

# Panel Denies Borough Formation

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A petition seeking incorporation of a borough in the Chugiak - Eagle River area was denied almost unanimously by the Local Boundary Commission yesterday. The area will remain a part of Anchorage.

In a nutshell, the commission decided that Eagle River and Chugiak don't meet the social, economic and cultural standards in state law for creation of new boroughs.

"When we talk about the borough

concept, we have to look at the larger community interest," chairman Sigvald Strandberg told his fellow commissioners.

"It has been amply demonstrated that while Eagle River - Chugiak has developed an economic base in its own right most of the employment opportunities are in Anchorage or on the military reservations."

The commission's action has settled an unprecedented constitutional question for those who desire community detachment from their

mother boroughs.

Known disgruntled factions in the Matanuska - Susitna Valley, Kenai and North Star boroughs, for example, probably would have sought separation from their boroughs had the Local Boundary Commission ruled in favor of the Chugiak-Eagle River petitioners.

Failure to gain the support of the commission closed the last door through which the petitioners can seek independence.

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## Panel Denies Borough Split

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The Chugiak-Eagle River Borough Association, prime sponsor of the petition for separation and incorporation, will meet this week to consider the commission's ruling.

The only recourse now is to challenge the commission's decision in court, said Lee Jordan, a borough advocate.

Although the association has ample money for attorney fees, Jordan said, "I personally can accept it (the commission's decision). The money might well be spent elsewhere.

"I can't really speak until the association meets," he said. "If we remain a part of the Anchorage municipality, we certainly aren't going to slack off interest in local government."

The Chugiak - Eagle River area actually incorporated as a borough following an election in August 1974.

But the borough was disbanded last April when the Supreme Court, following a persistent legal battle by an anti-borough group, ruled that special legislation passed by the state legislature, which allowed the incorporation question to go on the ballot, was illegal.

In handing down its decision,

the Supreme Court suggested that a more conventional route be taken for incorporation, via the Local Boundary Commission.

Jordan and his followers began an immediate drive for independence, collecting several hundred signatures on petitions.

Commissioners who voted against the petition yesterday were Jo Anderson, Sheila Jones, Oliver Leavitt and Strandberg.

Gary Ackerman, the only commissioner voting in favor of detachment, told the commissioners:

"I think the area is large enough and stable enough to handle the situation. The whole thing is whether they can control their own destiny. If an area in a municipality isn't getting the services it wants, then there should be some recourse. This is a very important question."

Had the commission ruled in favor of the petitioners, the incorporation question probably would have gone on the ballot again.

Mrs. Jones pointed out that separation of Chugiak and Eagle River from Anchorage would result in a population drop, meaning Anchorage wouldn't qualify for certain federal aid.

"If the residents of the area feel they aren't getting the services they want, they can form service areas," she said. "There's lots of flexibility in the service area concept to solve some of these problems."

She said the new Anchorage charter "is not a magic wand, but it does have built-in guarantees," which in addition to service areas provides for community councils and a Chugiak-Eagle River representative on the Anchorage Assembly.

During most of yesterday's meeting, commissioners focused on voluminous records.

The commission reviewed letters showing that 43 persons were against incorporation and 13 were in favor.