

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on August 3, 2004, 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:

- Mr. J. Bruce Bush, 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
- Ms. Lonnie McKechnie, Borough Clerk's Secretary
- Mr. John Duffy, Borough Manager
- Ms. Tammy Clayton, Finance Director
- 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
- Ms. Eileen Probasco, Planner II

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 Eleanor Oakley, President of Alaska Attachment and Bonding Associates.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 07/20/04

Deputy Mayor Colver inquired if there were any corrections to the regular meeting minutes of July 20, 2004.

There were no corrections noted.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports presented.)

2. Matanuska-Susitna Borough School District

Ms. Kim Floyd:

- spoke to Lisa Murkowski visiting schools district to announce the receipt of a \$1,000,000 grant from the United States Department Education to provide school readiness skills to Alaska Natives and American Indian children;
- advised that the school district anticipates having more kindergartners this year, as the state has changed the kindergarten registration cut-off date to September 1;
- commented on the school district consolidating services; and
- spoke to the DZUUGGI Preschool Program and Nanuaq grant.

3. Alaska Attachment and Bonding Associates – Eleanor Oakley Re: Vista Community Development Project

Ms. Oakley:

- advised that she is the president of Alaska Attachment and Bonding Associates;
- noted that the organization works with young children and families;
- remarked that they receive 900 contacts from parents throughout the state;
- spoke to getting a Vista Community Development Project volunteer;
- addressed the difficulties working with the children;
- spoke to the needs of foster parents; and
- addressed the need for respite care for the parents.

Assemblymember Kvalheim requested that administration bring a resolution forward for the next meeting in support of Alaska Attachment and Bonding Associates and the Vista Community Development Project's volunteer efforts.

A. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Deputy Mayor Colver advised that there have been no recent meetings.

2. Regional Transportation Planning Organization (RTPO)

Deputy Mayor Colver advised that there have been no recent meetings.

B. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- spoke regarding the School District's lapsing funds;
- addressed the groundbreaking ceremony taking place at Port MacKenzie on August 4, 2004;
- advised that all the pipe piles for the port are being galvanized and should be ready by August 21, 2004;
- advised that he presented to British Petroleum and Conoco Phillips regarding the capabilities and advantages of Port MacKenzie;
- spoke to the regional survey on the Cook Inlet Ferry System;
- advised that the Commissioner of Corrections agreed to participate in the agricultural food processing feasibility analysis;
- addressed the prison facility in the Borough;
- advised that Senator Ted Stevens was able to correct the Section 115 earmarks relating to transportation;
- advised of a \$20,000 grant from the Alaska Cadastral Committee for clean-up work on the parcel maps and the GIS website;
- advised that they have asked Governor Murkowski to reconsider his decision to deny the Borough's request to issue an Administrative Order declaring imminent emergency due to the erosion at Circle View Subdivision; and
- advised that the Borough has been working with the Corps of Engineers to find a short-term solution to the erosion issues.

Assemblymember Allen inquired if Governor Murkowski gave a reason for denying the administrative order.

Mr. Duffy:

- advised that the State does not address erosion issues; and
- stated that he met with the residents of the area to give them a status update on the issue.

Assemblymember Colberg queried the estimation of the number of travelers between Anchorage and the Borough in the survey for the Cook Inlet Ferry System.

Mr. Duffy advised that the figures in that estimation are incorrect.

Deputy Mayor Colver inquired what can be done to correct the figures.

Mr. Duffy responded that the numbers need to be removed from the survey.

D. ATTORNEY COMMENTS

Ms. Williams:

- advised that all the allegations Mr. Hood had against the Borough and Assemblymember Vehrs were dismissed; and
- noted that Mr. Hood has 30 days to appeal the matter to Superior Court.

E. CLERK COMMENTS

Ms. McGehee:

- advised the Assembly regarding their meeting schedule for August 10 and 13;
- updated the Assembly regarding the status of the new Assembly Chamber's voting equipment; and
- asked that the Assembly contact her with any additions or revisions to the tracking report.

F., CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Platting Board: 06/17/04, 07/01/04

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VIII. UNFINISHED BUSINESS

- A. Ordinance Serial No. 04-123: AN ORDINANCE ESTABLISHING A TAX ON A NATURAL RESOURCE WHENEVER THE NATURAL RESOURCE IS SEVERED FROM PROPERTY WITHIN THE MATANUSKA-SUSITNA BOROUGH AND PROVIDING FOR PENALTIES FOR FAILURE TO PAY TAXES DUE BY ADOPTING MSB 3.55, NATURAL RESOURCE DEPLETION TAX.
 1. Ordinance Serial No. 04-124: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO LEVY A SEVERANCE TAX NOT EXCEEDING THE LESSER OF \$0.25 PER TON OR \$0.375 PER YARD OF SAND, GRAVEL, PEAT, GRAIN OR ROCK, \$0.25 PER TON OF COAL AND \$2.50 PER ACRE OF TIMBER, AND TO SUBMIT THE QUESTION OF LEVYING OF THE SEVERANCE TAX TO THE QUALIFIED VOTERS OF THE BOROUGH AT OCTOBER 5, 2004, BOROUGH ELECTION. *(Sponsor: Mayor Anderson) (Motion pending 06/29/04)*

- a. Ordinance Serial No. 04-123(SUB-1): AN ORDINANCE ESTABLISHING A TAX ON A NATURAL RESOURCE WHENEVER THE NATURAL RESOURCE IS SEVERED FROM PROPERTY WITHIN THE MATANUSKA-SUSITNA BOROUGH AND PROVIDING PENALTIES FOR FAILURE TO PAY TAXES DUE BY ADOPTING MSB 3.55, NATURAL RESOURCE SEVERANCE TAX.
 - b. Ordinance Serial No. 04-124(SUB-1): AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO LEVY A SEVERANCE TAX EXCEEDING THE LESSER OF \$0.25 PER SHORT TON OR \$0.375 PER YARD OF MATERIAL, \$0.25 PER TON OF COAL AND \$2.50 PER ACRE OF TIMBER, AND SUBMITTING THE QUESTION OF THE LEVYING OF THE SEVERANCE TAX TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 5, 2004, BOROUGH ELECTION.
- (1) IM No. 04-187

MOTION: Assemblymember Kvalheim moved a primary amendment to Ordinance Serial No. 04-123 and Ordinance Serial No. 04-124 to substitute Ordinance Serial No. 04-123(SUB-1) and Ordinance Serial No. 04-124(SUB-1).

MOTION: Assemblymember Simpson moved a secondary amendment to Ordinance Serial No. 04-124(SUB-1) in the fourth whereas to strike the word “and” and insert the word “including” to read as follows: “Whereas, an areawide severance tax will establish an additional revenue source to provide for local government services and activities including education, thus mitigating the tax impact on property owners in the Matanuska-Susitna Borough.”

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Simpson moved a secondary amendment to Ordinance Serial No. 04-123(SUB-1), MSB 3.55.010(E), to delete the word “removing” after the word “severing” to read as follows: “The tax for timber removal shall only apply to entities severing timber from a single locality greater than 40 acres or to entities removing timber from two or more localities with a combined acreage greater than 60 acres per calendar year.”

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Simpson moved a secondary amendment to Ordinance Serial No. 04-124(SUB-1) under the ballot proposition language to include the word “short” before the word ton to read as follows: “Levy a severance tax on the severer not exceeding the lesser of \$.25 per ton or \$.375 per cubic yard of material, \$.25 per ton of coal and \$2.50 per acre of timber severed from certain property within the Matanuska-Susitna Borough, as more described in Ordinance Serial No. 04-____?”

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Kvalheim moved a secondary amendment to Ordinance Serial No. 04-123(SUB-1), MSB 3.55.030(A)(3), to strike the word “value” and to insert

the word “acreage” to read as follows: “(3) the gross weight or cubic yards of minerals extracted from the property or the total “acreage” of timber harvested.”

Assemblymember Simpson asked for clarification on the difference between value and acreage of timber harvested.

Mr. Duffy advised that the Borough sells timber by acreage.

Mr. Swanson addressed the methods of salvaging timber.

Discussion ensued regarding salvaging timber.

VOTE: The secondary amendment passed without objection.

Ms. Williams advised that in the proposition language in Ordinance No. 04-124(SUB-1) that the word “fully” should be inserted between the words “as” and “more.”

MOTION: Assemblymember Kvalheim moved a secondary amendment to Ordinance Serial No. 04- 124 (SUB-1) to insert the word “fully” after the word “more” in the proposition language to read as follows: “Levy a severance tax on the severer not exceeding the lesser of \$.25 per ton or \$.375 per cubic yard of material, \$.25 per ton of coal and \$2.50 per acre of timber severed from certain property within the Matanuska-Susitna Borough, as more fully described in Ordinance Serial No. 04-____?”

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Bush moved a secondary amendment to Ordinance No. 040-123(SUB-1) to change the cost of material to \$.10 per ton and \$.15 yard.

Assemblymember Bush opined that the motion addressed a more appropriate fee.

(Discussion continued to pp. 25 of 26)

(The regular meeting recessed at 6:55 p.m. and reconvened at 7:10 p.m.)

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

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

1. Jesse Watts Re: Land Titles

Mr. Watts:

- discussed issues he has been having in reference to subdividing an agricultural parcel; and
- requested a letter of non-objection so he can dispose of the property to someone else.

Ms. Williams advised that she would look into the matter for Mr. Watts.

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 04-139: AN ORDINANCE ADOPTING MSB 15.24.030(C)(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

Ms. Probasco:

- spoke to the ballot petition process for the Wolverine Lake Lake Management Plan;
- addressed the concerns of the land owners in the area; and
- advised of the RS 2477 trail that is also of concern to some of the property owners.

Assemblymember Simpson queried regarding the depth of the lake.

Ms. Probasco advised the depth to be 2.2 feet.

Assemblymember Vehrs asked if Mr. Swanson could give a staff report in reference to the lake access.

Mr. Duffy asked Mr. Swanson to address the significant of RS 2477.

Mr. Swanson:

- spoke to the Assembly adoption of a resolution regarding RS 2477;
- advised of the property the RS 2477 trail goes through to access the lake;
- informed that the state had made an offer to the property owner to relocate the trail and which the property owners did not accept the offer;
- spoke to an alternate existing access to the lake, and
- advised that the alternate access to the lake does not resolve the RS 2477 matter.

Deputy Mayor Colver opened the public hearing.

The following persons spoke in support of Ordinance Serial Nos. 04-139 and 04-140: Ms. Celeste Moore; Ms. Heather Campfield; Ms. Donna Dodson; and Mr. Jack Barnes.

The following person spoke in opposition of Ordinance Serial Nos. 04-139 and 04-140: Mr. Neil Woodhouse; Ms. Bonnie Hagger; and Ms. Joanne Smith.

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 04-139 and Ordinance Serial No. 04-140.

MOTION: Assemblymember Bush moved to postpone Ordinance Serial No. 04-139 and Ordinance Serial No. 04-140 to the August 17, 2004, meeting.

Assemblymember Bush would like to take more time on finding a good access to the lake.

Mr. Duffy.

- advised that lake management plans routinely address lake access; and
- noted that this is an important part to managing a lake.

Assemblymember Vehrs:

- spoke to the access to the lake on parcel B10, owned by the Borough;
- noted that the Assembly could help with the RS 2477 issue; however, it won't be resolved for some time; and
- commented that she would not be voting for postponement.

Assemblymember Simpson queried if the Division of Parks and Recreation has \$10,000 put aside for developing access to the lake.

Mr. Duffy advised that there is \$10,000 put aside for developing access to the lake.

Assemblymember Vehrs queried if an amendment can be made to include the lake access on Borough-owned parcel B10.

Assemblymember Bush advised that he would withdraw his motion to postpone if the Assembly addressed, at a later date, the public access issue to the lake.

Discussion ensued regarding access to the lake and the RS 2477 trail.

WITHDRAW: Assemblymember Bush requested to withdraw his motion to postpone. There was no objection.

(The Assembly recessed at 7:55 p.m. and reconvened at 8:00 p.m.)

MOTION: Assemblymember Bush moved a primary amendment to IM No. 04-191 to insert in the Wolverine Lake Management Plan, at the end of Section 2.5, "It is recommended that public access to the lake be provided on the Borough-owned parcel identified as B10."

VOTE: The primary amendment passed without objection

VOTE: The motion as amended passed without objection.

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

Mr. Duffy advised that the funds are provided so the Borough can conduct the work required under the Alaska Coastal Management program.

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. 04-141 and Resolution Serial No. 04-107.

VOTE: The motion passed without objection.

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

Mr. Duffy 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. 04-142.

VOTE: The motion passed without objection.

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. Resolution Serial No. 04-116: A RESOLUTION PROVIDING FOR THE CONTINUANCE OF THE LOCAL ROAD SERVICE AREA ADVISORY BOARD.
 - (1) IM No. 04-200
 - (2) IM No. 04-208

Mr. Duffy:

- spoke to the quorum requirements; and
- noted that the Local Road Service Area Advisory Board assists administration in prioritization and identification of road and maintenance projects.

Deputy Mayor Colver opened the public hearing.

The following person spoke in opposition of Ordinance Serial No. 04-143 and Resolution Serial No. 04-116: Ms. Jay Nolfi.

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 04-143 and Resolution Serial No. 04-116.

MOTION: Assemblymember Kvalheim moved to divide the question.

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

Assemblymember Simpson:

- advised that she is fundamentally opposed to letting a minority of members on a board vote; and
- commented that she will be voting against changing the quorum requirement.

Assemblymember Vehrs advised that she is opposed to changing the quorum requirement.

VOTE: The motion to adopt Ordinance Serial No. 04-143 failed unanimously.

Assemblymember Vehrs:

- spoke to the road service areas in Assembly District No. 7;
- noted that the new road service area supervisors need guidance from the Local Road Service Area Advisory Board; and
- opined that with better communication between Public Works Department and the road service area supervisors, the board could function in the way it was intended.

VOTE: The motion to adopt Resolution Serial No. 04-116 passed with Assemblymember Bush in opposition.

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

Mr. Duffy advised that the funds will be transferred to the School District to assist with additional education programs and job skills.

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. 04-144 and Resolution Serial No. 04-108.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 04-145: AN ORDINANCE ADOPTING MSB 15.24.030(C)(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

Ms. Probasco:

- spoke to the process to initiate the lake management plan;
- noted the concerns of the property owners;
- mentioned the recommendations in the lake management plan; and
- addressed the conflicting information on the traditional access to the lake.

Assemblymember Bush inquired if there were any commercial operations on the lake.

Ms. Probasco advised that there are commercial operations on the west side of the lake.

Discussion ensued regarding the commercial operations.

Deputy Mayor Colver opened the public hearing.

The following persons spoke in support of Ordinance Serial No.04-145 and Ordinance Serial No. 04-146: Ms. Joanna Menaker; Mr. Joel Akers; Ms. Janell Lowery; Mr. Merle Akers; and Ms. Donna Gentry Massey.

The following persons spoke in opposition of Ordinance Serial No. 04-145 and Ordinance Serial No. 04-146: Mr. Cliff Judkins; Mr. Lee Smith; Mr. Todd Clark; Mr. Leonard Hare; and Mr. Randy Bjorgan.

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 04-145 and Ordinance Serial No. 04-146.

Assemblymember Vehrs:

- expressed that the critical issue is the creek;
- commented that airboats could access and cause damage; and
- spoke to access issues.

Assemblymember Simpson:

- queried if the Borough owns the land at the end of the inlet to the creek;
- asked for clarification on the classification of that land; and
- queried the legalities of accessing this area.

Assemblymember Vehrs:

- clarified that she does not believe that it is illegal to access the area;
- stated that the damage done to the creek to provide access was illegal; and
- commented that Fish and Game and the Department of Natural Resources have rules and regulations regarding cutting down trees and dropping them into the rivers.

Mr. Swanson informed that the borough-owned land is not classified.

Discussion continued regarding the Whiskey Lake Lake Management Plan.

VOTE: The motion passed with Assemblymember Bush in objection

(The Assembly recessed at 9:15 p.m. and reconvened at 9:30 a.m.)

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.

Mr. Swanson:

- reported regarding the cooling system at the ice arena;
- spoke to the need to repair the ice arena;
- explained that the breakdown was not preventable and is due to age;
- spoke regarding the facility use fee; and
- advised that it would take 10 to 15 years to pay back the loan to the land management fund.

Assemblymember Vehrs inquired how the fees would impact groups that use the facility.

Mr. Swanson:

- advised that they would pay the same rates; and
- noted that the Borough's rates are the lowest in the state.

Assemblymember Allen:

- queried the reason for having two sinking funds; and
- queried why the Borough doesn't take the receipts that are collected, as surcharge, and put them directly back into the land management fund to amortize the debt.

Ms. Clayton:

- advised that there are no provisions within the code that allows the land management fund to loan money;
- addressed the three funds that can loan money; and
- explained how the fund to repair the Brett Memorial Ice Arena would work.

Discussion ensued regarding the funds to repair the Brett Memorial Ice Arena.

Deputy Mayor Colver opened the public hearing.

The following person spoke in opposition of Ordinance Serial No. 04-147, Resolution Serial No. 04-109, and AM 04-134: Ms. Jay Nolfi.

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 04-147, Resolution Serial No. 04-109, and AM No. 04-134.

MOTION: Assemblymember Kvalheim moved a primary amendment to Ordinance Serial No. 04-147, section 4, to insert the phrase "Additionally, on July 1 of each fiscal year, \$100,000 shall be transferred from the reserve for major repairs and renovation to the land management fund" to the beginning of the last sentence to read as follows: "Additionally, on July 1st of each fiscal year, \$100,000 shall be transferred from the reserve for major repairs and renovation to the land management fund," until the accumulated total of all transfers, including the amount referenced in section 2 of this ordinance, equals the \$400,000."

Discussion ensued regarding the manor in which funds would be repaid to the land management fund balance.

(The Assembly recessed at 9:55 p.m. and reconvened at 10:03 a.m.)

WITHDRAW: Assemblymember Kvalheim requested to withdraw the primary amendment. There was no objection.

MOTION: Assemblymember Allen moved a primary amendment to Ordinance Serial No. 04-147, section 4, to insert a “.” between the words “fund” and “until” and to insert the phrase “Additionally a second transfer shall be made from the reserve for major repairs and renovation to the land management fund in an amount not to exceed \$100,000 in total for a fiscal year” until the accumulated total of all transfers, including the amount referenced in section 2 of this ordinance equals the \$400,000.

Assemblymember Allen explained the reasoning for his proposed amendment.

VOTE: The primary amendment failed with Assemblymembers Colver and Allen in favor.

MOTION: Assemblymember Colberg moved a primary amendment to Ordinance Serial No. 04-147 to delete sections 4, 5, and 6.

VOTE: The primary amendment passed without objection.

Deputy Mayor Colver commented on the need to maintain Borough facilities.

MOTION: Assemblymember Kvalheim moved a primary amendment to amend Resolution Serial No. 04-109 (page 234 of the packet) to strike “Out of state internet users fees, \$5.00/30 min” from the Libraries fees.

VOTE: The primary amendment passed without objection

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

MOTION: Assemblymember Kvalheim moved for reconsideration.

VOTE: The motion to reconsider failed unanimously.

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

No staff report was provided.

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. 04-148 and Resolution Serial No. 04-110.

VOTE: The motion passed without objection.

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

Mr. Duffy provided a staff report.

Deputy Mayor Colver opened the public hearing.

The following person spoke in support of Ordinance Serial No. 04-149 and Resolution Serial No. 04-111: Mr. Patrick Shiflea, Executive Director, Alaska Community Development Corporation

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 04-149 and Resolution Serial No. 04-111.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 04-150: AN ORDINANCE AMENDING MSB 19.08.020, LOCATION OF SCHOOL BUILDINGS.

a. IM No. 04-213

Mr. Duffy 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. 04-150.

VOTE: The motion passed without objection.

11. Resolution Serial No. 04-112: A RESOLUTION AMENDING THE SCHEDULE OF FEES AUTHORIZED UNDER MSB 17.99, FEES; FOR APPLICATIONS, REQUESTS, AND APPEALS.

a. IM No. 04-182

Ms. Dickinson provided a staff report and advised that the Borough's fees are historically low compared to other areas in the state.

Assemblymember Bush queried if there will be more services provided if the fees go up.

Ms. Dickinson:

- responded that the services provided will not change dramatically; and
- advised that there are more enforcement actions being done.

Deputy Mayor Colver opened the public hearing.

The following persons spoke in opposition of Resolution Serial No. 04-112: Mr. Pio Cotini; Ms. Lucille Frey; and Mr. Darci Salmon.

MOTION: Assemblymember Kvalheim moved to adopt Resolution Serial No. 04-112.

Assemblymember Colberg

- spoke to the rise in fees; and
- opined that the fees are rising too quickly.

Discussion ensued regard the "after the fact fees."

MOTION: Assemblymember Kvalheim moved a primary amendment to Resolution Serial No. 04-112, to strike the words "after the fact fees" and to change the acknowledgement fee to \$25.

MOTION: Assemblymember Colberg moved to divide the question.

VOTE The motion to divide the question passed with Assemblymembers Colver, Allen, and Kvalheim in opposition.

MOTION: Assemblymember Colberg moved a secondary amendment to strike \$25 and insert \$5.

VOTE: The secondary amendment passed without objection.

VOTE: The motion to strike the “after the fact fees” failed with Assemblymembers Colver and Bush in favor.

VOTE: The primary amendment as amended passed without objection.

MOTION: Assemblymember Colberg moved a primary amendment to change all “after the fact fees” of over \$2,000 to \$1,500.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Colberg moved a primary amendment to change all of the proposed amended fees of \$1,000 to \$500.

Discussion ensued regarding how the reduction in these fees would affect the budget.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Vehrs moved a primary amendment to reduce the proposed amended fees of \$2,000 to \$1,000.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

MOTION: Assemblymember Kvalheim moved to extend the meeting after 11 p.m. but no later than 12 midnight.

VOTE: The motion to extend the meeting passed without objection

12. Resolution Serial No. 04-113: A RESOLUTION ADOPTING A SCHEDULE OF FEES FOR APPLICATIONS, PERMITS, AND REVIEWS AUTHORIZED UNDER MSB 8.35 (FIREWORKS CONTROL); MSB 8.40.010 (REVIEW OF LIQUOR LICENSE REFERRALS); AND MSB 8.55 (SPECIAL EVENTS).

a. IM No. 04-183

Ms. Dickinson:

- advised that at this time the Borough does not charge for these services; and
- stated that it takes staff time to process these permits.

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 Resolution Serial No. 04-113.

Assemblymember Bush:

- queried regarding the number of existing special event fees; and
- inquired how much in total fees would be received with the adoption of the legislation.

Ms. Dickinson:

- informed that in 2003 there were three special event permits; and
- advised that there will be \$9,400 in revenues with the proposed fees.

VOTE: The motion passed with Assemblymember Bush in opposition.

13. Resolution Serial No. 04-114: A RESOLUTION AMENDING THE SCHEDULE FEES AUTHORIZED UNDER MSB 16.05.035, FEES; FOR PLAT, VARIANCE, WAIVER, AND VACATION APPLICATIONS AND FOR APPEALS UNDER TITLE 16.
 - a. IM No. 04-184

Ms. Dickinson provided a staff report.

Deputy Mayor Colver opened the public hearing.

The following persons spoke in opposition of Ordinance Serial No. 04-114: Mr. Pio Cotini; Mr. John Horan; and Ms. Joy Cypra.

MOTION: Assemblymember Kvalheim moved to adopt Resolution Serial No. 04-114.

MOTION: Assemblymember Kvalheim moved to postpone Resolution Serial No. 04-114 to a time certain of August 17, 2004.

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

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke regarding the Natural Resource Depletion Tax: Mr. Steve Luvs; Mr. John Waters; Mr. Trevor Edmonson; Mr. Pio Cotini; Mr. Bill Fuger; Ms. Donna Massey; and Mr. Adam Gray.

The following persons spoke regarding the Natural Resource Depletion Tax and erosion of the Circle View Subdivision: Mr. Ken Sandvik; and Ms. Lucille Frey.

The following person spoke regarding the Real Estate Transfer Fee: Mr. Darci Salmon.

Ms. McGehee suggested a motion to suspend the rules to take the Introduction, Consent Agenda, and Vacancy Report items of business before returning to Unfinished Business in the interest of time.

MOTION: Assemblymember Kvalheim moved to suspend the rules to take the Introductions, Consent Agenda, and Vacancy Report items prior to returning to Unfinished Business.

VOTE: The motion passed without objection.

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing – 08/17/04, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 04-151: AN ORDINANCE APPROVING AN APPROPRIATION OF \$163,439 FROM THE AREA WIDE FUND BALANCE, FUND 100, TO FUND 410, FOR THE DUST CONTROL PROGRAM.

a. IM No. 04-219

2. Ordinance Serial No. 04-152: AN ORDINANCE ADOPTING AN AMENDMENT TO THE MATANUSKA-SUSITNA BOROUGH RECREATIONAL TRAILS PLAN THAT ADDS TRAILS AND TRAIL SYSTEMS.

a. IM No. 04-220

3. Ordinance Serial No. 04-153: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$4,805.98 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$4,805.98 FROM THE SUTTON FIRE SERVICE AREA FUND BALANCE, FUND 253, TO PROJECT NO. 20255, FUND 405, FOR FIRE, COMMUNICATION, AND PERSONAL PROTECTIVE EQUIPMENT AND SUPPLIES.

a. Resolution Serial No. 04-118: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR SUTTON FIRE SERVICE AREA, PROJECT NO. 20255, FUND 405.

(1) IM No. 04-221

4. Ordinance Serial No. 04-154: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT, AND REAPPROPRIATING \$5,000 FROM THE GREATER PALMER FIRE SERVICE AREA FISCAL YEAR 2005 OPERATING BUDGET, FUND 259, TO PROJECT NO. 20177, FUND 405, FOR PERSONAL FIRE PROTECTIVE EQUIPMENT.

- a. Resolution Serial No. 04-119: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT, AND MATCHING FUNDS FOR GREATER PALMER FIRE SERVICE AREA, PROJECT NO. 20177, FUND 405.
- (1) IM No. 04-222

- 5. Ordinance Serial No. 04-155: AN ORDINANCE ACCEPTING AND APPROPRIATING \$19,902 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION, TO FUND 480, PROJECT NO. 15015, FOR THE PLUMLEY-MAUD TRAIL ENHANCEMENT PROJECT.
- a. Resolution Serial No. 04-120: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PLUMLEY-MAUD TRAIL ENHANCEMENT PROJECT FUNDED BY THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION.
- (1) IM No. 04-223

- 6. Ordinance Serial No. 04-156: AN ORDINANCE AUTHORIZING A REAPPROPRIATION OF \$30,000 FROM THE DOROTHY SWANDA JONES REMODEL PROJECT, FUND 435, TO A RESCUE EQUIPMENT PROJECT, FUND 425, TO PURCHASE RESCUE EQUIPMENT. *(Sponsor: Assemblymember Colver)*
- a. IM No. 04-228

- B. INTRODUCTION (For public hearing - 09/07/04, 7 p.m., Borough Assembly Chambers)

- 1. Ordinance Serial No. 04-133: AN ORDINANCE CREATING HORSESHOE/BOTTLE LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 366, 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. 04-192

- 2. Ordinance Serial No. 04-134: AN ORDINANCE CREATING PINE STREET/COTTONWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 401, 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. 04-198

- 3. Ordinance Serial No. 04-135: AN ORDINANCE CREATING LOVER'S LANE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 402, 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. 04-199

4. Ordinance Serial No. 04-137: AN ORDINANCE CREATING BRUNS AND JOE'S DRIVES AND TIM AVENUE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 394, 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. 04-202

5. Ordinance Serial No. 04-138: AN ORDINANCE CREATING BLONDELL DRIVE AND TREVETT AVENUE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 399, 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. 04-207

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 August 17, 2004, and September 7, 2004, respectively.

CONFLICT OF INTEREST: Assemblymember Allen declared a conflict of interest on Ordinance Serial No. 04-133 because he owns property within the subdivision.

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

MOTION: Assemblymember Simpson moved to divide the question.

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

(Assemblymember Allen exited the meeting at this time.)

VOTE: The motion to introduce and set Ordinance Serial No. 04-133 for public hearing on September 7, 2004.

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

VOTE: The motion to introduce the legislation as read into the record by the Clerk passed without objection.

C. CONSENT AGENDA (Resolution Serial Nos. 04-123 and 04-125, and AM No. 04-144 were pulled from the consent agenda and addressed separately. (See pp. 23 of 25)

1. RESOLUTIONS

- a. Resolution Serial No. 04-121: A RESOLUTION APPROVING A SCOPE OF WORK AND BUDGET FOR A PORTION OF FUNDS AVAILABLE IN THE DOROTHY SWANDA JONES BUILDING REMODEL PROJECT FOR THE PURCHASE AND INSTALLATION OF WINDOW FILM.
(1) IM No. 04-214
- b. Resolution Serial No. 04-122: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE CENTRAL LANDFILL EXPANSION, PROJECT NO. 25038, TO ALLOW FOR COMPLETION OF THE CENTRAL LANDFILL EQUIPMENT AND MAINTENANCE STORAGE BUILDING.
(1) IM No. 04-215
- d. Resolution Serial No. 04-124: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 10141, MAINTENANCE FACILITY, TO ALLOW FOR CONSTRUCTION OF A TIRE STORAGE BUILDING.
(1) IM No. 04-227

2. ACTION MEMORANDUMS

- b. AM No. 04-145: AWARD OF BID NO. 05-002 TO ANCHORAGE PRINTING, INC., FOR AN AMOUNT NOT TO EXCEED \$23,750 FOR THE PRINTING, PROCESSING, DELIVERY, AND MAILING OF THE 2004 ELECTION BROCHURE.
- c. AM No. 04-148: AWARD OF BID NO. 04-164 TO ARCTIC FIRE AND SAFETY IN THE AMOUNT NOT TO EXCEED \$36,625 FOR THE PURCHASE OF A COLT-II COMPRESSED AIR FOAM SYSTEM FOR THE WILLOW FIRE SERVICE AREA.
- d. AM No. 04-149: THE VACATION OF PUBLIC ROADWAYS IN TWO ADJACENT 33-FOOT PATENT RESERVATION EASEMENTS LOCATED ALONG THE COMMON BOUNDARY OF GOVERNMENT LOTS 4 AND 5 LOCATED WITHIN SECTION 26, TOWNSHIP 17 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA (TAX PARCELS B2 AND B3), IN THE BIG LAKE COMMUNITY COUNCIL AREA.
- e. AM No. 04-152: AWARD OF CONTRACT NO. 05-026 TO NINE ONE ONE, INC., IN THE AMOUNT OF \$88,850 FOR THE UPGRADE OF THE MATANUSKA-SUSITNA BOROUGH E-911 COMMUNICATION EQUIPMENT LOCATED AT MATANUSKA TELEPHONE.
- f. AM No. 04-153: AWARD OF BID NO. 05-010 TO ARCTIC STRUCTURES, LLC., FOR THE CONTRACT AMOUNT NOT TO EXCEED \$74,300 FOR THE CONSTRUCTION OF A TIRE STORAGE BUILDING.

- g. AM No. 04-154: AWARD OF PROPOSAL NO. 04-171 TO KEAN AND ASSOCIATES FOR THE CONTRACT AMOUNT NOT TO EXCEED \$165,007 FOR A SURVEY OF HATCHER PASS.
- h. AM No. 04-155: AWARD OF BID NO. 04-181 TO PRISM DESIGN AND CONSTRUCTION IN THE CONTRACT AMOUNT NOT TO EXCEED \$28,000 TO PROVIDE LABOR, EQUIPMENT, AND MATERIAL TO CONSTRUCT A GRAVEL PAD AT BIG LAKE FIRE TRAINING TOWER.
- i. AM No. 04-156: AWARD OF BID NO. 05-014, TO NYE FRONTIER FORD IN THE AMOUNT NOT TO EXCEED \$23,893 TO PURCHASE A VEHICLE FOR COMMUNITY DEVELOPMENT.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection

- c. Resolution Serial No. 04-123: A RESOLUTION ESTABLISHING A CITIZENS BUDGET REVIEW COMMITTEE. (*Sponsor: Assemblymember Allen*)
(1) IM No. 04-218

MOTION: Assemblymember Simpson moved to adopt Resolution Serial No. 04-123.

MOTION: Assemblymember Simpson moved to postpone Resolution Serial No. 04-123 to a time certain of August 17, 2004.

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

- e. Resolution Serial No. 04-125: A RESOLUTION ESTABLISHING A POLICY ADDRESSING EMERGENCIES CAUSED BY FLOOD AND EROSION EVENTS IN THE MATANUSKA-SUSITNA BOROUGH. (*Sponsor: Assemblymember Bush*)
(1) IM No. 04-232

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

Assemblymember Simpson:

- expressed concerns about the fiscal note and jurisdictional challenges; and
- commented that what works in one area may not work in another area.

Mr. Duffy:

- spoke regarding the fiscal note; and
- opined that the issue requires serious discussion.

Assemblymember Bush stated that the basis for the policy is to try to save the land.

Discussion ensued regarding the postponement of Resolution Serial No. 04-125.

MOTION: Assemblymember Simpson moved to postpone Resolution Serial No. 04-125 to a time certain of August 17, 2004.

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

- a. AM No. 04-144: APPROVAL OF CHANGE ORDER ONE TO CONTRACT NO. 04-156, TO QUALITY ASPHALT PAVING IN THE TOTAL AMOUNT OF \$242,040, FOR ROAD PAVING OF KENNEDY LAKE TERRACE SUBDIVISION AND PALMDALE DRIVE, LOCATED IN BOGARD ROAD SERVICE AREA NO. 25.

CONFLICT OF INTEREST: Deputy Mayor Colver declared a conflict of interest because he works with the company referenced in AM No. 04-144.

RULING: Acting Chair Kvalheim declared that Assemblymember Colver had a conflict of interest and would be recused from voting on the issue.

(Assemblymember Colver exited the meeting at this time.)

MOTION: Assemblymember Simpson moved to adopt AM No. 04-144.

VOTE: The motion passed without objection.

(Assemblymember 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:

Emergency Medical Services Board

Lorie Miner

Senior Citizens Advisory Board

Helen Munoz

Title 16 Rewrite Committee

Roy Goodman

Joy Cypra

Greater Talkeetna RSA #29

George Wagner

Trapper Creek RSA #30

Sylvan (Hal) Morgan

Gary Baker

Talkeetna Flood Control SSA #7

Robert Holt

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

VOTE: The motion passed without objection.

VIII. UNFINISHED BUSINESS (*Continued from pp. 6 of 26*)

VOTE: The secondary amendment passed with Assemblymembers Allen, Simpson and Vehrs in opposition.

VOTE: The primary amendment to amend by substitute passed with Assemblymembers Colver, Vehrs, and Bush in opposition.

VOTE: The main motion as amended by substitute failed with Assemblymembers Allen, Colberg, and Kvalheim in favor.

MOTION: Assemblymember Simpson moved to reconsider.

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

B. Ordinance Serial No. 04-131: AN ORDINANCE APPROVING REGULATIONS FOR THE REAL ESTATE TRANSFER FEE, MSB 3.37. (*Motion pending 07/20/04*)

1. Resolution Serial No. 04-117: A RESOLUTION AMENDING THE SCHEDULE OF FEES FOR REAL ESTATE TRANSFERS UNDER MSB 3.37, REAL ESTATE TRANSFER FEE. (*Sponsors: Assemblymembers Allen, Colver, and Vehrs*)

a. IM No. 04-188

b. IM No. 04-224

C. 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*)

1. IM No. 04-178

Deputy Mayor Colver noted that items B and C, under Unfinished Business would be carried forward to the August 17, 2004, Assembly meeting.

XIV. ADJOURNMENT

The regular meeting adjourned at 11:58 p.m.

/s/

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/s/

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: August 17, 2004