

MATANUSKA-SUSITNA BOROUGH REGULAR MEETING  
ASSEMBLY OCTOBER 16, 2001

I. CALL TO ORDER

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

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. J. Bruce Bush, Assembly District No. 1  
Ms. Sara Jansen, Assembly District No. 2  
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 A. Dillon, Borough Clerk  
Mr. John Duffy, Borough Manager  
Mr. Michael Gatti, Borough Attorney  
Ms. Michelle M. McGehee, Borough Deputy Clerk  
Mr. Jim Swing, Public Works Director  
Ms. Tammy Clayton, Finance Director  
Ms. Sandy Garley, Planning Director  
Mr. Ron Swanson, Community Development Director  
Mr. Kevin Koechlein, Director of Public Safety  
Mr. Karl Borglum, Borough Assessor

III. APPROVAL OF AGENDA

The agenda was approved, as presented, without objection.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Karon Jahn, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: September 18, 2001

The mayor referenced the September 18, 2001, regular minutes and asked for any corrections.

Assemblymember Colver requested additional time to review the minutes.

Mayor Anderson

- stated that approval of the minutes would be postponed until after the recess to allow more time for review.

VI. SPECIAL ORDERS OF THE DAY

A. Michelle Brown, Commissioner of the Alaska Department of Environmental Conservation: Presentation of Commissioner's Award to the Matanuska-Susitna Borough, Division of Code Compliance Re: Volunteer Clean-Up

## 2001 Activities

Mayor Anderson:

- introduced Commissioner Michelle Brown of the Department of Environmental Conservation.

Commissioner Brown:

- expressed her pleasure with the efforts of the Clean-Up 2001 program;
- stated that people are responding to pollution prevention efforts;
- commented that waste minimization begins with initial prevention;
- spoke to public health, environmental benefits, cost reductions, and increased life of the landfills;
- remarked that powerful alliances and positive relationships have been formed throughout the community due to the joint effort of those involved;
- recognized Molly Boyer, Valley Community for Recycling Solutions;
- spoke to raised community standards;
- thanked the borough for being a role model; and
- presented the Pollution Prevention Award to Mayor Anderson in recognition of the borough's Clean-Up 2001 Program.

Mayor Anderson:

- recognized Ken Hudson, chief of code compliance, for his division's efforts.

Ken Hudson

- recognized Jane Dale, code compliance officer, and others involved in the Clean-Up 2001 program.

Mayor Anderson presented a certificate to Mr. Duffy, recognizing his 15 years of dedicated service.

## VII. REPORTS/CORRESPONDENCE

### A. AGENCY REPORTS

#### 1. Reports from cities

Assemblymember Lankford Ladere spoke to the meeting schedule of the city of Houston.

Assemblymember Kelly suggested that a letter of condolence be sent to the family of Carl Burnett, newly elected official for Houston Council Seat F, who passed away recently.

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

Superintendent Chesbro:

- congratulated the newly elected officials to the assembly;
- stated that an enrollment count has been taken during the month of October;
- noted that 128 students more than expected have been included in the count;
- spoke to the school district's budget process and a series of five public meetings that will be held in an effort to gain public input; and
- noted these meeting dates as October 24, 29, 30, November 5 and 8.

### B. COMMITTEE REPORTS

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

Assemblymember Colberg:

- noted those in attendance during the last meeting of the committee;
- stated that Superintendent Chesbro updated the board regarding enrollment; and
- asked the mayor to make new appointments to the committee for 2002.

## 2. Intergovernmental Liaison Committee (Anchorage Municipality - Matanuska-Susitna Borough)

Assemblymember Jansen:

- noted that a meeting had not been held since her last report was given. {Next meeting schedule for October 25, 2001}

### C. MANAGER COMMENTS

Mr. Duffy:

- spoke to a teleconference that took place with the Federal Transit Administration (FTA) regarding the borough's grant application for Port MacKenzie;
- noted that the FTA would like the application revised and resubmitted so that it covers the environmental assessment, location study, and feasibility study;
- stated that the revised application would be submitted within the next few days;
- reported that the borough has been able to work with the Alaska State Department of Transportation (DOT) to obtain substantial amounts of gravel and rock which have been transported to the parking lot of the Hatcher Pass lodge;
- noted that the access road to Hatcher Pass has been improved;
- spoke to environmental safeguards that have been instituted in the improvements related to Hatcher Pass;
- referenced the Kenai prison proposal and commented that he contacted the commissioner regarding expansion of our existing correctional facilities, or perhaps the location of a new facility;
- stated that there is interest in the borough's proposal and will be discussed with Commissioner Perkins and the commissioner of revenue;
- reported that he and Mr. Swing had recently met with Mr. Carmony and Mr. Drake of Matanuska Electric Association (MEA) regarding the installation of street lights that have been approved by the local road service areas;
- referenced a list of all street lights that have not been installed; and
- noted MEA's assurance that they should be able to complete the remaining installation of the street lights this fall.

Assemblymember Lankford Ladere:

- inquired as to the status of the safety lights that were approved by the assembly for the Meadow Lakes Elementary School that were included in the street light package;

Mr. Duffy:

- stated that the safety lights for Meadow Lakes Elementary School were included in a different program as the aforementioned street light project was funded by the road service areas;
- commented that he would research the inquiry;
- continued his report by noting that the Chijuk Creek timber sale is moving in the right direction and that the borough is optimistic that the breach of contract will be cured in the near future;
- spoke to the state's determination of the 2001 Full Value;
- stated that the true value of taxable real and personal property within the borough is approximately 3.5 billion;
- referenced copies of Mr. Silver's (the borough's federal lobbyist) status report;
- noted projects that he is working on with Mr. Silver, including the central landfill;
- reported that he and Mr. Germer met with Mr. Allen from the United States Department of Agriculture, Rural Development (USDA RD), in an effort to update Mr. Allen regarding the Port MacKenzie and Hatcher Pass projects, use of the state fair pavilion, natural resource development, and the need of the residents of Lake Louise for electrical power;
- remarked that Mr. Germer also provided an overview of the borough's 911 addressing capabilities and that the borough is requesting funding from (USDA RD) for improvements;
- spoke to a fact-finding committee recently created regarding the Sunshine station and ambulance services;
- noted that a report has been issued and sent to the emergency medical services advisory board with recommendations;
- reported that the Mat-Su Fire Chiefs' Association's "Fill the Helmet" effort resulted in more than \$63,000 in donations for the World Trade Center Disaster Fund;
- thanked those associated with the fund raising activity;
- noted the installation of a speed bump on Alder Drive and meetings that will be held with the residents;
- stated that the parking lot at the animal shelter has been paved, that barriers have been installed, and that work has

begun on the crematorium;

- commented that there will be a meeting held on the Talkeetna Airport Improvement Project on October 17, 2001, at 4 p.m.;
  - reported that safety precautions have been instituted regarding the recent Anthrax issue and that a training session will be scheduled at the Cottonwood Public Safety Building;
  - spoke to the dedication of the Wasilla Public Safety Building;
  - noted the meeting of the Senate Transportation Advisory Committee to discuss the Knik Arm Crossing;
  - stated that the borough discussed the benefits that would be derived by the development of the crossing; and
- commented regarding two resolutions prepared by the parks, recreation, and trails advisory board regarding the Denali South Overlook and the feasibility study of the Hatcher Pass development project.

#### D. ATTORNEY COMMENTS

Mr. Gatti:

- welcomed the newly elected and reelected members of the assembly.

#### E. CLERK COMMENTS

Ms. Dillon:

- noted changes to the clerk's report regarding the meetings for October and November;
- commented regarding the joint meeting with the Municipality of Anchorage assembly currently scheduled for October 25, at 4 p.m., to be held at Palmer High School;
- reported that the Teeland Middle School dedication will also be held on October 25;
- canceled the November 3 work session to discuss goals and legislative priorities due to conflicting scheduling;
- rescheduled the work session for November 6, at 4 p.m., in the assembly chambers to discuss legislative priorities;
- noted that the retreat will be rescheduled in December and that she will be in contact with the Talkeetna Lodge in this regard;
- referenced the joint meeting with the planning commission;
- referenced information regarding the dedication of the schools;
- noted the scheduled AML conference, November 25 - 30; and
- spoke to the addition of items on the tracking report.

MOTION: Assemblymember Kelly moved to schedule a work session for November 8, 2001, at 4 p.m., with Tim Navarre, state representative for the National Association of Counties (NACo).

GENERAL CONSENT: The motion passed without objection.

Assemblymember Jansen

- clarified scheduled times for the school dedications.

#### F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 09/10/01
- b. Parks, Recreation, and Trails Advisory Board: 07/24/01, 08/28/01
- c. Planning Commission: 08/30/01
- d. Platting Board: 09/06/01, 09/20/01
- e. Port Commission: 06/11/01
- f. Senior Citizen's Advisory Board: 08/21/01

2. Community Council Correspondence:

- a. Point MacKenzie Community Council: 04/28/01
- b. Talkeetna Community Council: 08/03/01
- c. South Knik River Community Council: 09/22/01

### 3. Other Correspondence:

#### a. Resolution of the Greater Wasilla Chamber of Commerce

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

### G. INFORMATIONAL MEMORANDUMS

1. IM No. 01-242: CORRECTING AN ERROR IN THE AUGUST 21, 2001, MINUTES.

2. IM No. 01-264: BID NO. 02-058, HORSESHOE LAKE PUBLIC SAFETY BUILDING #82 WELL CONSTRUCTION CONTRACT REVISION.

3. IM No. 01-266: CHANGE ORDER TO WILDER CONSTRUCTION FOR INSTALLATION OF GUARDRAILS AT THE ALCANTRA RECREATIONAL SITE.

4. IM No. 01-267: FIRE MARSHAL APPROVAL FOR WASILLA HIGH SCHOOL REMODEL.

The informational memoranda were presented and no comments other than noted were given.

Mayor Anderson:

- noted the time; and
- suggested the assembly proceed with item IX., A., Unfinished Business.

### IX. UNFINISHED BUSINESS

A. Ordinance Serial No. 01-133: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$3,000 FROM THE GOLD TRAILS ROAD SERVICE AREA FY02 OPERATING BUDGET, FUND 282, TO FUND 410, RSA CAPITAL PROJECTS, PROJECT NO. 30048 FOR TEX AL DRIVE.

1. IM No. 01-165 (Referred to Gold Trails RSA on 09/04/01)

B. Ordinance Serial No. 01-014(AM): AN ORDINANCE ADOPTING MSB 19.08.023, ESTABLISHING A SITE SELECTION PROCESS FOR CHARTER SCHOOLS.

1. IM No. 01-028

2. IM No. 01-223

Mr. Duffy:

- commented that the administration respectfully requests that the items shown under IX., A., Unfinished Business, be postponed indefinitely;
- stated that in regard to Ordinance Serial No. 01-133, the finance director has identified alternate funds and that the administration would like to come back to the assembly with a separate action memorandum in this regard; and
- suggested that a new ordinance be presented to the assembly in regard to the site selection process for charter schools as this process has been significantly revised.

MOTION: Assemblymember Jansen moved to postpone Ordinance Serial No. 01-133 and Ordinance Serial No. 01-014(AM) indefinitely.

Assemblymember Colver:

- thanked the administration for identifying alternate funds rather than utilizing the road service area's budget.

GENERAL CONSENT: The motion, to postpone indefinitely Ordinance Serial No. 01-133 and Ordinance Serial No. 01-014(AM), passed without objection.

### X. NEW BUSINESS

A. INTRODUCTION (Suggested public hearing - 11/06/01)

1. Ordinance Serial No. 01-168: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$27,500 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO PAY DELINQUENT TAXES, PENALTIES, INTEREST, AND FORECLOSURE COSTS UP TO CLERK'S DEED ON TAX FORECLOSED PROPERTIES BOROUGHWIDE WHERE THE REPURCHASE RIGHTS OF THE FORMER RECORD OWNERS HAVE EXPIRED.

a. IM No. 01-234

2. Ordinance Serial No. 01-169: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$2,380 FROM THE LAND MANAGEMENT FUND BALANCE TO PAY OFF THE LID ASSESSMENT FOR LOT 14, BLOCK 1, HUSKIE RETREAT, WHICH IS A TEN YEAR PLUS TAX FORECLOSED PROPERTY WHERE REPURCHASE RIGHTS OF THE FORMER RECORD OWNER HAS NOW EXPIRED (BIG LAKE AREA).

a. IM No. 01-238

3. Ordinance Serial No. 01-170: AN ORDINANCE APPROVING THE SALE OF BOROUGH-OWNED LAND AT FAIR MARKET VALUE DESCRIBED AS THE N1/2NW1/4 LYING NORTH AND EAST OF THE WEST LAKES BOULEVARD RIGHT-OF-WAY CENTERLINE, SECTION 17, T17N, R3W, SEWARD MERIDIAN, ALASKA, LOCATED IN THE BIG LAKE AREA (MSB003345).

a. IM No. 01-240

4. Ordinance Serial No. 01-171: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$8,500 FROM THE ALASKA DIVISION OF EMERGENCY SERVICES TO THE BOROUGH LOCAL EMERGENCY PLANNING COMMITTEE, FUND 480, PROJECT 20259, FOR FISCAL YEAR 2002 OPERATIONS.

a. IM No. 01-243

5. Ordinance Serial No. 01-172: AN ORDINANCE APPROVING THE CLASSIFICATION OF APPROXIMATELY 25 ACRES OF BOROUGH-OWNED LAND BETWEEN THE OLD GLENN HIGHWAY AND ALASKA RACEWAY PARK AS "GENERAL PURPOSE LANDS" TO BE SOLD TO TOP END, INC., AND APPROVING THE CLASSIFICATION/RECLASSIFICATION OF THE REMAINING CONTIGUOUS 185 ACRES AS "PUBLIC RECREATION LANDS" AND DESIGNATING THE AREA A "SPECIAL LAND USE MANAGEMENT AREA" (TAX ACCOUNT NUMBERS 17N03E35A021 AND 17N03E35A022, BUTTE AREA).

a. IM No. 01-246

6. Ordinance Serial No. 01-173: AN ORDINANCE ACCEPTING A \$38,700 ALASKA COASTAL MANAGEMENT (306 PROGRAM) GRANT AND APPROPRIATING \$38,700 TO FUND 480 FOR THIS PROGRAM DURING FY02.

a. Resolution Serial No. 01-107: A RESOLUTION ESTABLISHING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA COASTAL MANAGEMENT (306 PROGRAM) GRANT FOR FY02.

1. IM No. 01-247

7. Ordinance Serial No. 01-174: AN ORDINANCE APPROPRIATING FISCAL YEAR 2001 ROAD SERVICE AREA FUND BALANCES TO FUND 410, ROAD SERVICE AREA CAPITAL PROJECTS, AND TO CERTAIN ROAD SERVICE AREA FISCAL YEAR 2002 OPERATING BUDGETS.

a. IM No. 01-248

8. Ordinance Serial No. 01-175: AN ORDINANCE APPROPRIATING \$730,000 FROM THE 2001 SERIES B, GENERAL OBLIGATION BONDS, RECREATION, AND TRAILS BONDS TO FUND 440, PARKS, RECREATION, AND TRAILS PROJECTS, PROJECT 15015 FOR TRAIL DEDICATION AND IMPROVEMENTS ON A TRANS-BOROUGH TRAILS NETWORK AND TRAIL DEVELOPMENT THROUGHOUT THE BOROUGH.

a. Resolution Serial No. 01-108: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE DEDICATION AND IMPROVEMENTS ON A TRANS-BOROUGH TRAILS NETWORK AND TRAIL DEVELOPMENT THROUGHOUT THE BOROUGH.

1. IM No. 01-251

9. Ordinance Serial No. 01-176: AN ORDINANCE PROVIDING FOR THE COMPOSITION, FORM OF REPRESENTATION AND APPORTIONMENT OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY, AND SUBMITTING THE QUESTION OF THE COMPOSITION, FORM OF REPRESENTATION AND APPORTIONMENT OF THE ASSEMBLY TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE JANUARY 15, 2002, SPECIAL ELECTION; AMENDING MSB 2.12.010 CONCERNING ASSEMBLY ELECTION DISTRICTS; AMENDING MSB 25.15.030(A) CONCERNING DECLARATIONS OF CANDIDACY; AND PROVIDING FOR RELATED MATTERS.

a. Ordinance Serial No. 01-177: AN ORDINANCE CALLING FOR A SPECIAL ELECTION TO BE HELD IN THE MATANUSKA-SUSITNA BOROUGH ON JANUARY 15, 2002.

b. Ordinance Serial No. 01-178: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$30,000 FROM THE AREAWIDE FUND BALANCE, FUND 100, TO THE FISCAL YEAR 2002 ELECTION OPERATING BUDGET (100-100-105) TO FUND THE JANUARY 15, 2002, SPECIAL ELECTION.

1. IM No. 01-250

2. IM No. 01-253

10. Ordinance Serial No. 01-179: AN ORDINANCE REAPPROPRIATING \$111,000 FROM ROAD SERVICE AREA CAPITAL PROJECTS, PROJECT 30047, FUND 410 TO FUND 281, MEADOW LAKES ROAD SERVICE AREA NO. 27 OPERATING BUDGET.

a. IM No. 01-258

11. Ordinance Serial No. 01-180: AN ORDINANCE AMENDING THE WILLOW SUB-BASIN PLAN TO ALLOW GENERAL PURPOSE USE OF THE NE1/4, AND THE NE1/4N1/4 OF SECTION 31, T19N, R4W, SEWARD MERIDIAN, ALASKA, AND CLASSIFYING THE PROPERTY "GENERAL PURPOSE LANDS" FOR COMPETITIVE SEALED BID SALE (19N04W31A001 RAINBOW LAKE/NANCY LAKE AREA).

a. IM No. 01-260

12. Ordinance Serial No. 01-181: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$20,000 OF REVENUES FROM MAP SALES TO THE FISCAL YEAR 2002 AREAWIDE FUND, INFORMATION TECHNOLOGY OPERATING BUDGET (100-100-121) FOR PRINTING COSTS.

a. IM No. 01-261

13. Ordinance Serial No. 01-182: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$4,792 FROM THE LAND MANAGEMENT FUND BALANCE TO PAY THE PAVING SPECIAL ASSESSMENT FOR LOT 11, BLOCK 4, HIGHLANDS SUBDIVISION (CITY OF PALMER).

a. IM No. 01-262

14. Ordinance Serial No. 01-183: AN ORDINANCE APPROPRIATING \$17,720 TO FUND 400, SCHOOL PROJECTS, FOR THE REMODEL OF WASILLA HIGH SCHOOL FROM THE 2000 SERIES A GENERAL OBLIGATION BONDS.

a. IM No. 01-265

B. INTRODUCTION (Suggested public hearing - 11/20/01)

1. Ordinance Serial No. 01-145: AN ORDINANCE CREATING CAUDILL AND WALLING ROAD AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 344, 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. 01-212

2. Ordinance Serial No. 01-166: AN ORDINANCE CREATING BRUNS DRIVE NATURAL GAS LOCAL

IMPROVEMENT DISTRICT NO. 354, 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. 01-244

3. Ordinance Serial No. 01-167: AN ORDINANCE CREATING IDLE WILD NO. 1 SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 350, 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. 01-245

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved for introduction of the legislation as read into the record by the clerk and set the public hearing for November 6, 2001, and November 20, 2001, respectively.

GENERAL CONSENT: The motion passed without objection.

The regular meeting recessed at 6:53 p.m. and reconvened at 7 p.m.

VIII. 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. 01-144: AN ORDINANCE CREATING BRUNS LAKE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 343, 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. 01-211

Ms. Clayton:

- noted an approval rate of 67 percent; and
- recommended adoption of the ordinance.

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

MOTION: Assemblymember Lankford Ladere moved to adopt Ordinance Serial No. 01-144.

Assemblymember Lankford Ladere:

- encouraged everyone to support the ordinance.

Assemblymember Simpson:

- noted her opposition to local improvement district (LID) legislation that does not receive a 100 percent approval rate, as there are individuals who cannot afford to be assessed for services.

VOTE: The motion, to adopt Ordinance Serial No. 01-144, passed with Assemblymember Simpson in opposition.

2. Ordinance Serial No. 01-146: AN ORDINANCE CREATING LEATHERLEAF LOOP REVISED ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 346, 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. 01-214

Ms. Clayton:

- noted an approval rate of 41 percent.

Mr. Duffy

- recommended defeat of the legislation as it did not meet the required percentage of approval from the property owners.

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

MOTION: Assemblymember Colberg moved to adopt Ordinance Serial No. 01-146.

GENERAL CONSENT: The motion failed unanimously.

3. Ordinance Serial No. 01-147: AN ORDINANCE CREATING MONTE VISTA ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 347, 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. 01-215

Ms. Clayton:

- noted an approval rate of 52.38 percent;
- recommended adoption of the ordinance.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 01-147.

Assemblymember Jansen:

- urged support of the legislation; and
- spoke to reductions in maintenance costs.

GENERAL CONSENT: The motion passed without objection.

4. Ordinance Serial No. 01-148: AN ORDINANCE CREATING TALGACH VIEW SUBDIVISION ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 349, 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. 01-216

Ms. Clayton:

- noted an approval rate of 37 percent; and
- recommended defeat of the ordinance.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 01-148.

Assemblymember Colver:

- recommended against approval of the ordinance as it did not receive the required signatures.

GENERAL CONSENT: The motion failed unanimously.

5. Ordinance Serial No. 01-149: AN ORDINANCE CREATING GRUBSTAKE SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 351, 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. 01-217

Ms. Clayton:

- noted an approval rate of 53 percent; and
- recommended approval of the ordinance.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 01-149.

Assemblymember Colver:

- recommended approval of the ordinance.

VOTE: The motion passed with Assemblymember Simpson in opposition.

Mayor Anderson:

- stated that a public hearing sign-in sheet had been found; and
- recommended reopening the public hearing and a re-vote thereafter.

Mayor Anderson reopened the public hearing.

The following spoke in favor of Ordinance Serial No. 01-149: Ronald Young and Patti Duffield.

There being no others who wished to be heard, the public hearing closed and Mayor Anderson noted that a motion was still pending on the floor.

RE-VOTE: The motion to adopt Ordinance Serial No. 01-149, passed with Assemblymember Simpson in opposition.

6. Ordinance Serial No. 01-150: AN ORDINANCE CREATING FOREST HILLS SUBDIVISION ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 352, 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. 01-218

Ms. Clayton:

- noted an approval rate of 64.5 percent; and
- recommended adoption of the ordinance.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 01-150.

GENERAL CONSENT: The motion passed without objection.

7. Ordinance Serial No. 01-157: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$100,000 FROM LAND MANAGEMENT FUND BALANCE, FUND 203, TO FISCAL YEAR 2002 LAND MANAGEMENT ASSET MANAGEMENT OPERATING BUDGET FOR PROFESSIONAL SERVICES FOR

## HATCHER PASS SKI DEVELOPMENT.

a. AM No. 01-140: AUTHORIZATION FOR THE MATANUSKA- SUSITNA BOROUGH TO ENTER INTO AN AGREEMENT WITH THE ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT AUTHORITY FOR THE HATCHER PASS PROJECT.

Mr. Duffy:

- noted a resolution by the parks, recreation, and trails advisory board in support of the feasibility study;
- referenced a draft Alaska Industrial Development and Export Authority (AIDEA) cost reimbursement agreement;
- spoke to the possibility of a four-seasons resort in the Hatcher Pass Management Plan as amended and stated that a resort of this type is not mandatory per the plan;
- commented that an updated report is necessary regarding a regional based ski area study that is approximately six years old;
- spoke to letters from the National Bank of Alaska and from Alyeska Resort which are purported to indicate that a four-seasons resort in Hatcher Pass will not make economic sense;
- clarified that these letters simply note market trends and that the National Bank of Alaska letter speaks to the need for additional equity in the private sector;
- reported regarding a planned underground electrical distribution system;
- referenced reductions in air and noise pollution and high maintenance costs.
- stated that the borough is looking to consult a geotechnical firm to consult in an effort to identify issues related to soils; and
- remarked that other ski resorts have been built in similar areas.

Mr. Germer:

- reported that the primary goal is to secure private sector, non-profit participants;
- stated that over the past 15 years, the private sector has tried to define feasible equity;
- opined that the scope of the project may have been too great at that time;
- noted the borough's purchase of the acquisition in August;
- commented that benefit is not derived through the asset but rather through the borough's ability to attract a private sector developer;
- addressed the need to complete a business plan to facilitate the marketing of the lease;
- opined that an analysis is also useful to secure grant funds;
- stated that a financial analysis accomplished through a computer financial model can aid the borough in determining what criteria might be necessary to meet feasibility;
- recommended AIDEA having the oversight responsibility; and
- reported that a request for proposals (RFP) will be needed.

Discussion ensued regarding:

- the cost reimbursement agreement and definition of ownership;
- deleting reference to a non-profit partner if the borough will be looking at a private sector developer;
- added flexibility in including reference to "non-profit";
- borough ownership and operation of a ski resort;
- liability and risk associated with non-profit organizations;
- clarification that documents used for private sector development will also be used for non-profit;
- request for proposals;
- AIDEA's direct costs and total value;
- the time frame associated with the completion of the feasibility study;
- if the borough should sell the property and then later have it zoned for use as a ski area;
- the Hatcher Pass Management Plan not allowing for sale until a ski resort is developed;
- the need to identify the borough's cost components and the role of the borough to make development more acceptable to the private sector;
- the risk of funds being reappropriated; and
- clarification that the funds are designated to land management and are therefore not threatened by reappropriation.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 01-157 and AM No. 01-140: Jean Woods, Dan Elliot, John Roberts, and Joe LeBeau.

The following spoke in opposition of the ordinance: Larry Buchholz and Larry Fortunoff.

The following expressed concern regarding the ordinance: Lucille Frye and Jay Nolfi.

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

Discussion continued regarding:

- attorney review of the legislation;
- readdress of the language regarding ownership and operation of a ski resort; and
- the boilerplate nature of the agreement.

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 01-157 and AM No. 01-140.

Discussion continued regarding:

- return of the amended agreement to the assembly for final approval before receipt of AIDEA's signature; and
- the benefits of the feasibility study.

Mr. Gatti:

- advised that the assembly approves authorization for the manager to proceed with negotiations to the agreement, including language changes.

MOTION: Assemblymember Colberg moved to amend the second "Whereas" clause in Ordinance Serial No. 01-157 by striking the phrase "or non-profit" to read:

WHEREAS, with the acquisition of said lease, the borough can proceed in an unimpeded manner with project implementation including the necessary up-front steps required to secure a private sector [OR NON-PROFIT] partner.

Discussion ensued regarding:

- the amendment to Ordinance Serial No. 01-157 not precluding a non-profit entity to enter into the agreement;
- financial vehicles and alternatives;
- definition of the roles associated with the study; and
- accountability of land management funds spent to date.

VOTE: The motion, to amend Ordinance Serial No. 01-157, passed with Assemblymembers Jansen, Colver, and Simpson, in opposition.

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

8. Ordinance Serial No. 01-158: AN ORDINANCE REPEALING MSB 15.08.110(C), MEETINGS/AGENDA/ORDER OF BUSINESS, RELATING TO THE PLANNING COMMISSION, AND REENACTING IT UNDER MSB 15.08.110(F) .

a. IM No. 01-224

Ms. Garley:

- reported that the ordinance will amend the order of agenda items for planning commission meetings;
- noted that the planning commission agenda is currently codified; and
- stated that the changes were made with the help of the clerk in an effort to aid the public in their participation process.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 01-158.

Assembly members concurred that the amendment to the agenda will help the public participation process.

GENERAL CONSENT: The motion passed without objection.

The regular meeting recessed at 8:28 p.m. and reconvened at 8:39 p.m.

9. Ordinance Serial No. 01-159: AN ORDINANCE APPROVING THE LAND CLASSIFICATION OF “GENERAL PURPOSE LANDS”, AN AMENDMENT TO THE SUSITNA AREA PLAN, AND AUTHORIZING THE SALE OF BOROUGH-OWNED LAND DESCRIBED AS A PORTION OF SECTION 24, T20N, R7E, SEWARD MERIDIAN, ALASKA, LOCATED IN THE PURINTON CREEK AREA, MSB003359.

a. IM No. 01-229

Mr. Swanson:

- gave a staff report regarding the Purinton Creek trail and noted opposition from the borough and from the Alaska State Department of Natural Resources to a 100-foot-wide easement as it has a tendency to convert a trail into a road.

Discussion ensued regarding:

- trail rehabilitation; and
- the use of motorized vehicles on the trail.

Mayor Anderson opened the public hearing.

The following spoke in opposition of Ordinance Serial No. 01-159: Dan Elliot and Larry Buchholz.

The following noted concern regarding the ordinance: Al Larson and Carol Horner.

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

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 01-159.

Assemblymember Bush:

- noted state rights-of-way widths;
- opined that the trail system is very important; and
- believes that a wider right-of-way is necessary and that it should match the state designated widths.

MOTION: Assemblymember Bush moved to amend Ordinance Serial No. 01-159 by striking the language “50 feet” in section 4 and inserting the language “100 feet”, to read:

Section 4. Reservation of trail. A reservation of a public use easement, [50 FEET] 100 feet wide centered on the Purinton Creek Trail as located by the 1999 survey by the National Park Service and Department of Natural Resources shall be reserved by the borough.

Discussion ensued regarding:

- the adequacy of a 50 foot right-of-way;
- soils information;
- topography of the area;
- consistency in trail widths;
- braiding of the trail; and
- rough terrain.

VOTE: The motion, to amend, passed with Assemblymembers Colver, Kelly, and Simpson in opposition.

Discussion continued regarding:

- borough retention of the land;
- wildlife in the area; and
- the status of the Asset Management Plan.

VOTE: The motion, as amended, passed with Assemblymembers Jansen and Kelly in opposition.

10. Ordinance Serial No. 01-160: AN ORDINANCE REQUESTING A SUPPLEMENTAL APPROPRIATION OF \$22,000 FROM THE BIG LAKE FIRE SERVICE AREA FUND BALANCE, FUND 256, TO THE BIG LAKE FIRE SERVICE AREA FISCAL YEAR 2002 OPERATING BUDGET, FUND 256, TO PURCHASE A THERMAL IMAGING DEVICE.

a. IM No. 01-231

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 01-160.

Assemblymember Simpson:

- noted that the ordinance has the support of the Big Lake Fire Service Area Board of Supervisors.

GENERAL CONSENT: The motion passed without objection.

11. Ordinance Serial No. 01-161: AN ORDINANCE REQUESTING A SUPPLEMENTAL APPROPRIATION OF \$15,400 FROM THE ENHANCED 911 FUND BALANCE, FUND 202, TO THE FISCAL YEAR 2002 ENHANCED 911 OPERATING BUDGET, FUND 202, TO COMPLETE MODIFICATIONS TO THE ENHANCED 911 SYSTEM.

a. IM No. 01-232

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 01-161.

Assemblymember Jansen::

- stated that if funds are available then modification should be completed.

GENERAL CONSENT: The motion passed without objection.

12. Ordinance Serial No. 01-162: AN ORDINANCE ACCEPTING AND APPROPRIATING \$776.78 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO THE PROJECT IMPACT PROGRAM, FUND 480, PROJECT 20318, FOR CONFERENCE EXPENSES.

a. IM No. 01-233

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 01-162.

Assemblymember Jansen:

- encouraged passage of the ordinance.

Assemblymember Simpson:

- requested an update regarding the Project Impact Program.

Mr. Koechlein:

- reported that the project is due to close in spring 2002; and

- noted that the Federal Emergency Management Association (FEMA) indicated that they will grant an extension.

GENERAL CONSENT: The motion passed without objection.

13. Ordinance Serial No. 01-163: AN ORDINANCE ACCEPTING AND APPROPRIATING \$175,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 450, FOR THE HATCHER PASS WATER AND ELECTRIC DISTRIBUTION, PROJECT NO. 20161.

a. Ordinance Serial No. 01-164: AN ORDINANCE ACCEPTING AND APPROPRIATING \$315,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 450, FOR THE PORT MACKENZIE INTERMODAL FACILITY, PROJECT NO. 70001.

b. Resolution Serial No. 01-101: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR HATCHER PASS WATER AND ELECTRICITY AND PORT MACKENZIE INTERMODAL FACILITY AND AUTHORIZING THE MANAGER TO ENTER INTO GRANT AGREEMENTS WITH THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

1. IM No. 01-237

2. AM No. 01-142: EXTENSION OF ELECTRICAL DISTRIBUTION SYSTEMS TO HATCHER PASS SKI AREA AND PORT MACKENZIE.

Mr. Duffy:

- noted the acceptance and appropriation of funds for two grants;
- reported that the state has also awarded funds;
- commented that the borough will be presenting a scope of work and budget which mirrors the state grant;
- remarked that the scope of work for the port is more comprehensive;
- spoke to the proposal to provide funds to Matanuska Electric Association (MEA) to begin the design of the distribution systems;
- noted funding for the design and right-of-way acquisition;
- also spoke to the funding for the port; and
- reported regarding the electrical extensions below and above ground to the Hatcher Pass lodge.

Assemblymember Colver:

- noted concerns of his constituents regarding electrical lines running along the river.

Discussion ensued regarding:

- the total funding allocated for the projects;
- expenditure of the funds before the legislature looks at reappropriation;
- the time frame associated with electrifying the port; and
- receipt of a permit from the Corps of Engineers.

Mayor Anderson opened the public hearing.

The following spoke in favor of electrifying the port and expressed concern regarding the proposed electricity to Hatcher Pass: Dan Elliot.

The following spoke in opposition regarding electricity to Hatcher Pass: Joe LeBeau and Larry Buchholz.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial Nos. 01-163 and 01-164, Resolution Serial No. 01-101, and AM No. 01-142.

Assemblymember Colver:

- noted the lack of infrastructure at Hatcher Pass and the obstacles created to any development plans;
- spoke to the need for three-phase power and industrial motors;
- remarked regarding the capital matching grant funds for both projects;
- referenced the potential of VECO locating at the port; and

- encouraged support of the legislative package.

Assemblymember Colberg:

- voiced concerns related to spending grant monies without having a definitive plan.

Discussion continued regarding:

- completion of the AIDEA study; and
- the intention of the borough to ensure that the land is properly developed.

Members of the assembly expressed concerns regarding the consolidation of the projects into one package of legislation.

GENERAL CONSENT: The motion passed without objection.

14. Ordinance Serial No. 01-165: AN ORDINANCE ACCEPTING AND APPROPRIATING \$21,000 FROM THE STATE OF ALASKA, MUNICIPAL CAPITAL PROJECT MATCHING GRANT PROGRAM TO FUND 440, PROJECT NO. 20203, FOR HISTORIC PRESERVATION.

a. Resolution Serial No. 01-102: A RESOLUTION APPROVING THE TALKEETNA HISTORICAL SOCIETY'S SCOPE OF WORK AND BUDGET FOR THE SUM OF \$21,000 RECEIVED AS A MUNICIPAL MATCHING GRANT FROM THE STATE OF ALASKA, FOR THE PURPOSE OF HISTORIC PRESERVATION.

1. IM No. 01-239

Ms. Garley:

- reported regarding the use of funds to create a walkway at the Talkeetna historical park;
- noted the inclusion of six double-sided interpretative signs in the project;
- stated that approximately \$9,000 has been matched by the Talkeetna Historical Society; and
- spoke to the historical significance of Talkeetna Belle's Corral.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 01-165 and Resolution Serial No. 01-102: Karon Jahn.

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

MOTION: Assemblymember Lankford Ladere moved to adopt Ordinance Serial No. 01-165 and Resolution Serial No. 01-102.

Assemblymember Lankford Ladere:

- spoke to the efforts of the project;
- noted unanimous support from key organizations in the Talkeetna area;
- encouraged passage of the legislation; and
- referenced the history of the community.

GENERAL CONSENT: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Ms. Jean Woods:

- spoke to the redistricting plan of the borough;
- noted the extreme variation of the state redistricting plan; and
- presented the assembly with copies of the Alaska Constitution.

Mr. Joe LeBeau:

- spoke to the assembly convening in executive session;
- thanked the borough for purchasing the Hatcher Pass lease agreement;

- referenced costs associated with the development of a four seasons ski resort; and
- spoke to the assembly's decision to proceed with an amicus brief regarding state redistricting.

There being no others who wished to be heard, Mayor Anderson closed audience participation.

## V. MINUTES OF PRECEDING MEETINGS (Continued from page 1)

### A. Regular Assembly Meeting: September 18, 2001

Assemblymember Colver:

- noted that South Colony Road Service Area No. 16 had received no confirmations for new members. [After clerk's research, the minutes were changed to reflect no confirmations for South Colony Road Service Area No. 16.]

The minutes, as amended, passed without objection.

The regular meeting recessed at 9:55 p.m. and reconvened at 10:03 p.m.

Ms. Dillon:

- noted a correction in the legal description for Ordinance Serial No. 01-180.

### C. CONSENT AGENDA

(Resolution Serial No. 01-111, AM No. 01-139, AM No. 155 were pulled from the consent agenda.)

#### 1. RESOLUTIONS

a. Resolution Serial No. 01-109: A RESOLUTION SUPPORTING IMPROVEMENTS TO THE LAKE LOUISE AIRPORT BY THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES (DOTPF).

1. IM No. 01-252

b. Resolution Serial No. 01-110: A RESOLUTION APPROVING A LOAN FROM ROAD SERVICE AREA REVOLVING LOAN FUND (FUND 610) IN THE AMOUNT OF \$20,000 TO THE KNIK ROAD SERVICE AREA NO. 17 (FUND 274) AND \$10,000 TO THE BIG LAKE ROAD SERVICE AREA NO. 21 (FUND 277).

1. IM No. 01-257

#### 2. ACTION MEMORANDUMS

b. AM No. 01-148: VACATION OF THIRTY-THREE FOOT SECTION LINE EASEMENT WITHIN PROPOSED HONEYBEE LAKE AERO PARK NORTH MASTER PLAN, SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, WILLOW COMMUNITY COUNCIL AREA.

c. AM No. 01-149: VACATION OF PUBLIC LAND ORDER, (PLO #5703), - WALTON ROAD WITHIN CREEKSIDE PRESERVE NUMBERS I & II, SECTIONS 17 AND 20, TOWNSHIP 17 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALASKA, GATEWAY COMMUNITY COUNCIL AREA.

d. AM No. 01-150: VACATION OF PORTIONS OF WEST CORDAGE ROAD RIGHT-OF-WAY WITHIN PID I-NPI ADDITION NUMBER 1, SUBDIVISION, SECTION 25, TOWNSHIP 14 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, POINT MACKENZIE COMMUNITY COUNCIL AREA, POINT MACKENZIE SPECIAL LAND USE DISTRICT.

e. AM No. 01-151: VACATION OF PORTIONS OF WEST ALAMO DRIVE AND WEST FORT WORTH DRIVE WITHIN PROPOSED LITTLE BEAVER CAMP, TRACT A, SECTIONS 9 AND 16, TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA, BIG LAKE COMMUNITY COUNCIL AREA.

f. AM No. 01-152: VACATION OF PORTION OF THIRTY-THREE FOOT SECTION LINE EASEMENT

LOCATED ON LOT 5, FALK LAKE SUBDIVISION, WITHIN SECTION 23, TOWNSHIP 17 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA, BUTTE COMMUNITY COUNCIL AREA.

g. AM No. 01-153: VACATION OF SHARON DRIVE WITHIN PROPOSED HIDDEN RANCH, SECTION 05, TOWNSHIP 17 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA.

i. AM No. 01-156: AWARD OF BID NO. 02-045 TO ALASKA SALES AND SERVICE TO PURCHASE A VEHICLE TO BE USED BY ROAD SERVICE AREA SUPERINTENDENT.

j. AM No. 01-157: AWARD OF BID NO. 02-043 TO YUKON EQUIPMENT FOR A SOLID WASTE TRANSFER TRAILER.

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved for adoption of the above-legislation as read into the record by the clerk.

GENERAL CONSENT: The motion passed without objection.

c. Resolution Serial No. 01-111: A RESOLUTION SUPPORTING THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION, TRAILS, RECREATIONAL ACCESS ALASKA (TRAAK) NOMINATION OF THE DENALI VIEW SOUTH SCENIC OVERLOOK PROJECT.  
1. IM No. 01-263

MOTION: Assemblymember Jansen moved for adoption of Resolution Serial No. 01-111.

MOTION: Assemblymember Jansen moved to amend the last paragraph of the resolution to insert the phrase, "such funding not to exceed \$30,000" to read:

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby supports the Division of Parks and Outdoor Recreation's TRAAK nomination to construct a new scenic pullout, the Denali View South Scenic Overlook at milepost 135 of the George Parks Highway, such funding not to exceed \$30,000.

Assemblymember Jansen:

- noted that the proposed expenditure would exhaust all funds previously allotted by the program.

Assemblymember Lankford Ladere:

- spoke to the popularity of the overlook and the need for development.

Discussion ensued regarding:

- dedicated trails monies;
- the division of allotted funds to various projects;
- alternate sources of funding;
- state funding of the project.

VOTE: The motion, to amend Resolution Serial No. 01-111, passed with Assemblymembers Bush and Lankford Ladere in opposition.

VOTE: The motion, as amended, passed without objection.

a. AM No. 01-139: AUTHORIZE THE MANAGER TO ENTER INTO A CONTRACT TO LACHEL AND ASSOCIATES FOR GEOTECHNICAL SERVICES RELATED TO PORT MACKENZIE IN THE AMOUNT OF NOT TO EXCEED \$75,000.

MOTION: Assemblymember Colberg moved for approval of AM No. 01-139.

Assemblymember Colberg:

- inquired regarding the language contained in the last paragraph of the action memorandum regarding port commission approval.

GENERAL CONSENT: The motion passed without objection.

h. AM No. 01-155: AWARD OF BID NO. 02-039 TO WILDER CONSTRUCTION TO SUPPLY WINTER SAND AND CHIPS FOR ROAD MAINTENANCE PURPOSES.

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest as Wilder Construction is currently a client.

RULING: Mayor Anderson ruled that Assemblymember Colver did have a conflict of interest.

(Assemblymember Colver exited the chambers at this time.)

MOTION: Assemblymember Jansen moved for approval of AM No. 01-155.

GENERAL CONSENT: The motion passed without objection.

(Assemblymember Colver returned to chambers.)

## D. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Library Board

Kevin Fitzgerald

Platting Board

Janet Whitfield

Caswell Lakes RSA No. 16

Bert T. Hamrick Sr.

South Colony RSA No. 16

Jack D. Sherman

Greater Willow RSA No. 20

Ralph Oakley

Mayor Anderson requested the following removal of members:

Historical Preservation Commission

Stephen Sylvester

Parks, Recreation, and Trails Advisory Board

Jeffrey Ross

MOTION: Assemblymember Jansen moved to confirm the removal of those individuals indicated on the vacancy report for the reasons stated therein.

GENERAL CONSENT: The motion passed without objection.

## E. OTHER NEW BUSINESS

### XI. RECONSIDERATION

### XII. VETO

Mayor Anderson:

- noted his veto of AM No. 01-138.

MOTION: Assemblymember Lankford Ladere moved to override the mayor's veto of AM No. 01-138.

Mr. Gatti:

- noted that the veto was not included on the agenda;
- stated that there was an issue at the previous meeting regarding public notice that still requires a cure; and
- advised that there should be public notice made if that is the intent of the assembly.

RULING: Mayor Anderson ruled the motion out of order as there was not sufficient public notice provided.

Ms. Dillon:

- stated that new legislation would be brought forward at the November 6, 2001, assembly meeting per request of Assemblymembers Colberg and Jansen regarding the appropriation of funds for preparation of an amicus brief.

### XIII. EXECUTIVE SESSION

### XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Bush:

- thanked everyone for their patience during his first meeting.

Assemblymember Colberg:

- expressed his desire to pursue the idea of a port authority.

Assemblymember Simpson:

- congratulated staff regarding their efforts for the 2001 Clean-Up Project;
- reiterated her request for statistics at the animal care and regulation shelter;
- noted her participation in the trails symposium; and
- noted concerns regarding trail design and construction.

Assemblymember Kelly:

- reiterated his opposition to the consolidation of legislation regarding Hatcher Pass and Port MacKenzie; and
- encouraged fact finding during the upcoming joint assembly/planning commission meeting.

Assemblymember Lankford Ladere:

- commented that she would still like to have a meeting held in Talkeetna to discuss goals;
- addressed safety issues on highways west of the Susitna River;
- thanked those who participated in the 2001 Clean-Up Program; and
- spoke to receiving prior notice of vetoed legislation.

Assemblymember Colver:

- commented that he had also attended the trails symposium;
- noted his attendance at the dedication of the Wasilla Public Safety Bldg;
- stated his desire to also tour the new public works building;
- requested Ordinance Serial Nos. 01-176, 01-177, and 01-178 be moved to the beginning of public hearings for the next regular meeting in order to assist public participation.

Assemblymember Jansen:

- spoke to the process of reconsideration, veto, and overruling decisions of the chair.

Mayor Anderson:

- welcomed Assemblymember Bush;
- commented regarding the nature of the work put before the assembly;
- noted that consensus will not always be reached;
- stated that he also attended the dedication of the Wasilla Public Safety Building; and

- encouraged everyone to attend the new school building dedications.

## XV. ADJOURNMENT

The regular meeting adjourned at 10:45 p.m.

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TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

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SANDRA A. DILLON, Borough Clerk

Minutes Approved: November 6, 2001