

**SEWARD / BEAR CREEK FLOOD SERVICE AREA  
REGULAR BOARD MEETING  
SEAVIEW PLAZA BUILDING, SUITE 122  
MEETING MINUTES  
3 January 2011**

**A. CALL TO ORDER**

The meeting was called to order at 7:35PM.

**B. ROLL CALL**

BOARD MEMBERS

Bill Williamson, Chairman  
Bob White, Vice Chairman  
Terry Federer  
Tena Morgan

STAFF

Christina Stauffer  
Service Area Coordinator

Matt Hall – absent  
John Eads - absent

BOROUGH STAFF

Sue Wilcox, Special Assistant to the Mayor  
Dan Mahalak, Water Resource Manager, Gilman River Center

**C. APPROVAL OF AGENDA**

**Chairman Bill Williamson** called for approval of the agenda.

**Terry Federer** moved to approve the agenda.

The motion was seconded and opened for discussion.

**Bill Williamson** requested the addition, under Item E, Presentations, of a presentation by Randy Stauffer on the history of the Resurrection River Maintenance Task Force agreement.

**Terry Federer** moved to approve the agenda as amended.

The motion was seconded and unanimously approved.

**D. APPROVAL OF MINUTES**

**Bill Williamson** called for approval of the minutes from the previous meeting as written.

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**Vice Chairman Bob White** moved to approve the minutes as written.

The motion was seconded and unanimously approved.

**E. PRESENTATIONS**

- **City of Seward**

There was no City of Seward representative present.

- **Kenai Peninsula Borough**

**Sue Wilcox, Special Assistant to the Mayor**, reported that the Mayor's office has continued to follow up on the state gravel language changes that were recommended at the Seward Summit. It is anticipated that a resolution will go before the Assembly to approve these revisions to state statutes at the January 18, 2011 assembly meeting and that these revisions will be sent on to the state legislature in time for the 2011 Legislative Session. Sue also reported that the Mayor's office was approaching the State Attorney General regarding possible changes in the tax code regarding the Commercial Passenger Vessel Tax that might affect funding to service areas. She said she would keep the service area boards informed on this. She finished by stating that the Capital Priorities submitted in October by the SBCFSA were received on time and will be included in the State Capital Project Priority book and will be submitted to the State of Alaska as a request for funding. Federal Priorities, which are determined by the Administration, were submitted for the Seward area were submitted on December 17, 2010 and included a feasibility study in Seward and flood mitigation in Seward. Sue said that the Mayor's office has received requests to create and standardize websites and provide links for all the service areas for public access. The Mayor's staff will be offering the assistance in this area. She went on to say that the SBCFSA has an outstanding website and that the SBCFSA staff should be commended on the excellent work. She said that the KPB IS staff is working to gather information and establish a site for each service area. Sue informed the board that FICA withholding for borough employees will be reduced. She finished by saying that the Mayor was interested in beginning discussions for planning of a second Seward Summit in 2011 to build on the actions of the last meeting and was requesting the board's support for this.

**Tena Morgan** asked if the Mayor had a time frame in mind for another Summit meeting.

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**Sue Wilcox** said that September, before elections, had been suggested. She also stated that the number one priority for the borough right now is solid waste followed closely by new fire stations for Bear Creek and Kachemak.

- **Resurrection River Maintenance Agreement**

**Randy Stauffer, Former SBCFSA Board Member**, said he had been asked to do some research on the Resurrection River Maintenance Agreement based on questions raised at the last meeting. The questions involved maintenance that was supposed to be done after a project in the Resurrection River that resulted from a federal grant after the 1995 flood. The board members have changed since the maintenance issue was first raised in 2006. Randy explained that he was on the board at that time as was Bill Williamson and that he had attended the Task Force meetings held in Seward in August 2006. Since that time we have new assembly members, and a new borough mayor. As there might be some misconceptions about what was in the original agreement and in the plan put out from the Task Force. Back in 2006 the board, in an effort to questions raised by FEMA, contacted then State Floodplain Administrator, Christy Miller about the terms of an agreement between the KPB, the City of Seward and FEMA for Resurrection River maintenance. She responded with the details of the HMGP Grant and a copy of the conditions which is held by the state Homeland Security office. Randy explained that he has excerpts from that agreement. The pertinent conditions were that the sub-grantee was the Kenai Peninsula Borough. The KPB and City of Seward were to adopt ordinances committing both jurisdictions to funding and performing ongoing maintenance to the project area to assure that the Resurrection River's hydraulic capacity is maintained to post-project configurations. A second major point was the sub-grantee, again the KPB, will establish a program to annually assess the carrying capacity and the cross section of the project site and implement debris and sediment removal operations when necessary to maintain the intended project goals. Those goals were to eliminate the backwater conditions and thereby reduce flood risk to the City of Seward and the Kenai Peninsula Borough. Randy said that these were the conditions that were put in place. As a result of the 1995 flood, the ADOT took about 310,000 cubic yards of material from the traditional east channels of the delta. This work reestablished the normal channels that had become clogged with debris and gravel as a direct result of the 1995 event resulting in much of the main channel pushing over toward the main runway of the airport. Aside from clearing the east channels of the delta, they also created a catch basin a little bit south of the three bridges. The idea was that the water and the debris coming down would deposit in the basin and maintain the flow down the delta to avoid water backing up to the bridges and the railroad bridges over the Seward Highway. A further project was then developed by the US Army Corps of Engineers (USACE). Randy passed around a map which showed the area of the original project.

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The idea was to build a temporary dam across the area and then dredge down for about 645 feet and create a basin for the debris. This is the project that was funded by the HMGP Grant. All of this money was not spent to accomplish the project and funds remaining were used by the borough for flood mitigation projects in the borough and some money was given to the city, about \$60,000 to do some other flood mitigation work. Part of the overall agreement and scope was that it was extremely important to understand that there will be continuing requirement to maintain the carrying capacity of the Resurrection River delta by removing material. The scope acknowledged that there may be some years that no work will be required and other years where substantial amounts of debris and material will have to be removed to maintain the hydraulic carrying capacity. The City of Seward and the KPB will be committed to maintaining the hydraulic capacity of the Resurrection River according to the agreement. Also part of the original agreement was that a plan was to be put in place to accomplish this maintenance before remaining funds were dispersed by FEMA on the grant. As it happens, the plan was not put in place and the remainder of the grant money was paid anyway. As a result of that, as of 2006, the plan was not in place and no maintenance had been done. At FEMA's insistence another task force was formed and from that came the Resurrection River Debris Maintenance Plan (RRDMP). The task force was headed by Scott Walden, then manager of KPB OEM and Scott Simmons of State Homeland Security. Representatives from all the shareholders, local and state were there including DNR. The plan was published in September 2006. A copy can be obtained from the borough website by searching under Resurrection River Debris Maintenance Plan. In the plan it was stated that the KPB and the City of Seward were required to adopt ordinances committing both jurisdictions to funding and performing ongoing maintenance in the area to maintain the hydraulic capacity to post-project configurations. The ordinances were passed as required. Also in the plan was that the KPB and City of Seward were required to establish a program to annually assess the hydraulic capacity and cross section of the project area and implementing debris and sediment removal operations as necessary. Randy stated that he did not believe that this has ever been done. Randy distributed copies of the map of the project area from the RRDMP and explained that the map was produced from aerial photographs from 2005-2006 and that the area looked considerably different after the 1995 flood and also today. In 1995 and today the project area is pretty much filled with gravel.

Randy went on to say that part of the discussion at the last meeting was about what the board might be able to do for the airport and would completing the maintenance planned in this project help the airport. The original project was done to protect the bridges and the Seward Highway but a side benefit would be to protect the airport and Nash Road. He indicated on the most recent map from the borough website that the water flow of the main channel is clearly over against the main airport runway and

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that the original project site is obviously full of gravel and debris. Also the delta where Salmon Creek enters is filled up. The water basically has nowhere else to go but toward the airport and presses against the runway even in normal water conditions. FEMA actually came out and inspected the site in 1997-98 and found it still clear. This is obviously not the situation now. Bottom line is that the plan was agreed to by the borough and the city and its conditions have not been met. Also it was agreed that the plan would be updated although it did not specify how often.

**Bob White** said he did not believe that the USACE planned temporary dam was ever constructed and he believed that the actual original dredging was carried out further upstream. Bob also said that he speculated that the bulldozer work that separated Salmon Creek from Resurrection River was also done at the same time. 200,000 cy of material was stockpiled to the north and east of the river. 100,000 cy was left on the DNR parcel in the middle of the river and has since mostly washed away. As per the agreement with Metco they had to move the 200,000 cy and it was then trucked to Spring Creek Campground area. Bob stated he had watched the work on the original project and they were for sure further upstream than the area indicated on the map.

Discussion was held regarding the actual scope of the work accomplished versus what was planned.

**Christina Stauffer** reported that she had spoken with Dave Dieckgraeff from Metco and had been told that Metco was not actually the main contractor hired to do the project but that Frank Dieckgraeff was taken on as Project Manager for it.

**Tena Morgan** stated that the bottom line was that there seems to be an agreement in place that needs to be pursued. We need to get them to follow up on their end.

**Bill Williamson** said when the agreement was brought up at the last meeting he had sensed that most people were unfamiliar with it and had thus asked Randy to make this presentation.

**Randy Stauffer** commented that the agreement was valid even though most of the original signers had been replaced. He also pointed out that the boundary between city and borough goes pretty much right through the middle of the planned project area.

**Sue Wilcox** said she has asked Brenda Ahlberg to audit that grant account. She also said that it was important to recognize that no assembly or city council can commit money for the following assembly and city council. The funding for this was most likely not renewed by following assemblies and she suggested that it should possibly

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be up to the SBCFSA to allocate funds for this work since it is a flood project. Sue said she would ask for a grant audit and report back on that.

**Bill Williamson** stated that the agreement had been mentioned by ADOT at the last meeting. They indicated that the conditions of this agreement had not been met and that this contributed to the problems at the airport. At that time the board could not address the issue because we were not sure what the agreement had been.

**Sue Wilcox** commented that she believed the agreement had stipulated that the KPB would do the initial assessment and then the City of Seward would take the next year.

Discussion was held regarding the distribution of the original grant money and how it had been used.

**Randy Stauffer** clarified that the remaining money from the grant was used by the borough to do other flood mitigation work which was allowed under the terms of the grant and they gave the City of Seward \$60,000 which was used for the same purposes. Also part of the original task force determination was the creating of a flood service area to plan for future maintenance, not necessarily to fund it. All the original grant funding was spent according to the terms of the grant but it did not fund the maintenance. Federal money is virtually never available for maintenance.

**F. PUBLIC COMMENTS**

**Sue McClure, Kenai Peninsula Borough Assembly Member**, thanked Randy for answering her question from the previous meeting. She said it was obvious that personnel change over the years and things can get overlooked. She added that she felt it was important to make the city aware of this discussion.

**Bob Reisner** said he had petitioned Fish and Game to take the main channel of Clear Creek out of salmon habitat. He stated that the fish were just not there anymore and that he did not think they would return. The creek is too high, the flow is not there and the stream bed has changed completely. Bob said he had not heard back from them yet.

**Glenn Schiff** asked if DNR had made any determination of ordinary high water yet? Glenn said that DNR is still claiming all of his property.

**Dan Mahalak** responded that they had not and that he did not think they would unless forced to do so.

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**Bill Williamson** stated that this is a determination that the board has asked for over and over again and not received an answer.

**Randy Stauffer** added that the KPB had included in their original Resurrection River plan that they would ask the state to waive the royalty charged for gravel removal and they did so at that time. Nothing has changed.

**Sue Wilcox** said that the SBCFSA is not the only service area that has been having a problem with this. Other flood service areas are following this closely and are interested in the outcome of the borough's efforts.

**G. BOARD'S RESPONSE TO PUBLIC COMMENTS**

**Terry Federer** commented that he would just like to thank the public for coming.

**Tena Morgan** pointed out the borough, with the service area's support, are working on changing the language in state statues that involve charging for gravel from navigable streams. We are moving forward with this even though DNR has been stagnant on the issue.

**Bob White** stated that the Resurrection River has been on the navigable waters list since the mid 1990's. The limits of their claim extended beyond the Exit Glacier Bridge at the glacier at that time. There was some conflict with the Park Service and the Forest Service over who owned the islands in the middle of the river. No one has challenged their claims since. With regard to the RRDMP, once the ordinances had passed he believed that the borough and city felt they had completed their legal obligation and that was where it was dropped.

**H. CORRESPONDENCE & PAYMENT REQUESTS**

- **James Stewart Property E-mail/KPB Land Management**

**Bill Williamson** asked for a staff report on this.

**Christina Stauffer** introduced a series of e-mails between Keith Snarey of the KPB Land Management Office and the SBCFSA involving negotiations with Mr. Stewart for 3 parcels of property along Salmon Creek. Mr. Stewart was demanding that the buyer pay for MAI appraisal of the properties up front and was asking about interest in some other property he owns in Seward. Christina explained that she was only aware of board interest in the 3 parcels. Keith Snarey said he had put out an RFQ to get quotes for MAI appraisal.

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Discussion was held regarding the probable value of the parcels in question and of the board's interest in paying for an appraisal up front.

**Bob White** said he would not have any problem with offering Mr. Stewart the tax assessed value for the 3 parcels with him paying the closing but that is all.

**Dan Mahalak** offered to look up the assessed values on the parcels. He reported that the first parcel was valued at \$33,900, the second at \$46,300 and \$51,100 for the last one for a total of \$131,300 for all three.

Further discussion was held regarding the tax assessed values and how recently they had been reviewed. It was noted that the recent assessment had increased the property values.

**Bob White** asked if the DNR navigability determination was going to change the assessed values.

**Sue Wilcox** replied that it would not.

**I. PERMITS FOR REVIEW**

There were none at this time.

**J. OLD BUSINESS**

- **Box Canyon Creek Project Approval**

**Bill Williamson** asked Dan Mahalak to speak to this issue.

**Dan Mahalak** stated that the board had talked at the last meeting about the immediate needs for Box Canyon and Kwechak Creek. Based on the bid we received on Spruce Creek, it should run \$324 per hour up to 30 hours. With the \$40,000 the board is able to spend you could buy 123 hours of dozer time at that cost. With the mob and demob charges and about 60 hours total needed for these two projects it will cost a little more than half what the board has to spend.

**Tena Morgan** asked if it would take 60 hours for each creek.

**Dan Mahalak** replied that it would take 60 hours to do both.

**Tena Morgan** asked if these were the two locations that had been discussed in connection with gabion baskets or Conex containers.

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**Christina Stauffer** commented that the scope Dan was presenting now was in response to the observations made about the condition of the Box Canyon and Kwechak Creek levees following the high water event last October. Significant erosion was reported on both levees and it was feared that another high water event would probably breach them. The board voted two meetings ago to approve doing a semi-emergency push up just to maintain for now.

**Bill Williamson** said that any longer term work we do in there would be using the boxes or baskets but that this was to keep it from breaching the main channel right now.

**Tena Morgan** stated that money spent on immediate shoring up of the levees would be money we would not have to spend on the long term project. She suggested that the board just do the long term project instead. If we combine what we have we can get going on the long term solution. Tena further suggested that the board needs to decide on the baskets or the Conex containers and get it done.

**Bill Williamson** pointed out that there was the possibility that while the longer term project was being approved there was the danger of high water taking out what is left of those levees. The main thing is to get them back to where they will hold the water in their banks and then move on to the future project of doing something more stable.

Discussion was held on how many properties and subdivisions were at risk from breaches on Box Canyon or Kwechak Creek including Bear Lake, Meridian Park, Woodrow subdivision from the weir to the road and Exit Glacier subdivisions.

**Tena Morgan** asked how much longer it would take to just put in the longer term project to start with. Instead of just pushing it up we could fill up the baskets and push it up. Instead of spending this money now we could just put it all toward buying baskets and get it all done at one time.

**Bob White** said he agreed with Tena on this. He does not mind spending some money and getting the permits going but he would rather see spending the bulk of the money on Kwechak because 10 or 12 hours on Box Canyon should be adequate. Bob said he would like to see Kwechak done in a more permanent fashion. We should get boxes in there and fill them with gravel. The board has already voted to do something on Kwechak but he would like to see the money redirected even for an experimental project with Conex containers.

Discussion was held regarding the procedure for reversing a previous vote.

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**Christina Stauffer** stated she would find the minutes from the meeting that was mentioned and find the exact words of the motion.

**Sue Wilcox** said it should be done by having one of the original motion makers ask to withdraw or rescind the motion.

Further discussion was held regarding the previous motion and it was decided to briefly adjourn the meeting to research the exact wording of the previous motion.

**Bill Williamson** called for a 5 minutes recess at 8:35 PM.

The meeting was called back to order at 8:40PM.

**Christina Stauffer** read the exact words of the motion regarding Box Canyon and Kwechak Creek projects from the minutes of the meeting of November 15, 2010. The motion, made by Terry Federer, was to direct Dan Mahalak to scope both Kwechak levee and bank repairs and Box Canyon levee repairs for spring projects.

Discussion was held regarding the disposition of the previous motion and it was decided that it was not necessary to rescind the previous motion. Further discussion was held regarding the money available in the FY2011 budget for spring projects and Dan's scoped cost estimate as well as money that could be taken from the fund balance and repaid if more was needed.

**Tena Morgan** asked if we need to move to buy the Conex containers.

**Christina Stauffer** proposed postponing the matter until costs were available on the Conex containers.

**Sue Wilcox** suggested a motion directing Dan to research the Conex scenario and to provide the details to the board at the next meeting.

**Tena Morgan** so moved.

The motion was seconded and unanimously approved.

- **Kwechak Creek Project Approval**

There was a consensus that this subject had already been discussed under the previous topic.

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**K. NEW BUSINESS**

- **PAS Report Approval/Comments**

**Christina Stauffer** explained that the action required on this issue is board approval or disapproval with or without comments.

**Dan Mahalak** stated that in correspondence back and forth with the Corps, they would like to have board comments on this draft report as it stands now. They requested having this back before the 20<sup>th</sup> of January when their study team is meeting next to review any questions, comments or modifications that we would like to see. Dan pointed out that there are words in the report like “prohibit” and “require” and he recommended considering carefully so that they did not become a problem down the road. If the board would like them taken out they need to say so.

**Tena Morgan** said that she had read the draft pretty thoroughly and is not sure that she knows any questions to ask.

**Bob White** commented that he had some items to point out. One is that he would like to see a statement that Salmon Creek is also influenced by Box Canyon Creek during floods included under Watershed Summaries. He agreed with the report that Lost Creek is the largest tributary of Salmon Creek but said that during floods, Box Canyon Creek also affects Salmon Creek flooding. Also the Flood History on Salmon Creek is vague and nonspecific. It says that flooding frequently closes Nash Road which is not true. It frequently closes Salmon Creek Road near the intersection. When the Resurrection River used to go down its old channel to the east toward McDonald’s it used to close it near there.

Discussion was held regarding the flooding history along Nash Road.

**Tena Morgan** asserted that the length of Nash Road from the railroad tracks almost to the Salmon Creek Bridge has flooded at least 3 times in the years she has lived in Seward.

**Bob White** noted that under Scheffler Creek the report has nothing listed under “measures implemented. There is nothing that has been done so nothing is listed.

Discussion was held regarding Scheffler Creek flood history.

**Dan Mahalak** explained that USACE limits studies to watersheds greater than 3 square miles and Scheffler is smaller than that.

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**Bob White** read from the report and pointed out that the lagoon outlet is incorrectly described and that it should indicate that it flows underneath the highway through a large culvert. The description is incomplete. With regard to Japp Creek, the report says that the levee has not been maintained but continues to perform well under flood conditions. Bob said that this is deceptive because every time there has been a flood there has been equipment in the stream to maintain the integrity of that levee. The dike was repaired after 2006. He also took issue with the statement that Japp Creek was a small tributary of the Resurrection River. At times it can be a very significant tributary to the river.

**Dan Mahalak** said that it is only 3.5 square miles.

**Bill Williamson** agreed that it only flows a short distance but it can put out a lot of water. The gradient is pretty exceptional in there also.

**Terry Federer** stated that the report was all based on the DFIRM flood zones. He said that under Nonstructural Plans in the report it basically is prohibiting any kind of fill to build on. You cannot affect a rise on anyone else's property.

**Tena Morgan** said she thinks it would be possible to build on stilts out there.

**Dan Mahalak** replied that this was actually what USACE would like to encourage.

**Bob White** said that the wording he would like to see there is a requirement for an engineered foundation design per specific zones in the floodplain. In other words, in an inundation zone where the water comes up without velocity you would only need to raise your house up. In a velocity zone you need to change the type of foundation so the house is not swept away. We need to move away from the concept of "no you can't" to "here's how you can". Nationwide we should determine how a house needs to be built in a given type of area, how high above BFE, how to build, rather than just let people build how they want just because they are insured.

**Tena Morgan** pointed out that they build on stilts in the swamp.

**Sue Wilcox** noted that this would require zoning and the concept of zoning is not welcome on the Kenai Peninsula.

**Bill Williamson** said that zoning is one of the things the government needs to do. That is just the way it is. No one wants to hear that but it is.

Discussion was held regarding types of foundation appropriate for flood history and velocity in the area.

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**Sue Wilcox** stated that even if a home was built to better standards, gravel will keep coming down and without a mechanism to deal with the gravel it will flood eventually anyway. If it is not possible for people to build to last in this area people should be made aware. If we have a national standard and people are made aware that on alluvial fans flooding may happen anyway it is then their prerogative to build or not.

**Bob White** said he wants to see proper building even though it puts the burden on the property owner. It is better to prevent the loss than pay for it later. We cannot stop people from building no matter what ordinances are in place. People build in high risk zones where even if they build to the current ordinances a flood can take their house out. Bob went on to note that in the report, under Spruce Creek, that it should be stated that the sewage treatment plant is also protected by the revetment in the upper portion of that levee. Then under Lowell Creek, surge releases are not a big problem on Lowell Creek but a landslide blocking the tunnel would be a major catastrophe. Due to the velocity of the stream Bob said he does not believe that surge release is a big problem or it would have topped the dam several times before.

Discussion was held regarding wording for changes proposed to the report.

**Terry Federer** suggested possibly taking some time and going through to figure out how to word changes.

**Bill Williamson** agreed with this because there is a lot more than just a few small changes.

Further discussion was held regarding the time frame for commenting on the report.

**Bob White** commented on the notation in the report that it be required that all arterial streets are to be laid out parallel to the flow paths and be depressed below adjacent ground elevations. In that case, in a flood event there would be no rescue, no evacuation because the river would be running where your street is. That is not a doable thing. The floodplain map does not give a true picture of the risk. It is just a determination of who pays how much for flood insurance. That being the case we need to shift to a better concept by having the hydrologist and local knowledge say that an area is a velocity zone and this is a type of foundation that is needed to make sure the house will stay through the next two or three floods..

**Terry Federer** said in regard to the roads topic, some of the flood problems have been caused by the roads not being done the way they should. Perhaps there should be some sacrificial roads to allow the water to flow, just not all of them. Right now some of them function as levees.

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**Bob White** stated that if Exit Glacier Road had been built under this plan it would have been submerged under water 20 years ago. Neither the Seward Highway or the railroad have been built below the adjacent grade. This is something that needs to be planned for based on where the water is going to go and how to get rid of it. To build streets that are river channels is not the way to go about it.

**Bill Williamson** instructed the board to have their comments ready for the next meeting so that they can be given to Dan.

**Dan Mahalak** said he would draft up everything that has been said so far and would send that out to board members.

**L. INFORMATIONAL ITEMS AND REPORTS (No action required)**

- **BY2012 Budget**

**Christina Stauffer** reported that on January 11, 2011 at 4:00PM a meeting was scheduled in the SBCFSA office with Cathey Wallace to be introduced to the new budget. She encouraged board members to sit in on this meeting.

**M. PUBLIC COMMENT**

**Sue Wilcox** said she wanted to thank the board members for the accomplishments of 2010. A lot of work was done. We held the first ever Seward Summit and it was very successful. We have a navigability determination and have crafted language to adjust state statutes on gravel fees with DNR support and have it ready to submit to the legislature. Sue said she feels that the mayor and this board have worked very well together and done some really good things this year.

**Dan Mahalak** stated that he has been going over the USACE document that Randy provided as part of his presentation. Using the LiDAR data he can compute that in the 1500 by 645 feet area that was the area of interest on this particular document it comes out to 107,500 cubic yards or 1.2 million dollars to return the hydraulic carrying capacity of the river to the same as after the 1995 project. We also have cross sections from that project from Nick Cline. We could always have it resurveyed to determine the difference.

**Randy Stauffer** said that just to add to the number crunch, ADOT reported removing 310,000 cubic yards in 1998 just to clear the delta. This would cost 3.6 million today. Plus, unless we can get our legislation passed here we are talking another \$150,000 fee to the state. At this point we are back to square one.

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**N. BOARD COMMENT**

**Terry Federer** had no comment at this time.

**Tena Morgan** had no comment at this time.

**Bob White** commented that the state is supposed to be representative of the people and work for the people. It has become an entity for an entity. Departments sue each other and fight with each other over funds. We see this at every level. A recent gas line project was going to cost the builder another 8% of the value just to lease the ground to build on. They are already taxing the fuel and now want more money for a place to put it. We have similar issues here with spending money to remove gravel to prevent flooding and the state wants to charge us for the gravel we do not want. Is the state the people or it is an entity unto itself that just keeps growing and consuming more. We need to turn this around and make it for the people. If we can effect dredging here we will save the state money by preventing damages. Their attitude is that if a flood destroys infrastructure they can just wait for the feds to step in and pay for it after the fact. That is upside down thinking.

**Bill Williamson** said that he has a question for Sue Wilcox. The SBCFSA has a city board seat that we cannot seem to fill. We have people outside the city who would be very willing to sit on the board. Is there any way we can fill a city seat with someone outside the city. It was part of the original agreement that the city demanded four seats or they would not agree. We always seem to be a board member short.

**Sue Wilcox** replied that it would require changing the ordinance. The city would need to agree to relinquish the seat and since the board was established by a vote it might take another one to let the seat go. Sue said she would check with borough legal to see what recourse there might be on this and with the city manager.

**O. ADJOURNMENT**

**Terry Federer** moved to adjourn the meeting.

The motion was seconded and unanimously approved.

**MEETING ADJOURNED at 9:15PM.**

**NEXT MEETING WILL BE MONDAY, JANUARY 17, 2011 AT THE SEAVIEW PLAZA BUILDING, SUITE 122 AT 7:00 PM.**

**SEWARD / BEAR CREEK FLOOD SERVICE AREA  
REGULAR BOARD MEETING  
SEAVIEW PLAZA BUILDING, SUITE 122**

*Christina Stauffer*

Secretary

Minutes Approved: 7 March 2011

Date of Approval