

MATANUSKA-SUSITNA BOROUGH REGULAR MEETING
ASSEMBLY - FEBRUARY 5, 2002

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 5, 2002, 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 (via teleconference)
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 Ladere, Assembly District No. 7

Staff in attendance were:

Mr. John Duffy, Borough Manager
Ms. Sandra A. Dillon, Borough Clerk
Mr. Michael Gatti, Borough Attorney
Mr. Dave Germer, Assistant Borough Manager
Ms. Michelle M. McGehee, Deputy Borough Clerk
Mr. Jim Swing, Public Works Director
Ms. Tammy Clayton, Finance Director
Ms. Sandra Garley, Planning Director
Mr. Ron Swanson, Community Development Director
Mr. Jack Krill, Fire Chief
Mr. Karl Borglum, Borough Assessor

III. APPROVAL OF AGENDA

Mayor Anderson:

- noted that Resolution Serial No. 02-020 and AM No. 02-014 would be pulled from the agenda at the request of administration;
- further noted that Ordinance Serial Nos. 02-025 and 02-027 would be moved to item no. 2, Public Hearings, in order to accommodate Assemblymember Jansen who would be participating via teleconference;
- stated that Ordinance Serial No. 02-021 and Resolution Serial No. 02-006 are sponsored by Assemblymember Ladere; and
- advised that Ordinance Serial No. 02-031 would be introduced and set for public hearing on February 19, 2002, rather than on March 5, 2002, at the request of administration.

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

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Ron Cox, Wasilla City Council Member.

V. MINUTES OF PRECEDING MEETING

A. Regular Assembly Meeting: January 22, 2002

Mayor Anderson referenced the January 22, 2002, regular meeting minutes and asked for any corrections.

Ms. Dillon noted that the following corrections have been made:

- Page 25 of 28, strike the name Eugene Jenne from the vacancy report as Mr. Jenne's name was inadvertently placed on the report; and
- further noted that Mr. Jenne had been previously confirmed to another board.

Assemblymember Colver made the following correction:

- Page 26 of 28, second bullet, to clarify the name of the intersection by inserting the word "Seldon" before the word "intersection." [After clerk's research, the word "Seldon" was inserted.]
- requested clarification under his comments, last bulleted item, to read: "Assemblymember Colver inquired if any other members of the assembly were interested in traveling to Washington, D.C." [After research, the clerk made this correction.]

Assemblymember Ladere made the following correction:

- Requested clarification of her comment on page 27 of 28. [After clerk's research, her comment was corrected to read: "Assemblymember Ladere stated that that she would bring a report forward regarding possible benefits available to volunteers towards the end of March.]

GENERAL CONSENT: The January 22, 2002, assembly minutes were approved, as amended, without objection.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from the cities

Wasilla City

Ron Cox, Council Member:

- reported that the decision from the state redistricting plan appeal has been determined resulting in the gain of one house seat and the loss of one senate seat; and
- believes the city will appeal.

Houston City

Assemblymember Ladere:

- stated that the city of Houston has identified 11 priorities;
- referred to a work shop which will be held by the council on February 11, 2002; and
- noted that priorities include improvements to roads and public safety.

2. Matanuska-Susitna Borough School District

Superintendent Patricia Chesbro

- reported that there have been no snow days so far this year;
- stated that the school district is in the process of interviewing to fill three vacancies for school principals;
- recognized the Palmer High School hockey team's community service in Soldotna for volunteering to clean the hockey rink plexi-glass; and
- reported that she will soon have the names of three teachers who have received awards - one national award and

two state awards.

Assemblymember Simpson inquired regarding whether the evaluation of exiting exams on math matters was available at this time.

Superintendent Chesbro responded that the evaluation is not available at this time, that a consultant is currently working on it, and that she expects a report to be available by the next joint assembly/school board meeting in March.

B. COMMITTEE REPORT

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colver:

- reported that the committee met on Monday;
- items discussed included budgetary issues, legislative priorities, and teacher contracts;
- noted consensus among the group to receive quarterly updates of the school districts' budget;
- spoke to legislative priorities and the governor's proposed bond package which includes \$1 million for improvements to Mat-Su schools;
- noted that the proposed \$1 million would require a \$300,000 match;
- stated that a top priority for the school district is a nutrition center; and
- referenced ongoing teacher negotiations.

2. Intergovernmental Liaison Committee

Assemblymember Simpson:

- reported that the committee would be meeting on February 6, at 4 p.m., in the borough assembly chambers; and
- noted items on the agenda to include: regional transportation, legislative priorities, Alaska Railroad legislative priorities, and setting the agenda for the committee and for the joint assemblies for the next few months.

C. MANAGER COMMENTS

Mr. Duffy:

- reported that the borough has received estimates from MEA regarding an electrical line extension and from MTA for a telephone extension to the port facility;
- stated that he is hoping to get the finalized numbers regarding the construction of the electrical line extension to the assembly by the February 19, 2002, meeting;
- commented that the Cascade Wild Lands Group has filed an appeal on the conveyance of 3000 acres of land in Hatcher Pass to the borough;
- reported that the administration has met with all of the communities listed in Senate Bill 231, with the exception of Ketchikan and Juneau, regarding the public prison proposal;
- noted a positive reception for the proposal and resolutions of support in that regard;
- stated that he will be in Ketchikan to speak about the proposal and will be speaking in Juneau before the end of the month;
- spoke to a letter from Senator Cowdery, attached to the manager's report, regarding the Senate Transportation Committee and their request for the borough's top two projects;
- reported that he has asked the port commission, the planning commission, and the transportation advisory board to identify the borough's top two projects, which will be brought to the assembly for consideration;
- spoke to public comments taken regarding the proposed core area zoning ordinance, substantial changes that have been made based upon those comments, and open houses which will be held to convey the changes that have been made;
- noted that the changes will be available on the web site;
- referenced a letter received from a member of the public thanking Ms. Idris Van Sant, assessment supervisor;

- reported that the borough has asked the Alaska State Department of Transportation to direct funds received for roads that access federal lands towards the Petersville Road project and Lake Louise; and
- spoke to the implementation of new fire reporting software.

D. ATTORNEY COMMENTS

Mr. Gatti:

- reported regarding the state redistricting decision;
- stated that the court upheld the state redistricting plan except for house districts 16 and 12;
- noted that appeals to the Supreme Court are expected to be filed; and
- spoke to the appeal filed regarding the conveyance of land in Hatcher Pass.

E. CLERK COMMENTS

Ms. Dillon:

- reported regarding the assembly meeting schedule through the month of March; and
- spoke to the possibility of rescheduling the next joint assembly/school board meeting to April 2, 2002.

Assemblymember Simpson noted the need to address school designations before the Alaska Municipal League conference.

Ms. Dillon reported that the IT department is working on new assembly district maps that will reflect the boundary changes as a result of reapportionment.

Assemblymember Ladere stated that she is interested in receiving the written legal descriptions of the new assembly districts.

Ms. Dillon noted that definitive precinct boundaries may not be available until closer to the primary election in August.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Animal Care and Regulation Board: 12/10/01
 - b. Board of Adjustment and Appeals: 12/19/01
 - c. Emergency Medical Services Advisory Board: 12/05/01, 01/02/02
 - d. Enhanced 9-1-1 Advisory Board: 11/13/01, 12/11/01
 - e. Library Board: 12/01/01
 - f. Local Emergency Planning Committee: 11/14/01
 - g. Local Road Service Area Advisory Board: 10/18/01, 11/15/01, 01/17/02
 - h. Planning Commission: 01/07/02
2. Community Council and Other Correspondence:
 - a. Cook Inlet Aquaculture Association: 12/15/01
 - b. South Knik River Community Council: 01/19/02

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

G. INFORMATIONAL MEMORANDUM

1. IM No. 02-037: CHANGE ORDER TO MECHANICAL PIPING CONTRACTORS TO INCREASE CONTRACT AMOUNT FOR ADDITIONAL BOILER WORK FOR WILLOW COMMUNITY CENTER.

The informational memorandum was presented and no comments were noted.

VIII. UNFINISHED BUSINESS

A. Ordinance Serial No. 02-017: AN ORDINANCE APPROPRIATING AN ADDITIONAL NET AMOUNT OF \$5,310,784 FROM STATE, FEDERAL, AND OTHER REVENUE SOURCES TO FUND 204, EDUCATION OPERATING FUND, FOR FISCAL YEAR 2002.

1. IM No. 02-016 (Postponed from 01/22/02 - motion pending)

Mr. Bob Doyle, Assistant Superintendent of Finance and Operations:

- noted his understanding of the issue to be the \$132,913 discrepancy between the school district's budget of \$114,510,000 and the borough's budget of \$114,377,000 for the district;
- stated that the school district's budget was submitted on April 1, using the total maximum amount from all funds;
- commented that the maximum appropriation requested by the district on April 1 was \$3 million above the borough's ordinance and that the budget was calculated at a lower level than requested;
- stated that in the interim, between April 1 and May 10, SB 36 changed the way the stated funded schools by increasing the per pupil amount, by increasing the way charter schools are funded, by increasing the learning opportunities grants, and by decreasing the amount of assessed valuation;
- noted that under these changes, the maximum allowed by law dropped by \$132,913;
- commented that the assembly approved the local support of \$30,018,493;
- stated that the school district was aware that \$114 million was not the total revenue of all funds and that there was substantial amounts of money expected from the state of Alaska
- remarked that the difference, \$132,913, is the difference from the total amount of all funds; and
- stated that the \$132,913 is a small part of a \$5 million adjustment due to the federal and state changes that took place.

Discussion ensued regarding the difference in the appropriation and school district funding from other sources.

Ms. Clayton:

- noted that the school district submitted their budget to the assembly on April 1, 2001, in the amount of \$114,510,830;
- confirmed that the amount was less than the district requested because the amount was entered in accordance with the budget formula;
- noted that on May 10, during deliberations, two amendments came forward to the assembly and both failed - one to increase the appropriation to \$2.8 million and the second amendment to increase it to \$ 1.5 million;
- stated that Assemblymember Kelly then made a final amendment to increase the appropriation to the state maximum of \$30,018,493, for a total budget of \$114,377,000, which was approved;
- reiterated that this amount was \$132,913 less than originally requested by the district; and
- reported that on May 23, the school board approved several line item changes in the budget in regard to sources, but did not change the grand total of the budget.

Discussion continued regarding:

- quarterly school district budget reports;
- subsequent funding received by the school district after assembly approval of the budget;
- the sources of the additional funding; and
- assembly authority to appropriate all monies.

VOTE: The motion, to adopt Ordinance Serial No. 02-017, passed without objection.

The regular meeting recessed at 6:59 p.m. and reconvened at 7:10 p.m.

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

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

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 02-005: AN ORDINANCE CREATING SOUTH COLONIAL PARK REVISED ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 359, 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. (Postponed from 01/22/02)
 - a. IM No. 02-005

Ms. Clayton:

- reported that 13 ballots were mailed and that six were returned marked "yes";
- noted that less than half of the property owners were in favor of the proposed local improvement; and
- stated that administration recommends denial of the ordinance.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No, 02-005: Walter Williams.

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

MOTION: Assemblymember Colberg moved to adopt Ordinance Serial No. 02-005.

VOTE: The motion failed unanimously.

9. Ordinance Serial No. 02-025: AN ORDINANCE APPROPRIATING \$84,500 FROM THE AREAWIDE FUND BALANCE, FUND 100, TO FUND 400, PROJECT NO. 40138, FOR THE PURPOSE OF ACQUIRING AN ELEMENTARY SCHOOL SITE IN THE PALMER AREA (MSB003448).
 - a. Ordinance Serial No. 02-027: AN ORDINANCE APPROVING THE PURCHASE OF 23.49 ACRES DESCRIBED AS TRACT 4, SHERROD PARK SURVEY, PLAT 71-94, PALMER RECORDING DISTRICT FOR \$390,000, FOR THE SHERROD ELEMENTARY SCHOOL REPLACEMENT SITE AND CLASSIFICATION OF THE LAND AS "RESERVED USE LANDS" (MSB003438).

(1) IM No. 02-032

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. 02-025 and Ordinance Serial No. 02-027.

Assemblymember Jansen:

- spoke to the importance of the project and the need to expediently address it due to time constraints;
- noted that additional money is needed for the purchase of the land;
- complimented the finance director, Tammy Clayton, for working with the department of education; and
- encouraged support of the legislation.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 02-018: AN ORDINANCE APPROPRIATING \$517,379 FROM THE AREAWIDE FUND BALANCE (FUND 100) FOR HEALTH AND SAFETY IMPROVEMENTS AND REMODELING THE BRETT MEMORIAL ICE ARENA AND THE WASILLA MIDDLE SCHOOL OUTDOOR ICE RINK, FUND 440, PROJECT 15009. (Sponsors: Assemblymembers Kelly and Colver)
 - a. Resolution Serial No. 02-004: A RESOLUTION APPROVING A SCOPE OF WORK AND BUDGET FOR HEALTH AND SAFETY IMPROVEMENTS AND REMODELING THE BRETT MEMORIAL ICE ARENA AND REHABILITATING AND MAKING IMPROVEMENTS TO THE WASILLA MIDDLE SCHOOL OUTDOOR ICE RINK FOR USE BY THE PUBLIC.
 - (1) IM No. 02-014

Mr. Swanson:

- reported that average construction costs were estimated at the onset of the project;
- stated that the need for a separate building was determined based upon space constraints, maintenance issues, and health and safety issues; and
- noted the benefits of the new facility.

Discussion ensued regarding the availability of bond monies and the reappropriation of lapsed interest earnings.

Mayor Anderson opened the public hearing.

The following spoke in favor: Mark Masteller, Chancie Hanson, Brett Keene, and Joe LeBeau.

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

MOTION: Assemblymember Kelly moved to adopt Ordinance Serial No. 02-018 and Resolution Serial No. 02-004.

Assemblymember Kelly voiced support of the legislation.

Assemblymember Colver:

- expressed the need for more recreational facilities; and
- spoke to health and safety issues which would be addressed by the facility.

Discussion ensued regarding:

- projection of the cost associated with the project;
- the possible construction of the Wasilla sports complex; and
- the necessity of the project and other projects that are in need of funding.

VOTE: The motion passed without objection.

MOTION: Assemblymember Colver moved for reconsideration.

VOTE: The motion, to reconsider, failed unanimously.

(Assemblymember Jansen disconnected from the teleconference and left the meeting at this time.)

3. Ordinance Serial No. 02-019: AN ORDINANCE AUTHORIZING THE BOROUGH MANAGER TO ENTER INTO A MANAGEMENT AGREEMENT WITH THE DEPARTMENT OF NATURAL RESOURCES TO ENSURE CONTINUED AND CONSISTENT MANAGEMENT IN THE HATCHER PASS AREA.
 - a. IM No. 02-018

Mr. Duffy reported regarding the management agreement, the land that would be affected by the agreement, and enforcement of land management by state parks.

Members of the assembly inquired regarding the recently filed appeal over the conveyance of land in Hatcher Pass.

Mr. Duffy noted that the appeal relates to the 3000 acres of land to the south transferred to the borough and that this appeal would not affect the management agreement.

Discussion continued regarding the time frame associated with the appeal and annual review of the terms of the agreement.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 02-019: Mr. Joe LeBeau.

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 No. 02-019.

Members of the assembly further discussed the title of the land due to the filing of the appeal and continued progression of the AIDEA study.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 02-020: AN ORDINANCE APPROVING AN APPROPRIATION OF \$50,000 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO THE FIRE SERVICE CAPITAL PROJECT FUND 405, PROJECT 45095, TO PURCHASE TWO USED OR LEASED VEHICLES AND RELATED EQUIPMENT.

a. Resolution Serial No. 02-005: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET IN THE AMOUNT OF \$50,000 FOR THE FIRE SERVICE CAPITAL PROJECT, PROJECT NO. 45095, TO PURCHASE TWO USED OR LEASED VEHICLES AND RELATED EQUIPMENT.

(1) IM No. 02-019

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 02-020 and Resolution Serial No. 02-005: Mr. Ken Slauson.

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

MOTION: Assemblymember Kelly moved to adopt Ordinance Serial No. 02-020 and Resolution Serial No. 02-005.

MOTION: Assemblymember Kelly moved to amend Ordinance Serial No. 02-020 and Resolution Serial No. 02-005 throughout the legislation, including the titles, where it refers to "two used or leased " by striking the phrase and inserting the phrase with "two used, leased, or new" vehicles.

Discussion followed regarding the need to postpone and readvertise the legislation due to a substantive change made by the amendment.

VOTE: The motion, to amend, passed without objection.

MOTION: Assemblymember Kelly moved to postpone Ordinance Serial No. 02-020 and Resolution Serial No. 02-005 to a time certain of February 19, 2002, and to reopen the public hearing at that time.

VOTE: The motion, to postpone to a time certain, passed without objection.

5. Ordinance Serial No. 02-021: AN ORDINANCE APPROPRIATING \$250,000 FROM THE SERIES B, GENERAL OBLIGATION PARKS, RECREATION AND TRAILS BONDS TO FUND 440, PARKS, RECREATION AND TRAILS PROJECTS, PROJECT 15021, FOR IMPROVEMENTS AND STREAMBANK RESTORATION OF BOROUGHOWNED LAND AT THE MOUTH OF THE DESHKA RIVER.

- a. Resolution Serial No. 02-006: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR IMPROVEMENTS TO BOROUGH-OWNED LAND AT THE MOUTH OF THE DESHKA RIVER.

(1) IM No. 02-020

Mr. Swanson gave a staff report regarding:

- the borough-owned land at the mouth of the Deshka River;
- the amount of erosion and use of the land that has taken place over the years;
- proposed improvements including the installation of three new docks with ramp access to the bank of the river and the relocation of camp sites;
- the Youth Conservation Corps group, sponsored by the National Park Aervice, who will be doing the work;
- funding which will be received from the state in the amount of \$83,000; and
- handicapped access to one dock and two campsites.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 02-021 and Resolution Serial No. 02-006: Ms. Jean Woods.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-021 and Resolution Serial No. 02-006.

Assemblymember Ladere:

- stated that the president of the Deskha Landing organization is very supportive;
- reiterated the need for improvements due to erosion and public use; and
- complimented Mr. Swanson and the manager for working with state and federal agencies to bring in funding for the project.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 02-022: AN ORDINANCE APPROPRIATING \$179,600 FROM THE SERIES B, GENERAL OBLIGATION PARKS, RECREATION AND TRAILS BONDS TO FUND 440, PARKS, RECREATION AND TRAILS PROJECTS, PROJECT 15022, FOR IMPROVEMENTS AND UPGRADES TO THE PALMER AND WASILLA POOLS.
 - a. Resolution Serial No. 02-007: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR IMPROVEMENTS AND UPGRADES TO THE PALMER AND WASILLA POOLS USING SERIES B, GENERAL OBLIGATION PARKS, RECREATION AND TRAILS BONDS.
 - b. Resolution Serial No. 02-017: A RESOLUTION CHANGING THE SCOPE OF WORK AND BUDGET FOR IMPROVEMENTS AND UPGRADES TO THE PALMER AND WASILLA POOLS USING FUNDS FROM A PREVIOUSLY APPROVED FY 01 CAPITAL PROJECT.
 - (1) IM No. 02-023
 - (2) IM No. 02-040
 - (3) AM No. 02-011: AWARD OF BID NO. 02-091, BOROUGH POOLS MECHANICAL SYSTEMS UPGRADES DESIGN/BUILD, TO ASSOCIATED POOL BUILDERS IN THE AMOUNT OF \$207,767.

Mr. Swanson gave a staff report regarding the proposed improvements to the Palmer and Wasilla pools.

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. 02-022, Resolution Serial No. 02-007, Resolution Serial No. 02-017, and AM No. 02-011.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 02-023: AN ORDINANCE ACCEPTING AND APPROPRIATING \$1,653,200 FROM THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO FUND 420, PROJECT NO. 25038, LANDFILL EXPANSION.
 - a. IM No. 02-024

Mr. Duffy noted that funds are being received from the state and that matched funds have yet to be identified.

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. 02-023.

VOTE: The motion passed without objection.

8. Ordinance Serial No. 02-024: AN ORDINANCE AMENDING MSB 23.05.070(E), TO CHANGE THE REPORTING PERIOD FROM CALENDAR YEAR TO FISCAL YEAR FOR THE "ANNUAL REPORT OF THE MATANUSKA-SUSITNA BOROUGH'S REAL PROPERTY ASSETS."
 - a. IM No. 02-027

Mr. Duffy stated that the ordinance would allow the borough to report financial revenue from property assets based upon year-end audit figures rather than on projected figures.

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. 02-024.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Ms. Jean Wood and Ms. Lucille Frey spoke in regard to the new members of the planning commission and opined regarding their need for an overview of parliamentary procedure.

The regular meeting recessed at 8:21 p.m. and reconvened at 8:34 p.m.

IX. NEW BUSINESS

Ms. Dillon reminded members of the assembly that Ordinance Serial No. 02-031 would be introduced and set for public hearing on February 19, 2002, rather than March 5, 2002.

A. INTRODUCTION (Suggested public hearing - 02/19/02)

1. Ordinance Serial No. 02-028: AN ORDINANCE REAPPROPRIATING \$34,975 FROM THE LAND MANAGEMENT FUND, ASSET MANAGEMENT AND DEVELOPMENT DIVISION OPERATING BUDGET TO THE MINERAL AND MATERIAL RESOURCES ASSET PLAN PROJECT (45097), FUND 480, FOR THE PURPOSE OF COMPLETING WORK BEYOND THE END OF THE FISCAL YEAR. (Sponsor: Assemblymember Jansen)
 - a. Resolution Serial No. 02-018: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT 45097, FOR MATERIALS AND LABOR TO PRODUCE THE MINERAL AND MATERIAL RESOURCES ASSET MANAGEMENT PLAN.

- (1) IM No. 02-043
- (2) AM No. 02-010: AWARD OF PROPOSAL NO. 02-088, MINERAL AND MATERIAL ASSET MANAGEMENT PLAN, TO T. CRAFFORD AND ASSOCIATES IN THE AMOUNT OF NOT TO EXCEED \$34,975.
2. Ordinance Serial No. 02-029: AN ORDINANCE PROVIDING A NEW SECTION TO LAND MANAGEMENT PROCEDURES FOR ACQUISITION AND EXCHANGE OF REAL PROPERTY.
 - a. IM No. 02-044
3. Ordinance Serial No. 02-030: AN ORDINANCE REAPPROPRIATING \$40,000 FROM THE AREAWIDE FUND, FUND 100, NON-DEPARTMENTAL DIVISION, AND \$60,000 FROM WASILLA-LAKES FIRE SERVICE AREA, FUND 250, WPSB DIVISION, TO CAPITAL PROJECT FUND 405, PROJECT 10140, FOR AUDIO AND VISUAL EQUIPMENT. (Sponsor: Mayor Anderson and Assemblymember Kelly)
 - a. IM No. 02-045
4. Ordinance Serial No. 02-031: AN ORDINANCE ADOPTING MSB 3.08.225, ESTABLISHING RULES AND REGULATIONS GOVERNING THE PREQUALIFICATION OF CONTRACTORS BIDDING ON CONSTRUCTION PROJECTS EXCEEDING \$750,000 FOR THE MATANUSKA-SUSITNA BOROUGH.
(Sponsor: Assemblymember Colver)
 - a. IM No. 02-047

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 February 19, 2002.

VOTE: The motion passed without objection.

B. CONSENT AGENDA

(AM No. 02-008 and AM No. 02-012 were pulled from the consent agenda.)

(Resolution Serial No. 02-020 and AM 02-014 were pulled at agenda setting per the request of administration. See p. 1)

1. RESOLUTIONS

- a. Resolution Serial No. 02-019: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET FOR THE MATANUSKA RIVER EROSION MITIGATION, PROJECT NO. 55008.
 - (1) IM No. 02-04

- c. Resolution Serial No. 02-021: A RESOLUTION IN SUPPORT OF THE CONCEPT OF ESTABLISHING MULTIPLE, MUNICIPAL-OWNED, STATE OPERATED PRISONS.
 - (2) IM No. 02-048

2. ACTION MEMORANDUMS

- b. AM No. 02-009: AWARD OF BID NO. 02-094, TAX STATEMENT FORMS, TO ALASKA LASER PRINTING IN THE AMOUNT OF \$101,017.60.
- d. AM No. 02-013: AWARD OF PROPOSAL NO. 02-089, TALKEETNA WATER AND SEWER UPGRADE, TO ASCG, INC., IN THE AMOUNT OF \$97,617.

f. AM No. 02-015: ESTABLISHING TEMPORARY COMMITTEES TO IDENTIFY APPROPRIATE NAMES FOR THE NEW PUBLIC SAFETY BUILDING, THE NEW FIRE TRAINING FACILITY, AND THE NEW PUBLIC WORKS BUILDING.

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.

VOTE: The motion passed without objection.

- a. AM No. 02-008: TEELAND MIDDLE SCHOOL CHANGE ORDER No. 24 TO PROVIDE MODIFICATIONS AT AN ADDITIONAL COST OF \$45,286.

MOTION: Assemblymember Colver moved to approve AM No. 02-008.

CONFLICT OF INTEREST: Assemblymember Colver stated that he had a conflict of interest in regard to the AM No. 02-008, as is associated with the subcontractor who is working on the project.

RULING: Mayor Anderson declared that Assemblymember Colver did have a conflict of interest and was recused from voting on the issue.

(Assemblymember Colver exited chambers at this time.)

Mayor Anderson noted that it would be necessary for another member of the assembly to make the motion regarding AM No. 02-008 as Assemblymember Colver was found to have a conflict of interest.

MOTION: Assemblymember Simpson moved for approval of AM No. 02-008.

VOTE: The motion passed without objection.

(Assemblymember Colver reentered chambers at this time.)

- c. AM No. 02-012: PURCHASE OF THREE VEHICLES UNDER STATE OF ALASKA CONTRACT.

MOTION: Assemblymember Ladere moved for approval of AM No. 02-012.

Discussion ensued regarding:

- the origination of funds for the purchase;
- the initial removal of the allocated funds from the FY02 budget;
- a supplemental appropriation which put the funds back into the budget;
- the need for funding in other projects;
- the necessity of vehicles based on departmental needs;
- the borough's ability to purchase vehicles through a fleet option;
- the borough's employee-to-vehicle ratio;
- regular and seasonal use of borough vehicles;
- the vehicle retirement selection process and the borough's tracking mechanism of vehicles;
- vehicle surplus;
- the question of why two Ford vehicles and one Chrysler vehicle were proposed for purchase rather than three Ford vehicles;
- selection of the Chrysler vehicle based upon the needs of the public safety staff member who will be using the vehicle;
- the capabilities of a larger vehicle; and
- areawide funds used to purchase the vehicles.

VOTE: The motion passed with Assemblymember Ladere opposed.

MOTION: Assemblymember Simpson moved to reconsider Ordinance Serial No. 02-025 and Ordinance Serial No. 02-027.

VOTE: The motion, to reconsider, failed unanimously.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Agricultural and Forestry Advisory Board
Teresa A. Weiland

Library Board
Kelly Marre

Parks, Recreation and Trails Advisory Board
Pat Murphy

Port Commission
Helene Antel Brooks

Senior Citizens Advisory Board
Dorothy Hill

Knik Road Service Area No. 17
Bruce Braden

Mayor Anderson requested the following confirmations:

Bid Review Panel
William Larkin

Emergency Medical Services Board
Clarence Weeks, Jr.
James Johnson

Local Emergency Planning Committee
Sandy Gaither

Sutton Fire Service Area No. 4
Mark E. Bertels

Big Lake Road Service Area No. 21
Michael T. Graves

North Colony Road Service Area No. 23
William T. Foster III

Willow Fire Service Area No. 34
Laurie L. McCutcheon

MOTION: Assemblymember Simpson moved to confirm the mayor's appointments up for confirmation this evening as

presented.

GENERAL CONSENT: The motion passed without objection.

D. OTHER NEW BUSINESS

X. RECONSIDERATION

XI. VETO

XII. EXECUTIVE SESSION

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Colberg had no comments to present.

Assemblymember Kelly thanked everyone for supporting allocation of funds for the Brett Memorial Ice Arena.

Assemblymember Ladere:

- spoke to the need to have maritime experts as members of the port commission;
- commented regarding the need to have open communications between the school district and the assembly, particularly in regard to budget; and
- voiced that she would have liked to have seen a breakdown of revenue sources and amounts in regard to the appropriation of funds to the education operating fund before assembly action was taken.

Assemblymember Bush:

- spoke to the recreational nature of the Brett Memorial Ice Arena; and
- appreciated the benefits derived to our children from such recreational activities.

Assemblymember Colver:

- spoke to the relationship between the assembly and the school district; and
- commented regarding the assembly meeting schedule.

MOTION: Assemblymember Colver moved to reschedule the attorney evaluation currently scheduled for February 26, 2002, to April 2, 2002.

Mr. Gatti noted that he would be unavailable to participate on April 2, 2002.

VOTE: The motion failed with Assemblymember Colver in support.

Assemblymember Simpson:

- commented that the borough should reinforce that the school district cannot move funds back and forth without assembly approval;
- stated that she is looking forward to the assembly retreat; and
- noted that she has received calls from constituents regarding the variance request process in the Big Lake area and asked that the planning commission set time aside at each meeting to address variance requests.

Mayor Anderson:

- commented regarding the public prison proposal;
- stated that he had recently addressed the city of Bethel and the Kenai assembly regarding the proposal;
- noted that he is going on vacation Thursday;

- remarked that he had also attended two zoning meetings - Palmer High School on January 31 and Tanaina on February 2;
- noted that two more open houses would be held regarding the zoning ordinance;
- reported that he visited the Gateway Community Council and gave a presentation on economic development; and
- reminded members of the assembly to review the vacancy report and identify potential members, particularly regarding the road service areas and fire service areas.

XIV. ADJOURNMENT

The regular meeting adjourned at 9:25 p.m.

Minutes approved: February 19, 2002

Signed copy available at the clerk's office