

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 5, 2013, at the Borough School District Administration Building, 501 N. Gulkana Street, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Warren Keogh, Assembly District No. 1
Mr. Noel Woods, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)(*attended telephonically*)
Mr. Steve Colligan, Assembly District No. 4
Mr. Darcie K. Salmon, 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 Moosey, Borough Manager
Mr. George Hays, Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Assistant Clerk
Ms. Tammy Clayton, Finance Director
Ms. Shaune O'Neil, Public Works Director
Ms. Eileen Probasco, Planning and Land Use Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Don Dyer, Economic Development Director
Mr. Eric Phillips, Community Development Director
Ms. Joell Church, Records Management Officer
Ms. Nancy Cameron, Land Management Agent
Ms. Lauren Driscoll, Chief of Planning Services
Mr. Raymond Nix, Resource Specialist
Mr. Marc VanDongen, Port Director
Mr. John Aschenbrenner, Deputy Borough Attorney
Mr. Shannon Bodolay, Assistant Borough Attorney
Ms. Elizabeth Hartley, Comptroller
Mr. Michael Newman, Document Specialist
Mr. Alex Strawn, Permitting Services Manager

III. APPROVAL OF AGENDA

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

Mr. Moosey:

- requested that Resolution Serial No. 13-013 be pulled completely from the agenda; and
- stated that it will be brought back at the next meeting.

There was no objection noted.

Assemblymember Keogh requested to pull Resolution Serial No. 13-015 from the consent agenda for further discussion.

Assemblymember Woods requested to pull Resolution Serial No. 13-017 from the consent agenda for further discussion.

Mayor DeVilbiss queried if there were any other changes.

MOTION: Assemblymember Colver moved to take up Ordinance Serial No. 12-169 as the last public hearing.

VOTE: The motion passed without objection.

Mayor DeVilbiss queried if there were any other changes.

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Danny Schutter, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

(There were no minutes presented.)

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Mr. Bert Cottle, Deputy Administrator:

- thanked the body for bringing forward Resolution Serial No. 13-016, which is in support of the city of Wasilla's Capital Improvement Program;

- stated that they will be in Juneau next week seeking support for those projects;
- noted that all of the items listed will affect residents Boroughwide;
- spoke to a meeting the Mayor's from the Borough and the Cities attended regarding the possible relocation of several military families from Eielson Air Force Base; and
- thanked everyone for their participation and input at that meeting.

Palmer City

Mayor Delena Johnson:

- spoke to Ordinance Serial No. 13-021, regarding the potential acquisition of a school site;
- stated that she has been on the site selection committee;
- related that the property that is the subject of the legislation is the highest scoring school site;
- encouraged the body to amend the legislation to include review of the two top scoring sites; and
- opined that it would carry the work forward in a more timely manner.

2. Matanuska-Susitna Borough School District

(There was no report provided.)

3. Knik-Fairview Community Council – Mr. B. H. Tilton, President

Mr. Tilton:

- stated that he would like to address funding for reconstruction of Fairview Loop;
- noted that the funding is only to Lin Lu Lane;
- opined that the real issue is at the east end;
- stated that the Council would like the Long Range Master Plan amended to include this project;
- requested a resolution from the Assembly to the Legislature for funding for this project;
- disclosed that he has property at the intersection in question and that it does not benefit him in anyway; and
- noted that he will lose parts of his property, but that he is in support of the project.

Mr. Bill Tucker:

- noted that there is significant development in the neighborhood that will funnel traffic through Garden Terrace Estates;
- spoke to the congestion at the intersection at Old Matanuska Road;
- noted that the east end is in need of a significant upgrade;
- referred to a map that explained the route being proposed for the upgrade; and
- spoke to the traffic impacts in the area.

Discussion ensued regarding the Knik-Fairview Community Council's upgrade proposal for Fairview Loop.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colver:

- spoke to the updates on the school bond projects that was provided at the last meeting;
- noted that there was a presentation regarding the site for the new Knik-Goose Bay Elementary, which is near the existing site that has been purchased;
- spoke to issues accepting the grant for the Susitna Valley High School wood fired boiler;
- related that Dr. Paramo has concerns that the School District would be the one to repay the grant if the agreement is terminated;
- noted that the cost per year is approximately \$80,000 to keep wood in the boiler and to monitor the equipment;
- advised that a small task force has been created;
- stated that Assemblymember Halter was volunteered to be on the task force as the project is in his district; and
- stated that the committee will be charged with looking at the operational costs and other issues that are of concern.

Assemblymember Halter

- stated that Mr. Arthur Mannix should be on the committee as well, due to his extensive knowledge of the project;
- opined that the figures he saw were erroneous;
- stated that the project is a good one, which will reduce fuel costs to the school;
- opined that it will not be difficult to figure out feeding the wood to the boiler; and
- noted that there have been forest management areas that have been designated to provide wood to the school, with assistance from local cutters.

Assemblymember Woods:

- stated that he was under the impression that the boiler was located so far from the school that there is no ability to provide hot water to the school;
- noted that although the pipes are well insulated, that the water cools down by the time it reaches its destination; and
- related that may be something that should be looked at.

2. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues

Mr. Moosey:

- spoke to being in Juneau last week promoting the Borough's priorities to the Legislature;
- stated that there will be a rail presentation to the House and the Senate Transportation Committee;
- related that he will be in Washington, D.C. next week to address fish management;
- advised that on February 21, the MSB Fish and Wildlife Commission will be presenting in Juneau;
- stated that the Knik Arm and Bridge Toll Authority (KABATA) will be presenting at the next Port Commission meeting on February 20;
- advised that he is monitoring the school fund balance and the Susitna Forest, as those are items of concern for the Assembly;
- noted that if you have a smart phone, you can download the Alaska State Legislature application that will send meeting notices to your phone for free; and
- spoke to having developed a good relationship with the new lobbyist, who is working out well.

D. ATTORNEY COMMENTS

Mr. Spiropoulos:

- advised that he will be with the Manager next week in Washington, D.C.;
- spoke to the rail extension hearing this Thursday regarding the preliminary injunction regarding the Army Corp of Engineers permit; and
- advised that he will report back to the body on what occurs at that hearing.

E. CLERK COMMENTS

Ms. McKechnie spoke regarding the upcoming meeting schedule.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Aviation Advisory Board: 10/11/12
 - b. Bogard RSA Board of Supervisors: 02/06/12, 03/07/12, 03/27/12, 04/09/12, 06/25/12, 08/20/12, Resolution Serial No. 12-01
 - c. Caswell FSA Board of Supervisors: 08/08/12
 - d. Caswell Lakes RSA Board of Supervisors: 02/27/12, 05/22/12
 - e. Greater Butte RSA Board of Supervisors: 10/11/12, 11/20/12, Resolution Serial No. 12-5
 - f. Greater Talkeetna RSA Board of Supervisors: 10/11/12
 - g. MSB Fish and Wildlife Commission: 10/18/12
 - h. Planning Commission: 12/03/12, Resolution Serial No. 12-33
 - i. Platting Board: 10/18/12, 11/15/12, 12/06/12
 - j. Port Commission: 10/15/12, Resolution Serial No. 12-008
 - k. Transportation Advisory Board: 07/25/12, 08/22/12, Resolution Serial Nos. 12-12, 12-13, 12-14
1. Willow FSA Board of Supervisors: 09/13/12
2. Community Council Minutes:

- a. Big Lake Community Council: 06/13/12, 07/11/12, 08/08/12, 09/12/12, 10/10/12, 11/14/12
- b. Lazy Mountain Community Council: 01/19/12, 04/19/12
- c. Sutton Community Council: 03/28/12, 04/25/12, 05/30/12, 06/27/12
- d. Trapper Creek Community Council: 11/15/12

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

G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

VII. UNFINISHED BUSINESS

(There was no unfinished business.)

VIII. VETO

(There were no vetoes presented.)

IX. SPECIAL ORDERS

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

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

Mayor DeVilbiss queried if there was any objection to taking up public hearing nos. 5 through no. 9 for the local improvement districts together.

There was no objection noted.

- 2. Ordinance Serial No. 13-017: AN ORDINANCE APPROVING A LAND EXCHANGE OF 42.67 ACRES OF BOROUGH-OWNED LAND FOR APPROXIMATELY 174 ACRES OF UNIVERSITY OF ALASKA-OWNED LAND LOCATED IN THE BIG LAKE-WEST SUSITNA PARKWAY AREA FOR THE PURPOSE OF THE PORT MACKENZIE RAIL EXTENSION; AND AUTHORIZING THE MANAGER TO IMPLEMENT THE LAND EXCHANGE.
 - a. Resolution Serial No. 13-011: A RESOLUTION APPROVING A BEST INTEREST FINDING IN SUPPORT OF THE EXCHANGE OF LAND BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND THE UNIVERSITY OF ALASKA LOCATED WITHIN THE BIG LAKE-WEST SUSITNA PARKWAY AREA FOR THE PORT MACKENZIE RAIL EXTENSION (MSB006739).
- (1) IM 13-001

Mayor DeVilbiss 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 Salmon moved to adopt Ordinance Serial No. 13-017 and Resolution Serial No. 13-011.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 13-018: AN ORDINANCE ACCEPTING AND APPROPRIATING \$3,544.90 FROM MATANUSKA TELEPHONE ASSOCIATION TO FUND 440, PROJECT NO. 20323, FOR UPGRADING AND ENHANCING THE TELECOMMUNICATIONS AND INFORMATION SERVICES WITHIN THE MATANUSKA-SUSITNA LIBRARY NETWORK.
 - a. IM 13-002

Mayor DeVilbiss 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 Salmon moved to adopt Ordinance Serial No. 13-018.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 13-019: AN ORDINANCE AMENDING MSB 23.20.040, ANNUAL ALLOWABLE CUT, UNDER FOREST MANAGEMENT.
 - a. IM No. 13-006

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 13-019: Mr. Mark Stahl.

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

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 13-019.

Assemblymember Halter requested a staff report.

Mr. Spiropoulos provided a staff report.

Assemblymember Halter queried the number of acres affected in Chijuk.

Mr. Spiropoulos:

- stated that the Chijuk area is approximately 24,000 acres of forest; and
- related that the operable timber is approximately 16,000 acres of forest.

Assemblymember Halter queried what impact the legislation would have on small operators if it was not passed.

Mr. Spiropoulos stated that smaller operations would be squeezed out and no other sales in any other management unit would occur.

Assemblymember Halter queried if there was an expiration date and if not, should there be one.

Mr. Spiropoulos:

- stated that would be up to the Assembly;
- spoke to the contract providing for five years; and
- advised that should an expiration date be something the body would like, that he suggests a termination date of July 1, 2018.

Discussion ensued regarding:

- the quality of the wood in the Chijuk area;
- the need to ensure a healthy forest by removing some timber; and
- concerns with ensuring that smaller logging operations are not damaged.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 13-019, MSB 23.20.040(E), second sentence, by inserting “which will terminate July 1, 2018” after the word “unit” to read: “Timber harvest volumes sold, leased, or permitted and harvested within the Chijuk Creek Natural Resource Management Unite, which will terminate by July 1, 2018, shall not count against annual allowable cute limitations established in this section.”

Ms. Bodolay noted that there is the potential to extend the term of the contract by one year, which would be solely at the discretion of the Assembly.

MOTION: Assemblymember Arvin moved a secondary amendment by striking “July 1, 2018” and inserting in its place “July 1, 2019.”

VOTE: The secondary amendment passed with Assemblymembers Halter and Keogh opposed.

VOTE: The primary amendment passed with Assemblymembers Colligan, Woods, and Salmon opposed.

VOTE: The main motion passed as amended without objection.

5. Ordinance Serial No. 13-006: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE HOMESTEAD ESTATES AND ON THE IDITAROD NATURAL

GAS LOCAL IMPROVEMENT DISTRICT NO. 460 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

- a. Ordinance Serial No. 13-007: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$67,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE HOMESTEAD ESTATES AND ON THE IDITAROD NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 460, AND FIXING DETAILS OF SAID BONDS.
(1) IM No. 13-013
6. Ordinance Serial No. 13-008: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE RAVEN'S HILL AND NORMAN LANGES HOLIDAY NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 470 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 13-009: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$482,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE RAVEN'S HILL AND NORMAN LANGES HOLIDAY NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 470, AND FIXING DETAILS OF SAID BONDS.
(1) IM No. 13-014
7. Ordinance Serial No. 13-010: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE SOUTH STARLIGHT LANE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 475 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 13-011: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$78,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SOUTH STARLIGHT LANE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 475, AND FIXING DETAILS OF SAID BONDS.
(1) IM No. 13-015
8. Ordinance Serial No. 13-012: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE SHADOWMERE ESTATES PHASE I NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 481 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 13-014: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$25,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SHADOWMERE ESTATES PHASE I NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 481, AND FIXING DETAILS OF SAID BONDS.
(1) IM No. 13-016

9. Ordinance Serial No. 13-015: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE EAST DOC MCKINLEY AND SOUTH JESSIE JO PLACE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 486 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 13-016: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$55,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE EAST DOC MCKINLEY AND SOUTH JESSIE JO PLACE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 486, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 13-017

Mayor DeVilbiss 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 Salmon moved to adopt Ordinance Serial Nos. 13-006, 13-007, 13-008, 13-009, 13-010, 13-011, 13-012, 13-014, 13-015 and 13-016.

Assemblymember Keogh requested a staff report.

Ms. Hartley provided a staff report.

Assemblymember Keogh requested the formal letters of objection regarding the local improvement districts that are the subject of Ordinance Serial Nos. 13-008 and 13-009, as well as Ordinance Serial Nos. 13-015 and 13-016, be attached to the informational memorandums.

Ms. McKechnie advised that she would ensure that occurred.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 13-020: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$7,000 OF REVENUES FROM PUBLIC DONATIONS TO THE FISCAL YEAR 2013 ANIMAL CARE AND REGULATION DIVISION OPERATING BUDGET FOR SURGICAL EQUIPMENT.
 - a. IM No. 13-019

Mayor DeVilbiss 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. 13-020.

VOTE: The motion passed without objection.

11. Ordinance Serial No. 13-021: AN ORDINANCE DIRECTING THE BOROUGH MANAGER TO INVESTIGATE THE POTENTIAL ACQUISITION OF PROPERTY DESCRIBED AS PARCEL 2 OF MSB WAIVER RESOLUTION SERIAL NO. 2008-120-PWM RECORDED AT 2008-0268885-0 PALMER RECORDING DISTRICT STATE OF ALASKA. *(Sponsored by Assemblymember Woods)*
 - a. IM No. 13-023

Mayor DeVilbiss opened the public hearing.

The following persons opined that Assemblymember Woods had a conflict of interest regarding the legislation: Ms. Margaret Adsit, Mr. Michael Miller, and Mr. Matthew Beck.

The following persons spoke to the need for a better site selection process for school site: and to concerns with conflicts of interest: Ms. Michelle Church and Ms. Terry Snyder.

The following person spoke in support of Ordinance Serial No. 13-021: Ms. Lucille Frey.

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

(The meeting recessed at 7:10 p.m. and reconvened at 7:20 p.m.)

CONFLICT OF INTEREST: Assemblymember Woods stated that in the best interest of public perception, he would declare a conflict of interest.

RULING: Mayor DeVilbiss ruled that Assemblymember Woods had a conflict of interest and would be recused from voting.

Mayor DeVilbiss:

- stated that he would like to pull Ordinance Serial No. 13-021 completely from the agenda; and
- queried if there was any objection.

There was no objection noted.

Assemblymember Colligan:

- stated that it is difficult for him to listen to negative testimony regarding Assemblymember Woods;
- opined that Assemblymember Woods is one of the most ethical and honest people he knows; and
- further opined that no members of the Assembly should be on the site selection committee as the public tends to complain about that issue as much as cats.

12. Ordinance Serial No. 13-022: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$40,000 FROM THE GREATER PALMER CONSOLIDATED FIRE SERVICE AREA FUND BALANCE, FUND 259, TO THE GREATER PALMER

CONSOLIDATED FIRE SERVICE AREA FISCAL YEAR 2013 OPERATING BUDGET, FUND 259, TO PROVIDE REIMBURSEMENT FOR FIREFIGHTER WAGES AND FUNDING FOR TANKER AUTO-FILL EQUIPMENT.

- a. IM No. 13-024
- b. AM No. 13-012: AUTHORIZING A CONTRACT AMENDMENT FOR THE FISCAL YEAR 2013 GREATER PALMER CONSOLIDATED FIRE SERVICE AREA AGREEMENT IN AN AMOUNT NOT TO EXCEED \$25,650 FOR FIRE PROTECTION SERVICES WITH THE CITY OF PALMER FOR THE CONTACT PERIOD OF JANUARY 1, 2013, TO JUNE 30, 2013.

Mayor DeVilbiss 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. 13-022 and AM No. 13-012.

VOTE: The motion passed without objection.

13. Ordinance Serial No. 13-023: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$15,410 FROM THE NON-AREAWIDE FUND BALANCE, FUND 200, TO THE SUTTON LIBRARY FISCAL YEAR 2013 OPERATING BUDGET, FUND 200, TO PROVIDE ADDITIONAL FUNDS FOR PROPERTY INSURANCE AND HEATING FUEL OIL.
 - a. IM No. 13-025

Mayor DeVilbiss opened the public hearing.

The following person spoke to concerns with not providing funds for heating, for all community council buildings: Ms. Lucille Frey.

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

MOTION: Assemblymember Keogh moved to adopt Ordinance Serial No. 13-023.

Assemblymember Keogh:

- related that the funding is for the new library in Sutton;
- explained that it is a new building and that the estimates for heating were extremely high;
- advised that a community council center is different than community resource center and library, such as what is located in Sutton;
- stated that those few communities that have their own space fund their own heating costs; and
- advised that there are community revenue funds from the State that are available for community councils.

VOTE: The motion passed without objection.

14. Ordinance Serial No. 13-024: AN ORDINANCE TO CONVEY 40 ACRES, MORE OR LESS, WITH CERTAIN COVENANTS, CONDITIONS, AND RESTRICTIONS, TO THE WILLOW AREA COMMUNITY ORGANIZATION FOR THE DEVELOPMENT OF A COMMUNITY PARK (MSB004529).
 - a. IM No. 13-026

Mayor DeVilbiss opened the public hearing.

The following person spoke in opposition to Ordinance Serial No. 13-024: Ms. Cathy Hummel.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 13-024.

Assemblymember Halter

- requested approval of the legislation;
- advised that this property has been properly vetted to ensure it was the best place for a community park; and
- related that the Willow Community is solidly in support of the project.

VOTE: The motion passed without objection.

15. Ordinance Serial No. 13-025: AN ORDINANCE AMENDING MSB 17.02.020, LAND USE PERMIT, UNDER MANDATORY LAND USE PERMIT.
 - a. IM No. 13-032

Mayor DeVilbiss opened the public hearing.

The following person spoke in opposition to Ordinance Serial No. 13-025: Ms. Cathy Hummel.

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

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 13-025.

VOTE: The motion passed without objection.

1. Ordinance Serial No. 12-169: AN ORDINANCE AMENDING MSB 17.73, MULTIFAMILY DEVELOPMENT DESIGN STANDARDS; AND MSB 17.125.010, DEFINITIONS. *(Sponsored by Assemblymembers Halter and Salmon)*
 - a. IM No. 12-258

Mayor DeVilbiss opened the public hearing.

The following person spoke to concerns with Ordinance Serial No. 12-169: Mr. B. H. Tilton and Mr. Bill Johnson.

Mayor DeVilbiss requested a staff report.

Mr. Driscoll provided a staff report.

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

MOTION: Assemblymember Halter moved to adopt Ordinance Serial No. 12-169.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 12-169, MSB 17.73.040(3), by inserting after the words “subsequent amendments” the words “Short-term transient accommodations shall be” and by striking the word “are”, to read: “Short-term transient accommodations shall be exempt from the standards of this chapter.”

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 12-169, MSB 17.73.250(A), by striking the proposed definition for “Short-term transient Accommodations.”

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 12-169, to include all amendments proposed by Assemblymember Salmon and approved by the Planning Commission with the recommended changes.

MOTION: Assemblymember Colver moved to postpone Ordinance Serial No. 12-169 to a time certain of March 12, 2013, at 4 p.m.

Assemblymember Arvin stated that he was in favor of adopting the amendments prior to postponement so that there is only the main motion pending.

Ms. McKechnie advised that she could prepare a document for the body that would include the amendments that have been made.

Discussion ensued regarding:

- a document being prepared containing all of the amendments; and
- opposition to postponement.

VOTE: The motion to postpone failed with Assemblymember Woods, Keogh, and Colver in support.

MOTION: Assemblymember Salmon moved a secondary amendment to MSB 17.73.040(A)(1), Density, to not strike “five” and to not strike (a) and (i) in the Planning Commission recommendations, which read: “to determine the density threshold based on lot area, the following equation is used: (a) 0.000125 multiplied by lot area.”

Assemblymember Colver:

- opined that the amendments are becoming confusing; and
- stated that he needs to see the amendments made thus far included, before he can make anymore decisions.

Assemblymember Halter:

- noted that he agrees with Assemblymember Colver; and
- spoke in opposition to the amendment.

VOTE: The secondary amendment failed with Assemblymember Salmon in support.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Colver moved to postpone Ordinance Serial No. 12-169 to a time certain of March 12, 2013, at 4 p.m.

MOTION: Assemblymember Arvin moved a primary amendment to strike “March 12, 2012, at 4 pm” and inserting in its place “March 19, 2013, regular meeting.”

VOTE: The primary amendment passed with Assemblymembers Salmon and Halter opposed.

VOTE: The motion to postpone to a time certain of March 19, 2013, passed as amended with Assemblymember Keogh opposed.

(The meeting recessed at 8:10 p.m. and reconvened at 8:15 p.m.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in support of the Jim Creek Master Plan: Mr. Dennis Hamann; Mr. Earl Lackey; Mr. Ron Tresham; Mr. Craig Saunders; Mr. Bill Johnson; Mr. David Bostwick; Mr. Darryl Dreher, Butte Community Council President; Ms. Patty Barber; Mr. Pat O’Connor; and Ms. Jane Erickson.

The following persons spoke in opposition to the Jim Creek Master Plan: Mr. Robert Howard, Mr. Mark Simpson, Ms. Patricia Rosnel, Ms. Radihka Garland, Ms. Alys Culhane, and Ms. Carrie Greywolf.

The following person spoke in support of the Jim Creek Master Plan and requested the Assembly pass a resolution in support of House Bill Nos. 24, 55, and 69: Mr. Mike Coons.

The following person spoke to concerns with multi-use access in the Jim Creek area and the need for people to not impinge on the enjoyment of others: Ms. Julia Plotnick.

The following person thanked the Mayor and the Clerk for the certificate in appreciation of his service on the School Site Selection Committee, thanked Mr. Joe Welliver for his support of that committee, and to concerns with Ordinance Serial No. 13-021: Mr. Randy Dellar.

The following person opined that there is a need for more public participation regarding the Jim Creek Master Plan: Ms. Cathy Hummel.

The following person spoke to his hope that a site is selected soon for the new South Palmer Elementary: Mr. Kevin Sorensen.

The following person thanked the Assembly for striking Ordinance Serial No. 13-021 from the agenda: Mr. Michael Miller.

D. CONSENT AGENDA

1. RESOLUTIONS

Mayor DeVilbiss queried if any members would like to pull anything else from the consent agenda.

Assemblymember Arvin requested to pull Resolution Serial No. 13-014 for further discussion.

a. Resolution Serial No. 13-012: A RESOLUTION IN SUPPORT OF THE LAND ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, AND FINANCING OF THE MAT-SU VALLEY GATEWAY VISITOR'S CENTER.

(1) IM No. 13-036

~~b. Resolution Serial No. 13-013: A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NOS. 45102, 45250, AND 45088 AND APPROVING THE SCOPE OF WORK FOR PROJECT NO. 45102 TO ALLOW THE WEST LAKES FIRE SERVICE AREA TO PURCHASE BACKUP AND REPLACEMENT GENERATORS.~~

~~(1) IM No. 13-037~~

e. Resolution Serial No. 13-016: A RESOLUTION SUPPORTING THE CITY OF WASILLA'S 2014 CAPITAL IMPROVEMENT PROGRAM. *(Sponsored by Assemblymember Colligan)*

(1) IM No. 13-046

2. ACTION MEMORANDUMS

- a. AM No. 13-014: APPROVAL OF ROAD SERVICE AREA ROAD IMPROVEMENTS, ROAD MAINTENANCE, AND REPAIR CAPITAL PROJECTS LIST, SUMMER 2013.
- b. AM No. 13-023: APPROVAL OF CONTRACT AMENDMENT NO. 2 WITH GDM, INC. IN THE AMOUNT OF \$29,870.39 FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES TO INCLUDE HAZARDOUS ABATEMENT DESIGN TO REPLACE GYM FLOORING AT FIVE ELEMENTARY SCHOOLS.
- c. AM No. 13-024: AWARD OF BID NO. 13-068B TO WESTERN CONSTRUCTION AND EQUIPMENT, LLC. IN THE CONTRACT AMOUNT OF \$216,142.25 FOR TAMAR ROAD IMPROVEMENTS.
- d. AM No. 13-025: APPROVAL FOR UTILITY RELOCATION COSTS TO ENSTAR NATURAL GAS COMPANY IN THE AMOUNT OF \$102,659.92 FOR LANARK AND BROCTON DRIVE UTILITY RELOCATE AND UPGRADE PROJECT, PROJECT NO. 30048.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

- c. Resolution Serial No. 13-014: A RESOLUTION APPROVING THE FINANCIAL RESPONSIBILITY FOR THE M/V SUSITNA FOR MARCH 2013.
- (1) IM No. 13-040

MOTION: Assemblymember Salmon moved to adopt Resolution Serial No. 13-014.

Assemblymember Arvin:

- stated that he will continue to pull this type of legislation from the consent agenda; and
- advised that he will continue to vote against funding for the ferry.

Assemblymember Colligan stated that he thought that it was already funded through March.

Mr. Moosey:

- advised that at the last meeting January and February were funded;
- stated that he is requesting the funding in case the ferry does not sell;
- spoke to the many ways that the ferry has been advertised; and
- related that the Alaska Marine Highway System is looking at using the vessel.

Assemblymember Keogh:

- noted that no member of the Assembly is happy with the very expensive liability;
- stated that he is not in favor of taking an action that could put the Borough in a bad situation; and
- opined that it should be funded until the issue is resolved.

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

VOTE: The motion passed without objection.

VOTE: The main motion failed with Assemblymembers Halter, Keogh, and Salmon in support.

MOTION: Assemblymember Arvin moved to reconsider Resolution Serial No. 13-014.

VOTE: The motion for reconsideration passed without objection.

Assemblymember Arvin opined that the ferry issue needs to be resolved as soon as possible.

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

VOTE: The motion passed without objection.

VOTE: The main motion passed without objection.

c. Resolution Serial No. 13-015: A RESOLUTION ADOPTING THE JIM CREEK
MOTORIZED MASTER PLAN.

(1) IM No. 13-044

MOTION: Assemblymember Keogh moved to adopt Resolution Serial No. 13-015.

Assemblymember Keogh:

- thanked those who spoke under audience participation regarding the legislation;
- noted that the community is evenly divided on the subject of motorized versus non-motorized;
- stated that concerns regarding habitat have been raised;
- noted that as the site develops that it will attract more users of both types; and
- opined that there is no doubt that the master plan will be adopted.

MOTION: Assemblymember Keogh moved a primary amendment to Resolution Serial No. 13-015, by inserting at the end of the legislation the following be it further resolved clause: “Be It Further Resolved, that in conformance with standard Borough park rules and practice, no discharge of firearms shall be allowed on the Jim Creek Parcel.”

Assemblymember Colligan:

- spoke in support of the amendment and of the need to move forward; and
- noted the need for dedicated gun ranges.

VOTE: The primary amendment passed with Assemblymembers Woods, Arvin and Salmon opposed.

MOTION: Assemblymember Keogh moved a primary amendment to Resolution Serial No. 13-015, by inserting at the end of the legislation the following be it further resolved clause: “Be It Further Resolved, that in conformance with standard Borough park rules and practice, no alcohol shall be allowed on the Jim Creek Parcel.”

Assemblymember Colligan stated that he is opposed to the amendment as it is not within the purview of the Borough to regulate alcohol.

Assemblymember Salmon spoke in opposition to the amendment and to concerns with enforcement of the rule.

Assemblymember Colver spoke in opposition to the amendment due to the lack of enforcement authority.

Discussion ensued regarding:

- that Borough parks have a uniform prohibition against alcohol;
- that the Alaska State Troopers would be called for enforcement;
- that the Jim Creek Parcel is not a designated park; and
- that the public does not generally support banning alcohol in recreational areas.

VOTE: The primary amendment failed with Assemblymember Keogh in support.

MOTION: Assemblymember Keogh moved a primary amendment to Resolution Serial No. 13-015, to strike the word “motorized” throughout the Jim Creek Master Plan.

Assemblymember Keogh:

- noted that when the legislation first came forward that the word motorized was not in the legislation; and
- provided a history of how the Jim Creek Master Plan came to be.

VOTE: The primary amendment failed with Assemblymember Keogh in support.

VOTE: The main motion passed as amended without objection.

f. Resolution Serial No. 13-017: A RESOLUTION IN SUPPORT OF HOUSE BILL NO. 40 EXEMPTING CERTAIN FARM FOOD STORAGE AND PRODUCTION BUILDINGS FROM TAXATION.

(1) IM No. 13-047

MOTION: Assemblymember Woods moved to set Resolution Serial No. 13-017 for public hearing on February 19, 2013.

VOTE: The motion passed without objection.

(The meeting recessed at 9:40 p.m. and reconvened at 9:45 p.m.)

MOTION: Assemblymember Woods moved to suspend the rules to extend the meeting past 10 p.m. and not to exceed 12 midnight.

VOTE: The motion passed without objection.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 02/19/13, School District Administration Building)

1. Ordinance Serial No. 13-026: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$283,404 OF REVENUES FROM THE SU-KNIK WETLAND MITIGATION BANK TO THE LAND AND RESOURCE MANAGEMENT DIVISION FISCAL YEAR 2013 OPERATING BUDGET, AND REAPPROPRIATING \$50,000 TO FUND 480, PROJECT NO. 15031, OPERABLE FOREST LAND PLAN; \$15,000 TO FUND 440, PROJECT NO. 15040, RABBIT SLOUGH ACCESS/PARKING PROJECT; \$23,000 TO FUND 440, PROJECT NO. 15040, COTTONWOOD CREEK ACCESS AND PARKING PROJECT; \$95,404 TO FUND 430, PROJECT NO. 35187, HATCHER PASS TRANSIT FACILITY AND BUS ACCOMMODATIONS; AND \$100,000 TO FUND 440, PROJECT NO. 15036, FOR THE MATANUSKA RIVER PARK MASTER PLAN IMPROVEMENTS, FROM THE LAND AND RESOURCE MANAGEMENT DIVISION FISCAL YEAR 2013 OPERATING BUDGET, FUND 203.

a. Resolution Serial No. 13-018: A RESOLUTION APPROVING THE SCOPES OF WORK AND BUDGETS FOR PROJECT NO. 15031, OPERABLE FOREST LAND PLAN; PROJECT NO. 15036, MATANUSKA RIVER PARK MASTER PLAN IMPROVEMENTS; AND AMENDING THE BUDGETS FOR PROJECT NO. 15040, RABBIT SLOUGH ACCESS/PARKING PROJECT; PROJECT NO. 15040, COTTONWOOD CREEK ACCESS AND PARKING PROJECT; AND PROJECT NO. 35187, HATCHER PASS TRANSIT FACILITY AND BUS ACCOMMODATIONS.

(1) IM No. 13-004

2. Ordinance Serial No. 13-027: AN ORDINANCE APPROVING THE ACCEPTANCE AND APPROPRIATION OF FISCAL YEAR 2013 COMMUNITY REVENUE SHARING PROGRAM FUNDS IN THE AMOUNT OF \$629,200 TO FUND 475, PROJECT NO. 47033.
 - a. Resolution Serial No. 13-019: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FISCAL YEAR 2013 COMMUNITY REVENUE SHARING PROGRAM, PROJECT NO. 47033.
 - (1) IM No. 13-038
3. Ordinance Serial No. 13-028: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS INCLUDING UNITED STATES FISH AND WILDLIFE SERVICE PROJECT MANAGEMENT, PROJECT NO. 30093; MEADOW LAKES AREA AND SETTLER'S BAY ROAD CULVERT REPLACEMENT PROJECT NO. 30112; AND FISH PASSAGE IMPROVEMENTS, PROJECT NO. 30114.
 - a. IM No. 13-039
4. Ordinance Serial No. 13-029: AN ORDINANCE AUTHORIZING THE BOROUGH TO ISSUE AREAWIDE GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, TO FINANCE THE ACQUISITION, DESIGN, CONSTRUCTION, MAJOR RENOVATION, AND RENEWAL OF EDUCATIONAL CAPITAL IMPROVEMENT PROJECTS AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH; FIXING CERTAIN DETAILS OF SAID BONDS; AND AUTHORIZING THEIR SALE.
 - a. IM No. 13-041
5. Ordinance Serial No. 13-030: AN ORDINANCE ACCEPTING AND APPROPRIATING \$3,000 FROM THE HUMANE SOCIETY OF THE UNITED STATES FOR A WORLD SPAY DAY 2013 SPAY/NEUTER EVENT FOR LOW-INCOME RESIDENTS, PROJECT NO. 47034.
 - a. Resolution Serial No. 13-020: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 47034, TO ALLOW A SPAY/NEUTER EVENT FOR LOW-INCOME RESIDENTS THROUGH A GRANT FROM THE HUMANE SOCIETY OF THE UNITED STATES.
 - (1) IM No. 13-042
6. Ordinance Serial No. 13-031: AN ORDINANCE AMENDING MSB 5.25.142, TO ANNEX PROPERTY LOCATED IN THE SMITH STREET/HERMANN AVENUE AREA INTO THE GREATER PALMER CONSOLIDATED FIRE SERVICE AREA NO. 132.
 - a. Resolution Serial No. 13-021: A RESOLUTION FINDING THE ANNEXATION OF PROPERTIES LOCATED IN THE SMITH STREET/HERMANN AVENUE AREA INTO THE GREATER PALMER CONSOLIDATED FIRE SERVICE AREA NO. 132 SERVES THE PUBLIC INTEREST WITHOUT THE PLACEMENT OF THE QUESTION ON THE BALLOT. *(Sponsored by Assemblymember Keogh)*
 - (1) IM No. 13-045

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Salmon moved to introduce the legislation as read into the record by the Clerk and set the public hearings for February 19, 2013.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Aviation Advisory Board

Beth Fread

Board of Ethics

David Wilson

Emergency Medical Services Board

Roger Swingle

Enhanced 911 Advisory Board

Thomas Hood

Historical Preservation Commission

Karin Pitts

Selena Ortega-Chiolero

Joint Assembly/School Board Committee on School Issues

Jim Colver

Local Emergency Planning Committee

Robert French

MSB Fish and Wildlife Commission

Howard Delo

Parks, Recreation, and Trails Advisory Board

Dane Crowley

Platting Board

Jay Van Diest

Port Commission

Paul DuClos

Tall Tower Advisory Committee

Ken Slauson

James Ellis

Rick Brenden

Aaron Downing

John Lee

Fairview RSA No. 14

Daniel Elliot

Greater Talkeetna RSA No. 29

David Johnston

Greater Willow RSA No. 20
John Grohol
Knik RSA No. 17
Joy Fearn-Condon
Lazy Mountain RSA No. 19
Matthew Doerksen
Trapper Creek RSA No. 30
Joan Medbury

Mayor DeVilbiss made the following recommendations:

Aviation Advisory Board
Chris Kepler
Enhanced 911 Advisory Board
Dennis Brodigan
Local Emergency Planning Committee
Donald Warble
Ken Slauson
MSB Fish and Wildlife Commission
Bruce Knowles
Larry Engel
Port Commission
Brian Endle
Platting Board
Diana Sorensen
Port Commission
Greg Bell
Tall Tower Advisory Committee
Archie Giddings
Circle View & Stampede Estates Flood & Water Erosion Control No. 131
Patti Huntsman

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

MOTION: Assemblymember Keogh moved to divide the question to take up the confirmation to the Tall Tower Advisory Committee separately.

Assemblymember Colver spoke in support of dividing the question.

Assemblymember Halter queried the number of seats that are available on the committee.

Mayor DeVilbiss stated that code provides for five seats.

VOTE: The motion to divide the question failed with Assemblymembers Halter, Keogh and Colver in support.

Mayor DeVilbiss queried if there was any objection to approving the vacancy report.

Assemblymember Keogh:

- objected to approving the vacancy report;
- noted that he would vote against all confirmations this evening since the question was not divided; and
- opined that the committee is imbalanced and biased in favor of industry.

Assemblymember Salmon queried which members of the Committee are of concern.

Assemblymember Keogh:

- noted that Mr. Ken Slauson spoke against tall tower regulations that were recently adopted; and
- stated that he would not vote to confirm Mr. Aaron Downing to any board or committee.

Mayor DeVilbiss queried that because the motion to divide failed, if the motion to confirm could be amended.

Ms. McKechnie affirmed the query.

MOTION: Assemblymember Keogh moved to strike Mr. Aaron Downing from confirmation to the Tall Tower Advisory Committee.

Assemblymember Salmon:

- opined that Mr. Downing has contributed to the Borough for many years; and
- noted that he has served the Borough many times in the past.

Assemblymember Colligan:

- spoke in support of Mr. Downing;
- noted the many contributions Mr. Downing has made to his community, as well as Alaska; and
- related that he may be a little rough around the edges, but has a lot of knowledge that can benefit the Borough.

Assemblymember Arvin:

- spoke in support of Mr. Downing;
- stated that he does not know anyone who refers to Mr. Downing by anything other than grandpa; and
- opined that he is a very interesting individual with long history of civic service.

Assemblymember Keogh related that he has spoken to concerns with appointing Mr. Downing to other boards in the past.

VOTE: The motion failed with Assemblymember Keogh in support.

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

VOTE: The motion passed without objection.

VOTE: The vacancy report passed with Assemblymember Keogh opposed.

C. OTHER NEW BUSINESS

(There was no other new business.)

D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

(There were no referrals presented.)

XI. RECONSIDERATION

A. Resolution Serial No. 13-009: A RESOLUTION ESTABLISHING A TEMPORARY COMMISSION TO REVIEW AND RECOMMEND MSB ENERGY POLICY AND POTENTIAL CHANGES OR REPEAL OF MSB 8.32. *(Reconsideration filed by Assemblymember Keogh on January 16, 2013)*

1. IM No. 13-035

MOTION: Assemblymember Keogh moved to reconsider Resolution Serial No. 13-009.

Assemblymember Keogh noted that his reasons for requesting reconsideration were contained in his request for reconsideration.

VOTE: The motion for reconsideration failed with Assemblymember Keogh in support.

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Colver

- stated that he will be bringing forward a resolution requesting that the Manager find a budget analyst for the budget process;
- noted that it was helpful to have the analyst during the budget cycle; and
- stated that the Assembly may want to consider a resolution in support of one of the gas line options that are being proposed.

Assemblymember Woods:

- spoke to being amazed at the idea that he had a part other than sponsor of Ordinance Serial No. 13-021;
- stated that Mr. Sorensen owns the property and has the discretion to do as he pleases with it;
- stated that he believes that the problem is that the Woods Family Trust is owed money by Mr. Sorenson;

- opined that the property is excellent for a school and deserves some recognition; and
- thanked the body for a good meeting.

Assemblymember Salmon:

- stated that he has never met a man with more integrity and more ethics than Assemblymember Woods;
- noted that he is appalled that his name is besmirched by those with no idea of the process that has come before;
- opined that Assemblymember Woods will withstand any scrutiny of his character;
- related that he is upset by the public accusation and the media portrayal of Assemblymember Woods;
- stated that Mr. Dan Ducey had passed away this week;
- spoke to Mr. Ducey's can do attitude and to the many things that he accomplished in his life;
- stated that Ms. Mary Kvalheim also passed away this week;
- noted the many ways Ms. Kvalheim has served her community; and
- noted that he is sad over the loss of two fine people who made huge contributions to the Borough.

Assemblymember Keogh:

- related his effort to understand the need for the MSB Energy Policy Commission;
- stated that he spoke to Matanuska Electric Association, ENSTAR Natural Gas, and Alaska Energy Authority to find out what their position regarding current code on regeneration plants or power plant facilities;
- advised that none of those entities see the need for the committee;
- noted that none of them have asked for the legislation to be repealed or changed;
- stated that there has been no suggestion that they take a position on the legislation; and
- stated that Ms. Mary Kvalheim and her civic mindedness will be missed.

Assemblymember Arvin:

- opined that some of the comments regarding the Jim Creek Master Plan were very off target;
- spoke to his appreciation that Assemblymember Keogh verbalized that there has been a divided community who often do not respect the opinion of each other;
- stated that he thought the body was trying to bring balance to the use of Borough lands by designating use areas in order to minimize conflicts between user groups;
- opined that the liability concerns that were expressed were unfounded and unnecessary;
- stated that he was disappointed in the testimony in opposition to the Jim Creek Master Plan; and
- noted that the Matanuska-Susitna Borough is unique in that the wild west still exists here.

Mayor DeVilbiss:

- noted the passing of the former Chancellor of the Mat-Su College, Mr. Glenn Massie;
- spoke to having attended the service for Mr. Dan Ducey;
- noted that he issued a proclamation, which declared this month as "Dan Ducey Volunteer Month;" and
- spoke to the many ways that Mr. Ducey inspired him.

XIII. EXECUTIVE SESSION


(There was no executive session held.)

XIV. ADJOURNMENT

The regular meeting adjourned at 10:22 p.m.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 03/05/13