

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 5, 2008, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:08 p.m. by Mayor Curtis D. Menard.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 (*Deputy Mayor*) (*arrived at 6:09 p.m.*)
Mr. Pete Houston, Assembly District No. 2
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Robert Wells, Assembly District No. 6
Mr. Tom Kluberton, Assembly District No. 7

Assembly members absent and excused were:

Ms. Michelle R. Church, Assembly District No. 3
Ms. Mary Kvalheim, Assembly District No. 4

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Ms. Marian Romano, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Amanda E. Charles, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Dave Hanson, Economic Development Director
Mr. Dave Heier, Chief of Land and Resource Management
Mr. Russ Kraft, Purchasing Officer

III. APPROVAL OF AGENDA

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

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Wasilla City Councilmember Marty Metiva.

V. MINUTES OF PRECEDING MEETINGS

(There were no minutes presented.)

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Palmer City

Mayor Combs:

- spoke regarding the fire at Mouse Trap, a local daycare, and the effects upon the community;
- discussed possible locations for Mouse Trap to temporarily operate from;
- spoke regarding the need for joint efforts between the cities and the Borough during the legislative season; and
- commented on attending the Conference of Mayors.

Assemblymember Woods queried which road upgrades were considered priorities by the city of Palmer.

Mayor Combs:

- responded that a major concern was the development of Trunk Road; and
- spoke regarding the city of Palmer's future road development plans.

Wasilla City

Councilmember Metiva:

- spoke regarding the growth of the retirement community;
- noted changes to the city of Wasilla's budget;
- spoke regarding a resolution regarding the salmon escapement enumeration; and
- supported Mayor Combs' comments regarding joint efforts between the cities and the Borough during the legislative session.

Assemblymember Woods queried if the city of Wasilla had a legislative priority list for road development.

Councilmember Metiva stated that many of the city's needs were being addressed, but there are more that need to be addressed.

2. Matanuska-Susitna Borough School District

Mr. George Troxel, Superintendent:

- reported that the State assessments will be done in April; and
- stated that they are working on the 2009 budget.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Wells:

- stated that an update on the insurance issue with Susitna Valley Senior High School is expected in mid-February;
- noted discussions with school safety bonds and security bonds;
- quoted the price of \$10 million dollars to upgrade the whole district;
- spoke regarding screening of a meth film;
- provided a handout covering the highlights of the video;
- noted that two Assemblymembers and the Manager would be in Washington D.C. later in the week; and
- spoke regarding the decline in federal funding for the Individual Disability Education Act.

2. Assembly Public Relations

(There were no reports provided.)

B. MANAGER COMMENTS

1. State/Federal Legislation

Ms. Romano:

- spoke regarding the Transportation Fund meeting;
- disclosed that the Knik-Goose Bay Road is not in the Alaska State, Department of Transportation's plan for improvement;
- stated that Alaska is the last state in the Union to have a road plan; and
- thanked the Borough staff for their hard work in responding to the flood at the Dorothy Swanda Jones Building.

Discussion ensued regarding the funding for road improvements and the lack of a motor vehicle fuel tax in Alaska.

Ms. Romano requested that Ordinance Serial No. 08-013 be postponed to February 19, 2008.

C. ATTORNEY COMMENTS

Mr. Spiropoulos:

- noted an increase in work in the Law Department;
- stated that the Road Service Area Task Force will provide a report on the construction of the term 'Transportation Systems' to the Assembly by February 15, 2008;
- elaborated that the Anchorage law librarians found 75 microfiche pages, which represented approximately 4,100 pages of committee notes and comments;

- explained that the Law Department would be reviewing all of these documents; and
- noted that they are making good headway in the case.

D. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule; and
- advised that Administration has suggested that the management audit review be rescheduled to February 19, 2008, at 4:30 p.m..

There was no objection noted.

Ms. McKechnie asked if the sales tax, bed tax, and bonding for roads work session, that was suggested at the Assembly Retreat, should be scheduled.

Assemblymember Woods suggested that it would be better to schedule this meeting in April.

Ms. McKechnie stated that she could bring it back before the Assembly in March.

Assemblymember Bettine:

- spoke regarding scheduling a work session on strategic planning; and
- requested the work session take place on April 22, 2008, at 9 a.m.

There was no objection noted.

Ms. McKechnie clarified that the work session on April 22, 2008, would cover the bed tax, sales tax, bonding for roads, and strategic planning.

(The regular meeting recessed at 7:07 p.m. and reconvened at 7:18 p.m.)

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

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

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 08-009: AN ORDINANCE CLASSIFYING LANDS AND APPROVING FOUR BOROUGH-OWNED PARCELS FOR SALE IN THE BIG LAKE AND NANCY LAKE AREAS.

a. IM No. 08-011

Mr. Heir provided a staff report.

Mayor Menard 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. 08-009.

Assemblymember Bettine:

- spoke regarding the substandard roads in the Big Lake area;
- commented on the Big Lake Comprehensive Plan and the Willow Comprehensive Plan;
- noted concerns with selling the parcels off at below market prices and later needing to buy the property back at higher prices; and
- requested that the Assembly not pass the ordinance.

Assemblymember Kluberton:

- spoke regarding platting difficulties when subdividing property when there are substandard roads present in the area;
- provided examples within the community; and
- addressed his concerns with selling lands with substandard roads.

Assemblymember Woods:

- spoke regarding encouraging development in rural areas; and
- noted that funding the road service areas could help with updating substandard roads.

Assemblymember Wells:

- stated his concerns with failing this ordinance;
- expressed his concern with the current lack of funding in the Land Management Division; and
- suggested postponing this ordinance to a time certain.

Discussion ensued regarding:

- substandard roads and how they affect the subdivision of land; and
- the need for green infrastructure.

VOTE: The motion failed with Assemblymembers Wells in favor.

2. Ordinance Serial No. 08-010: AN ORDINANCE ACCEPTING AND APPROPRIATING \$5,000 FROM THE ALASKA STATE DEPARTMENT OF EDUCATION, TO FUND 480, PROJECT NO. 20364, FOR CONTINUING EDUCATION GRANTS AT THE BIG LAKE, SUTTON, TALKEETNA, TRAPPER CREEK, AND WILLOW PUBLIC LIBRARIES.
 - a. Resolution Serial No. 08-010: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR CONTINUING EDUCATION GRANTS FOR THE BIG LAKE, SUTTON, TALKEETNA, TRAPPER CREEK, AND WILLOW PUBLIC LIBRARIES.
 - (1) IM No. 08-013

Mayor Menard 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 Kluberton moved to adopt Ordinance Serial No. 08-010 and Resolution Serial No. 08-010.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 08-011: AN ORDINANCE ACCEPTING AND APPROPRIATING \$20,855 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION, TO FUND 480, PROJECT NO. 15015, FOR THE MATANUSKA-SUSITNA BOROUGH TRAIL MARKING AND SIGNING PROJECT.
 - a. Resolution Serial No. 08-011: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MATANUSKA-SUSITNA BOROUGH TRAIL MARKING AND SIGNING PROJECT, FUNDED BY THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION.
 - (1) IM No. 08-016

Mayor Menard 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 Woods moved to adopt Ordinance Serial No. 08-011 and Resolution Serial No. 08-011.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 08-012: AN ORDINANCE REAPPROPRIATING \$400,000 FROM THE CAPITAL RESERVE, FUND 100, TO FUND 430, PROJECT NO. 35014, FOR DESIGN, RECONSTRUCTION OR REPLACEMENT OF SUBSTANDARD BRIDGES.
 - a. IM No. 08-022

Mr. Rountree provided a staff report.

Mayor Menard 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 Woods moved to adopt Ordinance Serial No. 08-012.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 08-013: AN ORDINANCE RELATING TO ANIMAL CARE AND REGULATION BY AMENDING MSB 24.05, GENERAL PROVISIONS; AMENDING MSB 24.26, ANIMAL BITE AND ATTACK INCIDENTS; AND AMENDING MSB 24.40.050, FINES FOR INFRACTIONS.
 - a. IM No. 08-025

Ms. Romano:

- provided a staff report; and
- requested that this item be postponed until February 19, 2008, for further review by the Law Department.

Mayor Menard opened the public hearing.

The following person spoke in support of Ordinance Serial No. 08-013: Ms. Millicent Peabody, Animal Care and Regulation Board Chair.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 08-013.

MOTION: Assemblymember Woods moved to postpone Ordinance Serial No. 08-013 to a time certain of February 19, 2008.

VOTE: The motion to postpone Ordinance Serial No. 08-013 passed without objection.

6. Ordinance Serial No. 08-014: AN ORDINANCE APPROPRIATING \$150,000 OF INTEREST EARNINGS ON THE 1999 SERIES A GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40131, FOR HOUSTON HIGH SCHOOL.
 - a. IM No. 08-026

Mr. Rountree provided a staff report.

Mayor Menard 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 Kluberton moved to adopt Ordinance Serial No. 08-014.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 08-015: AN ORDINANCE APPROVING THE UTILIZATION OF BOROUGH-OWNED GRAVEL WITHOUT REQUIRING ROYALTIES TO BE PAID TO THE BOROUGH, FOR THE UPGRADE AND PAVING OF 14.4 MILES OF THE POINT MACKENZIE ROAD ONCE THIS GRAVEL HAS BEEN APPROVED FOR USE FOR THESE PROJECTS BY THE PLANNING COMMISSION.
 - a. IM No. 08-030

Mr. Rountree and Mr. Kraft provided a staff report.

Mayor Menard 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 moved to adopt Ordinance Serial No. 08-015.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding the Freedom of Information Act and flooding problems on his property: Mr. John Leiner.

The following person spoke regarding his opposition to the proposed Bogard East Road extension: Mr. Dean Maxwell.

- D. CONSENT AGENDA (AM No. 08-006 and AM No. 08-008 were pulled from the consent agenda and addressed separately. *See pp. 9-10*)
 1. RESOLUTIONS
 2. ASSEMBLY MEMORANDUMS
- b. AM No. 08-007: APPROVING THE FINAL (95%) DESIGN OF WASILLA HIGH SCHOOL REMODEL PHASE III, PROJECT NO. 40163, AND AUTHORIZING GDM, INC., TO PROCEED WITH THE CONSTRUCTION DOCUMENTS PHASE.
- d. AM No. 08-009: AWARD OF BID NO. 08-067 TO VALLEY GENERAL CONSTRUCTION IN THE CONTRACT AMOUNT OF \$123,780 FOR KAREN STREET EXTENSION PROJECT.
- e. AM No. 08-010: APPROVAL TO INCREASE THE ANNUAL AUTHORIZATION TO PURCHASE COMMUNICATIONS EQUIPMENT FROM MOTOROLA TO AN AMOUNT NOT TO EXCEED \$500,000 ANNUALLY FOR THE DEPARTMENT OF EMERGENCY SERVICES.

- f. AM No. 08-011: AUTHORIZING CONTRACT NO. 08-092 TO ALASKA PLANNING AND ARCHITECTURE IN AN AMOUNT NOT TO EXCEED \$460,000 FOR THE DEVELOPMENT OF DESIGN-BUILD DOCUMENTS FOR THE POINT MACKENZIE CORRECTIONAL CENTER, PHASE I.
- g. AM No. 08-012: AWARD OF BID NO. 08-074 TO ALASKA CONSTRUCTION AND PAVING, INC. IN THE CONTRACT AMOUNT OF \$183,288 FOR CARMEL ROAD EXTENSION PHASE I PROJECT.
- h. AM No. 08-013: AWARD OF BID NO. 08-071 TO MUNICIPAL EMERGENCY SERVICES INC., FOR TURNOUT GEAR FOR THE DEPARTMENT OF EMERGENCY SERVICES WHICH TOTAL YEARLY PURCHASES MAY EXCEED \$100,000.
- i. AM No. 08-014: AWARD OF BID NO. 08-071 TO YOUNG'S FIREHOUSE FOR EMERGENCY MEDICAL SERVICES URBAN SEARCH AND RESCUE CLOTHING WHICH TOTAL YEARLY PURCHASES MAY EXCEED \$100,000.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

- a. AM No. 08-006: APPROVAL OF THE PROPOSED 2008 ROAD MAINTENANCE AND REPAIR CAPITAL PROJECTS.

MOTION: Assemblymember Kluberton moved to adopt AM No. 08-006.

MOTION: Assemblymember Kluberton moved to strike priority item number 11, Spur Highway at Railroad Crossing Phase I / Emergency Access, from the Road Service Area No. 29's Road Maintenance and Repair Capital Projects.

VOTE: The primary amendment passed.

VOTE: The main motion passed as amended without objection.

CONFLICT OF INTEREST: Assemblymember Bettine declared a conflict of interest on AM No. 08-008.

RULING: Mayor Menard ruled that Assemblymember Bettine had a conflict of interest and would be recused from voting on the issue.

(Assemblymember Bettine left the room.)

- c. AM No. 08-008: APPROVING THE FINAL (95%) DESIGN OF WASILLA MIDDLE SCHOOL CAFETERIA ADDITION AND REMODEL, PROJECT NO. 40164, AND AUTHORIZING ARCHITECTS ALASKA, INC., TO PROCEED WITH THE CONSTRUCTION DOCUMENTS PHASE.

MOTION: Assemblymember Wells moved to adopt AM No. 08-008.

VOTE: The motion passed without objection.

(Assemblymember Bettine reentered the meeting.)

B. CITIZEN AND OTHER CORRESPONDENCE

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

C. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VIII. UNFINISHED BUSINESS

(There was no unfinished business presented.)

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing – 02/19/08, 7 p.m., Borough Assembly Chambers)

- 1. Ordinance Serial No. 08-019: AN ORDINANCE ADOPTING THE JACOBSEN LAKE, LAKE MANAGEMENT PLAN, AND AMENDING MSB 15.24.030, COMPREHENSIVE PLAN AND PURPOSES, AND MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.
 - a. IM No. 08-012
- 2. Ordinance Serial No. 08-020: AN ORDINANCE APPROVING AN APPROPRIATION OF \$117,853 FROM BOGARD ROAD SERVICE AREA NO. 25 FUND BALANCE, FUND 279, TO FUND 410, PROJECT NO. 30045, FOR BOGARD ROAD SERVICE AREA NO. 25, CAPITAL PROJECTS.
 - a. IM No. 08-014

3. Ordinance Serial No. 08-021: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$25,000 FROM FREEDOM HILLS SUBDIVISION SERVICE AREA FUND BALANCE, FUND 294, TO THE FREEDOM HILLS SUBDIVISION SERVICE AREA FISCAL YEAR 2008 OPERATING BUDGET, FUND 294.
 - a. IM No. 08-015

4. Ordinance Serial No. 08-022: AN ORDINANCE ACCEPTING AND APPROPRIATING \$107,720 FROM THE UNITED STATES DEPARTMENT OF DEFENSE, COMMUNITY ECONOMIC ADJUSTMENT PLANNING ASSISTANCE PROGRAM, TO FUND 480, PROJECT NO. 47003, JOINT LAND USE STUDY WITH ELMENDORF AIR FORCE BASE , FORT RICHARDSON, AND THE ALASKA ARMY NATIONAL GUARD.
 - a. Resolution Serial No. 08-013: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO NECESSARY AGREEMENTS FOR THE COMPLETION OF A JOINT LAND USE STUDY WITH ELMENDORF AIR FORCE BASE, FORT RICHARDSON, AND THE ALASKA ARMY NATIONAL GUARD.
 - (1) IM No. 08-027

5. Ordinance Serial No. 08-023: AN ORDINANCE PROVIDING A TAX EXEMPTION FOR AN INCREASE IN THE ASSESSED VALUE OF PROPERTY RESULTING FROM HARVESTING INSECT-INFESTED TIMBER, AND AMENDING MSB 3.15.035; OPTIONAL EXEMPTIONS. (*Sponsor: Assemblymember Woods*)
 - a. IM No. 08-034

6. Ordinance Serial No. 08-024: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$16,981 FROM THE BIG LAKE FIRE SERVICE AREA FUND BALANCE, FUND 256, TO THE BIG LAKE FIRE SERVICE AREA FISCAL YEAR 2008 OPERATING BUDGET, FUND 256.
 - a. IM No. 08-038

7. Ordinance Serial No. 08-025: AN ORDINANCE AMENDING MSB 3.04.135; DISPOSITION OF UNCOLLECTIBLE RECEIVABLES.
 - a. IM No. 08-040

8. Ordinance Serial No. 08-026: AN ORDINANCE AMENDING PORTIONS OF MSB 3.36.020, RENEWAL AND DURATION OF BUSINESS LICENSES.
 - a. IM No. 08-041

9. Ordinance Serial No. 08-027: AN ORDINANCE AMENDING MSB 3.08.150, EXECUTION OF CONTRACTS; MSB 3.08.161, ASSEMBLY APPROVAL OF CONTRACTS; MSB 3.08.170, CONTRACT AMENDMENTS, ASSEMBLY APPROVAL; MSB 3.08.260, COMPETITIVE SEALED PROPOSALS

AND NEGOTIATED PROCUREMENT; AND MSB 3.08.270, OPEN MARKET PROCEDURE.

a. IM No. 08-042

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Woods moved to introduce the legislation as read into the record by the Clerk and set the public hearings for February 19, 2008.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Menard requested the following confirmations:

Board of Adjustment and Appeals

Mr. Steve Rowland

Board of Equalization

Mr. Thomas Healy

Board of Ethics

Resignation of Mr. Ed Manning

Emergency Medical Services Board

Mr. Gordon Butt

Ms. Kara Boothby

Mr. James Johnson

Local Emergency Planning Committee

Mr. Thoomas Smayda

Ms. Jane Conard

Parks, Recreation and Trails Advisory Board

Mr. Sheldon Ewing

Senior Citizen Advisory Board

Ms. Lois Wier

Mr. William Frick

Meadow Lakes RSA # 27

Mr. Mike Grigsby

South Colony RSA # 16

Removal of Ms. Diane Marble

Mayor Menard made the following recommendations:

Historical Preservation Commission

Mr. Leroi Heaven

Local Emergency Planning Committee

Mr. Donald Warble

Transportation Advisory Board

Mr. Kenneth Ray

Mr. Michael Campfield
Knik RSA # 17
Mr. Otto Rebischke

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

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

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 Bettine asked the Assembly what their expectations were for a strategic plan.

Assemblymember Houston stated that it would include the steps on how to reach the goals they set during the retreat.

Assemblymember Woods:

- stated that she would be heading to Washington D.C. to speak with Federal agencies regarding issues that are important to the Borough; and
- spoke regarding town meetings and the need for discussions on transportation and road improvements.

Assemblymember Kluberton:

- provided updates on the Board of Fisheries meetings;
- spoke regarding a property tax exemption for the Willow Area Senior Housing Project; and
- stressed the need for objective criteria for builders when they want to subdivide property and need to upgrade a road.

Assemblymember Houston spoke regarding the need to support Mouse Trap due to the effects upon the community.

Mayor Menard wished everyone safe travels.

XIV. ADJOURNMENT

The regular meeting adjourned at 8:57 p.m.

ATTEST:

CURTIS D. MENARD, Borough Mayor

LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 02/19/08