

Agency: Commerce, Community and Economic Development**Grants to Municipalities (AS 37.05.315)****Grant Recipient: Matanuska-Susitna Borough****Federal Tax ID: 92-0030816****Project Title:****Project Type: Remodel, Reconstruction and Upgrades**

Matanuska-Susitna Borough - Meadow Lakes RSA 27 North Gunflint Trail Upgrade

State Funding Requested: \$150,000**House District: Mat-Su Areawide (7-11)**

Future Funding May Be Requested

Brief Project Description:

Upgrade N. Gunflint Trail in RSA 27, Meadow Lakes.

Funding Plan:

Total Project Cost:	\$150,000
Funding Already Secured:	(\$0)
FY2014 State Funding Request:	(\$150,000)
Project Deficit:	\$0

Funding Details:

None

Detailed Project Description and Justification:

Funds will provide engineering and design work to determine construction costs for upgrading a 1.32-mile unmaintained portion of N. Gunflint Trail.

Project Timeline:

Project would be completed over one or two construction seasons.

Entity Responsible for the Ongoing Operation and Maintenance of this Project:

Matanuska-Susitna Borough

Grant Recipient Contact Information:

Name:	John Moosey
Title:	Borough Manager
Address:	350 E. Dahlia Avenue Palmer, Alaska 99645
Phone Number:	745-9689
Email:	jmoosey@matsugov.us

Has this project been through a public review process at the local level and is it a community priority? Yes No

Jody Simpson

From: Doug Lange [Doug.Lange@matsugov.us]
Sent: Tuesday, February 01, 2011 9:53 AM
To: Jody Simpson
Cc: Chuck Braun; Shaune O'Neil; Elizabeth Gray
Subject: RE: Gunflint Trail CIP request

Jody,
We feel that \$150,000 is a more realistic estimate for the Engineering and Design work on the unmaintained portion of Gunflint Trail (1.32 miles).
We are not willing to guess on a cost for the construction portion of the project to upgrade the road.
If anyone requests money for this type of procedure we can apply the amount we have seen on our Engineering and Design portion of our projects.
If the money is granted we will run the Engineering and Design project through this office.
Once the design is complete and a cost estimate is obtained it will be forwarded on to the original requester to once again submit to the Legislature for funding.

Thank You
Doug Lange
RSA Superintendent

From: Jody Simpson [mailto:Jody_Simpson@legis.state.ak.us]
Sent: Wednesday, January 26, 2011 3:12 PM
To: Doug Lange
Cc: Chuck Braun; Shaune O'Neil; Elizabeth Gray
Subject: Gunflint Trail CIP request

Doug,

Per our conversation this afternoon, I have received a legislative appropriation request for an engineering and design study for N. Gunflint Trail in RSA 27. (See attached.)

Am I able to obtain a cost estimate and a scope of work or, at least, some sort of "independent" verification of estimated costs from MSB on this? As an example of what has been provided in the past, I am attaching the documentation that MSB provided for Horseshoe Lake Road in RSA 21, which was funded in part last session.

Please let me know. My deadline for data entry is 2/11.

Thank you.

jody

Jody Simpson

*Staff to Senator Charlie Huggins
Senate District H
Alaska State Capitol, Room 423
Juneau, Alaska 99801-1182
Toll Free: 1-800-862-3878
Direct Line: (907)465-2661
Fax: (907)465-3265*

Stephen Edwards
3847 N Gunflint trail
Wasilla, Alaska 99654
907 232 9155
January 1, 2011

Senator Charlie Huggins
District H Matanuska Susitna Borough
Dear Mr. Huggins

On behalf of the residents of N. Gunflint trail in Meadow lakes I am requesting that you consider a special appropriation to provide a solution to a problem we have been facing for over 16 years. Despite numerous requests, the MSB public works department is refusing to maintain our section of Gunflint trail because it was never "certified" for road maintenance. The basics of the problem are outlined in the enclosed document package. The result of this problem is that the residents of this area are paying higher taxes (because of the high property values averaging in excess of \$375K) but are receiving far less services than their neighbors on S. Gunflint.

For the last 16 years, the residents have been maintaining the road at private expense and it is in fairly good condition year around but the borough will not maintain it and therefore the School bus will not serve the area. The borough is insisting that a full design/engineering package be prepared to the "construction manual standard" before any upgrades to the road be completed and the engineering cost for this design is in excess of what can be raised through private donations. An engineer has estimated the cost of designing the project to be \$ 100K per 0.1M estimate

There are many other details of the history and circumstances surrounding this situation and I would be happy to discuss it at any time and provide additional documentation and answer any questions you may have. Please call my cell 907 232 9155 anytime.

We would greatly appreciate any time you could spend to review the attached material and consider a specially designated appropriation to RSA 27 for the engineering and/or construction needed to get N. Gunflint trail "certified" for maintenance by the MSB Public Works Dept.

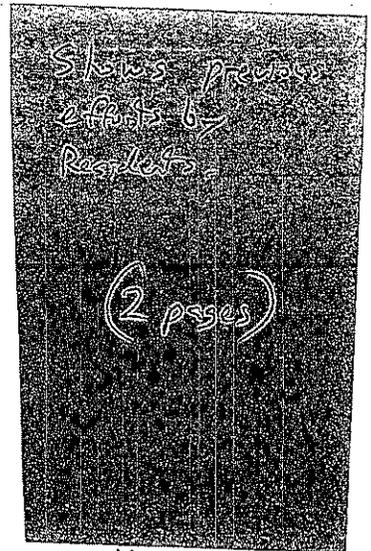
Stephen Edwards, RSA 27 resident and Primary Road Board Member.

Stephen Edwards 3847 Gunflint Trail
Joe Christ 4339 Gunflint
Robert Corbett 4631 N Gunflint Trail
Mandi Gajik 5098 N Cubs Cir
Justin 4122 N Gunflint TR
Cynthia Correll 4663 N Cubs Circle
Dorothy Bitter 3520 N. GUNFLINT TRAIL
Blanche Perryman 4585 N. Gunflint trail

Randy Randy
6702A
4418 N Gunflint TR.
Rita Rita
N. Gunflint TR.

North Gunflint trail

Brief history of efforts to get borough maintenance



- March 1992 Edwards purchased property T18N02W29A005
- Nov 1992 Edwards completed first habitable structure on property
- 1993-1994 Edwards granted right-of-way for Wolf track subdivision beyond our property this completed all legal right-of-way for North Gunflint trail.
- 1994-1995 Road completed by Alaska loaders and certified to Pioneer access standard by borough staff.
- 1995-2002 Multiple requests from residents for road maintenance. All denied with explanation that the "corners need to be 100 ft radius".
- 2003 Residents met with borough staff at corners. Staff advised residents to obtain easement for the corners.
- 2004 Drawings for easement at corner paid for by Edwards. Obtained easement from Hanson, granted to MSB.
- March 2005 Edwards purchased entire Hanson property.
- 2005 Borough staff advised Edwards that the right-of-way dept would buy easement for 270" radius corner. Edwards responded that they would give the corner to MSB in exchange for road maintenance. Edwards also obtained commitment for a radius on other corner from that owner if road was maintained. MSB did not sign the proposed document and the deal was never completed.
- 2005 Edwards granted an additional 10 ft of right-of way along former Hanson property to enhance the Gunflint right-of-way. No cost to MSB in anticipation of road maintenance. Also formally recorded the 100 ft radius to MSB at corner. No charge to MSB in anticipation of road maintenance.
- 2006 Approx. \$100K appropriated from "substandard Roads" fund for Gunflint.
- 2007 Approx \$58K finally spent by RSA on Gunflint. Improvements stopped at King Arthur, short of N. Gunflint trail area. Remainder of appropriation not spent on N. Gunflint. Not clear where it was spent despite requests for information.
- Aug 2007 Meeting with residents and borough staff (Roundtree, Clebesadel, Lange) held on N Gunflint at Copperspike. Staff committed to research a solution. No results came from this meeting.
- Sept 2007 Meeting with residents and borough staff (Clebesadel, Lange, Wilson) at borough offices. Staff committed to finding a solution, no results from this meeting

- Nov 2007 Edwards testified to Assembly during Blue ribbon task meeting. No response.
- Nov 2008 Edwards proposed resolution to allow previously constructed (not new) roads which serve high-value properties to be upgraded if supported by the RSA. Roundtree testified against proposal and it lost the vote of the supervisors. No alternative solutions offered.
- 2008-2009 Roundtree develops procedure for resident LID to improve existing substandard roads. Edwards requests borough start step one of procedure. No response.
- July 2009 Meeting with residents and borough staff (Clebesadel, Peter ?) held at borough offices. Staff committed to start the step one (engineering)
- Aug 2009 Denali north provides estimate of \$4500-\$5000 for the surveying work. MSB did not hire them.
- Sept 2009 Residents and borough staff (Peter) met with engineer Curt Holler at N Gunflint and Copperspike. Holler started preliminary work but stopped when borough would not commit to payment. Edwards requested that borough proceed with step one. No response.
- May 2010 Edwards contacted Shaune O'Neil by phone. Shaune was very helpful and spent time to understand the issue. She agreed to "look into it".
- July 2010 Edwards requested that Lange approve the road for maintenance "as-is" to resolve the issue. Also told him that RSA residents support the request. Lange responded that the RSA board is "advisory only" and he would "not maintain this road unless directly ordered by a superior". He also said he would "not offer any advice or recommendation on improvements needed" (if any) to make the road more maintainable. He did acknowledge that he "maintains roads in far worse condition" because they are on the list.
- Aug 2010 Edwards and Shaune met in Borough office and discussed issue. Shaune agreed that the letter prohibiting funds from being used on uncertified roads was arbitrary and she was considering reversing it. She agreed to have further information in a "couple weeks".
- Dec 2010 Meeting held at borough offices with Steve Edwards and Shaune. Also in attendance was Peter, Doug Lange, Chuck Braun. Staff recommended that I ask for Legislative help on the project and start an LID. Peter said he would get an engineering cost estimate. Shaune and staff stated that the borough would not provide any funding assistance for the project and the money would have to come from outside the borough, either State or Private. They also said they would require a full survey, engineering and design and construction to the subdivision construction manual with no waivers allowed.

Note:

It should be noted that N Gunflint trail was originally constructed and recorded as an approved Pioneer access road. Since construction, residents have made several upgrades at their own expense, including increasing the bed thickness in two (formerly) problem areas, widening, completing an entire overlay project of classified material, and several corner and drainage improvements. The road is now in good condition and holds up well during all seasons for several years now. It just needs maintenance. However, MSB operations and maintenance is refusing to add it.

Subject: Existing borough roads which are not approved for road maintenance.

Problem: Most RSA's contain roads constructed many years ago which were never approved for maintenance. Some of these roads are in good condition but under current Public works policy, cannot be accepted for maintenance. In some areas, these roads serve numerous high value properties where the residents pay above average tax assessments but will never receive road maintenance for the following reasons:

1. Under current policy, an existing road cannot be accepted for maintenance unless it meets the standards of the Construction Manual. The road has not been certified by an engineer as meeting the Construction manual.
2. Most older existing roads (even if in good condition) would probably not meet all the requirements of the Construction Manual.
3. Under current policy, RSA funds cannot be used to evaluate or upgrade roads which have not been accepted for maintenance.
4. Private funding through the LID process cannot be approved without engineering. The engineering costs of evaluating the road can be several thousand dollars and the residents will be unlikely to pay for this without any assurance that the LID project could be viable.

Under current policy, this situation will NEVER change. 10, 20, 30 years from now, the residents will still be paying the same taxes as neighboring areas on "Certified" roads but will not be receiving road maintenance. RSA board members have a responsibility to consider the transportation needs of all the residents, not just the ones who happen to live on "Certified" roads.

Some points to consider:

1. The Construction Manual contains standards designed for **NEW** subdivisions created under Title 27. New roads should meet this standard.
2. Existing "Certified" roads may be upgraded with RSA funds to be more easily maintained **WITHOUT** having to meet the Construction Manual standards. This is not necessarily bad as it allows for more upgrades within the limited CIP budget, however:
3. Existing "noncertified" roads cannot be upgraded with RSA funds and **MUST** meet the Construction Manual standards even if no title 27 subdivision is occurring. This is in effect a "double standard" with higher requirements for the "noncertified" roads.
4. RSA money comes from taxes based on current assessments, not original purchase prices. Even if the properties on "noncertified" roads had lower original purchase prices (this is hypothetical at best and probably just plain wrong), the current tax assessments **DO NOT** reflect any adjustments for road "status". The assessments are based on many factors but road maintenance status is not one of them.

Nov. 2003
I proposed this at
a RSA "B5 Board"
meeting in 2003.
Public Works Director
recommended against it
and the vote failed.
No solution was
offered. (2 p.30)

Solutions:

1. Continue to require new subdivision roads created under title 27 to meet the Construction Manual standards.
2. Continue to allow RSA funds to be applied by the supervisors in the best possible way (Matrix or otherwise) to substandard roads as the boards see fit. Continue allowing for limited upgrades as funding allows with the eventual goal of meeting Construction manual standards.
3. Change policy to allow for the upgrade of **EXISTING** noncertified roads to at least meet minimum standards for road maintenance as determined by the supervisors or superintendent. Allow RSA or private funds to be used for this purpose without having to meet the Construction Manual standards. When this "minimum maintenance" standard is met, accept them for maintenance as "substandard" roads and allow them to be considered for further upgrade as merit and funds allow just like any other RSA road.

Over time, **ALL** RSA roads could eventually meet the standards of the Construction Manual and be easily maintained. All RSA residents would have an equal opportunity for their roads to be upgraded as merit and funds allow.

Caveat: The above solution would only apply to roads located within a recorded PUE or dedication. Of course no roads on private land should receive this benefit.

I welcome comments and suggestions regarding this problem and possible solutions.

Stephen Edwards RSA 27

373-1588

240-6347

Email: Lana@mtaonline.net

Stephen Edwards
3847 Gunflint Trail
Wasilla, Alaska 99654
(907) 240-6347 cell
February 3, 2006

Department of Public Works
Matanuska Susitna Borough

Ref: Edwards vacation request
Scheduled for Public hearing Feb 16, 2006

This relates to an
unrelated easement vacation.
But I have included it
to show the amount of
additional easement we
have granted on Gunflint
to allow for road
maintenance. The MSB
accepted the easement
but never provided the
maintenance.

I have prepared a proposal intended to address your concerns regarding replacement right-of-way for my vacation request on NW1/4 SW1/4 section 29.

Please note that the 50 foot access that I am attempting to vacate appears only on this parcel and does not connect to the adjacent property on either end. The adjacent property owner has stated that they will not permit a connection of this easement through their property to Gunflint trail. Both D.O.T and D.N.R. (Scott Ogen) have researched the area at my request and were unable to locate any RS2477 access within 2 miles of this property. The result is that the affected easement represents very little if any value to the public. Gunflint road is currently placed within a 60 foot R.O.W. A 50 foot wide dead-end corridor without a surveyed location would not represent a viable relocation route for Gunflint trail.

As the attached drawing notes show, a licensed land surveyor has estimated the area of the easement area to be approximately 38,000 sq.ft. As a part of previous good faith negotiation on my part I have conveyed easement to the borough representing 29,262 sq. ft. of land. This was not required under title 16 for access to my waiver parcels. It was conveyed as part of that project in anticipation of road maintenance in the area. As of this date, the MSB has not agreed to provide the expected maintenance.

The difference between the area of the vacation request and the area I have already conveyed in excess of requirements represents 8739 square feet. I propose to convey additional easement at the SE corner of my property representing 2149 square feet of area. This would permit an increased radius curve in this area and provide improved public access for the future.

I believe the comparative value of the total 31,411 square feet of easement I have conveyed and propose to convey is far in excess of the limited value represented by the easement I wish to have vacated. I am requesting your support of this proposal at the public hearing.

Sincerely,

Stephen Edwards

Stephen Edwards
3847 N Gunflint trail
Wasilla, Alaska 99654
907 232 9155
July 21, 2010

Shaune O'Neil
Public Works Director
Matanuska Susitna Borough
Ms. O'Neil

Submitted to Director
in July and again
in December.
Response Pending
in writing
Denied Verbally
at Dec meeting.
(2 pgs)

Please consider finding a solution to the sixteen year old problem faced by the residents of N. Gunflint trail in RSA 27. The basics of the problem are outlined in the enclosed document package. The result of this problem is that the residents of this area are paying higher taxes (because of the high property values) but are receiving far less services than their neighbors on S. Gunflint. I am open to all solutions but the following (in order of preference) seem the most logical. For your consideration:

1. As director, you instruct operations and maintenance to accept the road "as-is" and begin maintenance on the regular schedule. RSA 27 residents support this approach. Cost is minimized.

Or:

2. As director, you instruct engineering staff to determine the minimum upgrade needed for the road to be more easily maintained. I don't think it needs anything except maybe some more topping but your staff can make this determination. Residents will privately pay for the upgrades if you can commit to maintenance when finished. This costs more but might be feasible if the work is limited to needed upgrades and not entire reconstruction.

Or:

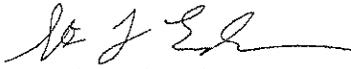
3. As director, you instruct engineering dept. to hire Curt Holler (or other private engineer) as outlined in step one of the borough "LID for substandard roads" to perform the engineering work and prepare an estimate for presentation in the LID. If this requires Davis Bacon, the LID will likely fail unless matching borough funds are added. The residents are willing to contribute but the project size is beyond the scope of private funding. Doug Lange has indicated that he will not allow it to be added to the capital list for the RSA even if the board asks for it so you would have to direct him to do so. This is the least desirable option because of the uncertainties of the LID and other factors. It will also cost the most.

Please note that the "construction manual" standard for new roads is only required by borough code under title 27 (Subdivision construction). This standard is not required elsewhere in borough code. The MSB public works dept. has on numerous occasions in all RSA's, approved upgrades to borough roads

(previously certified but in poor condition) **without meeting the construction manual requirements** .
Examples in RSA 27 include Meadow lakes drive and South Gunflint (both paved with substandard foreslope, backslope, ditch depth) and King Arthur fire break (substandard curve radius)

The reason stated by borough staff is that "there are insufficient funds for an entire reconstruction so we do what we can with the funds available". This happens over and over again and seems reasonable in order to make some progress with the limited funds. What is **not** reasonable, is the current policy requirement that **privately** upgraded roads such as N Gunflint must have the complete engineering oversight, complete surveying (even if known to be within the right-of-way) and complete reconstruction to exactly meet the title 27 construction manual even if no subdivision is occurring.

Since this is policy only and not in code, I believe you have the authority to grant the exemptions needed for this and other worthy projects on a case by case basis. On behalf of the residents on N. Gunflint trail, I extend our appreciation for a workable solution to this problem.



Stephen Edwards

