

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 17, 2009, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:14 p.m. by Mayor Curtis D. Menard.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1 (*Deputy Mayor*)
Mr. Pete Houston, Assembly District No. 2
Ms. Michelle R. Church, Assembly District No. 3
Mr. Mark Ewing, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Robert Wells, Assembly District No. 6
Mr. Tom Kluberton, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Duffy, Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Elizabeth Gray, Assistant Borough Manager
Ms. Cheryl D. Marino, Deputy Borough Clerk
Ms. Tammy Clayton, Finance Director
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Linda Brenner, Community Development Director
Mr. Mark Mayo, Planning and Land Use Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Dave Hanson, Economic Development Director
Ms. Lauren Kruer, Planner II
Mr. Alex Strawn, Planner II

III. APPROVAL OF AGENDA

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

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Karen Harris, Mat-Su Convention and Visitors Bureau Board President.

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 01/20/09
- B. Regular Assembly Meeting: 01/20/09
- C. Regular Assembly Meeting: 02/03/09

Mayor Menard inquired if there were any corrections to the special meeting minutes of January 20, 2009, regular meeting minutes of January 20, 2009, and February 3, 2009.

GENERAL CONSENT: The minutes were approved as presented without objection.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There was no report provided.)

2. Mat-Su Convention and Visitors Bureau (MSCVB)- Ms. Karen Harris, MSCVB Board President

Ms. Harris:

- noted that the MSCVB has not received a contract for three years;
- requested a three-year contract with a 70/30 bed tax revenue split;
- commented that if the 70/30 split, three-year contract is not possible, the MSCVB would request a one-year allocation of \$728,000, based on the bed tax revenue projections;
- commented that costs have risen significantly;
- noted the need to be money conscience;
- spoke to tourism infrastructure needs; and
- spoke to the MSCVB's appreciation of the Assembly's support.

Assemblymember Bettine:

- noted that the Alaska Hotel and Lodging Association spoke in opposition of any increase to the bed tax at the Tourism Summit, unless there was a project that they could support; and
- queried if the Alaska Hotel and Lodging Association has made any efforts to work with local members in that regard.

Ms. Harris:

- noted that the MSCVB has not been in contact with the Alaska Hotel and Lodging Association on any particular project; and
- commented that it would be good for the MSCVB to look into.

Assemblymember Bettine:

- queried how many members of the Alaska Hotel and Lodging Association are local or operate year round;
- noted that there was an attempt at scheduling a meeting with the Alaska Hotel and Lodging Association; and
- asked the MSCVB to follow up with the Alaska Hotel and Lodging Association.

Ms. Harris:

- reported that a new cruise ship will be coming to Alaska in 2010; and
- spoke to the possible opportunity for statewide cruise tax funds for the Borough.

Mayor Menard:

- spoke to the Railroad meeting;
- noted that Mr. John Binkley commented that cruise ship passenger numbers are 30 percent lower than last year;
- noted that Mr. Binkley's business has seen a decrease of 38 percent in Fairbanks; and
- queried if there was any indication that the tourism numbers will decrease this year.

Ms. Harris:

- stated that a decrease is quite possible; and
- advised that trends indicate that tourists book closer to the dates of travel.

Mayor Menard queried if there are measurements in place to track the tourists that visit Alaska.

Ms. Harris:

- spoke to the current MSCVB measurements;
- reported that the MSCVB cut one of the international travel shows; and
- noted that the market relationship with Japan is improving.

3. Matanuska-Susitna Borough School District – Mr. Jim Colver, School Board President

Mr. Colver:

- spoke to a memorandum that Mr. George Troxel forwarded to principals regarding a five percent budget cut;
- stated that the School District would need an additional \$9 million dollars for fiscal year 2010 to be where they were in fiscal year 2009;
- spoke to the increased costs in energy, step increases, and the new school expense;
- commented that the School District's revenue is not keeping up with the growth;
- noted that this is a economically tough year;
- spoke to a small funding increase in the special education budget;
- noted that the cost for special needs services is projected at \$35 million;
- commented that in addition to State funding the School District would need \$20 million out of other budgets to offset the special education costs;
- noted that there will be an increase in class sizes due to the budget decrease;

- thanked Assemblymembers Bettine and Kluberton for their participation in the Activity Task Force; and
- noted that the Activities Task Force is making headway on how to get kids more active and opening the school facilities to the public.

Assemblymember Church queried the projected student enrollment numbers.

Mr. Colver:

- advised that the projected student enrollment is approximately 100 more students Boroughwide;
- reported that more students enroll after the count is taken, but there is no additional funding for the increase; and
- noted that more teachers need to be hired when enrollment projections increase.

Assemblymember Wells queried if negotiations are in progress with the Classified Employee Union (CEA).

Mr. Colver:

- noted that the CEA had a one-year agreement last year;
- advised that the employee contract negotiations will begin in February;
- teachers have a two-year contract with a three percent raise; and
- commented that the teachers contract will be up next year.

Assemblymember Wells:

- requested that the projected costs be available at the joint Assembly/School Board meeting on March 10, 2009; and
- asked how the projected costs are affecting the five percent reduction in the budget.

Mr. Colver

- noted that the five percent reduction will affect 18 positions;
- spoke to issues with the federal economic stimulus package; and
- stated that the federal funds help, but because the funds are allocated to programs such as summer school, it does not help the bottom line.

Assemblymember Wells queried if the School Board is still committed to the performance based budgeting process.

Mr. Colver noted that the School Board is using a hybrid of performance based budgeting.

Assemblymember Bettine:

- spoke to the presentations provided by principals at last years budget meetings; and
- queried if the principals could do their presentations during the joint Assembly/School Board meeting on March 10, 2009.

Mr. Colver:

- noted that the principals present to the Assembly after the School Board has seen the presentations; and
- commented that the principals' presentations would not be complete by the Joint Assembly/School Board meeting.

Mayor Menard queried the student enrollment in the Borough.

Mr. Colver stated that the Borough has approximately 16,000 students enrolled.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Church noted the next Joint Assembly/School Board Committee on School Issues meeting is scheduled for March 2, 2009.

2. Assembly Public Relations

(There were no reports provided.)

D. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- spoke to the earlier distribution of the Manager's Report;
- highlighted the trip to Juneau;
- spoke to meeting with Commissioner Bill Hogan, Alaska State Department of Health and Social Services, to discuss the Assembly's priority of a Certificate of Need for residential treatment centers and the need for mandatory counseling for first-time substance abuse violators;
- noted that he and Assemblymember Houston will be speaking to the Alaska State Department of Health and Social Services regarding these issues;
- spoke to Administration's position regarding the Certificate of Need;
- advised that the Borough has received a letter of appreciation for the work of Mr. Mike Lachelt of Operations and Maintenance;
- stated that the Borough's population determination from the state of Alaska is 82,095;
- noted that the Alaska State Department of Labor and the Institute of Social and Economic Research have a Borough population number of 85,000;
- announced that there will be a regional governments on dispatch meeting at the Wasilla Police Department on February 20, 2009; and
- noted that the Borough is close to finalizing the Susitna Valley High School insurance issues.

Assemblymember Woods:

- spoke to the population figures determining funding;
- commented that Northstar Borough had contested their population numbers; and
- queried if it would make a difference if the Borough were to contest their population numbers.

Mr. Duffy:

- advised that the Borough's population is between 85,000 and 86,000;
- noted that the State requires a full census to contest population numbers;
- stated that a full census costs approximately \$80,000;
- noted that the Borough will have a federal census done soon;
- spoke to how the Borough could challenge the federal census numbers; and
- noted the past population number differences.

Discussion ensued regarding:

- the change to statute regarding population numbers;
- how the statute change affects the Borough;
- the federal census process; and
- the need for the legislative priorities information for the Washington D.C. trip.

Ms. Krueger provided an update to the changes to Title 17.

Mr. Strawn provided an update regarding the tower/tall structures plan.

E. ATTORNEY COMMENTS

Mr. Spiropoulos:

- spoke to the Carmony versus McKechnie case; and
- commented that the decision is expected in four to six months.

Assemblymember Bettine queried which attorney was representing Mr. Carmony.

Mr. Spiropoulos advised that Mr. Jim Walker, Matanuska Electric Association's Attorney, is representing Mr. Carmony.

F. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule; and
- queried if the Assembly would like to schedule a joint meeting with the Denali Borough on March 10, 2009, at 2 p.m.

There was no objection noted.

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

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

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 09-017: AN ORDINANCE ACCEPTING AND APPROPRIATING \$3,000,000 FROM THE UNITED STATES DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION, FOR CONSTRUCTION OF A NEW REGIONAL RESOURCE RECOVERY AND TRAINING FACILITY, FUND 480, PROJECT NO. 47013.

a. Resolution Serial No. 09-011: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE CONSTRUCTION OF A NEW REGIONAL RESOURCE RECOVERY AND TRAINING FACILITY, PROJECT NO. 47013.

(1) IM No. 09-020

Mr. Duffy provided a staff report.

Mayor Menard 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 Houston moved to adopt Ordinance Serial No. 09-017 and Resolution Serial No. 09-011.

Assemblymember Bettine queried if the Borough had the matching funds for the grant.

Mr. Duffy:

- advised that the Borough does not require matching funds; and
- noted that the Borough has funding sources from the Borough, a loan to be approved by the State Department of Environmental Conservation, and \$3 million from the Economic Development Administration.

VOTE: The motion passed without objection.

Mayor Menard inquired if there was any objection to moving Ordinance Serial No. 09-018, Resolution Serial No. 09-012, Ordinance Serial No. 09-019, Resolution Serial No. 09-013, Ordinance Serial No. 09-020, Resolution Serial No. 09-014, Ordinance Serial No. 09-021, and Resolution Serial No. 09-015 together.

There was no objection noted.

2. Ordinance Serial No. 09-018: AN ORDINANCE ACCEPTING AND APPROPRIATING \$100,000 FROM THE UNITED STATES FISH AND WILDLIFE

- SERVICE FOR THE BRYANT ROAD AT ANNA LAKE FISH PASSAGE IMPROVEMENT PROJECT, PROJECT NO. 30100, FUND 410.
- a. Resolution Serial No. 09-012: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE BRYANT ROAD AT ANNA LAKE FISH PASSAGE IMPROVEMENT PROJECT, PROJECT NO. 30100.
(1) IM No. 09-025
 3. Ordinance Serial No. 09-019: AN ORDINANCE ACCEPTING AND APPROPRIATING \$100,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE WASILLA CREEK AT GRANTHAM DRIVE FISH PASSAGE IMPROVEMENT PROJECT, PROJECT NO. 30101, FUND 410.
 - a. Resolution Serial No. 09-013: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE WASILLA CREEK AT GRANTHAM DRIVE FISH PASSAGE IMPROVEMENT PROJECT, PROJECT NO. 30101.
(1) IM No. 09-026
 4. Ordinance Serial No. 09-020: AN ORDINANCE ACCEPTING AND APPROPRIATING \$50,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE LITTLE MEADOW CREEK AT WEST KAREN STREET FISH PASSAGE IMPROVEMENT PROJECT, PROJECT NO. 30085, FUND 410.
 - a. Resolution Serial No. 09-014: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE LITTLE MEADOW CREEK AT WEST KAREN STREET FISH PASSAGE IMPROVEMENT PROJECT, PROJECT NO. 30085.
(1) IM No. 09-027
 5. Ordinance Serial No. 09-021: AN ORDINANCE ACCEPTING AND APPROPRIATING \$50,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE WASILLA CREEK AT WELTIN WAY FISH PASSAGE IMPROVEMENT PROJECT, PROJECT NO. 30101, FUND 410.
 - a. Resolution Serial No. 09-015: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE WASILLA CREEK AT WELTIN WAY FISH PASSAGE IMPROVEMENT PROJECT, PROJECT NO. 30101.
(1) IM No. 09-028

Mr. Rountree provided a staff report.

Assemblymember Kluberton:

- spoke to the strong Borough relationship with the United States Fish and Wildlife Service; and
- queried how the Borough could get projects nominated as fish passage projects.

Mr. Rountree noted that he will need to find out how projects can be nominated.

Assemblymember Bettine:

- queried the road service area (RSA) in-kind services; and
- asked if there was any monetary amount coming out of RSA budgets.

Mr. Rountree advised that a portion of staff salaries is paid out of the in-kind goods and services fund.

Discussion ensued regarding:

- the staff salaries not being funded out of the capital budget; and
- the excellent relationship the Borough has with the United States Fish and Wildlife Service.

Mayor Menard opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 09-018, Resolution Serial No. 09-012, Ordinance Serial No. 09-019, Resolution Serial No. 09-013, Ordinance Serial No. 09-020, Resolution Serial No. 09-014, Ordinance Serial No. 09-021, and Resolution Serial No. 09-015.

Assemblymember Bettine queried the footnote information contained in the fiscal notes.

Mr. Duffy:

- spoke to the capital portion of the budget regarding the matching of federal grants; and
- noted that the Borough had previously provided funding for a project manager for this program.

Ms. Clayton:

- noted that a large portion of the match is labor related; and
- advised that the funding could come from a number of sources depending upon the individual working on the project and which fund actually pays for some of the goods.

Assemblymember Bettine queried if the funds were all in-kind funds.

Ms. Clayton stated that the funds are all in-kind funds.

Assemblymember Ewing queried whether the project manager was a Borough position or a contract position.

Ms. Clayton:

- advised that the current project manager is a permanent, regular employee, that has been working on these projects; and
- noted that as some of the projects have been expanded, there has not been sufficient time to fill the position.

Discussion ensued regarding the hiring of temporary project managers to handle major projects.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 09-022: AN ORDINANCE AMENDING MSB 1.50.040, EXEMPTION OF PUBLIC RECORDS, TO INCLUDE THE EXEMPTION OF HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) INFORMATION AND TO CHANGE THE LOCATION OF “CONFIDENTIAL” INFORMATION.
 - a. IM No. 09-030

Mr. Brodigan provided a staff report.

Mayor Menard opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 09-022.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 09-023: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$1,107.50 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, TO FUND 425, PROJECT NO. 45158.
 - a. Resolution Serial No. 09-016: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, PROJECT NO. 45158, TO ALLOW FOR THE PAYMENT FOR INSTALLATION OF A TALKEETNA DOCKING STATION FOR THE MOBILE COMMAND/COMMUNICATIONS VAN (FIELD COMM. I).
 - (1) IM No. 09-037

Mr. Brodigan provided a staff report.

Assemblymember Woods noted that she had thought that the communication equipment was ready to go statewide.

Mr. Brodigan:

- advised that the satellite system would be activated when the communications van is in a remote location that does not have access to hard lines;
- spoke to the E-911 Advisory Board’s designation of five standard locations around the Borough; and
- reported that when the communications van is outside the designated areas the satellite system is activated.

Assemblymember Ewing:

- noted that satellite time is very expensive;
- spoke to the need to offset the expense; and
- stated that it is smart to have a backup plan.

Mayor Menard 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 Kluberton moved to adopt Ordinance Serial No. 09-023 and Resolution Serial No. 09-016.

VOTE: The motion passed without objection.

8. Ordinance Serial No. 09-024: AN ORDINANCE AMENDING MSB 15.39.130, NOTICE OF APPEALS; FORM, TO CHANGE THE APPEAL FEE.
 - a. IM No. 09-038

Ms. McKechnie provided a staff report.

Mayor Menard opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 09-024.

Assemblymember Houston:

- opined that the proposed fee change is a large increase; and
- spoke to concerns regarding the increased fee prohibiting someone from filing an appeal.

Ms. McKechnie:

- stated that Municipality of Anchorage (MOA) charges a \$960 filing fee;
- advised that the MOA also requires a cost bond for the anticipated costs to prepare the record; and
- spoke to the current workload and staff time involved with preparing an appeal.

Assemblymember Houston requested examples of appeals.

Ms. McKechnie advised that the Board of Adjustment and Appeals hears appeals from Platting Board decisions, Planning Commission decisions, and staff decisions.

Discussion ensued regarding:

- the various size of appeal records;
- the various types of appeals;

- the need to increase the appeal fee cost to cover the operation cost;
- the Borough not having a formal mechanism for waiving the appeal fee;
- the need to communicate payment options to the public;
- the Supreme Court of Alaska’s financial evaluation form used in determining the waiving of fees;
- the need for a code ordinance to set an appeal fee waiver process; and
- the timeline needed to draft a code ordinance to set an appeal fee waiver process.

MOTION: Assemblymember Bettine moved to postponed Ordinance Serial No. 09-024 to a time certain of April 7, 2009.

VOTE: The motion to postpone Ordinance Serial No. 09-024 to a time certain of April 7, 2009, passed without objection.

MOTION: Assemblymember Kluberton moved to direct staff to prepare an ordinance for an appeal fee waiver process.

VOTE: The motion passed without objection.

9. Ordinance Serial No. 09-025: AN ORDINANCE AMENDING MSB 2.12 AND MSB 15.04 TO PROVIDE AN UPDATED MECHANISM FOR PLANNING COMMISSION REVIEW OF ORDINANCES RELATED TO PLANNING.
(Sponsored by: Mayor Menard)

a. IM No. 09-041

Mr. Spiropoulos provided a staff report.

Mayor Menard opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 09-025.

MOTION: Assemblymember Houston moved a primary amendment to Ordinance Serial No. 09-025, MSB 2.12.077(A), by striking the words “a later” and inserting the word “other” in its place to read: Ordinances covered by MSB 15.04.015(A)(7) shall be referred to the planning commission for review prior to setting a date for assembly action. The planning commission will have 90 days, or other date specified by the assembly during referral, to review and recommend to the assembly action or amendments.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

Assemblymember Church:

- noted that Ordinance Serial No. 09-025 will help the public to be more informed of what the Assembly is voting on; and
- spoke to the public's confusion when the Hatcher Pass special land use district came forward due to the multiple versions of the ordinance.

10. Resolution Serial No. 09-022: A RESOLUTION ADOPTING THE MAT-SU COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY 2008 UPDATE.

a. IM No. 09-045

Mr. Hanson provided a staff report.

Assemblymember Houston queried if the Economic Strategy 2008 Update is a stand alone document.

Mr. Hanson advised that it is a stand alone document.

Assemblymember Kluberton spoke to amendments that are needed within the Economic Strategy 2008 Update.

Mr. Duffy advised that staff could come back with amendments at a later date, should the Assembly adopt the legislation.

Assemblymember Bettine queried whether staff or the Resource Development Council (RDC) developed the Economic Strategy 2008 Update.

Mr. Hanson noted that staff drafted the majority of the document.

Mayor Menard opened the public hearing.

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

MOTION: Assemblymember Woods moved to adopt Resolution Serial No. 09-022.

Assemblymember Wells:

- commented on having worked with Mr. Hanson during his employment with the RDC;
- spoke to the amount of work that went into the document; and
- acknowledged Mr. Hanson's hard work on the Economic Strategy 2008 Update.

Discussion ensued regarding:

- the Economic Strategy 2008 Update being a start to the Borough's economic plan;
- the importance of having accurate information inside the document;
- the funding sources for the RDC; and
- the need to encourage active participation of the RDC.

VOTE: The motion passed without objection.

(The meeting recessed at 8:09 p.m. and reconvened at 8:23 p.m.)

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke regarding her appreciation for Ms. Elizabeth Gray attending the Matanuska Electric Association Board meeting: Ms. Kit Jones, Matanuska Electric Association Board Member.

The following person spoke to concerns regarding the proposed Nelson Road extension and read a letter into the record from Mr. James Carson: Mr. Randy Dellar.

The following person spoke regarding her appreciation for some of the Assembly Members attending the January 9, 2009, Nelson Road Extension meeting and spoke to the public comment provided at the meeting: Ms. Monica Swan.

D. CONSENT AGENDA (Resolution Serial Nos. 09-017 and 09-019 and AM No. 09-009 were pulled from the consent agenda and addressed separately. *See pp. 15-18*)

1. RESOLUTIONS

b. Resolution Serial No. 09-018: A RESOLUTION APPROVING A LOAN FROM THE FIRE SERVICE AREA REVOLVING LOAN FUND, FUND 605, IN THE AMOUNT OF \$25,000, TO THE CASWELL LAKES FIRE SERVICE AREA NO. 135, FUND 248, TO PROVIDE THE FUNDS NECESSARY FOR FISCAL YEAR 2009 OPERATIONS.

(1) IM No. 09-042

d. Resolution Serial No. 09-020: A RESOLUTION REQUESTING THAT THE STATE LEGISLATURE AND ADMINISTRATION ADOPT A FULLY FUNDED CAPITAL BUDGET IN ADDITION TO ACCEPTING AND APPROPRIATING FEDERAL ECONOMIC STIMULUS PROJECT AND PROGRAM FUNDS.

(1) IM No. 09-051

2. ASSEMBLY MEMORANDUMS

b. AM No. 09-014: VACATION OF A PORTION OF EAST SKYHAWK CIRCLE CUL-DE-SAC WITHIN AERO SUBDIVISION ON WOLF LAKE, PHASE IV, PLAT NO. 93-82, LOCATED WITHIN SECTION 21, TOWNSHIP 18 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALASKA.

c. AM NO. 09-015: AUTHORIZING THE MANAGER TO ENTER INTO THE 2009 COOPERATIVE AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY, FOR WILDFIRE FUEL

REDUCTION IN AN AMOUNT NOT TO EXCEED \$200,000 THROUGH
DECEMBER 31, 2009.

Ms. McKechnie read the above legislation into the record.

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

VOTE: The motion passed without objection.

a. Resolution Serial No. 09-017: A RESOLUTION APPROVING THE AMENDED SCOPE OF WORK FOR THE FISCAL YEAR 2007 DESIGNATED LEGISLATIVE GRANT FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, FOR THE BOROUGHWIDE ROAD UPGRADE PROJECTS TO INCLUDE GRAVEL OVERLAYS TO VARIOUS ROADS WITHIN ROAD SERVICE AREA NO. 23, PROJECT NO. 30044.

(1) IM No. 09-034

MOTION: Assemblymember Bettine moved to adopt Resolution Serial No. 09-017.

Assemblymember Bettine requested that she be provided with a list of the project details, as she has been tracking some of the projects.

VOTE: There was no objection noted.

c. Resolution Serial No. 09-019: A RESOLUTION SUPPORTING THE NEED TO HIGHLIGHT BOROUGH PRIORITIES TO STATE AND FEDERAL LEGISLATORS.
(Sponsored by: Assemblymember Bettine)

(1) IM No. 09-050

MOTION: Assemblymember Woods moved to adopt Resolution Serial No. 09-019.

Assemblymember Woods queried the costs involved with highlighting the Borough priorities through artwork.

Ms. Sullivan:

- reported that the idea is to display framed prints or posters on the Legislators' walls to highlight Borough projects and priorities;
- advised that posters are a more economical option;
- provided an overview of the associated costs;
- noted that the cost differs between artwork and photography; and
- commented that this could be an annual project where different projects are highlighted.

Assemblymember Ewing:

- noted that the posters are a great idea;
- commented that the Borough has many major projects; and
- spoke to the importance of keeping the cost down.

Assemblymember Bettine:

- spoke to the origin of the idea for the posters;
- commented that the Alaska Railroad Corporation has nice annual posters;
- spoke in support of the posters becoming an annual project; and
- spoke to possible funding sources.

MOTION: Assemblymember Bettine moved a primary amendment to Resolution Serial No. 09-019 by inserting a sixth whereas clause to read: “Whereas, for this year only, the cost will be funded out of the Assembly Reserves and thereafter funded out of the Manager’s budget.”

Assemblymember Bettine spoke to the Alaska Railroad Corporation holding an annual contest for their annual picture.

Assemblymember Ewing spoke to the possibility of the prints being able to generate revenue.

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

a. AM No. 09-009: APPROVAL OF TOURISM INFRASTRUCTURE (BED TAX) ALLOCATION BREAKDOWN OF FUNDS RECEIVED BY THE END OF FISCAL YEAR 2009 AND AUTHORIZATION TO PROCEED WITH THE TOURISM INFRASTRUCTURE GRANT PROGRAM.

MOTION: Assemblymember Woods moved to adopt AM No. 09-009.

MOTION: Assemblymember Woods moved a primary amendment to AM No. 09-009 as follows:

- by striking “\$10,000” from the first sentence of the third bullet and inserting “\$20,000” to read: “\$20,000 for wayside or trailhead restroom maintenance that has not been previously provided. The purpose of this allocation is to provide for new or additional restroom maintenance that is not provided for by existing programs”; and
- by striking “\$90,000” from the first sentence of the fourth bullet and inserting \$80,000 to read: “Up to \$80,000, depending on remaining 2009 bed tax deposits, to be used for the tourism infrastructure (bed tax) grant program with additional points provided for infrastructure projects that would be partnered with other entities in addition to the applicant (\$30,000 for Trail Grooming Pool, \$30,000 for Trail Surveys and the remaining \$30,000 for general bed tax grants.”

Assemblymember Woods spoke to the need to have clean restrooms along the Borough's trails and highways.

Assemblymember Kluberton:

- spoke in support of the primary amendment;
- stated that the cost will escalate as more come online;
- commented that this is a high priority of the Susitna Community Council area;
- mentioned that restrooms are ready to assemble in the Susitna Community Council area;
- spoke to the need to have the funds within the budget; and
- noted the need to discuss the building and cleaning of the restrooms with the Alaska State Department of Natural Resources.

Assemblymember Houston queried if there was any issues with a \$10,000 decrease in grooming.

Mr. Duffy:

- advised that there was concern regarding whether there was sufficient funding for the grooming;
- opined that \$80,000 is a sufficient amount to fund the grooming; and
- noted that there are available snow removal funds due to the low snowfall accumulation in recent years.

Assemblymember Bettine queried if there were partnerships with other agencies to assist in funding tourism infrastructure.

Mr. Hanson:

- commented that this allocation is the first step to making partnerships real;
- spoke to possible partnership opportunities; and
- noted the need for more emphasis on restroom maintenance.

Assemblymember Bettine:

- noted that the allocation dedicates a large amount of the bed tax funds; and
- queried if the public has submitted comment.

Mr. Duffy:

- advised that the legislation is allocating the existing \$360,000, but is not allocating future funds; and
- noted that the \$80,000 will cover the bed tax grants.

Discussion ensued regarding the allocation of the funds.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Woods moved a primary amendment to AM No. 09-019, by striking "\$30,000" from the fifth sentence of the fourth bullet and inserting

“\$20,000” in its place to read: “(\$20,000 for Trail Grooming Pool, \$30,000 for Trail Surveys and the remaining \$30,000 for general bed tax grants).”

VOTE: The primary amendment passed without objection.

VOTE: The main motion as amended passed without objection.

G. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Animal Care and Regulation Board: 09/29/08, 11/17/08, 12/08/08, 01/12/09
 - b. Big Lake, Meadow Lakes, and Wasilla-Lakes Fire Service Area Joint Board of Supervisors: 10/13/08
 - c. Citizens Advisory Committee on the Goose Creek Correctional Facility: 12/03/08
 - d. Emergency Medical Services Board: 10/01/08
 - e. Local Emergency Planning Committee: 11/19/08
 - f. Platting Board: 12/18/08

2. Community Council Correspondence:
 - a. Chickaloon Community Council: 11/12/08
 - b. Glacier View Community Council: 09/23/08
 - c. North Lakes Community Council: 10/28/08
 - d. Trapper Creek Community Council: 12/18/08

Assemblymember Church queried the Emergency Medical Services Board October 1, 2008, minutes, on whether the phone issue had been resolved.

Mr. Brodigan:

- advised that the ambulances previously had used the hard wired cell phones;
- commented that the hard wire cell phones have a higher wattage;
- reported that Emergency Services had switched over to hand held phones; and
- noted that the areas that were experiencing problems with the hand held phones have gone back to using the hard wired phones.

Assemblymember Church queried the quarterly financial report issues addressed within the Local Emergency Planning Committee’s minutes of November 19, 2008.

Mr. Duffy:

- reported that the Borough is timely on all of the quarterly reports; and
- spoke to resolving the communication issue.

Assemblymember Church:

- spoke to the Ranch Subdivision Master Plan addressed in the Platting Board minutes of December 18, 2008; and
- expressed concern regarding the extension.

Assemblymember Bettine:

- queried the reason that the Borough is giving Title 16 extensions;
- asked the reason that Title 16 extensions were going before the Platting Board;
- noted that Title 16 took eight years to pass; and
- noted that a lot of the issues were due to roads and drainage.

Mr. Duffy advised that he would work with the Attorney's Office and provide a written explanation.

H. INFORMATIONAL MEMORANDUMS

1. IM No. 09-048: AN INFORMATIONAL MEMORANDUM PROVIDING THE MONTHLY REPORTING OF AMENDED CONTRACTS AND NEW AWARDS UNDER \$100,000, ALONG WITH SOLE SOURCE PROCUREMENTS, FOR THE PERIOD OF JANUARY 1, 2009, TO JANUARY 31, 2009.

The informational memorandum was presented and no comments were noted.

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

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

1. Ordinance Serial No. 09-026: AN ORDINANCE AMENDING MSB 5.25.145, TO ADOPT A NAME CHANGE FROM LAKES FIRE SERVICE AREA TO WEST LAKES FIRE SERVICE AREA AND ADOPTING A NAME CHANGE FROM LAKES FIRE SERVICE AREA BOARD OF SUPERVISORS TO WEST LAKES FIRE SERVICE AREA BOARD OF SUPERVISORS.
 - a. IM No. 09-036
2. Ordinance Serial No. 09-027: AN ORDINANCE APPROVING AN APPROPRIATION OF \$80,000 FROM THE WEST LAKES FIRE SERVICE AREA NO. 136 FUND BALANCE, FUND 249 TO FUND 405, PROJECT NO. 45244, FOR THE PURCHASE OF A REPLACEMENT VEHICLE FOR SUPPORT 81 AND A DUTY OFFICER COMMAND VEHICLE.
 - a. Resolution Serial No. 09-021: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45244, TO ALLOW FOR THE PURCHASE OF A REPLACEMENT VEHICLE FOR SUPPORT 81 AND A DUTY OFFICER COMMAND VEHICLE FOR THE WEST LAKES FIRE SERVICE AREA.
 - (1) IM No. 09-011
3. Ordinance Serial No. 09-028: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$170,000 FROM THE UNRESTRICTED NET ASSETS IN

THE SOLID WASTE ENTERPRISE FUND, FUND 510, TO THE FISCAL YEAR 2009
CENTRAL LANDFILL DIVISION OPERATING BUDGET, FUND 510.

a. IM No. 09-046

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Woods moved to introduce the legislation as read into the record by the Clerk and set the public hearings for March 3, 2009.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Menard requested the following confirmations:

Board of Equalization
C.J. Horner
Emergency Medical Services Board
Removal of Sandy Gehl
Caswell Lakes FSA No. 135
Larry Cline

Mayor Menard made the following recommendations:

Board of Adjustment and Appeals
Timothy Anderson
Marian Elliott
Emergency Medical Services Board
Joseph Kiren
Parks, Recreation, and Trails Advisory Board
Lorene Lynne
Platting Board
Yvonne Sumner

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

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

X. RECONSIDERATION

(There were no reconsiderations presented.)

XI. VETO

(There were no vetoes presented.)

XII. EXECUTIVE SESSION

(There was no executive session held.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Wells:

- thanked the Assembly for adopting Resolution Serial No. 09-020;
- commented on being hopeful that the Legislature takes Resolution Serial No. 09-020 to heart;
- spoke to the inconvenience of when a customer is sent from one department to another;
- noted the need to improve system processes for a more customer friendly environment;
- commented on his appreciation of other Assembly Members that are traveling to Washington D.C.; and
- spoke to being hopeful that the projects can be funded through the economic stimulus package.

Assemblymember Woods:

- spoke to meeting with two principle officers of Jonesville Mine,
- noted that the Jonesville Mine will be doing core samples to evaluate the coal;
- commented that the Jonesville Mine is looking at trucking the coal to Palmer and then on rail to Port MacKenzie;
- noted that the Port and rail extension has the advantage of shipping natural resources to principle markets;
- spoke to meeting with the Mat-Su Home Builders Association;
- reported that the Mat-Su Home Builders Association provided an update on land use permits;
- noted that the Mat-Su Home Builders Association are concerned with the timeline involved with processing a permit, and
- spoke to the need to continue improving efficiency.

Assemblymember Church queried the status of E-911.

Mr. Duffy advised that the Borough is going out for statewide solicitation.

Discussion ensued regarding:

- the status of the request for proposal;
- the month to month extension with the city of Palmer;
- the need for an Assembly meeting regarding E-911; and
- the costs associated with the E-911.

Ms. McKechnie queried if the Assembly would like schedule a special meeting regarding enhanced 911 dispatch on March 17, 2009 at 3 p.m.

Assemblymember Church:

- requested a copy of the agriculture booklet; and
- queried the status of the owner's representative report regarding Borough space.

Mr. Duffy advised that the owner's representative report will be presented at the March 3, 2009, Assembly meeting.

Assemblymember Church:

- spoke to attending the North Lakes Community Council meeting;
- noted that the \$20,000 revenue sharing was discussed;
- queried if the community councils have been notified of the revenue sharing; and
- commented that providing posters of Borough projects to the Legislators is a great idea.

Assemblymember Ewing:

- spoke to concerns regarding the Ranch Subdivision Master Plan extension of another five years as it is located within a flood plane;
- spoke to flaws found in the soil samples in the Ranch Subdivision area;
- commented on attending the Meadow Lakes Community Council meeting; and
- noted that he is looking forward to representing the Borough at the National Association of Counties Conference.

Assemblymember Kluberton:

- commented on residents living on a road that is not certified for maintenance;
- spoke to a possible solution; and
- thanked staff for the bringing the team together to listen to ideas regarding the South Palmer/Trunk Road area issue.

Assemblymember Houston:

- queried if there was a community council boundary review; and
- noted discussions from constituents regarding subdivisions that would like to join community councils.

Mr. Duffy:

- advised that it is mandated by code that the Planning Department reviews community council boundaries every three years;
- spoke to issues with community councils requesting the Borough provide legal assistance and assistance with their bylaws; and
- commented that there is criteria in code for reviewing boundaries.

Assemblymember Houston:

- spoke to attending Palmer City Council meetings;
- noted the technology utilized by the city of Palmer at their meetings;
- spoke to the convenience of having large files that are available electronically on the file transfer protocol (ftp) site on the internet;

- noted that the Health and Social Services Board has a quorum now to start meeting; and
- queried the next step for the Health and Social Services Board in order to set up meetings.

Ms. McKechnie advised that Ms. Lauren Kruer of the Planning Department is the staff support for the Health and Social Services Board.

Mayor Menard:

- commented on the ski train for the Railroad that is scheduled for March 21, 2009;
- spoke to attending the Farmer's dinner on February 12, 2009.

XIV. ADJOURNMENT

The regular meeting adjourned at 9:42 p.m.

LYNNE WOODS, Deputy Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 03/17/09