

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on April 21, 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. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)(*attended telephonically*)
Mr. Steve Colligan, Assembly District No. 4 (*entered at 6:15 p.m.*)
Mr. Dan Mayfield, Assembly District No. 5
Ms. Barbara Doty, Assembly District No. 6
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Jamie Newman, Deputy Borough Clerk
Mr. John Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Mr. Mike Brown, Capital Projects Director
Ms. Tammy Clayton, Finance Director
Mr. Terrance Dolan, Public Works Director
Ms. Eileen Probasco, Planning and Land Use Director
Mr. Bill Gamble, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Eric Phillips, Community Development Director
Mr. Michael Brown, Capital Projects Director
Mr. Eric Wyatt, Information Technology Director

III. APPROVAL OF AGENDA

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

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Bill Gamble, Emergency Services Director.

V. MINUTES OF PRECEDING MEETINGS

- A. Joint Assembly/Planning Commission Meeting: 03/24/15
- B. Special Assembly Meeting: 04/07/15
- C. Regular Assembly Meeting: 04/07/15

Mayor DeVilbiss inquired if there were any changes/corrections to the March 24, 2015, joint Assembly/Planning Commission meeting minutes, the April 7, 2015, special meeting minutes, or the April 7, regular meeting minutes.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Palmer City

Mr. Joe Hannan, City Manager:

- invited the body to attend the celebration of the permanent preservation of Hamilton Field on Saturday, May 16, 2015, starting at 1 p.m.;
- spoke to the upcoming events at Colony Days, which is currently scheduled for June 12, 2015 through June 14, 2015; and
- reported on the recent activities of the City.

Wasilla City

Mayor Bert Cottle:

- spoke to the City concluding their budget process this week; and
- reported on the recent activities of the City.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

3. Aviation Advisory Board – Mr. Archie Giddings

Mr. Giddings reported on the activities of the Aviation Advisory Board.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

(There was no report provided.)

2. Joint MSB Assembly/MOA Assembly Transportation Subcommittee

(There was no report provided.)

3. Assembly Public Relations

Assemblymember Beck spoke in support of the activities of the Friends of Palmer Library.

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Tax and Local Improvement District Sale Process – Ms. Nancy Hereford

Mr. Moosey:

- reported on the status of school funding via the State Legislature;
- noted that none of the Borough's capital projects appear to be funded;
- summarized what Ms. Hereford would be speaking to; and
- noted that Ms. Hereford has been with the Borough for a number of years and would be retiring soon.

Ms. Hereford reported on the tax and local improvement district sale process.

Mr. Moosey commented that the fiscal year 2016 budget book would be available online for the public to access by tomorrow.

D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- spoke to the litigation report that he provided to the Assembly;
- spoke to the budget summary for his department that he provided and advised that it is the same as last year;
- noted that he would be out of the office and will miss the meetings scheduled between April 30 and May 6 and that Mr. Aschenbrenner would attend meetings in his stead;
- spoke to recent Frontiersman articles about the Borough that are misleading and inaccurate; and
- requested to schedule an executive session to discuss the Public Employees Retirement System litigation and related insurance case for Monday, May 11.

E. CLERK COMMENTS

Ms. Newman:

- stated that she would add an executive session to the May 11 agenda;
- noted that the Assembly had been provided a copy of the Clerk's Office budget; and
- spoke regarding the upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Board of Adjustment and Appeals: 11/24/14
- b. Emergency Medical Services Board: 10/01/14
- c. Greater Butte RSA Board of Supervisors: 10/09/14
- d. Greater Talkeetna RSA Board of Supervisors: 11/13/14
- e. Local Emergency Planning Committee: 12/17/14
- f. Meadow Lakes RSA Board of Supervisors: Resolution Serial No. 15-01
- g. Parks, Recreation, and Trails Advisory Board: 12/01/14
- h. Transportation Advisory Board: 01/21/15, Resolution Serial No. 15-04

2. Community Council Minutes:

- a. Butte Community Council: 03/11/15, Resolution Serial No. 15-01
- b. North Lakes Community Council: 10/30/14, 11/20/14, 01/29/15
- c. Trapper Creek Community Council: 01/15/15

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

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.)

Mayor DeVilbiss queried if there was any objection to taking up Ordinance Serial Nos. 15-023, 15-024, 15-025, and 15-034 together.

There was no objection noted.

- 1. **Ordinance Serial No. 15-023:** An Ordinance Creating North Westfork Drive Road Paving Local Improvement District No. 562, 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. 15-047
- 2. **Ordinance Serial No. 15-024:** An Ordinance Creating Country Ridge Estates Road Paving Local Improvement District No. 563, 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. 15-048
3. **Ordinance Serial No. 15-025:** An Ordinance Creating East New Field Drive Road Paving Local Improvement District No. 564, 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 15-049
 4. **Ordinance Serial No. 15-034:** An Ordinance Creating A Portion Of West Greensward Drive Natural Gas Local Improvement District No. 549, 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. 15-063

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 Nos. 15-023, 15-024, 15-025, and 15-034.

VOTE: The motion failed unanimously.

5. **Ordinance Serial No. 15-035:** An Ordinance Creating A Portion Of Stepan Lake Non-Contiguous Natural Gas Local Improvement District No. 554, 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. 15-064

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. 15-035.

VOTE: The motion passed without objection.

6. **Ordinance Serial No. 15-040:** An Ordinance Confirming The Assessment Roll For The Field Of View Park Subdivision Community Water Local Improvement District No. 476

And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.

- a. **Ordinance Serial No. 15-041:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$332,000 Principal Amount Of Special Assessment Bonds For The Field Of View Park Subdivision Community Water Local Improvement District No. 476, And Fixing Details Of Said Bonds.
 - (1) IM No. 15-077

Mayor DeVilbiss opened the public hearing.

The following persons spoke to concerns with Ordinance Serial Nos. 15-040 and 15-041: Ms. Jennie Cooper and Ms. Donna Knoss.

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

MOTION: Assemblymember Doty moved to adopt Ordinance Serial Nos. 15-040 and 15-041.

MOTION: Assemblymember Sykes moved to postpone Ordinance Serial Nos. 15-040 and 15-041 to a time certain of May 5, 2015.

Ms. Clayton provided a staff report.

Mr. Spiropoulos spoke to the local improvement district process.

VOTE: The motion to postpone passed without objection.

7. **Ordinance Serial No. 15-042:** An Ordinance Confirming The Assessment Roll For The South Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
 - a. **Ordinance Serial No. 15-043:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$867,000 Principal Amount Of Special Assessment Bonds For The South Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508, And Fixing Details Of Said Bonds.
 - (1) IM No. 15-078

Mayor DeVilbiss opened the public hearing.

The following persons spoke in opposition to Ordinance Serial Nos. 15-042 and 15-043: Mr. Brian Seibold, Mr. Rick Bidasolo, and Ms. Kathleen Spuhler.

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

MOTION: Assemblymember Mayfield moved to adopt Ordinance Serial Nos. 15-042 and 15-043.

MOTION: Assemblymember Mayfield moved a primary amendment to Ordinance Serial No. 15-042 to strike from Exhibit A, the following properties: L007, Richard Bidasolo; L008, Bryan Seibold; L009 Richard Bidasolo; and L010, Malcolm McCone and that the assessment will remain the same for the remaining properties at \$4,893.90 with the Borough assuming financial liability for the amount of \$19,575.60.

MOTION: Assemblymember Mayfield moved to postpone Ordinance Serial Nos. 15-042 and 15-043, to a time certain of May 5, 2015.

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

(The meeting recessed at 7:20 p.m. and reconvened at 7:30 p.m.)

8. **Ordinance Serial No. 15-044:** An Ordinance Confirming The Assessment Roll For The East Carney Road Natural Gas Local Improvement District No. 534 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
 - a. **Ordinance Serial No. 15-045:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$97,000 Principal Amount Of Special Assessment Bonds For The East Carney Road Natural Gas Local Improvement District No. 534, And Fixing Details Of Said Bonds.
 - (1) IM No. 15-079

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 Doty moved to adopt Ordinance Serial Nos. 15-044, and 15-045.

VOTE: The motion passed without objection.

9. **Ordinance Serial No. 15-046:** An Ordinance To Enter Into A Lease With Matanuska Telephone Association For A Communication Site (MSB007021).
 - a. IM No. 15-070

Mayor DeVilbiss opened the public hearing.

The following person spoke to Ordinance Serial No. 15-046: Mr. Dennis Eby and Mr. Rod Ewing of Matanuska Telephone Association.

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. 15-046.

VOTE: The motion passed without objection.

10. **Ordinance Serial No. 15-047:** An Ordinance Appropriating \$63,655,000 To Fund 400, School Projects, For The Acquisition, Construction, And Installation Of School And Related Capital Improvements Within The Borough And \$511,579 To Fund 400 For Related Issuance Costs From The Proceeds Of The 2015 Series "B" General Obligation Schools Bonds.
 - a. IM No. 15-083

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. 15-047.

VOTE: The motion passed without objection.

11. **Ordinance Serial No. 15-048:** An Ordinance Appropriating \$1,600,000 To Fund 430, For The Construction, Additions, Improvements, Betterments, Repair, Reconstruction, Or Acquisition Of Public Roads And Facilities And Acquisition Of Lands Or Rights In Lands Related Thereto Which Would Address Urgent Safety Issues And Transportation Needs And \$17,481 To Fund 430 For Related Issuance Costs From The Proceeds Of The 2015 Series "C" General Obligation Transportation Bonds.
 - a. IM No. 15-084

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. 15-048.

VOTE: The motion passed without objection.

12. **Ordinance Serial No. 15-049:** An Ordinance Accepting And Appropriating \$2,790,927 From The Alaska State Department Of Transportation And Public Facilities, To Fund 430, Project No. 35403, For The Road Improvements To South Clapp Street And Realignment Intersection At Knik Goose Bay Road Project.
 - a. **Resolution Serial No. 15-037:** A Resolution Approving The Scope Of Work And Budget, Authorize The Manager To Enter Into A Transfer Of Responsibilities Agreement

With The Alaska State Department Of Transportation And Public Facilities, Approve A Contract Amendment To Bristol Environmental Remediation Services, LLC. Contract No. 14-160B In An Amount Not To Exceed \$2,480,825 And Approve Award Of Contract To Hattenburg, Dilley, And Linnell For Construction Management Services In An Amount Not To Exceed \$206,735 For Road Improvements To South Clapp Street Realignment And Intersection At Knik Goose Bay Road Project, Project No. 35403.

(1) IM No. 15-086

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. 15-049 and Resolution Serial No. 15-037.

MOTION: Assemblymember Colligan moved a primary amendment to Ordinance Serial No. 15-049, Resolution Serial No. 15-037, and IM No. 15-086, as follows:

- by striking all references to “\$2,790,927” and “\$2,924,613” throughout the legislation and inserting “\$2,853,438” in their places; and
- by replacing the Transfer of Responsibilities Agreement (TORA) that was attached to IM No. 15-086 with the TORA that is attached to the staff memorandum dated April 10, 2015.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

13. **Ordinance Serial No. 15-050:** An Ordinance Adopting MSB 4.80, Establishing The Agriculture Advisory Board And Its Composition, Functions, And Duties.

a. IM No. 15-088

Mayor DeVilbiss opened the public hearing.

The following person spoke in opposition to Ordinance Serial No. 15-050: 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 Colligan moved to adopt Ordinance Serial No. 15-050.

MOTION: Assemblymember Sykes moved a primary amendment to Ordinance Serial No. 15-050, by striking (A)(1) through (A)(11) in its entirety; and inserting the following in its place:

1. Palmer Soil and Water Conservation District;

2. Wasilla Soil and Water Conservation District;
3. Upper Susitna Soil and Water Conservation District;
4. Alaska Farm Bureau – Mat-Su Chapter;
5. Palmer Center for Sustainable living (previously called Palmer Agriculture and Forestry Station);
6. Knowledge and/or experience in production of wool, quiviut (musk ox), fiber (llamas), hair, feathers, etc.
7. Knowledge and/or experience in livestock, alternative livestock, dairy, grazing, hay
8. Knowledge and/or experience in field crops including potatoes, carrots, lettuce, etc.
9. Knowledge and/or experience in floriculture, horticulture, greenhouse/hoop house, beekeeping
10. Knowledge and/or experience in agricultural economic development (food security)
11. Knowledge and/or experience in farm-share community sponsored agriculture, e.g. delivery service offering a weekly/seasonal Alaska grown fruit and vegetables, meat (beef, chicken, turkey, fish, pork), local dairy (including butter, cheese, raw milk and pasteurized eggs) and other
12. Knowledge and/or experience in prepared foods and value-added product industry.

MOTION: Assemblymember Beck moved a secondary amendment by inserting the following seat compositions:

- 13. At-large member.
- 14. Non-voting Youth Intern.

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Mayfield moved a secondary amendment as follows:

- By striking Seat Nos. 1, 2, and 3 in their entirety;
- by inserting in their place a new Seat No. 1 – (1) soil and water conservation district; and
- renumbering the remaining member seats accordingly.

VOTE: The secondary amendment failed unanimously.

MOTION: Assemblymember Halter moved a secondary amendment to consolidate the requirements of Seat Nos. 5, 6, 7, 8, and 9 into a single seat.

VOTE: The secondary amendment failed with Assemblymembers Halter, Colligan, and Arvin in support.

MOTION: Assemblymember Colligan moved a secondary amendment by combining Seat Nos. 10 and 12, into Seat No. 10 and eliminating Seat No. 11.

VOTE: The secondary amendment passed without objection.

VOTE: The primary amendment passed as amended without objection.

VOTE: The main motion passed as amended without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person thanked the Borough for the community revenue sharing funds: Ms. Patty Fisher, Meadow Lakes Community Council Treasurer.

The following person spoke to concerns with road service area performance bonds: Mr. Bill Stearns, D & S Road Services owner.

The following person spoke to the need for a regional transportation planning organization and requested that the Assembly fund it through the budget process: Ms. Beth Fread, Transportation Advisory Board member.

The following person spoke to the local improvement district process: Mr. B. H. Tilton.

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

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 15-038:** A Resolution Amending The Scope Of Work For Revision No. 3, Which Will Remove Culvert No. 15, McRoberts Creek At Maud Road, And Add A Culvert At Meadow Creek At Beaver Lake Road, Project No. 30114.

(1) IM No. 15-093

b. **Resolution Serial No. 15-039:** A Resolution Approving The Start Of The Comprehensive Planning Process For Chase Community Council.

(1) IM No. 15-082

c. **Resolution Serial No. 15-040:** A Resolution Approving Certain Unincorporated Communities And The Incorporated Nonprofit Entity For Participation In The Fiscal Year 2016 Community Revenue Sharing Program.

(1) IM No. 15-089

d. **Resolution Serial No. 15-041:** A Resolution Establishing The Minimum Level Of Funding For The Matanuska-Susitna Borough School District For The Fiscal Year Ending June 30, 2016.

(1) IM No. 15-102

2. ACTION MEMORANDUMS

- a. **AM No. 15-026:** Approve Amendment To Contract No. 14-067P With Collins Construction In The Amount Of \$4,511,715 To Construct High School Competition Artificial Turf Football/Soccer/Track Stadium With Bleachers And Lights, And Competition Softball And Baseball Fields, Project No. 40187.
- b. **AM No. 15-030:** Acceptance Of Late Filed And Retroactive Senior Citizen And Disabled Veteran Exemption Applications.
- c. **AM No. 15-032:** Award Of Invitation To Bid No. 15-093B To F – E Contracting, Inc. In The Contract Amount Of \$15,640,049 For Dena’ina Elementary School Construction.
- d. **AM No. 15-033:** Within Tax Parcel D5, Vacate Any Public Interest In The Following: 20-Foot Wide Road And Utility Easement Within The Parcel As Shown On The Recorded Plat Of Herkimer Subdivision, Within The Dashed Lines Leading To The Lake As Shown On The Same Plat, And The 50-Foot Wide Road Easement That Goes From The Southeast Corner Of Section 7 Running Generally Northwesterly To Tract I Herkimer Subdivision Recorded At Book 117, Page 137. Located In Section 7, Township 17 North, Range 2 West, Seward Meridian, Alaska.
- e. **AM No. 15-034:** Approval Of Change Order No. 3 To Northern Asphalt Construction, Inc. In The Amount Of \$786,800 Adding Cruiser Street, Project No. 35442; Reliance Road, Project No. 35442; Northern Rose And Mollie’s Circle Local Improvement District, Project No. 60104; Mountain Trails Road, Project Nos. 75003 And 35187; And Ravenview Drive, Project No. 35406; And Southcentral Regional Emergency Services Training Center Road Paving To The 2014-2015 Roads Paving Project, Project No. 45268.
- f. **AM No. 15-037:** Award Of Request For Proposal No. 15-087P To CRW Engineering Group, LLC. For The Contract Amount Of \$195,747 For Southcentral Emergency Services Training Center, Five Year Plan And Construction Documentation.
- g. **AM No. 15-038:** Eliminate And Modify The 30-Foot Wide Drainage And Utility Easement Within Lot 4, Block 1, Polka Dot Acres, Plat No. 71-90, Located In Section 16, Township 17 North, Range 2 West, Seward Meridian, Alaska.
- h. **AM No. 15-039:** Award Of Proposal No. 15-090P To DOWL In The Contract Amount Of \$157,625 For Design Of Three Bridge Replacements Across Bodenbug Creek.
- i. **AM No. 15-040:** Award Of Bid No. 15-108B To Collins Construction, Inc. In The Contract Amount Of \$17,345,602 For Iditarod Elementary School Construction.
- j. **AM No. 15-041:** Award Of Bid No. 15-112B To Wolverine Supply, Inc. In The Contract Amount Of \$247,000 For Trapper Creek Elementary Fire Protection System.

- k. **AM No. 15-042:** Approval Of Contract Amendment No. 2 To PND Engineers, Inc. In The Amount Of \$51,236 For Bridge No. 2161, Oilwell Road Over Kroto Creek, Project No. 35014, Contract No. 13-141P.
- l. **AM No. 15-043:** Award Of Invitation To Bid No. 15-110B To D & S Road Services In The Contract Amount Of \$250,425 For Crack Sealing Services.
- m. **AM No. 15-044:** Approve Utility Relocation By Matanuska Telephone Association In The Amount Of \$135,490.88 For Mariann's Place, Redwood Lane, Elderberry Drive, And Willow Lane, Project No. 30036.
- n. **AM No. 15-045:** Award Of Bid No. 15-098B To Southcentral Construction, Inc. For The Contract Amount Of \$2,415,085 For Central Landfill Cell 2A Closure 2015.
- o. **AM No. 15-046:** Award Of Bid No. 15-097B To Prosser-Dagg Construction Company, LLC. For The Contract Amount Of \$3,902,375 For Athletic Field Improvements At Multiple Locations.
- p. **AM No. 15-047:** Award Of Bid No. 15-101B To Valley General Construction, LLC. For The Contract Amount Of \$344,480 To Reconstruct Approximately 3,722 Linear Feet Of Mariann's Place, Redwood Lane, Elderberry Drive And Willow Lane.
- r. **AM No. 15-049:** Award Of Bid No. 15-049 To Orion Construction, Inc. In The Contract Amount Of \$1,049,500 For School Districtwide Americans With Disabilities Act Upgrades.
- s. **AM No. 15-050:** Award Of Bid No. 15-140B To TB Inc. Doing Business As TBI Construction Company In The Contract Amount Of \$746,989 For Dorothy Swanda Jones Building Rooftop Unit Connection And Fireproofing.

Ms. Newman 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.

- q. **AM No. 15-048:** Award Of Request For Proposal No. 15-083P To DOWL In The Contract Amount Of \$457,170 For The Regional Aviation System Plan Study, Phase II.

MOTION: Assemblymember Colligan moved to adopt AM No. 15-048.

VOTE: The motion passed without objection.

VIII. UNFINISHED BUSINESS

- A. MOTION PENDING: Assemblymember Sykes moved to direct the Manager to write a letter to the Governor and Legislative Delegation in support of vetoing House Bill 132 and that when the Mayor meets with Governor Walker that he take the same position.

MOTION: Assemblymember Sykes moved a primary amendment to strike all words after the word "Governor" and insert the following words: "and thank him for vetoing House Bill 132" to read: "to direct the Manager to write a letter to the Governor and thank him for vetoing House Bill 132."

Assemblymember Colligan requested that the Manager coordinate a briefing for a future Assembly meeting with Mr. Dan Fauske from the Alaska Gasline Development Corporation.

There was no objection noted.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

IX. VETO

(There were no vetoes presented.)

X. NEW BUSINESS

- A. INTRODUCTION (For public hearing – 05/04/15, Central Mat-Su Public Safety Building and 05/07/15, Willow Community Center)

1. **Ordinance Serial No. 15-015:** An Ordinance Appropriating Monies From The Central Treasury For The Borough Operating Funds, Enterprise Funds, Education Operating Fund, And Capital Funds, Establishing The Rate Of Levy For All Borough Functions For The Fiscal Year Beginning July 1, 2015, And Ending June 30, 2016, And Setting The Surcharge Rate For The Wireline And Wireless Enhanced 911 Systems For The Period Of July 1, 2015, Through June 30, 2016.

- B. INTRODUCTIONS (For public hearing – 05/05/15, Assembly Chambers)

1. **Ordinance Serial No. 15-051:** An Ordinance To Enter Into A Management Agreement Greater Than Five Years In Length With The Mountain View Estates Homeowners Association For 81,913 Square Feet Of Borough-Owned Property Dedicated To Public Purpose As Open Space, To Serve As A Buffer To Reduce Natural And Manmade Erosion Hazards, And To Protect The Public's Health, Safety, And Welfare (MSB006950).

- a. IM No. 15-039

2. **Ordinance Serial No. 15-052:** An Ordinance Accepting And Appropriating \$26,060 From The Alaska State Department Of Natural Resources, Office Of History And Archaeology To Fund 480, Project No. 47011, For The Purpose Of Completing The Cottonwood Creek Archaeological Survey For Nominating Phase II Of An Archaeological District For Listing In The National Register Of Historic Places.
 - a. **Resolution Serial No. 15-042:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Enter Into An Agreement For The Purpose Of Completing The Cottonwood Creek Archaeological Survey For Nominating Phase II Of An Archaeological District For Listing In The National Register Of Historic Places.
 - (1) IM No. 15-091
3. **Ordinance Serial No. 15-053:** An Ordinance Extending The Time Limit For Completion Of Borough Capital Projects.
 - a. IM No. 15-092
4. **Ordinance Serial No. 15-054:** An Ordinance Approving The Land Classification Of Borough Parcel Tax ID No. 2167B11L020, Within Township 27 North, Range 7 West, Section 31, Seward Meridian, Alaska, As Reserve Use Lands For The Purpose Of A Temporary Public Access Corridor To The Kenny Creek Subdivision (MSB007026).
 - a. IM No. 15-094
5. **Ordinance Serial No. 15-055:** An Ordinance Accepting And Appropriating \$100,000 From The Willow Area Community Organization To Fund 435, Project No. 10060, For The Ground Source Heat Pump For The Willow Community Center Project.
 - a. **Resolution Serial No. 15-043:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Sign The Memorandum Of Agreement For The Design And Construction Of The Ground Source Heat Pump For The Willow Community Center Building Project, Project No. 10060.
 - (1) IM No. 15-095
6. **Ordinance Serial No. 15-056:** An Ordinance Reappropriating \$10,000 From The Planning Division Fiscal Year 2015 Operating Budget; \$10,000 From The Information Technology Department Fiscal Year 2015 Operating Budget; \$10,000 From The Capital Projects Department Fiscal Year 2015 Operating Budget; And \$10,000 From The Public Works Department Fiscal Year 2015 Operating Budget, Fund 100, To Fund 480, Project No. 47518, For The GIS/Cartegraph Integration Project.
 - a. **Resolution Serial No. 15-044:** A Resolution Approving The Scope Of Work And Budget For The GIS/Cartegraph Integration Project.
 - (1) IM No. 15-096
7. **Ordinance Serial No. 15-057:** An Ordinance Amending MSB 23.10.060, Considerations; MSB 23.10.180, Leases; And MSB 26.05.040(A)(6), Incentives; Relating To Less Than Fair Market Value Disposals.

- a. **Resolution Serial No. 15-045:** A Resolution Amending Title 23, Land And Resource Management Policies And Procedures Manual, Real Property Disposals: Less Than Fair Market Value, Part 60. *(Sponsored By Assemblymember Mayfield)*
(1) IM No. 15-097

- 8. **Ordinance Serial No. 15-058:** An Ordinance Approving The Manager To Enter Into An Agreement With The University Of Alaska To Purchase The Fireweed Building, Located At 533 Fireweed Avenue, Palmer, Alaska, For The Purpose Of A Permanent Location For The Borough's Capital Projects Department (MSB006903).
a. IM No. 15-099

- 9. **Ordinance Serial No. 15-059:** An Ordinance Approving A Land Exchange Of .57 Acres Of Borough-Owned Land For .19 Acres Of Land Owned By Douglas L. Olson, Located In The Area Of Trunk Road – Parks Highway Interchange For The Purpose Of The Trunk Road Extension South Road Project; And Authorizing The Manager To Execute The Documents Necessary To Complete The Land Exchange (MSB007034/DPW000085).
a. **Resolution Serial No. 15-046:** A Resolution Approving The Best Interest Finding In Support Of A Land Exchange Of .57 Acres Of Borough-Owned Land For .19 Acres Of Land Owned By Douglas L. Olson Located In The Area Of Trunk Road – Parks Highway Interchange For The Purpose Of The Trunk Road Extension South Road Project (MSB007034/DPW000085).
(1) IM No. 15-100

- 10. **Ordinance Serial No. 15-060:** An Ordinance Appropriating \$707,594 To Fund 495 For Issuance Costs From The Proceeds Of The Matanuska-Susitna Borough, State Of Alaska Lease Revenue Refunding Bonds, Series 2015 (Goose Creek Correctional Center Project).
a. IM No. 15-101

- 11. **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)*
a. IM No. 15-103

- 12. **Ordinance Serial No. 15-062:** An Ordinance Amending MSB 3.04.075, Tax Levy Limitation, To Provide That The Tax Cap Does Not Apply To Taxes To Fund Service Areas. *(Sponsored By Assemblymember Halter)*
a. IM No. 15-105

Ms. Newman 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 May 4, 2015, May 5, 2015 and May 7, 2015, respectively.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following resignation and appointments for confirmation:

Enhanced 911 Advisory Board
Dennis Brodigan, resignation
Library Board
Patricia Grosz
Marijuana Advisory Committee
Terry Goosen
Annett Thompson
Peggy Mulligan
Emily Hardy
Michael Hemmer
Staci Manier
Crystal Sunderland
Edna DeVries
Joe Schmidt
Lebron McPhail
Midway RSA No. 9
Robert Ramilo

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

VOTE: The motion passed without objection.

D. OTHER NEW BUSINESS

(There was no other new business.)

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

1. **Ordinance Serial No. 15-063:** An Ordinance Amending MSB 15.24.031, Initiating And Amending Lake Management Plans, By Placing A Temporary Moratorium On Initiation And Amendments To Lake Management Plans.

a. IM No. 15-104

MOTION: Assemblymember Colligan moved to refer Ordinance Serial No. 15-063 to the Planning Commission for 90 days.

VOTE: The motion passed without objection.

XI. RECONSIDERATION

(There was no reconsideration presented.)

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moosey:

- provided a history of why there is a road service area contractor performance bonding process; and
- stated that it was at the direction of the former Assembly.

Mayor DeVilbiss queried if that has driven up the costs for projects and brought less competition.

Mr. Moosey stated that he believes it is due to additional work such as brush cutting, not from anyone being excluded.

Assemblymember Sykes spoke to concerns with work not being completed as required by contracts.

Mr. Moosey:

- stated that the work in the contract was not the reason for the performance bond;
- advised that the reason was to remove the judgment from new and upcoming companies that the Borough wanted to encourage to compete for contracts;
- related that because contracts were bid based on experience, that newer companies were not able to compete until the performance bond was introduced;
- noted that some contractors dropped out and the market is determining who wins the contracts;
- stated that there have been issues in the past with contractors not doing work, but that has not occurred in a number of years; and
- opined that is because of excellent staff oversight.

Mayor DeVilbiss noted that there was not a lot of snow to be removed this winter.

Assemblymember Arvin:

- related that in the past, there have been some very sensational accusations and disparaging comments made about different contractors;
- stated that the contractors who held that opinion, were wondering why they had to compete with substandard performing contractors;
- opined that the best entity to determine if a contractor is qualified is the surety bond company;
- noted that the former Assembly determined that there needed to be some assurance of the ability to perform;
- summarized the items that are required for an underwriter to issue the bond; and

- spoke in support of the need for performance bonds.

Assemblymember Doty spoke to concerns with smaller companies not being able to participate due to the volume of detail required in obtaining a performance bond as it is a very complex process.

Mr. Spiropoulos:

- advised that he will not be present on May 5; and
- stated that if there are any questions of the body, he will be in the office through April 28.

Assemblymember Doty:

- spoke in support of postponing the water local improvement district in order to receive more information; and
- noted her appreciation that an intern was added to the agriculture board.

Assemblymember Colligan:

- spoke to the need for a regional transportation program;
- noted that there has been a lot of discussion on the topic;
- stated that he has requested funds for such a program in the past;
- requested that the Manager determine if there are any remaining funds from last year;
- requested that the body engage the consultant that was worked with in the past, as they are an expert on the topic; and
- spoke to just returning from a trip to the lower 48, during which he was interested in hearing what other governments were struggling with.

Assemblymember Beck:

- thanked the public for their participation in the meeting;
- thanked staff for their hard work; and
- thanked Radio Free Palmer for broadcasting meetings.

Assemblymember Halter:

- spoke to the need for the Borough to get out of the local improvement district business; and
- spoke in support of performance bonds for road service contracts.

Assemblymember Mayfield:

- opined that the Borough should do local improvement districts, but should do a better job;
- opined that it is important to understand all of the properties that are affected;
- spoke to issues that residents encounter through the process; and
- stated that he is looking forward to the budget process.

Assemblymember Sykes:

- thanked the body for a good and productive meeting;
- noted his agreement with Assemblymember Halter regarding local improvement districts;
- opined that the gas company should be the one to take over that process;

- stated that he has concerns with the budget process;
- opined that the tax base needs to be diversified;
- related that he is bring forward legislation regarding ways to raise revenue;
- thanked the staff for creating the budget website for the public;
- spoke in support of governmental transparency;
- spoke to the listening session scheduled for April 27 that he and Assemblymember Beck will host; and
- thanked the body for approving the Agriculture Advisory Board.

Assemblymember Arvin:

- spoke to his agreement regarding the gas company taking over local improvement districts;
- noted that he has always voted against local improvement districts until the non-contiguous idea was brought up; and
- opined that it is a better way, as those who object are not in danger of losing their property.

Mayor DeVilbiss thanked the Manager for bringing forward a reasonable budget.

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 9:05 p.m.


 LARRY DeVILBISS, Borough Mayor

ATTEST:


 LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 05/11/15