

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on November 1, 2005, 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:

Ms. Lynne Woods, Assembly District No. 1
Mr. Bill Allen, Assembly District No. 2
Mr. Talis J. Colberg, Assembly District No. 3
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5
Ms. Betty Vehrs, Assembly District No. 7

Assembly members absent and excused were:

Mr. Jim Colver, Assembly District No. 6 (*Deputy Mayor*)

Staff in attendance were:

Ms. Michelle M. McGehee, Borough Clerk
Mr. John Duffy, Borough Manager
Ms. Janice A. Case, Deputy Borough Clerk
Ms. Teresa S. Williams, Borough Attorney
Ms. Marian Romano, Assistant Borough Manager
Ms. Tammy Clayton, Finance Director
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Mr. Ron Swanson, Community Development Director
Mr. Murph O'Brien, Planning and Land Use Director

III. APPROVAL OF AGENDA

Mayor Anderson inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Sarah Welton, School Board President.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 09/20/05

Mayor Anderson inquired if there were any corrections to the regular meeting minutes of September 20, 2005.

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

B. Special Assembly Meeting: 10/17/05

Mayor Anderson inquired if there were any corrections to the special meeting minutes of October 17, 2005.

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

C. Regular Assembly Meeting: 10/18/05

Mayor Anderson inquired if there were any corrections to the regular meeting minutes of October 18, 2005.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Councilmember O'Neil:

- congratulated the newly elected and re-elected officials;
- reported on the status of projects the city of Wasilla is currently working on, such as the East Susitna Water Project and the Mat Communication Tower;
- stated that the newly elected officials for the city of Wasilla were sworn in at the last regular council meeting; and
- requested a copy of the library report from 2005 conducted by Mr. Don Moore.

Palmer City

Mayor John Combs:

- spoke in support of Ordinance Serial No. 05-185 and Resolution Serial Nos. 05-140 and 05-141, regarding the Bogard Road and Seldon Road extension project; and
- discussed the importance of doing this project right the first time.

2. Matanuska-Susitna Borough School District

Ms. Sarah Welton, School Board President:

- stated that constituents still have questions regarding the Su Valley School issue;
- noted that it is important that the School District and Borough continue to communicate with each other about the status of this issue;
- stated that the School Board will be holding a town hall meeting at Larson Elementary School on November 3, 2005, at 6:30 p.m., to discuss the boundary changes for the new elementary school;
- stated that the School District's professional staff development has been working with a book titled, *Whatever It Takes*, as a basis and foundation for the professional learning communities;
- commented that she had the opportunity to teach this basis to some of the teachers during their in-service, and it was well received; and
- stated that this is a good process for looking at what teachers can do to help students who are failing.

Assemblymember Vehrs congratulated School Board President Welton on her unanimous election as School Board President.

Assemblymember Allen:

- voiced concern regarding the communication between the Borough and School District; and
- requested that some form of written communication occur on a regular basis between the Borough and School District.

Assemblymember Vehrs stated that she would also like to see a written form of communication on a regular basis.

Mr. Duffy noted that he would send the School District a copy of the Manager's report, which contains the latest information regarding the Su Valley School.

3. Matanuska-Susitna Convention and Visitors Bureau – Bonnie Quill

Ms. Bonnie Quill, Executive Director:

- provided an update on the programs of the Matanuska-Susitna Convention and Visitors Bureau (MSCVB);
- reviewed the new visitors guide and discussed the additions made to the guide;
- reported on the changes made to the website and the effectiveness of the website;
- invited the members of the Assembly to attend the annual membership luncheon on November 11, 2005, at 12 noon, at the Best Western Lake Lucille Inn;
- stated that this year, they increased their domestic and international marketing efforts by attending the New York Times Travel Show and the Alaska Travel Industry Association (ATIA) workshops;

- commented that the MSCVB has been recognized as a leader in tourism statewide; and
- discussed the increase in tourism in the Borough this past year.

Assemblymember Vehrs inquired how the MSCVB is involved in the Alaska “B4UDIE” campaign.

Ms. Quill replied that she was a part of the board that designed the marketing campaign.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Mayor Anderson advised that the Joint Assembly/School Board Committee on School Issues has not met since the last report.

2. Regional Transportation Planning Organization (RTPO)

Mayor Anderson:

- reported that the RTPO met last week in Anchorage;
- stated that they reviewed the status of their goals;
- noted that all of the goals are close to completion; and
- commented that the committee may be moving in another direction once their goals have been completed.

Mr. Duffy:

- stated that they have made a lot of progress with the transportation efforts; and
- noted that a benefit is that both municipalities are now using the same software and that Anchorage and the Borough have one traffic model.

Mayor Anderson:

- noted that at the last meeting, the president of the Alaska Railroad, Pat Gamble, gave a report on the railroad in terms of regions, particularly the Matanuska-Susitna Borough; and
- commented that the Alaska Railroad is considering the idea that putting a spur to Port MacKenzie.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- noted that the Borough received notice today that the Joint Assembly/School Board Committee on School Issues meeting for November has been cancelled;
- stated that the proposed Hatcher Pass Special Use District is being finalized and prepared for public review and comment;

- reported that he, the Mayor, and Assemblymember Woods would be meeting with Governor Murkowski, Chief of Staff Jim Clark, Budget Chief Cheryl Frasca, Commissioner Atrim, and Deputy Commissioner Parker on November 10, 2005, in Anchorage to discuss the next steps for the proposed new prison;
- stated that members from the Purchasing Division, Public Works Department, Manager's Office, and Emergency Services Department attended a best value contracting (BVC) conference recently;
- noted that Mr. Krafft, the Purchasing Officer, will be issuing a memorandum regarding implementing BVC contracting;
- commented that the BVC method will be used for selecting the contractor to construct the ferry terminal building; and
- discussed a proposal to conduct a survey of all households within the Borough to enhance communications, obtain feedback on the provision of Borough services, identify citizen priorities, enhance knowledge of Borough operations and budget, and identify potential ways to improve our local government.

Assemblymember Vehrs stated that she would like to see a more detail proposal of the survey.

Assemblymember Allen requested a copy of the survey recently conducted by the Municipality of Anchorage.

Mr. Duffy:

- replied that he would provide the Assembly with a copy of the Anchorage survey, but noted that the Borough's survey would not be as comprehensive;
- noted that the meeting minutes of the last two design and engineering meetings of the ferry work team have been included in the Manager's report;
- commented that he would be in Washington D.C. on November 3 and 4 to attend the Environmental Protection Agency Local Government Advisory Committee; and
- stated that he has also arranged to meet with some of the staff members of the Borough's federal delegation to discuss the Matanuska River erosion effort, the pending water resources legislation, and the agriculture processing project.

Assemblymember Vehrs inquired regarding the joint purchasing efforts with the city of Anchorage.

Mr. Duffy:

- stated that the Borough would need to have the new financial software package up and running;
- noted that it would cost approximately \$300,000 to implement the joint purchasing; and
- stated that he would like to make sure that the Borough would be able to recoup the expenses with the new system.

Assemblymember Vehrs inquired why the new financial software package is not up and running.

Ms. Clayton:

- reported that the Borough was originally scheduled to convert on July 1, 2005;
- stated that it was estimated that it would only take 24 hours to convert the system, but the Borough's took over a week due to the large amount of data that needed to be converted;
- noted that during this process it was discovered that the system did not have the fiscal year counters in it;
- stated that because the system lacked this component the Borough chose to wait until it was corrected and then convert, which was scheduled on December 1, 2005; and
- commented that another problem was discovered and the system is now scheduled to be converted on March 1, 2006.

Assemblymember Kvalheim inquired regarding the joint purchasing efforts with the School District.

Mr. Duffy replied that it is the Borough's intention to work with the School District on joint purchasing efforts.

Assemblymember Kvalheim requested that this item be placed on the next joint Assembly/School Board agenda.

D. ATTORNEY COMMENTS

Ms. Williams reported that all three of the attorneys will be attending the Alaska Municipal Attorney meeting on November 7 and 8 in Anchorage.

E. CLERK COMMENTS

Ms. McGehee:

- reviewed the upcoming meeting schedule;
- noted that an updated activity report for records management has been included in the Clerk's report; and
- inquired if the Assembly wished to schedule a special meeting on December 6, 2005, at 4 p.m., for a Committee of the Whole meeting to discuss the four-year university.

There was no objection noted.

Ms. McGehee noted that she has also received a request to reschedule the joint Assembly/School Board meeting from Tuesday, December 13, 2005, to Thursday, December 15, 2005.

Mayor Anderson stated that he made this request since he would be unable to attend on December 13 and would like to be at the meeting.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Big Lake FSA No. 33 Board of Supervisors: 08/08/05, 09/12/05
 - b. Circle View and Stampede Estates Flood and Water Erosion Control Service Area No. 131: 08/23/05
 - c. Greater Talkeetna Road Service Area No. 29 Board of Supervisors: 04/14/05, 08/11/05, 09/08/05
 - d. Parks, Recreation, and Trails Advisory Board: 09/26/05, Resolution No. 05-12, Resolution No. 05-13
 - e. Platting Board: 08/04/05, 08/18/05, 09/15/05
 - f. Port Commission: 08/15/05, Resolution Serial No. 05-008
 - g. Talkeetna Sewer and Water Service Area No. 36: 08/25/05
 - h. Wasilla Lakes, Meadow-Lakes, and Big Lake FSA Board of Supervisors: 08/01/05

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 05-269: AN INFORMATIONAL MEMORANDUM REGARDING A PROPOSED PLAN OF ACTION FOR DEVELOPING SHORT AND LONG-TERM USE POLICIES AND LEGISLATION FOR REVISED PUBLIC NOTICE PROCEDURES RELATING TO THE DISPOSAL OF BOROUGH LAND AND RESOURCES, A COMMERCIAL TIMBER HARVEST PERMIT, AND A BOROUGH FOREST MANAGEMENT AND COMMERCIAL TIMBER HARVEST POLICY.

The informational memorandum was presented and no comments were noted.

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

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

- A. PERSONS TO BE HEARD (Three minutes per person.)
- B. PUBLIC HEARINGS (Three minutes per person.)
 1. Ordinance Serial No. 05-174: AN ORDINANCE AMENDING MSB 15.24.030(B)(1), THE PUBLIC FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN OF THE MATANUSKA-SUSITNA BOROUGH BY CHANGING THE LIBRARY ELEMENT OF THE PLAN.
 - a. IM No. 05-216

Mr. Swanson:

- reported that the Library Board recommend these changes in their annual review; and
- reviewed the changes and additions to the plan.

Assemblymember Allen inquired regarding the fee schedule for non-residents.

Mr. Swanson stated that there is an annual fee and a seasonal fee for non-residents.

Assemblymember Allen requested a copy of the fee schedule.

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. 05-174.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 05-175: AN ORDINANCE TO CLASSIFY LEASE LOT 1 AND TRACT A-1, REPLAT AND VACATION PLAT OF 74-22 AND 60-7, PLAT 80-138 (WASILLA JUNIOR AND SENIOR HIGH SCHOOL SUBDIVISION), RESERVE USE LANDS AND TO AUTHORIZE AT LESS THAN FAIR MARKET VALUE THE LEASE OF 1.2 PLUS ACRES OF TRACT A-1 AND LEASE LOT 1 FOR A PERIOD OF TWO YEARS UNTIL PLATTED TOGETHER, TO THEN BE CONVEYED TO THE CITY OF WASILLA FOR THE PUBLIC PURPOSE OF WATER UTILITIES, BEING LOCATED WITHIN THE CITY OF WASILLA (MSB003864 AND MSB001034).
- a. Resolution Serial No. 05-133: A RESOLUTION APPROVING THE BEST INTEREST FINDING FOR 1.2 PLUS ACRES OF TRACT A-1 AND LEASE LOT 1, REPLAT AND VACATION PLAT OF 74-22 AND 60-7, ACCORDING TO PLAT 80-138, (WASILLA JUNIOR AND SENIOR HIGH SCHOOL SUBDIVISION), TO BE LEASED FOR TWO YEARS AT LESS THAN FAIR MARKET VALUE, TO BE COMBINED BY PLAT AND SOLD AT LESS THAN FAIR MARKET VALUE TO THE CITY OF WASILLA FOR THE PUBLIC PURPOSE OF WATER UTILITIES, ALL BEING WITHIN THE CITY OF WASILLA (MSB003864 AND MSB001034).
- (1) IM No. 05-250

Mr. Swanson provided a staff report.

Mayor Anderson opened the public hearing.

The following person spoke regarding the vegetation on this property and the use of the land:
Mr. Garvin Buccaria.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 05-175 and Resolution Serial No. 05-133.

Assemblymember Kvalheim inquired if this is a time-sensitive issue.

Mr. Swanson:

- replied that this is not a time-sensitive issue; and
- noted that the legislation is only for the transfer of the land.

MOTION: Assemblymember Kvalheim moved to postpone Ordinance Serial No. 05-175 and Resolution Serial No. 05-133 to a time certain of December 6, 2005.

Assemblymember Colberg spoke in opposition to postponement.

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

3. Ordinance Serial No. 05-176: AN ORDINANCE ACCEPTING AND APPROPRIATING \$3,886.08 FROM MATANUSKA TELEPHONE ASSOCIATION TO A NON-LAPSING CAPITAL FUND 440, PROJECT NO. 20312, FOR UPGRADING AND ENHANCING THE TELECOMMUNICATIONS AND INFORMATION SERVICES IN THE BOROUGH LIBRARIES.
 - a. IM No. 05-254

Mr. Swanson 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. 05-176.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 05-177: AN ORDINANCE ACCEPTING AND APPROPRIATING \$25,000 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE ANIMAL CARE FACILITY IMPROVEMENTS PROJECT.
 - a. Resolution Serial No. 05-134: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ANIMAL CARE FACILITY IMPROVEMENTS PROJECT.
 - (1) IM No. 05-255

Mr. Duffy:

- provided a staff report;
- recommended adopting Ordinance Serial No. 05-177 and defeating Resolution Serial No. 05-134; and
- stated that it is the intent of Administration to bring back a scope of work and budget for this project once more funds have been found.

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 Allen moved to adopt Ordinance Serial No. 05-177 and Resolution Serial No. 05-134.

MOTION: Assemblymember Allen moved to divide the question to address Resolution Serial No. 05-134 separately.

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

MOTION: First segment of the motion: To adopt Ordinance Serial No. 05-177.

VOTE: The first segment of the motion, to adopt Ordinance Serial No. 05-177, passed without objection.

MOTION: Second segment of the motion: To adopt Resolution Serial No. 05-134.

VOTE: The second segment of the motion, to adopt Resolution Serial No. 05-134, failed unanimously.

5. Ordinance Serial No. 05-178: AN ORDINANCE ACCEPTING AND APPROPRIATING \$75,000 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE KNIK ROAD SERVICE AREA ROAD IMPROVEMENTS PROJECT.
 - a. Resolution Serial No. 05-135: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE KNIK ROAD SERVICE AREA ROAD IMPROVEMENTS PROJECT.
 - (1) IM No. 05-256

Mr. Rountree provided a staff report.

Assemblymember Bettine requested that a map of the affected areas be included in future legislation.

Mayor Anderson opened the public hearing.

The following person inquired why only this service area received the grant: Ms. Jay Nolfi.

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

MOTION: Assemblymember Bettine moved to adopt Ordinance Serial No. 05-178 and Resolution Serial No. 05-135.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 05-179: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,000 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE WILLOW AREA SENIOR CENTER CAPITAL NEEDS PROJECT.
 - a. Resolution Serial No. 05-136: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE WILLOW AREA SENIOR CENTER CAPITAL NEEDS PROJECT.
 - (1) IM No. 05-257

Mr. Duffy provided a staff report.

CONFLICT OF INTEREST: Mayor Anderson declared a conflict of interest on Ordinance Serial No. 05-179 and Resolution Serial No. 05-136.

(Mayor Anderson exited the meeting and Assemblymember Vehrs assumed the duties of the chair at this time.)

Assemblymember Vehrs opened the public hearing.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 05-179 and Resolution Serial No. 05-136.

MOTION: Assemblymember Allen moved to amend Ordinance Serial No. 05-179 and Resolution Serial No. 05-136 to strike "Center" and insert "Inc." throughout the legislation.

VOTE: The primary amendment passed without objection.

VOTE: The motion passed as amended without objection.

(Mayor Anderson returned to the meeting at this time and resumed his duties as chair.)

7. Ordinance Serial No. 05-180: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,000 OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE UPPER SUSITNA SENIOR CENTER CAPITAL NEEDS PROJECT.
 - a. Resolution Serial No. 05-137: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UPPER SUSITNA SENIOR CENTER PROJECT.
 - (1) IM No. 05-258

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. 05-180 and Resolution Serial No. 05-137.

VOTE: The motion passed without objection.

8. Ordinance Serial No. 05-181: AN ORDINANCE ACCEPTING AND APPROPRIATING \$500,000 OF GRANT FUNDS FROM THE ALASKA DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE HATCHER PASS ROAD IMPROVEMENTS PROJECT.
 - a. Resolution Serial No. 05-138: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE HATCHER PASS ROAD IMPROVEMENTS PROJECT.
 - (1) IM No. 05-259

Mr. Rountree provided a staff report.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 05-181 and Resolution Serial No. 05-138.

VOTE: The motion passed without objection.

9. Ordinance Serial No. 05-182: AN ORDINANCE AMENDING MSB 17.90, REGULATION OF ADULT BUSINESSES AND MSB 17.125, DEFINITIONS, TO EXPAND THE DEFINITION OF ADULT BUSINESSES, MAKE THE ORDINANCE APPLICABLE BOROUGHWIDE, AND CLARIFY PROCEDURES FOR ESTABLISHING PREEXISTING LEGAL NONCONFORMING STATUS OF REGULATED ADULT BUSINESSES. *(Sponsor: Assemblymember Vehrs)*
- a. IM No. 05-260

Mr. O'Brien provided a staff report.

Assemblymember Woods inquired if fees are established for the conditional use permit.

Mr. O'Brien stated that fees have been established for conditional use permits.

Mayor Anderson opened the public hearing.

The following person spoke in support of Ordinance Serial No. 05-182: Ms. Kristen Seine.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 05-182.

(The regular meeting recessed at 7:49 p.m. and reconvened at 7:59 p.m.)

MOTION: Assemblymember Vehrs moved a primary amendment to strike MSB 17.90.050(E)(1) through (7) and to insert the following:

- “
- (1) physical requirements in accordance with MSB 17.90.030;
 - (2) operational requirements in accordance with MSB 17.90.035;
 - (3) the authorized physical space of a structure and site where adult business activities may occur; and
 - (4) the authorized maximum occupancy limit for physical space of a structure and site where adult business activities may occur.
- (F) Existing adult businesses lawfully established before the effective date of this chapter shall be allowed to continue operating while an application for amortization permit is pending application or appeal, including a judicial determination by the Superior Court.”

Assemblymember Vehrs stated that this amendment will allow any established adult business to continue operating while complying with the legislation.

VOTE: The primary amendment passed without objection.

VOTE: The motion passed as amended without objection.

10. Ordinance Serial No. 05-183: AN ORDINANCE REAPPROPRIATING \$45,787 FROM FUND 400, SCHOOL CAPITAL PROJECTS, TO THE AREAWIDE FUND, FUND 100, PUBLIC WORKS MAINTENANCE OPERATING BUDGET, FOR SNOW REMOVAL SERVICES AND SNOW MONITORING EQUIPMENT FOR SU VALLEY HIGH SCHOOL.
 - a. IM No. 05-263

Mr. Rountree provided a staff report.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 05-183.

VOTE: The motion passed without objection.

11. Ordinance Serial No. 05-184: AN ORDINANCE ACCEPTING AND APPROPRIATING \$7,000,000 FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR FEDERAL FISCAL YEAR 2006 SECTION 1702 EARMARK PROJECTS TO FUND 430, PROJECT NO. 35300, FOR FISH CREEK BRIDGE; FUND 430, PROJECT NO. 35187, FOR HATCHER PASS ROAD IMPROVEMENTS; FUND 410, PROJECT NO. 35245, FOR POINT MACKENZIE ROAD IMPROVEMENTS; AND FUND 430, PROJECT NO. 35035, FOR SELDON ROAD EXTENSION WEST.
 - a. Resolution Serial No. 05-139: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL FISCAL YEAR 2006 SECTION 1702 EARMARK PROJECTS AND AUTHORIZING THE MANAGER TO ENTER INTO PROJECT AGREEMENTS WITH THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
 - (1) IM No. 05-266

Mr. O'Brien provided a staff report.

Assemblymember Woods inquired if the projects have been prioritized.

Mr. O'Brien stated that the Borough would be moving forward with all of the projects on an expedited basis.

Assemblymember Colberg inquired regarding if the Hatcher Pass project would go through if the proposed development did not go through.

Mr. Duffy replied that if the proposed development did not pass, the Hatcher Pass project would come back to the Assembly for review.

Mayor Anderson opened the public hearing.

The following person spoke regarding the large amount of money spent on these projects and all of the steps needed before construction begins: Mr. Clarence Furbush.

The following person inquired regarding the specific projects included in this legislation: Ms. Jay Nolfi.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 05-184 and Resolution Serial No. 05-139.

VOTE: The motion passed without objection.

MOTION: Assemblymember Vehrs moved to reconsider Ordinance Serial No. 05-182.

VOTE: The motion to reconsider failed unanimously.

12. Ordinance Serial No. 05-185: AN ORDINANCE ACCEPTING AND APPROPRIATING \$14,405,000 FROM THE ALASKA STATE GENERAL FUND TO FUND 430, PROJECT NO. 35299, FOR THE BOGARD ROAD EXTENSION EAST AND THE SELDON ROAD EXTENSION WEST HIGHWAY PROJECTS.
 - a. Resolution Serial No. 05-140: A RESOLUTION REQUESTING THE ASSUMPTION OF RESPONSIBILITIES RELATING TO THE PLANNING, DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION OF TWO HIGHWAY PROJECTS FROM THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES (ADOT&PF), AND AUTHORIZING THE MANAGER TO EXECUTE A TRANSFER OF RESPONSIBILITIES AGREEMENT BY AND BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND ADOT&PF FOR THESE PROJECTS.
 - b. Resolution Serial No. 05-141: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE BOGARD ROAD EXTENSION EAST AND THE SELDON ROAD EXTENSION WEST HIGHWAY PROJECTS.
 - (1) IM No. 05-267

Mr. O'Brien provided a staff report.

Assemblymember Bettine asked Mr. O'Brien to discuss the steps the Assembly could take to properly filter traffic on this extension and help prevent congestion from occurring.

Mr. O'Brien reviewed the steps that should be taken to help prevent congestion and filter traffic.

Assemblymember Allen:

- agreed that he wanted this to be done correctly the first time; and
- inquired if there are there enough funds to complete the project.

Mr. O'Brien:

- stated that it would be tight but the Borough may be able to complete the project with the funds;
- noted that the consultant would be able to identify if more funds were needed; and
- stated that if more funds are needed, the Borough could go to the State Legislature to request additional funds.

Discussion ensued regarding the project.

Mayor Anderson opened the public hearing.

The following person voiced concern regarding competing with the real estate market to purchase these properties for the highway construction: Mr. Garvin Buccaria.

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

MOTION: Assemblymember Vehrs moved to adopt Ordinance Serial No. 05-185 and Resolution Serial Nos. 05-140 and 05-141.

VOTE: The motion passed without objection.

13. Ordinance Serial No. 05-186: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$31,200 FROM THE FISCAL YEAR 2006 OFFICE OF INFORMATION TECHNOLOGY DIVISION OPERATING BUDGET TO THE ACCOUNTING DIVISION FISCAL YEAR 2006 OPERATING BUDGET, TO FUND AN ACCOUNTING ASSISTANT I FOR ACCOUNTS PAYABLE, THROUGH JUNE 30, 2006.

a. IM No. 05-268

Ms. Clayton provided a staff report.

Assemblymember Allen inquired what the Borough's aging is on accounts payable.

Ms. Clayton replied that the Borough is currently at 30 days, but that they were previously at five months.

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. 05-186.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person voiced concern regarding environmental impact statements:
Mr. Clarence Furbush.

The following person thanked the Assembly and Mr. Duffy for all of the assistance that they have provided for Su Valley High School: Mr. Steve Hicks, Parent Teacher Student Association for Su Valley.

D. CONSENT AGENDA (AM No. 05-207 was pulled from the consent agenda and addressed separately. *See pp. 17-18*)

1. RESOLUTIONS

2. ASSEMBLY MEMORANDUMS

- a. AM No. 05-201: APPROVAL OF A PROPERTY TAX REFUND DUE TO A CLERICAL ERROR IN THE ASSESSMENTS DIVISION OF PROPERTY TAX ACCOUNT 647900T002 IN THE AMOUNT OF \$2,960.82 TO GWENDOLYN METHONEN.
- b. AM No. 05-202: AUTHORIZATION TO INCREASE THE CONTRACT AMOUNT FOR EMERGENCY SERVICES STATION UNIFORMS AND ACCESSORIES FROM YOUNG'S FIREHOUSE IN AN AMOUNT NOT TO EXCEED \$150,000 FOR FISCAL YEAR 2006.
- c. AM No. 05-206: ACCEPTANCE OF LATE FILED SENIOR CITIZEN PROPERTY TAX EXEMPTION APPLICATION FOR TAX YEAR 2005 FOR ALAN D. DUNTLEY.
- e. AM No. 05-208: AUTHORIZING THE MANAGER TO ENTER INTO A COOPERATIVE SERVICES AGREEMENT FOR THE PERIOD OF JANUARY 1, 2005, THROUGH DECEMBER 31, 2007, IN THE AMOUNT OF \$655,521 PER YEAR, WITH THE CITIES OF PALMER AND HOUSTON FOR DISPATCH SERVICES.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

- d. AM No. 05-207: AWARD OF BID NO. 06-053 TO DENALI DRILLING, INC., IN THE AMOUNT OF \$39,750 TO DRILL, INSTALL, AND DEVELOP TWO GROUNDWATER MONITORING WELLS FOR THE CENTRAL LANDFILL WITHIN THE CREVASSE MORAIN TRAIL SYSTEM.

MOTION: Assemblymember Woods moved to approve AM No. 05-207.

Assemblymember Woods inquired regarding the advertising process for bids.

Ms. Clayton explained the advertising process for pre-bids and bids.

VOTE: The motion passed without objection.

VIII. UNFINISHED BUSINESS

1. Ordinance Serial No. 05-168: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY TO AUTHORIZE THE MATANUSKA-SUSITNA BOROUGH TO INCUR INDEBTEDNESS IN THE PRINCIPAL AMOUNT OF \$296,000 FROM THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO BUILD A COVERED STORAGE AREA FOR SALTED SAND.
(Motion pending: 09/20/05)
- a. IM No. 05-158

MOTION PENDING: Assemblymember Colver moved to adopt Ordinance Serial No. 05-168.

Assemblymember Vehrs inquired what would happen if a road service area did not sign the agreement.

Mr. Rountree:

- stated that if the agreement is not signed by all of the road service areas the project may stop;
- noted that they are considering other alternatives; and
- stated that in past conversations, all of the road service areas have agreed to the project.

Assemblymember Bettine:

- noted that the Fairview Road Service Area No. 14 currently has no board members;
- stated that she does not want to make a decision until she knows whether or not all of the road service areas are in support of the project; and
- voiced concern regarding encumbering the road service areas with a 20-year loan.

(The regular meeting recessed at 9:07 p.m. and reconvened at 9:15 p.m.)

MOTION: Assemblymember Allen moved a primary amendment to section 10, Execution, to insert a sentence to read, "This loan cannot be consummated unless executed by 100 percent of the applicable road service area boards of supervisors."

Assemblymember Allen spoke in support of the amendment.

Assemblymember Vehrs spoke in support of the amendment.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Vehrs moved to postpone Ordinance Serial No. 05-168 to a time certain of January 3, 2006.

VOTE: The motion to postpone to a time certain of January 3, 2006, passed with Assemblymembers Allen and Colberg in opposition.

IX. NEW BUSINESS

INTRODUCTION (For public hearing - 11/15/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-187: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$16,355 GRANT TO FUND 440, PROJECT NO. 15015, FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION FOR THE EAST-WEST EXPRESS TRAILHEAD PROJECT.
 - a. Resolution Serial No. 05-142: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE EAST-WEST EXPRESS TRAILHEAD PROJECT.
 - (1) IM No. 05-271
2. Ordinance Serial No. 05-188: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$12,176 GRANT TO FUND 440, PROJECT NO. 15015, FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION FOR THE TALKEETNA LAKES PARK TRAILHEAD CONSTRUCTION PROJECT.
 - a. Resolution Serial No. 05-143: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE TALKEETNA LAKES PARK TRAILHEAD CONSTRUCTION PROJECT.
 - (1) IM No. 05-272
3. Ordinance Serial No. 05-189: AN ORDINANCE ACCEPTING AND APPROPRIATING AN ADDITIONAL \$36,531 TO FUND 440, PROJECT NO. 15032, FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION FOR THE GOLD MINT TRAIL, INDEPENDENCE MINE-GOLD CORD LAKE TRAIL, AND THE SUMMIT LAKE-APRIL BOWL TRAIL.

- a. Resolution Serial No. 05-144: A RESOLUTION APPROVING THE AMENDED SCOPE OF WORK AND BUDGET FOR THE GOLD MINT TRAIL, INDEPENDENCE MINE-GOLD CORD LAKE TRAIL, AND THE SUMMIT LAKE-APRIL BOWL TRAIL.
- (1) IM No. 05-275
- 4. Ordinance Serial No. 05-190: AN ORDINANCE AMENDING MSB 3.30.080(A), TO REDUCE THE LICENSE FEE FOR DEALERS OF CIGARETTES AND TOBACCO PRODUCTS FOR 2005. *(Sponsor: Assemblymember Vehrs)*
- a. IM No. 05-276

Ms. McGehee read the above legislation into the record.

MOTION: Assemblymember Vehrs moved to introduce the legislation as read into the record by the Clerk and set the public hearings for November 15, 2005.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Historical Preservation Commission

Rosetta Alcantra

Jill Reese

Local Emergency Planning Committee

Sandy Sanderlin

Nancy Hall

Real Property Asset Management Board

John Strassenburgh

Big Lake Fire Service Area No. 33

Wes Hamrick

Big Lake Road Service Area No. 21

Paul McRoberts

Bogard Road Service Area No. 25

Valen Bair

Caswell Lakes Road Service Area No. 15

Cynthia Olson

Arthur Peterson

Fairview Road Service Area No. 14

David Hopper

Greater Butte Road Service Area No. 26

Michael Shields

Greater Talkeetna Road Service Area No. 29

George Wagner

Greater Willow Road Service Area No. 20

Jim Norcross

Lazy Mountain Road Service Area No. 19

Lucy Klebesadel

South Colony Road Service Area No. 16

Diane Marble

Trapper Creek Road Service Area No. 30

Ellen Peltier

Chase Trail Service Area No. 134

Ruth Marmor

Circle View and Stampede Estates Flood and Water Erosion Control Service Area No. 131

Linda Smith

Talkeetna Flood Control Service Area No. 7

Roberta Sheldon

Mayor Anderson requested the following confirmations:

Parks, Recreation, and Trails Advisory Board

Resignation of Arthur Mannix

Real Property Asset Management Board

Lorene Lynn

Regional Transportation Planning Organization

Jim Colver

Lazy Mountain Road Service Area Board of Supervisors

Patrick William Larrabee

Circle View and Stampede Estates Flood and Water Erosion Control Service Area No. 131

William Snegirer

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

VOTE: The motion passed without objection.

X. RECONSIDERATION

(There were no reconsiderations presented.)

XI. VETO

(There were no vetoes presented.)

XII. EXECUTIVE SESSION

(There was no executive session held.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Bettine thanked the members of the Assembly for helping her through her first few meetings.

Assemblymember Kvalheim:

- asked the Clerk to research the possibility of bringing an assembly memorandum back before the Assembly; and
- inquired if any steps have been taken regarding the water and sewer issues at Matanuska Community College.

Ms. McGehee stated that she would research the options available to the Assembly.

Mayor Anderson:

- stated that the Borough may be able to contribute something to assist with the water and sewer issues at the college in order to help support the goal of the four-year university;
- thanked Assemblymember Vehrs for stepping in as chair this evening and Assemblymember Colver for chairing the last Assembly meeting; and
- noted that the Alaska Municipal League Conference will be next week in Anchorage.

XIV. ADJOURNMENT

The regular meeting adjourned at 9:30 p.m.

/ S /

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/ S /

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: 11/15/05