

Introduced by: Mayor at request of Road Service Area Board
Date: 01/08/02
Action: Postponed until 02/05/02
Action: Postponed until 03/12/02
Action: Adopted
Date: 03/12/02
Vote: 7 Yes, 1 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2002-007**

**A RESOLUTION DECERTIFYING FOR ROAD MAINTENANCE BY THE BOROUGH
BELUGA STREET, SALMON ROAD, AND HUSKE STREET**

WHEREAS, KPB 14.06.070 establishes the authority to decertify roads for maintenance by the borough; and

WHEREAS, notice of a public hearing on the proposed decertification of these roads was published in the Peninsula Clarion on 10/4, 10/11, 10/18, and 10/25/01; and

WHEREAS, notice of the decertification hearing was also posted at the beginning and ending points of the roads proposed for decertification for a two-week period prior to the date of the hearing; and

WHEREAS, the published and posted notices invited public comment, stated the name and phone number of a contact person regarding decertification information, stated the date, place and time of the public hearing, and a deadline for the submittal of written comments; and

WHEREAS, a public hearing on the proposed decertification was held on November 6, 2001; and

WHEREAS, there was no objection to the proposed decertification of Beluga Street, Salmon Road, and Huske Street; and

WHEREAS, on November 6, 2001, the road service area (“RSA”) board adopted resolutions recommending decertification of Beluga Street, Salmon Road, and Huske Street by the borough, with findings based on the standards set forth in KPB 14.06.070(C); and

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the assembly adopts the findings set forth in RSA Resolution 01-09 regarding Beluga Street and Salmon Road and RSA Resolution 01-10 regarding

Huske Street, which are set out below, and finds the RSA board's findings in compliance with the criteria set forth in KPB 14.06.070.

Beluga Street and Salmon Road meet the following decertification standards:

1. Dwellings: These roads are connected forming a loop that accesses Kalifornsky Beach road in unit 7 of the central region. Salmon Road is 1,950 feet in length, and Beluga Street is 970 feet. There are no dwellings accessed by the roads.
2. Safety: These roads are not constructed to borough standards and have been subject to snow machine use. Simple maintenance without construction cannot provide adequate width for travel, or prevent the accumulation of water and snow in the traveled right-of-way. A snow machine accident on the road resulted in serious injury. A site inspection in the summer of 2001 indicates that the right-of-way has been used for recreation purposes, as Beluga Street has been clearly used as a campfire site. There have also been abandoned vehicles left in the right-of-way, which the borough removed.
3. Road condition: The roads do not meet borough standards. The roads do not appear to have gravel placed on them but appear to have been constructed by turning the roads. The travel surface is about 16 feet in width. There are substantial ruts, and the roads become impassible in wet conditions. On Salmon Road, the roadbed is lower than the ditches; the sub-base is inadequate, and there is frost-susceptible material.
4. Drainage problems: The roads have serious washouts, no culverts, and no ditching.
5. Snow storage: The roads are not receiving winter maintenance.
6. Funding: The roads would require construction projects in order to meet borough standards, especially Salmon Street considering its inadequate sub-base and drainage problems. It would cost approximately \$15 per foot, or \$45,000, to bring the roads to borough standards.
7. Prior maintenance: The roads have not received maintenance for the past five years.

Huske Drive meets the following decertification standards:

1. Dwellings: The road intersects Betty Lou Drive in unit 2 of the central region and from there extends 300 feet south to the Kenai River, where it terminates. Thus, the road does not provide access to dwellings. All properties adjacent to the road have other access.
2. Safety: The road presents safety concerns because it receives heavy parking use and foot traffic in the summer as it is used as a boat launch. The road is not maintained. A fence has been placed in the travel surface of the roadway under

permit with the Kenai River Center, which had been traditionally used as a parking area and river access in the summer months.

3. Road condition: While there is adequate sub-base and there are not break-up concerns, the road does not have adequate material to meet borough standards.
4. Access: The travel surface of the road is outside the dedicated right-of-way and section line easement at the intersection of Huske Street and Betty Lou.
5. Snow Storage: The road has not received winter maintenance; however, the fence placed along Huske Street would interfere with snow storage.
6. Prior maintenance: While RSA records reflect that Huske Street has received maintenance, the 300 feet being decertified has not received winter or summer maintenance in the past five years.

SECTION 2. That Beluga Street, Salmon Road, and Huske Street are eligible for decertification based on KPB 14.06.070(C) and (D).

SECTION 3. That signage indicating discontinued maintenance is not required as the rights-of-way have not been maintained within the past five years.

SECTION 4. That Beluga Street, Salmon Road, and Huske Street are hereby decertified for maintenance by the borough, effective on the date of this resolution.

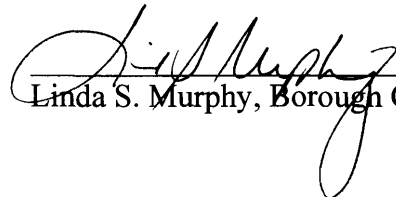
SECTION 5. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 12TH DAY OF MARCH, 2002.



Timothy Navarre, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk

