

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on June 21, 2005, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Jim Colver.

**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  
Ms. Jody Simpson, Assembly District No. 5  
Mr. Jim Colver, Assembly District No. 6 (*Deputy Mayor*)  
Ms. Betty Vehrs, Assembly District No. 7

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk  
Mr. John Duffy, Borough Manager  
Mr. John Aschenbrenner, Deputy Borough Attorney  
Ms. Marian Romano, Assistant Borough Manager  
Ms. Sharon Huckins, Administrative Assistant I  
Mr. Dennis Brodigan, Emergency Services Director  
Ms. Tammy Clayton, Finance Director  
Mr. Ron Swanson, Community Development Director  
Mr. Murph O'Brien, Planning and Land Use Director  
Mr. Keith Roundtree, Public Works Director

**III. APPROVAL OF AGENDA**

Deputy Mayor Colver 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 Ms. Patty Sullivan, a member of the audience.

Deputy Mayor Colver and Assemblymember Allen presented Ms. McGehee with a 2005 Municipal Clerk Honor Roll certificate.

## V. MINUTES OF PRECEDING MEETINGS

### A. Regular Assembly Meeting: 06/07/05

Deputy Mayor Colver inquired if there were any corrections to the June 7, 2005, regular meeting minutes.

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

## VI. REPORTS/CORRESPONDENCE

### A. AGENCY REPORTS

#### 1. Reports from cities

##### Wasilla City

Councilmember Diana Straub:

- noted that the Wasilla City Council would be adopting their capital improvement program (CIP) and enterprise fund budget on June 27, 2005;
- stated that Wasilla City Council will also be addressing a no smoking ordinance;
- referred to the new "Welcome to Wasilla" brochure the City has created; and
- congratulated Ms. McGehee on her honor roll award.

#### 2. Matanuska-Susitna Borough School District

*(There was no report provided.)*

#### 3. Mat-Su Agency Partnership Mary Jo Parks and Hans Nadig Re: Update on Health and Human Service Non-Profit Sector

Ms. Mary Jo Parks, Mat-Su Agency Partnership Chairperson:

- reviewed the structure and the goals of the Mat-Su Agency Partnership;
- discussed the community needs assessment compiled in 2002;
- stated that because the community has changed so much in the past few years, they are now completing another community needs assessment;
- noted that they would be presenting the initial outcome of the community needs assessment at their August meeting;
- invited the members of the Assembly to attend the meetings; and
- stated that they meet on the second Thursday of each month from 12 noon to 1:30 p.m. at the Wasilla Sports Complex.

4. Alaska Attachment and Bonding Associates – Eleanor Oakley Re: Update on Respite Project

Ms. Eleanor Oakley:

- noted that last year she requested that the Assembly adopt a resolution in support of the vista volunteer for the respite project;
- introduced Ms. Jan King, the vista volunteer, who will begin next month;
- stated that she is in the process of writing a grant for \$125,000 from the state of Alaska to set up a group home in the Matanuska-Susitna Borough;
- noted that there are currently over 700 children from the Matanuska-Susitna Borough currently out of state to receive care;
- stated that she is working with Ms. Karen Ward, a consultant from the University of Alaska Anchorage, to help develop the model for the group home;
- discussed the model that they will be using for the group home;
- noted that the budget for the facility will be approximately \$200,000;
- commented that part of the budget will be financed by the State and Medicaid; and
- requested support for Resolution Serial No. 05-087.

Assemblymember Simpson inquired regarding wrap-around delivery.

Ms. Oakley explained wrap-around delivery.

Assemblymember Allen requested that Ms. Oakley provide updates on a monthly basis.

Discussion ensued regarding the respite project.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

*(There was no report provided.)*

2. Regional Transportation Planning Organization

Deputy Mayor Colver noted that the next Regional Transportation Planning Organization meeting is on July 18, 2005.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- recognized Ms. Clayton and her staff for receiving, once again, the Certificate of Achievement of Financial Reporting by the Government Finance Officers' Association;
- noted that he attended the United States Environmental Protection Agency (EPA) Local Government Committee meeting last week;

- stated that he also meet with the federal lobbyist to obtain an update on the Assembly's priorities;
- reviewed the ferry vessel's requirements for the final design and construction;
- discussed the meeting with the Knik Arm Bridge and Toll Authority (KABATA) and the Alaska State Department of Transportation that took place today;
- stated that the Borough and KABATA will be coming up with two different routes;
- noted that there are concerns regarding the highway coming through the port;
- stated that he spoke with Commissioner Antrim today regarding the prison plans; and
- noted that the Commissioner will be giving a presentation in July to the Governor on the prison plans.

D. ATTORNEY COMMENTS

*(There were no comments presented.)*

E. CLERK COMMENTS

Ms. McGehee:

- thanked the members of the Assembly, and her staff members for nominating her for the 2005 Municipal Clerk Honor Roll;
- reviewed the upcoming meeting schedule for July;
- noted that on July 19, 2005, at 4 p.m. there is a special meeting schedule for the Manager's evaluation;
- commented that the June 23, 2005, meeting packet has been provided with the Clerk's report;
- referred to the information regarding the upcoming Alaska Municipal League meeting; and
- noted that the tracking reported is attached.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 04/11/05
- b. Circle View and Stampede Estates Flood and Water Erosion Control Special Service Area No. 131: 05/18/05
- c. Historical Preservation Commission: 01/07/05, 02/04/05
- d. Library Board: 03/26/05, 04/16/05
- e. Talkeetna Water and Sewer Special Service Area No. 36: 04/28/05; Resolution Serial Nos. 4, 1-4/5, 2-4/5, 3-4/5, 4-4/5, 6-4/5

2. Community Council Correspondence:

- a. Glacier View Community Council: 05/26/05
- b. Meadow Lakes Community Council: 03/09/05, 04/13/05
- c. Trapper Creek Community Council: 05/19/05

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

**G. INFORMATIONAL MEMORANDUMS**

1. IM No. 05-170: AN INFORMATION MEMORANDUM REVISING THE MAY 26, 2005, SPECIAL ASSEMBLY MEETING MINUTES TO REFLECT ESTABLISHED MODIFIED-ACTION FORMAT.

The informational memorandum was presented and no comments were noted.

**VIII. UNFINISHED BUSINESS**

- A. Resolution Serial No. 05-058: A RESOLUTION SETTING FORTH ASSEMBLY RULES OF POLICY AND PROCEDURE. (*Sponsor: Assemblymember Simpson*) (*Motion pending from 05/03/05*)
  1. IM No. 05-117

**MOTION PENDING:** Assemblymember Kvalheim moved to adopt Resolution Serial No. 05-058.

**MOTION:** Assemblymember Kvalheim moved a primary amendment to Resolution Serial No. 05-058 to amend by substitute Resolution Serial No. 05-058(SUB-1).

**MOTION:** Assemblymember Simpson moved a secondary amendment to Resolution Serial No. 05-058(SUB-1), item V, paragraph (A)(7), Public Presentations, to insert a sentence at the end of the paragraph to read as follows, "If an individual elects to speak on behalf of an organization and also on behalf of themselves, a break in testimony must occur between statements so that it is clear which statements belong to which part – to organization, or the individual.

Assemblymember Simpson spoke to the amendment.

**VOTE:** The secondary amendment passed without objection.

**MOTION:** Assemblymember Simpson moved a secondary amendment to Resolution Serial No. 05-058 (SUB-1), by inserting a paragraph (B) to item III, Travel, to read, "While on Borough paid travel outside of the Borough, elected officials shall not conduct personal business or lobby on behalf of an employer, agency, or organization, from which the official results in an elected official conducting personal business or lobbying where non-Borough financial benefit is received must be conducted solely at the expense of the official and must be separated from Borough-related travel by at least three business days."

Assemblymember Simpson spoke in support of the amendment.

**VOTE:** The secondary amendment passed without objection.

(Resolution Serial No. 05-058 continued on pp. 14 of 22.)

(The regular meeting recessed at 6:45 p.m. and reconvened at 7:02 p.m.)

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

Deputy Mayor Colver noted that he has received a request that Resolution Serial No. 05-086 be pulled from the agenda and inquired if there was any objection.

No objection was noted.

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

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 05-081: AN ORDINANCE APPROVING THE REAPPROPRIATION OF \$25,000 FROM THE FISCAL YEAR 2005 ASSEMBLY OPERATING BUDGET, FUND 100, TO FUND 435, PROJECT NO. 10057, FOR THE UPGRADE OF THE AUDIO SYSTEM IN THE ASSEMBLY CHAMBERS. (Sponsor: Assemblymember Vehrs)

a. IM No. 05-152

Ms. McGehee provided a staff report.

Deputy Mayor Colver 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. 05-081.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 05-082: AN ORDINANCE ISSUING NONAREAWIDE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,660,000 TO FINANCE THE DESIGN AND CONSTRUCTION OF AN ANIMAL CARE FACILITY AND RELATED CAPITAL IMPROVEMENTS, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED NONAREAWIDE VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2005, BOROUGH ELECTION.

a. IM No. 05-127

Mr. Brodigan reviewed the status of the current animal care facility.

Assemblymember Vehrs inquired why the Assembly budgeted for a new ventilation system in the current facility if the Borough is planning to build a new facility.

Mr. Brodigan noted that the even if the new facility is approved by the voters it will take several years to design and construct the facility.

Mr. Roundtree:

- stated that the current facility's ventilation system is very deficient, causing a huge health risk; and
- discussed the electrical and mechanical issues that need to be resolved.

Discussion ensued regarding a new animal care facility.

Deputy Mayor Colver opened the public hearing.

The following person inquired regarding the cost of euthanizing animals: Mr. Russ Butts.

The following person inquired regarding the cost of the facility to the tax payers: Mr. Penny Nixon.

The following person spoke regarding explaining the cost of a \$4.6 million dollar facility to the tax payers: Ms. Jay Nolfi.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 05-082.

Assemblymember Kvalheim spoke in support of Ordinance Serial No. 05-082.

Assemblymember Vehrs:

- noted that a new facility is needed; and
- stated that she would like some of the concerns addressed before moving forward with the legislation.

MOTION: Assemblymember Vehrs moved to postpone Ordinance Serial No. 05-082 to a time certain of July 19, 2005.

Assemblymember Vehrs spoke in support of postponing the legislation.

Assemblymember Allen inquired if the prototypes for the new facility were construction drawings or floor plans.

Mr. Brodigan replied that there are some architectural drawings with blueprints of the floor plans and some brochures.

Assemblymembers Allen and Colver spoke in support of postponement.

VOTE: The motion to postpone to a time certain passed without objection.

3. Ordinance Serial No. 05-083: AN ORDINANCE ISSUING NON-AREAWIDE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$15,635,000 TO FINANCE THE CONSTRUCTION, MAJOR RENOVATION AND EXPANSION OF LIBRARY FACILITIES AND RELATED CAPITAL IMPROVEMENTS, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED NON-AREAWIDE VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2005, BOROUGH ELECTION.
  - a. IM No. 05-128

Mr. Swanson provided a staff report.

Deputy Mayor Colver opened the public hearing.

The following person spoke in support of public libraries and stated that he would like to see more information about the bond issuance before voting: Mr. Penny Nixon.

The following person spoke in support of public libraries and inquired where the public libraries would be located: Ms. Jay Nolfi.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 05-083.

Assemblymember Kvalheim spoke in support of the legislation.

Assemblymember Vehrs voiced concerns regarding the central library facility.

MOTION: Assemblymember Vehrs moved a primary amendment to the title of Ordinance Serial No. 05-083 to strike "\$15,635,000" and insert "17,635,000."

Assemblymember Kvalheim:

- stated that a larger central library is needed because of the high growth in the Borough; and
- noted that the taxpayers will make the decision to fund the library.

Assemblymember Woods inquired regarding the additional \$2 million.

Assemblymember Vehrs reiterated her concern regarding the central library and the need for additional funds.

Assemblymember Simpson opined that a cost analysis should be performed before increasing the funding.

WITHDRAW: Assemblymember Vehrs withdrew the primary amendment to the title of Ordinance Serial No. 05-083 to strike "\$15,635,000" and insert "17,635,000."

Deputy Mayor Colver:

- discussed the importance of the project;
- stated that a needs and space study is needed; and
- stated that he would not like to see the project under-funded.

MOTION: Assemblymember Kvalheim moved to postpone Ordinance Serial No. 05-083 to a time certain of July 19, 2005, in order to secure a space and needs study.

Assemblymember Allen inquired regarding publishing the cost of issuance of the bonds.

Mr. Aschenbrenner stated that the cost of issuance could be included on the ballot.

Assemblymember Kvalheim stated that she is concerned about having enough space in the new building.

Deputy Mayor Colver:

- stated that he would like to make sure that the amount of funds needed are correct; and
- spoke to the need to review a space and needs study.

Mr. Duffy noted that a space and needs study has been performed for the Wasilla Library in 2000.

VOTE: The motion to postpone to a time certain passed with Assemblymembers Woods and Colberg opposed.

4. Ordinance Serial No. 05-085: AN ORDINANCE REAPPROPRIATING \$110,000 FROM THE FISCAL YEAR 2005 AREAWIDE FUND, FUND 100, OFFICE OF INFORMATION TECHNOLOGY OPERATING BUDGET TO FUND 480, PROJECT NO. 20316, FOR PROFESSIONAL SERVICES, HARDWARE, AND SOFTWARE TO FACILITATE THE MIGRATION OF THE INFRASTRUCTURE NETWORK OPERATING SYSTEM, DIRECTORY SERVICES, AND E-MAIL SYSTEMS FROM NOVELL TO MICROSOFT WINDOWS PLATFORM.

a. Resolution Serial No. 05-072: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MIGRATION OF THE INFRASTRUCTURE NETWORK OPERATING SYSTEM, DIRECTORY SERVICES, AND E-MAIL SYSTEMS FROM NOVELL TO MICROSOFT WINDOWS PLATFORM.

(1) IM No. 05-136

Ms. Romano provided a staff report.

Deputy Mayor Colver 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. 05-081 and Resolution Serial No. 05-072.

VOTE: The motion passed without objection.

Deputy Mayor Colver inquired if there was any objection to addressing Ordinance Serial No. 05-086, Ordinance Serial No. 05-087 and Resolution Serial No. 05-073, Ordinance Serial No. 05-088, Ordinance Serial No. 05-089, Ordinance Serial No. 05-090 and Resolution Serial No.05-074 together.

There was no objection noted.

5. Ordinance Serial No. 05-086: AN ORDINANCE APPROPRIATING \$20,000 FROM CASWELL LAKES ROAD SERVICE AREA NO. 15 FUND BALANCE TO FUND 410, PROJECT NO. 35009, CASWELL LAKES EMERGENCY ROAD REPAIRS.
  - a. IM No. 05-138
  
6. Ordinance Serial No. 05-087: AN ORDINANCE APPROPRIATING \$7,780 FROM THE ROAD SERVICE AREA REVOLVING LOAN FUND AND \$42,220 FROM THE GREATER WILLOW ROAD SERVICE AREA FUND BALANCE TO FUND 410 FOR EMERGENCY ROAD REPAIRS IN THE GREATER WILLOW ROAD SERVICE AREA NO. 20.
  - a. Resolution Serial No. 05-073: A RESOLUTION APPROVING A LOAN FROM THE ROAD SERVICE AREA REVOLVING LOAN FUND (FUND 610) IN THE AMOUNT OF \$7,780 TO THE GREATER WILLOW ROAD SERVICE AREA NO. 20 FOR EMERGENCY ROAD REPAIRS.
    - (1) IM No. 05-139
  
7. Ordinance Serial No. 05-088: AN ORDINANCE APPROPRIATING \$20,000 FROM THE TALKEETNA ROAD SERVICE AREA NO. 29 FUND BALANCE TO FUND 410, PROJECT NO. 35012, TALKEETNA EMERGENCY ROAD REPAIRS.
  - a. IM No. 05-140
  
8. Ordinance Serial No. 05-089: AN ORDINANCE APPROPRIATING \$10,000 FROM THE TRAPPER CREEK ROAD SERVICE AREA NO. 30 FUND BALANCE TO FUND 410, PROJECT NO. 35013, TRAPPER CREEK EMERGENCY ROAD REPAIRS.
  - a. IM No. 05-141

9. Ordinance Serial No. 05-090: AN ORDINANCE APPROPRIATING \$15,000 FROM THE ROAD SERVICE AREA REVOLVING LOAN FUND TO FUND 410 FOR EMERGENCY ROAD REPAIRS IN THE BIG LAKE ROAD SERVICE AREA NO. 21.
  - a. Resolution Serial No. 05-074: A RESOLUTION APPROVING A LOAN FROM ROAD SERVICE AREA REVOLVING LOAN FUND (FUND 610) IN THE AMOUNT OF \$15,000 TO THE BIG LAKE ROAD SERVICE AREA NO. 21.
    - (1) IM No. 05-143

Deputy Mayor 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 moves to adopt Ordinance Serial No. 05-086, Ordinance Serial No. 05-087 and Resolution Serial No. 05-073, Ordinance Serial No. 05-088, Ordinance Serial No. 05-089, Ordinance Serial No. 05-090 and Resolution Serial No.05-074.

VOTE: The motion passed without objection.

Deputy Mayor Colver inquired if there was any objection to addressing Ordinance Serial No. 05-091 and Resolution Serial No. 05-075, and Ordinance Serial No. 05-092 and Resolution Serial No. 05-076 together.

There was no objection noted.

10. Ordinance Serial No. 05-091: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$3,419 FROM THE FISCAL YEAR 2005 BIG LAKE FIRE SERVICE AREA OPERATING BUDGET, FUND 256, TO PROJECT NO. 45141, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.
  - a. Resolution Serial No. 05-075: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45141, FUND 405 TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT FOR THE BIG LAKE FIRE SERVICE AREA.
    - (1) IM No. 05-146
11. Ordinance Serial No. 05-092: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$12,992 FROM THE FISCAL YEAR 2005 MEADOW LAKES FIRE SERVICE AREA OPERATING BUDGET, FUND 257, TO PROJECT NO. 45123, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.
  - a. Resolution Serial No. 05-076: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45123, FUND 405 TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT FOR MEADOW LAKES FIRE SERVICE AREA.
    - (1) IM No. 05-147

Deputy Mayor Colver 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 Simpson moved to adopt Ordinance Serial No. 05-091 and Resolution Serial No. 05-075, and Ordinance Serial No. 05-092 and Resolution Serial No. 05-076.

VOTE: The motion passed without objection.

*(The regular meeting recessed at 8:09 p.m. and reconvened at 8:24 p.m.)*

12. Ordinance Serial No. 05-093: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$25,000 FROM THE FINANCE ADMINISTRATIVE OPERATING BUDGET, FUND 100, TO FUND 480 FOR TREASURY MANAGEMENT SOFTWARE.
  - a. IM No. 05-148

Ms. Clayton provided a staff report.

Deputy Mayor Colver 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. 05-093.

VOTE: The motion passed without objection.

13. Ordinance Serial No. 05-094: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$75,000 FROM THE COMMUNITY DEVELOPMENT ADMINISTRATION DIVISION OPERATING BUDGET, FUND 100, AND \$175,000 FROM THE ECONOMIC DEVELOPMENT DIVISION OPERATING BUDGET, FUND 200, TO FUND 450 FOR DEVELOPMENT OF A NORDIC TRAIL SYSTEM AND RELATED FACILITIES FOR HATCHER PASS.
  - a. IM No. 05-149

Mr. Duffy provided a staff report.

Assemblymember Allen inquired if there would be a negative impact on the operating budget.

Mr. Duffy replied that there would not be a negative impact on the operating budget.

Deputy Mayor Colver opened the public hearing.

The following person spoke in opposition to Ordinance Serial No. 05-094: Ms. Jean Woods, Mr. Patrick O'Connor, Mr. Penny Nixon, and Ms. Jay Nolfi.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 05-094.

Deputy Mayor Colver inquired if the \$6 million earmark pass through funds from the state of Alaska would become available in fiscal year 2006.

Mr. Duffy:

- replied that the funds would be available in fiscal year 2006; and
- noted that \$2 million of the funds have been set aside for the Boy Scouts of America to develop access to land near Denali State Park.

Deputy Mayor Colver commented that these funds are not coming out of the fund balance.

Assemblymember Allen inquired if the funds will require a match.

Mr. Duffy:

- noted that these funds are different from the typical grants that the Borough receives;
- explained that Senator Stevens made a statement on the floor that the \$6 million would be available to the Matanuska-Susitna Borough for the purposes of \$2 million to go to the Boy Scouts of America and for \$4 million to go to the Matanuska-Susitna Borough for trails, and Senator Stevens also noted that this is part of the transportation and community preservation program;
- stated that in the budget that was adopted, this listing cannot be found;
- noted that they have been working with the Federal Highway Administration (FHWA), who has assured the Borough that the funds are available; and
- commented that he is unsure what the match for the funds will be.

Assemblymember Allen inquired how the Borough came up with the \$250,000.

Mr. Duffy noted that those were the funds that were available.

Deputy Mayor Colver spoke in support of the legislation.

Discussion ensued regarding the matching funds for the project.

VOTE: The motion passed with Assemblymembers Allen, Colberg, and Simpson opposed.

MOTION: Assemblymember Kvalheim moved to reconsider Ordinance Serial No. 05-094.

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

14. Ordinance Serial No. 05-095: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$200,000 FROM THE FINANCE DEPARTMENT OPERATING BUDGET, FUND 100, TO FUND 480 FOR THE NEW ASSESSMENTS/GEOGRAPHICAL INFORMATION SYSTEMS (GIS)/TAX/LAND SYSTEM.
  - a. IM No. 05-150

Ms. Clayton provided a staff report.

Deputy Mayor Colver opened the public hearing.

The following person spoke in support of the public having access to the same information provided with this system: Mr. Penny Nixon.

Mr. Duffy noted that the Borough is well on its way to putting this information on the Internet.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 05-095.

VOTE: The motion passed without objection.

#### C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in support of Resolution Serial No. 05-082: Ms. Anna Roys and Ms. Konnie Shuey.

The following persons spoke in support of Resolution Serial No. 05-083: Mr. Bennett Duregloh, Mat-Su Fish and Game Advisory Committee; Mr. Dave Hopper, Alaskans for Palmer Hay Flats; and Mr. Noel Woods, Mat-Su Valley Sportsman, Inc; Ms. Lucille Frey; Mr. Kenny Barber; and Ms. Jay Nolfi.

The following person spoke in support of Resolution Serial No. 05-087: Ms. Eleanor Oakley.

The following person spoke in opposition to placing the question of police powers on the ballot without the associated costs: Mr. Penny Nixon.

There being no others who wished to testify, Deputy Mayor Colver closed audience participation.

*(The regular meeting recessed at 9:26 p.m. and reconvened at 9:29 p.m.)*

*(Resolution Serial No. 05-058, continued from pp. 6 of 23.)*

WITHDRAW: Assemblymember Simpson withdrew the secondary amendment to Resolution Serial No. 05-058 (SUB-1), to insert a paragraph (B) to item III, Travel, to read, “While on Borough paid travel outside of the Borough, elected officials shall not conduct personal business or lobby on behalf of an employer, agency, or organization, from which the official results in an elected official conducting personal business or lobbying where non-Borough financial benefit is received must be conducted solely at the expense of the official and must be separated from Borough-related travel by at least three business days.”

MOTION: Assemblymember Simpson moved a secondary amendment to Resolution Serial No. 05-058(SUB-1) by inserting a paragraph (B) to item III, Travel, to read, “While on Borough paid travel for training, conferences, or lobbying efforts, elected officials shall not conduct personal business or lobby on behalf of an employer, agency, or organization, from which the official derives non-Borough financial benefit. Any activity that results in an elected official conducting personal business or lobbying where non-Borough financial benefit is received must be conducted solely at the expense of the official and must be separated from Borough-related travel, as defined above, training, conferences, or lobbying efforts, by at least three business days.

Assemblymember Simpson spoke in support of the secondary amendment.

Assemblymember Allen inquired regarding the three business days provision.

Assemblymember Simpson stated that this follows the policy that has been proposed for Borough personnel.

Discussion ensued regarding the secondary amendment.

VOTE: The secondary amendment passed without objection.

VOTE: The primary amendment to amend Resolution Serial No. 05-058 by substitute Resolution Serial No. 05-058(SUB-1)<sup>1</sup> as amended passed without objection.

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

B. AM No. 05-036: APPROVAL TO DISPOSE OF THE FORMER SCHOOL DISTRICT ADMINISTRATION BUILDING LOCATED ON LOT 7, BLOCK 13, ARRC NO. 1, LOCATED IN THE PALMER RECORDING DISTRICT (125 WEST EVERGREEN) BY COMPETITIVE BID AND PROVIDING ADDITIONAL INFORMATION REGARDING OPTIONS FOR OFFICE, MAINTENANCE, AND STORAGE SPACE FOR BOROUGH OPERATIONS. (*Motion pending from 05/03/05*)

1. IM No. 05-162

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<sup>1</sup> Resolution Serial No. 05-058(SUB-1) will be recorded as Resolution Serial No. 05-058(SUB).

MOTION PENDING: Assemblymember Colver moved to approve AM No. 05-036.

Mr. Swanson provided a staff report.

Assemblymember Allen inquired how many square feet were on the property.

Mr. Swanson replied that the property is approximately 6,900 square feet.

Deputy Mayor Colver inquired regarding the land evaluation analysis.

Mr. Swanson stated that if the property is vacant, it is worth approximately \$40,700.

Discussion ensued regarding the disposal of the former School District Administration building.

VOTE: The motion passed without objection.

## **IX. NEW BUSINESS**

A. INTRODUCTION (For public hearing - 06/28/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-106: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$50,000 FROM THE FISCAL YEAR 2005 ASSEMBLY OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 20359, FOR A MANAGEMENT REVIEW AUDIT.

a. IM No. 05-171

B. INTRODUCTION (For public hearing - 07/19/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-107: AN ORDINANCE ACCEPTING AND APPROPRIATING \$65,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT TO FUND 480, PROJECT NO. 20330, MAT-SU BOROUGH GIS PROPERTY WEB SITE PROJECT.

a. Resolution Serial No. 05-079: A RESOLUTION APPROVING THE REVISED SCOPE OF WORK AND BUDGET FOR THE MAT-SU BOROUGH GIS PROPERTY WEB SITE PROJECT, PROJECT NO. 20330 AND AUTHORIZING THE MANAGER TO MODIFY AN ASSISTANCE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT FOR MANAGEMENT OF THE GRANT.

(1) IM No. 05-160

2. Ordinance Serial No. 05-108: AN ORDINANCE AMENDING MSB 5.25.044(A), AND PLACING ON THE BALLOT OF THE OCTOBER 4, 2005, REGULAR ELECTION THE ANNEXATION OF CERTAIN PROPERTIES IN AND AROUND THE ROLLING ACRES SUBDIVISION INTO THE MEADOW LAKES ROAD SERVICE AREA NO. 27.
  - a. IM No. 05-161
  
3. Ordinance Serial No. 05-109: AN ORDINANCE APPROVING AN APPROPRIATION OF \$110,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45088, FUND 405, TO COMPLETE PROJECTS AT STATIONS 71 AND 72.
  - a. Resolution Serial No. 05-080: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45088, FUND 405, TO COMPLETE PROJECTS AT STATIONS 71 AND 72.
    - (1) IM No. 05-176
  
4. Ordinance Serial No. 05-110: AN ORDINANCE ASSUMING ON A NON-AREAWIDE BASIS THE POWER TO EXERCISE POLICE POWERS WITHIN THE BOROUGH THROUGH THE ADOPTION OF MSB 1.10.290, AND CALLING FOR AN ELECTION ON THE QUESTION OF THE ASSUMPTION OF THE POWER AT THE OCTOBER 2005 REGULAR BOROUGH ELECTION.
  - a. IM No. 05-178

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 June 28, 2005, and July 19, 2005, respectively.

**MOTION:** Assemblymember Simpson moved to divide the question to address Ordinance Serial No. 05-110 separately.

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

**MOTION:** First segment of the motion: To introduce the legislation as read into the record by the Clerk and set the public hearings for June 28, 2005, and July 19, 2005, respectively, with the exception of Ordinance Serial No. 05-110.

**VOTE:** The first segment, to introduce the legislation as read into the record by the Clerk and set the public hearings for June 28, 2005, and July 19, 2005, respectively, with the exception of Ordinance Serial No. 05-110, passed without objection.

**MOTION:** Second segment of the motion: To introduce Ordinance Serial No. 05-110 and set the public hearing for July 19, 2005.

Assemblymember Simpson voiced concern regarding bringing this item forward without providing the cost of the service included in the proposition.

Deputy Mayor Colver also voiced concern regarding no cost being included in the legislation.

Assemblymember Allen requested that Mr. Aschenbrenner research full disclosure on ballot issues that have a fiscal impact.

Discussion ensued regarding including the cost of providing police powers on the ballot.

VOTE: The second segment, to introduce Ordinance Serial No. 05-110 and set the public hearing for July 19, 2005, failed with Assemblymembers Kvalheim, Colver, and Vehrs in support.

MOTION: Assemblymember Simpson moved to reconsider the introduction of Ordinance Serial No. 05-110.

VOTE: The motion to reconsider failed with Deputy Mayor Colver in support.

C. CONSENT AGENDA (Resolution Serial No. 05-087 and AM Nos. 05-094, 05-095, and 05-096 were pulled from the consent agenda and addressed separately (*see pp. 20 of 22*). Resolution Serial No. 05-086 was pulled from the agenda (*see pp. 6 of 23*).

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

## 1. RESOLUTIONS

a. Resolution Serial No. 05-082: A RESOLUTION FOR THE PRIORITIZATION OF SITES FOR THE TWINDLY BRIDGE CHARTER SCHOOL.

(1) IM No. 05-156

b. Resolution Serial No. 05-083: A RESOLUTION CREATING A PROCESS TO IDENTIFY SAFE SHOOTING SITES ON BOROUGH AND STATE LAND IN VARIOUS LOCATIONS IN THE MATANUSKA-SUSITNA BOROUGH. (*Sponsor: Assemblymembers Simpson and Colver*)

(1) IM No. 05-157

c. Resolution Serial No. 05-084: A RESOLUTION AMENDING THE BUDGET FOR THE TALKEETNA LIBRARY RENOVATIONS, PROJECT NO. 10143, FUND 435, THE SUTTON LIBRARY PAINTING, PROJECT NO. 10155, FUND 435, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR THE BIG LAKE LIBRARY EXTERIOR SAFETY LIGHTING, PROJECT NO. 10154, FUND 435.

(1) IM No. 05-159

- d. Resolution Serial No. 05-085: A RESOLUTION RELINQUISHING CLAIM OR INTEREST IN THE JUSTICE ASSISTANCE GRANT (JAG GRANT) NO. 2005-F2747-AK-DJ FROM THE UNITED STATES DEPARTMENT OF JUSTICE AND AGREEING THAT THE CITY OF WASILLA BE THE SOLE RECIPIENT.
  - (1) IM No. 05-165
  
- e. Resolution Serial No. 05-086: A RESOLUTION REQUESTING THAT A RIGHT-OF-WAY NOT BE ISSUED TO THE ALASKA NATURAL GAS DEVELOPMENT AUTHORITY FOR A NATURAL GAS PIPELINE WITHIN THE MATANUSKA-SUSITNA BOROUGH BY THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES UNTIL AN ANALYSIS OF POTENTIAL ROUTES AND ALTERNATIVES IS CONDUCTED. (*Sponsor: Assemblymember Woods*)
  - (1) IM No. 05-172
  
- g. Resolution Serial No. 05-088: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A RESOURCE STUDY IN UPPER COOK INLET; AUTHORIZING THE MANAGER TO ENTER INTO AN INTER-AGENCY AGREEMENT WITH THE KNIK ARM BRIDGE AND TOLL AUTHORITY (KABATA) AND DIRECTS THE MANAGER TO DESIGNATE 24.24 ACRES OF LAND AS A WATERSHED CONSERVATION AND PROTECTION AREA IN ORDER TO COMPLY WITH THE TERMS AND CONDITIONS OF THE UNITED STATES ARMY CORPS OF ENGINEERS PERMIT NO. POA-1979-0412-Y, KNIK ARM 51, THAT ALLOWS THE CONSTRUCTION OF A PUBLIC BOAT LAUNCH AND PARKING AREA AT PORT MACKENZIE.
  - (1) IM No. 05-175
  - (2) AM No. 05-101: APPROVE AN EXPENDITURE OF \$25,000 TO THE KNIK ARM BRIDGE AND TOLL AUTHORITY (KABATA) TO HELP FUND A RESOURCE STUDY OF FISH IN THE UPPER COOK INLET; TO AGREE TO CERTAIN TERMS AND CONDITIONS FOR PERMIT COMPLIANCE INVOLVING AUTHORIZING THE MANAGER TO DESIGNATE 24.24 ACRES AS WATERSHED CONSERVATION AND PROTECTION AREA IN ORDER TO COMPLY WITH REQUIREMENTS OF THE UNITED STATES ARMY CORPS OF ENGINEERS PERMIT NO. POA-1979-0412-Y, KNIK ARM 51.

## 2. ACTION MEMORANDUMS

- a. AM No. 05-092: RECOMMENDING THAT THE MATANUSKA-SUSITNA BOROUGH PAY \$126,499 FOR DISPATCH CENTER SERVICES RENDERED IN CALENDAR YEAR 2004.
  
- e. AM No. 05-097: AWARD OF BID NO. 05-165 TO ALASKA TRAILBLAZING IN THE CONTRACT AMOUNT NOT TO EXCEED \$31,500 FOR THE RESTORATION AND VEGETATION TREATMENTS AT WILLOW CREEK.

- f. AM No. 05-099: AWARD OF BID NO. 05-145 TO WESTERN CONSTRUCTION AND EQUIPMENT IN THE CONTRACT AMOUNT OF \$180,054.24 FOR THE SNOWGOOSE DRIVE UPGRADE IN THE GOLD TRAILS ROAD SERVICE AREA NO. 28.
- g. AM No. 05-100: AWARD OF BID NO. 05-125 TO PIONEER EQUIPMENT, INC. IN THE CONTRACT AMOUNT NOT TO EXCEED \$72,994 FOR THE PURCHASE OF A TURF TRACTOR AND HYDROSTATIC MOWER.

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.

Deputy Mayor Colver noted that he would like to be added as a sponsor to Resolution Serial No. 05-083.

VOTE: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Kvalheim declared a conflict of interest on Resolution Serial No. 05-087 because she is on the board for Alaska Attachment and Bonding Associates.

*(Assemblymember Kvalheim was removed as a sponsor to the legislation.)*

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

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

- f. Resolution Serial No. 05-087: A RESOLUTION SUPPORTING ALASKA ATTACHMENT AND BONDING ASSOCIATES' GRANT PROPOSAL TO ENABLE YOUTHS IN OUT-OF-STATE RESIDENTIAL PSYCHIATRIC TREATMENT CENTERS TO BE SUCCESSFULLY REUNITED WITH THEIR FAMILIES IN THE BOROUGH. *(Sponsor: Assemblymember Vehrs)*
- (1) IM No. 05-174

MOTION: Assemblymember Vehrs moved to adopt Resolution Serial No. 05-087.

VOTE: The motion passed without objection.

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

CONFLICT OF INTEREST: Deputy Mayor Colver advised that he had a conflict of interest on AM Nos. 05-094, 05-095, and 05-096.

*(Deputy Mayor Colver exited the meeting at this time.)*

*(Assemblymember Kvalheim assumed the duties of the Chair.)*

- b. AM No. 05-094: APPROVAL OF A CHANGE ORDER TO COLLINS CONSTRUCTION IN THE AMOUNT OF \$343,783 FOR THE NEW WASILLA AREA ELEMENTARY SCHOOL PROJECT.

MOTION: Assemblymember Vehrs moved to approve AM No. 05-094.

VOTE: The motion passed without objection.

- c. AM No. 05-095: APPROVAL OF A CHANGE ORDER TO WILDER CONSTRUCTION IN THE AMOUNT OF \$70,000 FOR THE 2005 ROADS PAVING PROJECT TO INSTALL A GUARDRAIL AT BIRCH HARBOR DRIVE AND THE REPLACEMENT OF A CONCRETE SIDEWALK AND CULVERT AT SU VALLEY HIGH SCHOOL.

MOTION: Assemblymember Vehrs moved to approve AM No. 05-095.

VOTE: The motion passed without objection.

- d. AM No. 05-096: AWARD OF BID NO. 05-141 TO COLLINS CONSTRUCTION IN THE CONTRACT AMOUNT NOT TO EXCEED \$145,083.79 FOR SHERROD ELEMENTARY SCHOOL PLAYGROUND CONSTRUCTION.

MOTION: Assemblymember Vehrs moved to approve AM No. 05-096.

VOTE: The motion passed without objection.

*(Deputy Mayor Colver returned to the meeting at this time and resumed his duties as Chair.)*

## D. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Anderson requested the following confirmations:

Enhanced 911 Advisory Board

Gina Wheeler

Historical Preservation Commission

Removal of Jerry Ondola

Platting Board

Resignation of John Abshire

Resignation of John Stinson

Sutton FSA No. 4

Joseph Younack

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

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

**E. 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**

Mr. Duffy noted that the employee appreciation picnic will be Friday, June 24, 2005, from 11 a.m. to 2 p.m. by the Borough Gymnasium.

Assemblymember Simpson thanked the Assembly for their support of the shooting range legislation.

Assemblymember Kvalheim applauded the Information Technology staff members for a job well done.

Assemblymember Vehrs:

- spoke to the unpopular and sometimes controversial items the Assembly has to address;
- noted that she continues to receive complaints about animal control in general and about the building from her constituents; and
- stated that the Assembly has a lot of hard work to do.

Deputy Mayor Colver:

- complimented Mr. Roundtree for getting the contract out to get Snowgoose Drive completed;
- commended Mr. Russ Butts for his diligence and public advocacy;
- thanked the members of the staff for listening to his recommendations on the gravel sale; and
- discussed the proposed police powers legislation and voiced concerns regarding the cost of services.

**XIV. ADJOURNMENT**

The regular meeting adjourned at 10:27 p.m.

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TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

*/s/*

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MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: 07/19/05