

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on July 20, 2004, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. J. Bruce Bush, Assembly District No. 1
Mr. 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
Ms. Betty Vehrs, Assembly District No. 7

Assembly members absent and excused were:

Mr. Bill Allen, Assembly District No. 2

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Ms. Lonnie McKechnie, Borough Clerk's Secretary
Mr. John Duffy, Borough Manager
Ms. Teresa S. Williams, Borough Attorney
Mr. Don Shiesl, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Mr. Ron Swanson, Community Development Director
Ms. Susan Dickinson, Planning and Land Use Director

III. APPROVAL OF AGENDA

Mayor Anderson noted that IM No. 04-204 would be removed from the agenda at the request of the Administration.

MOTION: Assemblymember Colver moved to pull Resolution Serial Nos. 04-112, 04-113 and 04-114 from the consent agenda and to set for public hearing for the items of business on August 3, 2004.

VOTE: The motion passed without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. George Wuerch, Chair of the Knik Arm Bridge and Toll Authority.

V. MINUTES OF PRECEDING MEETINGS

A. Joint Assembly/School Board Meeting: 06/08/04

Mayor Anderson inquired if there were any corrections to the joint meeting minutes of June 8, 2004.

There were no corrections noted.

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

B. Special Assembly Meeting: 06/15/04

Mayor Anderson inquired if there were any corrections to the special meeting minutes of June 15, 2004.

Assemblymember Simpson:

- noted a change to page 2 of 3, last sentence, to strike “clerk” and to insert “mayor” to read: “Mayor Anderson noted that Assemblymember Kvalheim would be designated as Deputy Mayor for the regular meeting this evening in Assemblymember Colver’s absence. *[After Clerk’s research, this item was corrected to read accordingly.]*”

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

C. Regular Assembly Meeting: 06/15/04

Mayor Anderson inquired if there were any corrections to the regular meeting minutes of June 15, 2004.

Assemblymember Simpson:

- noted a change to page 26 of 27, her comments, first bulleted item, to strike “Wasilla” and to insert “Big Lake” to read: “reminded the Assembly that the open house for the Big Lake Library is on June 17, 2004, at 5:30 p.m.” *[After Clerk’s research, this item was corrected to read accordingly.]*

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

D. Joint Assembly/Planning Commission Meeting: 06/22/04

Mayor Anderson inquired if there were any corrections to the joint meeting minutes of June 22, 2004.

There were no corrections noted.

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

E. Special Assembly Meeting: 06/29/04

Mayor Anderson inquired if there were any corrections to the special meeting minutes of June 29, 2004.

There were no corrections noted.

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

VI. SPECIAL ORDERS OF THE DAY

A. Executive Proclamation by Governor Murkowski Honoring the 40th Anniversary of the Founding of the Matanuska-Susitna Borough – Representative Beverly Masek

Representative Beverly Masek:

- presented a proclamation to Mayor Anderson and the Assembly on behalf of the Honorable Governor Murkowski in recognition of the Borough's 40th Anniversary; and
- requested that colored copies of the proclamation be placed in all Borough libraries.

Mayor Anderson accepted the Governor's proclamation and thanked Representative Masek for her presentation.

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports presented.)

2. Matanuska-Susitna Borough School District

(There was no report presented.)

3. Knik Arm Bridge and Toll Authority – Mr. George Wuerch and Mr. Henry Springer

Mr. Wuerch and Mr. Springer:

- spoke regarding the nature and scope of the Knik Arm Bridge and Toll Authority;
- advised that the Authority's mission is to build, own, operate, and maintain a crossing at the Knik Arm;
- spoke regarding funds available or pending for the project; and
- remarked regarding the expansion of the Port MacKenzie dock.

Discussion ensued regarding Knik Arm Bridge Crossing.

Assemblymember Simpson encouraged Mr. Wuerch and Mr. Springer to contact the Cornell Group, who is currently updating the Port Master Plan, regarding their work on the Knik Arm Crossing.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Mayor Anderson noted that there has been no meeting held.

2. Regional Transportation Planning Organization (RTPO)

Mayor Anderson noted that there has been no recent meeting held and that he is in contact with the RTPO meeting coordinator regarding a regular meeting schedule.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- advised regarding the erosion issues at the Circle View Subdivision;
- stated that the groundbreaking ceremony at Port MacKenzie will be held on August 4, 2004;
- updated the members of the Assembly regarding the pipe piles shipment to the port;
- referenced a letter from Governor Murkowski to Representative Kott detailing the line item vetoes that have been issued;
- noted that the Governor has stated that he will not issue new debt for new facilities until a long-term fiscal solution is in place;
- reported regarding his recent lobbying trip to Washington D.C.;
- referred to the financial reports attached to his written report; and
- informed of 35 advertising spots from KTUU from July 26 through August 29 regarding the recruitment of new emergency response volunteers.

Assemblymember Simpson and Mayor Anderson reported regarding their recent lobbying efforts in Washington D.C.

D. ATTORNEY COMMENTS

(Ms. Williams had no comments to present.)

D. CLERK COMMENTS

Ms. McGehee:

- advised the Assembly regarding their meeting schedule for the months of July and August;
- noted that the special meeting agenda for July 27 was attached to her written report;
- reminded members of the Assembly that the public hearing would commence at 6 p.m.;
- reported that a joint meeting with the Assembly and the Municipality of Anchorage would be held on August 13, 2004, at 12 noon, at the Anchorage City Hall;
- updated the Assembly regarding the status of the new Assembly Chamber's voting equipment order;
- asked that the Assembly contact her with any additions or revisions to the tracking report;
- remarked that the Clerk's Office is fully staffed with the hiring of Jessica Morgan to the position of Administrative Assistant I; and
- updated the members of the Assembly regarding the status of the October election planning.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Animal Care and Regulation Board: 04/12/04
 - b. Bogard Road Service Area No. 20: 03/25/04
 - c. Citizens Advisory Committee for the Title 16 Rewrite: 04/16/04, 04/30/04, 05/14/04
 - d. Greater Talkeetna Road Service No. 29 Board of Supervisors: 06/10/04
 - e. Mayor's Blue Ribbon Task Force on Police Powers: 04/21/04, 05/05/04
 - f. Parks, Recreation, and Trails Advisory Board: 06/28/04
 - g. Parks, Recreation, and Trails Advisory Board Resolution 04-05: 05/24/04
 - h. Planning Commission: 06/07/04, 06/14/04, 06/21/04
 - i. Platting Board: 06/03/04
 - j. Port Commission: 04/19/04
 - k. Senior Citizens Advisory Board: 05/17/04
 - l. Transportation Advisory Board Resolution Nos. 04-04, 04-05, and 04-06: 05/26/04, 06/23/04
 - m. Wasilla-Lakes Fire Service Area No. 130 Board of Supervisors: 06/14/04
 - n. Willow Fire Service Area No. 35: 04/07/04, 05/05/04
2. Community Council Correspondence:
 - a. Butte Community Council: 03/10/04, 04/14/04, 05/12/04
 - b. Point MacKenzie Community Council: 04/24/04
 - c. Trapper Creek Community Council: 05/26/04

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 04-193: AN INFORMATIONAL MEMORANDUM REGARDING NOTIFICATION OF CERTIFICATION OF 2004 REGULAR REAL PROPERTY ASSESSMENT ROLL.
3. IM No. 04-209: AN INFORMATIONAL MEMORANDUM (REVISOR OF ORDINANCE) REGARDING A REVISION TO MSB 1.45.080, ADOPTED BY ORDINANCE SERIAL NO. 04-081 ON MAY 4, 2004.
4. IM No. 04-210: AN INFORMATIONAL MEMORANDUM MEMORIALIZING THE JUNE 29, 2004, MOTION TO AMEND ORDINANCE SERIAL NO. 04-099 AND RESOLUTION SERIAL NO. 04-080 (REAL ESTATE TRANSFER FEE), PREVIOUSLY ADOPTED AT THE MAY 26, 2004, SPECIAL ASSEMBLY MEETING, SPECIFICALLY IN REGARD TO THE EFFECTIVE DATE OF ORDINANCE SERIAL NO. 04-099, TO STRIKE JULY 1, 2004, AND TO INSERT NOVEMBER 2, 2004.

The informational memorandums were presented and no comments were noted.

IX. UNFINISHED BUSINESS

1. Ordinance Serial No. 04-115: AN ORDINANCE APPROVING AN APPROPRIATION OF \$754,972 FROM THE AREAWIDE FUND BALANCE, FUND 100, OF WHICH \$108,852 IS FOR THE CITY OF PALMER BLOCK GRANT, \$150,076 IS FOR THE CITY OF WASILLA BLOCK GRANT AND \$496,044 IS FOR TRANSFER TO FUND 480 FOR THE FINANCIAL SYSTEM UPGRADE AND THE NEW ASSESSMENT SYSTEM.
 - a.. Resolution Serial No. 04-090: A RESOLUTION APPROVING THE TRANSFER OF \$54,000 FROM THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD 34 IMPLEMENTATION PROJECT, FUND 480, TO THE FINANCIAL AND ASSESSMENT SYSTEM UPGRADE PROJECT, FUND 480, AND ADOPTING A CORRESPONDING SCOPE OF WORK FOR THE ENTIRE PROJECT. (*Sponsors: Assemblymembers Allen, and Colver*) (*Motion pending 06/15/04*)
- (1) IM No. 04-164

MOTION PENDING: Assemblymember Kvalheim moved to adopt Ordinance Serial Nos. 04-115 and 04-116 and Resolution Serial No. 04-090.

VOTE: The motion passed without objection.

2. Resolution Serial No. 04-099: A RESOLUTION ESTABLISHING A POLICY OF THE MATANUSKA-SUSITNA BOROUGH ON HOW TO ADDRESS POTENTIAL OR ASSERTED REVISED STATUTE 2477 RIGHTS-OF-WAY. (*Motion pending 06/15/04*)
 - a. IM No. 04-171

MOTION PENDING: Assemblymember Vehrs moved to adopt Resolution Serial No. 04-099.

Assemblymember Vehrs commented that the statute is very complex and that there is no easy answer.

Assemblymember Simpson:

- referred to the Cash Creek area;
- stated that constituents have asked for assistance in a number of ways; and
- urged adoption of the resolution.

VOTE: The motion passed without objection

3. Resolution Serial No. 04-103: A RESOLUTION APPROVING THE AMENDED SCOPE OF WORK AND BUDGET FOR A PORTION OF THE 2004 SERIES B GENERAL OBLIGATION SCHOOL BOND PROJECTS FOR DISTRICTWIDE REPAIR AND RENOVATION. *(Motion pending 06/15/04)*
 - a. IM No. 04-178

MOTION PENDING: Assemblymember Colver moved to adopt Resolution Serial No. 04-103.

Assemblymember Colver:

- spoke to the projects on the list and the time frame in which they can take place; and
- noted that he is not prepared to take action on the legislation without a thorough review of the project list;
- spoke regarding safety issues at Iditarod Elementary School; and
- recommended a change to the priority of the projects list.

Assemblymember Simpson stated her opposition to amending the priority list of the School District, as she felt that the Assembly did not have the ability to determine project need.

Discussion ensued regarding repair and renovations to area schools.

(Discussion continued to pp. 14 of 21)

(The regular meeting recessed at 6:55 p.m. and reconvened at 7:05 p.m.)

VOTE: The motion passed without objection.

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. 04-100: AN ORDINANCE CREATING HEARTHSTONE DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 396, 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. 04-150

Ms. Clayton provided a staff report and recommended denial of the legislation, as it did not meet code requirements for passage of a road local improvement district.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 04-100.

VOTE: The motion failed unanimously.

2. Ordinance Serial No. 04-101: AN ORDINANCE CREATING SHOREWOOD DRIVE AND MISTY LANE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 395, 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. 04-151

Ms. Clayton provided a staff report and recommended adoption of 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 Colberg moved to adopt Ordinance Serial No. 04-101.

MOTION: Assemblymember Colberg moved a primary amendment to Ordinance Serial No. 04-101, to the legal description, to strike “thirty-three (33)” and insert “Thirty-two (32) and to make the corresponding changes to IM No. 04-151.

VOTE: The primary amendment passed without objection.

VOTE: The motion as amended passed without objection.

3. Ordinance Serial No. 04-119: AN ORDINANCE CREATING KINGS RIDGE SUBDIVISION ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 397, 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. 04-169

Ms. Clayton provided a staff report and recommended adoption of the legislation.

Mayor Anderson opened the public hearing.

The following person spoke in favor of Ordinance Serial No. 04-119: Mr. Don Judd.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 04-119.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 04-120: AN ORDINANCE CREATING SUN RIDGE CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 400, 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. 04-170

Ms. Clayton provided a staff report and recommended adoption of 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 Vehrs moved to adopt Ordinance Serial No. 04-120.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 04-125: AN ORDINANCE ACCEPTING AND APPROPRIATING \$5,000 FROM KNIK INDUSTRIES TO FISCAL YEAR 2005 AREAWIDE FUND 100, CULTURAL RESOURCES OPERATING BUDGET FOR THE PURPOSE OF HIRING AN ARCHAEOLOGICAL SITE SUPERVISOR FOR THE KNIK TOWNSITE ARCHAEOLOGICAL EXCAVATION.
 - a. IM No. 04-168

Mr. Duffy provided a staff report.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 04-125.

Assemblymember Simpson:

- spoke regarding concern that has been noted by residents in relation to the disposition and handling of grave sites; and
- urged support of the legislation.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 04-126: AN ORDINANCE ACCEPTING AND APPROPRIATING \$116,000 FROM THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, TO FUND 415, PROJECT NO. 30082, GARDEN TERRACE WATER SYSTEM UPGRADES.
 - a. IM No. 04-172

Mr. Duffy provided a staff report.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colberg moved to adopt Ordinance Serial No. 04-126.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 04-127: AN ORDINANCE ACCEPTING AND APPROPRIATING \$100,000 FROM NATIVE ALASKA EQUITY GROUP, LLC, FUND 410, PROJECT NO. 35279, FOR PAVING STREETS IN KENNEDY LAKE TERRACE SUBDIVISION.
 - a. IM No. 04-174

Mr. Duffy provided a staff report.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 04-127.

VOTE: The motion passed without objection.

8. Ordinance Serial No. 04-128: AN ORDINANCE ACCEPTING AND APPROPRIATING \$324,000 FROM THE NATIONAL PARK SERVICE FOR THE SOUTH DENALI IMPLEMENTATION PLAN, TO FUND 480, PROJECT NO. 20346.
 - a. Resolution Serial No. 04-097: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SOUTH DENALI IMPLEMENTATION PLAN.
 - (1) IM No. 04-177

Mr. Duffy provided a staff report.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 04-128 and Resolution Serial No. 04-097.

Assemblymember Vehrs spoke in support of Ordinance Serial No. 04-128 and Resolution Serial No. 04-097.

VOTE: The motion passed without objection.

9. Ordinance Serial No. 04-129: AN ORDINANCE ACCEPTING AND APPROPRIATING \$184,618.53 FROM THE ALASKA STATE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO FUND 475, PROJECT NO. 20349, HUMAN SERVICES COMMUNITY MATCHING GRANT.
 - a. Resolution Serial No. 04-098: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PARTICIPATION IN THE HUMAN SERVICES COMMUNITY MATCHING GRANT PROGRAM AND ESTABLISHING THE HUMAN SERVICES CITIZENS ADVISORY COMMITTEE.
 - (1) IM No. 04-179

Mr. Duffy provided a staff report.

Assemblymember Simpson:

- spoke regarding the function of the Human Services Citizen's Advisory Committee;
- queried regarding the Assembly's position to service in an appeal function only; and
- queried the intent of the legislation regarding the committee's ability to allocate funds.

Mr. Duffy advised that the intent of the legislation is that the Assembly has the authority and jurisdiction over the allocation of all funds.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 04-129 and Resolution Serial No. 04-098.

Assemblymember Simpson queried regarding the kind of mechanism that would be in place to monitor activity and if the Assembly had the ability to review grant applications.

Mr. Duffy responded that this would be part of the grant agreement.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 04-130: AN ORDINANCE APPROPRIATING \$250,000 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. 04-181

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. 04-130.

VOTE: The motion passed without objection.

11. Ordinance Serial No. 04-131: AN ORDINANCE APPROVING REGULATIONS FOR THE REAL ESTATE TRANSFER FEE, MSB 3.37.
 - a. IM No. 04-188

Ms. Clayton advised that the ordinance will establish regulations regarding the collection of the real estate transfer fee.

Mr. Black advised that the Borough has no “authorized agents” available at this time to collect the fee.

Assemblymember Simpson queried if the fiscal note was still valid due to the changes in staff time that will be required to collect the fee.

Ms. Clayton noted that some changes would take place due to staff resources needed until the collection process was automated.

Discussion ensued regarding:

- the buyer being responsible for the payment of the fee in a real estate transaction; and
- the establishment of a flat fee as opposed to a graduated fee schedule.

Mayor Anderson opened the public hearing.

The following persons spoke in opposition to Ordinance Serial No. 04-131: Mr. Darcie Salmon; Ms. Lucille Frey; Mr. Pio Cottini, Ms. Donna Webster; Ms. Jay Nolfi; and Mr. Kevin Sorenson.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 04-131.

Discussion continued regarding the implementation of a flat fee.

MOTION: Assemblymember Bush moved to postpone Ordinance Serial No. 04-131 indefinitely.

VOTE: The motion to postpone indefinitely failed with Assemblymembers Bush, Colberg, Simpson in favor.

MOTION: Assemblymember Vehrs moved to postpone Ordinance Serial No. 04-131 to a time certain of August 3, 2004.

Members of the Assembly discussed bringing a resolution forward during the August 3, 2004, regular Assembly meeting to establish a flat fee and amendments that would be needed to Ordinance Serial No. 04-131 if a flat fee is implemented.

(The regular meeting recessed at 8:08 p.m. and reconvened at 8:24 p.m.)

VOTE: The motion to postpone Ordinance Serial No. 04-131 to a time certain of August 3, 2004, passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding Revised Statute 2477 and asked the Borough to continue access to trails off of Borough-owned land: Ms. Celeste Moore.

The following person spoke in opposition to fees and taxes implemented by the Borough: Mr. Penny Nixon.

The following person spoke in opposition to the real estate transfer fee legislation and sponsorship: Ms. Jean Woods.

The following person noted that the School District is entertaining outsourcing janitorial services: Mr. Ron Rucker.

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

IX. UNFINISHED BUSINESS (*Continued from pp. 7 of 21*)

3. Resolution Serial No. 04-103: A RESOLUTION APPROVING THE AMENDED SCOPE OF WORK AND BUDGET FOR A PORTION OF THE 2004 SERIES B GENERAL OBLIGATION SCHOOL BOND PROJECTS FOR DISTRICTWIDE REPAIR AND RENOVATION. (*Motion pending 06/15/04*)
 - a. IM No. 04-178

MOTION: Assemblymember Colver moved to postpone to a time certain of August 3, 2004.

Assemblymember Colver requested that Ms. Clayton look into funding for the fencing around Iditarod Elementary School.

VOTE: The motion to postpone to a time certain of August 3, 2004, passed without objection.

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 08/03/04, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 04-139: AN ORDINANCE ADOPTING MSB 15.24.030(26), WOLVERINE LAKE, LAKE MANAGEMENT PLAN.
 - a. Ordinance Serial No. 04-140: AN ORDINANCE AMENDING MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.
 - (1) IM No. 04-191
2. Ordinance Serial No. 04-141: AN ORDINANCE ACCEPTING A \$40,250 ALASKA COASTAL MANAGEMENT (306 PROGRAM REQUIRED TASKS) GRANT AND APPROPRIATING \$40,250 TO FUND 480, FOR THIS PROGRAM DURING FISCAL YEAR 2005.
 - a. Resolution Serial No. 04-107: A RESOLUTION ESTABLISHING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA COASTAL MANAGEMENT (306 PROGRAM REQUIRED TASKS) GRANT FOR FISCAL YEAR 2005.
 - (1) IM No. 04-195
3. Ordinance Serial No. 04-142: AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN BOROUGHWIDE REAL PROPERTY ACQUIRED THROUGH TAX FORECLOSURE FOR DELINQUENT REAL PROPERTY TAXES YEARS 1998 AND PRIOR AND FOR DELINQUENT SPECIAL ASSESSMENTS YEARS 1998 AND 1999 AND PRIOR, AND NOT NEEDED FOR PUBLIC PURPOSE.
 - a. IM No. 04-196
4. Ordinance Serial No. 04-143: AN ORDINANCE AMENDING MSB 4.48.030(B), REDUCING THE QUORUM REQUIREMENT FOR THE LOCAL ROAD SERVICE AREA ADVISORY BOARD.

- a. IM No. 04-200
- 5. Ordinance Serial No. 04-144: AN ORDINANCE ACCEPTING AND APPROPRIATING \$340,000 FROM THE WORKFORCE INVESTMENT ACT, ALASKA STATE DEPARTMENT OF LABOR AND BUSINESS PARTNERSHIPS, TO FUND 480, PROJECT NO. 20352, FOR IMPLEMENTATION AND COORDINATION OF THE YOUTH GRANT PROGRAMS.
 - a. Resolution Serial No. 04-108: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR IMPLEMENTATION OF THE WORKFORCE INVESTMENT ACT GRANT FOR FISCAL YEAR 2005.
 - (1) IM No. 04-201
- 6. Ordinance Serial No. 04-145: AN ORDINANCE ADOPTING MSB 15.24.030(27), WHISKEY LAKE, LAKE MANAGEMENT PLAN.
 - a. Ordinance Serial No. 04-146: AN ORDINANCE AMENDING MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.
 - (1) IM No. 04-203
- 7. Ordinance Serial No. 04-147: AN ORDINANCE AUTHORIZING AN APPROPRIATION OF \$400,000 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO THE BRETT MEMORIAL ICE ARENA PROJECT, FUND 440, FOR A NEW REFRIGERATION SYSTEM FOR THE BRETT MEMORIAL ICE ARENA; ESTABLISHING A BRETT MEMORIAL ICE ARENA FACILITY IMPROVEMENT FEE FOR DEFERRED MAINTENANCE AND OTHER CAPITAL PROJECTS AT THE BRETT MEMORIAL ICE ARENA; AND AMENDING MSB 3.04.095 TO ADOPT SUBSECTION (G) TO ESTABLISH A BRETT MEMORIAL ICE ARENA FACILITY IMPROVEMENT RESERVE.
 - a. Resolution Serial No. 04-109: A RESOLUTION ESTABLISHING FEES FOR PARK AND RECREATIONAL FACILITIES.
 - 1. IM No. 04-205
 - 2. IM No. 04-216
 - 3. AM No. 04-134: AWARD OF CONTRACT NO. 05-020 TO MANTECH MECHANICAL IN THE AMOUNT NOT TO EXCEED \$400,000 FOR THE REPAIR OF THE BRETT MEMORIAL ICE ARENA FLOORING ICE SYSTEM.
- 8. Ordinance Serial No. 04-148: AN ORDINANCE ACCEPTING AND APPROPRIATING \$8,400 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE, PARTNERS IN EDUCATION PROGRAM TO FUND 480, PROJECT NO. 20350, FOR THE PRODUCTION OF PROFESSIONAL PANELS ON SHORELINE BEST MANAGEMENT PRACTICES.
 - a. Resolution Serial No. 04-110: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE "LAKES, LAWNS, AND WATER QUALITY" DISPLAY, AS FUNDED BY THE UNITED STATES FISH AND WILDLIFE SERVICE.
 - (1) IM No. 04-206

9. Ordinance Serial No. 04-149: AN ORDINANCE ACCEPTING AND APPROPRIATING \$500,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO FUND 475, PROJECT NO. 20351, THE ALASKA COMMUNITY DEVELOPMENT CORPORATION HOME OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM.
 - a. Resolution Serial No. 04-111: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET, AND AUTHORIZING THE MANAGER TO EXECUTE A TRANSFER OF RESPONSIBILITIES AGREEMENT BY AND BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND THE ALASKA COMMUNITY DEVELOPMENT CORPORATION FOR PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.
 - (1) IM No. 04-212
- 10 Ordinance Serial No. 04-150: AN ORDINANCE AMENDING MSB 19.08.020, LOCATION OF SCHOOL BUILDINGS.
 - a. IM No. 04-213

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 the August 3, 2004.

VOTE: The motion passed without objection.

B. CONSENT AGENDA (Resolution Serial Nos. 04-112, 04-113, and 04-114 were pulled at agenda setting and scheduled for public hearing on August 3, 2004 (*See pp. 1 of 21*). AM Nos. 04-129 and 04-143 were pulled from the consent agenda and addressed separately (*See pp. 18-19 of 21*.)

1. RESOLUTIONS

1. Resolution Serial No 04-115: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE CENTRAL LANDFILL TRANSFER SITE GATES AND IMPROVEMENTS PROJECT NO. 25035, TO ALLOW COMPLETION OF THE BIG LAKE TRANSFER SITE IMPROVEMENTS.
 - (1) IM No. 04-217

2. ACTION MEMORANDUMS

- a. AM No. 04-123: RETROACTIVE APPROVAL OF SENIOR CITIZEN PROPERTY TAX EXEMPTION FOR HAROLD L. MICHAEL ON TAX ACCOUNT NUMBER 6540B01L003 FOR TAX YEARS 2002 AND 2003.
- b. AM No. 04-124: CONTINUATION OF THE SITE SELECTION COMMITTEE FOR A NEW SUTTON LIBRARY AND COMMUNITY CENTER.

- c. AM No. 04-125: VACATION OF SOUTH READING ROAD IN ITS ENTIRETY, WHICH MEASURES APPROXIMATELY 320 FEET BY 25 FEET, LOCATED IN SECTION 35, TOWNSHIP 17 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA, IN THE KNIK-FAIRVIEW COMMUNITY COUNCIL AREA.
- e. AM No. 04-130: AWARD OF BID NO. 04-169 TO DIRTBROTHERS CONSTRUCTION IN THE CONTRACT AMOUNT NOT TO EXCEED \$93,055 FOR THE SITZE ROAD/SWIFTWATER CREEK BRIDGE PROJECT.
- f. AM No. 04-131: AUTHORIZATION TO ENTER INTO A FIVE-YEAR LEASE WITH THE SUITER GROUP FOR AN AMOUNT NOT TO EXCEED \$49,800 PER YEAR FOR THE PALMER AMBULANCE FACILITY.
- g. AM No. 04-132: AWARD OF BID NO. 04-172 TO NORTHWIND CONTRACTORS FOR AN AMOUNT NOT TO EXCEED \$110,339 FOR THE CONSTRUCTION OF WELL HOUSES AT THE ALCANTRA RECREATIONAL FACILITY AND LAKE LUCILLE PARK.
- h. AM No. 04-133: AWARD OF BID NO. 04-185 TO PRISM DESIGN AND CONSTRUCTION, LLC., IN THE AMOUNT OF \$75,200 FOR THE TRAILHEAD RESTROOM INSTALLATION.
- i. AM No. 04-135: AWARD OF BID NO. 04-183 TO SKOOKUM CONSTRUCTION IN THE AMOUNT NOT TO EXCEED \$30,000 PER YEAR FOR ON-CALL TREE CLEARING SERVICES.
- j. AM No. 04-136: AWARD OF BID NO. 04-180 TO ALASKA RIM ENGINEERING, EDWARD J. PALMER AND ASSOCIATES, AND LOUNSBURY AND ASSOCIATES IN AMOUNTS NOT TO EXCEED \$100,000 PER YEAR FOR ON-CALL SURVEYING.
- k. AM No. 04-137: AWARD OF BID NO. 04-176 TO D & S ROAD SERVICE FOR THE YEARLY CONTRACT AMOUNT NOT TO EXCEED \$172,700 FOR THE ANNUAL ROAD MAINTENANCE OF CASWELL LAKES ROAD SERVICE AREA NO. 15.
- l. AM No. 04-138: AWARD OF BID NO. 04-174 TO COMMERCIAL CONTRACTORS, INC., IN THE CONTRACT AMOUNT NOT TO EXCEED \$288,124 FOR THE MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT 2004 FLOORING REPLACEMENT.
- m. AM No. 04-139: AUTHORIZING THE CHANGE ORDERS FOR THE APPLICATION OF CALCIUM CHLORIDE TO KOPPERUD TRANSPORTATION IN THE AMOUNT OF \$20,940 FOR SOUTH COLONY ROAD SERVICE AREA NO. 16; TO J.A. SPAIN AND SONS IN THE AMOUNT OF \$19,200 FOR BOGARD ROAD SERVICE AREA NO. 25; AND TO TEWS EXCAVATION FOR THE AMOUNT OF \$15,300 FOR MEADOW LAKES ROAD SERVICE AREA NO. 27.

- n. AM No. 04-140: AWARD OF BID NO. 04-165 TO L.N. CURTIS & SONS FOR THE CONTRACT AMOUNT NOT TO EXCEED \$16,442 FOR THE PURCHASE OF A BULLARD THERMAL IMAGING CAMERA FOR THE WILLOW FIRE SERVICE AREA.
- o. AM No. 04-141: APPROVING A COOPERATIVE AGREEMENT BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND THE STATE OF ALASKA, ALASKA ENERGY AUTHORITY (AEA), FOR THE HIGH RESOLUTION WIND MAPPING PHASE 2, COOPERATIVE NO. 34006.
- p. AM No. 04-142: AWARD OF PROPOSAL NO. 05-004 TO PND INCORPORATED IN THE AMOUNT NOT TO EXCEED \$160,000 FOR THE INSPECTION SERVICES FOR THE DEEP DRAFT DOCK EXTENSION AT PORT MACKENZIE.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

- d. AM No. 04-129: AUTHORIZING THE PURCHASE OF UP TO THREE ZOLL BRAND DEFIBRILLATORS IN AN AMOUNT NOT TO EXCEED \$75,000 FOR FISCAL YEAR 2005.

MOTION: Assemblymember Colver moved to approve AM No. 04-129.

MOTION Assemblymember Colver moved a primary amendment to specify that each of the defibrillators be placed in the Palmer area, the Wasilla area, and the northern district.

Mr. Brodigan advised that the defibrillators are already earmarked to be utilized in these areas.

VOTE: The primary amendment failed with Assemblymembers Colver and Vehrs in support.

VOTE: The main motion passed without objection.

- q. AM No. 04-143: AWARD OF CONTRACT NO. 05-024 TO NINE-ONE-ONE, INC., IN THE AMOUNT OF \$209,456 FOR THE UPGRADE OF THE MATANUSKA-SUSITNA BOROUGH E-911 COMMUNICATIONS CENTER.

MOTION: Assemblymember Simpson moved to approve AM No. 04-143.

Assemblymember Simpson inquired if this system would bring the Borough into Phase II compliance.

Mr. Brodigan:

- advised that the current vendor no longer supports the Borough's system;
- commented that the Borough needs to move quickly to replace the basic part of the E-911 system to prevent a failure of the system; and
- addressed another piece of the system that would be needed in the future to bring the Borough into Phase II compliance.

Assemblymember Simpson inquired if the Borough would need this equipment to merge with the city of Wasilla in the future.

Mr. Brodigan affirmed that the Borough would need the equipment to merge in the future with the city.

Assemblymember Bush commented that he would like to have a staff member from the Information Technology Department on hand in the future when considering the purchase of software in order to explain the software.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

- Emergency Medical Services Board
 - Lorie Miner
- Senior Citizens Advisory Board
 - Helen Munoz
- Title 16 Rewrite Committee
 - Roy Goodman
 - Joy Cypra
- Greater Talkeetna Road Service Area No. 29
 - George Wagner
- Trapper Creek Road Service Area No. 30
 - Sylvan (Hal) Morgan
 - Gary Baker
- Talkeetna Flood Control Service Area No. 7
 - Robert Holt

Mayor Anderson requested the following confirmations:

- Emergency Medical Services Board
 - Roger Swingle
- Enhanced 911 Advisory Board
 - Jerry Nelsen
- Railroad Planning, Platting, and Land Use Regulation Task Force
 - Tim Anderson

Mayor Anderson requested the following removals:
Greater Talkeetna Road Service Area No. 29
Mark Smith
Trapper Creek Road Service Area No. 30
Vilma Anderson

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

VOTE: The motion passed without objection.

D. OTHER NEW BUSINESS

XI. RECONSIDERATION

(There were no reconsiderations presented.)

XII. VETO

(There was no veto presented.)

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Bush:

- commented that he has been visiting the northern area of his district;
- spoke to the need to protect residents' land in regard to river erosion;
- requested that the Manager come back with a long-term plan to address the erosion issues; and
- spoke to funds that are available to aide in the erosion effort.

Assemblymember Simpson:

- spoke regarding Revised Statute 2477;
- thanked Mr. Swanson for his work on the issue;
- noted support at the federal level regarding the erosion issue; and
- encouraged members of the Assembly to think through the real estate transfer fee legislation.

Assemblymember Vehrs:

- stated that she has been spending a lot of time in the northern district;
- noted that she is working hard to fill the service area boards in her area;
- commented that the board members have a revitalization and energy in regard to their tasks; and
- remarked regarding the latest shot clinic held in the Y Community area.

Assemblymember Kvalheim:

- thanked everyone for their efforts regarding the 40th Anniversary events; and
- spoke regarding her trip to Denali with Assemblymember Bush.

Mayor Anderson:

- commented that he, the Manager, and Assemblymember Simpson did speak with key officials while in Washington D.C. regarding the erosion issue;
- stated that a plan is in the works to address the issue;
- referenced a letter from Governor Murkowski regarding the prison bill and bonding;
- noted that the Governor is not willing to approve any more bonds until there is a solution to the fiscal plan;
- stated that he would be unable to attend the August AML Conference of Mayors in Kenai; and
- thanked those who attended the Frontiersman groundbreaking ceremony in his absence.

XV. ADJOURNMENT

The regular meeting adjourned at 9:22 p.m.

/s/

JIM COLVER, Deputy Borough Mayor

ATTEST:

/s/

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: August 3, 2004