

# MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645-6488 - 907-745-9683

## **BOROUGH MAYOR**

Curtis D. Menard

## **BOROUGH CLERK**

Lonnie R. McKechnie, CMC

## **BOROUGH MANAGER**

John Duffy

## **BOROUGH ATTORNEY**

Nicholas Spiropoulos



## **BOROUGH ASSEMBLY**

Lynne Woods, District 1  
Pete Houston, District 2  
Michelle R. Church, District 3  
Mary Kvalheim, District 4  
Cindy L. Bettine, District 5  
Robert F. Wells, District 6  
Tom Kluberton, District 7

## **ASSEMBLY AGENDA**

**TALKEETNA ELEMENTARY SCHOOL  
13798 E. VETERANS WAY, TALKEETNA**

*(Teleconferenced to MSB Assembly Chambers; 350 E. Dahlia Avenue, Palmer)*

## **REGULAR MEETING**

**6 P.M.**

**TUESDAY, SEPTEMBER 2, 2008**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. PLEDGE OF ALLEGIANCE
- V. MINUTES OF PRECEDING MEETINGS
  - A. Special Assembly Meeting: 08/19/08
  - B. Regular Assembly Meeting: 08/19/08
- VI. SPECIAL ORDERS OF THE DAY
  - A. A Proclamation in Recognition of National Payroll Week
- VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities
2. Matanuska-Susitna Borough School District

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues
2. Assembly Public Relations

C. MANAGER COMMENTS

1. State/Federal Legislation

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
  - a. Enhanced 911 Advisory Board: 05/13/08
  - b. Greater Talkeetna RSA No. 29: 06/12/08
  - c. Local Road Service Area Advisory Board: Resolution Serial No. 08-01
  - d. Planning Commission: 06/23/08, Resolution Serial Nos.: 08-11, 08-16(AM), 08-27, 08-29, 08-30
  - e. Port Commission: 05/19/08
2. Community Council Correspondence:
  - a. Lazy Mountain Community Council: 06/12/08
  - b. Sutton Community Council: 04/02/08, 05/07/08

G. INFORMATIONAL MEMORANDUMS

1. IM No. 08-230: AN INFORMATIONAL MEMORANDUM ADVISING OF CONTRACT AWARDS AND AMENDMENTS IN THE AMOUNT OF \$100,000 OR LESS, AND SOLE SOURCE PROCUREMENTS, FOR THE PERIOD OF JULY 1, 2008, TO JULY 31, 2008.

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

- A. PERSONS TO BE HEARD (MSB 2.12.081; Three minutes per person.)  
*(Requires 11 days advance notice and must otherwise be in compliance with the necessary code requirements. If no advance notice is given, persons wishing to speak may do so under the Audience Participation section of the agenda.)*
- B. PUBLIC HEARINGS (Three minutes per person.)
1. Ordinance Serial No. 08-128: AN ORDINANCE ACCEPTING AND APPROPRIATING \$18,000 TO FUND 430, PROJECT NO. 35004, FOR THE WILLOW AIRPORT FLOAT PLANE ACCESS ROAD CHIP SEAL PROJECT.
    - a. Resolution Serial No. 08-099: A RESOLUTION ESTABLISHING THE SCOPE OF WORK AND BUDGET FOR THE WILLOW AIRPORT FLOAT PLANE ACCESS ROAD CHIP SEAL PROJECT.
      - (1) IM No. 08-204
  2. Ordinance Serial No. 08-129: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$10,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$10,000 FROM THE BIG LAKE FIRE SERVICE AREA FUND BALANCE, FUND 256, TO PROJECT NO. 20277, FUND 405, FOR FIRE TRAINING AND EQUIPMENT, AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.
    - a. Resolution Serial No. 08-100: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR BIG LAKE FIRE SERVICE AREA, PROJECT NO. 20277, FUND 405.
      - (1) IM No. 08-209
  3. Ordinance Serial No. 08-130: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$4,028.48 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$4,028.48 FROM THE SUTTON FIRE SERVICE AREA FUND BALANCE, FUND 253, TO PROJECT NO. 20255, FUND 405, FOR FIRE TRAINING AND EQUIPMENT, AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.
    - a. Resolution Serial No. 08-101: 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. 08-210

4. Ordinance Serial No. 08-131: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$6,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$6,000 FROM THE BUTTE FIRE SERVICE AREA FUND BALANCE, FUND 251, TO PROJECT NO. 20144, FUND 405, FOR THE FIRE TRAINING AND EQUIPMENT, AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.

a. Resolution Serial No. 08-102: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR BUTTE FIRE SERVICE AREA, PROJECT NO. 20144, FUND 405.

(1) IM No. 08-211

5. Ordinance Serial No. 08-132: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$10,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$10,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE FUND 257, TO PROJECT NO. 20257, FUND 405, FOR FIRE TRAINING AND EQUIPMENT, AND PREVENTION ACTIVITIES RELATED TO WILDLAND FIRE.

a. Resolution Serial No. 08-103: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND MATCHING FUNDS FOR MEADOW LAKES FIRE SERVICE AREA, PROJECT NO. 20257, FUND 405.

(1) IM No. 08-212

6. Ordinance Serial No. 08-133: AN ORDINANCE ACCEPTING AND APPROPRIATING \$492,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, TO FUND 480, PROJECT NO. 45131, FOR THE CONTINUATION OF THE SPRUCE BARK BEETLE WILDFIRE HAZARD MITIGATION PROJECT.

a. Resolution Serial No. 08-104: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE APPROPRIATION, PROJECT NO. 45131, FUND 480, FOR CONTINUATION OF THE SPRUCE

BARK BEETLE WILDFIRE HAZARD MITIGATION PROJECT.

(1) IM No. 08-215

7. Ordinance Serial No. 08-134: AN ORDINANCE ACCEPTING AND APPROPRIATING \$302,500 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, FOR THE FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANTS FOR VARIOUS ROAD AND FACILITY PROJECTS THROUGHOUT THE BOROUGH.

a. Resolution Serial No. 08-105: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, FOR VARIOUS ROAD AND FACILITY PROJECTS THROUGHOUT THE BOROUGH.

(1) IM No. 08-219

8. Ordinance Serial No. 08-135: AN ORDINANCE ACCEPTING AND APPROPRIATING \$10,745 FROM THE ALASKA STATE LIBRARY, INTERLIBRARY COOPERATION GRANT PROGRAM, TO FUND 440, PROJECT NO. 20373, AND APPROVE A SCOPE OF WORK AND BUDGET TO PROMOTE A BOROUGHWIDE LITERACY CAMPAIGN CALLED "MAT-SU READS TO SUCCEED."

a. Resolution Serial No. 08-106: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO PROMOTE A BOROUGHWIDE LITERACY CAMPAIGN CALLED "MAT-SU READS TO SUCCEED."

(1) IM No. 08-220

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

a. Resolution Serial No. 08-107: A RESOLUTION ADOPTING THE BOROUGH'S ALL HAZARDS MITIGATION PLAN; NATURAL DISASTERS.

(1) IM No. 08-224

b. Resolution Serial No. 08-108: A RESOLUTION AUTHORIZING A LOAN APPLICATION TO THE

ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ALASKA CLEAN WATER FUND, FOR THE AMOUNT OF \$2,500,000 TO BE USED FOR CONSTRUCTION OF A NEW REGIONAL RESOURCE RECOVERY AND TRAINING FACILITY.

(1) IM No. 08-226

- c. Resolution Serial No. 08-112: A RESOLUTION AUTHORIZING THE BOROUGH MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE NATIVE VILLAGE OF TYONEK AND THE TYONEK NATIVE CORPORATION TO COLLECTIVELY PURSUE THE DEVELOPMENT OF THE COOK INLET FERRY SERVICE DEMONSTRATION PROGRAM.

(1) IM No. 08-234

## 2. ASSEMBLY MEMORANDUMS

- a. AM No. 08-079: AWARD OF PROPOSAL NO. 08-129 TO SANDERS CONSULTING FORESTER IN THE AMOUNT NOT TO EXCEED \$262,108 PER YEAR, FOR A TOTAL NOT TO EXCEED \$524,216, FOR THE FUEL REDUCTION FORESTRY CONSULTANT.
- b. AM No. 08-089: APPROVING THE ELECTION OFFICIALS FOR THE OCTOBER 7, 2008, REGULAR BOROUGH ELECTION.
- c. AM No. 08-090: AWARD OF PROPOSAL NO. 08-152 TO LSL PLANNING IN THE CONTRACT AMOUNT NOT TO EXCEED \$141,316.75 FOR THE TITLE 17 FLEXIBLE ZONING UPDATE.
- d. AM No. 08-094: AUTHORIZING THE COMPLETION OF THE CONTRACT BY AWARDING THE REMAINDER OF PHASE II SERVICES TO HDR ALASKA, INC., PROJECT NO. 35245, IN THE AMOUNT OF \$428,181 FOR CONSTRUCTION MANAGEMENT ASSISTANCE AND SUPPORT SERVICES FOR THE POINT MACKENZIE ROAD IMPROVEMENTS.

- e. AM No. 08-095: APPROVING A CHANGE ORDER TO ALASKA CONSTRUCTION AND PAVING, INC., IN THE AMOUNT OF \$13,536 FOR ADDITIONAL MATERIAL ON CARMEL ROAD EXTENSION, PHASE I PROJECT.
- f. AM No. 08-096: ACCEPTING LATE FILED AND RETROACTIVE SENIOR CITIZEN AND DISABLED VETERAN EXEMPTION APPLICATIONS.
- g. AM No. 08-098: AWARD OF BID NO. 09-023 TO AGGPRO IN THE AMOUNT OF \$293,803 FOR THE PURCHASE OF WINTER SAND AND CHIPS.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 09/16/08, 7 p.m., Borough Assembly Chambers)

- 1. Ordinance Serial No. 08-136: AN ORDINANCE AMENDING MSB 17.28, INTERIM MATERIALS DISTRICT, TO INCLUDE PROVISIONS FOR REGULATING EXCAVATION INTO THE SEASONAL HIGH WATER TABLE.
  - a. IM 08-217
- 2. Ordinance Serial No. 08-137: AN ORDINANCE ACCEPTING AND APPROPRIATING \$552,500 FOR A PORTION OF THE FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT.
  - a. Resolution Serial No. 08-109: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE FISCAL YEAR 2009 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT.
    - (1) IM No. 08-223
- 3. Ordinance Serial No. 08-138: AN ORDINANCE AMENDING MSB 15.24.030, ADOPTING THE CHICKALOON COMPREHENSIVE PLAN, 2008 UPDATE.
  - a. IM No. 08-227

4. Ordinance Serial No. 08-139: AN ORDINANCE AUTHORIZING THE ISSUANCE OF LEASE REVENUE BONDS, SERIES 2008 (POINT MACKENZIE CORRECTIONAL CENTER PROJECT) IN AN AMOUNT OF NOT TO EXCEED \$275,000,000; APPROVING THE FORM AND SUBSTANCE OF A LEASE-PURCHASE AGREEMENT, A TRUST INDENTURE, AND A BOND PURCHASE AGREEMENT; AUTHORIZING AN OFFERING DOCUMENT; MAKING CERTAIN FINDINGS AND DETERMINATIONS; AUTHORIZING THE EXECUTION OF DOCUMENTS AND INSTRUMENTS NECESSARY OR CONVENIENT TO ACCOMPLISH THE FOREGOING; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.
  - a. IM No. 08-228
  
5. Ordinance Serial No. 08-141: AN ORDINANCE ACCEPTING AND APPROPRIATING \$12,000 FROM THE ALASKA STATE LIBRARY, INTERLIBRARY COOPERATION GRANT PROGRAM TO FUND 440, PROJECT NO. 20372, AND APPROVE A SCOPE OF WORK AND BUDGET TO CONDUCT A FEASIBILITY STUDY FOR A PILOT BOOKMOBILE SERVICE AS PART OF A BOROUGHWIDE LITERACY CAMPAIGN CALLED, "MAT-SU READS TO SUCCEED."
  - a. Resolution Serial No. 08-111: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO CONDUCT A FEASIBILITY STUDY FOR A PILOT BOOKMOBILE SERVICE AS PART OF A BOROUGHWIDE LITERACY CAMPAIGN CALLED, "MAT-SU READS TO SUCCEED."
    - (1) IM No. 08-232

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

C. OTHER NEW BUSINESS

XI. RECONSIDERATION

XII. VETO

XIII. EXECUTIVE SESSION *(for matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough and matters which by law, municipal charter, or ordinance are required to be confidential.)*

A. NPI LITIGATION AND DIRECTION TO THE BOROUGH ATTORNEY  
REGARDING MANAGING OUTSIDE COUNSEL

XIV. MAYOR AND ASSEMBLY COMMENTS

XV. ADJOURNMENT