

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on January 18, 2005, 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:

Ms. Lynne Woods, Assembly District No. 1
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*) (*arrived via teleconference 7 p.m.*)
Ms. Betty Vehrs, Assembly District No. 7

Assembly members absent and excused were:

Mr. Bill Allen, Assembly District No. 2

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Mr. John Duffy, Borough Manager
Ms. Marian Romano, Assistant Borough Manager
Ms. Janice A. Case, Deputy Borough Clerk
Ms. Teresa S. Williams, Borough Attorney
Ms. Tammy Clayton, Finance Director
Mr. Don Shiesl, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Mr. Ron Swanson, Community Development Director
Mr. Murph O'Brien, Planning and Land Use Director
Mr. Marc VanDongen, Port Director

III. APPROVAL OF AGENDA

Mayor Anderson 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 Houston City Mayor Dale Adams.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 01/04/05

Mayor Anderson inquired if there were any corrections to the regular meeting minutes of January 4, 2005.

There were no corrections noted.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Midnight Sun Family Learning Center – Ms. Jeanne Troshynski

Mayor Anderson noted that Ms. Jeanne Troshynski was in attendance to thank the Assembly for their support for the Midnight Sun Family Learning Center.

Ms. Jeanne Troshynski:

- thanked the Assembly and the staff members for their support and dedication to the Midnight Sun Family Learning Center;
- recognized and thanked Assemblymember Vehrs for her dedication and commitment to the Midnight Sun Family Learning Center; and
- presented Assemblymember Vehrs and the members of the Assembly with a letter in appreciation of their support.

2. Reports from cities

Houston City

Mayor Dale Adams:

- provided an update on the new police officers; and
- reported that the second police officer will be attending school next month.

Wasilla City

Councilmember Ron Cox:

- reported that the city of Wasilla is beginning the to work on the budget; and
- stated that they will be having a joint meeting with the cities on January 20, 2005.

3. Matanuska-Susitna Borough School District

(There was no report provided.)

4. Mat-Su Valley Boys and Girls Club – Mr. Nick Nelson, Branch Manager

Mr. Nick Nelson:

- thanked the members of the Assembly for their continuing support;
- stated that he is the new branch manager for the Boys and Girls Club in the Valley;
- noted that the Boys and Girls Club has been in the Borough for three years;
- stated that they provide transportation for children to and from schools in Palmer and Wasilla; and
- discussed the different programs at the Boys and Girls Club.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Mayor Anderson noted that the joint Assembly/School Board Committee on School Issues has not met.

2. Regional Transportation Planning Organization

Mayor Anderson noted that there is a meeting of the RTPO scheduled for January 31, 2005, at 1 p.m. at the Matanuska Telephone Building in Palmer.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- reported that the Attorney's Office has filed additional documents with Superior Court regarding the Borough's request for an injunction to halt work on the transmission line until further information on the costs and benefits of alternative routes may be provided to the Assembly for consideration;
- stated that the Borough has been informed by the Alaska Division of the Federal Highway Administration that the Borough has been designated as a cooperating agency for the purposes of preparing an environmental impact statement of the proposed Knik Arm Crossing;
- noted that he recently met with representatives of the Knik Arm Bridge and Toll Authority (KABATA) to discuss how the Borough might contribute information on the potential land use and transportation related impacts of the bridge;
- reported that the KABATA agreed to incorporate the land use and transportation analysis within the Borough's ongoing long-range transportation plan efforts and will contribute at least \$50,000 to the analysis;
- stated that at the last joint Assembly/School Board Committee on School Issues meeting, the idea of creating a committee to review the design of school educational facilities was discussed;
- stated that the School District is forming the committee and has requested representatives from the Borough;

- noted that Mr. Keith Roundtree, the Chief of Engineering has been assigned the task as one of the Borough's representatives;
- noted that the School District's financial report has been included in the Manager's report;
- reported that the Public Works Department has launched an effort to develop criteria that may be used to identify and forecast maintenance and repair requirements and funding needs;
- commented that he, Ms. Romano, and Ms. Trost met with General Sharrow of Congressman Young's office to provide an update of the Borough's previously funded transportation projects and likely transportation requests for 2005, and provided a briefing of the Agriculture Processing and Product Development Center;
- stated that the bond rating agencies will perform a review of the Borough's financial position for credit rating purposes;
- noted that he, Ms. Clayton, and Mr. Grimes, the Borough's financial advisor, are scheduled to make presentations on February 7 and 8 to the bond rating agencies;
- reported that the University of Alaska, Matanuska Community College, is expected to have a nursing program beginning in 2006; and
- stated that he intends to have the legislation for the state and federal legislative priorities and the joint Assembly/Municipality of Anchorage priorities at the next regular Assembly meeting.

D. ATTORNEY COMMENTS

Ms. Williams provided the Assembly with a litigation update.

E. CLERK COMMENTS

Ms. McGehee:

- reviewed the upcoming meeting schedule for January, February, and March;
- advised that the March 22, 2005, joint Assembly/Planning Commission meeting may be rescheduled;
- noted that she is working to coordinate a meeting schedule with Dr. Goldsmith; and
- inquired if there was any objection to scheduling the special meeting to discuss economic development on January 31, 2005.

Assemblymember Colberg noted that he would be unavailable on January 31, 2005.

Assemblymember Simpson noted that the RTPO meeting is scheduled for January 31, 2005, at 1 p.m.

Mr. Duffy suggested scheduling the meeting on January 28, 2005.

Mayor Anderson inquired if there was any objection to scheduling the meeting on January 28, 2005.

No objection was noted.

Ms. McGehee advised that April 28, 2005, has been proposed for the next joint Assembly/Municipality of Anchorage meeting and asked if there was any objection to scheduling this date.

No objection was noted.

Ms. McGehee:

- noted that she is coordinating with the cities to reschedule the joint meeting with the cities;
- stated that she is also working with Mr. Duffy and Mr. Gillespie who is working with Senator Huggins, to schedule the work sessions with the Legislative Delegation;
- referred to the attached memorandum regarding three minutes of testimony for public hearings and audience participation;
- commented that she is still working with IT on paperless packets;
- stated that the status of the quasi-judicial boards is included in the Clerk's report; and
- noted that code books need to be updated.

Assemblymember Simpson inquired if Ms. McGehee would be bringing forward an informational memorandum to memorialize the Assembly retreat.

Ms. McGehee noted that she would prepare an informational memorandum for the special meeting on January 28, 2005.

Assemblymember Simpson requested that the Clerk draft legislation regarding policy and procedures to address items such as public testimony.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Chase Trail Service Area No. 134: 12/2/04
 - b. Emergency Medical Services Board: 2/4/04; 3/3/04; 4/7/04; 5/5/04; 6/2/04; 8/4/04; 10/6/04; 12/1/04
 - c. Enhanced 9-1-1 Advisory Board: 1/13/04; 2/10/04; 3/16/04; 8/10/04; 9/14/04; 10/12/04; 11/9/04; 12/14/04
 - d. Greater Palmer Consolidated Fire Service Area No. 132: 12/13/04
 - e. Local Emergency Planning Committee: 1/21/04; 2/18/04; 3/17/04; 4/21/04; 5/19/04; 9/15/04; 10/20/04; 11/17/04
 - f. Parks, Recreation, and Trails Advisory Board Resolution Serial No. 04-13: 12/27/04
 - g. Planning Commission: 12/6/04

Assemblymember Simpson stated that she would like to see the various board minutes received in a timelier manner.

Discussion ensued regarding the timeliness of board minutes.

G. INFORMATIONAL MEMORANDUMS

1. IM No. 05-035: AN INFORMATIONAL MEMORANDUM REGARDING A PROPOSED ANNEXATION OF CERTAIN PROPERTIES IN AND AROUND ROLLING ACRES SUBDIVISION INTO THE MEADOW LAKES ROAD SERVICE AREA NO. 27.

The informational memorandum was presented and no comments were noted.

VIII. UNFINISHED BUSINESS

- A. Resolution Serial No. 04-144: A RESOLUTION APPROVING A LOAN FROM THE SPECIAL SERVICE AREA REVOLVING LOAN FUND (FUND 600) IN THE AMOUNT OF \$100,000 TO THE MATANUSKA RIVER EROSION MITIGATION PROJECT, PROJECT NO. 55008, FOR THE CIRCLE VIEW AND STAMPEDE ESTATES FLOOD AND WATER EROSION CONTROL SERVICE AREA.
 1. Resolution No. 04-145: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE REVOLVING LOAN IN THE AMOUNT OF \$100,000 FOR CIRCLE VIEW AND STAMPEDE ESTATES FLOOD AND WATER EROSION CONTROL SERVICE AREA. (*Sponsor: Assemblymember Bush*) (*Motion pending from 11/16/04*)
 - a. Resolution Serial No. 04-144(SUB): A RESOLUTION APPROVING A LOAN FROM THE SPECIAL SERVICE AREA REVOLVING LOAN FUND (FUND 600) IN THE AMOUNT OF \$250,000 TO THE MATANUSKA RIVER EROSION MITIGATION PROJECT, PROJECT NO. 55008, FOR THE CIRCLE VIEW AND STAMPEDE ESTATES FLOOD AND WATER EROSION CONTROL SERVICE AREA.
 - (1) Resolution No. 04-145(SUB): A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE REVOLVING LOAN IN THE AMOUNT OF \$250,000 FOR CIRCLE VIEW AND STAMPEDE ESTATES FLOOD AND WATER EROSION CONTROL SERVICE AREA.
 - (a) IM No. 04-273

Mr. Duffy provided a staff report.

MOTION: Assemblymember Woods moved to amend Resolution Serial Nos. 04-144 and 04-145 by substitute Resolution Serial Nos. 04-144(SUB) and 04-145(SUB).

Mayor Anderson inquired if there were any amendments to the substitute legislation.

MOTION: Assemblymember Woods moved a secondary amendment to Resolution Serial Nos. 04-144(SUB) and 04-145(SUB) by striking "\$250,000" and "\$100,000" throughout the legislation and inserting "\$180,000" and to strike "twenty-year term" in Resolution Serial No. 04-144(SUB) and insert "thirty-year term".

VOTE: The secondary amendment passed without objection.

VOTE: The motion to amend by substitute (primary amendment) passed without objection.

VOTE: The main motion passed as amended by substitute without objection.

B. Resolution Serial No. 04-159: A RESOLUTION RECOMMENDING THAT A COOPERATIVE MASTER PLANNING EFFORT BE UNDERTAKEN BY THE STATE OF ALASKA, UNIVERSITY OF ALASKA, AND THE MATANUSKA-SUSITNA BOROUGH FOR THE STATE, UNIVERSITY, AND BOROUGH LAND, INCLUDING THE KEPLER-BRADLEY LAKES STATE RECREATION AREA, CREVASSE MORAINES TRAIL SYSTEM AREA, MAT-SU COLLEGE, AND AGRICULTURAL EXPERIMENTAL STATION AREAS. (*Sponsors: Assemblymembers Kvalheim and Colver*) (*Motion pending from 01/04/05*)

1. Resolution Serial No. 04-159(SUB): A RESOLUTION RECOMMENDING THAT COOPERATIVE ACTIONS BE UNDERTAKEN BY THE STATE OF ALASKA, UNIVERSITY OF ALASKA, AND THE MATANUSKA-SUSITNA BOROUGH TO COORDINATE PLANNING EFFORTS FOR THE STATE, UNIVERSITY, AND BOROUGH LANDS WITHIN THE KEPLER-BRADLEY LAKE, CREVASSE MORAINES, MAT-SU COLLEGE, AND AGRICULTURAL EXPERIMENTAL STATION AREAS.

(1) IM No. 04-270

Mr. Duffy provided a staff report.

MOTION: Assemblymember Kvalheim moved to amend Resolution Serial No. 04-159 by substitute Resolution Serial No. 04-159(SUB).

Assemblymember Simpson inquired regarding the language “master plan.”

Mr. Duffy:

- explained the difference between a master plan and cooperative actions; and
- stated that cooperative actions language in the substitute legislation is more appropriate.

VOTE: The motion to amend by substitute (primary amendment) passed without objection.

VOTE: The main motion passed as amended by substitute without objection.

(The regular meeting recessed at 6:50 p.m. and reconvened at 7 p.m.)

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

(Assemblymember Colver arrived at the meeting via teleconference.)

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

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 05-017: AN ORDINANCE AUTHORIZING THE CLASSIFICATION OF LOT 2B, ASLS 85-88, PLAT 90-48, PALMER RECORDING DISTRICT, AS RESERVE USE LANDS AND TO APPROVE THE LESS THAN FAIR MARKET VALUE PURCHASE OF APPROXIMATELY TWO ACRES OF THE LOT, TO BE SUBDIVIDED, BY THE WILLOW AREA SENIORS, INC., FOR THE PUBLIC PURPOSE OF SENIOR HOUSING, LOCATED IN THE WILLOW AREA COMMUNITY ORGANIZATION AREA (MSB004275).
 - a. Resolution Serial No. 05-008: A RESOLUTION APPROVING THE BEST INTEREST FINDING FOR THE LESS THAN FAIR MARKET VALUE SALE OF APPROXIMATELY TWO ACRES, TO BE SUBDIVIDED, OF LOT 2B, ASLS 85-88, ACCORDING TO PLAT 90-48, PALMER RECORDING DISTRICT, TO THE WILLOW AREA SENIORS, INC. (MSB004275).
 - (1) IM No. 05-020

Mayor Anderson advised that he has a financial conflict of interest on Ordinance Serial No. 05-017 and Resolution Serial No. 05-008.

(Mayor Anderson exited the meeting at this time.)

(Assemblymember Kvalheim assumed the duties of the chair.)

Mr. Swanson:

- reported that there is a concurrence that the land should be held for a public purpose;
- commented that members of the public disagree on the type of public purpose;
- stated that the Willow Area Seniors, Inc., is a non-profit organization and does qualify to purchase the land at less than fair market value;
- noted that there will be conditions in the deed regarding how the conveyance should occur;
- commented that they have worked with the Department of Emergency Services to address any concerns regarding emergency services facilities; and
- referred to a map illustrating existing fire stations and requests for additional fire stations.

Assemblymember Vehrs:

- voiced concerns regarding non-profit tax revenue that may or may not be generated if the land is sold to the seniors; and
- inquired where the funds from the sale would go.

Mr. Swanson replied that the funds received from the sale of the land would go to the land management fund and be appropriated as the Assembly sees fit.

Mr. Duffy stated that the Willow Area Seniors, Inc., would be exempt as long as they met the requirements of the exemption.

Mr. Brodigan:

- discussed the concerns associated with the land sale with regard to emergency services; and
- stated that there is an accessible water supply available.

Assemblymember Vehrs inquired regarding the Willow Public Safety Building expansion versus others such as the Central Public Safety Building.

Mr. Brodigan:

- replied that the Willow Public Safety Building expansion will consist of a 5,000 square foot building and a 3,000 square foot training facility;
- noted that the Central Public Safety Building is 17,000 square feet and the Cottonwood Public Safety Building is 12,000 square feet;
- stated that the training facility in Willow will augment the training facility at Station 6-2; and
- explained the difference between a live fire training facility and a smokehouse.

Presiding Officer Kvalheim opened the public hearing.

The following persons spoke in opposition of Ordinance Serial No. 05-017 and Resolution Serial No. 05-008: Ms. Gwen White, Ms. Annette Harpster, Mr. Jerry Edick, Ms. Claire Fitzgerald, Ms. Mary Shreves, Ms. Sara Burkholder, Ms. Pat Madigan, Mr. Mike Bishop, Ms. Kel Jacobs, Ms. Lori Wiertsema, Ms. Laura Thomas, Ms. Heidi Kelly, and Mr. Christian Hartley.

The following persons spoke in support of Ordinance Serial No. 05-017 and Resolution Serial No. 05-008: Mr. Dana Ketchum, Ms. Carole Wegner, Mr. Blaine Aman, Ms. Charlotte Aman, Mr. Tony DeLucia, Ms. Sandra DeLucia, Ms. Pam Horton, Ms. Joyce Smith, Ms. Audra Forsgren, Ms. Mable Nelson, Mr. John Barton, Ms. Roberta Lewis, Mr. Stan Watsiold, Mr. Don Wegner, Ms. Dorothea Taylor, Ms. Kathleen Huston, Ms. Donna Laffey, Ms. Dee Pralle, Mr. Jerry Keen, Mr. Rich Pralle, Ms. Debra Holmes, Mr. Ted Smith, and Ms. Mary Anderson.

The following person discussed the proposed land use master plan for the property and stated that the plan meets all of the setback requirements of the Borough: Mr. Burk Lent.

The following person discussed the history of the land acquisition and spoke in support of the legislation: Mr. Doyle Holmes.

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

(The regular meeting recessed at 8:40 p.m. and reconvened at 8:50 p.m.)

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 05-017 and Resolution Serial No. 05-008.

Assemblymember Vehrs:

- stated that the majority of the public present this evening spoke in support of the legislation; and
- stated that she will be supporting the legislation.

Assemblymember Simpson:

- thanked the members of the public for attending;
- stated that it is difficult to make a decision when there is not a clear indication of how the members of the public feel;
- commented that she has heard testimony that the land can accommodate the senior housing and the needs of emergency services; and
- spoke in support of Ordinance Serial No. 05-017 and Resolution Serial No. 05-008.

Assemblymember Colberg:

- stated that the original application states that the land will be used to provide adequate parking and facility expansion for Borough public safety buildings;
- noted that on the application it states, "False statements made in an application for a benefit are punishable under AS 11.08.710;"
- stated that the emergency services employees have relied upon what was stated in the application; and
- spoke in opposition to Ordinance Serial No. 05-017 and Resolution Serial No. 05-008.

Assemblymember Woods:

- thanked the residents who have contacted her on this issue;
- commented that both sides of this issue are very important to the community;
- noted that the emergency service needs have been addressed; and
- spoke in support of Ordinance Serial No. 05-017 and Resolution Serial No. 05-008.

Assemblymember Colver:

- spoke in support of Ordinance Serial No. 05-017 and Resolution Serial No. 05-008;
- stated that the location is convenient for the seniors; and
- noted that the emergency service needs have been addressed.

VOTE: The motion passed with Assemblymember Colberg in opposition.

MOTION: Assemblymember Vehrs moved to reconsider Ordinance Serial No. 05-017 and Resolution Serial No. 05-008.

VOTE: The motion to reconsider failed unanimously.

(Mayor Anderson returned to the meeting at this time and resumed his duties as chair.)

(The regular meeting recessed at 9:02 p.m. and reconvened at 9:06 p.m.)

2. Ordinance Serial No. 05-001: AN ORDINANCE CREATING BROCKTON AVENUE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 403, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 05-003

Ms. Clayton reported that less than half the ballots mailed were not returned and recommended that Ordinance Serial No. 05-001 be defeated, as it does not meet the requirements of code.

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. 05-001.

VOTE: The motion failed unanimously.

3. Ordinance Serial No. 05-009: AN ORDINANCE ACCEPTING AND APPROPRIATING \$25,000 FROM THE ALASKA RAILROAD CORPORATION AND REAPPROPRIATING \$20,350 FROM THE PLANNING DIVISION OPERATING BUDGET AND \$25,000 FROM FUND 480, PROJECT NO. 45161, TO AMEND THE LONG RANGE TRANSPORTATION PLAN (LRTP) AND THE OFFICIAL STREETS AND HIGHWAYS PLAN (OSHP) UPDATES TO FUND 480, PROJECT NO. 20280.
 - a. Resolution Serial No. 05-002: A RESOLUTION APPROVING THE AMENDED SCOPE OF WORK AND BUDGET FOR THE LONG RANGE TRANSPORTATION PLAN AND OFFICIAL STREETS AND HIGHWAY PLAN UPDATES, AND AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE ALASKA RAILROAD CORPORATION FOR THIS PROJECT.
 - (1) IM No. 05-008

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 Colver moved to adopt Ordinance Serial No. 05-009 and Resolution Serial No. 05-002.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 05-010: AN ORDINANCE AMENDING MSB 5.15.010(C), SPECIFICALLY TO REQUIRE ANNUAL APPOINTMENTS OF OFFICERS TO BOARDS OF SUPERVISORS. (*Sponsor: Assemblymember Vehrs*)
 - a. IM No. 05-009

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 Vehrs moved to adopt Ordinance Serial No. 05-010.

Assemblymember Vehrs spoke in support of Ordinance Serial No. 05-010.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 05-011: AN ORDINANCE AMENDING MSB 15.24.030, COMPREHENSIVE PLAN AND PURPOSES.
 - a. IM No. 05-010

Mr. Duffy requested that the public hearing for Ordinance Serial No. 05-011 be postponed to the next regular meeting in order to expand on the title for public notice purposes.

Mr. VanDongen provided a staff report.

Mayor Anderson opened the public hearing.

There being no one who wished to testify, the public hearing was continued to the February 1, 2005, regular Assembly meeting.

6. Ordinance Serial No. 05-012: AN ORDINANCE ACCEPTING AND APPROPRIATING \$2,000 FROM THE CITY OF HOUSTON FOR ADDITIONAL PAVING OF KING ARTHUR DRIVE AND MILLER'S REACH ROAD TO FUND 410, ROAD SERVICE AREA CAPITAL PROJECT NO. 35283, 2004 CITY OF HOUSTON PAVING.
 - a. Resolution Serial No. 05-003: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR ADDITIONAL PAVING IN THE CITY OF HOUSTON, PROJECT NO. 35283.
 - (1) IM No. 05-014

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 Vehrs moved to adopt Ordinance Serial No. 05-012 and Resolution Serial No. 05-003.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 05-013: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$36,279 UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF \$4,032 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45123, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.
 - a. Resolution Serial No. 05-004: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE MEADOW LAKES FIRE SERVICE AREA, PROJECT NO. 45123, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.
 - (1) IM No. 05-016

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 Vehrs moved to adopt Ordinance Serial No. 05-013 and Resolution Serial No. 05-004.

VOTE: The motion passed without objection.

8. Ordinance Serial No. 05-014: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$152,550 UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF \$16,950 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO PROJECT NO. 45157, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.
 - a. Resolution Serial No. 05-005: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE WASILLA-LAKES FIRE SERVICE AREA, PROJECT NO. 45157, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.
 - (1) IM No. 05-017

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 Kvalheim moved to adopt Ordinance Serial No. 05-014 and Resolution Serial No. 05-005.

VOTE: The motion passed without objection.

9. Ordinance Serial No. 05-015: AN ORDINANCE ACCEPTING AND APPROPRIATING \$2,500 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT HAZARD MITIGATION GRANT PROGRAM, TO PROJECT NO. 10057, FUND 435, TO PURCHASE SUPPLIES FOR SECURING EQUIPMENT.
 - a. Resolution Serial No. 05-006: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT HAZARD MITIGATION GRANT, PROJECT NO. 10057, FUND 435, TO PURCHASE SUPPLIES FOR SECURING EQUIPMENT.
 - (1) IM No. 05-018

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 Colver moved to adopt Ordinance Serial No. 05-015 and Resolution Serial No. 05-006.

MOTION: Assemblymember Kvalheim moved a primary amendment to Resolution Serial No. 05-006 by adding "Administrative fee \$75," under Budget, for a total of \$2,575, and to strike "\$2,500" throughout Ordinance Serial No. 05-015, Resolution Serial No. 05-006, and IM No. 05-018 and to insert "\$2,575"

VOTE: The primary amendment passed without objection.

VOTE: The motion passed as amended without objection.

10. Ordinance Serial No. 05-016: AN ORDINANCE ACCEPTING AND APPROPRIATING \$494,739 FROM THE UNITED STATES DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT,

FUND 480, PROJECT NO. 20316, FOR A COMPUTER AIDED DISPATCH (CAD) SYSTEM, RELATED SUPPLIES, TRAINING, AND CONSULTANT.

- a. Resolution Serial No. 05-007: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITED STATES DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT, FUND 480, PROJECT NO. 20316, FOR COMPUTER AIDED DISPATCH (CAD) SYSTEM, RELATED SUPPLIES, TRAINING, AND CONSULTANT.

(1) IM No. 05-019

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 Kvalheim moved to adopt Ordinance Serial No. 05-016 and Resolution Serial No. 05-007.

Assemblymember Simpson:

- noted that this is not duplicating the city of Wasilla's dispatch center;
- stated that the Borough has a responsibility to dispatch calls;
- commented that the calls are currently being recorded by hand; and
- inquired if this legislation would award a contract to a consultant.

Mr. Duffy replied that legislation will be coming forward at a later date to award the contract to a consultant.

VOTE: The motion passed without objection.

11. Ordinance Serial No. 05-018: AN ORDINANCE ACCEPTING AND APPROPRIATING A DENALI COMMISSION \$30,000 GRANT TO FUND 440, PROJECT NO. 15025, FROM THE STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, DIVISION OF COMMUNITY ADVOCACY.

- a. Resolution Serial No. 05-009: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR IMPROVEMENTS TO THE TALKEETNA RIVERFRONT PARK.

(1) IM No. 05-028

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 Vehrs moved to adopt Ordinance Serial No. 05-018 and Resolution Serial No. 05-009.

VOTE: The motion passed without objection.

12. Ordinance Serial No. 05-019: AN ORDINANCE AMENDING MSB 24.40.010, REGARDING ANIMAL CARE AND REGULATION TO CLARIFY THAT INFRACTIONS ARE STRICT LIABILITY OFFENSES UNLESS OTHERWISE SPECIFIED. (*Sponsor: Assemblymember Vehrs*)
 - a. IM No. 05-030

Ms. Williams 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 Vehrs moved to adopt Ordinance Serial No. 05-019.

VOTE: The motion passed without objection.

(Assemblymember Colver exited the meeting at this time.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in support of Resolution Serial No. 04-159(SUB): Ms. Kathy Wells and Ms. Dawn Helm.

IX. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 02/01/05, 7 p.m., Borough Assembly Chambers)
 1. Ordinance Serial No. 05-021: AN ORDINANCE AMENDING MSB 2.52.160(C), EMPLOYMENT RESTRICTIONS CONCERNING NEPOTISM.
 - a. IM No. 05-001
 2. Ordinance Serial No. 05-022: AN ORDINANCE AMENDING MSB 17.41.518, MSB 17.41.520, AND MSB 17.41.920, SPECIFICALLY TO ADDRESS PENALTIES AND REMEDIES ASSOCIATED WITH THE CITY OF HOUSTON LAND REGULATIONS AND CONDITIONAL USE PERMITS FOR USED CAR LOTS, THE SALE OF USED PARTS, AND JUNK/SALVAGE YARDS IN ANY COMMERCIAL "C" OR NON-COMMERCIAL "NC" DISTRICT WITHIN THE CITY OF HOUSTON. (*Sponsor: Assemblymember Vehrs*)
 - a. IM No. 05-111

3. Ordinance Serial No. 05-023: AN ORDINANCE ADOPTING VOLUNTARY BEST MANAGEMENT PRACTICES FOR DEVELOPMENT AROUND WATER BODIES.
 - a. IM No. 05-032
 4. Ordinance Serial No. 05-024: AN ORDINANCE ACCEPTING AND APPROPRIATING \$13,652.17 FROM MATANUSKA TELEPHONE ASSOCIATION AND \$225.70 FROM GCI TO A NON-LAPSING CAPITAL FUND 480, PROJECT NO. 20312, FOR UPGRADING AND ENHANCING THE TELECOMMUNICATIONS AND INFORMATION SERVICES IN THE BOROUGH LIBRARIES.
 - a. IM No. 05-034
 5. Ordinance Serial No. 05-025: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION SCHOOL BONDS, 2005 SERIES A IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$27,700,000 TO PROVIDE FUNDS FOR SCHOOL AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, FIXING CERTAIN DETAILS OF SUCH BONDS AND AUTHORIZING THEIR SALE.
 - a. IM No. 05-036
 6. Ordinance Serial No. 05-026: AN ORDINANCE AUTHORIZING THE SALE OF TIMBER WITHIN APPROXIMATELY 900 ACRES OF BOROUGH-OWNED LAND DESCRIBED AS THE NORTH SHEEP CREEK FOREST MANAGEMENT UNIT TO APPLICANT NPI, LLC. (MSB004323) WITH A VALUE GREATER THAN \$25,000.
 - a. IM No. 05-038
- B. INTRODUCTION (For public hearing - 03/01/05, 7 p.m., Borough Assembly Chambers)
1. Ordinance Serial No. 05-020: AN ORDINANCE CREATING BLUFF VISTA, EAGLE VISTA, AND SUZANNE CIRCLES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 408, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 05-033

Ms. McGehee read the above legislation into the record.

MOTION: Assemblymember Kvalheim moved to introduce the legislation as read into the record by the Clerk and set the public hearings for February 1, 2005, and March 1, 2005, respectively.

VOTE: The motion passed without objection.

C. CONSENT AGENDA (Resolution Serial No. 05-016 was pulled from the consent agenda and addressed separately. See pp. 18-19 of 22)

1. RESOLUTIONS

b. Resolution Serial No. 05-017: A RESOLUTION APPROVING THE VALLEY PATHWAYS SCHOOL SITE SELECTION.

(1) IM No. 05-026

c. Resolution Serial No. 05-018: A RESOLUTION URGING THE ALASKA STATE LEGISLATURE TO ADOPT A LONG-RANGE FISCAL PLAN.
(Sponsors: Assemblymembers Kvalheim and Vehrs)

(1) IM No. 05-037

2. ACTION MEMORANDUMS

a. AM No. 05-009: APPROVAL OF THE VACATION OF ANY PUBLIC INTEREST IN THE PUBLIC USE EASEMENT RECORDED IN BOOK 160 AT PAGE 569 LOCATED ADJOINING NORTH TANYA COURT IN PROPOSED WILDER PARK SUBDIVISION, LOCATED IN SECTION 16, TOWNSHIP 17 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALASKA, IN THE GATEWAY COMMUNITY COUNCIL AREA AND ASSEMBLY DISTRICT 3.

b. AM No. 05-010: APPROVAL OF THE VACATION OF ANY PUBLIC INTEREST IN AN UNUSED PORTION OF NORTH MEADOW LAKES LOOP WHICH HAS BEEN REALIGNED AND UPGRADED BY THE BOROUGH, LOCATED IN SECTIONS 8 AND 9, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA, IN THE MEADOW LAKES COMMUNITY COUNCIL AREA AND ASSEMBLY DISTRICT 7.

c. AM No. 05-011: APPROVAL OF THE VACATION OF ANY PUBLIC INTEREST IN THE SECTION LINE EASEMENT COMMON TO SECTIONS 8 AND 9 AFFECTING TAX PARCEL A3 AND LOT 2, BLOCK 2, GINJEN SUBDIVISION PHASE I, LOCATED IN SECTIONS 8 AND 9, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA, IN THE MEADOW LAKES COMMUNITY COUNCIL AREA AND ASSEMBLY DISTRICT 7.

d. AM No. 05-012: APPROVAL OF CONTRACT AMENDMENT 1 TO CONTRACT 04-131 TO HDR ALASKA, INC., FOR THE AMOUNT OF \$70,350 FOR THE MATANUSKA-SUSITNA BOROUGH LONG-RANGE TRANSPORTATION STUDY

e. AM No. 05-013: AWARD OF BID NO. 05-076 TO D'S SCREENPRINTING AND JACKET EXPRESS FOR THE CONTRACT AMOUNT THAT MAY EXCEED \$15,000 FOR THE PURCHASE OF EMERGENCY SERVICES DRESS UNIFORMS.

Ms. McGehee read the above legislation into the record.

MOTION: Assemblymember Kvalheim moved to approve the consent agenda as read into the record by the Clerk.

VOTE: The motion passed without objection.

- a. Resolution Serial No. 05-016: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE PORT MACKENZIE INTERMODAL FACILITY (COOK INLET FERRY SYSTEM) PROJECT NO. 70001, FUND 450, FOR THE PURPOSE OF DESIGNING AND CONSTRUCTING FERRY LANDINGS AND TERMINALS, DESIGN, FURNISHINGS, AND ACQUISITION OF A FERRY VESSEL AND ANCILLARY FACILITIES AND STUDIES TO SUPPORT THE IMPLEMENTATION OF FERRY SERVICES.
- (1) IM No. 05-031

MOTION: Assemblymember Colberg moved to adopt Resolution Serial No. 05-016.

Assemblymember Colberg spoke in opposition to the ferry project.

Assemblymember Simpson:

- stated that this is a vital component to the port; and
- asked for the Assembly's support.

VOTE: The motion passed with Assemblymember Colberg in opposition.

D. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Animal Care and Regulation Board

James Chesbro, Sr.

Agricultural & Forestry Advisory Board

Teresa Weiland

Enhanced 911 Advisory Board

Thomas Remaley

Local Emergency Planning Committee

Tanya Larrabee-Boehm

Kevin Koechlein

Senior Citizen Advisory Board

Helen Munoz

Greater Palmer FSA No. 132

Danny Allison

Alpine RSA No. 31

David VanCleve

Charles De Freest

Mayor Anderson requested the following confirmations:

Animal Care and Regulation Board

Removal of William Attwood

Agricultural & Forestry Advisory Board

Curtis Dunkin

Steve Gallagher

Board of Adjustment and Appeals

Stacie Stigar

Board of Ethics

William Siedler

Emergency Medical Services Board

Lorie Miner

Ben Simonds

Gordon Butt

Brian Anderson

Gloria Phillips

Library Board

Annie Leach

Dave McLaughlin

Jeanne Troshynski

Local Emergency Planning Committee

Michael Blodgett

Parks, Recreation and Trails Advisory Board

Pat Murphy

Planning Commission

David Webster

Larry LaGrone

Platting Board

John Stinson

Site Selection Committee, Borough Area Schools

Mary Kvalheim

Big Lake FSA No. 33

Removal of Terry Archibald

Wasilla Lakes FSA No. 130

Carol Christiansen

Alpine RSA No. 31

Merle Johnson

Caswell Lakes RSA No. 15

Bret Hamrick, Sr.

Greater Willow RSA No. 20

John Grohol

Knik RSA No. 17

Otto Rebishke

Circle View & Stampede Estates Flood & Water Erosion Control SSA No. 131

Richard Jenson

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

VOTE: The motion passed without objection.

E. 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 held.)

XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Woods:

- thanked the members of the Assembly for participating in the work session this afternoon regarding the Matanuska River erosion; and
- stated that she looks forward to a long-term solution to the problem.

Assemblymember Vehrs:

- stated that she has seen communities unite again after a difficult decision such as the one made tonight on Ordinance Serial No. 05-017 and Resolution Serial No. 05-008; and
- commented that she has faith that the community of Willow will also.

Assemblymember Colberg wished Assemblymember Allen and Ms. Jay Nolfi, a former member of the Assembly, well.

Assemblymember Kvalheim commented that the recycling group in the Valley is doing a wonderful job.

Mayor Anderson:

- spoke to attending the community council meetings on the Alaska Railroad corridor;
- stated that he will be attending the Trapper Creek Community Council meeting later this week; and
- wished Assemblymember Allen and Ms. Nolfi the best.

XV. ADJOURNMENT

The regular meeting adjourned at 9:50 p.m.

/s/

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/s/

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: February 1, 2005