

MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645-6488 - 907-745-9683

BOROUGH MAYOR

Timothy L. Anderson

BOROUGH CLERK

Michelle M. McGehee, CMC

BOROUGH MANAGER

John Duffy

BOROUGH ATTORNEY

Teresa S. Williams



BOROUGH ASSEMBLY

Lynne Woods, District 1
Bill Allen, District 2
Talis J. Colberg, District 3
Mary Kvalheim, District 4
Cindy L. Bettine, District 5
Jim Colver, District 6
Betty Vehrs, District 7

ASSEMBLY AGENDA

**ASSEMBLY CHAMBERS
350 E. DAHLIA AVENUE, PALMER**

(Teleconferenced to Susitna Valley High School; Mile 98.6 Parks Hwy.)

REGULAR MEETING

6 P.M.

TUESDAY, FEBRUARY 21, 2006

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA¹
- IV. PLEDGE OF ALLEGIANCE
- V. MINUTES OF PRECEDING MEETINGS
 - A. Regular Assembly Meeting: 02/07/06
- VI. REPORTS/CORRESPONDENCE
 - A. AGENCY REPORTS
 1. Reports from cities
 2. Matanuska-Susitna Borough School District
 - B. COMMITTEE REPORTS
 1. Joint Assembly/School Board Committee on School Issues

2. Regional Transportation Planning Organization
3. Assembly Public Relations Committees
 - a. Chambers of Commerce
 - b. School Board
 - c. Cities
 - d. Home Builders and Realtors Associations
 - e. Community Councils
 - f. Civic Clubs
 - g. Non-Profit Organizations

C. MANAGER COMMENTS

1. State/Federal Legislation

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Knik Road Service Area No. 17: 01/26/06
 - b. Local Road Service Area Advisory Board: 01/19/06
 - c. Senior Citizens Advisory Board: 01/16/06
 - d. Planning Commission: 01/23/06
 - e. Platting Board: 01/05/06, 01/19/06
 - f. Talkeetna Sewer and Water Service Area No. 36: 12/29/05
2. Community Council Correspondence:
 - a. Glacier View Community Council: 01/19/06
 - b. Trapper Creek Community Council: 01/19/06

G. INFORMATIONAL MEMORANDUMS

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. Resolution Serial No. 06-020: A RESOLUTION AUTHORIZING SUBMITTAL OF THE MSB REVISED COASTAL MANAGEMENT PLAN TO THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES FOR PURPOSES OF MEETING THE MARCH 1, 2006, STATUTORY DEADLINE.
 - a. IM No. 06-035
 2. Ordinance Serial No. 06-037: AN ORDINANCE ACCEPTING AND APPROPRIATING \$500,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY, COMMERCE, AND ECONOMIC DEVELOPMENT TO FUND 475, PROJECT NO. 20351, THE ALASKA COMMUNITY DEVELOPMENT CORPORATION HOME OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM.
 - a. Resolution Serial No. 06-021: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR CONTINUED PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING THE MANAGER TO AMEND THE TRANSFER OF RESPONSIBILITIES AGREEMENT (TORA) WITH THE ALASKA COMMUNITY DEVELOPMENT CORPORATION.
 - (1) IM No. 06-046
 3. Ordinance Serial No. 06-038: AN ORDINANCE AMENDING MSB 23.10.270(H) AUTHORIZING THE MANAGER TO ACQUIRE PUBLIC RIGHT-OF-WAY WITHOUT COMPETITIVE SOLICITATION.
 - a. Resolution Serial No. 06-022: A RESOLUTION ESTABLISHING A NEW SECTION IN THE LAND MANAGEMENT POLICY AND PROCEDURE MANUAL TITLED, PUBLIC RIGHT-OF-WAY ACQUISITION PROCEDURES.
 - (1) IM No. 06-049
 4. Ordinance Serial No. 06-039: AN ORDINANCE AMENDING MSB 15.24.030(B), GLACIER VIEW COMPREHENSIVE PLAN, TO INCLUDE THE SHEEP MOUNTAIN SUB-DISTRICT CHAPTER.
 - a. IM No. 06-051

5. Ordinance Serial No. 06-040: AN ORDINANCE ACCEPTING AND APPROPRIATING \$7,993.83 FROM THE MATANUSKA TELEPHONE ASSOCIATION TO A NON-LAPSING CAPITAL FUND 440, PROJECT NO. 20323, FOR UPGRADING AND ENHANCING THE TELECOMMUNICATIONS AND INFORMATION SERVICES IN THE BOROUGH LIBRARIES.
 - a. IM No. 06-054

6. Ordinance Serial No. 06-041: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$20,000 GRANT TO FUND 480, PROJECT NO. 20322, FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR COMPLETION OF PHASE II OF THE STREAM BANK RESTORATION AT WILLOW CREEK.
 - a. Resolution Serial No. 06-024: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR COMPLETING A STREAM BANK RESTORATION PROJECT ALONG WILLOW CREEK.
 - (1) IM No. 06-055

7. Ordinance Serial No. 06-043: AN ORDINANCE APPROPRIATING \$97,712 OF INTEREST EARNINGS ON THE 2001 SERIES A GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40138 FOR THE UPGRADE AND PAVING OF NORTH GULKANA STREET AND EAST EAGLE AVENUE AND AUTHORIZING PAYMENT.
 - a. IM No. 06-059

8. Ordinance Serial No. 06-044: AN ORDINANCE ACCEPTING AND APPROPRIATING \$673,858 FROM THE FEDERAL AVIATION ADMINISTRATION AND \$17,733 FROM THE STATE OF ALASKA AND REAPPROPRIATING \$5,233 FROM THE PLANNING DIVISION FISCAL YEAR 2006 OPERATING BUDGET TO FUND 480, PROJECT NO. 20338, FOR A DEVELOPMENT OF A REGIONAL AVIATION SYSTEMS PLAN.
 - a. Resolution Serial No. 06-025: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO A TRANSFER OF RESPONSIBILITIES AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION AND THE STATE OF ALASKA FOR DEVELOPMENT OF THE REGIONAL AVIATION SYSTEMS PLAN.
 - (1) IM No. 06-061

9. Ordinance Serial No. 06-045: AN ORDINANCE AMENDING MSB 4.05.050 TO REMOVE TERM LIMITS FOR BOROUGH BOARDS AND COMMISSIONS AND CHANGING VARIOUS OTHER CODES TO REMOVE CONFLICTING CODE PROVISIONS RELATED TO BOARDS THAT ALREADY WERE ESTABLISHED WITHOUT TERM LIMITS.

(Sponsor: Assemblymember Colberg)

- a. IM No. 06-064

10. Ordinance Serial No. 06-046: AN ORDINANCE ADOPTING MSB 4.60, ESTABLISHING THE HUMAN SERVICES CITIZENS ADVISORY COMMITTEE. *(Sponsor: Mayor Anderson)*

- a. IM No. 06-067

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

- a. Resolution Serial No. 06-027: A RESOLUTION ESTABLISHING DATES CERTAIN FOR PAYMENT, DELINQUENCY, PROTEST, AND APPEAL OF 2006 REGULAR TAX ROLLS AND BUSINESS INVENTORY FILING, AND FOR THE COMMENCEMENT OF HEARINGS BEFORE THE BOARD OF EQUALIZATION.

(1) IM No. 06-068

- b. Resolution Serial No. 06-028: A RESOLUTION AMENDING THE BUDGET FOR THE ANIMAL CONTROL BUILDING, PROJECT NO. 10151, TO COMPLETE THE HEATING, VENTILATION, AND AIR CONDITIONING AND ELECTRICAL UPGRADES.

(1) IM No. 06-073

- c. Resolution Serial No. 06-029: A RESOLUTION SUPPORTING ADOPTION OF HOUSE BILL 420 AND SENATE BILL 262 WHICH WOULD MAKE CHANGES TO THE FOREST PRACTICES ACT FOR REGION II.

(1) IM No. 06-082

- d. Resolution Serial No. 06-030: A RESOLUTION AMENDING THE SCOPE OF WORK FOR THE COMMUNITY POOLS REPAIR AND RENOVATION, PROJECT NO. 15007, TO INCLUDE THE ADDITION OF AN EMERGENCY CALL BUTTON AND ALARM TO THE SPECIAL NEEDS RESTROOM.
 - (1) IM No. 06-085

- e. ~~Resolution Serial No. 06-031: A RESOLUTION AMENDING THE SCOPE OF WORK FOR THE MUNICIPAL LAND ENTITLEMENT LAND SURVEY, FUND 480, PROJECT NO. 45040.~~
 - (1) ~~IM No. 06-089~~
 - (2) ~~AM No. 06-045: AWARD OF PROPOSAL NO. 06-087 TO SANDERS FORESTRY CONSULTING IN THE AMOUNT NOT TO EXCEED \$155,089 FOR THE FOREST MANAGEMENT PLAN, TIMBER SURVEY, AND APPRAISAL.²~~

2. ASSEMBLY MEMORANDUMS

- a. AM No. 06-035: FUTURE DISPOSITION OF BOROUGH-OWNED LOTS 7 AND 9, ARRC SUBDIVISION REVISED NO. 1 (FORMER SCHOOL DISTRICT ADMINISTRATION BUILDING).

- b. AM No. 06-036: AWARD OF BID NO. 06-096 TO MAD MOOSE WOOD PRODUCTS, LLC., IN THE AMOUNT OF \$38,775 FOR THE FIRE MITIGATION PROJECT IN THE BURMA ROAD AREA.

- c. AM No. 06-037: AWARD OF BID NO. 06-096 TO SKOOKUM CONSTRUCTION IN THE AMOUNT OF \$89,460.70 FOR THE FIRE MITIGATION PROJECT IN THE SHIRLEY LAKE AREA.

- d. AM No. 06-038: AWARD OF BID NO. 06-093 TO BELLE ACQUISITIONS IN THE AMOUNT OF \$206,003.82 FOR THE PURCHASE OF CALCIUM CHLORIDE.

² Resolution Serial No. 06-031 and AM No. 06-045 were pulled from the agenda at agenda setting.

- e. AM No. 06-039: AWARD OF BID NO. 06-094 TO ALASKA PROFESSIONAL CONSTRUCTION IN THE AMOUNT OF \$109,873 TO CONSTRUCT A PRE-ENGINEERED CONCRETE SLAB WITH A DRAINAGE TRENCH AND AN OIL/WATER SEPARATOR WITHIN THE EXISTING WARM STORAGE FACILITY AT THE CENTRAL LANDFILL.
- f. AM No. 06-040: APPROVING AMENDMENT "A" TO THE 2005 COOPERATIVE AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY IN THE AMOUNT NOT TO EXCEED \$100,000 THROUGH DECEMBER 31, 2006, FOR WILDFIRE FUEL REDUCTION.
- g. AM No. 06-041: AWARD OF PROPOSAL NO. 06-091 TO ALASKA RIM ENGINEERING, INC., IN THE AMOUNT NOT TO EXCEED \$230,000 FOR RIGHT-OF-WAY AND SURVEY SERVICES.

VIII. UNFINISHED BUSINESS

- A. Ordinance Serial No. 05-140: AN ORDINANCE ADOPTING MSB 3.15.045, HARDSHIP TAX EXEMPTION CRITERIA FOR CONSIDERATION OF APPLICATIONS. (*Sponsors: Assemblymembers Allen, Kvalheim, and Woods*) (*Motion Pending: 10/18/05*)
 - 1. IM No. 05-129

IX. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 03/07/06, 7 p.m., Borough Assembly Chambers)
 - 1. Resolution Serial No. 06-032: A RESOLUTION SUPPORTING RECOMMENDATIONS IN THE DRAFT SOUTH DENALI IMPLEMENTATION PLAN AND ENVIRONMENTAL IMPACT STATEMENT.
 - a. IM No. 06-052

2. ~~Ordinance Serial No. 06-055: AN ORDINANCE FOR A SUPPLEMENTAL APPROPRIATION OF \$83,300 FROM THE AREAWIDE FUND BALANCE (FUND 100) TO THE FISCAL YEAR 2006 ELECTIONS DIVISION OPERATION BUDGET (FUND 100) FOR A SPECIAL ELECTION. (Sponsor: Mayor Anderson)~~
 - a. ~~IM No. 06-056³~~

3. Ordinance Serial No. 06-056: AN ORDINANCE APPROVING THE CONVEYANCE OF LAND WITHIN THE CITY OF HOUSTON LOCATED IN THE SOUTH ½ NORTHEAST ¼ SOUTHEAST ¼, NORTHEAST ¼ NORTHEAST ¼ SOUTHEAST ¼, NORTH ½ NORTHWEST ¼ NORTHEAST ¼ SOUTHEAST ¼, SECTION 11, TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA, TO THE CITY OF HOUSTON FOR LESS THAN FAIR MARKET VALUE TO BE USED FOR PUBLIC PURPOSES.
 - a. IM No. 06-062

4. Ordinance Serial No. 06-057: AN ORDINANCE AMENDING MSB 15.24.030(B) TO INCLUDE THE MAT-SU BOROUGH PRIMARY HEALTHCARE PLAN 2005-2015.
 - a. Resolution Serial No. 06-033: A RESOLUTION ESTABLISHING A BLUE RIBBON TASK FORCE TO MAKE RECOMMENDATIONS TO THE ASSEMBLY REGARDING THE NEED, ROLE, COMPOSITION, AND AUTHORITY OF A BOROUGH HEALTH AND SOCIAL SERVICES BOARD OR COMMITTEE.
 - (1) IM No. 06-069

5. Ordinance Serial No. 06-058: AN ORDINANCE ACCEPTING AND APPROPRIATING \$6,500 FROM THE ALASKA STATE DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT TO FUND 440, PROJECT NO. 20363, FOR PURCHASING PUBLIC ACCESS COMPUTERS AT THE BIG LAKE, SUTTON, TALKEETNA, TRAPPER CREEK, AND WILLOW PUBLIC LIBRARIES.
 - a. Resolution Serial No. 06-034: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO UPGRADE THE PUBLIC ACCESS COMPUTERS AT THE BIG LAKE, SUTTON, TALKEETNA, TRAPPER CREEK, AND WILLOW PUBLIC LIBRARIES.

³ Ordinance Serial No. 06-055 was pulled from the agenda at agenda setting.

- (1) IM No. 06-077
6. Ordinance Serial No. 06-059: AN ORDINANCE REQUESTING A SUPPLEMENTAL APPROPRIATION OF \$36,000 FROM THE GREATER PALMER FIRE SERVICE AREA FUND BALANCE, FUND 259, TO THE GREATER PALMER FIRE SERVICE AREA FISCAL YEAR 2006 OPERATING BUDGET, FUND 259, TO PURCHASE A VEHICLE.
- a. IM No. 06-078
7. Ordinance Serial No. 06-060: AN ORDINANCE ACCEPTING AND APPROPRIATING \$40,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE TO PROJECT NO. 30084, WOLF AND TAMARACK ROADS CULVERT REPLACEMENT PROJECT.
- a. Resolution Serial No. 06-035: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE WOLF AND TAMARACK ROADS CULVERT REPLACEMENT PROJECT, PROJECT NO. 30084.
- (1) IM No. 06-080
8. Ordinance Serial No. 06-061: AN ORDINANCE ACCEPTING AND APPROPRIATING \$3,000 FROM THE ALASKA STATE DEPARTMENT OF EDUCATION TO FUND 480, PROJECT NO. 20364, FOR CONTINUING EDUCATION GRANTS AT THE BIG LAKE, TALKEETNA, AND WILLOW PUBLIC LIBRARIES.
- a. Resolution Serial No. 06-036: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR CONTINUING EDUCATION GRANTS FOR THE BIG LAKE, TALKEETNA, AND WILLOW PUBLIC LIBRARIES.
- (1) IM No. 06-081
9. Ordinance Serial No. 06-062: AN ORDINANCE REAPPROPRIATING \$20,000 FROM BOGARD ROAD SERVICE AREA CAPITAL PROJECTS, FUND 410, PROJECT NO. 30045, TO THE BOGARD ROAD SERVICE AREA OPERATING BUDGET, FUND 279.
- a. IM No. 06-087
10. Ordinance Serial No. 06-063: AN ORDINANCE ACCEPTING AND APPROPRIATING \$32,500 FROM THE UNITED STATES

FISH AND WILDLIFE SERVICE TO PROJECT NO. 30083,
LOWER ROAD BRIDGE PROJECT.

a. Resolution Serial No. 06-037: A RESOLUTION APPROVING THE AMENDED SCOPE OF WORK AND BUDGET FOR THE LOWER ROAD BRIDGE PROJECT, PROJECT NO. 30083.

(1) IM No. 06-088

11. Ordinance Serial No. 06-064: AN ORDINANCE AMENDING MSB 4.40.020, LIBRARY BOARD MEMBERSHIP, TO MAKE THE APPOINTMENT PROCESS OF MEMBERS CONSISTENT WITH THE MAYORAL VACANCY/ASSEMBLY APPOINTMENT PROCESS. (*Sponsor: Mayor Anderson*)

a. IM No. 06-090

B. INTRODUCTION (For public hearing - 03/21/06, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 06-047: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE SHOREWOOD DRIVE AND MISTY LANE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 395 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 06-048: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$31,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SHOREWOOD DRIVE AND MISTY LANE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 395, AND FIXING DETAILS OF SAID BOND.

(1) IM No. 06-070

2. Ordinance Serial No. 06-049: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE KINGS RIDGE SUBDIVISION ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 397, AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 06-050: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$29,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE KINGS RIDGE

SUBDIVISION ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 397, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 06-071

3. Ordinance Serial No. 06-051: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE CHINOOK AVENUE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 410 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 06-052: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$18,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE CHINOOK AVENUE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 410, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 06-072

4. Ordinance Serial No. 06-053: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE JADE LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 407 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 06-054: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$63,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE JADE LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 407, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 06-075

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

D. OTHER NEW BUSINESS

X. RECONSIDERATION

XI. VETO

- A. Motion to override any possible Mayoral veto of Ordinance Serial No. 06-030(SUB) and Ordinance Serial No. 06-031(SUB) adopted by the Assembly on February 14, 2006.

XII. EXECUTIVE SESSION

XIII. MAYOR AND ASSEMBLY COMMENTS

XIV. ADJOURNMENT