

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 2, 2010, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Talis Colberg

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 (*Deputy Mayor*) (*entered telephonically at 6:30 p.m.*)  
Mr. Pete Houston, Assembly District No. 2 (*arrived at 6:07 p.m.*)  
Mr. Ronald Arvin, Assembly District No. 3 (*arrived at 6:01 p.m.*)  
Mr. Mark Ewing, Assembly District No. 4  
Ms. Cindy L. Bettine, Assembly District No. 5  
Mr. Jim Colver, Assembly District No. 6  
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk  
Mr. John Duffy, Borough Manager  
Ms. Elizabeth Gray, Assistant Borough Manager  
Mr. Nicholas Spiropoulos, Borough Attorney  
Ms. Brenda J. Henry, Executive Assistant to the Borough Clerk  
Ms. Tammy Clayton, Finance Director  
Ms. Shaune O'Neil, Public Works Director  
Ms. Christine Nelson, Planning and Land Use Director  
Mr. Dennis Brodigan, Emergency Services Director  
Ms. Linda Brenner, Community Development Director  
Ms. Patty Sullivan, Public Affairs Director  
Mr. Dave Hanson, Economic Development Director  
Ms. Frankie Barker, Environmental Planner II  
Mr. Emerson Kruger, Planner II

**III. APPROVAL OF AGENDA**

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

Assemblymember Ewing:

- requested that Ordinance Serial No. 10-017, under Introductions, be pulled from the agenda,; and
- advised that this was requested by city of Wasilla.

Mayor Colberg inquired if there were any objections.

There were no objections noted.

Assemblymember Colver requested that unfinished business be heard after audience participation in order to receive comments regarding Ordinance Serial No. 09-168 from the public that may be in attendance at the meeting.

Mayor Colberg inquired if there were any objections to addressing that issue if unfinished business occurred prior to 7 p.m.

There were no objections noted.

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

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

The Pledge of Allegiance was led by Mr. Emerson Kruger, Planner II.

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

- A. Special Assembly Meeting: 01/07/10
- B. Special Assembly Meeting: 01/19/10
- C. Regular Assembly Meeting: 01/19/10

Mayor Colberg inquired if there were any corrections to the special meeting minutes of January 7, 2010, and January 19, 2010, and the regular meeting minutes of January 19, 2010.

Ms. McKechnie:

- noted there is a change to the January 19, 2010, regular meeting minutes;
- advised that the first amendment of Resolution Serial No. 10-007 only addressed the informational memorandum, but it should also include the resolution; and
- advised that the Clerk's Office would make that change.

Mayor Colberg inquired if there were any additional changes to the minutes.

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

[Clerk's note: The change was made to the January 19, 2010, regular meeting minutes.]

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

- A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person.)

- 1. Reports from cities

*(There were no reports provided.)*

2. Matanuska-Susitna Borough School District

Mr. George Troxel, Matanuska-Susitna School Board Superintendent:

- spoke to the handout that included changes suggested by the School Board to Ordinance Serial No. 09-168;
- related that the School Board is hopeful that they and the Assembly can find a mutually acceptable compromise;
- opined that the section on unfunded mandates should be eliminated;
- noted that the School District could provide this information, but it would require additional staff, as it is very labor intensive;
- stated that the per student cost to the district is approximately \$5,680;
- noted that the money does not follow the students, but rather is allocated at each school;
- spoke to special needs students requiring more assistance than other students; and
- advised that the School District continually struggles with unfunded mandates requirements.

MOTION: Assemblymember Ewing moved to suspend the rules to allow Mr. Troxel additional time to speak to the School District amendments to Ordinance Serial No. 09-168.

VOTE: The motion passed without objection.

Discussion ensued regarding:

- unfunded mandates;
- cost per student; and
- break down of costs per school.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Arvin:

- stated that there was a lot of discussion regarding performance based budgeting at the last committee meeting;
- related that it was very helpful to him in order to understand the process;
- opined that it would be appropriate to determine exactly what the School District's unfunded mandates are;
- stated that identifying that one student may require more funding than another student could cause challenges from the public who may feel their child is being shorted;
- further added that it would be unfair and unethical to identify the student that requires additional funding;
- related that the safety and security bonds were discussed; and
- advised that the contractor is beginning to work through the first phase of the safety and security upgrades.

Assemblymember Colver:

- stated that Cottonwood Creek Elementary School access is a huge priority on the safety and security bonds;;
- noted that it is very congested with traffic before and after school;
- related that the fire department will lose their driveway when the design moves forward and will be forced to collocate with the school;
- spoke to prior resistance with collocation; and
- encouraged Administration to work with all parties to ensure this access is approached correctly and with lasting improvements.

## 2. Assembly Public Relations

Assemblymember Colver:

- advised that the Mayor's Blue Ribbon Sportsmen's Committee will begin to put together proposals to the State Board of Fisheries for the Cook Inlet Management Plan;
- further added that the deadline for submission of proposals is April; and
- stated that the State Board of Fisheries understands the importance of ensuring that fish return to northern streams.

Assemblymember Bettine:

- spoke to attending the Mayor's Ball, which was well organized; and
- opined that Mayor Colberg did a good job participating in raising funds for the local food bank.

Assemblymember Ewing:

- noted that he has provided the Transportation Research Board report requested by Assemblymember Woods;
- spoke to working with Ms. Patty Sullivan to develop a commercial notifying the public on the importance of posting visible address numbers on their houses;
- related that Mr. Bill Klebesadel also participated in the production of the commercial;
- congratulated Ms. Sullivan for her hard work;
- played the finalized commercial for the Mayor and Assembly;
- opined that the Borough should be more involved in these types of things for the community;
- noted that the feedback from the public has been positive; and
- related that the Borough is not liable if they cannot locate your home due to a lack of a visible address.

*(The regular meeting recessed at 6:50 p.m. and reconvened at 7 p.m.)*

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

1. Ordinance Serial No. 10-013: AN ORDINANCE ACCEPTING AND APPROPRIATING \$564,041 FROM THE ENVIRONMENTAL PROTECTION AGENCY TO FUND 480, PROJECT NO. 20381, FOR THE MATANUSKA-SUSITNA BOROUGH WATER QUALITY PROTECTION PROGRAM.

- a. Resolution Serial No. 10-008: A RESOLUTION ESTABLISHING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE GRANT AGREEMENT WITH THE ENVIRONMENTAL PROTECTION AGENCY; AND PARTNERSHIP AGREEMENTS WITH LOCAL NON-PROFITS FOR THE MATANUSKA-SUSITNA BOROUGH WATER QUALITY PROTECTION PROGRAM.
- (1) IM No. 10-002

Ms. Christine Nelson and Ms. Frankie Barker provided a staff report.

Assemblymember Arvin:

- spoke to the portion of the legislation that addresses assistance of local non-profits and consultants; and
- queried why the Borough would need outside assistance.

Ms. Barker:

- advised that there are certain partners who have expertise that the Borough does not; and
- further added that some of the funds will go through the request for proposal process for an outside consultant.

Assemblymember Bettine:

- spoke to the logic model handout that was provided; and
- queried if some of the items that are listed have already been completed.

Ms. Barker affirmed the query.

Discussion ensued regarding:

- the logic model;
- accounting of how funds are spent;
- whether the Borough currently has a storm water management plan; and
- how the census could impact mandates on storm water management plans.

Mayor Colberg opened the public hearing.

The following person spoke in support of Ordinance Serial No. 10-013 and Resolution Serial No. 10-008 and concerns regarding sewage treatment systems: Ms. Helen Munoz.

The following person spoke in opposition to Ordinance Serial No. 10-013 and Resolution Serial No. 10-008 as it does not appear that the Borough has storm water issues: Mr. Stephen Stoll.

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

**MOTION:** Assemblymember Arvin moved to adopt Ordinance Serial No. 10-013 and Resolution Serial No. 10-008.

Assemblymember Ewing:

- noted that the legislation deals with water quality protection; and
- queried if a portion of the funds could be used to fund a study on an areawide sewage treatment plant.

Mr. Duffy:

- stated that the grant is specifically for storm water management; and
- related that the Borough is not allowed to use it for waste water treatment.

Assemblymember Arvin:

- advised that he will not support the legislation;
- noted that there are already State and Federal regulations in place;
- stated that he has travelled extensively and has seen rivers and lakes he would not drink out of; however, none of those are in Alaska; and
- opined that there are a number of more meaningful uses for the funds.

Assemblymember Ewing:

- advised that this would be approximately a 33 percent match;
- agreed with Assemblymember Arvin; and
- stated that in times of economic recession there are better uses for the funds.

Assemblymember Halter:

- noted that the Department of Environmental Conservation lists 11 bodies of water within the Borough that are threatened;
- stated that he would like to see the Borough be in control of their own storm water management plan; and
- noted his support of the legislation.

Assemblymember Houston:

- stated that although the Borough has many bodies of water that are not threatened, that efforts such as this keep it that way; and
- opined that prevention is better than trying to repair a problem after the fact.

Assemblymember Woods:

- related that when she was first elected to the Assembly, there were approximately two bodies of water within the Borough that were listed as threatened;
- opined that because the Borough has a number of lakes and streams that water quality should be an item of concern;
- further added that there are many things that impact water quality;
- opined that this would be a good investment; and
- noted her support of the legislation.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 10-013, to reduce the Borough grant match portion from "\$245,842" to "\$141,011."

Assemblymember Bettine queried what would be involved in reducing the grant match contribution.

Mr. Duffy:

- stated that perhaps in-kind donations could replace the reduced amount;
- related that the Borough would have to meet with the Environmental Protection Agency (EPA) to see if they were amenable to the change; and
- noted that there is a possibility that the EPA may reject the proposal.

Assemblymember Houston queried if there was a timeline for this project.

Ms. Barker advised that per the contract, construction was to begin this month.

Assemblymember Houston:

- opined that perhaps it would be more appropriate to postpone the legislation until more information could be obtained from the EPA; and
- noted his opposition to the amendment.

Discussion ensued regarding reducing the Borough's grant match portion.

WITHDRAWN: Assemblymember Bettine moved to withdraw her primary amendment.

There was no objection noted.

MOTION: Assemblymember Bettine moved to postpone Ordinance Serial No. 10-013 to a time certain of February 16, 2010, and have Administration provide the following information: requirements of the grant, the partners involved in the project, and whether an in-staff employee could be utilized to develop the storm water management plan rather than a contractor.

MOTION: Assemblymember Houston moved a secondary amendment to include that Administration provide a proposal to maximize the in-kind contribution.

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Ewing moved a secondary amendment to include that Administration provide an itemization of how the funds will be spent.

VOTE: The secondary amendment passed without objection.

VOTE: The motion to postpone and have Administration provide additional information passed without objection.

2. Ordinance Serial No. 10-014: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$237,000 FROM THE BIG LAKE ROAD SERVICE AREA NO. 21 FISCAL YEAR 2010 OPERATING BUDGET, FUND 277, TO FUND 410, PROJECT NO. 30043, FOR BIG LAKE ROAD SERVICE AREA NO: 21 CAPITAL PROJECTS.
  - a. IM No. 10-020

Ms. Shaune O'Neill provided a staff report.

Mayor Colberg 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 Bettine moved to adopt Ordinance Serial No. 10-014.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to the need for waste water treatment in the Borough: Ms. Helen Munoz.

The following person spoke in support of Ordinance Serial No. 09-168: Mr. David Dahms and Ms. Loretta Nardi.

The following person spoke to concerns regarding senior tax exempt status: Mr. Eric Lohmann.

The following person spoke to the possibility of creating a research forest at Susitna Valley High School: Mr. Arthur Mannix.

D. CONSENT AGENDA (Resolution Serial No. 10-009 was pulled from the consent agenda and addressed separately. *See pp.8-9*)

2. ASSEMBLY MEMORANDUMS

- a. AM No. 10-013: APPROVAL OF A CHANGE ORDER TO FRAWNER CORPORATION IN THE AMOUNT OF \$335,120 FOR THE TALKEETNA PUBLIC WATER SYSTEM IMPROVEMENTS, PROJECT NO. 25037.

- b. AM No. 10-014: AWARD OF BID NO. 10-052 TO BRENNTAG PACIFIC IN THE AMOUNT OF \$294,523.17 FOR THE PURCHASE OF CALCIUM CHLORIDE.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

1. RESOLUTIONS

a. Resolution Serial No. 10-009: A RESOLUTION IN SUPPORT OF THE PORT MACKENZIE RAIL EXTENSION AS A STATEWIDE, ECONOMIC DIVERSITY, STIMULUS PROJECT.

(1) IM No. 10-028

MOTION: Assemblymember Ewing moved to adopt Resolution Serial No. 10-009.

Assemblymember Ewing:

- advised that he is concerned with the long-term funding of the project;
- stated that he supports the project, but is concerned with the economic times;
- noted that the project would help the Borough's Port; and
- commented that he wonders where the funds will come from.

Assemblymember Woods:

- advised that while she is in Juneau she has been letting the State Legislators know that this is a priority for the Borough;
- stated that this project is on the right track as it will be good for the Borough and State economy; and
- noted that the legislature is ready to move on this project.

Assemblymember Bettine:

- noted that there are many resolutions from other organizations in support of the project;
- stated that this project speaks to pro-development; and
- commented that this would be a wonderful opportunity for the Port.

Discussion ensued regarding the rail extension being a top priority for the Borough.

VOTE: The motion passed without objection.

*(The regular meeting recessed at 8:29 p.m. reconvened at 8:40 p.m.)*

**VIII. UNFINISHED BUSINESS**

A. Ordinance Serial No. 09-168: AN ORDINANCE AMENDING MSB 3.04.050, SCHOOL SYSTEM BUDGET; CONTENTS; AND ADOPTION OF MSB 3.04.055, LONG RANGE EDUCATION FINANCIAL PLAN.

*(Sponsored by Assemblymember Colver)*

(1) IM No. 09-274

MOTION PENDING : Assemblymember Colver moved to adopt Ordinance Serial No. 09-168.

MOTION PENDING: Assemblymember Houston moved a primary amendment to Ordinance Serial No. 09-168, MSB 3.04.050, to insert "intensive needs" before the word "programs" to read: "For the current fiscal year budget provide a report on the total cost of intensive needs programs across the district providing educational services to comply with state and federal mandates above the level of funding provided by the State of Alaska and the U.S. Government for these services."

Assemblymember Bettine:

- noted that she was not in attendance at the meeting that the amendment was made; and
- queried the intent.

Assemblymember Houston noted that he was attempting to address intensive needs.

VOTE: The primary amendment failed with Assemblymember Houston in favor.

MOTION: Assemblymember Colver moved a primary amendment to Ordinance Serial No. 09-168 as follows:

- MSB 3.04.050(A), by inserting the words "and to include a personnel comparison for fiscal years included in budget document;"
- MSB 3.04.050(B)(1) by:
  - inserting the words "annual projected" before the word "budget in the first sentence;"
  - inserting the word "or" after the word "site" in the first sentence;
  - inserting the word "department" after the word "district" in the first sentence;"
  - striking the phrase "administration or school support function such as operation and maintenance;"
  - striking the words "category, or function" and inserting in its place the words "or department;"
  - striking the words "as follows but not limited to" and inserting in its place the words "function, location, and object for site centered programs"
  - inserting the sentences "District wide programs are reported by fund, function, and object" and "Items such as those noted below will be listed as objects in the budget;"
- MSB 3.04.050(B)(1), by inserting a subparagraph (f) to read: legal and litigation costs;
- MSB 3.04.050(C), by striking the words "which also includes information on duration of grant funding" and insert in its place the words "for Operating Fund;"
- MSB 3.04.050(D), by inserting words "(including grants)" at the end of the sentence;

- MSB 3.04.050(D)(1) by:
  - striking the words “of” and “educational” in the first sentence;
  - inserting the word “fund” after the word “operating;”
  - inserting the following sentences at the end of the paragraph: “Grant budgets are available July 1. The budget as formatted for the granting agency will be forwarded to the Assembly to report these revenues and expenditure.”
- MSB 3.04.050(F), by striking it in its entirety; and
- MSB 3.04.055(A), (A)(1), and (A)(2), by striking “5 fiscal years” and inserting “3 fiscal years in its place.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Colver moved a primary amendment to Ordinance Serial No. 09-168, MSB 3.04.050(E) by striking the existing section on “unfunded mandates” and inserting the following to read: (E) Unfunded Mandates. For the current fiscal year provide the Borough with a report on unfunded state and federal education mandates. The report shall provide the cost to the district of providing mandated services above and beyond anticipated state and federal funding for the mandated educational services. The report should not be a line itemization or cost per student breakdown, rather a report on the cost of providing for the mandates and revenue provided.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Colver moved a primary amendment Ordinance Serial No. 09-168, MSB 3.04.050(B)(1), to strike the words “such as” and insert in its place “including, but not limited to” to read: The annual project budget prepared for the Borough by the school district shall be presented and organized by line item with the information for each school site or district department. For each site or department, provide itemized expenditures detailed by fund function, location, and object for site centered programs. District wide programs are reported by fund, function, and object. Items including but not limited to those noted below will be listed as objects in the budget.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

## **IX. NEW BUSINESS**

A. INTRODUCTION (For public hearing – 02/16/10, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 10-008: AN ORDINANCE AMENDING MSB 3.15.200, BOARD OF EQUALIZATION; APPEAL; AND MSB 3.15.215 BOARD OF EQUALIZATION; MEMBERSHIP; DUTIES; TERM OF OFFICE; AND MSB 3.15.225, BOARD OF EQUALIZATION; HEARING.
  - a. IM No. 10-004
  
2. Ordinance Serial No. 10-015: AN ORDINANCE TO APPROVE THE REQUEST BY AGRICULTURAL RIGHTS OWNERS OF A POINT MACKENZIE FARM UNIT, DESCRIBED AS TRACT 30 OF ALASKA STATE LAND SURVEY 80-111 CONTAINING 531.80 ACRES, MORE OR LESS, ACCORDING TO THE AMENDED PLAT FILED IN THE PALMER RECORDING DISTRICT, TO SUBDIVIDE INTO THREE 40-ACRE PARCELS AND ONE 411.80-ACRE PARCEL. SAID PROPERTY IS LOCATED WITHIN THE PALMER RECORDING DISTRICT AND THE POINT MACKENZIE COMMUNITY COUNCIL AREA. (MSB001124)
  - a. IM No. 10-024
  
3. Ordinance Serial No. 10-016: AN ORDINANCE AMENDING MSB 4.65.020; COMMISSION ON SALARIES AND EMOLUMENTS; MEETINGS. *(Sponsored by Assemblymember Woods)*
  - a. IM No. 10-027
  
- ~~4. Ordinance Serial No. 10-017 (previously 09-069): AN ORDINANCE ESTABLISHING A WASILLA DEVELOPMENT STANDARDS DISTRICT, AND AMENDING MSB 27.10.065, MSB 27.15.020, AND MSB 27.15.130 TO APPLY THE DESIGN AND CONSTRUCTION STANDARDS ADOPTED IN THE DEVELOPMENT STANDARDS DISTRICT TO PRELIMINARY AND FINAL PLATS OF PROPERTY LOCATED IN THE DEVELOPMENT STANDARDS DISTRICT.~~
  - ~~a. IM No. 10-029 (previously 09-102)~~

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Arvin moved to introduce the legislation as read into the record by the Clerk and set the public hearings for February 16, 2010.

VOTE: The motion passed without objection.

## B. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Colberg requested the following confirmations:

Board of Adjustment and Appeals  
 Claudia Roberts  
 West Lakes Ambulance Alternate  
 Tami Floyd, resignation

Enhanced 911 Advisory Board  
Rosemary Burnett  
Historical Preservation Committee  
Robert Meinhardt  
Shawn Arnold, resignation  
Mayor's Blue Ribbon Sportsmen's Committee  
Jim Colver  
Planning Commission  
Ted Berry  
Port Commission  
Greg Bell

Mayor Colberg made the following recommendations:

Animal Care and Regulation Board  
Paula English, resignation from alternate to be a permanent member  
Emergency Medical Services Board  
Glori Strickler  
West Lakes Ambulance Alternate  
Patricia Stewart, resignation from primary position to be alternate  
Library Board  
Beverly Horner  
Mayor's Blue Ribbon Sportsmen's Committee  
Gene Sandone  
Planning Commission  
Ken Klunder  
Transportation Advisory Board  
LaMarr Anderson  
Kenneth Walch  
West Lakes FSA No. 136  
Cathi Kramer  
Willow FSA No. 35  
Ronda Widner

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

MOTION: Assemblymember Halter moved to divide the question to address the confirmation of Mr. Ted Berry to the Planning Commission separately.

VOTE: The motion passed without objection.

MOTION: First Segment. Assemblymember Arvin moved to approve the Mayor's recommendations up for confirmation this evening, with the exception of Mr. Ted Berry.

VOTE: The motion passed without objection.

MOTION: Second Segment. Assemblymember Halter moved to approve Mr. Ted Berry's confirmation to the Planning Commission.

Assemblymember Halter:

- noted that he is in favor of compromise, but also seeks to accommodate the requests of his constituents;
- related that the Meadow Lakes Community Council has suggested Ms. Julie Starr for the Planning Commission;
- further added that Mr. John Anderson has submitted his application as well;
- opined that either Ms. Starr or Mr. Anderson would be a more appropriate candidate for the Planning Commission; and
- noted that he is in favor of compromise, but seeks to address the concerns of his constituents.

Mayor Colberg:

- spoke to compromising with the Assembly to have two Planning Commissioners appointed at the initiative of the Assembly while he chooses one;
- noted that if his choice was moved forward, he would move Mr. Ken Klunder forward; and
- advised that he would like to choose at least one out of the three Planning Commission seats.

Assemblymember Ewing:

- noted that what Mayor Colberg is looking for is compromise;
- commented that he respects Assemblymember Halter's comments; however, in order to compromise he did not listen to the request of the city of Wasilla when it came to the appointment in his district; and
- stated that Mayor Colberg's recommendations have been ignored.

Assemblymember Houston:

- advised that he appreciated the Mayor's explanation at the last meeting on code requirements for the make-up of the Planning Commission;
- stated that he does not know the people in District Seven, so he does not feel comfortable in saying which person would be best; and
- advised that he relies heavily on the Assembly member from that district for their recommendation.

Discussion ensued regarding appointments to the Planning Commission.

VOTE: The motion to confirm Mr. Ted Berry to the Planning Commission failed with Assemblymembers Ewing and Arvin in favor.

C. OTHER NEW BUSINESS

D. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Duffy:

- spoke to meeting with Lieutenant General Dana T. Atkins, of the United States Air Force, adding that they meet one time per year;
- related that Lieutenant General Atkins wanted to express his thanks to the Assembly for moving forward with the joint land use study;
- further added that he believes it preserves military training sites within the Borough as well as enabling the port development to move forward;
- spoke to a meeting with the interim Chief Executive Officer at Mat-Su Regional Hospital;
- noted that a hospital representative from public affairs will come and brief the Assembly on a number of issues;
- spoke to meeting with the Wasilla City Council regarding the use of Meta Rose Square;
- stated that he met with Senator Murkowski, Mr. Doug Ward, Mr. Randy Johnson, and Mr. Lou Madden regarding an update on the M/V Susitna;
- spoke to the meeting scheduled before the House Committee on Trade for February 9, 2010, at 7 p.m., regarding the rail extension;
- noted that the Borough was chosen as Employer of the Year for 2009, by the International Right-of-Way Association;
- related that Ms. Patty Sullivan, Mr. Emerson Kruger, Ms. Lauren Kruer and Mr. Stephen Hinman were awarded the second place Aurora Award, for their cooperative work on the Zoning Code Update television commercial;
- related that this group also received third place in the Award of Excellence for the same commercial; and
- stated that Ms. Sullivan and Ms. Jennifer Dawkins were awarded first place by the Public Relations Society of America, Alaska Chapter, for the Annual Report.

Mayor Colberg:

- spoke to concerns regarding the proposed roundtable discussion for the material extraction ordinance;
- opined that this legislation should be treated the same as any other legislation that comes before the Assembly;
- stated that he is not comfortable with selecting participants for the roundtable discussion, which by its nature will exclude someone who may want to participate;
- opined that the Borough should not be setting a precedent for the way certain legislation is handled; and
- stated that perhaps a work session is appropriate before it goes to public hearing.

MOTION: Assemblymember Ewing moved to cancel the roundtable discussion for the gravel ordinance scheduled for February 9, 2010, and follow the regular procedures for addressing legislation.

Assemblymember Colver:

- stated that the legislation began as an interim materials district issue;
- further added that mining below the water table became a concern;
- noted that industry was promised that they would be included in a working group to come up with compromise legislation;
- stated that the working group never happened and the legislation became staff driven;
- noted that he would like to ensure a balance of information from both sides; and
- spoke to concerns that the gravel industry is being excluded.

Assemblymember Houston:

- stated that there was a working group formed more than one time;
- stated that the results from that were not accepted by the industry;
- further added that at that time, the gravel industry was asked to work on its own to bring something forward that would meet the needs of all involved, which they did not do; and
- opined that the Borough has made a substantial effort to accommodate this request.

Discussion ensued regarding:

- possible roundtable discussion;
- current process for processing legislation;
- inviting industry input;
- creating a process to hear from the industry and to hear public testimony; and
- who would comprise the roundtable participants.

MOTION: Assemblymember Halter called for the question (to stop debate).

VOTE: The motion failed with Assemblymember Ewing in support.

Mayor Colberg stated that if the Assembly would like to hear from industry that it is possible to do so without creating a new process.

WITHDRAWAL: Assemblymember Ewing moved to withdraw his motion.

There was no objection noted.

MOTION: Assemblymember Ewing moved to set a work session with the gravel industry for March 2, 2010, at 4:30 P.M. and to have Mr. Tom Healy select three members from the gravel industry that represent small, medium, and large operations as participants.

VOTE: The motion passed without objection.

[Clerk's note: The February 9, 2010, special meeting on materials extraction was cancelled.]

#### A. ATTORNEY COMMENTS

Mr. Spiropoulos:

- advised that the Steppers Construction trial regarding the Cell Three construction at Central Landfill will begin next week;
- stated that outside counsel will be handling the trial; and
- noted that he will attend the trial as much as possible.

**B. CLERK COMMENTS**

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule; and
- stated that the February 10, 2010, joint agenda would be sent out via email to the Assembly on Thursday.

**C. CITIZEN AND OTHER CORRESPONDENCE**

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 03/23/09, 05/12/09, 06/01/09, 06/22/09, 07/10/09, 07/13/09, 08/10/09, 08/14/09, 09/14/09, 09/15/09, 09/30/09, 10/12/09 (2), 11/09/09
- b. Board of Equalization: 05/28/09, 11/02/09, Resolution Serial No. 09-01
- c. Enhanced 911 Advisory Board: 11/10/09
- d. Greater Butte RSA No. 26: 09/10/09
- e. Greater Talkeetna RSA No. 29: 11/12/09
- f. Port Commission: 11/09/09, Resolution Serial No. 09-005
- g. Real Property Asset Management Board: 10/14/09, Resolution Serial Nos. 09-07(SUB), 09-08
- h. Wasilla-Lakes FSA Board of Supervisors: 08/10/09, 11/09/09
- i. West Lakes FSA Board of Supervisors: 09/08/09

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

**D. INFORMATIONAL MEMORANDUMS**

*(There were no informational memorandums presented.)*

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

*(There were no special orders of the day)*

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

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

**X. RECONSIDERATION**

*(There were no reconsiderations presented.)*

## **XI. VETO**

*(There were no vetoes presented.)*

## **XII. EXECUTIVE SESSION**

*(There was no executive session held.)*

## **XIII. MAYOR AND ASSEMBLY COMMENTS**

Assemblymember Ewing related that he saw compaction sensors while at the Transportation Research Board conference that measure the degree of compaction as the landfill progresses.

Assemblymember Arvin stated that he will not be going to Juneau for the upcoming Resource Committee, but will testify via phone.

Assemblymember Woods:

- thanked Assemblymember Ewing for providing the Transportation Resource Report for her to take to Juneau;
- spoke to the Alaska Municipal League's winter meeting in Juneau;
- noted that it has been well attended by many representatives from other municipalities; and
- stated that the Borough lobbyist has appointments and meetings scheduled with Legislators to talk about Assembly priorities.

Assemblymember Bettine:

- spoke to attending a Small Business and Entrepreneurial Development Conference;
- advised that one of the speakers was from Central Washington with a population of 100,000 and they advised that the best way for economic development is through entrepreneurialship;
- spoke to the School Site Selection Committee meeting last week that she attended; and
- advised that the committee passed a resolution that states they do not want the funds for school site selection used for anything but what it was originally intended for.

Assemblymember Colver:

- stated that the Assembly should adhere to the processes that are currently in place for addressing legislation; and
- reiterated the need for the Assembly to remain focused on the issues at hand.

**XIV. ADJOURNMENT**

The regular meeting adjourned at 9:58 p.m.

  
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TALIS J. COLBERG, Borough Mayor

ATTEST:

  
\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 02/16/10