

**I. CALL TO ORDER**

The special meeting of the Matanuska-Susitna Borough Assembly was held on February 26, 2011, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The special meeting was called to order at 5:03 p.m. by Mayor Larry DeVilbiss for the purpose of holding Manager interviews, filling the vacancy of the Manager, and Resolution Serial Nos. 11-030 and 11-031.

**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. Ron Arvin, Assembly District No. 3  
Mr. Mark Ewing, Assembly District No. 4  
Ms. Cindy Bettine, Assembly District No. 5  
Mr. Jim Colver, Assembly District No. 6  
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Cheryl Marino, Deputy Borough Clerk  
Ms. Elizabeth Gray, Assistant Manager  
Mr. Nicholas Spiropoulos, Borough Attorney  
Mr. 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.

**VI. 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.)*

**A. FILLING THE VACANCY OF THE BOROUGH MANAGER: REVIEW OF CANDIDATES, CANDIDATE QUALIFICATIONS, INTERVIEW QUESTIONS, CONTRACT NEGOTIATIONS, AND HIRING.**

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

**VOTE:** The motion passed without objection and the Assembly moved into executive session at 5:05 p.m.

**MOTION:** Assemblymember Arvin moved to exit executive session.

**VOTE:** The motion passed without objection and the Assembly exited executive session at 5:52 p.m.

*(The special meeting recessed at 5:55 p.m. and reconvened at 6:02 p.m.)*

## **V. ITEMS OF BUSINESS**

### **A. INTERVIEWS FOR THE BOROUGH MANAGER POSITION**

The Assembly conducted the following interviews:

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

*(The special meeting recessed at 7:05 p.m. and reconvened at 7:13 p.m.)*

**MOTION:** Assemblymember Arvin moved to enter into 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. Specifically to review the candidates, discuss the candidate qualifications, and contract negotiations. Those present during executive session were the Mayor, members of the Assembly, the Acting Manager, the Attorney, the Deputy Clerk, the Human Resources Manager, and Mr. Colin Baenziger & Associates.

**VOTE:** The motion passed without objection and the Assembly moved into executive session at 7:15 p.m.

**MOTION:** Assemblymember Arvin moved to exit executive session.

**VOTE:** The motion passed without objection and the Assembly exited executive session at 8:24 p.m.

Mr. Spiropoulos read the proposed employment contract to hire Mr. John Moosey as Borough Manager as follows:

- \$165,000 base salary per year;
- not to exceed \$15,000 reimbursable moving expenses;
- \$1500/month for three months for rental assistance;
- six month severance pay should the Assembly terminate Mr. Moosey's employment with no cause;
- a ten-year leave accrual rate;
- a Borough vehicle for personal and professional use;
- 60 days notice or pay in lieu of notice;
- six month evaluation from the date of employment and annual evaluations thereafter;
- employment to commence no later than May 16, 2011; and
- advised that the proposed contract also covers standard contract terms such as defensive indemnification and conflicts of interest.

MOTION: Assemblymember Arvin moved to authorize Mayor DeVilbiss to sign an employment contract with Mr. John Moosey as read into the record by Mr. Spiropoulos.

Mayor DeVilbiss queried whether Mr. Moosey would be able to commence the contract within 30 days.

Mr. Spiropoulos clarified that the contract notes that Mr. Moosey would commence employment no later than May 16, 2011.

Mr. Moosey expressed his appreciation to the Mayor and Assembly.

Mr. Spiropoulos advised that there is legislation noting that the Borough must reside within the Matanuska-Susitna Borough boundaries.

VOTE: The motion passed without objection.

Mr. Alan Cohen:

- noted that he respected the decision of the Assembly to hire Mr. Moosey;
- stated that it was an honor and privilege to be invited to Alaska;
- thanked the Mayor and Assembly for their consideration; and
- wished the Mayor and Assembly the best of luck.

## **VII. OTHER ITEMS OF BUSINESS**

Assemblymember Arvin queried whether the Assembly could take up Resolution Serial Nos. 11-030 and 11-031 together.

There was no objection noted.

Assemblymember Arvin noted that Resolution Serial Nos. 11-030 and 11-031 were similar in context.

Assemblymember Keogh spoke to proposed amendments needed within Resolution Serial No. 11-030 and 11-031.

Mayor DeVilbiss requested to withdraw Resolution Serial No. 11-030.

There was no objection noted.

~~A. Resolution Serial No. 11-030: A RESOLUTION IDENTIFYING ISSUES OF CONCERN REGARDING THE EXPANSION OF EXISTING MILITARY OPERATING AREAS WITHIN THE MATANUSKA-SUSITNA BOROUGH BOUNDARIES AND THE PAXSON MILITARY OPERATING AREA. (Sponsored by Mayor DeVilbiss)~~

~~1. IM No. 11-053~~

B. Resolution Serial No. 11-031: A RESOLUTION COMMENTING ON THE SCOPING PORTION OF THE DEVELOPMENT OF AN ENVIRONMENTAL IMPACT STATEMENT CONCERNING THE PROPOSED MODERNIZATION AND ENHANCEMENT OF RANGES, AIRSPACE, AND TRAINING AREAS IN THE JOINT PACIFIC ALASKA RANGE COMPLEX IN ALASKA. (Sponsored by Assemblymember Keogh)

1. IM No. 11-054

MOTION: Assemblymember Keogh moved to adopt Resolution Serial No. 11-031.

Assemblymember Keogh:

- spoke to the differences between Resolution Serial No. 11-023 and Resolution Serial No. 11-031; and
- spoke to amendments that he would be proposing.

MOTION: Assemblymember Keogh moved a primary amendment to Resolution Serial No. 11-031 by:

- inserting a “be it further resolved” clause at the end to read “Be it further resolved that the Matanuska-Susitna Borough Assembly opposes lowering the minimum flight training altitude to 500 feet; and
- by striking the title in its entirety and inserting the following title in its place: “A resolution of the Matanuska-Susitna Borough Assembly identifying issues of concern regarding the expansion of existing military operating areas within the Matanuska-Susitna Borough boundaries and the Paxson military operating area.”

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Woods moved a primary amendment to Resolution Serial No. 11-031, in the first “be it further resolved” clause, by inserting the word

“directly” after the word “Army” to read: “Be it further resolved, that the United States Air Force and United States Army directly involve the communities of Talkeetna, Trapper Creek, Willow, Houston, Wasilla, Palmer, Fishhook, Farm Loop, Soapstone-Buffalo, Sutton, Chickaloon, and Glacier View to the extent these communities wish to participate to participate in the continuing EIS process.”

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Colver moved a primary amendment to Resolution Serial No. 11-031, by inserting a “be it further resolved” clause at the end to read “Be it further resolved that the Matanuska-Susitna Borough Assembly has serious unaddressed concerns about the impact of expansion of the existing FOX military operating area”.

Assemblymember Halter:

- queried whether the Paxson MOA expansion was addressed within the legislation; and
- spoke to the need to include concerns regarding the Paxson MOA.

MOTION: Assemblymember Bettine moved a secondary amendment by inserting “and the addition of the Paxson military operating area” after the words “existing FOX military operating area” to read: “Be it further resolved that the Matanuska-Susitna Borough Assembly has serious unaddressed concerns about the impact of expanding the existing FOX military operating area and addition of the Paxson military operating area”.

VOTE: The secondary amendment passed without objection.

VOTE: The primary amendment passed as amended without objection.

Assemblymember Colver:

- spoke to the Outdoor Council’s main concern regarding the Environmental Impact Study (EIS) be performed at the same level as it would over Federal Park lands; and
- noted that the EIS for Federal Park lands is held to a higher standard and has more detail.

Discussion ensued regarding whether the EIS standard performed for the MOA was performed at the same level as an EIS for Federal lands.

Discussion ensued regarding the standards of the airspace EIS.

VOTE: The main motion passed as amended without objection.

## **VI. AUDIENCE PARTICIPATION**

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

## **IX. MAYOR, ASSEMBLY, AND STAFF COMMENTS**

Assemblymember Bettine:

- queried what the Manager was proposing for department staff reports for the fiscal year 2012 (FY12) budget; and
- spoke to a letter from the Caswell Lakes FSA regarding the FY12 budget.

Ms. Gray:

- noted that she is currently working with the Clerk and the Finance Director to schedule dates for staff reports regarding the FY12 budget; and
- advised that the budget schedule would be forthcoming.

Assemblymember Bettine:

- spoke to the Mayor noting that he would like to decrease the FY12 budget by 10 percent; and
- spoke to the need for the Assembly to have budget input ahead of time instead of after the fact.

Discussion ensued regarding:

- how the staff budget presentations had been performed in the past;
- the need to hear from staff where department budget cuts could be during the staff presentations; and
- the dialog in Juneau regarding preparations for the 2015 to 2017 budget, when it will be likely not to have oil money any longer.

Assemblymember Woods spoke to the great job that Mr. Colin Baenziger of Baenziger & Associates performed with recruiting candidates for filling the vacancy of Borough Manager.

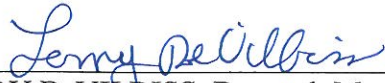
Assemblymember Arvin requested that the Mayor contact the Frontiersman to let them know the Borough has hired a Manager.

Ms. Gray:

- stated that Ms. Conant did a great job with the Manager hiring process; and
- thanked the Assembly for their work with the Manager hiring process.

**VII. ADJOURNMENT**

The special meeting adjourned at 9:23 p.m.

  
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LARRY DeVILBISS, Borough Mayor

ATTEST:

  
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LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 04/05/11