I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on January 4, 2005, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, 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:

Ms. Lynne Woods, Assembly District No. 1
Mr. Bill Allen, Assembly District No. 2
Mr. Talis J. Colberg, Assembly District No. 3
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6 *(Deputy Mayor)* *(arrived at 6:50 p.m.)*
Ms. Betty Vehrs, Assembly District No. 7

Assembly members absent and excused were:

Ms. Mary Kvalheim, Assembly District No. 4

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Mr. John Duffy, Borough Manager
Ms. Marian Romano, Assistant Borough Manager
Ms. Lonnie R. McKechnie, Executive Assistant to the Borough Clerk
Ms. Teresa S. Williams, Borough Attorney
Mr. Russ Kraft, Acting Finance Director
Mr. Don Shiesl, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Mr. Ron Swanson, Community Development Director
Mr. Murph O’Brien, Planning and Land Use Director
Mr. Keith Rountree, Engineering Division Manager
Mr. Allen Black, Borough Assessor
Mr. Bob Bechtold, Project Manager II

III. APPROVAL OF AGENDA

Mayor Anderson:

- advised that Administration is requesting that AM 05-001 be pulled from the consent agenda and addressed separately; and
- spoke regarding not having the extreme hardship tax exemptions listed under the consent agenda in the future.

Mr. Duffy:

- spoke regarding postponing Ordinance Serial No. 05-002 indefinitely; and
- spoke regarding postponing Resolution Serial No. 04-159 so he may have time to revise the resolution based on the conversations he has had with the State and the University of Alaska.

Mayor Anderson 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. Michael Janecek, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 12/07/04

Mayor Anderson inquired if there were any corrections to the regular meeting minutes of December 7, 2004.

There were no corrections noted.

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

B. Joint Assembly/School Board: 12/14/04

Mayor Anderson inquired if there were any corrections to the joint meeting minutes of December 14, 2004.

There were no corrections noted.

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

C. Special Assembly Meeting: 12/16/04

Mayor Anderson inquired if there were any corrections to the special meeting minutes of December 16, 2004.

Assemblymember Simpson noted the following correction:

- page 2 of 3, noted that she had stated that she would like to see the new record center on the bonding projects list. *[This item was corrected accordingly.]*

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports from the cities presented.)

2. Matanuska-Susitna Borough School District

(There was no report from the Matanuska-Susitna Borough School District presented.)

3. Mat-Su Agency Partnership – Sammye Pokryfki Re: Update on Health and Human Service Non-Profit Sector

(There was no report provided by Sammye Pokryfki of the Mat-Su Agency Partnership)

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Allen:

- noted that the last meeting was held on January 3, 2005;
- spoke regarding new schools that are needed based on the population growth;
- stated that currently there is a projected need of 28 portables;
- spoke to the possibility of the Mat-Su Building Association contributing to help build portables; and
- reported that the School District will be forming a group of citizens to help them look at future school sites in light of the growth in the borough.

2. Regional Transportation Planning Organization

Mayor Anderson noted that there is a tentative meeting scheduled for January 31, 2005.

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- addressed the supplemental report from the federal lobbyist;
- advised that a ribbon cutting ceremony is scheduled for January 24, 2005, to mark the occasion of the first oceangoing vessel to arrive at the Port MacKenzie dock;
- noted that the installation of the articulated loader at Port MacKenzie is near completion; and
- advised that the School District has completed their management review report.

2. McCool Carlson Green Re: Wasilla Elementary School Update

Mr. Bechtold (Matanuska-Susitna Borough Project Manager II):

- advised that he is the project manager for the Wasilla Area Elementary School project;
- advised that the design of the school is 95 percent complete; and
- spoke regarding the budget to build the school.

Mr. Carlson (Principle Owner, McCool Carlson Green):

- spoke regarding the design process and procedure;
- explained the site development plan;
- addressed the school floor plan; and
- explained the changes that where made to the prototype plan.

Assemblymember Allen queried how the multi-purpose room would be utilized.

Mr. Carlson:

- advised that the multi-purpose room would be used for the cafeteria and the gym;
- stated that the changes that were made to the floor plan in the library will make it more efficient for library staff; and
- addressed the improvements that were made to the mechanical systems in the school.

Assemblymember Allen queried the cooling system during the summer months.

Mr. Carlson advised that the cooling system would be bid as an alternate due to budget limitations.

Mr. Weir (Project Architect, McCool Carlson Green):

- opined that the current system would not need a mechanical cooling system; and
- noted that the ventilation system will provide cool air during the summer months.

Discussion ensued regarding the ventilation system in the building.

Mr. Carlson:

- advised that the School District Maintenance Department provided good input during the design process;
- spoke regarding the building elevations;
- addressed the budget challenges designing the project; and
- provided a summary of the bid alternates that will not affect the building the of the school.

Assemblymember Allen stated that he would like to see the bid alternates prioritized.

(Assemblymember Colver arrived at 6:50 p.m.)

Assemblymember Colver:
- spoke regarding the concrete structure at the loading dock in the model; and
- queried whether the design could be changed to reduce the cost.

Mr. Weir advised that the majority of the retaining wall has been eliminated.

Assemblymember Colver queried whether school design could be compacted to fit on smaller parcels and be able to use city utilities.

Mr. Carlson:
- advised that the school design could be compacted;
- spoke regarding possible cost savings with building materials; and
- noted that the school could possibly be designed to be a two-story building instead of a split level design.

Assemblymember Allen queried whether the engineers would suggest that the School District look at changing the prototype plan they use to build the new schools.

Mr. Carlson:
- opined that a new prototype would be worth looking at;
- commented that if you have a smaller site a two-story building could be cost efficient; and
- advised that the bids should be in hand by the middle of February.

(The regular meeting recessed at 6:58 p.m. and reconvened at 7:12 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. 04-188: AN ORDINANCE AMENDING MSB 3.08.161, ASSEMBLY APPROVAL OF CONTRACTS, AND MSB 3.08.270, OPEN MARKET PROCEDURE. *(Sponsor: Assemblymember Simpson)*

a. IM No. 04-274

Mr. Duffy provided a staff report.

Mayor Anderson 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 Simpson moved to adopt Ordinance Serial No. 04-188.
MOTION: Assemblymember Simpson moved to postpone Ordinance Serial No. 04-188 to a time certain of March 1, 2005.

Assemblymember Simpson stated that postponing the item would give enough time to hear from the consultant on the management review audit and hear the presentations on the budget.

Assemblymember Colver:
- opined that the management review audit will not be completed by March 1, 2005;
- commented that he would rather raise the Manager's authorization amount to obligate funds and than come back, if need be, after the management review audit is complete and review the authorization amount again; and
- noted by raising the amount it would give the Manager more flexibility.

Assemblymember queried how long it would take to complete the management review audit.

Mr. Duffy advised that it would take approximately 60 days to complete the management review audit.

WITHDRAWAL OF MOTION: Assemblymember Simpson withdrew the motion to postpone to a time certain of March 1, 2005.

MOTION: Assemblymember Colver moved a primary amendment to Ordinance Serial No. 04-188, MSB 3.08.161(A), to strike $50,000 and insert $25,000.

MOTION: Assemblymember Simpson moved a secondary amendment to Ordinance Serial No. 04-188, MSB 3.08.161(A) to strike $25,000 and insert 35,000.

VOTE: The secondary amendment failed with Assemblymembers Simpson, Allen, and Woods in support.

VOTE: The primary amendment failed with Assemblymembers Vehrs, Colberg, and Colver in favor and Assemblymembers Simpson, Allen, and Woods opposed. (Tie vote.) The motion **passed** with Mayor Anderson invoking his voting privilege in the affirmative.

VOTE: The main motion as amended passed with Assemblymember Allen in opposition.

2. Ordinance Serial No. 05-002: AN ORDINANCE APPROVING AN APPROPRIATION OF $5,000 FROM THE CIRCLE VIEW DEBT SERVICE FUND BALANCE, FUND 310, TO THE OPERATING BUDGET FOR CIRCLE VIEW AND STAMPEDE ESTATES FLOOD AND WATER EROSION CONTROL SERVICE AREA, FUND 295, FOR CONTRACTUAL SERVICES.
a. IM No. 05-004

Mr. Duffy:
- commented that administration recommends postponing the item indefinitely; and
- advised that the money can come out of the areawide account so therefore there is no need for the loan.

Mayor Anderson 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 Woods moved to adopt Ordinance Serial No. 05-002.

MOTION: Assemblymember Woods moved to postpone Ordinance Serial No. 05-002 indefinitely.

VOTE: The motion to postpone indefinitely passed without objection.

3. Ordinance Serial No. 05-003: AN ORDINANCE APPROVING A REAPPROPRIATION IN THE AMOUNT OF $25,000 FROM THE FISCAL YEAR 2005 AREAWIDE RESCUE DIVISION OPERATING BUDGET, FUND 100, TO THE RESCUE CAPITAL PROJECT, FUND 425, PROJECT NO. 45167, TO PURCHASE, REPLACE, AND UPGRADE ADDITIONAL RESCUE EQUIPMENT.

a. Resolution Serial No. 05-001: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR CAPITAL PROJECT NO. 45167, FUND 425, TO PURCHASE, REPLACE, AND UPGRADE ADDITIONAL RESCUE EQUIPMENT.

(1) IM No. 05-005

Mayor Anderson 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 Colver moved to adopt Ordinance Serial No. 05-003 and Resolution Serial No. 05-001.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 05-004: AN ORDINANCE APPROPRIATING $50,000 OF INTEREST EARNINGS ON THE PROCEEDS OF THE 2004 SERIES B, GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40158 TO ALLOW DESIGN OF THE ROOF REPLACEMENT AT SU VALLEY HIGH SCHOOL.

a. IM No. 05-006

Mr. Duffy provided a staff report.

Mayor Anderson queried whether or not this design would address the ice issues on the front of the building.

Mr. Shiesl advised that the design is to look at the entire roof.

Assemblymember Woods queried the use of interest earning.

Mr. Duffy:
- advised that when funds are held, interest builds; and
- stated that approval has been received from the Alaska State Department of Education to use the interest earnings for the design of the roof replacement.

Mayor Anderson 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 Vehrs moved to adopt Ordinance Serial No. 05-004.

Assemblymember Vehrs:
- spoke regarding the hazardous conditions at Su Valley High School due to the roof issues; and
- noted that fixing the roof is a priority of the parents with children that attend the school.

VOTE: The motion passed without objection.

5, Ordinance Serial No. 05-006: AN ORDINANCE AUTHORIZING THE MANAGER TO ISSUE A 100-FOOT RIGHT-OF-WAY ON A ROUTE MUTUALLY AGREEABLE TO THE MATANUSKA-SUSITNA BOROUGH, THE UNIVERSITY OF ALASKA, AND THE MATANUSKA ELECTRIC ASSOCIATION, INC., ACROSS BOROUGH LAND AND TO AUTHORIZE THE UNIVERSITY OF ALASKA TO ALSO ISSUE A 100-FOOT RIGHT-OF-WAY ACROSS FORMER BOROUGH LAND THAT HAS BEEN CONVEYED TO THE UNIVERSITY OF ALASKA WITH RESTRICTIVE COVENANTS TO THE MATANUSKA ELECTRIC ASSOCIATION, INC., FOR AN ELECTRICAL TRANSMISSION LINE FROM 49th STATE STREET TO THE TRUNK ROAD/PARKS HIGHWAY INTERSECTION AREA.

(1) IM No. 05-007

Mr. Swanson:
- summarized the history of the transmission line route;
- advised that alternate route 2B, as seen on the map, is acceptable to Matanuska Electric Association; and
- noted that the University of Alaska would agree to the proposed alternative routes.

Mr. Colver queried whether any public input had been conducted by Matanuska Electric Association.

Mr. Swanson:
- spoke to the public hearing that the Borough conducted in October; and
- noted that the public process that has occurred has been conducted by the Borough.

Assemblymember Colver queried the intent of the construction permit.

Mr. Swanson spoke to the authorization process.

Mayor Anderson queried whether Mr. Swanson had attended any other public meetings where the route had been discussed.

Mr. Swanson:
- advised that he had attended a couple of meetings; and
- advised that the Borough has been in contact with the public throughout the process.

Discussion ensued regarding public input on the route for the transmission line.

Assemblymember Colver queried where the Borough would stand, in reference to the section-line easement, if the Assembly did not approve a route at this meeting.

Ms. Williams advised that should Matanuska Electric Association trespass on the easement, a temporary restraining order and a preliminary injunction could be done as quickly as possible.

Assemblymember Vehrs queried the time frame to process an injunction.

Ms. Williams advised that the injunction could be done fairly quickly.

Assemblymember Allen queried the cost of burying the transmission line.

Mr. Swanson:
- advised that he would not be able to answer the question on the cost of burying the transmission line; and
- advised that he is relaying the information as told to him by Matanuska Electric Association.

Discussion ensued regarding burying the transmission lines.

Assemblymember Colver:
- addressed alternatives to provide power to the new hospital; and
- opined that there has been a limited public process.

Mr. Swanson:
- spoke to alternatives that were provided to Matanuska Electric Association; and
- advised that Matanuska Electric Association had stated that the route through the Crevasse Moraine area would fit their time frame and cost estimate the best.

Mayor Anderson queried whether Mr. Swanson had seen any cost analysis from Matanuska Electric Association.

Mr. Swanson advised that he had not seen a cost analysis.

Assemblymember Colberg:
- commented that Matanuska Electric Association had also stated that they would like to cut across the flats; and
- addressed the possibility of litigation.

Assemblymember Allen stated that he would like to see a cost analysis of alternate routes from Matanuska Electric Association.

Mayor Anderson opened the public hearing.

The following persons spoke in opposition to Ordinance Serial No. 05-006: Mr. Michael Janecek, Mr. Gilbert Lucero, and Ms. Kathy Baldwin.

Mr. Greg Bill queried whether he could read a statement into the record on behalf of Ms. Susan Barnes.

There was no objection noted.

The following person spoke in opposition to Ordinance Serial No. 05-006: Mr. Greg Bill *(for Ms. Susan Barnes).*

(Mr. Greg Bill was next on the public hearing sign in sheet to testify on his own behalf.)

Assemblymember Simpson queried whether it has been past practice to allow a person to speak twice, once as a proxy and once on their own behalf, for a total of six minutes of testimony.

Mayor Anderson replied that he generally has allowed someone to read a statement from another individual into the record and then allow that person to testify on their own behalf.

Assemblymember Simpson:
- requested a ruling from the Clerk and Attorney; and
- commented that it was her understanding that testimony by proxy was not allowed in addition to a testifier’s allotted three minutes.

Ms. McGehee requested a brief recess to research the procedural matter.

(The regular meeting recessed at 8 p.m. and reconvened at 8:12 p.m.)

Ms. McGehee:

- advised that Borough code states that, "The mayor shall make rulings as the mayor deems necessary concerning points of order or concerning spectators. The mayor shall instruct the members of the public to be as brief as possible, and when speaking as an individual, to contain their remarks to three minutes, and if representing a group, to contain their remarks to five minutes;"
- stated that neither Borough code, nor the policy procedures, address proxy or going beyond a person's three-minute time limit;
- explained that she has seen this practice vary from time to time; and
- opined that the issue of proxy in this manner would be up to the Mayor's discretion.

The following persons spoke in opposition to Ordinance Serial No. 05-006: Mr. Greg Bill; Ms. Kathy Wells, Friends of Mat-Su; Ms. Debie Fox; Mr. Neil Fox; Ms. Marcia Hansen; Mr. Lew Bradley; Ms. Gretta Trotter; Ms. Carol Fritz; Ms. Michelle Church; Mr. Mark Masteller; Ms. Bette Reed; Mr. Ian Laughlin; Mr. Tom Smayda; Mr. Dave Buirge; Ms. Karol Kolehmainen; and Mr. Ron Cox.

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

MOTION: Assemblymember Colberg moved to adopt Ordinance Serial No. 05-006.

Assemblymember Colberg:

- commented that the Manager does not need an ordinance to negotiate with Matanuska Electric Association;
- stated that the Borough has no oversight of what Matanuska Electric Association can and cannot do;
- addressed the alternatives Matanuska Electric Association may have for the transmission line; and
- spoke regarding giving the Manager some direction in which he can negotiate with Matanuska Electric Association.

(The regular meeting recessed at 9:01 p.m. and reconvened at 9:10 p.m.)

Assemblymember Colver:

- opined that no action should be taken on the matter until more information can be collected regarding the proposed routes;
- spoke regarding the need for public process;
- advised that he would like the Manager to seek to obtain the costs associated with various routes and to include above and below ground installation costs for comparison purposes;
- commented on the public involvement in the process; and
- spoke regarding identifying funding sources for the project.

MOTION: Assemblymember Colver moved to postpone Ordinance Serial No. 05-006 to a time certain of March 1, 2005, to allow the Manager to continue to work with Matanuska Electric Association and the University of Alaska to identify a suitable route for the transmission line.

Assemblymember Colberg queried if the Manager would still be able to engage Matanuska Electric Association in discussions if the ordinance was postponed.

Mr. Duffy:

- opined that discussions would continue with Matanuska Electric Association; and
- advised that the University of Alaska is interested to continuing discussions.

Assemblymember Vehrs opined that the Assembly does not have enough information at this time to vote on the ordinance.

Assemblymember Allen spoke regarding the need for an independent third party to come in and provide a recommendation to the Assembly on this issue.

Assemblymember Woods stated that it would be beneficial to have a cost analysis.

Mr. Duffy spoke regarding having an independent third party provide a cost analysis.

Assemblymember Colver spoke regarding the need to have an independent third party that already knows the electrical grid.

Assemblymember Simpson advised that she would like to receive comments from Triad Hospitals, Inc., regarding the transmission line.

VOTE: The motion to postpone Ordinance Serial No. 05-006 to a time certain of March 1, 2005, to allow the Manager to continue to work with Matanuska Electric Association and the University of Alaska to identify a suitable route for the transmission line, passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding animal rescue groups and illnesses in the animal shelter: Ms. Linda Gale Landingham.

The following person spoke regarding the municipal entitlement act and the Borough tax roles: Mr. Clarence Furbush.

The following person spoke in favor of AM 05-001: Ms. Eleanor Riendl.

The following person spoke regarding the proposed classification of lands for sale by the Borough: Ms. Lucile Frey.

The following person spoke regarding motorized recreation vehicle use in the Crevasse Moraine Trail System: Ms. Bette Reed.

VIII. UNFINISHED BUSINESS

A. Resolution Serial No. 04-159: A RESOLUTION RECOMMENDING THAT A COOPERATIVE MASTER PLANNING EFFORT BE UNDERTAKEN BY THE STATE OF ALASKA, UNIVERSITY OF ALASKA, AND THE MATANUSKA-SUSITNA BOROUGH FOR THE STATE, UNIVERSITY, AND BOROUGH LAND, INCLUDING THE KEPLER-BRADLEY LAKES STATE RECREATION AREA, CREVASSE MORAINE TRAIL SYSTEM AREA, MAT-SU COLLEGE, AND AGRICULTURAL EXPERIMENTAL STATION AREAS. *(Sponsors: Assemblymembers Kvalheim and Colver) (Motion pending from 11/16/04)*

(1) IM No. 04-270

Mr. Duffy:

- advised that he meet with representatives from the University of Alaska and the state of Alaska and that they have come up with an agreeable process to move forward with the planning efforts; and
- requested postponement until January 18, 2005, so he may have time to revise the resolution based on the conversation with the other parties.

MOTION PENDING: Assemblymember Allen moved to adopt Resolution Serial No. 04-159.

MOTION: Assemblymember Simpson moved to postponed Resolution Serial No. 04-159 to a time certain of January 18, 2005.

VOTE: The motion to postpone to a time certain of January 18, 2005, passed without objection.

IX. NEW BUSINESS

Mayor Anderson advised that he has a financial conflict of interest on Ordinance Serial No. 05-017.

(Mayor Anderson exited the chambers at this time.)

A. INTRODUCTION (For public hearing - 01/18/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-009: AN ORDINANCE ACCEPTING AND APPROPRIATING $25,000 FROM THE ALASKA RAILROAD CORPORATION AND REAPPROPRIATING $20,350 FROM THE PLANNING DIVISION OPERATING BUDGET AND $25,000 FROM FUND 480, PROJECT NO. 45161, TO AMEND THE LONG RANGE TRANSPORTATION PLAN (LRTP) AND THE

OFFICIAL STREETS AND HIGHWAYS PLAN (OSHP) UPDATES TO FUND 480, PROJECT NO. 20280.

a. Resolution Serial No. 05-002: A RESOLUTION APPROVING THE AMENDED SCOPE OF WORK AND BUDGET FOR THE LONG RANGE TRANSPORTATION PLAN AND OFFICIAL STREETS AND HIGHWAY PLAN UPDATES, AND AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT WITH THE ALASKA RAILROAD CORPORATION FOR THIS PROJECT.

(1) IM No. 05-008

2 Ordinance Serial No. 05-010: AN ORDINANCE AMENDING MSB 5.15.010(C), SPECIFICALLY TO REQUIRE ANNUAL APPOINTMENTS OF OFFICERS TO BOARDS OF SUPERVISORS. (*Sponsor: Assemblymember Vehrs)*

a. IM No. 05-009

5. Ordinance Serial No. 05-011: AN ORDINANCE AMENDING MSB 15.24.030, COMPREHENSIVE PLAN AND PURPOSES.

a. IM No. 05-010

6. Ordinance Serial No. 05-012: AN ORDINANCE ACCEPTING AND APPROPRIATING $2,000 FROM THE CITY OF HOUSTON FOR ADDITIONAL PAVING OF KING ARTHUR DRIVE AND MILLER'S REACH ROAD TO FUND 410, ROAD SERVICE AREA CAPITAL PROJECT NO. 35283, 2004 CITY OF HOUSTON PAVING.

a. Resolution Serial No. 05-003: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR ADDITIONAL PAVING IN THE CITY OF HOUSTON, PROJECT NO. 35283.

(1) IM No. 05-014

7. Ordinance Serial No. 05-013: AN ORDINANCE ACCEPTING AND APPROPRIATING A $36,279 UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF $4,032 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45123, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.

a. Resolution Serial No. 05-004: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE MEADOW LAKES FIRE SERVICE AREA, PROJECT NO. 45123, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.

(1) IM No. 05-016

8. Ordinance Serial No. 05-014: AN ORDINANCE ACCEPTING AND APPROPRIATING A $152,550 UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF $16,950 FROM THE WASILLA-LAKES FIRE SERVICE

AREA FUND BALANCE, FUND 250, TO PROJECT NO. 45157, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.

a. Resolution Serial No. 05-005: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE WASILLA-LAKES FIRE SERVICE AREA, PROJECT NO. 45157, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.

(1) IM No. 05-017

9. Ordinance Serial No. 05-015: AN ORDINANCE ACCEPTING AND APPROPRIATING $2,500 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT HAZARD MITIGATION GRANT PROGRAM, TO PROJECT NO. 10057, FUND 435, TO PURCHASE SUPPLIES FOR SECURING EQUIPMENT.

a. Resolution Serial No. 05-006: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT HAZARD MITIGATION GRANT, PROJECT NO. 10057, FUND 435, TO PURCHASE SUPPLIES FOR SECURING EQUIPMENT.

(1) IM No. 05-018

10. Ordinance Serial No. 05-016: AN ORDINANCE ACCEPTING AND APPROPRIATING $494,739 FROM THE UNITED STATES DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT, FUND 480, PROJECT NO. 20316, FOR A COMPUTER AIDED DISPATCH (CAD) SYSTEM, RELATED SUPPLIES, TRAINING, AND CONSULTANT.

a. Resolution Serial No. 05-007: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITES STATES DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT, FUND. 480, PROJECT NO. 20316, FOR COMPUTER AIDED DISPATCH (CAD) SYSTEM, RELATED SUPPLIES, TRAINING, AND CONSULTANT.

(1) IM No. 05-019

11. Ordinance Serial No. 05-017: AN ORDINANCE AUTHORIZING THE CLASSIFICATION OF LOT 2B, ASLS 85-88, PLAT 90-48, PALMER RECORDING DISTRICT, AS RESERVE USE LANDS AND TO APPROVE THE LESS THAN FAIR MARKET VALUE PURCHASE OF APPROXIMATELY TWO ACRES OF THE LOT, TO BE SUBDIVIDED, BY THE WILLOW AREA SENIORS, INC., FOR THE PUBLIC PURPOSE OF SENIOR HOUSING, LOCATED IN THE WILLOW AREA COMMUNITY ORGANIZATION AREA (MSB004275).

a. Resolution Serial No. 05-008: A RESOLUTION APPROVING THE BEST INTEREST FINDING FOR THE LESS THAN FAIR MARKET VALUE SALE OF APPROXIMATELY TWO ACRES, TO BE SUBDIVIDED, OF LOT 2B, ASLS 85-88, ACCORDING TO PLAT 90-48, PALMER RECORDING DISTRICT, TO THE WILLOW AREA SENIORS, INC. (MSB004275).

(1) IM No. 05-020

12. Ordinance Serial No. 05-018: AN ORDINANCE ACCEPTING AND APPROPRIATING A DENALI COMMISSION $30,000 GRANT TO FUND 440, PROJECT NO. 15025, FROM THE STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, DIVISION OF COMMUNITY ADVOCACY.

a. Resolution Serial No. 05-009: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR IMPROVEMENTS TO THE TALKEETNA RIVERFRONT PARK.

(1) IM No. 05-028

13. Ordinance Serial No. 05-019: AN ORDINANCE AMENDING MSB 24.40.010, REGARDING ANIMAL CARE AND REGULATION TO CLARIFY THAT INFRACTIONS ARE STRICT LIABILITY OFFENSES UNLESS OTHERWISE SPECIFIED. (*Sponsor: Assemblymember Vehrs)*

a. IM No. 05-030

B. INTRODUCTION (For public hearing - 02/15/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-007: AN ORDINANCE CREATING NORTH LOVER'S LANE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 405, 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. 05-012

2. Ordinance Serial No. 05-008: AN ORDINANCE CREATING HAMILTON COURT ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 406, 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. 05-013

Ms. McGehee read the above legislation into the record.

MOTION: Assemblymember Simpson moved to introduce the legislation as read into the record by the Clerk and set the public hearings for January 18, 2005, and February 15, 2005.

VOTE: The motion passed without objection.

(Mayor Anderson returned to the chambers at this time.)

(Assemblymember Colver exited the regular meeting at 9:55 p.m.)

D. ATTORNEY COMMENTS

Ms. Williams:

- advised that the Assistant Borough Attorney, Elizabeth Freidman, is leaving the Borough to start a job at the District Attorney's Office; and
- provided an update on pending litigation and the foreclosure lists.

E. CLERK COMMENTS

Ms. McGehee:

- spoke regarding the Assembly meeting schedule;
- advised that she is working on solidifying a date for Dr. Goldsmith to provide a presentation to the Assembly on managing growth in the Borough;
- advised that a packet has been provided for the Assembly Goal Setting Retreat scheduled for January 8, 2005;
- spoke regarding the vacancy report being posted to the website;
- advised that work is continuing on posting Assembly ordinances and resolutions to the Borough website; and
- requested the Assembly support Resolution Serial No. 05-014 regarding records storage.

F. CITIZEN AND OTHER CORRESPONDENCE

3. MSB Board/Committee Minutes:
a. Animal Care and Regulation Board: 07/09/04; 07/12/04; 08/09/04; 09/13/04; 10/11/04; 11/08/04; 11/15/04
b. Board of Adjustment and Appeals: 08/13/04
c. Greater Talkeetna RSA Board of Supervisors No. 29: 10/14/04; 11/11/04
d. Local Road Service Area Advisory Board: 11/18/04
e. Mat-Su Fire Chiefs Association: 11/17/04; 12/08/04
f. Parks, Recreation, and Trails Advisory Board: 10/25/04; 11/22/04
g. Port Commission: 11/15/04; 12/20/04; Resolution Serial No. 04-006
h. Wasilla-Lakes FSA Board of Supervisors No. 130: 11/15/04

4. Community Council Correspondence:
a. Meadow Lakes Community Council: 09/08/04; 10/13/04
b. North Lakes Community Council: 12/09/04 Resolutions
c. Y Community Council: 05/06/04; 06/06/04; 08/05/04; 09/02/04; 10/07/04; 11/04/04

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 05-021: AN INFORMATIONAL MEMORANDUM REGARDING THE PURCHASE OF ELECTION BALLOTS FOR THE OCTOBER 2004 BOROUGH ELECTION FROM SEQUOIA SYSTEMS, INC.

The informational memorandum was presented and no comments were noted.

C. CONSENT AGENDA (Resolution Serial Nos. 05-011 and 05-012 and AM No. 05-001 were pulled from the consent agenda and addressed separately. See pp. 19 of 24)

Mayor Anderson:

- noted that there was a question whether he had a conflict of interest regarding Resolution Serial No. 05-013; and
- advised that he does not have a conflict of interest, as he is not working for any of the agencies associated with the legislation.

1. RESOLUTIONS

a. Resolution Serial No. 05-010: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET IN THE AMOUNT OF $36,287 FOR CAPITAL PROJECT NOS. 10140, FUND 405, AND 45075, FUND 425, TO PURCHASE FIRE AND EMERGENCY MEDICAL SERVICES OFFICE FURNITURE, DORM ROOM FURNITURE AND LOCKERS, AND DAY ROOM FURNITURE.

(1) IM No. 05-002

d. Resolution Serial No. 05-013: A RESOLUTION ALLOCATING HUMAN SERVICES COMMUNITY MATCHING GRANT FUNDS TO NON-PROFIT HUMAN SERVICE AGENCIES WITHIN THE COMMUNITY AND AUTHORIZING THE MANAGER TO ENTER INTO GRANT AGREEMENTS WITH THE SUB-GRANTEES.

(2) IM No. 05-024

e. Resolution Serial No. 05-014: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE RECORDS RETENTION BUILDING, PROJECT NO. 10117, FOR TEMPORARY RECORDS STORAGE. *(Sponsor: Assemblymember Simpson)*

(1) IM No. 05-025

2. ACTION MEMORANDUMS

b. AM No. 05-002: TO VACATE ANY PUBLIC INTEREST IN A PORTION OF THE CUL-DE-SAC BULB RIGHT-OF-WAY LOCATED IN PROPOSED LOT 1, DISCOVERY HILLS ESTATES, OUTSIDE OF THE 60’ ROAD DEDICATION OF JABEZ LANE LOCATED IN SECTION 33, TOWNSHIP 17 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE KNIK-FAIRVIEW COMMUNITY COUNCIL AREA.

c. AM No. 05-003: AWARD OF BID NO. 05-019 TO H & W EMERGENCY VEHICLES FOR THE AMOUNT OF $377,455 TO PURCHASE A PUMPER TANKER FOR THE MEADOW LAKES FIRE SERVICE AREA.

d. AM No. 05-004: APPROVAL OF A CONTRACT IN THE AMOUNT OF $23,500 WITH THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES FOR EXCHANGING LAND CONVEYED UNDER THE MUNICIPAL ENTITLEMENT ACT.

e. AM No. 05-005: AWARD OF BID NO. 05-077 TO L.N. CURTIS AND SONS FOR THE AMOUNT OF $60,182.17 TO PURCHASE HURST RESCUE EQUIPMENT FOR THE SUTTON, BUTTE, PALMER, CENTRAL, MEADOW LAKES, BIG LAKE, HOUSTON, WILLOW, AND TALKEETNA FIRE SERVICE AREAS.

f. AM No. 05-006: AWARD OF PROPOSAL NO. 05-066 TO AMC ENGINEERS FOR THE AMOUNT OF $58,635 FOR ELECTRICAL ENGINEERING SERVICES FOR FIRE ALARM SYSTEM UPGRADES IN THE SU VALLEY JR/SR HIGH SCHOOL, IDITAROD ELEMENTARY SCHOOL, AND SNOWSHOE ELEMENTARY SCHOOL.

g. AM No. 05-007: AWARD OF BID NO. 05-062 TO FERNO WASHINGTON, INC. FOR THE AMOUNT THAT MAY EXCEED $15,000 TO PURCHASE MEDICAL SUPPLIES THROUGHOUT THE YEAR FOR EMERGENCY SERVICES.

Ms. McGehee read the above legislation into the record.

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

VOTE: The motion passed without objection.

b. Resolution Serial No. 05-011: A RESOLUTION REQUESTING SUPPORT FOR FUNDING OF PORTABLE BUILDINGS TO BE USED AS CLASSROOMS ADJACENT TO EXISTING SCHOOLS WITHIN THE MATANUSKA-SUSITNA BOROUGH. *(Sponsors: Assemblymembers Kvalheim and Colver)*

(1) IM No. 05-022

MOTION: Assemblymember Allen moved to adopt Resolution Serial No. 05-011.

Assemblymember Allen:

- commented regarding the States budget this fiscal year; and
- stated his concerns regarding the wording of the legislation.

Assemblymember Colberg spoke to deleting the language within that last five “whereas clauses.”

MOTION: Assemblymember Colberg moved a primary amendment to delete the last five “whereas clauses.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

c. Resolution Serial No. 05-012: A RESOLUTION SUPPORTING SCHOOL BOND DEBT REIMBURSEMENT BY THE STATE OF ALASKA. *(Sponsors: Assemblymembers Kvalheim and Colver)*

(1) IM No. 05-023

MOTION: Assemblymember Allen moved to adopt Resolution Serial No. 05-012.

Assemblymember Allen commented regarding the feasibility of the resolution passing in the Legislature.

VOTE: The motion passed with Assemblymember Allen in opposed.

a. AM No. 05-001: APPROVAL OF EXTREME HARDSHIP EXEMPTION FOR ELEANOR RIENDL ABOVE THE $150,000 SENIOR CITIZEN EXEMPTION FOR TAX YEAR 2004 ON TAX ACCOUNT NO. 17N01W02C026.

MOTION: Assemblymember Simpson moved to adopt AM No. 05-001.

Assemblymember Colberg:
- noted that the Assembly has seen a number of extreme hardship exemptions come before them lately; and
- queried what the trend could be attributed to.

Mr. Duffy:
- advised that the Borough is required by law to bring the extreme hardship exemptions before the Assembly; and
- opined that people are becoming aware that they can request a hardship exemption on the additional $150,000.

Assemblymember Vehrs:
- commented that property taxes have gone up and will continue to rise;
- spoke regarding the financial hardships faced by senior citizens; and
- advised that she will be supporting the legislation.

Assemblymember Woods spoke to deferring property taxes.

Assemblymember Allen:
- spoke regarding the value of the land; and
- requested that the Manager look into some type of program that may help the senior community.

VOTE: The motion failed with Assemblymembers Vehrs and Woods in favor.

D. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

- Agricultural & Forestry Advisory Board
  - Curtis Dunkin
  - Steve Gallagher
- Board of Adjustment and Appeals
  - Stacie Stigar
- Board of Ethics
  - William Siedler
- Emergency Medical Services Board
  - Lorie Miner
  - Ben Simonds
  - Gordon Butt
  - Brian Anderson
  - Gloria Phillips
- Enhanced 911 Advisory Board
  - George Boatright
- Library Board
  - Annie Leach
  - Dave McLaughlin
  - Jeanne Troshynski
- Local Emergency Planning Committee
  - Michael Blodgett
- Parks, Recreation and Trails Advisory Board
  - Pat Murphy
- Planning Commission
  - David Webster
  - Larry LaGrone
- Platting Board
  - John Stinson
- Site Selection Committee, Borough Area Schools
  - Mary Kvalheim
- Wasilla Lakes FSA #130
  - Carol Christiansen
- Alpine RSA #31
  - Merle Johnson
- Caswell Lakes RSA #15
  - Bret Hamrick
- Greater Willow RSA #20
  - John Grohol
- Knik RSA #17
  - Otto Rebishke

Circle View & Stampede Estates Flood & Water Erosion Control SSA #131
Richard Jenson

Mayor Anderson requested the following confirmations:

Emergency Medical Services Board
Cheri Day
Clarence Weeks, Jr.
Enhanced 911 Advisory Board
Dennis Casanovas
Local Emergency Planning Committee
Walter Gilmour
Marc Peterson
Office of Administrative Hearings
Scott Sterling
Parks, Recreation, and Trails Advisory Board
Daniel Elliott
Mary Anderson
Bishop Buckle
Port Commission
Paul Campbell
Bishop Buckle
Planning Commission
Mark Masteller
Platting Board
Claudia Roberts
Senior Citizen Advisory Board
Delores Pralle
Henrietta Nugen
Meadow Lakes FSA #34
Rex Hunter
Willow FSA # 35
Resignation of Patricia Madigan
Trapper Creek RSA #30
Sylvan "Hal" Morgan, Jr.
Circle View & Stampede Estates Flood & Water Erosion Control SSA #131
Gregory Miller
Talkeetna Sewer and Water SSA #36
Jay Hudson

MOTION: Assemblymember Simpson moved to confirm the Mayor's appointments and removals up for confirmation this evening.

VOTE: The motion passed without objection.

E. OTHER NEW BUSINESS

(There was no other new business.)

XI. RECONSIDERATION

(There were no reconsiderations presented.)

XII. VETO

(There were no vetoes presented.)

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Colberg requested that the Clerk change the agenda so that the hardship exemptions are listed out separately from the consent agenda.

Ms. McGehee:
- advised that the agenda is codified by code;
- noted that there may be some flexibility on taking the hardship exemptions off the consent agenda; and
- stated that she would research the options available.

Assemblymember Vehrs spoke regarding the public testimony given regarding Matanuska Electric Association.

Assemblymember Simpson spoke regarding the efforts that the Borough has made in the public process regarding the transmission line through the Crevasse Moraine area.

Mayor Anderson:
- spoke regarding the Railroad Planning, Platting, and Land Use Regulation Task Force, that was approved by the State Legislature to address the lands owned by the Alaska Railroad within the State;
- commented that he is a member of the Task Force;
- advised that the Alaska Railroad asked the State Legislature to exempt them from local ordinances that affect the lands that are owned by the railroad;
- noted that he will be writing a letter to the community councils that have Alaska Railroad owned land within their community requesting comments; and
- asked the Assembly to provide input prior to going back to the Railroad Planning, Platting, and Land Use Regulation Task Force.

XV. ADJOURNMENT

The regular meeting adjourned at 10:35 p.m.

/S/

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/S/

MICHELLE M. MCGEHEE, CMC, Borough Clerk

Minutes approved: January 18, 2005