

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on May 16, 2006, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska, and teleconferenced to Su Valley High School, Mile 98.6 Parks Highway. The meeting was called to order at 6:10 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. Bill Allen, Assembly District No. 2  
Mr. Talis J. Colberg, Assembly District No. 3  
Ms. Mary Kvalheim, Assembly District No. 4  
Mr. Jim Colver, Assembly District No. 6 (*Deputy Mayor*)  
Ms. Betty Vehrs, Assembly District No. 7

Assemblymembers absent and excused were:

Ms. Cindy L. Bettine, Assembly District No. 5

Staff in attendance were:

Mr. John Duffy, Borough Manager  
Ms. Michelle M. McGehee, CMC, Borough Clerk  
Mr. Nicholas Spiropoulos, Assistant Borough Attorney  
Ms. Marian Romano, Assistant Borough Manager  
Ms. Janice A. Case, Deputy Borough Clerk  
Ms. Tammy Clayton, Finance Director  
Mr. Keith Rountree, Public Works Director  
Mr. Dennis Brodigan, Emergency Services Director  
Mr. Ron Swanson, Community Development Director  
Mr. Murph O'Brien, Planning Director  
Mr. Dave Hanson, Economic Development Director  
Ms. Patty Sullivan, Public Affairs Manager

**III. APPROVAL OF AGENDA**

Mayor Anderson noted that AM No. 06-092 would be pulled from the agenda at the requested of administration.

Assemblymember Allen inquired why Administration has requested that AM No. 06-092 be pulled from the agenda.

Mr. Duffy:

- replied that some information regarding the procurement process has come forward and the Borough would like some time to investigate the information; and
- noted that detail would need to be discussed in executive session.

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

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

The Pledge of Allegiance was led by Boy Scout Troop 367 Green Mountain Boys.

#### **V. MINUTES OF PRECEDING MEETINGS**

A. Special Assembly Meeting: 04/11/06

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

#### **VI. SPECIAL ORDERS OF THE DAY**

A. Certification of the May 2, 2006, Special Borough Election

Ms. McGehee:

- acknowledged the staff of the Clerk's Office for their outstanding efforts during the election;
- recognized the members of the Canvass Board for their hard work and dedication; and
- asked Ms. Geraldine Keeling, Canvass Board Chairperson, to provide the Canvass Board's Report of the Election to the Mayor and the Assembly.

Ms. Keeling:

- provided an overview of the canvassing process;
- discussed the voter turnout for the May 2, 2006, special election; and
- reported on the number of questioned and absentee ballots voted.

MOTION: Assemblymember Colver moved to certify the election results for the May 2, 2006, special Borough election, as presented by the Canvass Board. (*See attached Election Certification.*)

VOTE: The motion passed without objection.

B. Proclamation in Recognition of Emergency Medical Services Week

Mayor Anderson presented a proclamation recognizing May 15, 2006, through May 21, 2006, as Emergency Medical Services Week to Ms. Ulla Stice.

C. Proclamation in Recognition of Public Works Week

Mayor Anderson presented a proclamation recognizing May 21, 2006, through May 27, 2006, as Public Work Week to Mr. Rountree.

D. Proclamation Recognizing May 22, 2006, as Matanuska-Susitna Borough Arbor Day

Mayor Anderson presented a proclamation recognizing May 22, 2006, as Arbor Day and urged all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands to Boy Scout Troop 367 Green Mountain Boys.

**VII. REPORTS/CORRESPONDENCE**

A. AGENCY REPORTS

1. Reports from cities

*(There were no reports provided.)*

2. Matanuska-Susitna Borough School District

Ms. Sarah Welton, School Board President:

- reported that the School Board is trying to focus on graduation celebrations and recognition of teachers;
- commented that the School Board meeting tomorrow will be held at Sutton Elementary School;
- noted that the last School Board meeting was held at Houston High School;
- spoke in appreciation of the special election results; and
- invited the members of the Assembly to attend the graduation ceremonies.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Mayor Anderson advised that the committee has not met since the last report.

2. Regional Transportation Planning Organization

Mayor Anderson advised that the Regional Transportation Planning Organization has not met since the last report.

3. Assembly Public Relations Committees

a. Chambers of Commerce *(Assemblymembers Vehrs and Bettine)*

*(There was no report provided.)*

- b. School Board (*Assemblymembers Allen and Colver*)

*(There was no report provided.)*

- c. Cities (*Assemblymembers Kvalheim, Allen, and Vehrs*)

Assemblymember Kvalheim:

- noted that she had attended the Wasilla City Council meeting; and
- commented that they are discussing prohibiting the use of four-wheelers.

- d. Home Builders and Realtors Associations (*Assemblymembers Colver, Bettine, and Vehrs*)

*(There was no report provided.)*

- e. Community Councils (*Mayor Anderson and Manager*)

Assemblymember Vehrs:

- stated that she has attended several community councils meetings; and
- noted that she let the community councils know that the Borough was available to assist them if needed.

Mayor Anderson noted that he and Mr. Duffy have also attended community council meetings and let the members know that the Borough is available to help and answer questions.

- f. Civic Clubs (*Mayor Anderson and Assemblymember Kvalheim*)

*(There was no report provided.)*

- g. Non-Profit Organizations (*Mayor Anderson and Assemblymembers Kvalheim and Vehrs*)

*(There was no report provided.)*

## C. MANAGER COMMENTS

### 1. Borough/State/Federal Legislative Issues

Mr. Duffy:

- noted that he, Mr. Rountree, Ms. Sullivan, and Ms. Heindel completed a one-hour talk show at KTNA discussing Su Valley High School, the proposed budget, State capital legislation, and assessed valuation;
- noted that he also completed a KBYR/KMBQ radio interview on the Alaska Industrial Development and Export Authority (AIDEA) Hatcher Pass legislation and a KSKA radio interview on the State capital budget;
- reported that the Borough has received a permit to construct a reduced-grade access road to the dock at Port MacKenzie;

- referred to the latest report regarding the site selection process for the new school at Knik-Goose Bay;
- stated that the State Legislature passed legislation authorizing AIDEA to participate in the Hatcher Pass ski area project up to \$29 million;
- noted that AIDEA has decided not to participate at this time until reviewing the results of the due diligence phase of the project;
- commented that the State Legislature did not adopt legislation authorizing the transfer of 200 acres of land to the Borough for the project, as it was pulled from consideration;
- reported that the Governor has issued a letter supporting the new prison;
- noted that six to eight possible sites for the prison remain for a more detailed review and that a public participation program will be implemented once the number of sites is reduced to a minimum of five;
- commented that the School District's budget/expenditure report by object has been included in the Manager's report;
- stated that the Borough has received two grants for fish enhancement projects; and
- requested that an executive session be scheduled to discuss the career center.

Mayor Anderson requested that an executive session be scheduled as soon as advertising requirements could be met.

No objection was noted.

#### D. ATTORNEY COMMENTS

*(There were no comments provided.)*

#### E. CLERK COMMENTS

Ms. McGehee:

- reviewed the upcoming schedule for May and June; and
- recommended scheduling another meeting for Attorney Interviews.

Mayor Anderson requested that the meeting be scheduled for May 25, 2006.

No objection was noted.

Ms. McGehee:

- noted that the quasi-judicial board report had been included in the Clerk's report;
- stated that the educational seminar held with Certified Records Manager, Jeffery Schowen, President of Acumen Information Services, was extremely successful;
- reported that the Nixon Initiative Petition Regarding the Private Property Protection Act would be distributed on May 24, 2006, at 4 p.m.;
- advised that she has been accepted into the Master Municipal Clerk's Academy;
- requested that the Assembly bring their code books in for updating;

- commented that she will be ordering new business cards as soon as the Assembly has received their new e-mail addresses; and
- noted that the tracking report has been provided.

Mayor Anderson inquired regarding the status of Board of Equalization.

Mr. Spiropoulos reported that the Board of Equalization has been busy and that they must be completed per Alaska Statute by May 31.

Assemblymember Colver inquired regarding the number of appeals received this year versus last year.

Mr. Duffy replied that he would research the number of appeals.

#### F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
  - a. Caswell Lakes Road Service Area No. 15: 03/13/06
  - b. Greater Palmer Consolidated Fire Service Area No. 132: 02/13/06, 03/13/06
  - c. Knik Road Service Area No. 17: 04/27/06
  - d. Local Road Service Area Advisory Board: 03/13/06
  - e. Parks, Recreation, and Trails Advisory Board: 03/27/06
  - f. Planning Commission: 04/03/06, 04/17/06
  - g. Platting Board: 03/16/06
  - h. Real Property Asset Management Board: 03/22/06, Resolution Serial No. 06-01
  - i. Talkeetna Sewer and Water Special Service Area No. 36: 03/30/06
2. Community Council Correspondence:
  - a. Glacier View Community Council: 03/23/06, 04/28/06
  - b. North Lakes Community Council Meeting: 04/10/06, Resolutions (3)
  - c. South Knik River Community Council: 03/18/06
  - d. Trapper Creek Community Council: 04/20/06

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

#### G. INFORMATIONAL MEMORANDUMS

1. IM No. 06-152: AN INFORMATIONAL MEMORANDUM NOTICING THE PROPRIETARY INFORMATION EXCHANGE AGREEMENT (PIEA) BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND THE ROCHESTER INSTITUTE OF TECHNOLOGY FOR THE INTEGRATION OF DATA INTO THE LIFE-CYCLE ENGINEERING AND ECONOMIC DECISIONS SYSTEM (LEEDS) FOR THE COOK INLET FERRY.

The informational memorandum was presented and no comments were noted.

*(The regular meeting recessed at 6:52 p.m. and reconvened at 7:13 p.m.)*

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

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

**1. Mr. Byron D. Williams Re: Property Assessment**

Mr. Williams:

- spoke to the assessed values of his property; and
- addressed a determination by the Board of Equalization on his property.

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

**1. Ordinance Serial No. 06-082: AN ORDINANCE APPROVING AN APPROPRIATION OF \$85,000 FROM GOLD TRAILS ROAD SERVICE AREA NO. 28 FUND BALANCE, FUND 282, TO GOLD TRAILS ROAD SERVICE AREA NO. 28 CAPITAL PROJECTS, FUND 410, PROJECT NO. 30048.**

**a. IM No. 06-028**

Mr. Rountree 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. 06-082.

**VOTE:** The motion passed without objection.

**2. Ordinance Serial No. 06-083: AN ORDINANCE APPROVING AN APPROPRIATION OF LOAN PROCEEDS IN THE AMOUNT OF \$224,500 FROM THE FIRE SERVICE AREA REVOLVING LOAN FUND, FUND 605, TO THE BUTTE FIRE SERVICE AREA, FUND 251, A REAPPROPRIATION OF \$224,500 FROM THE BUTTE FIRE SERVICE AREA, FUND 251, AN APPROPRIATION OF \$9,000 FROM THE BUTTE FIRE SERVICE AREA FUND BALANCE, FUND 251, AND A REAPPROPRIATION OF \$6,500 FROM THE BUTTE FIRE SERVICE AREA FISCAL YEAR 2006 OPERATING BUDGET, FUND 251, TO THE STATION 21 ANNEX PROJECT (45113), FUND 405, TO SUPPLEMENT THE CONSTRUCTION OF AN ANNEX BUILDING.**

**a. Resolution Serial No. 06-058: A RESOLUTION APPROVING A LOAN FROM THE FIRE SERVICE AREA REVOLVING LOAN FUND, FUND 605, IN THE AMOUNT OF \$224,500, TO THE BUTTE FIRE SERVICE AREA, TO SUPPLEMENT THE CONSTRUCTION OF THE STATION 21 ANNEX BUILDING.**

**(1) IM No. 06-118**

Mr. Brodigan 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 Woods moved to adopt Ordinance Serial No. 06-083 and Resolution Serial No. 06-058.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 06-084: AN ORDINANCE CLASSIFYING AS RESERVE USE LANDS – PUBLIC PURPOSE AND RETAINING IN PUBLIC OWNERSHIP LOT 7, BLOCK 1, LOT 10, BLOCK 2, AND LOT 1, BLOCK 5, CIRCLE VIEW SUBDIVISION IN THE BUTTE AREA; TRACT A, FOOTHILL ESTATES SUBDIVISION IN THE LAZY MOUNTAIN AREA; AND TRACT A, GALA WOODS SUBDIVISION IN THE KNIK-GOOSE BAY AREA, WHICH WERE ACQUIRED THROUGH TAX AND LOCAL IMPROVEMENT DISTRICT SPECIAL ASSESSMENT FORECLOSURE AND APPROVING A SUPPLEMENTAL APPROPRIATION FOR \$21,248.02 FROM THE LAND MANAGEMENT FUND, FUND 203, FUND BALANCE TO PAY ALL DELINQUENT TAXES, SPECIAL ASSESSMENT PRINCIPAL, PENALTIES, INTEREST, AND FORECLOSURE COSTS UP TO CLERK'S DEED AND ALL DELINQUENT TAXES, PENALTIES, AND INTEREST FOR PARCEL NO. 6360000T00A.
  - a. IM No. 06-120

Mr. Swanson provided a staff report.

Mayor Anderson opened the public hearing.

The following person inquired how Ordinance Serial No. 06-084 would affect the repayment of their revolving loan: Ms. Linda Smith.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 06-084.

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Allen declared a conflict of interest on Ordinance Serial No. 06-085 and Resolution Serial No. 06-059.

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

*(Assemblymember Allen exited the meeting at this time.)*

4. Ordinance Serial No. 06-085: AN ORDINANCE ACCEPTING AND APPROPRIATING \$49,907.35 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, TO FUND 440, PROJECT NO. 20362, AND AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT FOR THE CONTINUED WORK ON THE "ALASKA FAR AWAY" FILM PROJECT.
  - a. Resolution Serial No. 06-059: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO CONTINUE THE CREATION OF A FILM DOCUMENTING THE ARRIVAL OF COLONIST TO ALASKA FOR FARMING AND SETTLEMENT IN THE MATANUSKA VALLEY.
    - (1) IM No. 06-127

Mr. Duffy noted that the funds would go to a private organization and requested the Assembly hold the public hearing and then defeat the legislation.

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. 06-085 and Resolution Serial No. 06-059.

MOTION: Assemblymember Colver moved to postpone indefinitely.

VOTE: The motion passed without objection.

*(Assemblymember Allen returned to the meeting at this time.)*

5. Ordinance Serial No. 06-086: AN ORDINANCE REQUESTING A SUPPLEMENTAL APPROPRIATION OF \$24,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO THE MEADOW LAKES FIRE SERVICE AREA FISCAL YEAR 2006 OPERATING BUDGET, FUND 257, TO PAY FOR COMPLETED LANDSCAPING.
  - a. IM No. 06-129

Mr. Brodigan 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. 06-086.

MOTION: Assemblymember Vehrs moved to postpone Ordinance Serial No. 06-086 to the June 6, 2006, regular meeting.

Assemblymember Allen inquired as to when the invoice was originally received.

Mr. Brodigan replied that it was received approximately seven to eight months ago.

Assemblymember Allen spoke in opposition to postponing, as the contractor should not be penalized for the Borough's mistake.

Assemblymember Vehrs:

- stated that she had requested that the Borough address this issue with the contractor;
- opined that a couple more weeks would not make a difference; and
- noted that she would like to see the approval of the Meadow Lakes Fire Service Area in writing before making a decision.

Mr. Rountree:

- commented that the Borough did attempt to resolve the issue through the architect, but that the contract was an estimate; and
- noted that the Borough has been paying interest on the bill and will continue to pay interest until it has been paid.

*(The regular meeting recessed at 7:40 p.m. and reconvened at 7:45 p.m.)*

WITHDRAW: Assemblymember Vehrs withdrew her motion to postpone Ordinance Serial No. 06-086 to the June 6, 2006, regular meeting.

Assemblymember Vehrs:

- stated that she has spoken with staff and that this issue was discussed with the Attorney; and
- noted that this was the Borough's error and the Meadow Lakes Fire Service Area is paying for our mistake.

VOTE: The motion passed with Assemblymember Vehrs opposed.

Mayor Anderson noted that Ordinance Serial Nos. 06-087 and 06-088 and Resolution Serial No. 06-060 would be addressed together.

CONFLICT OF INTEREST: Assemblymember Allen declared a conflict of interest on Ordinance Serial Nos. 06-087 and 06-088 and Resolution Serial No. 06-060.

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

*(Assemblymember Allen exited the meeting at this time.)*

6. Ordinance Serial No. 06-087: AN ORDINANCE AUTHORIZING THE VOLUNTARY ACQUISITION OF PRIVATELY-OWNED REAL ESTATE BY THE MATANUSKA-SUSITNA BOROUGH IN COOPERATION WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE, MATANUSKA RIVER TERRACE EROSION PILOT PROJECT, BEING LOCATED IN THE KINGS RIVER TO SUTTON AND TRIPLE CROWN ESTATES TO CIRCLE VIEW SUBDIVISION AREA.
  - a. IM No. 06-132
7. Ordinance Serial No. 06-088: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$594,000 GRANT FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE, TO FUND 445, PROJECT NO. 55008, FOR A LAND ACQUISITION PROJECT ALONG THE BANKS OF THE MATANUSKA RIVER.
  - a. Resolution Serial No. 06-060: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A LAND ACQUISITION PROJECT ALONG THE BANKS OF THE MATANUSKA RIVER.
    - (1) IM No. 06-133

Mr. Swanson provided a staff report.

Mayor Anderson opened the public hearing.

The following person spoke in support of Ordinance Serial Nos. 06-087 and 06-088 and Resolution Serial No. 06-060 and spoke to the entire Circle View Service Area being incorporated into this plan: Ms. Linda Smith and Ms. Frankie Barker.

The following person spoke in opposition to Ordinance Serial Nos. 06-087 and 06-088 and Resolution Serial No. 06-060: Mr. Ben Milam.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial Nos. 06-087 and 06-088 and Resolution Serial No. 06-060.

Assemblymember Woods:

- spoke to the issues in Assembly District 1 with river erosion;
- stated that they have been working with other agencies, citizens, and Borough staff to resolve the issues and have a comprehensive approach to the problem; and
- commented that this is a beginning to help resolve the problem.

VOTE: The motion passed without objection.

*(Assemblymember Allen returned to the meeting at this time.)*

8. Ordinance Serial No. 06-089: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$10,000 FROM FAIRVIEW ROAD SERVICE AREA NO. 14 FUND BALANCE, FUND 271, TO FAIRVIEW ROAD SERVICE AREA NO. 14 OPERATING BUDGET, FUND 271.
  - a. IM No. 06-134

Mr. Rountree 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 Colberg moved to adopt Ordinance Serial No. 06-089.

VOTE: The motion passed without objection.

9. Ordinance Serial No. 06-090: AN ORDINANCE AMENDING MSB 5.25.016(A), MIDWAY ROAD SERVICE AREA NO. 9, BY ADJUSTING THE BOUNDARY TO REFLECT THE DELETION OF AN AREA OF LAND AND AMENDING MSB 5.25.018(A), FAIRVIEW ROAD SERVICE AREA NO. 14, BY ADJUSTING THE BOUNDARY TO REFLECT THE ADDITION OF LAND WHICH WOULD BE SPLIT BY A SERVICE AREA BOUNDARY.
  - a. IM No. 06-135

Ms. McGehee 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 Colberg moved to adopt Ordinance Serial No. 06-090.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 06-091: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$200,000 FROM THE INFORMATION TECHNOLOGY DIVISION OPERATING BUDGET, FUND 100, TO FUND 480, FOR THE CUSTOMIZATION OF THE NEW ASSESSMENT/GIS/TAX/LAND SYSTEM PROJECT.

a. IM No. 06-136

Ms. Clayton provided a staff report.

Assemblymember Allen inquired if we requested a financial statement from the original firm.

Ms. Clayton replied that they did not during the first solicitation but have discussed asking the two presenters for a financial statement.

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. 06-091.

VOTE: The motion passed without objection.

11. Ordinance Serial No. 06-092: AN ORDINANCE APPROPRIATING AN ADDITIONAL AMOUNT OF \$1,692,842 FROM STATE FUNDS AND GRANTS TO FUND 204, EDUCATION OPERATING FUND, FOR FISCAL YEAR 2006.

a. IM No. 06-138

Ms. Clayton:

- provided a staff report; and
- noted that she prepared this legislation at the request of the School District.

Mayor Anderson opened the public hearing.

Mr. Ron Rucker, President of the Classified Employees Association:

- spoke regarding the two budget presentations from the School District in the Manager's report;
- inquired where the funds in the legislation are coming from; and
- queried if the School District has the ability to create a restricted reserve fund:

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 06-092.

VOTE: The motion passed without objection.

12. Ordinance Serial No. 06-093: AN ORDINANCE APPROPRIATING \$75,000 OF INTEREST EARNINGS ON THE 1999 SERIES A, GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40131, FOR HOUSTON HIGH SCHOOL.

a. IM No. 06-139

Ms. Clayton 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. 06-093.

Mayor Anderson inquired if there could be additional interest earnings on this project.

Ms. Clayton noted that it is possible, as the funding for the art project still remained.

Mr. Duffy noted that the Borough is unable to access bonds until art projects are completed, which can be a problem when funding for repairs is needed.

Assemblymember Colver spoke to the problems associated with not being able to close out the projects.

Mayor Anderson inquired if the art project could be included in the bid for construction of the school.

Ms. Clayton stated that the art is at the direction of the Superintendent per Alaska Statute.

Assemblymember Woods requested a report on the current status of the art projects.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding the School District budget and remaining funds and employment cuts: Mr. Ron Rucker, President of Classified Employees Association, Ms. Barbara Boll, and Ms. Chris Tyree.

(The regular meeting recessed at 8:33 p.m. and reconvened at 8:48 p.m.)

C. CONSENT AGENDA (Resolution Serial Nos. 06-064 and 06-067 were pulled from the consent agenda and addressed separately. *See pp. 16 of 22*)

1. RESOLUTIONS

- a. Resolution Serial No. 06-062: A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS FOR TRANSPORTATION ASSISTANCE WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION.  
(1) IM No. 06-147
  - b. Resolution Serial No. 06-063: A RESOLUTION SUPPORTING THE EXPORTATION OF POTATOES GROWN IN THE MATANUSKA-SUSITNA BOROUGH. (*Sponsor: Mayor Anderson*)  
(1) IM No. 06-148
  - d. Resolution Serial No. 06-066: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 25046, LANDFILL IMPROVEMENTS, AND FOR PROJECT NO. 25029, CENTRAL LANDFILL MONITORING WELLS, TO ALLOW FOR ADDITIONAL MONITOR WELL DRILLING AND THE PURCHASE AND TRANSPORTATION OF COMPOSTING EQUIPMENT.  
(1) IM No. 06-153
2. ASSEMBLY MEMORANDUMS
- a. AM No 06-080: THE VACATION OF THE WEST 169 FEET OF THE 33 FOOT WIDE PATENT RESERVATION ON THE SOUTH SIDE OF GOVERNMENT LOT 22, TAX PARCEL A11, SECTION 33, TOWNSHIP 19 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE WILLOW COMMUNITY COUNCIL AREA.
  - b. AM No. 06-081: THE VACATION OF THE 60 FOOT RIGHT-OF-WAY ACCESS EASEMENT WITHIN TRACT 14, ALASKA STATE LAND SURVEY 80-111, SECTION 25, TOWNSHIP 15 NORTH, RANGE 5 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE POINT MACKENZIE COMMUNITY COUNCIL AREA.
  - c. AM No. 06-083: RETROACTIVE APPROVAL OF SENIOR CITIZEN AND DISABLED VETERAN EXEMPTION APPLICATIONS.
  - d. AM No. 06-084: AWARD OF BID NO. 06-135 TO ALASKA FRONTIER SERVICES, LLC, IN THE CONTRACT AMOUNT OF \$203,240 FOR THE PAVING OF PARKING AREAS AND ACCESS DRIVEWAYS AT SCHOOL SITES THROUGHOUT THE BOROUGH.
  - e. AM No. 06-085: AWARD OF BID NO. 06-124 TO L & N VENTURES IN THE CONTRACT AMOUNT OF \$32,000 FOR THE UPGRADE OF ALIX DRIVE TO KNIK KNACK MUD SHACK ROAD.

- f. AM No. 06-086: AWARD OF BID NO. 06-126 TO L & N VENTURES IN THE CONTRACT AMOUNT OF \$42,500 FOR THE UPGRADE OF WITHERSPOON ROAD AND PLACID PLACE.
- g. AM No. 06-087: AWARD OF BID NO. 06-129 TO WESTERN CONSTRUCTION AND EQUIPMENT IN THE CONTRACT AMOUNT OF \$52,690 FOR CULVERT REPLACEMENTS AT THE WOLF ROAD AND TAMARACK COVE DRIVE STREAM CROSSINGS.
- h. AM No. 06-089: AWARD OF BID NO. 06-141 TO KING OF DIAMONDS EXCAVATING IN THE CONTRACT AMOUNT OF \$41,750 FOR THE UPGRADE OF LONESOME DRIVE.
- i. AM No. 06-090: AWARD OF BID NO. 06-140 TO EARTH MOVING SPECIALISTS IN THE CONTRACT AMOUNT OF \$27,994 TO CONSTRUCT A CONNECTOR TO JOIN DUNBAR DRIVE WITH SKIP CIRCLE.
- j. AM No. 06-091: AWARD OF PROPOSAL NO. 06-133 TO JADE NORTH IN THE AMOUNT NOT TO EXCEED \$50,000 FOR THE FISH CREEK MANAGEMENT PLAN UPDATE.
- ~~k. AM No. 06-092: AWARD OF PROPOSAL NO. 06-109 TO COLLINS CONSTRUCTION, INC., IN THE AMOUNT OF \$16,137,000 FOR THE CONSTRUCTION OF THE MAT-SU CAREER CENTER.<sup>1</sup>~~
- l. AM No. 06-093: AWARD OF BID NO. 06-139 TO KING OF DIAMONDS EXCAVATING IN THE CONTRACT AMOUNT OF \$32,490 TO IMPROVE DRAINAGE ALONG JUPITER AVENUE AND DIANA AVENUE.
- m. AM No. 06-095: CHANGE ORDER TO WESTERN CONSTRUCTION AND EQUIPMENT IN THE AMOUNT OF \$30,000 FOR ADDITIONAL WORK ON THE CHIPSEAL DEMONSTRATION PROJECT.
- n. AM No. 06-097: AWARD OF BID NO. 06-120 TO COOK INLET CONTRACTING, INC., IN THE CONTRACT AMOUNT OF \$422,000 FOR THE BIG LAKE ELEMENTARY SCHOOL SITE AND BUILDING IMPROVEMENTS AND THE SWANSON ELEMENTARY SCHOOL WINDOW REPLACEMENT.
- o. AM No. 06-098: AWARD OF BID NO. 06-131 TO NYE FRONTIER FORD, INC., IN THE AMOUNT OF \$27,036 FOR THE PURCHASE OF A FORD EXPEDITION FOR THE EMERGENCY SERVICES DEPARTMENT.

Ms. McGehee read the above legislation into the record.

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<sup>1</sup> AM No. 06-092 was pulled from the agenda.

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

VOTE: The motion passed without objection.

c. Resolution Serial No. 06-064: A RESOLUTION EXPRESSING APPRECIATION AND GRATITUDE TO PAUL R. DAUPHINAIS, PH.D., FOR HIS CONTRIBUTIONS TO THE MAT-SU COLLEGE AND TO THE CITIZENS OF THE MATANUSKA-SUSITNA BOROUGH. *(Sponsors: Assemblymembers Woods, Allen, and Kvalheim)*

(1) IM No. 06-150

MOTION: Assemblymember Colberg moved to adopt Resolution Serial No. 06-064.

MOTION: Assemblymember Colberg moved a primary amendment to insert, "WHEREAS, Dr. Dauphinais taught a groundbreaking history of French Canada course in the fall semester of 2004."

VOTE: The primary amendment passed without objection.

VOTE: The motion passed as amended without objection.

e. Resolution Serial No. 06-067: A RESOLUTION EXPRESSING OFFICIAL INTENT TO ISSUE BONDS TO FINANCE A NEW CORRECTIONAL FACILITY AND DETERMINING RELATED MATTERS. *(Sponsor: Assemblymember Colver)*

(1) IM No. 06-155

MOTION: Assemblymember Colver moved to adopt Resolution Serial No. 06-067.

VOTE: The motion passed without objection.

## **IX. UNFINISHED BUSINESS**

A. AM No. 06-076: APPROVAL TO ENTER INTO AN AGREEMENT WITH A STATE AGENCY TO BUILD A TEMPORARY EARTHEN/GRAVEL EMBANKMENT CONSISTING OF RIVERINE GRAVEL TO DEFLECT THE RIVER FROM THE WEST BANK OF THE MATANUSKA RIVER, IN ORDER TO PROTECT EXISTING HOMES IN THE KINGS RIVER TO SUTTON AREAS. *(Sponsor: Assemblymember Woods)*  
*(Motion Pending: 04/18/06)*

MOTION PENDING: Assemblymember Colberg moved to approve AM No. 06-076.

Assemblymember Woods stated that this is a way to try to find some relief until the pilot program is off the ground.

Mr. Duffy:

- reported that Walker and Levesque concurred with the Borough Attorney's opinion;
- reviewed the opinion received by Walker and Levesque; and
- stated that Walker and Levesque recommended the formation of a service area to address the issue as the best solution.

Assemblymember Woods:

- noted that a salmon spawning stream was destroyed as a result of the erosion; and
- commented that this may be a way to solve this issue.

Mr. Duffy noted that an individual homeowner was granted funding to protect the salmon stream and for planting trees in the area.

Assemblymember Woods noted that individual homeowners are not precluded from gaining permits.

Mayor Anderson inquired about making the materials available to the homeowners at a reasonable price.

Assemblymember Woods stated that she has tried to get some from the State, but was unable to obtain any.

*(Su Valley exited the meeting at this time.)*

**VOTE:** The motion failed with Assemblymembers Woods, Allen, and Vehrs in support and Assemblymembers Colberg, Kvalheim, and Colver opposed (*Tie Vote*). The motion **passed** with Mayor Anderson invoking his voting privilege in the affirmative.

**MOTION:** Assemblymember Vehrs moved to reconsider AM No. 06-076.

**VOTE:** The motion to reconsider failed with Assemblymembers Colberg, Colver, and Vehrs in support and Assemblymembers Woods, Allen, Kvalheim opposed (*Tie Vote*).

## **X. NEW BUSINESS**

A. INTRODUCTION (For public hearing - 06/06/06, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 06-094: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$75,000 FROM THE HUMAN RESOURCES DIVISION FISCAL YEAR 2006 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 45195, FOR THE REVIEW AND REVISION OF THE CLASSIFICATION AND PAY PLAN FOR THE BOROUGH EMPLOYEES.
  - a. IM No. 06-137

2. Ordinance Serial No. 06-095: AN ORDINANCE AWARDDING PROPOSAL NO. 06-102 TO MARITAL II TRUST FOR BID 06-102 IN THE AMOUNT OF \$88,500 FOR THE PURCHASE OF APPROXIMATELY 10.5 ACRES OF LAND ON WEST HORIZON DRIVE IN THE KNIK LAKE AREA AND TO CLASSIFY THE PROPERTY AS RESERVED USE – EMERGENCY SERVICE FACILITY, FOR USE BY THE DEPARTMENT OF EMERGENCY SERVICES FOR A FUTURE FIRE STATION (MSB 4558).
  - a. IM No. 06-141
  
3. Ordinance Serial No. 06-096: AN ORDINANCE ACCEPTING AND APPROPRIATING \$71,000 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY, TO FUND 480, PROJECT NO. 45196, AND AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT TO DEVELOP A HISTORIC PRESERVATION PLAN FOR REGIONS THAT MAY BE IMPACTED BY CONSTRUCTION OF THE KNIK ARM BRIDGE WITHIN THE MATANUSKA-SUSITNA BOROUGH.
  - a. Resolution Serial No. 06-068: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO DEVELOP A HISTORIC PRESERVATION PLAN FOR THE REGION THAT MAY BE IMPACTED BY CONSTRUCTION OF THE KNIK ARM BRIDGE WITHIN THE MATANUSKA-SUSITNA BOROUGH.
    - (1) IM No. 06-145
  
4. Ordinance Serial No. 06-097: AN ORDINANCE AMENDING MSB 24.05.010, TO ADD THE DEFINITIONS OF BOARDING FACILITY AND BREEDING FACILITY.
 

*(Sponsor: Assemblymember Vehrs)*

  - a. IM No. 06-149
  
5. Ordinance Serial No. 06-098: AN ORDINANCE ADOPTING AN AMENDMENT TO THE MATANUSKA-SUSITNA BOROUGH RECREATIONAL TRAILS PLAN COMPONENT OF THE BOROUGH’S COMPREHENSIVE PLAN THAT ADDS TRAILS AND TRAIL SYSTEMS.
  - a. IM No. 06-154
  
6. Ordinance Serial No. 06-099: AN ORDINANCE AMENDING MSB 3.38.040(A), TO CHANGE THE MAXIMUM AMOUNT ALLOWED FOR THE ENHANCED 911 SURCHARGE ON LOCAL WIRELESS AND WIRELINE TELEPHONE SERVICE.
  - a. Resolution Serial No. 06-069: A RESOLUTION SETTING THE SURCHARGE FOR WIRELESS ENHANCED 911 SYSTEMS FOR THE PERIOD OF JULY 1, 2006, THROUGH JUNE 30, 2007.
    - (1) IM No. 06-157
  
- B. INTRODUCTION (For public hearing - 06/20/06, 7 p.m., Borough Assembly Chambers)
  1. Ordinance Serial No. 06-100: AN ORDINANCE ENACTING MSB CHAPTER 2.47 OF THE BOROUGH CODE ENTITLED, “BOROUGHWIDE RECORDS MANAGEMENT PROGRAM.” *(Sponsor: Assemblymember Vehrs)*

a. IM No. 06-158

Ms. McGehee read the above 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 June 6, 2006, and June 20, 2006, respectively.

VOTE: The motion passed without objection.

## C. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Anderson requested the following confirmations:

Board of Ethics

James Sykes

Emergency Medical Services Board

Glori Strickler

Labor Relations Board

Ken Peltier

Michael Hodsdon

Mayor's Blue Ribbon Task Force on Forming a Health and Social Services Board

Eleanor Oakley

Elizabeth Ripley

Gregory VanKirk

Margaret Volz

John Fairfield

Leah Holman

Transportation Advisory Board

Ken Ray

Knik Road Service Area No. 17

Brian Morgan

Mayor Anderson made the following recommendations:

Emergency Medical Services Board

Christian Hartley

Mayor's Blue Ribbon Task Force on Forming a Health and Social Services Board

Sammye Pokryfki

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

VOTE: The motion passed without objection.

## D. OTHER NEW BUSINESS

## **X. RECONSIDERATION**

*(There were no reconsiderations presented.)*

## **XI. VETO**

*(There were no vetoes presented.)*

## **XII. EXECUTIVE SESSION**

*(There was no executive session held.)*

## **XIII. MAYOR AND ASSEMBLY COMMENTS**

Assemblymember Woods reported on the economic development conference held at the Wasilla Sports Complex.

Assemblymember Allen requested that the transmittal letter for Resolution Serial No. 06-064 be signed by all members of the Assembly and the Mayor.

Assemblymember Colver:

- spoke to complaints received in road service areas because the sweeping had not yet been completed; and
- stated that he is glad that the mitigation measure passed.

Mayor Anderson stated that he has received some phone calls regarding the Borough limiting the use of the Alcantra baseball fields.

Assemblymember Colver:

- stated that he received a phone call from the head of the Wasilla Little League regarding access to the Alcantra fields;
- noted that he has spoken with Mr. Swanson and Mr. Duffy to get the fields opened; and
- spoke to the regulations and requirements for use of the fields.

Mayor Anderson spoke to the fields being utilized as much as possible and would like to make sure that there is funding in the budget for maintenance of the fields.

**XIV. ADJOURNMENT**

The regular meeting adjourned at 9:27 p.m.

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TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

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MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: 06/06/06