



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Agenda Borough Assembly

Tuesday, October 20, 2020

5:00 PM

Assembly Chambers

**Appeal Hearing for Notice and Order of Abatement at 410 Mitkof Highway to be held via
Zoom Videoconferencing Service - Meeting ID 922-0819-5202; Passcode 353149**

1. **Call To Order/Roll Call**
2. **Hearing on Appeal from a Notice and Order of Abatement at 410 Mitkof Highway**

- A. **Public Hearing on an Appeal by Courtney Johnson from a Notice and
Order of Abatement at 410 Mitkof Highway**

Attachments: [Process for Appeal Hearing](#)
[Borough Utility Director Documents for Appeal Hearing](#)
[C. Johnson Appeal of Notice and Order of Abatement](#)
[Notice of Appeal Hearing 10.9.2020](#)
[Affidavit of Hand Delivery of Notice of Appeal Hearing](#)
[Email Delivery of Borough Appeal Documents to C. Johnson 10.16.2020](#)

The order of presentation is set out below:

1. *The building official.*
2. *Other borough employees and witnesses presented by the building official.*
3. *The appellant.*
4. *Witnesses presented by the appellant.*
5. *Rebuttal testimony by the building official.*
6. *Rebuttal and Closing Comments by the appellant.*
7. *Closing Comments by the building official.*

3. Assembly Deliberation and Decision

Alaska Statute 44.62.310(d)(1) permits deliberation of the appeal to occur in a closed session. If the Assembly chooses to deliberate in a closed session, the following motion may be used: I move to deliberate on an adjudicatory proceeding, as permitted under Alaska Statute 44.62.310(d)(1). It is advisable to vote upon the decision in public session. If deliberations have occurred in a closed session, sufficient information should be set out in the motion to allow for preparation of a written document containing the basis for the decision.

The Assembly is to issue a written decision on the appeal. The written decision shall contain findings of fact and, if the Assembly affirms that a nuisance subject to abatement exists, an order based upon its findings, directing the abatement within such time period and upon such terms and conditions as it may prescribe. After the vote, the Mayor should direct the building official to prepare a draft written decision for the Assembly's consideration at the next meeting. The decision shall also state the potential consequences should the nuisance not be abated as directed.

4. Adjourn