

KNIK ARM BRIDGE AND TOLL AUTHORITY
REGULAR BOARD of DIRECTORS
MEETING MINUTES #3-09

Regular Board of Directors' Meeting, June 11, 2009 at the State Office (Atwood) Building, Conference Room 1860, Anchorage, Alaska.

The meeting was duly noticed on June 2, 2009 in the Public Notices sections of the "Frontiersman" and the "Anchorage Daily News," and listed on the KABATA Web site and on the State Online Public Notice system.

The meeting progressed in accordance with the previously established and published agenda.

Chairman Michael Foster called the meeting to order at 1:30pm.

1. Roll Call

A quorum was established with all five voting directors in attendance:

Michael Foster, Dave Haugen, Gordon Keith, Jerry Burnett, and Janet Kincaid.

Also present were: KABATA Board Members Senator Charlie Huggins and Representative Mark Neuman; DOT Deputy Commissioner Frank Richards; KABATA Staff Members, Executive Director Andrew Niemiec and CFO Kevin Hemenway; Project Counsels William Greene and Jim Cantor. Also attending (via telephone) was Jody Simpson, legislative aide to Senator Charlie Huggins.

Recorder: Betty Fauber, KABATA Administrative Director

There were 6 members of the public in attendance.

2. Approval of Agenda

Agenda was approved as presented.

Approved by unanimous vote.

3. Approval of Minutes from Meeting #2-09

There was a

Action #111-3-09

MOTION by Burnett, second by Haugen, to approve Minutes as submitted.

Approved unanimously.

4. Chairman's Report

Foster introduced and welcomed newly appointed board member Janet Kincaid; she was presented with a KABATA token of appreciation for her willingness to serve.

Foster recapped activities that have occurred since the last meeting including preparing for and attending AMATS' Policy Committee and Technical Advisory Committee meetings, Anchorage Planning & Zoning worksessions and meetings, and Anchorage Assembly worksessions, meetings and public hearings regarding the Assembly's

resolution to delete the Knik Arm Crossing project from Anchorage's Long-Range Transportation Plan (LRTP).

He reported that progress is being made with FHWA and NMFS and that research is being done to determine if rail-readiness would impact the FEIS. He stated that if the project is deleted from the LRTP, it would have to be put back in before the FHWA will issue the Record of Decision.

Foster discussed the multiple challenges to be met in the near future, the serious issues to be resolved and the opportunities to educate the public and address their concerns. He stated his commitment and directive to the staff to work hard to move the project forward.

Audit Committee Report

Foster asked Burnett to recap on the Audit Committee Meeting held earlier today. Burnett stated that Hemenway reported on the FY2010 operating budget and audit plan. Burnett stated that the committee currently only has two members but needs three members. There was a

Action #112-3-09

MOTION by Burnett, second by Haugen, to nominate Foster to fill the vacancy.

Approved unanimously.

Burnett welcomed Foster to the committee. Foster said he looks forward to being part of the process. The committee will next meet on October 8, 2009.

5. Executive Director's Report

Niemiec concurred with Chairman's report; staff's efforts have been consumed by AMATS and the NEPA processes.

6. Legislative Reports

Senator Huggins stated the importance of public outreach and offered his assistance to rejuvenate the effort suggesting town hall meetings.

Representative Neuman stated that focus needs to be on connections into regional plan; although 20 years out, the region is the fastest growing and traffic will increase. He stressed that public outreach and communications is important; Foster agreed stating his goal is to have more formal public outreach.

7. Old Business

None.

8. New Business

None.

9. Other Matters to Properly Come Before the Board

Keith asked Foster about the ramifications of adding rail to the bridge. Foster replied that staff is currently doing research and will gather information to report and in July the options will be addressed.

10. Board Members' Remarks

Kincaid inquired if a utility corridor on the bridge was planned; Foster said it will be considered when plans are designed. She also asked if tidal power generation was a possibility; Foster said tidal power is not being addressed but may be possible to support.

Haugen encouraged all activities to gain timing. He questioned the legality of the AMATS process time schedule stating that it is a duty and obligation to force all to adhere to rules. He stated his appreciation to Richards for the two accurate letters he wrote to AMATS.

Representative Neuman questioned where responsibility lays as to who challenges the legality of AMATS' actions; Richards replied that the Governor has final authority of AMATS and State. Neuman said a letter to AMATS from KABATA board and/or DOT stating repercussions should AMATS members not follow procedure.

Richards stated that there are formal procedures that of which AMATS should be complying and that the State is actively working with AMATS. He said he wants the project in the LRTP and actions taken by AMATS in June could be overridden by incoming mayor in July.

Foster advised that numerous discussions have taken place between KABATA, the State Administration, and the Departments of Law and Transportation to find a solution; he welcomed guidance from the Legislators.

Senator Huggins stated that this is a statewide project, not just an Anchorage project, and all have fought hard for process.

Haugen reiterated his concerns for the procedural legality of AMATS' actions asking if any illegal activities will be challenged. Foster said KABATA will resolve challenge after Assembly vote if project is removed from LRTP.

11. Public Comments

Foster invited comments from the public; there were none.

12. Announcements

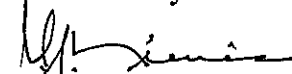
Foster again welcomed Kincaid. He stated that the project will be moving ahead to include public outreach and a work relationship with DOT and the State.

He stated the next board meeting is scheduled for Thursday, August 13, 2009, at 1:30pm at Wasilla's Multi-Use Sports Complex, Conference Room 1. Senator Huggins suggested inviting Mat-Su Borough to next meeting; Foster said he wants more Borough interaction, especially since rail is strongly supported.

13. Adjournment: 2:40pm.

Minutes Approved: Unanimous Board approval at August 13, 2009 Board Meeting.

Attested to by:



Andrew J. Niemiec, Executive Director

Date: 8-13-09