I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on January 4, 2000, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Darcie K. Salmon.

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
Mr. James Colberg, Assembly District No. 3
Mr. Dan Kelly, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Turner, Assembly District No. 6
Mr. Doyle Holmes, Assembly District No. 7 (Deputy Mayor)

Staff in attendance were:

Ms. Sandra Dillon, Borough Clerk
Mr. Michael J. Scott, Borough Manager
Mr. John Duffy, Assistant Manager
Mr. Michael Gatti, Borough Attorney
Mr. Gary Lebowich, Human Resources Manager
Mr. Bob Pawlowski, Port Advisor
Ms. Elizabeth Manfred, Deputy Clerk
Mr. Jim Swing, Public Works Director
Ms. Tammy Clayton, Finance Director
Mr. Karl Borglum, Borough Assessor
Ms. Cindy Gilder, Planning Director
Mr. Ken Hudson, Code Compliance Chief (portion)
Mr. Ron Swanson, Community Development Director
Mr. Kevin Koechlein, Public Safety Director

III. APPROVAL OF AGENDA

There was no objection to the agenda as presented.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Assemblymember DeVilbiss.

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: December 4, 1999
B. Regular Assembly Meeting: December 7, 1999
C. Special Assembly Meeting: December 7, 1999
D. Special Assembly Meeting: December 14, 1999
E. Special Assembly/School Board Joint Meeting: December 14, 1999

MOTION: Assemblymember Simpson moved for approval of the above-referenced assembly meeting minutes.

Assemblymember Colberg requested the following correction:

- December 4, 1999, page 3, under his comments, requesting a work session; that he asked for the work session for the zoning ordinance only. [Clerk corrected accordingly.]

Assemblymember Kelly made the following correction:

- December 7, 1999, regular minutes, page 22, under his comments, that the meeting referred to was with the Greater Wasilla Chamber of Commerce on January 11, 2000.

[Clerk corrected to read:
Assemblymember Kelly:

- Invited assembly members to attend the Greater Chamber of Commerce meeting on January 11, 2000, at the Mat-Su Resort at noon, when he will be presenting his Wasilla couplet idea to the chamber.]

Assemblymember Holmes made the following correction:

- December 14, 1999, special minutes, page 1, Helene Brooks was present by teleconference. [Clerk stated that Ms. Brooks was present by teleconference for a short time and will correct the minutes accordingly.]

GENERAL CONSENT: The motion passed without objection and the special assembly meeting minutes of December 7 and 14, 1999, were approved as presented; and the December 7, 1999, regular assembly meeting minutes and December 4 and 14, 1999, special assembly meeting minutes were approved as corrected.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Report from cities

Palmer Mayor Henry Guinotte:

- Announced that the new Palmer City Police Chief will be selected this week.
- Stated that the city had no Y2K problems.
- Mentioned that he will be working with the Alaska Municipal League (AML) concerning the proposed state initiative property tax cap and possible revenue sharing reduction.
- Stated that the contaminated soil from the Alaska Railroad oil spill near Talkeetna will be brought to Palmer by Alaska Pollution Control and stored on city property, but the city will not bear a financial expense.

Discussion followed.

2. Matanuska-Susitna Borough School District

Ms. Pat Chesbro, Interim Director of Elementary and Secondary Education

Ms. Chesbro:

- Stated that the school district is currently in their budget process.
- Announced that the State Commissioner of Education will visit the borough in February to meet with the school district administration and the community to answer questions regarding quality schools.
- Remarked that students enrolled in home or private schooling do not take the same benchmark tests as public or correspondence school students.

Assemblymember Holmes requested that the Joint Committee on School Funding subcommittee be supplied with documentation concerning the amount of wage funding needed for the next school year.

B. COMMITTEE REPORTS

(The assembly currently has no committees.)

C. MANAGER COMMENTS

Mr. Scott:

- Related that the Port MacKenzie project has ceased construction until April.
- Stated that the Port Commission has almost completed its special land use district review and will then be submitted for legal review.
- Commented that the manager directed the port advisor to develop a strategic marketing and development plan.
- Remarked that an intermodal study will be completed in April.
- Stated that the survey work for Alaska Manufacturing and the Pt. MacKenzie Road is almost complete and that a plat hearing has been scheduled.

Assemblymember Jansen inquired about the approval of the intermodal project contracts.

Mr. Scott responded that the referenced contracts were the contracts I and II previously approved by the assembly, and that contract III was under $15,000 which does not require assembly approval.

Mr. Scott (continued):

- Mentioned that the borough is working closely with the State Department of Transportation (DOT), Municipality of Anchorage (MOA), and Alaska Railroad to jointly support individual project needs.
- Stated that work is ongoing on a proposed management agreement for port area land.
- Referred to the change orders and ferry project time line that are attached to the written manager's report.
- Announced that the referenced individual projects will be presented to the Alaska Congressional Delegation, Federal Office of Intermodalism, Federal Maritime Administration, and the Governor over the next several weeks.

Assemblymember Jansen inquired if the borough would be the recipient of the $4.5 million for the ferry facilities, or will the borough manage for the municipality.

Mr. Scott replied that borough is the applicant for this $4.5 million federal funding for the ferry facilities funds, but the next $4.5 million in federal funds would be disbursed to the MOA through the joint project venture.

Mr. Scott (continued):

- Mentioned that there is a time frame change order concerning the joint venture agreement for the Hatcher Pass project.
- Referred to the State Department of Natural Resources (DNR) letter with attached map regarding the Hatcher Pass land selections contained in the written manager's report.
- Shared the fiscal year 2001 budget instructions and calendar.
- Stated that the Y2K effort was successful with no reported mishaps.
- Spoke to the DNR letter regarding the RS 2477 trails easements.

Assemblymember DeVilbiss questioned why the borough administration requested to close or restrict the Knik Glacier Trail which is in opposition to assembly wishes and requested a written report from the manager regarding this issue.

Mr. Scott responded that there are easement impacts relative to the problems of RS 2477.

Discussion followed.

Mr. Swanson gave a staff report concerning the Knik Glacier Trail and the letter sent to DNR.

Mr. Scott (continued):

- Announced that he will be out of the borough January 12 - 14, 2000, to travel and make a school bond presentation in Washington D.C., and January 24-28, 2000, to travel to Juneau for lobbying purposes.

D. ATTORNEY COMMENTS

(There were no attorney comments.)

E. CLERK COMMENTS

Ms. Dillon:

- Discussed the assembly meeting schedule for January and February 2000.
- Stated that the AML letter attached to her written report contains information on their past functions and future goals.
- Shared a thank-you card to the assembly for the employee appreciation luncheon.
- Mentioned that this is the time of year that the Clerk's Office receives numerous calls regarding service area annexations; that she has issued one petition for the Butte area;

and April 15, 2000, is the last date for annexation questions to be placed on a ballot at the October election.

- Explained that she has scheduled parliamentary training on January 22, 2000, from 10 a.m. to 12 p.m., in the MTA Community Room, and that all community councils are invited, as well as other interested persons.
- Announced that the tracking report is attached to the clerk's written report.

Discussion followed.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
a. Local Road Service Advisory Board - 11/18/99
b. Planning Commission - 12/06/99
c. Platting Board - 11/18/99, 12/02/99

2. Community Council Correspondence:
a. Butte Community Council - 07/14/99, 08/11/99, 09/08/99, 10/13/99
b. Lazy Mountain Community Council - 10/14/99, 12/09/99
c. Meadow Lakes Community Council - 11/10/99
d. Trapper Creek Community Council - 12/09/99
e. Willow Area Community Organization - 12/06/99

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 00-007: FIRE MARSHALL APPROVAL FOR TEELAND MIDDLE SCHOOL.

Assemblymember DeVilbiss queried the cost of the Fire Marshall's fee.

VIII. UNFINISHED BUSINESS

A. Ordinance Serial No. 99-178: AN ORDINANCE CREATING COLONY EAST/ GLEN VIEW ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 290, 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. 99-214

PREVIOUS MOTION: (From December 7, 1999) Assemblymember Jansen moved for adoption of Ordinance Serial No. 99-178.

Discussion followed.

Mr. Scott gave a staff report and recommended defeat of the legislation.

VOTE: The motion failed unanimously.

IX. NEW BUSINESS

A. INTRODUCTION

1. Ordinance Serial No. 00-005: AN ORDINANCE ADOPTING MSB 15.24.030(C)(22), NEKLASEN AND LOWER NEKLASEN LAKES, LAKE MANAGEMENT PLAN.

a. Ordinance Serial No. 00-006: AN ORDINANCE AMENDING MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION. IM No. 00-006

2. Ordinance Serial No. 00-007: AN ORDINANCE AUTHORIZING THE CLASSIFICATION AND DISPOSAL OF TRACT 18, AMBER LAKE ALASKA SMALL TRACTS, SECTION 15, T24N, R7W, SEWARD MERIDIAN, ALASKA. IM No. 00-009

3. Ordinance Serial No. 00-008: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION SCHOOL BONDS, 2000 SERIES A, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $10,550,000, TO PROVIDE FUNDS FOR SCHOOL AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, FIXING CERTAIN DETAILS OF SUCH BONDS AND AUTHORIZING THEIR SALE. IM No. 00-013

4. Ordinance Serial No. 00-009: AN ORDINANCE ACCEPTING AND APPROPRIATING A $33,000 GRANT FROM THE UNITED STATES FOREST SERVICE TO FUND 480, PROJECT 20304, FOR THE CONTINUATION OF THE

STATEWIDE FIRE PREVENTION AND EDUCATION SPECIALIST PROGRAM.

a. Resolution Serial No. 00-003: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET FOR THE CONTINUATION OF THE STATEWIDE FIRE PREVENTION AND EDUCATION SPECIALIST PROGRAM. IM No. 00-016

Ms. Dillon read the above-referenced legislation into the record.

MOTION: Assemblymember Holmes moved for introduction of the above-referenced legislation and set for public hearing on January 18, 2000.

GENERAL CONSENT: The motion passed without objection.

B. CONSENT AGENDA

1. RESOLUTIONS

a. Resolution Serial No. 00-004: A RESOLUTION AUTHORIZING THE BOROUGH MANAGER TO EXECUTE A TRANSFER OF RESPONSIBILITY AGREEMENT WITH THE CITY OF WASILLA IN THE AMOUNT OF $290,228 FOR PAVING. IM No. 00-012

b. Resolution Serial No. 00-005: A RESOLUTION APPROVING THE SCOPE OF WORK ND BUDGET OF $400,000 FOR THE UPPER SUSITNA SENIOR CENTER. IM No. 00-014

c. Resolution Serial No. 00-006: A RESOLUTION REQUESTING THAT VALLEY HOSPITAL CONSIDER PROVIDING FOR HEAT AND A WATER SUPPLY IN THE EMERGENCY ROOM AMBULANCE BAY. IM No. 00-019

2. ACTION MEMORANDUMS

(AM Nos. 00-007, 00-008, 00-009, and 00-010 were pulled from the consent agenda, see page 12 for assembly action.)

a. AM No. 00-006: SCOPE OF WORK AND BUDGET FOR SCHOOL DISTRICT RENEWAL AND RENOVATION PROJECTS - FOURTH INCREMENT.

Ms. Dillon read the above-referenced consent agenda items into the record.

MOTION: Assemblymember Holmes moved for approval of the above-referenced consent agenda items.

GENERAL CONSENT: The motion passed without objection.

The regular assembly meeting recessed at 6:48 p.m. and reconvened at 7 p.m.

VII. SPECIAL ORDERS

A. PERSONS TO BE HEARD

B. PUBLIC HEARINGS

1. Ordinance Serial No. 00-001: AN ORDINANCE AMENDING MSB 17.75.035(A), DESIGNATED SINGLE-FAMILY RESIDENTIAL LAND USE DISTRICT, TO ADD A NEW DISTRICT, CHUGACH VIEW ESTATES, WHICH INCLUDES PARTS OF CHUGACH VIEW ESTATES, CHUGACH VIEW ESTATES RESUB, AND WILDERNESS EAST SUBDIVISIONS. IM No. 00-002

Mayor Salmon opened the public hearing.

The following spoke in favor of the ordinance without the recommended planning commission amendments removing three parcels from the land use district: Mr. Ed Barber, Ms. Ann Goodman, Ms. Pat Barber, Ms. Janice Strong, Mr. Walter Williams, Mr. John Graham, Ms. Julie Chase, Ms. Marjorie Salisbury, and Mr. Cliff Salisbury.

The following spoke in favor of the ordinance as presented: Mr. Brian Gelting.

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

MOTION: Assemblymember Colberg moved for adoption of Ordinance Serial No. 00-001.

MOTION: Assemblymember Colberg moved a primary amendment to section two, paragraph two, strike "Lots 4 through 9" and insert "Lots 1 through 9."

Discussion followed.

MOTION: Assemblymember Holmes moved a secondary amendment to section two, paragraph two, to strike "Lots 4 through 9, Block 1, and Lots 1 through 4, Block 2, Chugach View Estates, (MSB subdivision No. 6077)" and insert "All lots within Chugach View Estates (MSB Subdivision No. 6077) for rural residential purposes except Lots 1, 2, and 3, of Block 1, which may also be used for agricultural purposes."

Discussion followed.

Mr. Gatti commented that adopting the secondary amendment would change the intent of borough code.

MOTION: Assemblymember Turner moved the previous question on the secondary amendment.

VOTE: The motion, to move the previous question, passed with Assemblymembers Holmes and DeVilbiss opposed and debate closed.

VOTE: The secondary amendment failed with Assemblymembers Holmes and DeVilbiss in favor.

Discussion continued.

GENERAL CONSENT: The primary amendment passed without objection.

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

2. Ordinance Serial No. 00-002: AN ORDINANCE APPROPRIATING ROAD SERVICE AREA FUND BALANCES TO FISCAL YEAR 2000 ROAD SERVICE AREA OPERATING BUDGETS AND TO FUND 410, ROAD SERVICE AREA CAPITAL PROJECTS. IM No. 00-003

Mayor Salmon 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 Holmes moved for adoption of Ordinance Serial No. 00-002.

GENERAL CONSENT: The motion passed without objection.

3. Ordinance Serial No. 00-003: AN ORDINANCE ACCEPTING AND APPROPRIATING $10,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE FOR STREAM BANK PROTECTION ON BODENBURG CREEK.

a. Resolution Serial No. 00-001: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE BODENBURG CREEK STREAM BANK PROTECTION. IM No. 00-004

Mayor Salmon opened the public hearing.

Mr. R. K. Butts spoke about funds available through other sources for Ordinance Serial No. 00-003 with Resolution Serial No. 00-001and Ordinance Serial No. 00-004 with Resolution Serial No. 00-002 (below).

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

MOTION: Assemblymember DeVilbiss moved for adoption of Ordinance Serial No. 00-003 and Resolution Serial No. 00-001.

GENERAL CONSENT: The motion passed without objection.

4. Ordinance Serial No. 00-004: AN ORDINANCE ACCEPTING AND APPROPRIATING $10,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE FOR STREAM BANK PROTECTION ON WASILLA CREEK.

a. Resolution Serial No. 00-002: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE WASILLA CREEK STREAM BANK PROTECTION. IM No. 00-005

Mayor Salmon opened the public hearing.

(See Mr. R.K. Butts' comments above.)

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

MOTION: Assemblymember Kelly moved for adoption of Ordinance Serial No. 00-004 and Resolution Serial No. 00-002.

GENERAL CONSENT: The motion passed without objection.

C. AUDIENCE PARTICIPATION

Mr. Michael Janecek:

- Presented fireworks debris collected from the Rainbow Lake area, where fireworks are restricted, and commented that the amount of litter could be considered waterbody contamination.
- Questioned the lack of borough code enforcement.

IX. NEW BUSINESS (Continued from page 8.)

2. ACTION MEMORANDUMS

b. AM No. 00-007: REVISE SCOPE OF WORK FOR TALKEETNA LIBRARY RENOVATIONS.

MOTION: Assemblymember Holmes moved for approval of AM No. 00-007.

GENERAL CONSENT: The motion passed without objection.

c. AM No. 00-008: AWARD OF QUOTE Q0-22, TEELAND MIDDLE SCHOOL PRINTING PLANS AND SPECIFICATIONS OF CONSTRUCTION PROJECT.

MOTION: Assemblymember DeVilbiss moved for approval of AM No.00-008.

Discussion followed.

GENERAL CONSENT: The motion passed without objection.

d. AM No. 00-009: MEADOW LAKES ELEMENTARY SCHOOL CONSTRUCTION CHANGE ORDER APPROVAL.

MOTION: Assemblymember DeVilbiss moved for approval of AM No. 00-009.

Discussion followed.

Mr. Swing gave a staff report.

GENERAL CONSENT: The motion passed without objection.

e. AM No. 00-010: AWARD OF PROPOSAL NO. 00-062, ENGINEERING SERVICES FOR CENTRAL LANDFILL EXPANSION CELL 3 DESIGN PHASE I.

MOTION: Assemblymember DeVilbiss moved for approval of AM No. 00-010

Discussion followed.

Mr. Swing gave a staff report.

Discussion continued.

GENERAL CONSENT: The motion passed without objection.

Assemblymember Colberg requested a review of the landfill fees during budget sessions.

Mr. Scott responded that the fees will be reviewed for the short- and long-term.

Discussion followed regarding landfill requirements and qualifications.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Salmon made the following recommendations:
Emergency Medical Services Board
Ms. Mia Mangione, Talkeetna ambulance position
Ms. Ulla Latimer, Palmer ambulance position
Mr. Otho Stice, Palmer ambulance alternate position
Historical Preservation Commission
Ms. Charlene Schmidtkunz
Ms. Henriette Nugen

Library Board
- Ms. Verna Euwer, Palmer position
- Mr. Shayne Holmes, Wasilla position
- Ms. Dorothea Taylor, Willow position
- Ms. Sandy Stoner, at-large alternate position

Local Emergency Planning Committee
- Mr. Charles St. George, media position

Parks, Recreation, and Trails Advisory Board
- Mr. Bruce Greer, district 4 position
- Mr. Pat Murphy, at-large position
- Mr. Russell Butts, at-large position

Planning Commission
- Ms. Cynthia Payne, district 2 position
- Ms. Mary Kvalheim, district 4 position
- Mr. William Moll, district 7 position

Platting Board
- Mr. Mark Ward, district 3 position
- Ms. Jessie Laud-Elkins, alternate position

Port Commission
- Mr. Darrell Korman

Transportation Advisory Board
- Mr. Ben Hermon, construction industry position
- Mr. Tim Mahoney, road service areas position
- Mr. Hilary Leiss, at-large position

Gold Trail Road Service Area No. 28 board of supervisors
- Mr. Robert Mielke

Mayor Salmon requested approval of the following confirmations:

Ethics Board
- Mr. Frank Muncy, at-large position

Historical Preservation Commission
- Ms. Victoria Cole, at-large position

Local Emergency Planning Committee
- Mr. Ken Slauson, environmental/business/technical position
- Mr. Kevin Koechlein, MSB Administration position

Parks, Recreation, and Trails Advisory Board
- Mr. Bishop Buckle, at-large position

Platting Board

Mr. Robert Tucker, District 1

Mr. Larry Timmons, District 4

Mr. Jack Easley, Alternate position

Port Commission

Mr. Noel Woods, at-large position

Mr. Jerry Fletcher, at-large position

Talkeetna Flood Control Service Area No. 7 board of supervisors

Ms. Roberta Sheldon

Caswell Road Service Area No. 15 board of supervisors

Mr. James Skinner - remove from office

Gold Trail Road Service Area No. 28 board of supervisors

Mr. Tim Mahoney

Talkeetna Road Service Area No. 29 board of supervisors

Mr. Richard Kjar

Big Lake Fire Service Area No. 33 board of supervisors

Ms. Terry Archibald

MOTION: Assemblymember Holmes moved for approval the above-referenced confirmations and to remove Mr. James Skinner from Caswell Road Service Area No. 15 board of supervisors.

GENERAL CONSENT: The motion passed without objection.

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 Jansen:

- Thanked the mayor for his time spent with her to discuss planning commission appointments.
- Encouraged the administration to review the code compliance division for possible additional personnel to enforce existing borough code.

Assemblymember Kelly:

- Thanked the mayor for his time discussing planning commission appointments.

Assemblymember DeVilbiss:

- Suggested that the assembly consider the repeal of codes that are not enforceable.
- Stated that Y2K did not impact him.
- Requested that he be excused from the January 18, 2000, assembly meeting because he will be out of the borough.

Assemblymember Colberg:

- Wished all a Happy New Year.

Assemblymember Holmes:

- Requested that administration provide a time frame report on the Hatcher Pass project similar to the one presented for the port.
- Suggested that the road maintenance be contracted on an hourly basis rather than the current fixed rate contract to assist with obtaining better maintenance in the northern areas of the borough.

Assemblymember Simpson:

- Thanked the employees who worked over the holiday for their Y2K participation.
- Expressed her appreciation for Mr. Swing and his staff during the recent weather crisis by answering her questions for those who contacted her regarding road maintenance.

Mayor Salmon:

- Thanked all for a good meeting.

XIV. ADJOURNMENT

The regular assembly meeting adjourned at 8:32 p.m.

Darcie K. Salmon

DARCIE K. SALMON, Borough Mayor

ATTEST:

Sandra A. Dillon

SANDRA A. DILLON, Borough Clerk

Minutes approved January 18, 2000.