

**MUNICIPALITY OF ANCHORAGE
BOARD OF BUILDING REGULATION EXAMINERS AND APPEALS**

MEETING MINUTES SUMMARY

April 17, 2014

1. **CALL TO ORDER AND ROLL CALL:** The meeting was called to order at 6:05 pm. by Chair Scott Bohne.

Board Present	Board Absent	Staff Present	Public Participation
Scott Bohne	Jon Hawkinson	Ross Noffsinger	Rebecca Windt
Eric Cowling	Tyler Loken	Jerry Weaver	Bill Taylor
Craig Fredeen		Sam Severin	
Ray Hickel		Pam Wiese	
Serena O'Donnell			
Jonathan Steele			
Troy Feller			
Sterling Strait			
Royal Fields			
John Edwards			
Rob Merchant			
Bari Gray			

2. **APPROVAL OF AGENDA:** Mr. Fredeen moved to approve. Mr. Merchant seconded and the agenda was unanimously APPROVED.

3. **UNFINISHED BUSINESS**

a. **Legal – written review**

Chair Bohne explained the document before the board was just handed out and legal counsel would be Pam Wiese. The board read the review and began discussion and asking questions. Ms. Wiese explained Anchorage Municipal Code 23.10.103.4.3.E provides the building board with information that it may accept an appeal for de novo review “in its sole discretion as determined by majority vote of fifty percent plus one (50% + 1) of members not disqualified from voting under this subsection.” In brief, the provision in AMC 23.10.103.4.E should be interpreted to require the 50%+1 of the appointed members who are not disqualified from voting.

Ordinary principles of statutory interpretation apply to municipal ordinances. Statutes are to be interpreted “according to reason, practicality and common sense, considering the meaning of the statute’s language, its legislative history, and its purpose. Requiring a higher number of votes is consistent with the ordinance’s delegation of the authority to a three-panel board because it makes it more difficult to undo those decisions based merely on a difference of opinion or alliances. The board thanked Ms. Wiese for the clarifications.

4. **NEW BUSINESS**

a. **Reconsideration Request**

Chair Bohne explained the first step of whether the board would hear the reconsideration and the second step would be to hear the de Novo if the board was to vote to hear it. The board’s next step would be to hear and vote on the reconsideration. The board was given time to review the letter of reconsideration. After reviewing the request the board discussed for several minutes.

