

MATANUSKA-SUSITNA BOROUGH REGULAR MEETING
ASSEMBLY DECEMBER 3, 2002

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on December 3, 2002, at the Palmer Community Center, 610 S. Valley Way, 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:

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
Ms. Kelly Ladere, Assembly District No. 7

Assembly members absent and excused were:

Mr. J. Bruce Bush, Assembly District No. 1
Mr. Jim Colver, Assembly District No. 6

Staff in attendance were:

Ms. Sandra A. Dillon, Borough Clerk
Mr. John Duffy, Borough Manager
Mr. David Germer, Assistant Borough Manager
Mr. John Aschenbrenner, Acting Borough Attorney
Ms. Michelle M. McGehee, Deputy Borough Clerk
Mr. Jim Swing, Public Works Director
Ms. Tammy Clayton, Finance Director
Mr. Jack Krill, Interim Public Safety Director

III. APPROVAL OF AGENDA

Mayor Anderson 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 Su Valley High School students in the audience.

V. MINUTES OF PRECEDING MEETING A. Regular Assembly Meeting: November 19, 2002

Mayor Anderson referenced the minutes of the November 19, 2002, regular assembly meeting and asked if there were any corrections thereto.

GENERAL CONSENT: The minutes were approved without objection.

B. Special Assembly Meeting: November 21, 2002

Mayor Anderson referenced the minutes of the November 21, 2002, special assembly meeting and asked if there were any corrections thereto.

GENERAL CONSENT: The minutes were approved without objection.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Wasilla City

Council Member Howard O'Neil:

- reported that Howde Construction will begin work on the design of the multi-use sports complex on December 9;
- spoke regarding the Alaska Railroad and placement of a crossing signal in Wasilla;
- referenced the water reservoir in the city, stating that 300 gallons per minute will be added, resulting in a combined 600 gallons per minutes;
- stated that the library will be extending their hours in December;
- reported that new security gates will be placed at the Wasilla airport and are expected to be operational by January 2003; and
- commented that the city is currently working on the funding formula for a new regional dispatch center.

Palmer City

Assemblymember Jansen informed that the Palmer City Council is currently holding a special meeting on their budget.

2. Matanuska-Susitna Borough School District

Kim Floyd, Public Informational Specialist:

- reported that the latest results of the ACT assessment tests have been received and that students scored at a higher level than their peers across the state and throughout the nation;
- acknowledged that Ann Marie Svedin was named Alaska's Outstanding Middle School Physical Education Teacher of the Year by the Alaska Association for Health, Physical Education, Recreation, and Dance;
- noted that the school board formally adopted its goals at their last meeting; items discussed included decision-making and policy development, prioritizing district resources, creating a highly specialized workforce, and providing safe facilities;
- stated that the school board will be meeting tomorrow night at 6 p.m. to review the school district audit results;
- commented that a summary of the audit results will be provided to the assembly orally and in writing;
- referenced the school district auto programs and awards that have recently been received in regard to technology and equipment; and
- stated that the school board is looking forward to hosting the December 10 joint meeting with the assembly.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Jansen:

- stated that the committee met yesterday;
- reported that the school board will be addressing \$81 million in bond proposals at their meeting on December 4, 2002;
- noted that as many as four different propositions and debt reimbursements will be discussed at the meeting;
- commented that items discussed included permanent facilities for two charter schools and a Palmer area elementary school;
- spoke regarding the nutrition services facility, noting that the school district clarified that \$12 million is simply the school district's portion of the facility; and

- remarked that the suggestion was made to hold a joint meeting with the assembly, the school board, and the legislative delegation.

MOTION: Assemblymember Jansen moved to schedule a special meeting with the school board, the assembly, and the legislative delegation.

VOTE: The motion passed without objection.

Assemblymember Simpson queried regarding the number of charter schools in the valley.

Assemblymember Jansen responded that there are currently two charter schools, the Midnight Sun Charter School and the Academy Charter School.

2. Intergovernmental Liaison Committee

Mayor Anderson stated that the next meeting will be scheduled for some time in January.

3. Regional Transportation Planning Organization

Mayor Anderson stated that the next meeting will be held on December 16 and that it will be hosted by the borough.

C. MANAGER COMMENTS

Mr. Germer:

- reported that presently there are 11 ongoing studies or construction projects associated with the Port MacKenzie Project;
- provided fact sheets describing the various ongoing port projects;
- stated that he and the manager met with representatives of Lockheed Martin Marine Systems on November 12 to discuss the development of a specialized ferry system for the Upper Cook Inlet;
- noted that Lockheed Martin Marine Systems stated that they have a number of technologies originally developed for the department of defense, which they feel may be suited to the conditions and restraints of the Upper Cook Inlet;
- commented that Lockheed Martin Marine Systems is proposing that the borough and Lockheed collectively seek a federally funded ferry demonstration project to adapt and deploy their specialized technologies in the Upper Cook Inlet;
- spoke to the four potential bond propositions that will be discussed at the December 4 school board meeting, which includes projects eligible for either 70 percent debt reimbursement or 60 percent debt reimbursement;
- noted that the school district also forwarded projects that were not included in the district's Capital Improvement Projects (CIP), including two charter schools and a Palmer area elementary school;
- stated that an ordinance calling for an April 1, 2003, special election will be forwarded to the assembly for introduction on January 7, with a special public hearing to be held on January 14;
- reported that several consolidated dispatch center scenarios are being examined by the department of emergency services and that administration intends on meeting with the cities during mid-December to discuss the issue further; and
- informed that Ray Gillespie, the borough's state lobbyist, will be providing a report to the assembly at the December 17 meeting.

Assemblymember Simpson queried the deadline for CIP submittals by the school district.

Mr. Germer stated that these CIP items had not been included until just recently and were therefore not part of the initial submission.

Assemblymember Jansen thanked Mr. Germer for providing the fact sheets regarding ongoing port projects.

D. ATTORNEY COMMENTS

Mr. Aschenbrenner reported that he will be updating the litigation report and will have this update to the assembly at their next meeting.

E. CLERK COMMENTS

Ms. Dillon:

- referenced the meeting schedule for December, noting that a second special meeting has been added to December 10 at 5:30 p.m. for assembly consideration of three time-sensitive action memorandums;
- also referenced the joint assembly/school board meeting that will be held on December 10 at 6 p.m., the regular meeting on December 17, and reminded regarding the January meeting on the libraries; and
- reported that it does not look like a joint meeting between the Municipality of Anchorage and the Mat-Su Borough can be scheduled before January.

Assemblymember Ladere:

- stated that the planning commission will be meeting in Talkeetna on January 6 to discuss the Talkeetna Special Land Use District (SPUD); and
- noted that she is bringing a request forward from the Talkeetna Community Council at this time to hold an assembly meeting in Talkeetna when the SPUD comes to the assembly for public hearing.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Agricultural and Forestry Advisory Board: 10/14/02
- b. Animal Care and Regulation Board: 10/14/02, 10/22/02
- c. Wasilla-Lakes Fire Service Area Board of Supervisors: 09/09/02

2. Community Council Correspondence:

- a. Willow Area Community Organization: 11/04/02

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

G. INFORMATIONAL MEMORANDUMS

There were no informational memorandums to present.

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 12/17/02, 7 p.m., Palmer Community Center - Railroad Depot, 610 S. Valley Way, Palmer)

1. Ordinance Serial No. 02-210: AN ORDINANCE ACCEPTING AND APPROPRIATING \$1,653,200 FROM THE UNITED STATES DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION, TO FUND 420, PROJECT NO. 25038, LANDFILL EXPANSION.

a. Resolution Serial No. 02-125: A RESOLUTION APPROVING A PARTIAL SCOPE OF WORK AND BUDGET FOR THE CENTRAL LANDFILL EXPANSION PROJECT, FUND 420, PROJECT NO. 25038.

(1) IM No. 02-306

2. Ordinance Serial No. 02-211: AN ORDINANCE APPROPRIATING \$165,600 FROM THE AREAWIDE FUND BALANCE TO THE HEALTH INSURANCE RESERVE ACCOUNT.

a. Resolution Serial No. 02-126: A RESOLUTION AMENDING THE LABOR AGREEMENT WITH THE MATANUSKA-SUSITNA BOROUGH EMPLOYEES ASSOCIATION.

(1) IM No. 02-309

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 December 17, 2002.

VOTE: The motion passed without objection.

B. CONSENT AGENDA

1. RESOLUTIONS

a. Resolution Serial No. 02-127: A RESOLUTION AUTHORIZING PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM WITH THE SUNSHINE COMMUNITY HEALTH CENTER.

(1) IM No. 02-299

b. Resolution Serial No. 02-128: A RESOLUTION APPROVING COMMON FEDERAL LEGISLATIVE PRIORITIES BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND THE MUNICIPALITY OF ANCHORAGE FOR THE YEAR 2003.

(1) IM No. 02-303

c. Resolution Serial No. 02-129: A RESOLUTION APPROVING COMMON STATE LEGISLATIVE PRIORITIES BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND THE MUNICIPALITY OF ANCHORAGE FOR THE YEAR 2003.

(1) IM No. 02-304

d. Resolution Serial No. 02-130: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET AS ADOPTED IN THE FISCAL YEAR 2003 BUDGET, MEADOW LAKES FIRE SERVICE AREA CAPITAL PROJECTS FUND 405, PROJECT NO. 45112, IN THE AMOUNT OF \$50,000, TO PURCHASE A SUPPORT VEHICLE.

(1) IM No. 02-308

2. ACTION MEMORANDUMS

a. AM No. 02-192: APPROVAL OF MATANUSKA-SUSITNA BOROUGH ASSEMBLY SCHEDULE DATES FOR 2003.

b. AM No. 02-202: AUTHORIZING THE MANAGER TO ENTER INTO A 55-YEAR AGREEMENT WITH THE ALASKA RAILROAD CORPORATION TO PROTECT AND MANAGE PORTIONS OF THE PALMER TO SUTTON "RAILS TO TRAILS" PROJECT.

c. AM No. 02-207: AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO L.N. CURTIS AND SONS IN THE AMOUNT OF \$17,250 FOR THE PURCHASE OF GLOBE TURNOUT GEAR.

d. AM No. 02-212: APPROVAL OF CHANGE ORDER TO HRC, INC. IN THE AMOUNT OF \$21,067 FOR ADULT AND DISLOCATED WORKER PROGRAMS AND LOCAL ONE STOP SERVICE SYSTEM.

e. AM No. 02-213: AWARD OF BID NO. 03-048 TO AERO METRIC, INC., D.B.A. AEROMAP U.S. FOR AN AMOUNT NOT-TO-EXCEED \$29,500; HATCHER PASS CONTOUR AERIAL MAPPING.

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.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Animal Care and Regulation Board

Betty Vehrs

William Attwood

Emergency Medical Services Board

Stella Wiggins

Ethics Board

Frank Muncy

Historical Preservation Commission

Rodney Norwood Marsh

James V. Grizzell Jr.

Library Board

Anna Lou Levinson

Dorothea M. Taylor

Parks, Recreation, and Trails Advisory Board

Kathy Wells

Howell Powder

Planning Commission

Helga Larson

Rose M. Jenne

Platting Board

Roger Anderson

Transportation Advisory Board

Hilary Leiss

Mayor Anderson requested the following confirmations:

Enhanced 911 Advisory Board

Don G. Savage

Local Emergency Planning Commission

Don G. Savage

Elmer T. Feltz

Jack Krill (replacing Kevin Koechlein as Interim Public Safety Director)

Kevin Koechlein

Parks, Recreation, and Trails Advisory Board

Carl Gatto (replaced by Mary Haley)

Patrick Murphy (replacing Mary Haley)

Planning Commission

Faye Palin

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

Jody Simpson

Kelly Ladere

Robert Johnson

Rob Wells

Gary S. Wolf
Karen Boorman
Cindy Bettine
School Site Selection Committee, Wasilla Area Elementary School
Mary Kvalheim
Jim Colver
Dan Contini
Linda Menard
Faye Palin
Lee Sharp
Brian Mead
Transportation Advisory Board
K. Allan Linn
Talkeetna Flood Control Service Area No. 7
Roberta Sheldon
Midway Road Service Area No. 9
N. Roy Goodman
Greater Willow Road Service Area No. 20
Jim Norcross
Bogard Road Service Area No. 25
Valen Bair
Greater Butte Road Service Area No. 26
Michael Shields
Greater Talkeetna Road Service Area No. 29
Mark C. Smith
Trapper Creek Road Service Area No. 30
David Carella
Meadow Lakes Fire Service Area No. 34
Urchel D. Kerby
William A. Browne
Greater Palmer Consolidated Fire Service Area No. 132
Frank Holt

MOTION: Assemblymember Jansen moved to confirm the mayor's appointments up for confirmation this evening.

GENERAL CONSENT: The motion passed without objection.

D. OTHER NEW BUSINESS

X. RECONSIDERATION

XI. VETO

A. AM No. 02-205, Procurement of Federal Lobbyist Services (Issued 11/25/02)

MOTION: Assemblymember Colberg moved to override the mayor's veto of AM No. 02-205.

Assemblymember Colberg:

- questioned the authority of the mayor to veto AM No. 02-205;
- stated that the assembly had decided to explore other options in this regard and now there is insufficient time to address a request for proposals (RFP) based upon the issuance of the veto; and
- commented that the congressional delegation is responsible for increased federal funds at the borough level, not the federal lobbyist.

Assembly discussion ensued regarding:

- the procurement of a lobbyist being by contractual agreement vs. by assembly appointment;
- the past interaction of the lobbyist with the assembly;
- timing for releasing an RFP;
- four appropriation bills that will be discussed by the legislature in January that directly affect the borough; and
- being able to gauge the level of interest from other lobbyist through the RFP process.

VOTE: The motion to override the veto failed with Assemblymembers Colberg and Simpson in favor (five votes are required to override the veto).

The regular meeting recessed at 6:42 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. 02-183: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE COTTONWOOD SHORES/ALDER DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 356 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-184: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT-TO-EXCEED \$99,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE COTTONWOOD SHORES/ALDER DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 356 AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-276

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colberg moved to adopt Ordinance Serial Nos. 02-183 and 02-184.

MOTION: Assemblymember Colberg moved a primary amendment to Ordinance Serial No. 02-184 to strike the interest rate of "5.398 percent" and to insert "5.518 percent," as this is the current interest rate.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

2. Ordinance Serial No. 02-185: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE FOREST HILLS ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 352 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-186: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT-TO-EXCEED \$43,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE FOREST HILLS ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 352 AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-277

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial Nos. 02-185 and 02-186.

MOTION: Assemblymember Jansen moved a primary amendment to Ordinance Serial No. 02-186 to strike the interest rate and to insert "5.518 percent," as this is the current interest rate.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

3. Ordinance Serial No. 02-187: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE MONTE VISTA ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 347 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-188: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT-TO-EXCEED \$45,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE MONTE VISTA ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 347 AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-278

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial Nos. 02-187 and 02-188.

MOTION: Assemblymember Jansen moved a primary amendment to Ordinance Serial No. 02-188 to strike the interest rate of "5.398 percent" and to insert "5.518 percent," as this is the current interest rate.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

4. Ordinance Serial No. 02-189: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE WESWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 342 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-190: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT-TO-EXCEED \$33,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE WESWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 342 AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-279

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colberg moved to adopt Ordinance Serial Nos. 02-189 and 02-190.

MOTION: Assemblymember Colberg moved a primary amendment to Ordinance Serial No. 02-190 to strike the interest rate of "5.398 percent" and to insert "5.518 percent," as this is the current interest rate.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

5. 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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-199 and Resolution Serial No. 02-124.

VOTE: The motion passed without objection.

6. 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

Mr. Germer noted that letters of support from the Talkeetna Historical Society and the city of Palmer are attached to the legislation.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-200 and Resolution Serial No. 02-115.

Assemblymember Ladere noted that the Talkeetna Community Council has given their full support of the legislation.

VOTE: The motion passed without objection.

7. 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

CONFLICT OF INTEREST: Assemblymember Kvalheim requested recusal from voting on Ordinance Serial Nos. 02-201 and 02-202, as she voted on these items while on the planning commission.

RULING: Mayor Anderson ruled that Assemblymember Kvalheim did have a conflict of interest in regard to Ordinance Serial No. 02-201 and 02-202.

[Assemblymember Kvalheim exited the meeting at this time.]

Ms. Eileen Probasco provided at staff report regarding Ordinance Serial No. 02-201.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-201.

VOTE: The motion passed without objection.

8. 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. Probasco provided a staff report and stated that the legislation was initiated by lake users and property owners and that the planning commission recommends assembly adoption.

Mayor Anderson opened the public hearing.

The following spoke in support of Ordinance Serial Nos. 02-202 and 02-209: Kelly Feder and Sarah Eliassen.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial Nos. 02-202 and 02-209.

Assemblymember Simpson:

- stated that Three-Mile Lake falls into the second class of lakes;
- spoke to mean depth requirement for motorized watercraft;
- noted that there is a girl scout camp on the lake and that there are no public lands around the lake; and
- commented that the girl scout camp is concerned with Herning Trail, which runs through the camp, and she hopes that the administration can work on relocating the trail for safety purposes.

VOTE: The motion passed without objection.

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

9. 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 MANAGEMENT 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.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-203, Resolution Serial No. 02-116, and AM No. 02-203.

Assemblymember Ladere stated that there is a magnificent development along the Deshka River and hopes that the assembly will support the legislation.

Assemblymember Simpson noted some inconsistency in the legislation in reference to a “master plan” and a “management plan,” and requested clarification in this regard.

Mr. Germer noted that the terms are synonymous.

Assemblymember Jansen spoke to obtaining grant funds for the purpose of this legislation and encouraged the

administration to seek additional private foundation funding.

VOTE: The motion passed without objection.

10. 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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-204 and Resolution Serial No. 02-117.

VOTE: The motion passed without objection.

11. 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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-205 and Resolution Serial No. 02-118.

VOTE: The motion passed without objection.

12. 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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-206 and Resolution Serial No. 02-119.

VOTE: The motion passed without objection.

13. 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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-207 and Resolution Serial No. 02-120.

VOTE: The motion passed without objection.

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

a. IM No. 02-297

Mr. Van Dongen:

- reported that the original port boundaries were created in 1988;
- stated that currently the port district hold 3600 acres of wetlands and 1400 acres for development;
- noted that the proposed addition of land would provide a total of 2900 acres of usable uplands for commercial and industrial development;
- commented that the additional land would provide a buffer for wildlife habitat, establish a free trade zone within the port district, and provide income to the port through an additional tax base with development around the Lake Lorraine area;
- reported that a subsequent amendment of the port master plan, the SPUD, and the service area would be necessary if the legislation is passed; and
- recommended approval of the ordinance.

Assemblymember Jansen inquired if the port commission authority would be expanded by the acquisition of additional acreage.

Mr. VanDoggen responded that there would be no expansion of authority in this regard.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 02-208: Noel Woods and Art Scates.

The following spoke against Ordinance Serial No. 02-208: Garven Bucarria.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-208.

Assemblymember Simpson:

- referenced the concept of the port district that was made in the 1990s;
- noted that more accurate information is now available;
- opined that it is important to bring the land to this point;
- stated that the port commission has passed a resolution in support of the acquisition;

commented that work will be required to bring the master plan consistent with the port district SPUD and to address the Lake Lorraine residential area;

- noted that use of the land will have to be outlined; and
- encouraged support of the legislation.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following spoke regarding the veto of AM No. 02-205 and in favor of the procurement of other lobbyist services: Jean Woods.

The following spoke regarding the port master plan, safety concerns related to electrical lines running to the port, and a designated habitat buffer zone in the port district: Garven Buccaria.

The following spoke regarding establishing a buffer zone between residential and commercial/industrial areas at the port: Michael Janeczek.

The following spoke regarding an existing planned buffer zone for wildlife and residential areas in the port district: Art Scates.

XII. EXECUTIVE SESSION

There was no executive session held.

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Colberg thanked Noel Woods for his eight years of service on the port commission.

Assemblymember Ladere:

- thanked Noel Woods for his dedication while working on the port commission;
- supported forming a buffer zone north of the industrial area with agricultural lands;
- opined that the best location for crossing the Little Su River would be off Ayrshire Road, as this provides the most direct route to get agricultural products to market; and
- spoke to the need to address pre-1977 subdivisions and environmental issues associated with them.

Assemblymember Simpson:

- thanked Mr. Woods for his service on the port commission; and
- asked the clerk to look at February or March to schedule a work session or retreat with the port commission to discuss port-related issues.

Assemblymember Kvalheim:

- agreed that a work session would be prudent in order to exchange ideas;
- thanked Mr. Woods for his years of service; and
- referenced the previously proposed natural resource extraction tax ordinance, stating that she would like to see something else come forward that may increase the borough's tax base.

Assemblymember Jansen:

- thanked Mr. Woods for his service on the port commission;
- supported getting together in a group work session, in an informal manner, to discuss port priorities; and
- stated that there is a need to have a goal setting retreat to look at the borough's overall goals and objectives for

the coming year.

Mayor Anderson:

- thanked Mr. Woods for his dedication and service to the borough;
- stated that he is happy to see the expansion of the port district;
- thanked Assemblymember Jansen for acting in his absence during the last two meetings;
- opined that two separate work sessions are needed, one to discuss port issues and another to look at the borough's goal and objectives in the coming year; and
- commented that he will be attending the dedication of a new rail line from the airport to the railroad depot tomorrow afternoon in Anchorage.

XIV. ADJOURNMENT

The regular meeting recessed at 8:30 p.m.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, Borough Clerk

Minutes approved: December 17, 2002