

MATANUSKA-SUSITNA BOROUGH - REGULAR MEETING

ASSEMBLY - FEBRUARY 6, 2001

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 6, 2001, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6:05 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
Mr. Kevin Koechlein, Public Safety Director

III. APPROVAL OF AGENDA

Mayor Anderson noted the following changes to the agenda:

- administration requested that Resolution Serial No. 01-006: A RESOLUTION ESTABLISHING A POLICY TO SALVAGE TIMBER ON BOROUGH-OWNED LAND PRIOR TO CLEARING THAT LAND FOR A PUBLIC FACILITY and AM No. 01-004: CREATION OF A SITE SELECTION Committee FOR THE VALLEY PATHWAYS ALTERNATIVE SCHOOL be pulled.

There was no objection to the agenda as amended.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Ms. Laura Marsh, a Su-Valley High School student in the audience.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: January 16, 2001

MOTION: Assemblymember Jansen moved for approval of the January 16, 2001, regular assembly meeting minutes.

Assemblymember DeVilbiss requested clarification of the public hearing comments on page 8 regarding the statement, "The following spoke in opposition to the ordinance as written:" [After clerk's research, the statement was corrected to read, "The following spoke to the needs of moving the Academy Charter School."]

Mayor Anderson noted a spelling error in the fourth bullet of the manager's comments on page 3 regarding the business firm of Thomas, Head, and Grayson. [After clerk's research, the title was changed to read, "Thomas, Head, and Griesen."]

Assemblymember Colver requested that the title of the road proposed for upgrading be expanded. [After clerk's research, the road name was changed to read, "Wasilla Main Street/Fishhook Road."]

GENERAL CONSENT: The motion passed without objection and the January 16, 2001, regular assembly meeting minutes were approved pending clerk's research.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla Council Member Bennett:

- spoke to the proposed multi-purpose sports complex; and
- stated that the city is researching possible funding sources.

Assemblymember Kelly requested that administration prepare a resolution in support of the proposed multi-purpose sports complex.

Palmer Mayor Guinotte:

- thanked Ms. Dillon for the parliamentary training she provided to the Palmer Planning and Zoning Commission members;
- mentioned proposed state legislation concerning charter schools;
- expressed personal support for the proposed Wasilla sports center;
- spoke to the proposed LID paving projects for the city of Palmer;
- reported that a developer is seeking land to build eight-plex housing units; and
- commented that a new tax cap petition may be developed and circulated.

2. Matanuska-Susitna Borough School District

Mr. George Troxell, Director of Elementary and Secondary Education:

- discussed the juvenile assessment center, grants received to fund the center, and services the center provides;
- stated that the juvenile assessment center takes the pro-active approach of intervention rather than punitive actions; and
- commented that the Swentna school did not meet the district registration requirement of ten students to remain open and that the future of the Swentna school will be decided during the budget process.

B. Committee REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colberg:

- stated that the Committee discussed the summer school detail sheet provided by the superintendent;
- remarked that the present proposal would allow a summer school to be provided to all students who failed math;
- commented that a possible charter school selection site has been proposed; and
- mentioned that future school district budget cuts will be discussed.

2. Cook Inlet Pipeline Terminus Committee

Mayor Anderson:

- reported that the Kenai area and the borough are seeking a spur of the proposed gas pipeline to Cook Inlet through the borough;
- advised that the purpose of the spur locally would be to export natural gas for the future needs of the borough;
- proposed that the assembly pass a resolution in support of a gas land proposal; and
- discussed inviting a representative from Kenai to report to the assembly.

3. Alaska Conference of Mayors

Mayor Anderson:

- related information regarding a port authority group (North Slope Borough, Fairbanks Borough, and city of Valdez) which was formed to bring the gas pipeline to Valdez;
- stated that the intent of the port authority group is to build the gas pipeline with bonds and receive profits from tariffs which would be shared with the state;
- summarized the AML legislative priorities as investing in communities, restoring revenue sharing and municipal assistance to the 1999 level, and various statewide governmental issues;
- reported that the preliminary report from the state redistricting Committee indicates the borough may gain a house seat; and
- discussed the Knik Arm Crossing bridge proposal.

C. MANAGER COMMENTS

Mr. Duffy:

- thanked the assembly for sponsoring the employee luncheon;
- addressed recent disclosures as to the Port MacKenzie dock construction;
- commented that FHA recommended the dock facility be closed pending a final report from the Army Corps of Engineers;
- remarked that infrastructure construction projects at the port are projected for the summer construction season;
- related that the borough is the first entity in the state to offer taxpayers the ability to pay taxes over the Internet;
- announced that Mr. Paul Hulbert was appointed as Platting Officer;
- congratulated Mr. Swing on his appointment to the Federal Highway Administrations Local Road Coordinator Board;
- shared numerous thank you letters honoring borough personnel;
- thanked Mr. Gatti for his assistance in solving the Parks Highway/Wal-Mart platting matter;
- spoke to possible site selections for the charter school;
- commented on a proposed change order to Teeland School and requested Mr. Gatti review it for possible action;
- requested that the assembly review the correspondence provided regarding the Port MacKenzie dock; and
- addressed the proposed survey of on-call responders to improve the public EMS services.

D. ATTORNEY COMMENTS

Mr. Gatti:

- commented that a resolution is being prepared to oppose HB 13, the service area bill.

Assemblymember DeVilbiss:

- invited the assembly members to take a close look at HB 13; and
- expressed personal support for HB 13.

The regular assembly meeting recessed at 6:50 p.m. and reconvened at 7 p.m.

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

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

There were no persons to be heard.

B. PUBLIC HEARINGS (Three minutes per person.)

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

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

MOTION: Assemblymember Colver moved for adoption of Ordinance Serial No. 01-009 and Resolution Serial No. 01-003.

Discussion followed concerning the need to adopt policy regarding the use of service area funds.

Mr. Duffy stated that the borough did not have a policy prohibiting use of service area funds for roads used for region-wide travel.

GENERAL CONSENT: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Ms. Jay Nolfi presented Assemblymember DeVilbiss with a photo of his high school graduation class.

E. CLERK COMMENTS

Ms. Dillon:

- thanked the assembly for sponsoring the employee appreciation luncheon;
- commented that she will be attending the clerk's annual conference in Anchorage next week;
- spoke to the clerk's records management class and the need for a records program within the borough;
- provided a two month assembly meeting schedule;
- remarked that the travel arrangements are completed for the Juneau legislative meetings; and
- stated that the tracking report is attached to the clerk's written report and requested updates.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Academy Charter School Site Selection Committee - 01/04/01, 01/17/01
- b. Agricultural and Forestry Advisory Board - 01/08/01

Assemblymember DeVilbiss requested that a summary statement be given of the

recommendation when action is taken on administrative recommendations.

- c. Big Lake Fire Service Area Board of Supervisors - 09/11/00, 12/11/00
- d. Emergency Medical Services Advisory Board - 12/06/00
- e. Enhanced 9-1-1 Advisory Board - 12/12/00
- f. Gold Trails RSA No. 28 - 01/17/01
- g. Greater Palmer Consolidated Fire Service Area Board of Supervisors - 12/11/00
- h. Greater Willow Road Service Area No. 20 - 12/28/00
- i. Library Board - 12/16/00
- j. Local Emergency Planning Committee - 12/20/00
- k. Meadow Lakes Fire Service Area No. 34 - 12/13/00
- l. Platting Board - 01/04/01, 01/18/01
- m. Senior Citizens Advisory Board - 12/14/00
- n. Sherrod School Site Selection Committee - 12/06/00, 01/10/01
- o. Transportation Advisory Board - 12/12/00
- p. Trapper Creek RSA No. 30 - 11/12/00
- q. Wasilla-Lakes Fire Service Area Board of Supervisors - 12/11/00

2. Community Council Correspondence:

- a. Big Lake Community Council - 12/13/00
- b. Gateway Community Council - 01/05/01
- c. Point MacKenzie Community Council - 10/27/00
- d. South Knik Community Council - 11/18/00, 01/20/01
- e. Talkeetna Community Council - 12/04/00
- f. Y Community Council - 12/07/00, 01/04/01

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 01-020: FIRE MARSHALL APPROVAL FOR HOUSTON HIGH SCHOOL.
2. IM No. 01-023: BOROUGH COASTAL MANAGEMENT ZONE BOUNDARIES.
3. IM No. 01-025: STATUS REPORT ON DEVELOPMENT OF "CHAPTER ONE" BOROUGH-WIDE COMPREHENSIVE PLAN.

Discussion followed concerning the policy to change coastal zone boundaries.

The informational memorandums were presented and no other comments were given.

VIII. UNFINISHED BUSINESS

(Motion pending from January 6, 2001)

A. 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

1. Ordinance Serial No. 01-007(SUB): AN ORDINANCE APPROPRIATING AN ADDITIONAL \$680,000 TO FUND 204, EDUCATION OPERATING: \$340,000 FOR A SUMMER SCHOOL AND \$340,000 TO ADDRESS CHARTER SCHOOL NEEDS. (Sponsors: Assemblymembers Colver and Devilbiss IM No. 01-029

Superintendent Chesbro:

- reported that the summer school program known as Math Matters in Mat-Su is designed to work intensively with groups of 15 in class size;
- spoke to the locations of school and students allotted to each school;
- remarked that excess materials purchased for the summer school program will be

distributed to the new schools coming on line;

- discussed funding sources for the summer school program;
- stated that the program will group students as elementary, middle school, and high school; and
- commented regarding a component plan to evaluate students entering and exiting the summer school program.

MOTION: Assemblymember DeVilbiss moved to amend Ordinance Serial No. 01-007 by substitution with new language.

RULING: Mayor Anderson ruled the amendment out of order as the public hearing addresses only the issues properly noticed.

Mr. Gatti:

- referenced the public hearing process.

Discussion continued regarding:

- possible amendments to the ordinance referencing the charter school's needs;
- teacher requirements and qualifications to teach math; and
- student being required to take math courses to the competency level of the tests.

VOTE: The main motion passed with Assemblymember Simpson opposed.

IX. NEW BUSINESS

A. INTRODUCTION (Suggested public hearing - 02/20/01)

1. Ordinance Serial No. 01-010: AN ORDINANCE APPROVING THE CLASSIFICATION OF "GENERAL PURPOSE LANDS" AND SALE OF BOROUGH-OWNED LAND DESCRIBED AS LOTS 10, 11, AND 12, BLOCK 4, TALKEETNA TOWNSITE, IN THE TALKEETNA AREA (MSB002518). IM No. 01-018

2. Ordinance Serial No. 01-011: AN ORDINANCE APPROPRIATING FISCAL YEAR 2000 ROAD SERVICE AREA FUND BALANCES TO FUND 410, ROAD SERVICE AREA CAPITAL PROJECTS, AND TO CERTAIN ROAD SERVICE AREA FISCAL YEAR 2001 OPERATING BUDGETS. IM No. 01-019

3. Ordinance Serial No. 01-012: AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A SEPTAGE AND WATER EASEMENT TO CERTAIN PARCELS WITHIN WINDSONG SUBDIVISION IN ORDER TO MITIGATE PUBLIC HEALTH, SAFETY, AND WELFARE ISSUES. IM No. 01-022

4. Ordinance Serial No. 01-013: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$24,000 FROM THE ENHANCED 911 FUND BALANCE, FUND 202, TO THE FISCAL YEAR 2001 ENHANCED 911 OPERATING BUDGET, FUND 202, FOR THE PURPOSE OF PURCHASING MAPPING AND ADDRESSING SOFTWARE. IM No. 01-026

5. Ordinance Serial No. 01-014: AN ORDINANCE ADOPTING MSB 19.08.023, ESTABLISHING A SITE SELECTION PROCESS FOR CHARTER SCHOOLS. (Sponsor: Assemblymember DeVilbiss) IM No. 01-028

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved for introduction of the above-referenced legislation and set the public hearings on February 20, 2001.

GENERAL CONSENT: The motion passed without objection.

B. CONSENT AGENDA

(AM Nos. 01-010 and 013 were pulled from the consent agenda, see pages 9 and 10

for assembly action.)

1. RESOLUTIONS

a. Resolution Serial No. 01-006: A RESOLUTION ESTABLISHING A POLICY TO SALVAGE TIMBER ON BOROUGH-OWNED LAND PRIOR TO CLEARING THAT LAND FOR A PUBLIC FACILITY. (Sponsor: Assemblymember Lankford Ladere) IM No. 01-021

2. ACTION MEMORANDUMS

b. AM No. 01-006: REVISE SCOPE OF WORK FOR SUTTON LIBRARY WELL DRILLING.

c. AM No. 01-007: VACATION OF PORTIONS OF W. KATIE WAY RIGHT OF WAY AND ADJACENT UTILITY EASEMENT FOR LOT 4, BLOCK 1, KATIE'S SUBDIVISION, T17N, R3W, SECTION 32, SEWARD MERIDIAN, ALASKA, BIG LAKE COMMUNITY COUNCIL AREA.

d. AM No. 01-008: VACATION OF PORTION OF E. TERN DRIVE RIGHT OF WAY ADJACENT TO LOT 5, BLOCK 6, EAGLE ESTATES NUMBER 3 SUBDIVISION, T18N, R1E, SECTION 25, SEWARD MERIDIAN, ALASKA.

f. AM No. 01-011: APPROVAL OF SOLE SOURCE AWARD TO NINE-ONE-ONE INC., TO RELOCATE THE BACKUP PUBLIC SAFETY ANSWERING POINT (PSAP).

g. AM No. 01-012: AWARD BID NO. 01-038 TO PIERCE MANUFACTURING INCORPORATED TO PURCHASE THREE FIRE APPARATUS.

i. AM No. 01-014: AWARD CONTRACT TO PROCOMM ALASKA FOR RADIO SYSTEM IMPROVEMENTS PER PROPOSAL 01-044.

j. AM NO. 01-015: AUTHORIZE THE PAYMENT OF \$53,216.80 TO THE CITY OF WASILLA FOR PAVING OF CENTAUR AVENUE AND CENTIME WAY.

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.

e. AM No. 01-010: APPROVAL OF MEADOW LAKES ELEMENTARY SCHOOL CONSTRUCTION CHANGE ORDER.

MOTION: Assemblymember Colver moved for approval of AM No.01-010.

CONFLICT OF INTEREST: Assemblymember Colver requested a ruling from the chair regarding a possible conflict of interest as a subcontractor and stated that his employment for this construction project has been completed.

RULING: Mayor Anderson ruled that Assemblymember did not have a conflict of interest.

GENERAL CONSENT: The motion passed without objection.

h. AM No. 01-013: APPROVAL OF TEELAND MIDDLE SCHOOL CHANGE ORDER.

MOTION: Assemblymember Jansen moved for approval of AM No. 01-013.

CONFLICT OF INTEREST: Assemblymember Colver subcontractor requested a ruling from the chair as he is a subcontractor on the project.

RULING: Mayor Anderson ruled that Assemblymember Colver's employment as a subcontractor may constitute an appearance of a conflict of interest and excused Assemblymember Colver from voting on the issue. (Assemblymember Colver

left the room.)

Mr. Duffy:

- requested that the borough attorney examine this change order and seek reimbursement if the requested changes were a result of contractor error.

VOTE: The motion passed without objection with Assemblymember Colver abstaining. (*Assemblymember Colver returned to the room.*)

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Agricultural and Forestry Board

- Ed Coyle, Agricultural and Forestry Economics
- Richard Sanders, Agricultural and Forestry Management Services

Coast Policy Council

- Jim Colver, Assemblymember

Federal Subsistence Regional Advisory Council

- Kelly Lankford Ladere, Assemblymember

Local Emergency Planning Committee

- Jimmie Rogers, Environmental/Business/Technical
- Doris K. Lum, Hospital/Public Health

Mat-Su Borough - Municipality of Anchorage Intergovernmental Liaison Committee

- Jody Simpson, Assemblymember
- Sandra Garley, Borough Administration
- John Duffy, Borough Administration

Platting Board

- Helen Y. Kaye, District 5

Sherrod Replacement School Site Selection Committee

- Chris Rose, Planning Commission Member

Transportation Advisory Board

- Leo Americus, Environmental Representative

Fairview Road Service Area No. 14

- Donald Brandl

Big Lake Road Service Area No. 21

- Mike Graves

Greater Palmer Consolidated Fire Service Area No. 132

Frank Holt

Mayor Anderson requested the following confirmations:

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 Representative

Historical Subsistence Regional Advisory Council

- F. Leroi Heaven

Local Emergency Planning Committee

- Thomas Healy, City of Palmer

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

Chase Trail Service Area No 134

- Beth Pike

Assemblymember Jansen noted that Jimmie Rogers (recommended for the Local Emergency Planning Committee) has recently moved from the area and the name will not be moved forward.

MOTION: Assemblymember Jansen moved to confirm the mayor's appointments presented for confirmation this evening.

GENERAL CONSENT: The motion passed without objection.

Mayor Anderson spoke to the request to reactivate the Mayor's Blue Ribbon Fisheries Board and requested administration to develop procedures to reactivate this board.

D. OTHER NEW BUSINESS

(There was no 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 Colberg:

- expressed pleasure in observing the borough manager debate the Palmer environmental group regarding the development of Hatcher Pass.

Assemblymember DeVilbiss:

- spoke to future energy issues in the south central region;
- requested revisiting the recent garbage fee amendment;
- asked for a brief from the manager in reference to efforts to coordinate plans for double sheet ice arenas in the borough;
- questioned over-the-counter borough lands sales;
- requested that the assembly members research HB 13;
- stated that the right to farm bill will protect both subdivisions and farms; and
- noted that a radio band is reserved for education only and questioned if that radio band may be leased to produce revenues.

Assemblymember Kelly:

- questioned if the borough expects an increase in borough revenue beyond the annual cost of living increases.

Assemblymember Ladere:

- expressed interest in serving on the South Central Clean Air Committee;
- shared information regarding a recent visit to the Chijik lease site;
- spoke to borough forestry issues;
- requested administration research the possibility of surplus federal bridges being awarded to the Mat-Su borough;
- remarked that travel was proposed to Lake Creek in February 2001.
- requested a detailed report of fiscal costs to the borough in reference to the Enstar gas LIDs;
- encouraged continuation of joint work sessions;
- addressed the need to continue the port development for an airport to service all of south central and to develop a transportation corridor from the port area;
- noted that industrial area development should not be near lakes, trails, bike paths, or schools; and
- reported that the Talkeetna Elementary School produces a radio show.

Assemblymember Colver:

- commented on the school site selection Committees which require borough staff support; and
- questioned the monthly finance reports.

Mr. Duffy noted that departments often maintain a database of funds encumbered and that the totals would be different than the financial report of funds expended.

Assemblymember Jansen:

- thanked the clerk's department for the employee luncheon decorations;
- thanked the manager for the update on chapter one of the comprehensive plan;
- supported the manager's use of informational memorandums to disburse information to the assembly;
- congratulated the manager for receiving his certification as professional of human resources;
- questioned the availability of borough financial reports;
- requested that the assembly establish a policy on the purpose of the land management permanent fund;
- spoke to the proposed Knik bridge concept; and
- requested that the manager share his revenue plans for proposed budget.

Mr. Duffy stated he will address a tax reform package and revenue plans prior to presenting the proposed FY02 budget.

Mayor Anderson:

- expressed disappointment in missing the employee appreciation luncheon;
- spoke to a proposal regarding development of a gas fired energy plant in Fairbanks;
- shared that he met with the Governor and spoke to state issues;
- reported that the Lake Louise trip was canceled and will be rescheduled; and
- announced that the Central Mat-Su Fire Fighters appreciation dinner was rescheduled to February 13, 2001.

XIV. ADJOURNMENT

The regular assembly meeting adjourned at 9 p.m

Minutes approved: February 20, 2001

Signed copy available at the clerk's office