

MATANUSKA-SUSITNA BOROUGH - REGULAR MEETING

ASSEMBLY - JANUARY 16, 2001

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on January 16, 2001, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Larry DeVilbiss, Assembly District No. 1
Ms. Sara Jansen, Assembly District No. 2 (Deputy Mayor)
Mr. Talis J. Colberg, Assembly District No. 3
Mr. Dan Kelly, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6
Ms. Kelly Lankford Ladere, Assembly District No. 7

Staff in attendance were:

Ms. Sandra Dillon, Borough Clerk
Mr. John Duffy, Borough Manager
Mr. Michael Gatti, Borough Attorney
Ms. Elizabeth Manfred, Borough Deputy Clerk
Mr. Jim Swing, Public Works Director
Ms. Tammy Clayton, Finance Director
Mr. Karl Borglum, Borough Assessor
Ms. Sandy Garley, Planning Director
Mr. Ron Swanson, Community Development Director

III. APPROVAL OF AGENDA

Mayor Anderson noted the following changes to the agenda:

- removal of Consent Agenda item e, AM No. 01-006: VACATION OF PUBLIC INTEREST IN HOMESTEAD DRIVE TRAIL (*requested by the administration because it is being reconsidered by the Platting Board*).

There was no objection to the agenda as amended.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by School Board Member Carl Gatto.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: January 2, 2001

MOTION: Assemblymember Jansen moved for approval of the January 2, 2001, regular assembly meeting minutes.

GENERAL CONSENT: The motion passed without objection and the January 2, 2001, regular assembly meeting minutes were approved as presented.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Palmer Mayor Guinotte:

- commended the borough for positive action on behalf of the charter school site Committee;
- spoke to the city's continued annexation efforts; and
- reported that Palmer will host Japanese exchange students from the sister city of Sanora, Japan.

Wasilla Council Member Keller:

- thanked the borough for a donation to the memorial park on behalf of Leo Kaye;
- remarked that the city has recodified their code books; and
- stated that the city has approved an additional two police officer positions.

2. Matanuska-Susitna Borough School District

Superintendent Chesbro:

- shared that Dr. Larry Jacobson was hired as principal for Teeland Elementary School; and
- stated that the district has additional principal selections to complete.

3. Mark Miller, Program Coordinator: MASCOT long-range transit plan presentation

Mr. Miller:

- spoke to the adopted long-range, five-year plan for MASCOT services;
- stated that the local MASCOT program is the first nationwide non-profit public transportation agency available to everyone; and
- commented on the need for a facility with space to house an office and vehicle maintenance area.

B. Committee REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Jansen:

- discussed the school district retirement incentive program status;
- commented on preliminary estimates for the school district's FY02 budget;
- spoke to the charter school issues of buildings, sites, policies, availability of portables, and amount of funding for annual lease; and
- announced the next meeting will be held on February 5, 2001.

C. MANAGER COMMENTS

Mr. Duffy:

- summarized the workman's compensation provider issues;
- included a summary of the contract actions on the port and Hatcher Pass;
- stated that the Corps of Engineers drilling project at the port is complete and they will provide a synopsis of their findings within the week;
- noted that negotiations were completed with Thomas, Head, and Griesen to perform a financial analysis of the Hatcher Pass project;
- complimented Ms. Clayton for the formatting of the revised monthly financial reports;
- presented a summary of contract change orders and a summary of bid and RFP information for the month of December 2000;
- spoke to the preliminary estimate of a 3.5 percent increase in assessment

valuations;

- noted that an emergency procurement was issued for the state fire marshal to review the Houston High School project;
- announced that Wasilla Mayor Palin has requested a meeting regarding a proposed multi-sports facility;
- related that the borough lobbyist, Ray Gillespie, will develop an agenda for the March legislative meetings in Juneau;
- stated that he has invited the Municipality of Anchorage planning department to brief the assembly and planning commission on the recent fiscal impact analysis of their comprehensive plan;
- spoke to a recent meeting with Anchorage Mayor Wuerch at which regional issues were discussed; and
- stated that the school district superintendent and manager will continue to meet to identify inefficiencies and develop methods to correct them.

Discussion followed concerning the status of the Chijuk Creek timber sale statu. Mr. Duffy reported that no harvest activity has taken place.

D. ATTORNEY COMMENTS

(There were no attorney comments.)

E. CLERK COMMENTS

Ms. Dillon:

- advised that a joint work session is scheduled for February 6, 2001, with the planning commission and the transportation advisory board;
- noted that a joint assembly/school board meeting will be held on March 8, 2001;
- related that a work session concerning legislative issues and priorities will be held March 20, 2001.
- announced the following planning commission appointments: Bill Moll, Chair; Cynthia Payne, Vice-chair; Chris Rose, Site Selection Committee for Sherrod School replacement;
- recounted her participation in a state teleconference regarding preliminary redistricting plans; and
- spoke to the Division of Election voter registration purging process.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Platting Board - 12/07/00, 12/21/00
- b. Wasilla-Lakes Fire Service Area Board of Supervisors - 11/13/00

2. Community Council Correspondence:

- a. Meadow Lakes Community Council - 10/11/00

The citizen and other correspondence was presented and no comments were given.

G. INFORMATIONAL MEMORANDUMS

1. IM No. 01-004: MANAGER'S APPROVAL OF A ONE YEAR, MAXIMUM 25,000 CUBIC YARD MATERIAL EXTRACTION AND EXPLORATION CONTRACT LOCATED IN A PORTION OF THE OLSEN CREEK FOREST MANAGEMENT UNIT NEAR BELUGA, SECTIONS 2 AND 11, TOWNSHIP 14 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, ALASKA, MSB NO. 003340.

2. IM No. 01-015: PRINTER SERVICES TO PRINT BID DOCUMENTS FOR HOUSTON HIGH SCHOOL PROJECT.

The informational memorandums were presented and no comments were given.

VIII. UNFINISHED BUSINESS

(There was no unfinished business.)

IX. NEW BUSINESS

A. INTRODUCTION (Suggested public hearing - 02/06/01)

1. Ordinance Serial No. 01-009: AN ORDINANCE APPROPRIATING \$34,995 FROM LAND MANAGEMENT FUND BALANCE, FUND 203, TO FUND 430, ROAD CAPITAL PROJECTS, FOR WEST SELDON ROAD PUBLIC USE EASEMENT PURCHASE.

a. Resolution Serial No. 01-003: A RESOLUTION ESTABLISHING A POLICY FOR THE PURCHASE OF PUBLIC USE EASEMENTS OR RIGHTS-OF-WAY FOR ROAD CONSTRUCTION. IM No. 01-006

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved for introduction of the above-referenced legislation and set the public hearing on February 6, 2001.

GENERAL CONSENT: The motion passed without objection.

B. CONSENT AGENDA

(Resolution Serial No.01-005 was pulled from the consent agenda, see page 6 for assembly action.)

1. RESOLUTIONS

a. Resolution Serial No. 01-004: A RESOLUTION ESTABLISHING DATES CERTAIN FOR PAYMENT, DELINQUENCY, PROTEST, AND APPEAL OF 2001 REGULAR TAX ROLLS AND BUSINESS INVENTORY FILING AND FOR THE COMMENCEMENT OF HEARINGS BEFORE THE BOARD OF EQUALIZATION. IM No. 01-013

2. ACTION MEMORANDUMS

a. AM No. 01-001: SELECTION OF A LOCATION FOR THE NEW BIG LAKE LIBRARY SITE, MSB NO. 3018.

b. AM No. 01-002: AWARD OF BID NO. 01-041 TO ENGINEERED FIRE SYSTEMS, INC. FOR FIRE ALARMS AND SECURITY SYSTEMS FOR SEVERAL BOROUGH BUILDINGS.

c. AM No. 01-003: VACATION OF HUNT CIRCLE RIGHT OF WAY, AND A PORTION OF THE WALKWAY AND VEHICLE ACCESS EASEMENT ADJACENT TO LOT 10, BLOCK 2, FINGER COVE ESTATES, T18N, R1E, SECTION 33, SEWARD MERIDIAN, ALASKA, SOUTH LAKES COMMUNITY COUNCIL AREA.

d. AM No. 01-005: VACATION OF PORTION OF N. GINA DRIVE RIGHT OF WAY ADJACENT TO LOT 2A, BLOCK 2, WAGNER SUBDIVISION, T18N, R2E, SECTION 22, SEWARD MERIDIAN, ALASKA, LAZY MOUNTAIN COMMUNITY COUNCIL AREA.

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved for adoption of the above-referenced legislation.

GENERAL CONSENT: The motion passed without objection.

b. Resolution Serial No. 01-005: A RESOLUTION AUTHORIZING THE PARTICIPATION OF THE ELECTED OFFICIALS OF THE MATANUSKA-SUSITNA BOROUGH (109), ALASKA, AND ITS EMPLOYEES AND OFFICIALS IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF ALASKA AND THE PAYMENT OF THE REQUIRED PREMIUMS, PURSUANT TO AS 39.35 ET SEQ. IM No.

01-017

MOTION: Assemblymember DeVilbiss moved for adoption of Resolution Serial No. 01-005.

Ms. Clayton:

- explained that prior to August 2000, elected officials could participate in PERS at their choice;
- stated that recent legislation no longer allows elected officials to participate in PERS automatically;
- remarked that the assembly must amend the participation agreement to specifically state that elected officials may participate in PERS at their choice; and
- further stated that rates of participation change annually.

Discussion continued regarding the inclusion of elected officials contributions to PERS.

GENERAL CONSENT: The motion passed without objection.

The regular assembly meeting recessed at 6:55 p.m. and reconvened at 7:10 p.m.

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

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

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 00-194: AN ORDINANCE CREATING PROSPECT PARK ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 332, 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. IM No. 00-242

Mayor Anderson opened the public hearing.

Mr. Carl Owens questioned the construction process for this LID.

Assemblymember Colver suggested that the public works department be contacted with concerns regarding drainage.

There being no others wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Colver moved for adoption of Ordinance Serial No. 00-194.

VOTE: The motion failed unanimously. *[The assembly may not proceed with the improvement unless ballots approving the local improvement district are timely filed by owners of the property bearing more than one-half of the estimated cost of the improvement. The LID received 31 percent in favor.]*

2. Ordinance Serial No. 01-005: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION SCHOOL BONDS, 2001 SERIES A, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$14,143,000 TO PROVIDE FUNDS FOR SCHOOL AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, FIXING CERTAIN DETAILS OF SUCH BONDS AND AUTHORIZING THEIR SALE. IM No. 01-009

Ms. Clayton gave a staff report regarding the bond sale process.

Discussion continued concerning the recent upgrade of the borough bond rating.

Mayor Anderson opened the public hearing. There being no one wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Jansen moved for adoption of Ordinance Serial No. 01-005.

GENERAL CONSENT: The motion passed without objection.

3. Ordinance Serial No. 01-006: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION PARK BONDS, 2001 SERIES B, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,400,000 TO PROVIDE FUNDS FOR BALLPARKS, INDOOR AND OUTDOOR RECREATIONAL FACILITIES, TRAILS AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, FIXING CERTAIN DETAILS OF SUCH BONDS AND AUTHORIZING THEIR SALE. IM No. 01-010

Mayor Anderson opened the public hearing. There being no one wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Jansen moved for adoption of Ordinance Serial No. 01-006.

Mr. Duffy:

- stated that the assembly will be asked to approve appropriations and a scope of work for each project using bond funds; and
- commented that this bond must be used for capital improvements and may not hire employees.

GENERAL CONSENT: The motion passed without objection.

4. Ordinance Serial No. 01-007: AN ORDINANCE APPROPRIATING AN ADDITIONAL \$680,000 TO FUND 204, EDUCATION OPERATING, FOR A SUMMER SCHOOL PROGRAM. IM No. 01-011

Mayor Anderson opened the public hearing.

The following spoke in favor of the ordinance as written: Mr. Bob Thompson, Principal of Wasilla Middle School, Mr. Robert Hall, Mr. Carl Gatto, Mr. Robert Wells.

Ms. Chesbro:

- voiced her support for Ordinance Serial No. 01-007;
- proposed that the ordinance would support a three-week summer school program;
- stated that there may be federal funding available to partially assist this program;
- stated that the requested funds would support training 60 teachers and approximately 900 students;
- spoke to the learning opportunities grants which fund intervention programs in each school;
- commented that entitlement grants would be targeted towards the summer school program;
- revealed that the school district had not predicted the size of need for math tutoring; and
- related that the summer school program would focus on lowering the teacher/student ratio and target mathematics for an intensive type approach of learning.

Mr. Gatti:

- spoke to a request that the school district present a summer school proposal

with a specific program and funding sources identified.

The following spoke to the needs of moving the Academy Charter School: Ms. Barbara Gerard, Ms. Janet Whitfield, Ms. Claire McConnell, Mr. Ed Zegzdryn, Mr. Greg Dillinger, Mr. Christian Hartly.

There being no others wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Jansen moved for adoption of Ordinance Serial No. 01-007.

Discussion followed on the need for more information, a scope of work for the summer school program, and a request to address charter school programs.

Mayor Anderson:

- requested that the school district develop a policy regarding charter schools; and
- supported the assembly's request for additional information on the summer school program.

MOTION: Assemblymember Colver moved to postpone to date certain of April 17, 2001.

Superintendent Chesbro:

- stated that if a summer school program is to be scheduled, the funds must be committed immediately.

Mr. Gatti:

- spoke to the differences between programmatic needs and budgetary needs of the proposed summer school program.

MOTION: Assemblymember DeVilbiss moved a primary amendment to postpone to date certain of February 20, 2001.

Discussion continued regarding the process of the school district lapsed funds and the requirement to return the lapsed funds to the borough.

MOTION: Assemblymember Simpson moved the previous question.

VOTE: The motion, to stop debate, passed with Assemblymembers DeVilbiss and Kelly opposed.

VOTE: The primary amendment, to postpone to February 20, 2001, failed with Assemblymembers DeVilbiss and Colver in favor.

MOTION: Assemblymember Simpson moved a primary amendment to postpone to date certain of February 6, 2001.

GENERAL CONSENT: The primary amendment, to postpone to February 6, 2001, passed without objection.

GENERAL CONSENT: The main motion, as amended, passed without objection.

The regular assembly meeting recessed at 9:30 p.m. and reconvened at 9:40 p.m.

5. Ordinance Serial No. 01-008: AN ORDINANCE AUTHORIZING CALCIUM CHLORIDE APPLICATION ON BOROUGH UNPAVED ROADS AS AN ACCEPTABLE USE OF AREAWIDE AIR POLLUTION CONTROL FUNDS. (Sponsor: Assemblymember Lankford Ladere) IM No. 01-012

Mr. Duffy:

- explained that outlying areas do not have funds for paving; and
- remarked that calcium chloride application is a cheaper method of dust control than paving.

Mayor Anderson opened the public hearing.

The following spoke in favor of the ordinance as written: Mr. Marty Quaas, Mr. Ocie Adams, Mr. Carol Christiansen, Mr. John Lethrow, Mr. Carl Gatto, and Ms. Wilma Gonzales.

There being no others wishing to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Lankford Ladere moved for adoption of Ordinance Serial No. 01- 008.

Mr. Swing:

- stated that the proposal is to use road service area funds as matching funds;
- commented that there is no intention to use calcium chloride for an LID as it is not a permanent solution;
- remarked that the calcium treatment has a life span of two to five years;
- noted that the calcium chloride program will be a part of the capital improvement program that is presented to the assembly for approval during the budget cycle;
- noted that public works develops the capital improvement list of projects and submits it to the road service supervisors for approval, comments, and priorities;
- spoke to the decision making process concerning the use of calcium chloride;
- explained that the matching funds from the borough are appropriated by a formula from the vehicle taxes; and
- stated that the major roads will continue to be paved.

Mr. Duffy:

- commented that this ordinance would allow an LID to use calcium chloride;
- stated that the administration will present a report in October regarding the use of calcium chloride and how this use affected the paving program;
- provided examples of sources of funding which include road service area levies, grants, LIDs, etc.; and
- said that the administration will bring forth a resolution prohibiting using LIDs to fund the application of calcium chloride.

Mr. Gatti:

- commented that the borough code states an LID must be a capital improvement;
- stated that a previous ordinance outlined the funding sources for matching funds and requires the procedures of an LID analysis; and
- remarked that he will provide a legal definition of what constitutes a capital improvement.

MOTION: Assemblymember DeVilbiss moved the previous question.

GENERAL CONSENT: The motion, to stop debate, passed without objection.

GENERAL CONSENT: The motion, to adopt Ordinance Serial No. 01-008, passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Mr. Carol Christiansen spoke to the summer school funding request.

D. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

- Adjustments and Appeals, Board of

Catherine Fosselman

- Agricultural and Forestry Advisory Board

Kenneth Dillard, Agricultural and Forestry Development

- Emergency Medical Services Board

Nancy "Carol" Johnston, Houston Ambulance

Johnnie Winder, Houston Ambulance alternate

E. Lynn Turner, Trapper Creek Ambulance

Sheila LaMar, Valley Hospital

- Historical Preservation Commission

F. Leroi Heaven

- Local Emergency Planning Committee

Thomas Healy, City of Palmer

- Mayor's Blue Ribbon Fisheries Committee

Cliff Judkins

Bruce Knowles

Steve Totten

Mike Hudson

- Parks, Recreation and Trails Advisory Board

Pamela Sadloske, Assembly District 1

Bruce Greer, Assembly District 4

- Senior Citizens Advisory Board

Mae Tisher, Upper Su Senior Center

- Caswell Lakes Road Service Area No. 15

John Yow

- Gold Trail Road Service Area No. 28

Vera Hersey

- Chase Trail Special Service Area No. 134

Beth Pike

Mayor Anderson requested the following confirmations:

- Historic Preservation Commission

Randall C. Lorenz

Stephen G. Sylvester

- Local Emergency Planning Commission

John Bogue, Environmental/Business/Technical

- Port Commission

Art Scates, Seat 4

- Transportation Advisory Board

- Patricia E. Hurt

- Talkeetna Fire Service Area No. 24

Mary E. B. Farina

- Greater Butte Road Service Area No. 26

Mike Whitlatch

- Gold Trail Road Service Area No. 28

Kenneth Clark

- Meadow Lakes Fire Service Area No. 34

Ferman Strickland

- Willow Fire Service Area No. 35

Claire Fitzgerald

Mayor Anderson requested the assembly accept the following resignations:

- Emergency Medical Services Board

Rita McNeal

- Gold Trail Road Service Area No. 28

Robert B. Mielke

MOTION: Assemblymember Jansen moved to confirm the mayor's appointments up for confirmation this evening and to accept the resignations of Ms. McNeal and Mr. Mielke.

GENERAL CONSENT: The motion passed without objection.

D. OTHER NEW BUSINESS

X. RECONSIDERATION

(There was no reconsideration pending.)

XI. VETO

(There was no veto pending.)

XII. EXECUTIVE SESSION

(There was no executive session.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Lankford Ladere:

- spoke to the lack of funding for the senior citizen advisory board travel.

MOTION: Assemblymember Lankford Ladere moved to fund the current senior citizens advisory board travel from assembly reserve funds from passage of this legislation to the end of the fiscal year.

GENERAL CONSENT: The motion passed without objection.

Assemblymember Colver:

- advised that a January 23, 2001, meeting at Wasilla City Hall will address the proposed upgrade to Main Street/Wasilla Fishhook Road; and
- requested borough support for the charter school program.

MOTION: Assemblymember DeVilbiss moved to direct administration to present an AM to revise the school site selection process for the charter school site selection Committee.

GENERAL CONSENT: The motion passed without objection.

Assemblymember DeVilbiss:

- requested that the tracking report reflect his suggestion to consolidate EMS and Fire Service areas;
- questioned the tracking report placement of the status to review and evaluate the LID process;
- revealed that his trip to Juneau for the Alaska Farm Bureau is scheduled for February 29 and 30, 2001, with 50 percent of the trip to apply to borough issues.

Mr. Duffy shared that a draft status report of the LID process is completed.

Assemblymember Kelly:

- requested that the school district treat charter schools as regular schools.

Assemblymember Simpson:

- appreciated the clerk's report and manager's report being submitted electronically;
- expressed pleasure in the vote on the calcium chloride application legislation; and
- thanked the assembly for the support of the Big Lake Library.

Assemblymember Colberg:

- applauded Mr. Swing for his extensive knowledge of the borough road projects.

Assemblymember Jansen:

- thanked the road supervisors for their attendance and information shared regarding the calcium chloride application program.

Mayor Anderson:

- stated that the borough mayor and manager had made a presentation to the MSCVB;

- recounted that the mayor and manager will make a presentation to the Mat-Su Home Builders Association annual meeting;
- spoke to his support for the borough trails program;
- related that Assemblymember DeVilbiss, the manager, and mayor will travel to Lake Louise on January 25, 2001, to discuss local concerns;
- remarked that he attended the EMS training and made a presentation there;
- disclosed travel plans to Juneau to attend a mayor's conference; and
- shared information regarding the first scheduled Cook Inlet Pipeline Termination Committee meeting.

XIV. ADJOURNMENT

The regular assembly meeting adjourned at 10:50 p.m.

Minutes approved: February 6, 2001

Signed copy available at the clerk's office