



FAIRBANKS CITY COUNCIL  
AGENDA NO.2012-08  
**REGULAR MEETING April 23, 2012**  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

---

PRELIMINARY MEETING

- I      6:00 PM      Implementation Status of the Joint Land Use Study
- 

REGULAR MEETING

- II      7:00 P.M.

1.      ROLL CALL

2.      INVOCATION

3.      FLAG SALUTATION

4.      CITIZENS COMMENTS, oral communications to Council on any item not up for Public Hearing. Testimony is limited to five (5) minutes. Any person wishing to speak needs to complete the register located in the hallway. Normal standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, kindly silence all cell phone, electronic and messaging devices.

5.      APPROVAL OF AGENDA AND CONSENT AGENDA

(Approval of Consent Agenda passes all routine items indicated by an asterisk (\*). Consent Agenda items are not considered separately unless a Council Member so requests. In the event of such a request, the item is returned to the General Agenda).

6.      APPROVAL OF PREVIOUS MINUTES

7.      SPECIAL ORDERS

- a)      The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the below-referenced Application for

Commercial Refuse Collector Permit. Public Testimony will be taken and limited to five (5) minutes.

Applicant: Waste Connections of Alaska, Inc.  
 D/B/A: Alaska Waste-Interior, LLC  
 Address: 3941 Easy Street

NOTE: FGC Sec. 14-366 Requires City Council to take final action on all applications for commercial refuse collector licenses.

- b) The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the below-referenced Liquor License Application(s) for renewal. Public Testimony will be taken and limited to five (5) minutes.

Lic #	Establishment Name	License Type	Premise Location	Owner Name
104	Red Lantern Steak & Spirits	Beverage Dispensary	820 Noble Street	Westmark Hotels, Inc.
252	Club Alaskan	Beverage Dispensary	901 Old Steese Hwy	Jerwater, Inc.
435	Garden Island Party Store	Package Store	246 Illinois Street	Market Basket, Inc.
703	Gavora's Liquor #1	Package Store	250 Third Street Graehl	Market Basket, Inc.
704	Gavora's Liquor #2	Package Store	1255 Airport Way	Market Basket, Inc.
884	Pizza Hut	R/E Place	1990 Airport Way	Kurani, Inc.
1134	Thrifty Liquors	Package Store	1410 Cushman Street	Market Basket, Inc.
1475	Pizza Hut #5	R/E Place	89 College Road	Kurani, Inc.
1920	Reflections	Beverage Dispensary	2406 S Cushman St	The Lighthouse, Inc.
2424	Sophie Station Hotel	Beverage Dispensary-Tourism	1717 University Ave S	Fountainhead Development, Inc.
2565	El Dorado Bar & Grill	Beverage Dispensary	530 Third Avenue	El Dorado Bar & Grill Inc
2851	Shenanigan's	Beverage Dispensary	2406 S Cushman St	Tiffany Park West, Inc.
3074	Wedgewood Resort	Beverage Dispensary-Tourism	212 Wedgewood Dr	Fountainhead Development, Inc.
3170	The Odom Corporation	Wholesale - General	3101 Peger Road-Bay 1	Odom Corporation
3489	Arctic Bar	Beverage Dispensary	623 Old Steese Hwy	Arctic Inuk, Inc.
3616	Wedgewood Resort - Bear Lodge	Bev Dispensary - Tourism Duplicate	212 Wedgewood Dr	Fountainhead Development, Inc.
3969	Tony's	Beverage Dispensary	537 Gaffney Road	Full Moon, Inc.
3997	BPO Elks Lodge #1551	Club	1003 Pioneer Road	BPO Elks Lodge #1551
4174	Big Daddy's Bar-B-Q & Banquet Hall	Beverage Dispensary	107 Wickersham St	RTG, LLC
4247	Brewster's	Beverage Dispensary	3578 Airport Way	Restaurant Concepts, LLC
4530	The Hide Out	Beverage Dispensary	1288 Sadler Way	Xavier's, Inc.
4819	The Antler Room	Beverage Dispensary	1003 Pioneer Rd #A	The Antler Room, Inc.
4833	Odom Corporation	Wholesale - General	1200 Well St - Bay 1	Odom Corporation
4968	Xavier's Boom Boom Room	Beverage Dispensary - Dup.	1288 Sadler Way	Xavier's, Inc.
4720	Trappers Tavern	Beverage Dispensary	No Premise	Taco Azteca, Inc.

8. MAYOR'S COMMENTS AND REPORT
9. UNFINISHED BUSINESS
  - a) Ordinance No. 5881 – An Ordinance Amending Fairbanks General Code by Adding Section 46-329 Abuse of 911 System. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.
10. NEW BUSINESS
  - \*a) Resolution No. 4522 – A Resolution Denying the Use of City Resources, and urging the State of Alaska to Deny Use of its Resources, in any Unconstitutional Federal Suspension of Habeas Corpus Pursuant to Section 1021 of the National Defense Authorization Act (NDAA). Introduced by Council Member Hilling.
11. DISCUSSION ITEMS (INFORMATION AND REPORT)
  - a) Committee Reports
12. COMMUNICATIONS TO COUNCIL
  - \*a) Chena Riverfront Commission Meeting Minutes of February 27, 2012
13. COUNCIL MEMBERS' COMMENTS
14. CITY ATTORNEY'S REPORT
15. CITY CLERK'S REPORT
16. ADJOURNMENT

# MEMORANDUM

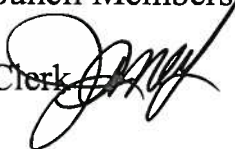
City of Fairbanks Clerk's Office

Janey Hovenden, CMC, City Clerk

---

Date: April 18, 2012

To: Mayor Jerry Cleworth and City Council Members

From: Janey Hovenden, Municipal City Clerk 

Re: Application for Commercial Refuse Collector Permit

---

Please find attached a copy of the Application for a Commercial Refuse Collector Permit submitted by **Waste Connections of Alaska, Inc. d/b/a Alaska Waste-Interior, LLC** for the period January 1, 2012 through December 31, 2013. All requirements for licensure, per FGC Chapter 14, Article IX, have been submitted.

Pursuant to FGC Sec. 14-366, the Council shall take final action on all applications for commercial refuse collection permits and may approve, modify, limit, deny or approve with restrictions or limitations attached, including designation of service areas. Where approved by the City Council, the City Clerk shall issue a Commercial Refuse Collector's Permit to the applicant under the seal of the City of Fairbanks.

FGC Chapter 14, Article IX, is also attached for your reference.

*Celebrating the City Centennial*  
*November 10, 1903 – November 10, 2003*  
*Visit us on the Web at [www.ci.fairbanks.ak.us](http://www.ci.fairbanks.ak.us)*

**Sec. 14-361. - Required; fee, duration.**

- (a) *Required.* No person shall operate as a commercial refuse collector in the city without first obtaining a refuse collector's license.
- (b) *Fee, duration.* The fee for such license shall be as set forth in the city's schedule of fees and charges for services.

(Code 1960, §§ 1.115(10), 12.203(a), (b), Ord. No. 5744, § 34, 7-1-2008)

**Sec. 14-362. - Application required.**

Any person desiring to engage in business as a commercial refuse collector shall make application for such license through the city clerk to the city council upon forms furnished by the city.

(Code 1960, § 12.203(c))

**Sec. 14-363. - Contents of application.**

- (a) The application for a refuse collector's license shall contain the following:
  - (1) The date of the application.
  - (2) The complete legal name and address of the company to whom the license, if granted, is to be issued.
  - (3) The nature of the company under which the applicant intends to do business (sole proprietorship, partnership, association, corporation).
  - (4) The name and address of the owner of the company if a sole proprietorship; or the names and addresses of the partners or members if the company is a partnership or association; or the names, addresses and positions of the corporate officers if the company is a corporation.
  - (5) The exact name which the applicant will display upon the exterior of the vehicles to be operated under the license. The distinctive color scheme which the applicant intends to apply to the exterior of each vehicle to be operated under the license, including the color scheme of any lettering or numbers to appear on the exterior.
  - (6) The year for which the license is sought.
  - (7) The location of the office from which the applicant intends to conduct its business and also the business phone number at which said applicant can be contacted.
  - (8) The location of the garage or yard from which the vehicles are to operate upon the granting of a license.
  - (9) The number of vehicles which will be operated under the license, and the description, including the make, model (year), engine or serial number, state license number, and record owner, of each vehicle, and the amount of bodily injury and property damage insurance coverage on each vehicle, the name of the insurer, and the insurance policy number.
  - (10) A statement by the applicant as to experience as a commercial refuse collector and a statement by the applicant that he has complied with such certification requirements as may be required by the state by and through the public utilities commission, which are currently embodied in AS 42.05.221 et seq., along with a certified copy of the certificate issued to applicant by the public utilities commission.
  - (11) A statement by the applicant that he agrees to submit to the city clerk within ten days following the issuance of a commercial refuse collector's license, a report containing the names and addresses of all commercial and residential customers within the city presently being served by the applicant, and thereafter shall submit within ten days following the close of each month of operations under the license, a report of any additions to or deletions from such list of customers; a statement by the applicant that he will accept responsibility for payment to the city of all sales taxes due to the city on all payments made to the licensee for the services rendered by the licensee within the city and a statement that the applicant will maintain adequate books of

account pertaining to transactions conducted under and by virtue of the refuse collector's license, which books and records shall be open to the mayor for inspection, upon reasonable notification and request.

- (12) A statement by the applicant that he will collect and charge such fees only for the collection and hauling of commercial garbage, rubbish and ashes as are authorized in the license; that the applicant will abide by all lawful rules, directives and orders to be issued under and by virtue of this article; and that the applicant will utilize the landfill area designated by the borough, and upon such fees as provided for purposes of disposing of all refuse collected under a refuse collector's license.
- (b) The application shall be subscribed by the applicant or, where proper, a partner or officer of the applicant; shall set forth the capacity in which the subscriber acts; the name of the company for whom he acts; and, if a corporation, shall bear the corporate seal.

*(Code 1960, § 12.203(d))*

#### **Sec. 14-364. - Insurance.**

There shall be submitted with the application for a commercial refuse collector license copies of policies of liability or indemnity insurance providing coverage and protection against loss through personal injury or property damage arising from negligence on the part of the owner or driver of all vehicles to be operated under the license; such insurance to afford coverage in an amount not less than \$50,000.00 per person for personal injury sustained, as further limited by minimum coverage of \$100,000.00 for all personal injuries sustained in any one accident, and to also provide coverage in the amount of \$25,000.00 for property damage arising out of any one accident. Each policy shall further contain a clause, addendum or endorsement providing that the insurer or his local agent will give written notice of the cancellation, revocation, termination or expiration of that policy, such notice to be submitted to the city clerk not later than five days prior to such eventuality.

*(Code 1960, § 12.203(e))*

#### **Sec. 14-365. - Recommendation to city council.**

After completing his review of the application for a commercial refuse collector license and any reports submitted to him, the city clerk shall make his recommendation to the city council.

*(Code 1960, § 12.203(f))*

#### **Sec. 14-366. - Approval of city council; issuance.**

- (a) The city council shall take final action on all applications for a commercial refuse collector license submitted for a license, and may approve, modify, limit, deny or approve with restrictions or limitations attached, including designation of service areas, each application thus submitted to it. Where approved by the city council, the city clerk shall issue a commercial refuse collector's license to the applicant under the seal of the city.
- (b) Prior to approving any additional licenses for commercial refuse collection over those then in effect, or before approving any rate changes for commercial refuse collection, or before changing any of the terms and conditions respecting commercial refuse collection within the city, the city council shall provide written notice, by certified mail, to all existing licensees of the action which it proposes to take, and give such existing licensees a reasonable time in which to voice any objections, such time not to exceed 21 days.

*(Code 1960, § 12.203(g))*

#### **Sec. 14-367. - Effect of issuance.**

The securing of a commercial refuse collector's license by an applicant shall in itself constitute an agreement with the city to abide by this article and such license regulations as are promulgated by the city

clerk and approved by the city council, that such applicant will haul refuse for any person in the city making application, for such service upon proper payment, or upon arrangements satisfactorily made for payment or compensation as provided in this article, it being the intention of this section to make it incumbent upon all licensed commercial refuse collectors to respond to calls from any person in the city who desires the licensee's service except for just cause shown, and thereupon to perform the service requested within a reasonable period of time, which shall be construed to be not more than three days. Failure on the part of a licensee to so call and perform any proper service thus requested and authorized in this section shall be unlawful.

*(Code 1960, § 12.203(h))*

### **Sec. 14-368. - Suspension, revocation.**

- (a) A commercial refuse collector's license may be temporarily suspended or permanently revoked, by action of the city council, for any of the following occurrences:
- (1) Breach of any condition, limitation or modification imposed by the city council in approving the application for license.
  - (2) Breach by the licensee of any covenant or agreement undertaken by the licensee under such license, and the breach by the licensee of any of the terms and provisions of its currently effective tariffs on file with the city council.
  - (3) Delinquency in payment to the city of consumer sales taxes.
  - (4) Any false statement in the application.
  - (5) Violation of any of the provisions of this article, applicable sections of chapter 66 or of the license regulations.
  - (6) Failure to give regular service to customers.
  - (7) Failure to maintain insurance, provided in section 14-364
- (b) The city council shall give due notice to the licensee and shall hold a public hearing before suspending or revoking a license.

*(Code 1960, § 12.203(i))*

### **Sec. 14-369. - Transferability.**

A commercial refuse collector's license is nontransferable.

LAW OFFICES

**BIRCH HORTON BITTNER & CHEROT**

A PROFESSIONAL CORPORATION

1127 WEST SEVENTH AVENUE • ANCHORAGE, ALASKA 99501-3301 • TELEPHONE 907.276.1550 • FACSIMILE 907.276.3680

HAL R. HORTON (1944 - 1998)

RONALD G. BIRCH\*\*  
WILLIAM H. BITTNER  
KATHRYN A. BLACK  
SUZANNE CHEROT  
ADAM W. COOK  
JON M. DEVORE\*\*  
DOUGLAS S. FULLER\*  
MAX D. GARNER

DAVID KARL GROSS  
TINA M. GROVIER  
WILLIAM P. HORN\*  
STEPHEN H. HUTCHINGS  
DANIEL C. KENT  
CORTNEY H. KITCHEN  
THOMAS F. KLINKNER  
DAVID E. LAMPP\*<sup>o</sup>

STANLEY T. LEWIS  
AMY W. LIMERES  
JAMES H. LISTER\*†<sup>o</sup>  
TIMOTHY J. PETUMENOS  
ELISABETH H. ROSS\*\*  
CARISSA D. SIEBENECK<sup>o</sup>  
AARON D. SPERBECK  
HOLLY C. WELLS

OF COUNSEL:  
JENNIFER C. ALEXANDER  
KENNETH E. VASSAR.

1155 CONNECTICUT AVE. N.W.  
SUITE 1200  
WASHINGTON, D.C. 20036  
TELEPHONE 202.659.5800  
FACSIMILE 202.659.1027

\*\* D.C. AND ALASKA BAR  
† MARYLAND BAR  
<sup>o</sup> VIRGINIA BAR  
\* D.C. BAR  
ALL OTHERS ALASKA BAR

WRITER'S DIRECT DIAL 907.263.7234 • WRITER'S DIRECT FAX 907.276.2822 • ckitchen@bhb.com

April 6, 2012

**VIA CERTIFIED MAIL**

City Clerk  
City of Fairbanks  
800 Cushman Street  
Fairbanks, AK 99701

RE: Alaska Waste-Interior, LLC  
Commercial Refuse Collector License Application

Dear City Clerk:

Pursuant to the City of Fairbanks Commercial Refuse Collector License Application, Alaska Waste-Interior, LLC hereby submits a Commercial Refuse Collector License Application, a check for \$2,000.00 to cover the application fee, a current State of Alaska Business License, and a current City of Fairbanks Business License along with the following required information:

**Vehicle Information**

A listing and description of the vehicles that will be operated under the license with make, model, year; serial number, license number and owner of record is provided in the attached Exhibit A.

**Insurance**

A copy of Alaska Waste-Interior, LLC's insurance policy with the required clause providing that the insurer or local agent will give notice of the cancellation, revocation, termination or expiration of the policy is attached as Exhibit B.

**Experience**

Alaska Waste-Interior, LLC is a wholly owned subsidiary of Waste Connections of Alaska, Inc. (WCA). In turn, Waste Connections, Inc. (WCI) owns and operates WCA. A summary of WCI's experience as a commercial refuse collector and its officers



City Clerk  
April 6, 2012  
Page 2

is provided below. Also attached at Exhibit C are the resumes of Brent Ditton, Robert A. Nielsen, Darrell Chambliss, and Steven F. Bouck, WCI's management team.

WCI has the technical expertise and managerial capabilities necessary to own and operate Alaska Waste-Interior, LLC. Solid waste services are WCI's core business. WCI serves more than two million residential, commercial, and industrial customers across 29 states. WCI's refuse services include 141 solid waste collection operations, 57 transfer stations, seven intermodal facilities, and 39 recycling operations. WCI also owns and operates 42 municipal solid waste landfills, two construction and demolition landfills, and one exploration and production waste treatment and disposal facility.

Approximately 50 percent of WCI's existing operations are regulated, including a majority of its collection operations in Washington, Oregon, and Montana. WCI and its subsidiaries have a successful record of serving the public. WCI believes its solid waste service businesses should be managed by professionals living and working in the communities it serves. It strives to provide service excellence for those communities that it serves and is dedicated to putting its customers first.

As a wholly-owned subsidiary of WCI, WCA officers and directors have significant experience owning, operating, and managing solid waste and recycling companies.

WCI's Rob Nielsen and Brent Ditton will oversee WCA's operations. Mr. Nielsen is the Regional Vice President – Western Region. He has been the Regional Vice President – Western Region for WCI since 2007 and prior to that was the Regional Vice President – Eastern Region from 2002 to 2007. Mr. Nielsen has worked in the solid waste and recycling industries for over 20 years. He holds a B.S. degree in Agricultural Mechanization from the University of Maine. Mr. Nielsen is familiar with the Regulatory Commission of Alaska's statutes and regulations and will ensure Alaska Waste-Interior, LLC continues its high level of customer service and satisfaction.

Mr. Ditton is the Regional Controller – Western Region. He has been the Regional Controller for WCI since 2000. Mr. Ditton has worked in the solid waste and recycling industries for over 19 years. He holds a B.S. degree in Business Administration - Accounting and a B.S. degree in Political Science, each from the University of Oregon. Mr. Ditton is familiar with the Regulatory Commission of Alaska's statutes and regulations and will ensure Alaska Waste-Interior, LLC continues its high level of customer service and satisfaction.

WCI's Executive Vice President and Chief Operating Officer, Darrell W. Chambliss, and President, Steven F. Bouck, are members of WCI's senior executive management team. Mr. Chambliss is Executive Vice President and Chief Operating Officer of WCI and one of the founders of the company. Mr. Chambliss has more than

City Clerk  
April 6, 2012  
Page 3

21 years of experience in the solid waste and recycling industries. Mr. Chambliss holds a B.S. degree in Business Administration from the University of Arkansas.

Mr. Bouck is President of WCI and has been both the Executive Vice President and the Chief Financial Officer of WCI. Mr. Bouck holds B.S. and M.S. degrees in Mechanical Engineering from Rensselaer Polytechnic Institute, and an M.B.A. in Finance from the Wharton School.

**Certification**

A copy of the certifications issued by the Regulatory Commission of Alaska to Alaska Waste-Interior, LLC and Waste Connections of Alaska, Inc. are attached as Exhibit D.

If you have any questions, please feel free to email or call.

Sincerely,

BIRCH HORTON BITTNER & CHEROT



Cortney H. Kitchen

CHK:cmn  
Attachments



# CITY OF FAIRBANKS

**RECEIVED**  
APR 10 2012

**CITY CLERKS OFFICE**

## COMMERCIAL REFUSE COLLECTOR LICENSE APPLICATION

800 Cushman Street, Fairbanks, AK 99701  
(907) 459-6716

TYPE OF LICENSE: NEW  RENEWAL  FEES DUE/COLLECTED: \_\_\_\_\_

Business Name: <b>Alaska Waste-Interior, LLC</b>	
Owner or Representative's Name: <b>Matthew O'Connell</b>	
Business Mailing Address: <b>6301 Rosewood Street</b>	City, State Zip: <b>Anchorage, AK 99518</b>
Business Physical Address: <b>3941 Easy Street</b>	City, State Zip: <b>Fairbanks, AK 99701</b>
Phone: <b>907-563-3717</b>	Fax Phone: <b>907-273-2796</b>

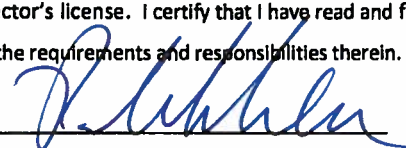
Application Requirements	
<p><b>\$2,000.00 Bi-Annual License Fee</b></p> <p><b>Current State of Alaska Business License AND Current City of Fairbanks Business License</b></p> <p><b>Attachments: Detailed Vehicle Information, Insurance, Experience Statement, and Certification</b></p> <p><b>Complete Application with Appropriate Signature(s)</b></p>	
<p>All required documents must be submitted with the signed application, the Clerk's Office cannot accept incomplete applications.</p>	

Mode of Doing Business: Sole Proprietorship  Partnership  Corporation

Name of Sole Proprietor, Partner(s), or Corporate Officer(s): <b>Waste Connections of Alaska, Inc.</b>
Office(s) Held: <b>Owner</b>
Name of Sole Proprietor, Partner(s), or Corporate Officer(s):
Office(s) Held:

Operation of Business	
Name as it will appear on exterior of vehicles: <b>Alaska Waste</b>	
Color Scheme: <b>Red and white; and green and white</b>	Lettering: <b>White and green; and white and red</b>
Location of the office from which applicant will do business: <b>3941 Easy Street, Fairbanks, AK</b>	
Location of the garage or yard from which vehicles will operate: <b>3941 Easy Street, Fairbanks, AK</b>	

Required Attachments for Submittal and Consideration	
1.	<b>VEHICLE INFORMATION:</b> A listing and description of the vehicles which will be operated under the license; including the make, model, year, serial number, license number, and owner of record of each vehicle.
2.	<b>INSURANCE:</b> A copy of policies of liability or indemnity insurance providing coverage and protection against loss through personal injury or property damage arising from negligence on the part of the owner or driver of all vehicles to be operated under the license; such insurance to afford coverage in an amount not less than \$50,000 per person for personal injury sustained, as further limited by minimum coverage of \$100,000 for all personal injuries sustained in any one accident, and to also provide coverage in the amount of \$25,000 for property damage arising out of any accident. Each policy shall further contain a clause, addendum or endorsement providing that the insurer or his local agent will give written notice of the cancellation, revocation, termination or expiration of that policy, such notice to be submitted to the city clerk not later than five days prior to such eventuality.
3.	<b>EXPERIENCE:</b> A statement as to the applicant's experience as a commercial refuse collector and that he/she has complied with such certification requirements as may be required by the state.
4.	<b>CERTIFICATION:</b> A copy of the certification issued by the SOA Public Utilities Commission.

Applicant's Statement for Commercial Refuse Collector License	
<p>I, <u>Patrick J. Shea</u>, certify that I am the owner/partner/officer of <u>Waste Connections of Alaska, Inc.</u> and that the answers to the foregoing questions and other statements contained herein are true and complete to the best of my knowledge and belief. I understand that any materially false statement on this application may be subject to revocation or denial of a license. I certify that I have complied with such certification requirements as may be required by the State of Alaska, by and through the Public Utilities Commission, which are currently embodied in AS 42.05.221 et seq. I agree to make available to the City Clerk a report containing the names and addresses of all customers. I agree to maintain adequate books of accounts pertaining to transactions conducted under this license will make such records available to the Mayor for inspection, if so asked. I certify that I will collect and charge such fees only for the collection and hauling of commercial garbage, rubbish, and ashes as are authorized in the license. I certify that I will utilize the landfill area designated by the Borough, and upon such fees as provided for purposes of disposing of all refuse collected under a refuse collector's license. I certify that I have read and fully understand Fairbanks General Code 14.336 through 14.397 and will comply with the requirements and responsibilities therein.</p>	
<p><u>Patrick J. Shea, Vice Pres., General Counsel &amp; Secretary</u> Printed Name of Company Owner/Partner/Officer</p>	 Signature

The Fairbanks General Code is attached to this application for your convenience; it is provided as a courtesy, but is the distinct responsibility of the Applicant to understand the requirements and to be compliant. Signing of the above Oath, acknowledges having read the Code and certifies that he/she understands it. If the Applicant has any questions regarding those responsibilities, the questions should be asked prior to issuance of a permit.

Please make all necessary copies for your records before submission of your application to the Clerk's Office. There will be a per page charge for any copying requested in accordance with FGC 2-775. Thank you in advance for your cooperation.

Administrative Use Only	
Approved By:	Date:
Denied By:	Date:
Reason for Denial:	

For additional information and/or forms, please visit the City of Fairbanks web site at:  
[www.ci.fairbanks.ak.us](http://www.ci.fairbanks.ak.us)

**Alaska Department of Commerce, Community, and Economic Development**

Division of Corporations, Business and Professional Licensing  
P.O. Box 110806, Juneau, Alaska 99811-0806

This is to certify that

**ALASKA WASTE- INTERIOR, LLC**

1001 WEOODLOCH FOREST DR. STE 400 TJE WOODLANDS TX 77380

owned by

ALASKA WASTE- INTERIOR, LLC

is licensed by the department to conduct business for the period

March 09, 2012 through December 31, 2013  
for the following line of business:

56 - Administrative, Support, Waste Management and Remediation Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location. It is not transferable or assignable.

Susan K. Bell  
Commissioner

**City of Fairbanks**  
OFFICE OF THE CITY CLERK  
800 CUSHMAN STREET  
FAIRBANKS, AK 99701-4616

1003397  
ALASKA WASTE - INTERIOR, LLC  
3941 EASY ST  
FAIRBANKS, AK 99701-7733



**City of Fairbanks**  
800 CUSHMAN STREET  
FAIRBANKS, AK 99701-4616  
(907) 459-8715

License/Permit No. 6587

**2012 BUSINESS LICENSE**

DBA: ALASKA WASTE - INTERIOR, LLC

License Expires: 12/31/2012

1003397  
ALASKA WASTE - INTERIOR, LLC  
3941 EASY ST  
FAIRBANKS, AK 99701-7733

Line of Business Code: 56

Line of Business: ADMINISTRATIVE AND SUPPORT AND WASTE MGMT AND REME

This license is expressly conditioned upon the holder being in full compliance with all of the applicable ordinances and requirements made under authority of the City of Fairbanks and as such laws and requirements may hereafter be changed or amended. Your license will expire on the above indicated date.

Licenses must be renewed timely to remain compliant and operational within the City of Fairbanks. Licenses/Permits must remain on premises or holder must be able to produce it upon request.

Issue Date: 03/28/2012

Handwritten signature of James L. Hovenden in cursive script.  
\_\_\_\_\_  
City Clerk

In the event of suspension, revocation, expiration or termination, return this license to the City of Fairbanks at the above address.

**THIS LICENSE IS NON TRANSFERABLE**



**ALASKA WASTE - INTERIOR, LLC**  
**EXHIBIT A**  
**DETAILED VEHICLE INFORMATION**

<b>Asset Number</b>	<b>Name on Truck</b>	<b>Year</b>	<b>Make</b>	<b>Model</b>	<b>VIN</b>	<b>License #</b>	<b>Owner</b>
262053	Alaska Waste	2002	Peterbilt	Front Load	1NPZLT0X22D714293	EDP123	Waste Connections of Alaska, Inc.
262054	Alaska Waste	2002	Peterbilt	Front Load	1NPZLT0X42D714294	EDP124	Waste Connections of Alaska, Inc.
262056	Alaska Waste	2002	Peterbilt	Front Load	1NPZLT0X82D714296	ELE453	Waste Connections of Alaska, Inc.
262057	Alaska Waste	2002	Peterbilt	Front Load	1NPZLT0XX2D714297	FMD427	Waste Connections of Alaska, Inc.
262059	Alaska Waste	2002	Peterbilt	Front Load	1NPZLT0X32D714299	EDM365	Waste Connections of Alaska, Inc.
262061	Alaska Waste	2010	Peterbilt	Front Load	3BPZL00X1AF107475	FST437	Waste Connections of Alaska, Inc.



EXHIBIT B

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/07/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement.

PRODUCER: Marsh & McLennan Agency LLC
CONTACT NAME:
INSURER(S) AFFORDING COVERAGE:
INSURER A: Alaska National Insurance Co.
INSURER B: Evanston Insurance Company
INSURER C: RSUI Indemnity Company

COVERAGES CERTIFICATE NUMBER: SEA-002247316-03 REVISION NUMBER: 5

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL INSR, SUBR WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Rows include General Liability, Automobile Liability, Umbrella Liability, and Workers Compensation.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Evidence of Insurance. Subject to policy terms, limits, and exclusions.

CERTIFICATE HOLDER: INSURED'S USE
CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
AUTHORIZED REPRESENTATIVE: Jim Brady

© 1988-2010 ACORD CORPORATION. All rights reserved.





**ADDITIONAL REMARKS SCHEDULE**

<b>AGENCY</b> Marsh & McLennan Agency LLC		<b>NAMED INSURED</b> Waste Connections of Alaska, Inc. 6301 Rosewood Street Anchorage, AK 99518	
<b>POLICY NUMBER</b>		<b>EFFECTIVE DATE:</b>	
<b>CARRIER</b>	<b>NAIC CODE</b>		

**ADDITIONAL REMARKS**

**THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,**  
**FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance**

This is evidence of Insurance procured and developed under the Alaska Surplus Lines Law, AS 21.34. It is not covered by the Alaska Insurance Guaranty Association Act, AS 21.80. This Insurance was placed through the following Surplus Lines Broker: Worldwide Facilities, Inc. Applies to Company "B" ONLY.

# Brent Ditton

## Regional Controller

501 SW Columbia Shores Blvd. Suite #350 Vancouver, WA 98661

Office 360-448-6952 / Cell 503-329-9745

[BrentD@wcnx.org](mailto:BrentD@wcnx.org)

---

### EDUCATION

Bachelors of Science in Business Administration – Accounting & Bachelors of Science in Political Science -  
University of Oregon, 1984

### PROFESSIONAL EXPERIENCE

2000-Present **Waste Connections, Inc. – Vancouver, WA**

Position: Regional Controller

- Financial oversight for 99 operating locations in the states of Washington, Oregon, California, Montana, Idaho, Nevada and Western Wyoming. Also responsible for oversight and development of 36 professional Accountants/Controllers and their ancillary staffs.

1993-2000 **Imago Dei Global Communities – Denver, CO**

Position: Chief Financial Officer

- Responsible for all financial elements of this multi state Non-Profit organization.

1986-1993 **Waste Management, Inc. – Multiple locations**

Position: Division VP & Controller – Denver, CO

- Responsible for financial reporting and internal controls for all operating locations in the Denver metropolitan area.

Position: Region Projects Controller – Denver, CO

- Financially responsible for all construction and new business development projects across the Western US and 3 Canadian provinces.

Position: District Controller – Portland, OR

- Financially responsible for the Portland, OR area hauling operations. Also acted as the Project Controller for a successful long haul landfill development project in Eastern Oregon that now receives all waste from Portland, OR as well as Seattle and King County Washington and several other locations.

1985-1986 **Price Waterhouse – Portland, OR**

Position: Staff Accountant

- Responsible for multiple audit engagements

### COMMUNITY ATTRIBUTES

- Board of Directors of the Red Cross of Southern Washington
- Coach of multiple youth basketball and soccer teams in Portland, OR area

### PERSONAL

- Enjoy travel, reading, and outdoor activities including hiking, biking and fishing
- Active in animal rescue ventures in Portland, OR area

EXHIBIT C

**Robert A. Nielsen III**

**Western Region Vice President**

501 SW Columbia Shores Blvd. Suite #350 Vancouver, WA 98661

Office 360-448-6951 / Cell 360-771-3040

[RobN@wcnx.org](mailto:RobN@wcnx.org)



**EDUCATION**

Bachelors of Science, Agricultural Mechanization – University of Maine – 1986

Graduate Studies in Environmental Engineering – 1986-1989

**PROFESSIONAL EXPERIENCE**

1999-Present **Waste Connections, Inc.** – Multiple Locations

Position: Western Region Vice President – Vancouver, WA

- Oversee 96 operations in 7 states, \$800 million in annual revenue and 3000 employees while entirely accountable for all the operating locations in the Western Region which includes WA, OR, ID, MT, WY, CA & NV.

Position: Eastern Region Vice President – Memphis, TN

- Responsible for overseeing the Region as it grew from 8 to 28 operating companies in 11 states and from \$45 million in annual revenue to almost \$200 million in annual revenue and 900 employees.

Position: Division Vice President – Vancouver, WA

- Responsible for managing 4 solid waste hauling operations, 2 landfills, 3 transfer stations, and 2 recycling operations with \$70 million in operating revenue and 350 employees

Position: District Manager – Vancouver, WA

- Responsible for managing Columbia Resources Company, Finely Buttes Landfill, Wasco County Landfill, Hood River Disposal & The Dalles Disposal

1990-1999 **Browning Ferris Industries (BFI)** – Multiple Locations

Position: Area Vice President for Western US & Canada - Pleasanton, CA

- Responsible for overseeing 36 Material Recovery Facilities (MRF's) from British Columbia, Alberta and West of Denver, Colorado to Hawaii

Position: District Manager for Newby Island Compost Facility – Milpitas, CA

- Built and operated an outdoor windrow facility composting over 200 tons of green waste per day

Position: District Manager for Newby Island Resource Recovery Complex – Milpitas, CA

- Responsible for overseeing production and processing of 12,000 tons of traditional recyclables, green waste and construction debris per month

Position: Business Development Engineer for Resource Conservation Services (RCS) – Brunswick, ME

- Focused on the development and operation of composting facilities in New England, Ohio, New York and Georgia.

1987-1990 **Esco Environmental Services** - Brunswick, ME

Position: Environmental Engineer

- Managed land application programs for the beneficial re-use of ash produced as a by-product of biomass cogeneration of electricity in Maine.

**COMMUNITY ATTRIBUTES**

- Clark County Parks Foundation Board Member, American Red Cross Board Member, & Clark College Foundation Board Member

**PERSONAL**

- Married to Desiree for 6 years and have two beautiful girls, Carys (4) and Cate (2)

**Darrell W. Chambliss**

*2295 Iron Point Road, Suite 200, Folsom, CA 95630  
(916) 608-8200; DarrellC@wasteconnections.com*

**Professional Experience**

*October 1997 to Present*

*Waste Connections, Inc.*

*Folsom, CA*

*October 2002 to Present – Executive Vice President and Chief Operating Officer  
October 1997 to October 2002 – Vice President of Operations*

Responsibilities include or have included oversight of all day to day operations of the company including capital purchases, Risk Management, contract bidding, organized labor negotiations, acquisition due diligence and integration, equipment maintenance programs and improvements to operating performance using technology.

*March 1995 to September 1997*

*USA Waste / Sanifill*

*Northern CA; MI; MN*

- *April 1997 to September 1997 – General Manager for Northern California (I-5 corridor). Oversaw the day to day operations of 13 collection, transfer and recycling facilities on the I-5 corridor between Sacramento and the Oregon border. Performed due diligence and integration of 6 acquisitions during this time period. Worked with municipalities on contractual obligations and compliance.*
- *April 1996 to March 1997 – General Manager for State of Michigan. Oversaw the operation of all company assets in the state of Michigan. These assets included two collection operations and one municipal solid waste landfill. During this time completed the due diligence and integration of one collection operation while consolidating the two primary collection operations into one operating location. Began the importation of waste from the Canadian market to the landfill located in Grand Blanc, Michigan.*
- *March 1995 to March 1996 – General Manager for State of Minnesota. Integrated the first collection acquisition made in the state of Minnesota. Oversaw the due diligence and integration of 6 additional collection operations throughout the state. Began the export of waste from Minnesota to Iowa to maximize company assets in both states.*

EXHIBIT C

*July 1989 to February 1995*

*BFI Waste Systems, Inc.*

*Multiple locations in CA;  
Tucson, AZ*

- *November 1994 to January 1995* – Assistant District Manager in San Jose, CA. Oversaw the day to day operations the collection operation. Coordinated with municipalities on contract compliance and fulfillment requirements.
- *October 1991 to October 1994* – District Manager in Tucson, AZ. Oversaw the day to day operations of the collection company. Implemented the first curbside recycling contract in the City of Tucson, winning three bids to obtain the entire city. Worked with the City of Tucson and other municipalities on recycling programs and solid waste management issues. Operations doubled in size in 36 months.
- *August 1990 to September 1991* – District Manager in Martinez, CA. Managed the operation of a 1,400 ton per day transfer station. This station operated 24 hours a day, seven days a week. Dealt with the Teamsters Union in implementing a newly agreed upon labor contract.
- *July 1989 to July 1990* – Management Trainee in Gardena, CA. Entered the management training program for BFI. Went through every department of the company learning and doing each of the tasks required to run a successful operation. After 10 months I was promoted to Roll Off Supervisor.

*December 1986 to June 1989*

*ABF Freight Systems, Inc.*

*Wichita, KS*

- *June 1987 to May 1989* – Operations Supervisor in Wichita, KS. Responsible for dispatch the collection and delivery routes. Responsible for setting outbound loads each evening and coordinating with Central Dispatch to move those loads to the break bulk terminals.
- *January 1987 to May 1987* – Management Trainee – Entered the trainee program and worked through all departments.

EXHIBIT C

**STEVEN F. BOUCK**  
2295 Iron Point Road  
Suite 200  
Folsom, CA 95630  
916-608-8229 O  
stevenb@wcnx.org

**WASTE CONNECTIONS, INC.**  
*President*

Folsom, CA  
2004 – Present

- Responsible for all operations, engineering and IT, reporting to Chairman and CEO
- With a decentralized operating philosophy, a major focus is management assessment, development, retention and incentives
- Initiated establishment of corporate wide leadership and development training program
- Continue to work actively with investor base and acquisition team
- Evaluate evolving technologies as they apply to our industry sector for environmental, economic and business feasibility, including mobile devices, compressed natural gas fuels, recycling incentives and waste to energy
- Active participant in all Board of Director meetings and functions

**WASTE CONNECTIONS, INC.**  
*Executive Vice President and Chief Financial Officer*

Folsom, CA  
1998 – 2004

- Completed three major equity financings: \$27.6 Million initial public offering in May 1998, \$67 million follow on offering in February 1999, \$83 million follow on offering in August 2000
- Completed two overnight convertible debt financings, raising \$325M
- Completed six successively larger bank financings, starting at a \$60 million five investor revolving credit facility in April 1998 to an up to \$435 million 14 bank facility
- Obtained credit ratings from Moody's and S&P related to senior debt facility and convertible note offering
- Implemented reporting systems for certain monthly operating and financial data
- Assisted with due diligence, structuring and negotiating of larger acquisition transactions
- Oversight of budgeting and accounting activities
- Participated in formulating corporate strategy in partnership with CEO
- Set up original investor relations program with all industry analysts and institutional investors
- Oversight and implementation of Sarbanes-Oxley Section 404 and audit – with no material deficiencies

**FIRST ANALYSIS CORPORATION**  
*Managing Director*

Chicago, IL  
1986 - 1998

- Managing Director responsible for coordinating firm wide corporate finance efforts.
- Responsible for corporate finance activities related to companies and areas covered by the firm. Completed five co-managed equity offerings and was selected as co-manager in two equity offerings filed but not closed. Banker for twelve completed M&A assignments.
- Led, structured, negotiated and closed nine venture investments totaling roughly \$12.5M of firm managed capital.
- Served on the Board of Directors of nine companies, mostly associated with venture investments. Revenues of the nine companies ranged from \$4.5M to \$35M; one was Mexican, three were public.
- Analyst for segments of the environmental and technology industries to a client base of institutional investors. Research also used in principal investing of venture capital funds managed by First Analysis Corporation (\$310M under management at the time).
- Wall Street Journal's top pollution control analyst for 1995, cited for estimate accuracy in 1993, 1996 and 1997. Cited by Institutional Investor in 1995 "Best of the Boutiques" for coverage.
- Chartered Financial Analyst

EXHIBIT C

**STEVEN F. BOUCK**  
2295 Iron Point Circle  
Suite 200  
Folsom, CA 95630  
916-608-8229 O  
[stevenb@wcnx.org](mailto:stevenb@wcnx.org)

**HEWLETT PACKARD**  
*Sales Representative*

Houston, TX  
1983 - 1985

**REMTEK, INC.**  
*Sales Engineer*

Houston, TX  
1982 - 1983

**DRESSER INDUSTRIES**  
*Applications Engineer*

Los Angeles, CA  
1981 - 1982

**JET PROPULSION LABORATORY**  
*Integration Engineer*

Los Angeles, CA  
1980 - 1981

**EDUCATION**

THE WHARTON SCHOOL, University of Pennsylvania  
Master of Business Administration

Philadelphia, PA  
May, 1986

RENSELAER POLYTECHNIC INSTITUTE  
Master of Science, Mechanical Engineering

Troy, NY  
May, 1980

RENSELAER POLYTECHNIC INSTITUTE  
Bachelor of Science, Magna Cum Laude, Mechanical Engineering

Troy, NY  
May, 1979

**OTHER**

- Chartered Financial Analyst -- 1990
- Member of American Society of Mechanical Engineers (ASME)



# Regulatory Commission of Alaska Certificate of Public Convenience and Necessity No. 667

*Having found that the grantee of this certificate is fit, willing, and able to provide the utility services applied for and that such services are required for the convenience and necessity of the public, the Regulatory Commission of Alaska, pursuant to the authority vested in it by AS 42.05, hereby issues this certificate of Public Convenience and Necessity to*

## **ALASKA WASTE – INTERIOR, LLC d/b/a ALASKA WASTE**

*authorizing it to operate a public utility, as defined by AS 42.05.990(4)(F) for the purpose of furnishing*

### **REFUSE UTILITY**

*This Certificate is issued under, and subject to, the provisions of AS 42.05 and all rules, regulations, and orders from time to time promulgated by the Commission governing the rates, charges, services, facilities, and practices of utility operations of the kind authorized herein.*

*The specific nature, scope, terms, conditions, and limitations of the authority granted by this Certificate, as amended to date, are set forth in the appendix hereto and in the following order(s) of the Commission which, by this reference, are incorporated in and made a part hereof as though fully set forth herein.*

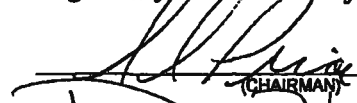
**Docket No.  
U-07-23(2)**

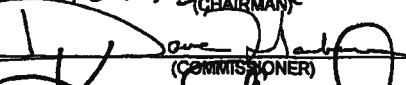
**Date of Order  
September 4, 2007**


**(Chronology and service area description shown on the attached Appendix A)**

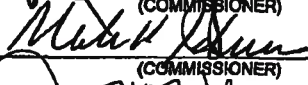
*IN WITNESS THEREOF, the undersigned members of the Commission have executed this Certificate of Public Convenience and Necessity at Anchorage, Alaska on this 20th day of September 2007.*

*Regulatory Commission of Alaska*

  
\_\_\_\_\_  
(CHAIRMAN)

  
\_\_\_\_\_  
(COMMISSIONER)

  
\_\_\_\_\_  
(COMMISSIONER)

  
\_\_\_\_\_  
(COMMISSIONER)


  
\_\_\_\_\_  
(COMMISSIONER)



EXHIBIT D

APPENDIX A

Certificate of Public Convenience  
and Necessity No. 667 Granted to

**ALASKA WASTE – INTERIOR, LLC**  
(Refuse Utility)

DESCRIPTION OF SERVICE AREA:

T1N R1W	Sections:	All
T1N R2W	Sections:	All
T1N R3W	Sections:	All
T1N R4W	Sections:	1 through 4, 9 through 14, 23, and 24
T1N R1E	Sections:	All
T1N R2E	Sections:	All
T1N R3E	Sections:	19 through 36
T1N R4E	Sections:	19 through 36
T1N R5E	Sections:	13, 14, 15, and 19 through 34
T1N R6E	Sections:	13 through 24
T1N R7E	Sections:	1, 2, 3, and 9 through 21
T2N R1W	Sections:	All
T2N R2W	Sections:	19 through 36
T2N R3W	Sections:	25 through 36
T2N R4W	Sections:	33 through 36
T2N R1E	Sections:	All
T2N R2E	Sections:	All
T2N R7E	Sections:	1, 12, 13, 24, 25, 35, and 36
T2N R8E	Sections:	6, 7, and 18
T3N R1W	Sections:	All
T3N R1E	Sections:	All
T3N R2E	Sections:	All
T3N R3E	Sections:	19, 20, 21, and 28 through 33
T3N R7E	Sections:	36
T3N R8E	Sections:	19 through 32, 35, and 36

Appendix A- Certificate No. 667  
Revised September 20, 2007  
Page 1 of 3

*Note: The service area description and history log in this document are for reference only. The controlling document is the Commission Order which modified the Certificate and Appendix A.*

EXHIBIT D

DESCRIPTION OF SERVICE AREA (CONT.)

T4N R3W	Sections:	1, 2, 3, and 11 through 14
T4N R2W	Sections:	7 through 10, 15 through 18, 21 through 26, 35, and 36
T4N R1W	Sections:	30, 31, and 32
T4N R1E	Sections:	25, 26, 34, 35, and 36
T4N R2E	Sections:	1, 2, 11 through 15, 20 through 24, and 27 through 32
T4N R3E	Sections:	5 and 6
T5N R3W	Sections:	2 through 5, 10, 11, 14, 15, 22, 23, 26, 27, 34, 35, and 36
T5N R2E	Sections:	36
T5N R3E	Sections:	28 through 33
T6N R4W	Sections:	25, 26, 35, and 36
T6N R3W	Sections:	29 through 33
T1S R1W	Sections:	All
T1S R2W	Sections:	All
T1S R3W	Sections:	All
T1S R4W	Sections:	25, 26, 35, and 36
T1S R1E	Sections:	All
T1S R2E	Sections:	All
T1S R3E	Sections:	18 through 20; W3/4 of 27; 28 through 33; and W3/4 of 34
T2S R2W	Sections:	Those portions of 6 and 7 North of Tanana River
T2S R3W	Sections:	1 through 12, those portions of 13 through 21 North of Tanana River, and those portions of 30 and 31 North of Tanana River
T2S R4W	Sections:	Those sections and portions of sections Northwest of Tanana River
T2S R5W	Sections:	19 through 36
T2S R1E	Sections:	1 through 3
T2S R2E	Sections:	1 through 17; 21 through 27; 35, and 36
T2S R3E	Sections:	W3/4 of 3; 4 through 36
T2S R4E	Sections:	7, 18, 19, 30, and 31
T3S R2E	Sections:	1 and 12
T3S R3E	Sections:	1 through 29, 33, 34 and 35, and the portions 36 W of the E right-of way of the Richardson Highway as shown on the 1963 Fairbanks (C-1) quadrangle USGS map.

Appendix A- Certificate No. 667  
 Revised September 20, 2007  
 Page 2 of 3

EXHIBIT D

DESCRIPTION OF SERVICE AREA (CONT.)

T3S R4E	Sections:	6, 7, 18, 19, and 30
T4S R3E	Sections:	1, 2, 3, 11, 12, 13, and 24
T4S R4E	Sections:	4 through 11; and 13 through 36
T4S R5E	Sections:	18, 19, 20, 29, 30, 31, and 32
T5S R4E	Sections:	1 through 4; 9 through 16; 21 through 28; and 33 through 36
T5S R5E	Sections:	5 through 8; 17 through 20; and 29 through 32
T6S R4E	Sections:	1 through 4; 9 through 15; 23 through 26; and 36
T6S R5E	Sections:	5 through 8; and 17 through 36
T6S R6E	Sections:	19, 30, and 31
T7S R4E	Sections:	1 and 12
T7S R5E	Sections:	1 through 14; 23 and 24
T7S R6E	Sections:	6, 7, 18 and 19

(All of the above in reference to the Fairbanks Meridian)

CHRONOLOGY:

Certificate Granted:	01/23/03	(U-02-67(1))
Service Area Revised:	03/27/03	(U-02-67(2))
Transfer of Certificate from University Redi-Mix, Inc. d/b/a University Redi-Mix & Service Area Transferred from Certificate No. 628	09/07/08	(U-06-21(2) / U-06-22(2))
Transfer of Certificate from University Refuse, LLC	09/04/07	(U-07-23(2))

Appendix A- Certificate No. 667  
Revised September 20, 2007  
Page 3 of 3

# Regulatory Commission of Alaska

## Certificate of Public Convenience and Necessity No. 692

*Having found that the grantee of this certificate is fit, willing, and able to provide the utility services applied for and that such services are required for the convenience and necessity of the public, the Regulatory Commission of Alaska, pursuant to the authority vested in it by AS 42.05, hereby issues this certificate of Public Convenience and Necessity to*

### WASTE CONNECTIONS OF ALASKA, INC.

*authorizing it to operate a public utility, as defined by AS 42.05.990(5)(F) for the purpose of furnishing*

### REFUSE SERVICE

*This Certificate is issued under, and subject to, the provisions of AS 42.05 and all rules, regulations, and orders from time to time promulgated by the Commission governing the rates, charges, services, facilities, and practices of utility operations of the kind authorized herein.*

*The specific nature, scope, terms, conditions, and limitations of the authority granted by this Certificate, as amended to date, are set forth in the appendix hereto and in the following order(s) of the Commission which, by this reference, are incorporated in and made a part hereof as though fully set forth herein.*

**Docket No.  
U-11-113 (3)**

**Date of Order  
March 13, 2012**

**(Chronology and service area description shown on the attached Appendix A)**

*IN WITNESS WHEREOF, the undersigned members of the Commission have executed this Certificate of Public Convenience and Necessity at Anchorage, Alaska on this 22nd day of March, 2012.*



Regulatory Commission of Alaska

*[Signature]*  
(CHAIR)  
*[Signature]*  
(COMMISSIONER)  
*[Signature]*  
(COMMISSIONER)  
*[Signature]*  
(COMMISSIONER)  
*[Signature]*  
(COMMISSIONER)

EXHIBIT D

APPENDIX A

Certificate of Public Convenience  
And Necessity No. 692 Granted to

**WASTE CONNECTIONS OF ALASKA, INC.**  
(Refuse Utility)

Anchorage / Eagle River

T8N R2E	Sections:	1, 12, 13, 24, 25, and 36
T8N R3E	Sections:	All
T9N R3E	Sections:	All
T9N R2E	Sections:	1, 2, 3, 11 through 13, and those portions of 14 and 23 within the boundaries of the Municipality of Anchorage, 24, 25, and 36
T10N R2W	Sections:	1 through 4
T10N R1W	Sections:	1 through 6, 8 through 15, 23, 24, 25
T10N R1E	Sections:	1 through 24, 29, and 30
T10N R2E	Sections:	1 through 30, and 32 through 36
T11N R1W	Sections:	All
T11N R1E	Sections:	All
T11N R2E	Sections:	All
T11N R2W	Sections:	3 through 10, 15 through 18, and 19 through 36
T11N R3W	Sections:	1 through 5, 9 through 15, and 23 through 25
T12N R2W	Sections:	5, those portions of 6 and 7 not within the Military Reservation, 8, 17 through 20, 29 through 32
T12N R3W	Sections:	4 through 9, and 13 through 36
T12N R4W	Sections:	1 through 4, 9 through 16, 22 through 26, and 36
T13N R2W	Sections:	That portion of 7 not within the Military Reservation
T13N R3W	Sections:	Those areas not within the Military Reservation or the Municipality of Anchorage Solid Waste Services territory (MOA SWS territory)
T13N R4W	Sections:	20, 21, those portions of 22 not within the MOA SWS territory, 25 through 29, and 31 through 36
T13N R1E	Sections:	W ½ of 3, 4, 5, 6, and 9 on N side of Eagle River and the W ½ of 10

EXHIBIT D

- T14N R1E Sections: 29 through 33
- T14N R1W Sections: 4 through 10, and 14 through 36
- T14N R2W Sections: 1, those portions of 2 and 11 not within the Military Reservation, 12, 13, those portions of 14 and 23 not within the Military Reservation, and 24
- T15N R1W Sections: 1 through 12, 14 through 22, and 28 through 32
- T15N R2W Sections: 12, 13, 24, 25, those portions of 26 and 34 not within the Military Reservation, 35 and 36
- T16N R1E Sections: Those portions of 15 through 21 S of Knik Arm, and Knik River, 28 through 32, and those portions of 33 and 34 S of Eklutna River
- T16N R1W Sections: Those portions of 23 and 24 S of Knik Arm, and 25 through 36

(All of the above with reference to the Seward Meridian)

Whittier

- T8N R4E Sections: 10, 11, 12, 13, 14, 15, 22, 23, and 24
- T8N R5E Sections: S ½ of 3, SE1/4 of 4, 7 through 11, and 14 through 18

(All the above with reference to the Seward Meridian)

CHRONOLOGY:

Certificate Granted:	11/17/03 (U-03-79(1))
Service Area Amended:	05/18/05 (U-04-119(2))
Name Changed from Alaska Pacific Environmental Services Anchorage, LLC:	10/11/05 (U-04-119(5))
Service Area Addition:	08/25/07 (U-07-009(4))
Service Area Transfer:	09/04/07 (U-07-021(2))
Service Area Reduction/Partial Transfer To Alaska Waste. Mat-Su, LLC:	10/27/09 (U-09-027(3))
Certificate Transferred from Alaska Pacific Environmental Services Anchorage, LLC:	03/13/12 (U-11-113(3))

Certificate No. 692 / Appendix A  
Issued March 22, 2012  
Page 2 of 2



# City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715

Fax (907)459-6710

## MEMORANDUM

TO: Mayor Jerry Cleworth  
City Council Members

FROM: Janey Hovenden, CMC, City Clerk

SUBJECT: Renewal of Liquor Licenses

DATE: April 18, 2012

Attached you will find the notification of liquor license renewals from the State ABC Board for the following liquor licenses. You will also find responses received from the Finance, Fire and Police Departments:

Lic #	Establishment Name	License Type	Premise Location	Owner Name
104	Red Lantern Steak & Spirits	Beverage Dispensary	820 Noble Street	Westmark Hotels, Inc.
252	Club Alaskan	Beverage Dispensary	901 Old Steese Hwy	Jerwater, Inc.
435	Garden Island Party Store	Package Store	246 Illinois Street	Market Basket, Inc.
703	Gavora's Liquor #1	Package Store	250 Third Street Graehl	Market Basket, Inc.
704	Gavora's Liquor #2	Package Store	1255 Airport Way	Market Basket, Inc.
884	Pizza Hut	R/E Place	1990 Airport Way	Kurani, Inc.
1134	Thrifty Liquors	Package Store	1410 Cushman Street	Market Basket, Inc.
1475	Pizza Hut #5	R/E Place	89 College Road	Kurani, Inc.
1920	Reflections	Beverage Dispensary	2406 S Cushman St	The Lighthouse, Inc.
2424	Sophie Station Hotel	Beverage Dispensary-Tourism	1717 University Ave S	Fountainhead Development, Inc.
<b>*2565</b>	<b>El Dorado Bar &amp; Grill</b>	<b>Beverage Dispensary</b>	<b>530 Third Avenue</b>	<b>El Dorado Bar &amp; Grill Inc</b>
2851	Shenanigan's	Beverage Dispensary	2406 S Cushman St	Tiffany Park West, Inc.
3074	Wedgewood Resort	Beverage Dispensary-Tourism	212 Wedgewood Dr	Fountainhead Development, Inc.
3170	The Odom Corporation	Wholesale - General	3101 Peger Road-Bay 1	Odom Corporation
<b>**3489</b>	<b>Arctic Bar</b>	<b>Beverage Dispensary</b>	<b>623 Old Steese Hwy</b>	<b>Arctic Inuk, Inc.</b>

Renewal of Liquor Licenses (25)  
 April 18, 2012 (April 23, 2012 CCM)  
 Page 2

Lic #	Establishment Name	License Type	Premise Location	Owner Name
3616	Wedgewood Resort – Bear Lodge	Bev Dispensary – Tourism Duplicate	212 Wedgewood Dr	Fountainhead Development, Inc.
3969	Tony's	Beverage Dispensary	537 Gaffney Road	Full Moon, Inc.
3997	BPO Elks Lodge #1551	Club	1003 Pioneer Road	BPO Elks Lodge #1551
4174	Big Daddy's Bar-B-Q & Banquet Hall	Beverage Dispensary	107 Wickersham St	RTG, LLC
4247	Brewster's	Beverage Dispensary	3578 Airport Way	Restaurant Concepts, LLC
4530	The Hide Out	Beverage Dispensary	1288 Sadler Way	Xavier's, Inc.
4819	The Antler Room	Beverage Dispensary	1003 Pioneer Rd #A	The Antler Room, Inc.
4833	Odom Corporation	Wholesale – General	1200 Well St – Bay 1	Odom Corporation
4968	Xavier's Boom Boom Room	Beverage Dispensary – Dup.	1288 Sadler Way	Xavier's, Inc.
4720	Trappers Tavern	Beverage Dispensary	No Premise	Taco Azteca, Inc.

Pursuant to FGC Sec. 14-178 the Council must determine whether or not to protest liquor license renewals after holding a public hearing.

**\*The Fire Department recommends protest for the Eldorado Bar & Grill, License #2565, until satisfactory completion of repairs and renovation of building and fire code violations.**

**\*\* The Finance Department recommends protest for the Arctic Bar, License # 3489, until payment in full of all outstanding sales tax, penalties and/or interest is received.**

Please note that there are no other departmental protests.

Please contact me if you need any further information.





# State of Alaska

Department of Public Safety

## Alcoholic Beverage Control Board

Sean Parnell, Governor  
Joseph A. Masters, Commissioner

March 19, 2012

### Renewal Application Notice

City of Fairbanks

Attn: City & Borough Clerks

VIA EMAIL: [jjhovenden@ci.fairbanks.ak.us](mailto:jjhovenden@ci.fairbanks.ak.us) & [pphillips@co.fairbanks.ak.us](mailto:pphillips@co.fairbanks.ak.us)

DBA	Lic Type	Lic #	Owner	Premise Address
Red Lantern Steak & Spirits	Beverage Dispensary	104	Westmark Hotels Inc	820 Noble St
Club Alaskan	Beverage Dispensary	252	Jerwater Inc	901 Old Steese Hwy
Garden Island Party Store	Package Store	435	Market Basket Inc	246 Illinois
Gavora's Liquor #1	Package Store	703	Market Basket Inc	250 Third Street Graehl
Gavora's Liquor #2	Package Store	704	Market Basket Inc	1255 Airport Way
Pizza Hut #4	Restaurant/Eating Place	884	Kurani Inc	1990 Airport Way
Thrifty Liquors	Package Store	1134	Market Basket Inc	1410 Cushman Street
Pizza Hut #5	Restaurant/Eating Place	1475	Kurani Inc	89 College Road
Reflections	Beverage Dispensary	1920	The Lighthouse Inc	2406 S Cushman St
Sophie Station Hotel	Beverage Dispensary-Tourism AS 04.11.400(d)	2424	Fountainhead Development Inc	1717 University Ave S
El Dorado Bar & Grill	Beverage Dispensary	2565	El Dorado Bar & Grill Inc	530 Third Ave.

Alcoholic Beverage Control Board  
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412

Shenanigan's	Beverage Dispensary	2851	Tiffany Park West Inc	2406 S Cushman St
Wedgewood Resort	Beverage Dispensary-Tourism AS 04.11.400(d)	3074	Fountainhead Development Inc	212 Wedgewood Dr
Odom Corporation, The	Wholesale - General	3170	Odom Corporation	3101 Peger Rd - Bay 1
Arctic Bar	Beverage Dispensary	3489	Arctic Inuk Inc	623 Old Steese Hwy
Wedgewood Resort-Bear Lodge	Beverage Dispensary-Tourism Duplicate	3616	Fountainhead Development Inc	212 Wedgewood Dr
Tony's	Beverage Dispensary	3969	Full Moon Inc	537 Gaffney
BPO Elks Lodge #1551	Club	3997	BPO Elks Lodge #1551	1003 Pioneer Road
Big Daddy's Bar-B-Q & Banquet Hall	Beverage Dispensary	4174	RTG LLC	107 Wickersham St
Brewster's	Beverage Dispensary	4247	Restaurant Concepts LLC	3578 Airport Way
Hide Out, The	Beverage Dispensary	4530	Xavier's Inc	1288 Sadler Way
Antler Room, The	Beverage Dispensary	4819	The Antler Room Inc	1003 Pioneer Rd #A
Odom Corporation	Wholesale - General	4833	Odom Corporation	1200 Well St - Bay 1
Xavier's Boom Boom Room	Beverage Dispensary-Duplicate	4968	Xavier's Inc	1288 Sadler Way

We have received a renewal application for the above listed licenses within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board

**Alcoholic Beverage Control Board**  
**5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412**

will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

**Note:** Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD  
Director

*/s/ Christine C. Lambert*

Christine C. Lambert  
Licensing & Records Supervisor  
269-0359  
Christine.lambert@alaska.gov

**Alcoholic Beverage Control Board**  
**5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412**



**State of Alaska**  
**Department of Public Safety**  
**Alcoholic Beverage Control Board**

Sean Parnell, Governor  
 Joseph A. Masters, Commissioner

March 14, 2012

**Renewal Application Notice**

City of Fairbanks  
 Attn: City & Borough Clerks  
 VIA EMAIL: [jjhovenden@ci.fairbanks.ak.us](mailto:jjhovenden@ci.fairbanks.ak.us) & [pphillips@co.fairbanks.ak.us](mailto:pphillips@co.fairbanks.ak.us)

DBA	Lic Type	Lic #	Owner	Premise Address
Trappers Tavern	Beverage Dispensary	4720	Taco Azteca Inc.	No Premise

We have received a renewal application for the above listed licenses within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

**Alcoholic Beverage Control Board**  
**5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412**

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

**Note:** Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD  
Director

*/s/ Christine C. Lambert*

Christine C. Lambert  
Licensing & Records Supervisor  
269-0359  
Christine.lambert@alaska.gov

**Alcoholic Beverage Control Board**  
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412





# City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715  
Fax (907)459-6710

## LIQUOR LICENSE RESPONSE FORM

TO:  FINANCE DEPT.

DATE: March 19, 2012

FIRE DEPARTMENT

FAIRBANKS POLICE DEPT.

FROM: CITY CLERK'S OFFICE

RE: LIQUOR LICENSE ACTION - RENEWALS

DATE NOTICE RECEIVED AT CLERKS OFFICE: 03/19/2012 (60 DAY DUE DATE 05/18/2012)

DATE RESPONSE DUE: 04/17/2012 for City Council Meeting of 04/23/2012

Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone	
A 104	Red Lantern Steak & Spirits	Beverage Dispensary	820 Noble St	Westmark Hotels Inc	(907)456-7722	OK
A 252	Club Alaskan	Beverage Dispensary	901 Old Steese Hwy	Jerwater Inc	(907)456-6777	OK
A 435	Garden Island Party Store	Package Store	246 Illinois	Market Basket Inc	(907)452-7523	OK
A 703	Gavora's Liquor #1	Package Store	250 Third Street Graehl	Market Basket Inc	(907)452-7523	OK
A 704	Gavora's Liquor #2	Package Store	1255 Airport Way	Market Basket Inc	(907)452-7523	OK
A 884	Pizza Hut #4	Restaurant/Eating Place	1990 Airport Way	Kurani Inc	(907)451-1798	OK
A 1134	Thrifty Liquors	Package Store	1410 Cushman Street	Market Basket Inc	(907)452-7523	OK
A 1475	Pizza Hut #5	Restaurant/Eating Place	89 College Road	Kurani Inc	(907)451-1793	OK
A 1920	Reflections	Beverage Dispensary	2406 S Cushman St	The Lighthouse Inc	(907)456-3748	OK
A 2424	Sophie Station Hotel	Beverage Dispensary-Tourism AS 04.11.400(d)	1717 University Ave S	Fountainhead Development Inc	907)456-7143	OK
I 2565	El Dorado Bar & Grill	Beverage Dispensary	530 Third Ave.	El Dorado Bar & Grill Inc	(907)452-6437	
A 2851	Shenanigan's	Beverage Dispensary	2406 S Cushman St	Tiffany Park West Inc	(907)452-1246	OK
A 3074	Wedgewood Resort	Beverage Dispensary-Tourism	212 Wedgewood Dr	Fountainhead Development Inc	(907)456-1743	OK
NA 3170	Odom Corporation, The	Wholesale - General	3101 Peger Rd - Bay I	Odom Corporation	(907)456-3535	No
A 3489	Arctic Bar	Beverage Dispensary	623 Old Steese Hwy	Arctic Inuk Inc	(907)457-1123	17,405.
A 3616	Wedgewood Resort-Bear Lodge	Beverage Dispensary-Tourism Duplicate	212 Wedgewood Dr	Fountainhead Development Inc	(907)456-7143	OK
A 3969	Tony's	Beverage Dispensary	537 Gaffney	Full Moon Inc	(907)451-6377	OK

NOTE: THIS COMPLETED FORM MUST BE RETURNED TO THE CITY CLERK'S OFFICE BY THE DATE INDICATED ABOVE. YOU MAY E-MAIL OR FAX (459-6710) THE FORM. ANY QUESTIONS CALL OUR OFFICE AT 459-6774. THANK YOU.



Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone	
3997	BPO Elks Lodge #1551	Club	1003 Pioneer Road	BPO Elks Lodge #1551	(907)456-1551	OK
4174	Big Daddy's Bar-B-Q & Banquet Hall	Beverage Dispensary	107 Wickersham St	RTG LLC	(907)452-2501	OK
4247	Brewster's	Beverage Dispensary	3578 Airport Way	Restaurant Concepts LLC	(907)456-2538	OK
4530	Hide Out, The	Beverage Dispensary	1288 Sadler Way	Xavier's Inc	(907)374-3550	OK
4819	Antler Room, The	Beverage Dispensary	1003 Pioneer Rd #A	The Antler Room Inc	(907)456-1551	OK
4833	Odom Corporation	Wholesale - General	1200 Well St - Bay 1	Odom Corporation	(425)456-3533	NA
4968	Xavier's Boom Boom Room	Beverage Dispensary-Duplicate	1288 Sadler Way	Xavier's Inc	(907)452-6294	NA
4720	Trappers Tavern	Beverage Dispensary	No Premise	Taco Azteca, Inc. OK	(907)456-5104	NA

NO PROTEST:       PROTEST

**REASONS OR COMMENTS**

*Norctic Bar = Delinquent \$17,405*

DEPARTMENT  
 SIGNEE:

SIGNATURE

DATE

*3/27/12*





# City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715  
Fax (907)459-6710

## LIQUOR LICENSE RESPONSE FORM

TO:  FINANCE DEPT.  
 FIRE DEPARTMENT  
 FAIRBANKS POLICE DEPT.

DATE: March 19, 2012

FROM: CITY CLERK'S OFFICE  
RE: LIQUOR LICENSE ACTION – RENEWALS

DATE NOTICE RECEIVED AT CLERKS OFFICE: 03/19/2012 (60 DAY DUE DATE 05/18/2012)

DATE RESPONSE DUE: **04/17/2012** for City Council Meeting of 04/23/2012

Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone
104	Red Lantern Steak & Spirits	Beverage Dispensary	820 Noble St	Westmark Hotels Inc	(907)456-7722
252	Club Alaskan	Beverage Dispensary	901 Old Steese Hwy	Jerwater Inc	(907)456-6777
435	Garden Island Party Store	Package Store	246 Illinois	Market Basket Inc	(907)452-7523
703	Gavora's Liquor #1	Package Store	250 Third Street Grachl	Market Basket Inc	(907)452-7523
704	Gavora's Liquor #2	Package Store	1255 Airport Way	Market Basket Inc	(907)452-7523
884	Pizza Hut #4	Restaurant/Eating Place	1990 Airport Way	Kurani Inc	(907)451-1798
1134	Thrifty Liquors	Package Store	1410 Cushman Street	Market Basket Inc	(907)452-7523
1475	Pizza Hut #5	Restaurant/Eating Place	89 College Road	Kurani Inc	(907)451-1793
1920	Reflections	Beverage Dispensary	2406 S Cushman St	The Lighthouse Inc	(907)456-3748
2424	Sophie Station Hotel	Beverage Dispensary-Tourism AS 04.11.400(d)	1717 University Ave S	Fountainhead Development Inc	907)456-7143
2565	El Dorado Bar & Grill	Beverage Dispensary	530 Third Ave.	El Dorado Bar & Grill Inc	(907)452-6437
2851	Shenanigan's	Beverage Dispensary	2406 S Cushman St	Tiffany Park West Inc	(907)452-1246
3074	Wedgewood Resort	Beverage Dispensary-Tourism	212 Wedgewood Dr	Fountainhead Development Inc	(907)456-1743
3170	Odom Corporation, The	Wholesale - General	3101 Peger Rd - Bay 1	Odom Corporation	(907)456-3535
3489	Arctic Bar	Beverage Dispensary	623 Old Steese Hwy	Arctic Inuk Inc	(907)457-1123
3616	Wedgewood Resort-Bear Lodge	Beverage Dispensary-Tourism Duplicate	212 Wedgewood Dr	Fountainhead Development Inc	(907)456-7143
3969	Tony's	Beverage Dispensary	537 Gaffney	Full Moon Inc	(907)451-6377

NOTE: THIS COMPLETED FORM MUST BE RETURNED TO THE CITY CLERK'S OFFICE BY THE DATE INDICATED ABOVE. YOU MAY E-MAIL OR FAX (459-6710) THE FORM.

ANY QUESTIONS CALL OUR OFFICE AT 459-6774. THANK YOU.

Various Liquor License Renewals 2012 (25)

Due April 17, 2012

Page 2 of 2

Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone
3997	BPO Elks Lodge #1551	Club	1003 Pioneer Road	BPO Elks Lodge #1551	(907)456-1551
4174	Big Daddy's Bar-B-Q & Banquet Hall	Beverage Dispensary	107 Wickersham St	RTG LLC	(907)452-2501
4247	Brewster's	Beverage Dispensary	3578 Airport Way	Restaurant Concepts LLC	(907)456-2538
4530	Hide Out, The	Beverage Dispensary	1288 Sadler Way	Xavier's Inc	(907)374-3550
4819	Antler Room, The	Beverage Dispensary	1003 Pioneer Rd #A	The Antler Room Inc	(907)456-1551
4833	Odom Corporation	Wholesale - General	1200 Well St - Bay 1	Odom Corporation	(425)456-3533
4968	Xavier's Boom Boom Room	Beverage Dispensary-Duplicate	1288 Sadler Way	Xavier's Inc	(907)452-6294
4720	Trappers Tavern	Beverage Dispensary	No Premise	Taco Azteca, Inc.	(907)456-5104

NO PROTEST:       PROTEST

REASONS OR COMMENTS *EL DORADO BAR & GRILL NEEDS NINE TEMPORARY OCCUPANCY PERMIT*

DEPARTMENT *KING CHIEF*  
 SIGNEE: *[Signature]*  
 SIGNATURE

*3/27/12*  
 DATE



# Fairbanks Fire Department

1101 Cushman St., Fairbanks, AK. 99701-4620  
(907)450-6615 Fax (907) 450-6666  
TDD / TTY (800) 770-8973 RELAYalaska

Warren Cummings, Fire Chief



November 28, 2011

Mario Velderrain  
El Dorado Bar & Grill  
530 3<sup>rd</sup> Ave.  
Fairbanks, AK 99701

**SUBJECT:** Final Notice... Temporary Use

Dear Mr. Velderain;

Both the Building and Fire Department conducted a site inspection at the request of ABC (Alcohol Beverage Control) Board in November 2011. This inspection was part of the process for ABC to issue a temporary (30 day) permit to operate the liquor license at the above facility in 2011.

This inspection revealed several items that required immediate correction in order for the temporary approval. All these items have been corrected and both the Building and Fire Department have no objection to the temporary opening.

The concern we (Building & Fire Department) have is the "ongoing" construction / renovation project for the whole building. There are requirements we place on everyone to operate a facility that the public enters. Things like restrooms and other sanitation requirements, emergency lighting, heat, electrical, etc. These same requirements are required for your building however have not been completed. We understand the challenges you face and in the spirit of helping you, we have granted the temporary use of the "patio" area of the facility for the 30 day open period (for the liquor license) for the last two years. Unfortunately we have not seen any movement to complete the renovation project of the building. We want to stress that the November 2011 temporary approval will be the last one. The renovation project MUST be completed, building inspected and approved, and certificate of occupancy issued by the Building Department before anymore approvals will be provided to ABC from the City.

If you have any questions please feel free to give me a call at (907) 450-6615 or drop me an email at [edmisewicz@ci.fairbanks.ak.us](mailto:edmisewicz@ci.fairbanks.ak.us).

Sincerely,

Ernest. D. Misewicz,  
Asst Chief / Fire Marshal

Cc: ABC Board

Copy Received By: \_\_\_\_\_

Mario Velderrain

Date Received: 11/28/2011

**SMOKE & CO DETECTORS.....Don't Stay Home Without Them**

## Janey J. Hovenden

---

**From:** Janey J. Hovenden  
**Sent:** Monday, March 19, 2012 2:55 PM  
**To:** Ernie D. Misewicz; Warren B. Cummings  
**Cc:** James N. Soileau; Candy E. Dyer; Laren J. Zager; Yumi D. McCulloch  
**Subject:** RE: DUE April 17 - 25 Renewals.docx

Ernie,

I will do my best to answer your questions.

Trappers Tavern has a "No Premise" license meaning that it went through a transfer of location in order to do that. Before it can be operated, there will have to be another transfer of location to an actual location. During that transfer, we will be able to inspect prior to operation. So basically, you do not protest a renewal for a "no premise" license.

Eldorado Bar & Grill – I agree, based on your letter, that it should be "protested" by the Fire Department pending satisfactory completion of repairs and renovation for building and fire code violations.

That way, they will call you for re-inspection and we can lift the protest administratively when the repairs are complete.

I hope this answers your questions.

Janey

---

**From:** Ernie D. Misewicz  
**Sent:** Monday, March 19, 2012 1:11 PM  
**To:** Janey J. Hovenden; Warren B. Cummings  
**Cc:** James N. Soileau; Candy E. Dyer; Laren J. Zager; Yumi D. McCulloch  
**Subject:** RE: DUE April 17 - 25 Renewals.docx

Two places with questions...

1. Trappers...we cannot reach anyone. It does not look like anyone has been around the place for some time. Checked today and there is a lot of snow in the parking lot. Even the Klondike Inn is closed.
2. Eldorado Bar & Grill...This place is a work in progress...Clem & I made a visit there in late Nov 2011. The ABC requires a place to operate at least 30 days / year. The building is under renovation and has been for a few years. He wanted to open his doors "temporary" for 30 days in Dec in order to comply with ABC rules. He only opened is small café / patio area off Second Ave. See attached notice we gave Mario (the bldg owner)... This was the "final" temporary approval we were going to issue...NOTE: The liquor license is the one from the old Hot Tamale's off N. Turner St. DOT tore down that building in preparation for the Illinois / Barnette St Project. Mario purchased the building on Third and has been working on "renovating" for several years. No real progress. He has however used

the ABC provision to keep the license by using the 30 day rule and getting a temp certificate to open a small portion of the "building".

The questions are:

1. Do you have a "good" contact for the Trappers? We have not been able to get in contact with anyone...
2. How do we handle these two places???  
Eldorado should be a protest until such time he completes the renovation...  
Trappers...also a protest if we can't inspect, we can't approve...

Thanks....

*Ernie*



**From:** Janey J. Hovenden

**Sent:** Monday, March 19, 2012 10:55 AM

**To:** James N. Soileau; Candy E. Dyer; Warren B. Cummings; Ernie D. Misewicz; Laren J. Zager; Yumi D. McCulloch

**Subject:** DUE April 17 - 25 Renewals.docx

This is the last of the renewals. I have been notified that the "Point After" #3147 did not renew their license so is considered "expired".

It is such a large list the I hope everyone got a jump-start on them when I sent out the initial list last fall.

Thanks for all your help in getting these back to me timely.

Janey



# City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715  
Fax (907)459-6710

## LIQUOR LICENSE RESPONSE FORM

TO:  FINANCE DEPT.  
 FIRE DEPARTMENT  
 FAIRBANKS POLICE DEPT.

DATE: March 19, 2012

FROM: CITY CLERK'S OFFICE  
RE: LIQUOR LICENSE ACTION - RENEWALS

DATE NOTICE RECEIVED AT CLERKS OFFICE: 03/19/2012 (60 DAY DUE DATE 05/18/2012)

DATE RESPONSE DUE: **04/17/2012** for City Council Meeting of 04/23/2012

Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone
104	Red Lantern Steak & Spirits	Beverage Dispensary	820 Noble St	Westmark Hotels Inc	(907)456-7722
252	Club Alaskan	Beverage Dispensary	901 Old Steese Hwy	Jerwater Inc	(907)456-6777
435	Garden Island Party Store	Package Store	246 Illinois	Market Basket Inc	(907)452-7523
703	Gavora's Liquor #1	Package Store	250 Third Street Graehl	Market Basket Inc	(907)452-7523
704	Gavora's Liquor #2	Package Store	1255 Airport Way	Market Basket Inc	(907)452-7523
884	Pizza Hut #4	Restaurant/Eating Place	1990 Airport Way	Kurani Inc	(907)451-1798
1134	Thrifty Liquors	Package Store	1410 Cushman Street	Market Basket Inc	(907)452-7523
1475	Pizza Hut #5	Restaurant/Eating Place	89 College Road	Kurani Inc	(907)451-1793
1920	Reflections	Beverage Dispensary	2406 S Cushman St	The Lighthouse Inc	(907)456-3748
2424	Sophie Station Hotel	Beverage Dispensary-Tourism AS 04.11.400(d)	1717 University Ave S	Fountainhead Development Inc	907)456-7143
2565	El Dorado Bar & Grill	Beverage Dispensary	530 Third Ave.	El Dorado Bar & Grill Inc	(907)452-6437
2851	Shenanigan's	Beverage Dispensary	2406 S Cushman St	Tiffany Park West Inc	(907)452-1246
3074	Wedgewood Resort	Beverage Dispensary-Tourism	212 Wedgewood Dr	Fountainhead Development Inc	(907)456-1743
3170	Odom Corporation, The	Wholesale - General	3101 Peger Rd - Bay 1	Odom Corporation	(907)456-3535
3489	Arctic Bar	Beverage Dispensary	623 Old Steese Hwy	Arctic Inuk Inc	(907)457-1123
3616	Wedgewood Resort-Bear Lodge	Beverage Dispensary-Tourism Duplicate	212 Wedgewood Dr	Fountainhead Development Inc	(907)456-7143
3969	Tony's	Beverage Dispensary	537 Gaffney	Full Moon Inc	(907)451-6377

NOTE: THIS COMPLETED FORM MUST BE RETURNED TO THE CITY CLERK'S OFFICE BY THE DATE INDICATED ABOVE. YOU MAY E-MAIL OR FAX (459-6710) THE FORM.

ANY QUESTIONS CALL OUR OFFICE AT 459-6774. THANK YOU.

Various Liquor License Renewals 2012 (25)

Due April 17, 2012

Page 2 of 2

Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone
3997	BPO Elks Lodge #1551	Club	1003 Pioneer Road	BPO Elks Lodge #1551	(907)456-1551
4174	Big Daddy's Bar-B-Q & Banquet Hall	Beverage Dispensary	107 Wickersham St	RTG LLC	(907)452-2501
4247	Brewster's	Beverage Dispensary	3578 Airport Way	Restaurant Concepts LLC	(907)456-2538
4530	Hide Out, The	Beverage Dispensary	1288 Sadler Way	Xavier's Inc	(907)374-3550
4819	Antler Room, The	Beverage Dispensary	1003 Pioneer Rd #A	The Antler Room Inc	(907)456-1551
4833	Odom Corporation	Wholesale - General	1200 Well St - Bay 1	Odom Corporation	(425)456-3533
4968	Xavier's Boom Boom Room	Beverage Dispensary-Duplicate	1288 Sadler Way	Xavier's Inc	(907)452-6294
4720	Trappers Tavern	Beverage Dispensary	No Premise	Taco Azteca, Inc.	(907)456-5104

NO PROTEST:       PROTEST

**REASONS OR COMMENTS**

DEPARTMENT  
 SIGNEE:   
 SIGNATURE

3-19-12  
 DATE



**ORDINANCE NO. 5881**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE BY  
ADDING SECTION 46-329 ABUSE OF 911 SYSTEM**

**WHEREAS**, the 911 telephone system is a critical component in the emergency response system; and

**WHEREAS**, abuses of this system waste 911 dispatcher's valuable time and potentially delay the response of emergency personnel to true emergencies,

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA**, as follows:

**SECTION 1.** That Fairbanks General Code, Chapter 46, Article VII, is amended by adding Section 46-329 as follows:

**Sec. 46-329. Abuse of 911 system.**

(a) Any person who, after being warned that their use of the 911 telephone system is improper, uses the 911 telephone system for any reason other than because of an emergency is guilty of an infraction.

(b) For purposes of this section "emergency" means any condition in which a reasonable person would believe emergency services will result in the saving of a life, a reduction in the destruction of property, quicker apprehension of a criminal, assistance with potentially life-threatening medical problems, a fire, a need for rescue, an imminent potential crime, or a similar situation in which immediate assistance is required. "Emergency" also includes calls to 911 the purpose of which is to prevent an emergency response from being initiated when no such response is needed.

(c) A person convicted under subsection (a) is subject to a fine of \$250.00.

**Section 2.** That the effective date of this Ordinance shall be \_\_\_\_\_, 2012.

\_\_\_\_\_  
**Jerry Cleworth, City Mayor**

AYES:  
NAYS:  
ABSENT:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Janey Hovenden, City Clerk

\_\_\_\_\_  
Paul Ewers, City Attorney

**RESOLUTION NO. 4522**

**A RESOLUTION DENYING THE USE OF CITY RESOURCES, AND URGING THE STATE OF ALASKA TO DENY USE OF ITS RESOURCES, IN ANY UNCONSTITUTIONAL FEDERAL SUSPENSION OF HABEAS CORPUS PURSUANT TO SECTION 1021 OF THE NATIONAL DEFENSE AUTHORIZATION ACT (NDAA)**

**WHEREAS**, the United States Constitution assures all citizens the right to habeas corpus, that is, the right to demand that the arresting authority show legal cause for detention; and

**WHEREAS**, legal cause for detention must conform to the Fourth Amendment outlawing any unreasonable seizure of persons, the Fifth Amendment requiring due process in any deprivation of liberty, and the Sixth Amendment assuring speedy and public trial; and

**WHEREAS**, the *only* exception to such legal causes for detention is found in Article 1, Section 9, of the U. S. Constitution, which reads, "The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it"; and

**WHEREAS**, the Tenth Amendment reserves all powers and rights to the people and the states, *except* those delegated to the federal government by the U. S. Constitution; and

**WHEREAS**, the power of habeas corpus suspension, as legislated to the federal government in Section 1021 of the NDAA of 2012, includes the power to detain any person "who was part of or substantially supported al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners," and anyone who commits a "belligerent act" against the U.S. or its coalition allies in aid of such enemy forces, under the law of war, "without trial until the end of the hostilities"; and

**WHEREAS**, Section 1021 thus oversteps the clear meaning of Article 1, Section 9, insofar as it grants the federal government power of unlimited detention of American citizens without charge or trial *without defining or specifying conformity* to the meanings of "rebellion," "invasion," "hostilities" or "public safety" as these terms constitutionally should be understood by Article 1, Section 9; and

**WHEREAS**, the Mayor of the City of Fairbanks and the Governor and Legislature of the State of Alaska have taken oaths to support the Constitution of the United States;

**NOW THEREFORE BE IT RESOLVED**, that (1) the Mayor of the City of Fairbanks refuse to permit the expenditure of resources to conform to any federal request or mandate which should overstep the power granted in Article 1, Section 9, of the U.S. Constitution; (2) the Governor of the State of Alaska be hereby urged to do the same; and (3) the Legislature of the

State of Alaska be hereby urged to enact a statute requiring same; and (4) the Congress of the United States must repeal Section 1021 or reformulate it by specifying exactly how it shall conform to Article 1, Section 9, suspending habeas corpus.

**PASSED and APPROVED this 23rd Day of April, 2012.**

---

Jerry Cleworth, Mayor

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

---

Janey Hovenden, City Clerk CMC

---

Paul Ewers, City Attorney

**Fairbanks North Star Borough / City of Fairbanks**  
**CHENA RIVERFRONT COMMISSION**  
**DESIGN COMMITTEE MEETING**  
**MINUTES**  
**February 27, 2012**

A special meeting of the Chena Riverfront Commission Design Committee was held in the Ester Conference Room, 809 Pioneer Road, Fairbanks, Alaska. The meeting was called to order at 12:00 p.m. by Kelley Hegarty Lammers, Chair.

**1. ROLL CALL**

PRESENT: Kelley Hegarty Lammers, Chair  
Bob Henszey  
Anna Plager (by phone)  
Lee Wood

ALSO PRESENT: Sarah Schacher, DOT  
Bernando Hernandez, Department of Community Planning  
Mark Mussman, FNSB Planner  
Bobette McKirgan, Recording Clerk

**2. APPROVAL OF AGENDA**

*A proposal made by Hegarty Lammers to re-order the agenda items was met with no objection.*

The re-ordered agenda was approved without objection after a motion by **Henszey**, seconded by **Wood**.

**3. PUBLIC COMMENTS**

None

**4. NEW BUSINESS (Re-ordered)**

A. Ice Alaska Site Planning Issues Along the Chena River

**Hegarty Lammers** said the goal for the committee was to come up with a recommendation as to how Ice Alaska might consider revising their site plan and take that to the commission as a whole.

**Mussman** presented the Ice Alaska location and site plan on the overhead and explained how the present event was structured. **Mussman** pointed out the parcels approved for rezone. **Mussman** mentioned special limitations and pointed out the waterway protection overlay along the slough, noting it would remain a riparian area, adding it was fifty feet from the water's edge/meander/property line.

**Wood** commented that this meant Ice Alaska could do what they need to do in the winter and asked whether ice carvings were set back fifty feet. **Mussman** said Community Planning received a complaint about chainsaws being operated within the fifty foot waterway protection overlay. **Mussman** said a site visit revealed there had been some brush clearing approximately

75-100 feet from the property line.

**Hegarty Lammers** asked whether any new uses were proposed for the remaining three parcels. **Mussman** said one of the big issues is the proposed artists' village, which includes a four season destination attraction. **Mussman** said **Brickley** told him Ice Alaska is open to suggestions by the CRFC. **Mussman** said he reminded **Brickley** of the need for replacing the rezone sign that had been removed.

**Mussman** said the Assembly approved the three northern lots with the site plan and special limitations. **Mussman** said the Assembly remanded the southern parcels back to the Planning Commission and wants the ordinance reintroduced no later than June 14<sup>th</sup>. He said the Planning Commission should make recommendation by their May 15<sup>th</sup> meeting.

**Hegarty Lammers** said the plan was to determine CRFC's preferences and then meet with Ice Alaska to discuss the CRFC's proposal. **Hernandez** suggested scheduling around the Planning Commission's May 1<sup>st</sup> meeting. It was agreed to invite Ice Alaska to work sessions on April 9<sup>th</sup> and, tentatively, April 23<sup>rd</sup>, which would also allow **Mussman** time to produce his staff report.

**Mussman** said the Ice Alaska plan, as submitted, is what they would like approved; and added it would be subject to the conditions of the approved rezone. **Henszey** said he would like the waterway protection overlay added. **Mussman** pointed out the fifty foot setback on the overhead and noted that it came close to the existing pond. **Mussman** said some cabins might encroach on the waterway protection overlay, noting there was no waterway protection against the pond. He said approximately 25 cabins would be located on the northern three parcels and about 170 on the southern property. **Mussman** said he would recommend a site plan be presented to scale. With regard to renting artists' cabins, **Hernandez** said that Community Planning does not approve land use based on whether something is a rental, as the use is the same.

**Wood** questioned funding for the purchase of the southern parcels. **Mussman** said borough funding was for purchase of the property currently in use. **Wood** wanted to know if it's pretty sure that Ice Alaska would be able to purchase the property and **Mussman** said no. **Mussman** added that in order to develop cabins, community water and sewer would be required; and that boundary alteration and permits would be required. **Hegarty Lammers** noted funding was a primary concern as to whether the project would happen.

**Mussman** said the rezone approval would be tied to a specific plan, allowing for slight modifications. **Mussman** said, for example, there would be limitations to the number of cabins on the river and if that were exceeded, it would become an issue. **Mussman** recommended Ice Alaska provide more detail on the appearance of the cabins. He said the borough had more teeth and muscle for enforcement when special limitations were violated than on a normal zoning ordinance violation.

**Hernandez** cautioned that if dialogue were going to include all of the committee's concerns, the applicant should be present. **Hegarty Lammers** replied this meeting was a work session to gain understanding of the project and the goal was to come up with an alternate proposal, take that to the full commission and then invite Ice Alaska to a work session. **Hernandez** added that his concern was that if something were to be proposed to Ice Alaska, it might be good to have their input and he wanted to make sure to stay on the side of fairness to the applicant. **Mussman** said that Ice Alaska would be open to consider modifications from the CRFC and he could pass on any specific concerns the committee had to **Brickley**.

## B. Gateway Feature Committee Report

**Hegarty Lammers** reported that the Gateway Feature Committee met and there was a lot of discussion about allowing plenty of opportunity for the public to participate in the process.

**Hegarty Lammers** said a motion was passed at a recent FMATS policy committee meeting to have the cement feature in the contractor's scope of work removed. **Hegarty Lammers** added it was anticipated that DOT would consider this a change order and said **Gardino** encouraged attendance at the FMATS policy committee meeting for discussion of this item. **Henszey** asked whether this was just taking it out of the RFP and not physically removing it and **Hegarty Lammers** replied yes. **Schacher** suggested it would be hasty to remove it because the final design may end up using something similar.

**Plager** said it was important that the apex be finished appropriately and was unsure how it would be handled by DOT, if not done by the contractor. **Plager** said that removing all the concrete might be an excessive response to having some latitude regarding placement of art, noting the need for a finished surface at the apex. **Hegarty Lammers** said the next meeting would include a work session on access to the site and part of the resolution addresses the finish of the apex, including landscaping and pathways. **Plager** suggested this would come out of funding for the gateway feature and **Hegarty Lammers** said **Gardino** advised it would not.

**Henszey** asked **Schacher** whether there was a back-up plan for grass if the concrete were removed from the RFP. **Schacher** said her first reaction was that removing items could sometimes result in cost implications and she suggested the committee stay in contact with the DOT project manager.

**Hegarty Lammers** added that **Gardino** would like the minutes to reflect the title FMATS Art Selection Committee.

## C. Waterway Overlay Review

**Hernandez** explained that there is a waterway setback zone along the river that allows for some construction. **Hernandez** said the waterway protection overlay zone protects natural vegetation and is more restrictive with regard to development. **Mussman** added that waterway protection applies along Noyes Slough and anything else is prohibited or requires a conditional use permit, noting this covers the current proposal.

**Hegarty Lammers** introduced the Project Checklist for Chena Riverfront Review draft that **Plager** developed as a starting point for review of riverfront projects. **Hegarty Lammers** said this would help limit comments to the Chena Riverfront Plan and help determine whether the Ice Alaska site plan is consistent with the plan.

**Wood** noted it would be easy to cherry-pick the Chena Riverfront Plan but in reality not sure there is anything the commission can do. **Hernandez** said you have to review the plan and can ask an applicant to consider doing something else. **Hegarty Lammers** thought there may be goals and objectives included in the plan that protect a site like Ice Alaska's.

**Henszey** agreed with **Wood's** concerns about out of character huts along the Chena River. He said he would like to see a map that is to scale and a business plan. **Hernandez** noted that business plans are not required as part of the Community Planning zoning process. **Plager** would like a more detailed site plan superimposed on an aerial photo of the site, and more detail of the cabins. She suggested working with Ice Alaska to identify goals and fine tune their plan, using some of the goals included in her project checklist.

**Hegarty Lammers** said it would be unreasonable to ask Ice Alaska for a development plan before their current event is over. She thought it would be a good starting point to overlay their informal plan and show Ice Alaska that things may not fit as anticipated. **Henszey** will assist **Mussman** to produce this overlay.

**Plager** would like to talk to Ice Alaska about different ways they could adjust their plan to better meet the goals of the Chena Riverfront Plan.

**Hegarty Lammers** would like more design detail on the cabins. **Plager** preferred to see a phased approach and said it would be great to work with Ice Alaska to develop a concept for the existing property and have some flexibility for future planning on the lower properties.

**Henszey** asked whether the borough can regulate or recommend phasing and **Hernandez** said maybe with limitations, but for rezones and special limitations, it would need to be investigated. **Mussman** added that he was not under the impression the artists' village was intended for the first phase.

**Hegarty Lammers** wanted to limit the committee's participation to meeting minutes and present their ideas to the commission as a whole. She added this would prepare the committee for their work session with Ice Alaska.

#### D. Procedure for Evaluating Development along the Chena River

**Hegarty Lammers** questioned whether Community Planning needed a detailed list. She saw the draft **Plager** provided as an ideal way to achieve the goals and objectives of the plan, adding it would need to be approved by the Planning Commission and Assembly. **Hegarty Lammers** said that consideration should be given to the current political makeup of the Assembly and what was likely to be adopted.

**Plager** said her draft plan was a first try to determine measurable objectives and she patterned the concept after DNR's coastal management plan. **Plager** suggested organizing like topics together, noting her plan was a rough cut and felt she could reorganize the draft in hope of using the plan to simplify the process for borough staff.

**Hernandez** felt it inappropriate to comment, as he had not had time to review the plan and suggested the commission present a proposal to him. **Mussman** added that it would be a huge help to staff when procedures are established to determine when and how to inform the CRFC of projects.

**Hernandez** wanted commissioners to consider that the applicant should be invited, notices placed in the paper, the riverfront plan policies needed to be followed, and notification given to the chair, vice chair, or all of the commission. **Hernandez** added that when there is going to be a recommendation to the staff, there should be a quorum.

### 5. AGENDA SETTING FOR March 12, 2012 DESIGN COMMITTEE MEETING

- A. Ice Alaska Site Planning Issues
- B. Gateway Feature Committee Progress
- C. Procedure for Evaluating Development Along the Chena River

### 6. ADJOURNMENT

The meeting was adjourned at 1:36 p.m. after a motion by Henszey, seconded by Wood.

/b