

MATANUSKA-SUSITNA BOROUGH REGULAR MEETING  
ASSEMBLY NOVEMBER 6, 2001

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on November 6, 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  
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

Assembly members absent and excused were:

Ms. Sara Jansen, Assembly District No. 2

Staff in attendance were:

Ms. Sandra A. Dillon, Borough Clerk  
Mr. John Duffy, Borough Manager  
Mr. Michael Gatti, Borough Attorney  
Ms. Michelle M. McGehee, Deputy Borough 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

Assemblymember Simpson requested Resolution Serial Nos. 01-112 and 01-117 be pulled from the consent agenda and asked the manager to report.

Mr. Duffy:

- advised that the legislation will be rewritten to reflect that these priorities are shared priorities with the Municipality of Anchorage.

The agenda, as amended, was approved without objection.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Melissa McNulty, a Su-Valley High School student in the audience.

Ms. Lankford Ladere:

- presented students from Su-Valley High School who were in attendance.

Assemblymember Colver:

- announced the birth of his son.

## V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 10/09/01
- B. Regular Assembly Meeting: 10/16/01
- C. Joint Assembly/Planning Commission Meeting: 10/23/01

The mayor referenced the October 9, 16, and 23, 2001, minutes and asked for any corrections.

Each set of minutes were approved without objection.

## VI. SPECIAL ORDERS OF THE DAY

- A. Proclamation in recognition of Community and Regional Planning Day.

Mayor Anderson:

- presented a proclamation in recognition of Community and Regional Planning Day to Ms. Sandra Garley, planning director.

## VII. REPORTS/CORRESPONDENCE

### A. AGENCY REPORTS

- 1. Reports from cities

(No reports were given.)

- 2. Matanuska-Susitna Borough School District

Superintendent Patricia Chesbro:

- reported that the school district is 143 students over the projected population;
- stated that approximately \$900,000 was generated to help provide services to those students;
- acknowledged two teachers who have been named vocational teachers of the year for the State of Alaska – Trish Zag of Colony High School was named Business Teacher of the Year and John Egan of Palmer High School was named Industrial Arts Teacher of the Year.
- reported that three Palmer High students together created an original video "Celebration of the American Flag" for which they have won a national award; that the three will share \$25,000 in prize money and their video will be featured in Tommy Hilffiger television ads;
- also reported that students recently were able to go through the National Aeronautical Educational Lab exhibit when it was at Palmer-Junior Middle School; that they were happy with the reception it received in the Mat-Su; and expressed pride for two little girls from Beryozava School who designed an airplane and broke the previous record on a simulated flight from Washington D.C. to San Francisco.

### B. COMMITTEE REPORTS

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

Assemblymember Colberg:

- noted those in attendance;
- updated the assembly on the school board town meetings which addressed the budget;
- discussed briefly low attendance in terms of enrollment at Trapper Creek School;
- noted that the Galena School District has about 645 students; in light of this fact, less than a quarter of the graduates actually complete college; the school district will be looking at ways to address the needs of other avenues of occupation or vocation that students would most likely be pursuing as well as college courses in the future.

Assemblymember Lankford Ladere:

- inquired if there was a number count of home-schooled children separate from the Galena School. Superintendent Chesbro stated she would research her question.

## 2. Joint Intergovernmental Liaison Committee

Assemblymember Simpson:

- noted those in attendance at the last committee meeting;
- stated the four business items discussed, including:
  - (1) consideration of a joint legislative package - MOA went through long list and Mr. Duffy put forward some items for consideration; that they are itemized in the packet.
  - (2) Knik Arm Crossing - provided an update on the October 16th Senate Transportation Hearing; noted those in attendance at the Wasilla LIO; said the Anchorage meeting was well attended and most supported the Knik Arm Crossing; among points made by those who testified were safety and alternative access, commercial and economic development, quality of life, a long-range outlook, rail utility lanes along with driving lanes, tolls, regional and industrial development, and availability to land and resources;
  - (3) Commuter Rail Study - the recommendation was to not pursue the commuter rail at this time, but to look to DOT for a study on commuter bus service and van pooling;
  - (4) set agenda for next several meeting dates; next meeting will be at MOA on November 15 at which time they will strategize legislative priorities for AML;
- reported they also discussed doing a joint meeting with not only Anchorage and Mat-Su, but bringing in Kenai and Fairbanks to discuss urban issues common to all along the rail belt.

## C. MANAGER COMMENTS

Mr. Duffy:

- thanked Mr. Koechlein and other members of the Department of Public Safety for their very quick and professional response to Anthrax false alarms and for the excellent course given on mail safety;
- reported the EMS fire and rescue safety review is underway with some good people participating, along with Captain Savage taking the lead;
- Port McKenzie - noted the Corps of Engineers permits for the deep dock extension and for fairy landings have been received; thanked Mr. Van Dongen for his work;
- handed out NPI LLC correspondence to distinguish between NPI Inc - two different firms; explained that the letter is self-explanatory;
- reported regarding Community Regional Planning Day on November 8th, the borough planning department has set up two programs in the upper valley:
  - Talkeetna Elementary - 5th and 6th graders are working on a draft transportation improvement project for downtown Talkeetna where they will select a preferred alternative and forward it to the community council; and
  - Trapper Creek Elementary - students working on poetry projects describing what they like about their community which will also be forwarded to the community council and some will be featured in Talkeetna Times newspaper.

## D. ATTORNEY COMMENTS

Mr. Gatti:

- reported the receipt of a draft copy of the decision in the Talkeetna city incorporation and would provide copies to those who wanted one; said the boundary commission basically said the incorporation question should go to the voters.

## E. CLERK COMMENTS

Ms. Dillon:

- asked assembly members to recheck the meeting schedule because it has changed to meet everyone's needs;
- noted the retreat is scheduled for either December 1 or 8; is waiting for the Talkeetna Lodge to call to verify which date; will advise as soon as she knows;
- noted tentatively scheduled November 20th work session; is waiting to hear back from Evergreen Resources to confirm; abd
- reminded assembly of the AML annual conference at the Anchorage Hilton.

Assemblymember Kelly:

- noted the Resource Development Council Meeting is also scheduled for November 29 and 30;
- asked if anyone would be attending and report back.

Mr. Duffy:

- said Assistant Manager Germer could attend.

Ms. Dillon:

- commented on the records program and on progression of the work that has been made; acknowledged Joell Church who has been working very hard on the program; and stated the records committee decided on more review by department directors prior to submitting for legal review and manager approval;
- spoke to the tracking report, to let her know if any changes;
- announced that she filed a declaration of candidacy on behalf of Mayor Anderson for the vacant AML board of directors seat for this district.

## F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Board of Adjustment and Appeals: 08/28/01
- b. Library Board: 05/19/01, 09/15/01
- c. Local Road Service Area Advisory Board: 06/21/01, 08/16/01, 09/20/01
- d. Mat-Su Fire Chiefs Association: 09/26/01
- e. Planning Commission: 09/17/01, 09/24/01, 10/01/01
- f. Port Commission: 08/27/01
- g. Senior Citizens Advisory Board: 09/18/01, 10/16/01
- h. Trapper Creek Road Service Area No. 30: 08/09/01
- i. Wasilla-Lakes Fire Service Area Board of Supervisors: 08/13/01

2. Other Correspondence:

- a. Cook Inlet Aquaculture Association: 05/19/01, 10/11/01

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

G. INFORMATIONAL MEMORANDUMS - None were presented..

## IX. UNFINISHED BUSINESS

A. Resolution Serial No. 01-031 (AM): A RESOLUTION SETTING FORTH ASSEMBLY RULES OF PROCEDURE AND POLICIES. (Sponsors: Members of the Assembly) (Postponed from 04/03/01 and pending reschedule from 09/06/01)

1. IM No. 01-081

Mayor Anderson:

- noted that there is a motion on the floor in regard to Resolution Serial No. 01-031(AM); and
- asked for member comments.

Assembly members agreed that a work session was needed to discuss assembly rules of procedure and policies and suggested February 2002.

Ms. Dillon:

- suggested postponing Resolution Serial No. 01-031(AM) indefinitely because it is so close to the end of the calendar year cutoff ; and
- supported a work session in February, and commented that when draft policies and procedures were established, that a new resolution could be brought forward at that time.

MOTION: Assemblymember Simpson moved to postpone indefinitely Resolution Serial No. 01-031(AM).

GENERAL CONSENT: The motion to postpone indefinitely passed without objection.

## X. NEW BUSINESS

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

1. Ordinance Serial No. 01-187: AN ORDINANCE AMENDING MSB 2.12.071(D) RELATING TO THE PURPOSES FOR ENTERING EXECUTIVE SESSIONS.

a. IM No. 01-256

2. Ordinance Serial No. 01-188: AN ORDINANCE ADOPTING MSB 15.24.030(C)(24), LONG LAKE (HOUSTON), LAKE MANAGEMENT PLAN.

a. Ordinance Serial No. 01-191: AN ORDINANCE AMENDING MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.

(1) IM No. 01-268

3. Ordinance Serial No. 01-189: AN ORDINANCE ACCEPTING AND APPROPRIATING \$2,800 FROM HOWDIE INVESTMENT COMPANY TO THE PORT MACKENZIE PROJECT NO. 70001, FUND 450, FROM THE SALE OF SHEET PILES.

a. IM No. 01-269

4. Ordinance Serial No. 01-190: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$22,800 OF REVENUES FROM THE MICROCHIP SALES TO THE FISCAL YEAR 2002 ANIMAL CARE AND REGULATION DIVISION OPERATING BUDGET (200-160-606) FOR PURCHASING MICROCHIPS AND FUNDING A TEMPORARY POSITION.

a. IM No. 01-272

### B. INTRODUCTION (Suggested public hearing - 12/04/01)

1. Ordinance Serial No. 01-102: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE NORTHERN COLONIAL PARK ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 307 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-103: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$100,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE NORTHERN COLONIAL PARK ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 307, AND FIXING THE DETAILS OF SAID BONDS.

(1) IM No. 01-166

2. Ordinance Serial No. 01-104: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE NORTHERN BRENTWOOD ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 308 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-105: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$31,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE NORTHERN BRENTWOOD ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 308, AND FIXING THE DETAILS OF SAID BONDS.

(1) IM No. 01-167

3. Ordinance Serial No. 01-185: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE BRUNS PARK NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 338 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-186: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$51,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE BRUNS PARK NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 338, AND FIXING THE DETAILS OF SAID BONDS.  
(1) IM No. 01-278

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Simpson moved for introduction of the legislation as read into the record by the clerk and set the public hearings for November 20, 2001, and December 4, 2001, respectively.

GENERAL CONSENT: The motion passed without objection.

### C. CONSENT AGENDA

(AM No.01-162 was pulled from the consent agenda.)

#### 1. RESOLUTIONS

a. Resolution Serial No. 01-113: A RESOLUTION AUTHORIZING THE BOROUGH MANAGER TO SUBMIT TO THE STATE OF ALASKA AN APPLICATION FOR A FEDERAL GRANT TO FUND A SURVEY AND NOMINATION TO THE NATIONAL REGISTER OF A CEMETERY IN THE FORMER KNIK TOWNSITE.  
(1) IM No. 01-270

b. Resolution Serial No. 01-114: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET AS ADOPTED IN THE FISCAL YEAR 2002 BUDGET, CAPITAL PROJECTS FUND 405, PROJECT NO. 45088, FOR THE AMOUNT OF \$30,000 TO MODIFY THE ELECTRICAL SYSTEM AND CONSTRUCT AN AIR HANDLING ROOM AT THE MEADOW LAKES PUBLIC SAFETY BUILDING.  
(1) IM No. 01-271

c. Resolution Serial No. 01-115: A RESOLUTION APPROVING \$30,000 FROM ASSEMBLY RESERVES TO FUND PREPARATION OF AN AMICUS BRIEF IN THE STATE REDISTRICTING LITIGATION. (Sponsors: Assemblymembers Colberg and Jansen)  
(1) IM No. 01-273

d. Resolution Serial No. 01-116: A RESOLUTION SUPPORTING THE RESOURCE CONSERVATION AND DEVELOPMENT'S APPLICATION TO ESTABLISH AN ECONOMIC DEVELOPMENT DISTRICT. (Sponsors: Assemblymembers Kelly and Lankford Ladere)  
(1) IM No. 01-277

#### 2. ACTION MEMORANDUMS

a. AM No. 01-158: VACATION OF A 66-FOOT-WIDE SECTION LINE EASEMENT LOCATED ADJACENT TO SECTIONS 24 AND 25, WITHIN TOWNSHIP 20 NORTH, RANGE 6 EAST, SEWARD MERIDIAN, ALASKA, CHICKALOON COMMUNITY COUNCIL AREA.

b. AM No. 01-159: VACATION OF A 50-FOOT PATENT RESERVATION ON THE WEST SIDE OF TAX PARCEL C2, SECTION 24, AND B2, SECTION 25 LOCATED WITHIN TOWNSHIP 20 NORTH, RANGE 6 EAST, SEWARD MERIDIAN, ALASKA, CHICKALOON COMMUNITY COUNCIL AREA.

c. AM No. 01-161: AWARD OF BID NO. 02-041; DOROTHY SWANDA JONES ADMINISTRATION BUILDING REMODEL DESIGN.

e. AM No. 01-163: AMENDING AM NO. 01-069, SCOPE OF WORK AND BUDGET FOR SCHOOL DISTRICT RENEWAL AND RENOVATION PROJECTS - FIFTH INCREMENT.

f. AM No. 01-164: AWARD OF PROPOSAL NO. 02-027; EMPLOYEE ASSISTANCE PROGRAM.

g. AM No. 01-165: AWARD OF PROPOSAL NO. 02-057; COMMUNITY BASED SMALL BUSINESS HAZARD ASSESSMENT AND MITIGATION PROGRAM.

Ms. Dillon read the above legislation into the record.

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

GENERAL CONSENT: The motion to adopt the consent agenda passed without objection.

d. AM No. 01-162: AWARD OF PROPOSAL NO. 02-053; HATCHER PASS GEOTECHNICAL INVESTIGATION.

MOTION: Assemblymember Colberg moved for adoption of AM No. 01-162.

Assemblymember Colberg:

- raised concern about sequence and basis;
- voiced support for an AIDEA plan before making additional plans;
- voiced concern about incrementally building a number of things that don't need to be done until we know what the plan is;
- spoke to building a road to the site and concerns as to whether the road is in the right place;
- thinks we need to know where we are going before we keep doing these little projects that add up over time; and
- queried the geological USGS information

Mr. Duffy:

- noted this information is not available at USGS;
- said the access road is where it is supposed to be, that the pertinent state departments say it is in the correct spot;
- spoke to the sequence of events and understands how it can be viewed as premature;
- discussed that the soils work done indicated that there are some concerns with soils and requires additional information in terms of how does one construct the foundations for the facilities, the buildings, and the widths in a proper way which would give an idea of the cost;
- noted this information would then feed into the AIDEA study and have the benefit of finding out what it would take to construct in this area;
- noted also that it would determine the cost to the private sector to build in an effort to remove any uncertainty;
- stated the borough has no information on the south side where the village site, convention center, etc. will be built that confirms the land that has been set aside for these facilities is suitable; and
- noted marketing can take place once the studies are done;

Assemblymember Colberg:

- inquired if there will be any additional requests for Hatcher Pass before the AIDEA study is completed.

Mr. Duffy:

- responded there will be a request to drill two wells to determine whether there is adequate water;
- said the private sector firm would like to know whether or not there is adequate potable water at the lodge site or whether they have to get it from some other source;
- noted they would also be hoping to drill a well to identify a water source for snow making, which has been identified as a need especially in the lower elevations; and
- reported the engineering design is underway for the electrical line extension; that depending on what costs are identified by MEA, expects it to come before the assembly in January or February of 2002.

Assemblymember Colberg:

- inquired as to cost of the well drilling.

Mr. Swing:

- reported the bid opening on the well begins tomorrow;
- said he does not know exactly what it will cost, that the proposal allows for drilling as deep as 350 feet to find water;

- noted by comparison that the Motherload has 60-80 feet; and
- estimated that if they have to drill much lower than that, the cost could be up to \$75,000.

Assemblymember Kelly:

- inquired as to liability if the said studies are faulty or inadequate and what protections are available.

Mr. Gatti:

- said liability issues generally depend on the facts;
- spoke to disclaimers regarding requiring the contractors to do their own studies and in the event they are not satisfactory ask for a waiver of liability so that the risk would be reallocated;
- pointed out that reallocation of risk factors are generally part of contract negotiations with respect to a private individual coming in to run a ski area and looking toward the studies that the borough prepared; and
- noted that because everything is hypothetical at this point, it is difficult to define what exposures may be encountered.

Assemblymember Simpson:

- pointed out that the AIDEA study not only supplies information to an RFP respondent but the borough is also better able to evaluate the proposal because we have the information – that it works both ways.

Assemblymember Ladere:

- commented that she is getting a sense of rush on this;
- spoke to the site and soils investigations, stating she believes some of the scope of services could be provided by governmental agencies at a lower cost;
- inquired as to how much land area will be covered under the proposed investigation; and
- requested a full budget report from the administration regarding the AIDEA business plan development and that this report be made available to the assembly as well as to the public.

Mr. Swing:

- itemized what would take place in the day lodge area which is about 160 acres;
- ten test pits and two to four percolation tests in each to determine possible septic system locations;
- four log testing borings as deep as 60 feet and samples collected and classified will determine what the structural material is and whether or not foundations can set;
- noted there is no one to furnish this information because it has never been done before;
- explained that no work has been done at the village site; that there will be a visual reconnaissance of this much larger site and development of an exploration plan including digging locate pits 10 to 15 feet deep; locating with a GPS.
- expects excavator to be out for five days;
- noted that for the village area, the plan is to find out where to build, where you cannot, and where you could built but would be expensive;
- said that ultimately a report would be generated which will indicate where borings were taken, suitable areas for building, suggest appropriate drainage systems, discuss whether on-site sewage system is possible, etc; and
- noted also that a seismic study will be done.

The regular meeting recessed at 6:55 p.m. and reconvened at 7:15 p.m.

## VIII. SPECIAL ORDERS (to begin at 7 p.m.)

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

### B. PUBLIC HEARINGS (Three minutes per person.)

1. 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

Ms. Garley gave a staff report as identified in the IM presented with the proposed legislation.

Discussion and questions followed among members of the assembly and advisory committee regarding the proposed reapportionment plan, focusing in particular that the Meadow Lakes community is adamantly opposed to being annexed to Wasilla or moved into the northern portion of Assembly District No. 4.

Mayor Anderson acknowledged and thanked the committee for its work.

Mayor Anderson opened the public hearing.

Assemblymembers heard testimony from the public on the proposed plan. Speaking in favor were Lucille Frye and Patty Hirt; speaking in opposition to the division of Meadow Lakes into District No. 4 were: Kenneth Clark, Steve Alwell, Bill Bael, and Mike Janecek.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial Nos. 01-176, 01-177, and 01-178.

Mayor Anderson:

- asked the assembly to take one amendment at a time.

MOTION: Assemblymember Colver moved to amend with proposal no. 1.

Assemblymember Colver:

- noted plan deals with an immense 120 percent growth in the Meadow Lakes area and how to fairly allocate it and best create a plan that works for the whole community;
- doesn't think there is a way to totally keep Meadow Lakes together;
- supports proposal because it creates continuity in the east-west transportation corridor of the Parks Hwy, railroad, Wasilla Airport, and best gives representation to those affected people;
- pointed out it attempts to repair displaced areas and tries to create balance of representation;
- spoke to committee recommended boundaries;
- is looking to keep like communities together;
- noted that it geographically makes sense;
- commented that it doesn't have anything to do with annexation;
- believes it gives people a voice with city and dialogue;
- said there is no perfect solution to make Meadow Lakes happy;
- thinks proposal is in best interest of community at large without fracturing the Taniana community and can add some lakes back into Meadow Lakes district; and
- made note of the opposition from the Taniana community to the reapportionment plan;

Assemblymember Lankford Ladere:

- opposed the amendment, stating the neighborhood along Vine Road is one community, not east and west neighborhoods; sees difficulties;
- pointed out there is every intention under our long-range transportation plan of extending Seldon all the way to King Arthur Road direct through this community; and

- emphasized the concerns of the people of Meadow Lakes and stated that the community issues are not simple.

Discussion continued on the amendment.

VOTE: The motion to amend by proposal number 1 failed, with Assemblymembers Colver and Kelly in favor.

Discussion turned back to original committee proposal and how to accommodate the east side of Assembly District No. 6 to address the concerns of Meadow Lakes, and how to move census blocks to account for both communities' concerns.

The regular meeting recessed at 8:20 p.m. and reconvened at 8:35 p.m. at which time the manager and assembly tested various options for amendments at the computer.

Mr. Duffy:

- gave an overview of Proposal No. 2, drafted during recess, to the original committee's proposal.

Assemblymember Colver:

- remarked that he believes this revised map to be the best picture in terms of resolving communities' concerns.

MOTION Assemblymember Colver moved to amend the original committee proposal with Proposal No. 2.

Further discussion and questions followed regarding::

- 8.6 percent difference between districts 7 and 4 and between 4 and 5;
- future growth of Wasilla; and
- Meadow Lakes wanting to remain together.

The regular meeting recessed at 8:46 p.m. and reconvened at 8:50 p.m.

Mayor Anderson:

- announced that the assembly is still working on Proposal No. 2

MOTION: Assemblymember Colver moved to amend Proposal No. 2 by substitute as now appears on the map on the board.

VOTE: The motion to amend Proposal No. 2 by substitute tied, with Assemblymembers Colver, Lankford Ladere, and Kelly voting in favor and Assemblymembers Bush, Colberg, and Simpson voting in opposition.

Mayor Anderson broke the tie, voting in favor, and the motion passed approving Proposal No. 2 as amended by substitution.

Further discussion on the main motion, as amended, followed.

Assemblymember Simpson:

- voiced her opposition to creating a committee and then altering their work.

Assemblymember Ladere:

- expressed appreciation for the many decisions that this committee has resolved.

GENERAL CONSENT: The main motion, to adopt Ordinance Serial Nos. 01-176, 01-177, and 01-178, as amended, passed without objection.

RECONSIDERATION: Assemblymember Colver moved for reconsideration.

VOTE: The motion, to reconsider, failed with Assemblymember Bush in favor.

Mayor Anderson thanked the Reapportionment Advisory Committee members for their time and dedication.

2. 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

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. 01-168.

GENERAL CONSENT: The motion passed without objection.

3. 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

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. 01-169.

GENERAL CONSENT: The motion passed without objection.

4. 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

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 01-170: Doyle Currier.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 01-170.

Assemblymember Simpson:

- noted support of borough staff;
- noted one objection from an adjacent landowner; and
- encouraged support of the sale.

GENERAL CONSENT: The motion passed without objection.

5. 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

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. 01-171.

Assemblymember Simpson:

- noted support of the road service area board of supervisors.

GENERAL CONSENT: The motion passed without objection.

6. 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

Mr. Duffy:

- reported this was presented about a year ago and staff has worked with the community to resolve the issues;
- acknowledged support by everyone in the community and noted that the classification allows for a number of things including commercial expansion and recreational lands; and
- encouraged approval.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 01-172: Earl Lackey, Brit Lively, Arthur (Marty) Quass, Lucille Frye, and Michelle Church.

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. 01-172.

Assemblymember Bush:

- spoke in favor of approval stating he thinks it was a good process and compromise;
- noted the race track has been there for a very long time; and
- encouraged support.

Assemblymember Simpson:

- spoke to the non-motorized recreation use within the special land use area language; and
- inquired whether the language needed to be in the title of the ordinance or if the whereas clause was sufficient.

Mr. Gatti:

- advised he didn't think it was necessary to change the title, that the descriptive summary is sufficient to place people on notice that there was a special land use district to be adopted with the adoption of this ordinance; and
- also pointed out that it quite specifically states that there is a non-motorized area.

GENERAL CONSENT: The motion passed without objection.

7. 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

:

Mr. Duffy:

- commented that this is probably one of the only mandates that has been handed down by the federal and state governments that has money associated with it.

Assemblymember Lankford Ladere:

- noted a large part is for travel and inquired if it was for travel within the borough.

Mr. Duffy:

- responded that it is for travel within the state for the Alaska Coastal District Council Meetings.

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. 01-173 and Resolution Serial No. 01-107.

Assemblymember Simpson:

- encouraged support of the legislation

GENERAL CONSENT: The motion passed without objection.

8. 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

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. 01-174.

GENERAL CONSENT: The motion passed without objection.

9. Ordinance Serial No. 01-175: AN ORDINANCE APPROPRIATING \$730,000 FROM THE 2001 SERIES B, GENERAL OBLIGATION PARKS, 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

Mr. Duffy:

- stated staff worked closely with the Parks, Recreation, and Trails Advisory Board to come up with an acceptable list of trails projects; and
- noted they have done a great job in terms of attempting to address the many thousands of miles of trails in the borough and to move the project along.

Assemblymember Lankford Ladere:

- inquired if the proposed list has gone out to the community councils.

Mr. Swanson:

- informed the assembly that the list has been sent to various organizations and community councils; and
- explained that they use the community and user groups to go through the rating system.

Assemblymember Lankford Ladere:

- inquired as to the method of ranking the trails.

Mr. Swanson:

- explained that the first criteria was that it had to be in the trails plan that the borough has adopted;
- referenced pages 254-257 describing how all the trails are ranked;
- noted the top 40 or 50 trails were ranked by Parks, Recreation, and Trails Advisory Board and then those 50 were evaluated and reduced to the 20 to 25 trails for the listed projects; and
- also noted the remainder of the trails will be evaluated over the next year.

Discussion continued regarding various sources of funding.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 01-175 and Resolution Serial No. 01-108: Michelle Church.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 01-175 and Resolution Serial No. 01-108.

Assemblymember Simpson:

- acknowledged the staff and the Parks, Recreation, and Trails Advisory Board for their efforts;
- encouraged support of legislation; and
- spoke to the grooming issues.

Discussion continued.

Assemblymember Lankford Ladere:

- voiced her support in favor of the legislation;
- stated her only issue is that she remembers sitting through public hearings and heard assembly and administration discuss that a significant portion of money was to go to snow machine trails, superhighways, etc., in the Susitna Valley, not for trails, that this is not how it was proposed at the onset; and
- spoke to her commitment to follow through on how things are proposed to the public and tell them that we didn't get those nominations, however, we're going to put the money to good use with the nominations that came forward.

Assemblymember Simpson:

- put forth her understanding that if the funds that were not designated for trails work that the scope of work would come back to the assembly for approval which is what is before the assembly tonight; and
- spoke to the focus on major corridors, but differs that the money was all allocated towards one area.

GENERAL CONSENT: The motion passed without objection.

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

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. 01-179.

Assemblymember Lankford Ladere:

- spoke in favor stating there's no alternative;
- encouraged everyone to support the legislation.

Assemblymember Colver:

- inquired as to the mill rate in the Meadow Lakes area;
- voiced concern about the \$111,000 shortage only half way through the year and what it will mean for taxes next year;
- raised concern about using capital funds for operating expenses; and
- inquired as to the increase in new contract versus last year's contract.

Mr. Duffy:

- noted that the mill rate in the area is 3 mills.

Mr. Swing:

- noted \$250,000 is going into capital budget;
- spoke to money now being transferred to the operating budget;
- explained last contract was very low - did not have enough money to continue; and
- acknowledged that the new contract is almost double.

Assemblymember Lankford Ladere:

- spoke to the incredible growth in Meadow Lakes area and the badly needed road upgrades in the area.

GENERAL CONSENT: The motion passed without objection.

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 NE1/4NW1/4 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

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. 01-180.

Assemblymember Lankford Ladere:

- encouraged approval of the legislation;
- believes the amendment is consistent with the community perception of itself and what it wants to do.

GENERAL CONSENT: The motion passed without objection.

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 AREA WIDE FUND, INFORMATION TECHNOLOGY OPERATING BUDGET (100-100-121) FOR PRINTING COSTS.

a. IM No. 01-261

Mr. Duffy:

- reported they have updated the subdivision road index map;
- stated it is the first update in a decade; and
- informed the assembly that administration will be printing and selling the new maps and the funds will go back into the general fund.

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. 01-181.

GENERAL CONSENT: The motion passed without objection.

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

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. 01-182.

GENERAL CONSENT: The motion passed without objection.

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

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 Kelly moved to adopt Ordinance Serial No. 01-183.

Assemblymember Kelly:

- spoke to the balance amount from the contractual obligation for a recent remodel project, stating that the debt needs paid off.

GENERAL CONSENT: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Mr. Joe LeBeau:

- encouraged support on soils study for Hatcher Pass.

Ms. Lucille Frye:

- feels spending money on an amicus brief at this point is a waste of money; and
- suggested using the money for reapportionment.

Michelle Menard:

- expressed appreciation and thanks to the assembly in passing their ordinance.

Mayor Anderson closed audience participation.

2. ACTION MEMORANDUMS (Continued from page 10)

d. AM No. 01-162: AWARD OF PROPOSAL NO. 02-053; HATCHER PASS GEOTECHNICAL INVESTIGATION.

Assemblymember Lankford Ladere:

- inquired if changes have been made to AIDEA agreement regarding language that assembly will not be operating a ski resort; and
- noted that it would help the public and assembly if the full picture could be seen in terms of funding that indicates the total cost for FY02 for preliminary work for Hatcher Pass, or estimated costs, etc.

Assemblymember Colver:

- inquired if administration is following the development schedule approved by the assembly as an amendment to the lease acquisition.

Mr. Duffy

· responded affirmatively; and

• said he would provide an update that shows the expenditures to date similar to the reports the assembly has been getting on the parks and rec bonds.

Assemblymember Lankford Ladere:

• said it's preliminary to the AIDEA business plan, but thinks it is in the spirit of open government.

Assemblymember Colver:

• spoke to reasons why money is being spent on soils analysis, high water table issues, have to quantify costs in order to determine scope of development in the pass area;

• discussed the lower hotel site village area where there is no basis of data, where the water table there is probably more of a concern; and

• also discussed the design constraints on the castle mountain water fall, which is now shut down because the state ran out of money.

Further discussion and debate followed.

Assemblymember Bush:

· stated that he would like to see a party interested in building before going ahead with engineering on it.

Mr. Duffy:

· explained that if the assembly chose not to spend the money and there was no buyer for the project, that he fears the money would be reappropriated to another source by the state legislature.

VOTE: The motion, to adopt AM No. 01-162, passed with Assemblymember Bush in opposition.

## D. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Joint Assembly/School Board Committee on School Issues

Jim Colver, Assembly District 6

Talkeetna Flood Control Service Area #7

Robert Gerlach

Mayor Anderson requested the following confirmations:

Library Board

Kevin Fitzgerald

Platting Board

Janet Whitfield

Caswell Lakes RSA #15

Bert T. Hamrick, Sr.

Greater Willow RSA #20

Ralph Oakley

Bogard RSA #25

Wrex Diem

Trapper Creek RSA #30

Vilma Anderson

Meadow Lakes FSA #34

Urchel D. Kerby

Mayor Anderson requested the following removal of members:

Board of Equalization  
Joseph Tharp  
Joint Assembly/School Board Committee on School Issues  
Talis Colberg, Assembly District 3  
Talkeetna Flood Control Service Area No. 7  
William Stearns  
South Colony RSA No. 16  
Jack D. Sherman

Mayor Anderson requested acceptance of the following resignations:  
Transportation Advisory Board  
Don Tanner

MOTION: Assemblymember Simpson moved to confirm the mayor's appointments up for confirmation this evening and to confirm the resignations and removal of those individuals indicated on the vacancy report for the reasons stated therein.

MOTION: Assemblymember Lankford Ladere moved to divide the question to remove Urchel D. Kerby from the Meadow Lakes FSA #34 for discussion.

GENERAL CONSENT: The motion to divide the questions passed without objection.

GENERAL CONSENT: The motion to confirm the mayor's appointments, resignations, and removal, passed without objection.

Assemblymember Lankford Ladere spoke to the motion to confirm Urchel D. Kerby to the Meadow Lakes FSA and voiced her opposition to the appointment.

VOTE: The motion to confirm Urchel D. Kerby to the Meadow Lakes FSA passed with Assemblymember Lankford Ladere in opposition.

#### E. OTHER NEW BUSINESS

#### XI. RECONSIDERATION

#### XII. VETO

A. AM No. 01-138: APPROVE \$30,000 FROM ASSEMBLY RESERVES TO FUND PREPARATION OF AN AMICUS BRIEF IN THE STATE REDISTRICTING LITIGATION. (Issued 10/15/01)

#### XIII. EXECUTIVE SESSION

#### XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Kelly

- commented he is glad to see the reapportionment issue resolved;
- supported the trails plan construction projects moving forward;
- appreciated the youth being here from the Talkeetna area; and
- acknowledged the teachers for their national awards.

Assemblymember Lankford Ladere:

- spoke to development along the parks highway - sees a lot of accidents - not as enthused about development along the highway as others might be;
- thinks we need to look for ways to slow down the speed of traffic and advocates seeking another route for movement of rapid transit away from residential areas; and
- cautioned against moving too quickly in our decisions on the issues.

Assemblymember Bush:

- spoke to the need to upgrade Old Glenn Highway; and
- supports the network trails plan.

MOTION: Assemblymember Colver moved to reconsider Ordinance Serial 01-175 and Resolution 01-108.

GENERAL CONSENT: The motion to reconsider failed unanimously.

Assemblymember Colberg:

- congratulated Assemblymember Colver for the birth of his new child;
- encouraged submission of amicus brief to ensure the borough's position gets on the record for appeal purposes; and
- spoke to the need for the clerk to be specific in identifying that this is not the state redistricting plan, but reapportionment of assembly districts.

Assemblymember Simpson:

- encouraged attendance at EMS/fire meetings; and
- thanked the staff in public works for helping with RSA 17 and 21.

Mayor Anderson:

- asked Mr. Gatti to bring back a memo at a future meeting suggesting timing for filing;
- spoke to work force development board meeting with Mayor Wuerch, stating 4 million dollars allocated to the borough to set up workforce training, have the ability to tailor to our own needs, is excited about the opportunity, will be creating a one-stop center in Wasilla as a primary source;
- looking at putting centers in various locations around the borough;
- attended the Talkeetna Community Council meeting and gave a powerpoint presentation on the status of borough projects, received favorable comments from the audience;
- said Lazy Mountain Community Council will also receive powerpoint presentation and encouraged attendance; and
- thanked everyone for input on the reapportionment of assembly districts.

## XV. ADJOURNMENT

The regular meeting adjourned at 10:25 p.m.

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SARA JANSEN, Deputy Borough Mayor

ATTEST:

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SANDRA A. DILLON, Borough Clerk

Minutes Approved: December 4, 2001