

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 20, 2007, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 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*)
Ms. Michelle R. Church, Assembly District No. 3
Ms. Mary Kvalheim, 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

Assembly members absent and excused were:

Mr. Bill Allen, Assembly District No. 2

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Mr. John Duffy, Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Lonnie R. McKechnie, Deputy Borough Clerk
Ms. Elizabeth Hartley, Comptroller
Ms. Marian Romano, Assistant Borough Manager
Mr. Keith Rountree, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Mr. Ron Swanson, Community Development Director
Mr. Murph O'Brien, Planning and Land Use Director
Mr. Dave Hanson, Economic Development Director
Mr. Dave Dunivan, Borough Assessor
Mr. Greg Goodale, Solid Waste Division Manager

III. APPROVAL OF AGENDA

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

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

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Ron Rucker, Classified Employees Association.

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 02/06/07

Mayor Menard inquired if there were any corrections to the regular meeting minutes of February 6, 2007.

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

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports provided.)

2. Matanuska-Susitna Borough School District

(There was no report provided.)

3. Mat-Su Small Business Development Center – Vicki Wehe

Ms. Wehe, Director:

- stated that in 2006, the Mat-Su Small Business Development Center was involved with clients that started 14 new business, created 35 new jobs, and acquired \$1,514,000 for the businesses;
- advised that the Mat-Su Small Business Development Center was the host of the Small Business Administration's Disaster Assistance Team in October and November; and
- provided an update regarding the current projects of the Mat-Su Small Business Development Center.

Assemblymember Woods queried the role that the Mat-Su Small Business Development Center has in starting businesses.

Ms. Wehe spoke regarding the role that Mat-Su Small Business Development Center's plays in the startup of small businesses.

4. Cook Inlet Regional Citizens Advisory Council – Steve Howell

Mr. Howell, Director of Public Outreach:

- thanked the Assembly for supporting the Cook Inlet Regional Citizens Advisory Council;
- stated that the role of the Cook Inlet Regional Citizens Advisory Council is to make sure that development happens in a responsible fashion;
- spoke regarding reviewing Elemendorf Air Force Base's Oil Contingency Plan;

- spoke regarding the Cook Inlet Navigational Safety Forum scheduled for February 21-22, 2007; and
- advised that the Board of Directors Annual meeting is scheduled for February 23, 2007, and there is an ex-officio seat open for the Matanuska-Susitna Borough.

Assemblymember Bettine requested that Port MacKenzie be placed on the Cook Inlet Regional Citizens Advisory Council's map.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Wells advised that the next meeting is scheduled for March.

2. Assembly Public Relations

(There were no reports provided.)

C. MANAGER COMMENTS

1. State/Federal Legislation

Mr. Duffy:

- spoke regarding the Planning Department's project status report;
- advised that there is a public meeting of the Core Area Comprehensive Plan on March 7, 2007;
- advised that he will be going to Juneau to present Borough priorities on February 26, 2007;
- noted that he will be going to Washington D.C. on March 12, 2007;
- spoke regarding attending fire service area board meetings; and
- stated that he attended the meeting of the Wasilla-Lakes Fire Service Areas Board of Supervisors on February 19, 2007, where the Board voted unanimously to retain Fire Chief Jack Krill, Jr.

Assemblymember Bettine:

- spoke regarding receiving correspondence from a member of the public regarding setbacks in the multi-family ordinance; and
- queried if staff could be directed to review setbacks in the multi-family ordinance.

Mr. Duffy:

- advised that he will have staff review the setbacks in the multi-family ordinance; and
- advised that he would also add setbacks to the list of discussion items for the next work session regarding comprehensive planning and project priorities.

Assemblymember Woods queried the reason for the trip to Washington D.C.

Mr. Duffy:

- stated that he is traveling to Washington D.C. to obtain as many earmarks as possible; and
- spoke regarding the meetings he has scheduled while he will be in Washington D.C.

Assemblymember Woods queried the rail project and the federal priority list.

Mr. Duffy:

- advised at this time a federal appropriation is not being requested for the rail project; and
- spoke regarding possible funding for the rail project.

Assemblymember Church queried the status of Fire Chief Jack Krill Jr.

Mr. Duffy:

- stated that the Wasilla-Lakes FSA Board of Supervisors has provided him with advice to retain the fire chief; and
- stated that he will review the Board's deliberations and decision prior to making his determination.

D. ATTORNEY COMMENTS

(There was no report provided.)

E. CLERK COMMENTS

Ms. McGehee:

- spoke regarding the upcoming meeting schedule; and
- queried if April 17, 2007, would work to schedule the Clerk Evaluation.

There was no objection noted.

Ms. McGehee:

- noted that there will be a number of members absent for the March 13, 2007, budget work session and the joint Assembly/School Board meeting; and
- queried whether the Assembly would prefer to cancel the meeting.

Assemblymember Bettine:

- advised that she will not be in attendance at the March 13, 2007, meetings; and
- requested that the budget work session be rescheduled, as she would like to be able to attend.

Ms. McGehee:

- advised that she would reschedule the work session and keep the joint Assembly/School Board meeting on the calendar; and
- inquired if there was any objection to scheduling a work session on comprehensive planning and project priorities for April 24, 2007.

There was no objection noted.

Assemblymember Bettine stated that she would like to review the budget overview materials two days prior to the staff's presentations.

Ms. McGehee:

- advised of the due dates for the agenda items for the joint meetings with the School Board and Planning Commission;
- provided an update regarding the records management program;
- advised that she will be holding a parliamentary procedure training on February 23, 2007; and
- spoke regarding the letter of appreciation she received from Mr. Joe Lawton, Director of the Alaska State Fair.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Animal Care and Regulation Board: 01/08/07
 - b. Big Lake, Meadow Lakes, and Wasilla-Lakes FSA Boards of Supervisors: 11/13/06
 - c. Emergency Medical Services Advisory Board: 01/04/06, 03/01/06, 04/05/06, 05/03/06, 06/07/06, 08/02/06, 10/04/06
 - d. Greater Palmer Consolidated FSA No. 132: 10/29/06
 - e. Local Emergency Planning Committee: 01/25/06, 02/15/06, 03/15/06, 04/19/06, 05/24/06, 09/27/06
 - f. Wasilla-Lakes FSA No. 130: 12/11/06
2. Community Council Correspondence:
 - a. Chickaloon Community Council: 12/13/06

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

G. INFORMATIONAL MEMORANDUMS

1. IM No. 07-049: AN INFORMATIONAL MEMORANDUM REGARDING THE ONE-YEAR EXTENSION OF CONTRACT NO. 06-040 TO JERRY MACKIE AND ASSOCIATES FOR STATE LOBBYIST SERVICES.

The informational memorandum was presented and no comments were noted.

VIII. UNFINISHED BUSINESS

- A. Ordinance Serial No. 06-223: AN ORDINANCE ESTABLISHING A NEW CHAPTER IN BOROUGH CODE, MSB 28.60, TIMBER HARVEST. (*Main Motion Pending: 12/05/06*)
 1. Ordinance Serial No. 06-223(SUB): AN ORDINANCE ESTABLISHING A NEW CHAPTER IN BOROUGH CODE, MSB 28.60, TIMBER HARVEST.

- a. Resolution Serial No. 06-169: A RESOLUTION ESTABLISHING FEES FOR TIMBER TRANSPORT PERMIT, MSB 28.60.080.
- (1) IM No. 06-336
- (2) IM No. 06-353

MOTION PENDING: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 06-223.

MOTION PENDING: Assemblymember Woods moved to amend Ordinance Serial No. 06-223 by substitute Ordinance Serial No. 06-223.

MOTION: Assemblymember Kluberton moved a secondary amendment to Ordinance Serial No. 06-223(SUB), MSB 28.60.030, by striking the word “residential” before the word “area” in the table and in insert the words “with improvements” after the word “area” to read as follows:

Adjacent Land Use Category	Time Period	Sound Level Limit {dBA}
Area with Improvements	7 a.m. – 10 p.m.	70
	10 p.m. – 7 a.m.	50
Commercial Area	7 a.m. – 10 p.m.	90
	10 p.m. – 7 a.m.	70
Industrial and Timber Harvest Area	At all times	100

Assemblymember Wells queried the use of the word “improvements.”

Mr. Swanson:

- spoke regarding the definition of the word “improvements” within Title 28; and
- noted that the definition of the word “residential” is very vague; therefore, the use of “improvement” will be more clear to everyone.

Discussion ensued regarding “improvement.”

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Bettine moved a secondary amendment to Ordinance Serial No. 06-223(SUB), MSB 28.60.030, Commercial Uses, by striking the time references and inserting in its place the phrase “at all times” and to strike the dba of “90” to read as follows:

Adjacent Land Use Category	Time Period	Sound Level Limit {dBA}
Area with Improvements	7 a.m. – 10 p.m.	70
	10 p.m. – 7 a.m.	50
Commercial Area	At all times	70
Industrial and Timber Harvest Area	At all times	100

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Kluberton moved a secondary amendment to Ordinance Serial No. 06-223(SUB), MSB. 28.60.050, as follows:

- to strike the word “visual” from the subtitle and change the Chapter Index to reflect the change;
- (A) by striking the word “visual” at the beginning of the sentence, to strike the word “visually” between the words “to” and “screen,” to insert the phrase “and to provide buffers to protect adjacent private or public property from damage” at the end of the sentence, and to strike the phrase “or areas” between the words “activities” and “from;”
- (B) to strike the word “visual” between the words “for” and “buffers;”
- (B)(2) to insert the phrase “along public” at the beginning of the paragraph; and
- (B)(3) to insert the phrase “adjacent to” at the beginning of the paragraph to read as follows:

28.60.050 Buffers

(A) Buffers are not required on private land. However, a person on private land is encouraged to screen timber harvesting activities from road traffic, public areas and other private property where possible and prudent, and to provide buffers to protect adjacent private or public property from damage.

(B) The need for buffers on public land, beyond that required by the Alaska Forest Resources and Practices Act, shall be considered and specifically addressed by the public landowner or manager, and if appropriate included in the terms and conditions of a timber sale. Areas where buffers may be appropriate include but are not limited to:

- (1) outside rights-of-way on public roads;
- (2) along public trails;
- (3) adjacent to parking areas and trailheads; and
- (4) adjacent to private property.

Assemblymember Bettine queried the reason that there cannot be a 75-foot “no harvest” buffer.

Mr. Spiropoulos:

- spoke regarding the memorandum he sent to the Assembly on January 30, 2007;
- spoke regarding what the court will consider when determining whether the Borough has restricted someone’s land to the point that they cannot use the land or make money from the land;
- stated that the impact is that people will be able to present claims to the Borough for not being able to harvest their timber; and
- spoke regarding the opinions that the state of Alaska has regarding visual buffers.

VOTE: The secondary amendment passed without objection.

MOTION: Assemblymember Kluberton moved a secondary amendment to Ordinance Serial No. 06-223(SUB), to strike MSB 28.60.070 in its entirety and replace it with the following:

(A) The state of Alaska has primary responsibility for regulating and enforcing commercial vehicle enforcement, traffic control, and equipment standards on all highways.

(B) If not otherwise required by the state, this section shall apply to a person who will be operating on borough or state roads for their timber harvest activities in excess of two (2) cargo carrying vehicles per day or ten (10) cargo carrying vehicles in a one calendar week period, whichever is more.

(C) If applicable the person shall prepare a traffic safety plan prior to beginning timber harvest transportation operations.

(D) The purpose of a traffic safety plan is to identify road or traffic conditions potentially adverse to safe cargo carrying vehicle operations and public health, safety, and welfare, and to identify specific actions to be taken by the operator to mitigate such conditions.

(E) The traffic safety plan shall apply to the most likely used road routes from the point of leaving the operations area to its initial intersection with any state or borough road classified as a major collector, arterial, or highway under the functional classification system.

(F) The person shall provide the borough Public Works Department a map showing the route(s) to be used described in (E) of this section.

(G) The borough Public Works Department shall provide the person with a description and a map at a sufficient scale that clearly shows, but not limited to, the following general road conditions:

- (1) width of drivable surface;
- (2) existence and width of shoulders;
- (3) curves subject to off-tracking at posted speed;
- (4) steep grades requiring sustained braking;
- (5) presence of school bus routes, times that buses are picking up or dropping off students along the route, specific stops where line of sight to a bus is limited (e.g., the state Department of Transportation and Public Facilities considers less than 700 feet at 35 MPH and less than 1,000 feet at 55 MPH to be a reason for closer analysis);

- (6) presence of known “walk to school” or “pedestrian” crossing areas, trails, or other uses on or adjacent to the road surface.

(H) Using the information from Section (G) the person shall prepare a traffic safety plan prior to beginning timber harvest transportation operations. At a minimum the Traffic Safety Plan will address:

- (1) time(s) of day cargo carrying vehicle use will occur;
- (2) type, gross vehicle weight and overall length of cargo carrying vehicles that will be utilized;

(3) number of trips by cargo carrying vehicles that will occur per day or week.

(I) The plan shall serve as the basis for determining the requirements to be included in the Timber Transportation Permit, and by the person to:

(1) identify topics and issues to be discussed at regular truck driver safety meetings;

(2) identify hauling time-period limitations that may be necessary for traffic safety or noise abatement;

(3) identify vehicle operator actions such as reduced speed where road conditions or other uses warrant; and

(4) identify the means of public information to be taken by the person to notify the public about timber harvest plan of operations and mitigating actions that will be taken in the traffic safety plan.

Assemblymember Kluberton:

- stated that it was not clear in the original version of the section whether it was the Borough or the timber harvester who was responsible for determining the condition of the roads; and
- noted that the amendment makes the responsibilities of the Borough and the timber harvester clearer.

VOTE: The secondary amendment passed without objection.

VOTE: The motion to amend by substitute passed without objection.

VOTE: The main motion passed as amended without objection.

Assemblymember Wells queried what needs to be done to prioritize the acreage to have timber sales instead of continuing the moratorium.

Mr. Duffy:

- advised that Mr. Swanson is working on prioritizing the acreage; and
- noted that the moratorium needs to be lifted by the Assembly.

Discussion ensued regarding:

- the ordinance that the Real Property Asset Management Board is reviewing in regards to timber harvesting;
- the timber inventory;
- the timber moratorium; and
- the need for buffers to be included in Title 23.

(Assemblymember Kvalheim exited the meeting at this time.)

(The regular meeting recess at 6:56 p.m. and reconvened at 7:06 p.m.)

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. 07-016: AN ORDINANCE CLASSIFYING SEVEN BOROUGH-OWNED PARCELS OF LAND IN THE TRAPPER CREEK AREA AS PRIVATE RECREATION LAND, ONE BOROUGH-OWNED PARCEL IN THE HOUSTON AREA CLASSIFIED AS GENERAL PURPOSE, AND ONE BOROUGH-OWNED PARCEL IN THE TRAPPER CREEK AREA CLASSIFIED AS GENERAL PURPOSE, AND SAID PARCELS TO BE OFFERED FOR SALE ON A COMPETITIVE BASIS.
 - a. IM No. 07-015

Mr. Swanson 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 Kluberton moved to adopt Ordinance Serial No. 07-016.

Assemblymember Bettine:

- noted that there are roads platted that are not yet built; and
- queried if people would have to build those roads to Borough standards to have access to their property.

Mr. Rountree:

- advised that the minimal road standards would be pioneer road standards; and
- spoke to the pioneer road standards.

Assemblymember Bettine noted that those substandard roads could then be added into the road service area.

Discussion ensued regarding substandard roads.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 07-017: AN ORDINANCE ADOPTING MSB 3.15.033, SENIOR CITIZEN/DISABLED VETERAN HARDSHIP TAX EXEMPTION; ESTABLISHING CRITERIA FOR EVALUATION, PROCEDURE, AND PROVIDING FOR AN APPEALS PROCESS.*(Sponsored by: Assemblymembers Kvalheim, Allen, and Woods)*
 - a. IM No. 07-025

Mr. Spiropoulos provided a staff report.

Assemblymember Bettine queried if the people applying for the exemption could own any other property in the Borough or outside of the Borough.

Mr. Spiropoulos:

- read MSB 3.15.033(B)(5) regarding criteria; and
- stated that the intent was not for it to be limited to only parcels within the Borough.

Mayor Menard opened the public hearing.

The following person spoke regarding disabled veterans: Mr. John Watts.

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

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 07-017.

Assemblymember Woods:

- spoke regarding the reasons that the criteria was established for the hardship exemption process;
- noted that the members of the public would not need to request the exemption from the Assembly;
- spoke to the need for the public to know what they need to qualify for an exemption; and
- requested that the Assembly support the legislation.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 07-017, MSB 3.15.033(C)(1), by inserting the word “annually” after the word “be” to read as follows: (C)(1) An application for hardship exemption shall be annually filed no later than April 20 of the assessment year for which the hardship exemption is requested.

Assemblymember Bettine noted that she would like to make sure the public is aware that the application needs to be filed annually.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

3. Ordinance Serial No. 07-018: AN ORDINANCE ACCEPTING AND APPROPRIATING \$5,000 FROM THE ALASKA STATE DEPARTMENT OF EDUCATION TO FUND 480, PROJECT NO. 20364, FOR CONTINUING EDUCATION GRANTS AT THE BIG LAKE, SUTTON, TALKEETNA, TRAPPER CREEK, AND WILLOW PUBLIC LIBRARIES.
 - a. Resolution Serial No. 07-016: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR CONTINUING EDUCATION GRANTS FOR THE BIG LAKE, SUTTON, TALKEETNA, TRAPPER CREEK, AND WILLOW PUBLIC LIBRARIES.

(1) IM No. 07-027

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. 07-018 and Resolution Serial No. 07-016.

VOTE: The motion passed without objection.

4. Ordinance Serial No. 07-019: AN ORDINANCE AMENDING TITLE 4 AND TITLE 19, TO ESTABLISH A BOROUGH AREA SCHOOLS SITE SELECTION COMMITTEE.
 - a. IM No. 07-037

Mr. O'Brien provided a staff report.

Assemblymember Bettine queried the reason that the legislation specifies that the committee meet on a quarterly basis.

Mr. O'Brien:

- stated that the idea is if there is business to be done that the committee should have the opportunity to meet quarterly; and
- stated that if there is no activity, the meeting does not need to be held.

Assemblymember Bettine queried if the word "shall" required the committee to meet.

Mr. Spiropoulos advised that the word "shall" is mandatory.

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. 07-019.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 07-019, MSB 4.27.040(A), by striking the word "shall" and insert in its place the word "may" to read as follows: (A) The committee may hold meetings at a minimum of a quarterly basis, or more frequently if necessary.

VOTE: The primary amendment passed without objection.
Assemblymember Wells:

- stated that after going through a transition, the Assembly has improved on the committee; and
- spoke regarding the changes to the members to the committee.

VOTE: The motion passed as amended without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke to the need for additional work to be done on the Y Community Comprehensive Plan: Ms. Denise Chapel, Mr. Martin Bartel, Ms. Anne Skinner, and Ms. Margaret Bartel.

The following persons spoke to the need for additional work to be done on the Y Community Comprehensive Plan and the election of the Y Community Council: Mr. James Skinner.

The following person spoke in objection to the Y Community Comprehensive Plan: Mr. Randy Owens.

The following person spoke regarding the need for the Borough to have rules regarding the community councils and the recent election of the Y Community Council: Mr. John Watts.

The following person spoke in support of Resolution Serial No. 07-018: Mr. Ken Slauson.

The following person spoke regarding renewable energy and requested that the Assembly support a renewable energy fund: Mr. Chris Rose.

The following person spoke regarding the timber moratorium: Mr. Garvin Buccaria.

D. CONSENT AGENDA (AM Nos. 07-021 and 07-027 were pulled from the consent agenda and addressed separately. *See pp. 14-16*)

1. RESOLUTIONS

a. Resolution Serial No. 07-019: A RESOLUTION AUTHORIZING A LOAN APPLICATION TO THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ALASKA CLEAN WATER FUND, FOR THE AMOUNT OF \$3,500,000 TO BE USED FOR DESIGN AND CONSTRUCTION OF A NEW LINED CELL AND LEACHATE COLLECTION SYSTEM AT THE CENTRAL LANDFILL.

(1) IM No. 07-043

b. Resolution Serial No. 07-020: A RESOLUTION TO ESTABLISH A POLICY TO NO LONGER PAY A SET OVERHEAD COST FOR CONTRACTING SERVICES WITH THE UNIVERSITY OF ALASKA.

(1) IM No. 07-047

- c. Resolution Serial No. 07-017: A RESOLUTION SUPPORTING THE CREATION OF AN ALASKA HOUSING TRUST FUND. *(Sponsored by: Mayor Menard and Assemblymember Kluberton)*
(1) IM No. 07-050
- d. Resolution Serial No. 07-018: A RESOLUTION SUPPORTING CONTINUED FUNDING AND OPERATION OF THE ALASKA STATE DIVISION OF ELECTIONS OFFICE LOCATED IN THE MATANUSKA-SUSITNA BOROUGH. *(Sponsored by: Mayor Menard)*
(1) IM No. 07-051
- e. Resolution Serial No. 07-023: A RESOLUTION SUPPORTING THE UNITED WAY OF THE MAT-SU'S SUBSTANCE ABUSE INITIATIVE. *(Sponsored by: Mayor Menard and Assemblymember Kvalheim)*
(1) IM No. 07-052

2. ASSEMBLY MEMORANDUMS

- b. AM No. 07-023: AWARD OF BID NO. 07-088 TO PROSSER-DAGG CONSTRUCTION COMPANY IN THE CONTRACT AMOUNT OF \$50,344.91 FOR THE FISH LAKE ROAD PROJECT.
- c. AM No. 07-024: APPROVAL OF CHANGE ORDER TO ALASKA RIM ENGINEERING, INC., IN THE AMOUNT OF \$30,400 FOR PRE-DESIGN AND SCOPING SERVICES FOR ALTERNATE ACCESS TO TALKEETNA AND FREEDOM HILLS SUBDIVISIONS.
- d. AM No. 07-025: AWARD OF PROPOSAL NO. 07-081 TO HDR ALASKA, INC., IN THE AMOUNT OF \$69,969 FOR THE CHISANA WOODS SUBDIVISION HYDROLOGICAL ASSESSMENT.
- e. AM No. 07-026: AWARD OF PROPOSAL NO. 07-079 TO PACIFIC NORTHWEST RESOURCES IN THE AMOUNT OF \$44,432 FOR THE KNIK ARM BRIDGE AND TOLL AUTHORITY INFRASTRUCTURE HISTORIC PRESERVATION PLAN.

Ms. McGehee 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. AM No. 07-021: APPROVAL OF THE ROAD MAINTENANCE AND REPAIR CAPITAL PROJECTS FOR BOROUGH ROAD SERVICE AREAS PROPOSED FOR THE SUMMER OF 2007.

CONFLICT OF INTEREST: Assemblymember Wells declared a conflict of interest on AM No. 07-021.

RULING: Mayor Menard ruled that Assemblymember Wells has a conflict of interest on AM No. 07-021 and would be recused from voting.

(Assemblymember Wells exited the meeting at this time.)

MOTION: Assemblymember Woods moved to approve AM No. 07-021

VOTE: The motion passed without objection.

(Assemblymember Wells re-entered the meeting at this time.)

f. AM No. 07-027: AUTHORIZATION FOR THE MANAGER TO ENTER INTO AN AMENDED COOPERATIVE SERVICES AGREEMENT WITH THE CITY OF PALMER TO INCREASE THE ANNUAL PAYMENT FOR THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$813,615 FOR THE PROVISION OF DISPATCH SERVICES FOR CALENDAR YEAR 2007.

MOTION: Assemblymember Bettine moved to approve AM No. 07-021.

Assemblymember Bettine queried the increase in the amount of the agreement.

Mr. Brodigan:

- spoke regarding provisions in the contract;
- stated that the reason that there was an increase in the second year of the contract was due to bringing on additional staff and the increase in the health benefits; and
- stated that the additional increase for the contract for this year is due to operational costs, cost of living increases, and administrative overhead.

Assemblymember Bettine queried if there was a formula to calculate the percentage that the Borough pays.

Mr. Brodigan:

- advised that the costs were split by one-third between the city of Palmer, the city of Wasilla, the Borough, and one percent going to the city of Houston;
- stated that when the city of Wasilla pulled out and the cost share was reallocated, it showed that 69 percent of the volume in the center came from Borough calls; and
- spoke regarding past legislation that was approved regarding the Enhanced 911 budget.

Discussion ensued regarding:

- the allocation of the funds;
- residual funds that may be left;
- the agreement between the cities and the Borough;

- the duplication of services; and
- the city of Wasilla's dispatch center.

VOTE: The motion passed without objection.

IX. NEW BUSINESS

- A. INTRODUCTION (For public hearing – 03/06/07, 7 p.m., Borough Assembly Chambers)(*Teleconferenced to Upper Susitna Senior Center – 16517 E. Helena Drive – Mile 98.5 Parks Highway*)
1. Ordinance Serial No. 07-020: AN ORDINANCE AMENDING TITLE 15; PLANNING, TO ADOPT THE Y COMMUNITY COMPREHENSIVE PLAN.
 - a. IM No. 07-038
 2. Ordinance Serial No. 07-021: AN ORDINANCE ACCEPTING AND APPROPRIATING \$80,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE SURREY ROAD CULVERT REPLACEMENT PROJECT, PROJECT NO. 30089, FUND 410.
 - a. Resolution Serial No. 07-021: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SURREY ROAD CULVERT REPLACEMENT PROJECT, PROJECT NO. 30089.
 - (1) IM No. 07-040
 3. Ordinance Serial No. 07-022: AN ORDINANCE APPROVING AN APPROPRIATION OF \$190,000 FROM THE UNRESTRICTED NET ASSETS IN THE SOLID WASTE ENTERPRISE FUND, FUND 510, TO FUND 420, PROJECT NO. 25050, CENTRAL LANDFILL CELL III DEVELOPMENT, TO ALLOW FOR THE DESIGN OF A NEW CELL AT THE CENTRAL LANDFILL.
 - a. Resolution Serial No. 07-022: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO ALLOW FOR THE DESIGN DEVELOPMENT OF CELL III AT THE CENTRAL LANDFILL, PROJECT NO. 25050.
 - (1) IM No. 07-046
- B. INTRODUCTION (For public hearing – 03/20/07, 7 p.m., Borough Assembly Chambers)
1. Ordinance Serial No. 07-014: AN ORDINANCE CREATING MCDOWELL ROAD ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 424, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 07-035

2. Ordinance Serial No. 07-015: AN ORDINANCE CREATING WESLEY DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 425, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 07-036

Ms. McGehee 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 6, 2007, and March 20, 2007, respectively.

VOTE: The motion passed without objection.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Menard requested the following confirmations:

Animal Care and Regulation Board

Jamie West

Borough Area Schools Site Selection Committee

Patricia Purcell

Emergency Medical Services Board

Patricia Stewart

Paul Gavell

Mayor's Blue Ribbon Sportsmen's Committee

Tom Kluberton

Bruce Knowles

Larry Engel

Tony Russ

Nathan Carey

Michael Hudson

Parks, Recreation, and Trails Advisory Board

Dewey Taylor

Planning Commission

Ken Klunder

Platting Board

James Spangler

May Sprague

Senior Citizen Advisory Board

Judith Wake

Willow FSA No. 35

Claire Fitzgairld

Bogard RSA No. 25
Carol Christiansen
Chase Trail SSA No. 134
Bethany Pike

Mayor Menard made the following recommendations:

Mayor's Blue Ribbon Sportsmen's Committee
Marty Metiva
Greater Butte RSA No. 26
Lucy Klebesadel
Greater Talkeetna RSA No. 29
David Johnston

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

MOTION: Assemblymember Church moved to divide the question to take the confirmation of Mr. Tom Kluberton to the Mayor's Blue Ribbon Sportsmen's Committee and Mr. Carol Christiansen to the Bogard RSA No. 25 separately.

VOTE: The motion to divide the question passed without objection.

CONFLICT OF INTEREST: Assemblymember Kluberton declared a conflict of interest on the vacancy report as he is being appointed to the Mayor's Blue Ribbon Sportsmen's Committee.

RULING: Mayor Menard ruled that Assemblymember Kluberton has a conflict of interest and would be recused from voting on the vacancy report.

(Assemblymember Kluberton exited the meeting at this time.)

MOTION: First Segment. The motion to confirm the Mayor's recommendation up for confirmation this evening with the exception to the confirmation of Mr. Tom Kluberton to the Mayor's Blue Ribbon Sportsmen's Committee and Mr. Carol Christiansen to the Bogard RSA No. 25.

VOTE: The first segment, to confirm the Mayor's recommendation up for confirmation this evening with the exception to the confirmation of Mr. Tom Kluberton to the Mayor's Blue Ribbon Sportsmen's Committee and Mr. Carol Christiansen to the Bogard RSA No. 25 passed without objection.

MOTION: Second Segment. To confirm the Mayor's recommendation to confirm Mr. Tom Kluberton to the Mayor's Blue Ribbon Sportsmen's Committee and Mr. Carol Christiansen to the Bogard RSA No. 25.

Assemblymember Church noted that there has been community objection to Mr. Christiansen serving on Bogard RSA No. 25.

Mayor Menard:

- stated that he did receive two comments in objection to Mr. Christiansen serving on the Bogard RSA No. 25; however, he did receive many more comments in support of Mr. Christiansen; and
- noted that he held off confirming anyone for the position, as he was waiting to see if more names would be brought forward.

VOTE: Segment 2. The motion to confirm Mr. Tom Kluberton to the Mayor's Blue Ribbon Sportsmen's Committee and Mr. Carol Christiansen to Bogard RSA No. 25 passed without objection.

(Assemblymember Kluberton reentered the meeting at this time.)

D. 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 Kluberton:

- spoke regarding the economic development that is encouraged in the Y Community Comprehensive Plan;
- stated that the Y Community Council is a board run organization; therefore, any vote being taken is an advisory vote to the Board;
- spoke regarding the Y Community Council's public participation process; and
- encouraged the Assembly to review the comprehensive plan.

Assemblymember Church noted that she is happy with the results of the work session.

Assemblymember Woods:

- spoke regarding attending the Tri-Borough Commission meeting; and
- advised that the Matanuska Watershed Group is doing a great job compiling all of the scientific data for the Borough.

Assemblymember Wells noted that he was also happy with the results of the work session.

Assemblymember Bettine:

- spoke regarding the need for the Borough to set-up regulations regarding community councils and the way that they are governed;
- stated that the Assembly needs to take a strong stand on renewable energy production;
- spoke regarding the need for the local energy company to look into alternative energy; and
- queried whether alternative energy has been discussed during the Tri-Borough Commission meetings.

Mr. Duffy:

- advised that the Tri-Borough Commission has discussed the need for a rationalization of building more power plants; and
- advised that a draft energy policy would be coming forward to the Tri-Borough Commission to consider.

Assemblymember Bettine:

- spoke to the need for the Borough and the cities to have a joint dispatch center;
- stated that the public does not want to have a duplication of services; and
- spoke regarding correspondence that is received by the Clerk for the Assembly and the need for the organizations to provide their own copies to the Assembly, rather than copies being provided by the Clerk.

Ms. McGehee advised that she is working on policies to bring before the Assembly.

Mr. Duffy advised that they are looking at scanning the information they receive for the Assembly.

Assemblymember Bettine:

- reiterated the need to receive the proposed budgets a few days prior to the work sessions;
- requested that when the Borough is closed, that the IT Department generate an auto replay advising people that the Borough is closed; and
- spoke to the need for the voice mail system to also reflect that the Borough is closed.

Mayor Menard noted that the code requires that the Borough review community councils every three years.

Mr. Duffy spoke to the steps the Borough uses when reviewing community councils.

