOUSING COMPLEX**

Chairman Guinn asked Ms. Gross if she had any further information on this request. Ms. Gross replied that the only information she had was what was included in the packet.

Mr. Warner stated that he had a problem with this request because it would contribute to the separation of the FAA employees from the rest of the community, and he would prefer the FAA to look at buying land in town. Mr. Warner's recommended directing the City Administration to seek more information from the FAA as to their intent.

Mr. Andrew asked the Administration to check on the deed to the land to be sure the City does in fact own the property.

**motion**

M/M Andrew, 2nd by Warner to adjourn the meeting at 8:25 PM. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 17<sup>th</sup> DAY OF February, 1993.

  
\_\_\_\_\_  
John Guinn, Chairman

ATTEST:

  
\_\_\_\_\_  
Connie Tucker, Admin. Asst.

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Ms. Gross stated she was working on the questionnaire from ONC concerning roads and ONC was anxious to receive input from the City.

In response to a question from Mr. Warner, Ms. Gross replied that she was working on the Coastal Zone Management Grant application. The application would be submitted before the next regularly scheduled Planning Commission meeting.

**PEOPLE TO BE HEARD** There were no people to be heard.

**OLD BUSINESS**

**Item A: FAA Land  
Use Request**

**FAA LAND USE REQUEST**

Ms. Gross referred the Commission to the latest letter received from the FAA concerning their request for 3.31 acres from the City to replace their housing units.

A discussion on the Commission's past policy of not disposing of any more City land and the basis for that policy followed. Chairman Guinn requested a copy of the minutes from the meeting setting that policy.

Mr. Warner requested information on the location of the parcel in relation to the sand pit and what impact disposal of that parcel would have on the sand pit. Mr. Moody requested information on the amount of land the City owns in that area. Chairman Guinn also requested confirmation of City ownership of that parcel.

Chairman Guinn directed Administration to send a letter to FAA informing them of the research the City is doing prior to making a decision on this.

By consensus, the Commission decided to table this issue until the next regularly scheduled meeting.

**Item B: Public  
Hearing-Korthuis**

**PUBLIC HEARING ON THE SUBDIVISION OF LOT 8 IN**

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now sits in the setback on two sides. Acting Chair Warner suggested Mr. Angaiak apply for variances on all sides in the setback and added that he did not foresee the Commission requiring Mr. Angaiak to move the existing building.

**OLD BUSINESS**

**Item A: FAA Land  
Use Request**

**FAA LAND USE REQUEST**

Representatives from the FAA addressed the Commission regarding the overview of their proposed project:

--The FAA wants to build 32 units-22 single family units and 10 multi-family units on the existing site plus on the 3.1 acre parcel it hopes to acquire from the City. The construction would start in the summer of 1994, with work on the new site first and then replacement of the existing houses.

--The FAA is considering extending their sewer line to hook up with the City's service and would help finance the cost of the extension. The FAA also indicated it would be willing to look at helping the City in the extension of the water and sewer lines to the airport and Tundra Ridge.

--A new community service facility would be built with an attached heated school bus stop.

--The FAA would encourage the contractor to practice local hire as much as possible.

Ms. Hamilton spoke against the idea of "compounding" all of the employees in one area, and suggested the FAA invest in properties spread throughout the town.

**motion**

M/M by Metcalfe, 2nd by Adams to recommend to Council they enter into negotiations for the disposal of the property. Discussion:

-Mr. Metcalfe pointed out the potential economic benefit to other areas of town.

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cooperation of utility development in the airport area.

Voice vote. Motion failed, 3-yes, 1-no (Hamilton).

**motion**

M/M by Metcalfe, 2nd by Adams to recommend to Council they enter into negotiations for the disposal of the land with the Commission's concern about "compounding" noted. Voice vote. Motion carried unanimously.

Acting Chairman Warner requested the FAA share the plans as they develop with the Commission.

**NEW BUSINESS**

**Item A: Variance  
Request-Domnick**

**VARIANCE SETBACK REQUEST--LOT 5, PHASE I,  
BLUEBERRY SUBDIVISION**

Acting Chairman Warner referred the Commission to the memo from Mr. Bianchi stating that the adjacent landowners to Mr. Domnick had no objections to the variance request.

Mr. Domnick addressed the Commission on the sequence of events that precipitated the construction. Mr. Domnick stated he had contacted the Planning department many times and requested a site visit prior to construction; however, no visit was made.

**motion**

M/M by Adams, 2nd by Hamilton to approve the variance for Mr. Domnick. Voice vote. Motion carried unanimously.

**motion**

M/M by Adams, 2nd by Hamilton to adjourn the meeting at 8:50 P.M. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 13<sup>TH</sup> DAY OF MAY, 1993.

  
\_\_\_\_\_  
John Guinn, Chairman

ATTEST:

  
\_\_\_\_\_  
Connie Tucker, Commission Clerk

MAR 10, 1994

Upon further investigation, planning staff found these allegation to be true. Therefore, Mr. Tomkins was told he would need to apply for a variance at the next Planning Commission meeting.

**PEOPLE TO BE HEARD** Mary Thulman expressed concerns over Mr. Tompkins property at 295 Mission Lake Road on the behalf of Rita and Issac Kalistook and other neighbors in the area.

**OLD BUSINESS**

Item A:

**RESUBDIVISION: LOT 2, TRACT A, GEERDTHS  
SUBDIVISION-COURTNEY GEERDTHS**

Mr. Geerdths told the Commissioners he needed to get a resubdivision in order to obtain a bank loan.

motion

M/M Metcalfe, 2nd by Moody to approve the resubdivision of Lot 2, Tract A, Geerdths Subdivision. Voice vote. Motion carried unanimously.

**NEW BUSINESS**

Item A:

**CONSIDERATION OF DISPOSAL OF CITY LAND-PARCEL  
C1, 3.31 ACRES, BEHIND EXISTING FAA HOUSING-  
FEDERAL AVIATION ADMINISTRATION**

Sharon Hanek discussed FAA's interest in purchasing city land for the purposes of building new housing and in entering into an agreement with the city to build a sewer line to the property.

Commissioners Warner and Moody both expressed concern that citizens should not be required to pay a charge to hook up to the sewer line. Commissioner Warner was also concerned about the disposal of surplus FAA houses.

motion

M/M Metcalfe, 2nd by Moody to recommend the sale of city land , if the City Council amends the ordinance to drop the reverter clause, if the sewer line is built and if there are no hook-up costs to future customers of the sewer line. Roll call vote. Motion passed, 4 yes, 1 no (Hamilton).

Item B:

**VARIANCE: LOT 15, BLOCK 3 PTARMIGAN  
SUBDIVISION, 249 AKAKEEK STREET-TED AND HEIDI  
SIMMONS**

Ted and Heidi Simmons proposed to build a

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motion M/M by Jones, 2nd by Trantham to approve Ordinance #94-09, amending Title 4, Acquisition and Land Disposal, Chapter 4.08.030 (B), Disposal to Entity Providing a Necessary Public Service. Poll vote. Motion carried unanimously. 5-yes; 0-no.

ITEM C: Public Hearing: Substitute Ordinance #94-06S: An Ordinance for the Disposal/Sale of City Property to an Entity Providing a Necessary Public Service (FAA)

Mayor Chris read the changes to the substitute ordinance and then opened the hearing to the public. There was no one who wished to speak, and she closed the public hearing.

motion M/M by Wintersteen, 2nd by Trantham to approve the substitute Ordinance #94-06, an ordinance for the disposal/sale of city property to the Federal Aviation Administration. Poll vote. Motion carried unanimously. 5-yes; 0-no.

ITEM D: Substitute Resolution #94-09S: A Resolution Opposing Trapping within Bethel City Limits and Authorizing the City to Submit a Proposal for Closing the City of Bethel to Trapping to the State of Alaska Board of Fish and Game

motion M/M by Jones, 2nd by Wintersteen to approve the substitute Resolution #94-09 as amended by changing the introductory line to read "A Resolution Opposing the Placing of Spring-Powered Killer Traps with a Jaw Spread Exceeding Seven Inches within 300 Feet of An Occupied Dwelling Upon or Above the Surface of Land or Water Within the City Limits of Bethel, Alaska" and changing 300 yards to read 300 feet. Voice vote. Motion carried unanimously.

motion M/M by Jones, 2nd by Tubbs to continue the meeting past 10:00 p.m. Voice vote. Motion carried unanimously.

X. NEW BUSINESS

ITEM A: Introduction of Ordinance #94-10: An Ordinance Amending Chapter 4.20 of the Bethel Municipal Code to Establish a Local Preference of Five Per Cent for the Purchase of Materials, Supplies and Services

*Approved under Consent Agenda for Public Hearing to be held April 12, 1994.*

ITEM C: RIGHT OF WAY FOR TSIKOYAK SUBDIVISION - WALTER LARSON

Mr. Larson is asking for assurance from the City that a 60' right of way along BIA road will be accepted. The ADOT originally requested that the Larsons' provide a 100' right of way for their subdivision.

February 23, 1995 Commission meeting minutes show the following:

**motion** M/M by Warner 2nd by Andrew that the Commission conditionally approve the plat of Tsikoyak Subdivision, Section 12 Township 8N Range 72W, with the following conditions:

1. The access to BIA Road meet State DOT requirements as to number and size.
2. The utility power line access along the Bia Road either be an easement formally shown on the plat or somehow shown on the plat that its a dutifully approved right-of-way, either on an easement or on the roadway.
3. Mr. Larson make some provision for the water flow that presently moves across BIA Road onto his property to take care of that somehow to either direct it or maintain the flow in the subdivision.
4. If the Corps of Engineers requires a 404 Permit for fill that be obtained before it is approved.
5. The 10% Open Space Setback be formally designated on the plat someplace in the entire development where that space would be so that for future Commissions and future Planning Managers they have some indication that it's actually someplace on the plan.

The Planning Commission never stipulated a 100' right of way in their conditions for approval of the final plat. If the ADOT does not require this right of way then the Planning Department sees no reason why Mr. Larson's request should not be approved.

*Hamilton Andrews*

Martha & Walter Larson  
PO Box 132  
Bethel, Alaska 99559

June 6, 1995

City of Bethel Planning Department  
PO Box 388  
Bethel, Alaska 99559

Subject: Tsikoyak Subdivision

Gentlemen:

Over the course of the last year we have been working on development of the subject subdivision, which was conditionally approved by the Planning Commission this spring. We have been hard at work resolving the conditions of the approval and are very close to providing the City the final plat for signature.

One of the conditions of approval is compliance with State of Alaska DOT/PF design criteria. In a plat review letter, DOT/PF suggested, but did not stipulate, that the right-of-way for BIA access road be increased to 100 feet in width. Martha's Native allotment certificate, 50-93-0276, filed in the Bethel Recording District in Book 61, Pages 191-192, states the grant is subject to "The continued right of public access along the non-exclusive use road locally known as BIA access road, not to exceed sixty (60) feet in width." This is the basis for the right-of-way shown on our plat. Simply stated, we can only provide 60 feet, not the 100 feet suggested.

In order to comply with numerous conditions of the Commission's approval, we are required to re-draw the plat and conduct some field re-monumentation. Before accomplishing these tasks, we would like assurance from the City the 60 foot right-of-way, as stipulated by our grant, will be accepted. Thank you for your prompt assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martha Larson", with a long horizontal flourish extending to the right.

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 43 U.S.C. 945 (1988); and
2. All the oil and gas in the land so allotted, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of March 8, 1922, as amended, 43 U.S.C. 270-11 (1982) (repealed, with savings clause, effective 1986) and 270-12 (1982) (amended, with savings clause, effective 1986).

Submitted for record  
in the Bethel  
Recording District.  
After recording return  
to:  
AVCP Realty  
P.O. BOX 219  
Bethel, AK 99559

THE GRANT OF THE ABOVE DESCRIBED LAND IS SUBJECT TO:

The continued right of public access along the non-exclusive use road locally known as the BIA access road, not to exceed sixty (60) feet in width.

986 3399  
 RECORDED  
 AK TITLE SERVICES CENTER

93 JUN 14 PM 1:09

BUREAU OF INDIAN AFFAIRS  
 JUNEAU AREA OFFICE



*Ann Johnson*  
 Ann Johnson  
 Chief, Branch of Calista Adjudication

Dated at ANCHORAGE, ALASKA

on JUNE 10 1993

93-1038

18-

RECORDED-FILED  
 BETHEL RECORDING  
 DISTRICT

JUL 19 10 26 AM '93

REQUESTED BY AVCP REALTY  
 ADDRESS \_\_\_\_\_

Certificate No. 50 - 93 - 0276

←

F-17469  
Parcel C

986 3399

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UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
ALASKA STATE OFFICE  
222 WEST SEVENTH AVENUE, #13  
ANCHORAGE, ALASKA 99513-7599

NATIVE ALLOTMENT

Martha A. Larson

IT IS HEREBY CERTIFIED THAT the application F-17469, Parcel C, filed pursuant to the Act of May 17, 1906, as amended, 43 U.S.C. 270-1 to 270-3 (1970), repealed with a savings provision by the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1617(a) (1988), has been approved pursuant to that Act for the following described land:

Seward Meridian, Alaska

T. 8 N., R. 72 W.,  
Sec. 12, Lot 5.

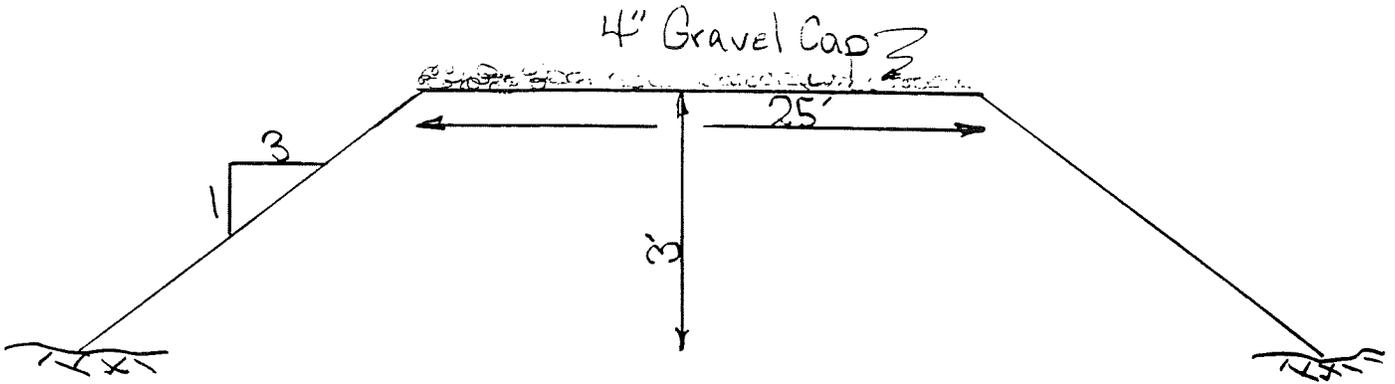
Containing 37.70 acres, as shown on the plat of survey accepted on June 24, 1976.

Therefore, let it be known that, pursuant to the Act of May 17, 1906, as amended, the land above-described shall be deemed the homestead of the allottee and her heirs in perpetuity, and shall be inalienable and nontaxable until otherwise provided by Congress or until the Secretary of the Interior or his delegate, pursuant to the provisions of the Act of May 17, 1906, as amended, approves a deed of conveyance vesting in the purchaser a complete title to the land.

Certificate No. 50 - 93 - 0276



BY JLS DATE 6-6-95 CLIENT Walter & Martha SHEET 1 OF 1  
CHKD. BY DESCRIPTION Road Construction Cost JOB NO.



$$V_{\text{Sand}} \approx \frac{1}{2}(25+43)(3) \times 1.15 \text{ CF} \\ \approx 4.34 \text{ CY/LF} \times 9^{\text{th}}/\text{CY} \text{ (Can Probably Get For } 8^{\text{th}}/\text{CY on Short Haul)} \\ \approx \$3910/\text{LF}$$

$$V_{\text{Gravel}} \approx 25 \times 0.33 \times 1.05 \text{ CF} \\ \approx 8.75 \text{ CF/LF} \times 130^{\text{th}}/\text{CF} \approx 0.57 \text{ T/LF} \times \$50^{\text{th}}/\text{T} \\ \approx \$2850/\text{LF}$$

$$\text{SS Erosion Control} \approx 9.5 \text{ SF} \times 2 \approx 19 \text{ SF/LF} \times 1.1 \approx 21 \text{ SF/LF} \times 0.40^{\text{th}}/\text{SF} \\ \approx \$840/\text{LF}$$

$$\text{Culverts} \sim 75 \text{ LF/Crossing}^{(\text{Avg})} \times 16 \approx 1,200 \text{ LF} \times \$20^{\text{th}}/\text{LF} \\ \text{Total} \approx \$24,000 (\$13,500 \text{ Ph I} + \$10,500 \text{ Ph II})$$

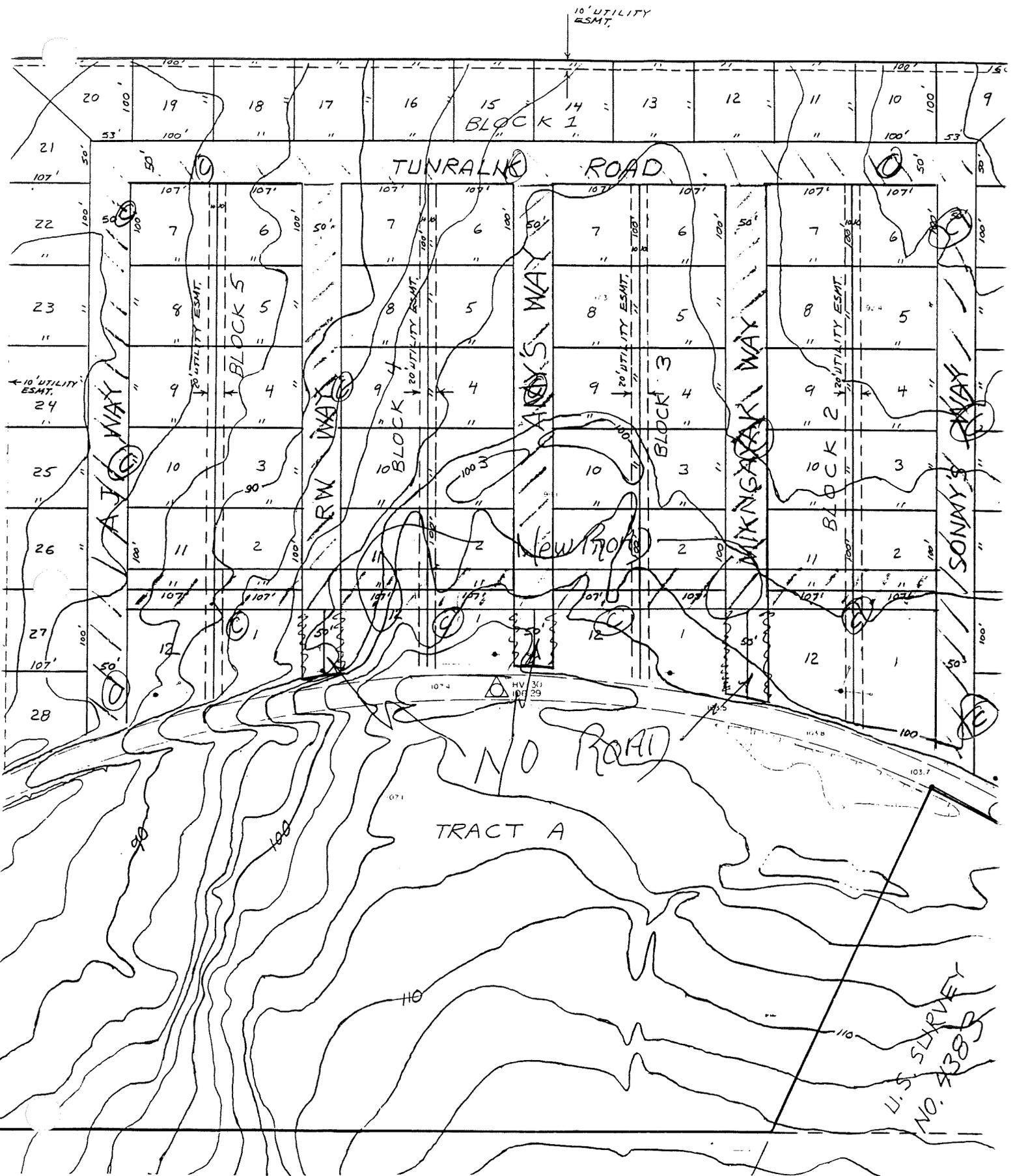
$$\text{Phase I} \approx 2,510 \text{ LF} \times \$76^{\text{th}}/\text{LF} + 13,500$$

$$\text{Phase I} \approx \$204,300 \leftarrow$$

$$\text{Phase II} \approx 2,580 \text{ LF} \times \$76^{\text{th}} + 10,500$$

$$\text{Phase II} \approx \$206,600 \leftarrow$$

Electric Service Construction Cost  
From Lenny Welch @ BUC



10' UTILITY ESMT.

BLOCK 1

TUNRALKE ROAD

JAY WAY

BLOCK 5

RW WAY

BLOCK 4

ALEX'S WAY

BLOCK 3

MINGSAKI WAY

BLOCK 2

SONNY'S WAY

NO ROAD

TRACT A

U.S. SURVEY NO. 4385

**IX. NEW BUSINESS**

ITEM A: SUBDIVISION OF LOT 1, BLOCK 5, USS ` 870 - CITY

This is the lot where the bus barn and the Bojangles building now sit on. The Korean Church of Christ has made proposals to the City to purchase the Bojangles building and move it to a separate lot to be leased from the City. To provide the church with the needed lot the City wishes to subdivide the present lot into two lots and lease the smaller parcel to the church.

The surveyor, McClintock Land Associates, is currently surveying the property and the plat will not be available for recording for about two weeks. The Planning Department is asking the approval be given at this time and the plats signed and recorded when available.

*Hickson - Andrews*

ITEM B: REVIEW OF THE PRELIMINARY PLAT KASAYULI SUBDIVISION -  
YKHC

The Yukon Kuskokwim Health Corporation has submitted a preliminary plat for a 144 lot subdivision in the southeast 1/4 of the northeast 1/4 and the south 1/2 of the northwest 1/4 of section 23 township 8 north range 72 west of the Seward Meridian containing 146.36 acres. This proposed subdivision will provide affordable housing for YKHC employees.

The Planning Department is unsettled as to it's stand on this development. There are pros and cons which make it difficult to come to a firm decision on whether or not to recommend approval or not.

On the pro side are the need for housing, the site, the general subdivision layout and future expansion. We are all aware of the current land shortage for housing starts. City growth and development are at a standstill due to the lack of available building lots. This property, which is located on an excellent site, would provide an abundance of large buildable lots. The site itself is on a elevated, well drained area providing good views and solid footings. The overall subdivision layout is excellent in it's use of the property. It has large lots with good access and plenty of well defined and usable recreation areas. The location will provide opportunity for others in this area to develop their own properties.

Objections to this plan would be it distance from the City core area. Police, Fire, and Sanitation services will be strained to provide adequate service to this area. Winter storms could cut this subdivision off for days at a time. The possibility of YKHC providing its own water , sewer, and garbage service should be looked into.

*Chair turned over to McLoman*

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*Mark Stenup -*

*Me  
John*

*Public  
Hearing*

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*Cliff - Joan*

ITEM C: RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED SALE OF CITY OWNED BUILDING KNOWN AS BOJANGLES - KOREAN CHURCH

Kilsoo Seo has asked the City to sell the Korean Church of Christ the property known as the Bojangles building. This building is located at 503 1st Avenue. It is a two story, steel girder quonset constructed structure with a metal sheeting exterior and a dry wall interior. The building measures 45' x 87' with an approximate total of 7,560 sq. ft. It is equipped with domestic water, sewer and heating.

A preliminary offer of \$40,00.00 has been made for this property. The sale will also be subject to provisions for payment of a mortgage already on the building.

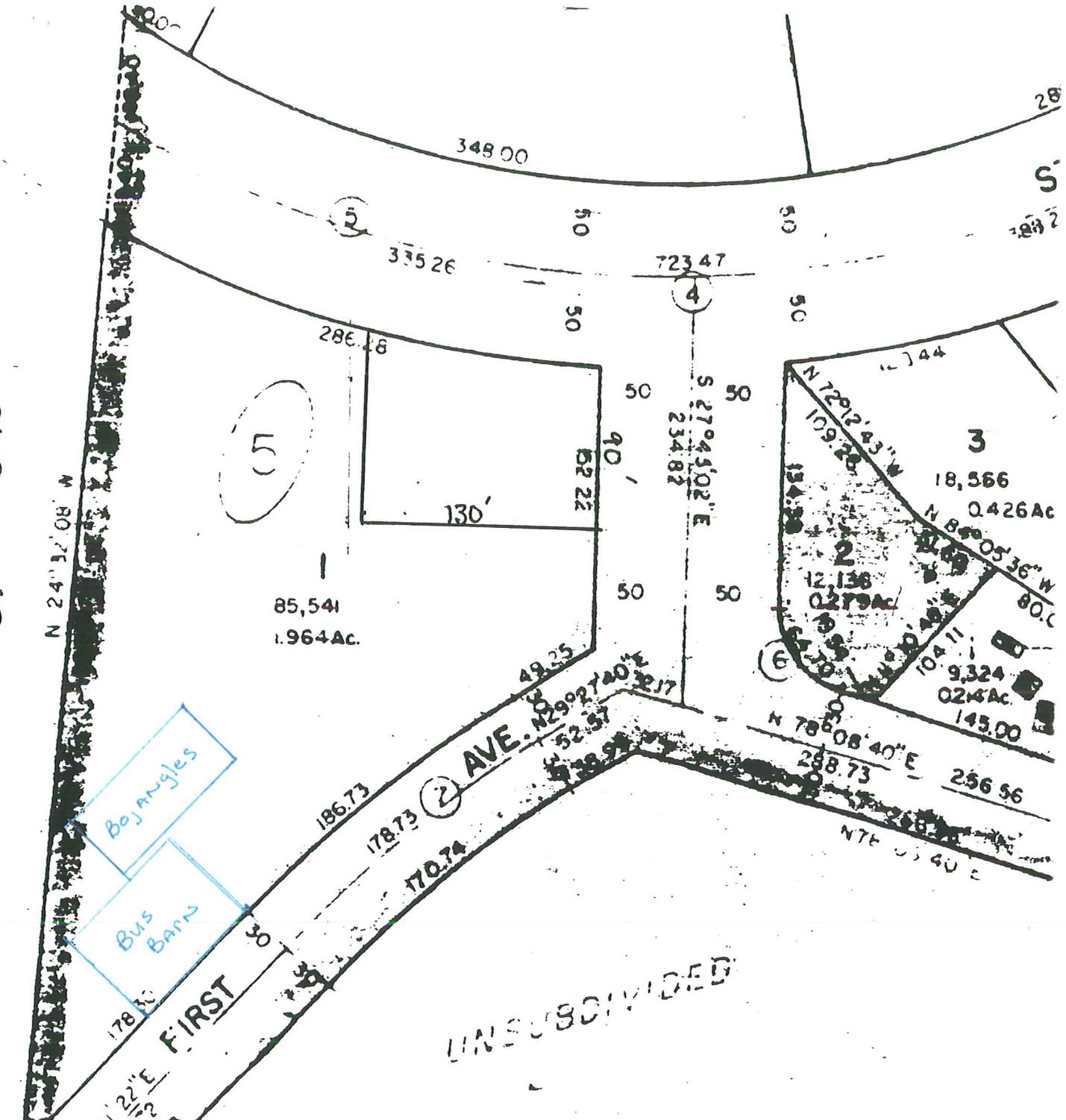
The building will be moved approximately 200' from its present location to a lot (presented as ITEM A in this meeting) which will be subdivided from the current lot. There will be a lease proposal for this lot which is also City owned.

The Planning Department recommends this sale for two reasons. First, the City has been looking for someone to purchase this property for some time and wants it moved. Second, it will provide a good location for a needed community service.

McLomas - *Jean*

USS 870  
LOT 1 BLK S

N 24° 32' 08" W



UNSUBDIVIDED

CURVE DATA

CURVE NUMBER	RADIUS	CHORD LENGTH	DELTA	ARC LENGTH	TANGENT LENGTH
1	100.00	74.05	43° 27' 43"	75.86	39.86
2	150.00	99.95	38° 55' 18"	101.90	53.00
3	573.20	380.83	38° 48' 17"	388.21	201.88
4	573.20	676.39	72° 18' 58"	723.47	488.88
5	573.20	330.50	33° 30' 41"	335.26	172.58
6	50.00	60.28	74° 08' 18"	64.70	37.77
7	670.57	178.21	15° 16' 18"	178.73	89.90

15328

B.N.C.  
and Public  
Health

ITEM D: RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED LEASE  
OF A PORTION OF LOT 1, BLOCK 5, USS 870 - KOREAN CHURCH

This proposed lease is consistent with the requests of ITEM A and ITEM C of this section. The Korean Church of Christ is proposing to lease a newly subdivided lot on Lot 1, Block 5, USS 870 from the City for approximately \$1800.00 annually over a period of ten years.

*Jean - Andrews*

ITEM E: RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED SALE OF  
A UTILITY EASEMENT ON A PORTION OF LOT 8, BLOCK 20, USS  
3230 - BETHEL UTILITY CORPORATION

Lenny Welch, acting on behalf of Bethel Utilities Corporation, has requested a permanent utility easement on lot 8, block 20, USS 3230. The City Council has issued a special use permit for this property to provide two new power poles for Whitney Seafood's fish processor. The easement should be continuous so that service can be provided to this area on a permanent basis.

The Planning Department recommends the approval of this easement disposal. The special use permit was given so the poles could be placed in the ground immediately while awaiting a permanent easement.

*condition that old pole be removed*  
*McLomas      Hickson*