

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 15, 2000, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Darcie K. Salmon.

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

Mr. Larry DeVilbiss, Assembly District No. 1  
Ms. Sara Jansen, Assembly District No. 2  
Mr. James Colberg, Assembly District No. 3  
Mr. Dan Kelly, Assembly District No. 4  
Ms. Jody Simpson, Assembly District No. 5  
Mr. Jim Turner, Assembly District No. 6  
Mr. Doyle Holmes, Assembly District No. 7 (Deputy Mayor)

Staff in attendance were:

Ms. Elizabeth Manfred, Acting Borough Clerk  
Mr. Michael J. Scott, Borough Manager  
Mr. John Duffy, Assistant Manager  
Mr. Michael Gatti, Borough Attorney  
Mr. Gary Lebowich, Human Resources Manager  
Ms. Kathi Johns, Clerk's Office  
Mr. Jim Swing, Public Works Director  
Ms. Kelli Veech, Acting Finance Director  
Mr. Karl Borglum, Borough Assessor  
Ms. Cindy Gilder, Planning Director  
Mr. Ron Swanson, Community Development Director  
Mr. Kevin Koechlein, Public Safety Director

**III. APPROVAL OF AGENDA**

Mayor Salmon noted the following changes to the agenda:

- Add Resolution Serial No. 00-011, Disaster Declaration Extension, under the Consent Agenda.

There was no objection to the agenda as amended.

**IV. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Assemblymember Kelly.

## **V. MINUTES OF PRECEDING MEETINGS**

### **A. Regular Assembly Meeting: February 1, 2000**

**MOTION:** Assemblymember Kelly moved for approval of the February 1, 2000, regular assembly meeting minutes.

**GENERAL CONSENT:** The motion passed without objection and the February 1, 2000, regular assembly meeting minutes were approved as presented.

## **VI. REPORTS/CORRESPONDENCE**

### **A. AGENCY REPORTS**

#### **2. Matanuska-Susitna Borough School District**

(There was no school district representative present.)

#### **3. Kelly Ladere, Upper Susitna Conservation District/Alaska Producers Cooperative: Forest Health Management Plan**

Ms. Ladere:

- Spoke to the Susitna Area Plan and requested the assembly set a work session to discuss the forest health program.
- Explained that the responsibility for the five conservation districts reside in the State Department of Natural Resources (DNR) Commissioner's Office.
- Distributed information that describes most health forests as 20 percent over-mature and dying timber, but the area under management within this borough is 80 percent over-mature and dying, which includes approximately 150,000 acres without a forest health management plan.
- Requested assembly assistance to secure sound stewards under the forest health management program.
- Stated that the Susitna Area Plan can contribute to the borough's economy with an integrated forest products industry and that the implementation plan needs to be addressed.

Discussion followed.

Mr. Scott responded that the borough has a resource management plan which pursues different forest-based industries and that the borough will work with the state in timber product analyses.

Discussion continued.

1. Report from cities

Wasilla Council Member Norm Fuller:

- Announced that the city is pursuing home rule status and stated that a Local Boundary Commission representative will attend the next city council meeting.
- Commented that the city passed off-road vehicle legislation that allows travel within the railroad rights-of-way to become part of the trails system, with the corroboration of the Alaska Railroad.
- Remarked that the city will present a resolution requesting the borough's support of a trail from Wasilla to the Big Lake area, traveling the pathway along Lucille Creek and section lines.
- Announced that the Iditarod Trail Committee stated that the Iditarod Restart will be in Wasilla at the Bumpus Ball Fields.
- Noted that Mayor Palin is on vacation and will return the end of this week.
- Mentioned that the city is still working with Kinetic Aviation to locate a business within the city.

Discussion followed.

B. COMMITTEE REPORTS

1. Joint Committee on School Funding

Assemblymember Jansen:

- Stated that the committee discussed the end-of-year situation with surplus funds, where to best use those funds, and the 50(borough)/50(school district) split of surplus funds.
- Commented that the school district budget will be presented to the assembly in March and that the supplemental appropriation of \$1 million required would not be included in the funding formula.
- Remarked that the state has not inflation-proofed education funds and that the borough may be expected to fund a larger gap than just the inflation.
- Stated that the projected enrollment for the 2000/2001 school year is 12,395 students, which is lower than the present population of 12,537.
- Commented that the voc-ed/technical plans may be federally funded through the Carl Perkins Act.

Assemblymember Holmes stated that he requested from the school district a summary breakdown of the number of classes and actual student count in each class.

Discussion followed.

C. MANAGER COMMENTS

Mr. Scott:

- Referred to the Port MacKenzie summary of expenses, claims, and reimbursements.
- Stated that \$6.75 million was appropriated through Congress to the borough and that a rumor that State Department of Transportation (DOT) took \$1 million for administrative fees is unfounded; the Federal Office of Management and Budget held 11 percent of each project from each state nationwide, and the borough received \$450,000 additional state support to reduce borough cash outlay.
- Commented that using borough gravel as a traded expense is a way to reduce cash outlay.
- Announced that the port project is 82 percent complete and spoke about contractors expense claims made to the borough.
- Remarked that the reimbursement payments will be forthcoming after a review of documents and records, that the borough expects receipt of \$2,754,681.19 from DOT, and that \$165,440.35 is being withheld pending requests for participating funds and non-participating items.
- Noted that the borough has a steel pile surplus purchased for the port which can be stored or sold.
- Spoke regarding state weight trip tickets for rock hauling to the port construction site.
- Talked about another rumor that the port rock is failing with tide damage, he distributed pictures that show all the rock is in place and that the integrity is as designed.

Discussion followed.

Assemblymember Simpson inquired about information she received from Deputy Commissioner Beau Brownfield which is in contrast to what has been reported at this meeting.

Mr. Scott (Continued from above) :

- Stated that the Federal Highway Administration and the State DOT have signed the paperwork and that the project has been reported accurately.

Discussion continued.

Assemblymember Jansen queried about the State DOT being ready to sign off for the project reimbursement.

Mr. Scott responded that the persons to contact would be the project representatives because they would have the most updated information.

Mr. Swing:

- Stated that the project audit was for an up-to-date reimbursement.
- Commented that after information was shared with two state representatives and one federal representative, both state and federal agencies were satisfied, and there is resolution to a majority of disputed items.

- Stated that the accountants at DOT will be contacted for the method and format needed for actual billing.

Discussion continued.

Assemblymember Colberg inquired about his perception of the borough spending \$1.2 million of borough funds of the \$1.4 million approved to pay contractors, and that the borough has not spent any of the \$5.9 million in federal funds.

Mr. Scott stated that the borough must expend the funds first and then submit for reimbursement; that \$4 million was paid last quarter by the borough to contractors.

Discussion continued.

Assemblymember DeVilbiss inquired about the Port Project expenditure account.

Mr. Scott replied that the expended funds were not from other projects, but from the central treasury that is used as working capital.

Discussion continued. (Manager's comments continued on page 7.)

The regular assembly meeting recessed at 6:55 p.m. and reconvened at 7:04 p.m.

## **VII. SPECIAL ORDERS**

### **A. PERSONS TO BE HEARD**

(There were no persons to be heard.)

### **B. PUBLIC HEARINGS**

1. Ordinance Serial No. 00-013: AN ORDINANCE AMENDING THE SIZE AND DESCRIPTION OF THE PARCEL OF BOROUGH-OWNED LAND WITHIN SECTION 25, T17N, R2E, SEWARD MERIDIAN, ALASKA, APPROVED FOR SALE TO THE BUTTE COMMUNITY COUNCIL (MSB002392) BY ORDINANCE SERIAL NO. 97-055 AND CORRECTED BY ORDINANCE SERIAL NO. 98-019, AND APPROVAL OF A MANAGEMENT AGREEMENT FOR THE APPROXIMATE FIVE-ACRE LOT THE MATANUSKA-SUSITNA BOROUGH WILL RETAIN. IM No. 00-015

Mayor Salmon opened the public hearing. There being no one wishing to be heard, the public hearing was closed and discussion moved to the assembly.

**MOTION:** Assemblymember DeVilbiss moved for adoption of Ordinance Serial No. 00-013.

GENERAL CONSENT: The motion passed without objection.

2. Ordinance Serial No. 00-017: AN ORDINANCE APPROVING CONVEYANCE OF THE BIG LAKE FISH HATCHERY STRUCTURES FROM THE MATANUSKA-SUSITNA BOROUGH TO MAT-SU RESOURCE CONSERVATION AND DEVELOPMENT, INC., MSB002140. IM No. 00-028

Mayor Salmon opened the public hearing. There being no one wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Simpson moved for adoption of Ordinance Serial No. 00-017.

Discussion followed.

Mr. Swanson gave a staff report.

Discussion continued.

MOTION: Assemblymember Simpson moved a primary amendment to strike the last whereas clause and insert two whereas clauses to read:

WHEREAS, having been unable to market the facility, RC&D subsequently requested the Department of Natural Resources (DNR) to terminate the lease and offer the land for sale, which is expected to occur at competitive auction; and

WHEREAS, ownership of the buildings, structures, and equipment on the leasehold must be determined so that prospective bidders will be sure of obtaining clear title and will know from whom they will purchase said buildings, structures, and equipment.

Mr. Gatti stated that he had not previously reviewed the information and could not advise the assembly on the content of the amendment.

Mr. Swanson gave the history of the lease agreement with DNR. Discussion followed.

MOTION: Assemblymember Kelly moved to postpone Ordinance Serial No. 00-017 until the March 7, 2000, regular assembly meeting.

GENERAL CONSENT: The motion, to postpone, passed without objection.

(See reconsideration page 15.)

## C. AUDIENCE PARTICIPATION

Ms. Vicki Trytten (Agricultural and Forestry Board Chairman and Alaska Farmer's Union President):

- Spoke about the Agricultural and Forestry Board action item in response to the second subdivision of farm land request (AM No. 00-001).
- Stated that the state regulations changed to reflect that agricultural land can be conveyed with fee title and agricultural covenants.
- Suggested that the borough adopt similar procedures and regulations as the state.
- Requested that the assembly prohibit any agricultural subdivision until a change is made in borough procedures.
- Explained the state regulations on subdividing agricultural specified land.

Ms. Kelly Ladere:

- Spoke in favor of AM No. 00-001, request to divide and sell a farm parcel.

Mr. Red Secoy (farm unit owner):

- Stated the reasons why he wishes to subdivide the farm unit.
- Requested that the assembly pass AM No. 00-001.

## VI. REPORTS AND CORRESPONDENCE

### C. MANAGER COMMENTS (Continued from page 5.)

Mr. Scott:

- Stated that four lease applications have been received for the port lands which include 40 acres total with 10 acre parcels, and the interest from developers is consistent with phase I.
- Announced that the port commission passed a special land use district resolution and that the Phase I Master Plan is being used as a template.
- Referred to the Port and Hatcher Pass expenditures status.
- Commented that the port commission chairman and borough port advisor attended the gas line terminus teleconference; the Kenai Peninsula Borough is advocating that the Nikiski site be the terminus.
- Explained that there may be a settlement of two alternates to discuss further: (1) follow existing pipeline to Valdez, and (2) through this borough with a submerged line to Nikiski.
- Further explained that the owners group would prefer a line to Nikiski because Nikiski has been dealing with natural gas for approximately 30 years and has the experience.
- Commented that this borough has existing rights-of-way available for the gas line.
- Announced that Kenai Mayor Dale Bagley will speak at a Joint Wasilla and Palmer Chamber of Commerce meeting on February 22, 2000.

- Remarked about the letter from Governor Knowles to President Clinton with the recent disaster declaration which includes estimated losses of: \$977,641 for MEA, \$19,798 for MTA, and he gave a potential loss of \$200,000 for this borough.
- Noted that the letter to the Alpine Civic Club contains a timetable for the planning commission and assembly review of the Sutton Comprehensive Plan.
- Explained that the letter from the Transportation Advisory Board Chairman Robert Schick spoke to the importance of improving the Palmer-Wasilla Highway to four lanes, and stated statistics: that 12,000 vehicles a day travel the Palmer-Wasilla Highway compared to 25,000 on the Parks Highway and 8,000 on the Glenn Highway.
- Spoke to the amended sale agreement to Double Horseshoe Investments for the Alcantra site with a grant proposal to invest in the recreational facilities.
- Referred to the Point MacKenzie Correctional Center statistics and inquired if the assembly would want to continue to receive the reports.
- Stated that Mr. Howard Nugent has proposed building a 40,000 to 60,000 square foot ice arena along the Seward Meridian Parkway to house one sheet of ice with potential for a second sheet in the future, and that Mr. Nugent also requested that the Brett Ice Arena be contracted out so that both facilities would be operated in a like manner.
- Commented that the assembly contact the community development department regarding any over-the-counter tax foreclosure sale questions.

Discussion followed.

Assemblymember Simpson requested a copy of the original Alcantra site sale agreement.

Assemblymember DeVilbiss inquired about the borough funding the construction of the recreational facilities at the Alcantra site.

Mr. Scott responded that the master plan proposal was to use the proceeds from the sale of land to construct the recreational facility improvements on the remaining public land.

Assemblymember DeVilbiss requested that the offender's original conviction be included on the Point MacKenzie Correctional Center report.

Discussion continued.

#### D. ATTORNEY COMMENTS

Mr. Gatti:

- Remarked that a motion for reconsideration would resolve the Big Lake Fish Hatchery issue (Ordinance Serial No. 00-017).
- Stated that the question of meetings being held in churches has been researched and determined to be acceptable, as long as there is a separation of church and state, and that ADA compliance is available.

## E. CLERK COMMENTS

Ms. Manfred:

- Stated that the assembly meeting schedule through April is contained in the Clerk's written report.
- Announced that the Alaska Municipal League (AML) Legislative Conference is scheduled for March 22-23, 2000, and to call the clerk's office to make arrangements for individual attendance.
- Remarked that the tracking report was included with the written report for review.
- Noted that the community council plenary meeting has been scheduled for April 13, 2000, from 6 p.m. to 9 p.m.

Assemblymember Colberg commented that the March Joint Planning Commission and School Board meetings were not listed on the clerk's reported schedule.

## F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
  - a. Library Board - 01/15/00
  - b. Local Road Service Advisory Board - 01/20/00
  - c. Parks, Recreation, and Trails Advisory Board - 01/25/00
  - d. Platting Board - 01/20/00
2. Community Council Correspondence:
  - a. Big Lake Community Council - 01/12/00
  - b. Meadow Lakes Community Council - 01/12/00
  - c. Talkeetna Community Council - 01/03/00

Discussion followed.

Assemblymember DeVilbiss inquired about the statement contained in the Local Road Service Area Advisory Board minutes of January 20, 2000, regarding the election of a vice chairman and a vice co-chairman.

Mr. Swing explained that the chairman was elected previously and that the election of vice co-chairmen was to insure continuity because the people occupying those seats will alternate attendance.

The citizen and other correspondence were presented and no comments given, except where noted.

## G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

## VIII. UNFINISHED BUSINESS

(There was no unfinished business.)

## IX. NEW BUSINESS

### A. INTRODUCTION

1. Ordinance Serial No. 00-018: AN ORDINANCE AMENDING MSB 4.40 (LIBRARY BOARD) TO ADOPT MSB 4.40.025 (BOARD COMPENSATION). IM No. 00-022
2. Ordinance Serial No. 00-019: AN ORDINANCE AMENDING ORDINANCE SERIAL NO. 99-080(AM), RELATING TO THE COMMONLY CALLED ALCANTRA SITE, TO REFLECT A CHANGE IN THE SIZE OF THE APPROVED SUBDIVISION, A CHANGE IN BUILDING THE PRIMARY ACCESS ROAD TO THE CORE ELEMENTARY SCHOOL AND CHANGES IN THE RECREATIONAL DEVELOPMENT. IM No. 00-035
  - a. Ordinance Serial No 00-020: AN ORDINANCE APPROPRIATING \$43,166 FROM THE LAND MANAGEMENT FUND BALANCE (203) TO THE ALCANTRA RECREATIONAL FACILITY. IM No. 00-024
  - b. AM No. 00-018: CHANGE ORDER TO ARCHITECT ALASKA'S CONTRACT FOR ADDING DESIGN OF THE ALCANTRA RECREATIONAL SITE.
3. Ordinance Serial No. 00-021: AN ORDINANCE CLASSIFYING UP TO A 125 FOOT WIDE STRIP OF LAND ALONG THE WEST BOUNDARY OF GLO LOT 5, SECTION 1, T16N, R4W, SEWARD MERIDIAN, ALASKA, AS "GENERAL PURPOSE LANDS" FOR DISPOSAL TO THE ADJACENT PROPERTY OWNER AT MARKET VALUE, BIG LAKE AREA, MSB002743. IM No. 00-031
4. Ordinance Serial No. 00-022: AN ORDINANCE APPROVING THE CLASSIFICATIONS AND SUSITNA AREA PLAN AMENDMENT TO EXCHANGE PRIVATELY OWNED LAND IN THE BIG LAKE AREA FOR BOROUGH- OWNED LAND DESCRIBED AS TRACT A-2, BULCHITNA LAKE SUBDIVISION, PLAT NO. 95-17, LOCATED IN THE BULCHITNA LAKE AREA (MSB003018), FOR LOCATING THE NEW BIG LAKE LIBRARY. IM No. 00-032

Ms. Manfred read the above-referenced legislation into the record.

**MOTION:** Assemblymember Holmes moved for introduction of the above-referenced legislation and set for public hearing on March 7, 2000.

GENERAL CONSENT: The motion passed without objection.

**B. CONSENT AGENDA**

**1. RESOLUTIONS**

(Resolution Serial No. 00-009 with AM No. 00-019 was pulled from the consent agenda, see page 12 for assembly action.)

a. Resolution Serial No. 00-008: A RESOLUTION AMENDING THE SCOPE OF WORK FOR FUNDS APPROPRIATED BY ORDINANCE SERIAL NO. 96-119, PROJECT 20287, FOR EMERGENCY MEDICAL SERVICES (EMS) AND FIRE CAPITAL PROJECTS: SPECIFICALLY TO PROVIDE FUNDS FOR REPLACEMENT OF TWO PICKUP TRUCKS AND REPLACEMENT OF A RESCUE UNIT AND EQUIPMENT FOR SUTTON RESCUE. IM No. 00-029

(1) AM No. 00-020: AWARD OF BID NO. 00-079, VEHICLES-PUBLIC SAFETY AND PUBLIC WORKS.

c. Resolution Serial No. 00-010: A RESOLUTION ESTABLISHING DATES CERTAIN FOR PAYMENT, DELINQUENCY, PROTEST, AND APPEAL OF 2000 REGULAR TAX ROLLS AND BUSINESS INVENTORY FILING AND FOR THE COMMENCEMENT OF HEARINGS BEFORE THE BOARD OF EQUALIZATION. IM 00-033

d. Resolution Serial No. 00-011: A RESOLUTION AUTHORIZING THE EXTENSION OF THE DISASTER EMERGENCY DECLARATION ISSUED BY THE BOROUGH ON FEBRUARY 7, 2000, THROUGH MAY 7, 2000.

**2. ACTION MEMORANDUMS**

(AM Nos. 00-001, 00-026, and 00-016 were pulled from the consent agenda, see page 13 for assembly action.)

c. AM No. 00-004: ELIMINATION OF 15-FOOT WIDE UTILITY EASEMENT WITHIN LOT 2, BLOCK 4 OF SKY RANCH AT PIONEER PEAK ADDITION NUMBER ONE, SECTION 17, T17N, R2E, SEWARD MERIDIAN, ALASKA.

d. AM No. 00-012: AWARD OF BID NO. 00-083, PURCHASE AIR FILL CASCADE SYSTEM.

f. AM No. 00-022: VACATION OF 50-FOOT ROAD AND UTILITY EASEMENT WITHIN PROPOSED MUSKRAT COVE SUBDIVISION, LOCATED WITHIN

SECTION 12, T17N, R04W, SEWARD MERIDIAN, ALASKA, BIG LAKE COMMUNITY COUNCIL AREA.

- g. AM No. 00-023: AWARD OF PROPOSAL NO. 00-064, ARCHITECTURAL/ENGINEERING SERVICES FOR HOUSTON HIGH SCHOOL.
- h. AM No. 00-025: AWARD OF BID NO. 00-077, TEELAND MIDDLE SCHOOL CONSTRUCTION.

Mayor Salmon read the above-referenced consent agenda items into the record.

MOTION: Assemblymember Holmes moved for approval of the above-referenced consent agenda items.

Discussion followed.

GENERAL CONSENT: The motion passed without objection.

1. RESOLUTIONS

- b. Resolution Serial No. 00-009: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET AS ADOPTED IN RESOLUTION SERIAL NO. 99-032, WHICH SET THE SCOPE OF WORK AND BUDGET FOR PROJECT 20313, FUND 425; SPECIFICALLY TO PURCHASE RESCUE AND FIRE TOOLS AND EQUIPMENT FOR MEADOW LAKES. IM No. 00-030
- (1) AM No. 00-019: AWARD OF PROPOSAL NO. 00-078, PURCHASE RESCUE APPARATUS.

Mayor Salmon read Resolution Serial No. 00-009 and AM No. 00-019 into the record.

MOTION: Assemblymember Holmes moved for approval of Resolution Serial No. 00-009 with AM No. 00-019.

MOTION: Assemblymember Holmes moved a primary amendment to Resolution Serial No. 00-009, to the Lakes Rescue Unit, strike "\$35,316" and insert "\$28,316"; to Meadow Lakes FSA Operating Budget, strike "\$15,500" and insert "\$8,500"; and to the total, strike "\$35,316" and insert "\$28,316."

GENERAL CONSENT: The primary amendment passed without objection.

GENERAL CONSENT: The main motion, as amended, passed without objection.

2. ACTION MEMORANDUMS

- a. AM No. 00-001: REQUEST FOR AGRICULTURAL RIGHTS FARM UNIT OWNERS TO DIVIDE AND SELL ANOTHER PARCEL FROM THE ORIGINAL FARM UNIT (MSB001230).

MOTION: Assemblymember Holmes moved for approval of AM No. 00-001.

CONFLICT OF INTEREST: Assemblymember DeVilbiss stated that he had previously declared a conflict of interest on this parcel; he further stated that he no needs access that runs through the applicant's property.

Discussion followed.

RULING: Mayor Salmon declared Assemblymember DeVilbiss had no conflict of interest.

Mr. Scott stated that the staff recommendation contained in the AM was to deny the applicant's request; if approved as presented, the applicant will be denied the sale.

Discussion followed.

Mr. Gatti questioned the positive and negative vote implications.

Mr. Scott responded that an amendment could be offered to change the staff recommendations from denial to approval, then a positive vote would approve the applicants request, or approve as presented (denying the applicants request) and bring back another document to the next meeting for review.

Discussion followed.

Mayor Salmon reiterated that a positive vote will deny the sale, and a negative vote will approve the sale.

Discussion continued.

Mr. Gatti stated that the positive vote is a positive action and will approve the AM to sell, and that a negative vote will defeat the AM and deny the sale. (The vote is not on the staff recommendation, but on the AM itself.)

VOTE: The motion failed with Assemblymembers DeVilbiss, Jansen, and Simpson in favor.

Discussion followed. (See reconsideration page 16.)

- b. AM No. 00-026: REQUEST FOR AN ASSEMBLY DIRECTIVE REGARDING DEVELOPMENT OF AN ADMINISTRATIVE PROCEDURE FOR AGRICULTURAL RIGHTS FARM UNIT OWNERS TO ACQUIRE DEVELOPMENT RIGHTS.

MOTION: Assemblymember Holmes moved for approval of AM No. 00-026.

Discussion followed.

GENERAL CONSENT: The motion passed without objection.

- e. AM No. 00-016: MEADOW LAKES ELEMENTARY CONSTRUCTION CHANGE ORDER NO. 3 APPROVAL.

MOTION: Assemblymember Holmes moved for approval of AM No. 00-016.

Discussion followed.

Mr. Swing gave a staff report. Discussion continued.

GENERAL CONSENT: The motion passed without objection.

## C. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Salmon made the following recommendations:

Bid Review Committee

Mr. A.C. Buswell

Mr. Glen Farr

Local Emergency Planning Committee

Mr. Craig Robinson, city of Wasilla position

Ms. Dianne Keller, elected official position

Mayor Salmon requested approval of the following confirmations:

Local Emergency Planning Committee

Mr. Russell Butts, environmental/business/technical position

Parks, Recreation, and Trails Advisory Board

Mr. Mark Shuster, district 1 position

Mr. Jon Lin Turner, district 6 position

Wasilla-Lakes Fire Service Area No. 130 board of supervisors

Mr. Art Scates

**MOTION:** Assemblymember Holmes moved for approval of the above-referenced confirmations.

**CONFLICT OF INTEREST:** Assemblymember Turner declared a possible conflict of interest because he is the brother to an applicant for the Parks, Recreation, and Trails Advisory Board.

**MOTION:** Assemblymember DeVilbiss moved to divide the question.

**GENERAL CONSENT:** The motion, to divide the question, passed without objection.

**RULING:** Mayor Salmon ruled that Assemblymember Turner had no conflict.

**GENERAL CONSENT:** The motion, to approve confirmations except Mr. Turner, passed without objection.

**GENERAL CONSENT:** There was no objection to the confirmation of Mr. Jon Lin Turner to the Parks, Recreation, and Trails Advisory Board.

Discussion followed regarding board and commission vacancies.

#### **D. OTHER NEW BUSINESS**

(There was no other new business.)

#### **X. RECONSIDERATION**

2. Ordinance Serial No. 00-017: AN ORDINANCE APPROVING CONVEYANCE OF THE BIG LAKE FISH HATCHERY STRUCTURES FROM THE MATANUSKA-SUSITNA BOROUGH TO MAT-SU RESOURCE CONSERVATION AND DEVELOPMENT, INC., MSB002140. IM No. 00-028

**MOTION:** Assemblymember Holmes moved for reconsideration of Resolution Serial No. 00-017 postponement.

Discussion followed.

**GENERAL CONSENT:** The motion, to reconsider the postponement, passed without objection.

**PREVIOUS MOTION:** Assemblymember Kelly moved to postpone Ordinance Serial No. 00-017 until the March 7, 2000, regular assembly meeting.

(After the motion to reconsider the postponement was passed, the assembly went directly to the primary amendment that was pending at the time the motion to postpone was acted upon.

No point of order was raised; thus the action taken on the primary amendment and main motion was deemed final and charitably allowed to stand.)

Discussion on amendment

**PREVIOUS MOTION:** Assemblymember Simpson moved a primary amendment to strike the last whereas clause and insert two whereas clauses to read:

WHEREAS, having been unable to market the facility, RC&D subsequently requested the Department of Natural Resources (DNR) to terminate the lease and offer the land for sale, which is expected to occur at competitive auction; and

WHEREAS, ownership of the buildings, structures, and equipment on the leasehold must be determined so that prospective bidders will be sure of obtaining clear title and will know from whom they will purchase said buildings, structures, and equipment.

**MOTION:** Assemblymember Holmes moved a secondary amendment to strike the second whereas clause of the primary amendment and insert language to read:

WHEREAS, DNR has determined that ownership of the buildings, structures, and equipment on the leasehold is unclear; and

WHEREAS, ownership must be determined so that prospective bidders will be sure of obtaining clear title and will know from whom they will purchase said buildings, structures, and equipment; and

WHEREAS, Ordinance Serial No. 00-017 clearly conveys the buildings, structures, and equipment on the Big Lake Hatchery to RC&D.

**GENERAL CONSENT:** The secondary amendment passed without objection.

**GENERAL CONSENT:** The primary amendment, as amended, passed without objection.

**GENERAL CONSENT:** The main motion, as amended, passed without objection.

- a. AM No. 00-001: REQUEST FOR AGRICULTURAL RIGHTS FARM UNIT OWNERS TO DIVIDE AND SELL ANOTHER PARCEL FROM THE ORIGINAL FARM UNIT (MSB001230).

**MOTION:** Assemblymember Holmes moved for reconsideration of AM No. 00-001.

**VOTE:** The motion, to reconsider, passed with Assemblymembers DeVilbiss, Jansen, and Simpson opposed.

**PREVIOUS MOTION:** Assemblymember Holmes moved for approval of AM No. 00-001.

Discussion followed.

**MOTION:** Assemblymember Holmes moved a primary amendment to the "Manager Recommendation" to strike the word "deny" and insert the word "approve."

Discussion followed.

**VOTE:** The primary amendment passed with Assemblymembers DeVilbiss, Jansen, and Simpson opposed.

**VOTE:** The main motion, as amended, passed with Assemblymembers DeVilbiss, Jansen and Simpson opposed.

## **XI. VETO**

(There was no veto pending.)

## **XII. EXECUTIVE SESSION**

**MOTION:** Assemblymember Jansen moved to enter into an executive session for matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough; matters which by law, municipal charter, or ordinance are required to be confidential; potential or pending litigation to which the Matanuska-Susitna Borough may become or is a party; and confidential attorney-client communications made for the purpose of facilitating the rendition of professional legal services to the borough; in particular, matters relating to Port MacKenzie.

**GENERAL CONSENT:** The motion passed without objection and the assembly entered the executive session at 8:58 p.m. Those present for the executive session were the entire assembly, manager, attorney, and public works director.

**MOTION:** Assemblymember Colberg moved to exit from the executive session.

**GENERAL CONSENT:** The motion passed without objection and the assembly exited the executive session at 10:10 p.m.

The regular assembly meeting reconvened at 10:17 p.m.

### **XIII. MAYOR AND ASSEMBLY COMMENTS**

#### **Assemblymember DeVilbiss:**

- Encouraged the manager to meet with Ms. Ladere and/or the soil conservation district representative regarding the forest health management issue.
- Requested that the attorney research the proposed DNR regulation changes regarding rights-of-way liability to determine borough impacts.

#### **Assemblymember Holmes:**

- Stated that the assembly should watch House Bill 351 and Senate Bill 252 regarding rights-of-way that may affect the borough.

#### **Assemblymember Colberg:**

- Commented that he attended Mr. Ron Larson's Memorial Service and that Mr. Larson's contribution as an elected official was sincerely appreciated.

#### **Assemblymember Kelly:**

- Spoke about how important Mr. Larson was to this borough.
- Thanked Mr. Swanson for the information and answers provided on the Cook Inlet gas lease sale.
- Encouraged the assembly to schedule a work session about forest health management.
- Expressed concern with obtaining two ferries to service the Port MacKenzie area.
- Inquired about Mat-Su RC&D board members having to pay membership dues.
- Requested that the administration prepare an ordinance to incorporate construction project inspectors to protect borough interests.
- Spoke to the letter from Mr. Tony Pippel regarding the need for additional outdoor recreation sites, and the Alcantra School Site Recreational Facility should go through the planning department and be integrated into the comprehensive plan.
- Commented about a citizens advisory board requesting that a road management and corridor plan be drafted.
- Inquired about the core area zoning status.
- Questioned the manager about why the introductory chapter of the comprehensive plan has not been before the assembly.
- Announced that he has established an internet home page for the general public to view his objectives.

#### **Mr. Scott:**

- Responded that part of the funding proposal through the Municipality of Anchorage and the borough would build tandem ferry facilities and that a smaller second vessel as a back up might be needed given the numbers of persons estimated for utilization.
- Explained that the RC&D is a member-driven organization and that the borough also supplies grant funds as needed for their work.
- Stated that each borough project has its own inspectors for project completion.

- Announced that an RFP has been let through the community development department to draft a parks and recreation comprehensive plan.
- Commented that the Planning Commission accepted a core area zoning report, that the next meeting will be a work session, and the assembly will review the issue within six months.
- Stated that the comprehensive plan introductory chapter is contained as a task in the manager's strategic plan.

Mayor Salmon:

- Stated that Holland America Cruise Lines has ordered two new ships which cost a total of \$480 million.
- Shared that Mr. Larson's strength was being an accessible legislator and citizen.

#### XIV. ADJOURNMENT

The regular assembly meeting adjourned at 10:37 p.m.

ATTEST:

  
DARCIE K. SALMON, Borough Mayor

  
SANDRA A. DILLON, Borough Clerk

Minutes approved March 7, 2000.