

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on January 20, 2004, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was also teleconferenced to the Talkeetna Elementary School, 13798 E. Veterans Way, Talkeetna, 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. Bill Allen, Assembly District No. 2
- Ms. Mary Kvalheim, Assembly District No. 4
- Ms. Jody Simpson, Assembly District No. 5
- Mr. Jim Colver, Assembly District No. 6 (Deputy Mayor)
- Ms. Betty Vehrs, Assembly District No. 7

Assembly members absent and excused were:

- Mr. Talis J. Colberg, Assembly District No. 3

Staff in attendance were:

- Ms. Sandra A. Dillon, CMC, Borough Clerk
- Mr. John Duffy, Borough Manager (*arrived at 6:30 p.m.*)
- Ms. Teresa S. Williams, Borough Attorney
- Ms. Janice A. Case, Borough Clerk's Secretary
- Ms. Tammy Clayton, Finance Director
- Mr. Don Shiesl, Public Works Director
- Mr. Dennis Brodigan, Emergency Services Director
- Mr. Ron Swanson, Community Development Director
- Ms. Susan Dickinson, Planning and Land Use Director

III. APPROVAL OF AGENDA

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

Mayor Anderson noted that AM No. 04-020 was pulled from the consent agenda at the request of Administration.

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

IV. PLEDGE OF ALLEGIANCE

The United States Naval Sea Cadets from the MCPO Jerry Harrington Division of Anchorage, Alaska presented the colors.

The Pledge of Allegiance was led by Wasilla City Mayor Dianne Keller.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: January 6, 2004

Mayor Anderson inquired if there were any corrections to the regular Assembly meeting minutes of January 6, 2004.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Councilmember Straub:

- thanked everyone for their participation in the presentation held in honor of Martin Luther King Jr. at Teeland Middle School;
- noted that the city of Palmer has requested funds from the Borough for an ice rink;
- asked that the Borough also give the city of Wasilla and Houston the same consideration;
- stated that the library renovations are almost complete;
- informed that dispatchers for the new dispatch center have been hired;
- encouraged the Assembly to tour the new dispatch center; and
- invited the Assembly to attend the grand opening of the sports complex on March 6, 2004.

2. Matanuska-Susitna Borough School District

(There was no report presented.)

3. No Child Left Behind Presentation – Connie Lutz, Executive Director of Curriculum and Assessment

Ms. Connie Lutz explained the No Child Left Behind program.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Mayor Anderson noted that there have been no meetings.

2. Regional Transportation Planning Organization

Mayor Anderson advised that the next meeting would be on February 9, 2004, at the MTA Building.

D. ATTORNEY COMMENTS

(There were no comments.)

E. CLERK COMMENTS

Ms. Dillon:

- reviewed the Assembly's upcoming meeting schedule;
- noted that the School Board would like to host the March 9, 2004, joint Assembly/School Board meeting at Teeland Middle School;
- stated that if there was no objection from the Assembly she would make arrangements with the School District to have the meeting at Teeland Middle School;
- discussed Senate Bill 227 and House Bill 322 regarding special elections as a result of initiative petitions;
- informed that the Anchorage Municipal Assembly would like to schedule a joint meeting with the Assembly; and
- asked the Assembly if they had any objection to scheduling the meeting on February 10, 2004.

Mayor Anderson asked if there was any objection to scheduling a joint Assembly/Municipality of Anchorage meeting on February 10, 2004.

No objection was noted.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Consolidated Dispatch Advisory Committee: 11/12/03
- b. Emergency Medical Services Advisory Board: 11/05/03
- c. Enhanced 9-1-1 Advisory Board: 11/12/03
- d. Local Emergency Planning Committee: 11/19/03
- e. Meadow Lakes Fire Service Area No. 34: 05/05/03, 08/04/03, 12/01/03
- f. Planning Commission: 01/05/03
- g. Wasilla Lakes, Meadow Lakes, and Big Lake Fire Service Area Board of Supervisors: 11/03/03

2. Community Council Correspondence:

- a. South Knik River Community Council: 11/15/03, 09/13/03, 07/19/03, 03/15/03
- b. Willow Area Community Organization: 01/05/03

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 04-033: AN INFORMATIONAL MEMORANDUM SUMMARIZING THE STRATEGIC ISSUES AND GOALS IDENTIFIED AT THE JANUARY 8, 2004, ASSEMBLY RETREAT.

The informational memorandum was presented and no comments were noted.

C. MANAGER COMMENTS

Mr. Duffy:

- reported that the bid documents for construction of the deep water dock will be advertised later during the week;
- noted that a preliminary concept development plan is expected in mid to late March on the Hatcher Pass ski area;
- stated that he, Ms. Clayton, and Mr. Grimes made presentations to the bond rating agencies, Moody's, Fitch, and Standard and Poor's, which went well;
- commented that the Borough should receive the decision of the ratings agencies later this week;
- informed that he, along with Mayor Anderson, Assemblymember Simpson, and Assemblymember Colver have met with representatives of the Municipality of Anchorage, Kenai Peninsula Borough, and the city of Kenai to discuss how we might improve coordination on regional transportation issues;
- noted that Dennis Brodigan has been appointed as Director of Emergency Services; and
- stated that they have completed interviews with the top three candidates and that they will be interviewing the top-rated candidate again later this week.

IX. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 02/03/04, 7 p.m., Borough Assembly Chambers)

(There were no introductions presented.)

B. CONSENT AGENDA

(Resolution Serial No. 04-025 and AM No.04-007, 04-012, 04-014, 04-019 were pulled from the consent agenda and addressed separately. *See pp. 16 of 23*)

1. RESOLUTIONS

- a. Resolution Serial No. 04-022: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE LANDFILL EXPANSION PROJECT NO. 25038.
(1) IM No. 04-028
- b. Resolution Serial No. 04-023: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGETS FOR HOSTING THE AMERICORPS PROJECT TEAM, THE BIG LAKE BASEBALL AND SOCCER FIELDS, AND THE ALCANTRA RECREATIONAL FACILITY CONSTRUCTION.
(1) IM No. 04-029
- c. Resolution Serial No. 04-024: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGETS FOR PAVING THE MATANUSKA RIVER PARK, PAVING THE LAZY MOUNTAIN RECREATION AREA, IMPROVEMENTS AND UPGRADES TO THE MATANUSKA RIVER AND LAKE LUCILLE PARKS, AND LITTLE-SU RIVER CAMPGROUNDS.
(1) IM No. 04-030

2. ACTION MEMORANDUMS

- a. AM No. 04-006: VACATION OF THE SOUTH 100 FEET OF THE 200-FOOT BY 30-FOOT "EASEMENT FOR ROAD" ON LOT 1 KNIK LAKES ESTATES, LOCATED WITHIN SECTION 24, TOWNSHIP 16 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA, IN THE KNIK-FAIRVIEW COMMUNITY COUNCIL AREA.
- c. AM NO. 04-008: VACATION OF THE 60-FOOT PUBLIC USE EASEMENT THAT AFFECTS MSB WAIVER 93-10-PWM TRACTS A AND B, BETWEEN TAX PARCELS D9 AND D10, WHICH HAS NOT BEEN CONSTRUCTED AND IS NOT USED, LOCATED WITHIN SECTION 19, TOWNSHIP 25 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, IN THE TALKEETNA COMMUNITY COUNCIL AREA.
- d. AM No. 04-009: VACATION OF THE 50-FOOT AND 25-FOOT PUBLIC USE EASEMENTS LYING WITHIN THE PROPOSED EAGLE'S NEST AT KASHWITNA PHASE III, LOCATED WITHIN SECTIONS 25 AND 26, TOWNSHIP 22 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, IN THE Y COMMUNITY COUNCIL AREA.
- e. AM No. 04-011: AWARD OF BID NO. 04-083 TO YOUNG'S FIREHOUSE IN THE AMOUNT OF \$37,758 FOR THE PURCHASE OF EMERGENCY HYDRAULIC RESCUE EQUIPMENT.
- h. AM No. 04-015: AWARD OF BID NO. 04-079 TO D & S ROAD SERVICES IN THE AMOUNT OF \$204,198.12 FOR TALKEETNA ROAD SERVICE AREA NO. 29 AND TRAPPER CREEK ROAD SERVICE AREA NO. 30 TO PERFORM ANNUAL ROAD MAINTENANCE.

- i. AM No. 04-016: AWARD OF BID NO. 04-075 TO NORTHWEST CARPET COMPANY IN AN AMOUNT NOT TO EXCEED \$34,500 FOR CARPET REPLACEMENT FOR THE DOROTHY SWANDA JONES BUILDING.

Ms. Dillon read the consent agenda into the record.

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

VOTE: The motion passed without objection.

VII. SPECIAL ORDERS (to begin at 7 p.m.)

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

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 04-006: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$7,111 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. 04-008

Mr. Steve Cypra provided a staff report.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 04-006.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 04-007: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$4,231 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO PAY THE REMAINING SPECIAL ASSESSMENT PRINCIPAL AND INTEREST ON THE CLERK'S DEED ON LID FORECLOSED PROPERTIES FOR LOTS 1 AND 2, BLOCK 1, SNOWSHOE WEST, LOCATED IN THE FAIRVIEW LOOP AREA,

WHICH IS A TEN-YEAR PLUS PROPERTY WHERE THE REPURCHASE RIGHTS OF THE FORMER RECORD OWNERS HAVE EXPIRED.

- a. IM No. 04-009

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 04-007.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 04-008: AN ORDINANCE PROVIDING FOR A TEMPORARY PROCESS WHICH EXEMPTS FROM THE REQUIREMENTS OF MSB 19.08.020, LOCATION OF SCHOOL BUILDINGS, TO ALLOW FOR THE ESTABLISHMENT OF ONE SITE SELECTION COMMITTEE FOR THE PURPOSE OF QUICKLY PROCESSING A GROUP OF SEVEN TIME-SENSITIVE SCHOOL SITE SELECTION REQUESTS.

- a. IM No. 04-012

Mr. Duffy reported that there are many school site selections that are time-sensitive and that this ordinance would make process faster and simpler.

Mr. O'Brien:

- stated that the legislation would consolidate the site selection process of seven different sites; and
- commented that staff is able to address one committee much more efficiently than seven different committees.

Mayor Anderson opened the public hearing.

The following persons spoke in support of Ordinance Serial No. 04-008: Mr. John Cannon, Ms. Jeanne Troslinski, Ms. Suzanne Chapelle, Ms. Dianne Keller, Mr. Douglas Bushey, Mr. Jim Walker, and Ms. Shannon Kiper.

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

(The regular meeting recessed at 7:40 p.m. and reconvened at 7:45 p.m.)

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 04-008.

Assemblymember Colver spoke in support of consolidation.

Assemblymember Simpson discussed the importance of the geographical knowledge that an Assembly member has of their district versus someone less familiar with that district.

Discussion ensued regarding district representation for each site.

MOTION: Assemblymember Colver moved a primary amendment to strike “one assembly member” and insert “two assembly members” and to strike “one planning commission member” and insert “two planning commission members” and to strike “two additional members, one from the assembly and one from the planning commission specific to the district where the site is proposed” and insert “two alternate members, one alternate from the assembly and one alternate from the planning commission.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

4. Ordinance Serial No. 04-009: AN ORDINANCE ACCEPTING AND APPROPRIATING \$10,842 FROM THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, NATIONAL MARINE FISHERIES SERVICE TO FUND 410, FOR THE CROOKED LAKE CULVERT RESTORATION PROJECT, PROJECT NO. 30076.
 - a. Resolution Serial No. 04-005: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE CROOKED LAKE CULVERT RESTORATION PROJECT, PROJECT NO. 30076.
 - (1) IM No. 04-013

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 04-009 and Resolution Serial No. 04-005.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 04-010: AN ORDINANCE AMENDING MSB 3.15.060; BY ADDING SUBSECTION (E), ADDRESSING ASSESSMENT OF PROPERTY FOR LOW-INCOME HOUSING CREDIT.
 - a. IM No. 04-014

Mr. Duffy provided a staff report.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 04-010.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 04-011: AN ORDINANCE ACCEPTING AND APPROPRIATING \$14,000 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT CITIZEN EMERGENCY RESPONSE TEAMS (CERT) GRANT PROGRAM TO FUND 480, PROJECT NO. 45126, TO TRAIN CITIZEN EMERGENCY RESPONSE TEAMS AND PURCHASE EQUIPMENT AND SUPPLIES.
 - a. Resolution Serial No. 04-006: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT CITIZEN EMERGENCY RESPONSE TEAMS (CERT) GRANT, PROJECT NO. 45126, FUND 480, TO TRAIN CERT TEAMS AND PURCHASE EQUIPMENT AND SUPPLIES.
 - (1) IM No. 04-017

Mr. Duffy thanked the Emergency Services personnel for applying for the grants.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 04-011 and Resolution Serial No. 04-006.

VOTE: The motion passed without objection.

Mayor Anderson inquired if there was any objection to grouping items 7 through 12, and 14 and 15 of the public hearings together.

No objection was noted.

7. Ordinance Serial No. 04-012: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$5,000 FROM THE BIG LAKE FIRE SERVICE AREA FUND BALANCE, FUND 256, TO PROJECT NO. 20277, FUND 405.
 - a. Resolution Serial No. 04-007: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT FOR BIG LAKE FIRE SERVICE AREA, PROJECT NO. 20277, FUND 405.

- (1) IM No. 04-018
8. Ordinance Serial No. 04-013: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT, AND REAPPROPRIATING \$5,000 FROM THE GREATER PALMER FIRE SERVICE AREA FISCAL YEAR 2004 OPERATING BUDGET, FUND 259, TO PROJECT NO. 20177, FUND 405.
- a. Resolution Serial No. 04-008: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT, FOR THE GREATER PALMER FIRE SERVICE AREA, PROJECT NO. 20177, FUND 405.
- (1) IM No. 04-019
9. Ordinance Serial No. 04-014: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$5,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 20257, FUND 405.
- a. Resolution Serial No. 04-009: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT FOR MEADOW LAKES FIRE SERVICE AREA, PROJECT NO. 20257, FUND 405.
- (1) IM No. 04-020
10. Ordinance Serial No. 04-015: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING AN APPROPRIATION OF \$5,000 FROM THE WILLOW FIRE SERVICE AREA FUND BALANCE, FUND 258, TO PROJECT NO. 20146, FUND 405.
- a. Resolution Serial No. 04-010: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF FORESTRY VOLUNTEER FIRE ASSISTANCE GRANT FOR WILLOW FIRE SERVICE AREA, PROJECT NO. 20146, FUND 405.
- (1) IM No. 04-021
11. Ordinance Serial No. 04-016: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$80,236 FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF \$8,916 FROM THE BUTTE FIRE SERVICE AREA FUND BALANCE, FUND 251, TO PROJECT NO. 45156, FUND 405, TO PURCHASE FIREFIGHTING AND TRAINING EQUIPMENT AND SUPPLIES.
- a. Resolution Serial No. 04-011: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE BUTTE FIRE SERVICE AREA, PROJECT NO. 45156, FUND 405, TO PURCHASE FIREFIGHTING AND TRAINING EQUIPMENT AND SUPPLIES.

- (1) IM No. 04-022
12. Ordinance Serial No. 04-017: AN ORDINANCE ACCEPTING AND APPROPRIATING \$1,063,167 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM TO FUND 425, PROJECT NO. 45158, FOR THE PURPOSE OF BETTER EQUIPPING RESPONDERS TO DEAL WITH EMERGENCY INCIDENTS.
- a. Resolution Serial No. 04-012: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE HOMELAND SECURITY AND EMERGENCY SERVICES, PROJECT NO. 45158, FUND 425, FOR THE PURPOSE OF BETTER EQUIPPING RESPONDERS TO DEAL WITH EMERGENCY INCIDENTS.
- (1) IM No. 04-023
14. Ordinance Serial No. 04-019: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$388,062 FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF \$43,118 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO PROJECT NO. 45157, FUND 405, TO PURCHASE FIRE FIGHTING AND PERSONAL PROTECTIVE EQUIPMENT AND SUPPLIES.
- a. Resolution Serial No. 04-014: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE WASILLA-LAKES FIRE SERVICE AREA, PROJECT NO. 45157, FUND 405, TO PURCHASE FIRE FIGHTING AND PERSONAL PROTECTIVE EQUIPMENT AND SUPPLIES.
- (1) IM No. 04-015
15. Ordinance Serial No. 04-020: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$51,272 FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING AN APPROPRIATION OF \$5,981 FROM THE TALKEETNA FIRE SERVICE AREA FUND BALANCE, FUND 254, TO PROJECT NO. 45129, FUND 405, TO PURCHASE FIRE FIGHTING EQUIPMENT AND SUPPLIES.
- a. Resolution Serial No. 04-015: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE TALKEETNA FIRE SERVICE AREA, PROJECT NO. 45129, FUND 405, TO PURCHASE FIRE FIGHTING EQUIPMENT AND SUPPLIES.
- (1) IM No. 04-016

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial Nos. 04-012, 04-013, 04-014, 04-015, 04-016, 04-017, 04-019, and 04-020 and Resolution Serial Nos. 04-007, 04-008, 04-009, 04-010, 04-011, 04-012, 04-014, and 04-015.

VOTE: The motion passed without objection.

13. Ordinance Serial No. 04-018: AN ORDINANCE APPROVING AN APPROPRIATION OF \$250,000 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO THE FIRE SERVICE CAPITAL PROJECT, FUND 405, PROJECT NO. 45057, TO PURCHASE ADDITIONAL LAND (73.59 ACRES) FROM THE UNIVERSITY OF ALASKA (UAA), FOR THE PURPOSE OF EXPANDING THE STATION 62 TRAINING FACILITY COMPLEX AS PART OF A TEN-YEAR MASTER PLAN.
 - a. Resolution Serial No. 04-013: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET IN THE AMOUNT OF \$250,000, FOR THE FIRE SERVICE CAPITAL PROJECT, PROJECT NO. 45057, TO PURCHASE ADDITIONAL LAND (73.59 ACRES) FROM THE UNIVERSITY OF ALASKA (UAA) FOR THE PURPOSE OF EXPANDING THE STATION 62 TRAINING FACILITY COMPLEX AS PART OF A TEN-YEAR MASTER PLAN.
 - (1) IM No. 04-001

Mr. Duffy:

- reported that expanding the Station 62 training facility complex has been a goal of the Wasilla-Lakes Fire Service Area (FSA); and
- noted that the facility will improve the training for all of the emergency responders throughout the Borough and to emergency responders outside the Borough.

Mayor Anderson opened the public hearing.

The following person spoke in support of Ordinance Serial No. 04-018 and Resolution Serial No. 04-013: Mr. Ken Slauson, Wasilla-Lakes FSA Board of Supervisors.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 04-018 and Resolution Serial No. 04-013.

VOTE: The motion passed without objection.

Mayor Anderson inquired if there was any objection to grouping item 16 and 17 of the public hearings together.

No objection was noted.

16. Ordinance Serial No. 04-021: AN ORDINANCE AMENDING THE ACCEPTANCE AND APPROPRIATION OF FUNDS FOR OLD KNIK TOWNSITE INTERPRETIVE SIGNS FY 03 HISTORIC PRESERVATION GRANT PROGRAM, ORIGINALLY SET FORTH IN ORDINANCE SERIAL NO. 03-169, ADOPTED NOVEMBER 18, 2003, FROM \$7,280 TO \$8,580.
 - a. Resolution Serial No. 04-018: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR OLD KNIK TOWNSITE INTERPRETIVE SIGNS FY 03 HISTORIC PRESERVATION GRANT PROGRAM, ORIGINALLY SET FORTH IN RESOLUTION SERIAL NO. 03-110, ADOPTED NOVEMBER 18, 2003, FROM \$7,280 TO \$8,580.
 - (1) IM No. 04-010

17. Ordinance Serial No. 04-022: AN ORDINANCE AMENDING THE ACCEPTANCE AND APPROPRIATION OF FUNDS FOR PHASE II OF THE INTERPRETIVE SIGNS PROJECT FOR THE MATANUSKA COLONY HISTORIC DISTRICT, ORIGINALLY SET FORTH IN ORDINANCE SERIAL NO. 03-137, ADOPTED AUGUST 19, 2003, FROM \$17,035.20 TO \$20,077.20.
 - a. Resolution Serial No. 04-019: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PHASE II OF THE INTERPRETIVE SIGNS PROJECT FOR THE MATANUSKA COLONY HISTORIC DISTRICT, ORIGINALLY SET FORTH IN RESOLUTION SERIAL NO. 03-082, ADOPTED AUGUST 19, 2003, FROM \$17,035.20 TO \$20,077.20.
 - (1) IM No. 04-011

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Allen moved to adopt Ordinance Serial Nos. 04-021 and 04-022 and Resolution Serial Nos. 04-018 and 04-019.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person voiced concern regarding AM No. 04-014 and possible future budget cuts: Mr. Ed McCain.

The following person inquired about a lease process for the Midnight Sun Charter School: Mr. John Cannon.

The following person stated that the Borough is extremely fortunate to have a professional fire department: Mr. Ken Slauson.

(The regular meeting recessed at 8:30 p.m. and reconvened at 8:35 p.m.)

4. Lockheed Martin Re: Update on Dual-Use Vessel

Mr. Madden gave a presentation on the Knik Transportation Rescue Boat Feasibility Design Study.

VIII. UNFINISHED BUSINESS

A. Resolution Serial No. 03-124: A RESOLUTION APPROVING THE MATANUSKA-SUSITNA BOROUGH'S STATE LEGISLATIVE AND PROJECT PRIORITIES FOR THE YEAR 2004. *(Postponed from 12/16/03, motion pending)*

1. IM No. 03-281

Assemblymember Simpson requested that this legislation be forwarded to the Municipality of Anchorage.

VOTE: The motion to adopt Resolution Serial No. 03-124 passed without objection.

B. Resolution Serial No. 03-125: A RESOLUTION APPROVING THE MATANUSKA-SUSITNA BOROUGH'S FEDERAL LEGISLATIVE AND PROJECT PRIORITIES FOR THE YEAR 2004. *(Postponed from 12/16/03, motion pending)*

1. IM No. 03-282

Mr. Duffy:

- stated that some revisions have been made as a result of the Assembly retreat; and
- reviewed and discussed the recommended changes.

MOTION: Assemblymember Colver moved to amend Resolution Serial No. 03-125 by substituting Resolution Serial No. 03-125(SUB-1)¹.

Assemblymember Colver spoke in support of the substitution.

Assemblymember Simpson inquired if marine funding for ports would fall under the reauthorization of the Transportation Equity Act for the 21st Century (TEA-21).

Mr. Duffy affirmed that marine funding for ports would fall under the reauthorization for TEA-21.

MOTION: Assemblymember Vehrs moved to amend Resolution Serial No. 03-125(SUB-1) to insert item 9, to read:

- “9. Upper Susitna Public Safety Improvements
 - 9.1 Willow Public Safety Building Expansion
 - 9.2 Trapper Creek Ambulance Building”

¹ For historical purposes this substitute will be referred to as Resolution Serial No. 03-125(SUB).

Assemblymember Vehrs:

- opined that it is necessary to be specific on these items due to the extreme need; and
- stated that the Willow Public Safety Building and the Trapper Creek Ambulance Building are in decay.

Assemblymember Allen voiced concern over the length of the list of priorities.

VOTE: The amendment passed without objection.

Assemblymember Bush stated that he feels that Hatcher Pass ski area should not be as high a priority on the list due to the current developments with the project.

Assemblymember Colver stated that these were the goals in the priority order discussed at the Assembly retreat.

Assemblymember Simpson:

- voiced concern regarding the Hatcher Pass ski area being on the list since the Assembly has not seen a proposal from JL Properties; and
- stated that she agreed to the development of Hatcher Pass at the retreat as caveat for development in general.

MOTION: Assemblymember Simpson moved to amend Resolution Serial No. 03-125(SUB-1) by striking item 1.1a, "Hatcher Pass nordic ski recreation area."

Assemblymember Colver:

- commented that this project has been on the priority list for several years; and
- stated that the Borough would be sending the wrong message to Congress if this item was removed from the list.

Discussion ensued regarding removing the Hatcher Pass nordic ski recreation area from the priority list.

VOTE: The amendment failed with Assemblymembers Bush and Simpson in support.

VOTE: The motion to amend by substitution passed with Assemblymember Bush opposed.

VOTE: The main motion as substituted passed without objection.

MOTION: Assemblymember Colver moved to reconsider Resolution Serial No. 03-125(SUB-1)(AM).

VOTE: The motion to reconsider failed unanimously.

(Consent agenda continued from pp. 4 of 23)

- C. AM No. 04-004: APPROVAL OF CHANGE ORDER NO. 4 TO PERATROVICH, NOTTINGHAM, DRAGE, INC. IN THE AMOUNT OF \$125,000 TO PROVIDE INSPECTION SERVICES FOR THE CONSTRUCTION OF THE DEEP-DRAFT DOCK AT PORT MACKENZIE. (*Postponed from 01/06/04, motion pending*)

Mayor Anderson noted that Administration has recommended that this item be postponed indefinitely.

MOTION: Assemblymember Kvalheim moved to postpone AM No. 04-004 indefinitely.

VOTE: The motion to postpone indefinitely passed without objection.

- d. Resolution Serial No. 04-025: A RESOLUTION REQUESTING THE LEGISLATURE TO ADOPT AMENDMENTS TO SECTION 29.20.320 OF THE ALASKA STATUTES, WHICH WILL PROVIDE A SHORTER PROCESS FOR APPOINTMENT OF MEMBERS TO COMMITTEES OR TASK FORCES OF LIMITED DURATION AND SPECIFIC PURPOSES. (*Sponsor: Assemblymember Allen*)

- (1) IM No. 04-031

MOTION: Assemblymember Simpson moved to adopt Resolution Serial No. 04-025.

Assemblymember Simpson inquired regarding which committees have been held up by the current process in place.

Assemblymember Allen:

- replied that many committees have felt the impact of the lengthy time necessary to appoint members to a committee; and
- noted that the Assembly would be able to specify in the resolution establishing a committee if the members need to be confirmed by the Assembly.

Assemblymember Simpson spoke in opposition of the legislation.

Assemblymember Colver:

- stated that some committees such as the Title 16 Rewrite Committee still have not been able to complete their work because of the appointment process; and
- noted that these changes would not affect the standing boards, such as the Planning Commission.

Discussion ensued regarding the appointment process.

VOTE: The motion failed with Assemblymembers Allen, Kvalheim, and Colver in support and Assemblymembers Bush, Simpson, and Vehrs opposed. (Tie vote.) The motion **passed** with Mayor Anderson invoking his voting privilege in the affirmative.

- b. AM No. 04-007: VACATION OF A PORTION OF NORTH ARTIC FOX DRIVE ADJACENT TO LOT 32, BLOCK 1, MEMORY LAKE ESTATES UNIT 1, LOCATED WITHIN SECTION 26, TOWNSHIP 18 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA, IN THE TANAINA (INACTIVE) COMMUNITY COUNCIL AREA.

MOTION: Assemblymember Colver moved to adopt AM No. 04-007.

Assemblymember Colver:

- stated that this vacation is a result of people being unaware of the setback laws, easement requirements, and other regulations; and
- discussed the importance of educating the public on these regulations.

VOTE: The motion passed without objection.

- f. AM No. 04-012: TRANSFER OF \$3,500 FROM ASSEMBLY RESERVES TO PROVIDE FUNDS FOR TRAVELING EXPENSES FOR ASSEMBLY DISTRICT 7 (100-100-101-414-200). (*Sponsor: Assemblymember Vehrs*)

CONFLICT OF INTEREST: Assemblymember Vehrs declared a conflict of interest on AM No. 04-012.

RULING: Mayor Anderson declared Assemblymember Vehrs had a conflict of interest and would be recused from voting on the issue.

(Assemblymember Vehrs exited the meeting at this time.)

MOTION: Assemblymember Colver moved to approve AM No. 04-012.

Assemblymember Bush commented that he feels that the Assembly should have to work within the original budget amount.

Discussion ensued regarding additional funds for traveling expenses.

MOTION: Assemblymember Colver moved the previous question (to stop debate).

VOTE: The motion to stop debate passed without objection.

VOTE: The motion passed without objection.

(Assemblymember Vehrs returned to the meeting at this time.)

- g. AM No. 04-014: AWARD OF BID NO. 04-080 TO E & D WELL DRILLING IN AN AMOUNT NOT TO EXCEED \$26,098 FOR THE WILLOW/HATCHER PASS PUBLIC SAFETY BUILDING WELL DRILLING CONTRACT.

MOTION: Assemblymember Bush moved to approve AM No. 04-014.

VOTE: The motion passed without objection.

j. AM No. 04-018: APPROVAL FOR SOLICITATION OF A REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR A LOBBYIST TO WORK ON BEHALF OF THE BOROUGH'S FEDERAL LEGISLATIVE AND CAPITAL PRIORITIES. (*Sponsor: Assemblymember Colver*)

MOTION: Assemblymember Allen moved to approve AM No. 04-018.

Assemblymember Allen:

- spoke in opposition of obtaining a federal lobbyist;
- stated that the impact of individual assembly members lobbying for the Borough has more impact on Congress; and
- commented that it should be the Assembly's objective when a member goes to Washington D.C. to establish good relationships with the staff in each of our legislator's offices.

Assemblymember Colver:

- spoke in support of a federal lobbyist; and
- opined that the Borough has not been as successful promoting their priorities.

Assemblymember Vehrs spoke in support of contracting a federal lobbyist.

Discussion ensued regarding the benefits of a federal lobbyist.

VOTE: The motion passed with Assemblymembers Allen and Bush in opposition.

k. AM No. 04-019: TRANSFER OF \$1,200 FROM ASSEMBLY RESERVES TO PROVIDE FUNDS FOR TRAVELING EXPENSES FOR ASSEMBLY DISTRICT 6 (100-100-101-414-200). (*Sponsor: Assemblymember Colver*)

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest on AM No. 04-019.

RULING: Mayor Anderson declared that Assemblymember Colver had a conflict of interest and would be recused from voting on the issue.

(Assemblymember Colver exited the meeting at this time.)

MOTION: Assemblymember Kvalheim moved to approve AM No. 04-019.

VOTE: The motion passed without objection.

(Assemblymember Colver returned to the meeting at this time.)

MOTION: Assemblymember Simpson moved to extend the meeting past 11 p.m. but no later than midnight.

VOTE: The motion passed without objection.

(The regular meeting recessed at 10:45 p.m. and reconvened at 10:50 p.m.)

(The teleconference to the Talkeetna Elementary School was disconnected at this time.)

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Animal Care and Regulation Board

David Brown

Monika Swan-Armtistead

Parks, Recreation and Trails Advisory Board

Ed Strabel

Port Commission

Jordan May

Title 16 Rewrite Committee

Sandra Garley

Clarence Herschbach

Murray Nash

Big Lake Fire Service Area No. 33

Joan Estes

Midway Road Service Area No. 9

Walter Williams

Mayor Anderson requested the following confirmations:

Animal Care and Regulation Board

Larry LaGrone

Resignation of Kate Dixon

Cook Inlet Aquaculture Association

Resignation of Jim Chesbro

Historical Preservation Commission

Jerry Ondola

Le Roi Heaven

Local Emergency Planning Committee

Richard Molburg

Don Tanner

Thomas Healy

Parks, Recreation and Trails Advisory Board

Removal of Candi Anderson

Planning Commission
Chris Rose
Faye Palin
Transportation Advisory Board
Allan Linn

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

MOTION: Assemblymember Bush moved to divide the question to address the appointment of Chris Rose to the Planning Commission separately.

VOTE: The motion to divide the question passed without objection.

MOTION: First segment: Confirm the Mayor's appointments and resignations up for confirmation this evening.

VOTE: The first segment, to confirm the Mayor's appointments and resignations up for confirmation this evening, passed without objection.

MOTION: Second segment: Confirm the Mayor's appointment of Chris Rose to the Planning Commission.

MOTION: Assemblymember Bush moved to postpone confirmation of Chris Rose to the Planning Commission to the February 17, 2004, regular Assembly meeting.

VOTE: The motion to postpone failed with Assemblymembers Bush, Allen, and Simpson in support and Assemblymembers Kvalheim, Colver, and Vehrs opposed. (Tie vote.)

Assemblymember Bush spoke in support of needing a more balanced Planning Commission.

Assemblymember Vehrs opined that Mr. Rose has been a valuable member of the Planning Commission.

Assemblymember Simpson commented that Mr. Rose has compromised his impartiality in regards to coal bed methane.

Discussion ensued regarding the appointment of Chris Rose to the Planning Commission.

VOTE : The second segment, to confirm the Mayor's appointment of Chris Rose to the Planning Commission, failed with Assemblymembers Kvalheim, Colver, and Vehrs in support and Assemblymembers Bush, Allen, and Simpson opposed. (Tie vote.) The motion **passed** with Mayor Anderson invoking his voting privilege in the affirmative.

MOTION: Assemblymember Colver moved to reconsider the appointment of Chris Rose to the Planning Commission.

VOTE: The motion to reconsider failed unanimously.

D. OTHER NEW BUSINESS

X. RECONSIDERATION

(There were no reconsiderations.)

XI. VETO

(There were no vetoes.)

XII. EXECUTIVE SESSION

(There was no executive session.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Bush stated that he would be traveling to Hawaii next week for a water and soil convention.

Assemblymember Allen commented that his youngest son and family are now residents of Palmer.

Assemblymember Simpson:

- referred to an article in the Anchorage Daily News by Chris Stephens, "Land is Getting Scarce, Crossing Inlet is Solution";
- stated that there are funds available from the private sector as a match to conduct an easement inventory around Big Lake;
- requested that Administration begin the process of matching the funds and conducting the easement inventory; and
- discussed the importance of members of the Planning Commission and other boards maintaining autonomy and integrity.

Assemblymember Kvalheim:

- stated that Alaska has joined an elite group for their Citizen Emergency Response Teams program; and
- commented that the Assembly needs to do something regarding the Mid-Valley Pathways Alternative School site selection situation.

Assemblymember Vehrs:

- thanked the Assembly for the extra money for travel expenses;

- noted that she would be traveling to Washington D.C. to lobby for the Borough and to Durango, Colorado to research coal bed methane;
- thanked the Assembly for teleconferencing the meeting to Talkeetna; and
- requested that Administration research possible solutions for the Midnight Sun Charter School with regards to MSB 19.08.023 and report back to the Assembly.

Mr. Duffy stated that Administration would research this item and report back to the Assembly

Assemblymember Colver:

- thanked the Assembly for teleconferencing the meeting to Talkeetna;
- noted that on January 21, 2004, the Public Works Department would be holding an open house regarding the upgrade on Wasilla Fishhook and on January 23, 2004, there would be an open house at Teeland Middle School for the intersection improvements on Seward Meridian and Bogard; and
- congratulated Administration for putting in the Meadow Lakes Elementary School turn lane.

MOTION: Assemblymember Colver moved to reconsider Resolution Serial No. 04-025.

VOTE: The motion to reconsider failed unanimously.

Mayor Anderson:

- stated that last week he was voted as Alaska Municipal League 2nd vice president;
- commented that he was a part of the Governor's pre-conference meeting which discussed maintaining the FY05 budget at the same level;
- informed that he attended the celebration held in honor of Martin Luther King Jr. at Teeland Middle School;
- noted that he would not be at the February 3, 2004, Assembly meeting because he would be in Washington D.C. lobbying for the Borough; and
- stated that he would also be absent on the February 17, 2004, Assembly meeting.

XIV. ADJOURNMENT

The regular meeting adjourned at 11:45 p.m.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, CMC, Borough Clerk