

**I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 17, 2004, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was also teleconferenced to the Talkeetna Elementary School Library, 13798 E. Veterans Way, Talkeetna, Alaska. The meeting was called to order at 6 p.m. by Deputy Mayor Jim Colver.

**II. ROLL CALL**

Assembly members present and establishing a quorum were:

- Mr. J. Bruce Bush, Assembly District No. 1
- Mr. Bill Allen, Assembly District No. 2 (*via teleconference at 6:15 p.m.*)
- 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 (Deputy Mayor)
- Ms. Betty Vehrs, Assembly District No. 7

Staff in attendance were:

- Ms. Sandra A. Dillon, CMC, Borough Clerk
- Mr. John Duffy, Borough Manager
- Ms. Teresa S. Williams, Borough Attorney
- Ms. Janice A. Case, Borough Clerk's Secretary
- Ms. Tammy Clayton, Finance Director
- Mr. Don Shiesl, Public Works Director
- Mr. Dennis Brodigan, Emergency Services Director
- Ms. Linda Brenner, Acting Community Development Director
- Ms. Susan Dickinson, Planning and Land Use Director

**III. APPROVAL OF AGENDA**

Deputy Mayor Colver:

- noted that Resolution Serial Nos. 04-035 and 04-036 would be pulled from the agenda and would be brought before the Assembly at a later date; and
- inquired if there were any additional changes to the agenda.

GENERAL CONSENT:       The agenda was approved as amended.

#### **IV. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mr. Joe Lawton, the General Manager of the Alaska State Fair.

#### **V. MINUTES OF PRECEDING MEETINGS**

##### **A. Regular Assembly Meeting: February 3, 2004**

Deputy Mayor Colver inquired if there were any corrections to the regular Assembly meeting minutes of February 3, 2004.

No corrections were noted.

GENERAL CONSENT: The minutes were approved without objection.

#### **VI. REPORTS/CORRESPONDENCE**

##### **A. AGENCY REPORTS**

##### **1. Reports from cities**

###### Houston City

Councilmember Angela Rosas:

- stated that the 2 percent sales tax passed at the October election;
- noted that they will be using the funds to pave roads and to make improvements to the fire department;
- reported that the population count from the dividend climbed to 1,340;
- commented that all but eight of 48 lots recently rezoned as residential have been sold;
- noted that the city of Houston and Chamber of Commerce are working together to build a visitor's center;
- stated that the city of Houston is working to increase tourism; and
- thanked the city of Wasilla for continuing to work with the city of Houston on Animal Control.

###### Wasilla City

Councilmember Diana Straub:

- reported that the city of Wasilla will have a balanced budget again this year;
- commented that the grand opening for the sports complex will be on March 6;
- stated that the Iditarod restart will be on March 7<sup>th</sup> at the sports complex;
- noted that the dispatch center is up and running; and
- encouraged the Assembly to visit the dispatch center.

## 2. Matanuska-Susitna Borough School District

School Board President Mike Chmielewski:

- invited the Assembly to visit the new school district website and offer any comments or suggestions to improve the website;
- stated that two budget crisis summits were held immediately following the announcement of the \$8 million budget cuts;
- noted that there is also a new advocacy group, Valley Voices for Children, which is focused on supporting legislative activities and encouraging people to become active participants;
- reviewed House Bill 471 and House Bill 477;
- stated that he will be traveling to Juneau as part of the Alaska Association of School Boards ; and
- commented that the School Board will discuss bullying and harassment in schools, an internet safety program, the principal's association contract ratification, and a resolution on the site selection committee process at the next regular meeting on Wednesday, February 18, 2004.

Assemblymember Simpson stated that she has heard rumors of Big Lake Elementary School closing as a result of the budget cuts and inquired if this was a possibility.

School Board President Chmielewski replied that the School Board has not discussed closing Big Lake Elementary School.

Assemblymember Vehrs inquired if closing the Trapper Creek Elementary has been discussed.

School Board President Chmielewski replied that there has not been discussion this year on closing Trapper Creek Elementary School.

## 3. Alaska State Fair Re: Fair Activity Update – Mr. Joe Lawton

Mr. Joe Lawton, General Manager of the Alaska State Fair:

- reported that at the annual meeting on February 5, 2004, two members were elected to the board, George Lochner and Charlie Willis;
- stated that last year gross revenues topped \$4 million dollars;
- noted that it is unusual for state fairs to handle both operations and capital on their own;
- commented that they have matched the \$2 million dollars in federal funds for the commuter center project and that the letter of intent for this project should be issued this week;
- stated that the project is scheduled to be completed by August 15, 2004;
- reported that they have been attempting to get the gravel pit owned by the Alaska State Fair zoned as industrial;
- stated that there is \$30,000 in the Congressional Omnibus Bill to be administered by the city of Palmer to allow the Alaska State Fair to perform a structural analysis, marketing survey, and cost analysis on the farm exhibit building; and
- noted that they are trying to find funds to make improvements on the Sheldon building.

4. Natural Gas Pipeline Presentation – Mr. Bill Popp, Kenai Peninsula Borough Oil and Gas Liaison

Mr. Bill Popp:

- gave a presentation on Natural Gas Pipelines and the Cook Inlet Basin;
- requested the Assembly’s support in giving the statutory authority and responsibility to the Alaska Natural Gas Development Authority to study the rail belt route in detail before making any final decisions in terms of which route will be chosen if a liquid natural gas project goes forward; and
- asked that the Assembly also support legislation which changes the entire direction away from a liquid natural gas project and to get the State involved as a potential part owner and investor in the lower 48 route with the provision of a spur line to the Cook Inlet Basin for regional use.

*(Assemblymember Allen exited the meeting at 6:50 p.m.)*

(The regular meeting recessed at 7:05 p.m. and reconvened at 7:15 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. 04-023: AN ORDINANCE ACCEPTING AND APPROPRIATING 2003 SOUTHCENTRAL WINDSTORM DISASTER RELIEF MONIES IN THE AMOUNT OF \$277,012, FROM THE ALASKA STATE DIVISION OF EMERGENCY SERVICES (ADES) AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), TO FUND 445, PROJECT NO. 55011
  - a. Resolution Serial No. 04-026: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE 2003 SOUTHCENTRAL WINDSTORM DISASTER RELIEF MONIES, PROJECT NO. 55011, FUND 445.
    - (1) IM No. 04-035

Mr. Duffy provided a staff report.

Deputy Mayor Colver opened the public hearing.

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

**MOTION:** Assemblymember Kvalheim moved to adopt Ordinance Serial No. 04-023 and Resolution Serial No. 04-026.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 04-024: AN ORDINANCE ACCEPTING AND APPROPRIATING \$23,000 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 425, PROJECT NO. 45158, FOR CONDUCTING EXERCISES AND EVALUATIONS DETAILED IN THE ALASKA STATE THREE-YEAR HOMELAND SECURITY EXERCISE AND EVALUATION PLAN 2004-2006.
  - a. Resolution Serial No. 04-027: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE HOMELAND SECURITY AND EMERGENCY SERVICES, PROJECT NO. 45158, FUND 425, FOR CONDUCTING EXERCISES AND EVALUATIONS DETAILED IN THE ALASKA STATE THREE-YEAR HOMELAND SECURITY EXERCISE AND EVALUATION PLAN 2004-2006.
    - (1) IM No. 04-036

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 04-024 and Resolution Serial No. 04-027.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 04-025: AN ORDINANCE ACCEPTING AND APPROPRIATING \$1,308.15 FROM MATANUSKA TELEPHONE ASSOCIATION TO A NON-LAPSING CAPITAL FUND 480, PROJECT NO. 20312, FOR UPGRADING AND ENHANCING THE TELECOMMUNICATIONS AND INFORMATION SERVICES IN THE BOROUGH LIBRARIES.
  - a. IM No. 04-037

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 04-025.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 04-026: AN ORDINANCE ACCEPTING AND APPROPRIATING \$150,000 FROM THE MUNICIPALITY OF ANCHORAGE TO THE PORT MACKENZIE PHASE II PROJECT FOR THE DEVELOPMENT OF FERRY LANDINGS.
  - a. Resolution Serial No. 04-037: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MATCHING CONTRIBUTION FROM THE MUNICIPALITY OF ANCHORAGE FOR THE DEVELOPMENT OF FERRY LANDINGS TO THE PORT MACKENZIE PHASE II, PROJECT NO. 70001.
    - (1) IM No. 04-039
    - (2) IM No. 04-051

Deputy Mayor Colver opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 04-026 and Resolution Serial No. 04-037.

Assemblymember Colberg spoke in opposition of the legislation.

VOTE: The motion passed with Assemblymember Colberg in opposition.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke in opposition to AM No. 04-033 and requested that the Assembly reevaluate the project: Mr. Erling Westlien.

The following persons spoke in opposition to the appointment of Michelle Church to the Planning Commission: Ms. Annette Harpster and Ms. Pia Cottini.

Ms. Lucille Frey:

- spoke in opposition to the appointment of Michelle Church to the Planning Commission;
- discussed placing pipes, not a fence, between the Butte Elementary School and the Butte Solid Waste Transfer Site; and
- thanked Ms. Dillon and Assemblymember Bush for their assistance with the Butte Community Council election.

The following person discussed finding a resource for educational funding: Mr. Dan Kelly.

The following person spoke in support of AM No. 04-033: Mr. Steve Stoll, a representative of McClintock Land Associates, Inc.

The following person spoke in support of discontinuing the practice of allowing motions to be allowed under Mayor and Assembly Comments on the agenda: Ms. Jay Nolfi.

*(Agency reports continued from pp. 4 of 17)*

## Palmer City

Mayor Jim Cooper:

- reported that it has been a slow fire season this year;
- noted that Spenard Builder Supplies will be opening in April; and
- stated that Fred Meyer will be opening on March 3, 2004.

### B. COMMITTEE REPORTS

#### 1. Joint Assembly/School Board Committee on School Issues

Deputy Mayor Colver reported that there have been no meetings.

#### 2. Regional Transportation Planning Organization

Assemblymember Simpson:

- stated that Knik Arm Crossing was a main topic of conversation;
- noted that they discussed bringing in the Kenai Peninsula Borough as a voting member; and
- discussed the reauthorization of Transportation Equity Act of the 21<sup>st</sup> Century (TEA-21).

### C. MANAGER COMMENTS

Mr. Duffy:

- stated that William Robertson was appointed as the Alaska State Department of Transportation's Southcentral Regional Director;
- noted that Senator Lisa Murkowski will be at Mat-Su Community College on February 19, 2004, from 10 a.m. to 11:30 a.m.;
- commented that a memorandum regarding the Whiskey Lake Management Plan was copied to the Assembly; and
- stated that Representative Harris has requested that several members of the Assembly meet with the Legislative Delegation on coal bed methane in Juneau on March 4<sup>th</sup> or 5<sup>th</sup>.

Deputy Mayor Colver:

- reported that he was in Juneau for a day last week;
- stated that he discussed education funding with Senator Green, Representative Stoltz, and Representative Harris;
- discussed House Bill 395 and Senate Bill 312 regarding coal bed methane; and
- stated that Representative Masek asked that the Borough provide her with our top transportation projects.

#### D. ATTORNEY COMMENTS

Ms. Williams:

- referred to the memorandum included in her report from John Aschenbrenner regarding pawn brokers; and
- noted that Mr. Aschenbrenner is staffing the Mayor's Task Force on Police Powers.

#### E. CLERK COMMENTS

Ms. Dillon

- reviewed the upcoming meeting schedule for March; and
- inquired if the Assembly would like the Platting Board to attend the joint Assembly/Planning Commission meeting on March 23, 2004.

Assemblymember Simpson stated that she would like the Platting Board to attend the meeting.

Ms. Dillon asked the Manager to inform her of when the meeting with the Legislative Delegation on coal bed methane would take place in order to meet the requirements of the Open Meetings Act.

#### F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 12/08/03
- b. Library Board: 10/18/03, 11/15/03
- c. Local Emergency Planning Committee: 09/17/03, 10/15/03, 11/19/03, 12/17/03
- d. Platting Board: 09/04/03, 09/18/03, 10/02/03, 10/16/03, 11/06/03, 11/20/03, 12/04/03
- e. Port Commission: 09/15/03, 10/20/03, 11/17/03, 12/15/03
- f. Regional Transportation Planning Organization: 09/22/03, 11/17/03
- g. Regional Transportation Planning Organization Technical Committee: 10/27/03, 12/15/03
- h. Transportation Advisory Board: 09/17/03, 09/24/03, 10/22/03, 11/26/02, 12/10/03

2. Community Council Correspondence:

- a. Y Community Council: 01/02/03, 02/06/03, 03/06/03, 04/03/03

The citizen and other correspondence were 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 - 03/02/04, 7 p.m., Borough Assembly Chambers)
1. Ordinance Serial No. 04-027: AN ORDINANCE ACCEPTING AND APPROPRIATING \$447,075 TO FUND 480, PROJECT NO. 20344, FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, TO STUDY THE FEASIBILITY OF AN AGRICULTURAL PROCESSING FACILITY.
    - a. Resolution Serial No. 04-028: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ECONOMIC DEVELOPMENT INITIATIVE GRANT TO STUDY THE FEASIBILITY OF AN AGRICULTURAL PROCESSING FACILITY, PROJECT NO. 20344, FUND 480.
      - (1) IM No. 04-041
  2. Ordinance Serial No. 04-036: AN ORDINANCE APPROVING AN APPROPRIATION OF \$10,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO PROJECT NO. 45123, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT.
    - a. Resolution Serial No. 04-031: A RESOLUTION SETTING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45123, FUND 405, TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT FOR THE MEADOW LAKES FIRE SERVICE AREA.
      - (1) IM No. 04-043
  3. Ordinance Serial No. 04-037: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$68,540 FROM THE LAND MANAGEMENT FUND BALANCE TO THE FISCAL YEAR 2004 LAND MANAGEMENT OPERATING BUDGET 203-170-141 FOR THE PERFORMANCE BONDS REQUIRED TO ENTER INTO A SUBDIVISION AGREEMENT FOR THE CONSTRUCTION OF HASTEY ACRES ROAD.
    - a. IM 04-046
  4. Ordinance Serial No. 04-038: AN ORDINANCE APPROPRIATING \$74,750 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, AND REAPPROPRIATING \$75,000 FROM THE AREA WIDE PORT OPERATING BUDGET TO A NON-LAPSING, NON-CAPITAL PROJECT, PROJECT NO. 45005, FUND 480, FOR THE PORT MASTER PLAN REVIEW.
    - a. Resolution Serial No. 04-032: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PORT MASTER PLAN REVIEW.
      - (1) IM No. 04-052
      - (2) AM No. 04-035: AWARD OF PROPOSAL NO. 04-069 TO THE CORNELL GROUP, INC., IN AN AMOUNT NOT TO EXCEED \$149,750 FOR THE PORT MASTER PLAN UPDATE CONTRACT.
  5. Ordinance Serial No. 04-039 AN ORDINANCE APPROPRIATING \$9,999,924 TO FUND 450, PORT/INFRASTRUCTURE CAPITAL PROJECTS, FOR THE PLANNING, DESIGNING, ACQUIRING PROPERTY FOR, EQUIPPING AND CONSTRUCTING

CAPITAL IMPROVEMENTS FOR A DEEP DRAFT DOCK AND IMPROVEMENTS TO THE PORT MACKENZIE ROAD.

- a. IM No. 04-053
  
- 6. Ordinance Serial No. 04-040: AN ORDINANCE APPROPRIATING \$22,583,904 TO FUND 400, SCHOOL PROJECTS, FOR THE ACQUISITION, CONSTRUCTION, INSTALLATION, AND MAJOR RENOVATION AND RENEWAL OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS WITHIN THE BOROUGH.
  - a. Resolution Serial No. 04-033: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE 2004 SERIES A AND SERIES B GENERAL OBLIGATION SCHOOL BOND CONSTRUCTION PROJECTS.
    - (1) IM No. 04-054
  
- 7. Ordinance Serial No. 04-041: AN ORDINANCE FOR A SUPPLEMENTAL APPROPRIATION OF \$376,396 FROM THE AREAWIDE FUND BALANCE (FUND 100) TO THE FISCAL YEAR 2004 EDUCATING OPERATING BUDGET (FUND 204) FOR THE INCREASE IN STUDENT ENROLLMENT OVER PROJECTIONS.
  - a. IM No. 04-056
  
- 8. Ordinance Serial No. 04-042: AN ORDINANCE APPROPRIATING \$48,316 OF INTEREST EARNINGS ON THE 1998 SERIES A, GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40129 AND \$35,135 INTEREST EARNINGS ON THE 1999 SERIES A, GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40133 TO ALLOW COMPLETION OF THE SELDON ROAD CHANNELIZATION PROJECT.
  - a. IM No. 04-057
  
- 9. Ordinance Serial No. 04-043: AN ORDINANCE APPROPRIATING \$500,000 FROM THE CAPITAL RESERVE FUND (FUND 100) TO THE CITY OF PALMER ICE ARENA PROJECT (FUND 440). (*Sponsors: Assemblymembers Allen and Colver*)
  - a. IM No. 04-061

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Kvalheim moved to introduce the legislation as read into the record by the Clerk and set the public hearings for March 2, 2004.

VOTE: The motion passed without objection.

B. CONSENT AGENDA

(Resolution Serial Nos. 04-034 and 04-038 and AM Nos. 04-033 and 04-026 were pulled from the consent agenda and addressed separately. *See pp. 10 of 17*)

1. RESOLUTIONS

2. ACTION MEMORANDUMS

- b. AM No. 04-028: RETROACTIVE APPROVAL OF SENIOR CITIZEN PROPERTY TAX EXEMPTION FOR LAWRENCE P. WEILAND, JR. ON TAX ACCOUNT NO. 17N02E27A006 FOR TAX YEAR 2003.
- c. AM No. 04-029: RETROACTIVE APPROVAL OF SENIOR CITIZEN PROPERTY TAX EXEMPTION FOR HAZEL P. JONES ON TAX ACCOUNT NO. 2687B01L003 FOR TAX YEAR 2003.
- d. AM No. 04-031: RETROACTIVE APPROVAL OF DISABLED VETERAN PROPERTY TAX EXEMPTION FOR WALTER F. DEAL ON TAX ACCOUNT NO. 1182B08L003 FOR TAX YEARS 2001, 2002, AND 2003.
- e. AM No. 04-032: AWARD OF PROPOSAL NO. 04-093 TO LOUNSBURY AND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$48,825 FOR THE MEADOW LAKES ELEMENTARY TURN LANES AND HIGHWAY LIGHTING CONTRACT.
- g. AM No. 04-034: AWARD OF BID NO. 04-072 TO PIONEER EQUIPMENT INC., IN THE AMOUNT OF \$19,747 FOR THE PURCHASE OF A MERI-CRUSHER TRAIL GRINDER.
- h. AM No. 04-036: APPROVAL OF PUBLIC WORKS DEPARTMENT STAFF CHANGES.
- i. AM No. 04-037: APPROVAL OF STAFF CHANGES IN THE CLERK'S OFFICE.

Ms. Dillon read the consent agenda into the record.

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

VOTE: The motion passed without objection.

- a. Resolution Serial No. 04-034: A RESOLUTION SUPPORTING ALASKA HOUSE BILL (HB) 352 AND SENATE BILL (SB) 251; AN ACT MAKING AN APPROPRIATION FOR LONGEVITY BONUS GRANTS AND PROVIDING FOR AN EFFECTIVE DATE.  
(Sponsor: Assemblymember Vehrs)
- (1) IM No. 04-044

Deputy Mayor Colver:

- stated that there has been a request from a member of the public to speak on this item; and
- inquired if anyone from the public would like to speak on Resolution Serial No. 04-034.

The following person spoke in opposition of Resolution Serial No. 04-034: Ms. Jay Nolfi.

The following person stated that the Alaska Municipal League has not voiced objection to the longevity bonus grants: Mr. Jim Cooper, President of Alaska Municipal League.

There being no others who wished to speak on this issue, discussion moved to the Assembly.

Deputy Mayor Colver placed Resolution Serial No. 04-034 before the Assembly.

Assemblymember Colberg:

- stated that there is a fiscal problem in the state of Alaska;
- noted that no matter where the budget is cut there will be a negative reaction;
- applauded the Governor for making tough decisions; and
- stated that there is not enough money to hand out when we do not have revenues to pay for our current services.

Assemblymember Vehrs:

- stated that the state of Alaska recently spent funds to send delegates to Fairbanks;
- commented that her constituents asked her to bring this legislation before the Assembly; and
- stated that the State needs to honor its contract.

Assemblymember Kvalheim:

- spoke in support of Resolution Serial No. 04-034;
- opined that the Governor could have made some different cuts; and
- commented that it was a mistake to pull these funds from the economy and that she knows senior citizens that have left Alaska because of this cut.

Assemblymember Bush:

- stated that the State has fiscal problems;
- commented that the Governor made a tough decision;
- noted that there are no other states that provide this grant;
- stated that this cut affected many families, including his own, but money is currently tight and we have to learn to cope.

Assemblymember Colver spoke in support of Resolution Serial No. 04-034.

VOTE: The motion failed with Assemblymembers Kvalheim, Colver, and Vehrs in support and Assemblymembers Bush, Colberg, and Simpson opposed. (Tie vote.)

MOTION: Assemblymember Colberg moved to reconsider Resolution Serial No. 04-034

VOTE: The motion to reconsider failed with Assemblymember Kvalheim in support.

d. Resolution Serial No. 04-038: A RESOLUTION ESTABLISHING THE ASSEMBLY COMMITTEE ON EDUCATION TO CONSIDER METHODS OF ADEQUATELY FUNDING THE STATE'S EDUCATION SYSTEM.

(1) IM No. 04-062

Deputy Mayor Colver:

- stated that there has been a request from a member of the public to speak on this item; and
- inquired if anyone from the public would like to speak on Resolution Serial No. 04-038.

The following person spoke in opposition of Resolution Serial No. 04-038 and stated that the Borough should not be doing the State's job: Ms. Jay Nolfi.

There being no others who wished to speak on this issue, discussion moved to the Assembly.

Deputy Mayor Colver placed Resolution Serial No. 04-038 before the Assembly.

Assemblymember Simpson stated that this legislation does not encompass what the Assembly discussed at the joint Assembly/Municipality of Anchorage work session.

Discussion ensued on the intent of Resolution Serial No. 04-038.

MOTION: Assemblymember Colberg moved to postpone Resolution Serial No. 04-038 to the March 2, 2004, regular Assembly meeting.

VOTE: The motion passed without objection.

a. AM No. 04-026: APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$40,629 TO CH2M HILL FOR THE CENTRAL LANDFILL EXPANSION, PROJECT NO. 25033 FOR DESIGN SERVICES FOR A LEACHATE PUMP STATION.

Deputy Mayor Colver placed AM No. 04-026 before the Assembly.

Deputy Mayor Colver asked for clarification of this change order.

Mr. Don Shiesl explained the change order.

VOTE: The motion passed without objection.

- f. AM No. 04-033: AWARD OF PROPOSAL NO. 04-092 TO MCCLINTOCK LAND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$54,000 FOR THE TRAIL RIGHT-OF-WAY RESEARCH IN THE KASHWITNA-MONTANA CREEK AREA.

Deputy Mayor Colver placed AM No. 04-033 before the Assembly.

Assemblymember Vehrs asked Mr. Duffy to explain this proposal.

Mr. Duffy:

- referred to a map of the Kashwitna-Montana Creek area;
- stated that the Borough is trying to identify the most feasible locations for trails; and
- stated that the contractor will be attempting to identify alternatives and preferred alternatives.

MOTION: Assemblymember Vehrs moved to suspend the rules to allow public testimony on AM No. 04-033.

VOTE: The motion passed with Assemblymember Simpson in opposition.

Deputy Mayor Colver inquired if anyone from the public would like to speak on this issue.

The following person spoke in opposition of AM No. 04-033: Mr. Erling Westerly.

There being no others who wished to speak on this issue, discussion moved to the Assembly.

Assemblymember Simpson stated that this is an award of a contract to simply review all options available to the Borough.

VOTE: The motion passed with Assemblymember Vehrs in opposition.

## C. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Library Board  
Kevin Fitzgerald  
Planning Commission  
Michelle Church  
Platting Board  
Steven Heinrich

Site Selection Committee – Borough Area Schools

Linda Menard  
Title 16 Rewrite Committee  
Lucy Hope  
Transportation Advisory Board  
Henry Corbin  
Dan Kelly, Jr.

Mayor Anderson requested the following confirmations:

Cook Inlet Aquaculture Association  
Peter Stortz  
Enhanced 911 Advisory Board  
Dennis Brodigan  
Mayor's Blue Ribbon Task Force on Police Powers  
Ole Larson  
Senior Citizen Advisory Board  
Frances "Wanda" Murphy  
Resignation of Deloris Brown  
Resignation of Dorothy Hill Dobson  
Site Selection Committee – Borough Area Schools  
Betty Vehrs  
Jim Colver  
Faye Palin  
Helga Larson  
Jody Simpson  
Rose Jenne  
Title 16 Rewrite Committee  
Gary LoRusso  
Mark Masteller  
Fairview Road Service Area No. 14  
Resignation of John Lettow

**MOTION:** Assemblymember Kvalheim moved to confirm the Mayor's appointments and resignations up for confirmation this evening.

**MOTION:** Assemblymember Colberg moved to divide the question to address the appointment of Mark Masteller to the Title 16 Rewrite Committee separately.

**VOTE:** The motion to divide the question failed with Assemblymembers Bush, Colberg, and Simpson in support and Assemblymembers Kvalheim, Colver and Vehrs opposed, (Tie vote.)

Assemblymember Colberg;

- discussed the importance of each assembly member selecting a candidate from their own district to boards and committees that require a member from a specific district, such as the Title 16 rewrite committee;
- cautioned assembly members from asking a member of the public from another district to apply for a position; and
- stated that it is important that the Assembly work together.

Discussion ensued regarding the importance of working together and each assembly member selecting a candidate from their own district.

VOTE: The motion passed without objection.

**D. OTHER NEW BUSINESS**

*(There was no other new business.)*

**X. RECONSIDERATION**

*(There were no reconsiderations.)*

**XI. VETO**

*(There was no veto presented.)*

**XII. EXECUTIVE SESSION**

*(There was no executive session held.)*

**XIII. MAYOR AND ASSEMBLY COMMENTS**

Assemblymember Kvalheim:

- asked for clarification on the Teachers' Retirement System (TRS) and Public Employees' Retirement System (PERS);
- stated that Ordinance Serial No. 04-027 and Resolution Serial No. 04-028 regarding an agricultural processing facility will be open for public hearing on March 2, 2004;
- noted that the Assembly needs to look at conserving agricultural land;
- requested that a noise test be performed as soon as possible in the residential area near Fishhead's Bar and Grill.

Assemblymember Simpson:

- stated that the Borough is in the middle of celebrating its 40<sup>th</sup> anniversary;
- suggested that a picture of all of the past and current members of the Assembly or Mayors be taken;
- requested that the school site selection committee meeting still take place on March 4; and
- stated that she is interested in traveling to Juneau for the coal bed methane meeting with the Legislative Delegation.

Assemblymember Vehrs:

- stated that she would also like to attend the coal bed methane meeting in Juneau with the Legislative Delegation; and
- noted that most of the coal bed methane activity is currently taking place in Assembly District 7.

Assemblymember Bush:

- requested that Administration send a letter to the state conservationist regarding the resolution recently passed making prime farm land a priority in the Borough;
- noted that he would also like to attend the meeting in Juneau, but if he is unable to attend that he would like Assemblymember Simpson to attend; and
- asked if a representative of each city council was also invited to attend.

Deputy Mayor Colver inquired as to the status of the Midnight Sun Charter School.

Mr. Duffy replied that two requests for proposals have been issued for Midnight Sun Charter School and Mid-Valley Pathways.

Deputy Mayor Colver stated that he would also like to participate in the meeting in Juneau.

#### **XIV. ADJOURNMENT**

The regular meeting adjourned at 9:07 p.m.

**/S/**

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TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

**/S/**

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SANDRA A. DILLON, CMC, Borough Clerk

Minutes approved: March 2, 2004