

MATANUSKA-SUSITNA BOROUGH REGULAR MEETING
ASSEMBLY AUGUST 20, 2002

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on August 6, 2002, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. J. Bruce Bush, Assembly District No. 1
Ms. Sara Jansen, Assembly District No. 2 (Deputy Mayor)
Mr. Talis J. Colberg, Assembly District No. 3
Mr. Dan Kelly, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6
Ms. Kelly Ladere, Assembly District No. 7

Staff in attendance were:

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

III. APPROVAL OF AGENDA

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

Mayor Anderson noted that AM No. 02-158 was pulled from the consent agenda because there was a pending bid appeal, and the regular assembly meeting minutes of August 6, 2002, would be presented at the September 3, 2002, regular meeting.

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

Mayor Anderson stated that he would be enforcing Robert's Rules of Order -- that no assembly member may speak more than twice to the same question.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Lebron McPhail, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting Re: Manager's Evaluation: August 6, 2002

Mayor Anderson referenced the special assembly meeting minutes of August 6, 2002, and asked if there were any corrections.

GENERAL CONSENT: The minutes were approved as presented.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports presented from the cities.)

2. Matanuska-Susitna Borough School District

Kim Floyd, Public Information Specialist:

- stated that Wasilla High will be ready for students on September 3, 2002;
- informed that from 7-9 p.m. that evening at Evangelos the district will be hosting a family information session for the new home school support program; the registration numbers for the program included 100 new students;
- commented that the school district is creating a home school advisory council to help the district provide service and support for home schools in the valley; records indicate that there are 1700 students enrolled in home school programs;
- informed that the school board has a regular business meeting Wednesday, August 21, 2002, at 6 p.m. at Palmer High School; an agenda has been provided for information;
- referenced the assessment data from the summer programs and stated that George Troxel, Assistant Superintendent of Instruction, will provide the information;
- informed that the state will be releasing the official results from the last round of bench mark testing at the end of this month and there will be a special presentation to the joint assembly/school board meeting on September 10, 2002, during which an assessment specialist from the district will explain the results; and
- recognized the information memo that covers the school district revenue recapitulation and stated that the school district is working to keep the assembly up to date.

George Troxel, Assistant Superintendent of Instruction:

- reported on the district's summer programs;
- spoke to the program "math matters" and informed that it will not be offered again next summer;
- discussed the district designing the budget for summer programs for next year;
- addressed the school district's assessment program and the information used to better support students;
- informed that the district has participated in statewide assessment for three years;
- commented that the district averages are higher than state averages;
- spoke to math proficiency over the course of education; and
- stated that on September 10, 2002, at the joint assembly/school board meeting, there will be a report on the district's performance in the statewide testing program.

Assemblymember Ladere noted that she would not be available on September 10, 2002, for the joint assembly/school board meeting and requested that Mr. Troxel also provide a written report.

Discussion ensued regarding the delineation of test results between public schools and correspondence schools.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board on School Issues

(No report was presented.)

2. Intergovernmental Liaison Committee

(No report was presented.)

3. Regional Transportation Planning Organization

Mayor Anderson stated that the first meeting for this committee will be on September 16, 2002.

C. MANAGER COMMENTS

Mr. Duffy:

- informed that the manager's decision regarding the bid to Hayward Baker has been appealed by Swalling Construction Company; confirmed that the purchasing officer verified that Hayward Baker did in fact have the licenses and that the licenses were current; and
- stated that the borough has received the final version of the international economic development plan which is attached to the manager's report, and thanked Alisha Wilson for producing the cover.

D. ATTORNEY COMMENTS

Mr. Gatti:

- stated that he has hired an assistant attorney who will begin work on September 17, 2002;
- recognized the attorney's staff for their support and hard work;
- informed that he is giving notice of his resignation this evening;
- encouraged everyone to remain issue-oriented and not to make issues personal;
- commented that November 3, 2002, will be his resignation date;
- thanked the assembly for the work that they accomplish; and
- stated that Mr. Aschenbrenner will be taking over the meeting because he is leaving town for a few days.

E. CLERK COMMENTS

Ms. Dillon referenced the clerk's report.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

a. Senior Citizens Advisory Board: 07/15/02

G. INFORMATIONAL MEMORANDUMS

1. IM No. 02-218: MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT'S FISCAL YEAR 2003 OPERATING BUDGET AMENDMENT.

VIII. UNFINISHED BUSINESS

A. Ordinance Serial No. 02-116: AN ORDINANCE ADOPTING MSB 17.61 CORE AREA CONDITIONAL USE PERMIT.

1. IM No. 02-170 (Main motion pending)

Ms. Garley:

- stated that the proposed amendments to the ordinance were based on testimony presented during the last public hearing;
- commented that planning has tried to address the concerns regarding the hazardous materials section of the ordinance; and
- stated that the borough is requesting an effective date of January 1, 2003; it is believed that if the ordinance is adopted on this date it will give a sufficient amount of time to distribute materials and hold a series of open houses and

quorums in which people can become educated about the ordinance.

Mayor Anderson addressed the technical drafting guidelines regarding changes to the ordinance.

Assemblymember Jansen:

- stated that it is her intent to go through the amendments to create a new version of the ordinance;
- commented that the amendments have been prepared in response to the public hearing and other technical amendments; and
- stated that it is the intent to set another public hearing after the amendments have been made.

Discussion ensued regarding the process for moving amendments to the ordinance.

MOTION: Assemblymember Colberg moved to postpone to direct administration to prepare a substitute ordinance incorporating the amendments from staff and that the changes be brought back to the assembly at the September 5, 2002, special meeting.

Assemblymember Kelly stated that he could not support bringing the ordinance back to the public for hearing and inquired if there will be a substantial difference in the ordinance.

Mr. Aschenbrenner responded that the revisions to the hazardous waste portion of the ordinance are extensive.

Discussion ensued regarding the changes to the ordinance and holding a second public hearing on the ordinance.

Assemblymember Simpson queried as to when the completed documents would be available to the public.

Mr. Duffy stated that he would like to have the attorney complete his review before the document is released.

Mr. Aschenbrenner stated that he will attempt to meet with the environmental engineer again before the end of the week.

Assemblymember Kelly expressed concern that there will not be enough time to review the document.

MOTION: Assemblymember Bush moved a primary amendment to change the suggested public hearing date from September 5, 2002, to September 17, 2002.

Discussion continued regarding changing the public hearing date to September 17, 2002.

VOTE: The primary amendment passed with Assemblymembers Jansen, Colver, and Colberg in opposition.

MOTION: Assemblymember Jansen moved to amend the title of Ordinance Serial No. 02-116 to read: "AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ESTABLISHING CORE AREA CONDITIONAL USE PERMITTING REQUIREMENTS FOR CERTAIN COMMERCIAL AND INDUSTRIAL USES THAT CAUSE NOISE AND TRAFFIC IMPACTS, AND FOR CERTAIN COMMERCIAL AND INDUSTRIAL USES INVOLVING HAZARDOUS AND TOXIC SUBSTANCES WITHIN THE CORE AREA OF THE MATANUSKA-SUSITNA BOROUGH AND PROVIDING FOR PENALTIES FOR VIOLATIONS BY ADOPTING MSB 17.61, CORE AREA CONDITIONAL USE PERMIT REQUIREMENTS."

The regular meeting recessed at 6:55 p.m. and reconvened at 7:05 p.m.

Mayor Anderson stated that discussion would continue regarding Ordinance Serial No. 02-116 later in the meeting (see page 17.)

Assemblymember Simpson requested to move Resolution Serial No. 02-064 forward to the top of the agenda so that the responders would be allowed to speak to the issue and then return to their training.

GENERAL CONSENT: Hearing no objection, Resolution Serial No. 02-064 was moved to the Item 1 of the public hearings.

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.)

7. Resolution Serial No. 02-064: A RESOLUTION NAMING THE NEW PUBLIC SAFETY BUILDING IN WASILLA THE "PAT CARTER CENTRAL MAT-SU PUBLIC SAFETY BUILDING" AND THE NEW TRAINING TOWER THE "KNIK-GOOSE BAY FIRE TRAINING FACILITY."

a. IM No. 02-174

Mr. Duffy noted that this resolution is being proposed to name the building in conformance with borough code.

Mayor Anderson inquired if there was anyone in attendance from the naming committee. No members were present.

Mayor Anderson opened the public hearing.

The following spoke in opposition to naming a public safety building after an individual:

Ken Slauson, Chuck Wengenroth, Betty Caulkins, Dan Tucker, Luke Szipszky

MOTION: Assemblymember Jansen moved to adopt Resolution Serial No. 02-064.

Assemblymember Jansen questioned whether borough-owned buildings which are operated by volunteers are possibly different than a public building.

Assemblymember Simpson:

- stated that the naming committee was given a task to perform and they returned with a name for the building;
- spoke to the previous dedication of the building; and
- stated that she is supporting the testimony offered by the persons speaking against naming the public safety building after an individual.

Discussion ensued regarding remanding Resolution Serial No. 02-064 to the naming committee for suggestion of a new name for the public safety building. (The naming committee was dissolved at the time they submitted their recommendations, therefore this would not be an option.)

MOTION: Assemblymember Simpson moved to amend Resolution Serial No. 02-064 to strike "Pat Carter" from the name of the building.

Assemblymember Kelly stated that he is in support of naming the building the Central Mat-Su Public Safety Building.

Discussion ensued regarding the responsibilities of the naming committee as well as naming a building after an individual.

Assemblymember Kelly requested that a plaque dedicated to Pat Carter be displayed in the public safety building.

VOTE: The amendment passed with Assemblymembers Jansen and Colberg in opposition

VOTE: The motion to adopt Resolution Serial No. 02-064, as amended, passed without objection.

1. Ordinance Serial No. 02-076: AN ORDINANCE CREATING SALVAGE WAY NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 363, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

a. IM No. 02-130

Ms. Clayton stated that four ballots were mailed with three of the ballots being returned with a “yes” vote, which represents 75 percent of the ballots mailed.

Mayor Anderson opened the public hearing.

The following spoke in opposition to Ordinance Serial No. 02-076: Ken Slauson.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 02-076.

Assemblymember Ladere queried regarding what legal recourse would be incurred if the assembly stopped approving the natural gas LIDs.

Mr. Aschenbrenner stated that the assembly has discretion as to whether or not to create an LID.

Assemblymember Ladere requested that Mr. Aschenbrenner research the LID process.

VOTE: The motion to adopt Ordinance Serial No. 02-076 passed with Assemblymembers Simpson and Kelly in opposition.

2. Ordinance Serial No. 02-077: AN ORDINANCE CREATING IDLE WILD NO. 1 REVISED NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 364, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

a. IM No. 02-140

Ms. Clayton reported that 24 ballots were mailed with 15 ballots returned with a “yes” vote and nine ballots were not returned; the ballots returned represent 62.5 percent of the ballots mailed.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 02-077: Margaret Nelson.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-077.

Assemblymember Simpson stated that she is not in support of the ordinance because she is in opposition to the current process.

Assemblymember Kelly stated that he will not support the ordinance either, and opined that the borough should put the responsibility of providing gas back into the hands of the private company.

VOTE: The motion to adopt Ordinance Serial No. 02-077 passed with Assemblymembers Simpson and Kelly in opposition.

3. Ordinance Serial No, 02-078: AN ORDINANCE CREATING BAR-BAR-A SUBDIVISION AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO.365, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

a. IM No. 02-141

Ms. Clayton reported that 21 ballots were mailed with nine ballots returned with a “yes” vote, 12 ballots were returned with an “no” vote; less than of the ballots mailed were in approval, therefore administration recommends that the assembly defeat the ordinance.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-078.

Assemblymember Ladere stated that she cannot support the ordinance based upon the staff report.

VOTE: The motion to adopt Ordinance Serial No. 02-078 failed unanimously.

4. Ordinance Serial No. 02-079: AN ORDINANCE CREATING VISTA VIEW ESTATES AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 367, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

a. IM No. 02-142

Ms. Clayton reported that 22 ballots were mailed with 15 ballots returned with a “yes” vote and seven ballots either stated “no” or were not returned; the 15 votes in approval represent 68 percent, therefore administration requests approval of the ordinance.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 02-079: Henry Guinotte.

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

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 02-079.

Assemblymember Bush expressed his support for the ordinance.

VOTE: The motion to adopt Ordinance Serial No. 02-079 passed with Assemblymembers Kelly and Simpson in opposition.

5. Ordinance Serial No. 02-094: AN ORDINANCE CREATING WEST LAKE VIEW CIRCLE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO.357, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

a. IM No. 02-164

Ms. Clayton reported that five ballots mailed with four ballots returned with a “yes” vote representing 80 percent of the ballots mailed, therefore administration recommends adoption of the ordinance.

Mayor Anderson opened the public hearing.

The following person spoke against Ordinance Serial No. 02-094: Dixon Hall.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-094.

Assemblymember Ladere spoke in support of the ordinance.

VOTE: The motion to adopt Ordinance Serial No. 02-094 passed with Assemblymembers Simpson and Kelly in

opposition.

6. Ordinance Serial No. 02-097: AN ORDINANCE CREATING NORTH WEST VISNAW LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 368, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.

a. IM No. 02-167

Ms. Clayton reported that 25 ballots mailed were mailed with 17 ballots returned with a yes vote representing 68 percent of the ballots mailed, therefore administration is recommending approval of the ordinance.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-097.

VOTE: The motion to adopt Ordinance Serial No. 02-097 passed with Assemblymembers Simpson and Kelly in opposition.

8. Resolution Serial No. 02-065: A RESOLUTION NAMING THE NEW PUBLIC WORKS BUILDING THE “ROBERT VROMAN PUBLIC WORKS BUILDING.”

a. IM No. 02-175

Chuck Griffin (Naming Committee Chairman):

- stated that the committee met three times at the new facility;
- commented on the members of the committee;
- opined that the naming of the building after Mr. Vroman is not only appropriate, but well deserved; spoke to Mr. Vroman’s history and service to the borough and stated that he was directly connected to the building; and
- recommended that a catalog be created with lists the names of buildings so that there is not repetition in the naming of buildings.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Resolution Serial No. 02-065.

Assemblymember Jansen:

- spoke in support of Resolution Serial No. 02-065;
- commented that she likes the idea of the public buildings having a tie to borough history; and
- stated that she has spoken to the clerk regarding creating a list of names which have been used for buildings.

Assemblymember Ladere spoke to the efforts of Mr. Vroman in creating a road system across the borough.

VOTE: The motion to adopt Resolution Serial No. 02-065 passed without objection.

Assemblymember Jansen thanked Mr. Griffin and the committee for a job well done.

9. Ordinance Serial No. 02-129: AN ORDINANCE AUTHORIZING THE SALE AND RECLASSIFYING AS “AGRICULTURAL LANDS” FOUR PARCELS PREVIOUSLY CLASSIFIED “AGRICULTURAL LANDS” UNDER MSB TITLE 13.

a. IM No. 02-186

Mr. Duffy stated that the borough is attempting to sell four agricultural parcels of land and the borough needs to ensure that the parcels are properly defined per title 23.

Mayor Anderson opened the public hearing.

The following spoke regarding Ordinance Serial No. 02-129: Philip Smith

Assemblymember Ladere queried Mr. Smith as to what it costs him per acre to bring his farm from its natural wooded state to a producing acre.

Mr. Griffin responded that this costs between \$1,000 and \$1,200 per acre.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-129.

Assemblymember Ladere:

- stated that no agricultural lands have been for sale recently in the borough, so she is glad to see these parcels coming forward; and
- spoke in support of the ordinance.

Discussion ensued regarding allowing preference rights to adjacent property owners.

MOTION: Assemblymember Ladere moved to postpone Ordinance Serial No. 02-129 to a time certain of October 15, 2002.

Discussion ensued regarding the motion to postpone the ordinance.

VOTE: The motion, to postpone Ordinance Serial No. 02-129 to a time certain of October 15, 2002, passed without objection.

10. Ordinance Serial No. 02-130: AN ORDINANCE CLASSIFYING AS “GENERAL PURPOSE LANDS” AND APPROVING THE SALE OF A TRACT OF LAND IN THE WILLOW AREA NEAR LI’L HONEYBEE LAKE. (MSB003355)

a. IM No. 02-187

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-130.

VOTE: The motion to adopt Ordinance Serial No. 02-130 passed without objection.

Assemblymember Ladere spoke in favor of the proposed ordinance.

The regular meeting recessed at 8:06 p.m. and reconvened at 8:20 p.m.

11. Ordinance Serial No. 02-131: AN ORDINANCE CLASSIFYING 18 PARCELS OF LAND LOCATED THROUGHOUT THE BOROUGH AND APPROVING THOSE LANDS FOR SALE.

a. IM No. 02-188

Mayor Anderson opened the public hearing.

The following person spoke regarding Ordinance Serial No. 02-131, referencing parcel 039: Michael Lindbeck.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-131.

Mr. Swanson:

- reported that this particular parcel is almost entirely wetlands; and
- stated that the only access is from the Alaska Railroad so the parcel was divided this way for access purposes and because of the topography.

Mr. Duffy queried Mr. Swanson regarding dividing the land into three separate parcels.

Mr. Swanson responded that he would not agree with this due to the access concerns and because of the wetlands.

Assemblymember Colberg requested to hear from Mr. Lindbeck regarding access to the property other than the railroad.

Mr. Lindbeck stated that there is access by boat and by snowmachine in the winter.

MOTION: Assemblymember Jansen moved to divide the question to take parcel 02-039 separately.

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

Assemblymember Bush queried staff regarding which areas are the public recreation lands on parcel 02-037.

Mr. Swanson responded that the entire area is used for recreational purposes by residents of Houston, and stated that the entire area is currently zoned as public lands by city of Houston.

Discussion ensued regarding the classification of the surrounding parcels of land.

VOTE: The motion to adopt Ordinance Serial No. 02-131, excluding parcel 02-039, passed without objection.

Discussion ensued regarding the timing of having the parcel of land for sale.

VOTE: The motion to include parcel 02-039, failed with Assemblymembers Kelly and Colberg in support.

12. Ordinance Serial No. 02-132: AN ORDINANCE CLASSIFYING AS "GENERAL PURPOSE LANDS" AND "PUBLIC RECREATION LANDS" TWO TRACTS OF LAND IN THE WILLOW AREA NEAR BOOT LAKE APPROVING ONE TRACT FOR SALE. (MSB003356)

a. IM No. 02-189

Mayor Anderson opened the public hearing.

The following spoke against Ordinance Serial No. 02-132: Erling Westlien

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-132.

Assemblymember Ladere spoke to the degradation of public wetlands.

MOTION: Assemblymember Ladere moved to postpone Ordinance Serial No. 02-132 to a time certain of October 15, 2002.

VOTE: The motion to postpone Ordinance Serial No. 02-132 to a time certain of October 15, 2002, passed without objection.

13. Ordinance Serial No. 02-133: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$25,000 GRANT FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE TO FUND 440, PROJECT NO. 45117, FOR CONSTRUCTING A BOARDWALK, VIEWING PLATFORMS,

EDUCATIONAL/INFORMATIONAL KIOSKS, AND FOREST REHABILITATION WORK ON BOROUGH-OWNED PROPERTY AT JORDAN LAKE NEAR THE NEW BIG LAKE LIBRARY (T17N, R3W, SEWARD MERIDIAN, ALASKA, TAX PARCELS C8 AND C9).

a. IM No. 02-202

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-133.

Assemblymember Simpson:

- stated that the community council seated a committee earlier last spring to look into ways to use the property surrounding the new Big Lake Library;
- commented that one of the developments that happened over the summer was the award of this grant; and
- spoke in support of the ordinance.

Assemblymember Ladere voiced support regarding the educational factor of library participants.

VOTE: The motion to adopt Ordinance Serial No. 02-133 passed without objection.

14. Ordinance Serial No. 02-134: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, TO FUND 410, PROJECT NO. 30078, SETTLEMENT AVENUE DRAINAGE, UPGRADE, AND CULVERT RESTORATION.

a. Resolution Serial No. 02-071: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SETTLEMENT AVENUE DRAINAGE, UPGRADE, AND CULVERT RESTORATION, PROJECT NO. 30078.

(1) IM No. 02-203

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 02-134 and Resolution Serial No. 02-071.

VOTE: The motion passed without objection.

15. Ordinance Serial No. 02-135: AN ORDINANCE ACCEPTING AND APPROPRIATING \$25,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, TO FUND 410, PROJECT NO. 30080, LUPINE LANE CULVERT RESTORATION.

a. Resolution Serial No. 02-072: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE LUPINE LANE CULVERT RESTORATION, PROJECT NO. 30080 AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE.

(1) IM No. 02-205

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-135 and Resolution Serial No. 02-072.

Assemblymember Simpson:

- spoke in support of the ordinance;
- cautioned the assembly regarding the fact that there are limited funds available for some of the road service areas to

build and repair roads; and

- summarized that there needs to be an awareness of the impact on the road service areas.

VOTE: The motion passed without objection.

16. Ordinance Serial No. 02-136: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, TO FUND 410, PROJECT NO. 30081, CARDIFF ROAD CULVERT RESTORATION.

a. Resolution Serial No. 02-073: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE CARDIFF ROAD CULVERT RESTORATION PROJECT, PROJECT NO. 30081, AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE.

(1) IM No. 02-206

Mayor Anderson opened the public hearing.

The following person spoke regarding Ordinance Serial No. 02-136 and Resolution Serial No. 02-073: Pat Marley

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-136 and Resolution Serial No. 02-073.

Assemblymember Simpson reiterated her position regarding the road service area budget issue.

VOTE: The motion passed without objection.

17. Ordinance Serial No. 02-137: AN ORDINANCE ACCEPTING AND APPROPRIATING \$70,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 440, PROJECT NO. 15009, BRETT MEMORIAL ICE ARENA EXPANSION AND UPGRADE.

a. Resolution Serial No. 02-074: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE BRETT MEMORIAL ICE ARENA EXPANSION AND UPGRADE PROJECT, PROJECT NO. 15009.

(1) IM No. 02-211

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Kelly moved to adopt Ordinance Serial No. 02-137 and Resolution Serial No. 02-074.

Assemblymember Kelly:

- stated that this is a continuation of the upgrade on the Brett Memorial Ice Arena facility; and
- commented that this project would enhance the existing facility with the construction of permanent locker facilities, showers, public restrooms, office space, and an arctic entry.

Assemblymember Jansen spoke in support of the ordinance and stated that she is looking forward to the city of Palmer coming back with their own ice rink proposal.

VOTE: The motion to adopt Ordinance Serial No. 02-137 and Resolution Serial No. 02-074 passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Mayor Anderson opened audience participation.

The following spoke regarding the proposed conditional use permit: Byron Williams,

Pat Marley, and Dixon Hall.

The following spoke regarding land uses and grandfather rights: Michael Lindbeck

There being no others who wished to present testimony, Mayor Anderson closed audience participation.

The regular meeting recessed at 9 p.m. at reconvened at 9:08 p.m.

Assemblymember Bush queried what accommodations would be available to hold another public hearing on Ordinance Serial No. 02-116 and how this would affect the setting of a public hearing date for the ordinance.

Ms. Dillon responded that she would have to confer with the school district for building availability and sound equipment availability.

VIII. UNFINISHED BUSINESS (Continued from page 6)

A. Ordinance Serial No. 02-116: AN ORDINANCE ADOPTING MSB 17.61 CORE AREA CONDITIONAL USE PERMIT.

1. IM No. 02-170 (Main motion pending)

Mayor Anderson:

- noted that the assembly left this ordinance with an amendment to change the public hearing date to September 17, 2002, stating that this will be the first item of business; and
- referenced Assemblymember Jansen's motion, which was not acknowledged, to change the ordinance title.

Assemblymember Jansen stated that she has been advised that the title would be changed to reflect the nature of the substitute and included amendments, therefore, she would not need to make a motion at this time to change the title of the original ordinance.

Discussion ensued regarding whether there needs to be an amendment to the title and advertising of the substituting ordinance.

Assemblymember Ladere queried whether the substitute would include reference to MSB 17.61 in the title.

Ms. Dillon responded that this code reference would be included in the title.

Assemblymember Kelly:

- spoke to his concerns regarding the amendments to the ordinance; and
- stated that there should be a date set for people to stop submitting amendments so that the assembly will have time to review the document.

Discussion continued regarding amendments to the ordinance and the timing of having the amendments available to the public.

MOTION: Assemblymember Bush moved to reconsider the secondary amendment regarding the meeting time of September 17, 2002.

VOTE: The motion to reconsider failed with Assemblymembers Ladere and Bush in support.

VOTE: The main motion to direct the administration to bring forward a substitute ordinance and set the public hearing for Ordinance Serial No. 02-116 for September 17, 2002, passed without objection.

IX. NEW BUSINESS

CONFLICT OF INTEREST: Assemblymember Simpson asked for a conflict of interest ruling as she is an owner of a

parcel regarding Ordinance Serial No. 02-127.

RULING: Mayor Anderson noted that Assemblymember Simpson did have a conflict of interest.

[Assemblymember Simpson exited chambers.]

B. INTRODUCTION (For public hearing - 09/17/02, 7 p.m., Borough Assembly Chambers)

6. Ordinance Serial No. 02-127: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE SOUTH ROCKY LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 355 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-128: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$85,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SOUTH ROCKY LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 355, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-201

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved to introduce the legislation as read into the record by the clerk and set the public hearing for September 17, 2002.

VOTE: The motion passed with Assemblymember Kelly in opposition.

[Assemblymember Simpson entered chambers.]

A. INTRODUCTION (For public hearing - 09/03/02, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 02-139: AN ORDINANCE ESTABLISHING A TAX ON A NATURAL RESOURCE WHENEVER THE NATURAL RESOURCE IS SEVERED FROM PROPERTY WITHIN THE MATANUSKA-SUSITNA BOROUGH AND PROVIDING FOR PENALTIES FOR FAILURE TO PAY TAXES DUE BY ADOPTING MSB 3.55 NATURAL RESOURCE DEPLETION TAX. (Sponsor: Assemblymember Ladere)

a. IM No. 02-181

2. Ordinance Serial No. 02-140: AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN BOROUGHWIDE REAL PROPERTY ACQUIRED THROUGH TAX FORECLOSURE FOR DELINQUENT REAL PROPERTY TAXES YEARS 1994 AND 1996 AND PRIOR AND FOR DELINQUENT SPECIAL ASSESSMENTS YEARS 1997 AND PRIOR, AND NOT NEEDED FOR PUBLIC PURPOSE.

a. IM No. 02-213

3. Ordinance Serial No. 02-141: AN ORDINANCE ACCEPTING AND APPROPRIATING \$67,900 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 440, PROJECT NO. 15026, SU-VALLEY CROSS-COUNTRY BIATHLON TRAILS.

a. IM No. 02-216

4. Ordinance Serial No. 02-142: AN ORDINANCE ACCEPTING AND APPROPRIATING \$59,500 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 410, PROJECT NO. 35245, POINT MACKENZIE ROAD IMPROVEMENTS.

a. Resolution Serial No. 02-081: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE POINT MACKENZIE ROAD IMPROVEMENTS PROJECT, PROJECT NO. 35245 AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

(1) IM No. 02-217

5. Ordinance Serial No. 02-143: AN ORDINANCE ACCEPTING AND APPROPRIATING \$100,000 FROM THE

STATE OF ALASKA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 480, PROJECT NO. 25043, MATANUSKA RIVER EROSION CONTROL DIKE UPGRADE.

a. Resolution Serial No. 02-082: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MATANUSKA RIVER EROSION CONTROL DIKE UPGRADE PROJECT, PROJECT NO. 25043 AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF ALASKA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

(1) IM No. 02-219

6. Ordinance Serial No. 02-144: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$14,988 FROM FUND 290, FUND BALANCE, TO FUND 290, FISCAL YEAR 2003 OPERATING BUDGET, TALKEETNA FLOOD CONTROL SERVICE AREA TO REPLENISH THE REPAIR RESERVE AT THE TALKEETNA DIKE.

a. IM No. 02-220

7. Ordinance Serial No. 02-145: AN ORDINANCE ACCEPTING AND APPROPRIATING \$350,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 410, ROAD SERVICE CAPITAL PROJECTS FOR ROAD IMPROVEMENTS AND PAVING.

a. Resolution Serial No. 02-083: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR ROAD IMPROVEMENTS AND PAVING AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

(1) IM No. 02-221

8. Resolution Serial No. 02-080: A RESOLUTION PROVIDING FOR THE CONTINUANCE OF CERTAIN BOROUGH BOARDS AND COMMISSIONS.

a. IM No. 02-222

9. Ordinance Serial No. 02-146: AN ORDINANCE ACCEPTING AND APPROPRIATING \$100,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 425, PROJECT NO. 45119, TO PURCHASE AN AMBULANCE AND RELATED EQUIPMENT FOR THE TALKEETNA AREA.

a. Resolution Serial No. 02-084: A RESOLUTION SETTING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45119, FUND 425, TO PURCHASE AN AMBULANCE WITH RELATED EQUIPMENT FOR THE TALKEETNA AREA.

(1) IM No. 02-223

10. Ordinance Serial No. 02-147: AN ORDINANCE ACCEPTING AND APPROPRIATING \$100,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 425, PROJECT NO. 45120, TO PURCHASE AN AMBULANCE AND RELATED EQUIPMENT FOR THE MEADOW LAKES AREA.

a. Resolution Serial No. 02-085: A RESOLUTION SETTING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45120, FUND 425, TO PURCHASE AN AMBULANCE AND RELATED EQUIPMENT FOR THE MEADOW LAKES AREA.

(1) IM No. 02-224

11. Ordinance Serial No. 02-148: AN ORDINANCE ACCEPTING AND APPROPRIATING \$115,150 FROM THE ALASKA STATE MUNICIPAL CAPITAL PROJECT MATCHING GRANT PROGRAM, TO FUND 425, PROJECT NO. 45118, FOR THE PURCHASE OF AN AMBULANCE, RESCUE UNIT, AND RELATED EQUIPMENT FOR THE WILLOW AREA.

a. Resolution Serial No. 02-086: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE MUNICIPAL CAPITAL PROJECT MATCHING GRANT, FOR THE PURCHASE OF AN AMBULANCE, RESCUE UNIT AND RELATED EQUIPMENT, FUND 425, PROJECT NO. 45118, FOR THE WILLOW AREA.

(1) IM No. 02-225

12. Ordinance Serial No. 02-149: AN ORDINANCE ACCEPTING AND APPROPRIATING \$150,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, AND APPROPRIATING \$100,000 TO FUND 425, PROJECT NO. 45122, TO PURCHASE AN AMBULANCE AND RELATED EQUIPMENT, AND \$50,000 TO FUND 405, PROJECT NO. 45121, TO PURCHASE A BRUSH VEHICLE AND RELATED EQUIPMENT FOR THE BUTTE AREA.

a. Resolution Serial No. 02-087: A RESOLUTION SETTING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45122, FUND 425, TO PURCHASE AN AMBULANCE AND RELATED EQUIPMENT, AND FOR PROJECT NO. 45121, FUND 405, TO PURCHASE A BRUSH VEHICLE AND RELATED EQUIPMENT FOR THE BUTTE AREA.

(1) IM No. 02-226

13. Ordinance Serial No. 02-150: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$325,000 FROM THE STATE OF ALASKA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO FUND 475, PROJECT NO. 20331, FOR THE DON SHELDON HANGAR AND COMMUNITY CENTER PROJECT.

a. Resolution Serial No. 02-088: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE DON SHELDON AIRPLANE HANGAR COMMUNITY AND ARTS CENTER PROJECT.

(1) IM No. 02-227

14. Ordinance Serial No. 02-151: AN ORDINANCE ACCEPTING AND APPROPRIATING \$39,509 FROM UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, TO FUND 480, PROJECT NO. 20330, MAT-SU BOROUGH GIS PROPERTY WEB SITE PROJECT.

a. Resolution Serial No. 02-089: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MAT-SU BOROUGH GIS PROPERTY WEB SITE PROJECT.

(1) IM No. 02-229

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved to introduce the legislation as read into the record by the clerk and set the public hearings for September 3, 2002.

GENERAL CONSENT: The motion passed without objection.

B. INTRODUCTION (For public hearing - 09/17/02, 7 p.m., Borough Assembly Chambers) (Continued)

1. Ordinance Serial No. 02-117: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE BRUNS LAKE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 343 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-118: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$13,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE BRUNS LAKE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 343, AND FIXING DETAILS OF SAID BONDS.

(2) IM No. 02-196

2. Ordinance Serial No. 02-119: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE ROLLING ACRES SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 345 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-120: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$105,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE ROLLING ACRES SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 345, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-197

3. Ordinance Serial No. 02-121: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE

GRUBSTAKE SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 351 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-122: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$49,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE GRUBSTAKE SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 351, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-198

4. Ordinance Serial No. 02-123: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE SNOWSHOE EAST SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 353 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-124: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$44,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SNOWSHOE EAST SUBDIVISION NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 353, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-199

5. Ordinance Serial No. 02-125: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE BRUNS DRIVE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 354 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-126: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$22,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE BRUNS DRIVE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 354, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-200

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved to introduce the legislation as read into the record by the clerk and set the public hearings for September 17, 2002.

GENERAL CONSENT: The motion passed without objection.

C. CONSENT AGENDA

(AM Nos. 02-139, 02-140, and 02-156 were pulled from the consent agenda. See page 25.)

1. RESOLUTIONS

a. Resolution Serial No. 02-090: A RESOLUTION APPROVING A REVISED SCOPE OF WORK FOR CONTINUED DEVELOPMENT OF PHASE II CONSTRUCTION AT PORT MACKENZIE, PROJECT NO. 70001.

(1) IM No. 02-230

2. ACTION MEMORANDUMS

c. AM No. 02-152: AWARD OF BID NO. 03-006 TO SUMMIT ROADS IN THE AMOUNT OF \$732,602; 49TH STATE STREET UPGRADE.

e. AM No. 02-154: RELOCATION OF THE ELECTRIC AND TELEPHONE LINES LOCATED ON 49TH STATE STREET; \$27,590 TO MATANUSKA ELECTRIC ASSOCIATION AND \$18,260 TO MATANUSKA TELEPHONE ASSOCIATION.

f. AM No. 02-155: CHANGE ORDER APPROVAL TO TEWS EXCAVATION IN THE AMOUNT OF \$46,000

FOR ADDITIONAL WORK NEEDED AT THE CENTRAL LANDFILL.

g. AM No. 02-156: AWARD OF BID NO. 03-017 TO TNT PAINTING IN THE AMOUNT OF \$23,217 FOR PAINTING EXTERIORS OF VARIOUS MATANUSKA-SUSITNA BOROUGH BUILDINGS.

h. AM No. 02-157: CHANGE ORDER APPROVAL TO LOUNSBURY AND ASSOCIATES, INC. IN THE AMOUNT OF \$21,600; TO EXPAND THE TRANSPORTATION MODEL TO INCLUDE THE PROPOSED KNICK ARM CROSSING.

i. AM No. 02-158: AWARD OF PHASE II PORT COMPLETION VIBRACOMPACTION AND GRAVEL CAP, SOLICITATION NO. 03-003, TO HAYWARD BAKER FOR AN AMOUNT NOT TO EXCEED \$601,604.

j. AM No. 02-160: AWARD OF PROPOSAL NO. 03-002 TO DOWL ENGINEERS FOR AN AMOUNT NOT TO EXCEED \$48,165; TRAFFIC CALMING STUDY.

k. AM No. 02-161: AWARD OF PROPOSAL NO. 03-010, TO BURLINGTON ENVIRONMENTAL FOR AN AMOUNT NOT TO EXCEED \$176,072.40 FOR FISCAL YEAR 2003 AND A BASE AMOUNT OF \$220,090.50 FOR EACH SUBSEQUENT CONTRACT YEAR THROUGH JUNE 30, 2007; HAZARDOUS WASTE COLLECTION.

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved to approve the consent agenda as read into the record by the clerk.

GENERAL CONSENT: The motion passed without objection.

a. AM No. 02-139: APPOINTMENT OF SITE SELECTION COMMITTEE FOR THE VOCATIONAL EDUCATION CENTER (HIGH SCHOOL).

MOTION: Assemblymember Colver moved to approve AM No. 02-139.

Assemblymember Colver stated that he would like to see a resolution from the school board indicating the appointment of the site selection committee.

Assemblymember Simpson requested that the committee include people who live outside of the core area.

VOTE: The motion passed without objection.

b. AM No. 02-140: APPOINTMENT OF SITE SELECTION COMMITTEE FOR THE NEW WASILLA AREA ELEMENTARY SCHOOL.

MOTION: Assemblymember Colver moved to approve AM No. 02-140.

MOTION: Assemblymember Colver moved to postpone AM No. 02-140 to a time certain of October 15, 2002.

Assemblymember Colver stated that there should be a discussion with the school board regarding the demographics. [This item will be placed on the agenda for the September 10, 2002, joint assembly/school board meeting.]

VOTE: The motion to postpone passed without objection.

d. AM No. 02-153: CHANGE ORDER TO WILDER CONSTRUCTION COMPANY IN THE AMOUNT OF \$39,000 FOR THE 2002 ROADS PAVING PROJECT TO ADD THE PAVING OF THE MATANUSKA-SUSITNA BOROUGH MAINTENANCE SHOP PARKING AREA.

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest and asked that he be recused.

RULING: Mayor Anderson noted that Assemblymember Colver was recused.

[Assemblymember Colver exited chambers.]

MOTION: Assemblymember Jansen moved to approve AM No. 02-153.

VOTE: The motion passed without objection.

[Assemblymember Colver entered chambers.]

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Animal Care and Regulation Board

William L. Attwood

Regional Transportation Planning Organization

Sara Jansen

Jody Simpson

Patricia E. Hurt

Mayor Anderson requested the following confirmation of resignations:

Animal Care and Regulation Board

Kathrin Bellknap

Trapper Creek Road Service Area No. 30

Joan Medbery

MOTION: Assemblymember Jansen moved to confirm the resignations as presented.

GENERAL CONSENT: The motion passed without objection

D. OTHER NEW BUSINESS

X. RECONSIDERATION

(There were no reconsiderations.)

XI. VETO

(There were no vetos presented.)

XII. EXECUTIVE SESSION

(There was no executive session held.)

XII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Colver commented regarding the Parks Highway and Glenn Highway dedication.

Assemblymember Simpson:

- discussed a visit to the gravel analysis at Port McKenzie; and
- thanked Mr. Swanson for placing the Iron Dog and Flat Lake Trail easements on the maps.

Assemblymember Kelly queried Mr. Krill regarding the funding for the purchase of an ambulance referenced in IM

No. 02-224.

Mr. Duffy responded that the funds will come from the capital matching grant program, 70 percent of the funding will come from the state and 30 percent will come from the areawide fund.

Discussion ensued regarding the purchase of the ambulance.

Assemblymember Colberg stated that he would like to see a staff recommendation for a new policy on building naming.

Assemblymember Bush stated that Dick Zobel is well qualified and recommended him for the Agriculture and Forestry Board.

Assemblymember Ladere:

- commended Mr. Krill for doing an outstanding job;
- spoke to new ambulance equipment;
- commented on the \$39,000 for GIS website programs;
- addressed the \$67,000 for the biathlon trails at Su-Valley High School; the school will create a program and she believes that the borough will be very proud of that accomplishment;
- commented regarding the \$80,000 from US Fish and Wildlife service in public works grants– thanked administration and Mr. Swing for working with that agency; and
- stated that she spoke to the Denali Borough regarding the ownership of the Mat-Su Borough school buildings and the relationship between the Mat-Su School District and the borough.

Mr. Duffy responded that the Mat-Su Borough used to train the people from that area, especially in the land management area, and the borough used to train the North Slope people in a capital improvement program.

Assemblymember Ladere stated that she would be interested in a joint meeting between the boroughs.

Assemblymember Jansen:

- thanked Ms. Clayton and Mr. Swanson regarding the investment policy; and
- stated that she received a call from constituent who lives on 49th State Street regarding the issue of trucks using “jake brakes” in regard to the noise.

Mr. Duffy stated that he could contact the contractors and see what could be done to limit the noise.

Assemblymember Jansen:

- requested that human resources begin work on a suggested process for hiring a new borough attorney and bring it back to the assembly; and
- encouraged the assembly to keep trying to work through issues.

XIV. ADJOURNMENT

The regular meeting adjourned at 10 p.m.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, Borough Clerk

(SEAL)

Minutes approved: September 3, 2002

