

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on January 7, 2014, at the Borough Assembly Chamber, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

Mr. Jim Sykes, Assembly District No. 1  
Mr. Matthew Beck, Assembly District No. 2  
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)  
Mr. Steve Colligan, Assembly District No. 4  
Mr. Darcie K. Salmon, Assembly District No. 5  
Mr. Jim Colver, Assembly District No. 6  
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk  
Mr. John Moosey, Borough Manager  
Mr. George Hays, Assistant Borough Manager  
Mr. John Aschenbrenner, Deputy Borough Attorney  
Ms. Jamie Newman, Deputy Clerk  
Ms. Cheyenne Heindel, Finance Director  
Mr. Terrance Dolan, Public Works Director  
Mr. Dennis Brodigan, Emergency Services Director  
Ms. Patty Sullivan, Public Affairs Director  
Mr. Eric Phillips, Community Development Director  
Mr. Michael Brown, Capital Projects Director  
Mr. James Wilson, Internal Auditor  
Ms. Nancy Cameron, Land Management Agent  
Mr. Dave Dunivan, Borough Assessor  
Mr. Ray Nix, Resource Specialist

**III. APPROVAL OF AGENDA**

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

MOTION: Assemblymember Sykes moved to take public hearings 4 through 11 together.

VOTE: The motion passed without objection.

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

#### **IV. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Ms. Helen Woodings, a member of the audience.

#### **V. MINUTES OF PRECEDING MEETINGS**

- A. Regular Assembly Meeting: 12/03/13
- B. Regular Assembly Meeting: 12/17/13

Mayor DeVilbiss inquired if there were any corrections to the regular meeting minutes of December 3, 2013, or the regular meeting minutes of December 17, 2013.

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

#### **VI. REPORTS/CORRESPONDENCE**

##### **A. AGENCY REPORTS**

##### **1. Reports from cities**

##### Palmer City

Mr. Doug Griffin, City Manager:

- spoke to the activities of Palmer's Economic Development Board;
- added that the Board is working to develop an economic development plan;
- further added that vacancies exist on the Board and encouraged interested persons to apply with the City Clerk; and
- reported that he has informed the City Council of his intent not to renew his employment contract when it expires on May 1.

##### Wasilla City

Mr. Bert Cottle, Deputy Administrator:

- related that he has provided information to the Assembly on the Wasilla's fiscal year 2015 State Legislative funding requests;
- spoke to the Mat-Su Homeless Connect event on January 29; and
- requested that the Borough post the personal use firewood program application online .

##### **2. Matanuska-Susitna Borough School District**

Mr. Luke Fulp, Assistant Superintendent of Business and Operations:

- reported that the Colony High School Marching Band participated in the 2013 Rose Bowl parade;
- added that this was the first marching band from Alaska to participate in the parade;

- noted that the District is looking at student enrollment numbers and education funding for next school year; and
- spoke to a study commissioned by the Alaska State Legislature regarding the pooling of health insurance costs for school district employees.

Assemblymember Arvin queried as to whether the study looked at pooling health insurance costs with state of Alaska employees.

Mr. Fulp reported that the scope of the study looked at pooling school district employees with the Alaska Care Plan that currently exists for retirees.

Assemblymember Colver queried as to the District's position on education funding for the upcoming legislative session.

Mr. Fulp spoke to the legislative priorities adopted by the School Board.

## B. COMMITTEE REPORTS

### 1. Joint Assembly/School Board Committee on School Issues

Mr. Beck:

- reported that school bond projects are on target;
- spoke to the impact of health insurance costs to the School District budget; and
- spoke to discussion held to consolidate fleet maintenance between the Borough and School District.

### 2. Assembly Public Relations

*(There were no reports provided.)*

## C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey:

- reported that Joe Perkins is back to work after an injury;
- added that he will be giving a rail presentation in Juneau on January 28;
- further added that Borough staff will be lending support to Senator Dunleavy and Representative Stoltze at a public hearing on the decline of salmon in the Borough; and
- requested that the Assembly schedule a work session on February 18, at 4 pm to begin budget discussions for fiscal year 2015.

## D. ATTORNEY COMMENTS

*(There was no report provided.)*

E. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- spoke regarding a request to change the February 4, special meeting to a work session;
- added that any direction the Assembly wanted to give from information gleaned in the work session could be given during the February 4, regular meeting; and
- queried as to whether a 4 pm work session on January 21, with the Alaska State Department of Fish and Game would be amenable to the Assembly.

There was no objection noted to scheduling the February 4, special meeting as a work session and scheduling a work session on January 21, at 4 pm with the Alaska State Department of Fish and Game.

F. CITIZEN AND OTHER CORRESPONDENCE

- a. Enhanced 911 Advisory Board: 9/24/13
- b. Local Emergency Planning Committee: 10/16/13

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

G. INFORMATIONAL MEMORANDUMS

*(There were no informational memorandums presented.)*

**VII. UNFINISHED BUSINESS**

- A. **Ordinance Serial No. 13-162:** An Ordinance Adopting MSB 2.45, Capital Projects Department And Amending Other Related Provisions Of Code Assigning Duties And Functions.
  1. IM No. 13-222

PENDING MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 13-162.

VOTE: The motion passed without objection.

**VIII. VETO**

- A. **Ordinance Serial No. 12-169:** An Ordinance Amending MSB 17.73, Multifamily Development Design Standards, And MSB 17.125.010, Definitions. *(Filed by Mayor DeVilbiss on 12/20/13)*
  1. IM No. 12-258

MOTION: Assemblymember Sykes moved to override the mayoral veto of the amendment to MSB 17.73.040 (C), passed on December 17.

Assemblymember Sykes:

- opined that the veto message from the Mayor was not very detailed; and
- spoke in opposition to continuing the legislation.

Assemblymember Colver spoke in support of overriding the veto to protect the health, welfare, and quality of life for Borough residents and property owners.

Mayor DeVilbiss spoke to the veto being on the amendment made at the December 17, Assembly meeting and not the entire piece of legislation.

VOTE: The motion to override the veto failed with Assemblymembers Sykes, Beck Colver, and Halter in favor and Assemblymembers Colligan, Arvin, and Salmon opposed (requires 5 votes).

## IX. SPECIAL ORDERS

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

*(There were no persons to be heard.)*

B. PUBLIC HEARINGS (Three minutes per person.)

1. **Ordinance Serial No. 14-001:** An Ordinance Amending MSB 23.20, Forest Management, To Amend 23.20.170, Noncommercial Personal Use Of Forest Products To Increase The Annual Limit Of Six Cords Per Year To Ten Cords Per Year.
  - a. IM No. 14-001

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-001.

Assemblymember Arvin queried as to the fee schedule for the personal use firewood program.

Mr. Nix provided a staff report.

VOTE: The motion passed without objection.

2. **Ordinance Serial No. 14-002:** An Ordinance Accepting And Appropriating \$500,000 For A Portion Of The Fiscal Year 2014 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development, For A School District Preschool Program.

- a. **Resolution Serial No. 14-001:** A Resolution Approving The Scope Of Work And Budget For A Portion Of The Fiscal Year 2014 Designated Legislative Grant Projects From The Alaska State Department Of Commerce, Community, And Economic Development, For A School District Preschool Program.
  - (1) IM No. 14-002

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial No. 14-002 and Resolution Serial No. 14-001.

VOTE: The motion passed without objection.

3. **Ordinance Serial No. 14-003:** An Ordinance Accepting And Appropriating A Grant In An Amount Not To Exceed \$135,000 From The Mat-Su Health Foundation, And An Amount Not To Exceed \$30,000 From The Friends Of The Talkeetna Library, Inc. To Fund 435, Project No. 10170, For The Construction Of The Talkeetna Library And Community Resource Center.
  - a. **Resolution Serial No. 14-002:** A Resolution Approving The Scope Of Work And Amended Budget For The Talkeetna Library And Community Resource Center.
    - (1) IM No. 14-003

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 14-003 and Resolution Serial No. 14-002.

VOTE: The motion passed without objection.

4. **Ordinance Serial No. 14-004:** An Ordinance Approving An Appropriation Of \$50,000 From The Midway Road Service Area No. 9 Fund Balance, Fund 270, To Fund 410, Project No. 30036, For Midway Road Service Area No. 9 Capital Projects.
  - a. IM No. 14-004
5. **Ordinance Serial No. 14-005:** An Ordinance Approving A Reappropriation Of \$150,000 From The Bogard Road Service Area No. 25 Fiscal Year 2014 Operating Budget, Fund 279, To Fund 410, Project No. 30045, For Bogard Road Service Area No. 25 Capital Projects.

- a. **Ordinance Serial No. 14-006:** An Ordinance Approving An Appropriation Of \$370,000 From The Bogard Road Service Area No. 25 Fund Balance, Fund 270, To Fund 410, Project No. 30045, For Bogard Road Service Area No. 25 Capital Projects.
  - (1) IM No. 14-005
  - (2) IM No. 14-006
  
6. **Ordinance Serial No. 14-007:** An Ordinance Approving An Appropriation Of \$175,000 From The Meadow Lakes Road Service Area No. 27 Fund Balance, Fund 281, To Fund 410, Project No. 30047, For Meadow Lakes Road Service Area No. 27 Capital Projects.
  - a. IM No. 14-007
  
7. **Ordinance Serial No. 14-008:** An Ordinance Approving A Reappropriation Of \$70,000 From The Gold Trail Road Service Area No. 28 Fiscal Year 2014 Operating Budget, Fund 282, To Fund 410, Project No. 30048, For Gold Trail Road Service Area No. 28 Capital Projects.
  - a. **Ordinance Serial No. 14-009:** An Ordinance Approving An Appropriation Of \$300,000 From The Gold Trail Road Service Area No. 28 Fund Balance, Fund 282, To Fund 410, Project No. 30048, For Gold Trail Road Service Area No. 28 Capital Projects.
    - (1) IM No. 14-008
    - (2) IM No. 14-009
  
8. **Ordinance Serial No. 14-010:** An Ordinance Approving An Appropriation Of \$30,000 From The Lazy Mountain Road Service Area No. 19 Fund Balance, Fund 275, To Fund 410, Project No. 30041, For Lazy Mountain Road Service Area No. 19 Capital Projects.
  - a. IM No. 14-010
  
9. **Ordinance Serial No. 14-011:** An Ordinance Approving A Supplemental Appropriation Of \$10,000 From The North Colony Road Service Area No. 23 Fund Balance, Fund 278, To North Colony Road Service Area No. 23 Fiscal Year 2014 Operating Budget, Fund 278.
  - a. **Ordinance Serial No. 14-012:** An Ordinance Approving An Appropriation Of \$30,000 From The North Colony Road Service Area No. 23 Fund Balance, Fund 278, To Fund 410, Project No. 30044, For North Colony Road Service Area No. 23 Capital Projects
    - (1) IM No. 14-011
    - (2) IM No. 14-012
  
10. **Ordinance Serial No. 14-013:** An Ordinance Approving An Appropriation Of \$100,000 From The Caswell Road Service Area No. 15 Fund Balance, Fund 272, To Fund 410, Project No. 30038, For Caswell Road Service Area No. 15 Capital Projects.
  - a. IM No. 14-013
  
11. **Ordinance Serial No. 14-015:** An Ordinance Approving An Appropriation Of \$100,000 From The Fairview Road Service Area No. 14 Fund Balance, Fund 271, To Fund 410, Project No. 30037, For Fairview Road Service Area No. 14 Capital Projects.

- a. **Ordinance Serial No. 14-016:** An Ordinance Approving A Supplemental Appropriation Of \$50,000 From Fairview Road Service Area No. 14 Fund Balance, Fund 271 To Fairview Road Service Area No. 14 Fiscal Year 2014 Operating Budget, Fund 271.
  - (1) IM No. 14-014
  - (2) IM No. 14-015

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Arvin moved to adopt Ordinance Serial Nos. 14-004, 14-005, 14-006, 14-007, 14-008, 14-009, 14-010, 14-011, 14-012, 14-013, 14-015, and 14-016.

VOTE: The motion passed without objection.

- 12. **Ordinance Serial No. 14-017:** An Ordinance Approving The Acquisition Of Land In The Amount Of \$1,000,000 For The Purpose Of Location Of The Future Mat-Su Valley South Gateway Visitor Center, Said Land Being Identified As Lot 1, And Tract A, Homestead RV Park Subdivision, Containing 48.83 Acres More Or Less (MSB006841).
  - a. **Resolution Serial No. 14-003:** A Resolution Amending The Scope Of Work And Budget Of Fiscal Year 2014 Records Storage Building Roof Replacement Project, Project No. 10117, For The Purpose Of Acquiring Land For The Location Of The Future Mat-Su Valley South Gateway Visitor Center, Project No. 10022.
    - (1) IM No. 14-016

Mayor DeVilbiss opened the public hearing.

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

MOTION: Assemblymember Beck moved to adopt Ordinances Serial No. 14-017 and Resolution Serial No. 14-003.

VOTE: The motion passed without objection.

- 13. **Ordinance Serial No. 14-018:** An Ordinance Approving A Supplemental Appropriation Of \$12,148 Of Revenues From The Willow Area Community Council To The Willow Fire Service Area Fiscal Year 2014 Operating Budget, Fund 258, To Provide For Firefighter Clothing And Equipment.
  - a. IM No. 14-019

MOTION: Assemblymember Halter moved to adopt Ordinances Serial No. 14-018.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke in support of AM No. 14-003: Ms. Alana Anderson.

The following person spoke to concerns regarding the conditions at the Animal Care Shelter:  
Ms. Rhonda Weinrick.

D. CONSENT AGENDA

1. RESOLUTIONS

2. ACTION MEMORANDUMS

- b. **AM No. 14-006:** Award Of Proposal 14-068P To Norton Corrosion Limited In An Amount Not To Exceed \$180,510 For The Design Of Cathodic Protection And Pile Sleeve Protection Of Docks.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

- c. **Resolution Serial No. 14-008:** A Resolution In Support of the USDA Rural Community Development Loan to Construct the Fronteras Spanish Immersion Charter School. *(Sponsored by Assemblymember Colver)*

(1) IM No. 14-026

MOTION: Assemblymember Sykes moved to adopt Resolution Serial No. 14-008.

Assemblymember Sykes questioned the risk to the Borough should the school default on the loan.

Mr. Moosey provided a staff report.

VOTE: The motion passed without objection.

- b. **Resolution Serial No. 14-007:** A Resolution Requesting That The Alaska Legislature Support The Matanuska-Susitna Borough School District's Capital Request to Fund a Portion of the Fronteras Spanish Immersion Charter School Construction. *(Sponsored by Assemblymember Colver)*

(1) IM No. 14-025

MOTION: Assemblymember Sykes moved to adopt Resolution Serial No. 14-007.

Assemblymember Colver:

- spoke in support of assisting Fronteras Spanish Immersion Charter School find a permanent home; and
- opined that the United States Department of Agriculture Rural Community Development loan is the best approach for a construction loan.

Discussion ensued regarding the success of charter schools.

VOTE: The motion passed without objection.

- a. **Resolution Serial No. 14-004:** A Resolution Approving The Financial Responsibility For The M/V Susitna For January, February, And March 2014.  
(1) IM No. 14-018

MOTION: Assemblymember Sykes moved to adopt Resolution Serial No. 14-004.

Assemblymember Sykes asked if there are any new prospects with regard to the selling the vessel.

Mr. Moosey provided a staff report.

Mr. Colligan requested an executive session as soon as possible on the M/V Susitna.

VOTE: The motion passed with Assemblymember Arvin opposed.

- a. **AM No. 14-003:** Acceptance Of Retroactive And Late Filed Senior Citizen Disabled Veteran Exemption Applications, Which The Assessment Department Does Not Recommend Approval Of These Requests.

MOTION: Assemblymember Colver moved to adopt AM No. 14-003.

MOTION: Assemblymember Arvin moved a primary amendment to AM No. 14-003 to the title to insert the word "and" between the words "Senior Citizen" and "Disabled" on the agenda.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Colver moved a primary amendment to AM No. 14-003 to strike the words "Which The Assessment Department Does Not Recommend Approval Of These Requests" from the title.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

**X. NEW BUSINESS**

**A. INTRODUCTIONS (For public hearing – 01/21/14, Assembly Chambers)**

1. **Ordinance Serial No. 14-019:** An Ordinance Approving The Acceptance And Appropriation Of Fiscal Year 2014 Community Revenue Sharing Program Funds In The Amount Of \$424,200 To Fund 475, Project No. 47033.
  - a. **Resolution Serial No. 14-005:** A Resolution Approving The Scope Of Work And Budget For The Fiscal Year 2014 Community Revenue Sharing Program, Project No. 47033.
    - (1) IM No. 14-022

Ms. McKechnie read the above legislation into the record.

**MOTION:** Assemblymember Arvin moved to introduce the legislation as read into the record by the Clerk and set the public hearings for January 21, 2014.

**VOTE:** The motion passed without objection.

**B. MAYORAL NOMINATIONS AND APPOINTMENTS**

**1. VACANCY REPORT**

Ms. McKechnie commented that Mr. Cliff Silvers is not eligible to serve on the Emergency Medical Services Board, Dive Rescue position, as he has resigned from the dive rescue team.

**MOTION:** Assemblymember Arvin moved to remove Mr. Cliff Silvers from Vacancy Report.

**VOTE:** The motion passed without objection.

Mayor DeVilbiss requested the following confirmations:

- Borough Area Schools Site Selection Committee
  - Matthew Beck
  - Jim Colver
- Emergency Medical Services Board
  - Cheri Day
  - Matthew Scherrer
  - Kara Boothby
- Health and Social Services Board
  - Natasha Pineda (Board Removal)
- Local Emergency Planning Committee
  - Robert French
- Planning Commission
  - William “Bill” Kendig
  - Tom Adams

Platting Board  
Katie Cruthers  
Transportation Advisory Board  
Don Carney  
Wasilla-Lakes FSA No. 130  
Carol Christiansen  
Chase Trail Services Area No. 134  
Kevin Foster  
Donnie Billington

Mayor DeVilbiss made the following recommendations:

Health and Social Services Board  
Jennifer Hanford  
Labor Relations Board  
Toni Bluel  
Joy Fearn-Condon  
Library Board  
Virginia Richey  
Parks, Recreation, and Trails Advisory Board  
James "Gus" Gustafson  
Port Commission  
Noel Woods  
Board RSA No. 25  
Gary Hessmer  
South Colony RSA No. 16  
Andrew Weiland

MOTION: Assemblymember Arvin moved to approve the Mayor's recommendations up for confirmation this evening.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

*(There was no other new business.)*

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

1. **Ordinance Serial No. 14-020:** An Ordinance Amending MSB 8.50 Trash And Junk To Update The Definitions. *(Sponsored by Assemblymember Beck)*
  - a. IM No. 14-021

MOTION: Assemblymember Beck moved to refer Ordinance Serial No. 14-020 to the Planning Commission for 90 days.

VOTE: The motion passed without objection.

## **XI. RECONSIDERATION**

*(There was no reconsideration presented.)*

## **XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS**

Mr. Moosey announced that the Assistant Borough Manager will attend the Joint Assembly/School Board meeting on January 9, in his stead.

Ms. McKechnie wished everyone a Happy New Year.

Assemblymember Sykes

- expressed he is looking forward to the Assembly Meeting on February 4;
- added he looks forward to working with Assemblymember Colligan on House Bill 77; and
- wished everyone a Happy New Year.

Assemblymember Salmon wished everyone a Happy New Year.

Assemblymember Colligan:

- reported that he will be out of town on business January 9 through 16, and;
- spoke to Ordinance Serial No. 12-169; and
- noted he looks forward to an engaging dialog on House Bill 77.

Assemblymember Halter spoke to the Borough working toward transferring or selling the M/V Susitna to King Cove and Cold Bay.

Assemblymember Beck:

- spoke to the need to make more citizens aware of the retroactive senior citizen and disabled veteran exemption program;
- noted he looks forward to learning more about House Bill 77; and
- added he will be out of state and plans to participate in the January 21, Assembly meeting telephonically.


Mayor DeVilbiss wished everyone a happy Russian Christmas and Happy New Year.

## **XIII. EXECUTIVE SESSION**

*(There was no executive session held.)*

**XIV. ADJOURNMENT**

The regular meeting adjourned at 7:22 pm.

  
LARRY DeVILBISS, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 01/21/14