

I. CALL TO ORDER

The special meeting of the Matanuska-Susitna Borough Assembly was held on February 18, 2011, at the School District Administration Building, 501 Gulkana Street, Palmer, Alaska. The meeting was called to order at 10:05 a.m. by Mayor DeVilbiss for the purpose of conducting interviews for filling the vacancy of Borough Manager.

II. ROLL CALL

Assembly members present and establishing a quorum were:

- Mr. Warren Keogh, Assembly District No. 1
- Mr. Noel Woods, Assembly District No. 2
- Mr. Ronald Arvin, Assembly District No. 3 *(arrived at 10:09 a.m.)*
- Mr. Mark Ewing, Assembly District No. 4 *(arrived at 10:05 a.m.)*
- Ms. Cindy L. Bettine, Assembly District No. 5 *(arrived at 10:19 a.m.)*
- Mr. Jim Colver, Assembly District No. 6 *(arrived at 10:15 a.m.)*
- Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

- Ms. Elizabeth Gray, Acting Borough Manager
- Ms. Cheryl D. Marino, Deputy Borough Clerk
- Mr. Nicholas Spiropoulos, Borough Attorney
- Ms. Sonya Conant, Human Resources Manager

III. APPROVAL OF AGENDA

Mayor DeVilbiss 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 Mr. Colin Baenziger of Baenziger and Associates.

V. ITEMS OF BUSINESS

A. INTERVIEWS FOR THE BOROUGH MANAGER POSITION

EXECUTIVE SESSION (for subjects that tend to prejudice the reputation and character of any person provided the person may request a public discussion or matters immediate public knowledge of which would clearly have an adverse impact upon the finances of the Borough.)

MOTION: Assemblymember Halter moved to enter into executive session to discuss subjects that tend to prejudice the reputation and character of any person provided the person may request a public discussion. Specifically to discuss the interview questions for filling the vacancy of the Borough Manager. Those present during the executive session were the Mayor, the members of the Assembly, the Attorney, the Deputy Clerk, the acting Borough Manager, the Human Resources Manager, and Mr. Colin Baenziger.

VOTE: The motion passed without objection and the Assembly entered into executive session at 10:08 a.m.

MOTION: Assemblymember Halter moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 10:33 a.m.

(The special meeting recessed at 10:36 a.m. and reconvened at 10:39 a.m.)

Alan Cohen

Mayor DeVilbiss spoke to the process for conducting candidate interviews.

Mr. Alan Cohen provided an opening statement.

The Assembly conducted the interview of Mr. Cohen.

(The special meeting recessed at 11:55 a.m. and reconvened at 12:10 p.m.)

Charles Cleaver

Mayor DeVilbiss spoke to the process for conducting candidate interviews.

Mr. Charles Cleaver provided an opening statement.

The Assembly conducted the interview of Mr. Cleaver.

MOTION: Assemblymember Bettine moved to not conduct the interview of Mr. Mark Combs.

Assemblymember Bettine stated that Mr. Combs is the least qualified candidate and should not be interviewed.

Assemblymember Keogh queried if there is a risk of liability to the Borough if the interview is cancelled.

Mr. Spiropoulos stated that there is not.

Assemblymember Keogh opined that it is poor form on the part of the body to not conduct the interview at the last minute.

Assemblymember Colver opined that doing so would risk the reputation of the Borough.

Assemblymember Bettine stated that perhaps the number of questions could be reduced.

Mayor DeVilbiss stated that could not be done.

Assemblymember Arvin stated that he does not have a problem with removing Mr. Combs.

VOTE: The motion passed with Assemblymembers Keogh, Ewing, and Colver opposed.

(The special meeting recessed at 12:45 p.m. and reconvened at 1:10 p.m.)

John Moosey

Mayor DeVilbiss spoke to the process for conducting candidate interviews.

Mr. John Moosey provided an opening statement.

The Assembly conducted the interview of Mr. Moosey.

John Cramer

Mayor DeVilbiss spoke to the process for conducting candidate interviews.

Mr. John Cramer provided an opening statement.

The Assembly conducted the interview of Mr. Cramer.

David Fraser

Mayor DeVilbiss spoke to the process for conducting candidate interviews.

Mr. David Fraser provided an opening statement.

The Assembly conducted the interview of Mr. Fraser.

MOTION: Assemblymember Arvin moved to enter into executive session to discuss subjects that tend to prejudice the reputation and character of any person provided the person may request a public discussion and matters immediate public knowledge of which would clearly have a negative impact on the finances of the Borough. Specifically to discuss the candidates, candidate qualifications, and contract negotiations. Those present during the executive session were the Mayor,

members of the Assembly, the Attorney, the Deputy Clerk, the acting Borough Manager, the Human Resources Manager, and Mr. Colin Baenziger.

VOTE: The motion passed without objection and the Assembly entered into executive session at 3:35 p.m.

MOTION: Assemblymember Arvin moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 4:15 p.m.

MOTION: Assemblymember Arvin moved to interview the following three people at the February 26, 2011, special meeting:

- John Moosey;
- John Cramer; and
- Alan Cohen.

MOTION: Assemblymember Bettine moved a primary amendment to strike interviewing John Cramer and to move forward with interviewing only Alan Cohen and John Moosey.

VOTE: The primary amendment passed with Assemblymembers Woods and Arvin opposed.

VOTE: The main motion passed as amended.

MOTION: Assemblymember Halter moved to conduct the candidate interviews on February 26, 2011, at 5 p.m.

Assemblymember Woods stated that he could be present Saturday morning for individual interviews.

Discussion ensued regarding the availability of the Assembly on Saturday for interviews.

VOTE: The motion passed without objection.

Assemblymember Bettine requested that Mr. Spiropoulos speak to how the Open Meetings Act could affect one-on-one interviews with the candidates on Saturday morning.

Mr. Spiropoulos provided a report regarding the Open Meetings Act and one-on-one interviews.

Discussion ensued regarding how the Assembly would conduct one-on-one interviews with the candidates.

MOTION: Assemblymember Colver moved to have the Deputy Clerk work with the consultant to schedule advertised one-on-one interviews with the candidates prior to the 5 p.m. meeting.

VOTE: The motion passed without objection.

Assemblymember Bettine stated that when the interviews are completed that she would like the candidates to stay in order to be available for negotiations in person.

Assemblymember Ewing stated that he is in support of the candidates remaining available for negotiations.

Discussion ensued regarding how the Assembly would conduct contract negotiations with candidates.

(Assemblymember Woods exited the meeting at 4:38 p.m. and re-entered the meeting at 4:40 p.m.)

Assemblymember Colver queried if pre-negotiations is something the Assembly would like to consider doing.

Assemblymember Arvin spoke to concerns with pre-negotiations.

Mayor DeVilbiss stated that the Assembly would also have to negotiate a starting date for the candidate that is selected and queried how soon they could be here.

Mr. Baenziger:

- stated that Mr. Moosey would probably have to provide at least a 30-day notice to his current employer; and
- related that he was unsure the amount of notice that Mr. Cohen would have to provide, but opined it could possibly be three weeks.

Discussion ensued regarding:

- conducting contract negotiations;
- whether or not the Assembly has an offer they are prepared to extend to a selected candidate;
- the possibility of the Borough Attorney extending the offer in advance to a candidate; and
- the possibility of using the previously compiled offer to current candidates.

Mayor DeVilbiss spoke to the reception scheduled at the Grandview, Friday, February 25, 2011, at 6 p.m.

Assemblymember Halter queried the layout of the room for the February 25, 2011, reception.

Ms. Marino stated that it is a comfortably sized conference room.

Discussion ensued regarding which Assembly Members would be in attendance at the February 25, 2011, reception.

Assemblymember Ewing queried if the candidates wives are being flown up as well.

Mr. Baenziger stated that would be up to the Assembly.

Assemblymember Ewing opined that the spouses should be flown up as well.

There was no objection noted.

Assemblymember Bettine spoke to concerns with the conference room at the Grandview.

Discussion ensued regarding the possibility of a different location other than the Grandview.

Assemblymember Woods requested that the Deputy Clerk determine a location other than the Grandview for the February 25, 2011, 6 p.m. reception.

There was no objection noted.

VII. AUDIENCE PARTICIPATION

(There was no one present who wished to testify.)

VIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Colver stated that the Assembly still needs to address the airspace expansion issue.

Mayor DeVilbiss advised that the issue is scheduled for February 22, 2011.

Discussion ensued regarding concerns with the military airspace expansion.

Assemblymember Bettine thanked the body for a good meeting.

Assemblymember Keogh:

- stated that he intends to submit new legislation regarding the military airspace issue;
- spoke to concerns with the mayoral veto; and
- noted that he took into account the concerns of the Assembly when drafting the legislation.

Assemblymember Ewing opined that the language needs to be different within the airspace legislation, as it came across as quite firm.

Assemblymember Arvin:

- stated that when the Assembly is out in public, that their name tags are hard to read; and
- related that he would like the Assembly to wear vests that have the Borough seal with their name and district embroidered on it; and
- opined that would make the Assembly more visible to the public.

Assemblymember Halter stated that he liked that idea.

There was no objection noted.

IX. ADJOURNMENT

The special meeting adjourned at 4:55 p.m.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 03/15/11