

MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645-6488 - 907-745-9683

BOROUGH MAYOR

Larry DeVilbiss

BOROUGH CLERK

Lonnie R. McKechnie, CMC

BOROUGH MANAGER

John Moosey

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Warren Keogh, District 1
Noel Woods, District 2
Ronald Arvin, District 3
Mark Ewing, District 4
Cindy L. Bettine, District 5
Jim Colver, District 6
Vern Halter, District 7

ASSEMBLY AGENDA

**ASSEMBLY CHAMBERS
350 E. DAHLIA AVENUE, PALMER**

REGULAR MEETING

6 P.M.

TUESDAY, OCTOBER 18, 2011

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 08/30/11
- B. Regular Assembly Meeting: 09/06/11
- C. Joint Assembly/School Board Meeting: 09/13/11

VI. SPECIAL ORDERS OF THE DAY

- A. Proclamation Regarding Stillwater Fishing Day
- B. Proclamation Regarding Farm-to-School Month

VII. REPORTS/CORRESPONDENCE

- A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person.)
 - 1. Reports from cities
 - 2. Matanuska-Susitna Borough School District

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues
2. Assembly Public Relations

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Substandard Roads

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Animal Care and Regulation Board: 10/11/10, 12/01/10, 12/13/10, 01/10/11, 04/11/11
 - b. Caswell FSA Board of Supervisors: 06/08/11
 - c. Emergency Medical Services Board: 06/01/11
 - d. Library Board: 02/19/11, 03/19/11
 - e. Parks, Recreation, and Trails Advisory Board: 07/25/11
 - f. Planning Commission: 08/01/11
 - g. Platting Board: 07/21/11
 - h. Port Commission: 07/18/11
 - i. Talkeetna Sewer and Water Board of Supervisors: 03/02/11, 04/06/11, 06/01/11
 - j. Transportation Advisory Board: 05/25/11, Resolution Serial No. 11-10
 - k. Wasilla-Lakes FSA, West Lakes FSA, and Greater Palmer FSA Joint Board of Supervisors: 06/13/11
2. Community Council Correspondence:
 - a. Trapper Creek: 07/21/11

G. INFORMATIONAL MEMORANDUMS

1. IM No. 11-232: MONTHLY REPORTING OF AMENDED CONTRACTS AND NEW AWARDS UNDER \$100,000, ALONG WITH SOLE SOURCE PROCUREMENTS, FOR THE PERIOD OF SEPTEMBER 1, 2011, TO SEPTEMBER 30, 2011.

VIII. UNFINISHED BUSINESS

- A. Ordinance Serial No. 11-072: AN ORDINANCE REPEALING MSB TITLE 27 AND ADOPTING MSB TITLE 16 SUBDIVISIONS.
1. IM No. 11-122

IX. VETO

- A. Resolution Serial No. 11-062: A RESOLUTION AUTHORIZING EMINENT DOMAIN AND USE OF DECLARATION OF TAKING PROCEDURES TO ACQUIRE PROPERTY INTERESTS NEEDED FOR THE BOGARD ROAD EXTENSION EAST PROJECT. *(Veto filed by Mayor DeVilbiss October 7, 2011)*
1. IM No. 11-099
- B. Resolution Serial No. 11-121: A RESOLUTION AMENDING THE SCOPE OF WORK FOR PROJECT NO. 35187, HATCHER PASS SKI DEVELOPMENT ROAD. *(Veto filed by Mayor DeVilbiss October 7, 2011)*
1. IM No. 11-216
- C. Ordinance Serial No. 11-105: AN ORDINANCE AMENDING MSB 8.05 SOLID WASTE TO ADD SECTION (A); MSB 8.05.085, DISTRIBUTION OF COMMERCIAL LITERATURE, AND TO AMEND MSB 8.05.010, DEFINITIONS. *(Sponsored by Assemblymember Bettine) (Veto filed by Mayor DeVilbiss October 7, 2011)*
1. IM No. 11-178
- D. Ordinance Serial No. 11-121: AN ORDINANCE AMENDING MSB 5.20.005, REGARDING ALTERATION OF ROAD SERVICE AREAS. *(Sponsored by Assemblymember Halter) (Veto filed by Mayor DeVilbiss October 7, 2011)*
1. IM No. 11-193

X. SPECIAL ORDERS

- A. PERSONS TO BE HEARD (MSB 2.12.081; Three minutes per person.)
(Requires 11 days advance notice and must otherwise be in compliance with the necessary code requirements. If no advance notice is given, persons wishing to speak may do so under the Audience Participation section of the agenda.)
- B. PUBLIC HEARINGS (Three minutes per person.)
1. Ordinance Serial No. 11-132: AN ORDINANCE AMENDING MSB 4.50.030(A), LOCAL EMERGENCY PLANNING COMPOSITION; MSB 4.50.040(A), LOCAL EMERGENCY

PLANNING ORGANIZATION; AND MSB 4.50.060, LOCAL EMERGENCY PLANNING TERM OF MEMBERS.

- a. IM No. 11-098
2. Ordinance Serial No. 11-133: AN ORDINANCE AMENDING MSB 17.23, THE POINT MACKENZIE PORT SPECIAL USE DISTRICT.
 - a. IM No. 11-188
3. Ordinance Serial No. 11-134: AN ORDINANCE AMENDING MSB 3.04.095 (B) AND (C), GENERAL FUND BALANCE POLICY AND RESERVATIONS. *(Sponsored by Assemblymembers Halter and Keogh)*
 - a. IM No. 11-192
4. Ordinance Serial No. 11-135: AN ORDINANCE ADOPTING THE CITY OF WASILLA 2011 COMPREHENSIVE PLAN UPDATE.
 - a. IM No. 11-195
5. Ordinance Serial No. 11-136: AN ORDINANCE ACCEPTING AND APPROPRIATING A FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT IN THE AMOUNT OF \$500,000 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE POINT MACKENZIE SHOAL STUDY COST SHARE, FUND 450, PROJECT NO. 70009.
 - a. Resolution Serial No. 11-122: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS WITH THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE POINT MACKENZIE SHOAL STUDY COST SHARE.
 - (1) IM No. 11-196
6. Ordinance Serial No. 11-137: AN ORDINANCE APPROVING THE REQUEST BY THE AGRICULTURAL RIGHTS OWNER OF THE 1982 SALE FARM UNIT, CURRENTLY DESCRIBED AS SOUTH 1/2 SOUTH 1/2 OF SECTION 26, TOWNSHIP 24 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, CONTAINING 160 ACRES, MORE OR LESS, TO SUBDIVIDE INTO FOUR 40-ACRE AGRICULTURAL RIGHTS PARCELS, SAID PROPERTY IS LOCATED WITHIN THE TALKEETNA

RECORDING DISTRICT AND THE SUSITNA COMMUNITY COUNCIL AREA (MSB002230).

- a. IM No. 11-210
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7. Ordinance Serial No. 11-138: AN ORDINANCE ACCEPTING AND APPROPRIATING \$2,000,000 FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT TO FUND 430, PROJECT NO. 35007, FOR THE PARKS HIGHWAY FRONTAGE ROAD AND INTERSECTION IMPROVEMENTS AT TRUNK ROAD PROJECT.
 - a. Resolution Serial No. 11-123: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE PARKS HIGHWAY FRONTAGE ROAD AND INTERSECTION IMPROVEMENTS AT TRUNK ROAD, PROJECT NO. 35007, FUND 430.
 - (1) IM No. 11-213

 8. Ordinance Serial No. 11-139: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$750,000 FROM THE ALASKA STATE ENERGY AUTHORITY FOR THE SUSITNA VALLEY HIGH SCHOOL WOOD BOILER SYSTEM, TO FUND 400, PROJECT NO. 40169.
 - a. Resolution Serial No. 11-124: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SUSITNA VALLEY HIGH SCHOOL WOOD BOILER SYSTEM.
 - (1) IM No. 11-214

 9. Ordinance Serial No. 11-140: AN ORDINANCE ACCEPTING AND APPROPRIATING A FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT IN THE AMOUNT OF \$56,523.50 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE CONSTRUCTION OF THE HATCHER PASS SKI AREA, TO FUND 490, PROJECT NO. 75002.
 - a. Resolution Serial No. 11-125: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS WITH THE

ALASKA STATE DEPARTMENT OF COMMERCE,
COMMUNITY, AND ECONOMIC DEVELOPMENT
FOR THE CONSTRUCTION OF THE HATCHER PASS
SKI AREA, FUND 490, PROJECT NO. 75002.

(1) IM No. 11-217

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

a. Resolution Serial No. 11-128: A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NO. 10063, DOROTHY SWANDA JONES BUILDING ANNEX EVALUATION, DESIGN, CONSTRUCTION, AND PROJECT NO. 10057, ADMINISTRATION BUILDING REPAIR AND MAINTENANCE FUND TO SUPPLEMENT THE FUNDING FOR THE ADMINISTRATION BUILDING ADDITION.

(1) AM No. 11-099: APPROVAL OF A CONTRACT AMENDMENT TO WOLF ARCHITECTURE IN THE AMOUNT OF \$644,283 FOR PERMITTING AND PROFESSIONAL SERVICES TO DESIGN THE DOROTHY SWANDA JONES ADMINISTRATION BUILDING ADDITION, PROJECT NO. 10063.

b. Resolution Serial No. 11-129: A RESOLUTION IN SUPPORT OF UPDATING THE STATE RAIL PLAN IN COOPERATION WITH LOCAL COMMUNITIES AND THE ALASKA RAILROAD. *(Sponsored by Assemblymember Bettine)*

(1) IM No. 11-224

c. Resolution Serial No. 11-130: A RESOLUTION SUPPORTING THE UPGRADE AND EXPANSION OF THE ALASKA STATE FAIR SEWER SYSTEM. *(Sponsored by Mayor DeVilbiss)*

(1) IM No. 11-225

d. Resolution Serial No. 11-131: A RESOLUTION SUPPORTING DEVELOPMENT OF THE ARCTIC

NATIONAL WILDLIFE REFUGE (ANWAR) IN THE COASTAL PLAIN AREA. *(Sponsored by Mayor DeVilbiss)*

(1) IM No. 11-229

- e. Resolution Serial No. 11-132: A RESOLUTION AUTHORIZING PARTICIPATION IN THE LIBRARY CONSTRUCTION AND MAJOR EXPANSION MATCHING GRANT PROGRAM FOR THE CONSTRUCTION OF A TALKEETNA PUBLIC LIBRARY AND COMMUNITY RESOURCE CENTER.

(1) IM No. 11-230

- f. Resolution Serial No. 11-133: A RESOLUTION APPROVING STATE LEGISLATIVE PRIORITIES FOR THE MATANUSKA-SUSITNA BOROUGH FOR THE CALENDAR YEAR 2012.

(1) IM No. 11-236

- g. Resolution Serial No. 11-134: A RESOLUTION APPROVING FEDERAL PRIORITIES FOR THE MATANUSKA-SUSITNA BOROUGH FOR THE CALENDAR YEAR 2012.

(1) IM No. 11-237

- h. Resolution Serial No. 11-136: A RESOLUTION PROVIDING GENERAL DIRECTION FOR VARIOUS TYPES OF DEVELOPMENT TO BE INCLUDED IN THE DEVELOPMENT AND ASSET MANAGEMENT PLAN FOR THE HATCHER PASS – GOVERNMENT PEAK UNIT.

(1) IM No. 11-239

2. ACTION MEMORANDUMS

- a. AM No. 11-093: APPROVAL OF CHANGE ORDER NO. 3 TO CONTRACT NO. 11-054 TO D & S ROAD SERVICES IN THE AMOUNT OF \$57,201.79 FOR THE MOOSE CREEK BRIDGE REDECKING AND OILWELL ROAD GRADING AND AGGREGATE RESURFACING PROJECT.

- b. AM No. 11-097: AWARD OF BID NO. 12-033 TO NORIX GROUP, INC. FOR THE CONTRACT AMOUNT NOT TO EXCEED \$659,482.21 TO FURNISH AND INSTALL FURNITURE AT THE GOOSE CREEK CORRECTIONAL CENTER.

- c. AM No. 11-100: AWARD OF BID NO. 12-036 TO NORTHERN ASPHALT CONSTRUCTION FOR THE CONTRACT AMOUNT OF \$319,383.77 FOR MEADOW LAKES RSA NO. 27 ANNUAL ROAD MAINTENANCE.

XI. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 11/01/11, Borough Assembly Chambers)

- 1. Ordinance Serial No. 11-103: AN ORDINANCE AMENDING MSB 8.52.015, PROHIBITED ACTS AND MSB 8.52.035, DEFINITIONS, UNDER THE NOISE AND AMPLIFIED SOUNDS AND VIBRATION PORTION OF THE CODE. *(Sponsored by Assemblymember Woods)*
 - a. IM No. 11-171
- 2. Ordinance Serial No. 11-141: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$50,000 FROM TALKEETNA ROAD SERVICE AREA NO. 29 FUND BALANCE, FUND 283, TO TALKEETNA ROAD SERVICE AREA NO. 29 FISCAL YEAR 2012 OPERATING BUDGET, FUND 283.
 - a. IM No. 11-218
- 3. Ordinance Serial No. 11-142: AN ORDINANCE ACCEPTING AND APPROPRIATING \$80,000 FOR A PORTION OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE DEPARTMENT OF EMERGENCY SERVICES FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS.
 - a. Resolution Serial No. 11-135: A RESOLUTION APPROVING THE SCOPES OF WORK AND BUDGETS FOR A PORTION OF THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT GRANTS FOR THE DEPARTMENT OF EMERGENCY SERVICES PROJECTS.
 - (1) IM No. 11-227
- 4. Ordinance Serial No. 11-143: AN ORDINANCE AMENDING MSB 17.29, FLOOD DAMAGE PREVENTION, TO CLOSELY REFLECT THE MINIMUM THAT IS REQUIRED BY THE UNITED STATES CODE OF REGULATIONS.
 - a. IM No. 11-228

5. Ordinance Serial No. 11-144: AN ORDINANCE ADOPTING THE FIVE-YEAR TIMBER HARVEST SCHEDULE (2011-2015), PER MSB 23.20.090.
 - a. IM No. 11-231

6. Ordinance Serial No. 11-145: AN ORDINANCE APPROVING THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES COMPENSATION FOR RELOCATION OF THE COTTONWOOD ELEMENTARY SCHOOL SOCCER FIELDS FOR THE REQUIRED FEDERAL HIGHWAY ADMINISTRATION MITIGATION OF SECTION 4(F) PROPERTY FOR THE SEWARD MERIDIAN RECONSTRUCTION, PHASE I, PROJECT NO. 51184, PARCEL IDENTIFIED AS NO. 24 (MSB006252).
 - a. IM No. 11-233

7. Ordinance Serial No. 11-146: AN ORDINANCE AMENDING MSB 17.23.150, DEVELOPMENT PERMIT REQUIRED AND MSB 17.23.165, PERMIT STANDARDS.
 - a. IM No. 11-234

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

C. OTHER NEW BUSINESS

D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

XII. RECONSIDERATION

XIII. EXECUTIVE SESSION

XIV. MAYOR, ASSEMBLY, AND STAFF COMMENTS

XV. ADJOURNMENT

Disabled persons needing reasonable accommodation in order to participate at an Assembly meeting should contact the Borough ADA Coordinator at 746-7432 at least one week in advance of the meeting.