

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on January 6, 2004, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson.

II. ROLL CALL

Assembly members present and establishing a quorum were:

- Mr. J. Bruce Bush, Assembly District No. 1
- Mr. Bill Allen, Assembly District No. 2
- Mr. Talis J. Colberg, Assembly District No. 3
- Ms. Mary Kvalheim, Assembly District No. 4
- Ms. Jody Simpson, Assembly District No. 5
- Mr. Jim Colver, Assembly District No. 6 (Deputy Mayor)
- Ms. Betty Vehrs, Assembly District No. 7

Staff in attendance were:

- Ms. Sandra A. Dillon, CMC, Borough Clerk
- Mr. John Duffy, Borough Manager
- Ms. Teresa S. Williams, Borough Attorney
- Ms. Michelle M. McGehee, Deputy Borough Clerk
- Ms. Tammy Clayton, Finance Director
- Mr. Don Shiesl, Public Works Director
- Mr. Dennis Brodigan, Acting Emergency Services Director
- Mr. Ron Swanson, Community Development Director
- Ms. Susan Dickinson, Planning and Land Use Director

III. APPROVAL OF AGENDA

Mayor Anderson:

- noted that Resolution Serial No. 04-020 would be pulled from the agenda; and
- advised that Resolution Serial No. 04-021 would be pulled from the consent agenda and addressed separately, as the clerk has received requests from the public to speak to the resolution (*See pp. 13 of 20*).

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Marilyn Modafferi, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

A. Special Joint Assembly/School Board Meeting: December 9, 2003

Mayor Anderson inquired if there were any corrections to the special Assembly meeting minutes of December 9, 2003.

Assemblymember Allen stated a correction to p. 1 of 9, to note that he was in attendance at the meeting. *[After clerk's research, this item was corrected accordingly.]*

GENERAL CONSENT: The minutes were approved as amended without objection.

B. Regular Assembly Meeting: December 16, 2003

Mayor Anderson inquired if there were any corrections to the regular Assembly meeting minutes of December 16, 2003.

GENERAL CONSENT: The minutes were approved as presented without objection.

C. Special Assembly Meeting Re: Public Question/Answer Forum on Coal Bed Methane Geology Presentation: December 16, 2003

Mayor Anderson inquired if there were any corrections to the special Assembly meeting minutes of December 16, 2003.

GENERAL CONSENT: The minutes were approved as presented without objection.

VI. SPECIAL ORDERS OF THE DAY

A. Proclamation in Recognition of the 40th Anniversary of the Matanuska-Susitna Borough

Mayor Anderson:

- presented a proclamation in recognition of the 40th anniversary of the Matanuska Susitna Borough; and
- proclaimed that 2004 would be a year of celebration for the Borough.

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Councilmember Straub:

- reported that the city of Wasilla is looking into hiring a code compliance officer;
- advised that the city is proposing a proposition to eliminate term limits; and
- invited members of Assembly to the grand opening of the sports complex on March 6, 2004.

Palmer City

Mayor Jim Cooper:

- presented the highlights of the city's accomplishments during 2003;
- stated that the city of Palmer has completed their budget cycle;
- advised that Fred Meyer is scheduled to open on March 3, 2004, and that Spenard Builders Supply is scheduled to open in April;
- spoke regarding the Palmer ice arena;
- requested that the Borough entertain the appropriation of additional funding for the ice arena project; and
- reported regarding planned road upgrades in the city of Palmer during the course of 2004.

Assemblymember Colver congratulated Mayor Cooper on being elected to the Office of President of the Alaska Municipal League.

Houston City

Councilmember Johnston:

- reported regarding the results of the 2003 city election;
- stated that the city has received positive feedback regarding the sales tax;
- advised that the city's animal control program is going well; and
- spoke to rezoning in the city and population growth.

2. Matanuska-Susitna Borough School District

(There was no report presented.)

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Allen:

- reported that a committee meeting was held yesterday;
- advised that the school district is still awaiting finalized enrollment numbers from the state regarding their request for a supplement appropriation for over-enrollment of students;
- noted items of discussion to include: teacher/district arbitration, lapsed fund balance policy, PERS rates, and the education funding formula;

- advised of the request to have the manager and the finance director meet with the school district in an effort to inform them of the source of Borough funds and application of funds in an effort to keep everyone informed regarding Borough finances;
- reported that the committee discussed jointly coordinating lobbying trips to Juneau instead of going individually.

2. Regional Transportation Planning Organization

Mayor Anderson advised that the next committee meeting would be held on January 26, 2004, from 1 – 4 p.m., at the Matanuska Telephone Association’s building in Palmer.

C. MANAGER COMMENTS

Mr. Duffy:

- reported that L.B. Foster has been able to meet the requirements of the structural steel bid;
- spoke regarding the presentation by Bill Doolittle at the January 20 work session on E-911;
- informed that the land conveyance and relocation of the Visitor Center is no longer in process, as Valley Hospital has stated that Borough land is no longer necessary for construction of the new hospital;
- thanked Steve Cypra and other staff of the land management and information technology divisions for placement of recorded Borough plats on the state of Alaska’s Records Office web site;
- advised that ambulance run volumes in the Borough have increased 40 percent over the last year; and
- spoke regarding the increase in housing structures in the Borough over the last year.

D. ATTORNEY COMMENTS

Ms. Williams referenced pre-filed coal bed methane legislation that she had distributed the members of the Assembly.

E. CLERK COMMENTS

Ms. Dillon:

- spoke regarding the Assembly’s meeting schedule for January and February;
- reminded members of the Assembly regarding the Thursday goal setting retreat;
- referenced a memo that she had prepared for Assemblymember Vehrs regarding teleconferencing Assembly meetings to areas in the northern district, and possible scheduling of meetings outside of the Assembly chambers; and
- cautioned members to review their travel budgets if they are planning to travel to Washington D.C. and to Juneau on lobbying efforts.

Assemblymember Vehrs:

- informed that she plans to travel to Washington D.C., Colorado, and Juneau before the end of the fiscal year;

- requested that Ms. Dillon bring legislation forward for a \$3,500 appropriation from Assembly reserves for the purpose of funding the travel; and
- requested that Ms. Dillon make the necessary arrangements to teleconference to alternating locations in District 7 through the month of June.

Discussion ensued regarding the cost associated with teleconferenced meetings.

Assemblymember Vehrs stated that she would like the April 6 meeting to take place at Talkeetna Elementary School if there was no objection from members of the Assembly. No objection was heard.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Animal Care and Regulation Board: 11/10/03
 - b. Greater Willow Road Service Area No. 20: 12/18/03
 - c. Historical Preservation Commission: 08/05/03, 09/12/03, 10/03/03
 - d. Midway Road Service Area No. 9: 12/04/03
 - e. Parks, Recreation, and Trails Advisory Board: 11/24/03, 12/15/03
 - f. Planning Commission: 12/01/03, 12/15/03
 - g. Senior Citizens Advisory Board: 11/17/03
2. Community Council Correspondence:
 - a. Knik Fairview Community Council: 12/11/03
 - b. Trapper Creek Community Council: 12/11/03
 - c. Willow Area Community Organization: 12/01/03

The citizen and other correspondence was presented and no comments were noted.

Assemblymember Colver inquired regarding the “brown bag” teleconferenced meetings between the Assembly and the Mat-Su Borough Legislative Delegation.

Mr. Duffy advised that these meetings are being coordinated through the Borough’s state lobbyist.

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

X. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 01/20/04, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 04-006: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$7,111 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO PAY DELINQUENT TAXES, PENALTIES, INTEREST, AND FORECLOSURE COSTS UP TO CLERK'S DEED ON TAX FORECLOSED PROPERTIES BOROUGHWIDE WHERE THE REPURCHASE RIGHTS OF THE FORMER RECORD OWNERS HAVE EXPIRED.
 - a. IM No. 04-008
2. Ordinance Serial No. 04-007: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$4,231 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO PAY THE REMAINING SPECIAL ASSESSMENT PRINCIPAL AND INTEREST ON THE CLERK'S DEED ON LID FORECLOSED PROPERTIES FOR LOTS 1 AND 2, BLOCK 1, SNOWSHOE WEST, LOCATED IN THE FAIRVIEW LOOP AREA, WHICH IS A TEN-YEAR PLUS PROPERTY WHERE THE REPURCHASE RIGHTS OF THE FORMER RECORD OWNERS HAVE EXPIRED.
 - a. IM No. 04-009
3. Ordinance Serial No. 04-008: AN ORDINANCE PROVIDING FOR A TEMPORARY PROCESS WHICH EXEMPTS FROM THE REQUIREMENTS OF MSB 19.08.020, LOCATION OF SCHOOL BUILDINGS, TO ALLOW FOR THE ESTABLISHMENT OF ONE SITE SELECTION COMMITTEE FOR THE PURPOSE OF QUICKLY PROCESSING A GROUP OF SEVEN TIME-SENSITIVE SCHOOL SITE SELECTION REQUESTS.
 - a. IM No. 04-012
4. Ordinance Serial No. 04-009: AN ORDINANCE ACCEPTING AND APPROPRIATING \$10,842 FROM THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, NATIONAL MARINE FISHERIES SERVICE TO FUND 410, FOR THE CROOKED LAKE CULVERT RESTORATION PROJECT, PROJECT NO. 30076.
 - a. Resolution Serial No. 04-005: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE CROOKED LAKE CULVERT RESTORATION PROJECT, PROJECT NO. 30076.
 - (1) IM No. 04-013
5. Ordinance Serial No. 04-010: AN ORDINANCE AMENDING MSB 3.15.060; BY ADDING SUBSECTION (E), ADDRESSING ASSESSMENT OF PROPERTY FOR LOW-INCOME HOUSING CREDIT.
 - a. IM No. 04-014

6. Ordinance Serial No. 04-011: AN ORDINANCE ACCEPTING AND APPROPRIATING \$14,000 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT CITIZEN EMERGENCY RESPONSE TEAMS (CERT) GRANT PROGRAM TO FUND 480, PROJECT NO. 45126, TO TRAIN CITIZEN EMERGENCY RESPONSE TEAMS AND PURCHASE EQUIPMENT AND SUPPLIES.
 - a. Resolution Serial No. 04-006: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT CITIZEN EMERGENCY RESPONSE TEAMS (CERT) GRANT, PROJECT NO. 45126, FUND 480, TO TRAIN CERT TEAMS AND PURCHASE EQUIPMENT AND SUPPLIES.
 - (1) IM No. 04-017
7. Ordinance Serial No. 04-012: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$5,000 FROM THE BIG LAKE FIRE SERVICE AREA FUND BALANCE, FUND 256, TO PROJECT NO. 20277, FUND 405.
 - a. Resolution Serial No. 04-007: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT FOR BIG LAKE FIRE SERVICE AREA, PROJECT NO. 20277, FUND 405.
 - (1) IM No. 04-018
8. Ordinance Serial No. 04-013: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT, AND REAPPROPRIATING \$5,000 FROM THE GREATER PALMER FIRE SERVICE AREA FISCAL YEAR 2004 OPERATING BUDGET, FUND 259, TO PROJECT NO. 20177, FUND 405.
 - a. Resolution Serial No. 04-008: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT, FOR THE GREATER PALMER FIRE SERVICE AREA, PROJECT NO. 20177, FUND 405.
 - (1) IM No. 04-019
9. Ordinance Serial No. 04-014: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$5,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 20257, FUND 405.
 - a. Resolution Serial No. 04-009: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT FOR MEADOW LAKES FIRE SERVICE AREA, PROJECT NO. 20257, FUND 405.
 - (1) IM No. 04-020

10. Ordinance Serial No. 04-015: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$5,000 FROM THE WILLOW FIRE SERVICE AREA FUND BALANCE, FUND 258, TO PROJECT NO. 20146, FUND 405.
 - a. Resolution Serial No. 04-010: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT FOR WILLOW FIRE SERVICE AREA, PROJECT NO. 20146, FUND 405.
 - (1) IM No. 04-021
11. Ordinance Serial No. 04-016: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$80,236 FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF \$8,916 FROM THE BUTTE FIRE SERVICE AREA FUND BALANCE, FUND 251, TO PROJECT NO. 45156, FUND 405, TO PURCHASE FIREFIGHTING AND TRAINING EQUIPMENT AND SUPPLIES.
 - a. Resolution Serial No. 04-011: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE BUTTE FIRE SERVICE AREA, PROJECT NO. 45156, FUND 405, TO PURCHASE FIREFIGHTING AND TRAINING EQUIPMENT AND SUPPLIES.
 - (1) IM No. 04-022
12. Ordinance Serial No. 04-017: AN ORDINANCE ACCEPTING AND APPROPRIATING \$1,063,167 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM TO FUND 425, PROJECT NO. 45158, FOR THE PURPOSE OF BETTER EQUIPPING RESPONDERS TO DEAL WITH EMERGENCY INCIDENTS.
 - a. Resolution Serial No. 04-012: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE HOMELAND SECURITY AND EMERGENCY SERVICES, PROJECT NO. 45158, FUND 425, FOR THE PURPOSE OF BETTER EQUIPPING RESPONDERS TO DEAL WITH EMERGENCY INCIDENTS.
 - (1) IM No. 04-023
13. Ordinance Serial No. 04-018: AN ORDINANCE APPROVING AN APPROPRIATION OF \$250,000 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO THE FIRE SERVICE CAPITAL PROJECT, FUND 405, PROJECT NO. 45057, TO PURCHASE ADDITIONAL LAND (73.59 ACRES) FROM THE UNIVERSITY OF ALASKA (UAA), FOR THE PURPOSE OF EXPANDING THE STATION 62 TRAINING FACILITY COMPLEX AS PART OF A TEN-YEAR MASTER PLAN.
 - a. Resolution Serial No. 04-013: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET IN THE AMOUNT OF \$250,000, FOR THE FIRE SERVICE CAPITAL PROJECT, PROJECT NO. 45057, TO PURCHASE ADDITIONAL LAND (73.59 ACRES) FROM THE UNIVERSITY OF ALASKA (UAA) FOR THE PURPOSE OF EXPANDING

THE STATION 62 TRAINING FACILITY COMPLEX AS PART OF A TEN-YEAR MASTER PLAN.

- (1) IM No. 04-001

- 14. Ordinance Serial No. 04-019: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$388,062 FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF \$43,118 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO PROJECT NO. 45157, FUND 405, TO PURCHASE FIRE FIGHTING AND PERSONAL PROTECTIVE EQUIPMENT AND SUPPLIES.
 - a. Resolution Serial No. 04-014: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE WASILLA-LAKES FIRE SERVICE AREA, PROJECT NO. 45157, FUND 405, TO PURCHASE FIRE FIGHTING AND PERSONAL PROTECTIVE EQUIPMENT AND SUPPLIES.
- (1) IM No. 04-015

- 15. Ordinance Serial No. 04-020: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$51,272 FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF \$5,981 FROM THE TALLEKETA FIRE SERVICE AREA FUND BALANCE, FUND 254, TO PROJECT NO. 45129, FUND 405, TO PURCHASE FIRE FIGHTING EQUIPMENT AND SUPPLIES.
 - a. Resolution Serial No. 04-015: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE TALLEKETA FIRE SERVICE AREA, PROJECT NO. 45129, FUND 405, TO PURCHASE FIRE FIGHTING EQUIPMENT AND SUPPLIES.
- (1) IM No. 04-016

- 16. Ordinance Serial No. 04-021: AN ORDINANCE AMENDING THE ACCEPTANCE AND APPROPRIATION OF FUNDS FOR OLD KNIK TOWNSITE INTERPRETIVE SIGNS FY 03 HISTORIC PRESERVATION GRANT PROGRAM, ORIGINALLY SET FORTH IN ORDINANCE SERIAL NO. 03-169, ADOPTED NOVEMBER 18, 2003, FROM \$7,280 TO \$8,580.
 - a. Resolution Serial No. 04-018: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR OLD KNIK TOWNSITE INTERPRETIVE SIGNS FY 03 HISTORIC PRESERVATION GRANT PROGRAM, ORIGINALLY SET FORTH IN RESOLUTION SERIAL NO. 03-110, ADOPTED NOVEMBER 18, 2003, FROM \$7,280 TO \$8,580.
- (1) IM No. 04-010

- 17. Ordinance Serial No. 04-022: AN ORDINANCE AMENDING THE ACCEPTANCE AND APPROPRIATION OF FUNDS FOR PHASE II OF THE INTERPRETIVE SIGNS PROJECT FOR THE MATANUSKA COLONY HISTORIC DISTRICT, ORIGINALLY SET FORTH IN ORDINANCE SERIAL NO. 03-137, ADOPTED AUGUST 19, 2003, FROM \$17,035.20 TO \$20,077.20.

- a. Resolution Serial No. 04-019: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PHASE II OF THE INTERPRETIVE SIGNS PROJECT FOR THE MATANUSKA COLONY HISTORIC DISTRICT, ORIGINALLY SET FORTH IN RESOLUTION SERIAL NO. 03-082, ADOPTED AUGUST 19, 2003, FROM \$17,035.20 TO \$20,077.20.
- (1) IM No. 04-011

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

MOTION: Assemblymember Colver moved to introduce the legislation as read into the record by the clerk and set the public hearings for January 20, 2004.

VOTE: The motion passed without objection.

(The regular meeting recessed at 6:54 p.m. and reconvened at 7:09 p.m.)

VIII. SPECIAL ORDERS (to begin at 7 p.m.)

- A. PERSONS TO BE HEARD (Three minutes per person.)

(There were no persons to be heard.)

- B. PUBLIC HEARINGS (Three minutes per person.)

- 1. Resolution Serial No. 04-001: A RESOLUTION PROVIDING FOR THE CONTINUANCE OF THE MATANUSKA-SUSITNA BOROUGH/MUNICIPALITY OF ANCHORAGE INTER-GOVERNMENTAL LIAISON COMMITTEE.
 - a. IM No. 04-002

Mayor Anderson opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colver moved to adopt Resolution Serial No. 04-001.

VOTE: The motion passed without objection.

- 2. Ordinance Serial No. 04-001: AN ORDINANCE AMENDING MSB 24.40.050(A), ANIMAL CARE AND REGULATION FINES FOR INFRACTIONS.
 - a. IM No. 04-003

CONFLICT OF INTEREST: Assemblymember Vehrs requested a conflict of interest ruling, as she participated in the revision of the fines.

RULING: Mayor Anderson ruled that Assemblymember Vehrs had a conflict of interest and would be recused from voting on Ordinance Serial No. 04-001.

(Assemblymember Vehrs exited chambers at this time.)

Mr. Duffy presented a brief staff report.

Mayor Anderson opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 04-001.

VOTE: The motion passed without objection.

(Assemblymember Vehrs returned to chambers at this time.)

3. Ordinance Serial No. 04-002: AN ORDINANCE REAPPROPRIATING \$20,956 FROM THE FY04 PLANNING DEPARTMENT'S OPERATING BUDGET (100-130-133-411-200) TO FUND 480, PROJECT NO. 45124, TO CONDUCT PHASE II OF THE ASSESSMENT AND AUDIT OF THE BOROUGHWIDE RECORDS MANAGEMENT PRACTICES IN THE PLANNING DEPARTMENT.
 - a. Resolution Serial No. 04-002: A RESOLUTION APPROVING THE REVISED SCOPE OF WORK AND BUDGET FOR THE ASSESSMENT AND AUDIT OF THE BOROUGHWIDE RECORDS MANAGEMENT PRACTICES.
 - (1) IM No. 04-004

Ms. Joell Church:

- referred to the Acumen Information Services assessment of Borough records previously distributed by the Clerk;
- stated that the next phase of the project is to inventory and purge closed records to bring the borough into compliance with the records management program and retention schedule;
- advised that this would be a two-year project;
- noted that Acumen is currently purging records at the Animal Care and Regulation Shelter;
- reported that once Acumen's project is completed, the goal of the second phase of the project is to hire a project person to help continue with the inventory and purging process for the next two years;
- spoke to the advantages of hiring a project person, including: a cost savings of \$10 per hour to hire a project person over contract personnel, savings in manpower regarding repeated training of staff every six months, familiarity of a project person with the borough's records process, and accuracy and efficiency;
- stated that the person hired for the project would be hired as a records technician and therefore their assigned duties would stay within the job description;

- advised that Acumen is currently being used to purge records for those departments that have no funding;
- remarked that the planning department has allocated funds into the project account to begin their second phase of inventorying and purging records to bring them up to speed with our records management program; and
- advised that it will take approximately six months for planning to purge their records and to enter records into TRIM with the help of a project person.

Assemblymember Simpson:

- spoke regarding Acumen's assessment report of the current state of Borough departmental records;
- commended Ms. Church for her efforts in moving the records management program forward; and
- encouraged members of the Assembly to also review Acumen's report.

Mayor Anderson opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 04-002 and Resolution Serial No. 04-002.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 04-003: AN ORDINANCE ACCEPTING AND APPROPRIATING \$85,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO FUND 430, FOR THE CHICKALOON TRAIL ROAD IMPROVEMENTS PROJECT, PROJECT NO. 35267.
 - a. Resolution Serial No. 04-003: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE CHICKALOON TRAIL ROAD IMPROVEMENTS, PROJECT NO. 35267.
 - (1) IM No. 04-005

Mr. Duffy provided a staff report.

Mayor Anderson opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 04-003 and Resolution Serial No. 04-003.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 04-005: AN ORDINANCE ACCEPTING AND APPROPRIATING \$400 TO FUND 440, PROJECT NO. 45023, FROM THE COLONY MIDDLE SCHOOL SKI TEAM FOR IMPROVEMENTS AT THE CREVASSE MORAIN TRAIL SYSTEM.
 - a. Resolution Serial No. 04-004: A RESOLUTION APPROVING A SCOPE OF WORK AND BUDGET FOR IMPROVEMENTS AT THE CREVASSE MORAIN TRAIL SYSTEM.
 - (1) IM No. 04-006

Mr. Duffy thanked the Colony High Ski Team for raising the funds.

Mayor Anderson opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Allen moved to adopt Ordinance Serial No. 04-005 and Resolution Serial No. 04-004.

VOTE: The motion passed without objection.

B. CONSENT AGENDA *(See p. 1 of 20, Resolution Serial No. 04-021 pulled at approval of agenda.)*

- d. Resolution Serial No. 04-021: A RESOLUTION MAKING RECOMMENDATIONS TO THE GOVERNOR AND LEGISLATURE CONCERNING COAL BED METHANE LEASING, EXPLORATION, AND OPERATIONS IN THE MATANUSKA-SUSITNA BOROUGH. *(Sponsors: Assemblymembers Colver and Kvalheim)*
 - (1) IM No. 04-027

The following persons spoke in favor of Resolution Serial No. 04-021: Charles E. Renner, Marilyn Modafferi, Ronald Modafferi, Mimi Peabody, Robin McLean, Jeff Arnot, Dan Dryden, Myrl Thompson, Will Peabody, Darlene Wallis, Shaunders McNeill, Jim Sykes, Joe Holland, Chris Whittington-Evans, Dori McDannold, John Robertson, Kathy Wells, Pete Proetorius, Mark Masteller, Michelle Church, Josh Klauder, Lynn Fuller, Tom Cluberton, and Barbara Hanson.

The following persons spoke in opposition to Resolution Serial No. 04-021: Carol Johnston, Pio Cottini, Lucille Frey, Annette Harpster, Dianne M. Keller, Angela Rosas, Jean Woods, Dave Norton, and Jay Nolfi.

(The regular meeting recessed at 8:30 p.m. and reconvened at 8:47 p.m.)

MOTION: Assemblymember Colver moved to adopt Resolution Serial No. 04-021.

MOTION: Assemblymember Colver moved to amend Resolution Serial No. 04-021 by substituting Resolution Serial No. 04-021 (SUB-1).

MOTION: Assemblymember Colver moved a primary amendment to Resolution Serial No. 04-021 (SUB-1) by inserting the clause, "BE IT FURTHER RESOLVED, that baseline information on groundwater supplies and methane seepages be obtained and adequate regulations be adopted."

Discussion ensued regarding:

- regulations being adopted at the state level; and
- how to obtain baseline data and test hole drilling while at the same time halting exploration.

VOTE: The primary amendment passed without objection.

Assemblymember Vehrs asked to be included as a sponsor of Resolution Serial No. 04-021 (SUB-1).

MOTION: Assemblymember Colberg moved a primary amendment to Resolution Serial No. 04-021 (SUB-1) as amended, to strike the words "representatives of" from the last "BE IT RESOLVED CLAUSE", and to strike the word "and" and to insert the word "of" before the phrase Kenai Peninsula Borough, to read, "BE IT FURTHER RESOLVED, that the Mayor and the Assembly requests a meeting with the Governor and the Kenai Peninsula Borough Assembly to discuss and resolve concerns related to coal bed methane development in the boroughs.

VOTE: The primary amendment passed without objection.

Discussion continued regarding the definition of the words "partnership" and "property rights" for the purposes of the resolution.

MOTION: Assemblymember Simpson moved to postpone Resolution Serial No. 04-021 (SUB) to a time certain of February 3, 2004

Assemblymember Simpson:

- queried Mr. Duffy regarding an update of the work sessions currently scheduled by the Department of Natural Resources (DNR); and
- stated that she would like to attend the pending DNR work sessions on coal bed methane to gain further insight into the issue and into public comment before taking final action on the proposed resolution.

MOTION: Assemblymember Colver moved the previous question (to stop debate).

VOTE: The motion to stop debate passed.

VOTE: The motion to postpone Resolution Serial No. 04-021 (SUB-1) failed with Assemblymember Simpson in support.

VOTE: The motion to amend Resolution Serial No. 04-021 by substitution of Resolution Serial No. 04-021 (SUB-1) as amended, passed without objection.

VOTE: The main motion, to adopt Resolution Serial No. 04-021 as substituted and amended, passed without objection. (*Resolution Serial No. 04-021 (SUB-1)(AM) was adopted.*)

MOTION: Assemblymember Colver moved to reconsider Resolution Serial No. 04-021 (SUB-1)(AM).

VOTE: The motion to reconsider failed unanimously.

C. AUDIENCE PARTICIPATION

Ms. Jeanne Troyshynski spoke regarding the need to build a permanent school site for the Midnight Sun Learning Center as the current location has safety issues.

Ms. Michelle Church thanked the members of the Assembly for passage of Resolution Serial No. 04-021 (SUB-1)(AM)

Wasilla City Mayor Dianne Keller:

- requested support of the Midnight Sun Learning Center's request for Borough aid in finding a new site for the school; and
- spoke regarding the need for an exception clause that exempts the cities from being included in Borough coal bed methane regulation legislation.

There being no others present who wished to speak, Mayor Anderson closed audience participation.

B. CONSENT AGENDA

1. RESOLUTIONS

(Resolution Serial Nos. 04-017 and 04-021 (*See pp. 13 of 20*) and AM No. 04-004 were pulled from the consent agenda and addressed separately (*See pp. 16 of 20*).

a. Resolution Serial No. 04-016: A RESOLUTION SUPPORTING ALASKA LOCAL GOVERNMENT WEEK 2004. (*Sponsor: Mayor Anderson*)

(1) IM No. 04-007

2. ACTION MEMORANDUMS

a. AM No. 04-002: AWARD OF BID NO. 04-038 TO L.N. CURTIS AND SONS, EAGLE ENTERPRISES INC., AND YOUNG'S FIREHOUSE, CONTRACT AMOUNTS MAY EXCEED \$15,000, FOR THE PURCHASE OF EMERGENCY SERVICES EQUIPMENT.

b. AM No. 04-003: AWARD OF BID NO. 04-070 TO L.N. CURTIS AND SONS AND YOUNG'S FIREHOUSE, CONTRACT AMOUNTS MAY EXCEED \$15,000, FOR THE PURCHASE OF EMERGENCY SERVICES PERSONAL PROTECTIVE ITEMS.

- d. AM No. 04-005: APPROVAL OF CHANGE ORDER NO. 4 TO TRYCK NYMAN HAYES, INC. IN THE AMOUNT OF \$42,284 FOR A COOK INLET FERRY DEMAND ANALYSIS.
- e. AM No. 04-010: AWARD OF PROPOSAL NO. 04-064, TO AGNEW: :BECK IN THE AMOUNT OF \$50,000 FOR THE PRODUCTION OF THE “Y” COMMUNITY COMPREHENSIVE PLAN.

Ms. Dillon read the consent agenda into the record.

MOTION: Assemblymember Colver moved to approve the consent agenda as read into the record by the clerk.

VOTE: The motion passed without objection.

- b. Resolution Serial No. 04-017: A RESOLUTION APPROVING THE WASILLA ELEMENTARY SITE SELECTION.
 - (1) IM No. 04-024

MOTION: Assemblymember Colver moved to adopt Resolution Serial No. 04-017.

MOTION: Assemblymember Colver moved a primary amendment to insert the legal description of the property into the “NOW, THEREFORE, BE IT RESOLVED” and the phrase “a portion of” to read, “NOW THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly directs Administration to designate this site, a portion of the NW1/4 NW1/4 Section 30, Township 18 North, Range 1 East, Seward Meridian, Alaska (Tax ID Number 18N01E30B002, owned by Matanuska-Susitna Borough” . . .)

Assemblymember Kvalheim asked to be included as a sponsor of Resolution Serial No. 04-017.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

- c. AM No. 04-004: APPROVAL OF CHANGE ORDER NO. 4 TO PERATROVICH, NOTTINGHAM, DRAGE, INC. IN THE AMOUNT OF \$125,000 TO PROVIDE INSPECTION SERVICES FOR THE CONSTRUCTION OF THE DEEP-DRAFT DOCK AT PORT MACKENZIE.

MOTION: Assemblymember Allen moved to approve AM No. 04-004.

Assemblymember Allen expressed concern regarding Peratrovich, Nottingham, Drage Inc. conducting an inspection of its own work.

Discussion followed regarding:

- Peratrovich, Nottingham, Drage, Inc. inspecting their own design work;
- the practice of serving a dual function on contracts in this regard not being unusual; and
- the possibility of obtaining an outside contractor to conduct the inspection.

MOTION: Assemblymember Allen moved to postpone AM No. 04-004 to a time certain of January 20, 2003, pending a written response from the manager regarding his concerns.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Animal Care and Regulation Board
 Larry LaGrone
 Historical Preservation Commission
 Jerry Ondola
 Le Roi Heaven
 Local Emergency Planning Committee
 Richard Molburg
 Don Tanner
 Thomas Healy
 Planning Commission
 Chris Rose
 Faye Palin
 Title 16 Rewrite Committee
 Richard "Ken" DeCamp
 Transportation Advisory Board
 Allen Linn

Mayor Anderson requested the following confirmations:

Board of Ethics
 David Church
 Historical Preservation Commission
 Erik Hirschmann

Intergovernmental Liaison Committee

Jim Colver

Mary Kvalheim

John Duffy

Susan Dickinson

Labor Relations Board

Colleen Hamblen

Parks, Recreation and Trails Advisory Board

Pamela Sadloske

Ricardo Ernst

Platting Board

Alan Larson

William Bruu

Mid-Valley Pathways Alternative School Site Selection Committee

Sara Welton

Transportation Advisory Board

George Williams

Talkeetna Fire Service Area No. 24

Mary Farina

Meadow Lakes Fire Service Area No. 34

William Browne

Wasilla Lakes Fire Service Area No. 130

Frederick Snodgrass

Gold Trails Road Service Area No. 28

Kenneth Moss

Resignation of Brad Gamble

MOTION: Assemblymember Colver moved to confirm the Mayor's appointments and resignations up for confirmation this evening.

VOTE : The motion passed without objection.

D. OTHER NEW BUSINESS

(There was no other new business.)

XI. RECONSIDERATION

(There were no reconsiderations presented.)

XII. VETO

(There were no vetoes presented.)

XIII. EXECUTIVE SESSION

(There was no executive session.)

XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Simpson:

- noted that not all community councils are on record in opposition to coal bed methane development in the borough;
- commended Mr. Ken Hudson, Chief of Code Compliance, for a radio presentation he had given regarding regulations on junk and trash in the borough;
- thanked Mr. Duffy for changes to the public works construction schedule;
- requested that the clerk e-mail the final version of Resolution Serial No. 04-021 (SUB-1)(AM) to the members of the Assembly; and
- acknowledged that Jay Nolfi was honored in the Sunday Frontiersman as Civic Leader of the Year.

Assemblymember Bush:

- spoke regarding coal bed methane;
- remarked that the borough is part of the state and that the state is looking out for the rights of borough residents and is adhering to the Alaska State Constitution; and
- opined that the borough should go on record as being pro-development.

Assemblymember Kvalheim thanked the Assembly for working together on the issues this evening.

Assemblymember Vehrs:

- commented that there are a number of community councils in District 7 that are opposed to quick uneducated development; and
- stated that she is glad to be part of the discussion this evening.

Assemblymember Allen:

- commented that he is proud to serve with the members of the Assembly; and
- believes that Governor Murkowski also wants to put coal bed methane regulation to rest, to the satisfaction of the residents of the Matanuska-Susitna and Kenai Peninsula Boroughs.

Assemblymember Colver:

- thanked members of the Assembly for taking an important first step on a long road to coal bed methane regulation; and
- encouraged all members of the Assembly to attend the Thursday goal setting retreat.

Mayor Anderson:

- advised that the second Assembly meeting in February may have to be canceled, as members of the Assembly will be in Washington, D.C., and he will be out of town;
- noted that he would have to leave the Thursday retreat early, as he has a scheduling conflict;

- stated that the retreat will be beneficial;
- cautioned members of the Assembly to stick to the goals that they establish for the coming year; and
- advised that he will be in Kenai next week to speak regarding the ferry, and can bring up the issue of coal bed methane at that time; and
- appreciated the Assembly taking a position on coal bed methane.

Assemblymember Vehrs asked the manager to contact the Department of Natural Resources regarding scheduling a coal bed methane work session in the northern area of the Borough.

XV. ADJOURNMENT

The regular meeting adjourned at 9:58 p.m.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, CMC, Borough Clerk

Minutes Approved: January 20, 2004