

**Old Seward/Oceanview Community Council  
Regular Meeting Minutes  
March 26, 2014**

*Master  
Passed*

- 1) **Meeting called to order** at 7:03 p.m.
- 2) **Approval of minutes** for February meeting. Peter Johnson moved to approve the February minutes and Nancy Beardsley second. The motion passed.
- 3) **Treasurer's Report:** We have \$2007.39.
- 4) **Federation of Community Councils Report:** discussed amendment to Municipal Ordinance 38 concerning the publication of absentee ballot addresses sponsored by Chris Birch, as there were concerns with privacy issues. Also discussed was CH2M Hill's involvement with the port, whether or not our parks are considered dedicated or non-dedicated, ethics code changes and reimbursements by lobbyist/politicians who travel on public funds but spend part of their time on personal/non-public matters. Finally, FCC will pay \$75 for our mailbox if we apply.
- 5) **Guest presentations:**
  - a) Genevieve Wojtusik spoke for Senator Lesil McGuire.
    - i) There are thirty days left in the session, and they have been working on the capital budget. They are hopeful that all of the district's requests will be included in the final bill.
  - b) Josh Walton spoke for Representative Craig Johnson.
    - i) The Senate has passed the capital budget and the house should take it up next week.
    - ii) Walton was asked about the recent U.S. Supreme Court ruling on rail road easements favoring adjacent landowners. He said the Representative's office would be looking into the decision.
    - iii) Walton was also asked about the status of the Anchorage legislative building deal. Walton stated that negotiations were continuing, but there was nothing new to report and that the outcome was unsure at this time.
    - iv) Contact information for Joshua Walton (907) 465-4993 Email: Joshua.walton@akleg.gov
- 6) **Old business:**
  - a) **John's Road** – There is undulating frost heave in one section of the new construction and there are snow removal issues.
  - b) **Furrow Creek** – Bill Spencer with HDR Alaska says that the plans are 90% complete – a little behind on the design to the muni, but it will go to bid in the next 1-2 months.
  - c) **John's Road and Klatt intersection** – the projected construction is to begin in 2016. They are currently in the process of buying easements which should take 4-6 weeks. There will be an open house at some point on the project.
  - d) **VFW** – There are no new issues
  - e) **LED** – The lights are just about done, but some work will be still going on this summer.
  - f) **120<sup>th</sup> Avenue, John's to Old Seward** – Nothing new to report.
  - g) **Fire Station** – The fire station is being moved to the land near Rabbit Creek Elementary, and there's not much we can do about it at this point. AFD is happy to come speak to us about the matter at our next meeting.

- h) **MOA Parks and Rec Projects**- There will be fix it days for Oceanview Park on August 2 and Stephenson Park on August 23<sup>rd</sup>. Both events are from 9 a.m. to noon and lunch will be provided. Please tell your neighbors about this important volunteer opportunity. Stephenson Park upgrades will be out to bid soon and will be looking for donations of materials.

7) **New business:**

- a) **Community Council Bylaws** - All community council bylaws are under review and are becoming standardized. There are no more membership fees for community council. There are changes to our community council bylaws as a result, and a draft is available.
- b) **Railroad easements** – Bob ~~Goswick~~ spoke about a recent U.S. Supreme Court ruling that the railroad right-of-way across a Wyoming landowner's property does not belong to the U.S. government. The corridor ownership that was established by a railroad was extinguished when the railroad was later abandoned, and did not revert to public ownership. This sets a precedent for the ownership of easements. This is important to many homeowners in the Oceanview/Old Seward Community Council area as the Alaska Railroad runs through it. The current Alaska Railroad policy precludes use of the right-of-way without use permits. Adjacent landowners are allowed garden space with no permanent structures; however, the railroad has tried to disallow new owners the use of the right away and have been raising fees for permits at a rapid pace and is now as high as \$1,000 per year. Airstrip access is even higher at \$4,500 for access. The concern is that the Alaska Railroad is charging fees and generating revenue on land they do not own – in light of the Supreme Court decision. Therefore, something needs to change with current Alaska Railroad policy. Craig Johnson's office has been notified, but it is something that will need to be addressed by the residents and the railroad.

- 8) Meeting adjourned at 8:12 p.m.

Revised  
4-23-10