

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on August 4, 2015, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1
Mr. Matthew Beck, Assembly District No. 2
Mr. Steve Colligan, Assembly District No. 4
Mr. Dan Mayfield, Assembly District No. 5
Ms. Barbara Doty, Assembly District No. 6 (*arrived at 6:08 p.m.*)
Mr. Vern Halter, Assembly District No. 7

Assemblymembers absent and excused:

Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. John Aschenbrenner, Deputy Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Mr. Brad Sworts, Acting Capital Projects Director
Ms. Tammy Clayton, Finance Director
Mr. Terrance Dolan, Public Works Director
Mr. Eric Phillips, Community Development Director
Mr. Eric Wyatt, Information Technology Director
Ms. Amy Bohmbach, Administrative Assistant I

III. APPROVAL OF AGENDA

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

Assemblymember Colligan requested that Ordinance Serial No. 15-093 be moved to the first public hearing.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Brian O'Connor, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

- A. Joint Assembly/School Board Meeting: 04/14/15
- B. Special Assembly Meeting: 06/02/15
- C. Regular Assembly Meeting: 06/02/15
- D. Special Assembly Meeting: 06/16/15
- E. Regular Assembly Meeting: 06/16/15
- F. Special Assembly Meeting: 06/24/15

Mayor DeVilbiss inquired if there were any changes/corrections to the joint Assembly/School Board meeting minutes of April 14, 2015, the special meeting minutes of June 2, 2015, the regular meeting minutes of June 2, 2015, the special meeting minutes of June 16, 2015, the regular meeting minutes of June 16, 2015, or the special meeting minutes of June 24, 2015.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Mayor Bert Cottle:

- stated that on August 13th, from 5 p.m. to 6 p.m. Robert A. McDonald, Secretary of the Office of Public Affairs, United States Department of Veterans Affairs, will be speaking at the Menard center;
- noted that on August 17th from 2 p.m. to 5 p.m., Senator Lisa Murkowski will be conducting a public forum regarding energy at the Menard Center; and
- advised that the city clerks are working with Ms. McKechnie to schedule a Joint Borough and tri-cities meeting.

2. Matanuska-Susitna Borough School District

Mr. Luke Fulp, Assistant Superintendent for Business Operations:

- advised that the first day of School is August 17;
- noted that there are many capital projects that are outstanding that could impact schools;
- spoke to the cooperation in working with the Borough's Capital Projects Department to ensure that school opens without any issues;

- advised that the School District is excited about the Joe Redington Sr. Junior/Senior High School ribbon cutting ceremony on August 20th at 1 p.m.;
- spoke to how school registration is going; and
- spoke to how State funding impacted the budget this year.

3. Mat-Su Convention and Visitors Bureau – ~~Ms. Bonnie Quill~~. Ms. Cheryl Metiva

Ms. Cheryl Metiva, President of the Mat-Su Convention and Visitor’s Bureau (MSCVB) reported on the new Gateway Visitors Center.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Beck:

- noted that the ribbon cutting for the Career and Technical High School is on August 17;
- related that all capital projects are on track;
- stated that due to the ongoing construction at some schools that parents and students will need to be patient; and
- advised that Palmer High School is in a new athletic division for schools under 800 kids.

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

(There was no report provided.)

3. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Possible Acceptance Of Offer For M/V Susitna

Mr. Moosey:

- advised that tomorrow he will be meeting with Governor Walker’s staff to look for rail financing to continue the project;
- noted that he will also be meeting with Governor Walker’s staff and the Alaska State Department of Transportation regarding the Matanuska River erosion;
- advised that the Borough will have a booth and presence upcoming International Economic Development Conference;
- spoke to the strategic plan he has drafted and what he has in mind;

- advised that Port MacKenzie has had its 31st ship at dock this summer and that the Port has a lot more activity than in the past; and
- stated that there has been a request for new meetings, that Ms. McKechnie will speak to the body about.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. McKechnie:

- advised that there is an Assembly meeting scheduled for November 17, 2015;
- stated that is during the Alaska Municipal League conference; and
- queried if the body would like to cancel that meeting.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

Ms. McKechnie queried if the body wanted to schedule a special meeting on September 1, 2015, at 4 p.m. to discuss the Department of Emergency Services operational overview.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

Ms. McKechnie queried if the body wanted to schedule a special meeting on September 15, 2015, at 4 p.m. to discuss the Office of Information Technology operational overview.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

Ms. McKechnie queried if the body wanted to schedule a special meeting on November 3, 2015, at 4 p.m. to discuss Port MacKenzie operational overview.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

Ms. McKechnie queried if the body wanted to schedule a special meeting on December 1, 2015, at 4 p.m. to discuss the strategic opportunities.

Mayor DeVilbiss queried if there was any objection.

There was no objection noted.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 04/13/15
- b. Aviation Advisory Board: 02/12/15, Resolution Serial No. 15-03
- c. Enhanced 911 Advisory Board: 02/10/15
- d. Greater Butte RSA Board of Supervisors: 01/08/15
- e. Local Road Service Area Advisory Board: 04/16/15
- f. Planning Commission: 05/18/15, 06/01/15, 06/15/15, Resolution Nos. 15-16(AM), 15-20(AM), 15-22
- g. Parks, Recreation, and Trails Advisory Board: 15-03
- h. Platting Board: 05/07/15, 05/21/15
- i. Transportation Advisory Board: 03/25/15, 04/15/15, 04/22/15, Resolution Serial Nos. 15-08, 15-10, and Memorandum RE: 15-22
- j. Wastewater and Septage Advisory Board: 02/10/15, Resolution Serial Nos. 15-02, 15-03
- k. West Lakes FSA Board of Supervisors: 04/13/15

2. Community Council Minutes:

- a. Big Lake Community Council: 04/14/15, 05/12/15
- b. Pt. MacKenzie Community Council: 02/12/15, Resolution Serial No. 15-001
- c. Trapper Creek Community Council: 04/16/15, 05/21/15, Resolution No. 15-001

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

G. INFORMATIONAL MEMORANDUMS

- 1. **IM No. 15-097:** Reporting Of Conclusion Of Contract For Bid No. 14-139P To Howdie, Inc. For The Caswell Public Safety Building, Station 13-1 Design-Build Construction, Project No. 45253, For The Final Contract Amount Of \$1,900,000.
- 2. **IM No. 15-163:** Notification Of Certification Of 2015 Regular Real Property, Personal Property, Oil And Gas Properties, Exempted Properties, And Board Of Equalization Actions.

The informational memorandums were presented and no comments were noted.

VII. SPECIAL ORDERS

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

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

8. **Ordinance Serial No. 15-093:** An Ordinance Adopting MSB 3.15.035(H) To Provide A Real Property Tax Exemption For Privately Owned Real Property Rented Or Leased For Use As A Charter School. *(Sponsored By Assemblymember Halter)*
 - a. IM No. 15-144

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 15-093: Ms. Heather Littau.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 15-093.

MOTION: Assemblymember Halter moved to postpone Ordinance Serial No. 15-093 to a time certain of August 18, 2015.

VOTE: The motion passed without objection.

1. **Ordinance Serial No. 15-064:** An Ordinance Creating South Trench Circle Natural Gas Local Improvement District No. 552, 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. 15-122

Mayor DeVilbiss 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 Halter moved to adopt Ordinance Serial No. 15-064.

VOTE: The motion was defeated unanimously.

2. **Ordinance Serial No. 15-065:** An Ordinance Creating Soapstone Area Noncontiguous Natural Gas Local Improvement District No. 558, 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. 15-123

Mayor DeVilbiss 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 Sykes moved to adopt Ordinance Serial No. 15-065.

VOTE: The motion was defeated unanimously.

3. **Ordinance Serial No. 15-073:** An Ordinance Creating Birch Hills Estates Noncontiguous Natural Gas Local Improvement District No. 560, 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. 15-124

Mayor DeVilbiss 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 Mayfield moved to adopt Ordinance Serial No. 15-073.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 15-072:** An Ordinance Amending MSB 1.45.100, Schedule Of Fines For Infractions; Standardizing Fines And Adding Fines For Code Infractions Where None Are Listed.
 - a. IM No. 15-080

Mayor DeVilbiss 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 Colligan moved to adopt Ordinance Serial No. 15-072.

MOTION: Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 15-072, as follows:

- Solid Waste – Unsecured Load – by striking “\$100” and inserting “\$12” in its place; and
- Solid Waste – Littering – By striking “\$100” and inserting “\$500” in its place.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

5. **Ordinance Serial No. 15-089:** An Ordinance Reappropriating \$230,181 From Fiscal Years 2014 And 2015 Areawide Capital Appropriations, Fund 480, Project Nos. 15035 And 15099, Tourism Infrastructure, To Fund 440, Project Nos. 15039, 15040, And 10157.

- a. **Resolution Serial No. 15-064:** A Resolution Amending The Budgets For Project Nos. 15035 And 15099; And Approving The Scopes Of Work And Budgets For Project Nos. 47032 And 47026, Fund 480; And Project Nos. 15040, 10157, And 15039, Fund 440.
- (1) IM No. 15-136

Mayor DeVilbiss 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 Colligan moved to adopt Ordinance Serial No. 15-089 and Resolution Serial No. 15-064.

MOTION: Assemblymember Halter moved a primary amendment to Resolution Serial No. 15-064, Amended Budgets as follows:

- by striking “\$150,000” and inserting “\$113,324” in its place;
- by striking “\$115,000” and inserting “\$0” in its place;
- by striking “\$265,000” and inserting “\$113,324” in its place;
- by striking “150,000” and inserting “\$61,495” in its place;
- by striking “35,000” and inserting “\$0” in its place;
- by striking “\$185,000” and inserting “\$61,495” in its place;
- by striking “\$0” and inserting “\$56,676” in its place;
- by striking “\$0” and inserting “\$123,505” in its place;
- by striking “\$100,000” and inserting “\$280,181” in its place;
- by striking “\$0” and inserting “\$35,000” in its place;
- by striking “\$0” and inserting “\$15,000” in its place;
- by striking “\$0” and inserting “\$25,000” in its place;
- by striking “\$0” and inserting “\$20,000” in its place; and
- by striking “\$0” and inserting “\$95,000” in its place.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

6. **Ordinance Serial No. 15-090:** An Ordinance Reappropriating \$30,000 From The Fiscal Year 2016 Areawide Ambulance Operations Budget, Fund 100, To Project No. 10179, Fund 425, For The Sutton Ambulance Building Renovation.
- a. **Resolution Serial No. 15-065:** A Resolution Amending The Budget For Project No. 10179 To Allow For Additional Funding To Continue With Phase I Of The Sutton Ambulance Building Redesign Project.
- (1) IM No. 15-140

Mayor DeVilbiss 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 Sykes moved to adopt Ordinance Serial No. 15-090 and Resolution Serial No. 15-065.

VOTE: The motion passed without objection.

7. **Ordinance Serial No. 15-092:** An Ordinance Amending MSB 5.25.012(A) And Placing On The Ballot Of The October 6, 2015, Regular Election, The Annexation Of Certain Properties Into The Talkeetna Flood Control Service Area No. 7.
 - a. **Resolution Serial No. 15-067:** A Resolution Finding The Annexation Of Property In The East Talkeetna Area (Northeast Of The Railroad Tracks, Between The Talkeetna River And The Twister Creek Ridge Line, To The Talkeetna River's Edge Just North Of Mercedes Drive) Into The Talkeetna Flood Control Service Area No. 7 Serves The Public Interest Without The Circulation Of A Petition Among The Residents In Said Area, As Allowed By MSB 5.10.015, Initiation By The Assembly; And Placing It Before The Voters In The October 6, 2015, Regular Borough Election. *(Sponsored By Assemblymember Halter)*
- (1) IM No. 15-143

Mayor DeVilbiss opened the public hearing.

The following person spoke to concerns with Ordinance Serial No. 15-092 and Resolution Serial No. 15-067: Mr. Eugene Carl Haberman.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 15-092 and Resolution Serial No. 15-067.

VOTE: The motion passed without objection.

9. **Ordinance Serial No. 15-094:** An Ordinance Approving An Appropriation Of \$320,000 From The West Lakes Fire Service Area Fund Balance, Fund 249, To Fund 405, Project No. 45244, To Allow For The Repair Of Tanker/Pumper Apparatus.
 - a. **Resolution Serial No. 15-068:** A Resolution Approving The Scope Of Work And Budget For Project No. 45244 To Allow For The Repair Of Tanker/Pumper Apparatus For The West Lakes Fire Service Area.
- (1) IM No. 15-145

Mayor DeVilbiss 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 Mayfield moved to adopt Ordinance Serial No. 15-094 and Resolution Serial No. 15-068.

VOTE: The motion passed without objection.

10. **Ordinance Serial No. 15-095:** An Ordinance Reappropriating \$90,000 From The Administration Fiscal Year 2015 Operating Budget, Fund 100, To Project No. 45195-4200-4202, Fund 480, For The Classification And Compensation System Redesign Project, And Authorizing The Manager To Issue A Sole Source Contract.
 - a. **Resolution Serial No. 15-069:** A Resolution Approving The Scope Of Work And Budget For Project No. 45195-4200-4202 For A Classification And Compensation System Redesign Project, And Authorizing The Manager To Issue A Sole Source Contract.
 - (1) IM No. 15-150

Mayor DeVilbiss 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 Colligan moved to adopt Ordinance Serial No. 15-095 and Resolution Serial No. 15-069.

VOTE: The motion passed without objection.

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

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke to concerns with a proposed parcel for the Alaska Scholastic Clay Target Program: Mr. Glen Sharpe, Mr. Clay Chapman, Ms. Joy Mindiola, and Mr. Tom Harris.

The following person spoke to concerns with Ordinance Serial No. 15-061: Mr. Tom Idleman.

The following person spoke in opposition to the increase of land fill fees: Mr. Joseph Mazut.

The following person spoke to concerns with the public process: Mr. Eugene Carl Haberman.

The following persons spoke to concerns with increased landfill fees especially as related to the Sockeye Fire: Ms. Sherri Rusher and Ms. Lieba Putnam.

The following person spoke to concerns with increased landfill fees, to concerns with illegal dumping within the Borough, and to concerns with the proposed parcel for the AK Scholastic Clay Shooting Program, in support of Ordinance Serial No. 15-061: Ms. Cindy Bettine.

D. CONSENT AGENDA

1. RESOLUTIONS

- a. **Resolution Serial No. 15-072:** A Resolution Approving Review Of Title 43, Flag Lot Requirements, For Subdivisions Served Only By Pioneer Access Roads.
(1) IM No. 15-154

2. ACTION MEMORANDUMS

- a. **AM No. 15-096:** Authorization To Purchase A One-Year Extended Software Maintenance Silver Support Agreement From MicroData For An Amount Of \$122,985.67 For The E-911 System.
- b. **AM No. 15-099:** Approval Of Change Order 10 To Contract No. 07-196 With Perkins Consulting In An Amount Not To Exceed \$110,000 For South Central Rail Extension.
- c. **AM No. 15-113:** Approving The Increase Of Hours For The Information Technology Department's Administrative Specialist From 30 Hours A Week To 40 Hours A Week.
- d. **AM No. 15-114:** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.
- e. **AM No. 15-115:** Authorizing The Manager To Enter Into An Agreement With The City Of Palmer In The Contract Amount Of \$335,186 For Fire Protection Services For The Contract Period Of July 1, 2015, To June 30, 2016.
- f. **AM No. 15-116:** Authorizing The Manager To Enter Into An Agreement With The City Of Palmer In The Contract Amount Of \$50,000 For Rescue Services For The Contract Period Of July 1, 2015, To June 30, 2016.
- g. **AM No. 15-117:** Approval Of Contract Amendment To DOWL In The Amount Of \$39,370 To Extend Their Scope Of Services To Include Phase II Water Main Extension Construction Administration, Construction Inspection, Quality Assurance Testing, And Reviewing Closeout Documents For The Bogard Road Extension East Construction, Contract No. 06-134, Project No. 35299.
- i. **AM No. 15-119:** Award Of Bid No. 16-002B To Dirtworks, Inc. In The Contract Amount Of \$108,490 For Knik Elementary And Goosebay Elementary Schools Drainage And Playground Improvements.
- j. **AM No. 15-120:** Award Of Bid No. 16-018B To Jim Psenak Construction In The Contract Amount Of \$144,099 For Jim Creek Parking Lot Improvements.
- k. **AM No. 15-122:** Award Of Bid No. 16-007B To Dirtworks, Inc. In The Contract Amount Of \$410,323.55 For Sea Biscuit Lane, Man-Of-War Circle, Seretariat Drive, And Whirl-Away Upgrades.

- l. **AM No. 15-123:** Award Of Bid No. 16-015B To Northern Asphalt Construction, Inc. In The Contract Amount Of \$1,551,494.25 For 2015-2016 Roads Paving Boroughwide.
- m. **AM No. 15-124:** Award Of Bid No. 16-005B To Norse Alaska, LLC. In The Contract Amount Of \$160,000 To Reconstruct Approximately 1,265 Linear Feet Of North Ryder Drive.
- n. **AM No. 15-125:** Award Of Bid No. 16-014B To Tutka, LLC. In The Contract Amount Of \$279,994 For Highline Lane, Biltmore Court, And Claridge Court Improvements.
- o. **AM No. 15-126:** Award Of Bid No. 16-006B To Valley General Construction, LLC. In The Contract Amount Of \$604,564 For Brass Ring Drive, Easy Street, Cozy Circle, And Carousel Way Upgrades.
- p. **AM No. 15-127:** Award Of Bid No. 16-013B To Valley General Construction, LLC. In The Contract Amount Of \$152,972 For Weltin Way And Lorena Drive Improvements.
- q. **AM No. 15-128:** Approval Of Election Officials For The October 6, 2015, Regular Borough Election.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

- a. **Resolution Serial No. 15-073:** A Resolution Revising A Portion Of The Schedule Of Transfer Site Fees For The Collection And Disposal Of Solid Waste. *(Sponsored By Assemblymembers Mayfield And Halter)*

(1) IM No. 15-167

MOTION: Assemblymember Mayfield moved to adopt Resolution Serial No. 15-073.

MOTION: Assemblymember Mayfield moved a primary amendment to Resolution Serial No. 15-073, as follows:

- in the title, by inserting the words “and Central Landfill” after the word “site,” to read: “A resolution revising a portion of the schedule of transfer site and Central Landfill fees for the collection and disposal of solid waste;”
- in the first whereas clause by inserting the words “and Central Landfill” after the word “site,” to read: “Whereas, the 2016 budget, as approved, increased the transfer site and Central Landfill fees;”
- in the Now, therefore, be it resolved clause, by inserting the words “and Central Landfill” after the word “site,” to read: “Now, therefore, be it resolved, the transfer site and Central Landfill rates will now be:”
- to insert a new table of fees for the Central Landfill as follows:
 - 0-200 pounds - \$11;

- 201-400 pounds - \$22;
- 401-600 pounds - \$33;
- 601-800 pounds - \$44
- Over 800 pounds - \$100 per ton; and
- Construction and Demolition Debris - \$100 per ton.

MOTION: Assemblymember Sykes moved to postpone Resolution Serial No. 15-073 to a time certain of August 18, 2015.

VOTE: The motion to postpone passed with Mayfield and Halter opposed.

b. **Resolution Serial No. 15-074:** A Resolution Approving The Amended Budgets And Transfer Of Funds From Vine Road Upgrade, Project No. 35410, To Collector Road Access To Machtetanz Elementary, Also Known As Trunk Road Extension South, Project No. 35402, In The Amount Of \$78,632.50.

(1) IM No. 15-168

MOTION: Assemblymember Colligan moved to adopt Resolution Serial No. 15-073.

MOTION: Assemblymember Colligan moved a primary amendment to Resolution Serial No. 15-074, Budget as follows:

- 2012 Series “D” and 2014 Series “A” Transportation Bond Issues, by striking “\$4,199,634.60” and inserting “\$4,393,508.60” in its place in both the previously approved budget and the amended budget;
- State of Alaska Legislative Grant SB160, by striking “\$4,758,934.18” and inserting “\$5,465,069.18” and by striking “\$4,837,575.68” and inserting place “\$5,543,701.68” in its place;
- Total, Previous, by striking “\$9,958,577.78” and inserting “\$9,858,577.78” in its place; and
- Total, Amended, by striking “\$9,037,210.28” and inserting “\$9,937,210.28” in its place.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

h. **AM No. 15-118:** Approval Of Contract Amendment No. 1 To Granite Construction Company In The Amount Of \$3,014,005 To Expand Their Scope Of Services To Include Additive Alternate 4, For The Collector Road Access To Machtetanz Elementary, Also Known As Trunk Road Extension South, Project No. 35402.

CONFLICT OF INTEREST: Assemblymember Colligan declared a conflict of interest as his company has done business with Granite Construction within the last 12 months.

RULING: Mayor DeVilbiss ruled Assemblymember Colligan had a conflict and would be recused from voting.

(Assemblymember Colligan exited the meeting.)

MOTION: Assemblymember Halter moved to adopt AM No. 15-118.

VOTE: The motion passed without objection.

(Assemblymember Colligan re-entered the meeting.)

(The meeting recessed at 8:10 p.m. and reconvened at 8:15 p.m.)

VIII. UNFINISHED BUSINESS

A. **Ordinance Serial No. 15-061:** An Ordinance Repealing Permanent Registration Of Motor Vehicles Over Eight Years Old And Permanent Registration Of Non-Commercial Trailers And Repealing Changes To The Motor Vehicle Tax Distribution To Restore The Distribution To The Original Amounts. *(Sponsored By Assemblymember Sykes)*

1. IM No. 15-103

MOTION PENDING: Assemblymember Sykes moved to adopt Ordinance Serial No. 15-061.

MOTION: Assemblymember Sykes moved to postpone Ordinance Serial No. 15-061 indefinitely.

VOTE: The motion to postpone indefinitely passed without objection.

B. **Ordinance Serial No. 15-071:** An Ordinance Amending MSB 3.15.035(C), Option Exemptions, Changing Business Inventory Tax. *(Sponsored By Assemblymember Sykes)*

1. IM No. 15-119

MOTION PENDING: Assemblymember Sykes moved to adopt Ordinance Serial No. 15-071.

MOTION: Assemblymember Sykes moved to postpone Ordinance Serial No. 15-071 to a time certain of August 18, 2015.

MOTION: Assemblymember Colligan moved a primary amendment by striking “August 18” and inserting “September 1” in its place.

VOTE: The primary amendment passed with Assemblymembers Mayfield and Halter opposed.

VOTE: The motion to postpone failed with Assemblymembers Mayfield, Halter, and Colligan in opposed and Assemblymembers Doty, Sykes, and Beck in support (tie vote). The motion failed with Mayor DeVilbiss invoking his voting privilege in the negative.

MOTION: Assemblymember Sykes moved a primary amendment by striking “\$100,000” and inserting “\$250,000” in its place.

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

VOTE: The motion passed without objection.

VOTE: The primary amendment failed with Assemblymembers Sykes and Beck in support.

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

VOTE: The motion passed without objection.

VOTE: The main motion failed with Assemblymember Sykes in support.

IX. VETO

(There were no vetoes presented.)

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 08/18/15 Assembly Chambers)

1. **Ordinance Serial No. 15-098:** An Ordinance Amending MSB 3.30.200, Definitions, Excise Tax On Tobacco Products. *(Sponsored by Assemblymember Sykes)*

a. IM No. 15-141

2. **Ordinance Serial No. 15-099:** An Ordinance Accepting And Appropriating A \$9,990 Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Requesting A Reappropriation Of \$1,110 From The Willow Fire Service Area Fiscal Year 2016 Operating Budget, Fund 258, To Project No. 20146, Fund 405, For Wildland/Fire Equipment.

a. **Resolution Serial No. 15-075:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Matching Funds For Willow Fire Service Area, Project No. 20146, Fund 405

(1) IM No. 15-158

3. **Ordinance Serial No. 15-100:** An Ordinance Accepting And Appropriating A \$9,000 Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Requesting A Reappropriation Of \$1,000 From The Butte Fire Service Area Fiscal Year 2016

- Operating Budget, Fund 251, To Project No. 20144, Fund 405, For Wildland/Fire Equipment.
- a. **Resolution Serial No. 15-076:** 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. 15-159
 4. **Ordinance Serial No. 15-101:** An Ordinance Accepting And Appropriating A \$9,831.22 Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Requesting A Reappropriation Of \$1,092.35 From The Caswell Fire Service Area Fiscal Year 2016 Operating Budget, Fund 248, To Project No. 20150, Fund 405, For Wildland/Fire Equipment.
 - a. **Resolution Serial No. 15-077:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Forestry Fire Assistance Grant And Matching Funds For Caswell Fire Service Area, Project No. 20150, Fund 405.
(1) IM No. 15-160
 5. **Ordinance Serial No. 15-102:** An Ordinance Accepting And Appropriating A \$10,000 Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Requesting A Reappropriation Of \$1,111 From The West Lakes Fire Service Area Fiscal Year 2016 Operating Budget, Fund 249, To Project No. 20151, Fund 405, For Wildland/Fire Clothing, Gear, And Equipment.
 - a. **Resolution Serial No. 15-078:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Matching Funds For West Lakes Fire Service Area, Project No. 20151, Fund 405.
(1) IM No. 15-161
 6. **Ordinance Serial No. 15-103:** An Ordinance Accepting And Appropriating \$14,343 From The Alaska State Division Of Homeland Security And Emergency Management For The Local Emergency Planning Committee, Fund 480, Project No. 20259, For Fiscal Year 2016 Operations.
 - a. **Resolution Serial No. 15-079:** A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Homeland Security And Emergency Management Grant, Project No. 20259, Fund 480, For The Borough Local Emergency Planning Committee.
(1) IM No. 15-162
 7. **Ordinance Serial No. 15-104:** An Ordinance Providing For The Sale Of Certain Boroughwide Real Property Acquired Through Tax Foreclosure For Delinquent Real Property Tax Years 2006 And Prior, 2007 And Prior, 2008 And Prior, And 2009 And Prior; And Delinquent Special Assessment For The Year 2010 And Prior, And Not Needed For Public Purpose.
 - a. IM No. 15-166

8. **Ordinance Serial No. 15-105:** An Ordinance Approving A Less Than Fair Market Value Sale Of Borough Land In The Amount Of \$10 To The Petersville Community Nonprofit Corporation For Purpose Of Constructing A Warm Storage Building For The Petersville Search And Rescue To Store Emergency Equipment And Use As Staging For Remote Search And Rescue Operations, Said Parcel Identified As Lot 2, Block 16, Kenny Creek Subdivision (MSB007056).
 - a. IM No. 15-169
 9. **Ordinance Serial No. 15-106:** An Ordinance Approving A Supplemental Appropriation Of \$11,000 From Willow Fire Service Area Fund Balance, Fund 258, To The Willow Fire Service Area Fiscal Year 2016 Operating Budget, Fund 258, To Reimburse For The Crystal Lakes Warm Storage Building Restroom Facility.
 - a. IM No. 15-170
 10. **Ordinance Serial No. 15-107:** An Ordinance Approving An Appropriation Of \$110,000 From Knik Road Service Area No. 17 Fund Balance, Fund 274, To Fund 410, Project No. 30040, For Knik Road Service Area No. 17 Capital Projects.
 - a. IM No. 15-171
 11. **Ordinance Serial No. 15-108:** An Ordinance Approving An Appropriation Of \$70,000 From Fairview Road Service Area No. 14 Fund Balance, Fund 271, To Fund 410, Project No. 30037, For Fairview Road Service Area No. 14 Capital Projects.
 - a. IM No. 15-172
- B. INTRODUCTIONS (For public hearing – 09/15/15 Assembly Chambers)
1. **Ordinance Serial No. 15-096:** An Ordinance Creating West Rangeview Drive Road Paving Local Improvement District No. 566, 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. 15-153
 2. **Ordinance Serial No. 15-097:** An Ordinance Creating East Doc McKinley Avenue Noncontiguous Natural Gas Local Improvement District No. 569, 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. 15-164

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Colligan moved to introduce the legislation as read into the record by the Clerk and set the public hearings for August 18, 2015, and September 15, 2015, respectively.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following resignation and appointment for confirmation:

Enhanced 911 Advisory Board
Casey Cook
Parks, Recreation, and Trails Advisory Board
Sarah Buck, resignation

MOTION: Assemblymember Colligan moved confirm the Mayor's appointment and resignation.

VOTE: The motion passed without objection.

D. OTHER NEW BUSINESS

(There was no other new business.)

D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

(There were no referrals presented.)

XI. RECONSIDERATION

MOTION: Assemblymember Beck moved to reconsider the primary amendment to Ordinance Serial No. 15-072.

VOTE: The motion to reconsider passed with Assemblymembers Mayfield and Halter opposed.

MOTION: Assemblymember Beck moved a primary amendment to Ordinance Serial No. 15-072, Solid Waste – Unsecured refuse, by striking "\$12" and inserting "\$100" in its place.

VOTE: The primary amendment passed with Assemblymembers Mayfield and Halter opposed.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Sykes:

- summarized his concerns with the business inventory tax;
- thanked the body for a good meeting.

Assemblymember Mayfield:

- spoke in opposition of the postponement of Resolution Serial No. 15-072;
- noted that Mr. Dolan was prepared to answer questions regarding the legislation;
- stated that he looks forward to that legislation being adopted;
- spoke to the election regarding the incorporation of Big Lake; and
- thanked the public for participating in the meeting.

Assemblymember Halter:

- noted his agreement with Assemblymember Mayfield regarding Resolution Serial No. 15-072;
- related that the first community recycling bin has been placed in Talkeetna;
- spoke to his pleasure with the Joe Redington Sr. Junior/Senior High School construction;
- noted that the Seldon Road extension project linking from Church Road to Pittman Road is completed and very nice;
- spoke to having attended the open house conducted by the Alaska State Department of Transportation regarding Knik Goosebay Road;
- spoke to the importance of that road being upgraded due to the number of fatal or major injury accidents that occur; and
- spoke to concerns with Phase II of the Parks Highway upgrade not moving forward

Assemblymember Beck:

- spoke in support of the postponement of Resolution Serial No. 15-072;
- spoke in support of Ordinance Serial No. 15-061 being postponed indefinitely;
- spoke to concerns with comments that the recycling center rejects and ships items out of state;
- stated that he would like to see the Borough offer a free dump day for residents, one in the spring and one in the fall; and
- stated that he is pleased that there are applications coming in for seats on the Agricultural Advisory Committee.

Assemblymember Colligan:

- thanked staff for all their hard work on the recent fires and erosion problems; and
- spoke to his concerns with voluntary taxes.

Assemblymember Doty:

- spoke to having attended Governor Walker's meeting regarding balancing the budget;
- noted that the Borough's budget is tied to the State's budget;
- encouraged residents to participate in the State budget process;
- spoke to her appreciation of the Mat-Su Convention and Visitors Bureau's (MSCVB) resolution;
- stated that she looks forward to investigating the best way to move forward with the new location for the MSCVB;
- encouraged the Manager to look at the cost of relocating the current MSCVB building;
- stated that the Veteran's Memorial Wall should remain at the MSCVB's current location;

- noted that there are significant heroin issues that are impacting Borough residents; and
- stated that she is looking forward to discussing ways that could be mitigated.

Assemblymember Sykes thanked the residents and staff who worked together during the flooding event in Sutton to protect resident's houses.

Mayor DeVilbiss:

- requested legal clarification on whether it is necessary to sign Informational Memorandums with full names rather than initials;
- stated that he would have rather had the landfill fees adopted this evening;
- provided a history of how the landfill powers were received and implemented by the Borough; and
- reported on the marijuana initiatives that are being circulated within the cities and the Borough.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 9:15 p.m.


LARRY DEVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 08/18/15