

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 18, 2003, 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 (*Arrived at 6:10 p.m.*)
Ms. Sara Jansen, Assembly District No. 2 (Deputy Mayor)
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6
Ms. Kelly Ladere, Assembly District No. 7

Assembly members absent and excused were:

Mr. Talis J. Colberg, Assembly District No. 3

Staff in attendance were:

Ms. Sandra A. Dillon, Borough Clerk
Mr. John Duffy, Borough Manager
Mr. David Germer, Assistant Borough Manager
Mr. John Aschenbrenner, Acting Borough Attorney
Ms. Michelle M. McGehee, Deputy Borough Clerk
Mr. Jim Swing, Public Works Director
Ms. Tammy Clayton, Finance Director
Mr. Jack Krill, Interim Emergency Services Director
Mr. Ron Swanson, Acting Planning Director

III. APPROVAL OF AGENDA

Mayor Anderson inquired if there were any changes to the agenda. No changes were noted.

GENERAL CONSENT: The agenda was approved as presented.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Noel Woods, former Port Commission Chairman.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: January 21, 2003

Mayor Anderson referenced the regular minutes of January 21, 2003, and asked if there were any corrections thereto. No corrections were noted.

GENERAL CONSENT: The regular minutes of January 21, 2003, were approved without objection.

VI. SPECIAL ORDERS OF THE DAY

A. Proclamation in Honor of Noel Woods

Mayor Anderson presented Mr. Woods with a proclamation in honor of his years of service on the Port Commission and recognized his accomplishments and dedication to the Matanuska-Susitna Borough.

B. Acknowledgment of Award - Sandra A. Dillon, Borough Clerk

Mayor Anderson recognized Ms. Sandra A. Dillon for her outstanding professionalism as a municipal clerk, and for being honored by the Alaska Association of Municipal Clerks during their spring conference by receiving the 2003 Municipal Clerk of the Year Award.

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORT

1. Reports from cities

Wasilla City

Councilmember Ron Cox updated the assembly regarding the city's capital budget projects.

2. Matanuska-Susitna Borough School District

Kim Floyd, Public Information Specialist:

- congratulated Sandra Dillon for her receipt of the 2003 Municipal Clerk of the Year Award;
- stated that the board will meet on February 19, 2003, 6 p.m., at the new Houston High School for a work session on the FY04 budget;
- noted that ten hours of public testimonial time will be provided regarding the budget;
- reported that the school board will have its balanced budget to the assembly by April 1;

- informed that School Board Members DeVilbiss and Welton will be attending the Alaska

Association of School Boards' Legislative Fly-in to lobby for education issues on behalf of the borough;

- commented that Assistant Superintendent Jack Sherman is currently in Juneau to meet with legislators and to attend the hearing on the Alaska School District Cost Study;
- spoke regarding changes to the foundation formula and to the district's legislative priorities;
- stated that the district is going to oppose approval of the cost study and wishes to see learning opportunity grant funding and quality school initiative funding continued status quo;
- reported that the district is in the process of reviewing their policies and they are proposing to raise the standards regarding grade point averages and eligibility to participate in sports; and
- spoke regarding the high school graduation exit exam, noting that children who fail the exam will not receive a high school diploma, but rather will receive a certificate of attendance.

3. MSB Library Advisory Board – Jeanne Troshynski

Ms. Troshynski:

- spoke regarding the upgrade of the automated library system;
- noted the need to standardize the system used throughout the schools and the borough; and
- encouraged the assembly to set up another meeting with the cities to discuss regional library issues.

Discussion ensued regarding the proposed automated library system upgrades.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colver:

- reported that the committee met on February 3, 2003;
- noted the members in attendance; and
- stated that items discussed included: school bond projects, the division of the vo-tech high school, reduction of health insurance costs, the school district cost study, and budgetary impacts.

Mr. Duffy noted that the borough is currently working with the district and with the Fairbanks North Star Borough to develop a health insurance plan that will work for everyone.

2. Regional Transportation Planning Organization (RTPO)

Mayor Anderson:

- stated that the RTPO has not met since January 21, 2003;

- noted that the committee passed a resolution outlining their top regional transportation priorities: (1) Knik Arm Crossing, (2) Long-Range Transportation Plan, and (3) Joint Port Project; and
- informed that no other meetings have been scheduled as of this time.

C. MANAGER COMMENTS

Mr. Duffy:

- referenced a draft memo attached to the manager's report discussing three options for proceeding with the construction of the deep water dock at Port MacKenzie;
- stated that administration will be going to the Port Commission with the information on the deep water dock in order to get their recommendation;
- noted the attachment of the state lobbyist's status report for the month of January;
- reported that ordinances yet to be codified can now be accessed by the public at the borough's web site prior to their codification;
- overviewed issues discussed during his recent lobbying trip to Juneau including: education, transportation, Senator Green's bill on prison expansion, and public safety in the Jim Creek and Knik River areas;
- informed that the EPA's Local Government Advisory Committee has requested his attendance at the March 27 and 28, 2003, meeting in Atlanta;
- advised that there is a proposal to change the format of local improvement districts (LIDs) to require a 100 percent approval rate, which would allow individuals not to sign up for improvements and would give them the option to sign up at a later time on a prorata basis;
- spoke to a Department of Corrections' cost comparison of public prisons v. private prisons;
- stated that the Governor is now supporting Senator Green's bill on prison expansion; and
- reference the monthly library circulation report attached to the manager's report; and
- concluded by complimenting Mr. Swanson and others under his management, as revenues for property sales are well above projections.

D. ATTORNEY COMMENTS

Mr. Aschenbrenner had no comments to present.

E. CLERK COMMENTS

Ms. Dillon:

- thanked the manager for his support in getting the uncodified code ordinances online;
- thanked Borough WebMaster Shane Parsons and Borough Clerk's Secretary Janice Case for their effort in putting the ordinances online;
- referenced the assembly meeting schedule, noting that a few changes have occurred including, the cancellation of the March 11 joint assembly/school board meeting, which has been rescheduled to April 8;
- spoke to the assembly-requested goal setting retreat, noting that she has an opening with a

- facilitator on Saturday, March 22, or in April;
- asked that the assembly members contact her in regard to scheduling the goal setting retreat;
- stated that she would be in contact with the assembly regarding a date for setting another meeting with the libraries and the cities;
- referenced the tracking report attached to the clerk's report; and
- thanked the Mayor and Members of the Assembly for their nomination of her for the 2003 Municipal Clerk of the Year Award.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Animal Care and Regulation Board: 12/09/02
 - b. Board of Adjustment and Appeals: 12/05/02
 - c. Board of Ethics: 11/19/02
 - d. Emergency Medical Services Advisory Board: 12/04/02
 - e. Enhanced 9-1-1 Advisory Board: 12/10/02
 - f. Knik Road Service Area No. 17: 01/09/03
 - g. Local Emergency Planning Committee: 11/20/02
 - h. Matanuska-Susitna School Board: 11/06/02 (Construction Trades Meeting), 11/06/02, (Business Meeting), 11/20/02
 - i. Midway Road Service Area No. 9: 01/09/03
 - j. Parks, Recreation, and Trails Advisory Board: 01/28/03
 - k. Planning Commission: 01/06/03, 01/15/03, 01/20/03
 - l. Platting Board: 01/16/03
 - m. Port Commission: 12/04/02, 12/16/02
 - n. Regional Transportation Planning Organization: 12/11/02
 - o. Senior Citizens Advisory Board: 01/20/03
 - p. Wasilla-Lakes Fire Service Area Board of Supervisors: 12/09/02
2. Community Council Correspondence:
 - a. Lazy Mountain Community Council: 11/14/02
 - b. South Knik River Community Council: 01/18/03
 - c. Willow Area Community Organization: 01/06/03
3. Other Correspondence:
 - a. Cook Inlet Aquaculture Association: 12/14/02

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

G. INFORMATIONAL MEMORANDUMS

There were no informational memorandums to present.

IX. UNFINISHED BUSINESS

- A. Ordinance Serial No. 03-024: AN ORDINANCE AMENDING THE LAND MANAGEMENT POLICIES AND PROCEDURES BY PROVIDING CRITERIA FOR REJECTING SALES AND LEASES OF BOROUGH-OWNED LAND BY APPLICATION.
(Postponed from 01/21/03)
1. IM No. 03-021
 2. IM No. 03-052

MOTION: Assemblymember Ladere moved to substitute the pending Ordinance Serial No. 03-024 in full.

VOTE: The motion to amend by substitute passed without objection.

Mayor Anderson noted that the substitute of Ordinance Serial No. 03-024 was now on the floor for discussion.

Assemblymember Bush opined that the ordinance places too much authority in the manager and that he would be voting against it.

Mr. Duffy noted that the ordinance gives the assembly the ultimate decision over rejected sales and leases of borough-owned land by application.

VOTE: The main motion, as amended by substitute, passed with Assemblymember Bush in opposition.

The regular meeting recessed at 6:50 p.m. and reconvened at 7 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. Ordinance Serial No. 03-025: AN ORDINANCE AMENDING MSB 15.08.080(C), RELATING TO JOINT ASSEMBLY/PLANNING COMMISSION MEETING SCHEDULE.
 - a. IM No. 03-022

Mayor Anderson opened the public hearing.

There being no one who wished to present testimony, the public hearing closed and discussion

moved to the assembly.

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 03-025.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 03-026: AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF \$328,000 FROM THE BUTTE FIRE SERVICE AREA FUND BALANCE, FUND 251, \$8,000 TO THE BUTTE FIRE SERVICE AREA FISCAL YEAR 2003 OPERATING BUDGET, FUND 251, TO PURCHASE AN AIR-PACK TESTER AND BAY DOORS, \$290,000 TO PROJECT NO. 20083, FUND 405, TO PURCHASE A FIRE ENGINE AND \$30,000 TO PROJECT NO. 45026, FUND 405, TO PURCHASE FIREFIGHTING EQUIPMENT.
 - a. Resolution Serial No. 03-007: A RESOLUTION SETTING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 20083, FUND 405, TO PURCHASE A FIRE ENGINE AND FOR PROJECT NO. 45026, FUND 405, TO PURCHASE FIREFIGHTING EQUIPMENT FOR THE BUTTE FIRE SERVICE AREA.
 - (1) IM No. 03-024

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 03-026 and Resolution Serial No. 03-007.

Assemblymember Bush requested clarification on the definition of an “airpack tester.”

Mr. Krill provided clarification on the definition of an “airpack tester,” its uses regarding the self-contained breathing apparatus (SCBA), and the quantities needed and requested by each of the fire service areas.

Discussion ensued regarding:

- sharing of airpack testers among the fire service areas;
- testing being conducted by on-call paid responders;
- the provision of funds by the fire service area boards’ budgets for the purchase of testers;
- the need for each fire service area to have their own tester; and
- fund balances in the boards’ budgets and the purchase of equipment.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 03-027: AN ORDINANCE APPROPRIATING \$125,000 FROM

LAND MANAGEMENT FUND BALANCE, FUND 203, TO FUND 430, FOR THE SELDON ROAD EXTENSION DESIGN PROJECT, PROJECT NO. 35035.

- a. IM No. 03-025
- b. AM No. 03-025: AWARD OF PROPOSAL NO. 03-087 TO HATTENBURG, DILLEY, AND LINNELL IN AN AMOUNT NOT TO EXCEED \$121,040; SELDON ROAD EXTENSION DESIGN.

Mr. Duffy provided a brief staff report regarding the proposed extension, stating that the intent is to eventually construct an extension to the Parks Highway.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 03-027 and AM No. 03-025.

Assemblymember Colver:

- stated that this is a very important part of a link in the borough's transportation system; and
- opined that the project will be beneficial to both school bus transportation and emergency services.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 03-028: AN ORDINANCE REPEALING MSB 25.25.060 ABSENTEE VOTING; BY PERSONAL REPRESENTATIVE, AND ENACTING MSB 25.25.061; SPECIAL NEEDS VOTING.
 - a. IM No. 03-026

Ms. Dillon noted that this ordinance will revise the assisted voting process by reducing the number of steps that a personal representative will have to undergo on behalf of a voter.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 03-028.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person expressed concerns regarding public safety issues in the Knik River Road/Jim Creek area and asked that the assembly follow up on these issues: Agnes Quass.

The following person thanked the assembly for their support of the Valley Boys and Girls Club and gave the assembly a status report of the club's operations: Linda Anderson.

The following person thanked the assembly for the police presence that is now in the Butte area, encouraged continuation of this presence in the Butte area and in other areas of the borough, and encouraged code enforcement of junk yard regulations: Gregory Nielson.

X. NEW BUSINESS

A. INTRODUCTION (For public hearing – 03/04/03, 7 p.m., Borough Assembly Chambers)

[Item No. 1 was pulled from the list and introduced separately. See pp. 12]

2. Ordinance Serial No. 03-036: AN ORDINANCE REAPPROPRIATING \$130,000 FROM THE FISCAL YEAR 2003 BIG LAKE FIRE SERVICE AREA OPERATING BUDGET, FUND 256, TO PROJECT NO. 45111, FUND 405, FOR A LIVE-FIRE TRAINING TOWER.
 - a. Resolution Serial No. 03-008: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET FOR CAPITAL PROJECT NO. 45111, FUND 405, FOR THE TOTAL AMOUNT OF \$250,000, FOR A LIVE-FIRE TRAINING TOWER IN THE BIG LAKE FIRE SERVICE AREA (FSA).
 - a. Resolution Serial No. 03-009: A RESOLUTION APPROVING A LOAN FROM THE FIRE SERVICE AREA REVOLVING LOAN FUND, FUND 605, IN THE AMOUNT OF \$130,000 TO THE BIG LAKE FIRE SERVICE AREA, FUND 256, FOR A LIVE-FIRE TRAINING TOWER.
 - (1) IM No. 03-030
 - (2) IM No. 03-031
3. Ordinance Serial No. 03-037: AN ORDINANCE APPROPRIATING AN ADDITIONAL AMOUNT OF \$11,559,339 FROM STATE, FEDERAL, AND OTHER REVENUE SOURCES TO FUND 204, EDUCATION OPERATING FUND, FOR FISCAL YEAR 2003.
 - a. IM No. 03-033
4. Ordinance Serial No. 03-041: AN ORDINANCE CREATING MSB 17.76 LARGE LOT SINGLE FAMILY RESIDENTIAL LAND USE DISTRICT.
 - a. Ordinance Serial No. 03-042: AN ORDINANCE AMENDING MSB 17.76.040(A), DESIGNATING LIGHT WOOD SUBDIVISION AND TOWNSHIP 24 NORTH, RANGE 04 WEST, SECTION 18, LOT B004 AS A LARGE LOT SINGLE FAMILY

RESIDENTIAL LAND USE DISTRICT.

- (1) IM No. 03-035
- (2) IM No. 03-036

- 5. Ordinance Serial No. 03-043: AN ORDINANCE APPROPRIATING FISCAL YEAR 2002 ROAD SERVICE AREA FUND BALANCES TO FUND 410, ROAD SERVICE AREA CAPITAL PROJECTS, AND TO CERTAIN ROAD SERVICE AREA FISCAL YEAR 2003 OPERATING BUDGETS.
 - a. IM No. 03-042

- 6. Ordinance Serial No. 03-044: AN ORDINANCE AMENDING MSB 15.24.031 THE PROCESS FOR INITIATING AND AMENDING LAKE MANAGEMENT PLANS.
 - a. IM No. 03-044

- 7. Ordinance Serial No. 03-045: AN ORDINANCE ACCEPTING AND APPROPRIATING \$50,021 FROM THE CITY OF HOUSTON FOR PAVING WEST MEADOWOOD DRIVE, WINTERHAVEN DRIVE, AND KING ARTHUR DRIVE TO FUND 410, ROAD SERVICE AREA CAPITAL PROJECT NO. 35247, CITY OF HOUSTON PAVING.
 - a. Resolution Serial No. 03-013: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PAVING MEADOWOOD DRIVE, WINTERHAVEN DRIVE, AND KING ARTHUR DRIVE IN THE CITY OF HOUSTON, PROJECT NO. 35247.
- (1) IM No. 03-046

- 8. Ordinance Serial No. 03-046: AN ORDINANCE ACCEPTING AND APPROPRIATING \$109,000 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY TO FUND 480, PROJECT NO. 20329, COASTAL IMPACT ASSISTANCE PROGRAM GRANT PROJECT.
 - a. Ordinance Serial No. 03-047: AN ORDINANCE ACCEPTING AND APPROPRIATING \$30,000 FROM THE NATURAL RESOURCES CONSERVATION SERVICES, UNITED STATES DEPARTMENT OF AGRICULTURE TO FUND 480, PROJECT NO. 20329, COASTAL IMPACT ASSISTANCE PROGRAM GRANT PROJECT.
 - b. Resolution Serial No. 03-014: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE COASTAL IMPACT ASSISTANCE PROGRAM GRANT, PROJECT NO. 20329 AND AUTHORIZING THE MANAGER TO ENTER INTO COOPERATIVE AGREEMENTS WITH THE ALASKA DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY AND THE NATURAL RESOURCES CONSERVATION SERVICES, UNITED STATES DEPARTMENT OF AGRICULTURE.
- (1) IM No. 03-049

- B. INTRODUCTION (For public hearing – 03/18/03, 7 p.m., Borough Assembly Chambers)
 - 1. Ordinance Serial No. 03-030: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE WEST LAKE VIEW CIRCLE AREA NATURAL GAS LOCAL

IMPROVEMENT DISTRICT NO. 357 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

- a. Ordinance Serial No. 03-031: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$8,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE WEST LAKE VIEW CIRCLE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 357, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 03-027

- 2. Ordinance Serial No. 03-032: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE NORTH WEST VISNAW LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 368 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

- a. Ordinance Serial No. 03-033: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$95,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE NORTH WEST VISNAW LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 368, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 03-028

C. INTRODUCTION (For public hearing – 04/01/03, 7 p.m., Borough Assembly Chambers)

- 1. Ordinance Serial No. 03-038: AN ORDINANCE CREATING DOWNWIND AND UPDRAFT CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 379, 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 IMPROVEMENT.

a. IM No. 03-041

- 2. Ordinance Serial No. 03-039: AN ORDINANCE CREATING ALDER DRIVE/COTTONWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 381, 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 IMPROVEMENT.

a. IM No. 03-043

- 3. Ordinance Serial No. 03-040: AN ORDINANCE CREATING REGENTS ROAD, ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 380, 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. 03-045

Ms. Dillon read the introductions into the record.

MOTION: Assemblymember Jansen moved to approve the introductions as read into the record by the clerk and set the public hearings for March 4, March 18, and April 1, 2003, respectively.

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest regarding Ordinance Serial Nos. 03-034 and 03-035, and requested to be excused from the introduction of this legislation.

RULING: Mayor Anderson ruled that Assemblymember Colver had a conflict of interest and would be recused from voting on the issue.

(Assemblymember Colver exited chambers at this time.)

A. INTRODUCTION (For public hearing – 03/04/03, 7 p.m., Borough Assembly Chambers)
(See pp. 9)

1. Ordinance Serial No. 03-034: AN ORDINANCE AMENDING MSB 5.25.058(A), SERVICE AREA NO. 34, MEADOW LAKES FIRE SERVICE AREA, BY ADJUSTING THE BOUNDARY TO REFLECT THE DELETION OF AN AREA OF LAND WHICH WOULD BE SPLIT BY A SERVICE AREA BOUNDARY FROM A PROPOSAL FOR A PRELIMINARY PLAT.

a. Ordinance Serial No. 03-035: AN ORDINANCE AMENDING MSB 5.25.140(A), SERVICE AREA NO. 130: WASILLA-LAKES FIRE SERVICE AREA, BY ADJUSTING THE BOUNDARY TO REFLECT THE ADDITION OF AN AREA OF LAND WHICH WOULD BE SPLIT BY A SERVICE AREA BOUNDARY FROM A PROPOSAL FOR A PRELIMINARY PLAT.

(1) IM No. 03-029

MOTION: Assemblymember Jansen moved to approve the introduction as read into the record by the clerk and set the public hearing for March 4, 2003.

VOTE: The motion passed without objection.

(Assemblymember Colver returned to chambers at this time.)

D. CONSENT AGENDA

(Resolution Serial No. 03-016 and AM No. 03-033 were pulled from the consent agenda and

discussed separately.)

1. RESOLUTIONS

- a. Resolution Serial No. 03-010: A RESOLUTION SUPPORTING THE VALLEY HOSPITAL ASSOCIATION'S APPLICATION FOR A CERTIFICATE OF NEED TO THE STATE OF ALASKA.
(1) IM No. 03-037
- b. Resolution Serial No. 03-011: A RESOLUTION ADOPTING THE KNIK ARM CROSSING AS THE NUMBER ONE REGIONAL TRANSPORTATION PRIORITY PROJECT.
(1) IM No. 03-038
- c. Resolution Serial No. 03-012: A RESOLUTION SUPPORTING THE CONCEPT OF ESTABLISHING MULTIPLE, MUNICIPAL-OWNED, STATE-OPERATED PRISONS.
(1) IM No. 03-039
- d. Resolution Serial No. 03-015: A RESOLUTION APPROVING A LOAN FROM ROAD SERVICE AREA REVOLVING LOAN FUND (FUND 610) IN THE AMOUNT OF \$10,000 TO THE CASWELL LAKES ROAD SERVICE AREA NO. 15 (FUND 272).
(1) IM No. 03-048

2. ACTION MEMORANDUMS

- a. AM No. 03-017: RETROACTIVE APPROVAL OF DISABLED VETERAN TAX EXEMPTION FOR JOSEPH J. YOUNACK, SUTTON SUBDIVISION, LOTS 5 AND 6, BLOCK 2 (4008B02L005 AND 4008B02L006) FOR TAX YEARS 1996 THROUGH 2001.
- b. AM No. 03-020: AWARD OF PROPOSAL NO. 03-093, TO LAND DESIGN NORTH IN AN AMOUNT NOT TO EXCEED \$45,000; BOROUGH PUBLIC LAND PLAN, BUTTE AREA.
- c. AM No. 03-021: THE VACATION OF THE 20-FOOT ALLEYWAY AND CUL-DE-SAC SERVING LOTS 1A, 3, 4, 5, AND 6, BLOCK 4, THE SAVANNA SUBDIVISION, LOCATED WITHIN SECTION 9, TOWNSHIP 17 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA; LOCATED IN THE MEADOW LAKES COMMUNITY COUNCIL AREA.
- d. AM No. 03-022: AWARD OF PROPOSAL NO. 03-099 TO PERATROVICH,

NOTTINGHAM, AND DRAGE, INC., IN AN AMOUNT NOT TO EXCEED \$76,250; TRAIL SURVEY AND MAPPING IN THE PETERSVILLE-TRAPPER CREEK AREA.

- e. AM No. 03-023: AWARD OF BID NO. 03-101 TO ALASKAN INDUSTRIES IN THE AMOUNT OF \$44,200 FOR THE PURCHASE AND INSTALLATION OF RUBBER MATTING FOR THE BRETT MEMORIAL ICE ARENA.
- f. AM No. 03-024: AWARD OF BID NO. 03-102 TO ALASKA SAFETY IN THE AMOUNT OF \$50,680 FOR THE PURCHASE OF MSA ULTRALITE MASK MOUNTED REGULATORS AND RELATED EQUIPMENT FOR EMERGENCY SERVICES.
- g. AM No. 03-026: AWARD OF PROPOSAL NO. 03-105 TO EMERGENCY SUPPLY CENTER IN THE AMOUNT OF \$23,233.89 FOR EARTHQUAKE SAFETY DEVICES FOR USE IN BOROUGH-OWNED SCHOOLS.
- h. AM No. 03-027: THE ELIMINATION OF THE EAST-WEST 30-FOOT UTILITY EASEMENT LOCATED WITHIN TRACT A-1 JND SUBDIVISION WITHIN SECTION 2 AND 3, TOWNSHIP 19 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA; LOCATED IN THE WILLOW COMMUNITY COUNCIL AREA.
- i. AM No. 03-028: THE ELIMINATION OF THE EAST-WEST 30-FOOT UTILITY EASEMENT LOCATED ON TRACT A SNORIN' DOG ACRES SUBDIVISION WITHIN SECTION 3, TOWNSHIP 19 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA; LOCATED IN THE WILLOW COMMUNITY COUNCIL AREA.
- j. AM No. 03-029: RETROACTIVE APPROVAL OF SENIOR CITIZEN TAX EXEMPTION FOR MARILYN S. HARVEY, TOLOVANKORGA RE-SUBDIVISION, LOT 3A BLOCK 2 (4898B02L003A); FOR TAX YEAR 2002.
- k. AM No. 03-031: AWARD OF BID NO. 03-084 TO SIMPLEX GRINNELL IN THE AMOUNT OF \$247,760 FOR THE FIRE SPRINKLER SYSTEM AT PALMER HIGH SCHOOL.
- l. AM No. 03-032: AWARD OF BID NO. 03-110 TO TONY CHEVROLET IN THE AMOUNT OF \$83,361 FOR THE PURCHASE OF FOUR STANDARD CAB ONE-HALF TON FOUR-WHEEL DRIVE PICKUPS AND ONE EXTENDED CAB ONE-HALF TON FOUR-WHEEL DRIVE PICKUP.
- n. AM No. 03-037: CONTRACT WITH STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES FOR PERFECTING LEGAL RIGHTS-OF-WAY FOR RECREATIONAL TRAILS WITHIN THE BOROUGH.

- o. AM No. 03-038: AWARD OF PROPOSAL NO. 03-096 TO SHANNON AND WILSON FOR AN ANNUAL AMOUNT NOT TO EXCEED \$92,098 FOR LANDFILL MONITORING WELLS SAMPLING AND ANALYSIS.
- p. AM No. 03-039: PAYMENT OF COOPERATIVE SERVICES AGREEMENT FOR DISPATCH SERVICES; ADDENDUM NUMBER TWO.

Ms. Dillon read the above legislation into the record.

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

VOTE: The motion passed without objection.

MOTION: Assemblymember Jansen moved to reconsider consent agenda item (1)(A), Resolution Serial No. 03-010.

VOTE: The motion (to reconsider Resolution Serial No. 03-010) passed without objection. *(Resolution Serial No. 03-010 is now on the floor)*

VOTE: The motion to adopt Resolution Serial No. 03-010 passed without objection.

- e. Resolution Serial No. 03-016: A RESOLUTION SUPPORTING THE EFFORTS TO IMPLEMENT THE SOUTH DENALI CONSULTATION COMMITTEE'S REPORT FOR THE SOUTH SIDE DENALI DEVELOPMENT AND AUTHORIZING THE MANAGER TO EXECUTE A COOPERATIVE AGREEMENT WITH THE NATIONAL PARK SERVICE.

(1) IM No. 03-051

MOTION: Assemblymember Ladere moved to adopt Resolution Serial No. 03-016.

MOTION: Assemblymember Ladere moved to amend Resolution Serial No. 03-016 by inserting a "be it further resolved" clause to read: "Be it Further Resolved, that an advisory committee will be established to help guide the project. Members of the advisory committee will include representatives of: Trapper Creek and Petersville Community Councils, the Local Historian, the Yetna Mining District, and a local/commercial/business owner."

Assemblymember Ladere:

- spoke to the concerns of local residents relative to development;
- commented that the manager and a number of partners to the project have agreed that the local people will be actively involved in the process; and

- opined that the addition of the clause would address some of the local residents' concerns.

Discussion ensued regarding:

- the assembly's oversight and the advisory committee's oversight;
- the general direction that will be given to the process from the advisory committee;
- outside interests not being represented through an advisory committee made up of local interests;
- the importance of keeping advisory committees to a limited number of members; and
- other opportunities to gain public input regarding development.

VOTE: The motion to amend Resolution Serial No. 03-016 passed with Assemblymembers Simpson and Bush in opposition.

VOTE: The motion as amended passed without objection.

- m. AM No. 03-033: AWARD OF PROPOSAL NO. 03-106 TO COLLINS CONSTRUCTION INC. IN THE AMOUNT OF \$212,900 FOR THE KNIK-GOOSE BAY ROAD FIRE STATION NO. 62 ADDITION.

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest regarding AM No. 03-033 and requested to be recused from voting.

RULING: Mayor Anderson ruled that Assemblymember Colver had a conflict of interest and would be recused from voting on the issue.

(Assemblymember Colver exited chambers at this time.)

MOTION: Assemblymember Jansen moved to approve AM No. 03-033.

VOTE: The motion passed without objection.

(Assemblymember Colver returned to chambers at this time.)

E. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Emergency Medical Services Board

Amanda Peterson

Library Board

Michael Kelly

Site Selection Committee, Sutton Library and Community Center

Michael Barickman
Lynne M. Woods
Senior Citizens Advisory Board
Don Anderson
South Colony Road Service Area No. 16
George Stuart
Knik Road Service Area No. 17
Robert Ruiz
Meadow Lakes Road Service Area No. 27
Thomas E. Weber
Gold Trail Road Service Area No. 28
Gregory A. Vance

Mayor Anderson requested the following confirmations:

Adjustment and Appeals Board
John Shadrach
Debby Retherford
Library Board
G. Elaine Nash
Virgina L. Robson
Local Emergency Planning Committee
Resignation of Patty Sullivan
Parks, Recreation, and Trails Advisory Board
Candi Anderson Kachnik
Lucille McSorley
Edward W. Strabel
Planning Commission
David W. Webster
Platting Board
Patrick C. Johnson
Port Commission
Ronald D. DesGranges
School Site Selection Committee, Wasilla Area Elementary School
Colleen Hamblin

Site Selection Committee, Sutton Library and Community Center
Claudia Dolfi
Ingrid D. Shaginoff
Barbara Leppanen
Transportation Advisory Board
Ronald G. Arvin
Gold Trail Road Service Area No. 28
Timothy Mahoney
Big Lake Fire Service Area No. 33

Terry Archibald

MOTION: Assemblymember Jansen moved to confirm the mayor's appointments up for confirmation this evening.

MOTION: Assemblymember Bush moved to divide the question (to take Ronald G. Arvin's confirmation to the Transportation Advisory Board separately).

VOTE: The motion to divide the question passed without objection.

VOTE: The motion to confirm the mayor's appointments up for confirmation, excluding Ronald G. Arvin, passed without objection.

Discussion ensued regarding the qualifications of Mr. Arvin in relation to being appointed to the Transportation Advisory Board.

VOTE: The motion, to confirm the appointment of Ronald G. Arvin to the Transportation Advisory Board, passed with Assemblymembers Jansen, Simpson, and Kvalheim in favor and Assemblymembers Colver, Bush, and Ladere in opposition. (*Tie vote*) The motion **passed** with Mayor Anderson invoking his voting privilege in the affirmative.

The regular meeting recessed at 8:09 p.m. and reconvened at 8:15 p.m.

MOTION: Assemblymember Jansen moved to reconsider the appointment of Ronald G. Arvin to the Transportation Advisory Board.

VOTE: The motion to reconsider failed with Assemblymember Bush in support.

F. OTHER NEW BUSINESS

There was no other new business to present.

XI. RECONSIDERATION

There were no reconsiderations presented.

XII. VETO

There was no veto presented.

XIII. EXECUTIVE SESSION

There was no executive session held.

XVI. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Jansen:

- thanked the members of the assembly for showing their appreciation for the employees during the employee luncheon held on February 13, 2003;
- reflected on the progress of the assembly and the administration over the term of her tenure including: emergency medical services, the investment policy, the fund balance policy, the matching capital project component of the budget; lowering of the mill rate, and progress regarding the Port MacKenzie project;
- spoke regarding future projects of the borough including: the platting code rewrite, update of the core area comprehensive plan, the budget, the private prison bill, the continuing struggle with education and the district's budget deficit, and removing charter schools from the bond proposal; and
- stated that she would be resigning from her position on the assembly, effective at the close of the meeting, in order to accept a position with the city of Palmer as their Community Development Director.

GENERAL CONSENT: Hearing no objection from the assembly, Mayor Anderson accepted the resignation of Assemblymember Jansen and declared the District No. 2 office vacant.

Ms. Dillon:

- reviewed the process for filling a vacancy on the assembly , noting the 30-calendar-day code provision in which the assembly has to accomplish the task;
- spoke to advertising needs associated with the vacancy; and
- provided the assembly with a proposed meeting schedule for filling the vacancy.

MOTION: Assemblymember Ladere moved to accept the meeting schedule for the appointment of a member to Assembly District No. 2, as outlined by the clerk.

VOTE: The motion passed without objection.

Assemblymember Bush:

- wished Assemblymember Jansen well in her new position;
- spoke regarding comments made by one of his constituents regarding safety issues in the Knik River/Jim Creek areas;
- emphasized the need for increased Trooper presence in some areas of the borough;
- commented that the issue of illegal shooting in the borough needs to be addressed;
- remarked regarding the use of fireworks throughout the borough;

- opined that the assembly should entertain removing the fireworks code during the New Years holiday; and
- informed the assembly regarding his recent lobbying trip to Juneau, during which his addressed issues including: the prison proposal, the port, and concerns associated with the Department of Agriculture's audit.

Assemblymember Ladere:

- commented that she shares many of the same concerns noted by Assemblymember Jansen with regard to education;
- wished Assemblymember Jansen well in her new endeavor;
- spoke regarding vandalism in Assembly District No. 7, noting that the community of Meadow Lakes is starting a neighborhood watch program;
- thanked the assembly for their support of Resolution Serial No. 03-016;
- spoke regarding Chakachamna Lake, located near Tyonek, which has been monitored since 1952, noting that the river running into the lake generates enough flow to support 880 kilowatts of hydroelectric power; and
- stated that she would be working with the administration to bring an ordinance forward for an Upper Cook Inlet study to see if this source is feasible to provide hydroelectric power as an alternative energy source for the Upper Cook Inlet area.

Assemblymember Colver:

- wished Assemblymember Jansen well in her new position and stated that she will be missed;
- commented that the borough assembly is a deliberative body;
- spoke to school district issues with regard to funding of projects and regarding a standardized, updated automated library system;
- spoke to the school district's cuts to supplies and resources;
- advised that the Construction Trades Program at Wasilla High School needs a lot on which to build;
- queried the manager as to if the borough has a lot that may be available for this program;
- opined that the assembly should take a position on the school district cost study and request that the legislature not approve the study;
- opined that the assembly should keep their options open with regard to the bond proposition proposal and the charter schools;
- stated that the assembly needs to have a more direct communication with the schools within the borough; and
- congratulated Ms. Dillon for receiving the 2003 Municipal Clerk of the Year Award.

Assemblymember Kvalheim:

- also congratulated Ms. Dillon for receiving the 2003 Municipal Clerk of the Year Award;
- stated that she is proud of Assemblymember Jansen for taking the new position at the city of Palmer;

- spoke regarding her support of emergency services;
- referenced a document, “City of Houston Developers’ Check List,” and remarked that she would be pursuing a similar document for the borough; and
- referenced an AML legislative committee report that she had distributed for the assembly’s information.

Assemblymember Simpson:

- stated that she would be in attendance at the school board meeting on February 19;
- spoke regarding district line item reductions;
- congratulated Ms. Dillon for receiving the 2003 Municipal Clerk of the Year Award;
- noted the parliamentary procedure class that will be hosted by Ms. Dillon on February 22, 10 a.m., at the MTA building in Palmer;
- commented that she is pleased that the borough is entering into a contract with the state of Alaska regarding trails;
- remarked that she is looking forward to the debate of the fireworks ordinance proposed by Assemblymember Bush; and
- wished Assemblymember Jansen the best in her new position with the city of Palmer, stating that she will be missed.

Ms. Dillon:

- wished Assemblymember Jansen the very best in her new endeavor; and
- thanked Assemblymember Jansen for always been a strong supporter of the employees and the clerk’s office.

Mr. Duffy:

- stated that it has been an honor and a pleasure to work with Assemblymember Jansen;
- thanked her for supporting the employees; and
- commented that he looks forward to working with her in her new position with Palmer City.

Mayor Anderson:

- debriefed the members of the assembly regarding his recent lobbying trip to Juneau, noting items discussed to encompass the assembly’s approved legislative priority list;
- spoke regarding a Butte Community Council meeting that he and Mr. Duffy attended to present the borough’s economic forecast; also spoke regarding public safety issues in the Butte area;
- informed that he met with Senator Lisa Murkowski after the joint chamber meeting held today in Wasilla and discussed the borough’s legislative priority list;
- thanked Assemblymember Jansen for the outstanding job that she has done on the assembly and wished her well in her new position; and
- deferred to Assemblymember Jansen, in her capacity as Deputy Mayor, to adjourn the

meeting.

XV. ADJOURNMENT

Deputy Mayor Jansen:

- thanked the assembly and staff for their kind words, stating that she will miss working with the team; and
- reminded everyone to be nice to each other.

Assemblymember Jansen adjourned the meeting at 9:08 p.m.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, CMC, Borough Clerk

Minutes approved: March 4, 2003