

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on November 13, 2007, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Lynne Woods.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 (*Deputy Mayor*)
Mr. Pete Houston, Assembly District No. 2
Ms. Michelle R. Church, Assembly District No. 3
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Robert Wells, Assembly District No. 6 (*arrived at 6:35 p.m.*)
Mr. Tom Kluberton, Assembly District No. 7

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Mr. Marian Romano, Deputy Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Lonnie R. McKechnie, Deputy Borough Clerk
Ms. Cheyenne Heindel, Financial Analyst
Ms. Marian Romano, Assistant Borough Manager
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Mr. Linda Brenner, Community Development Director
Ms. Patty Sullivan, Public Information Manager

III. APPROVAL OF AGENDA

Deputy Mayor Woods inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

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

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: 10/16/07

Deputy Mayor Woods inquired if there were any corrections to the special meeting minutes.

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

B. Regular Assembly Meeting: 10/16/07

Deputy Mayor Woods inquired if there were any corrections to the regular meeting minutes.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports provided.)

2. Matanuska-Susitna Borough School District

School Board President Welton:

- spoke regarding the flawed analysis of the “drop-out factor” report from Johns Hopkins University;
- spoke regarding the recent threats that have occurred at Colony High School;
- spoke regarding the police officer that has been working at Wasilla High School;
- noted that the Palmer Police Department has made inquiries into having an officer present at Palmer High School;
- advised that the enrollment numbers were higher than the School District projected;
- noted that there was a special recognition for former School Board Member Larry DeVilbiss at the last School Board meeting;
- provided an update of the School Safety Committee; and
- advised of the subjects that the School Board will discuss at its next School Board meeting.

Assemblymember Bettine queried the student drop out rate.

School Board President Welton:

- advised that she did not have the figures; and
- explained the manner in which “No Child Left Behind” counts the students that drop out.

Discussion ensued regarding the Matanuska-Susitna Borough School Districts drop-out rates.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Assembly Public Relations

Deputy Mayor Woods:

- provided a report on the Alaska Conference of Mayors; and
- spoke regarding attending the Alaska Municipal League Conference.

Assemblymember Bettine spoke regarding attending the Alaska Municipal League Conference.

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Su Valley High School Update

Mr. Rountree:

- advised that the design for Susitna Valley High School should be complete and ready for bid by the spring;
- stated that the insurance company has concurred with rebuilding the school at 50,000 square feet; and
- noted that the committee is making great progress.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. McGehee:

- spoke regarding the upcoming meeting schedule;
- introduced Ms. Tawnya Hightower, the new Administrative Secretary I in the Clerk's Office;
- advised that Ms. Joell Church and Ms. Lonnie McKechnie have applied for their Certified Municipal Clerk designation through the International Institute of Municipal Clerks; and
- advised that she will not be in attendance at the November 20, 2007, meetings.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Caswell Lakes RSA No. 15: 05/01/07, 06/07/07
 - b. Enhanced 911 Advisory Board: 07/10/07
 - c. Greater Butte RSA No. 26: 04/26/07
 - d. Greater Palmer Consolidated FSA No. 132: 03/12/07, 04/09/07
 - e. Greater Talkeetna RSA No. 29: 08/09/07
 - f. Knik RSA No. 17: 03/22/07
 - g. Local Emergency Planning Committee: 04/18/07
 - h. Parks, Recreation, and Trails Advisory Board: 06/25/07
 - i. Real Property Asset Management Board: 08/08/07
 - j. Wasilla Lakes FSA No. 130: 08/13/07

2. Community Council Correspondence:
 - a. Glacier View Community Council: 05/24/07
 - b. Lazy Mountain Community Council: 03/08/07, 06/28/07
 - c. Talkeetna Community Council: 03/05/07, 04/03/07, 06/04/07

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 07-282: AN INFORMATIONAL MEMORANDUM PROVIDING AN INTERIM REPORT ON THE FINDINGS OF THE MAYOR'S BLUE RIBBON TASK FORCE ON ROAD SERVICE AREAS.
2. IM No. 07-289: AN INFORMATIONAL MEMORANDUM ADVISING OF TECHNICAL AMENDMENTS MADE TO MSB 27.15, MSB 17.30, AND MSB 17.73.130.

Assemblymember Bettine requested clarification on IM No. 07-282, as it requests that the Assembly accept the interim recommendations of the Mayor's Blue Ribbon Task Force on Road Service Areas.

Ms. McGehee advised that informational memorandums listed in this part of the agenda are for informational purposes only and that no action can be taken.

VIII. UNFINISHED BUSINESS

(There was no unfinished business.)

IX. NEW BUSINESS

- A. INTRODUCTION (For public hearing – 11/20/07, 7 p.m., Borough Assembly Chambers)
 1. Ordinance Serial No. 07-167: AN ORDINANCE ACCEPTING AND APPROPRIATING \$85,761 GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 400, PROJECT NO. 40161, HOLLYWOOD ROAD SAFETY IMPROVEMENTS AT THE KNIK-GOOSE BAY ELEMENTARY SCHOOL SITE.
 - a. Resolution Serial No. 07-128: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE HOLLYWOOD ROAD SAFETY IMPROVEMENTS AT THE KNIK-GOOSE BAY ELEMENTARY SCHOOL SITE, FUND 400, PROJECT NO. 40161, AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT.
 - (1) IM No. 07-254

2. Ordinance Serial No. 07-168: AN ORDINANCE REAPPROPRIATING \$10,000 FROM FUND 475, PROJECT NO. 20360, TO FUND 100, FISCAL YEAR 2008 PLANNING DIVISION OPERATING BUDGET FOR DISTRIBUTION AS A GRANT TO THE MID-VALLEY SENIORS.
 - a. IM No. 07-265

3. Ordinance Serial No. 07-169: AN ORDINANCE CLASSIFYING LANDS AND APPROVING LANDS FOR SALE OR RETENTION OF ELEVEN BOROUGH-OWNED PARCELS IN THE BIG LAKE, CASWELL, COW LAKE, KASHWITNA, NANCY LAKE, AND PETERSVILLE AREAS.
 - a. IM No. 07-281

4. Ordinance Serial No. 07-170: AN ORDINANCE ADOPTING MSB 8.70, PROHIBITION AGAINST UNAUTHORIZED USE OF PARKING RESERVED FOR PERSONS WITH DISABILITIES AND PROVIDING FOR A PENALTY; AND AMENDING MSB 1.45.100, SCHEDULE OF FINES FOR INFRACTIONS.
(Sponsor: Assemblymember Kvalheim)
 - a. IM No. 07-283

5. Ordinance Serial No. 07-171: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$26,054 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, TO FUND 480, PROJECT NO. 45126, TO ALLOW FOR THE CONTINUATION OF THE CITIZEN CORPS PROGRAM.
 - a. Resolution Serial No. 07-129: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, FUND 480, PROJECT NO. 45126, TO EMPLOY A CITIZEN CORPS COORDINATOR, PURCHASE EQUIPMENT AND SUPPLIES, AND CONDUCT TRAINING AND EXERCISES.
 - (1) IM No. 07-284

6. Ordinance Serial No. 07-172: AN ORDINANCE ACCEPTING AND APPROPRIATING \$340,000 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 425, PROJECT NO. 45158, FOR TRAINING AND EXERCISE EXPENSES AND TO PURCHASE INTEROPERABLE COMMUNICATIONS EQUIPMENT.
 - a. Resolution Serial No. 07-130: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, PROJECT NO. 45158, FUND 425, FOR TRAINING AND EXERCISE EXPENSES AND TO PURCHASE INTEROPERABLE COMMUNICATION EQUIPMENT.
 - (1) IM No. 07-285

7. Ordinance Serial No. 07-173: AN ORDINANCE RECLASSIFYING TRACT A, A.S.C.S. 870354, CONTAINING APPROXIMATELY 320 ACRES FOR A DUAL CLASSIFICATION OF PUBLIC RECREATIONAL LANDS AND MATERIAL

LANDS LOCATED AT APPROXIMATELY MILE 9 OF POINT MACKENZIE ROAD (MSB004971).

- a. IM No. 07-286
8. Ordinance Serial No. 07-174: AN ORDINANCE AMENDING TITLE 15, COMPREHENSIVE PLAN AND PURPOSES, ADOPTING THE 2007 KNIK ARM BRIDGE AND TOLL AUTHORITY HISTORIC PRESERVATION PLAN INTO THE OVERALL BOROUGHWIDE COMPREHENSIVE PLAN.
 - a. IM No. 07-292
9. Ordinance Serial No. 07-175: AN ORDINANCE ACCEPTING AND APPROPRIATING \$20,000 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, DIVISION OF COMMUNITY ADVOCACY, TO FUND 480, PROJECT NO. 45024, FOR REPAIRS AND RENOVATIONS TO THE CHICKALOON COMMUNITY HALL AND AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE CHICKALOON COMMUNITY COUNCIL FOR THE COMPLETION OF THIS WORK.
 - a. IM No. 07-295
10. Ordinance Serial No. 07-176: AN ORDINANCE APPROVING AN APPROPRIATION OF \$20,403 FROM THE AREA WIDE FUND BALANCE, FUND 100, TO FUND 410, FOR THE DUST CONTROL PROGRAM.
 - a. IM No. 07-296
- B. INTRODUCTION (For public hearing – 12/18/07, 7 p.m., Borough Assembly Chambers)
 1. Ordinance Serial No. 07-164: AN ORDINANCE CREATING CHISANA WOODS AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 427, 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. 07-278
 2. Ordinance Serial No. 07-165: AN ORDINANCE CREATING SHEENA MAY AND PINWYCK ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 429, 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. 07-279
 3. Ordinance Serial No. 07-166: AN ORDINANCE CREATING TIDEWATER SUBDIVISION AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 426, 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. 07-280

Ms. McGehee read the above legislation into the record.

MOTION: Assemblymember Woods moved to introduce the legislation as read into the record by the Clerk and set the public hearings for November 20, 2007, and December 18, 2007, respectively.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Menard requested the following confirmations:

Local Emergency Planning Committee
Resignation of Mark Ewing
Planning Commission
Resignation of Diane Woodruff
Transportation Advisory Board
Resignation of Henry Corbin
Big Lake RSA No. 21
Resignation of Paul McRoberts
Knik RSA No. 17
Resignation of Henry Corbin

Mayor Menard made the following recommendations:

Local Emergency Planning Committee
Patrick Malone
Diane Woodruff
Mayor's Blue Ribbon Task Force on Forming a Health and Social Services Board
Stephanie Allen
Big Lake RSA No. 21
Houston Snyder
Greater Willow RSA No. 20
Ralph Oakley
Midway RSA No. 9
Carol Selkirk
Talkeetna Sewer and Water Service Area No. 36
Paul Richards

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

VOTE: The motion passed without objection.

(The regular meeting recessed at 6:44 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.)

Deputy Mayor Woods inquired if there was any objection to moving Ordinance Serial No. 07-144, Ordinance Serial No. 07-145, Ordinance Serial No. 07-146, Ordinance Serial No. 07-147, Ordinance Serial No. 07-148, Ordinance Serial No. 07-155, Ordinance Serial No. 07-156, Ordinance Serial No. 07-157, and Ordinance Serial No. 07-158 together.

There was no objection noted.

1. Ordinance Serial No. 07-144: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$65,000 FROM THE FAIRVIEW ROAD SERVICE AREA NO. 14 FISCAL YEAR 2008 OPERATING BUDGET, FUND 271, TO THE FAIRVIEW ROAD SERVICE AREA NO. 14 CAPITAL PROJECTS, FUND 410, PROJECT NO. 30037.
 - a. IM No. 07-219
2. Ordinance Serial No. 07-145: AN ORDINANCE APPROVING AN APPROPRIATION OF \$27,000 FROM THE FAIRVIEW ROAD SERVICE AREA NO. 14 FUND BALANCE, FUND 271, TO FUND 410, PROJECT NO. 30037, FOR THE FAIRVIEW ROAD SERVICE AREA NO. 14 CAPITAL PROJECTS.
 - a. IM No. 07-220
3. Ordinance Serial No. 07-146: AN ORDINANCE APPROVING AN APPROPRIATION OF \$88,000 FROM KNIK ROAD SERVICE AREA NO. 17 FUND BALANCE, FUND 274, TO FUND 410, PROJECT NO. 30040, FOR THE KNIK ROAD SERVICE AREA NO. 17 CAPITAL PROJECTS.
 - a. IM No. 07-221
4. Ordinance Serial No. 07-147: AN ORDINANCE APPROVING AN APPROPRIATION OF \$194,000 FROM THE MEADOW LAKES ROAD SERVICE AREA NO. 27 FUND BALANCE, FUND 281, TO FUND 410, PROJECT NO. 30047, FOR THE MEADOW LAKES ROAD SERVICE AREA NO. 27 CAPITAL PROJECTS.
 - a. IM No. 07-222
5. Ordinance Serial No. 07-148: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$67,000 FROM THE GOLD TRAILS ROAD SERVICE AREA NO. 28 FUND BALANCE, FUND 282, TO THE GOLD TRAILS ROAD SERVICE AREA NO. 28 FISCAL YEAR 2008 OPERATING BUDGET, FUND 282.
 - a. IM No. 07-223

12. Ordinance Serial No. 07-155: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$28,000 FROM THE LAZY MOUNTAIN ROAD SERVICE AREA NO. 19 FUND BALANCE, FUND 275, TO THE LAZY MOUNTAIN ROAD SERVICE AREA NO. 19 FISCAL YEAR 2008 OPERATING BUDGET, FUND 275.
 - a. IM No. 07-260
13. Ordinance Serial No. 07-156: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$50,000 FROM THE KNIK ROAD SERVICE AREA NO. 17 FUND BALANCE, FUND 274, TO THE KNIK ROAD SERVICE AREA NO. 17 FISCAL YEAR 2008 OPERATING BUDGET, FUND 274.
 - a. IM No. 07-261
14. Ordinance Serial No. 07-157: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$30,000 FROM THE GREATER BUTTE ROAD SERVICE AREA NO. 26 FUND BALANCE, FUND 280, TO THE GREATER BUTTE ROAD SERVICE AREA NO. 26 FISCAL YEAR 2008 OPERATING BUDGET, FUND 280.
 - a. IM No. 07-262
15. Ordinance Serial No. 07-158: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$34,000 FROM THE MIDWAY ROAD SERVICE AREA NO. 9 FUND BALANCE, FUND 270, TO THE MIDWAY ROAD SERVICE AREA NO. 9 FISCAL YEAR 2008 OPERATING BUDGET, FUND 270.
 - a. IM No. 07-263

Mrs. McGehee read the public hearing titles for the record.

Mr. Rountree provided a staff report.

Deputy Mayor Woods opened the public hearings.

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

MOTION: Assemblymember Bettine moved to adopt Ordinance Serial No. 07-144, Ordinance Serial No. 07-145, Ordinance Serial No. 07-146, Ordinance Serial No. 07-147, Ordinance Serial No. 07-148, Ordinance Serial No. 07-155, Ordinance Serial No. 07-156, Ordinance Serial No. 07-157, and Ordinance Serial No. 07-158.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 07-149: AN ORDINANCE ACCEPTING AND APPROPRIATING GRANTS IN THE AMOUNT OF \$1,395,000 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 405, PROJECT NOS. 45226, 45227, 45228, 45210, 45066, AND 45211 FOR PURCHASE OF VARIOUS FIREFIGHTING AND COMMUNICATION EQUIPMENT, APPARATUS, SHELTERS AND BUILDING REPAIRS.

- a. Resolution Serial No. 07-115: A RESOLUTION APPROVING THE SCOPES OF WORK AND BUDGETS FOR GRANTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, FUND 405, PROJECT NOS. 45226, 45227, 45228, 45210, 45066, AND 45211 FOR THE PURCHASE OF VARIOUS FIREFIGHTING AND COMMUNICATION EQUIPMENT, APPARATUS, SHELTERS, AND BUILDING REPAIRS.
 - (1) IM No. 07-236

Mr. Brodigan provided a staff report.

Deputy Mayor Woods 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 Bettine moved to adopt Ordinance Serial No. 07-149 and Resolution Serial No. 07-115.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 07-150: AN ORDINANCE ACCEPTING AND APPROPRIATING AN ADDITIONAL \$12,773 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, TO FUND 480, PROJECT NO. 20259, TO HIRE A CONTRACTOR TO REWRITE, DUPLICATE AND DISTRIBUTE THE BOROUGH EMERGENCY OPERATIONS PLAN.
 - a. Resolution Serial No. 07-116: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 20259, FUND 480, TO INCLUDE THE HIRING OF A CONTRACTOR TO REWRITE, DUPLICATE AND DISTRIBUTE THE BOROUGH EMERGENCY OPERATIONS PLAN.
 - (1) IM No. 07-237

Mr. Brodigan provided a staff report.

Deputy Mayor Woods 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 Bettine moved to adopt Ordinance Serial No. 07-150 and Resolution Serial No. 07-116:

VOTE: The motion passed without objection.

8. Ordinance Serial No. 07-151: AN ORDINANCE APPROVING AN APPROPRIATION OF \$150,000 FROM FUND 203, LAND MANAGEMENT FUND BALANCE, TO FUND 430, FOR THE DESIGN AND CONSTRUCTION TO REPLACE THE

COTTONWOOD CREEK AND TWINS II BRIDGES ON OILWELL ROAD IN TRAPPER CREEK, PROJECT NO. 35014.

- a. Resolution Serial No. 07-117: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE COTTONWOOD CREEK AND TWINS II REPLACEMENT BRIDGES, PROJECT NO. 35014.
- (1) IM No. 07-253

Mr. Rountree provided a staff report.

Deputy Mayor Woods spoke to concerns regarding the funds coming out of the Land Management Fund Balance.

Ms. Romano stated that Land Management funds sometimes get used for activities when no other funds are available.

Deputy Mayor Woods queried whether there were other funds that could be used for this project.

Mr. Rountree:

- stated that none of the road service areas can afford to replace the bridges within their road service areas; and
- noted that bonding may be an option to replace the bridges throughout the Borough.

Discussion ensued regarding:

- who originally installed the bridges;
- the location of the bridges;
- whether the bridges are included in the Capital Improvement Plan;
- bridge inspections; and
- how the Borough plans to repair all of the bridges.

Deputy Mayor Woods 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 Kluberton moved to adopt Ordinance Serial No. 07-151 and Resolution Serial No. 07-117.

Assemblymember Kluberton:

- stated that eleven families live below the bridges year round;
- advised that there are one hundred seventy-three roundtrips across the bridges daily during the summer for recreational purposes;
- spoke to the public's concerns in getting fuel trucks, emergency vehicles, and plow trucks over the bridges;
- stated that vehicles have driven over the bridges for years prior to the State lowering the weight limit;
- stated that this issue is of significant importance to the people who live in the area; and
- noted that the road service area cannot afford to fix the bridges.

Assemblymember Bettine queried the reason that the funds could not come from emergency reserves or capital reserves rather than the land management fund.

Ms. Heindel:

- advised that the emergency reserves is set aside for Boroughwide emergencies; and
- stated that this is a capital project; however, it is a capital project for road service areas, non-areawide.

Deputy Mayor Woods queried the amount that is remaining in the land management fund.

Ms. Heindel advised that there will be \$500,000 remaining in the land management fund should this legislation pass.

Discussion ensued regarding:

- concerns in using the land management fund;
- other funding sources; and
- the assessment that the Alaska State Department of Transportation performed on the bridges Boroughwide.

MOTION: Assemblymember Church moved to postpone Ordinance Serial No. 07-151 and Resolution Serial No. 07-117 to a time certain of December 4, 2007.

VOTE: The motion to postpone to a time certain of December 4, 2007, passed without objection.

(The regular meeting recessed at 8:01 p.m. and reconvened at 8:05 p.m.)

9. Ordinance Serial No. 07-152: AN ORDINANCE AMENDING MSB 4.56.030(A), SENIOR CITIZEN ADVISORY BOARD, TO DELETE THE AGE REQUIREMENT.
 - a. IM No. 07-255

Ms. Romano provided a staff report.

Deputy Mayor Woods 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 Bettine moved to adopt Ordinance Serial No. 07-152.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 07-153: AN ORDINANCE AMENDING MSB 19.08.023, SITE APPROVAL PROCESS FOR LEASE OF CHARTER SCHOOL FACILITIES, SPECIFICALLY TO AMEND CHARTER SCHOOL APPLICATION DEADLINES.
 - a. IM No. 07-258

Deputy Mayor Woods 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 Bettine moved to adopt Ordinance Serial No. 07-153.

Assemblymember Wells:

- advised that this issue has been discussed a number of times at the Joint Assembly/School Board Committee on School Issues; and
- noted the process of locating a facility will not start until the School Board has approved a new charter.

VOTE: The motion passed without objection.

11. Ordinance Serial No. 07-154: AN ORDINANCE ACCEPTING AND APPROPRIATING \$606,435 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE FISCAL YEAR 2008 DESIGNATED LEGISLATIVE GRANTS FOR VARIOUS ROAD AND FACILITY PROJECTS THROUGHOUT THE BOROUGH.
 - a. Resolution Serial No. 07-118: A RESOLUTION APPROVING A SCOPE OF WORK AND BUDGET FOR THE FISCAL YEAR 2008 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. 07-259

Mr. Rountree provided a staff report.

Deputy Mayor Woods 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 Bettine moved to adopt Ordinance Serial No. 07-154 and Resolution Serial No. 07-118.

Assemblymember Bettine:

- opined that that there are good projects on the list;
- commented that some of these projects were not included in the Capital Improvement Plan; and
- spoke to the need to have the list with them at the joint meeting with the Legislative Delegation.

VOTE: The motion passed without objection.

Deputy Mayor Woods inquired if there was any objection to moving Ordinance Serial No. 07-159, Resolution Serial No. 07-119, Ordinance Serial No. 07-160, and Resolution Serial No. 07-120 together.

There was no objection noted.

16. Ordinance Serial No. 07-159: AN ORDINANCE APPROVING AN APPROPRIATION OF \$75,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45152, FUND 405, TO SUPPLEMENT THE PURCHASE OF FIRE APPARATUS AND RELATED EQUIPMENT.
 - a. Resolution Serial No. 07-119: A RESOLUTION AMENDING THE BUDGET OF PROJECT NO. 45152, FUND 405, TO SUPPLEMENT THE PURCHASE OF A FIRE APPARATUS AND RELATED EQUIPMENT FOR THE MEADOW LAKES FIRE SERVICE AREA.
 - (1) IM No. 07-264

17. Ordinance Serial No. 07-160: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$91,093 UNITED STATES DEPARTMENT OF HOMELAND SECURITY, ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF \$4,794 FROM THE BIG LAKE FIRE SERVICE AREA FUND BALANCE, FUND 256, TO PROJECT NO. 45141, FUND 405, TO PURCHASE SELF-CONTAINED BREATHING APPARATUS AND RELATED EQUIPMENT.
 - a. Resolution Serial No. 07-120: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE BIG LAKE FIRE SERVICE AREA, PROJECT NO. 45141, FUND 405, TO PURCHASE SELF-CONTAINED BREATHING APPARATUS AND RELATED EQUIPMENT.
 - (1) IM No. 07-266

Mr. Brodigan provided a staff report.

Deputy Mayor Woods 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 Kluberton moved to adopt Ordinance Serial No. 07-159, Resolution Serial No. 07-119, Ordinance Serial No. 07-160, and Resolution Serial No. 07-120.

VOTE: The motion passed without objection.

18. Ordinance Serial No. 07-161: AN ORDINANCE AMENDING MSB 4.46.030, HISTORICAL PRESERVATION COMMISSION, SPECIFICALLY TO CHANGE THE NUMBER OF MEMBERS.
 - a. IM No. 07-267

Deputy Mayor Woods 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 Bettine moved to adopt Ordinance Serial No. 07-161.

VOTE: The motion passed without objection.

19. Ordinance Serial No. 07-162: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$4,400 GRANT TO FUND 435, PROJECT NO. 10155, FROM THE RASMUSON FOUNDATION TO UPGRADE THE MULTIMEDIA COLLECTION AND EQUIPMENT AT THE SUTTON PUBLIC LIBRARY.
 - a. Resolution Serial No. 07-121: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MULTIMEDIA COLLECTION AND EQUIPMENT UPGRADES AT THE SUTTON PUBLIC LIBRARY.
 - (1) IM No. 07-270

Deputy Mayor Woods 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 Bettine moved to adopt Ordinance Serial No. 07-162 and Resolution Serial No. 07-121.

VOTE: The motion passed without objection.

20. Ordinance Serial No. 07-163: AN ORDINANCE APPROPRIATING \$30,000 OF INTEREST EARNINGS ON THE 1999 SERIES A GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40131, FOR HOUSTON HIGH SCHOOL.
 - a. IM No. 07-272

Mr. Rountree provided a staff report.

Deputy Mayor Woods queried whether the new heat exchange system would reduce costs in the future.

Mr. Rountree:

- stated that it will be a better system; and
- explained what the glycol is doing to the heating system.

Deputy Mayor Woods queried if more funds will be need in the future.

Mr. Rountree:

- advised that there will be more funds needed; and
- stated that the funds are available through the interest on earnings for the project through the same bond.

Discussion ensued regarding:

- the items that are being replaced in the system;
- the process that is going to be used to hire a mechanical engineer;
- concerns with using interest earnings from prior bonds;
- the reason for the cost increase; and
- the bid process.

Deputy Mayor Woods 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 Kluberton moved to adopt Ordinance Serial No. 07-163.

Assemblymember Kluberton:

- spoke to a prior project where the bids came in higher than they should have been;
- spoke to Alaska State and Washington State projects he worked on called Bid Rigging Detection in Highway Construction Projects in which the Bid Analysis and Management System was used; and
- stated that in no instance where the investigations were held did they fail to find collusion in highway construction.

MOTION: Assemblymember Kluberton moved to postpone Ordinance Serial No. 07-163 indefinitely.

Assemblymember Wells queried if all of the legal remedies on this system have been exhausted.

Mr. Spiropoulos:

- stated that he would need to look into the issue; and
- advised that if the contractor was Wolverine Supply and party of the law suit the parties have released each other.

Assemblymember Bettine queried if there was a bond that was collected in the law suit.

Mr. Spiropoulos:

- spoke to the funds that were received from the insurance company; and
- noted that the Borough and the other party agreed to settle all claims and disputes whether they were known at the time or if they arise later in the future.

VOTE: The motion to postpone indefinitely passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke in support of AM No. 07-137: Mr. Tim Leech, President of Matanuska Election Association Ratepayers Alliance.

The following person spoke to concern regarding mining into the water table: Ms. Kathy Wells, Director of Friend of Mat-Su.

D. CONSENT AGENDA (AM No. 07-137 was pulled from the consent agenda and addressed separately. *See pp. 18 of 21*)

1. RESOLUTIONS

a. Resolution Serial No. 07-122: A RESOLUTION ESTABLISHING DATES CERTAIN FOR PAYMENT, DELINQUENCY, PROTEST, AND APPEAL OF 2008 REGULAR TAX ROLLS, BUSINESS INVENTORY FILING, AND FOR THE COMMENCEMENT OF HEARINGS BEFORE THE BOARD OF EQUALIZATION.

(1) IM No. 07-276

2. Resolution Serial No. 07-123: A RESOLUTION TO AMEND THE SCOPE OF WORK FOR THE ADMINISTRATION BUILDING REPAIRS, GYM DOORS WITH SECURITY, PROJECT NO. 10057, TO ALLOW FOR PLACEMENT OF SECURITY DEVICES THROUGHOUT THE ADMINISTRATION BUILDING.

(1) IM No. 07-288

3. Resolution Serial No. 07-124: A RESOLUTION AUTHORIZING PARTICIPATION IN THE FEDERAL FISCAL YEAR 2007 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM WITH THE ALASKA COMMUNITY DEVELOPMENT CORPORATION, A 501C3 NON-PROFIT CHARITY, PROVIDING HOUSING REHABILITATION SERVICES.

(1) IM No. 07-290

4. Resolution Serial No. 07-125: A RESOLUTION AUTHORIZING PARTICIPATION IN THE FEDERAL FISCAL YEAR 2007 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO APPLY FOR FUNDS FOR THE CONSTRUCTION OF A PUBLIC FACILITY IN THE LAKE LOUISE AREA.

(1) IM No. 07-291

5. Resolution Serial No. 07-126: A RESOLUTION TO AMEND THE SCOPE OF WORK FOR THE WILLOW COMMUNITY CENTER NEW GENERATOR (EMERGENCY BACKUP POWER), PROJECT NO. 10009, TO ALLOW FOR ADDITIONAL ELECTRICAL UPGRADES TO THE COMMUNITY CENTER.

(1) IM No. 07-293

6. Resolution Serial No. 07-127: A RESOLUTION AUTHORIZING THE MANAGER TO SUBMIT AN APPLICATION FOR A FEDERAL HISTORIC PRESERVATION GRANT FROM THE STATE OF ALASKA FOR THE PURPOSE OF RESEARCHING

AND CREATING A HISTORIC PRESERVATION PLAN FOR THE COMMUNITY COUNCILS OF WILLOW, THE "Y," AND HOUSTON CITY.

(1) IM No. 07-294

2. ASSEMBLY MEMORANDUMS

- a. AM No. 07-127: ACCEPTANCE OF LATE FILED AND RETROACTIVE SENIOR CITIZEN AND DISABLED VETERAN EXEMPTION APPLICATIONS.
- b. AM No. 07-135: AWARD OF BID NO. 08-030 TO H & W EMERGENCY VEHICLES IN THE AMOUNT OF \$513,217 FOR THE PURCHASE OF A FIRE APPARATUS FOR THE MEADOW LAKES FIRE SERVICE AREA.
- c. AM No. 07-136: APPROVAL OF CHANGE ORDER TO WESTERN CONSTRUCTION AND EQUIPMENT IN THE AMOUNT OF \$14,600 FOR THE MEADOW LAKES DRIVE PHASE III PROJECT, PROJECT NO. 30047.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

- d. AM No. 07-137: REQUESTING THAT THE REGULATORY COMMISSION OF ALASKA CONDUCT A FORMAL REVIEW OF MATANUSKA ELECTRIC ASSOCIATION'S PROPOSAL TO BUILD TWO 100-MEGAWATT POWER PLANTS; TO PROTECT THE PUBLIC FROM INEFFICIENT OR UNREASONABLE PRACTICES THAT MAY ADVERSELY AFFECT THE COST OR QUALITY OF SERVICE PROVIDED. (*Sponsor: Assemblymember Church*)

MOTION: Assemblymember Church moved to approve AM No. 07-137.

Assemblymember Church:

- opined that even though Matanuska Electric Association (MEA) has backed away from the coal plant issue, it is still valid to request that the Regulatory Commission of Alaska (RCA) investigate them;
- stated that MEA needs to be investigated to see if reasonable rates are being charged;
- spoke to the RCA's review of Mr. Erickson's request for them to look into management actions at MEA;
- opined that MEA has a tendency to hold information until they are forced to make the information public; and
- opined that the management practices at MEA are less than transparent.

Deputy Mayor Woods spoke to the RCA's order regarding Mr. Erickson's request for them to look into MEA's management actions.

Assemblymember Houston:

- noted that he was a past President of the MEA Ratepayers Alliance;
- opined that a considerable amount of information can be forwarded to the RCA to back-up the concerns;
- spoke to the Assembly helping with the process for looking for an independent consultant; and
- spoke to the need to have new information to send forward to the RCA.

Discussion ensued regarding:

- the need to protect residents and taxpayers; and
- changing the law so that power plants are reviewed before they are built to see if they are feasible.

MOTION: Assemblymember Church moved to postpone AM No. 07-137 to a time certain of December 18, 2007.

Assemblymember Church:

- requested that Mr. Spiropoulos review AS 42.05; and
- spoke to the possibility of drafting a resolution requesting that the Attorney General look into the issue.

Discussion ensued regarding:

- the level of Assembly involvement in this issue;
- limited staff resources;
- the need for a fiscal note to come forward with the legislation; and
- the possibility of the Assembly and the MEA Board meeting to discuss various matters.

MOTION: Assemblymember Bettine called for the question (to stop debate).

VOTE: The motion to stop debate failed with Assemblymembers Bettine and Woods in support.

Assemblymember Church:

- noted that the action memorandum was written when MEA was still moving forward with the coal plant; and
- stated that she wants the public to know that the Borough is also concerned with the issues at MEA.

VOTE: The motion to postpone to a time certain of December 18, 2007, failed with Assemblymember Houston in support.

VOTE: The main motion failed with Assemblymembers Church and Kvalheim in support.

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

Deputy Mayor Woods:

- spoke in support of the Tri-Borough Commission's Regional Energy Task Force;
- advised that the task force has been tasked with developing a statewide energy plan; and
- spoke to the items that the task force will be reviewing.

Assemblymember Wells:

- spoke to attending the joint meeting with the Municipality of Anchorage regarding the ferry landing;
- stated that Deputy Mayor Woods and Assemblymember Bettine were great advocates for the Borough at that meeting; and
- advised that he is continuing to monitor the federal farm bill.

Assemblymember Houston:

- spoke to School Board President Welton's comments on the threats at Colony High School;
- spoke to Sherrod Elementary School implementing an anti-bullying program; and
- requested that the administration schedule a work session with Matanuska Electric Association's Board.

Assemblymember Kluberton:

- spoke to the dilemma of the bridges on Oilwell Road;
- spoke to concerns with emergency situations that may happen and vehicles cannot drive over the bridges;
- opined that the bridges should be a State issue;
- spoke in support of the Tri-Borough Commission's Regional Energy Task Force; and
- spoke to the need for comprehensive plans.

Assemblymember Kvalheim:

- congratulated Ms. Lonnie McKechnie and Ms. Joell Church for continuing their education and moving forward to receive their Certified Municipal Clerk's designations; and
- requested that a tour be set-up for the Assembly Members to see the issues at the Dorothy Swanda Jones Building, Station 6-1, and the Animal Care and Regulation Facility.

Assemblymember Church:

- noted that the State needs to be looking at implementing infrastructure and fixing the infrastructure that already exists;
- congratulated Ms. McGehee on her new position in Redmond, Washington;
- stated that she appreciated local organizations reviewing MEA practices;

- noted that she hopes that the Assembly and the MEA Board will be able to have a meeting together; and
- stated that the Tri-Borough Commission's Regional Energy Task Force is very encouraging.

Assemblymember Bettine:

- suggested that the work session with the MEA Board take place after the Tri-Borough Commission's Regional Task Force meets, so that there will be topics of discussion;
- spoke to the need to re-write the portion of the code regarding tall towers and the public process to comment on towers;
- requested that administration research if federal funds are available to fix the bridges on Oilwell Road;
- requested that administration write a letter to Senator Huggins, the Department of Transportation, and the community in the area of the bridges, requesting that the State fund the repairs;
- spoke to concerns regarding bids that are submitted to the Borough; and
- spoke to the need for a financial plan for the ferry system.

Deputy Mayor Woods:

- stated that Mayor Begich has concerns regarding the ferry landing on Anchorage's side; and
- spoke regarding having to reach a crisis stage before planning is reviewed on such things as infrastructure issues and energy issues.

XIV. ADJOURNMENT

The regular meeting adjourned at 9:56 p.m.

/ S /

CURTIS D. MENARD, Borough Mayor

ATTEST:

/ S /

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: 12/04/07