

**I. CALL TO ORDER**

The special meeting of the Matanuska-Susitna Borough Assembly was held on October 25, 2011, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The special meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss for the purpose of holding a joint Assembly/Planning Commission meeting.

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

Mr. Warren Keogh, Assembly District No. 1  
Mr. Noel Woods, Assembly District No. 2  
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*) (*entered telephonically at 6:07 p.m.*)  
Mr. Steve Colligan, Assembly District No. 4  
Mr. Darcie Salmon, Assembly District No. 5  
Mr. Jim Colver, Assembly District No. 6 (*arrived at 6:14 p.m.*)

Assembly members absent and excused:

Mr. Vern Halter, Assembly District No. 7

Planning Commission members present and establishing a quorum were:

Mr. Gary Foster, District 1  
Mr. Bruce Walden, District 4  
Mr. William Haller, District 5  
Mr. Tom Adams, District 6  
Mr. John Anderson, District 7

Planning Commission members absent and excused were:

Mr. David Cheezum, District 2 (*Chair*)

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk  
Ms. Jamie Newman, Deputy Borough Clerk  
Mr. John Moosey, Borough Manager  
Ms. Elizabeth Gray, Assistant Borough Manager  
Mr. Nicholas Spiropoulos, Borough Attorney  
Ms. Eileen Probasco, Acting Planning and Land Use Director  
Mr. Brad Sworts, Transportation and Environmental Manager  
Ms. Frankie Barker, Environmental Planner II  
Ms. Pam Graham, Grants and Project Coordinator  
Ms. Patty Sullivan, Public Affairs Director

### **III. APPROVAL OF AGENDA**

Mayor DeVilbiss inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved as presented without objection.

### **IV. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Mr. William Haller, Planning Commission Member.

### **V. AUDIENCE PARTICIPATION**

The following person spoke in opposition to Borough staff making site visits to inventory all development that has occurred since 1985 in Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Development Areas: Mr. Dave Glenn.

The following persons spoke in favor of the enactment of regulations governing the work performed by building contractors in the Borough and shared insight into issues caused by the lack of regulation: Mr. Roger Hykes and Mr. Jim Fenster.

### **VI. JOINT ITEMS OF BUSINESS**

#### **A. Platting Board Update (*Requested by Assembly*)**

Ms. Probasco:

- reported that no Platting Board member is in attendance to present a report; and
- asked the Assembly if they wished to continue with the practice of scheduling an update from the Platting Board at future joint Assembly/Planning Commission meetings.

Assemblymember Colver:

- related that he noticed hug potholes on the road while going to his mechanic;
- noted that he told his mechanic that he should get the road maintained;
- stated that the mechanic told him that the road is not within a road service area;
- related that he checked with the Borough to find out what the problem was;
- advised that he was told that there were not adequate funds in the subdivision agreement to complete the road;
- spoke to concerns that the problem needs to be straightened out before major issues arise; and
- noted that the road is within Assembly District No. 5.

Assemblymember Salmon:

- noted that the lenders do not know that the roads are not being maintained;
- spoke to areas that do not have legal access or road maintenance, but still pay taxes; and
- opined that this issue has languished for far too long.

Mayor DeVilbiss:

- advised that he believed that the Borough having road powers would solve this issue; and
- spoke to concerns of taxing for a service that is not received.

Discussion ensued regarding Borough residents paying road service area taxes and not receiving the services they are taxed for.

Mayor DeVilbiss:

- directed the body back to the question that should the Platting Board Update continue to be on Joint Assembly/Planning Commission meeting agendas; and
- stated that he would like to only have it on the agenda if there is an issue the body should take up.

Assemblymember Arvin:

- stated that the Platting Board had requested to hold a joint meeting with the Assembly, which the Assembly declined to do;
- noted that the Assembly had decided that it might be beneficial for the Platting Board to provide updates to the Assembly, and that is why it was added to the joint meeting agenda; and
- opined that there is value in meeting with the Platting Board.

Ms. Probasco:

- stated that perhaps the body could take up this issue at their planning session;
- noted that the Assembly could determine a specific item that they would like reported on or if there should be a joint meeting scheduled.

Mayor DeVilbiss:

- requested that Platting Board updates be an item of discussion at the planning session;
- opined that just putting them on the joint meeting agenda is a disservice; and
- noted that he agrees it would be beneficial to meet with the Platting Board at least annually.

B. Alaska Stand Alone Pipeline (ASAP) Project Presentation (*Requested by Mayor DeVilbiss*)

Mr. Dan Fauske, President and Ms. Leslye Langla, Stakeholder Engagement Manager, both of the Alaska Gasline Development Corporation, provided a presentation regarding the status of the Alaska Stand Alone Pipeline (ASAP) Project.

Assemblymember Salmon queried if the Alaska Permanent Fund Corporation has expressed any interest in investing in ASAP project.

Mr. Fauske spoke to the many reasons that has not been done at this time.

Mr. Moosey:

- requested an electronic version of Mr. Fauske's presentation; and
- queried why the ASAP would be the most beneficial to the Borough.

Mr. Fauske stated that he is not in a position to answer that question.

Discussion ensued regarding

- that heating fuel is extremely expensive, especially in rural areas; and
- the potential for hubs throughout corridor communities;
- that the pressure per square inch in the gasline would be 2,500;
- that hubs for corridor communities are not really an option at this time due to the economical impacts;
- that corridor communities have not been excluded for other fuel possibilities that may come from the gasline;
- the many ways that funding will be pursued;
- the impact of the project in relation to the proposed Donlin Creek private pipeline project;
- that major projects are requiring natural gas in order to power them;
- the high cost of energy in Alaska;
- energy needs locally, nationally, and globally; and
- the economic benefits of affordable energy.

The Assembly expressed desire to hear presentations from other entities proposing natural gasline projects around the State.

There was no objection noted.

*(The meeting recessed at 7:40 p.m. and reconvened at 7:53 p.m.)*

#### C. Air Quality Issues *(Requested by Administration)*

Ms. Cindy Heil, Air Non-Point and Sources Program Manager for the Alaska State Department of Environmental Conservation:

- shared that air quality data from the monitoring station located in the Butte has recorded concentrations near or above the air quality standard;
- noted that between now and December 31, 2011, if monitored concentrations were similar to those observed in 2006, the three year average would indicate the area is out of compliance with air quality standards established by the Environmental Protection Agency;
- expressed that data indicates the high values in the Butte are likely caused by the burning of wood;
- spoke about the need for the Borough to comply with air quality standards;
- talked about the consequences of not meeting air quality standards; and
- shared information on a joint public awareness campaign conducted by the Alaska State Department of Environmental Conservation and the Borough to educate the public on how to burn wood wisely to improve air quality.

Mayor DeVilbiss noted that Butte residents would like to have the air monitor sited elsewhere.

Assemblymember Arvin:

- stated that he would like to see monthly air quality data; and
- queried if the monitor is particulate specific to the burning of wood.

Ms. Heil:

- stated that it is not; and
- spoke to the different types of particulate matter that are monitored.

Discussion ensued regarding:

- that the particulate matter being monitored is not specific only to the combustion of wood;
- potential penalties associated with non-compliance;
- if a relationship exists between the air quality data and natural particulates found in the air.
- that many people burn wood due to the high cost of energy;
- whether or not citizens would respond to a public awareness campaign regarding burning wood;
- frustration with unfunded mandates established by other governmental entities;
- that although the public awareness campaign is well intended, it may be met with resistance;
- that the air quality issue is a result of increased wood burning due to the cost of affordable energy and population increases;
- the possibility of the distribution of moisture content meters as a tool to increase public awareness;
- the type of the data collected from the Butte area monitoring station;
- the authority of a second class Borough to regulate air quality; and
- measures the community of Fairbanks has taken in an effort to address their air quality compliance issues.

The Assembly requested additional data on monthly particulate readings specific to the combustion of wood, as well as meteorological data from the Butte area monitoring station.

#### D. Stormwater Management Plan Presentation *(Requested by Administration)*

Mr. Ray Plummer, Senior Civil Engineer, and Ms. Sara Wilson-Doyle, Environmental Planner, both of USKH, provided a presentation on the Stormwater Management Plan.

Mayor DeVilbiss asked if there is synergy between the Borough's proposed waste water and treatment plant and the stormwater management plan.

Mr. Plummer:

- advised that they are separate; and
- stated that there have been discussions with Tetra Tech, that if there is a pre-treatment program with a waste water plan, that some staff could work on both projects.

Assemblymember Colligan queried if the public awareness campaign is designed to target particular communities or developments.

Ms. Wilson-Doyle:

- noted that at Idita Park in Wasilla created its own storm water system, which filters quite a large volume of storm water;
- stated that public education is not targeted at one group of people, but to promote best practices; and
- advised that they will be creating a Stormwater Advisory Committee; and
- invited the body to suggest members.

Discussion ensued regarding:

- the six areas that the Environmental Protection Agencies evaluates stormwater plans;
- the best way to provide for public education regarding stormwater management;
- how to determine the target audience regarding stormwater management;
- that there will eventually be a mandate for having stormwater management plans;
- the many ways stormwater impacts the Borough;
- how Fairbanks has been impacted by poor stormwater management plans;
- how population impacts the need for stormwater management plans; and
- that the Borough will have to secure a permit from the State before the stormwater management plan is put into place.

Mayor DeVilbiss invited Mr. Moosey to share information on the special flood hazard area letter previously discussed by Mr. Glenn under Audience Participation.

Mr. Moosey:

- noted the intent of the letter was to inform the public of a one-year grace period on the fee to obtain a Flood Hazard Development Permit; and
- stated he will deliver a report to the Assembly at a future meeting discussing in greater detail the purpose of the letter.

## **VII. PLANNING COMMISSION COMMENTS**

Planning Commissioner Anderson:

- remarked that he enjoyed the meeting; and
- noted that he found the gasline presentation informative.

Planning Commissioner Foster:

- spoke favorably about the gasline presentation;
- expressed support in establishing a permitting process for licensed and bonded home builders and inspectors; and
- shared information about environmental standards that developers are required to adhere to in construction projects.

Planning Commissioner Waldon expressed support of the current direction of the Borough.

Planning Commissioner Adams:

- spoke about the importance of legislative priorities;
- expressed concern with the ability of the Alaska Legislature to provide matching funds under the bond packages adopted by the voters; and
- spoke in support of structuring future bond packages so that the allocation of Borough funds are independent of matching funds.

Assemblymember Keogh stated that if any members are interested, that he would like to hear comments from the Planning Commission on the list of priorities for the Capital Improvement Plan (CIP).

Planning Commissioner Adams advised that the Planning Commission will be forwarding their comments regarding the CIP to the Assembly by November 15.

Planning Commissioner Haller:

- noted that it is virtually impossible to receive funding for all projects contained in the CIP; and
- opined that infrastructure is the most important

Assemblymember Colver commented on overreaching environmental mandates and the unintended consequences of such policies.

Assemblymember Salmon stated that he is pleased to know that Knik-Goose Bay Road has been classified as a level one by the State, which will increase its priority for funding for upgrades.

Assemblymember Colligan:

- spoke to the competition at the local level for state and federal funding; and
- noted that he will be looking at the bottom line during budget deliberations in relation to the mill rate increases as a result of the recent passage of bond packages.

*(The Planning Commission exited the meeting at 9:38 p.m.)*

*(The meeting recessed at 9:38p.m. and reconvened at 9:46 p.m.)*

MOTION: Assemblymember Colligan moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 10:30 p.m.

VOTE: The motion passed without objection.

## **VIII. ASSEMBLY ITEMS OF BUSINESS**

A. Resolution Serial No. 11-137: A RESOLUTION IN SUPPORT OF THE PROPOSED VALLEY CENTER FOR ARTS AND LEARNING PROJECT AT MATANUSKA-SUSITNA COLLEGE.

1. IM No. 11-243

MOTION: Assemblymember Salmon moved to adopt Resolution Serial No. 11-137.

Assemblymember Arvin:

- spoke in support of the resolution; and
- requested that a copy be provided to the University of Alaska Board of Regents after it is adopted.

VOTE: The motion passed without objection.

## **IX. MAYOR, ASSEMBLY, AND STAFF COMMENTS**

Mr. Spiropoulos:

- provided an update regarding the State Redistricting Plan lawsuit;
- noted he has not yet had an opportunity to review any new documents, but noted that he is not expecting that there will be many at this time;
- spoke to the federal program that applies to flood hazard development standards; and
- noted that legislation will be before the body on November 3.

Ms. McKechnie welcomed the newly elected Assembly members.

Mr. Moosey:

- stated that he would like to schedule a joint meeting with the body and the Legislative Delegation; and
- offered to schedule future presentations on various instate gasline proposals should that be something the Assembly would like to do.

Assemblymember Colver welcomed newly elected Assemblymembers Colligan and Salmon.

Assemblymember Woods:

- welcomed newly elected Assemblymembers Colligan and Salmon;
- spoke favorably about this evening's meeting; and
- spoke to concerns that the Assembly enacts legislation but does not see the result of the legislation in the administrative process.

Assemblymember Keogh welcomed newly elected Assemblymembers Colligan and Salmon.

Assemblymember Arvin thanked Assemblymembers Colligan and Salmon for running for office and welcomed them onboard.

Assemblymember Colligan:

- thanked the Borough Clerk and Deputy Clerk for their assistance during the transition;
- expressed the need for Borough and School District to collectively work to identify legislative priorities; and
- talked about the need to generate revenue outside of property tax collection.

Assemblymember Salmon:

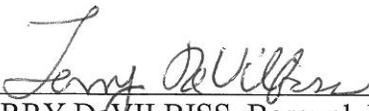
- stated it is a privilege to serve in office; and
- expressed concern about far reaching federal mandates.

Mayor DeVilbiss;

- welcomed newly elected Assemblymembers Colligan and Salmon;
- invited feedback from the Assembly on the seating arrangement around the Assembly table; and
- noted his plan to suggest a boundary adjustment during the upcoming joint meeting with the Anchorage Assembly.

## X. ADJOURNMENT

The meeting adjourned at 10:15 p.m.

  
LARRY DEVILBISS, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 12/06/11