

MATANUSKA-SUSITNA BOROUGH REGULAR MEETING
ASSEMBLY NOVEMBER 19, 2002

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on November 19, 2002, at the Palmer Community Center, 610 S. Valley Way, Palmer, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Sara Jansen.

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
Ms. Mary Kvalheim, 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. 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. Jack Krill, Interim Public Safety Director

III. APPROVAL OF AGENDA

Deputy Mayor Jansen inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved as presented.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Skyler Jones, a member of the audience.

V. MINUTES OF PRECEDING MEETING

A. Regular Assembly Meeting: November 7, 2002

Deputy Mayor Jansen referenced the November 7, 2002, regular assembly meeting minutes and asked for any corrections thereto.

Assemblymember Colver requested clarification on page 19 of 23, regarding his declaration of a conflict of interest to AM No. 02-189, as to when he exited and returned to the meeting. [After clerk's review, this item was clarified to reflect that Assemblymember Colver exited the meeting prior to discussion of AM No. 02-189 and returned after conclusion of the discussion.]

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Colleen Sullivan Leonard, Wasilla City Council Member:

- reported regarding upcoming items for discussion on the council's November 25, 2002, meeting agenda;
- inquired if the borough receives the city council's meeting minutes and agendas;
- spoke to pending city projects including an Iditapark improvement, signal at S. Mack Road crossing, amendment of the district use chart, and the multi-use sports complex;
- stated that the council would be holding a joint meeting with the city of Wasilla staff to gain human resource input; and
- reported that she is on a human resource transition team for the new Governor; and
- announced that a task force meeting will be held this Saturday from 9 a.m. to 1 p.m. at Wasilla High School.

2. Matanuska-Susitna Borough School District

Assemblymember Kvalheim reported that Ms. Floyd, Public Information Specialist for the school district, was at a convention and would not be in attendance.

3. Mat-Su Convention and Visitors Bureau

Dee Dee Kay:

- introduced herself as the new marketing committee chair for MSCVB;
- spoke regarding the new visitors guide and the 100,000 copies that are being distributed around the state;
- reported that MSCVB has been strengthening their advertising efforts;
- stated that the "Yahoo Mat-Su" slogan is featured throughout the visitors guide;
- noted that the slogan has become well recognized statewide and nationally;
- referenced a copy of the 2002 annual report;
- reported that Bonnie Quill has recently been appointed to serve on a marketing committee for the state;
- spoke regarding the organization's annual luncheon and a resolution that was passed in support of the Mat-Su economic development plan, noting that tourism is in the key cluster;
- advised that the board of directors will be holding a staff meeting early in January to discuss their goals for FY03;
- reported regarding the organization's participation in the Seattle Travel Show; and
- concluded that Ms. Quill has just returned from the National Tourism Exchange.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Deputy Mayor Jansen stated that a meeting is scheduled for December 2, 2002.

2. Intergovernmental Liaison Committee

Deputy Mayor Jansen noted that the committee would be meeting some time in January.

3. Regional Transportation Planning Organization

Deputy Mayor Jansen stated that the next meeting will be held on December 16, 2002.

Assemblymember Ladere inquired regarding the next joint borough assembly/municipality of Anchorage meeting.

Ms. Dillon informed that the bodies are trying to set a meeting for December 13, 2002, but that scheduling for this meeting is still tentative.

C. MANAGER COMMENTS

Mr. Duffy:

- reported that a number of open house meetings have been held on the proposed ferry system;
- stated that the meetings have received positive comments and that the Alaska Railroad has expressed some concerns regarding ferry related traffic movement through the Ship Creek rail area;
- advised that the electrical work at the port site has been delayed a few weeks due to a fatal traffic accident that occurred involving a non-borough supervisory employee;

- stated that the borough is in the process of closing the initial phase of the dock construction project;
- spoke regarding employee health insurance costs;

- advised the assembly that a proposal to keep the rising costs of health insurance down would be coming to the assembly at the December 3, 2002, meeting;
- reported that common legislative priorities of the borough and the municipality would be coming forward to the assembly at the December 3, 2002, meeting;
- relayed that state lobbyist Ray Gillespie would be in attendance at the December 17, 2002, regular assembly meeting;
- stated that administration is collecting information to review the performance of the reorganization of the department of emergency services; a full report will be brought to the assembly in January that will measure the reorganization based on the criteria suggested in the committee's report; and
- spoke to the increase in on-call responders and the reduced rate in response time for boroughwide ambulance services.

Assemblymember Ladere stated that she would like to see the new statistics for emergency services in the newspaper for public informational purposes.

Duffy:

- referenced financial reports attached to the manager's report;
- spoke to an attached schedule for a special election, noting that an election could be held on the same day of the Anchorage election;
- informed that a meeting will be held at Houston High School on November 20, 2002, from 5 p.m. to 8 p.m. regarding the proposed rail line extension to Port MacKenzie; proposed routes and background information will be presented;
- reported that the state has asked for comments on the proposed 2004 - 2006 Statewide Transportation Improvement Plan and Needs List; comments are due January 10, 2003; and
- advised the assembly that proposed ordinances on the agenda this evening regarding the Kalmbach Lake Management Plan were procedurally deficient and it is administration's recommendation to postpone these items indefinitely.

Assemblymember Simpson queried regarding a scope of work and budget for the vocational center.

Mr. Duffy confirmed that information would be received from the school district.

Assemblymember Simpson queried the dates for the special election.

Ms. Clayton stated that the school board would be voting December 4, 2002.

Assemblymember Colver advised that there are other needs than a nutritional center and queried regarding any reimbursements.

Ms. Clayton advised that none of the projects will qualify for 70 percent reimbursement, but rather will qualify for 60 percent.

Assemblymember Jansen stated that it is her desire to see full funding for parks and asked that this be included in the borough's legislative priorities.

D. ATTORNEY COMMENTS

Mr. Aschenbrenner had no comments to present.

E. CLERK COMMENTS

Ms. Dillon:

- reported regarding the upcoming assembly meeting schedule;
- spoke regarding items on the December 10, 2002, special joint assembly/school board meeting agenda;
- noted that she had an earlier conversation with School Board Member Rob Wells regarding a standing committee on salary issues;
- informed that items for the December 10, 2002, joint assembly/school board meeting agenda would have to be to her by December 2 in order to meet the publication deadline;
- referenced the “Know Your Assembly” guide that she has been contemplating for some time; this guide will soon be available for the public; and
- informed that two candidates for the borough attorney’s position have retracted their applications and that one candidate is currently out of the country on FMLA leave; and
- inquired if the assembly would like to schedule interviews with the next available candidates for the borough attorney’s position.

Members of the assembly agreed that they would like to schedule interviews with the next applicants in line for the borough attorney’s position.

Ms. Dillon concluded by reminding the assembly to bring their code books to the clerk’s office for updating.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Agricultural and Forestry Advisory Board: 10/14/02
- b. Anchorage and Mat-Su Regional Transportation Planning Organization Technical Committee: 10/21/02
- c. Midway Road Service Area No. 9: 10/24/02
- d. Senior Citizens Advisory Board: 10/21/02

Assemblymember Bush queried regarding the Agricultural and Forestry Advisory Board’s minutes and a motion that was made at the meeting, but was omitted from the minutes.

Ms. Dillon stated that she would contact the board for this correction to be made. [After clerk’s review, the minutes were corrected to include the motion.]

The citizen and other correspondence was presented and no comments other than noted were given.

G. INFORMATIONAL MEMORANDUMS

1. IM No. 02-291: DOROTHY S. JONES BUILDING FOUNDATION WALL ISSUES.

The informational memorandum was presented and no comments were noted.

VIII. UNFINISHED BUSINESS

A. Ordinance Serial No. 02-161: AN ORDINANCE ADOPTING MSB 23.10.150(D) AND CORRESPONDING PROCEDURES TO PROVIDE A PREFERENCE RIGHT TO PURCHASE AN ADJACENT FARM UNIT DURING BOROUGH AGRICULTURAL LAND SALES. (Sponsor: Assemblymember Ladere)

1. IM No. 02-244

B. 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. (Main motion pending)

1. IM No. 02-186

(These items were previously postponed to the December 3, 2002, regular assembly meeting. At the request of Assemblymember Bush, these items have been brought back to the assembly in an effort to request a change of the postponement to December 17, 2002.)

Ms. Dillon advised the assembly that these items were listed under Unfinished Business at the request of Assemblymember Bush for further postponement of discussion until the December 17, 2002, regular assembly meeting, noting that Assemblymember Bush would not be present during the December 3, 2002, assembly meeting.

MOTION: Assemblymember Bush moved to postpone Ordinance Serial Nos. 02-161 and 02-129 from a time certain of December 3, 2002, to a time certain of December 17, 2002.

VOTE: The motion passed without objection.

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 12/03/02, 7 p.m., Palmer Community Center -Railroad Depot, 610 S. Valley Way, Palmer)

1. Ordinance Serial No. 02-199: AN ORDINANCE ACCEPTING A \$39,500 ALASKA COASTAL MANAGEMENT (306 PROGRAM) GRANT AND APPROPRIATING \$39,500 TO FUND 480 FOR THIS PROGRAM DURING FY03.

a. Resolution Serial No. 02-124: A RESOLUTION ESTABLISHING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA COASTAL MANAGEMENT (306 PROGRAM) GRANT FOR FY03.

(1) IM No. 02-261

2. Ordinance Serial No. 02-200: AN ORDINANCE ACCEPTING AND APPROPRIATING \$16,500 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY, TO FUND 480, FOR MATANUSKA-SUSITNA BOROUGH HISTORIC PRESERVATION PLAN AND PRESERVATION ORDINANCE.

a. Resolution Serial No. 02-115: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PRESERVATION PLAN AND PRESERVATION ORDINANCE UPDATE TO ADDRESS HISTORIC DISTRICT NEEDS.

(1) IM No. 02-285

3. Ordinance Serial No. 02-201: AN ORDINANCE AMENDING MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION, TO ADD AMPHIBIOUS VEHICLES AS A REGULATED MOTORIZED WATERCRAFT USE.

a. IM No. 02-289

5. Ordinance Serial No. 02-203: AN ORDINANCE ACCEPTING AND APPROPRIATING \$35,000 TO FUND 440, PROJECT 15021, FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR COMPLETING A MASTER PLAN AND PROVIDING EDUCATIONAL MATERIALS FOR THE DESHKA RIVER.

a. Resolution Serial No. 02-116: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO DEVELOP A MANAGEMENT PLAN AND EDUCATIONAL MATERIALS FOR BOROUGH LAND ON THE DESHKA RIVER AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE U.S. FISH AND WILDLIFE SERVICE.

(1) IM No. 02-290

(2) AM No. 02-203: AWARD OF PROPOSAL NO. 03-045 TO LAND DESIGN NORTH IN THE AMOUNT OF \$30,360.08; DEVELOPMENT OF A DESHKA RIVER RECREATIONAL MANAGEMENT PLAN.

6. Ordinance Serial No. 02-204: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 STATE OF

ALASKA, DIVISION OF FORESTRY, VOLUNTEER FIRE ASSISTANCE GRANT, AND REAPPROPRIATING \$5,000 FROM THE BIG LAKE FIRE SERVICE AREA FISCAL YEAR 2003 OPERATING BUDGET, FUND 256, TO PROJECT NO. 20277, FUND 405.

a. Resolution Serial No. 02-117: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE STATE OF ALASKA, DIVISION OF FORESTRY, VOLUNTEER FIRE ASSISTANCE GRANT FOR THE BIG LAKE FIRE SERVICE AREA, PROJECT NO. 20277, FUND 405.

(1) IM No. 02-292

7. Ordinance Serial No. 02-205: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 STATE OF ALASKA, DIVISION OF FORESTRY, VOLUNTEER FIRE ASSISTANCE GRANT AND REQUESTING A SUPPLEMENTAL APPROPRIATION OF \$5000 FROM THE WILLOW FIRE SERVICE AREA FUND BALANCE, FUND 258, TO PROJECT NO. 20146, FUND 405.

a. Resolution Serial No. 02-118: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE STATE OF ALASKA, DIVISION OF FORESTRY, VOLUNTEER FIRE ASSISTANCE GRANT FOR THE WILLOW FIRE SERVICE AREA, PROJECT NO. 20146, FUND 405.

(1) IM No. 02-293

8. Ordinance Serial No. 02-206: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 STATE OF ALASKA, DIVISION OF FORESTRY, VOLUNTEER FIRE ASSISTANCE GRANT, AND REAPPROPRIATING \$5,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FISCAL YEAR 2003 OPERATING BUDGET, FUND 257, TO PROJECT NO. 20257, FUND 405.

a. Resolution Serial No. 02-119: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE STATE OF ALASKA, DIVISION OF FORESTRY, VOLUNTEER FIRE ASSISTANCE GRANT FOR THE MEADOW LAKES FIRE SERVICE AREA, PROJECT NO. 20257, FUND 405.

(1) IM No. 02-294

9. Ordinance Serial No. 02-207: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,000 STATE OF ALASKA, DIVISION OF FORESTRY, VOLUNTEER FIRE ASSISTANCE GRANT, AND REAPPROPRIATING \$5,000 FROM THE SUTTON FIRE SERVICE AREA FISCAL YEAR 2003 OPERATING BUDGET, FUND 253, TO PROJECT NO. 20255, FUND 405.

a. Resolution Serial No. 02-120: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE STATE OF ALASKA, DIVISION OF FORESTRY, VOLUNTEER FIRE ASSISTANCE GRANT FOR THE SUTTON FIRE SERVICE AREA, PROJECT NO. 20255, FUND 405.

(1) IM No. 02-295

10. Ordinance Serial No. 02-208: AN ORDINANCE AMENDING MSB 18.02.020 PORT DISTRICT BOUNDARIES.

a. IM No. 02-297

Ms. Dillon read the above legislation into the record.

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

VOTE: The motion passed without objection.

4. Ordinance Serial No. 02-202: AN ORDINANCE ADOPTING MSB 15.24.030(C)(25), THREE MILE LAKE, LAKE MANAGEMENT PLAN.

a. Ordinance Serial No. 02-209: AN ORDINANCE AMENDING MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.

(1) IM No. 02-288

Ms. Dillon read the above legislation into the record.

CONFLICT OF INTEREST: Assemblymember Kvalheim declared a conflict of interest regarding the introduction of Ordinance Serial Nos. 02-202 and 02-209, as she voted on the matter during her term on the planning commission.

RULING: Deputy Mayor Jansen ruled that Assemblymember Kvalheim did have a conflict of interest in this regard.

[Assemblymember Kvalheim exited the meeting at this time.]

MOTION: Assemblymember Simpson moved to introduce Ordinance Serial Nos. 02-202 and 02-209 and set the public hearings for December 3, 2002.

VOTE: The motion passed without objection.

[Assemblymember Kvalheim returned to the meeting at this time.]

B. CONSENT AGENDA

(Resolution Serial Nos. 02-121 and AM Nos. 02-204 and 02-205 were pulled from the consent agenda and addressed separately. See p. 18 for AM Nos. 02-204 and 02-205)

1. RESOLUTIONS

b. Resolution Serial No. 02-122: A RESOLUTION APPROVING A SCOPE OF WORK AND BUDGET FOR AMERICAN WITH DISABILITIES ACT UPGRADES OF THE COMMUNITY POOLS RESTROOMS, PROJECT NO. 10116.

(1) IM No. 02-298

c. Resolution Serial No. 02-123: A RESOLUTION ESTABLISHING DATES CERTAIN FOR PAYMENT, DELINQUENCY, PROTEST, AND APPEAL OF 2003 REGULAR TAX ROLLS AND BUSINESS INVENTORY FILING, AND FOR THE COMMENCEMENT OF HEARINGS BEFORE THE BOARD OF EQUALIZATION.

(1) IM No. 02-302

2. ACTION MEMORANDUMS

a. AM No. 02-201: PURCHASE OF A FORD EXPLORER FROM NYE FRONTIER FORD IN THE AMOUNT OF \$23,638 FOR THE EMERGENCY SERVICES DEPARTMENT.

d. AM No. 02-206: APPROVAL OF NOT-TO-EXCEED \$10,000 FROM ASSEMBLY RESERVES TO PROVIDE AUDIO EQUIPMENT SERVICES FOR MEETINGS OUT OF ASSEMBLY CHAMBERS.

Ms. Dillon read the above legislation into the record.

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

GENERAL CONSENT: The motion passed without objection.

a Resolution Serial No. 02-121: A RESOLUTION PRIORITIZING CAPITAL PROJECTS IN THE BOROUGH FOR SUBMISSION TO THE STATE OF ALASKA FOR FY 2004 FUNDING UNDER THE CAPITAL PROJECT MATCHING GRANT PROGRAM.

(1) IM No. 02-296

MOTION: Assemblymember Colver moved to adopt Resolution Serial No. 02-121.

Assemblymember Colver:

- spoke to the requested remodel of the gymnasium into a new assembly chambers and offices;
- noted that there is quite a large community use of the borough gymnasium;

- opined that it is premature at this time in identifying the gymnasium as a new assembly chambers when other alternatives may be coming forward; and
- stated the need for public input in this regard.

MOTION: Assemblymember Colver moved a primary amendment to strike the phrase “remodel gymnasium for” and insert “assembly chambers and offices.”

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

The regular meeting recessed at 6:51 p.m. and reconvened at 7 p.m.

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

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

There were no persons to be heard.

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 02-179: AN ORDINANCE ADOPTING MSB 15.24.030(C)(25), KALMBACH LAKE, LAKE MANAGEMENT PLAN.

a. Ordinance Serial No. 02-180: AN ORDINANCE AMENDING MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.

(1) IM No. 02-257

CONFLICT OF INTEREST: Assemblymember Kvalheim declared a conflict of interest regarding Ordinance Serial Nos. 02-179 and 02-180 as she voted on this matter during her term on the planning commission.

RULING: Deputy Mayor Jansen ruled that Assemblymember Kvalheim did have a conflict of interest in this regard.

[Assemblymember Kvalheim exited the meeting at this time.]

Mr. Aschenbrenner advised that Assemblymember Kvalheim may have a number of items that call for her recusal from voting in the next three to six months, as she cannot vote on a matter a second time at the assembly level.

Ms. Garley provided a staff report regarding Ordinance Serial Nos. 02-179 and 02-180 stating that the staff had reviewed a number of procedural issues raised by the attorney’s office and that the staff recommended postponing these items indefinitely, as the process used for certifying the petition is in conflict with the code in that code requires signatures from all state, federal, and borough-owned parcels, noting that these individuals’ signatures are usually never obtained in a petition process.

Discussion ensued regarding:

- steps that would be necessary to make the petition process conform to code requirements;
- support from the Meadow Lakes Community Council regarding the lake management plan; and
- the steps that the petitioners would now have to undertake regarding obtaining the correct number of signatures on the petition.

Further discussion ensued regarding the attainment of state signature on the Three-Mile Lake Management Plan.

Ms. Garley explained that attainment of the state’s signature in this regard was an exception to the rule and that she is not aware of any other time that the state has signed off on a petition of this kind.

Assemblymember Ladere queried if anyone had approached the state to see if they were amicable to signing the

petition.

Ms. Garley responded that the state had not been approached.

Deputy Mayor Jansen opened the public hearing.

The following spoke in favor of Ordinance Serial Nos. 02-179 and 02-180: Kim Kalmbach Robinson, Gretchen Reinders, Anna Outzs, Clint Outzs, Paul Reinders, and Michael Janecek.

The following spoke against Ordinance Serial Nos. 02-179 and 02-180: Fritz Kalmbach and Ken Albertsen.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial Nos. 02-179 and 02-180.

MOTION: Assemblymember Ladere moved to postpone Ordinance Serial No. 02-179 and 02-180 to a time certain of the second meeting in February 2003.

Assemblymember Ladere stated that the issue should be readdressed and that a correction to the borough code should come forward.

Discussion ensued regarding the time frame for postponement being adequate for the petitioners and for addressing procedural deficiencies in the code.

Mr. Aschenbrenner:

- advised that postponing the legislation to a time certain may not give enough time to initiate the petition process again, as ballots will have to be redistributed, public hearings will have to be held before the planning commission, and revisions to the borough code will have to be made; and
- recommended reinitiating the process on an expedited basis and postponing Ordinance Serial Nos. 02-179 and 02-180 indefinitely.

VOTE: The motion to postpone to a time certain of the second meeting in February 2003 failed with Assemblymember Ladere in favor.

MOTION: Assemblymember Bush moved to postpone Ordinance Serial Nos. 02-179 and 02-180 indefinitely.

Discussion continued regarding the public's right to know what will happen in regard to the legislation as they believe they have followed the correct steps to implementing the Kalmbach Lake Management Plan.

Members of the assembly expressed displeasure regarding the short notice they received in regard to the procedural deficiencies.

VOTE: The motion to postpone indefinitely passed without objection.

Deputy Mayor Jansen extended her apologies to the public for the short notice of the procedural deficiencies and the assembly's need to postpone the item indefinitely to restart the process.

[Assemblymember Kvalheim returned to the meeting at this time.]

2. Ordinance Serial No. 02-193: AN ORDINANCE APPROPRIATING \$83,100 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO FUND 450, PROJECT 20161, FOR OBTAINING TOPOGRAPHIC AND GEOTECHNICAL DATA AND CONCEPTUAL LAND USE PLANNING FOR THE HATCHER PASS SKI AREA.

a. AM No. 02-176: APPROACH FOR SOLICITING A PRIVATE SECTOR FIRM TO DEVELOP AND OPERATE THE HATCHER PASS SKI AREA INCLUDING THE SOUTH SIDE AREA.

Mr. Germer:

- presented a staff report regarding Ordinance Serial No. 02-193 and AM No. 02-176; and
- stated that it would be prudent to release a request for proposals (RFP) to obtain necessary data on the south side area to help gain interest from a private sector developer for the Hatcher Pass ski area project.

Assemblymember Colberg queried the need to release an RFP in this regard, stating that if a private sector developer is interested in the Hatcher Pass project, that south side area data should not make much of a difference in their decision to move forward.

Mr. Germer stated that baseline data would be invaluable regarding ancillary facilities that may be built at the base of the ski area.

Assemblymember Colberg expressed concerns regarding expansions of the scope of the Hatcher Pass ski project, as it appears that there is an incremental expansion when the focus of the project was to initially research building a ski resort.

Deputy Mayor Jansen opened the public hearing.

The following spoke in favor of Ordinance Serial No. 02-193 and AM No. 02-176: Kathy Wells.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 02-193 and AM No. 02-176.

VOTE: The motion passed without objection.

The regular meeting recessed at 8:08 p.m. and reconvened at 8:15 p.m.

3. Ordinance Serial No. 02-194: AN ORDINANCE AMENDING THE PUBLIC FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN OF THE MATANUSKA-SUSITNA BOROUGH BY CHANGING THE SOLID WASTE ELEMENT OF THE PLAN.

a. IM No. 02-269

Mr. Swing:

- introduced Greg Goodale, project manager for the study;
- reported regarding the scope of the report and recommendations that were made by CH2M Hill, the company hired to do the report;
- informed that the report recommended combining the three northern transfer sites; and
- stated that the planning commission reviewed the report and indicated they would like to entertain further options to consolidating the northern transfer stations.

Lengthy discussion ensued from assembly members regarding the report and recommendations.

Assemblymember Ladere expressed her desire to see a fiscal note associated with the legislation and inquired if any figures were available.

Mr. Swing stated that a fiscal note had not been provided at this time as the legislation is only asking for the assembly approval of the plan, not implementation and funds.

Assemblymember Ladere inquired if there were any other options for dealing with solid waste generated along the northern highway system other than bringing it to the central landfill.

Mr. Swing responded that there are no other options with the exception of the Skwentna area and that they have

explored using Glennallen's landfill for Lake Louise, but that ultimately it is more economical to use the central landfill.

Assemblymember Ladere queried how funds would be saved by combining the three northern sites.

Mr. Swing stated that savings would result from reduced transportation costs.

Further discussion ensued regarding transportation services being provided by a private enterprise, recommendation no. 14, and the effect that the change in cost due to weighing will have on a homeowner.

Deputy Mayor Jansen opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-194.

Assemblymember Ladere reiterated her desire to see a fiscal note attached to the legislation before she was willing to vote in favor of the plan.

Discussion continued regarding the community clean up program, its popularity in many communities, implementing some kind of system where passes could be given out for disposal, and the wording of recommendation no. 12 in this regard.

MOTION: Assemblymember Bush moved a primary amendment to recommendation no. 12 to add the word "consider" before the word "eliminating" to read: "Consider eliminating free disposal . . ."

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed with Assemblymember Ladere opposed.

4. Ordinance Serial No. 02-195: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,000 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, TO FUND 440, PROJECT NO. 15027, WEST LAKES BOULEVARD TRAIL UNDERPASS.

a. IM No. 02-271

Deputy Mayor Jansen opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-195.

Assemblymember Simpson advised that the community is in full support of the legislation.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 02-196: AN ORDINANCE ACCEPTING AND APPROPRIATING \$18,200 FROM THE STATE OF ALASKA, MUNICIPAL CAPITAL PROJECT MATCHING GRANT PROGRAM, TO FUND 440, PROJECT NO. 20203, FOR HISTORIC PRESERVATION.

a. Resolution Serial No. 02-108: A RESOLUTION APPROVING THE ALPINE HISTORICAL SOCIETY'S SCOPE OF WORK AND BUDGET FOR GRANT FUNDS OF \$18,200 AND MATCH OF \$7,800 FOR THE CONSTRUCTION OF THE ALPINE PARK ATHABASKAN LODGE.

(1) IM No. 02-272

Deputy Mayor Jansen opened the public hearing.

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

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 02-196 and Resolution Serial No. 02-108.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 02-197: AN ORDINANCE REAPPROPRIATING \$48,000 FROM THE GREATER WILLOW ROAD SERVICE AREA CAPITAL PROJECTS, FUND 410, PROJECT NO. 30042, TO FUND 276, GREATER WILLOW OPERATING BUDGET, TO PAY OFF THE REVOLVING LOAN.

a. IM No. 02-280

Deputy Mayor Jansen opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-197.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 02-198: AN ORDINANCE ACCEPTING AND APPROPRIATING \$22,000 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES TO FUND 480, PROJECT NO. 20330, MATANUSKA-SUSITNA BOROUGH GIS PROPERTY WEB SITE PROJECT.

a. Resolution Serial No. 02-109: A RESOLUTION APPROVING THE REVISED SCOPE OF WORK AND BUDGET FOR THE MATANUSKA-SUSITNA BOROUGH GIS PROPERTY WEB SITE PROJECT, PROJECT NO. 20330, AND AUTHORIZING THE MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE ALASKA

STATE DEPARTMENT OF NATURAL RESOURCES FOR MANAGEMENT OF THE GRANT.

(1) IM No. 02-283

Deputy Mayor Jansen opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-198 and Resolution Serial No. 02-109.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following spoke in favor of the borough supporting AM No. 02-204 and a transportation utility corridor: Clarence Furbush.

There being no others who wished to testify, Deputy Mayor Jansen closed audience participation.

B. CONSENT AGENDA (Continued) (See pp. 10-11)

2. ACTION MEMORANDUMS

b. AM No. 02-204: APPROVAL OF CHANGE ORDER TO TRYCK NYMAN HAYES, INC. IN THE AMOUNT OF \$47,300; RAIL CORRIDOR STUDY FOR STUDY OF AN ADDITIONAL ROUTE TO PORT MACKENZIE.

MOTION: Assemblymember Colver moved to approve AM No. 02-204.

Assemblymember Colver inquired if any reports had come back from the studies to determine additional routes, as it seems large amounts of monies are being spent on identifying the viability of routes.

Mr. Swing informed that many results of the studies will be presented by Tryck Nyman Hayes, Inc., tomorrow night at Houston High School from 7 p.m. to 9 p.m. and that a report and recommendations will be brought back to the assembly for consideration.

Assembly discussion ensued regarding affected public lands and public comments.

Mr. Duffy advised that some opposition has been heard regarding alignments that were previously looked at, but that no opposition has been raised to the current alignment at this time.

VOTE: The motion passed without objection.

c. AM No. 02-205: PROCUREMENT OF FEDERAL LOBBYIST SERVICES.

MOTION: Assemblymember Colver moved to approve AM No. 02-205.

Members of the assembly discussed continuing the borough federal lobbyist services, or sending out a Request for Proposals (RFP) soliciting other parties interested in providing these services.

VOTE: The motion to approve AM No. 02-205 (to go out for an RFP) passed with Assemblymembers Ladere, Colver, and Jansen opposed.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Animal Care and Regulation Board

Betty Vehrs

William Attwood

Enhanced 911 Advisory Board

Don Savage

Ethics Board

Frank Muncy

Historical Preservation Commission

James V. Grizzell Jr.

Platting Board

Roger Anderson

School Site Selection Committee, Vocational Education Center (High School)

Robert Johnson

Rob Wells

Gary S. Wolf

Karen Boorman

Cindy Bettine

School Site Selection Committee, Wasilla Area Elementary School

Jim Colver

Dan Contini

Linda Menard

Faye Palin

Lee Sharp

Brian Mead

Meadow Lakes Fire Service Area No. 34

Urchel D. Kerby

Greater Palmer Consolidated Fire Service Area No. 132

Frank Holt

Mayor Anderson requested the following confirmations:

School Site Selection Committee, Vocational Education Center (High School)

Jody Simpson

Kelly Ladere

School Site Selection Committee, Wasilla Area Elementary School

Mary Kvalheim

Transportation Advisory Board

K. Allan Linn

Meadow Lakes Fire Service Area No. 34

William A. Browne

Assemblymember Simpson discussed holding the confirmation until the next meeting, as some of the pages were missing and thus the information did not make it to the assembly for review prior to the meeting.

Assemblymember Jansen suggested that the discussion of the vacancy report be deferred until the December 3, 2002, regular meeting.

The assembly concurred.

D. OTHER NEW BUSINESS

X. RECONSIDERATION

XI. VETO

XII. EXECUTIVE SESSION

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Colberg commented that he is concerned about the rising costs of employee health benefits and inquired what the cost would ultimately be to the employee over the next year.

Mr. Duffy stated that the proposal that will be presented to the assembly on December 3, 2002, which will discuss ways to keep the costs of employee health insurance approximately the same as this year.

Assemblymember Bush had no comments to present.

Assemblymember Ladere:

- noted items in which she participated in discussions during the Alaska Municipal League conference, including emergency services and homeland security;
- asked the manager to move forward with an analysis of updating borough subdivisions that were created prior to 1977, stating that she is receiving a number of complaints from property owners who have very small lots in flood plains;
- commented that she hopes new ideas for increased revenue to the borough will be coming forward; and
- reiterated her desire to see fiscal notes provided with legislation when appropriate.

Assemblymember Kvalheim had no comments to present.

Assemblymember Colver reminded that Mr. Gillespie, the borough's state lobbyist, will be at the December 17 assembly meeting.

MOTION: Assemblymember Colver moved to discuss borough legislative priorities on December 17 instead of December 3.

Mr. Duffy stated that this legislation could come forward on December 17 instead of on December 3, 2002.

VOTE: The motion passed without objection.

Assemblymember Simpson had no comments to present.

Deputy Mayor Jansen had no comments to present.

XIV. ADJOURNMENT

The regular meeting adjourned at 9:19 p.m.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, Borough Clerk

Minutes approved: December 3, 2002